



# Department of Justice



## Office of Justice Programs

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### **BETWEEN 2000 AND 2010, FEDERAL APPREHENSIONS FOR IMMIGRATION VIOLATIONS DECLINED WHILE ARRESTS TRIPLED**

WASHINGTON – Apprehensions for immigration violations peaked at 1.8 million in 2000 but dropped to 516,992 in 2010—the lowest level since 1972, according to a report released today by the Justice Department’s Bureau of Justice Statistics (BJS).

Between 2000 and 2010, arrests booked by the U.S. Marshals Service for federal immigration offenses tripled, from 25,205 to 82,438 arrests. Immigration apprehensions resulted in about 16 arrests per 100 apprehensions in 2010, up from 2 arrests per 100 in 2002.

Immigration apprehensions are instances in which foreign nationals are caught in the U.S. illegally, while arrests refer to the booking of an individual by U.S. Marshals for violating federal immigration law. Apprehensions and arrests represent events, not individuals, because some individuals may be apprehended or arrested more than once.

In 2010, 87 percent of apprehensions of persons in the U.S. illegally were at or near the Southwest border. Southwest border sectors with the most apprehensions in 2010 included the Tucson sector (212,202), followed by San Diego (68,565), Rio Grande Valley (59,766), Laredo (35,287), El Centro (32,562) and Del Rio (14,694).

The majority of persons apprehended by the Department of Homeland Security in 2010 were citizens of Mexico (83 percent). An increasing share of persons apprehended came from countries in Central America, reaching 12 percent in 2010, up from three percent in 2002. The percentage of deportable aliens from other locations—such as South America, the Caribbean, Asia, Africa, Europe and Canada—remained relatively stable at around one or two percent in both 2002 and 2010.

Ninety percent of federal immigration arrests in 2010 occurred in five U.S. Southwest border federal judicial districts: California Southern, Arizona, New Mexico, Texas Western and Texas Southern. Approximately 90 percent of suspects arrested for a federal criminal immigration offense were male. Most suspects arrested (41 percent) were between ages 25 and 34. Twenty-six percent were persons under age 25, and 9 percent were age 45 or older.

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About two-thirds of immigration violators arrested for a federal immigration offense in 2010 were charged with a misdemeanor for illegal entry and were sentenced to jail for up to 180 days by a U.S. magistrate judge. The remaining third were charged in U.S. district court for a felony or a more serious misdemeanor.

The most common immigration offense charged in U.S. district court in 2010 was illegal reentry (81 percent), followed by alien smuggling (12 percent), misuse of visas (6 percent) and illegal entry (1 percent). Most immigration defendants were male (93 percent), Hispanic (96 percent) and over age 25 (88 percent). Nearly half (48 percent) of offenders charged with alien smuggling were U.S. citizens.

Immigration matters with the highest prosecution rate in 2010 included suspects with alien smuggling (80 percent), misuse of visas (79 percent) and illegal reentry (67 percent) as the primary offense charged.

Of the immigration defendants charged in U. S. district court in 2010, two-thirds (66 percent) had a prior felony arrest and more than half (57 percent) had a prior felony conviction. Defendants charged with illegal reentry (85 percent) were more likely to have a prior conviction than those charged with illegal entry (62 percent) and alien smuggling (43 percent). About two-thirds (65 percent) of illegal reentry defendants had a prior felony conviction, including 25 percent with a prior drug felony conviction and 20 percent with a prior violent felony conviction.

Nearly all (97 percent) immigration defendants in cases terminated in 2010 pled guilty. Most (81 percent) defendants convicted in U. S. district court received a prison sentence. The median prison term was 15 months.

At fiscal yearend 2010 (September 30), nearly 22,000 immigration offenders were in federal prison, and 5,000 were on supervised release in the community. The vast majority of immigration offenders in federal prison had been convicted of illegal entry or reentry offenses (nearly 90 percent), followed by alien smuggling (10 percent) and misuse of visas (less than 1 percent).

This report uses data from BJS's Federal Justice Statistics Program (FJSP) and other published sources. The FJSP receives criminal data from seven federal justice agencies: U.S. Customs and Border Protection, Immigration and Custom Enforcement, U.S. Marshals Service, Executive Office for U.S. Attorneys, Administrative Office of the U.S. Courts, Federal Bureau of Prisons, and Executive Office of Immigration Review.

The report, *Immigration Offenders in the Federal Justice System, 2010* (NCJ 238581), was written by BJS statistician Mark Motivans. The report, related documents and additional information about the Bureau of Justice Statistics' statistical publications and programs can be found on the BJS website at <http://www.bjs.gov/>.

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