

Number of immigrants deported from U.S. dropped sharply in last year

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The number of immigrants deported from the U.S. fell sharply in the last year, a decline driven by the Obama administration's struggle to handle the surge of Central American migrants and its continuing shift in deciding whom to deport.

The decrease was recorded even as the number of people caught crossing the border rose. It is likely to give new ammunition to Republicans who accuse the administration of lax enforcement, although it could also boost the president's standing in Latino communities.

Immigration agents removed 315,943 people in the year that ended Sept. 30, a 14% drop and the lowest total since President Obama took office, according to a U.S. Immigration and Customs Enforcement draft report obtained by the Los Angeles Times.

About two-thirds were sent back to their home countries after being caught at the border. Those removals were down 9% from 2013, the report said.

An even bigger decline came in the numbers of people removed after living for some time in the U.S., mostly after being ensnared in the criminal justice system. About 102,000 people were sent out of the U.S. in these so-called interior removals — a 23% drop from 2013, and fewer than half the number of people deported in 2011.

The reasons for the drops, which come as immigration policy has become the center of fierce debate in Washington, involve both deliberate policy shifts and unexpected circumstances.

Obama announced last month that he would limit deportations for about 5 million unauthorized immigrants, primarily those who are the parents of U.S. citizens or permanent residents.

On Thursday, the House approved a measure that seeks to block Obama's action, calling it "null and void."

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But the vote will probably amount to nothing more than a symbolic gesture of frustration, since Sen. Harry Reid (D-Nev.), majority leader until year's end, has vowed not to take up the bill, and the White House has threatened to veto it if Congress passes it.

The new numbers will probably add to Republican arguments against the administration. The figures show the administration's "lax interior enforcement policies," said Rep. Michael McCaul (R-Texas), chairman of the House Homeland Security Committee, which oversees immigration enforcement. That will encourage more illegal immigration, he warned.

"We essentially tell citizens of other countries, 'If you come here, you can stay — don't worry, we won't deport you,'" McCaul said in a statement to The Times. "The reality on the ground is that unless you commit multiple crimes, the chances of your being removed from this country are close to zero."

But deportations have been deeply unpopular in Latino communities, where Obama's standing has already been on the rise since the policy changes were announced.

Some of the decline in deportations stems from the administration's decision to concentrate virtually all of the U.S. deportation machinery on the border, and on people convicted of crimes and repeat immigration violations — removing "felons, not families," as Obama said in announcing his plan last month.

Last year, 85% of the people removed from the interior had some type of criminal conviction, the ICE report said, and most of them were convicted of felonies or at least three misdemeanors.

Another major, although paradoxical, factor was the surge in unaccompanied children apprehended at the border this spring and summer, the agency said in the report.

While people from Mexico are often sent home quickly, deporting those from other countries is more complicated and takes longer.

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The ICE report said many of its agents were diverted from that task because of the need to help process and supervise the unaccompanied children and families who showed up by the tens of thousands in Arizona and Texas last year.

"ICE remains focused on smart and effective immigration enforcement that prioritizes the removal of convicted criminals and recent border entrants," said Gillian Christensen, the agency's press secretary. "There is no set mandated removal number."

The deportation numbers are mostly driven by factors outside the agency's control — starting with who is apprehended, said John Sandweg, who left as ICE director in February.

"It has nothing to do with a political calculus," Sandweg said of the drop in deportations. "It has everything to do with what happens on the border."

The Border Patrol says agents caught nearly half a million people trying to cross into the U.S. in the year ending Sept. 30, a 15% increase.

But the increase was entirely due to a rush of people coming from countries other than Mexico, notably Guatemala, Honduras and El Salvador, according to a copy of a Border Patrol report also obtained by The Times.

People from countries other than Mexico accounted for more than half of all apprehensions, up from about a third in 2013. That means putting more people on airplanes — and more delays.

Deportation officers often must wait months for consulates to provide travel documents before a person can be removed on an international flight, said Gregory Chen, director of advocacy for the American Immigration Lawyers Assn.

Immigrants from Mexico don't need to board an airplane to be removed and are often sent back much more quickly, he said.

And Sandweg said many Central Americans seek political asylum and therefore must have a legal hearing before they can be deported. But because the immigration courts are so backlogged, those cases can languish for as long as four or five years.

A Senate bill passed last year included more funds for immigration courts, along with stepped-up border enforcement, but it never got a vote in the House.

Sandweg said Obama's executive action could help by clearing thousands of cases from immigration court dockets — and allowing judges to more quickly hear those asylum claims from more recent arrivals.

"There just are fewer people who fit those priorities," said Marc Rosenblum, deputy director of the U.S. Immigration Policy Program at the Migration Policy Institute. "Most immigrants settled in the U.S. have not been convicted of serious crimes."

Those numbers could drop even further, Rosenblum said, now that Obama has ordered the agency to focus even more on the most serious criminal offenders. People who committed no crimes other than entering the country illegally won't be priorities for enforcement.

Another reason for the decline in interior deportations, Christensen said, is that fewer city and state police agencies are holding people for immigration agents. That widespread pushback contributed to Obama's decision to drop the Secure Communities program that enlisted police in immigration enforcement.

Deportations move much faster for immigrants who are in detention, but the agency said it often had to release people to make room for recent border crossers and more dangerous detainees. Others are released after legally required bond hearings.

In the 2014 report, the agency said it released about 127,000 people, including 30,862 convicted criminals — a point that drew criticism at a hearing of McCaul's committee this week.

"That further erodes the trust of the American people," said Rep. Jeff Duncan (R-S.C.). "The American people want to see border security. They want to see deportations."

Homeland Security Secretary Jeh Johnson acknowledged the number of released criminals should be lower, adding that he was tightening the rules so ICE supervisors have to approve releases. "I want to know that we're applying a consistent standard to those circumstances, because they may jeopardize public safety."

David Leopold, an immigration attorney based in Cleveland, said he's seen the change in policies help his clients, saying "it is pretty rare" that someone who has no criminal record is deported.

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"We do see it, it happens, and when it happens, we have to make sure the local field office understands and follows the directive coming out of Washington," he said in a telephone interview. "The battleship is slowly turning, and ICE perhaps is beginning to get it."

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Michael Memoli and Kathleen Hennessey in the Washington bureau contributed to this report.

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