



What's Going On With Immigration Enforcement?

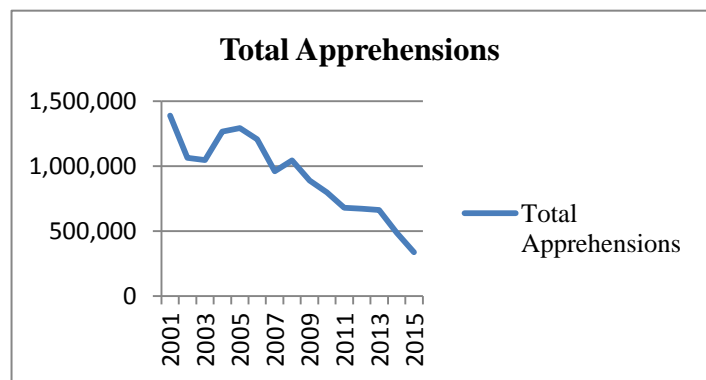
Fewer Border Crossers, More Asylum Seekers

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The Administration recently released [official statistics](#) on enforcement for the fiscal year 2015, emphasizing its efforts to prioritize enforcement against convicted criminals and threats to public safety and security. Critics have asserted that the Department of Homeland Security (DHS) is failing to enforce our immigration laws, particularly in light of the decrease in 2015 removals by Customs Enforcement (ICE). As this fact sheet illustrates, two major phenomena are critical to understanding these developments in immigration enforcement: First, there has been a 40-year decline in border apprehensions. Second, far fewer Mexicans and far more Central Americans seeking asylum are coming to our borders.

Border apprehensions are at 40-year lows.

The fact is that far fewer individuals are trying to cross our borders every year. DHS reports that apprehensions at the Southwest Border in FY 2015 were as low as 337,117 – whereas in the early 2000s, total apprehension figures were regularly well over a million annually. Except for a relatively small uptick in 2014, apprehensions have continuously decreased over the last decade.



More of those apprehended are Central Americans, and more of them are refugees.

The demographics of the apprehensions have shifted dramatically the last few years. Refugees fleeing extreme violence in Central America now make up a much larger piece of the much smaller apprehension pie.

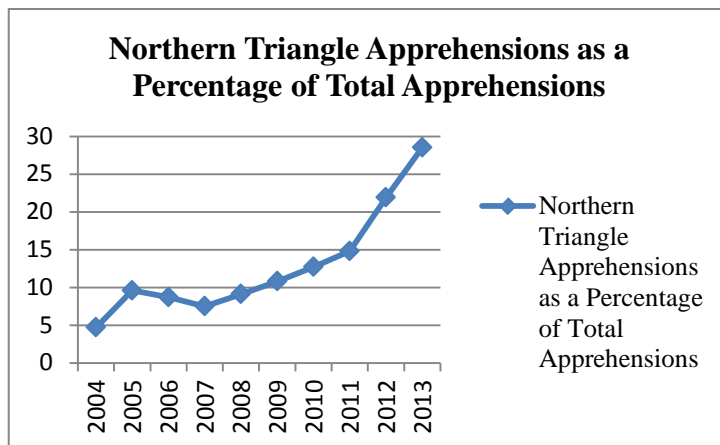
From 2004 to 2013, Border Patrol apprehensions of individuals from countries other than Mexico averaged just 89,600 annually. In 2014, that number [jumped to more than 257,000, a 186% increase](#).

In 2004, just 4.7% of all apprehensions by ICE and CBP that year came from Guatemala, Honduras, and El Salvador. By 2013, that [percentage jumped to 28.5%](#).

“While Border Patrol apprehensions of Mexican nationals in FY 2014 **decreased by 14 percent** when compared to FY 2013, apprehensions of individuals from countries other than Mexico—predominately individuals from Central America—**increased by 68 percent.**”
--[DHS Border Security Report December 2014](#)

Available data strongly suggests that the vast majority of recently apprehended individuals from Northern Triangle countries have bona fide claims for protection under U.S. law. [USCIS data shows that 88 percent](#) of the mothers and children detained in the three family detention centers in Pennsylvania and Texas are proving to the government they are likely to be found eligible for asylum and other forms of humanitarian relief by a U.S. Immigration Judge. In October 2015, [UNHCR reported](#) that already in FY2015, out of 16,077 females from El Salvador, Guatemala, Honduras, and Mexico who were subject to the credible fear screening by a U.S. asylum officer, **82 percent** proved to the government that they have

a significant possibility of establishing eligibility for asylum or protection under the Convention against Torture.



As the number of requests for asylum grows, the backlog of asylum cases worsens. Over the last two years, the asylum case backlog has tripled. The total number of requests for asylum received by the U.S. government more than doubled between FY2007 and FY2014.¹ In just the first 3 quarters of FY2015, USCIS has received more asylum applications than it has in any prior year.

What does this mean for enforcement?

Under our law, a refugee cannot be removed quickly without giving that individual a chance to seek protection in the U.S. There is good reason for this. The danger of wrongfully deporting a person back into the very danger he or she fled is real. [The Guardian](#) recently reported more than 80 confirmed cases since January 2014 in which Central Americans deported from the U.S. have been killed upon return.

Each refugee deserves an opportunity to meaningfully seek asylum. If the number of removals decreases this year (as is expected), the refugee crisis in Central America resulting in many fleeing for their lives may be a big part of the reason why.

FY2013 marked a peak in what had been an extremely aggressive, sustained enforcement strategy that swept up many individuals who had no criminal histories and who should never have been an enforcement priority in the first place, destroying many families and communities in the process. This is not a model – or a marker – against which we should measure current removals.

¹ This number is made up of asylum applications received by USCIS, and defensive asylum applications filed. <http://www.justice.gov/eoir/statistical-year-book>; <http://www.uscis.gov/outreach/notes-previous-engagements> (see, Asylum Division Quarterly Stakeholder Meeting)