

JUSTICE NEWS

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Pursuant to Executive Order on Public Safety, Departments of Justice and Homeland Security Release Data on Incarcerated Aliens

President Trump's Executive Order on Public Safety in the Interior of the United States requires the Department of Justice and Department of Homeland Security to collect relevant data and provide quarterly reports on data collection efforts. The data in this release shows a significant prison population of incarcerated aliens.

Below is a summary of data collected under Section 16 of the Order, which directs "the Secretary [of Homeland Security] and the Attorney General . . . to collect relevant data and provide quarterly reports" regarding the following subjects: (a) the immigration status of all aliens incarcerated under the supervision of the Bureau of Prisons; (b) the immigration status of all aliens incarcerated as federal pretrial detainees; and (c) the immigration status of all convicted aliens in state prisons and local detention centers throughout the United States.

Information Regarding Immigration Status of Aliens Incarcerated Under the Supervision of the Federal Bureau of Prisons

The Department of Justice's Bureau of Prisons (BOP) has an operational process for maintaining data regarding foreign-born inmates in its custody. On a daily basis, BOP supplies this information to U.S. Immigration and Customs Enforcement (ICE). ICE, in turn, analyzes that information to determine the immigration status of each inmate and provides that information back to BOP.

As a part of satisfying the Justice Department's second quarterly report of this information, below is information regarding aliens currently incarcerated under the supervision of BOP.[1] This information is current as of June 24:

Out of the 187,855 inmates in BOP custody, 42,034 are foreign-born. The breakdown of the 42,034 aliens is as follows:

- 19,749 (46.9%) are aliens who have received final orders of removal;
- 21,121 (50.2%) are aliens who are under ICE investigation for possible removal;
- 1,157 (2.8%) are aliens whose cases are pending adjudication before an Immigration Judge in the Executive Office of Immigration Review (EOIR); and
- Seven (.0002%) are aliens who have been granted relief.

Information Regarding the Immigration Status of Aliens Incarcerated as Federal Pretrial Detainees

The U.S. Marshal Service (USMS), the Department of Justice's component charged with the housing and care of federal pretrial detainees, recently instituted a program to capture data regarding the immigration status of these detainees.

Based upon records current as June 14, USMS identified 12,005 "self-reporting" foreign-born prisoners (aliens) out of 50,135 arrested and detained at USMS facilities. Further details follow for the 50,135 detained aliens:

- 9,857 (82.1%) are aliens who have received final orders of removal;
 - 2,047 (17.1%) are aliens whose cases are still pending adjudication before an Immigration Judge in the EOIR;
- and

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- 101 (.8%) are aliens still pending adjudication (ICE has charged these aliens as removal cases, but a final disposition has not yet been reached.)

Immigration Status of All Convicted Aliens Incarcerated in State Prisons and Local Detention Centers throughout the United States

The Department continues to progress towards establishing data collection of the immigration status of convicted aliens incarcerated in state prisons and local detention centers through its Office of Justice Programs (OJP), Bureau of Justice Statistics (BJS).

[1] The previous report is available at: <https://www.justice.gov/opa/pr/pursuant-executive-order-public-safety-department-justice-releases-data-incarcerated-aliens-0>

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