

The Rise of Federal Immigration Crimes

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Washington, DC - Dramatic growth over the past two decades in the number of offenders sentenced in federal courts has been driven primarily by enforcement of a particular immigration offense--unlawful reentry into the United States--according to a [new Pew Research Center analysis](#) of data from the United States Sentencing Commission (USSC).

Between 1992 and 2012, the number of offenders sentenced in federal courts more than doubled, rising from 36,564 cases to 75,867. At the same time, the number of unlawful reentry convictions increased 28-fold, from 690 cases in 1992 to 19,463 in 2012. The increase in unlawful reentry convictions alone accounts for nearly half (48%) of the growth in the total number of offenders sentenced in federal courts over the period. By contrast, the second fastest growing type of conviction--for drug offenses--accounted for 22% of the growth.

As unlawful reentry convictions increased, the demographic composition of sentenced offenders changed. In 1992, Latinos made up 23% of sentenced offenders; by 2012, that share had grown to 48%. Over the same period, the share of offenders who did not hold U.S. citizenship increased from 22% to 46%. Among federal sentenced offenders in 1992, 12% were unauthorized immigrants. By 2012, that share had increased to 40%.

Unlawful reentry convictions in federal courts are part of a broader stepped up enforcement effort from the U.S. Border Patrol begun in 2005. The data for this report come from the USSC and cover all federal felony and misdemeanor cases between 1992 and 2012 for which the offense category is known and the offender is sentenced in federal courts. These data include all criminal immigration offenses sentenced under the U.S. sentencing guidelines, but do not include civil immigration charges that are heard before U.S. immigration courts.

Among the report's other findings:

Offense Composition of Federal Offenders: In 1992, the largest offense type by far was drugs, accounting for 45% of convictions, while immigration offenses accounted for 5% of offenses. By 2012, immigration offenses made up 30% of offenses and drug convictions accounted for 33% of offenses.

Prison Sentences: Nearly all of those sentenced for unlawful reentry in federal courts received a prison sentence. On average, the sentence length for these offenders was about two years.

Geography of Unlawful Reentry Cases: Of the 19,463 unlawful reentry convictions in 2012, 73% were concentrated in only five U.S. border districts: the Southern District of Texas, the District of Arizona, the Western District of Texas, the District of New Mexico and the Southern District of California. In recent years, many immigrants convicted in federal courts of unlawful reentry were processed under the U.S. Border Patrol's Operation Streamline program. This program has accounted for 45% of all federal immigration-related prosecutions in Southwest border districts between 2005 and 2012.

The report, authored by Michael T. Light of Purdue University and Mark Hugo Lopez and Ana Gonzalez-Barrera of Pew Research Center, is available at <http://www.pewhispanic.org/2014/03/18/the-rise-of-federal-immigration-crimes/>.

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