

FY 2013 ICE Immigration Removals

Overview

In addition to its criminal investigative responsibilities, U.S. Immigration and Customs Enforcement (ICE) shares responsibility for enforcing the nation's civil immigration laws with U.S. Customs and Border Protection (CBP) and U.S. Citizenship and Immigration Services (USCIS). ICE's role in the immigration enforcement system is focused on two primary missions: (1) the identification and apprehension of criminal aliens and other removable individuals located in the United States; and (2) the detention and removal of those individuals apprehended in the interior of the U.S., as well as those apprehended by CBP officers and agents patrolling our nation's borders.

In executing these responsibilities, ICE has prioritized its limited resources on the identification and removal of criminal aliens and those apprehended at the border while attempting to unlawfully enter the United States. This report provides an overview of ICE Fiscal Year (FY) 2013 civil immigration enforcement and removal operations:

In FY 2013:

- ICE conducted a total of 368,644 removals.
- ICE conducted 133,551 removals of individuals apprehended in the interior of the U.S.
 - 82 percent of all interior removals had been previously convicted of a crime.
- ICE conducted 235,093 removals of individuals apprehended along our borders while attempting to unlawfully enter the U.S.¹
- 59 percent of all ICE removals, a total of 216,810, had been previously convicted of a crime.
 - ICE apprehended and removed 110,115 criminals removed from the interior of the U.S.
 - ICE removed 106,695 criminals apprehended at the border while attempting to unlawfully enter the U.S.
- 98 percent of all ICE FY 2013 removals, a total of 360,313, met one or more of ICE's stated civil immigration enforcement priorities.²
- Of the 151,834 removals of individuals without a criminal conviction, 84 percent, or 128,398, were apprehended at the border while attempting to unlawfully enter the U.S. and 95 percent fell within one of ICE's stated immigration enforcement priorities.³
- The leading countries of origin for those removed were Mexico, Guatemala, Honduras, and El Salvador.

¹ Approximately 95 percent these individuals were apprehended by U.S. Border Patrol agents and then processed, detained, and removed by ICE. The remaining individuals were apprehended by CBP officers at ports of entry.

² As defined in the March 2011 ICE Memorandum: Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens.

³ ICE defines criminality via a recorded criminal conviction obtained by ICE officers and agents from certified criminal history repositories. The individuals described above include recent border crossers, fugitives from the immigration courts and repeat immigration violators.



Interior Apprehensions and Removals

In FY 2013, ICE conducted 133,551 removals of individuals apprehended in the interior of the United States.

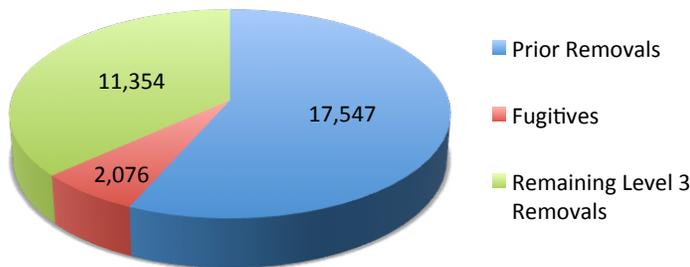
ICE focused interior enforcement operations on convicted criminals with an emphasis on those convicted of the most serious crimes. 82 percent of all removals from the interior of the U.S. were previously convicted of a criminal offense. 72 percent of the convicted criminals removed from the interior were convicted of an ICE Level 1 or Level 2 offense.⁴

Level	Count	Percentage
Level 1	52,935	48%
Level 2	26,203	24%
Level 3	30,977	28%

Many of the criminal aliens removed from the interior of the U.S. also fell into other ICE priority categories. 60 percent of ICE's interior criminal alien removals were previously removed from the U.S. or were immigration fugitives, and 63 percent of all interior Level 3 removals had been previously removed or had absconded from the immigration courts.

FY 2013 Level 3 Interior Removals

Total removals 30,977



Threat Level/Priority		Removals
Convicted Criminal	Level 1	52,935
	Level 2	26,203
	Level 3	30,977
Immigration Fugitives		2,742
Repeat Immigration Violators		10,358
Other Removals		10,336

Definitions of Key Terms

Border Removal: An individual removed by ICE who is apprehended while attempting to illicitly enter the United States at or between the ports of entry by a CBP officer or agent. These individuals are also referred to as recent border crossers.

Criminal Offender: An individual convicted in the United States for one or more criminal offenses. This does not include civil traffic offenses.

Immigration Fugitives: An individual who has failed to leave the United States based upon a final order of removal, deportation or exclusion, or who has failed to report to ICE after receiving notice to do so.

Interior Removal: An individual removed by ICE who is identified or apprehended in the United States by an ICE officer or agent. This category excludes those apprehended at the immediate border while attempting to unlawfully enter the United States.

Other Removable Alien: An individual who is not confirmed to be a convicted criminal, recent border crosser or fall under another ICE civil enforcement priority category. This category may include individuals removed on national security grounds or for general immigration violations.

Previously Removed Alien: An individual previously removed or returned who has re-entered the country illegally again.

Reinstatement of Final Removal Order: The removal of an alien based on the reinstatement of a prior removal order, where the alien departed the United States under an order of removal and illegally reentered the United States [INA § 241(a)(5)]. The alien may be removed without a hearing before an immigration court.

Removal: The compulsory and confirmed movement of an inadmissible or deportable alien out of the United States based on an order of removal. An individual who is removed may have administrative or criminal consequences placed on subsequent reentry owing to the fact of the removal.

⁴ Level 1 offenders are those aliens convicted of “aggravated felonies,” as defined in § 101(a)(43) of the Immigration and Nationality Act, or two (2) or more crimes each punishable by more than 1 year, commonly referred to as “felonies.” Level 2 offenders are aliens convicted of any other felony or three (3) or more crimes each punishable by less than 1 year, commonly referred to as “misdemeanors.” Level 3 offenders are aliens convicted of “misdemeanor” crime(s) punishable by less than 1 year.

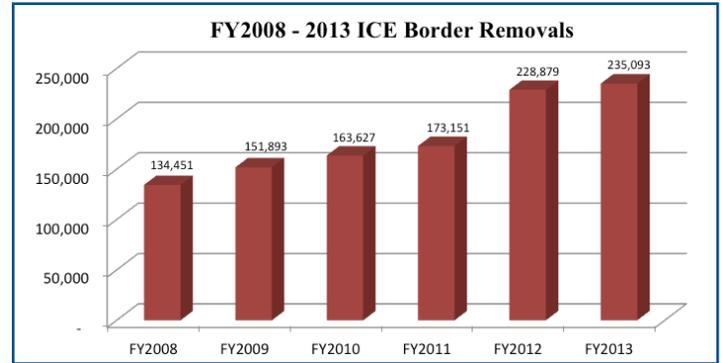
Border Security Removals

In FY 2013, ICE continued to prioritize border security, partnering with CBP officers and the U.S. Border Patrol to process and remove individuals apprehended while attempting to unlawfully enter the United States.

In FY 2013, ICE removed 235,093 recent border crossers. Many of those apprehended along the border had a prior criminal or civil immigration violations in the United States. Of those recent border crossers removed, 106,695 had a criminal conviction.

Border Removal Breakdown			
Agency	Level/Priority		Removals
Office of Border Patrol	Convicted Criminal	Level 1	19,472
		Level 2	20,049
		Level 3	62,517
	Immigration Fugitives		3,163
	Repeat Immigration Violators		60,453
	Apprehensions and Other Border Removals		59,078
Total OBP			224,732
Office of Field Operations	Convicted Criminal	Level 1	1,752
		Level 2	946
		Level 3	1,959
	Immigration Fugitives		93
	Repeat Immigration Violators		1,443
	Apprehensions and Other Border Removals		4,168
Total OFO			10,361

Overall, FY 2013 border removals represented a slight (3 percent) increase over FY 2012 border removals:



Changing Demographics of Border Apprehensions

In FY 2013, the numbers of removals by ICE following a CBP apprehension increased, in part, due to the rise in the number of individuals apprehended by CBP officers and agents from countries other than Mexico

In FY 2012, 71,257 of the recent border crossers removed by ICE following a CBP apprehension were from countries other than Mexico. In FY 2013, this number rose by 27 percent to 90,461. This shift in the demographics of border apprehensions triggered an increase in ICE's use of its detention and removal resources for recent border crossers as CBP is only able to effectuate the return of individuals to Mexico.

Overall Criminal Alien Removals

Overall, ICE conducted 216,810 removals of convicted criminals in FY 2013, the highest percentage of removals (59 percent) recorded for the previous five fiscal years. Convicted criminal removals, as a percentage of total removals, increased by four percent in FY 2013, and Level 1 removals, as a percentage of total removals, increased by one percent from FY 2012. Overall, 74,159 of the convicted criminals removed were Level 1 offenders, 47,198 were Level 2 offenders and 95,453 were Level 3 offenders.

The majority of Level 1 and Level 2 offenders – 65 percent – were apprehended in the interior of the U.S. Conversely, 68 percent of all Level 3 offenders were of individuals who were apprehended at the border and who also were previously convicted of a crime in the U.S., fulfilling two of ICE's stated priorities.

Non-Criminal Removals

The overwhelming majority of ICE's non-criminal removals in FY 2013 were individuals encountered by CBP agents and officers while trying to unlawfully enter the United States. Eighty-five percent (128,398) of ICE's 151,834 non-criminal removals were individuals attempting to unlawfully enter the U.S. Overall, 93 percent of all ICE's non-criminal removals were of recent border crossers, repeat immigration violators, or fugitives from the immigration courts.

Removed Population by Citizenship

In FY 2013, Mexico continued to be the leading country of origin for those removed, followed by Guatemala, Honduras and El Salvador.

FY 2013 Top 10 Countries of Removal by Citizenship	
Citizenship	Total
MEXICO	241,493
GUATEMALA	47,769
HONDURAS	37,049
EL SALVADOR	21,602
DOMINICAN REPUBLIC	2,462
ECUADOR	1,616
BRAZIL	1,500
COLOMBIA	1,429
NICARAGUA	1,383
JAMAICA	1,119
Top 10 Total	357,422

Legal Framework of Removal

In FY 2013, ICE conducted 101,000 removals of individuals following the issuance of an order of expedited removal. 159,624 were subject to a reinstated final order, and 23,455 voluntarily returned to their home country. The majority of the remaining 75,336 ICE removals in FY 2013 were issued a final order of removal by an Immigration Judge within the Department of Justice Executive Office of Immigration Review.

Appendix A: Methodology

Data Source:

Data used to report on ICE statistics are obtained through the ICE Integrated Decision Support (IIDS) system data warehouse.

Data Run Dates:

FY 2013: IIDS v1.14 run date 10/06/2013; ENFORCE Integrated Database (EID) as of 10/04/2013

FY 2012: IIDS v1.12 run date 10/07/2012; EID as of 10/05/2012

FY 2011: IIDS run date 10/07/2011; EID as of 10/05/2011

FY 2010: IIDS run date 10/05/2010; EID as of 10/03/2010

FY 2009: Removals and Returns are adjusted historic number of an IIDS run date of 8/16/2010 (EID as of 8/14/10) and will remain static.

Removals

Removals data is historical and remains static. Removals include Returns. Returns include Voluntary Returns, Voluntary Departures and Withdrawals Under Docket Control.

Starting in FY2009, ICE began to “lock” removal statistics on Oct. 5 at the end of each fiscal year and counted only the aliens whose removal or return was already confirmed. Aliens removed or returned in that fiscal year but not confirmed until after Oct. 5 were excluded from the locked data and thus from ICE statistics. To ensure an accurate and complete representation of all removals and returns, ICE will include the removals and returns confirmed after Oct. 5 into the next fiscal year. The number of removals in FY2012, excluding the “lag” from FY2011, was 402,919. The number of removals in FY2013, excluding the “lag” from FY2012, was 363,144.

FY Data Lag/Case Closure Lag is defined as the physical removal of an alien occurring in a given month; however, the case is not closed in EARM until a subsequent FY after the data is locked. Since the data from the previous FY is locked, the removal is recorded in the month the case was closed and reported in the next FY Removals. This will result in a higher number of recorded removals in an FY than actual departures.

Any voluntary return on or after June 1, 2013, whose case does not have an ICE book-in will not be recorded as an ICE removal.

ERO Removals include aliens processed for Expedited Removal (ER) and turned over to ERO for detention. Aliens processed for ER and not detained by ERO are primarily processed by Border Patrol. CBP should be contacted for those statistics.

FY 2012 – FY 2013 Removals include ATEP removals.

Criminality

The ICE Levels reflect the priorities outlined in the June 2010 memorandum entitled ICE Civil Immigration Enforcement Priorities effective October 1, 2010. Since FY 2011, ICE has defined criminality as whether or not an alien has a recorded criminal conviction from certified criminal history repositories. For purposes of prioritizing the removal of aliens convicted of crimes, ICE personnel refer to the following offense levels: Level 1, Level 2, and Level 3 offenders. Level 1 offenders are those aliens convicted of “aggravated felonies,” as defined in § 101(a)(43) of the Immigration and Nationality Act, or two or more crimes each punishable by more than one year, commonly referred to as “felonies.” Level 2 offenders are aliens convicted of any other felony or three or more crimes each punishable by less than one year, commonly referred to as “misdemeanors.” Level 3 offenders are aliens convicted of “misdemeanor” crime(s) punishable by less than one year. Prior to FY 2011, ICE used SC levels 1, 2, and 3 for prioritization purposes.