

Immigrant Detention: Can ICE Meet Its Legal Imperatives and Case Management Responsibilities?

September 10, 2009

Donald Kerwin, Vice President for Programs

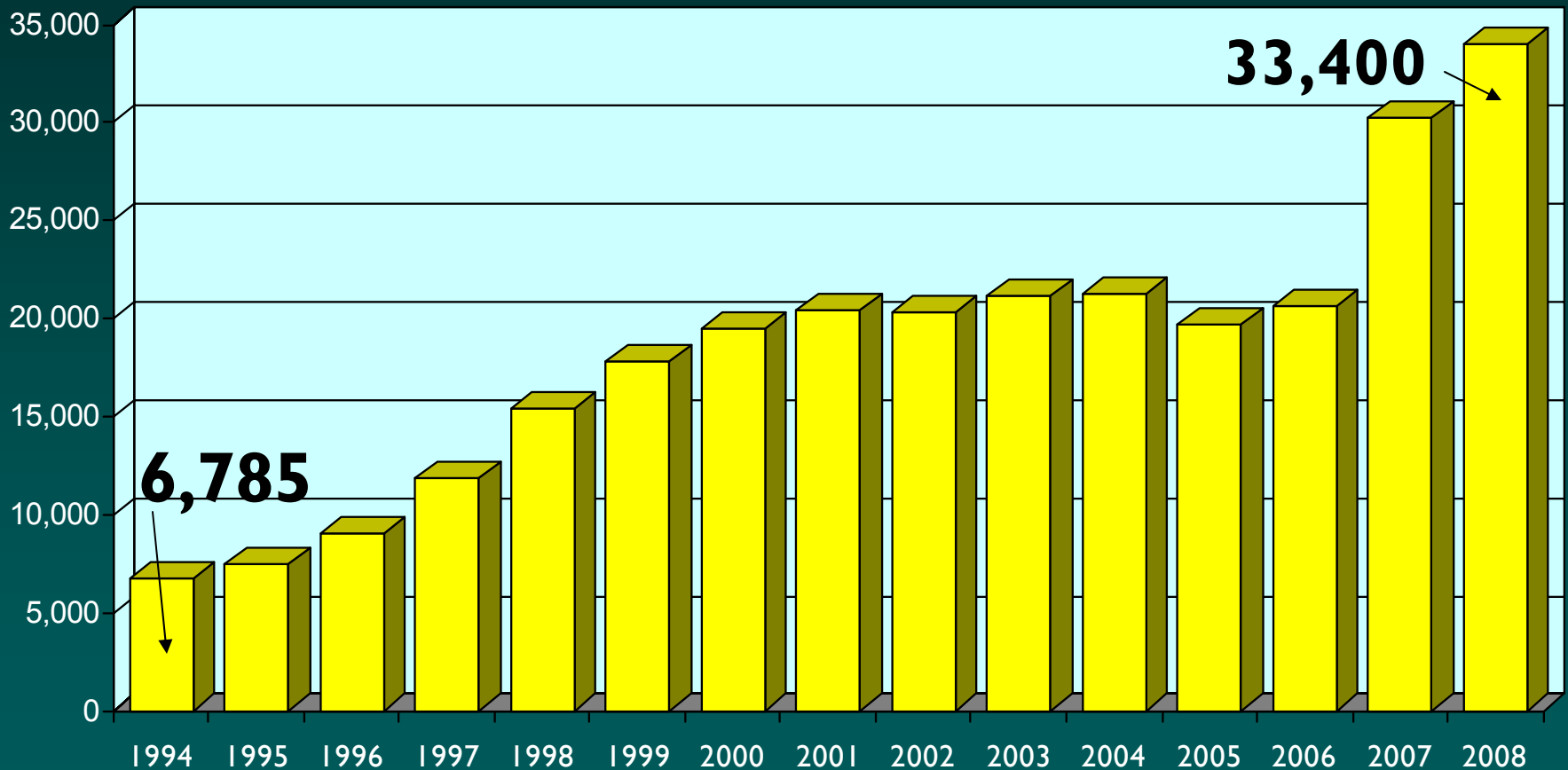
Serena Lin, Data/Statistical Analyst

Migration Policy Institute

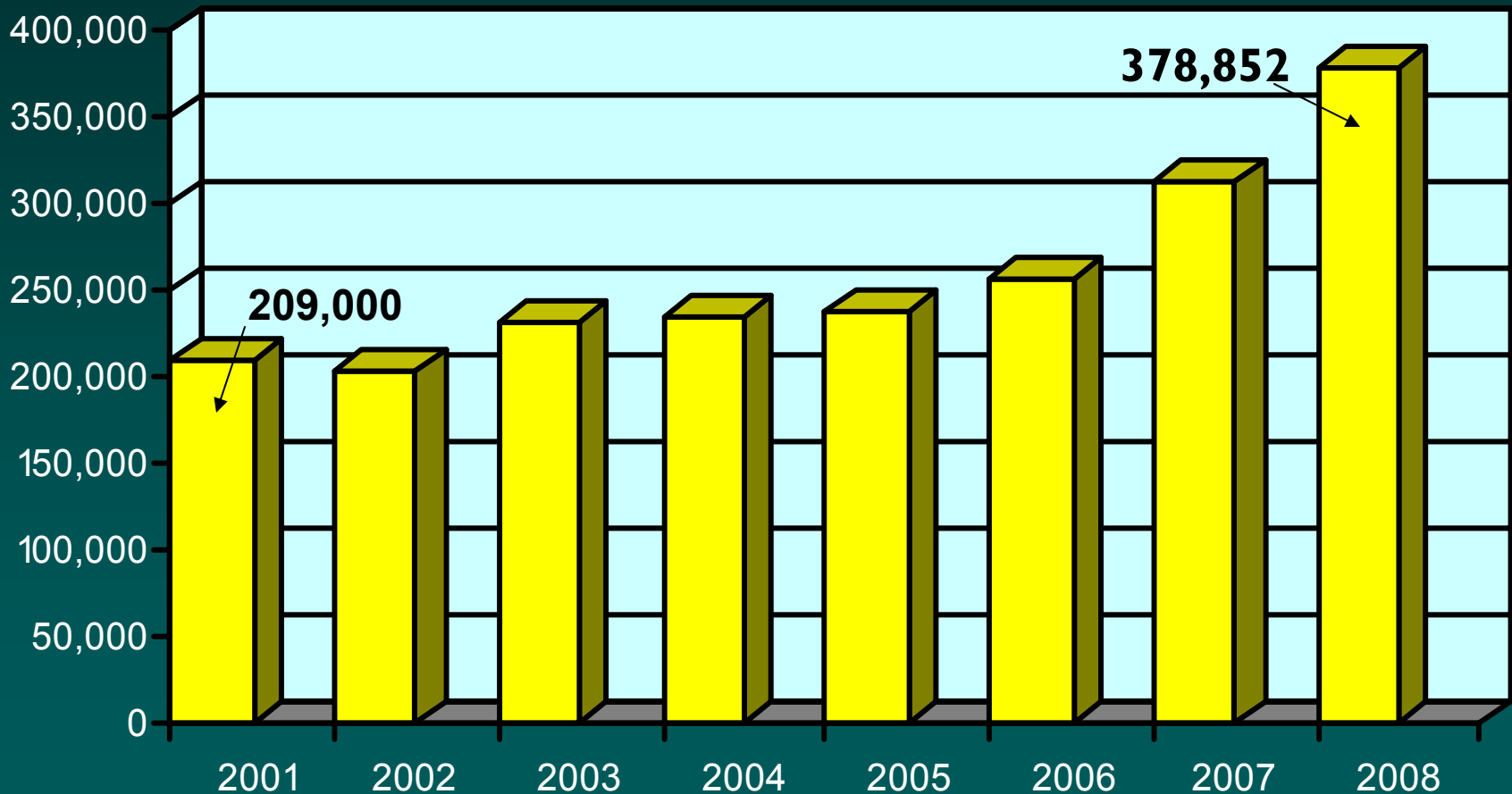
Washington, DC

Part I: Snapshot of ICE Custody Data

The growth of ICE's immigrant detention system has accelerated in recent years. (average daily detention)

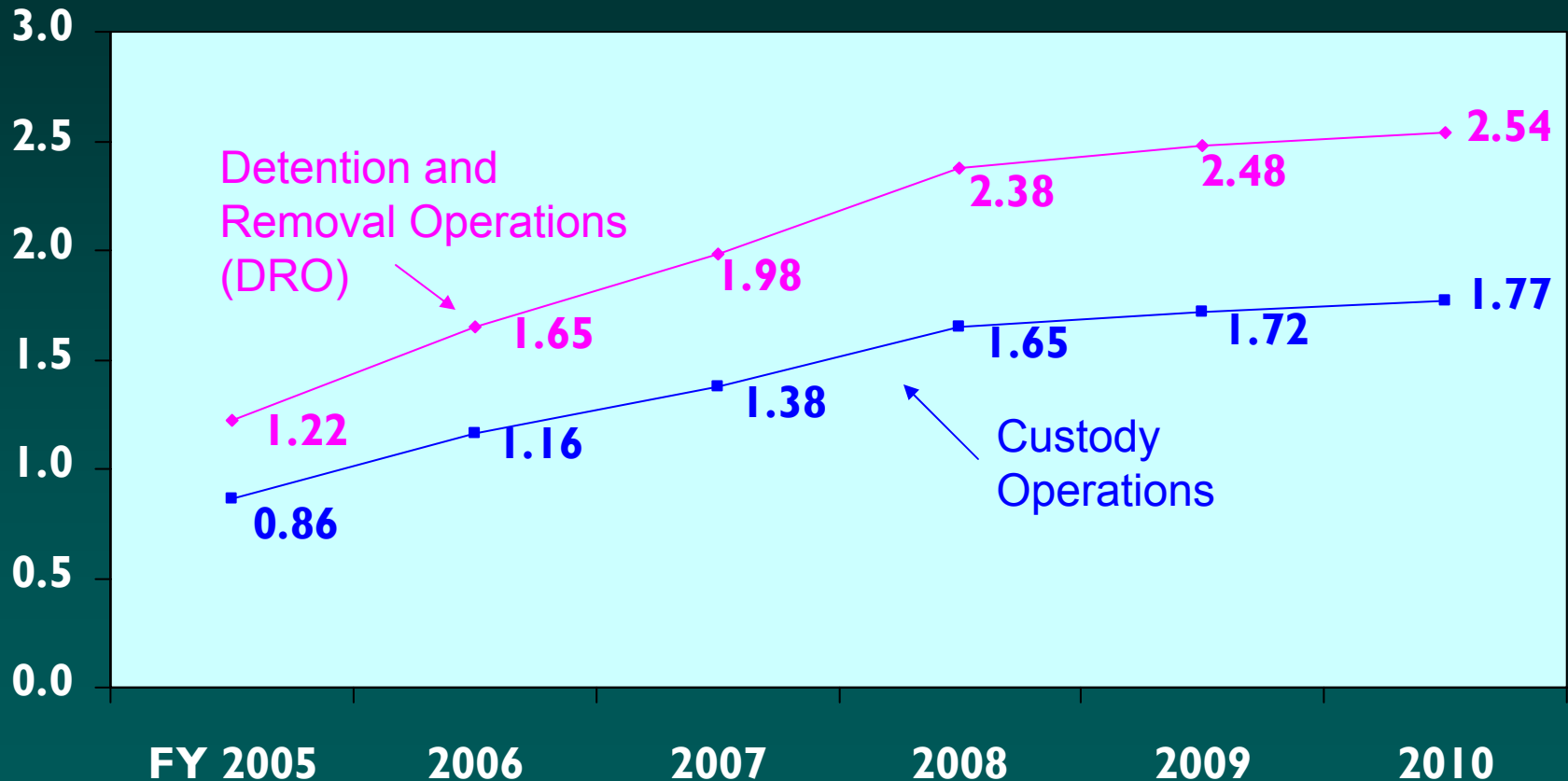


ICE detained a record 378,852 persons in 2008,
a 60% increase from 2005.
(average annual detention)



ICE's budget for custody operations nearly doubled between 2005 and 2009.

\$ in billions



Enforcement Database and Case Tracking System (ENFORCE)

ICE “Area of Responsibility”

Local officials in the field enter information on apprehended/ detained individuals at an ENFORCE work station.

ENFORCE Alien
Removal Module

(removal application)

ENFORCE Alien
Booking Module

(booking application)

ENFORCE Alien
Detention Module

(detention application)

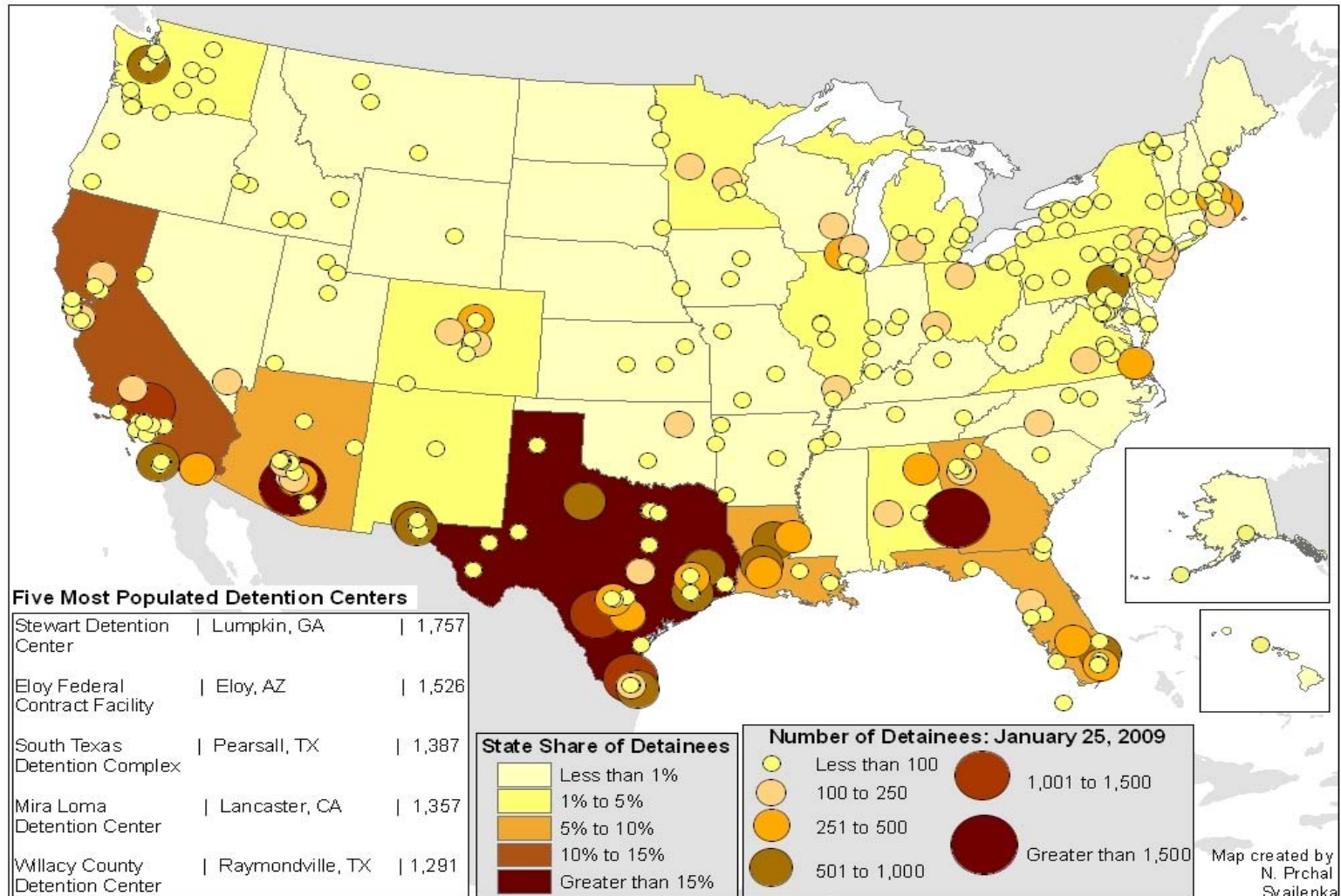
Enforcement Integrated Database (EID)

EID contains records related to arrest (EABM), case processing (EARM), and detention (EADM).

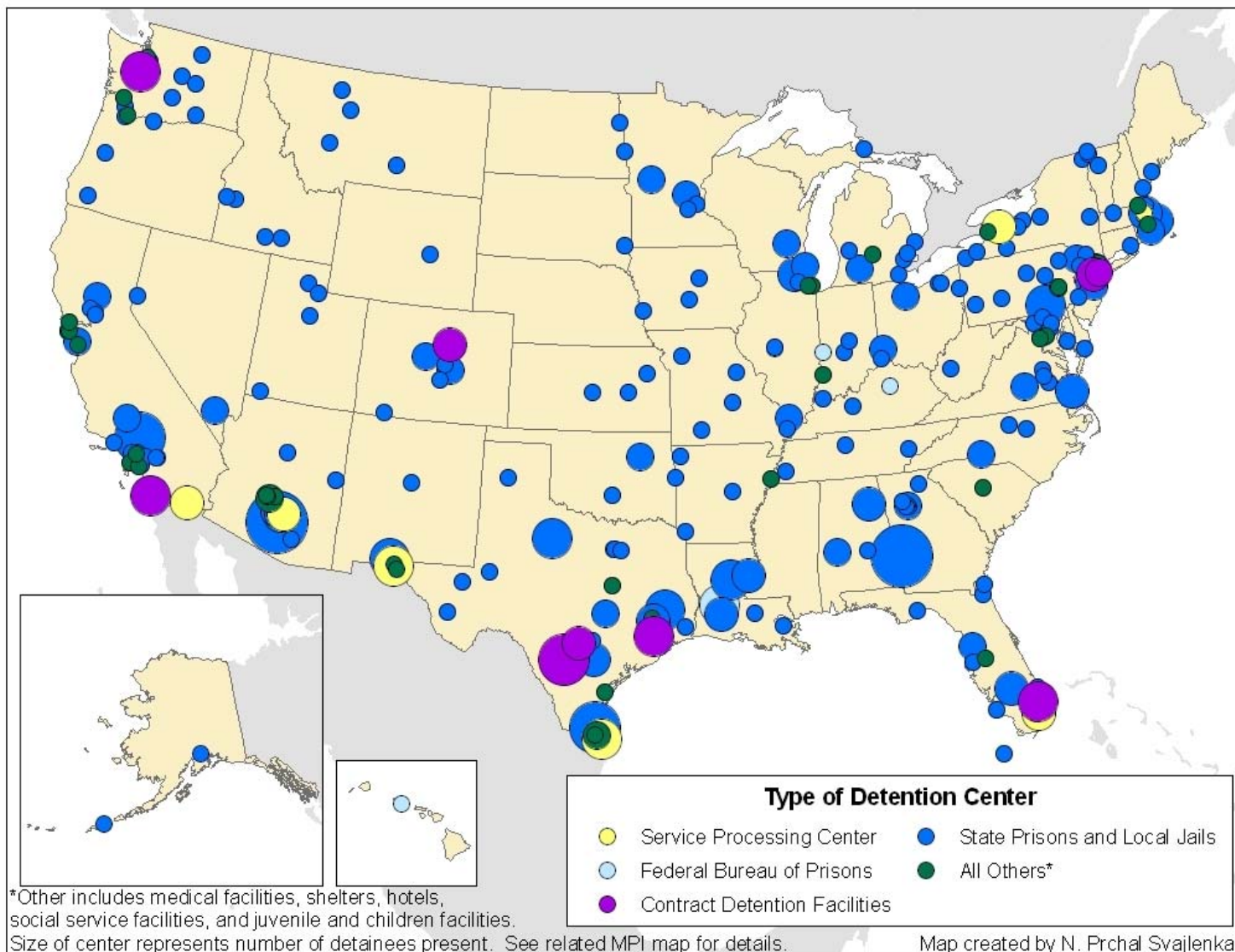
Database Background

- Source: ICE detainee data obtained through a FOIA request by Associated Press Reporter Michelle Roberts
- Date: January 25, 2009
- Number of Detainees: 32,000
- Number of facilities: 286
- Number of countries of origin: 177 (Mexico-37%, Central America-28%, the Caribbean-7%)
- Percentage of women: 9%

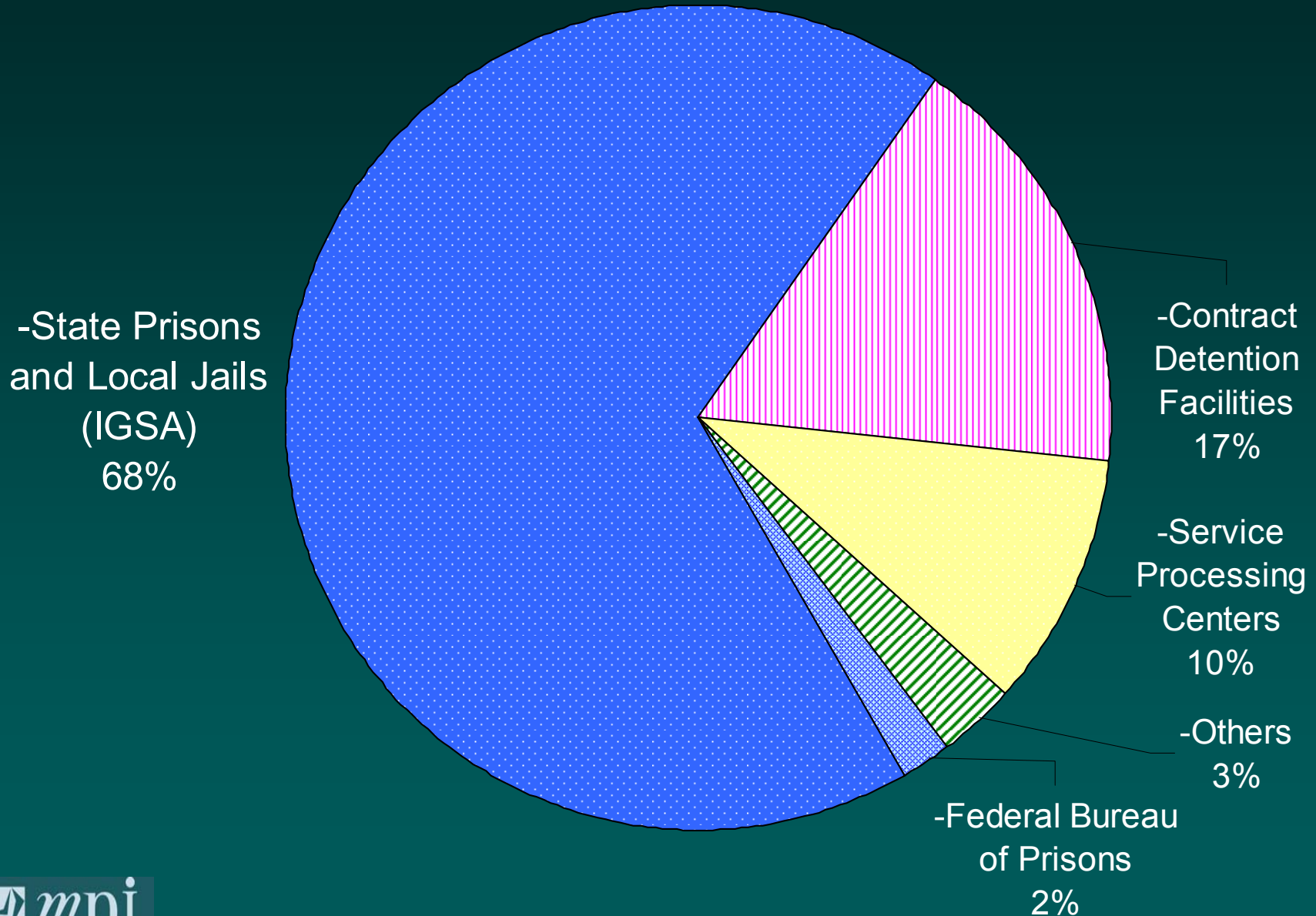
On January 25, 2009, ICE held 32,000 detainees in 286 facilities around the country.



Looking at detention facilities by type...

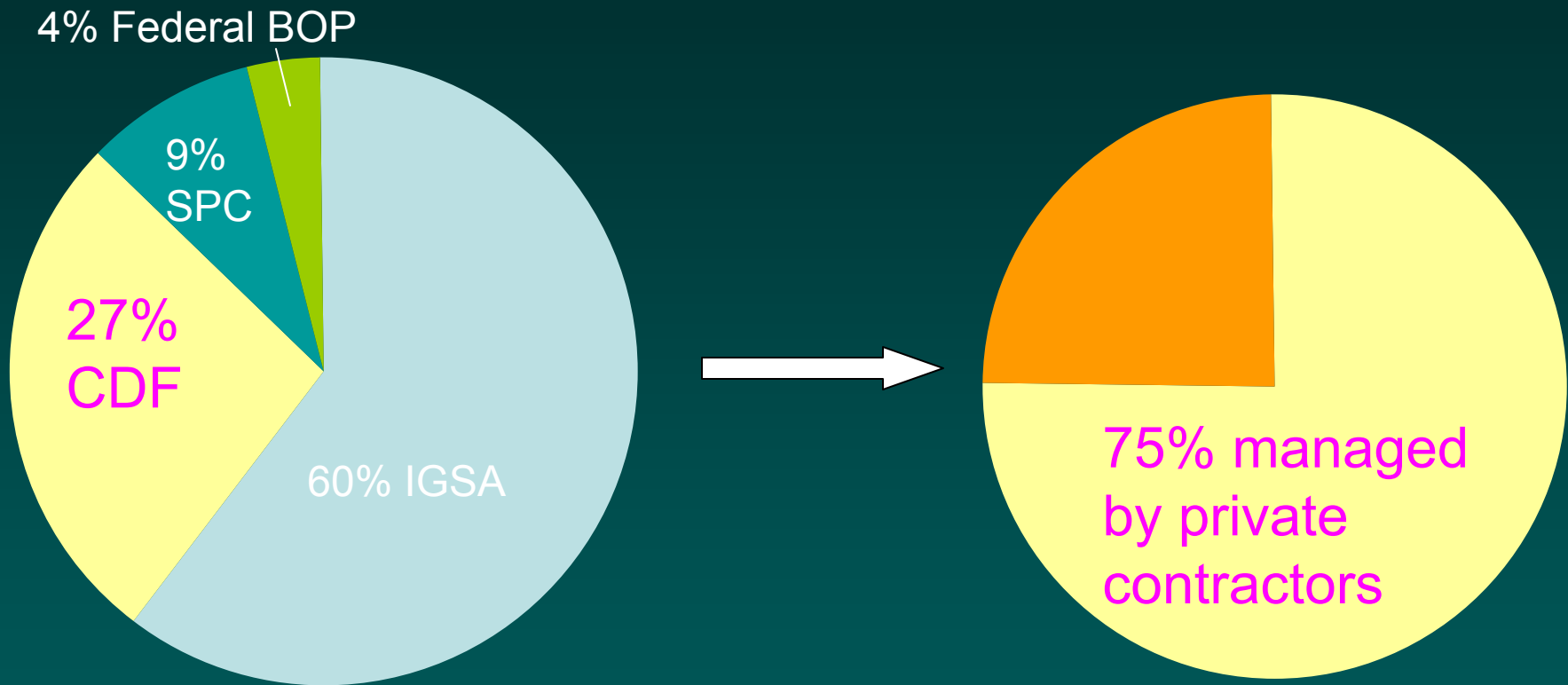


Nearly 70 percent of detainees were held in IGSA facilities.



Selected Detention Facilities with More than 500 Detainees					
Detention Facility	State	# of Detainees	Year Opened	Facility Type	Private Contractor
Sub-total of 17 facilities		16,158			
Stewart Detention Center	GA	1,757	2006	IGSA	CCA
Eloy Federal Contract Facility	AZ	1,526	1994	IGSA	CCA
South Texas Detention Complex	TX	1,387	2005	CDF	GEO
Mira Loma Detention Center	CA	1,357	-	IGSA	N/A
Willacy County Detention Center	TX	1,291	2006	IGSA	MTC
Jena/Lasalle Detention Facility	LA	966	2007	IGSA	GEO
Northwest Detention Center	WA	959	2004	CDF	GEO
Polk County Jail	TX	879	-	IGSA	CEC
Otero County Processing Center	NM	865	2008	IGSA	MTC
Houston Contract Detention Facility	TX	808	1984	CDF	CCA
El Paso SPC	TX	764	1967	SPC	N/A
Otay Detention Facility	CA	654	1998	CDF	CCA
Port Isabel SPC	TX	641	-	SPC	N/A
Oakdale Federal Detention Center	LA	631	1986	federal BOP	N/A
York County Jail	PA	606	mid-1990s	IGSA	N/A
Broward Transitional Center	FL	538	2002	CDF	GEO
Rolling Plains Detention Center	TX	529	2001	IGSA	Emerald Companies

For-profit prisons play an important role in managing ICE detention facilities (both directly and through IGSAs)



Of the 16,158 detainees held in the 17 most immigrant populated facilities, 75% were held in facilities managed by private contractors.

Length of Detention by Final Order Status

	Pre-removal order detainees	Post-removal order detainees	
Total	18,690	10,771	
Average detention length	(1) 81 days	(2) 72 days	(3) 114 days
<i>Number of Detainees by Detention Length</i>			
< 90 days	13,842	8,513	7,400
90-180 days in Detention	2,486	1,266	1,579
180-365 days in detention	1,792	676	1,050
At least 365 days	570	316	742
At least 180 days	2,362	992	1,792

(Note: See Report Pg. 18 for additional notes)

Examples of Lengthy Detention

- A Vietnamese man without a criminal record was booked into a Columbia Care Center on March 24, 2000 and since then had been detained for 3,230 days.
- A Mexican man has been “detained” in an Econo Lodge motel in Washington State for 319 days as of January 25, 2009.
- Four Honduran boys, age unknown, had been in a foster care center in Houston for at least 200 days.

Most Detainees were non-criminals

Total Detainees	32,000	100%
No Criminal Convictions	18,690	58%
Detainees with Criminal Convictions	13,310	42%

Criminal charges by Offense Classifications

Dangerous Drugs	4,033	30%
Traffic	1,738	13%
Assault	1,329	10%
Immigration	812	6%
Larceny	573	4%
Robbery	549	4%
Burglary	443	3%
Sexual Assault	443	3%
Fraudulent Activities	365	3%
Weapon Offense	341	3%
Other	2,684	20%



Sources

For full list of sources, please refer to the notes in the original report:

Kerwin, Donald and Serena Yi-Ying Lin, 2009. *Immigration Detention: Can ICE Meets Its Legal Imperatives and Case Management Opportunities?* Washington, DC: Migration Policy Institute.

<http://www.migrationpolicy.org/pubs/detentionreportSept1009.pdf>.

Suggested PowerPoint Citation:

Kerwin, Donald and Serena Yi-Ying Lin, 2009. *Immigration Detention: Can ICE Meets Its Legal Imperatives and Case Management Opportunities?* PowerPoint presentation. Washington, DC: Migration Policy Institute.