



## Biden's Immigration Enforcement Policies Benefit Criminal Aliens Comparing ICE criminal data from FY 2018 and 2022

By [Jon Feere](#) on December 27, 2023

As countless illegal aliens continue to enter the United States, ignore court orders to return home, and overwhelmingly avoid arrest and removal by law enforcement officials at U.S. Immigration and Customs Enforcement (ICE), it is important to recall the Biden administration's alleged rationale for its controversial immigration enforcement policies. In sum, Biden administration claims that their policies were designed to focus on criminal aliens to a greater degree than the policies under the Trump administration. It is now clear that the outcome the Biden administration promised has not been met, either because of gross incompetence of leadership or because the Biden administration has been lying to the American people and that their policies were aimed at gutting the nation's immigration enforcement system, without any concern about the number of criminal aliens that would be released into our communities.

Official data from ICE reveals that the Biden administration has gutted immigration enforcement across the board and has arrested and removed fewer illegal aliens — with and without criminal records — than the Trump administration. Public safety and national security have been significantly undermined by the Biden administration's reckless policies and the threats the administration has created will continue to be felt for many years to come.

Fiscal years 2018 and 2022 were the first complete years of data under the Trump and Biden administrations, respectively, because fiscal years 2017 and 2021 were made up of months that straddled two administrations (i.e., the first four months of FY17 were largely under the Obama administration, while the first four months of FY21 were largely under the Trump administration). The second years of data from the Trump and Biden administrations allow for a clear comparison in policy outcomes. (Assuming the reporting methods are not changed, we will compare FY 2023 data, when it is released, to 2019.)

The data show the Biden administration is responsible for the following when comparing Fiscal Year 2018 to Fiscal Year 2022:

- 66 percent decrease in arrests of criminal aliens
- 73 percent decrease in at-large arrests of criminal aliens
- 56 percent decrease in detainer requests issued on criminal aliens
- 74 percent decrease in deportations of criminal aliens
- 70 percent decrease in immigration-related criminal prosecutions

It should be noted that total annual arrests and removals are larger than the numbers below as this report looks only at data related to aliens with criminal histories and does not include data on aliens without known criminal histories. The complete [FY18](#) and [FY22](#) reports are available online.

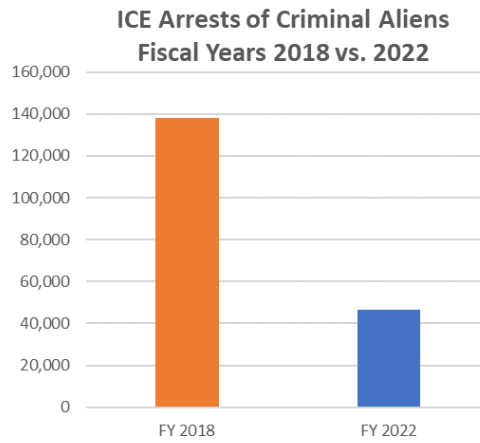
### Arrests of Criminal Aliens Down 66%

According to official data released by ICE, the Biden administration's immigration policies resulted in a 66 percent decline in administrative arrests of criminal aliens.

In FY18, ICE made 138,117 administrative arrests of aliens with criminal convictions (105,140) or pending criminal charges (32,977).

In FY22, ICE made only 46,396 administrative arrests of aliens with criminal convictions (36,322) or pending criminal charges (10,074).

Despite the Biden administration's claim that their immigration policies are designed to focus ICE on dangerous criminal aliens, their own data reveal that critics of their policies are correct to raise concerns that the administration's real intention is to undermine ICE's mission and gut immigration enforcement, rather than improve public safety.



### At-Large Arrests of Criminal Aliens Down 73%

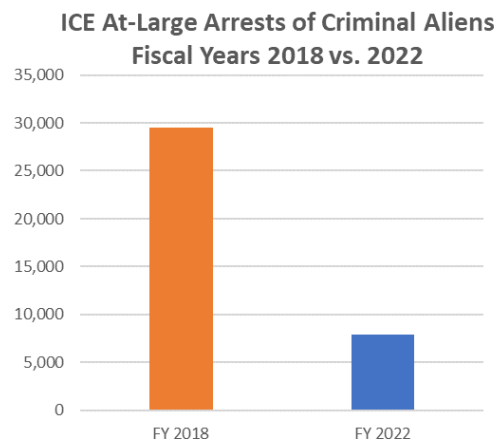
At-large arrests are those made by ICE during public enforcement operations, as opposed to custody transfer arrests that occur between ICE and different law enforcement agencies in a jail or prison, for example.

According to official data released by ICE, the Biden administration's immigration policies resulted in a 73 percent decline in at-large arrests of criminal aliens.

In FY18, ICE made 29,549 at-large arrests of aliens with criminal convictions (23,124) or pending criminal charges (6,425).

In FY22, ICE made only 7,881 at-large arrests of aliens with criminal convictions (6,127) or pending criminal charges (1,754).

The data clearly illustrates that the Biden administration has conducted fewer ICE operations and that there has been little effort aimed at removing criminal aliens from our communities. Assuming that foreign nationals have been committing crime at a rate that is largely unchanged between these years, it is safe to say that thousands of criminal aliens are being allowed to run free under the Biden administration's dangerous immigration policies.

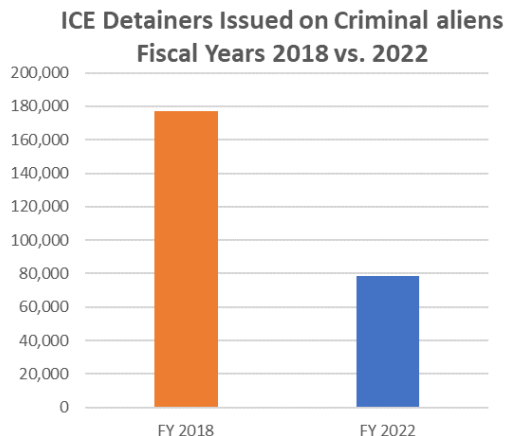


### Detainer Requests on Criminal Aliens Down 56%

The Biden administration's anti-enforcement policies prohibit ICE officers from taking custody of most criminal aliens arrested by cooperative state and local law enforcement. Historically, tens of thousands of criminal aliens first arrested by local enforcement (for violations of state and local laws) were transferred to ICE custody every year and then processed for removal. To initiate this custody transfer, ICE issues a detainer request to state and local law enforcement agencies. A cooperative agency will honor the detainer and facilitate transfer of a criminal alien into ICE custody, while a non-cooperative agency, usually located in a so-called "sanctuary" jurisdiction, will ignore the detainer and release the criminal alien back into the community.

Under the Biden administration's policies which exempt most illegal aliens from enforcement, ICE is prohibited from issuing detainers in most instances, forcing cooperative law enforcement agencies to release most criminal aliens back into communities across the nation. The data indicate that the Biden administration is not even attempting to take custody of tens of thousands of criminal aliens arrested by local law enforcement, despite the fact that the aliens have been arrested for a (non-immigration-related) state or local crime and are deportable from the United States.

In FY18, under the Trump administration, ICE issued 177,147 detainer requests. In FY22, under the Biden administration, ICE issued only 78,829 detainer requests. This is a 56 percent decrease in detainers issued by ICE.

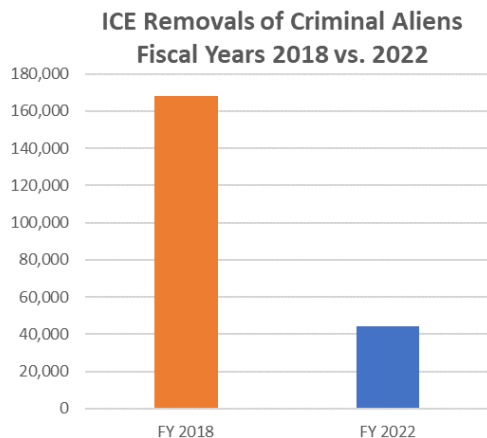


### Deportations of Criminal Aliens Down 74%

According to official data released by ICE, the Biden administration's immigration policies resulted in a 74 percent decline in removals of criminal aliens.

In FY18, ICE deported 168,058 aliens with criminal convictions (145,262) or pending criminal charges (22,796). In FY22, ICE deported only 44,096 aliens with criminal convictions (38,447) or pending criminal charges (5,649).

The data clearly illustrates that the Biden administration's decision to conduct fewer arrests of criminal aliens has resulted in fewer removals of criminal aliens and an increased threat to public safety and national security. The dramatic decrease in removals has also sent a strong message to people overseas that unlawful entry into the United States comes with a decreased risk of deportation, undoubtedly contributing to the unprecedented mass illegal immigration that is occurring under the Biden administration.

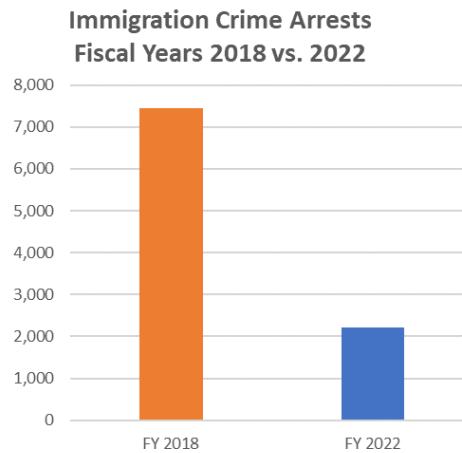


### Immigration-Related Criminal Prosecutions Down 70%

Working with the U.S. Attorney's Office, ICE enforces violations of criminal immigration law through the prosecution of criminal offenders. The criminal statutes enforced include, but are not limited to: 8 U.S.C. § 1325, Improper Entry by Alien; 8 U.S.C. § 1326, Reentry of Removed Aliens; 8 U.S.C. § 1253, Penalties Related to Removal; 18 U.S.C. § 1361, Government Property or Contracts; 18 U.S.C. § 1546, Fraud and Misuse of Visas, Permits and Other Documents; 18 U.S.C. § 111, Assaulting, Resisting, or Impeding Certain Officers or Employees; and 18 U.S.C § 922(g), Felon in Possession of a Firearm.

In FY18, ICE saw 7,449 immigration crime-related criminal arrests resulting in 7,326 indictments and 7,197 convictions. In FY22, ICE saw only 2,208 immigration crime-related criminal arrests, 2,182 criminal indictments, and 2,199 criminal convictions.

As the data shows, the Biden administration's policies resulted a 70 percent decrease in the number of aliens prosecuted for immigration-related crimes. Despite social media posts from the Biden administration warning about consequences for violations of immigration law, this dramatic decrease in prosecutions is undoubtedly sending a clear message to people overseas that illegal immigration to the United States carries little risk of prosecution under the Biden administration.



### Criminal Records Data Reveal Dramatic Threat to Public Safety

Despite claims that their policies would result in a greater focus on dangerous offenders, the Biden administration oversaw a 64 percent decrease in total number of criminal offenses on the records of aliens arrested in FY22 compared to the total number of criminal offenses on the records of aliens arrested in FY18 under the Trump administration. The criminal offense records published by ICE include both criminal charges and criminal convictions.

The rap sheets of criminal aliens arrested in FY18 included more than 542,798 total offenses. By contrast, the rap sheets of criminal aliens arrested in FY22 included only 195,693 total offenses.

A large number of offenses are reported in ICE's annual report, but examples of some of the crimes reported on alien rap sheets include:

- Driving Under the Influence (FY18 at 80,730 offenses compared to FY22 at 26,238)
- Dangerous Drugs (FY18 at 76,585 offenses compared to FY22 at 29,228)
- Assault (FY18 at 50,753 offenses compared to FY22 at 21,531)
- Larceny (FY18 at 20,340 offenses compared to FY22 at 5,540)
- Burglary (FY18 at 12,663 offenses compared to FY22 at 4,297)
- Weapons Offenses (FY18 at 11,766 compared to FY22 at 5,554)
- Stolen Vehicle (FY18 at 6,261 compared to FY22 at 2,046)
- Robbery (FY18 at 5,562 compared to FY22 at 2,348)

The Biden administration's policies have resulted in large numbers of criminal aliens with significant criminal records being allowed to remain in American communities.

Complete crime offense data is available in each ICE annual report. It should be noted that the total number of crimes on the rap sheets of aliens arrested during these years were higher than reported; ICE reports totals for crime categories where total offenses were 1,000 or greater, leaving crime categories that fell under this threshold unreported.

Topics: [Criminal Aliens](#), [Immigration and Customs Enforcement \(ICE\)](#)