

US immigration**🕒 This article is more than 1 month old**

Immigrants with no criminal record now largest group in Ice detention

Government data shows 16,523 people with no record, versus 15,725 with a record and 13,767 with pending charges



📷 A federal agent escorts a detained man to a stairwell after his immigration hearing in the Jacob K Javits federal building in New York on 17 July. Photograph: Julius Constantine Motal/The Guardian

José Olivares and Will Craft in New York

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Immigrants with no criminal record are now the **largest group** in US immigration detention, according to data released by the government. The number of people with no criminal history arrested by Immigration and Customs Enforcement (**Ice**) and detained by the **Trump administration** has now surpassed the number of those charged with crimes.

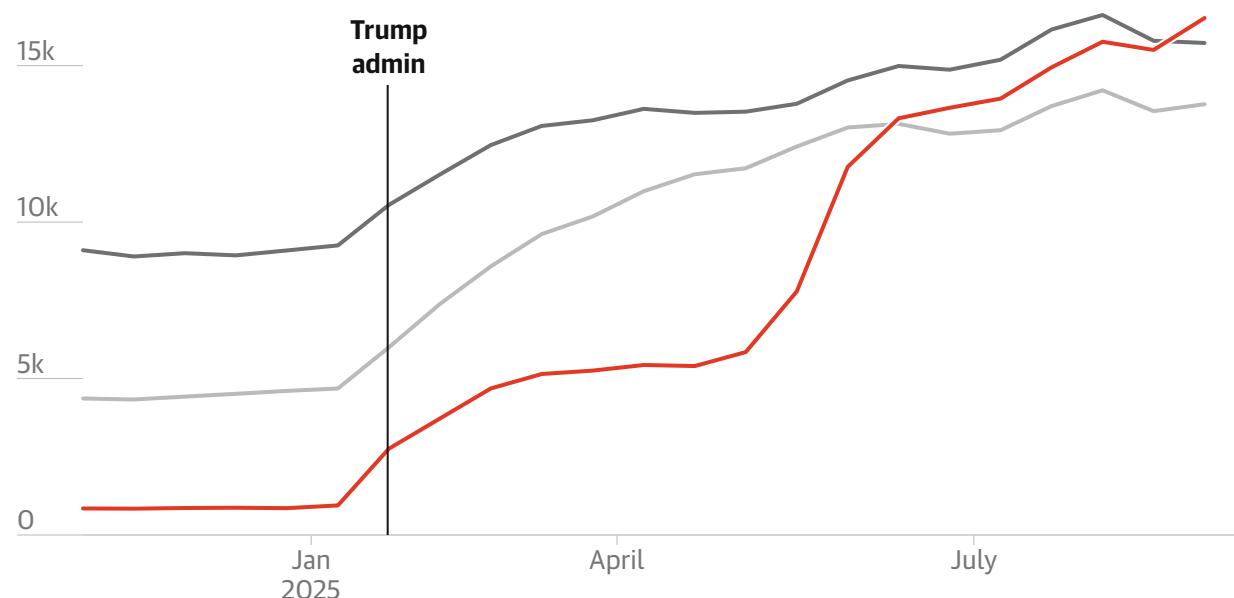
Ice, the federal agency most heavily relied upon by [Donald Trump](#) to carry out the US president's [mass deportation](#) campaign, released its latest numbers on Thursday.

According to the official data, 16,523 people in immigration detention with no criminal record were arrested by Ice, compared to 15,725 who do have a criminal record and 13,767 with pending criminal charges.

There are currently a total of 59,762 people in Ice detention across the US. The remaining number of people in Ice custody were brought in by border officials.

People in ICE detention by criminal history

— Criminal record — No criminal record — Pending charges



Guardian graphic. Note: Point-in-time counts every 14 days, as of 22 September 2025. Values rounded to nearest 10. Data includes people booked into ICE detention who were arrested by Immigration and Customs Enforcement.

[See more data](#) →

The numbers released by Ice mark the first time under the second [Trump administration](#) that the total number of immigrants with no criminal history in detention has surpassed that of people convicted of a crime or with pending charges.

The agency's data also contradicts Trump administration officials' repeated [narrative](#) that the chief focus of the White House's agenda and the Department of Homeland Security (DHS) dragnet is dangerous criminals.

“These are hardworking people. These are not criminals,” said a former homeland security civil rights official when asked about the increase in the arrests of immigrants with no criminal history. The official requested anonymity for fear of retaliation. “I’m sure the Trump administration is defining ‘criminal’ really widely to say that if they are here undocumented, then they are a ‘criminal’. But these are not bad people.”

Being undocumented in the US is not a crime. Rather, it is a civil infraction.

The Guardian, using Ice’s data, has been [tracking](#) the number of people the administration has arrested, detained and deported.

Ice has been the arresting agency for the majority of people now in detention. Prior to Trump’s return to the White House, the Customs and Border Protection (CBP) agency played a bigger role in taking immigrants into custody, at the [US-Mexico border](#).

Since January, Trump has [taken action](#) to [all but seal](#) the southern border to immigrants, including those attempting to use their international right to request [asylum](#).

Prior to the second Trump administration, those people arrested by Ice with no criminal history represented a small fraction of the total population in Ice detention. Since January, however, that number has surged.

Earlier this year, top DHS officials directed Ice to toughen their tactics and arrest [3,000 people per day](#), or 1 million per year.

To help in its efforts, federal officers from other agencies, including the FBI, the Drug Enforcement Agency (DEA) and Homeland Security Investigations, have been assisting Ice in performing immigration arrests. And an increasing number of local law enforcement agencies, including police departments, sheriff’s offices and state police forces, have agreed to be [deputized](#) to perform immigration enforcement work alongside Ice.

Tricia McLaughlin, the assistant secretary for public affairs at DHS, the parent agency of Ice, said in response to a request for comment from the Guardian: “The facts are Ice is targeting the worst of the worst - including murderers, MS-13 gang members, pedophiles, and rapists. Seventy per cent of Ice arrests are of criminal illegal aliens who have been convicted or have pending charges in the US - that doesn’t even include known or suspected terrorists, foreign gang members, convictions for violent crimes in foreign countries, or Interpol notices.”

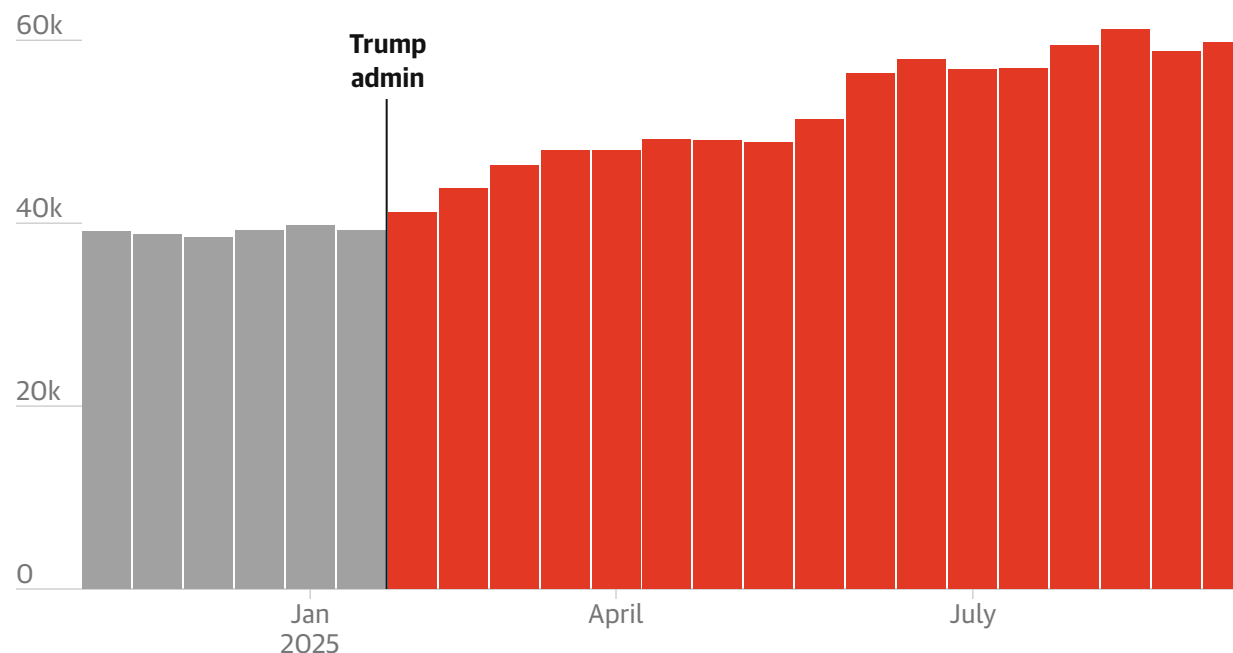
As a result of the push to arrest thousands of people, many of whom have lived and worked in the US for years, there has been a surge in the number of so-called collateral arrests, when Ice has a warrant to arrest one person but, when they arrive, they arrest others at the scene.

As the data shows, the increase in collateral arrests also leads to the detention and deportation of immigrants with no criminal record. It also opens the door to the arrest and detention of people legally in the US.

Earlier this month, federal officials **raided** a Hyundai factory construction site in Georgia, arresting **more than 300** people, the majority of whom were from South Korea. Although DHS officials first accused all the workers of being in the US illegally or of violating their visas, the Guardian **reported** that at least one of the men detained had a valid visa. Still, he was mandated to accept a voluntary departure. The action led to a diplomatic rift between the US and South Korea.

People in ICE detention

Point-in-time counts every 14 days, as of 22 September 2025



Guardian graphic. Note: Data includes people booked into ICE detention who were arrested by Customs and Border Protection and Immigration and Customs Enforcement. Values rounded to nearest 10.

[See more data →](#)

“There’s a complete vilification of immigrants and scapegoating and gaslighting, lying. It’s bad,” the former DHS official said.

In late August, Ice's detained population reached its highest point in US history with more than 61,000 people held.

Facilities nationwide have been plagued with allegations of inhumane and cruel treatment, while the administration denies there are any "sub-prime" conditions in detention.

With the new fiscal year beginning in October, immigration enforcement is set to receive unprecedented funding from legislation passed by the Republican-controlled Congress in the summer.

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