



## Immigration Policy Update: Major Shift in Migration to America's Southern Border

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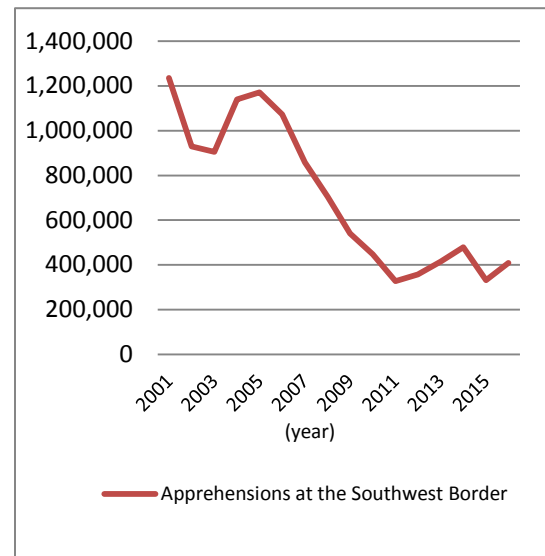
The Department of Homeland Security (DHS) released FY2016 data showing that Central American families and children continue to come to the U.S. border in high numbers. The latest increase in arrivals from Central America is part of a dramatic shift in migration patterns to the United States that includes an overall decline in arrivals to the southern border and far fewer Mexican immigrants.

### Border apprehensions are at 40-year lows.

Far fewer individuals are trying to cross our borders than at any time since the 1970s. In October 2016, DHS Secretary Jeh Johnson announced that apprehensions at the Southwest Border in [FY2016 were 408,870](#) – roughly one-third of what they were 15 years ago. In the early 2000s, apprehension figures were [regularly well over a million annually](#).

### More of those apprehended are Central Americans, and more of them are refugees.

The demographics of those apprehended have shifted dramatically in the last decade. Refugees fleeing extreme violence in Central America now make up a much larger piece of the much smaller apprehension pie.

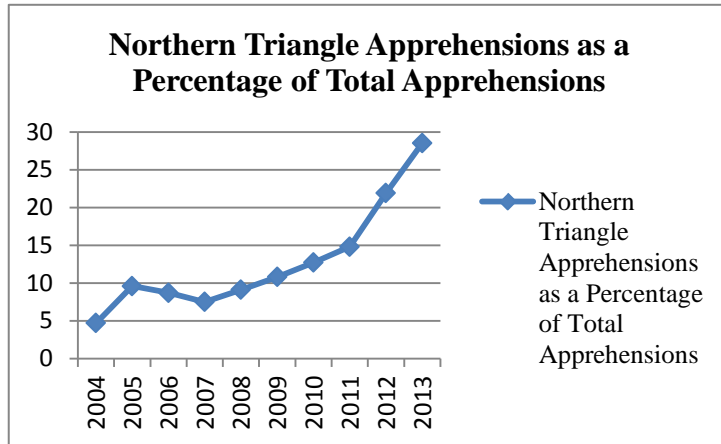


From 2004 to 2013, Border Patrol apprehensions of individuals from non-Mexican countries averaged just 89,600 annually. By contrast, in 2014, that number [jumped to more than 257,000, a 186 percent increase](#). In 2014, [Central American apprehensions outnumbered Mexican apprehensions for the first time in U.S. history](#)—and it happened again in 2016. Mexicans are now a minority of the nationalities coming to our border.

Available data strongly suggests that the vast majority of recently apprehended individuals from Northern Triangle countries have bona fide claims for protection under U.S. law. [USCIS data shows that 87 percent](#) of the mothers and children detained in the three family detention centers in Pennsylvania and Texas are likely to be found eligible for asylum and other forms of humanitarian relief by a U.S. Immigration Judge.

In October 2015, [UNHCR reported](#) that **82 percent** of females from El Salvador, Guatemala, and Mexico who were given preliminary screenings proved to the U.S. government that they have a significant possibility of establishing eligibility for asylum or protection under the Convention Against Torture.

“While Border Patrol apprehensions of Mexican nationals in FY 2014 **decreased by 14 percent** when compared to FY 2013, apprehensions of individuals from countries other than Mexico—predominately individuals from Central America—**increased by 68 percent.**”  
—[DHS Border Security Report December 2014](#)



**What does this mean for enforcement?**

To properly understand recent migration patterns, a refugee response framework must replace the administration’s outdated enforcement-centric approach.

Under our law, a refugee cannot be removed quickly without giving that individual a chance to seek protection in the United States. But instead of recognizing that people fleeing Central America are overwhelmingly asylum seekers who deserve humanitarian

protection, the Obama administration has adopted an aggressive enforcement strategy that prioritizes sending a message of deterrence. The tactics include increased apprehensions and detentions, the use of rapid deportation strategies that undermine due process, and recently, raids targeting families and unaccompanied children. The Obama administration is coming to a close with record-breaking ICE detention levels, [projected to reach 45,000 individuals per day](#), and [a greater percentage of ICE detainees are asylum seekers](#) than ever before.

The U.S. government should not resort to harsh enforcement and deterrence tactics to manage migration flows in an orderly manner. Such strategies have been extremely costly (the largest family detention center costs the U.S. government [an incredible \\$285-\\$500+ per person per day](#)) and have not worked. Bringing integrity and efficiency back to our protection adjudication system is a much better investment. Real solutions begin with giving people the chance to make their claim to a judge rather than subjecting them to fast-track procedures that bypass the courts and undermine due process, using cost-effective community-based alternatives to detention that bolster compliance with the system rather than re-traumatizing vulnerable populations with detention, and guaranteeing that individuals have the assistance of legal counsel to make their claims.