



To Make America Safe Again, We Must End Sanctuary Cities and Remove Criminal Aliens

Release Date: February 15, 2018

Non-cooperative jurisdictions that do not honor U.S. Immigration and Customs (ICE) detainer requests to hold criminal aliens who are already in their custody, endanger the public and threaten officer safety by releasing criminal aliens back into the community to re-offend. In addition to causing preventable crimes, this creates another “pull factor” that increases illegal immigration.

We must take criminal aliens off our streets and remove them quickly once they are apprehended.

- The 2001 Supreme Court decision in *Zadvydas v. Davis* significantly restricts the ability of the Department of Homeland Security (DHS) to detain aliens with final orders of removal, including serious felony offenders, if their home countries will not accept their return.
 - In Fiscal Year 2017, **more than 2,300 aliens** were released because of that court decision, including **more than 1,700** criminal aliens.
- In addition to those who enter illegally, visa overstays account for roughly **40 percent** of all illegal immigration in the United States.
- Some jurisdictions **do not honor ICE detainer requests to hold or provide adequate notice of release of criminal aliens** who are already in custody, **endangering the public and threatening officer safety** by releasing criminal aliens back into our communities to re-offend.
- Instead of allowing ICE officers to take custody of criminal aliens in a secure environment, such as a local jail, jurisdictions that refuse to honor ICE detainers put ICE

officers and others at risk by forcing them to go into often perilous environments to arrest dangerous criminal aliens.

- There are nearly **one million aliens with final orders of removal**, and not enough officers or resources to deport them.
- Of the 53,908 criminal cases filed by federal prosecutors in the 94 U.S. District Courts in fiscal year 2016, **23,573 cases (43.7 percent) were located in just the five border districts** (Arizona, Southern District of California, New Mexico, Southern District of Texas, and Western District of Texas).
- **Half of all federal criminal cases** filed in U.S. District Courts in Fiscal Year 2016 (25,965 of 53,908 cases) **were referred by the DHS**.
- While **noncitizens made up approximately 7.2 percent of the U.S. population** in 2016, [\[1\]](#)^(#_ftn1) **they accounted for 41.7 percent of all federal offenders sentenced** for felonies or Class A misdemeanors in that fiscal year. Even **excluding all types of immigration offenses, noncitizens accounted for more than 20 percent of all federal offenders sentenced** for felonies or Class A misdemeanors—nearly three times their share of the general population.
- **In the five border districts, noncitizens accounted for 73.5 percent of all federal offenders sentenced** for felonies or Class A misdemeanors in fiscal year 2016, and 47 percent of all federal non-immigration felonies or Class A misdemeanors.

The American people overwhelmingly favor the removal of criminal aliens.

- According to a recent Harvard-Harris poll, [\[2\]](#)^(#_ftn2) 80 percent of American voters share the common-sense view that cities that arrest illegal aliens for crimes should be required to turn them over to immigration authorities.

[\[1\]](#)^(#_ftnref1) See U.S. Census Bureau, Current Population Survey, Annual Social and Economic Supplement, 2016, <https://www.census.gov/cps/data/cpstablecreator.html> (<https://www.census.gov/cps/data/cpstablecreator.html>).

[\[2\]](#)^(#_ftnref2) <http://thehill.com/homenews/administration/320487-poll-americans-overwhelmingly-oppose-sanctuary-cities> (/redirect?url=http%3A%2F%2Fthehill.com%2Fhomenews%2Fadministration%2F320487-poll-americans-overwhelmingly-oppose-sanctuary-cities).

Keywords: [immigration reform \(/keywords/immigration-reform\)](#).

Last Published Date: February 15, 2018