

## **Immigrant detention numbers hold up**

The Atlanta Journal-Constitution

December 17, 2012 Monday, Main Edition

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The Atlanta Journal-Constitution  
ajc.com

**Section:** METRO NEWS; Pg. 1B

**Length:** 749 words

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### **Body**

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The American Civil Liberties Union estimates the federal government spends \$1.7 billion a year to detain illegal **immigrants**, which the group thinks is a waste of money.

The ACLU Foundation of Georgia recently sent out a news release that decried the spending, made complaints about inadequate staffing levels and claimed some detainees are being mistreated at federal facilities, including the Stewart **Detention** Center in southwest Georgia. There was one set of **numbers** included in the release about detainees nationally that PolitiFact Georgia wanted to fact-check.

"In the last 15 years, we've witnessed a dramatic expansion in the jailing of **immigrants**, from about 70,000 people detained annually to about 400,000," the release said.

The liberal-leaning foundation has used these estimates in other news releases. We wondered whether the claim was correct, or is the ACLU using inflated **numbers** to bolster its argument?

Azadeh N. Shahshahani, director of the foundation's National Security/**Immigrants'** Rights Project, said it based the claim off reports it has seen. We found lots of information detailing the current **number** of detainees. The data for detainees held 15 years ago? Not so easy to find.

In 1996, Congress passed the Illegal Immigration Reform and **Immigrant** Responsibility Act. Under the law, any person entering the United States illegally will be barred from entering the country legally for five years. A person who enters the United States illegally again and is caught will be banned from entering legally for 20 years. Federal reports we reviewed show there's been an increase in the **number** of illegal **immigrants** detained since the law was passed.

The federal government says it has put a greater emphasis on enforcement, spent more on beds to house detainees, given more money to states toward the effort and has a policy of mandatory **detention** of illegal **immigrants** accused of serious crimes.

"The **detention** budget has increased, and our ability to detain more people has similarly increased," U.S. Immigration and Customs Enforcement spokesman Vincent Picard said.

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The federal government uses a 12-month budget cycle that begins Oct. 1 and ends Sept. 30. For fiscal year 2011, which covered Oct. 1, 2010, to Sept. 30, 2011, there were 429,247 illegal **immigrants** detained by the federal government, according to ICE. Detainees were held an average of nearly 30 days, ICE data show. The average daily population was 33,330.

Picard said annual data go back to 2001. That year, 204,459 detainees were held. ICE keeps data on the average **number** of detainees held each day going back to 1994, we found. Part of the difficulty in tracking these **numbers** is the federal government reorganized its immigration enforcement under the Department of Homeland Security in 2003, abolishing the Immigration and Naturalization Service, which tracked immigration data.

So where did the earlier estimate come from?

Shahshahani said the ACLU found it on several websites, which she shared with us. Indeed, the estimate of 70,000 detainees held in the mid-1990s is included in various blogs by human rights organizations. None, however, contained the source of the claim. Shahshahani suggested the annual total is likely still accurate if you look at the annual figures since 2001.

"Obviously, the daily figure has increased, so, possibly, the same extrapolation can be made of the annual figures," she said.

Typically, the average daily detainee figures are about one-tenth the total of the annual figure. In 1995, the year before the law was passed, federal data show an average of 7,475 detainees were held.

PolitiFact Georgia did some more digging and found a U.S. Justice Department report that backs **up** the ACLU Foundation's claim. The report covered fiscal years 1994 to 2001.

"The **number** of aliens ordered detained and taken into the custody of the INS pending removal from the United States or other outcome of an immigration proceeding increased from 72,154 during FY 1994 to 188,547 during FY 2001," the report said.

Picard, the ICE spokesman, said he wouldn't dispute the Justice Department report.

To sum **up**, the ACLU Foundation of Georgia claimed the **number** of federal detainees has increased in the past 15 years from about 70,000 to 400,000. The 400,000 estimate seems accurate. One federal estimate from the mid-1990s corroborates the foundation's argument. We rate the claim True.

This article was edited for length. To see a complete version and its sources, go to [www.politifact.com/georgia/](http://www.politifact.com/georgia/).

## Classification

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**Language:** ENGLISH

**Publication-Type:** Newspapers

**Subject:** POLITICAL DETAINEES (90%); US FEDERAL GOVERNMENT (89%); ILLEGAL **IMMIGRANTS** (89%); **IMMIGRANT DETENTION** CENTERS (89%); IMMIGRATION (89%); IMMIGRATION LAW (89%); NEGATIVE PERSONAL NEWS (89%); HUMAN RIGHTS ORGANIZATIONS (76%); GOVERNMENT BUDGETS (76%); HUMAN RIGHTS & CIVIL LIBERTIES LAW (76%); LEGISLATION (76%); LIBERALISM (76%); CRIMINAL OFFENSES (75%); IMMIGRATION REGULATION & POLICY (75%); JAIL SENTENCING (74%); NATIONAL SECURITY (50%)

**Organization:** AMERICAN CIVIL LIBERTIES UNION (92%); ACLU FOUNDATION (84%)

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**Industry:** GOVERNMENT BUDGETS (76%)

**Geographic:** UNITED STATES (93%)

**Load-Date:** December 17, 2012

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