

GAO Says INS Failing To Deport Criminals

The Washington Post

July 16, 1997, Wednesday, Final Edition

Copyright 1997 The Washington Post

Section: A SECTION; Pg. A17; THE FEDERAL PAGE; **IN** BRIEF

Length: 401 words

Byline: William Branigin

Body

The Immigration and Naturalization Service came under criticism from Congress and the General Accounting Office yesterday for **failing** to **deport** thousands of foreign **criminals** who were subject to expulsion after serving their U.S. prison sentences.

Instead, many have been released **in** the United States, and some have then committed new crimes, according to a **GAO** report issued at a hearing of the House Judiciary subcommittee on immigration.

The report examined the Justice Department's 10-year-old Institutional Hearing Program, which is designed to identify deportable foreign-born **criminals** while they are **in** U.S. federal or state prisons and expel them once they finish their sentences.

"Since 1994, less than 30 percent of the eligible **criminal** aliens have actually been removed" under the program, **said** Rep. Lamar S. Smith (R-Tex.), the subcommittee chairman. As a result, the **INS** has had to spend more than \$ 60 million a year to detain many of those convicts again when they complete their prison terms and, worse, "thousands of **criminal** aliens are released into American communities and neighborhoods," Smith **said**.

In the second half of fiscal 1995, the **GAO** study **said**, nearly 2,000 foreign **criminals** were released into U.S. communities because the program **failed** to identify them.

The **INS** responded that the program has improved since receiving new resources and that **deportations** under it rose 37 percent **in** the first half of this fiscal year from the same period last year.

Although the **INS** has accepted the **GAO**'s recommendations for improving the program, the report's numbers are flawed, an **INS** spokesman **said**. The study identified as deportable some prisoners who were not, he **said**, because they were released before Congress expanded the categories of **criminal** aliens subject to expulsion. **In** addition, he **said**, the program is designed to identify deportable foreigners when they enter prison, and some of those counted by the **GAO** upon release were originally jailed years before the program was expanded.

According to Smith, more than 110,000 foreign-born convicts are **in** U.S. state and federal jails, and their numbers are rising by about 50,000 a year. Of those prisoners, about 80 percent are subject to **deportation**, most of them because they were **in** the United States illegally before committing the crimes for which they were jailed. -- William Branigin

Graphic

GAO Says INS Failing To Deport Criminals

Photo, SMITH

Classification

Language: ENGLISH

Subject: IMMIGRATION (90%); DEPORTATION (90%); SENTENCING (90%); US FEDERAL GOVERNMENT (90%); PUBLIC FINANCE (90%); PRISONS (90%); IMMIGRATION LAW (90%); JAIL SENTENCING (90%); CORRECTIONS (89%); PRISONERS (89%); CRIMINAL OFFENSES (89%); US REPUBLICAN PARTY (78%); CITIZENSHIP (78%); JUSTICE DEPARTMENTS (78%); LAW ENFORCEMENT (73%)

Company: US GOVERNMENT ACCOUNTABILITY OFFICE (84%); US GOVERNMENT ACCOUNTABILITY OFFICE (84%); US DEPARTMENT OF JUSTICE (57%); US DEPARTMENT OF JUSTICE (57%)

Organization: US GOVERNMENT ACCOUNTABILITY OFFICE (84%); US GOVERNMENT ACCOUNTABILITY OFFICE (84%); US DEPARTMENT OF JUSTICE (57%); US DEPARTMENT OF JUSTICE (57%); US GOVERNMENT ACCOUNTABILITY OFFICE (84%); US GOVERNMENT ACCOUNTABILITY OFFICE (84%); US DEPARTMENT OF JUSTICE (57%); US DEPARTMENT OF JUSTICE (57%)

Person: LAMAR SMITH (78%)

Geographic: TEXAS, USA (79%); UNITED STATES (94%)

Load-Date: July 16, 1997