

Convictions Surge for Illegal Immigrants Who Try to Return to U.S.

By Miriam Jordan

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Undocumented immigrants convicted of unlawfully re-entering the U.S. are driving growth in the number of people overall who are sentenced in federal court, a new study shows.

From 1992 through 2012, the number of unlawful re-entry convictions rose 28-fold, to 19,463 in 2012, according to an analysis by the nonpartisan Pew Research Center. Meantime, the number of offenders of all sorts sentenced in federal courts more than doubled to 75,867 over those two decades.

In 2012, unlawful re-entry cases accounted for 26% of sentenced federal offenders, second only to drug offenses at 32%. That is a 13-fold increase since 1992, when people sentenced for unlawful re-entry constituted just 2% of the total.

"Immigration has become a huge share of the federal docket," said Mark Lopez, the report's author.

People convicted of unlawful re-entry have entered or attempted to enter the U.S. illegally more than once, or tried to re-enter after a previous deportation.

For decades, people apprehended by the U.S. Border Patrol after trying to enter the U.S. illegally were released in Mexico or ordered to appear in immigration court for civil proceedings. The Bush administration initiated a policy that made illegal re-entry a crime punishable with prison time to discourage immigrants from sneaking into the U.S. again. The average incarceration is two years.

The policy, known as Operation Streamline, has continued during the Obama administration. Those who back a stringent policy on immigration applaud the policy, which they say has contributed to the recent decline in illegal immigration.

Critics say the policy strains U.S. courts and undermines the due process of immigrants. They attribute the decline to the U.S. economic downturn and violence along the Mexican border.

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