

Immigration cases fuel jump in federal prosecutions

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Immigration prosecutions in southern Texas increased by more than 28 percent during the past fiscal year, helping to drive overall federal prosecutions to an all-time high, according to newly released data.

The Transactional Records Access Clearinghouse at Syracuse University reported Monday that overall federal prosecutions peaked at 169,612 during the past fiscal year, which ended in September, up nearly 9 percent from the previous year.

Immigration prosecutions helped to fuel that jump, the report found, totaling 91,899 last year — an increase of nearly 16 percent over the prior year. According to TRAC, immigration filings accounted for more than half of all felony and misdemeanor prosecutions at the federal level during the past fiscal year.

Much of that boost came from the Southern District of Texas, which led the nation with more than 32,200 immigration prosecutions last year — more than one-third of such filings nationwide, according to the TRAC data.

While immigration cases increased significantly, the prosecution of drug-related crimes was up 1.3 percent from the previous year and weapons prosecutions dropped by 3.5 percent during the same time frame, according to TRAC.

Two federal judges said on Monday that the TRAC data has limitations and could be misleading since it does not distinguish between misdemeanors and felonies. The data for the Southern District of Texas also includes statistics from border courts, which are disproportionately impacted by the increase in immigration cases, said U.S. District Judge Lynn N. Hughes, the chief administrative judge in Houston.

Tracy Schmalzer, a spokeswoman with the U.S. Department of Justice in Washington said she could not confirm the accuracy of TRAC's data on Monday since the federal government was closed down because of a snow storm. She declined comment on the report.

Nationally, the number of immigration-related prosecutions increased substantially during the last few years of the Bush administration, as U.S. immigration officials implemented "Operation Streamline," an initiative that required the criminal prosecution of all illegal immigrants caught along certain stretches of U.S.-Mexico border.

Donald Kerwin, vice president for programs at the Migration Policy Institute, a Washington immigration think tank, said he was surprised to see the number of criminal

immigration cases continue to grow under the Obama administration, which has pledged to push for a comprehensive immigration reform package in 2010.

Kerwin questioned whether the large volume of immigration prosecutions is the best use of federal resources.

“It would be nice to have an immigration system that was characterized by more regulated and legal entries so that the significant federal prosecutorial resources could be brought to bear against drug smuggling and arms smuggling and the very serious crimes that are under its jurisdiction,” Kerwin said.

Ali Noorani, executive director with the National Immigration Forum, a national immigrant advocacy organization, said he doubts that top U.S. law enforcement officials “want to see so many valuable resources being put to chasing landscapers when they would much rather use these resources to chase drug dealers and hardened criminals.”

But supporters of stricter border controls said the TRAC data showing an increase in immigration prosecutions is good news.

“It means this administration isn't completely gutting immigration enforcement,” said Mark Krikorian, with the Washington-based Center for Immigration Studies, which supports greater border enforcement measures.

“That's kind of a back-handed compliment, but they've made a lot of moves that have weakened immigration enforcement, but there are other things they have done or continued from the previous management that are, in fact serious, and do show a commitment to enforcing the laws.”