

President Trump's Massive Enforcement Plan: Wasteful and Ineffective

The U.S. spends **nearly \$20 billion** on immigration enforcement each year, which over the years, has resulted in record numbers of ICE and CBP agents, hundreds of miles of fencing along the Southern Border, drones and technology, detention beds, as well as other resources. The average number of people deported annually is over 400,000—peak levels in American history. Despite this record, President Trump insists that billions of dollars more are needed to create an even more massive system of deportation. The President's plan, charted out in his executive orders, agency memos, and budget requests, will add 15,000 enforcement agents, construct a border wall along the entire southwest border, increase detention rates to 45,700 (or possibly even 80,000 people) each day, and increase federal prosecutions of those entering illegally.

Our nation's federal immigration enforcement agencies already receive more funding than all other federal enforcement agencies combined. President Trump's desired funding for his deportation strategy is excessive and will deprive thousands of people of due process and humanitarian protections. Absent from his proposals is any indication of how it was determined that the wall, the detention beds, or the extra agents are even necessary, or how the Administration will decide when the border is reasonably secure. President Trump plans to throw billions upon billions of dollars at our borders without a coherent plan.

The Border Wall

President Trump's executive order directs the Department of Homeland Security (DHS) to take immediate steps to begin construction of a border wall along the entire Southern border. CBP has built extensive fencing which currently covers 653 miles of the Southwest border, yet the President wants all 2000 miles covered. Adding to the existing border fencing is ineffective and wasteful. CBP patrols every mile of the U.S. border daily, and in many places, can view nearly all attempts to cross the border in real time. Any additional construction of fences across the southwest border will likely be in more remote areas of the border, costing more to construct and yielding fewer apprehensions. DHS estimated the cost of the remaining border wall at \$15 to \$25 billion, with each mile of fencing costing approximated \$16 million. More recent data indicates the wall could cost \$67 billion.

In 2016, the CBP budget was \$13.2 billion. President Trump wants to increase CBP's funding for the wall alone by \$1.5 billion according to his FY17 budget supplemental request, and \$2.6 billion for FY18. Even Brandon Judd, head of the Border Patrol Union and Trump supporter, stated during an interview with NPR that "We **do not need a wall** along the entire 2,000 miles of border."

Trump's Wall

Total cost to complete: **\$21.6 Billion** Cost per mile: **\$16 Million**



Miles fenced: **653**

Miles President Trump wants to fence: **1,257**

Immigration Enforcement Agents

President Trump's executive orders call for dramatic increases to the numbers of immigration enforcement agents in CBP and ICE. As of January 2017, CBP had approximately **19,600 border patrol agents** and ICE had approximately **7,995 enforcement and removal officers**.

Historically, the **number of agents has already seen incredible growth**: border patrol agents doubled from FY 2003 to FY 2016, from approximately 10,000 to 21,000; and the number of ICE agents focused on removal operations nearly tripled in that same time frame. CBP experienced major problems with its efforts to rapidly hire the 21,000 agents for which it is currently funded. New agents were rushed through training and into the field, some without completed background checks. Around the end of 2012 CBP began mandatory polygraph testing for all applicants. James Tomscheck, former head of internal affairs at CBP, told **NPR** that the polygraph test helped “weed[] out candidates who had criminal backgrounds and some would-be agents who were members of drug cartels that wanted to infiltrate CBP as spies.”

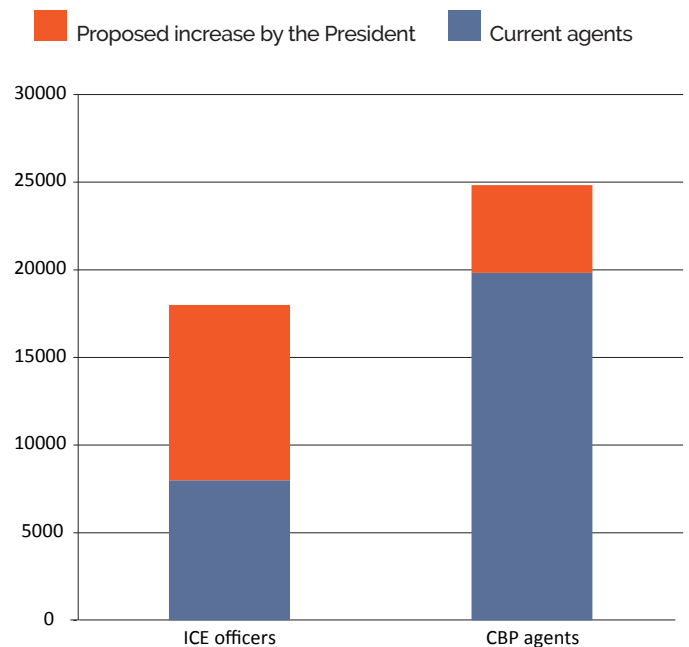
Given how important polygraphs are for screening applicants, it is astonishing that CBP is now considering weakening or bypassing current CBP polygraph requirements. When asked about lessening these requirements, Tomscheck explained that efforts to do so “is beyond my comprehension.” The Administration is also looking to ramp up the hiring of ICE immigration enforcement officers, who undergo no polygraph testing before being handed an ICE badge and gun.

Despite these concerns, President Trump wants to hire 15,000 more Border Patrol and ICE agents and officers. In his FY17 Supplemental request he requested nearly

\$300 million to start for the hiring of additional agents. Another \$314 million is requested in the President's FY18 budget to begin hiring 500 new Border Patrol agents and 1,000 ICE enforcement and removal officers.

Whether CBP can even hire the additional Border Patrol agents is very much in question. For years, CBP has struggled with low morale and cannot find candidates who can pass a polygraph. It is unlikely CBP or ICE could hire 15,000 more agents without severely compromising the hiring criteria and candidate screening protocols.

ICE Enforcement Officers and CBP Border Patrol Agents



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Border Prosecutions

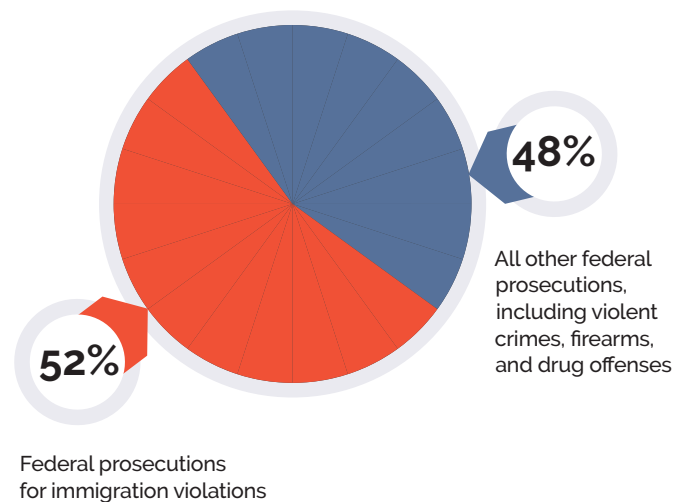
The President's Executive Order on interior enforcement directs DOJ and DHS to increase criminal prosecutions for people crossing the border without inspection. In the past decade, illegal border prosecutions have increased dramatically. Immigration remains the major focus of federal criminal enforcement efforts, with criminal prosecutions for illegal entry, illegal re-entry, and similar immigration violations making up 52 percent of all federal prosecutions in FY 2016. The total number of immigration cases **prosecuted during FY16** was 69,636, compared to 63,405 prosecutions for all other federal crimes, including drugs and firearms.

In courts across the Southwest border, the federal government has systematically prosecuted unlawful border crossers for illegal entry and illegal re-entry in group hearings that violate fundamental due process. Asylum seekers have been wrongfully prosecuted under this initiative. These prosecutions, often referred to as "Operation Streamline," were intended to deter border crossings but instead have clogged up the federal courts and wasted precious government resources with little evidence that the program is achieving its goals.

The President's budget request for FY18, calling for millions of dollars to fund 60 additional border enforcement prosecutors, is unnecessary. Dedicating additional funds specifically to immigration prosecutions is not

only a waste of resources, but is a misguided approach to protecting our country. Recent crime data shows a decline in violent crime prosecutions despite a rise in murders nationally. Instead of increasing resources for violent crime prosecutions, the President seeks to divert millions of dollars from those cases to focus on nonviolent, low level immigration law offenses. The President's plan makes America less safe.

Total Federal Criminal Prosecutions



ICE Detention

The Administration has called for a massive expansion of detention by requiring the Department of Homeland Security (DHS) to indefinitely detain nearly everyone it apprehends—making no exceptions for children, the elderly, the disabled, or pregnant women. No one should be deprived of their liberty except as a last resort. But every day, thousands of people—including asylum seekers and those with no criminal convictions—are detained by ICE though they pose no flight risk or threat to public safety. President Trump's categorical policy that mandates prolonged deprivations of liberty without permitting—or without sufficiently ensuring—the availability of release under the least restrictive conditions run afoul of basic principles of fairness and due process.

Currently, Congress appropriates enough money annually to maintain 34,000 detention beds. ICE is already spending more on detention than Congress appropriated by detaining 41,000 people per day—7,000 more than what current appropriations allow. Each adult detention bed costs an average of \$126.46 per day and family beds are at an average rate of \$161.36 per day per bed. The total annual cost for ICE detention annually is currently over \$2 billion, and yet in the FY17 supplemental budget request, ICE is asking for an additional \$1.15 billion for more detention beds to enable it to pay for 45,700 beds. That's an increase of 11,700 beds over the current funded level.

Immigration Detention Beds

For FY18, President Trump is requesting an additional \$1.5 billion for detention on top of the FY17 amount and his supplemental request (\$1.15 billion). If the President receives the money he is asking for in these requests, taxpayers will be spending over \$4.5 billion a year on immigrant detention. This unnecessary increase in funding is just the beginning. In late January, Trump's immigration policy experts gave a 20-page document to top Homeland Security officials that lays out a plan to double the detention capacity to **80,000 per day**, according to two people familiar with the memo. President Trump's budget requests leave out any mention of alternatives to detention which are far less costly than detention and are proven to result in high rates of compliance with immigration hearings and removal.



Detention Beds
Currently Funded



Trump's Request to Increase
Detention Beds in FY17 Supp



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