

FACT BRIEF • SUMMER 2026

Immigration and Enforcement

What is the ISSUE?

4

CONNECTED PARTS
IN ONE SYSTEM

Immigration is not one problem. It is a system with at least four connected parts: border security, undocumented immigrants already here, immigration court capacity, and legal pathways — all shaped by the debate over who should be able to join the U.S. community. ***A claim about one part is not a claim about the whole system.***

Know the Terms

Encounter — each time border officials stop or apprehend someone; the standard measure of border activity. Individuals may be encountered more than once.

Unauthorized immigrant — someone living in the U.S. without current legal permission.

Arrested vs. detained — two different populations: people ICE arrests over a period, versus people held in detention at a point in time.

Alternatives to Detention — monitoring outside detention: scheduled check-ins, ankle monitors.

Non-detained docket — people going through immigration court while living in the community, not in detention.

Temporary Protected Status (TPS) — temporary legal status for people from countries facing war or disaster.

What Are the Facts?

THE BORDER

SOUTHWEST BORDER

Southwest land border encounters: 2,475,669 in FY 2023; 443,671 in FY 2025 — down **82%**. [\[2\]](#)

IMMIGRATION AND ENFORCEMENT

What Are the Facts?

IMMIGRANTS LIVING IN THE U.S.

2023 data — the most recent complete estimates

THE NUMBER

13.7 million unauthorized immigrants were living in the United States in mid-2023 — about 26% of the total immigrant population. ^[3]

LONG-SETTLED

About **80%** lived in the U.S. at least 5 years, and **45%** lived here 20 years or more. ^[3]

FAMILY TIES

About one-third (4.2 million) were married to a U.S. citizen or legal resident, and 6.3 million children lived with an unauthorized parent — **5.3 million of them U.S.-born.** ^[3]

WHERE PEOPLE COME FROM

About **10% of all U.S. immigrants** come from European countries, with most others from Latin America and Asia. ^[6]

CRIME, DETENTIONS & DEPORTATIONS

ARRESTED — THE 70% CLAIM

Of people ICE *arrested*, DHS reports about 70% had U.S. criminal charges or convictions. This describes arrests, not the population *held* in detention. ^{[14][13]}

DETAINED — A DIFFERENT GROUP

ICE's own data shows **~70.8%** of people *in detention* had no criminal conviction (April 2026); most of the rest had only minor offenses like traffic tickets. ^{[10][13]}

WHO MUST BE DETAINED

By law, ICE must detain some people (certain convictions) and may hold others deemed a flight or safety risk; about 5% had violent convictions. ^{[9][13]}

THE PEAK — AND NOW

ICE detention peaked at a record **70,766 on January 24, 2026** — up from roughly 40,000 a year earlier — and stood at about 60,300 as of April 4, 2026. ^{[14][10][7]}

BEYOND DETENTION

Another **~180,700** were monitored through *Alternatives to Detention* (check-ins, ankle monitors) — about 3× the number physically held. ^{[10][13]}

HOW LONG

Average detention runs roughly 45–55 days but ranges from days to over a year awaiting court. ^[10]

DEPORTED IN 2025

More than **1 in 3** people deported from detention in 2025 had no criminal record; among those who did, about 64% had nothing worse than a misdemeanor. ^[11]

IMMIGRATION AND ENFORCEMENT

What Are the Facts?

POLICY SHIFTS & THE BIGGER PICTURE

A 2025 POLICY SHIFT

A 2025 policy directed agents to review people on the *non-detained docket* — including some attending their own check-ins and court dates — for detention. ^[11]

THIRD-COUNTRY REMOVALS

A June 2025 Supreme Court ruling let the U.S. deport people to countries that are not their home — e.g., South Sudan, Eswatini, Paraguay — sometimes under paid agreements. ^[12]

HOW OFTEN — AND WHERE

Third-country removals remain a small share of deportations: MPI estimates about **15,000** of roughly 396,000 ICE deportations in 2025 — about **4%** — sent people to countries not their own, and 13,000 of those went to Mexico. Except for Mexico, most receiving countries have taken at most a few hundred people each. ^{[15][12]}

CRIME RATES

Immigrants are incarcerated at far lower rates than U.S.-born citizens: **674 per 100,000** (undocumented) and **303** (legal) versus **1,195** native-born. ^[8]

THE SYSTEM

THE COURTS

As of May 2026: about **600 judges for a 3.24 million-case backlog** — roughly 5,400 per judge; about **72%** of the backlog is already-filed asylum applications awaiting hearings. ^[4]

LAWYERS & PROTECTED STATUS

In May 2026, only about **1 in 4** immigrants (27.7%) had a lawyer when a removal order was issued. *Temporary Protected Status* reached about **1.3 million** people in 2025 — its high point. Designations for **13 of 17** countries have since been ended or moved to end, affecting about **1 million** holders. ^{[4][5]}

When you hear a claim about immigration, ask:

- ? What is being counted?
- ? What time-period and location does it cover?
- ? How many — and what percent — have criminal or violent convictions?
- ? Are these recent arrivals or long-settled residents?
- ? Does this focus on the whole system or a part of it?
- ? Crime rates? Compared to U.S. citizens?

Use these questions with any statistic, headline, or story about immigration before you decide what to think or share.

WHAT DO THE FACTS SAY?

- ✓ Border crossings can rise or fall quickly. ^{[1][3]}
- ✓ Most undocumented immigrants are long-term U.S. residents. ^[3]
- ✓ Detention remains near historic highs, and most people held have no criminal conviction. ^[10]
- ✓ Many deported in 2025 had no criminal record — including some who were following the court process. ^[11]
- ✓ "Arrested" and "detained" are different populations: ~70% of those arrested had criminal charges or convictions, while ~70.8% of those held in detention had no conviction. ^{[10][13][14]}
- ✓ Immigrants are far less likely to be incarcerated than U.S. citizens. ^[8]

IMMIGRATION AND ENFORCEMENT

Go Deeper

Stay Current

- **TRAC Immigration** — nonpartisan, government-data-based tracking of detention, deportations, immigration courts, and enforcement trends. tracreports.org/immigration
- **CBP Nationwide Encounters** — official federal source for fiscal-year encounter totals by border region. cbp.gov/newsroom/stats/nationwide-encounters

Sources and Links • verified July 16, 2026

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10. TRAC (Syracuse University). "Immigration Detention Quick Facts" (detention population, share with no conviction, Alternatives to Detention). Data current as of April 2026. tracreports.org/immigration/quickfacts/
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12. American Immigration Council. "Third-Country Removals in United States Immigration Policy." December 2025. americanimmigrationcouncil.org/wp-content/uploads/2025/12/Third-Country-Removals...
13. U.S. Immigration and Customs Enforcement (ICE). "Enforcement and Removal Operations Statistics." ice.gov/statistics
14. CBS News. "ICE's detainee population reaches new record high of 73,000" (includes DHS statement that ~70% of those arrested had criminal charges or convictions). January 16, 2026. cbsnews.com/news/ices-detainee-population-record-high-of-73000/
15. Migration Policy Institute. "U.S. Third-Country Deportation Agreements Are More About Fear than Numbers" (estimates ~15,000 third-country deportations in 2025, ~13,000 to Mexico, of ~396,000 ICE deportations). March 2026. migrationpolicy.org/news/us-third-country-deportation-agreements

IMMIGRATION AND ENFORCEMENT

Our Research Process

Every Fact Brief follows the same discipline — so you can trust what's on these pages, and check it yourself.

- 1 Identify issues voters care about.
- 2 Do independent, nonpartisan research using primary documents and verifiable, most up-to-date data.
- 3 Use three or more AI tools to assist searching and organizing; humans make all judgments.
- 4 Cross-check for accuracy and fairness.
- 5 Produce a concise Fact Brief.
- 6 Verify that each key factual claim is backed by a directly relevant, credible source.
- 7 Present the facts on contested points; note where credible sources disagree.
- 8 Use sources across the political spectrum, chosen for reliability — not for the conclusions they reach.

Get the Facts <> Share the Facts