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Immigration, Citizenship, and the Federal Justice System, 2000–2020 – Supplemental Tables

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TABLE 15A

Immigration suspects in matters concluded by federal prosecutors, by type of immigration offense and federal judicial districts, FY 2019

	Matters concluded		Outcome of matters concluded					
			Prosecuted in U.S. district court ^a		Prosecuted before U.S. magistrate		Declined	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Immigration	112,922	100%	32,141	28.5%	80,233	71.1%	548	0.5%
Immigration detail								
Illegal entry	66,167	100%	907	1.4%	65,219	98.6%	41	0.1%
Reentry by removed aliens	39,457	100%	25,685	65.1	13,528	34.3	244	0.6
Misuse of visas/other violations	1,118	100%	836	74.8	177	15.8	105	9.4
Alien smuggling	6,180	100%	4,713	76.3	1,309	21.2	158	2.6
U.S.-Mexico border district	105,341	100%	25,778	24.5%	79,459	75.4%	104	0.1%
California Southern	11,718	100%	3,310	28.2	8,404	71.7	4	<0.1
Arizona	26,233	100%	4,023	15.3	22,173	84.5	37	0.1
New Mexico	8,043	100%	3,598	44.7	4,438	55.2	7	0.1
Texas Western	23,222	100%	7,793	33.6	15,399	66.3	30	0.1
Texas Southern	36,125	100%	7,054	19.5	29,045	80.4	26	0.1
All other judicial districts	7,581	100%	6,363	83.9%	774	10.2%	444	5.9%
Days from receipt of matter to disposition^b								
Median	3 days		22 days		1 day		299 days	
Mean	14 days		25 days		6 days		586 days	

Note: Percentages are based on available data. Includes suspects with an immigration offense as the lead charge. Lead charge is the substantive statute that is the primary basis for referral to federal prosecutors. It is most often, but not always, the charge with the greatest potential sentence.

^aIncludes suspects who were initially charged in U.S. district court but later had case terminated before U.S. magistrate. This was found to be more likely in matters concluded with illegal entry.

^bProsecutor case-processing time reflects the time from receipt of a matter to the prosecutor's decision to prosecute as a case in U.S. district court, refer for disposal by U.S. magistrate, or decline the matter, resulting in no further action. The median is the midpoint of processing time.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System (LIONS) data base, fiscal year 2019.

TABLE 15B

Immigration suspects in matters concluded by federal prosecutors, by type of immigration offense and federal judicial districts, FY 2020

	Matters concluded		Outcome of matters concluded					
			Prosecuted in U.S. district court ^a		Prosecuted before U.S. magistrate		Declined	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Immigration	52,233	100%	24,183	46.3%	27,421	52.5%	629	1.2%
Immigration detail								
Illegal entry	20,268	100%	487	2.4%	19,754	97.5%	27	0.1%
Reentry by removed aliens	25,903	100%	19,270	74.4	6,444	24.9	189	0.7
Misuse of visas/other violations	782	100%	518	66.2	116	14.8	148	18.9
Alien smuggling	5,280	100%	3,908	74.0	1,107	21.0	265	5.0
U.S.-Mexico border district	47,367	100%	20,214	42.7%	26,956	56.9%	197	0.4%
California Southern	5,022	100%	1,965	39.1	3,020	60.1	37	0.7
Arizona	12,944	100%	3,100	23.9	9,788	75.6	56	0.4
New Mexico	4,584	100%	2,386	52.1	2,191	47.8	7	0.2
Texas Western	9,154	100%	5,919	64.7	3,182	34.8	53	0.6
Texas Southern	15,663	100%	6,844	43.7	8,775	56.0	44	0.3
All other judicial districts	4,866	100%	3,969	81.6%	465	9.6%	432	8.9%
Days from receipt of matter to disposition^b								
Median	8 days		23 days		2 days		493 days	
Mean	33 days		34 days		13 days		816 days	

Note: Percentages are based on available data. Includes suspects with an immigration offense as the lead charge. Lead charge is the substantive statute that is the primary basis for referral to federal prosecutors. It is most often, but not always, the charge with the greatest potential sentence.

^aIncludes suspects who were initially charged in U.S. district court but later had case terminated before U.S. magistrate. This was found to be more likely in matters concluded with illegal entry.

^bProsecutor case-processing time reflects the time from receipt of a matter to the prosecutor's decision to prosecute as a case in U.S. district court, refer for disposal by U.S. magistrate, or decline the matter, resulting in no further action. The median is the midpoint of processing time.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System (LIONS) data base, fiscal year 2020.

TABLE 17**Immigration suspects in matters concluded by federal prosecutors, by type of immigration offense, FY 2000–2020**

Fiscal year	Total	Illegal entry	Illegal reentry	Misuse of visas	Alien smuggling
2000	16,053	3,964	8,081	757	3,251
2001	15,309	3,281	8,545	717	2,766
2002	16,171	3,206	9,361	656	2,948
2003	20,347	4,629	11,479	953	3,286
2004	37,326	18,337	13,458	1,033	4,498
2005	36,559	15,456	14,809	1,243	5,051
2006	36,226	13,970	15,735	1,224	5,297
2007	38,926	14,790	17,830	1,261	5,045
2008	80,615	52,087	21,348	2,068	5,112
2009	88,313	51,864	30,223	1,975	4,251
2010	85,545	43,546	35,899	2,090	4,010
2011	83,324	41,017	36,952	1,759	3,596
2012	92,345	50,311	36,857	1,493	3,684
2013	94,273	51,378	37,517	1,382	3,996
2014	81,305	39,269	37,166	1,139	3,731
2015	73,028	35,100	33,370	800	3,758
2016	70,237	35,546	29,755	760	4,176
2017	59,797	27,657	27,218	732	4,190
2018	107,794	67,603	34,351	989	4,851
2019	112,922	66,167	39,457	1,118	6,180
2020	52,233	20,268	25,903	782	5,280
Percent change, 2000–2020	225.4%	411.3%	220.5%	3.3%	62.4%
Percent change, 2019–2020	-53.7%	-69.4%	-34.4%	-30.1%	-14.6%

Note: Includes suspects with an immigration offense as the lead charge. Lead charge is the substantive statute that is the primary basis for referral to federal prosecutors. It is most often, but not always, the charge with the longest potential sentence. Includes suspects prosecuted in U.S. district court, prosecuted before a U.S. magistrate judge, or declined for further prosecution. Includes suspects who were initially charged in U.S. district court but later had case terminated before U.S. magistrate. This was found to be more likely in matters concluded with illegal entry.

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System (LIONS) data base, fiscal years 2000–2020.

TABLE 18

Among all immigration suspects who were federally prosecuted, percent prosecuted in U.S. district court, by type of immigration offense, FY 2000–2020

Fiscal year	Illegal entry	Illegal reentry	Misuse of visas	Alien smuggling
2000	64.0%	94.7%	92.5%	89.7%
2001	56.1	92.4	90.4	91.5
2002	58.4	96.1	92.3	91.3
2003	56.6	95.7	91.2	87.7
2004	14.6	89.0	83.3	83.9
2005	13.9	81.7	79.9	83.9
2006	8.3	78.6	79.8	81.1
2007	9.4	72.9	83.2	83.7
2008	3.8	77.0	86.2	86.8
2009	3.1	72.0	84.2	86.2
2010	2.5	67.0	84.7	86.0
2011	2.1	64.7	86.5	85.5
2012	1.5	57.7	87.6	84.5
2013	2.0	54.2	88.0	77.6
2014	3.2	52.1	93.1	84.2
2015	1.3	52.0	90.3	80.0
2016	1.0	57.4	90.1	81.5
2017	1.9	61.1	86.9	82.7
2018	2.5	65.3	83.1	80.5
2019	1.4	65.5	82.5	78.3
2020	2.4	74.9	81.7	77.9

Note: The denominator for the percentages does not include those who were declined for further prosecution. Includes suspects with an immigration offense as the lead charge. Lead charge is the substantive statute that is the primary basis for referral to federal prosecutors. It is most often, but not always, the charge with the greatest potential sentence. Includes suspects prosecuted in U.S. district court or suspects prosecuted before a U.S. magistrate judge. Includes suspects who were initially charged in U.S. district court but later had case terminated before U.S. magistrates. This was found to be more likely in matters concluded with illegal entry. Table does not show percentages handled by U.S. magistrates (i.e., in 2020, 22.1% of suspects charged with alien smuggling were prosecuted by U.S. magistrates).

Source: Bureau of Justice Statistics, based on data from the Executive Office for U.S. Attorneys, National Legal Information Office Network System (LIONS) data base, fiscal years 2000–2020.



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These tables were prepared by Mark Motivans. George E. Browne verified the tables.

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