



# **Detention and Removal of Gang Members**

**September 30, 2016**

**Fiscal Year 2016 Report to Congress**



**Homeland  
Security**

*U.S. Immigration and Customs Enforcement*

## Message from the Director

I am pleased to present the following report, “Detention and Removal of Gang Members,” which has been prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to Senate Report 114-68, which accompanies the *Fiscal Year (FY) 2016 Department of Homeland Security (DHS) Appropriations Act* (P.L. 114-113).

Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:



The Honorable John R. Carter  
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Lucille Roybal-Allard  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable John Hoeven  
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jeanne Shaheen  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to me at (202) 732-3000 or to the Department’s Deputy Under Secretary for Management and Chief Financial Officer, Chip Fulghum, at (202) 447-5751.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Saldaña". The signature is fluid and cursive.

Sarah R. Saldaña

Director

U.S. Immigration and Customs Enforcement



# Detention and Removal of Gang Members

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# I. Legislative Requirement

This report was compiled in response to legislative language in Senate Report 114-68, which accompanies the *Fiscal Year (FY) 2016 Department of Homeland Security (DHS) Appropriations Act* (P.L. 114-113).

Senate Report 114-68 states:

The Committee remains concerned about increasing gang violence and criminal activity in many parts of our Nation and directs ICE to continually track gang membership amongst fugitives, as well as the detained and non-detained populations. The Committee directs ICE, not later than 180 days after the date of enactment of this act, to submit a report to the Committee regarding the detention and removal of gang members. This report should include: (1) a State by State breakdown of the number of gang members detained, removed, or both detained and removed; and (2) the number of gang members detained, removed, or both detained and removed in the 10 largest metropolitan areas in the United States. The Committee will continue directing ICE to produce this report until data systems and procedures are capable of readily providing gang related information and other key attributes of aliens to Congress upon request.

## II. Background

U.S. Immigration and Customs Enforcement's (ICE) primary mission is to protect national security, public safety, and the integrity of our borders through the criminal and civil enforcement of federal law governing border control, customs, trade, and immigration. In order to effectively and efficiently pursue its immigration mission, ICE prioritizes the use of its enforcement personnel, detention space, and removal resources.

A top priority for ICE and DHS is apprehending, detaining, and removing individuals who pose a threat to national security, public safety, and border security. Included in this classification are aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in 18 U.S.C. § 521(a), or aliens not younger than 16 years of age who intentionally participated in an organized criminal gang to further the illegal activity of the gang.

In FY 2015, there were 2,324 ICE intakes of aliens who were gang members or affiliates. In FY 2016, through the end of the second quarter, there were 1,919 ICE intakes of aliens who were gang members or affiliates. In comparison, through the end of the second quarter of FY 2015, there were 1,045 ICE intakes for the same group. This represents an 84-percent increase in FY 2016 over FY 2015.

Additionally, ICE records reflect a general upward trend of ICE removals of gang members and gang affiliates from FY 2015 to FY 2016 through the end of the second quarter. In the first half of FY 2016, ICE removed 1,219 aliens who were gang members or affiliates, compared to 639 removals of aliens with gang affiliations during the first half of FY 2015.

Regarding the geographic locations of aliens who are gang members or affiliates, ICE records indicate that Texas had the largest number of intakes (1,126), followed by California (928) and Arizona (298). Texas, likewise, had the largest number of gang member or affiliate removals (795), followed by New Mexico (437) and California (414).

### III. Data Report

ICE queried its case management system for two types of individuals detained and removed by ICE:

- 1) Aliens convicted of an offense for which an element was active participation in a criminal street gang, as defined in 18 U.S.C. § 52 l(a), referred to as Priority 1c (PIC) aliens;<sup>1</sup> and
- 2) Aliens not younger than 16 years of age who intentionally participated in an organized criminal gang to further the illegal activity of the gang, referred to as suspected gang members (SGM).

ICE provides the data on these types of individuals, as available in its case management system, for the period of October 1, 2015 through March 31, 2016.

#### 1. Total Gang Intakes by Fiscal Quarter (P1C and SGM)

FY 2015 Q1	FY 2015 Q2	FY 2015 Q3	FY 2015 Q4	FY 2016 Q1	FY 2016 Q2
370	675	641	638	896	1,023

#### 2. Total Gang Removals by Fiscal Quarter

FY 2015 Q1	FY 2015 Q2	FY 2015 Q3	FY 2015 Q4	FY 2016 Q1	FY 2016 Q2
249	390	465	451	563	656

#### 3. Gang Intakes and Removals by State (P1C and SGM)

State	Intakes	Removals <sup>2</sup>
Alabama	42	0
Alaska	1	0
Arizona	298	249
Arkansas	12	0

<sup>1</sup> The PIC alert code was added to the ICE case management system in March 2015 as a result of the Department's revised enforcement priorities.

<sup>2</sup> Aliens with intakes to one state subsequently may have been removed from another state.

California	928	414
Colorado	51	6
Connecticut	0	0
Delaware	3	0
District of Columbia	0	0
Florida	92	50
Georgia	154	86
Hawaii	1	1
Idaho	8	0
Illinois	192	14
Indiana	16	1
Iowa	9	0
Kansas	10	2
Kentucky	19	0
Louisiana	79	363
Maine	7	0
Maryland	101	17
Massachusetts	80	2
Michigan	19	6
Minnesota	31	13
Mississippi	0	0
Missouri	31	5
Montana	1	0
Nebraska	16	11
Nevada	56	15
New Hampshire	2	0
New Jersey	180	58
New Mexico	44	437
New York	75	16
North Carolina	65	0
North Dakota	4	0
Ohio	10	5
Oklahoma	16	0
Oregon	27	0

Pennsylvania	41	33
Puerto Rico	1	1
Rhode Island	0	0
South Carolina	71	1
South Dakota	0	0
Tennessee	18	0
Texas	1,126	795
Utah	43	1
Vermont	2	0
Virginia	140	32
Washington	69	6
West Virginia	8	0
Wisconsin	35	1
Wyoming	9	0
No Detention Involved	0	133 <sup>3</sup>
<b>Total</b>	<b>4,243</b>	<b>2,774</b>

#### **4. Gang Intakes and Removals for the 10 Largest Metropolitan Areas in the United States (by population)**

The following is a list, in descending order, of the 10 largest metropolitan statistical areas as defined by the Office of Management and Budget, and is based on population ranking figures from the latest available Census Bureau Estimate (2014).

ICE cannot statistically report intakes and removals by metropolitan area, as many ICE facilities are located outside major cities. Thus, the following data is provided by ICE Enforcement and Removal Operations area of responsibility (AOR), which provides the most granular level of analysis that ICE can accurately report.

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<sup>3</sup> “No Detention Involved” indicates that an individual was removed without having a detention stay in an ICE detention facility.



<b>Metropolitan Area</b>	<b>Intakes</b>	<b>Removals<sup>4</sup></b>
New York – Newark – Jersey City <sup>5</sup>	217	61
Los Angeles – Long Beach – Anaheim <sup>6</sup>	359	237
Chicago – Naperville – Elgin <sup>7</sup>	303	23
Dallas – Fort Worth – Arlington <sup>8</sup>	159	118
Houston – The Woodlands – Sugar Land <sup>9</sup>	248	214
Philadelphia - Camden - Wilmington <sup>10</sup>	52	33
Washington - Arlington - Alexandria <sup>11</sup>	140	32
Miami - Fort Lauderdale - West Palm Beach <sup>12</sup>	93	51
Atlanta - Sandy Springs - Roswell <sup>13</sup>	290	87
Boston - Cambridge - Newton <sup>14</sup>	91	2
<b>Total</b>	<b>1,952</b>	<b>858</b>

<sup>4</sup> Aliens with intakes to one AOR subsequently may have been removed from another AOR.

<sup>5</sup> Data provided for the New York metropolitan area reflects intakes and removals from the New York City AOR and the Newark AOR. The New York City AOR includes the five New York City boroughs and the following counties: Dutchess, Nassau, Putnam, Suffolk, Sullivan, Orange, Rockland, Ulster, and Westchester. The Newark AOR includes the State of New Jersey.

<sup>6</sup> The Los Angeles - Long Beach - Anaheim metropolitan area is located in the Los Angeles AOR, which also includes the counties of Los Angeles, Orange, Riverside, San Bernardino, and the Central Coast (counties of Ventura, Santa Barbara, and San Luis Obispo).

<sup>7</sup> The Chicago - Naperville - Elgin metropolitan area is located in the Chicago AOR, which also includes the States of Illinois, Indiana, Wisconsin, Missouri, Kentucky, and Kansas.

<sup>8</sup> The Dallas - Fort Worth - Arlington metropolitan area is located in the Dallas AOR, which also includes North Texas and the State of Oklahoma.

<sup>9</sup> The Houston - The Woodlands - Sugar Land metropolitan area is located in the Houston AOR, which also includes the area of Southeast Texas.

<sup>10</sup> The Philadelphia - Camden - Wilmington metropolitan area is located in the Philadelphia AOR, which also includes the States of Delaware, Pennsylvania, and West Virginia.

<sup>11</sup> The Washington - Arlington - Alexandria metropolitan area is located in the Washington AOR, which also includes the District of Columbia and the State of Virginia.

<sup>12</sup> The Miami - Fort Lauderdale - West Palm Beach metropolitan area is located in the Miami AOR, which also includes the State of Florida, the Territory of Puerto Rico, and the U.S. Virgin Islands.

<sup>13</sup> The Atlanta - Sandy Springs - Roswell metropolitan area is located in the Atlanta AOR, which also includes the States of Georgia, North Carolina, and South Carolina.

<sup>14</sup> The Boston - Cambridge - Newton metropolitan area is located in the Boston AOR, which also includes the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

## V. Conclusion

DHS's top priority is the apprehension, detention, and removal of individuals who pose the greatest risk to public safety, national security, and border security. Included in this classification are aliens convicted of gang-related offenses, or aliens who otherwise participate in organized criminal gang activity.

The data in this report reflects ICE's commitment to this priority. In FY 2016, through the end of the second quarter, there have been upward trends in both the intakes and removals of aliens convicted of gang-related offenses and those participating in organized criminal gang activity. Additionally, the geographic breakdown of aliens with gang affiliations provides ICE a vital tool to effectively and efficiently target these aliens, assisting the agency in pursuing its mission of public safety.

ICE continues to prioritize the removal of gang members, who undermine public safety and reduce the quality of life in our communities.