



Written by [R. Cort Kirkwood](#) on August 31, 2026

Alarmist Post Headline on the Arrest of “Noncriminal” Illegal Aliens Amusingly Undermines Story’s Point

The Washington Post sallied forth today with a lacrymose yarn about the heartless Trump administration’s arrest of illegal aliens who are not criminals, yet somehow have found themselves in the back of a paddy wagon driven by Immigration and Customs Enforcement (ICE).

“ICE is arresting soaring numbers of immigrants with no criminal record,” the [headline blared](#), only to be followed by this subheadline: “Federal immigration officers are shifting their targets and tactics to increase arrests. More than half of those detained last month did not have a criminal record.”



Lawrey/iStock/Getty Images Plus

The problems: First, all “immigrants” notched a criminal record if they jumped the border illegally. Illegally entering the country is a federal crime. A conviction in court merely makes it official.

Second, a number disclosed farther down in the story revealed the opposite of what the subheadline suggests. At least 60 percent of those arrested since President Donald Trump entered office *do* have a criminal record.



Written by [R. Cort Kirkwood](#) on August 31, 2026



The Washington Post
@washingtonpost · Follow



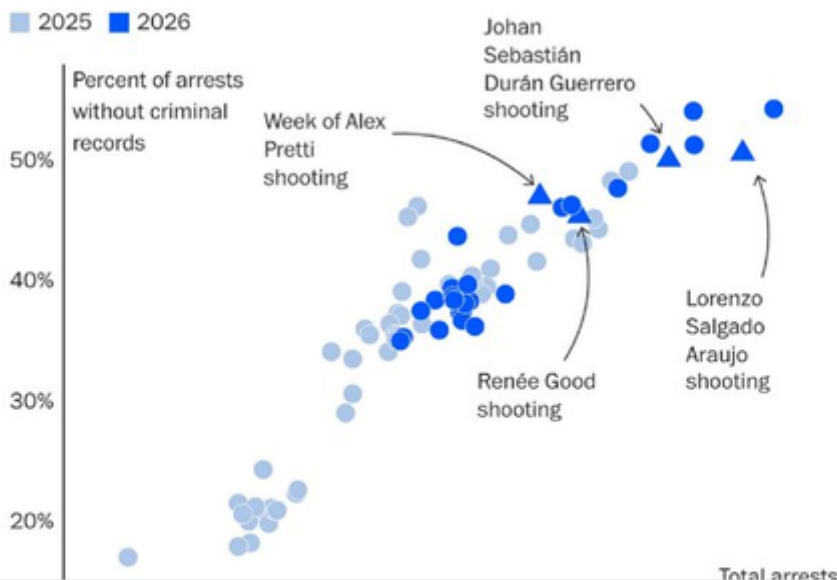
ICE has arrested more than half a million people since President Trump returned to office, and nearly 40 percent do not have a criminal record.

As of Aug. 6, ICE had detained more people without a criminal record this year than in all of 2025.

wapo.st/45V4GP5

ICE targets those without criminal records

ICE has detained a higher share of people with no criminal record as it increases the total number of arrests.



5:00 AM · Aug 29, 2026



1.3K



Reply



Copy link

[Read 2.9K replies](#)



The Story

ICE “is detaining more immigrants who do not have a criminal record than at any other point since President Donald Trump returned to the White House last year, according to newly released government data,” the [Post reported](#):

Trump officials have consistently stated that their goal is to keep Americans safe by targeting enforcement against “the worst of the worst” — undocumented immigrants who have committed violent crimes or repeated offenses. The new data, however, shows that more than half of all the people ICE arrested in July did not have a criminal record, the highest single-month total since January 2025.

The shift toward targeting more people with civil immigration violations but no criminal charges has helped ICE achieve record numbers of overall arrests. In all, federal authorities detained more than 49,000 migrants in July, the highest total during Trump’s second administration, according to a Washington Post analysis of government data. The ICE arrest data was made public by the Deportation Data Project, an outside group that obtained the material through a Freedom of Information Act lawsuit.

Americans voted for that policy, so they aren’t likely as alarmed as the leftist scribes at the *Post*. But then the newspaper, to its credit, revealed a more [telling datum](#):

ICE has arrested more than half a million people since Trump returned to office, and nearly 40 percent do not have a criminal record. As of Aug. 6, ICE had detained more people without a criminal record this year than in all of 2025. The administration has also already exceeded the number of people ICE detained during all of President Joe Biden’s presidency, as well as Trump’s first term and President Barack Obama’s last.

If “nearly 40 percent” of those 500,000-plus illegals “do not have a criminal record,” then more than 60 percent of them do.

That figure is more than 300,000.

Again, Americans aren’t likely concerned about the numbers. They voted for mass deportations. That vote did not exempt “immigrants with no criminal record,” an infuriating refrain from the open-borders Left.

The Law

Unhappily for that crowd, and the mulish *Posties*, “immigrants” with “no criminal record” are illegal aliens who have not been arrested or convicted of a crime *apart from illegally entering the country*. Illegal entry is *not* merely a “civil immigration violation.”

8 U.S. Code 1325 [is clear](#):

Any alien who (1) enters or attempts to enter the United States at any time or place other than as designated by immigration officers, or (2) eludes examination or inspection by immigration officers, or (3) attempts to enter or obtains entry to the United States by a



Written by [R. Cort Kirkwood](#) on August 31, 2026

willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18 or imprisoned not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under title 18, or imprisoned not more than 2 years, or both.

That law's civil penalty does not override its criminal aspect: "Civil penalties under this subsection are in addition to, and not in lieu of, any criminal or other civil penalties that may be imposed."

"It is not a criminal violation to enter the country illegally... It's not a crime." – Rep Jasmine Crockett pic.twitter.com/9tYYEvowlZ

— Libs of TikTok (@libsoftiktok) [March 9, 2025](#)

Last year, when outgoing far-left Democratic Representative Jasmine Crockett of Texas claimed on MSNBC that entering the country illegally is not a crime, border czar Tom Homan quickly corrected her.

"It's a crime to enter the country illegally," [Homan told](#) Fox Business, a violation of 8 U.S. Code 1325. And entering the country illegally after being deported is a felony.

"It's really pathetic that any member of Congress doesn't understand what the law says," [he continued](#):

They wrote the law. They enacted the law. ... It is a criminal violation to enter the country illegally. ... I had to educate AOC years ago during a hearing that it's a crime to enter this country illegally.

[@RealTomHoman](#) wasn't taking [@AOC](#)'s bullshit.

If you want to seek legal asylum status, you go through the port of entry and do it the legal way.

Failure to do so is a violation and should resort in justified detention.

pic.twitter.com/Hbgb1zOhUO

— Atheist Vader [REDACTED] (@VaderAtheist) [August 30, 2026](#)

[During that hearing](#), AOC — Representative Alexandria Ocasio-Cortez (D-N.Y.) — confused jumping the border with legally applying for asylum at a port of entry.

"Legal asylees are not charged with any crime," [said Ocasio-Cortez](#), perhaps the most famous former bartender of Big Apple mixology:

Homan: *When you enter the country illegally it's a violation of 8 United States Code 1325.*

Ocasio-Cortez: *Seeking asylum is legal.*

Homan: *When you want to seek asylum, you go through a port of entry and do it the legal way. The attorney general of the United States has made that clear.*



Subscribe to the New American

Get exclusive digital access to the most informative,
non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



Subscribe

What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.