



Written by [Joe Wolverton, II, J.D.](#) on October 7, 2010

## Homeland Security Reports Record Number of Deportations

Department of Homeland Security (DHS) Secretary Janet Napolitano and U.S. Immigration and Customs Enforcement (ICE) Director John Morton announced Wednesday “record-breaking immigration enforcement statistics achieved under the Obama administration.” Specifically, they crowed about an “unprecedented numbers of convicted criminal alien removals and overall alien removals in fiscal year 2010.”



The statement continues:

This administration has focused on enforcing our immigration laws in a smart, effective manner that prioritizes public safety and national security and holds employers accountable who knowingly and repeatedly break the law. Our approach has yielded historic results, removing more convicted criminal aliens than ever before and issuing more financial sanctions on employers who knowingly and repeatedly violate immigration law than during the entire previous administration.

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The press release gives credit for the improvement in enforcement of immigration law to the “increased border enforcement, workplace enforcement and an expansion of the department’s Secure Communities program.” The Secure Communities program is a DHS scheme that uses biometric information and services to identify and remove criminal aliens in state prisons and local jails.

The number of illegal aliens deported in FY 2010 by the DHS and ICE is reported as 393,000. The same report claims that of those 393,000, 195,000 had been convicted of a crime. The designation of “criminal” to these deportees is a bit misleading, however. Although the precise numbers are difficult to calculate, a significant bloc of those 195,000 deportees branded as “criminals” are those who, once forcibly removed from the country, are apprehended a second time crossing the border illegally and are thus charged with a felony.

That is to say, while many of the 195,000 illegals that were deported by ICE and reported as being “convicted of a crime” were guilty of rape, murder, and other heinous crimes, many were guilty of



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getting of caught trying to illegally enter the country after having been lawfully deported.

Understanding the technicalities of these crimes diminishes the impression of the “hard on crime” posture the DHS and ICE seek to demonstrate to the public. The question begged by the statistic and the understanding of the elements of the “crimes” committed by these felons is why is it still so easy for deportees to enter the country a second, third, or fourth time? Perhaps, if the federal government retreated to within the borders of its Constitutional power, then the states could assert their natural right and the borders would be more secure, both the borders around our nation and the border surrounding the lawful power of Congress as established by the Constitution.

Despite the strength of this logic and the weakness it exposes, ICE continues to trumpet its triumphs. “ICE is committed to law enforcement,” stated agency director, John Morton. However, if the agency were indeed as committed as they claim, would thousands of deportees continue to find a way to cross and re-cross the border?

The union representing ICE employees announced a vote of no confidence in Morton’s leadership. Agents and officers are concerned that the agency’s focus on immigrant criminals represents a selective enforcement of federal immigration law. Reading between the lines, the union recognizes that the manpower and money devoted to ICE is being employed more for the sake of bolstering publicity-garnering bottom lines than on legitimate and effective prevention of illegal immigration. As one expert explained, “As effective as they [ICE] are being, they can’t deport their way out of the fact that there are 11 million people here without status.”

It is the nature of determining that status that is stymieing the Obama Administration’s efforts to appear to be doing something in order to appease the Hispanic bloc of his base of support, while in reality doing very little that has any retardant effect on the unstaunched flow of illegal aliens into the territory of several of our sovereign states.

Perhaps state laws aimed at genuinely reducing the number of aliens illegally present in our nation are the impetus for the Obama Administration’s self-congratulating. The so-called S.B. 1070 passed in Arizona and a similar law passed in Pennsylvania is irrefutable examples of how, when left to their own, Constitutionally protected devices, the problem of illegal immigration and the crime that accompanies it can be addressed and can be solved. Fifty heads must be better than one.

“These record-setting numbers,” says John Morton, “are the result of strong, sensible enforcement programs and priorities, and the dedication of thousands of ICE agents and officers who work tirelessly every day to keep our communities safe.”

Were the principles of the Constitution (particularly the Tenth Amendment) adhered to, the states would shoulder the burden of policing their own sovereign borders and implementing programs and promulgating policy that monitors the flow of immigrants. This would at once abolish both the need for a federal enforcement program, thus deducting billions from the already bloated federal budget, as well as the unwieldy task of addressing an issue that has proved too difficult and politically deleterious for one administration after another.

Of course, this sort of “strong, sensible” and constitutional approach to the matter would rob President Obama and his successors of the opportunity to issue press releases bragging about the “record breaking” efforts of the federal immigration bureaucracy. That’s the sort of crime that no one in Washington would ever be tough on.

*Photo: U.S. Immigration and Customs Enforcement agents process detainees during an operations, July 14, 2006, in Oklahoma City: AP Images*



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