

## Prosecutorial Discretion: A Statistical Analysis

Written by

Tuesday, 19 June 2012 15:18

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**Washington D.C.** - In August 2011, the Department of Homeland Security (DHS) announced that it would review more than 300,000 pending removal proceedings to identify low-priority cases meriting favorable exercises of prosecutorial discretion. The initiative was officially launched in November 2011 and is expected to continue for much of 2012. To date, DHS has released statistics on three occasions measuring the progress of the initiative.

While the case-by-case review remains ongoing, figures relating to the first 290,000 cases have disappointed immigrant advocates. Thus far, slightly more than 7% of cases have been found eligible for administrative closure, only a few dozen of which involved immigrants being held in detention. Moreover, as the review process has expanded, the number of immigrants being found eligible for administrative closure has steadily decreased. Relative to the number of immigrants who ordinarily prevail in removal proceedings, the number likely to avoid removal as a result of the case-by-case review process is comparatively small. The IPC has produced a fact sheet that provides background information about the case-by-case review process and a statistical assessment of those figures.

### To view the fact sheet in its entirety see:

- Prosecutorial Discretion: [A Statistical Analysis](#) (IPC Fact Check, June, 2012)  
Source: Immigration Policy Center