



Acquittal by Removal:

How Trump's Mass Deportation Agenda
Abandons Crime Victims and Allows
Perpetrators to Avoid Justice

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INTRODUCTION

This Administration's dragnet mass deportations have made the American people less safe, including by disrupting and terminating efforts by state and local authorities to investigate and prosecute violent crimes. In a desperate attempt to meet White House Deputy Chief of Staff for Policy and Homeland Security Advisor Stephen Miller's deportation and detention quotas, the Department of Homeland Security (DHS) is derailing efforts to hold criminals to account and bring justice to crime victims. Throughout the country, DHS has been arresting and deporting key prosecution witnesses and even whisking criminal defendants out of the country, thus blocking the possibility of winning convictions, prison sentences, fines, and restitution for the victims. With the crime, victims, witnesses, and evidence all in the United States, these individuals are not going to be held accountable in their home countries. As one district attorney said, "It makes it harder for me to convict dangerous felons when ... witnesses are getting deported, victims are getting deported, and the defendant or the perpetrator themselves are getting deported."¹

At the same time, this Administration's obsession with sweeping immigration enforcement has led it to neglect its own duty to investigate and prosecute violent crime. The Trump Administration has diverted over 28,000 officers from their critical law enforcement roles to work on immigration enforcement instead.² This includes a quarter of Federal Bureau of Investigation (FBI) agents,³ half of Drug Enforcement Administration (DEA) agents, over two thirds of Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) agents, and 90% of Homeland Security Investigations (HSI) agents.⁴

The reallocation of personnel has led to non-immigration related criminal prosecutions falling to their lowest point in decades.⁵ Gun prosecutions have fallen more than 10% in nearly half of the federal court districts around the United States.⁶ Case referrals from the DEA have fallen by 10%, while ATF case referrals declined by 14%.⁷ The number of weapons seized by HSI fell by 73% and narcotics arrests fell by 11%.⁸ Child exploitation investigations have been

¹ Colleen Deguzman, *As ICE Ramps Up Deportations, Texas Prosecutors Say They're Losing Key Witnesses in Criminal Cases*, TX TRIBUNE (Dec. 22, 2025), <https://www.texastribune.org/2025/12/22/texas-district-attorneys-deportation-witnesses-criminal-cases-immigrants/>.

² David Bier, *ICE Has Diverted Over 25,000 Officers from Their Jobs*, CATO (Sept. 8, 2025), <https://www.cato.org/blog/ice-has-diverted-over-25000-officers-their-jobs>.

³ Perry Stein, *A Quarter of FBI Agents are Assigned to Immigration Enforcement, Per FBI Data*, WASH. POST (Oct. 8, 2025), <https://www.washingtonpost.com/national-security/2025/10/08/fbi-agents-reassigned-immigration/>.

⁴ David Bier, *ICE Has Diverted Over 25,000 Officers from Their Jobs*, CATO (Sept. 8, 2025), <https://www.cato.org/blog/ice-has-diverted-over-25000-officers-their-jobs>.

⁵ Brad Heath, *Exclusive: How Immigration Swallowed up Federal Gun Crime Efforts*, REUTERS (Dec. 22, 2025), <https://www.reuters.com/world/how-immigration-swallowed-up-federal-gun-crime-efforts-2025-12-22/>.

⁶ *Id.*

⁷ Steve Fisher & Vera Bergengruen *Trump's Immigration Push Diverts U.S. Agents from Drug, Money and Sex-Crime Cases*, WALL ST. J. (Oct. 6, 2025), <https://www.wsj.com/politics/policy/trumps-immigration-push-diverts-u-s-agents-from-drug-money-and-sex-crime-cases-90b37cc9>.

⁸ Hamed Aleaziz, et al., *Drug Arrests and Gun Seizures Fell as Homeland Security Pursued Immigration*, N.Y. TIMES (Nov. 25, 2026), <https://www.nytimes.com/2025/11/25/us/politics/drug-arrests-gun-seizures-homeland-security-immigration.html>.

cancelled or postponed, fentanyl trafficking checkpoints are unstaffed, and Border Patrol agents are stretched thin, as many of the people who previously worked at ports of entry are being sent throughout the country to do interior enforcement.⁹

While the Administration claims that increased immigration efforts will help public safety by going after “the worst of the worst,” the reality is that their mass deportation mandate has meant that Immigration and Customs Enforcement (ICE) is focusing the vast majority of its efforts and resources on individuals who pose no danger to public safety. Agents are tackling rape victims outside of courthouses when they go to testify against their abusers.¹⁰ They are ripping breastfeeding babies from the arms of their mothers.¹¹ Agents are detaining parents going to the hospital to help their child obtain cancer treatment¹² and Deferred Action for Childhood Arrivals (DACA) recipients going to visit their babies in the neonatal intensive care unit (NICU).¹³ ICE agents are arresting the spouses of military veterans when they appear for their green card interview.¹⁴ They are even arresting the spouses of active-duty service members preparing to deploy.¹⁵

And now ICE is actively harming the ability of state and local prosecutors and law enforcement agents to keep their own communities safe and to deliver justice to crime victims. They are deporting victims and key witnesses to crimes, throwing trials into disarray and letting perpetrators escape any criminal consequences for their alleged crimes. They are detaining and deporting alleged criminals before or in the middle of their trials, leaving prosecutors without a witness, judges with lots of questions, and victims and their families without any hope of justice or accountability. They are even taking foreign nationals who our government extradited to the United States and putting them in removal proceedings before their trials or before their criminal sentences have concluded. In doing this, ICE is handing people literal “get-out-of-jail-free” cards so they can improve detention and deportation numbers. Such actions deprive victims and their families of justice and inhibit prosecutors’ ability to hold criminals accountable.

⁹ *Id.*

¹⁰ Marie-Rose Sheinerman, *She Testified About Being Raped. Then ICE Showed Up.*, ATLANTIC (Apr. 6, 2026), <https://www.theatlantic.com/politics/2026/04/ice-deportation-domestic-violence-victims/686629/>.

¹¹ Catherine Philp, *I Was Breastfeeding My Baby When ICE Agents Came and Grabbed Her*, TIMES (Jan. 25, 2026), <https://www.thetimes.com/world/latin-america/article/i-was-breastfeeding-baby-ice-agents-took-her-away-gz25wb5b0>.

¹² Nicole Acevedo, *U.S. Citizen Child Recovering from Brain Cancer Removed to Mexico with Undocumented Parents*, NBC NEWS (Mar. 12, 2025), <https://www.nbcnews.com/news/latino/us-citizen-child-recovering-brain-cancer-deported-mexico-undocumented-rcna196049>.

¹³ Laura Barrón-López, *‘Americans at Heart’: ICE Detains DACA Recipient on Way to Visit Premature Baby in NICU*, MSNOW (Mar. 18, 2026), <https://www.ms.now/news/ice-detains-daca-recipient-premature-baby>.

¹⁴ Shelby Bremer, *‘I Kind of Feel Betrayed’: ICE Arrests Military Spouses at San Diego Green Card Interviews*, NBC7 (Nov. 28, 2025), <https://www.nbcsandiego.com/news/local/ice-arrests-military-spouses-san-diego-green-card-interviews/3937834/>.

¹⁵ Miriam Jordan, *ICE Agents Detain Newlywed Spouse of Soldier Training to Deploy*, N.Y. TIMES (Apr. 5, 2026) <https://www.nytimes.com/2026/04/05/us/ice-detains-military-wife-soldier-deployment.html>.

STYMYING PROSECUTIONS BY DEPORTING VICTIMS AND WITNESSES

While President Trump claims his mass deportation efforts are aimed at making American communities safer, prosecutors have found the opposite, because the deportation machine makes it harder for them to convict people who have been accused of perpetrating violent crimes.¹⁶ In addition to deporting alleged criminals before the conclusion of their trials, the Trump Administration is also deporting key witnesses and victims, throwing cases across the country into disarray. This creates a culture of impunity, where criminals feel they can prey upon the immigrant community without consequence, because people who witness or become victims of crimes are too afraid to come forward.¹⁷

- Carmelo Gonzalez's 11-year-old daughter was sexually assaulted and murdered in Harris County, Texas. Mr. Gonzalez was a key witness in a criminal case against her murderer. Despite this, ICE tried to deport him before he could testify. The district attorney's office got him pulled off a deportation plane so they could keep him in the country to testify and get justice for his little girl.¹⁸
- In West Texas, Adan Yanez Porras was indicted for aggravated assault against Manuel Chairez-Montes. Before the district attorney could take the case to trial, the victim, Mr. Chairez-Montes, was deported, leaving the case in limbo and the alleged assaulter free to live without any consequences of the second-degree felony on which he was indicted.¹⁹
- Javier Hernandez received death threats because of his willingness to testify against two alleged cartel drug smugglers in Los Angeles. Despite the threats, he remained a cooperating witness until ICE deported him to Mexico without consulting the federal prosecutors handling the criminal case. Without Mr. Hernandez available to testify, the alleged smugglers were acquitted of all charges.²⁰

¹⁶ Colleen Deguzman, *As ICE Ramps Up Deportations, Texas Prosecutors Say They're Losing Key Witnesses in Criminal Cases*, TX TRIBUNE (Dec. 22, 2025), <https://www.texastribune.org/2025/12/22/texas-district-attorneys-deportation-witnesses-criminal-cases-immigrants/>.

¹⁷ *Id.*

¹⁸ Jessica Willey, *Father Who Found His 11-Year-Old Murdered in Texas Nearly Deported by ICE Before He Could Testify*, ABC7 (Feb. 13, 2025), <https://abc7chicago.com/post/carmelo-gonzalez-found-daughter-maria-murdered-pasadena-texas-deported-ice-before-he-could-testify/15902672/>.

¹⁹ Colleen Deguzman, *As ICE Ramps Up Deportations, Texas Prosecutors Say They're Losing Key Witnesses in Criminal Cases*, TX TRIBUNE (Dec. 22, 2025), <https://www.texastribune.org/2025/12/22/texas-district-attorneys-deportation-witnesses-criminal-cases-immigrants/>.

²⁰ James Queally, *He Was Willing to Testify Against the Cartel—but ICE Got to Him First*, L.A. TIMES (Apr. 5, 2026), <https://www.latimes.com/california/story/2026-04-05/ice-los-angeles-drug-trafficking-witness-deported>.

DEPORTATION BEFORE TRIAL OR CONVICTION

Since coming back into power in 2025, the Trump Administration has embarked on a disturbing practice of detaining and deporting people who were accused of committing crimes without waiting for a criminal verdict to be rendered. This approach robs victims of any chance for justice and restitution. There are numerous examples of this practice occurring throughout the country, often without the buy-in or even knowledge of the prosecutors charged with prosecuting the accused individuals.

- The Trump Administration deported Jerson Nelon Presilla Flores, who was accused of stealing \$100 million worth of diamonds in California, in one of the largest jewelry heists in U.S. history, before his criminal trial was complete. Because he was deported before his conviction, his victims will never be made whole.²¹ By allowing Mr. Flores to escape financial and criminal accountability, his deportation effectively operated like another form of a presidential pardon.
- In Aurora, Colorado, Yerbis Manuel Garcia-Quintero was on trial for extortion and assault, but the case fell apart when ICE unexpectedly deported him prior to his preliminary hearing.²²
- Also in Colorado, Juan Benitez-Ortega was arrested by the Adams County Sheriff in December 2024 and charged with second-degree assault for strangling his girlfriend. He missed his arraignment after ICE deported him two weeks earlier.²³
- Brayan Morales Bermudez was on trial for robbery and obstructing law enforcement in Vancouver, Washington, when ICE arrested him during a lunch break midtrial.²⁴ The charges had to be dropped, and he opted to be voluntarily deported.²⁵
- In Dallas, Adayomi Ademuyiwa was on trial for felony fraud, where he was accused of stealing the identities of 14 victims. Before the trial could begin, ICE

²¹ Jill Cowan, *Man Accused in \$100 Million Jewel Heist Is Deported, Thwarting Trial*, N.Y. TIMES (Jan. 22, 2026), <https://www.nytimes.com/2026/01/22/us/ice-deports-man-jewel-heist.html>.

²² Tim Arango, et al., *He Faced a Possible Prison Term for Assault. Instead, He Was Deported.*, N.Y. TIMES (May 8, 2025), <https://www.nytimes.com/2025/05/08/us/criminal-defendants-immigration-deportation.html>.

²³ Ben Markus & Allison Sherry, *ICE Detention, Deportation Can Deny Justice in Local Criminal Cases, Frustrating Prosecutors*, COLO. PUB. RADIO (Apr. 10, 2025), <https://www.cpr.org/2025/04/10/ice-detention-deportation-impacts-victims-rights-judicial-system/>.

²⁴ Abby Davis, *ICE Detains Man Outside Vancouver Courthouse During Trial Break*, FOX12 (Jan. 17, 2026), <https://www.kptv.com/2026/01/17/ice-detains-man-outside-vancouver-courthouse-during-trial-break/>.

²⁵ Tyler Brown, *Vancouver Immigrant Detained by ICE During Trial Lunch Break Opts to Self-Deport*, COLUMBIAN (Mar. 4, 2026), <https://www.columbian.com/news/2026/mar/04/vancouver-immigrant-detained-by-ice-during-trial-lunch-break-opts-to-self-deport>.

unexpectedly picked him up, obtained a deportation order, and deported him to Nigeria. His case is now in limbo, and his victims are unable to seek restitution.²⁶

- Nixon Jose Azuaje-Perez had been charged with tampering with evidence related to a crime scene in Aurora, Colorado, but he was deported before he could be prosecuted.²⁷
- In Massachusetts, a federal case touted by President Trump’s Department of Justice (DOJ)²⁸ brought against four Brazilian nationals accused of operating a black-market pharmacy in a Framingham apartment complex is falling apart—three of the suspects have been deported and the lead defendant is currently in ICE custody. No one has been convicted of a crime, and no restitution has been paid.²⁹

²⁶ Kevin Krause, *ICE Deported a Dallas Man Accused of Fraud Before He Could Face Trial*, DALLAS MORNING NEWS (Mar. 12, 2026), <https://www.dallasnews.com/news/crime/2026/03/12/immigration-deportation/>.

²⁷ Ben Markus & Allison Sherry, *ICE Detention, Deportation Can Deny Justice in Local Criminal Cases, Frustrating Prosecutors*, COLO. PUB. RADIO (Apr. 10, 2025), <https://www.cpr.org/2025/04/10/ice-detention-deportation-impacts-victims-rights-judicial-system/>.

²⁸ Press Release, *Four Brazilian Nationals Arrested for Allegedly Running Illegal Prescription Drug Ring; Allegedly Distributed Misbranded Drugs Imported from Brazil*, DEP’T OF JUST. (Mar. 11, 2025), <https://www.justice.gov/usao-ma/pr/four-brazilian-nationals-arrested-allegedly-running-illegal-prescription-drug-ring>.

²⁹ Hadley Barndollar, *Black Market Doctor’s Office Discovered Inside Framingham Apartment Complex, Feds Say*, MASSLIVE (Mar. 11, 2025), <https://www.masslive.com/news/2025/03/black-market-doctors-office-discovered-inside-framingham-apartment-complex-feds-say.html>; Hadley Barndollar, *Deported Before Trial: ICE Upends Framingham Black Market Pharmacy Case*, MASSLIVE (Sept. 13, 2025), <https://www.masslive.com/news/2025/09/deported-before-trial-ice-upends-framingham-black-market-pharmacy-case.html>.

KEEPING CRIMINAL DEFENDANTS FROM COURTS AND PROSECUTORS

Under President Trump, ICE has also embarked on a disturbing pattern of taking criminal defendants into ICE custody prior to, or in the middle of, their trials, throwing prosecutions into disarray. Prosecutors are having to expend time and resources to ensure that they have access to their defendants so that trials can move forward. When prosecutors are unsuccessful in getting their defendants back from ICE custody, trials get delayed or fall apart completely.

- Dane County, Wisconsin, had to fight ICE for custody of Noelia Martinez-Avila to ensure she wasn't deported prior to standing trial for allegedly killing two teenagers in a drunk driving crash.³⁰ While Dane County tried to prosecute her for her crimes, ICE called it a "sanctuary jurisdiction" and worked to deport her before she could be held criminally accountable.³¹
- In Massachusetts, a judge held an ICE agent in contempt after the agent took Wilson Martell-Lebron into ICE detention during a lunch break in the trial. The criminal case against Mr. Martell-Lebron was dismissed because the ICE detention rendered him unavailable to stand trial.³²
- In Colorado, ICE has continued to hold people charged with crimes in ICE detention, resulting in them missing court and depriving families of justice.³³
 - Luis Hernandez-Arreola was charged with dealing fentanyl within 1,000 feet of a school in Lakewood. He failed to appear in court because ICE was holding him in detention. The prosecutor in his case only became aware that ICE detained him after being contacted by a journalist.
 - Rafael Cabrera-Barron was arrested for misdemeanor child abuse and drug possession in Weld County. He failed to appear for his court case because

³⁰ Eva Wen & Molly Beck, *Wisconsin Judge Raises Bail, Orders ICE to Return Undocumented Homicide Suspect to Dane County*, MILWAUKEE J. SENTINEL (Aug. 15, 2025), <https://www.jsonline.com/story/news/crime/2025/08/15/honduran-woman-charged-in-fatal-drunk-driving-crash-wisconsin-detained-by-ice/85667606007/>.

³¹ Press Release, *ICE Arrests Illegal Alien Who Killed Two Highschool Sweethearts in Drunk Driving Car Wreck in Sanctuary Jurisdiction of Wisconsin*, DEP'T OF HOMELAND SEC. (Aug. 15, 2025), <https://www.dhs.gov/news/2025/08/15/ice-arrests-illegal-alien-who-killed-two-highschool-sweethearts-drunk-driving-car>.

³² Simón Rios, et al., *Suffolk Prosecutors Knew ICE Would Arrest Saugus Man on Trial, but Kept Quiet, Court Recordings Show*, WBUR (Apr. 18, 2025), <https://www.wbur.org/news/2025/04/17/massachusetts-boston-suffolk-da-state-police-martell-lebron-court-tape>.

³³ Ben Markus & Allison Sherry, *ICE Detention, Deportation Can Deny Justice in Local Criminal Cases, Frustrating Prosecutors*, COLO. PUB. RADIO (Apr. 10, 2025), <https://www.cpr.org/2025/04/10/ice-detention-deportation-impacts-victims-rights-judicial-system/>.

ICE picked him up prior to his scheduled court appearance. ICE deported him shortly after he failed to appear in court.³⁴

- Arnulfo Duron-Deluna failed to appear for a plea hearing on felony forgery charges in Moffat County, three weeks after he was picked up by ICE. Because of his immigration detention, his forgery case has no hearings scheduled.

³⁴ Press Release, *Grand Jury Returns Indictments for Illegal Re-Entry Via Texas National Defense Area, 138 New NDA Violators Arrested in the Western District, Convictions for the Month Exceed 340*, DEP'T. OF JUST. (June 2, 2025), <https://www.justice.gov/usao-wdtx/pr/grand-jury-returns-indictments-illegal-re-entry-texas-national-defense-area-138-new>.

EXTRADITION TO DEPORTATION PIPELINE

Another bizarre tactic of the Administration is expending federal resources to extradite accused criminals to the United States, only to turn around and attempt to deport them prior to their trials or in the middle of their custodial sentences. Many of these extradited individuals have shown up on the Administration's "Worst of the Worst" list.³⁵

- Prosecutors extradited Yana Leonova to the U.S. to stand trial for fraud she allegedly perpetrated before fleeing the country. Shortly after they got her into the country, ICE started working to deport her, throwing her criminal case into chaos.³⁶
- The DOJ in the first Trump Administration extradited Ramon Santoyo-Cristobal to the United States to stand trial for the crimes he committed as a Sinaloa Cartel drug trafficker.³⁷ He was convicted and sentenced to eight years in prison, but the Administration moved him into immigration proceedings just two years into his sentence.³⁸ Mr. Santoyo-Cristobal appears on the "Worst of the Worst" list.
- The DOJ extradited Besart Hoxha from Kosovo so he could be tried for cybercrimes. He was sentenced to five years imprisonment in 2023,³⁹ only to be put into removal proceedings by the Trump Administration before his sentence was up.⁴⁰ Mr. Hoxha appears on the "Worst of the Worst" list.⁴¹
- Ciprian-Ionut Filip is a Romanian national who appears to have been extradited to the U.S. to stand trial for Racketeer Influenced and Corrupt Organizations (RICO) Act violations committed in Romania.⁴² DHS took him from Federal Correctional Institution Fort Dix to hold him in immigration detention. Mr. Filip appears on the "Worst of the Worst" list.

³⁵ Violet Jira, *DHS Includes People Extradited to the U.S. and Serving Prison Time on 'Worst of the Worst' List*, NOTUS (Mar. 23, 2026), <https://www.notus.org/immigration/dhs-worst-of-the-worst-list-extradited-prisoners-apprehended>.

³⁶ Marina Dunbar, *Woman Extradited to US to Face Charges Immediately Detained by ICE in 'Kafkaesque' Twist*, GUARDIAN (Dec. 11, 2025), <https://www.theguardian.com/us-news/2025/dec/11/ice-fbi-legal-chaos>.

³⁷ Press Release, *Sinaloa Cartel Drug Trafficker Extradited from Italy*, DEP'T OF JUST. (Nov. 19, 2020), <https://www.justice.gov/usao-sdca/pr/sinaloa-cartel-drug-trafficker-extradited-italy>.

³⁸ Violet Jira, *DHS Includes People Extradited to the U.S. and Serving Prison Time on 'Worst of the Worst' List*, NOTUS (Mar. 23, 2026), <https://www.notus.org/immigration/dhs-worst-of-the-worst-list-extradited-prisoners-apprehended>.

³⁹ *United States v. Hoxha*, No. 2:17-CR-306 JCM (VCF), 2024 U.S. Dist. LEXIS 1775 (D. Nev. Jan. 3, 2024).

⁴⁰ Press Release, *Thirty-six Defendants Indicted for Alleged Roles in Transnational Criminal Organization Responsible for More Than \$530 Million in Losses from Cybercrimes*, DEP'T OF JUST. (Feb. 7, 2018), <https://www.justice.gov/archives/opa/pr/thirty-six-defendants-indicted-alleged-roles-transnational-criminal-organization-responsible>.

⁴¹ Violet Jira, *DHS Includes People Extradited to the U.S. and Serving Prison Time on 'Worst of the Worst' List*, NOTUS (Mar. 23, 2026), <https://www.notus.org/immigration/dhs-worst-of-the-worst-list-extradited-prisoners-apprehended>.

⁴² *Id.*

CONCLUSION

Contrary to its claims, the Trump Administration's quantity over quality approach to deportations is making all Americans less safe by throwing federal, state, and local prosecutions into disarray. They are fostering a climate of impunity for predators who wish to prey on immigrant communities. They are allowing criminals, including those who are in the country without status, to commit crimes and receive no criminal consequences. They are robbing victims and their families of access to justice. And they are doing all of this with taxpayers' money.

Responsible administrations utilize the immigration system in concert with the criminal justice system. They focus resources on removing threats to the community, and if such individuals have committed crimes while in the United States, they are removed only after they have paid their full debt to society. In contrast, the Trump Administration's approach is an affront to justice, due process, and public safety.