QUANTIFYING IMMIGRATION COURT ARRESTS

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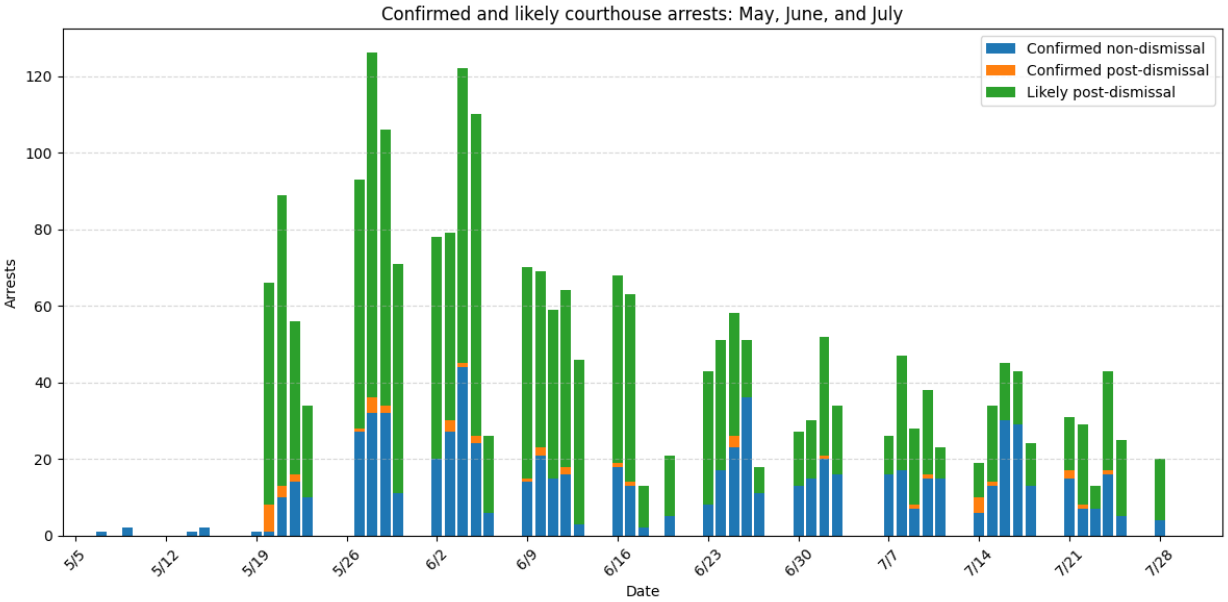
1. Introduction

In May 2025, news reports of federal agents arresting immigrants at their immigration court hearings began multiplying across the country. But hard numbers on the practice have been elusive. This article establishes methods to systematically identify many of these civil immigration arrests for the first time, by combining immigration court data and Immigration and Customs Enforcement (ICE) data. We identify 2,388 cases of people (including 76 children) who were likely arrested at immigration courthouses in May, June, and July 2025. While we expect this is an undercount of the true total, it's the closest estimate to date of a Trump administration tactic likely to impact immigrants and the nation's immigration court system for years to come.



We split courthouse arrests into two types: arrests where an immigrant still has an ongoing case, and arrests immediately following an immigration judge's dismissal of their case. Some background on the latter situation: in January 2025, the Trump administration expanded the use of "expedited removal," previously restricted to people near US borders who had entered the country within the past two weeks, to cover most immigrants anywhere in

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the United States who have been in the country continuously for less than two years.[1] The administration has also argued that it can apply the process to people admitted under the Cuban, Haitian, Nicaraguan, and Venezuelan (CHNV) humanitarian parole program beyond the two-year mark.[2] Expedited removal procedures allow ICE to quickly deport an immigrant, often after a single conversation with an immigration officer and with no intermediate recourse to immigration court. In May, government lawyers started requesting case dismissals from immigration judges systematically, though use of this tactic has declined more recently, with its persistence varying markedly from city to city (see Table 3). While previously a case dismissal was often a relatively positive outcome for an immigrant, essentially amounting to an indefinite closure of proceedings against them, in these more recent cases it often served to place them in expedited removal (now that they had no pending court case), so that after an arrest they could be moved toward deportation outside the court system. We use two different methods to estimate these two types of arrests.

Immigration detention already has profound, often irreversible consequences for the people detained and those close to them. But we also examine the potential impact of courthouse arrests, and the wider 2025 enforcement regime, on other immigrants evaluating the risk of appearing at their own court proceedings. To this end, in a final section we briefly analyze how a measure of nonappearance rates at immigration courts has risen over the course of 2025.

Approach. While ICE intermittently releases individual-level arrests data in response to Freedom of Information Act (FOIA) requests by the Deportation Data Project,[3] it's unclear how to specifically identify courthouse arrests from the data fields included within those releases. In the words of the Deportation Data Project's FAQ about the ICE data: "Unfortunately we do not know of a good way to identify arrests at courthouses." To address this gap in the publicly released data, we instead proceed by incorporating data from the Executive Office for Immigration Review (EOIR), the subagency of the Department of Justice that oversees the US immigration court system.

Short of being able to directly identify courthouse arrests within the set of all arrests just from the ICE data itself, the next-simplest procedure would seem to be checking each arrest against the EOIR court data, to see whether a person arrested by ICE had attended a court hearing that day. This indirect approach would rest on the following key assumption:

> If a person was arrested the same day they attended an immigration court hearing, one can conclude with high probability that they were arrested at the courthouse.

However, while both ICE and the EOIR track immigrants' unique *A numbers* ("Alien Registration Numbers"), neither these nor anonymized versions of them are included in the public EOIR court data. As such, there's no immediate way to identify a person found in one dataset as the same person in the other. (Neither public dataset includes people's names.)

[1] Benjamine C. Huffman, acting secretary of homeland security, "Designating Aliens for Expedited Removal," *Federal Register*, January 24, 2025, https://www.govinfo.gov/content/pkg/FR-2025-01-24/pdf/2025-01720.pdf.

[2] Muzaffar Chishti and Kathleen Bush-Joseph, "Trump Administration's Expansion of Fast-Track Deportation Powers Is Transforming Immigration Enforcement," Migration Policy Institute, September 25, 2005, https://www.migrationpolicy.org/article/trump-expedited-removal.

[3] https://deportationdata.org/.

Thus, a member of the public can't simply check directly whether somebody who's been detained attended a court hearing the same day. (ICE could do so easily.)

The bulk of this article is instead devoted to finding indirect links between the ICE and EOIR data to salvage this approach. We begin on the EOIR side; after producing a list of probable courthouse arrests from the court data, we then cross-reference the list against the ICE data for confirmation.

More specifically, for some of the people who had hearings on a given day, the court data records the fact that they have been detained, along with some information about when they were detained. Within that timeframe, we match up 1) basic demographic information (nationality, gender, and year of birth) included in both datasets, 2) pre-detention geographic information about hearing location and arrest location, and 3) post-arrest geographic information about what detention facility a person was sent to (in the ICE data) and what their listed ZIP code has changed to (in the EOIR data). By doing so, we are sometimes able to pair court appearances and ICE arrests from the same day with high confidence. We call these *confirmed* courthouse arrests. Most confirmed arrests we identified were of people whose immigration proceedings had not been dismissed.

However, we expect that for most people arrested in immigration court following case dismissals and placed in expedited removal, the court data does not reflect that they've been detained, as they're now outside the purview of the court system. To estimate these post-dismissal arrests, we searched for demographic-information matches between EOIR records of people whose case was dismissed in court and "expedited removal" ICE arrest records from the same day. When we found a match, we call this a *likely* courthouse arrest.

Section 2 introduces the EOIR and ICE datasets. Sections 3 and 4 explain the two methods in more detail. Section 5 presents the results and analysis, including breakdowns by city and citizenship country, as well as a count of August candidate records from the court data that can't yet be checked against ICE data. Section 6 examines *in absentia* rates (cases decided "in the absence" of the respondent) over the course of 2024 and 2025.

News reports. In consultation with the author, Haidee Chu and Gwynne Hogan of *THE CITY* used an earlier version of the confirmed-arrest method to conduct a parallel analysis using data through the end of June.[4]

2. Data

This article's data analysis was done using the DB Browser for SQLite open-source software.

EOIR data. We downloaded court data from the EOIR's online FOIA library, where it's posted monthly in response to FOIA requests made by the Transactional Records Access Clearinghouse (TRAC) organization. The dataset includes various tables corresponding to past and future appointments (whether completed, canceled, or upcoming), demographic information on people with immigration court cases, detention custody records, past and current court proceedings, and more. We mainly used the September 2025 release of the data, which is current through the end of August 2025. We also used some earlier releases

[4]Haidee Chu and Gwynne Hogan, "NYC Is Nation's Capital of Immigration Arrests, New Data Analysis Shows," *THE CITY*, August 11, 2025, https://www.thecity.nyc/2025/08/11/26-federal-plaza-immigration-court-trump-arrests-data-analysis/.

to track address changes, as previous values for those fields are overwritten from release to release.

ICE data. We downloaded ICE data from the Deportation Data Project website. It covers ICE activity up through July 28, 2025. We used three of the tables contained in this dataset. Fundamentally, the ICE dataset includes an Arrests table of Enforcement and Removal Operations (ERO) administrative arrests,[5] which includes the region each arrest took place in and some basic demographic information on the person arrested. It also contains a Detentions table of bookings into ICE detention facilities, and an Encounters table that records every time ERO "encounters" a person, whether physically or in the form of electronically processing a match between a law-enforcement database and the ICE database.[6] These three ICE tables are linked to each other by anonymized identifiers, making it possible to follow the post-arrest path of a person detained by ICE through one or more detention facilities, or to glean more information about their arrest from a same-day encounter record for the same person.

3. Methodology for identifying confirmed arrests

Extracting arrest information from EOIR data. For the first method, to construct a list of possible courthouse arrests for the first seven months of 2025, we began with the court data. Unlike criminal courts, where defendants in pretrial detention ostensibly face the same judicial process as those not in custody, US immigration courts feature a parallel system of "detained immigration courts," and detained dockets within larger courts, devoted to hearing the cases of immigrants in ICE custody.[7] This is a reason for the immigration court system to keep track of immigrants' custody status, at least when their case isn't entirely concluded. There are detention dates recorded in multiple places in the EOIR data: for example, in a person's case record, in separate custody history records, and in a separate proceedings table. These dates agree usually but not always; mostly this involves a detained date having been recorded in one table but not another.

For a given individual case record of a person who had an immigration court hearing in 2025 and had any nonempty detained date field, we calculated a single "earliest detained date." To remove instances of detention and release unrelated to courthouse arrests, we excluded as irrelevant any detained dates with paired release dates before the hearing date. We then identified the earliest of all detained dates recorded in the following set: the person's case record, any custody record linked to the case that was within a year of the hearing date, and the court proceeding record to which the hearing was linked. For simplicity, we'll refer to this from now on as *the* detained date coming from the court data.

Ideally, one could identify courthouse arrests by simply restricting to cases where the detained date is the same as the hearing date. However, an examination of known courthouse arrests, drawn from media reports and federal court filings, quickly shows that while at times

[5]Austin Kocher, "A Close Look at ICE Arrest Data from the Deportation Data Project (Part 1)," Substack, June 25, 2025, https://austinkocher.substack.com/p/a-close-look-at-ice-arrest-data-from.

[6]Deportation Data Project ICE data codebook, https://deportationdata.org/docs/ice/codebook.html.

[7]Ingrid Eagly and Steven Shafer, "Detained Immigration Courts," *Virginia Law Review* 110, no. 3 (2024): 691–780.

the detained date recorded in the court data is the day that a person was actually detained, it sometimes lags the actual arrest date by one or more days. Upon comparison with ICE detention records, it appears that the court-recorded detained date often reflects not the true arrest date but rather the date that a person was booked into a longer-term detention facility, after being held for an initial period in ICE hold rooms or shorter-term detention facilities. This introduces significant complication into the method, in two different directions: ruling out arrests that occurred prior to the hearing date, and ruling out arrests that occurred after the hearing date.

Excluding prior arrests. First, one should exclude cases with a recorded detained date on or after the hearing date but that in fact correspond to an arrest on a day *prior* to the hearing.[8] (An immigrant will often be given an immigration court hearing shortly after being detained, so it's essential to exclude such cases.) To rule out already-detained cases systematically, we rely on the Hearing Location Code data field (of the hearings table), which categorizes court hearings by specific immigration court and docket type within that court. This enables one to throw out hearings both from courts that exclusively handle detained cases and from detained dockets within courts that handle both types of cases. In essence, we exploit the fact that the immigration court system treats immigrants in detention differently than those not in detention. Sometimes the detained or nondetained nature of a hearing's docket is obvious from the name ("Los Angeles Detained" vs. "Los Angeles Juvenile - Non Detained," for example). More generally, for each docket code we calculated the percentage of its August 2025 hearings for which the person's custody status was "detained" at the end of August. A clear statistical dichotomy emerged between detained dockets and nondetained dockets. We excluded all hearings associated with detained dockets, as well as any hearing whose Schedule Type field marked it as a detained hearing.

Restricting to attended-in-person hearings and generating a candidate list. Past hearings are marked in the data with adjournment codes describing the main result of a hearing that took place (or the reason why a scheduled hearing was canceled beforehand). We excluded hearings with adjournment codes that suggested the hearing had not taken place or the immigrant had not attended (see Table 6 in the appendix for which codes appeared in our final list). We also excluded hearings missing an adjournment code. For the ambiguous code "IJ completion at hearing" ("IJ" for "Immigration Judge"), we excluded all hearings for which the Absentia field of the proceedings table marked the case as having been completed without the subject in attendance. Furthermore, we only included hearings for which the Hearing Medium data field was coded as in-person, thus excluding videoconference and telephonic hearings. Finally, employing the various exclusion filters described above, we extracted a list of courthouse arrest candidates from the court data by taking all seemingly nondetained, attended-in-person hearings through July 28 for which the listed detained date was the hearing date or at most two weeks after the hearing date (to allow for lag in the

[8]One could hope to address this by using the Schedule Type data field associated to a court hearing, where values such as "Detained Master" and "Individual Detainee" contrast with values such as "Initial Master" and "Master Reset." However, this field does not seem to be coded precisely enough to indicate someone's detention status at the time of the hearing; even at immigration courts that exclusively handle detained cases, one often finds a mix of obviously detained types and ambiguous types like "Master Reset." Using the custody status field of the proceedings table doesn't work, either, as this is routinely overwritten to "Detained" after someone is arrested.

detained date). This gave us a candidate list of 1,407 court hearings at which immigrants may have been arrested.

However, as a result of our two-week allowance for detained date lag, one still needs to exclude cases with a recorded date that lags the hearing date and in fact does reflect an arrest occurring strictly *after* the hearing date, unrelated to a person's court appearance. To do that, we used the ICE dataset.

Cross-referencing the candidate list against ICE data. To be maximally confident that a candidate case from the court data actually represented a same-day arrest, we required it to "match" an ICE arrest recorded on the hearing date, and to not match any arrest on subsequent days through the EOIR detained date.

For a match between an EOIR candidate and an ICE arrest, we required several criteria to be met. First, the candidate from the court data had to have the same nationality, gender, and birth year as the arrestee, and the arrest needed to be in the same geographic ICE Area of Responsibility (AOR) as the hearing city.[9] (We note that already from just these fields, it is often possible to pinpoint a unique matching ICE arrest in the geographic area and month of the hearing, particularly for demographic profiles less commonly found in ICE arrests.) We discarded any candidates for which any of the three demographic fields was missing from the court data ($n = 91$), even though some such cases with incomplete data can still be linked to a unique ICE arrest.

Having the same demographic information was not enough for a court record and an arrest record to be considered a match under this first method. We also required that the court record show a specific type of address change (the public EOIR data omits immigrants' full addresses but does include their city, state, and ZIP code of residence) compatible with the ICE record's post-arrest detention trail. First, we compiled a list of ICE detention facilities and their ZIP codes. The ZIP code of the person in the court record was required to have changed from the end of the month preceding the hearing month,[10] and their ZIP code at the end of either the hearing month or one of the next two months was required to match with one of the detention facilities that the ICE arrestee was booked into. For example, to match a candidate from the court data with a May 27 New York City hearing and an end-of-May-and-June-and-July ZIP code of 77301, a person with a May 27 arrest in the ICE data would need to have the same demographic information, have been arrested in the New York City AOR, and at some point have been booked into the Joe Corley Processing Center in Conroe, Texas, which has a ZIP code of 77301. (We also excluded a few EOIR cases whose ZIP code from the previous month was that of a detention facility on our list, as a final filter against already-arrested cases.)

We required a final criterion be met by same-day matches only. From verification of known cases and examination of our candidate list, we compiled a list of which detention facilities in each courthouse city we thought a courthouse arrest should have been first booked into in the ICE data: "NYC HOLD ROOM" for New York City, "BROADVIEW SERVICE STAGING"

[9]ICE partitions the US into twenty-five Areas of Responsibility of varying size, each labeled with a specific city: Atlanta, Baltimore, Boston, Buffalo, Chicago, Dallas, Denver, Detroit, El Paso, Harlingen, Houston, Los Angeles, Miami, New Orleans, New York City, Newark, Philadelphia, Phoenix, Salt Lake City, San Antonio, San Diego, San Francisco, Seattle, St. Paul, and Washington.

[10]Or from December 2024 in the case of hearings in February and March 2025, as we did not have access to January or February versions of the EOIR data.

for Chicago, "LOS CUST CASE" for Los Angeles, "SND DISTRICT STAGING" for San Diego, and so forth. For a same-day match, we required that an arrestee's first post-arrest detention booking be at one of these locations.

After determining which of the court candidates matched an ICE arrest from the same day as the hearing, we disqualified any case that had a match in the ICE data on any subsequent day up to and including the case's EOIR detained date.

From our original candidate list of 1,407 court hearings where arrests may have taken place, we obtained a high-confidence list of 808 confirmed courthouse arrests for the first seven months of 2025.[11]

4. Methodology for identifying likely arrests

Only 47 of the confirmed courthouse arrests we found corresponded to a case that was dismissed at the person's court hearing. This conforms to the expectation that most courthouse arrests after a case dismissal would be handled under expedited removal and not be registered by the EOIR. So to estimate post-dismissal arrests more widely, we used a different method. Again we began by compiling a list of arrest candidates from the court data. This time, instead of using the detained date to identify potential courthouse arrests, we made a candidate list of all in-person, non-absentia hearings from nondetained dockets for which the corresponding case was dismissed the day of the hearing (marked with a "U" for "Dismissed by IJ") and the adjournment reason given was "IJ completion at hearing," "Prosecutorial discretion," or "Joint request of both parties" (see Table 3 for dismissal counts). Since not all case dismissals necessarily result in arrests, we then searched for suitable matches within the ICE arrests.

But simply matching case-dismissal records to same-day ICE arrests via the three demographic fields risks too many false positives. Instead, we only searched for matches among ICE arrests that had a corresponding record in the ICE Encounters table marked with some variant of "Expedited Removal" in the Processing Disposition data field. (Conversely, most of our confirmed courthouse arrests with open cases had "Other" for this field.) We also again restricted to ICE arrests made in the same Area of Responsibility as the hearing city, and with a first detention book-in at an expected facility. (We also excluded any hearings that had already been deemed confirmed arrests by the first method.) After inspection of a preliminary list, we added a handful of further restrictions, mostly city-specific.[12]

[11] Of the 1,316 court cases with full demographic information, 1,207 also had a ZIP code changed to that of a detention facility and a pre-hearing ZIP code not associated with a detention facility. Of those 1,207 cases, 848 had an arrest match on the hearing day, but 40 of those were disqualified by matches on subsequent days. Some 122 cases had no qualifying same-day match but did have a subsequent disqualifying match, while 237 had no qualifying matches or subsequent disqualifying matches, and most of those ($n = 190$) also had no matches in the two weeks preceding the hearing. Slightly under 17% of cases we included in our final list did also have a match in the preceding two weeks ($n = 134$).

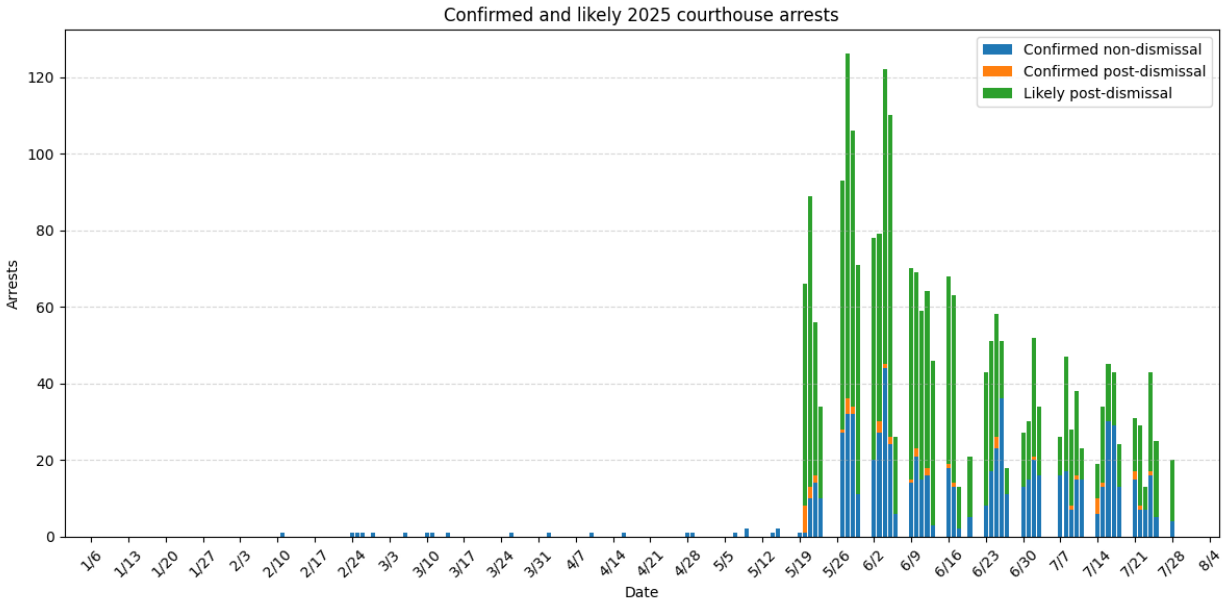
[12] For Van Nuys hearings, we required that the Responsible Site field in an ICE arrest-day encounter be "ERO - Ventura, CA Sub Office." For Los Angeles hearings, we required that the Responsible Site *not* be that sub-office. For San Antonio, we excluded arrests with an Apprehension Site Landmark field of "DIL GENERAL AREA, NON-SPECIFIC," and for Miami we excluded "ARREST AT USCIS." For San Diego, we excluded arrests whose Responsible Site was "ERO - Otay CCA Facility, CA Sub Office," and for Seattle we required that the Responsible Site field be blank or "SEATTLE, WA, DOCKET CONTROL OFFICE." Lastly, and not city-specific, we required that the Lead Source field of the Encounters record be either empty

Ultimately, restricting to people whose case was dismissed and matched a same-day ICE arrest as above, we found 1,595 likely post-dismissal courthouse arrests, with the earliest ones on May 20.

5. Results and discussion

Our final combined list of 2,403 confirmed and likely courthouse arrests was almost entirely concentrated in July, June, and late May. (We expect the arrests count for the second half of July to increase when an updated ICE dataset is released.) For gender, 1,907 arrestees were recorded as male (79.4%) and 496 as female (20.6%). The list includes 76 children under the age of eighteen, as young as a year old, all from only six court locations, suggesting disparate local arrest policies: 21 in El Paso, 20 in Van Nuys, 12 in San Antonio, 12 in Santa Ana, 8 in Phoenix, 2 in Denver, and 1 in Los Angeles. In New York City, where we identified the most courthouse arrests, we found no arrests of children.

Nearly 94% of the people on our list could be associated to a *unique* ICE arrest record. (Generally, a candidate from the court data might have more than one plausible matching same-day ICE arrest.) The ICE dataset, which includes criminality information, showed that overwhelmingly the people arrested at immigration court had no criminal record. For those arrests on our list from May 20 onward with a unique ICE match ($n = 2,236$), some 2,074 had no convictions or pending charges (93%), 132 had pending charges (6%), and only 30 had a criminal conviction of any kind (1%).



or "Other Lead," to rule out some arrests that looked like immigrants being handed over to ICE by another law enforcement agency.

TABLE 1. Confirmed and likely 2025 courthouse arrests by city

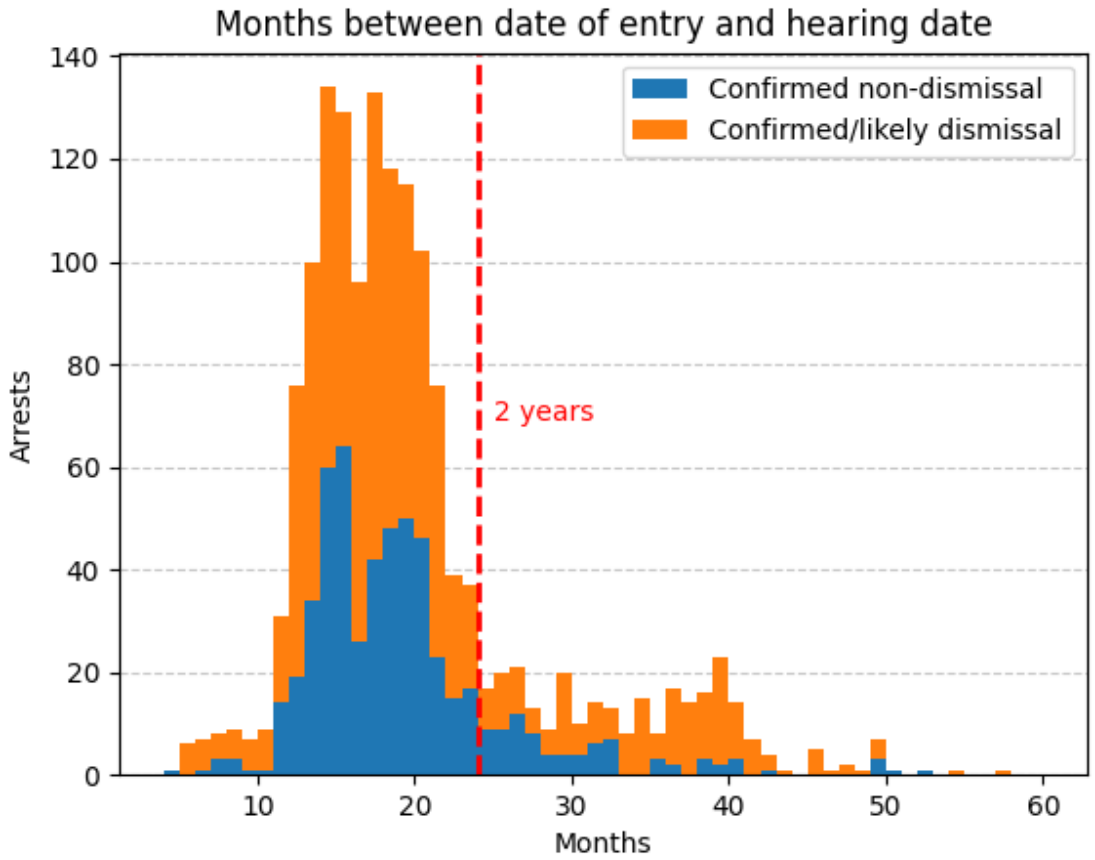
Hearing City	Confirmed Arrests	Likely Arrests	Total
New York	356	104	460
El Paso	53	137	190
Miami	4	163	167
San Diego	89	52	141
Fort Snelling, MN	3	136	139
Dallas	4	121	125
Atlanta	13	107	120
Santa Ana, CA	21	93	114
Van Nuys, CA	3	109	112
San Antonio	33	59	92
Chicago	40	37	77
Los Angeles	16	40	56
Newark, NJ	17	38	55
Charlotte	0	54	54
Annandale, VA	33	20	53
Orlando	4	49	53
Sterling, VA	10	36	46
Cleveland	1	43	44
Phoenix	4	40	44
San Francisco	33	3	36
Seattle	2	33	35
Memphis	8	22	30
Sacramento	18	8	26
Buffalo	23	2	25
Houston	3	16	19
Philadelphia	0	19	19
Baltimore	3	8	11
Detroit	0	9	9
Guaynabo, PR	0	8	8
Concord, CA	5	2	7
Boston	3	3	6
Other (≤ 6 per city)	6	24	30

TABLE 2. Most frequent nationalities in confirmed and likely arrests

Nationality	Arrests
Venezuela	671
Ecuador	301
Colombia	249
Cuba	210
Mexico	193
Guatemala	100
Haiti	90
Nicaragua	63
Honduras	61
Peru	61
El Salvador	55
Dominican Republic	53
Senegal	44
Guinea	30
Bolivia	26
India	20
Mauritania	19
Brazil	18
Russia	13
Vietnam	13
China	11
Turkey	11
Afghanistan	8
Jordan	8

The EOIR case record for a person includes a field for their date of entry into the US, but it's not always filled out. For our final arrests list, 64% of records ($n = 1,531$) had a date of entry.[13] (The chart below excludes 14 records with a date of entry more than five years before the hearing.)

[13]The date of the original charging document in the court proceeding, however, is very reliably given. The mean and median number of days between the original charges in the court proceeding and the hearing date were 518.4 days and 479 days, respectively.



Case dismissals were used very differently under the previous administration, as reflected in the January 2025 totals below. Dismissals dropped sharply under the Trump administration until booming in May with the first round of courthouse arrests, appearing to peak in June. But there is significant variation between cities; for example, we found no post-dismissal arrests after June for New York or Atlanta, while the practice seems to have continued into July in cities like El Paso and Miami.

TABLE 3. 2025 nondetained-docket case dismissals (not necessarily leading to arrests)

Hearing City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
All cities	4,433	565	474	517	1,259	1,912	1,083	723
New York	340	14	8	16	77	135	12	14
El Paso	70	4	2	1	46	136	87	63
Miami	100	16	16	6	84	127	68	74
San Diego	77	37	15	9	47	30	28	16
Fort Snelling, MN	21	12	1	9	43	103	59	52
Dallas	356	7	8	8	54	84	95	78
Atlanta	179	7	10	7	59	169	1	31
Santa Ana, CA	97	6	6	5	49	121	113	27
Van Nuys, CA	45	1	2	2	60	92	72	2
San Antonio	175	15	20	17	87	65	41	37
Chicago	142	9	8	4	7	65	4	3
Los Angeles	103	16	12	9	27	43	29	9
Newark, NJ	94	6	2	3	1	22	24	0
Charlotte	116	14	13	12	29	40	10	7
Annandale, VA	44	13	20	8	2	33	16	8
Orlando	296	23	9	21	30	66	25	28
Sterling, VA	76	7	3	8	29	37	41	7
Cleveland	26	18	9	2	21	49	42	7
Phoenix	146	43	118	135	185	57	19	16
San Francisco	109	8	12	6	7	8	24	10
Seattle	157	6	2	10	29	62	14	41
Sacramento	1	6	3	1	1	14	5	2
Buffalo	31	2	7	2	0	12	1	5
Houston	590	82	64	63	78	78	47	65
Detroit	21	1	0	1	3	44	30	6

Possible extensions of the methods. There are minor modifications to the methods that would bring in at least some more courthouse arrests. We excluded court records that were missing any demographic information, but these can still sometimes be convincingly linked to a unique ICE arrest, particularly for less common demographic profiles or certain courthouse cities. Other court records show a person has been detained, but their recorded ZIP code hasn't been changed. A small number of records show the opposite: their ZIP code has conspicuously changed to that of a (frequently remote) ICE detention facility but they

have not been marked as detained in the court data. Some known courthouse arrests from media reports and court filings had a longer lag between hearing date and recorded detained date than our two-week cutoff. Other known courthouse arrests were excluded by our filters because of ambiguous court records, as in situations where a case was marked as dismissed at some point on the day of the hearing, but the adjournment code for the hearing indicated a continuation of the case. Our adjournment-code filters would also probably exclude most arrests made at a courthouse before the person was seen by their judge.[14]

Some seeming courthouse arrests are missing from the ICE Arrests table because they appear to have been conducted by divisions of Homeland Security Investigations (the other of ICE's two main enforcement branches) rather than ERO; these are reflected only in the Detentions table. Some arrests are logged but have no corresponding trail of detention facility bookings. Some detention facility trails are artificially broken in two midway through. We also have declined for now to account for ICE arrests that seem to have only been logged the day after the arrest. One strong indication that this occurs is arrests logged on one day, but for which the arrestee was booked into a first detention facility on the day before. Lastly, we expect some July arrests (particularly in late July) will only be identified once an update of the ICE data is released.

Further questions. It remains unclear exactly how ICE is deciding, at a given courthouse on a given day, whom to target for arrest. Possible risk factors include gender, date of entry, nationality, which statute a person was charged under upon entry, and the conditions of original release on bond, but we have not conducted extensive analysis of the question in this article.

The court data is current through the end of August, while the ICE data is current through July 28. We have 244 candidate hearings with full demographic information and a post-hearing address change to a detention-facility ZIP code waiting to be cross-referenced against updated ICE data to identify confirmed arrests (62 in the last three days of July, and 182 in August). For likely arrests, we have 778 case-dismissal hearings waiting to be cross-referenced (55 in the last three days of July, and 723 in August).

6. In absentia rates

In the wake of the 2025 immigration enforcement escalation, of which this summer's courthouse arrests are only a part, many immigrants are understandably afraid to attend their court hearings. If a person fails to appear for a particular hearing in their immigration case, or attempts to appear via videoconferencing without the court's approval,[15] there are serious repercussions: "Under the immigration law in effect since 1990, an immigration judge must order a noncitizen who misses even one court hearing deported."[16]

As a measure of nonappearance, for each month of 2024 and the first eight months of 2025 we calculated the number of *in absentia* removal orders from nondetained proceedings

[14] "A man is arrested without even seeing a judge." Dean Moses, "ICE in Courts: Arrests of Immigrants Continue at Federal Plaza, Leaving Children in Tears After Families Separated," *amNewYork*, October 1, 2025, https://www.amny.com/immigration/ice-arrests-federal-plaza-court-10012025/.

[15] Paz Radovic, "How to Move an Immigration Hearing Online," *Documented*, July 25, 2025, https://documentedny.com/2025/07/25/immigration-court-hearing-online-virtual-ice/.

[16] Ingrid Eagly and Steven Shafer, "Measuring *In Absentia* Removal in Immigration Court," *University of Pennsylvania Law Review* 168, no. 4 (2020), 820.

(marked as either "Never detained" or "Released from custody").[17] To partially control for court docket differences over time (2024 saw a record-high immigration court caseload), we also calculated this as a percentage of all nondetained case completions in a given month. We also included, for each month of 2025, the number of in-person nondetained-docket hearings and all nondetained-docket hearings, excluding hearings with adjournment codes suggesting they were canceled or rescheduled. (The decline in the overall number of nondetained hearings, possibly due in part to increased detention, or to the firing or resignation of over 125 of around 700 immigration judges since the start of 2025,[18] merits further investigation.)

We caution strongly against interpreting this *in absentia* percentage of all case completions as an overall nonappearance rate for immigrants in the court system. Eagly and Shafer have argued convincingly that using measures like this to examine *in absentia* rates over longer timescales is too crude and misleading,[19] and a significant portion of baseline "nonappearance" is likely attributable to court error in delivering notices. But in the short term the trends in the table below offer a telling snapshot. It seems likely that this year's enforcement rhetoric and tactics—at courthouses and elsewhere—are having an outsized effect, poisoning the water by scaring many immigrants away from the court system. The resulting closed cases and removal orders will make it easier for the government to deport many more people.

[17] Related *in absentia* statistics can also be examined using TRAC's online immigration data tools at https://tracreports.org/phptools/immigration/closure/.

[18] Ximena Bustillo, "Trump Administration Fires More Immigration Judges," *NPR*, September 23, 2025, https://www.npr.org/2025/09/23/nx-s1-5550915/trump-immigration-judges.

[19] Eagly and Shafer, "Measuring *In Absentia* Removal."

TABLE 4. *In absentia* removal orders

Month	Absentia	All Nondetained Completions	Percent Absentia Completions	In-Person Nondetained Hearings	All Nondetained Hearings
January 2024	17,006	62,891	27.0%	100,837	142,069
February 2024	17,519	63,461	27.6%	105,869	146,875
March 2024	18,791	64,836	29.0%	109,735	151,105
April 2024	21,081	69,244	30.4%	121,704	162,929
May 2024	20,485	68,742	29.8%	123,946	165,241
June 2024	18,925	60,317	31.4%	111,190	148,118
July 2024	21,966	67,170	32.7%	126,425	167,078
August 2024	23,190	68,613	33.8%	128,685	169,047
September 2024	22,038	63,959	34.5%	119,318	159,873
October 2024	26,163	75,227	34.8%	143,067	188,869
November 2024	19,047	63,169	30.2%	108,485	144,504
December 2024	16,816	65,617	25.6%	99,036	133,369
January 2025	21,784	75,041	29.0%	118,529	156,836
February 2025	23,452	58,106	40.4%	123,313	159,857
March 2025	26,523	59,904	44.3%	128,186	166,975
April 2025	28,615	62,152	46.0%	131,706	170,183
May 2025	27,352	60,035	45.6%	121,494	156,826
June 2025	29,138	57,869	50.4%	95,871	129,684
July 2025	31,855	59,612	53.4%	97,737	132,385
August 2025	26,971	51,668	52.2%	88,272	119,310

7. Appendix

Table 5. EOIR detained date lag for confirmed arrests

Hearing date/detained date gap	Arrests
0 days	359
1 day	125
2 days	71
3 days	41
4 days	34
5 days	33
6 days	45
7 days	22
8 days	22
9 days	14
10 days	4
11 days	15
12 days	5
13 days	9
14 days	9

TABLE 6. Hearing adjournment codes among confirmed arrests

Adjournment code	Meaning	Frequency
1	Respondent to seek representation	229
17	MC to IC - merits hearing	187
2	Preparation - respondent/attorney/representative	149
8B	IJ completion at hearing	112
45	Joint request of both parties	35
3	Preparation - DHS	34
66	DHS delayed due to biometrics	11
13	Insufficient time to complete hearing	11
30	Consolidation with family members	9
12	Other respondent/respondent's attorney/representative request	9
4A	Technical malfunction (not video)	6
4F	Telephonic interpreter unavailable	5
32	Interpreter not ordered	3
7A	DHS application process - respondent initiated	2
97	Case joined to lead - hearing adjourned	1
96	Case severed from lead - hearing adjourned	1
1B	Case transferred from detained to non-detained docket	1
4	DHS or DHS administrative file unavailable for hearing	1
4B	Interpreter must leave	1
10	Notice sent/served incorrectly	1

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