

A Closer Look at Immigration Enforcement in Texas

As of April 1, 2025

This resource compares immigration enforcement in Texas before Trump’s inauguration on January 20, 2025 with the policies Trump has instituted since he has taken office. Our analysis shows that Governor Abbott’s immigration enforcement policies led the way for Trump’s actions. Texas has served as experimentation grounds for hateful and sweeping immigration enforcement policies which were quickly adopted by Trump 2.0 for the national level and have also infected other states who have enacted Texas copycat laws and policies. Our analysis below is a mere snapshot of the Texas and federal immigration enforcement policies that are currently in place.

Federal Policy Change/Executive Orders (EO): January 20, 2025, to present		Texas State Immigration Enforcement after January 20, 2025	Texas State Immigration Enforcement before January 20, 2025
Seizing State/Local and Military Resources for Immigration Enforcement	<ul style="list-style-type: none"> Declaration of “Mass Influx” and protection from “invasion” - Allows Memoranda of Understanding (MOUs) - or agreements- between the federal government and local/state law enforcement agencies (LEA) granting them federal immigration 	<ul style="list-style-type: none"> MOU between TX National Guard and U.S. Customs and Border Protection (CBP) to allow the TX National Guard to carry out immigration enforcement. EO No. GA-53, issued by TX Governor Abbott, relating to developing an operational plan with the U.S. military to 	<ul style="list-style-type: none"> In March 2021 Gov. Abbott launched Operation Lone Star (OLS), a state funded, state immigration enforcement operation that targets communities for arrest and deportation. In May 2021 Gov. Abbott declared a “disaster” at the border which allowed

	<p>enforcement authority.</p>	<p>regain control of the Southern border</p> <ul style="list-style-type: none"> • EO No. GA-54 relating to “state Agencies” assisting immigration officers (does not specify which state agencies specifies the functions as: “investigating, detaining, apprehending, and removing” and cites to the language in Trump EO specifically about law enforcement agencies (LEAs)) • SB 8/HB 5580, a bill introduced in the Texas state legislature, would force cooperation between local LEAs and ICE under 287 (g) for counties with populations over 	<p>for the mobilization of TX National Guard (other states also sent their National Guard or state troopers) and state troopers to criminalize immigrants and collaborate with federal agencies on immigration enforcement. Dozens of counties have joined. Criminal penalties are increased in counties that have signed on to the OLS disaster declarations.</p> <ul style="list-style-type: none"> • Thousands of National Guard members have been deployed to conduct immigration enforcement • SB4 (state deportation) was
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		<p>100,000-this is currently not mandatory</p> <ul style="list-style-type: none"> • TX Attorney General Paxton signs on to help DHS with mass deportations and calls on local LEAs to do the same 	<p>signed into law in 2023 and is currently enjoined. SB4 (state deportation) would allow state judges to order people deported and state law enforcement to escort them to the border.</p> <ul style="list-style-type: none"> • Several TX counties have active 287 (g) agreements which deputize local law enforcement officers to be able to perform functions of federal immigration officers.
Criminal Prosecutions and Weaponization of the Legal System	<ul style="list-style-type: none"> • The Department of Justice (DOJ) announced prosecutions for status-based federal misdemeanors, including: not carrying immigration 	<ul style="list-style-type: none"> • There are four Texas Federal Districts: Western, Eastern, Northern, Southern. People in Texas could receive a summons to federal court, if they have been alleged to 	<ul style="list-style-type: none"> • TX Prosecutes migrants for “criminal trespass” although arrests lack probable cause • TX Prosecutes mostly US citizens for “smuggling”

	<p>documents; not registering with Department of Homeland Security (DHS); not updating home address with DHS.</p> <ul style="list-style-type: none"> • Prosecutions and detention of activists/ organizations commenced. • EOs targeting law firms engaged in activities to defend democracy or any activities that are contrary to the Trump Administration's agenda. • EO excluding workers at nonprofit organizations that engage in immigration, reproductive health, LGBTQIA+, racial 	<p>have violated a federal crime, or if they are arrested and detained, would be held by the U.S. Marshals under contracts with various local jails.</p>	<ul style="list-style-type: none"> • Enhancements to mandatory minimums for “smuggling” with the passage of SB 4: Driver Prosecution Law during the 2023 3rd special legislative session. • TX Attorney General Prosecutes nonprofits serving immigrant community members alleging violations of C3 status or aiding smuggling. • Rogue District Attorney (DA) Bill-HB 17 was passed in 2023. Now, “progressive” DAs can face prosecution if they do not prosecute certain crimes. • TX Attorney General Ken Paxton proposed a new rule that would
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	<p>justice, houselessness issues from benefiting from the Public Service Loan Forgiveness program.</p> <ul style="list-style-type: none"> ● FEMA initiated investigations into migrant shelters over allegations of violations of smuggling laws. ● EO prosecuting election crimes as a result of the spread of misinformation that undocumented people vote in elections. 		<p>require DAs and County Attorneys presiding over a county with populations of more than 250,000 to follow additional reporting to oversee cases prosecuted. This would take away DA's prosecutorial discretion. The rule was published March 19, 2025.</p>
Expansion of Detention and Carceral Infrastructure	<ul style="list-style-type: none"> ● Expansion of immigration detention capacity. The Trump administration has reopened family 	<ul style="list-style-type: none"> ● GA-52 relating to state agencies identifying additional detention space 	<ul style="list-style-type: none"> ● Converting state prisons into migrant jails (Briscoe Unit, Segovia Unit and Lopez Unit)

	<p>detention centers like Karnes and Dilley in order to uphold their promise to detain as many people as possible - this now includes infants and children.</p> <ul style="list-style-type: none"> ● Expansion of expedited removal authority. ● Rescinding of enforcement priorities ● Rescinding sensitive location memorandum ● Push for maximum detention 	<ul style="list-style-type: none"> ● Current attempts from TX legislature to pass SB 9 that would revoke bail from people <i>charged</i> with certain crimes. ● GA-50 Border Infrastructure: For state agencies to assist federal actors to deploy physical infrastructure to improve operational security at the border ● SRJ1: Denying bail for anyone charged with a felony that is an “illegal alien.” The term “illegal alien” is broadly defined and can include people with status. 	<ul style="list-style-type: none"> ● TX Land Commissioner Dawn Buckingham promised about 1400 acres in Starr County for mass detention centers ● SB 602 passed in 2023 giving CBP officers authority to arrest people for state felonies at ports of entry or established CBP traffic check points within Texas. ● TX installed deadly buoys with razor wire in the Rio Grande River in Eagle Pass, TX to deter people from crossing in June 2023. ● TX installed deadly concertina wire along the riverbanks in 2024 ● Gov. Abbott launched the construction of a
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