

# Austin American-Statesman

## Fact-checking claim about Venezuela sending prisoners to the US southern border

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**Statement:** "DHS confirms that Venezuela empties prisons and sends violent criminals to our southern border."

Republicans have praised Florida Gov. Ron DeSantis' recent decision to use taxpayer money to fly two planes of Venezuelan asylum seekers from Texas to Florida to Martha's Vineyard, Massachusetts.

Meanwhile, in Congress, some GOP lawmakers have raised flags about Venezuelan immigrants at the southern border, citing an alleged Department of Homeland Security report saying the Venezuelan government is sending prisoners to the southern U.S. border.

"DHS confirms that Venezuela empties prisons and sends violent criminals to our southern border," Rep. Troy Nehls, R-Texas, tweeted on Sept. 18.

A few days later, 13 Republican members of Congress joined Nehls in sending a letter to Homeland Security Secretary Alejandro Mayorkas, requesting more information on "the intelligence report." The letter claims DHS sent such a report to Border Patrol agents instructing them to "look for violent criminals from Venezuela among the migrant caravans heading towards the U.S.-Mexico border."

The lawmakers' letter says, "It has been widely reported that the Venezuelan regime, under the control of Nicolás Maduro Moros, is deliberately releasing violent prisoners early, including inmates convicted of 'murder, rape, and extortion,' and pushing them to join caravans heading to the United States."

However, it cites only one article, from the politically conservative website Breitbart News. A Fox News story about this DHS report cites the same Breitbart article.

Breitbart's story relies on "a source within" Customs and Border Protection who is "not authorized to speak to the media." The story vaguely describes the DHS report. Other conservative information outlets such as The Epoch Times and The Center Square have also cited Breitbart's article.

PolitiFact reached out to Nehls' office asking for evidence and a copy of the report.

"Prove him wrong," Taylor Hulsey, Nehl's communications director responded.

PolitiFact did not find any evidence supporting the claim.

PolitiFact searched the websites of the DHS Office of the Inspector General, DHS and CBP and found no public reports or mentions of Venezuela's government releasing prisoners and sending them to the U.S.

We also reached out directly to DHS and CBP asking whether the report existed and whether we could have a copy. The department and agency did not provide an on-the-record response confirming or denying the report's existence.

CBP publishes data on how many people with criminal convictions or who are wanted by law enforcement have encounters with immigration officials at U.S. borders. Criminals encountered are not let into the country, "absent extenuating circumstances," according to the agency.

CBP reports that so far in fiscal year 2022, which ends Sept. 30, officers at ports of entry have encountered more than 15,500 foreign nationals who have criminal convictions or are wanted by law enforcement. At parts of the border that are not ports of entry, nearly 11,000 meeting that description have been encountered by Border Patrol.

The number of Venezuelans trying to enter the United States at the southern border has risen in the past year. Border Patrol has encountered Venezuelan immigrants more than 155,000 times in fiscal year 2022, compared with 50,000 in fiscal year 2021. Encounters data counts the number of events, not the number of unique people.

That data does not provide a breakdown by nationality. Previous presidential administrations, including Donald Trump's, have also published data on encounters of criminal noncitizens at U.S. borders.

Unlike immigrants of other nationalities, Venezuelans who arrive at the U.S. southern border aren't expelled through a public health policy that's in place to mitigate the spread of COVID-19. This is because of Venezuela's tense diplomatic relations with the U.S.

The U.S. broke diplomatic relations with Venezuela and closed its embassy in 2019 after what it described as a fraudulent presidential election. The U.S. recognizes the opposition leader Juan Guaidó as Venezuela's interim president, but President Nicolás Maduro remains in power.

Venezuelans without criminal convictions and who aren't wanted by law enforcement are allowed in the U.S. and can apply for protections afforded under immigration law. Border Patrol checks the immigrants' backgrounds and takes their fingerprints and other biometric information. Agents question them and decide whether they have a reasonable fear of returning to their home country. If they do, they can seek asylum in the U.S.

People allowed to apply for asylum are detained or released while they await their court proceedings.

Venezuela is undergoing a yearslong humanitarian crisis marked by rampant inflation, human rights abuses and dwindling food and supplies. As a result, more than 6 million Venezuelans

have left the country and become refugees elsewhere, the United Nations High Commissioner for Refugees said.

Human Rights Watch describes Venezuela's authoritarian government as lacking transparency. The country is ranked "not free," the worst rating given by Freedom House, a nonprofit that advocates for democracy, in its annual review of political rights and civil liberties. In its press freedom index, Reporters Without Borders, ranked Venezuela as "not free," its lowest designation.

PolitiFact reached out to Venezuela's foreign ministry about the claim that its government is sending prisoners to the U.S. southern border, but didn't hear back.

PolitiFact also did not find coverage about this report or its content in Spanish-language or Venezuelan media.