

Illegal Immigration Enforcement

- What we are going to discuss today:
 - ❖ The Facts – Efforts to Implement the BOCS resolution:
 - Public Safety/ICE Partnerships – ADC and Police
 - Legislative Initiatives
 - County Service Restriction – Aging, Finance, DSS, Sheriff
 - ❖ Community Condition
 - Construction Jobs
 - Foreclosures
 - Neighborhood Services
 - Provision of Health Care – Public and Private
 - School Impact



287G Agreement at the ADC

- ❑ ADC currently has 10 full-time staff detailed to the 287 (g) program
 - ❑ Note: Staff is being “borrowed” in FY09 prior to opening of ADC expansion; that staff will need to be backfilled to continue ICE work
 - ❑ 287(g) Program Results July 2007 – August 2008
 - ❖ Detainers issued by ADC 287(g) = 1016
 - ❖ Detainers issued by ICE = 102
 - ❖ Released to ICE = 907
 - ❑ FY08 Cost = \$1.8m
 - ❑ FY09 Cost = \$1.8m
 - ❑ Total Five-Year Plan Cost = \$6.8m
-
-

9/9/2008



3

Police Efforts

- ❑ December 2006 – Recommendations presented to Board
 - ❖ Implement 287(g) program at ADC
 - ❖ Evaluate 287(g) for select Police detectives
 - ❑ June/July 2007 – ADC Received 287G training/Screening started
 - ❑ July 10, 2007 “Be it Further Resolved that the Prince William Board of County Supervisors...issues the following directives...to the Prince William County Police Department...”
 - ❖ Develop a new policy to inquire into the immigration status of detained persons based upon probable cause
 - ❖ Acquire Federal Immigration Enforcement Authority
-
-

9/9/2008



4

Police Efforts

- ❑ July 2007 resolution mandates for Police to report back to BOCS in 60 days in response to directive
- ❑ Sept 2007 – Police report back to BOCS and present General Order 45.01
- ❑ October 2007
 - ❖ BOCS directs staff to engage in a public outreach effort to educate the public regarding the implementation of illegal immigration recommendations
 - ❖ BOCS directs staff to enter into a partnership with a non-partisan consulting group to provide an evaluation of the new policy

9/9/2008



5

Police New Initiatives

- ❑ Police Department implements three-phased approach
 - ❖ New Policy
 - Police Officer training completed in New Policy
 - January 2008 – February 2008
 - March 3, 2008 – New Policy Implementation
 - AND
 - Acquisition of Federal Immigration Authority – 287(g) ONLY for Criminal Alien Unit
 - Criminal Alien Unit (CAU)
 - Feb. 2008 – Six (6) Detectives graduated from 287(g) training providing them with Federal Immigration Authority
 - MOA with ICE
 - ❖ Public Education
 - ❖ Evaluation

9/9/2008



6

Police Efforts

- ❑ Revised Policy Adopted April 29, 2008 “Now, Therefore, Be it Resolved..., the Board hereby substitutes the following directive to the Prince William County Police Department:”
 - ❖ “Subsequent and incident to any lawful arrest for a violation of a state law or County ordinance, Prince William County Police Officers shall inquire into the citizenship or immigration status of the arrested person,...”
 - ❑ Police officers are required to make immigration status inquiries of everyone subsequent to physical custodial arrest
 - ❑ Police officers retain discretion to make inquiries prior to arrest consistent with the law and sound policing practices
-
-

9/9/2008



7

Police Efforts

- ❑ Revised policy training for Department members
 - ❑ July 1, 2008 – Revised policy implemented
 - ❑ Continue three-phased approach
 - ❖ Revised policy
 - ❖ Public education campaign
 - ❖ Evaluation
 - ❑ Police Department will continue enforcement in a fair, lawful and reasonable manner, focusing primarily on illegal aliens who commit crimes
 - ❑ Police officers will protect victims of crime and witnesses, regardless of their immigration status
-
-

9/9/2008



8

Police Efforts

	Mar	April	May	June	July	Aug	Total
Physical custodial arrests	66	55	26	52	67	75	341
Release on summons	31	24	4	9	13	8	89
Identified, released-no charges	29	37	10	27	34	59	196
Identified, determined to be legal	2	0	1	4	2	1	10
Total	126	116	40	88	114	142	626

Prince William County Police Suspected Illegal Alien Contacts

- During the same time period Police Department total enforcement activity resulted in:
 - ❖ 7,500 Criminal Arrests*
 - ❖ 18,700 Traffic Summons*
- Illegal Immigration arrests/summons issued amounts to 1.6 percent of Department enforcement activity during the same time period

**August data is estimated*

9/9/2008



9

Criminal Alien Unit (CAU)

- Criminal Alien Unit operational
 - ❖ Review of reports; data analysis; liaison with ICE
 - ❖ Coordination with Gang Unit and ICE officials
 - ❖ Technology received and process implemented
 - ❖ Focus on serious criminals; identification mills, gang members, etc.
 - ❖ Total arrests by CAU – 84
 - Number of arrest without legal status – 44
 - Number of detainers issued – 44

9/9/2008



10

Public Education Efforts Continue

- “Be it Further Resolved that the BOCS directs staff to engage in public outreach effort, particularly minority and/or immigrant communities”
- Extensive media coverage
- Community meetings
 - ❖ 100+ meetings with religious organizations, educational and special interest groups, media – more scheduled
- Supporting documentation
 - ❖ Centralized location on web site
 - ❖ Revised brochures and FAQs (English & Spanish)
- County employee training
 - ❖ Presentations to school faculty, security, social services
 - ❖ Approx. 300 county employees attended sessions; more scheduled

9/9/2008



11

Evaluation Efforts

- “Be it Further Resolved that the BOCS directs staff to enter into a partnership with an independent, non-partisan consulting group such as PERF or an accredited Virginia university to provide consultation and evaluation of the new Police Department Policy”
- Evaluation team members
 - ❖ University of Virginia – Team Leader
 - ❖ Police Executive Research Forum (PERF)
 - ❖ James Madison University
- Early stages of implementation

9/9/2008



12

Evaluation Efforts

- Quantitative Analysis being conducted
 - ❖ Crime information
 - ❖ Arrest information
 - ❖ Calls for Service information
 - Qualitative Analysis being conducted
 - ❖ Key stakeholder interviews
 - BOCS
 - County staff
 - Health sector, education sector
 - Faith based sector, business community
 - ❖ UVA Citizen Survey – Police Results
 - ❖ Survey of police officers
 - ❖ Focus groups with police officers
 - Winter 2010 – Final Report to BOCS
-
-

9/9/2008



13

Citizen Survey Results

- Immigration Questions – Thomas M. Guterbock



9/9/2008



14

Overall Rating of the Police

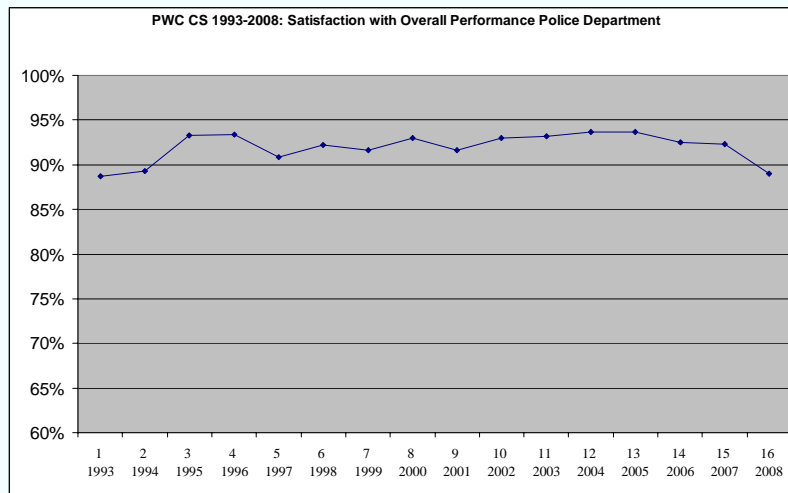
- ❑ The overall satisfaction with police performance in 2008 is 89.0%
- ❑ Down significantly from 92.3% in 2007
- ❑ Overall decrease is a result of decreased satisfaction among Hispanics (and African-Americans)

9/9/2008



15

Overall Police Performance by Year

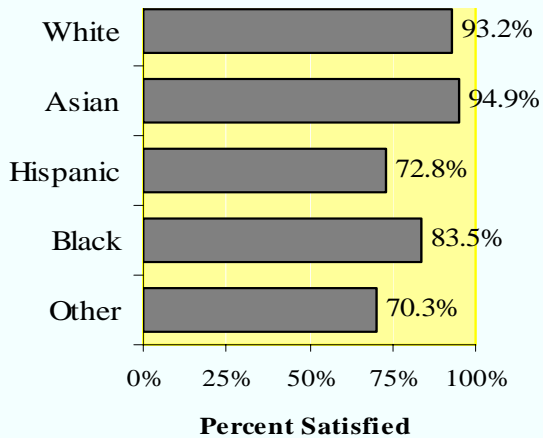


9/9/2008



16

Overall Police Performance by Ethnic/Racial Group

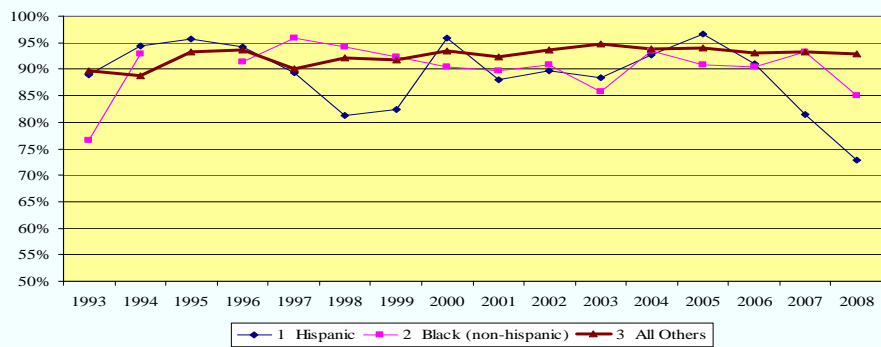


9/9/2008



17

Overall Rating of Police by Ethnic/Racial Group by Year



9/9/2008



18

Police Attitudes and Behaviors

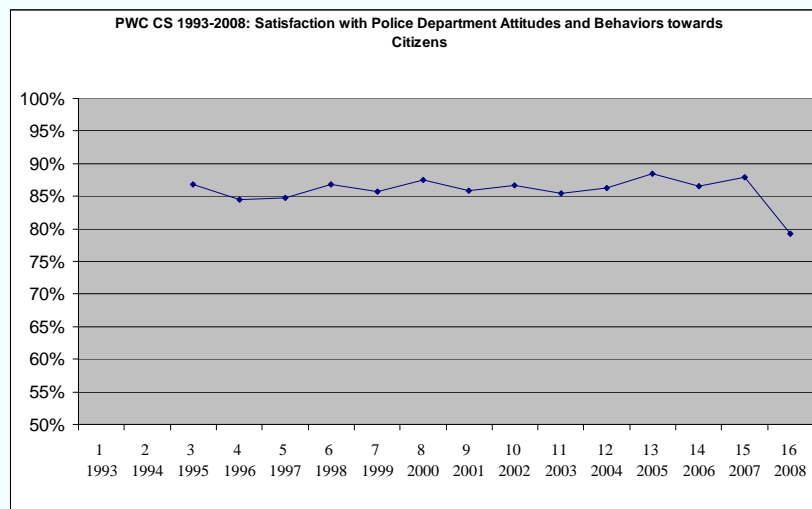
- ❑ Satisfaction with police attitudes and behaviors toward citizens in 2008 is 79.3%
 - ❖ Those who were asked about attitudes and behaviors toward *residents* gave nearly the same rating: 78.4%
- ❑ Down significantly from 87.9% in 2007
- ❑ The 2008 level of satisfaction is the lowest since the question was first introduced in 1995
- ❑ The decrease is clearly linked to a change in the responses from Hispanic respondents

9/9/2008



19

Police Attitudes and Behaviors by Year

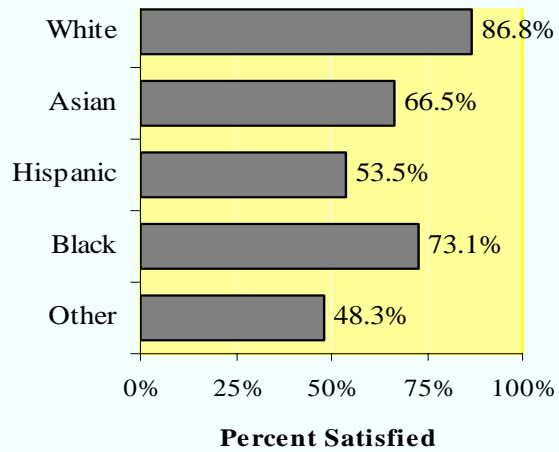


9/9/2008



20

Police Attitudes and Behaviors by Ethnic/Racial Group

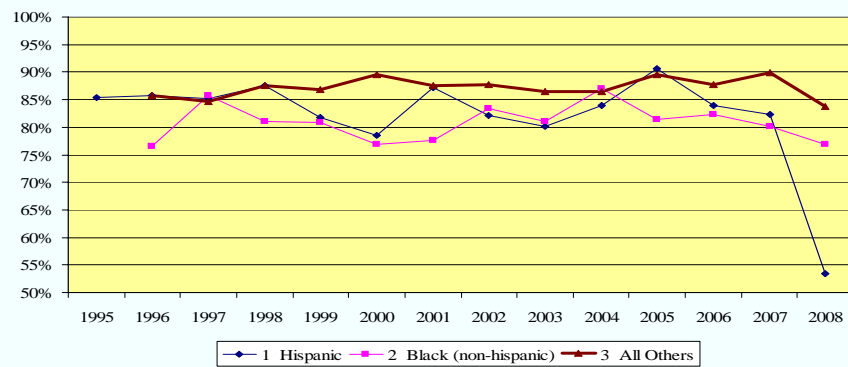


9/9/2008



21

Police Attitudes and Behaviors by Ethnic/Racial Group By Year



9/9/2008



22

New Question in 2008:

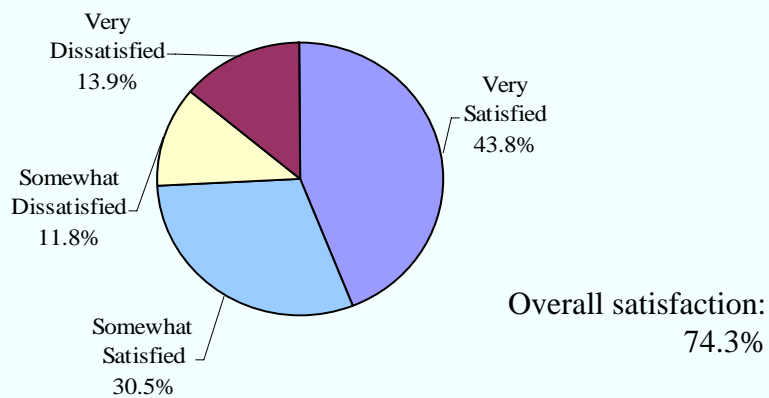
- *“How satisfied are you that the Police Department treats everyone fairly regardless of race, gender, ethnic or national origin?”*

9/9/2008



23

Satisfaction that the Police Department Treats Everyone Fairly – 2008

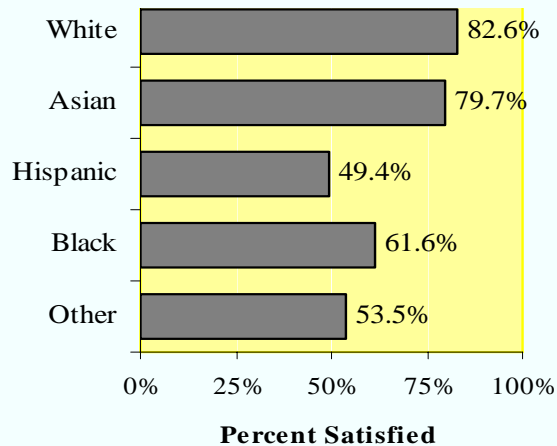


9/9/2008



24

Police Department Treats Everyone Fairly by Ethnic/Racial Group



9/9/2008



25

New Question About Police Execution of the Immigration Policy

- “The Prince William County Board of County Supervisors recently ordered the Department of Police to be more active in checking the citizenship or immigration status of people, to see if they are in violation of federal immigration law. How satisfied are you with the job the Police Department is doing in carrying out this policy?”*
- If R SAYS OPPOSED TO POLICY, SAY: “We realize that opinions are divided on the policy. Would you be able to rate the job the police department is doing in carrying out the policy?”*
- IF INSISTS THAT CANNOT RATE: SELECT “DECLINES TO RATE (VOLUNTEERED).”*

9/9/2008



26

Question About Police Execution of the New Policy

- IF SAYS POLICY CHANGED: “In July 2007, the Board ordered the Dept of Police to inquire into the citizenship or immigration status of detained persons when they are stopped and there's probable cause to believe the person is in violation of federal immigration law. In late April 2008, the policy was modified and it now applies only to persons who are actually placed under arrest. Taking into account the old and new policies together, are you . . .”*
- The question asks about the police, not the policy itself
- Asked of 1,223 respondents

9/9/2008



27

Satisfaction: Carrying Out Policy

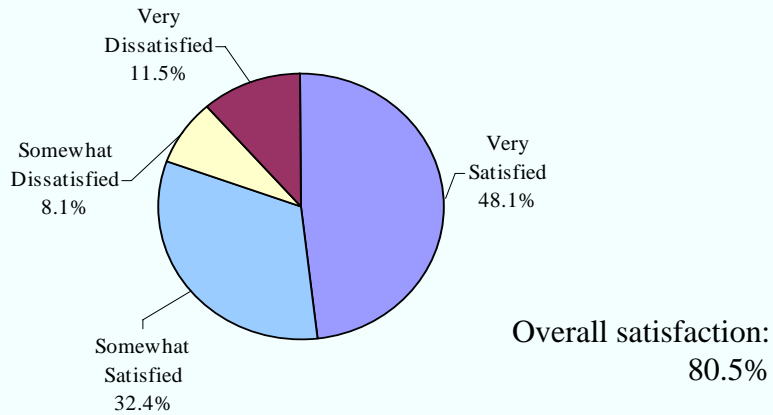
<i>How satisfied are you . . .</i>	% of all asked	% of those with opinion
Very satisfied	36.0	48.1
Somewhat satisfied	24.2	32.4
Somewhat dissatisfied	6.1	8.1
Very dissatisfied	8.6	11.5
Decline to rate/oppose the policy	7.7	
No opinion/don't know	17.2	
Refused	0.2	

9/9/2008



28

Satisfaction: Carrying Out Policy



9/9/2008



29

Reasons for Being Very Satisfied

Comments	Responses		% of cases
	Count	Percentage	
Negative comments on problem of illegal immigration, stressing its disadvantageous aspects	81	17.2%	19.8
Positive comments on PWC's policy	106	22.6%	26.0
Favorable outcomes or effects from police enforcement	75	15.9%	18.3
Favorable comments on police actions	137	29.2%	33.5

Base: 471 respondents who were very satisfied

9/9/2008



30

Reasons for Being Very Dissatisfied

Comments	Responses		% of cases
	Count	Percentage	
Unfavorable comments about the PWC policy	30	30.1%	35.3
Unfavorable outcomes or negative effects from the policy or from police enforcement	25	25.0%	29.3
Unfavorable comments on police actions	15	15.2%	17.8

Base: 100 respondents who were very dissatisfied

9/9/2008



31

New Question in 2008:

- Thinking back over the past twelve (12) months, were you or anyone in your household the victim of ANY crime?
 - ❖ Did you report it to the PWC Police?
- 11.7% were victims of a crime in PWC
 - ❖ Of these, 78.7% say they reported the crime to the police
- Rates of victimization in PWC are somewhat higher for Hispanics (14.5%)
 - ❖ Compared to 11.3% in PWC for non-Hispanics

9/9/2008



32

Summary

- ❑ Opinions about the police, especially about attitudes and fairness, have become polarized along ethnic lines, with Hispanic residents much less satisfied than others
- ❑ The decline in satisfaction among Hispanics is the primary reason for this year's decrease in satisfaction with police performance and attitudes
- ❑ African-American satisfaction has also declined, although not as severely

9/9/2008



33

Summary (cont.)

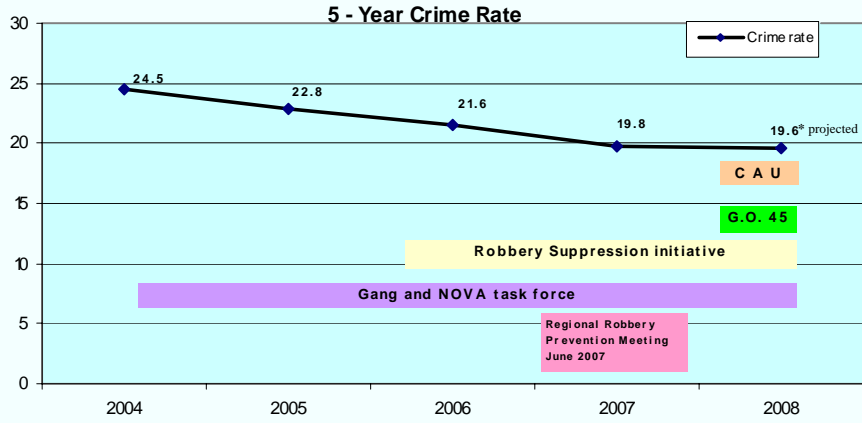
- ❑ Moderate levels of satisfaction (80.5%) with how police are carrying out the new illegal immigration policy
 - ❖ Opinions on the question strongly reflect opinions about the larger immigration issue and the policy itself
 - ❖ Some opponents of the policy decline to rate the police
 - ❖ Actual actions of police not mentioned by most as a reason for dissatisfaction
- ❑ Moderate satisfaction with fairness to everyone
 - ❖ Hispanics much less satisfied on this question

9/9/2008



34

Crime

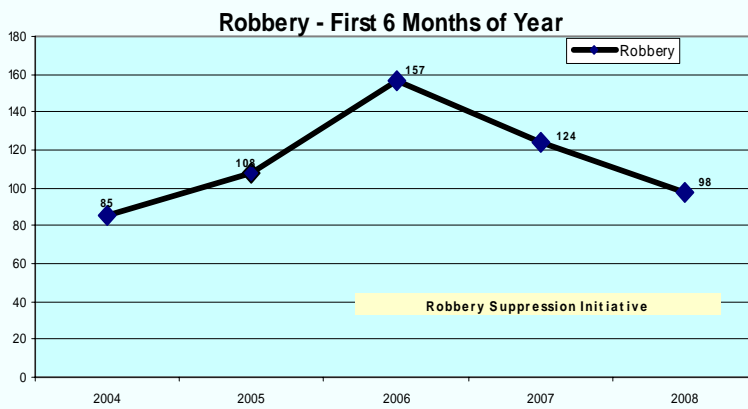


9/9/2008



35

Crime

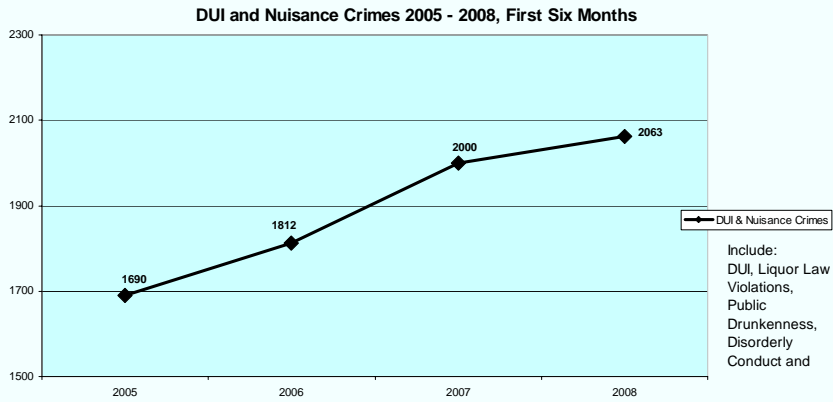


9/9/2008



36

Crime



9/9/2008



37

Resources

- Policy Development – 1,200 Hours
- Training
 - ❖ Policy training – 4,884 Hours
 - ❖ Criminal Alien Unit – 1,300 Hours
- Retraining (Revised Policy) – 500 + Hours
- Community Outreach – 192 Hours
- Evaluation – 604 Hours
- Patrol – Proposed budget included 12 Sworn/2 Civilians in the Five-Year Plan that were not funded
 - ❖ Screening
 - ❖ Processing
 - ❖ Transporting time

9/9/2008



38

Resources

- Criminal Alien Unit
 - ❖ Full time staff – 6 sworn / 1 Crime Analyst
 - Executive Management
 - ❖ CXO and Staff
 - ❖ CAO and Staff
 - ❖ Police Chief
 - Oversight / Management
 - ❖ Audits/review
 - ❖ Supervisory and command staff, revisions of procedures, coordination with legal
 - FOIA – Responses – 1,040 Hours
 - ❖ July 2007 to Present – 18 Immigration related
 - Complaints
 - ❖ July 2007 to Present – 3 Racial Profiling Complaints
-
-

9/9/2008



39

Police Illegal Immigration Program Five-Year Plan

- Police illegal immigration program budget
 - ❖ FY08 Cost = \$1.2m
 - ❖ FY09 Cost = \$898,143
 - ❖ Total Five-Year Plan Cost = \$4.5m
 - Total Five-Year Direct Cost – ADC and Police = \$11.3m
-
-

9/9/2008



40

General Government Efforts

- Legislative Positions
- Restricted Services

9/9/2008



41

Illegal Immigration Enforcement – BOCS Legislative Positions

- The US Congress and Virginia General Assembly should grant the broadest level immunity to local governments in the enforcement of federal immigration law
 - ❖ *The US Congress failed to enact meaningful immigration reform legislation including extending liability protection*
 - ❖ *The Virginia General Assembly referred legislation extending liability protection to the Attorney General for study*
- Creation of separate civil and criminal databases in the National Crime Information Center
 - ❖ *The US Congress failed to enact meaningful immigration reform legislation including these separate databases*
- Federal reimbursement of 100% of local costs in the enforcement of immigration law
 - ❖ *Unlikely that FY09 appropriations bill will include additional funding for 287(g)*

9/9/2008



42

Illegal Immigration Enforcement – BOCS Legislative Positions

- ❑ Full implementation of the federal REAL ID Act to ensure that driver's licenses may be counted upon to indicate the holder is legally residing in this country
 - ❖ *Department of Homeland Security published guidelines for the States to seek an extension of the compliance deadline from 2008 to 2011 without penalty by demonstrating material compliance with the core provisions of the Act*
 - ❖ *The deadlines for existing holders of drivers licenses to obtain new licenses in compliance with the Act remain the same*

9/9/2008



43

Illegal Immigration Enforcement – BOCS Legislative Positions

- ❑ Seek authority to request proof of legal presence for tax relief and rehab tax relief programs
 - ❖ *Neither bill was reported out of the Senate*
- ❑ Support the proposed recommendations of the Virginia State Crime Commission's Illegal Immigration Task Force
 - ❖ *Rebuttable presumption against bail for those here without legal presence and are charged with more serious crimes, including driving under the influence, signed into law without 100% State funding of this mandate*
 - ❖ *Expansion of current law requiring jail officials to inquire into immigration status of inmates and report the results to the State, were signed into law – does not lessen the impact of illegal immigration upon jail populations*

9/9/2008



44

Restriction of County Services

- BOCS resolution restricted the following County government services from illegal immigrants:
 - ❖ Business Licenses
 - ❖ Elderly/Disabled Tax Relief
 - ❖ Tax relief for Rehabilitated Properties
 - ❖ Aging Homemaker Services
 - ❖ DSS Homeless Intervention Program/Rental Assistance
 - County will accept same proof of legal status as the Department of Motor Vehicles
 - People must prove legal status in-person
-
-

9/9/2008



45

Purchasing

- On June 24th, the following clause added to Section 100.12 of the County's Purchasing Regulations:

Immigration Reform and Control Act. The Contractor certifies that it does not and will not during the performance of this contract violate the provisions of the Federal Immigration Reform and Control Act of 1986, which prohibits employment of illegal aliens. The Contractor agrees that its employment of any person without legal status may subject it to termination of this contract for default and agrees to include a similar provision in any subcontract.

9/9/2008



46

Restriction of County Services – Business Licenses

- Staff trained in June by County Attorney's Office
- BPOL Application changed to add requirement to prove legal presence for sole proprietors and partnerships
- New application and list of documents acceptable for proof of legal presence added to web site in June
- Status flag added to computerized business record indicating anyone that has provided documents establishing legal presence
- New process started July 1 – to date no one turned away due to illegal status
- Renewals of BPOL begin in spring
- Renewal notices will be sent out early – late December to give customers time to gather documentation

9/9/2008



47

Restriction of County Services – Elderly/Disabled Tax Relief

- New Participants
 - ❖ On July 1, 2008, the Real Estate Assessments began requiring proof of legal presence to process an application for the tax relief program
 - ❖ Since July 1, 2008, staff has processed 28 applications for applicants who have provided proof of legal presence
 - ❖ Staff is working with one applicant who is having difficulty providing acceptable document to prove legal presence
- Current Participants in the Program
 - ❖ On July 28, 2008, the Real Estate Assessments Office began mailing letters to the approximately 3,500 current participants in the tax relief program requesting proof of legal presence
 - ❖ Packets of information including a copy of the letter mailed to participants, anticipated FAQ's, information on obtaining a birth certificate, and the list of acceptable documents to prove legal presence were sent to the Agency on Aging, the BOCS and the CXO

9/9/2008



48

Restriction of County Services – Tax Relief Program for Rehab Properties

- ❑ Effective July 1, 2008, the Real Estate Assessments Office does not process an application for the rehab program without obtaining proof of legal presence from the applicant
- ❑ No applications have been received for this program since July 1, 2008

9/9/2008



49

Restriction of County Services – Aging and DSS

- ❑ Homemaker Services – Aging
 - ❖ Letter sent in July to participants allowing 30 days to provide proof of legal status
 - ❖ Three home visits were set up for first week of August to review documents
 - ❖ All current recipients have proved legal status
- ❑ DSS – Homeless Intervention Program – Rental and Mortgage Assistance
 - ❖ DSS just notified of award of FY09 federal money for this program
 - ❖ DSS will solicit applications and has put procedures into place requiring documentation of legal status to apply

9/9/2008



50

Community Condition

Current Community Factors

- ❖ The national, state and local economies are in or heading towards recession
- ❖ The Commonwealth estimates that PWC has lost 6,000 construction jobs due to the economic downturn
- ❖ Foreclosure activity in Prince William County is worst in the region – 2008 foreclosures already surpassing all of 2007
- ❖ BOCS Illegal Immigration Enforcement Policy

9/9/2008



51

Illegal Immigration Enforcement – Community Condition

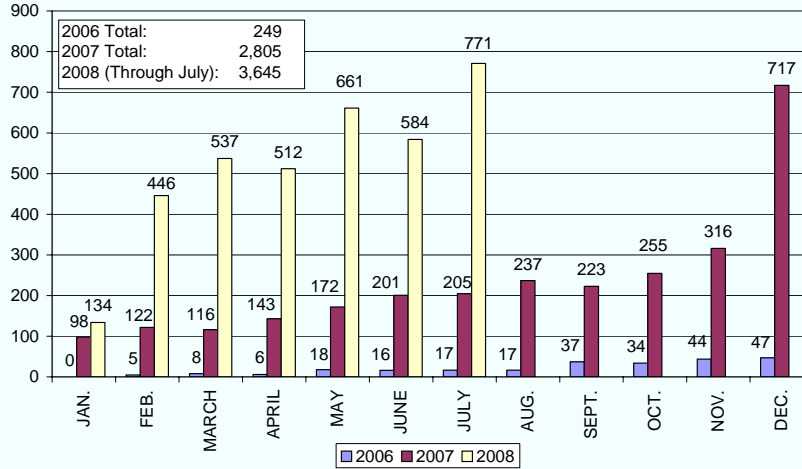
- There is no census/demographic number on illegal immigrants living in Prince William County either before or after the passage of the resolution
- There is anecdotal information about the impact of the resolution on local businesses
- Health care entities such as the Health Department and the Hospitals do not ask immigration status – data provided is general
- Schools ESOL and enrollment data not kept based on immigration status

9/9/2008



52

Prince William County Foreclosures

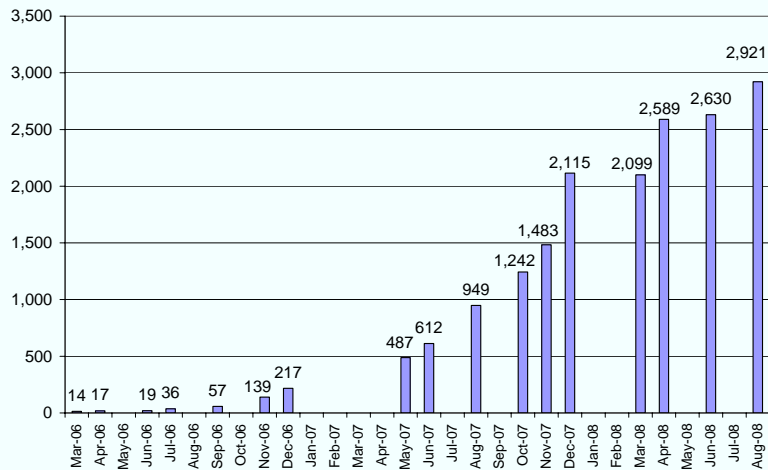


9/9/2008



53

Balance of Foreclosures as of Date Indicated



9/9/2008



54

Neighborhood Services Data

Complaints	FY2004	FY2005	FY2006	FY2007	FY2008
Occupancy Complaints	128	458	540	460	510
Occupancy-Related Violations	5	35	49	57	61
All Complaints	2271	3341	4077	3977	7126
All Violations	972	3226	4343	3668	4965

9/9/2008



55

Neighborhood Services Cases Founded by Violation Type

	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
MAINTAINING OR ENGAGING IN OUTSIDE STORAGE	176	556	720	594	775
MAINTAINING A DUMP HEAP	110	383	578	574	720
VIOLATION RE: KEEPING INOPERATIVE VEHICLE(S)	144	392	652	474	524
PARKING ON AN UNIMPROVED SURFACE	112	480	828	436	516
TOTAL WEED & TALL GRASS VIOLATIONS	298 (CY)	357 (CY)	561 (CY)	299	1128
TOTAL PROPERTY MAINTENANCE VIOLATIONS	118	497	412	466	521

9/9/2008



56

School Data

- 2007 – 2008 School Year
- Note – Schools do not inquire as to legal status
 - ❖ Total Enrollment
 - September 2007 = 72,654
 - June 2008 = 70,979
 - Decrease of 1,675 students
 - Total student population higher in June 2008 from June 2007
 - ❖ ESOL Students
 - September 2007 = 13,409
 - April 2008 = 12,691
 - Decrease of 718 ESOL students

9/9/2008



57

Health Care Data

- VA Health Department
 - ❖ OB Admissions
 - January – June 2007 = 242
 - July – December 2007 = 173
 - January – June 2008 = 245
 - July-August 2008 = 92
 - ❖ Family Planning Clinic
 - FY07 = 2,096 clients
 - FY08 = 1,876 clients
 - ❖ Immunizations
 - FY07 = 7,478 clients
 - FY08 = 7,048 clients

9/9/2008



58

Hospitals

- Note: Hospitals do not ask the legal status of any patients
- Prince William Hospital
 - ❖ Births
 - 2006 – 2007 = 2,545/20% uninsured
 - 2007 – 2008 = 2,283/15% uninsured
 - Births decreased by 262
 - ❖ Emergency Room Visits
 - 2006 – 2007 = 56,959
 - 2007 – 2008 = 56,770
 - Reduced by 189
 - Uninsured has not changed – remains at 11% of total patients

9/9/2008



59

Hospitals

- Note: Hospitals do not ask the legal status of any patients
- Potomac Hospital
 - ❖ Uninsured Deliveries as #/% of total Potomac Hospital Deliveries
 - 2006 = 792/30.6%
 - 2007 = 752/32.3%
 - 2008 Projection = 399/19.8%
 - Births reduced by 353
 - ❖

<u>Total Emergency Room Visits</u>	<u>% of ED Visits Uninsured</u>
→ 2006 = 56,485	26.1%
→ 2007 = 56,539	25.2%
→ 2008 Projection = 58,688	21.9%
→ Visits Increased by 2,149	

9/9/2008



60