Evaluation Study of Prince William County Police
Illegal Immigration Enforcement Policy
INTERIM REPORT 2009

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Executive Summary

Between July 2007 and April 2008, the Prince William Board of County Supervisors passed a series of resolutions designed to address residents’ and supervisors’ concerns about the growing number of illegal immigrants living in the county. Although the specific details of the resolutions evolved over time, they required that the Prince William County Police Department conduct immigration status checks and enter into an agreement with the federal government enabling selected officers to act on behalf of the Federal Immigration and Customs Enforcement Service (ICE). In 2008, the Prince William County Police Department asked the University of Virginia’s Center for Survey Research, the Police Executive Research Forum, and a James Madison University criminologist to carry out a two-year, multi-method evaluation of the policy’s implementation and its impact on the Police Department and the community that it serves. This is an interim report from the evaluation team, based on data collected in 2008. (The final report of the evaluation is planned for release in 2010.) The team focused its work on three main questions:

1. What are the Police Department’s experiences in implementing the policy?
2. What effect, if any, does the new policy appear to have on other areas of the Department’s policing?
3. What effect, if any, does the new policy appear to have on members of the Prince William County community?

The evaluation is based on both quantitative and qualitative data sources, including:

- Police Department data on reported crime (Uniform Crime Report data), statistics on arrests of illegal immigrants, and our own analysis of trends in calls for service;
- a survey of sworn officers of PWCPD, conducted anonymously in October 2008;
- focus groups with police officers, police supervisors, and top police commanders;
- interviews with local jail personnel and observations of the various processes that involve detainees;
- “ride-alongs” with PWCPD officers to observe implementation of the policy in the field;
- data from the annual Citizen Surveys conducted by the U.Va. Center for Survey Research in summer of 2008 and in prior years; and
- key informant interviews with a number of the community stakeholders, including local magistrates, ICE agents, County supervisors, senior County staff members, and community leaders from faith-based institutions and advocacy organizations.

This interim report is based on events and data available to us at the half-way point in a two-year, broadly-based evaluation study. Our conclusions must be considered as preliminary. We expect to be clearer about the extent and permanence of the policy’s effects—and its costs—when we complete our analysis and submit our final report in 2010. For the present, we are able to state several preliminary conclusions that are well backed by the evidence so far available:

The passage of the policy was rapid, emotionally charged and required major modifications in the first year.

After a brief introductory section, Section 2 of the report describes the political and social dynamics that led to the Board of County Supervisors’ decision to address illegal immigration. The national discourse over the failure of federal immigration policy, high population growth in Prince William County, especially among Hispanics, and increased strain on existing housing, schools, roads and County services led a very vocal and well-organized group of residents to conclude that the County needed to take action. In response, the Board passed its first resolution on July 10, 2007, mandating that police inquire into immigration status of everyone they detained (detention in this case includes traffic stops) if they had probable cause for believing a person was in the country illegally. An acrimonious and divisive public debate ensued, pitting white residents against Hispanic immigrants and their supporters. The debate
highlighted the multiple goals and expectations of those who supported for the policy, which ranged from a desire to rid the county of serious criminal offenders who were illegal immigrants to a desire to rid the county of illegal immigrants in general. It was also fueled by local politics, as it took place in the four months prior to a local election for County Supervisors.

Although the debate did not change the Board’s mind about the need for the policy, it alerted the County police and staff to the Police Department’s vulnerability to charges of racial profiling. In response, the Chief of Police requested funds for cameras for all patrol cars in order to address the charges that people thought were inevitable. When the Board of County Supervisors concluded that the County budget could not afford the cameras, it modified the original resolution on April 28, 2008 to mandate that police inquire into immigration status of all arrestees and give the police the discretion to do so when they had detained people. The revised policy is known as the “post-arrest” policy. In section 3 we provide descriptions and detailed flow charts of criminal justice processing in Prince William County, which illustrate pre- and post-policy procedures.

The Police Department implemented the policy smoothly.

Sections 4 and 5 focus on the policy’s actual implementation. The Police Department undertook a massive training effort prior to implementing the probable cause policy, then re-trained all its officers after it was modified in April 2008. The great majority of officers understood the post-arrest policy and felt confident about implementing it, and few problems in the policy’s implementation were reported by officers or senior staff.

The Department also created a Criminal Alien Unit whose members were given federal training and authority to enforce federal immigration laws through the 287(g) program. This unit focuses on serious immigrant offenders, but its role and activities are not well understood by those not directly involved in it. In general, cooperation between ICE and the County is good, especially after agreements were clarified, ICE adapted to the increased flow of referrals from the County, and a temporary overcrowding problem at the adult detention center was alleviated. Magistrates retain discretion in the handling of arrested persons, and the process makes them aware of any arrestees suspected of being illegal immigrants.

Overall, the initial fear of lawsuits about racial profiling was not realized, and although the implementation had high budget costs and occupied large amounts of senior staff time, it does not appear to have disrupted everyday operations of the Department. Throughout the process, the Police Department and County staff showed great skill and professionalism in finding workable policies and strategies to carry out the Board’s mandates, despite the short time frame in which they had to respond.

There are mixed indications regarding the policy’s effects on crime rates in Prince William County.

Section 6 offers an analysis of trends in crime and calls for service to examine whether or not the policy may have contributed to change in either. The results are not fully conclusive. Calls to police for various types of crime and disorder have dropped or slowed in their rate of growth since the policy, but this could reflect less crime reporting by the public or the effects of factors other than the policy (for example, other police initiatives or outmigration from the county due to the economy). Overall index crimes in the county have risen slightly, but some serious crimes—especially aggravated assaults—went down substantially, a trend observed in both the calls for service and the Uniform Crime Report data. However, illegal immigrants are a small percentage of those arrested for violent crimes, so it seems unlikely that the policy was a primary cause of the county's drop in serious violence.

Between March 2008, when the Department’s policy went into effect, and December 2008, the police arrested and detained 637 illegal immigrants (an additional 375 were either released with no charges (251) or released with a summons (124).\footnote{Prince William County has entered into two 287(g) agreements with the federal government. The first, implemented in July 2007, authorizes jail officers at the Adult Detention Center to check immigration status of all those who are brought to the Center and contact ICE if necessary. Since then, about 3,000 people have been captured or deported.} ICE took all 637 into its custody, although there is no
information about how many ICE then released or detained. Ongoing ICE detention or deportation may have affected some types of crime, especially public drunkenness or driving under the influence. The Police Department’s records show these to be more likely than other crimes to involve illegal immigrants.

The policy would be challenging to implement on a large scale.
Most of the illegal immigrant arrestees referred to ICE have committed only minor crimes. If the objective of the County’s immigration enforcement effort is to reduce serious crime, then the current policy does not provide a very efficient means of achieving it. If the objective is to remove illegal immigrants, then ICE does not have sufficient resources to handle the large numbers of referrals that would result. ICE currently tries to limit the types of offenses for which it will pick up illegal immigrants to more serious crimes in jurisdictions other than Prince William County.

Most county residents are satisfied with the Police Department’s implementation of the policy, but Hispanics’ levels of satisfaction with the police have declined.
In Section 7 we examine the policy’s effects on the Police Department’s relationships with community members. Department personnel reported that there was substantial fear and distrust in the community when the probable cause policy was in effect, but relationships with immigrants improved with time and the modification to the post-arrest policy.

Results from the Citizen Survey, which was conducted in the two months between the end of the probable cause policy and the beginning of the post-arrest policy show that most county residents are satisfied with the Police Department’s implementation of the policy. However, a substantial minority are dissatisfied or decline to rate the Department’s work in this area because they object to the policy. Both the positive and negative opinions about the Department’s performance seem to reflect respondents’ underlying attitudes about immigration issues in the county or the policy itself, rather than any specific knowledge of police actions in implementing the policy.

Despite reported high levels of satisfaction with the policy, a comparison of responses on the 2008 Citizen Survey with the results from preceding years shows the emergence of a conspicuous ethnic split in attitudes about the police. Hispanic respondents now score substantially lower than non-Hispanic whites in their satisfaction with police performance, police attitudes toward residents, and the fairness of police in dealing with people of different backgrounds. On the community survey, they reported large drops in satisfaction with police performance, from a high of 97 percent reporting satisfaction in 2005 to 73 percent in 2008.

Evidence indicates that illegal and legal immigrants left the County; both the economy and the policy are probable causes.
In Section 8 we examine the potential effects of the policy on the community. Our findings, described in the rest of this summary, are not conclusive because the methods and data available make it difficult to disentangle the causes of the changes we see. Ascribing causality is particularly challenging in cases when the economic recession, mortgage crisis and immigration enforcement policy may be responsible. To address this challenge we have used multiple data sources, paid close attention to the timing of observed changes, and have considered how well the evidence supports the multiple explanations.

Community leaders and County and Police Department staff report that fewer overcrowded homes, fewer people loitering at day labor sites, fewer births in the local hospitals, and fewer English language learners in the schools indicate that the immigrants have left since the policy went into effect. Determining precisely how many immigrants left the county as a result of the policy is impossible because the policy’s public debate and implementation coincided with the mortgage crisis and the severe economic downturn, resulting in the loss of jobs, such as construction, often filled by immigrants. Our rough estimate—taking
into account, among others, those who were turned over to ICE—suggests that less than 5000 (not hundreds and not tens of thousands) immigrants, both legal and illegal, left the county between mid-2007 and the end of 2008. The drop in immigrant numbers may not have been large, especially relative to the County’s population of 360,000 people, but it represents a sharp contrast to the rapid rise in numbers seen in preceding years.

**Overcrowded housing and loitering have declined, but problems related to vacant housing have increased.**

Overcrowded housing and loitering, which the policy’s advocates hoped it would address, declined dramatically. According to information provided in a County staff report to the Board of County Supervisors, confirmed violations about parking on unimproved surfaces (unpaved surfaces such as lawns), which is associated with overcrowded housing, dropped 38 percent between fiscal years 2006 and 2008. Residents also reported that loitering had diminished at day labor and other sites. These changes were due both to the policy and the economy, which we know given the timing of those events. At the same time, weed violations and other vacant housing related complaints, such as dumping garbage in the yard, rose substantially, along with foreclosures. Although disentangling the effects of the economic recession and the policy prevents us from determining how much change was due to the policy and how much to the economy, we conclude that both contributed.

**The policy has not increased residents’ sense of safety in the county. Instead, it appears to have created an ethnic divide in people’s perceptions of the county.**

Non-Hispanic whites living in areas that had experienced significant growth in the immigrant population—particularly those that had large numbers of single men living in houses who then moved out—reported in interviews and in the media that they felt safer. However, the numbers of these residents were not high enough to substantially affect whites’ experiences in the county overall. Over the past 10 years, over 90 percent of non-Hispanic residents have reported that they feel safe in their neighborhoods. That proportion did not drop as the immigrant population grew, nor did it rise when the policy went into effect.

On the other hand, the survey does show a very large drop—2 points on a 10 point scale—in Hispanics’ assessment of the quality of life in Prince William County. And importantly, when asked if they would like to live in the county five years from now, only 42 percent said yes compared to 77 percent in 2006. These figures are in marked contrast to the responses of other county residents, which tended to be fairly stable over time. And they suggest that the policy was probably affecting legal as well as illegal immigrants.

**The policy has resulted in lower levels of trust in government among Hispanics and African-Americans.**

One of the unintended consequences of the policy appears to be a large reduction—about 15 percent for each group—in blacks’ and Hispanics’ trust that the government will do what is right most or all of the time. The proportion of Hispanics who said they trusted the government fell from about 65 to 50%, while blacks levels fell from 60% to 55%. In addition, Hispanics’ assessment of the quality of life in Prince William County dropped by two points on a ten point scale, and 35 percent fewer Hispanics desired to live in the county in five years time compared to the Hispanic response in the previous survey. These declines are probably largely due to the policy, and they indicate that there is a growing divide between Hispanic residents and other Prince William County residents. They also indicate that there may be a spillover effect onto blacks, who may see themselves as potentially vulnerable, just as the Hispanics are vulnerable.

The ethnic splits in resident attitudes regarding the County government, the Police Department and the County’s quality of life are new and unwelcome developments that are clearly a result of the new policy and the public conflict surrounding the policy’s creation; they present a significant challenge to police-community relations and to positive engagement of residents in the County’s governance.
In the coming weeks and months we will continue our evaluation of the Police Department’s immigration enforcement policy. As we continue our work, we hope this interim report will be useful in informing the continued policy debate in Prince William County and in other jurisdictions that are coping with the continued dilemma of illegal immigration.
1. Introduction

In July 2007, the Board of County Supervisors in Prince William County, VA unanimously passed the first of several resolutions designed to provide a local solution to growing illegal immigration among the county’s residents. That resolution required the County staff to withhold as many County services as possible from illegal immigrants. It also required the police to inquire into a person’s immigration status during all detentions, including traffic stops, if an officer had probable cause to believe that the person might be in the United States illegally.

The county, which by 2000 had already transitioned from a rural, exurban area into a highly developed suburban county and the third most populous jurisdiction in Virginia, was one of the fastest growing counties in the country during the early 2000s. The Hispanic population grew especially quickly, more than doubling in just 7 years, from about 27,000 to over 64,000 people.

Population growth and shifts in the county led to significant changes in the county’s quality of life. Traffic congestion became a major problem as the county became one of Washington’s outer suburbs. The make-up of schools and neighborhoods changed markedly: Between 2000 and 2008, 26 elementary schools experienced tremendous growth in their English Speakers of Other Languages (ESOL). In those schools, the ESOL population jumped from less than 30 to more than 30% of the total school population. In 17 schools, the ESOL population increased to over 40% of the school population; in several cases the schools experienced a doubling or tripling of the ESOL population in just 8 years. In some cases, the ESOL population was more than 60% of the schools’ total population. As immigrants moved in, they engaged in behaviors that immigrants have long used in order to establish a foothold in the United States: They shared housing with relatives, friends and strangers in order to make ends meet. As a result, parking spaces on neighborhood streets became difficult for long-term residents to find. In addition, some of the immigrants were single men who shared houses; frequented day labor sites, staying for much of the day if they did not get work; and consumed alcohol, sometimes becoming drunk in public. Unlike cities with long histories of absorbing large numbers of immigrants, Prince William County was unprepared to manage these changes.²

By 2007, an unknown number of immigrants were in the County illegally. Our estimate is that they numbered in the tens of thousands, out of a total resident population of 360,000. As housing overcrowding, school overcrowding loitering and other quality of life issues grew, illegal immigrants became the focus of some of the county’s native-born Americans’ anger, who believed that if illegal immigrants did not live in Prince William County, the problems would decrease. These residents had watched other local jurisdictions experience failure in their attempts to control the quality of life problems that they attributed to illegal immigration. In nearby Manassas City, council members attempted to restrict the number of related people who could live in the same house, an effort that was rescinded a month after it was passed. They had also seen efforts to control illegal immigration by fining employers and landlords who rented to illegal immigrants run into trouble in the courts. To avoid these problems, those who wished to curtail the number of illegal immigrants in the county hoped to deny County services to all illegal immigrants and to use the police to check immigration status and detain illegal immigrants.

The resolution that passed in July of 2007 was just the opening gambit in a series of negotiations among the Board of County Supervisors, County staff, residents and the Prince William County Police Department (PWCPD). The various parties attempted to identify a strategy that would respond to resident concerns, comply with the law and not increase the County’s risk of lawsuits, ensure continued community support for the Police Department’s efforts to promote public safety and reduce crime, and not redirect too many police resources from the Department’s core crime fighting mission. In March 2008, PWCPD implemented General Order 45, which mandated that police inquire about the immigration status of all detainees if there was probable cause to believe that the person was not in the United States legally.

In late April 2008, the Board passed another resolution, which mandated that police inquire into the immigration status of all people who were physically arrested instead of all detained persons for whom there was probable cause to inquire, although officers could still use their discretion to question people who they had detained. In July 2008, PWCPD implemented a revised policy, General Order 45.01, to comply with the April resolution. In addition, the Police Department entered into a 287(g) agreement with the federal government, which allowed specially trained officers to act as immigration enforcement officers. These officers focused primarily on people who had committed serious crimes. The agreement also mandated that the federal Immigration and Customs Enforcement Agency (ICE) would remove arrestees who had federal immigration warrants for their detention from the county’s jail. The police practices that ensued from the policies were in marked contrast to the Police Department’s previous practice regarding suspected illegal immigrants, which was “to call ICE based on the priority of seriousness of local charges” against detainees.\(^3\)

1.1. Our Charge from the County

As part of the policy’s implementation, the Police Chief requested and the Board of County Supervisors unanimously approved funds to conduct an evaluation of the policy that had three major goals:

**Goal 1: Provide information about the policy’s implementation**

The new policy has few counterparts in other locales, and little information exists about how to best implement such policies. Although one can expect challenges when implementing new policies, the exact nature of those challenges—and the potential solutions to them—depend on the capabilities of the local community’s political dynamics, economic conditions, and other social and cultural factors. Prince William County has a large Police Department, with over 550 officers, and putting the policy in place was a major task. In order to do so, the Police Department designed a training curriculum for all patrol officers and created a Criminal Alien Unit to identify illegal immigrants who committed serious offenses. It also needed to educate a wary public about the scope of the policy. The evaluation intends to identify specific challenges encountered by the PWCPD and their potential solutions.

**Goal 2: Provide information about the policy’s potential effects on the community and police services in Prince William County**

The Police Department wanted to better understand the policy’s effects on the Department and the community. The police, County staff and community members had many hypotheses about what the policy’s effects might be, but no one was exactly sure what and how extensive the effects would be. As we shall see throughout this report, the policy appeared to have some of the effects desired by its proponents, although it also appeared to have some of the unintended effects that others had predicted or no effects on some conditions. For example, the Police Department identified and turned over to Immigration and Customs Enforcement (ICE) many more illegal immigrants who had pre-existing warrants than it had in preceding years, but illegal immigrants made up a very small proportion of serious criminal offenders. The policy appeared to contribute to reductions in housing overcrowding and loitering, but we cannot determine by how much because the housing crisis and economic downturn also contributed substantially. The policy also appeared to have the intended effect of making the county a less hospitable place for criminal illegal immigrants to live and work, but Hispanics in general also found it less hospitable. The evaluation therefore examines a range of questions related to the policy’s hypothesized effects through the analysis of crime data, criminal arrests, resident use of and satisfaction with social services, citizen complaints, traffic infractions, and crime victimization.

**Goal 3: Provide a blueprint for future research and data collection by the Prince William County Police Department**

Prior to the policy’s implementation, the Police Department did not collect systematic information on immigration status. The policy’s supporters believe that the lack of information prevents the County from

\(^3\) Deane (2007a, June 15).
effectively addressing illegal immigration. Also, the Police Department and evaluation team recognized that lack of information presented inherent challenges in determining if observable changes were due to the policy or other community conditions. Our third goal, therefore, is to provide the Department with a blueprint for future research and data collection. This blueprint might include ways of identifying appropriate comparison communities, suggestions for future research designs and recommendations for data elements that the Department may want to add to its current data collection in order to better monitor the policy’s execution.

1.2. The Research Team

To carry out the research, the Police Department contracted with the Center for Survey Research (CSR) at the University of Virginia, which has conducted a resident satisfaction survey of Prince William County residents since 1993 and has extensive trend data from these surveys going back more than 15 years. In addition, the evaluation required researchers with expertise in a variety of methods and substantive areas, and CSR coordinated the overall team.

At the University of Virginia, Dr. Tom Guterbock, a survey methodologist with background in community sociology, oversees the project. Dr. Karen Walker, an evaluation researcher, and Dr. Milton Vickerman, an immigration researcher, are responsible for the design, implementation and analysis of the portion of the study that examines the policy’s effects on the community. Dr. Abdoulaye Diop coordinates the annual resident survey and provides analyses of the survey’s trend data. Ms. Nicole Fedoravicius conducts interviews with Spanish-speaking residents in Prince William County. Dr. Bruce Taylor and Dr. Christopher Koper from The Police Executive Research Forum, a non-profit organization that provides technical assistance and research support to major police departments across the county, are responsible for the survey and interviews of Police Department personnel, interviews of other criminal justice officials (including representatives of ICE), and the analysis of the Police Department’s calls for service and crime data (Daniel Woods also assisted with the analysis of the calls for service data). Dr. Tim Carter, a criminologist from James Madison University, consulted in the design of that effort, its research questions and analysis.

1.3. Research Questions and Methods

In asking how effectively the Prince William County Police Department is able to implement its new policy of working with ICE to enforce federal immigration law, this interim report examines three major research questions that address the first two goals of the evaluation overall.

4. What are the Police Department’s experiences in implementing the policy?
5. What affect, if any, does the new policy appear to have on other areas of the Department’s policing?
6. What affect, if any, does the new policy appear to have on members of the Prince William County community?

Appendix A includes a detailed list of the research questions that fall under each of the above questions. This interim report, based on information collected through 2008, covers the policy’s history from the policy’s initial introduction in a Board of County Supervisors meeting through its first 9 months of enforcement. It also provides information about Prince William County that is pertinent to the policy’s history and that provides a context for interpreting post-policy police and community data. It does not fully cover all the research questions or address the evaluation’s third goal, which will be taken up in the final report due in 2010.

The research team analyzed both quantitative and qualitative data on the police and the community.

Quantitative Data Collection

Police Department data – Our team worked with the Prince William County Police Department to access the Department’s existing crime statistics for the years prior to the implementation of the immigration
policy as well as for the years post-implementation. For this report we include summary data on PWCPD Uniform Crime Report (UCR) data, PWCPD data on arrests of illegal immigrants, and our own analysis of trends in calls for service to PWCPD over nearly 12 years (trend analyses of UCR data and arrests will be included in the final report).

**Officer survey** – We fielded a self-administered, anonymous survey with all sworn officers of the PWCPD during a two-week period in October 2008. The timing of the survey allowed our team to assess the officers’ experiences with the initial policy, General Order 45 (implemented in March 2008), and the revised policy, General Order 45.01 (implemented in July 2008). Police Department staff distributed the surveys at roll calls, and officers were requested to return a completed survey in a sealed envelope within two weeks. We plan to conduct a follow-up survey in July 2009; the results of the second survey will be included in the final report.

The officer survey contained a series of mostly closed-ended questions (with a small number of open-ended items). Questions were grouped by topic in four sections:

- Knowledge of immigration policy and implementation
- Officer behavior related to the current PWC immigration policy
- Problems observed by officers since the current immigration policy went into effect in July 2008
- Officer perspective on General Order 45 (probable cause standard)

**Community survey** – Our team added to the 2008 PWC Citizen Survey a set of questions related to the implementation of the PWC immigration policy, including items on community attitudes towards the new policy, police fairness, victimization and reporting of crime to the police. The community survey was administered by telephone to a large, county-wide sample of residents in May–June 2008. In addition, the team used pre-existing questions in the survey to examine residents’ experiences with the police, feelings of safety in their neighborhoods and their ratings of the county’s overall quality of life. In summer 2009 the survey will be administered again. The final report will include those data and allow us to augment our trend analysis.

**Qualitative Data Collection**

While our quantitative data is useful for identifying trends over time in police data and community attitudes, we also collected a variety of qualitative data to better understand implementation and potential ways of addressing challenges. The qualitative data provide context to aid in our interpretation of our quantitative data. Qualitative data are particularly useful for understanding processes (such as implementation of new policies and protocols) because they permit researchers to probe in greater detail than is possible in surveys. We collected the following qualitative data:

**Focus groups** – Focus groups are an effective way of listening to people and learning from them. They can provide insight into how a group thinks about an issue, the range of opinions and ideas, and the inconsistencies and variations of ideas among a group. Our team worked with PWCPD to set up focus groups with PWC police officers, which were in County buildings. These focus groups elicited police attitudes toward the PWCPD immigration policy and assessments of its impact with questions that were retrospective as well as covering the situation at the time. Each group lasted about two hours in duration. Our team took extensive notes and analyzed the results for each individual group as well as conducting a macro summary analysis across all the groups.

**Key informant interviews** – The evaluation team conducted key informant interviews with a number of the community stakeholders, including local magistrates, ICE agents, County supervisors, senior County staff members, and community leaders from faith-based institutions and advocacy organizations. These interviews provided us with individual perspectives and permitted us to collect politically sensitive information that provided important insights and background information. For example, our interviews with ICE agents that work in the Prince William County area helped us assess the impact of the police immigration policy on ICE’s resultant response capabilities and efficiency. In all interviews, we offered
to withhold the names of those whom we interviewed, and some asked that we do so. Others said that we were welcome to use their names and quote their views, and we have done so in parts of this report.

**Observations** – The evaluation team worked with PWCPD to gain access to the arrestee screening and processing system in the County jail. Our team conducted observations of the screening process, with a special focus on the handling of detainees with non-resident alien status. We also observed the 287g interviewing process, as well as conducted interviews with the jail officers. The research team also conducted a series of “ride-alongs” with PWCPD officers to observe the implementation of the new policy in a field setting across the range of police shifts and service areas in PWC.

**Data Analysis**

First, we cleaned all the data using standard data-cleaning processes to verify that the data are correct and conform to a set of rules. For the quantitative data, we wrote SPSS software program code to remove any errors and inconsistencies in the data files. Our analyses of the quantitative data involved mostly univariate statistics describing the key analytic variables. However, we also conducted some trend analyses of the PWCPD calls for service data.

Analyses of the qualitative data first helped us focus and refine our survey instruments. Thus, some early analyses were conducted on the range of responses and the key issues that people raised in focus groups and interviews with officers, departmental representatives and citizens. These early analyses consisted of mostly thematic and content analyses and were very descriptive in nature. Later analyses of the qualitative data focused on examining the policy’s implementation in greater detail and on using the qualitative data to assist in the interpretation of quantitative data. In conducting our analyses of focus groups, interviews and observations, we used qualitative data analysis software (i.e., NVivo) to organize our field notes. With one or two exceptions, we did not transcribe interviews or focus groups, but instead used researcher-generated field notes and summaries of all interviews and focus groups. The NVivo qualitative analysis software permitted our team to search across multiple documents for key themes, generate cross-tabs to examine the frequency with which certain themes emerged, and link documents that, together, describe events, activities or topics of interest.

**Research Design Issues**

While our study design is generating a wide range of rich and informative data, our ability to draw strong inferences from these data, especially regarding questions about cause and effect, is quite restricted because of limitations in the study’s design and the kinds of data that are available. It is an inescapable fact that the illegal immigrant population is hidden from official view and is present in most data sets only in an ‘invisible’ form. That is, illegal immigrants, when they are counted, are counted in a way that does not allow them to be identified in the data. Systematic baseline information about illegal and legal immigrants’ attitudes and practices is unavailable; public service institutions have avoided asking about immigration status because they worry that asking such questions will deter people from seeking services that they need. For this particular evaluation, the lack of baseline information on a key variable means that assessing change over time in demographic patterns, behaviors and practices is challenging.

One way that evaluators often address this type of challenge is to use comparison or control groups. A control group, however, requires an experimental design—infeasible in this case. And comparison group designs can be difficult when the comparisons are between communities (in this case counties) where the number of factors that may affect the outcomes of interest (in this case citizen and police attitudes and practices) is very large and dynamic, and includes such things as county or state policies, shifts in public attitudes, economic changes, and crime or drug epidemics that may be unrelated to the policy of interest. Despite these concerns, the project team was recently given a supplement to fund the collection of limited amount of data from some of the surrounding counties in the DC Metropolitan area. These comparative analyses will be included in the final report. Although county comparisons will be able to provide some insight into the effects of Prince William County’s immigration enforcement policies, caution will be used in interpreting these results to avoid making mistaken attributions.
To address these methodological concerns we have adopted a multi-method approach, involving many sources of different types of data. By drawing on a blend of both quantitative and qualitative traditions in our study, one approach will inform the other and allow for triangulation of data sources and methods. When multiple sources of varying types of data reveal similar findings, confidence in the validity of the findings grows exponentially.

1.4. Structure of the Report

In Section II, we describe the political and social dynamics that led to the Board of County Supervisors’ decision to restrict services to illegal immigrants and mandate that the Police Department conduct immigration status checks. That section also describes how the County police and staff designed workable policies to carry out the Board’s mandates.

Section III provides a description of criminal justice processing in Prince William County over time—prior to the initial policy, after the first policy (General Order 45) and after the revised policy (General Order 45.01). Sections IV and V examine the policies’ implementation in detail. Section IV investigates the experiences that the Police Department had in training its officers, implementing the policies, and communicating the policies’ intent to the public. Section V, in turn, examines how Prince William County magistrates and other officials, including personnel from US Immigration and Customs Enforcement (ICE) of the Department of Homeland Security, worked with the Police Department and jail staff to enforce immigration law. These sections rely on documents about the policies, including the Board of County Supervisors’ resolutions, the Police Department’s policies and training materials, and presentations and letters to the Board. They also rely on interviews and focus groups with County staff, including police department personnel, and other community stakeholders.

In Sections VI through VII we turn our attention to analyzing the policy’s effects as these relate to public safety and the Police Department. Section VI uses quantitative information from the Police Department (including calls for service data and Uniform Crime Reports data) to focus on an analysis of trends in crime and calls for service to examine whether or not the policy may have contributed to change in either. Because the police department assumes that good policing requires strong police-community relations, Section VII draws on data from the officer survey and the community survey to investigate the effects that the policy may have had on those relations.

Section VIII uses data from a wide variety of sources—interviews, focus groups, the community survey, reports to the Board of County Supervisors, census data and information from the Virginia Department of Education’s website—to examine the policy’s potential effects on the Prince William County community. And finally, our preliminary conclusions, based on data available so far, are presented in Section IX.
2. The Policy’s History

To comprehend how the County’s immigration enforcement policy was formulated, it is necessary to understand the policy’s genesis in Prince William County’s population growth, the effects of that growth, and the increased visibility of immigrants within the county. It is also important to understand the national political climate, and the way in which the immigration debate was framed.

Disentangling the initial motivations of the policy is challenging because several groups of people took part in shaping the policy over time, and those people had different ideas for what the policy should accomplish. In their interviews, people attributed diverse motivations to those who proposed, modified, passed, and then amended the policy. Some of those descriptions agreed with the descriptions provided by the key actors themselves; others did not. Also, a few key actors expressed multiple—occasionally contradictory—motivations.

2.1. Population Growth in Prince William County

The one part of the policy’s history that everyone agrees on is that it grew out of change in Prince William County. For many years, much of the county had been a rural area beyond the boundaries of Washington, D.C.’s suburbs. It surrounded the city of Manassas in its northwest section and included a stretch of the Interstate 95 corridor in its southwest section, where some modest D.C. suburbs existed. As Washington and its inner suburbs became increasingly expensive and pressure for housing grew, housing developments and shopping areas sprouted in Prince William County.

Table 2-1: Prince William County Population 1960–2000

<table>
<thead>
<tr>
<th>Year</th>
<th>Total population count</th>
<th>Hispanic</th>
<th>%</th>
<th>Black</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>50,164</td>
<td>N/A</td>
<td>N/A</td>
<td>3,965</td>
<td>7.9</td>
</tr>
<tr>
<td>1970</td>
<td>111,102</td>
<td>2,282</td>
<td>2.1</td>
<td>5,806</td>
<td>5.2</td>
</tr>
<tr>
<td>1980</td>
<td>144,703</td>
<td>3,272</td>
<td>2.3</td>
<td>11,918</td>
<td>8.2</td>
</tr>
<tr>
<td>1990</td>
<td>215,686</td>
<td>9,161</td>
<td>4.3</td>
<td>24,677</td>
<td>11.4</td>
</tr>
<tr>
<td>2000</td>
<td>280,813</td>
<td>27,338</td>
<td>9.7</td>
<td>52,691</td>
<td>18.8</td>
</tr>
<tr>
<td>2007 (est.)</td>
<td>352,773</td>
<td>64,402</td>
<td>18.3</td>
<td>67,528</td>
<td>19.1</td>
</tr>
</tbody>
</table>

Table 2-1 shows the county’s growth since 1960, before the Interstates were built. With population growth came increased population diversity. The county’s African-American population grew notably between 1970 and 2000. Growth in the Hispanic population came later, starting in the 1990’s, then accelerating.4

Prince William County was largely successful in integrating and accepting the diverse newcomers as the county grew. This is evidenced in the results of the Center for Survey Research’s annual Citizen Survey conducted for the County since 1993. These surveys ask residents for their overall rating of the quality of

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4 U. S. Census Bureau (1960–2000).
U. S. Census Bureau (2007).

Prior to the 2000 U.S. Decennial Census, respondents were only able to select a single race. In both the 2000 Decennial Census and the 2005–2007 American Community Survey, however, respondents could be categorized as being of “two or more races.” When reporting information for these recent surveys, our table includes only the total population of blacks in PWC who selected being “black or African American alone.” In the 2000 Decennial Census, an additional 10,178 respondents from PWC (3.6% of the population) selected being of “two or more races;” they are not represented in this table. Similarly, 9,217 respondents (2.6% of the population) in PWC selected being of “two or more races” in the 2005–2007 American Community Survey; they are also not represented in this table.
life in the county and their desire to live there in the future. Historically, African-Americans consistently gave the county high marks on these measures that almost equaled the scores given by white residents. Until recently, Hispanics also gave good ratings to the county as a place to live. Prof. Vickerman carried out a detailed study of the racial experiences of African-American residents of Prince William just a few years ago.\(^5\) His interviews with African-American residents revealed that, overall, black residents, who were comfortable to affluent, enjoyed living in the county because of its quality of life (e.g., services and physical beauty). Most had moved there because of a combination of this quality of life and (at the time) lower real estate prices compared to surrounding counties. (The presence of the Quantico Marine base was another factor drawing blacks to the area.)

We do not wish to paint an overly rosy picture of race relations in the county, however. In their interviews, African American residents also reported continued racial discrimination, such as recurring negative racial experiences on the job (though not only in PWC), while shopping and, more rarely, with neighbors. It is fair to say, however, that Prince William County has not had a history of unusual racial or ethnic animosity in recent decades.

The county was one of the fastest growing counties in the nation in the 2000–2007 period, with a 28.3% population increase.\(^6\) Further, almost two-thirds of that growth was in the immigrant population, both naturalized citizens and non-citizens (which includes people who are legally in the country as residents or on work visas and those who are in the country illegally).

Fast growth inevitably produces strains as counties find that their infrastructure and social services must be expanded. In PWC, previously rural roads became congested, schools were full and time on soccer fields in the county was at a premium. Additional tensions arose as the Hispanic population grew, increasing from under 10% of the population in 2000 to over 19% of the population in the 2005–2007 period.\(^7\) In addition, 54% of immigrants living in PWC in 2006 were from Latin America, a dramatic rise from the 28% in 2000.\(^8\)

Population growth also affected the schools. In addition to almost 50% growth in the absolute number of students in the school district, which rose from 50,000 to 73,000 between 1998 and 2007, the number of students with limited English proficiency rose from 1362 to 13,404, an almost tenfold increase. The proportion of all PWC students who had limited English proficiency rose from 3% to 18%,\(^9\) making foreign language speaking students a much more visible part of the school population. Much of the growth in foreign language students was among the Hispanic population.

It is important to note that the growth in the Hispanic population occurred unevenly across the county and was particularly strong in the areas around Manassas and Woodbridge.\(^10\) As a result, certain neighborhoods experienced a great deal of change, whereas others experienced far less. For example, in 2000, one elementary school had a population that was over 40 percent Hispanic (43%), and four others had populations between 30 and 38 percent Hispanic. In 2007, seventeen schools had populations that were over 40 percent Hispanic—half of those had student enrollments of 50 percent or more Hispanic.\(^11\) Almost all those schools were located near or in Manassas and Woodbridge.

Therefore, although population growth in general was perceived as a challenge for the county, for some PWC residents the larger problem was the influx of immigrants that had produced new social problems and cultural clashes in their neighborhoods.

\(^5\) Vickerman (2007).
\(^7\) U.S. Census Bureau (2000–2007).
\(^8\) Singer et al (2009).
The policy was initiated by the elected leadership in response to a growing chorus of community concerns expressed in citizens’ time and probably in direct email with Board Supervisors about some community conditions that were viewed as detrimental by most folks here in the county, and those included things like residential overcrowding, a very large number of vehicles associated with one address and parked all over the place, including front lawns, a deterioration of property standards—some of which were violations of our property code; some of which were representatives of cultural differences—such as chickens in the back yard, which clearly is [also] a violation—a different approach to outdoor activity, things being stored outside, vehicles being parked on the lawn, parties…involving music and drinking late at night…and there were some vehicular accidents linked back to illegal immigrants.

Craig Gerhart, County Executive

Our neighborhoods were being overrun by Hispanics who were buying houses and moving 10 gentlemen in, parking on the lawns, there were gangs, and the politicians were responding to the community.

In PWC, there was a lot of growth, a lot of building going on, and so there were a lot of laborers here in order to build those houses....And it wasn’t one family per house, one mom, dad, children—it was 10 men, 10 cars and drinking all night and being disruptive in a quiet neighborhood.

Ex-PWC Resident who Works in the County

There had been some efforts to deal with problems associated with illegal immigration—major overcrowding. And there were attempts in Manassas city to do something to address this and the result was that...advocacy groups—all pretty much from outside—descended on City Hall to prevent them from taking any action to prevent overcrowding...—there was a great amount of frustration—[the Manassas residents] felt under-armed and ill-prepared to deal with the issues— not only did the residential overcrowding continue but it got worse and worse and worse. As the influx continued, there was massive immigration—people having their parked cars hit by someone who doesn’t have a drivers’ license and doesn’t speak English, illegal immigrants who had committed crimes, it raised people’s consciousness.

Greg Letiecq, President, Help Save Manassas

Advocates against the policy, in contrast to those who supported it, did not think that housing overcrowding was responsible for the policy.12

People welcome diversity in moderation, and we think this particular group was uncomfortable with the changing demographics here and were looking to drive people away.

Nancy Lyall, Mexicans Without Borders

Similarly, during a focus group patrol officers indicated that after the policy went into effect they saw evidence that some supporters of the policy viewed it as a way of ridding their neighborhoods of Hispanics in general and not just illegal immigrants. It is not uncommon to see conflicts develop in urban neighborhoods between ethnic or racial groups with differing lifestyles as they compete for jobs, living space and arenas for cultural expression. For some of the residents involved, ethnic and language differences can become a symbol of competing interests and definitions of community boundaries. These

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12 It is difficult to know to what extent overcrowded housing existed in the county. According to federal housing estimates, the number of housing units in Prince William County grew from 98,000 to 134,000 between 2000 and 2007, a 37% increase. The average number of people per unit actually declined from 2.8 people to 2.6 people. These figures, of course, do not account for illegal immigrants, for which there is no good estimate, but if we assume that illegal immigrants added an extra 40,000 to the county’s population, the average number of people per housing unit would only have risen to 3 people. It is likely that overcrowding was less of a problem than indicated, but that there were some visible cases that affected people’s perceptions.
processes can develop in changing suburban neighborhoods as easily as they do in the city neighborhoods that urban sociologists have so richly described in the past (for example, Hunter 1974, Suttles 1972). In fact, research in both Europe and the United States has shown that anti-immigrant sentiment tends to be greater (among the dominant groups) in areas where there are large numbers of immigrants and/or when these groups perceive an increase in the size of minority groups in their areas.

2.2. National and Local Efforts to Restrict Illegal Immigration

Tensions in Prince William County over undocumented immigrants reflect broader tensions nationwide, as these immigrants have increasingly moved to non-traditional destinations. One aspect of this demographic shift, resulting from efforts in the early 1990s to close the nation’s southern border, has seen undocumented immigrants move to such upper Midwestern and western states as Iowa, Nebraska, Arizona and Colorado. An even more pronounced movement has been occurring along the eastern seaboard, with states in that part of the country—especially in the South—reporting significant spikes in their Hispanic populations. For instance, between 1990 and 2005 the number of Hispanics in Georgia, Kentucky, North Carolina, and Tennessee increased by over 200 percent. Maryland, South Carolina, and Virginia registered an increase of between 100 and 200 percent. The other relevant aspect of the recent wave of Hispanic migrants is that many are increasingly bypassing cities and going directly to suburbs.

Northern Virginia, in general, and Prince William County in particular, are examples of this trend. A national political debate has grown over how to address problems perceived as arising from the growth in immigration. In the national debate, groups critical of immigration—notably the Federation for American Immigration Reform (FAIR)—argue that competition from illegal immigrants hurts American workers and businesses and that immigrants are straining local school and human services budgets. For FAIR and these other groups, immigration needs to be reduced and illegal immigration, especially, needs to be halted. In contrast, groups sympathetic to immigrants argue that American employers are partially responsible for the growth in immigration because they hire immigrants for jobs that native born Americans will not take. This debate has resulted in a number of local strategies, ranging from attempts to provide sanctuary to illegal immigrants to attempts to remove them from communities.

Prior to the actions taken by the Prince William County Board of County Supervisors, efforts had been made in other northern Virginia communities to restrict illegal immigration. The Town of Herndon had attempted to prevent day laborers from congregating, and it established a 287(g) agreement with the Federal Immigration and Customs Enforcement Agency (ICE) in 2007. The Manassas City Council (Manassas is an independently governed city surrounded by Prince William County) passed a resolution in December 2005 that restricted extended families from living in one home in order to address what its advocates saw as overcrowding in homes that was above legal limits. After widespread questions about its legality and strong advocacy from Mexicans Without Borders and a fair housing organization, the Council rescinded its policy in January 2006.

2.3. Participants in Crafting the Policy

As with all public policies, a range of people were involved in crafting and presenting the policy to the Prince William County Board of Supervisors. Among the key players were citizens who belonged to Help Save Manassas, a local activist group formed to limit illegal immigration in the county. This group, although perceived by some of our informants as far to the right of the political center, generated

13 Hunter (1974); Suttles (1972).
Recent research by Berg (2009) has shown that core networks mediate conflicts between whites and immigrants, either strengthening or weakening them. Specifically, participation by white Americans in tighter or older core networks is associated with less tolerance for immigrants, while involvement in educated networks, or those involving non-whites, correlates with greater tolerance toward immigrants.
extensive, vocal public support for the policy. A County supervisor worked with the Immigration Reform Law Institute (IRLI), an affiliate of FAIR, to craft the initial language of the proposal. The Chairman of the Board of County Supervisors was vocal in his support of the proposal during his re-election campaign in fall 2007. By early October of 2007, as seen in a Washington Post survey of the region, 61% of likely voters in Northern Virginia called illegal immigration a problem where they lived. In Prince William, “half of all residents called immigration the most or second-most important issue facing the state, and a majority classified illegal immigration as a very serious local problem.”\textsuperscript{17} Other supervisors, also up for re-election in the fall, voted for various versions of the policy but suggested that additional work be done to ascertain the feasibility of implementing the resolution as initially proposed. Finally, the County Executive, County Attorney, Chief of the County Police Department, and their staffs were all involved in making modifications to the resolution.

### 2.4. The Initial June 2007 Immigration Enforcement Proposal

At the June 25, 2007 regular Board of County Supervisors meeting, Supervisor John Stirrup proposed a policy resolution restricting social services to illegal immigrants and directing the police department to inquire into the immigration status of everyone detained\textsuperscript{18} in routine work. At that point, therefore, the policy was expressly directed toward all illegal immigrants.

Overall, interviews with the police, County staff and some of the supervisors indicated that the proposal, its breadth and the speed with which its proponents pushed for a decision took them by surprise:

Supervisor Stirrup brought this up and said, “I have an issue with illegal immigration and here’s this policy I’d like you to take a look at, and I’d like to vote on it in two weeks,” which is generally our policy. You can introduce an issue and vote on it in two weeks. [But] this is not your typical issue, obviously there were a lot of broad issues that we had to consider and that’s why it took us some time to go through the analysis and also arrive at the policy position that we have today, which is significantly different than the one that was first introduced.

…My first reaction was that this was not something you could decide on in two weeks; my initial reaction was that it was kind of, um, sudden. But at the same time I thought…it was at least something that merited consideration, we had already established a 287(g) program in our jail about six months prior to that, where we were basically having our jail identify inmates who were not legally present and give their names to immigration and customs enforcement, and the idea of extending that training to the police in appropriate circumstances, again, mainly related to what I would call criminal illegal aliens [emphasis added].

Supervisor Michael May

Despite the surprise, there were earlier indications that immigration enforcement was becoming an issue in the county. In 2005, as the City of Herndon was cracking down on day laborer sites, a Prince William County supervisor requested the Board’s permission to convene a task force to look into how to better manage such sites in PWC. The task force recommended that the County apply for federal money to create an indoor site in a commercial area, but the supervisors did not discuss the report in any detail:

It got no reception at all, the board received the report, they didn’t want a presentation, and the political instincts of the board were already attuned to the fact that this was not an issue that they would be successful with—if they were willing to accommodate day laborers. Then [things] got quiet until [the immigration enforcement issue] resurfaced in the fall and winter of 2007.

Craig Gerhart, County Executive

\textsuperscript{17} Washington Post (2007, October 24).

\textsuperscript{18} The definition of “detained” refers to people stopped by the police for diverse reasons ranging from traffic violations, being intoxicated in public to questioning them about criminal activity.
In May 2007, a freedom of information act request was filed with the County Attorney’s Office for the release of a Police Department policy, General Order 26.05, pertaining to the Department’s approach to immigration status checks, which were limited. Following the Department’s custom of refusing to release the Department’s general orders, which specified police procedures and thus could potentially place the Department’s staff in hazardous situations, Chief Charlie T. Deane refused the request.19

On June 5, 2007, Supervisor Stirrup requested a copy of the general order, and on June 12th, the County Attorney received another FOIA request for General Order 26.05, which the Chief then decided to release in order to quell suspicion that the Police Department was hiding something or that the policy was intended to protect illegal immigrants, which some residents believed.20 In fact, the leader of Help Save Manassas referred to it in an interview as “akin to a sanctuary policy.” In addition to his decision to release the document, the Chief also wrote a letter to the Board of County Supervisors that detailed the reason for his decision.

In the two weeks following the policy’s introduction on June 25, 2007, advocates for the policy organized an email and telephone campaign aimed at convincing the Board of Supervisors to vote to support it. Their tactics proved to be well chosen. As a subsequent political analysis in the Washington Post put it, “In the end, the quiet, coordinated, Internet-savvy lobbying efforts of the pro-crack down camp won over…the mass mobilization techniques of their opponents.” Supervisors indicated that their constituents were very concerned about the issue; they received numerous e-mails and faxes.21 At the same time, County staff and the Police Department requested that the Board of Supervisors give them time to study the proposal and ensure its legality and feasibility.

From the Police Chief’s point of view, mandating the department to inquire into the immigration status of all detainees would severely drain Department and other County resources, expand the role of the Department’s mission beyond traditional policing and into what has traditionally been a federal responsibility, impact public trust in a negative manner among immigrant communities leading to fear of cooperation in reporting crime and assisting police, set unrealistic expectations and would not address things such as day laborer issues. He was also concerned that it would lead to further jail overcrowding.

From the County Attorney’s point of view, a clause in the initial draft noting that citizens could request a writ of mandamus from the courts if County departments and agencies did not follow the mandate potentially placed County staff in additional legal jeopardy, primarily by indicating that the Board supported such citizen actions. And from the County Executive’s point of view, there needed to be careful assessment of County services that could legally be withheld from illegal immigrants, were already being withheld as a result of state or federal law, or could legally be withheld but not without financial or other costs to the County and its residents.

By July 10, 2007, several changes had been made to the resolution. Instead of directing the police to ask after the immigration status of all people detained, it mandated them to ask about immigration status if there was “probable cause” to believe that the detainee might not have legal documentation to be in the United States. The Board directed the Police Department to define “probable cause.” The redrafted resolution also directed the County staff and the Police Department to undertake reviews of the policy’s impact on their operations: The County staff had 90 days to review the potential effects of withholding County services from illegal immigrants, and the Police Department had 60 days to figure out a way to implement the policy. With the changes to the resolution, and after a tumultuous public hearing at a Board meeting that lasted until 2:30 am on October 17,22 the Board of County Supervisors voted unanimously in favor. Thus, although the policy passed, its implementation was delayed for several months.

19 For a profile of Chief Deane, see Mack (2008, July 24).
20 Deane (2007b, June 15).
2.5. Refining the Policy and General Order 45

In the following 90 days, County agencies, working closely with the County’s Attorney and County Executive, discovered that relatively few services that were not already denied to illegal immigrants could be withheld. Many services, such as TANF, child care subsidies and health insurance, are already restricted to legal immigrants and citizens. Others, including public health services such as immunizations, are focused on ensuring the safety of a population, and excluding certain groups from those services is potentially dangerous to other residents. Denying the use of roads and County parks would be impractical. The County staff, however, found eight relatively small programs that could legally and practicably be restricted to legal residents. They included home repair assistance and a tax break for elderly residents.

The Police Department began its own careful study of immigration law and the potential for local intervention in an issue under federal jurisdiction. The Board had never asked the Police Department to implement a policy change of this magnitude in such a short period of time. In an August 31, 2007 report to the Board of County Supervisors, the Chief outlined a new policy, General Order 45: “The Police Department will investigate the citizenship or immigration status of any person who is lawfully detained for a violation of a state law or County ordinance, if there is probable cause to believe such person is in violation of federal immigration law and when such inquiry will not expand the duration of the detention. Racial profiling is expressly prohibited, as emphasized in existing General Order 2.01, Section C, 56.”

In addition to the new general order, the Chief suggested the creation of a new “criminal alien unit,” whose officers would receive 287(g) training and be authorized by Immigration and Customs Enforcement to act on its behalf and issue federal detainers on illegal immigrants.

Chief Deane had four major concerns that he wanted to address in the policy’s implementation:

Immigrants would feel intimidated, trust the police less and be less willing to report crimes, resulting in a more dangerous community.

Residents who supported the policy might have expectations surpassing the local police department’s authority to address the immigration issue. For example, although police officers can check the federal databases for criminal immigration warrants and act on criminal warrants that exist, they have no authority to detain illegal immigrants who have no criminal warrants and who have not committed a local criminal offense. To address those concerns, the Chief requested that the Board of County Supervisors authorize an extensive public education campaign about the policy.

The policy would result in lawsuits of racial profiling against the Police Department. To address this concern as much as possible, he suggested that the Board provide sufficient funds to provide adequate training to all officers. As we shall see, the training only partially addressed his concerns about vulnerability to allegations of racial profiling, and his concerns grew over the coming months.

Jail overcrowding, already a problem, would intensify. ICE, the Chief pointed out, did not have its own jail facilities, and if the County jailed larger numbers of people, the already overcrowded Adult Detention Center would become more so.

In developing General Order 45 for carrying out the PWC Board’s mandate, PWCPD examined federal and state laws pertaining to immigration; consulted with prosecutorial authorities including the U.S. Attorney’s Office, the Virginia Attorney General, the Virginia Commonwealth’s Attorney’s Office, and the County Attorney’s Office for Prince William County; investigated research and other documents on immigration enforcement efforts around the country; and participated in national forums on immigration. In total, PWCPD estimates that it devoted 1,200 personnel hours to this effort.

PWCPD planned a three-pronged approach:
1. Make the following required changes:
   a. Revise the Immigration Enforcement Policy
   b. Create the Criminal Alien Unit – acquire Fed authority (287g).

2. Implement an extensive public education program to inform the public of the facts regarding the new initiative.

3. Retain a research group to evaluate the impacts of the new policy.

In crafting its policy for conducting immigration checks, PWCPD was limited by the fact that local jurisdictions do not have the authority to enforce federal immigration laws. Consequently, PWCPD officers cannot detain or arrest persons solely for suspicion of being an illegal immigrant. However, local officers do have the authority to check the immigration status of persons who are lawfully detained for suspicion of violating state or local statutes. (This was true even before the policy.) If a suspected illegal immigrant has not committed an offense requiring arrest under state or local law, an officer may arrest the subject under certain circumstances: i.e., there is a criminal ICE detainer for the subject; the subject is a convicted felon who was previously deported; or the officer has reason to believe that the subject will not appear in court to answer for a summons offense (e.g., due to being in the country illegally). Absent these circumstances, however, officers cannot arrest a person for being an unauthorized immigrant.

In keeping with the PWC Board’s mandate that PWCPD undertake a cooperative 287(g) enforcement program with ICE, PWCPD also established a 7-member Criminal Alien Unit (CAU) to undergo federal 287(g) training. PWCPD allocated six officers and a crime analyst to CAU and tasked them with a mission to focus specifically on the apprehension and deportation of serious immigrant offenders and to conduct special investigations into operations like document mills that provide false identification. In order to avoid alienating the legal immigrant and broader Hispanic community, PWCPD has kept the CAU focused on serious offenders and has not used the unit to conduct sweeps or round-ups of suspected illegal immigrants.

Finally, PWCPD designed a public education effort with two broad goals. One was to assuage fear and distrust that the policy might cause in the immigrant community. The other goal was to inform the broader public, and particularly those in favor of the policy, as to what the police could and could not do under the policy.

**2.6. The October 2007 Resolutions**

Given the legal and practical challenges to the initial proposal, the Board of Supervisors passed two resolutions pertaining to the policy in October 2007. The first, passed on October 2, 2007, accepted the reports of the Chief and the County Executive and directed the Police Chief to make General Order 45 public. On October 16, 2007—after the contentious 15 hour Board meeting mentioned above—the Board of County Supervisors passed a resolution that accomplished several tasks: It directed County staff to restrict eight local service programs to those with legal documentation to be in the US. It also directed the Chief to implement General Order 45 by March 1, 2008, establish a seven-person criminal alien unit, conduct a public information campaign, and hire a qualified evaluator. It also directed funds toward those efforts.

An important aspect of this sequence of events was the public, extended, and sometimes acrimonious nature of the debate over the proposed policy. Press coverage was continuous and sometimes shrill. The

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25 This provision is specified under Virginia law.

26 Circumstances under which this might occur include summonses for driving without an operator’s license or committing a summons offense and the subject’s identity cannot be verified.

27 This addressed the Chief’s concern that if the actual language of some of the Police Department’s general orders were made public, the Department might lose its legal ability to restrict the release of other general orders that could put police officers at risk. The resolution explicitly stated that the release of General Order 45 did not waive the Department’s or the Board of Supervisor’s rights to exempt other general orders from Freedom of Information Act requests.

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national media picked up the story; it was in the local papers, the Spanish press,\textsuperscript{28} the Post, and played on cable news shows. The press brought heightened attention to the sentiments of the policy’s proponents, the consternation of the policy’s opponents, and the fears and concerns of local Hispanic residents. There can be no doubt that this visible and rancorous community conflict played a role in the subsequent responses of some residents. Thus, while our primary concern is to evaluate the policy’s effects, these cannot be completely separated from the effects of the public conflict that surrounded the policy from the start.

2.7. Further Modifications to the Policy and General Order 45.01

In late fall 2007 and early winter 2008, as the Police Department prepared to implement General Order 45, the Chief and the County Attorney’s Office became increasingly concerned about the probability of racial lawsuits against the department.\textsuperscript{29} At issue was the “probable cause” standard in General Order 45, which mandated officers to inquire into immigration status if they had probable cause to think a person might be in the country illegally. In the view of the Chief, the issue was not if the department would become subject to those complaints and lawsuits, but when. Emotions in the county were running high, local and national newspapers were covering the issue, and online blogs on both sides were very active. Training his officers was one safeguard against such lawsuits, but the Chief also thought that the Department would benefit from cameras in patrol cars. Cameras would provide the evidence to protect officers from unfounded lawsuits as part of the Department’s overall risk management approach. For this reason, PWCPD advocated the purchase of cameras for all patrol cars so that encounters between police and citizens would be recorded and could be available for use in court if needed. After suspending General Order 45 at the end of April 2008, PWCPD formulated and later implemented the new policy (General Order 45.01) on July 1, 2008. Another benefit to the current policy in the view of PWCPD is that it more clearly focuses immigration efforts on those who have committed criminal acts, a policy for which there seems to be more public consensus.

The cost of the cameras—an estimated $3.2 million—was prohibitive in a county that was facing numerous housing foreclosures, dropping home values and reduced tax revenues. In lieu of cameras, a modification to the policy was proposed and passed by the Board on April 29, 2008, which would mandate officers to conduct immigration checks only of arrestees. Pre-arrest immigration status checks were to be conducted at the officer’s discretion.\textsuperscript{30} Although post-arrest immigration status checks were already being done in the Adult Detention Center, where everyone’s status was being checked under the 287(g) agreement that had been put into place the previous July, the new resolution also covered individuals who were arrested but not detained in the Adult Detention Center. Those people constituted a significant portion of all arrested persons.

2.8. The Role of the Policy’s Opponents

We have said little about those people who opposed the policy, primarily because they had little impact on how it was shaped, although there were residents and community leaders who opposed the policy. Mexicans Without Borders, an immigration support and advocacy group that had organized to oppose the Manassas housing zoning policy, appeared to have been caught off guard when the resolution was proposed in June and passed in July 2007. However, it quickly organized during summer and fall 2007.

\textsuperscript{28} See, for example, Prince William: Una Tierra Prohibida [Prince William: A Prohibited Land]. (2007, February 29), Washington Hispanic, p. 1. The banner headline accompanied a Spanish-language news story that begins: “For many years the United States was considered by many immigrants as the land of promises, not only for the work opportunities but also for the quality of life improvements it could offer families. But, on March 3rd a new anti-immigrant resolution goes into effect that gives the police the authority to act like immigration agents in Prince William, in the state of Virginia, and change this region into a land prohibited for undocumented people…the measure has provoked a mass exodus of immigrants to other neighboring states that are more friendly to immigrant communities.” [Translation: Nicole Fedoravicius.]

\textsuperscript{29} Racial profiling is specifically prohibited by PWCPD policy.

\textsuperscript{30} PWCPD may still find itself open to charges of racial profiling in the conduct of these discretionary inquiries. Nonetheless, as discussed elsewhere in the report, this has not been an issue thus far.
marshalling a rally in front of a County office building and a week-long boycott of local businesses. The
group also encouraged people to attend Board of Supervisor meetings to speak out against the resolution.

The opponents’ limited impact in the debate over the resolution was probably due to several factors. The
debate took place in an election year, and some believe that the fact that many members of Mexicans
Without Borders are not citizens and cannot vote meant that supervisors would not include them in their
political calculations for the elections.31 Second, several people have said that differences in strategies
between the policy’s proponents and opponents contributed to the opponents’ lack of success in altering
the policy.32 The organization Help Save Manassas organized an email campaign to the supervisors in
support of the policy, and County supervisors indicated that they had received many emails from citizens.
Mexicans Without Borders organized demonstrations. For supervisors facing elections, the individual
words of residents in their districts probably resonated more than the speeches of leaders of an advocacy
group. Finally, the initial resolution was passed so quickly that it took the opposition by surprise, and they
were late to organize.

Even though Mexicans Without Borders and other residents who opposed the resolution were
unsuccessful in altering it, they became visible in the local and national press and helped shape the
community debate about what the policy’s effects would be. From their perspective, the policy was anti-
immigrant, tainted with racism, and would lead to legal immigrants leaving the county because they
would be afraid and feel unwelcome in the community.

2.9. Conclusion

Although the supervisors were unanimous in their vote for the immigration-related law enforcement
policy in July and October 2007, they were divided in their thoughts about what the policy should do.
When we spoke with them in summer 2008, the supervisors listed their own motivations for supporting
the policy. Of the five supervisors we spoke with, four had participated in the initial unanimous vote in
October 2007 (the fifth was elected in November 2007 on a platform opposing the policy). Among them,
two indicated that the policy, which they supported and thought would improve public safety, was
directed only toward criminal illegal immigrants. A third supervisor said that the initial motivation was to
try to reduce such neighborhood conditions as overcrowding in homes, cars parked on lawns and crowded
emergency departments in the local hospitals. The fourth supervisor reported that the policy was intended
to remove all illegal immigrants from the county. Members of the Board of Supervisors also thought that
the policy could reduce costs and save the public money, as indicated in the framing of the resolution. The
policy thus has multiple goals, the most important of which are:

• Improve public safety;
• Reduce the number of illegal immigrants in the county;
• Save money by delivering fewer services to illegal immigrants; and
• Reduce neighborhood overcrowding and public disorder, such as loitering at day labor sites and
  public intoxication.

In addition to multiple goals among the people who passed the policy, there was also concern that the
policy would have some unintended consequences. In particular, it would:

• Create fear and a sense of being unwelcome among immigrants in general;
• Cause immigrants (including legal immigrants) to leave the county; and
• Result in lower crime reporting and greater victimization among immigrants.

31 McKelvey (2007, November 6).
At the request of the Police Department, most of our research focuses on issues surrounding public safety. However, given the multiple goals of the policy’s advocates, the Board, other County officials, and the concerns of some residents, this study also examines whether the policy has reached the remaining goals or resulted in unintended consequences. In Sections 6 through 8, therefore, we will investigate whether or not the policy achieved the County Supervisors’ and the Police Department’s goals. But first, we turn our attention to the policy’s implementation.
3. Criminal Justice Processing of Illegal Immigrants in Prince William County

Before describing the experiences of PWCPD and other criminal justice agencies with the immigration policy and 287(g) process in PWC, we first describe the process by which these agencies have handled known and suspected illegal immigrants since the implementation of General Orders 45 and 45.01. This process is detailed in figures 3-1 through 3-3. Figures 3-1 and 3-2 describe the processes followed by PWPCD under General Order 45 and 45.01, respectively. Figure 3-3 then depicts the handling of illegal immigrants by local (state-appointed) magistrates and by the Prince William – Manassas Regional Adult Detention Center (ADC), which serves as the local jail in PWC.

3.1. PWPCD Policy under General Order 45

Under the original version of PWCPD’s immigration policy that was in effect from March 1, 2008 through April 29, 2008 (General Order 45), officers were instructed to inquire into the citizenship or immigration status of persons who were lawfully detained for a violation of state or local law, provided that the inquiry did not unreasonably extend the detention (see Figure 3-1). Although officers had a constitutional right to conduct such inquiries before General Order 45, the Order mandated these checks. The policy had no material effect in cases where officers had probable cause to arrest persons for violations of state or local law; in these cases, immigration checks would be conducted by jail personnel pursuant to the subject’s arrest, which became standard practice in July 2007 (see below). Further, even before the implementation of General Order 45, PWCPD officers were expected to check the names of traffic violators, criminal suspects, and arrestees against federal National Crime Information Center (NCIC) databases and to hold any such persons wanted for criminal immigration violations (memo from PWCPD Chief Charlie Deane to the PWC Board of Supervisors, June 15, 2007). But in cases where probable cause did not exist for an arrest, General Order 45 gave officers authority to extend the detention if their initial contact with a detainee yielded a reasonable suspicion that the person was an undocumented or illegal immigrant. The Order mandated an immigration check if further investigation produced probable cause to believe that the detainee was in violation of federal immigration law.33

If the check indicated that the detainee was an illegal immigrant for whom the federal Immigration and Customs Enforcement agency (ICE) had issued a criminal detainer, officers were to arrest the subject for subsequent processing by ICE or PWCPD’s Criminal Alien Unit (CAU). If, in contrast, the check indicated that the detainee was not an illegal immigrant, officers merely noted the contact on a field interview card, as is customary for all field detentions. These cards were then forwarded to PWCPD’s crime analysis unit for normal storage and analysis.

If the immigration check indicated or suggested that the detainee was in the country illegally but showed no ICE detainer, officers recorded the contact on a field interview card that was then forwarded to ICE and CAU for discretionary follow-up. It is important to note that officers without 287(g) training—i.e., those not part of the CAU—could not arrest detainees for federal immigration violations absent an ICE detainer or evidence that a detainee was a deported felon.

However, suspicion that a subject was an illegal immigrant might lead an officer to arrest the subject if the officer had grounds for issuing a summons to the subject and felt there was reason to believe that the subject would not appear in court for the summons. Further, subjects may be arrested for summons offenses if they lack identification. They may also be arrested anytime they present false identification.

3.2. Current PWCPD Policy under General Order 45.01

Figure 3-2 depicts police procedures under the revised policy that went into effect in July of 2008. Officers are no longer required to run immigration checks on suspected immigrants that they detain.

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33 As discussed in Section 2, PWCPD commanders were initially concerned that the subjectivity inherent in defining reasonable suspicion and probable cause in this context would make the Department vulnerable to accusations of racial profiling.
without arrest, but they still have discretion to conduct such checks if they have reason to believe that someone they have detained is an illegal immigrant. However, the new policy mandates that officers run immigration checks on all arrestees.

When an immigration check indicates or suggests that an arrestee is an illegal immigrant, the arresting officer records this information on a field interview card that is forwarded to CAU for discretionary follow-up. In addition, the arresting officer notifies the magistrate that the arrestee is a suspected illegal immigrant so that the magistrate can take this information into consideration for the determination of release and bail (we say more about the role of magistrates below). Finally, officers notify CAU and through it, ICE, when they find that an arrestee has an ICE detainer.
Figure 3-1: Processing of Suspected Illegal Immigrants by PWCPD under the Original Immigration Policy (General Order 45)

Lawful Detention

Physical arrest occurs for a violation of state or local law. Officer has probable cause that person is in Country Illegally.

Mandatory Immigration Status checks

Person is suspected of being in Country illegally

Suspect is brought before Magistrate and determination is made on detention (see Figure 4.3 for process) illegal immigration status is relayed. Field Interview card forwarded to ICE.

Discretionary follow-up by CAU unit or ADC 287G places an ICE Detainer.

Officer has probable cause that person is in Country Illegally

Mandatory Immigration Status checks

Person is suspected of being an illegal alien and a Criminal ICE Warrant / Detainer may exist

Summons or warning issued and / or Suspect may be arrested and brought to magistrate / ADC. ICE Warrant / Detainer may be served. Field Interview card forwarded to ICE.

Discretionary follow-up investigation by CAU

Person is suspected of being an illegal alien. No Criminal ICE Warrant / Detainer exists

Summons or warning issued. Field interview card is forwarded to ICE.

Discretionary follow-up investigation by CAU

Person is not suspected of being an illegal

Summons or warning issued; no Field Interview Card completed as person is not suspected of being an illegal alien.

Developed in consultation with the Prince William County Police Department.
Figure 3-2: Processing of Suspected Illegal Immigrants by PWCPD under the Current Policy (General Order 45.01)

Developed in consultation with the Prince William County Police Department
3.3. PWCPD Contacts with Suspected Illegal Immigrants, March 2008–December 2008

According to PWCPD’s 2008 Crime Statistics report (PWCPD, 2009: 14), officers made 1,013 contacts with suspected illegal immigrants from March 1, 2008 through December 31, 2008, a period that includes both versions of the immigration policy. Contacts per month are shown below:

Figure 3-3: PWCPD Contacts with Suspected Illegal Immigrants

Officers made an average of 123 contacts per month (and 246 in total) during March and April when General Order 45 was in effect. This dropped by roughly half to 65 per month during May and June 2008, when PWCPD had no new official policy in place. Following the implementation of General Order 45.01 on July 1, 2008, PWCPD officers had 637 contacts with suspected illegal immigrants for the remainder of the year, thus averaging 106 contacts per month. Contacts with suspected illegal immigrants declined during the last few months of the year. In December, only 58 contacts were reported, which was the lowest number reported since May. Supplemental data provided to us by PWCPD indicate that 98% of the subjects involved in these contacts were confirmed as being in the country illegally; hence, it appears that officers have been successful in focusing their immigration checks on illegal immigrants rather than legal ones.

Contacts with suspected illegal immigrants occurred for a variety of reasons including traffic stops, calls for service, checks of suspicious people and vehicles, and warrant service. Nearly two-thirds of these contacts (63%) involved an arrest, 25% involved only a field interview, and 12% involved release with a summons. These figures demonstrate that not all illegal immigrants identified by PWCPD are arrested, though illegal immigrants are most commonly identified during an arrest incident.
During the period of General Order 45, half of the contacts with suspected illegal immigrants involved an arrest. This share increased to 68%, or by about one-third, after General Order 45.01 went into effect. During November and December, the two most recent months for which we have data, 87% of contacts resulted in an arrest. These figures suggest that while there may be fewer illegal immigrants in PWC to be arrested, those remaining are more likely to be arrested if they come into contact with the police.
3.4. The Role of Magistrates and ADC in the Processing of Illegal Immigrants

After processing by PWCPD, arrestees are brought before state-appointed magistrates who make decisions about pre-trial release and bail. Magistrates are not required to detain suspected illegal immigrants that do not have ICE detainers. Under this circumstance, a magistrate may release a suspected illegal immigrant on personal recognizance or bail if the subject has not committed a serious offense, is not a danger to anyone, and appears to have strong community ties. Magistrates estimate that roughly one-third of suspected illegal immigrants are released without detention. However, illegal immigrant status does create more of a tendency in favor of detention; the estimated release rate for suspected illegal immigrants is substantially lower than the 75% release rate estimated for all arrestees. The police are supposed to notify the magistrate and the jail if they think somebody is illegal.

Arrestees not released by a magistrate are taken to ADC where they are screened by intake officers. In accordance with requirements established by state law in 2007, ADC intake officers screen arrestees for illegal immigration status based on three criteria: 1) a birthplace outside the United States; 2) lack of a social security number or use of a false social security number; and 3) non-U.S. citizenship. Arrestees meeting one or more of these criteria are referred to ADC’s 287(g) unit whose members interview the arrestees and run various database queries on them. ADC’s 287(g) unit serves the appropriate documents on arrestees identified as illegal immigrants, places detainers on them, and notifies ICE. ICE then takes custody of the arrestees after they have served any applicable sentence(s) for their state and/or local offense(s). Anyone not taken by ICE is released after serving his or her sentence.

As of September 2008, the 287(g) officers were running checks on approximately 350 inmates per month. Further, the unit had processed detainers for 1,739 persons from the start of the program on July 1, 2007 through May 2009.

Because ICE tends to focus its resources on serious offenders and others who have been previously deported, many illegal immigrants arrested for minor offenses (such as public drunkenness) are released back into the community after their stay in jail. However, we have no specific figures on how often this occurs (see Section 5).

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34 Note again that PWCPD officers forward information about all arrested illegal immigrants to CAU for potential follow-up.
3.5. Conclusions

In summary, criminal justice policies for handling illegal immigrants in PWC emphasize the identification and apprehension of illegal immigrants involved in serious crime. The police policy, in particular, has shifted from one that emphasized the detection of illegal immigrants generally to one that focuses on immigrants arrested. In this sense, the current policy seems to strike a balance between a number of political and public safety concerns: i.e., nurturing relations between police and the immigrant community, protecting the PWCPD against claims of bias and racial profiling, and protecting the community from criminal illegal immigrants.

The focus on criminal illegal immigrants is also reinforced by the actions of magistrates, who may release illegal immigrants without detention but appear rarely (if ever) to do so when dealing with persons having serious arrest charges, prior criminal histories, or ICE detainers. Immigration checks conducted by ADC staff on arrestees sent to jail then provide another layer of screening. Finally, PWCPD officers relay information about their contacts with suspected illegal immigrants, including contacts with persons not arrested and contacts with persons arrested but released by magistrates, to the Department’s CAU, which may follow up on cases involving criminal aliens.

At the same time, immigration checks by PWCPD and ADC also uncover illegal immigrants who have been arrested for minor offenses, and this has undoubtedly produced an increase in criminal detainers issued for illegal immigrants who are not serious offenders. ICE takes into custody all those that have been detained in ADC or transported to an ICE facility by the CAU. But how many serious and minor offenders are ultimately deported is unclear because ICE does not report to PWCPD or ADC.
4. The PWCPD’s Experience Implementing General Orders 45 and 45.01

In this section, we review PWCPD’s experience with preparing for and implementing its immigration policy. PWCPD’s immigration enforcement efforts have been twofold: immigration checks for detained or arrested persons and establishment of a Criminal Alien Unit (CAU) that focuses on a select group of serious offenders who are illegal immigrants.\(^{35}\) Our discussion covers both aspects and is based on the following data sources:

1. A department-wide survey completed in the fall of 2008 by 379 sworn members of PWPCD (approximately 70% of PWPCD’s sworn personnel) that examined their experiences with implementing the current immigration policy (General Order 45.01);
2. Interviews conducted with separate focus groups of patrol officers, first-line supervisors, mid-level commanders, CAU detectives, and senior command staff;
3. Ride-alongs conducted by research staff with patrol officers; and
4. Review of training materials and other public information provided by PWCPD.

We begin by reviewing how PWCPD prepared for the policy’s implementation. We then examine the overall experience of the Department with implementing the policy. Finally, we focus specifically on the experiences of the CAU.

4.1. Preparing for the Policy’s Implementation

Preparing for the implementation of the immigration policy mandated by the PWC Board of Supervisors required PWCPD to accomplish a number of key tasks. These included: 1) developing a policy for checking the immigration status of persons who were suspected illegal immigrants; 2) developing and conducting training on the policy for PWCPD officers; 3) forming a special unit of officers to receive federal 287(g) training; and 4) educating the public about the new policy. These efforts contributed to a reported program cost of $1.2 million for PWCPD in fiscal year 2008.\(^{36}\)

4.1.1. Policy Development

Section 2 discussed the concerns that shaped PWCPD’s formulation of both the original and current versions of the immigration policy. In developing a policy for carrying out the PWC Board’s mandate, PWCPD examined federal and state laws pertaining to immigration; consulted with prosecutorial authorities including the U.S. Attorney’s Office, the Virginia Attorney General, the Prince William County Commonwealth’s Attorney’s Office, and the County Attorney’s Office for Prince William County; investigated research and other documents on immigration enforcement efforts around the country; and participated in national forums on immigration. PWCPD estimates that the Department devoted 1,200 personnel hours to this effort.

4.1.2. Training

To prepare for the policy’s implementation, all PWCPD officers underwent training on General Order 45 during January and February of 2008. The training curriculum developed by PWCPD covered several issues. First, it provided background on immigration issues, the mandate of the PWC Board of Supervisors, and the development of the Department’s policy. Training on the specifics of the policy included instruction on how to verify a person’s legal or illegal presence in the country and information about the legal statutes that govern the circumstances under which officers may arrest a person for suspicion of being an illegal immigrant. Materials provided to officers included decision tree diagrams for

\(^{35}\) It does not appear that PWCPD has conducted roundups or sweeps of any sort for illegal immigrants. Indeed, the Department has made regular efforts to assure PWC’s immigrant community that it is not conducting such activities.

\(^{36}\) PWCPD presentation to the PWC Board of Supervisors, September 9, 2008. PWCPD estimates that the program costs in fiscal 2009 will be $898,143 and that the five-year costs of the immigration policy will be $4.5 million.
officers to follow when investigating immigration status, a list of factors that can lead to reasonable suspicion about a person’s immigration status, and information about acceptable documents for proving one’s identify. Both PWCPD and the U.S. Department of Homeland Security developed hypothetical scenarios that officers might encounter in carrying out General Order 45. A representative of the U.S. Department of Homeland Security also provided an overview on immigration law and deportation procedures.

In total, PWCPD devoted 4,884 officer-hours, or the equivalent of 611 officer-days, to this effort. As we discuss below, PWCPD officers felt that the training prepared them well for implementing the immigration policy.

After the suspension of General Order 45 at the end of April 2008, PWCPD retrained officers for the execution of General Order 45.01 which took effect on July 1, 2008. This retraining was relatively simple, requiring only 500 officer-hours in total.

### 4.1.3. Establishing the Criminal Alien Unit

In keeping with the PWC Board’s mandate that PWCPD undertake a cooperative 287(g) enforcement program with ICE, PWCPD also established a 7-member Criminal Alien Unit (CAU) to undergo federal 287(g) training. PWCPD allocated six officers and a crime analyst to the CAU and tasked them with a mission to focus specifically on the apprehension and deportation of serious immigrant offenders and to conduct special investigations into operations like document mills that provide false identification. In order to avoid alienating the legal immigrant and broader Hispanic community, PWCPD has kept the CAU focused on serious offenders and has not used the unit to conduct sweeps or round-ups of suspected illegal immigrants.

CAU members underwent an intensive 4-week federal training regimen that totaled 1,300 hours collectively. This training qualifies CAU members to serve as deputized federal immigration officers.

### 4.1.4. Community Outreach

From the outset, PWCPD commanders have been concerned about the public’s perception of the immigrant enforcement policy and about the policy’s impact on police-community relations, particularly as they pertain to PWC’s immigrant and larger minority community. The PWC Board of Supervisors was also sensitive to this issue and thus required PWCPD to “…engage in [a] public outreach effort, particularly [to the] minority and/or immigrant communities.”

Accordingly, PWCPD designed a public education effort with two broad goals. One was to assuage fear and distrust that the policy might cause in the immigrant community. The other goal was to inform the broader public, and particularly those in favor of the policy, as to what the police could and could not do under the policy.

As of early September 2008, PWCPD conducted more than 100 meetings to discuss the policy with religious organizations, educational and special interest groups representing all sides of the issue, and the media, most of which the Chief attended. The Department had also held sessions with over 300 County employees that included school faculty, school security personnel, and staff from social service agencies. The Department’s senior commanders in particular have devoted much time to these efforts.

In each meeting, the Department personnel discussed their philosophy of carrying out the new mandate in a fair, lawful and reasonable manner. They also emphasized three elements of the policy:

- It would focus on criminal illegal immigrants meaning those who are in the US illegally who commit crimes.\(^{38}\)

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\(^{37}\) PWCPD presentation to the PWC Board of Supervisors, September 9, 2008.

\(^{38}\) Being in the country without legal documentation is considered a civil, not criminal offense.
• The Department would protect crime victims and cooperative witnesses regardless of their immigration status; and

• The Department would not engage in racial profiling.

PWCPD also prepared informational materials, provided in both English and Spanish, to educate the public about the policy. These have included news releases and brochures distributed through meetings, everyday police-citizen contacts, and the Department’s website. The current brochure available from PWCPD provides background and key points about the current immigration enforcement policy. It also includes a “frequently asked questions” section that addresses questions like the following:

• What is the difference between the revised policy and the original policy?

• If a police officer gives me a summons (ticket), can that officer question my immigration status?

• Is it true that immigrants should be afraid of reporting any crimes to the police because if they do, they may be turned over to Immigration and Customs Enforcement (ICE)?

• Does the policy require police officers to ask everyone they encounter for proof of legal residence/status?

• Do I have to carry some form of ID with me wherever I go?

• What forms of identification will officers accept?

As of September 2008, PWCPD reported having devoted 192 officer-hours to these outreach efforts. On a related note, the Department also reported having spent over 1,000 officer-hours on Freedom of Information Act requests pertaining to the immigration policy.

4.2. Officers’ Views and Experiences with Regard to the Immigration Policy

In the fall of 2008, we conducted a survey of all sworn personnel in PWCPD to examine their views on the immigration policies and their experiences implementing them. As described below, most of the survey questions focused on the current policy (General Order 45.01). The survey was completed by 379 officers, or about 70% of the Department’s sworn force. A detailed description of the survey methodology and a presentation of all results appear in Appendix C. In the sections below, we highlight key results from the survey, supplemented by information gathered during our interviews, focus groups, and ride-alongs with PWCPD personnel.

4.2.1. Officers’ Knowledge of the Policy and General Views on the Policy

In our survey of PWCPD personnel, officers were asked the extent to which they agreed or disagreed with a series of statements designed to assess their knowledge of and comfort with PWCPD’s current immigration policy (General Order 45.01). As shown in Table 4-1, officers generally feel comfortable in administering the policy. Eight-four percent of officers agreed or strongly agreed that it is clear how to implement the current policy. Similarly high percentages of officers felt that they had the knowledge, training, and skills to enforce the policy (including competence in asking questions about immigration status and in reviewing identification documents). Our discussions with personnel in various ranks throughout the Department also suggested that officers have a clear understanding of the policy.
Table 4-1: PWCPD Officers’ Knowledge and Implementation of the Current Immigration Policy

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neither Agree nor Disagree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently, I believe it is clear how to implement the PWC immigration policy.</td>
<td>26.0</td>
<td>57.9</td>
<td>9.7</td>
<td>6.2</td>
<td>.3</td>
</tr>
<tr>
<td>I believe I have enough knowledge about the current policy to enforce this policy correctly.</td>
<td>27.9</td>
<td>57.1</td>
<td>11.5</td>
<td>3.5</td>
<td>0</td>
</tr>
<tr>
<td>The training I have been provided by the PWPCD has adequately prepared me to enforce the PWC immigration policy.</td>
<td>27.6</td>
<td>54.7</td>
<td>13.9</td>
<td>3.8</td>
<td>0</td>
</tr>
<tr>
<td>My personal beliefs are supportive of the current PWC immigration policy.</td>
<td>24.0</td>
<td>37.7</td>
<td>27.2</td>
<td>8.1</td>
<td>3.0</td>
</tr>
<tr>
<td>My personal beliefs will have no effect on how to enforce any lawful PWC immigration policy.</td>
<td>66.1</td>
<td>26.1</td>
<td>5.6</td>
<td>1.3</td>
<td>.8</td>
</tr>
<tr>
<td>When appropriate, I have the necessary skills to ask immigration status questions.</td>
<td>38.5</td>
<td>50.4</td>
<td>7.8</td>
<td>3.2</td>
<td>0</td>
</tr>
<tr>
<td>I have the necessary skills to review identification (e.g., driver’s license) for fakes.</td>
<td>31.3</td>
<td>47.2</td>
<td>13.2</td>
<td>8.4</td>
<td>0</td>
</tr>
</tbody>
</table>

*Data were missing for 6 (1.6%) of the respondents. Percentages in the table are based on valid responses.

Philosophically, officers also generally agree with the policy. Nearly two-thirds of respondents (62%) agreed or strongly agreed that their personal beliefs were supportive of the policy; only 11% disagreed with the policy. Interviews with officers revealed further complexity in their views; many seem to feel that the policy is reasonable and prudent, although they also have sympathy for illegal immigrants seeking work and a decent living in PWC. Some noted that the current policy has also had the benefit of standardizing the Department’s approach to immigration inquiries, which helps to insulate the Department against charges of racial profiling.

4.3. **Officers’ Experiences with Implementing the Policy**

Our questions about officers’ experiences implementing the immigration policies focused largely on their experiences with the current policy. Nearly two-thirds of respondents (63%) indicated that they had questioned at least one person about immigration status between July 1, 2008 and the time of the survey (October–November 2008). Among those who had questioned someone about immigration status, most reported having questioned 2 to 5 persons (37% of respondents) or 6 to 10 persons (26% of respondents) (see Table 4-2). About one-third of respondents (31.4%) had questioned more than 10 persons; of this group, most had questioned 16 or more. Officers estimated that most of those stopped were Hispanic; 65% of respondents reported that more than 75% of the persons they questioned about immigration status were Hispanic, and 17% believed that 51% to 75% of the people they questioned were Hispanic.

These results should be interpreted cautiously because they imply that PWPCD officers made at least 1,569 stops of suspected illegal immigrants from July to October/November, which is considerably higher than the 1,013 stops reported by PWCPD for the full period of March 1, 2008 through Dec. 31, 2008 (see...
While this could suggest that officers have not fully documented their contacts with suspected illegal immigrants, we believe the most likely explanation is that officers overestimated these contacts in their survey responses (for example, they may have included contacts that occurred while the first policy was in effect or simply miscounted their contacts). A reasonable conclusion from these data would seem to be that most officers have had recent contacts with at least a few suspected illegal immigrants and that most of those contacts have involved Hispanic subjects.

**Table 4-2: PWCPD Officers’ Estimates of Persons They Questioned About Immigration Status**

<table>
<thead>
<tr>
<th>About how many people over that period [July 1, 2008 to survey date] have you questioned about their immigration status?</th>
<th>One</th>
<th>2 to 5</th>
<th>6 to 10</th>
<th>11 to 15</th>
<th>16 or more</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5.2%</td>
<td>37.1%</td>
<td>26.2%</td>
<td>10.9%</td>
<td>20.5%</td>
</tr>
</tbody>
</table>

*Data are based on 229 officers reporting that they questioned at least one person about immigration status during the period in question.

Officers generally reported that they were well prepared to handle these contacts. The vast majority of officers indicated that the training in immigration issues was “somewhat” (57.7%) helpful or helpful “to a great extent” (26.5%) in making immigration queries. Almost all of the officers were either “very confident” (57.5%) or “somewhat confident” (38.6%) in their ability to question a person on their immigration status.

Other survey items also suggest that officers have had, by and large, a positive or at least neutral experience with the current policy: Most officers either strongly agreed (16.4%) or agreed (48.8%) that the immigration policy is a useful tool for PWCPD, and only 12% felt that the policy is too restrictive (Table 4-3). Nearly 42% gave a neutral response to the latter notion (neither agreeing nor disagreeing), while the remainder disagreed.40

**Table 4-3: Officer Perceptions of General Order 45.01**

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neither Agree nor Disagree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>The policy is a useful tool for PWCPD officers.</td>
<td>16.4</td>
<td>48.8</td>
<td>26.4</td>
<td>7.0</td>
<td>1.3</td>
</tr>
<tr>
<td>The policy is too restrictive for PWCPD officers to do their job.</td>
<td>3.0</td>
<td>9.1</td>
<td>41.7</td>
<td>38.4</td>
<td>7.8</td>
</tr>
</tbody>
</table>

Data were missing for 7 (1.8%) of the respondents. Percentages in the table are based on valid responses.

As shown in Table 4-4, just over half of the officers (51.5%) reported that their overall experience with the policy has been neutral (neither positive nor negative), while 41% indicated that it has been very positive (12.7%) or somewhat positive (28.3%). Our discussions with PWCPD personnel suggest that the neutral response of many officers in the survey likely reflects a mixture of concerns including potentially negative consequences of the policy for police-community relations, doubts about the policy’s impact on crime, and, in some cases perhaps, empathy for the plight of some illegal immigrants. However, this stance also likely reflects the fact that the policy has had little impact on the everyday work of patrol officers, according to most patrol officers and other staff we interviewed. This is particularly true of the

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39 This estimate is based on multiplying the number of officers reporting contacts by the minimum number of contacts they reported.

40 At the same time, however, over one-third of officers felt that the County should take a stronger stance against illegal immigration (see Appendix D). Nearly half (45%) were neutral on this issue, while 18% disagreed.
current policy. Officers indicated to us that they currently deal with immigrants in much the same way that they did before General Orders 45 and 45.01 were implemented. The policy has also had little if any impact on officers’ handling of calls, traffic stops, or other self-initiated activities.

Table 4-4: Officers’ Overall Experience with the Policy

<table>
<thead>
<tr>
<th>Question</th>
<th>Very positive</th>
<th>Somewhat positive</th>
<th>Neutral</th>
<th>Somewhat negative</th>
<th>Very negative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall, since July 1, 2008, what has been your experience with General Order 45.01?</td>
<td>12.7</td>
<td>28.3</td>
<td>51.5</td>
<td>6.2</td>
<td>1.3</td>
</tr>
</tbody>
</table>

*Data were missing for 8 (2.1%) of the respondents. Percentages in the table are based on valid responses.

Finally, a few items on the survey asked respondents to contrast their experiences with the two versions of the policy. While officers did not draw stark differences between their experiences with the policies, they seem to find the current policy easier to implement and appear to be doing somewhat fewer immigration checks under the current policy. Nearly two-thirds of respondents (61%) reported that both policies were easy to implement; however, 21% reported that only the current policy was easy to implement in contrast to 3% that felt only the first policy was easy to implement (Table 4-5). In terms of activities, two-thirds of respondents (66%) reported doing about the same number of checks under the current policy as under the first policy (Table 4-6). However, 26% indicated that they are doing fewer checks under the current policy. This is consistent with PWCPD figures discussed in Section 3 that show a drop off in contacts with suspected illegal immigrants during the latter part of 2008 (though a substantial part of that drop came after the survey). It is also consistent with the views of officers we interviewed, at least some of whom felt that the immigration checks mandated under the probable cause standard would have been difficult to maintain over a long period. But while this trend may indicate a change in police behavior, it may also reflect in part a decline in the presence of illegal immigrants in PWC.
Table 4-5: Implementation of the Current Policy (General Order 45.01) and the Original Policy (General Order 45)

<table>
<thead>
<tr>
<th>Survey item: Compare the implementation of the current policy to the previous policy (General Order 45)</th>
<th>Percent Agreeing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both policies are easy to implement</td>
<td>61.4</td>
</tr>
<tr>
<td>Only the current policy is easy to implement</td>
<td>21.4</td>
</tr>
<tr>
<td>Only the previous policy (General Order 45) is easy to implement</td>
<td>3.3</td>
</tr>
<tr>
<td>Both policies are difficult to implement</td>
<td>13.9</td>
</tr>
</tbody>
</table>

*Data were missing for 19 (5.0%) of the respondents. Percentages in the table are based on valid responses.

Table 4-6: Immigration Checks under the Current Policy (General Order 45.01) and the Original Policy (General Order 45)

<table>
<thead>
<tr>
<th>Survey item: Are you conducting fewer immigration checks under the current policy compared to the previous policy (General Order 45)?</th>
<th>Percent Agreeing</th>
</tr>
</thead>
<tbody>
<tr>
<td>No, I am doing more immigration checks under the current policy</td>
<td>8.4%</td>
</tr>
<tr>
<td>No, I am doing about the same number of immigration checks</td>
<td>65.7%</td>
</tr>
<tr>
<td>Yes, I am doing fewer immigration checks under the current policy</td>
<td>25.9%</td>
</tr>
</tbody>
</table>

*Data were missing for 20 (5.3%) of the respondents. Percentages in the table are based on valid responses.

4.4. Problems and Challenges in Implementing the Policy

Representatives of PWCPD interviewed by the project team identified few serious operational problems associated with the implementation of General Orders 45 and 45.01. Although these policies may have had a large impact on the perceptions of PWC residents, according to PWCPD personnel, they have been small changes in operational terms. This is particularly true of the current policy (General Order 45.01), which makes minor changes to the procedures and paperwork that follow an arrest.

Some of the points that arose in our discussions of day-to-day operational challenges and issues included the following:

- Initially, there were some concerns within PWCPD that time spent on the immigration checks would lead to slower response times to calls and less proactive work by officers. Personnel with whom we spoke felt that these fears were not realized. However, the initial policy, which posed a greater risk of this possibility (officers noted that this version of the policy was more complex and time consuming), was only in effect for two months, which may have been too short a time for such impacts to be fully felt.
There have been few complaints against PWCPD arising from the immigration checks according to PWCPD command staff. Other PWCPD personnel that we interviewed also felt that there had been few if any instances of overzealous officers using the policy (in either version) to target illegal immigrants inappropriately or aggressively.\textsuperscript{41}

The policy has reportedly prompted more calls about trespassing, loitering, and other such matters by people and businesses who believe that the police will now remove illegal immigrants or scare them away. In essence, some community members try to use the policy as a tool for dealing with problems (real or perceived) that they have with immigrants. As discussed in section 6 of this report, total calls for police service and calls to police about disorder offenses in particular have continued to increase since General Order 45. However, our analysis of trends in calls for service also suggests that the rate of increase in calls has slowed since the policy. Therefore, increases in calls prompted by the policy may not have been particularly large or may have faded over time.

Officers sometimes find themselves in antagonistic situations involving people on different sides of the immigration issue and must manage these carefully. We heard about a few instances of native residents trying to provoke situations with immigrants (in order to draw police involvement) and of people filming police with the intent of criticizing them for being too lenient or too aggressive with suspected immigrants. Such incidents have not been common, however.

There have been some anecdotal reports of officers releasing suspected illegal immigrants on summons in order to avoid doing the immigration checks, but command staff and other personnel felt that this was not widespread and had been resolved.

Some in the Hispanic community are misinformed about the policy and believe that police are aggressively rounding up immigrants for questioning or that any encounter with police will lead to an immigration inquiry. According to PWCPD personnel, this has reduced witness and victim cooperation among immigrants. This situation has improved over time, however, as officers have worked to correct these misperceptions by talking with residents and passing out informational materials.\textsuperscript{42}

The policies have created significant work for senior staff of the PWCPD, who must devote significant effort to discussing the policy with community groups and others. Senior staff also review almost all the field interview cards related to the policy.

The need for Spanish-speaking officers and translators is an ongoing challenge, as it is for many Departments across the country. Finally, personnel that we interviewed generally had few recommendations for changing the policy. However, a few felt that further community education efforts about the policy and about the process for becoming a citizen would be helpful.

4.5. The Activities and Experiences of the Criminal Alien Unit (CAU)

The second component of PWCPD’s immigration policy has been the establishment of a Criminal Alien Unit (CAU). Comprising six detectives and a crime analyst, this unit focuses on the apprehension and deportation of serious offenders who are legal or illegal immigrants and on special projects like the investigation of “identification mills” that produce false identification cards such as drivers’ licenses or green cards. Members of this unit received federal 287(g) training and status, which makes them federally deputized officers with the authority to process illegal immigrants on behalf of ICE. The CAU thus expands the capabilities of ICE while also benefiting PWCPD by facilitating more certain and swift action against immigrants who commit serious crimes.

\textsuperscript{41} Police-citizen encounters observed by project staff also suggest that officers give subjects a fair amount of leeway before making formal inquiries into their immigration status. For example, officers seem inclined to give loiterers a warning and an opportunity to leave the vicinity before interviewing them with field cards.

\textsuperscript{42} The issue of police-community relations is discussed in more depth in Section 8.
The unit, which began operations in March of 2008 and works closely with PWCPD’s gang unit, identifies targets through intelligence gathering and reviews of field interview cards, warrants, and probationers. CAU focuses on “aggravated felonies” (i.e., murder, rape, sex abuse of a minor, drug trafficking, pandering, and other violent or theft offenses with a sentence of one year or more) and crimes of “moral turpitude” (i.e., assaults against police or family, sex offenses, theft, and fraud). The unit does not conduct sweeps of day labor sites or other such round ups. In choosing targets, they consider factors like seriousness of offense, criminal history, gang membership, and drug involvement. In addition to investigating document mills, CAU has also investigated houses of prostitution (fronting as massage parlors) that employed illegal immigrants. Occasionally, they become involved in cases at the arrest stage if requested by a patrol officer. Jail officers also contact them from time to time about illegal immigrants who are suspected gang members.

As of late September 2008, CAU had made 84 arrests and issued 44 detainers. CAU members estimated that they each typically handle 6 to 10 cases per month in addition to working on special investigations (like the investigations of document mills). Each case is very labor intensive; CAU staff estimate that it takes 16 officer-hours to conduct 287(g) processing of one person. CAU must also transport subjects to an ICE facility in Merrifield, VA.

Besides the time-consuming nature of their cases, operational problems noted by CAU members included delays in acquiring and connecting ICE computers (the unit did not receive its computers until June 2008), complexities and problems in using ICE computers, adapting to changes in ICE protocols, and the accessibility of their initial liaison from ICE during their early months of operation. However, the unit does not appear to have encountered particularly serious obstacles or problems that have impeded their efforts.

Although their working relationship with ICE appears to be good, members of CAU did acknowledge a lack of communication that exists between CAU and other staff of PWCPD. CAU officers noted that their cases are not publicized and, consequently, others in the Department have little knowledge of what CAU does. Indeed, this theme arose in our interviews with other members of the rank and file of PWCPD, many of whom had little knowledge of the unit’s activities and questioned whether the allocation of six officers to the unit was worthwhile, especially since those positions were not backfilled as originally intended. Some officers wish to have more information about CAU’s activities (reportedly, CAU does not participate in roll calls as do other investigative units) and for CAU to become more involved in supporting and assisting patrol officers at the street level, perhaps even assisting with monitoring of day labor sites. The patrol officers we spoke with had not worked with the CAU, though they also had not handled cases requiring CAU’s assistance.

However, command staff stressed that they wish to keep CAU focused on serious crimes and plan to be careful about expansion of CAU’s duties. They further noted plans to have CAU officers working on both day and night shifts and to have one of the officers embedded within the gang unit.

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43 These designations are based on federal immigration law, which states that illegal immigrants are ineligible for bond when they have been convicted of an aggravated felony or at least two crimes of moral turpitude (see Morlier, 2008 as presented in PWCPD, 2008a).

44 CAU members estimate that the share of gang members who are illegal immigrants can vary from 0% to 50% among the County’s numerous gangs.

45 Our description of CAU’s cases is based on our discussion with the unit and not upon an analysis of their cases.
5. The Experiences of the Judiciary, Jail, and ICE in Processing Illegal Immigrants in Prince William County

In this section, we examine the experiences of other criminal justice organizations that handle illegal immigrants in PWC. Although we were not tasked with evaluating the policies and practices of these organizations, their operations are relevant because they have ramifications for the outcomes of PWCPD’s efforts and for assessing the overall impact of PWC and State of Virginia policies that deal with crime and immigration. Our discussion focuses on: 1) magistrates and the judiciary; 2) the local jail (ADC); and 3) the federal Immigrations and Customs Enforcement agency (ICE).46

5.1. Magistrates and the Judiciary

As discussed in Section 3, PWCPD officers bring arrestees before state-appointed magistrates who make decisions about pre-trial release and bail. Magistrates take immigration status into account in their decisions, but they are not required to detain suspected illegal immigrants who do not have either an ICE detainer or a previous felony conviction that resulted in deportation.

Magistrates answer directly to State of Virginia circuit court judges and are not under the control of PWC officials. Although they were not consulted during the development of the PWC immigration policy, magistrates work with PWPCD and ADC officials in processing illegal immigrants. Magistrates typically give officers time to complete immigration checks when the officers suspect that an arrestee is an illegal immigrant. When they take arrestees before the magistrates, PWCPD officers, in turn, inform the magistrates of the arrestees’ immigration status. Although magistrates release some suspected illegal immigrants on personal recognizance, we did not hear complaints about this from PWCPD officers. Suspected illegal immigrants released by magistrates appear to be minor offenders who pose a low risk of subsequent offending or failure to appear in court.47 Officers from ADC’s 287(g) unit (see below) also coordinate with magistrates when needed to prevent the release of arrestees with ICE detainers who have been detained in ADC but are scheduled to be released on bail.48

Magistrates estimate that 10% to 20% of the cases brought before them involve suspected illegal immigrants.49 Magistrates report that this share has not changed since the PWCPD post-arrest policy went into effect.50 In sum, therefore, the immigration policies of PWCPD and ADC seem to have had little direct or indirect effect on magistrates, nor have the magistrates’ actions had much impact on the implementation of these policies by PWCPD and ADC.

Based on anecdotal accounts from police officers, one problematic issue involving the judiciary more generally is that judges sometimes dismiss criminal cases against illegal immigrants, presumably to relieve strain on the justice system, based on the expectation that the immigrants will be deported anyway. If such an offender later returns to the community—as PWCPD officers have witnessed in at least few cases—the prior case will not be on his record, thus preventing police and prosecutors from using it against him should he commit a new offense. A related point is that judges sometimes forego a sentence of incarceration for immigrant offenders that plead guilty and can be deported. We do not have data on the prevalence of either of these types of cases, but we recommend that PWCPD, prosecutors, and the judiciary make efforts to track them.

46 See Section 3 for a general description of the processing of illegal immigrants by magistrates and ADC.
47 However, we do not have specific statistics on this issue.
48 This could occur in cases where the initial PWCPD check did not reveal the ICE detainer, perhaps due to problems in making a definitive identification of an arrestee.
49 Illegal immigrants are most often encountered in cases dealing with offenses like public drunkenness and driving under the influence, according to one magistrate interviewed for the project.
50 Similarly, magistrates have not discerned an increase in arrests of Hispanics more generally since the policies.
5.2. The Prince William – Manassas Regional Adult Detention Center (ADC)

The ADC serves as the local jail for PWC and for the cities of Manassas and Manassas Park. The ADC is overseen by a Regional Jail Board that consists of ten members including the PWC Sheriff, seven members appointed by the PWC Board of Supervisors, and two members appointed by the Manassas City Council. The ADC and Regional Jail Board operate under authority of state law. When the 287(g) program began operating at the ADC in July 2007, the facility had the capacity to house approximately 500 inmates, with an additional 100 housed in its work-release center.\(^{51,52}\) It housed additional inmates at other regional and local facilities when needed due to space limitations.

ADC selected a group of officers for 287(g) training in 2007 and began running 287(g) checks on inmates in July 2007.\(^ {53}\) ADC officers conduct their own inquiries into immigration status; communication with PWPCD about the latter’s checks on the immigration status of arrestees is informal according to ADC officials. Also, the ADC 287(g) unit does not handle cases being processed by PWCPD’s 287(g) unit (the CAU). ADC’s 287(g) unit, which currently has 11 officers, had released 1632 people to ICE through May 31, 2009.\(^ {54}\) ADC officials do not know how many of these subjects have been deported by ICE, although if Prince William County’s experiences reflect the estimates provided in a recent Government Accountability Office report on ICE’s operations, about two-thirds may either have agreed to voluntary deportation or have been detained pending deportation proceedings.\(^ {55}\)

The 287(g) program has also imposed costs on ADC. Salary costs for the program are estimated to be between $1.3 and $1.8 million, and ADC has had to divert people from other functions to staff the 287(g) unit.\(^ {56}\) At an earlier stage of the program, slow follow-up by ICE also exacerbated crowding conditions at ADC and contributed to an increase in ADC inmates sent to other regional and local jails (i.e., farm-outs). This issue was resolved, however, through a Memorandum of Agreement between ICE and ADC, and ICE agents now pick up (or allow the release) of 287(g) cases within 48 hours. An ICE agent works closely with the 287(g) unit and is regularly on-site at ADC. In other respects, the ADC’s 287(g) program appears to work smoothly, despite day-to-day difficulties (such as complications in using various federal data systems to determine an inmate’s true identity and immigration status, dealing with language barriers, etc.) that make the 287(g) process rather time consuming.

5.3. The Immigration and Customs Enforcement Agency

The federal Immigration and Customs Enforcement Agency (ICE) is the primary agency responsible for the enforcement of federal immigration laws. Illegal immigrants processed by 287(g) personnel in PWCPD and ADC are eventually transferred to ICE agents, who then decide whether or not to prosecute and/or deport them. Coordination between ICE and both PWPCD and ADC is governed by a Memorandum of Agreement.

Two ICE divisions, the Office of Investigations (OI) and the Office of Detention and Removal (DRO), work with PWC on immigration issues. OI is responsible for the investigation of criminal activity by immigrants, and it oversees the cases of PWCPD’s Criminal Alien Unit (CAU). Until September 2008, OI was also tasked with handling illegal immigrants processed by ADC. This task has been assumed by DRO, which is responsible for housing incarcerated immigrants and physically removing illegal and criminal immigrants from the country.

\(^ {51}\) In 2008, the ADC added additional beds when it built a third facility that can currently house 270 inmates. It also added another 97 beds to the main detention facility when it renovated the first floor. Source: Personal communication from ADC staff through the Police Department.

\(^ {52}\) Prince William-Manassas Regional Adult Detention Center (2007).

\(^ {53}\) The 287(g) officers provide coverage from 5:00 a.m. to midnight, and they report that they miss no more than 1% of the inmates referred by intake officers.

\(^ {54}\) Prior to the start of ADC’s 287(g) program, ADC officers cooperated with ICE agents more informally, primarily by coordinating on the handling of inmates with immigration detainers.


\(^ {56}\) A few of the full-time equivalents (FTEs) needed to staff the program were provided by the County.
ICE officials have stressed to PWC that their focus is on immigrants, both legal and illegal, who are serious offenders or repeat immigration violators (i.e., persons who have been deported previously). Trying to deport all illegal immigrants in PWC and elsewhere in the country would simply overwhelm the agency.\(^{57}\) Accordingly, ICE officials state that the agency often uses release on recognizance or electronic monitoring for illegal immigrants who have not committed serious offenses and who have not previously been deported. They also note that there are also various waivers under which federal immigration judges may allow illegal immigrants to remain in the country (e.g., an impending marriage or the presence of strong community ties). Further, ICE does not take juvenile cases. All of this suggests that many illegal immigrants arrested by PWPCD and processed by ADC for minor offenses are not likely to be deported from the country.\(^{58,59}\)

Senior officials that we interviewed from ICE’s OI are supportive of PWCPD’s efforts through the 287(g) program. With only 120 agents available for all missions in Virginia and Washington, D.C., OI officials feel that PWCPD’s CAU is a valuable complement to their workforce and that coordination between the two agencies has been good. OI officials estimate that CAU sends them 7 to 12 cases per month. OI and CAU also use a task force approach in which they plan strategy case by case, based on potential penalties available at the federal and local level. OI officials estimate that they still receive the same number of violent immigrant cases that they received before the CAU began operating, but that CAU’s assistance makes the handling of these cases much less cumbersome.

Until recently, OI agents also handled the removal of immigrants from ADC due to a personnel shortage in DRO. These cases are estimated to have numbered 100 to 150 a month. This put substantial strain on OI, which is not as well equipped and staffed to handle these duties. This led in turn to delays in the removal of illegal immigrants from ADC and contributed to overcrowding in the facility, as discussed above. This issue has been corrected, and DRO now transports illegal immigrants from ADC or allows them to be released within 48 hours of identification.

Nevertheless, cooperating with PWC’s immigration policy has been very demanding for ICE. In the summer of 2008, ICE proposed cutting back on the types of cases referred from PWC, but it agreed to continue the current arrangement after further consultation with PWC officials. However, ICE indicated that it would not enter into any additional 287(g) agreements in the region for at least the remainder of fiscal year 2008, and that other current and future 287(g) agreements would not be as broad as that established with PWC because ICE does not have the capacity to operate in that manner with many jurisdictions.

\(^{57}\) Due to various appeals and procedural complexities, the process of removing immigrants from the country often takes a few months to a year. In addition, the cost of holding illegal immigrants is $90 per day.

\(^{58}\) As of this writing, we do not have figures on deportations of illegal immigrants from PWC, nor do we know whether ICE can provide such figures. Officials from PWCPD and ADC are generally uninformed as to the outcomes of cases referred to ICE, which arguably represents one notable gap in ICE’s coordination with PWC agencies. For future reports, we will inquire as to whether ICE can provide such data.

\(^{59}\) Of course, reentering the country may also be relatively easy for those deported. PWCPD officers have noted numerous cases of persons returning after deportation.
6. The Impacts of the Immigration Policy on Crime and Disorder in Prince William County: Preliminary Results

This section of our report provides a preliminary assessment of the impact that immigration enforcement efforts have had on crime in PWC. PWC’s Board of Supervisors placed substantial emphasis on public safety in promoting the County’s immigration policy, and some have credited the policy with recent reductions in crime in PWC. Accordingly, we examine this issue drawing upon interviews and surveys of PWCPD personnel, a review of PWCPD data on reported crimes and arrests of illegal immigrants, and our own analysis of trends in calls for service to PWCPD over nearly 9 years.60

To summarize, there are mixed indications as to whether the immigration policy has reduced crime in PWC. Calls to police for various forms of crime and disorder have declined in the wake of the policy, but most types of officially-recorded crimes and arrests reported by PWCPD have not. Officers’ views on the impact of the policy are also mixed. Nonetheless, the policy (particularly in its current form) appears to be a reasonable way of targeting illegal immigrants who are serious offenders—a goal on which there is broad agreement—and there are some preliminary indications across data sources that it may have contributed to a drop in violent crime in PWC.

Our conclusions on these matters are tentative, however, due to various considerations that cloud assessment of the policy’s impact. These include a lack of historical data on offenses committed by illegal immigrants, complications in analyzing and interpreting trends in crime, and uncertainty about which events in PWC would have triggered changes in crime by illegal immigrants.

In the subsections below, we provide some brief background on crime in PWC and review some of the factors that make it difficult to gauge the impact of the immigration policy on crime in PWC. Next, we review PWCPD statistics on recent trends in officially reported crimes and arrests in PWC—including post-policy arrests of illegal immigrants—and offer some interpretations of those data. We then present two original analyses: 1) an examination of trends in calls for service to PWCPD from 2000 through September 2008; and 2) an examination of officers’ perceptions regarding the impact of the policy as measured in our fall 2008 PWCPD officer survey. Finally, we provide a summary of our key conclusions.

6.1. Background: Crime and Illegal Immigrants in PWC Prior to the Immigration Policy

We begin with a few general observations about crime in PWC. In 2007, PWCPD reported 620 Part I violent crimes (including 10 murders) and 7,125 Part I property crimes (PWCPD, 2009).61 The County’s rates of violent and property crimes, 163 per 100,000 and 1,822 per 100,000 respectively, were substantially lower than the national averages and the averages for other suburban areas (see PWCPD, 2009 and www.fbi.gov/ucr/cius2007).

In general, the crime rate in PWC has been falling since the mid-1990s (PWCPD, 2009: 7). After declining from 39.1 in 1995 to 26.4 in 2000, PWC’s crime rate remained fairly steady through 2004, before dropping to 19.8 in 2007. Violent crimes, primarily robbery and aggravated assaults, climbed from 2004 to 2006 but have been falling since then (PWCPD, 2009: 10). In sum, PWC is not a high-crime county, nor has its crime rate increased in any straightforward way with the growth of its immigrant population.

How much crime in PWC was committed by illegal immigrants prior to the immigration policy is unknown. PWCPD did not begin collecting data on arrests of illegal immigrants until it implemented

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60 For future reports, we plan to conduct original analyses of a wider range of PWCPD data, including official crime incident reports. It will also be possible to examine changes in criminal victimization in PWC from 2008 to 2009 using data from the University of Virginia’s annual survey of PWC residents.

61 These counts are based on Part I index crimes as defined by the Federal Bureau of Investigation. Part I violent crimes consist of murder and non-negligent manslaughter, rape, robbery, and aggravated assault. Part I property crimes consist of burglary, larceny, and motor vehicle theft.

University of Virginia
General Order 45 in March of 2008. Those data, which are discussed below, show that illegal immigrants currently account for 3% to 4% of arrestees for most forms of crime (PWCPD, 2009: 16).62

These figures may not provide a reliable guide as to the share of crimes committed by illegal immigrants before the policy, but they are consistent with the views of criminal justice practitioners interviewed for the project, who felt that illegal immigrants, on the whole, have not contributed heavily (or disproportionately) to serious crime in PWC. Although immigrants may cause a larger share of problems like public drunkenness and driving under the influence (DUI), there is a general perception that, relative to native residents, immigrants are less likely to commit serious predatory offenses and, if anything, more likely to be victimized in such crimes.63

6.2. Considerations in Assessing the Policy’s Impact on Crime and Disorder

Before reviewing data on changes in crime since the implementation of the immigration policy, we begin by reviewing four key issues that complicate any assessment of illegal immigration and crime in PWC.

1) Data are not available to specifically assess changes over time in crimes committed by illegal immigrants.

The most critical limitation in assessing the effects of the immigration policy on crime is that, as noted above, there are no historical data on crimes committed by illegal immigrants in PWC. All of the trends discussed below, measured from both officially-reported incidents and calls for service, are based on crimes committed by all offenders in PWC. Consequently, it is possible that any recent changes in crime (for better or worse) have been due to changes in offending by native residents, legal immigrants, illegal immigrants, or some combination thereof.

2) It is conceivable that the policy has had multiple and opposing effects on actual and reported crime.

On the one hand, we can hypothesize that the policy has reduced crime by illegal immigrants through some combination of deterrence and incapacitation. That is, some immigrant offenders and would-be immigrant offenders may have left PWC voluntarily or been deported from PWC, while others that remained may have become more reluctant to commit crimes, whether serious or minor, due to the policy. Illegal immigrants who are serious offenders presumably face greater risks of being proactively targeted (by CAU) or of having their status discovered if detained or arrested for any kind of offense. It seems quite plausible, furthermore, that effects from the policy have spread beyond the serious offenders on whom PWCPD and ICE focus, fueled by a more general fear among illegal immigrants that encounters with police will lead to detection and deportation and perhaps by a perception that police are acting aggressively to target illegal immigrants. Although we have no specific figures on changes in the illegal immigrant population in PWC, nearly three-fourths of police officers that participated in our PWCPD survey agreed or strongly agreed that the policy has resulted in the departure of illegal immigrants from PWC (see Appendix D). Those who remain, whether or not they have a prior record of criminal offending or deportation, may be more cautious about engaging in any behavior that makes contact with police more likely. For all of these reasons, one might expect to see a general drop in both serious and minor offenses by illegal immigrants.

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62 Data on crimes committed by illegal immigrants at the national level are also very limited. As an approximation, estimates from the late 1990s and early 2000s suggest that 4% to 7% of persons held in U.S. jails and prisons are non-citizens (Bureau of Justice Statistics at http://www.ojp.usdoj.gov/bjs/crimoff.htm; Hagan and Palloni (1998).

63 Other studies on immigration and crime generally suggest that immigrants are actually less involved in criminality than the native population (e.g., Butcher and Piehl (1998a); Hagan and Palloni (1998); Sampson (2008), though these studies do not typically distinguish between legal and illegal immigrants. Similarly, a number of local and national studies have concluded that growth in the immigrant population does not increase crime (Butcher and Piehl (1998b); Hagan and Palloni (1998); Lee et al (2001); Sampson (2008).
On the other hand, it is also possible that the policy has led to increases in some crimes and greater reporting of others. Victimization of illegal immigrants, for example, might now be higher if potential predators believe that victims and witnesses who are illegal immigrants are less likely to report offenses to the police. Such an increase, moreover, might not be apparent from police data. Despite the efforts of PWCPD to assure the community that they do not check the immigration status of crime victims and witnesses, our survey of PWCPD officers suggests that reporting by illegal immigrants is still problematic; 40% of officers reported that problems in getting illegal immigrants to report crime occur regularly or often, and another 44% reported that these problems arise at least occasionally (see Section 7 and Appendix D). 64

As discussed in Section 5, PWCPD officers also believe that the policy has prompted greater reports of trespassing, loitering, and other disorder problems by some in the community who see the policy as a tool for removing or at least intimidating suspected illegal immigrants. Hence, a change in reporting behavior could have led to an increase in reports for some categories of minor crime.

One might also consider the possibility that focusing additional resources (such as the CAU) on illegal immigrants has undermined other crime-fighting efforts by PWCPD. However, we have not heard any indications to this effect from personnel in PWCPD.

3) The likely timing of the policy’s effects is not clear.

Arguably, there are at least two key intervention dates that should be considered in assessing the policy’s effects. One is March 2008, at which time PWCPD implemented immigration checks under General Order 45. It is also possible, however, that perceptual and behavioral effects associated with the policy began in July 2007 with the announcement of the policy by the PWC Board of Supervisors and the simultaneous start of 287(g) checks for arrestees admitted to ADC. In the analyses of calls for service presented below, we test for impacts of the policy using both dates. 65

4) Recent changes in crime in PWC may have been caused, completely or in part, by factors other than the immigration policy.

One key factor in this regard has been the county’s economy. The construction boom of the late 1990s and early 2000s was a primary attractor for the recent influx of immigrants (both legal and illegal) to PWC (e.g., see Singer et al., 2009). Conversely, the recent downturn in PWC’s economy, particularly in the housing sector, is believed to have driven many immigrants away. And while the economic downturn has likely prompted the departure of many illegal immigrants—thus reducing their contribution to crime in PWC—it may have also increased the propensity to commit crime among native residents, legal immigrants, and illegal immigrants who have remained. Either way, distinguishing the unique effects of the immigration policy from those of the local economy is a difficult and uncertain task.

6.3. Post-Policy Trends in Reported Crimes and Arrests in PWC

Having reviewed these caveats, we begin our examination with a descriptive assessment of crimes and arrests reported by PWCPD. The Department’s 2008 crime statistics show that the overall rate of Part I crime in PWC increased 3.1% from 2007 to 2008 (PWCPD, 2009). This change reflects the net result of a 5.3% increase in serious property crimes (burglary, larceny, and auto theft) and a 21.8% decrease in serious violent crimes (murders, rapes, robberies, and aggravated assaults). The decrease in violence was driven by reductions in aggravated assault and robbery; the former declined from 310 in 2007 to 197 in 2008, while the latter fell from 272 to 248. Not surprisingly, this has stirred debate over whether the immigration policy contributed to the county’s drop in violent crime.

64 Our survey does not show whether this problem has increased since the policy.

65 We assume that any effects caused by PWCPD’s immigration enforcement efforts began after March 1, 2008 and that they were not substantially enhanced or diminished by either the suspension of General Order 45 at the end of April 2008 or the implementation of General Order 45.01 in July 2008. We also do not test for unique effects from General Order 45.01 in this interim report because we have few data points for the period following its implementation.
The decrease in robbery and aggravated assault began in 2007, following two years of increases in 2005 and 2006 (PWCPD, 2009: 10). In 2007, robbery declined 22.5% while aggravated assault declined 18%. Both crimes declined again in 2008, but the decline in robbery slowed to 8.8%, while the drop in aggravated assault doubled to 36.5%.

It is conceivable that the drop in violence from 2006 to 2008 was due in some measure to the announcement of the immigration policy by the PWC Board in 2007, the adoption of immigration checks for arrestees by ADC in 2007, the implementation of PWCPD’s immigration policy in 2008, or some combination thereof. However, we should be cautious about crediting the immigration policy with the drop in violence for a number of reasons besides those to which we alluded above.

First, other PWCPD initiatives may have contributed to this trend. The decline in robbery, for example, coincided with a robbery suppression initiative launched in 2006 (PWCPD, 2009: 10; also see PWCPD presentation to the PWC Board of Supervisors, September 9, 2008).66 Also, PWCPD has been operating a gang task force since 2004 (PWCPD presentation to the PWC Board of Supervisors, September 9, 2008). Considering that gang members are involved in a high share of serious assaults (e.g., homicides and gun assaults) in many jurisdictions around the country, it is possible that PWCPD’s anti-gang efforts have helped to reduce aggravated assaults in PWC. To our knowledge, however, this issue has not been studied explicitly.67

Second, PWCPD has cautioned, reasonably in our view, that the drop in reported violent crimes could be due in part to a decline in reporting of crime by Hispanics (PWCPD, 2009: 5).68 As discussed elsewhere in this report, Hispanics are victimized at a somewhat higher rate than other segments of the population in PWC, and their level of satisfaction with police has dropped in the wake of the policy.

A third reason for caution is that the drop in crime was limited to serious violence and was especially concentrated among aggravated assaults in 2008. Simple assaults, in contrast, increased 2.5% in 2007 (PWCPD, 2008: 9) and remained steady in 2008 (PWCPD, 2009: 13). After rising by 8% in 2007, domestic violence reports declined in 2008 but by only 7.5% (calculated from PWCPD, 2008: 2 and PWCPD, 2009: 4). Further, as shown below, other crime types that involve a higher share of illegal immigrants, such as larceny, fraud, public drunkenness, and DUI, either did not decline or did not decline to the same degree as did aggravated assault.69 In light of these patterns and without additional information about the types of persons involved in these various types of crime, it is not readily apparent why the immigration policy would have had a disproportionate impact on aggravated assault.

### 6.3.1. Arrests of Illegal Immigrants in 2008

To elaborate further on these issues, it is instructive to examine statistics on arrests of illegal immigrants, which PWCPD began to collect in March 2008. The Department arrested 1,802 persons for Part I crimes in 2008, only 62 of whom, or 3%, were illegal immigrants (see Table 6-1).70 The share of arrests involving illegal immigrants ranged from 0% for murder and robbery to 5% for larceny. For most of these crimes, illegal immigrants represented no more than 2% of arrested offenders. And with the exception of larceny, the number of arrests involving illegal immigrants was quite low for each of these offense types—typically no more than four.

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66 In 2008, PWCPD received a national award for its robbery suppression initiative from the National Association of Counties.

67 PWCPD clears approximately 80% of its aggravated assaults (PWCPD, 2009: 8). For our final report, therefore, we will work with PWCPD to examine changes in the nature and participants of aggravated assaults over the last few years.

68 Criminologists generally consider reporting and recording of aggravated assaults to be less reliable than those of homicide and robbery (e.g., Blumstein, 2000). We cannot say whether this applies to reporting of aggravated assaults in PWC.

69 Note that PWCPD presents both offense reports and arrests for Part I crimes. For most other crimes, including vice, public order, and drug/alcohol offenses, PWCPD reports only arrests (this is customary among police agencies). For these latter crimes, we must infer changes in occurrence based on changes in arrests.

70 The PWCPD figures reported in Tables 7-1 and 7-2 may understate the representation of illegal immigrants among arrestees to some extent because they express arrests of illegal immigrants, which were only counted from March 2008 onward, as a percentage of all arrests that occurred during the entire year.
Arrests for other common offenses are illustrated in Table 6-2. For many offenses, such as weapons offenses, disorderly conduct, and forgery, illegal immigrants again accounted for very small numbers and percentages of arrests. Illegal immigrants were most heavily represented among arrestees for gambling (100% of arrestees), prostitution and other sex offenses (10% to 21% of arrestees), fraud (11% of arrestees), driving without a license (14% of arrestees), public drunkenness and DUI (5% to 9% of arrestees), and manufacture or sale of cocaine and opiates (9% of arrestees). However, the number of illegal immigrants arrested was small for most of these crimes; for instance, all gambling arrestees were illegal immigrants, but there were only three such arrests. Arrests of illegal immigrants were most notable, both in number and as a percentage of arrests, for public drunkenness (152 arrests), DUI (111 arrests), and driving without a license (175 arrests).

Table 6-1: Arrests of Illegal Immigrants in PWC for Uniform Crime Reports Part I Crimes

<table>
<thead>
<tr>
<th>Part 1 Crimes</th>
<th>Total Persons</th>
<th>Illegal Immigrants</th>
<th>Illegal immigrants as % of Arrestees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder</td>
<td>22</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Rape</td>
<td>23</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>Robbery</td>
<td>110</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>138</td>
<td>4</td>
<td>3%</td>
</tr>
<tr>
<td>Burglary</td>
<td>241</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Larceny</td>
<td>1,210</td>
<td>54</td>
<td>5%</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>58</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,802</strong></td>
<td><strong>63</strong></td>
<td><strong>3%</strong></td>
</tr>
</tbody>
</table>

Taken from PWCPD’s 2008 Crime Statistics (PWCPD, 2009: 15)
Table 6-2: Arrests of Illegal Immigrants in PWC for Other Crimes

<table>
<thead>
<tr>
<th>Other Crimes</th>
<th>Total Persons</th>
<th>Illegal Immigrants</th>
<th>% Illegal Immigrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assaults (Other than Aggravated)</td>
<td>1,613</td>
<td>29</td>
<td>2%</td>
</tr>
<tr>
<td>Forgery &amp; Counterfeiting</td>
<td>159</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Fraud</td>
<td>341</td>
<td>39</td>
<td>11%</td>
</tr>
<tr>
<td>Embezzlement</td>
<td>179</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Vandalism</td>
<td>242</td>
<td>6</td>
<td>2%</td>
</tr>
<tr>
<td>Weapons</td>
<td>194</td>
<td>1</td>
<td>1%</td>
</tr>
<tr>
<td>Prostitution/ Common Vice</td>
<td>42</td>
<td>9</td>
<td>21%</td>
</tr>
<tr>
<td>Sex Offenses (Other)</td>
<td>105</td>
<td>10</td>
<td>10%</td>
</tr>
<tr>
<td>Sale/Manufacture Opium/Cocaine</td>
<td>88</td>
<td>8</td>
<td>9%</td>
</tr>
<tr>
<td>Sale/Manufacture Marijuana</td>
<td>137</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Sale/Manufacture (Other)</td>
<td>68</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Possession Opium/Cocaine</td>
<td>240</td>
<td>8</td>
<td>3%</td>
</tr>
<tr>
<td>Possession Marijuana</td>
<td>1,149</td>
<td>14</td>
<td>1%</td>
</tr>
<tr>
<td>Possession (Other)</td>
<td>36</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Gambling (All offenses)</td>
<td>3</td>
<td>3</td>
<td>100%</td>
</tr>
<tr>
<td>Liquor Laws</td>
<td>297</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Public Drunkenness</td>
<td>1,642</td>
<td>154</td>
<td>9%</td>
</tr>
<tr>
<td>Disorderly Conduct</td>
<td>508</td>
<td>6</td>
<td>1%</td>
</tr>
<tr>
<td>DUI</td>
<td>2,199</td>
<td>111</td>
<td>5%</td>
</tr>
<tr>
<td>No Operators License</td>
<td>1,223</td>
<td>175</td>
<td>14%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10,465</strong></td>
<td><strong>576</strong></td>
<td><strong>6%</strong></td>
</tr>
</tbody>
</table>

Taken from PWCPD’s 2008 Crime Statistics (PWCPD, 2009: 16)

Although these figures cannot be used to directly assess changes in crime caused by the policy, they imply that the policy has had only small to modest effects on most types of crime in PWC.\(^{71}\) The fact that

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\(^{71}\) A more subtle point is that these data provide no clear indication as to whether illegal immigrants are overrepresented or underrepresented among arrestees in PWC compared to their representation among the population of PWC. Although we have no firm basis for judging this, available estimates suggest that roughly one-third of immigrants in Virginia and the Washington, D.C. metropolitan area are in the country illegally (Fortuny et al., 2007). If this statistic can be generalized to PWC, it implies that illegal immigrants account for approximately 7% to 8% of PWC’s total population (immigrants in general represent 22% of PWC’s population). This
only four, or 3%, of arrestees for aggravated assault in 2008 were illegal immigrants also makes it appear more unlikely that the immigration policy accounted for any large measure of the 36% decline in aggravated assaults in 2008 (which equated to 113 fewer assaults).

It is also noteworthy that most crime categories having higher percentages of illegal immigrant offenders did not decline from 2007 to 2008. To illustrate, we show the 2007–2008 percentage change in total arrests for each type of offense for which arrests of illegal immigrants numbered at least 10 and accounted for at least 5% of arrests in 2008 (calculated from PWCPD, 2009: 12-13). With the notable exception of public drunkenness, arrests for these crimes increased in 2008.

- Larceny: +5.3%
- Fraud: +14.4%
- Sex Offenses (other than prostitution): +23.5%
- Public Drunkenness: -9.3%
- DUI: +13.6%

**6.3.2. Summary of PWCPD Crime Report and Arrest Data**

Overall, our descriptive assessment of PWCPD data on crime reports and arrests suggests that the policy has not reduced most forms of crime in PWC and that its contribution to the County’s drop in serious violence has likely been modest. For our final report, we plan to conduct a more detailed analysis of updated crime report and arrest data from PWCPD. In the next section, however, we offer an original analysis of another indicator of trends in crime and disorder—calls from citizens for police service.

**6.4. Calls for Police Service**

In this section, we examine pre- and post-policy trends in calls for service (CFS) for several types of crime and disorder in PWC using data from PWCPD’s computer-aided dispatch system. CFS data provide an alternative source for studying trends and patterns in crime and disorder, and they have a number of strengths relative to other data sources (Sherman et al., 1993; Warner and Pierce, 1993). CFS represent an unscreened look at events that the public feel require police response, resulting in many more criminal events than would be captured in official records (i.e., reported crimes and arrests) and victimization surveys. Other forms of official data rely on interpretation of the event by official agents, and a decision to file a report. CFS are similar to other official data in that they reflect criminal behavior coupled with citizen willingness to report that behavior, but they eliminate police discretion (i.e., official reaction to criminal behavior). Further, CFS data capture instances in which victims or complainants desire a police response to a situation but do not wish to file a report—a consideration that could be particularly salient to cases involving illegal immigrants. In addition, CFS data do not require the victim to make the call, as bystanders may call the police about crimes in progress. (A more detailed discussion of CFS data and our procedures for processing these data is available in Appendix E.)

Our analysis focuses on calls for five types of incidents defined below. (The specific call designations included in each category are listed in Appendix E.)
EVALUATION OF ILLEGAL IMMIGRATION ENFORCEMENT POLICY

• Personal crimes: crimes involving violence (fights and other assaults, rape, robbery, etc.), discharging of firearms, or bomb threats.

• Property crimes: burglary, vandalism, theft (including auto theft), and fraud (in the form of bad checks).

• Disorder crimes: disorderly conduct, public drunkenness, loud parties, trespassing, and the like.

• Drug-related crimes: drug-related complaints and calls about overdoses.

• Driving under the influence (DUI)

In addition to examining the commonly studied crime categories of person, property, and drug-related incidents, we chose to examine disorderly behavior and DUI because of the perception that immigrants contribute more substantially to these problems.

For each of these call categories, we first present a descriptive analysis of trends over the period of January 2000 through September 2008. We then examine changes in the weekly average of calls for each crime category following both key policy dates discussed above (July 1, 2007 and March 1, 2008). We determined the direction, magnitude, and statistical likelihood of these changes using statistical models that controlled for seasonal patterns and for trends that predated the immigration policy (e.g., increases in CFS linked to population growth over the last several years). Using these models, we assessed whether post-policy changes were greater than would be expected to have occurred by chance, given the normal variability of crime over time in PWC. We judge observed pre-post changes to be statistically meaningful—i.e., “statistically significant” in scientific terminology—if their likelihood of occurring due to natural variation was less than 5%. We describe our methodology in more detail and present the results of all models in Appendix F.

The findings should be viewed cautiously since they reflect relatively short-term outcomes following each intervention point. Most notably, our data cover only seven full months following the initial implementation of immigration enforcement by PWCPD in March 2008. The results should also be viewed as preliminary because they do not explicitly control for other factors, like the economic downturn and police initiatives, that may have affected CFS during this time period.73


We begin our analysis of CFS in the county by examining trends from January 2000 through September 2008, a period of nearly 9 years. Monthly trends for total calls and calls for person, property, disorder, drug, and DUI offenses are shown in figures 7-1 through 7-6 respectively.

Despite pronounced seasonal ups and downs, the general trends in CFS during this period were either flat or trending upward for each category. The primary factor driving many types of calls upward during this time was likely PWC’s population, which grew 27% (from 280,813 to 357,503) between 2000 and 2006 (Singer et al., 2009: 6). Overall, the graphs do not provide strong visual evidence of major changes in CFS following either July 2007 or March 2008. All graphs show a temporary decline in calls following July 2007 and a rise following March 2008, but these patterns are consistent with normal seasonal variation when considered in the context of long-term patterns. However, making a more definitive assessment of the policy’s impact requires us to adjust for the clear seasonal patterns and the general upward trend exhibited by many of the CFS categories.74

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73 In future analyses, we will attempt to add such indicators to our models and test the robustness of our results using a wider variety of time series methods.

74 All graphs show an unusually low number of calls in January 2007. We are still trying to determine whether the data for that month are accurate. The weeks with questionable data were removed from the analysis of pre-post changes presented below.
Figure 6-1: Total Calls for Service in PWC, January 2000–September 2008 (Monthly)

Figure 6-2: Calls for Person Offenses in PWC, January 2000–September 2008 (Monthly)
Figure 6-3: Calls for Property Offenses in PWC, January 2000–September 2008 (Monthly)

Figure 6-4: Calls for Disorder Offenses in PWC, January 2000–September 2008 (Monthly)
6.4.2. Post-Policy Changes in CFS

Findings based on our statistical models are presented in Table 7-4 and Table 7-5. Table 7-4 presents results from models assessing changes in CFS following July 1, 2007, while Table 7-5 presents results from models assessing changes following March 1, 2008. For each call type, we present the average weekly number of calls that occurred during the post-intervention period and the number that would have been expected during that time (according to our model) had the policy not been in place. As shown in Table 7-4, for example, PWCPD received a weekly average of 2,418 total calls from July 2007 through September 2008. Adjusting for time trends and seasonal patterns, however, our model indicates that calls declined by 139 per week following July 1, 2007, a change that was statistically significant. This
suggests that PWCPD would have received $2,418 + 139 = 2,557$ calls per week during this time had the policy not been in place. From this, we infer that the policy reduced calls by $\frac{139}{2,557} \times 100 = 5\%$.\(^{75}\)

As shown in Table 7-4, most CFS categories declined from 2\% to 9\% after July 1, 2007. These reductions were statistically significant for total calls, person offenses, and property offenses. Calls for the latter two categories dropped by 26 and 31 per week, respectively. For both categories, this amounted to a 9\% reduction. Calls for DUI increased by 8\% over expected levels, but this increase was not statistically significant.

**Table 6-3: Trend and Seasonally-Adjusted Changes in Weekly Calls for Police Service after July 1st, 2007**

<table>
<thead>
<tr>
<th>Call Type</th>
<th>Actual Calls Per Week After Policy</th>
<th>Expected Calls Per Week In the Absence of the Policy</th>
<th>Difference (Actual-Expected)</th>
<th>Percent Difference (Actual-Expected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Jul. 2007-Sept. 2008, n=65)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Calls</td>
<td>2418</td>
<td>2557</td>
<td>-139</td>
<td>-5%</td>
</tr>
<tr>
<td>Calls for Person Offenses</td>
<td>251</td>
<td>277</td>
<td>-26</td>
<td>-9%</td>
</tr>
<tr>
<td>Calls for Property Offenses</td>
<td>323</td>
<td>354</td>
<td>-31</td>
<td>-9%</td>
</tr>
<tr>
<td>Calls for Disorder Offenses</td>
<td>396</td>
<td>405</td>
<td>-9</td>
<td>-2%</td>
</tr>
<tr>
<td>Calls for Drug Offenses</td>
<td>25</td>
<td>26</td>
<td>-1</td>
<td>-2%</td>
</tr>
</tbody>
</table>
| Calls for Driving Under the Influence | 17 | 16 | 1 | 8\% | 75 One could also express the reduction in calls relative to the average level that occurred during the period before the policy. Percentage changes computed in this way are very similar to those shown in tables 7-4 and 7-5. Also, note that the absolute difference measure in the fourth column of tables 7-4 and 7-5 is the regression coefficient for the post-policy indicator in our statistical model (see Appendix F).
Next, we consider changes in CFS following PWCPD’s implementation of its first immigration policy (General Order 45) on March 1, 2008. For these analyses, we treat all weeks before March 1, 2008 as the pre-intervention period and all weeks following that date as the post-intervention period.

As in the previous analysis, we again see that calls declined for all types of CFS except DUI (Table 7-5), which experienced a statistically non-significant increase. Statistically significant reductions occurred in total calls, calls for person offenses, calls for property offenses, and calls for disorder offenses. Percentage reductions for the former three categories were similar to those observed in the earlier models, ranging from 4% for total calls to 11% for person offenses. In contrast, the estimated effect on disorder calls was stronger in this set of models, indicating a drop of 6%, or 26 calls per week, relative to expected levels.

Table 6-4: Trend and Seasonally-Adjusted Changes in Weekly Calls for Police Service after March 1st, 2008

<table>
<thead>
<tr>
<th>Call Type</th>
<th>Actual Calls Per Week After Policy</th>
<th>Expected Calls Per Week In the Absence of the Policy</th>
<th>Difference (Actual-Expected)</th>
<th>Percent Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Calls (Mar. 2008-Sept. 2008, n=30)</td>
<td>2483</td>
<td>2595</td>
<td>-112</td>
<td>-4%</td>
</tr>
<tr>
<td>Calls for Person Offenses</td>
<td>250</td>
<td>280</td>
<td>-30</td>
<td>-11%</td>
</tr>
<tr>
<td>Calls for Property Offenses</td>
<td>328</td>
<td>357</td>
<td>-29</td>
<td>-8%</td>
</tr>
<tr>
<td>Calls for Disorder Offenses</td>
<td>422</td>
<td>448</td>
<td>-26</td>
<td>-6%</td>
</tr>
<tr>
<td>Calls for Drug Offenses</td>
<td>25</td>
<td>27</td>
<td>-2</td>
<td>-7%</td>
</tr>
<tr>
<td>Calls for Driving Under the Influence</td>
<td>26</td>
<td>25</td>
<td>1</td>
<td>4%</td>
</tr>
</tbody>
</table>

Changes in bold were statistically significant at p<=.05. Figures are adjusted for time trends and seasonal patterns. See Appendix F for a description of the methodology.
Taking these results at face value, they suggest that calls to police for various types of crime and disorder declined in PWC following the implementation of PWCPD’s immigration policy in March 2008. Further, most of these reductions appear to have started earlier, following the announcement of the new immigration policies by the PWC Board of Supervisors and the implementation of 287(g) checks at ADC.

According to our analysis, CFS have shown a more consistent downward trend since the announcement and implementation of the immigration policy than have crime and arrest reports (though we have not analyzed crime and arrest reports using the same methods used to analyze CFS). However, both data sources provide indications that violent offenses have dropped in the wake of the immigration policy.

Two caveats should be noted. First, the drop of 9% to 11% in personal offenses estimated from the CFS data is arguably too large to have been caused by the immigration policy alone (see the statistics discussed earlier on arrests of illegal immigrants for serious crimes). Despite our attempts to control for temporal trends, it is also likely that unmeasured factors like the economy contributed to the reduction in calls for violent crime incidents. A second caveat is that the decline in CFS may have been caused in part by lower levels of reporting, particularly among Hispanics. Anticipating that reporting might decline, the Department’s outreach effort urged people to continue to contact the police if they saw or were a victim of a crime.

Our study does supply some relevant data that would indicate if levels of reporting by Hispanic residents of the county are lower than the reporting level for other residents. Our study team added new questions to the 2008 Prince William County Citizen Survey asking residents if they (or anyone in their household) had been the victim of any kind of crime, and (for those who said yes) whether or not they reported the crime to the police. The results of the interviews, conducted in May and June of 2008, within a few months of the policy's implementation, are seen in Table 6-5. The level of victimization of Hispanic residents is somewhat higher than it is for other residents (a difference which is small but statistically significant in this survey.) However, among those who were victims of a crime that occurred in Prince William, the rates of reporting are nearly identical for Hispanics and non-Hispanics, and are statistically indistinguishable within the survey's margin of error. While the sample size of crime victims is small (due to the low overall crime rate in the county), these data do not suggest that there is a problem of under-reporting of crime by Hispanics in PWC. However, since we do not have comparable data from any earlier surveys, we cannot say with certainty whether there have been changes over time in either the rate of victimization or crime reporting in the Hispanic community.
Table 6-5: Crime Victimization and Reporting in the 2008 PWC Citizen Survey

<table>
<thead>
<tr>
<th></th>
<th>Hispanic</th>
<th>Non-Hispanic</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>Yes</td>
<td>33 14.7</td>
<td>159 11.4</td>
<td>192 11.8</td>
</tr>
<tr>
<td>No</td>
<td>188 83.6</td>
<td>1232 88.1</td>
<td>1420 87.4</td>
</tr>
<tr>
<td>Yes, but not in PWC</td>
<td>4 1.8</td>
<td>8 .6</td>
<td>12 .7</td>
</tr>
<tr>
<td>Total</td>
<td>225 100.0</td>
<td>1399 100.0</td>
<td>1624 100.0</td>
</tr>
</tbody>
</table>

Thinking back over the past twelve (12) months, were you or anyone in your household the victim of ANY crime?

<table>
<thead>
<tr>
<th></th>
<th>Hispanic</th>
<th>Non-Hispanic</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>Yes</td>
<td>26 78.8</td>
<td>124 79.5</td>
<td>150 79.4</td>
</tr>
<tr>
<td>No</td>
<td>7 21.2</td>
<td>32 20.5</td>
<td>39 20.6</td>
</tr>
<tr>
<td>Total</td>
<td>33 100.0</td>
<td>156 100.0</td>
<td>189 100.0</td>
</tr>
</tbody>
</table>

Did you report it to the Prince William County Police Department?

6.5. PWCPD Officers’ Perceptions of the Policy’s Effectiveness in Controlling Crime and Disorder: Survey Results

Finally, as a complement to our analyses of trends in crime and CFS, we examine PWCPD officers’ views about the effectiveness of the policy in controlling crime and disorder problems in PWC. Given the ambiguities involved in interpreting data on crime reports, arrests, and CFS, it is worthwhile to also consider the views of officers who police PWC everyday.

Officers’ perceptions about the efficacy of General Orders 45 and 45.01 in controlling crime and disorder were explored in a small number of items on our PWCPD survey. One item asked officers the extent to which they agreed or disagreed with the statement, “The policy [this question referred specifically to General Order 45.01] is an effective approach to reducing crime in PWC.” Their responses were as follows:

- Strongly agree: 13.2%
- Agree: 36.6%
- Neither agree nor disagree: 32%
- Disagree: 14.8%
- Strongly disagree: 3.5%
Officers were thus more likely to agree than disagree that the current immigration policy helps to reduce crime. On the other hand, only half of PWCPD officers actually felt that the policy reduces crime.

Another series of items asked officers to compare and contrast the effectiveness of General Orders 45 and 45.01 in controlling crime and disorder problems specifically associated with illegal immigration. As shown in Table 7-3, nearly 60% of officers felt that both policies have been helpful in this regard. Another 7.6% felt that only General Order 45.01 (the current policy) has been helpful, while 3.1% felt that only General Order 45 (the original policy) was helpful. However, approximately one-third of officers (31.4%) indicated that neither policy has reduced crime and disorder linked to illegal immigrants.

**Table 6-6: PWCPD Officers’ Views on the Relative Effectiveness of General Orders 45 and 45.01 for Controlling Crime and Disorder Caused by Illegal Immigrants**

<table>
<thead>
<tr>
<th>Statement</th>
<th>% Agreeing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both policies have helped control crime and disorder problems associated with illegal immigration</td>
<td>57.9</td>
</tr>
<tr>
<td>Only the current policy has helped control crime and disorder problems associated with illegal immigration</td>
<td>7.6</td>
</tr>
<tr>
<td>Only the previous policy (General Order 45) has helped control crime and disorder problems associated with illegal immigration</td>
<td>3.1</td>
</tr>
<tr>
<td>Both policies have had no effect on controlling crime and disorder problems associated with illegal immigration</td>
<td>31.4</td>
</tr>
</tbody>
</table>

*Data were missing for 25 (6.6%) of the respondents. Percentages in the table are based on valid responses.

Overall, these data suggest that most officers see PWCPD’s immigration policy (in both forms) as having been effective in reducing crime and disorder caused by illegal immigrants. Nevertheless, officers’ views are more mixed on whether this has reduced crime in PW overall. This is consistent with the view often expressed in our interviews with PWCPD personnel that illegal immigrants do not contribute heavily to crime in PW.76

### 6.6. Conclusions

To conclude, there are mixed indications as to whether the immigration policy has affected crime in PW. Overall, illegal immigrants make up a relatively small proportion of arrestees for serious crimes, and a substantial majority of arrested illegal immigrants are charged with traffic offenses or misdemeanors. Given the lack of previous information on arrests of illegal immigrants, we cannot determine whether or not those proportions have changed since the policy’s implementation.

Our preliminary analysis of calls to police suggests that several types of crime and disorder calls, including those pertaining to violence, have declined by up to 11% since the policy’s announcement and implementation. However, these trends could also reflect less crime reporting by immigrants and the effects of social, economic, and criminal justice factors not incorporated into our analysis.

Crime and arrest statistics reported by PWCPD do not, on the whole, show reductions that might be associated with the immigration policy, but they do show that serious violence, particularly aggravated assault, has dropped sharply in recent years. Considering that illegal immigrants account for only 3% of...

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76 Our PWCPD survey also included a number of items asking officers about the frequency with which they observed different types of crime and disorder problems during the summer and fall of 2008. In our next survey, tentatively scheduled for the spring or summer of 2009, we will again ask officers about perceived crime and disorder problems. We will then use the results from the two surveys to assess changes over time in officers’ perceptions of these problems.
offenders currently arrested for aggravated assault, it seems unlikely that the policy was a major cause behind this trend, but it could have been a contributor.

Finally, the views of officers, as measured in interviews and surveys, are somewhat mixed. Most feel that the policy has been effective in controlling crime and disorder related to illegal immigrants, but they are split as to whether the policy has reduced crime overall, and their general view is that immigrants do not contribute heavily to serious crime in PWC.

On balance, the evidence suggests that the policy may have contributed modestly to reductions in some forms of crime and disorder, including some forms of serious crime. Conclusions must be tentative, nonetheless, due to several factors that complicate interpretation of these patterns, beginning with the lack of historical data on crime committed by illegal immigrants in PWC.
7. The Policy's Impact on Police-Community Relations in PWC

In this section, we consider how the immigration policy has affected citizen satisfaction with police and other aspects of police-community relations, particularly as they pertain to relations between PWCPD and PWC's immigrant community. As discussed earlier in this report, this issue has greatly concerned PWCPD’s leadership since the outset of the immigration debate in PWC. Our examination of police-community relations in PWC is based on three sources: 1) our survey of PWCPD officers in the fall of 2008; 2) interviews and focus group discussions with officers, supervisors, detectives, commanders, and human resource specialists in PWCPD; and 3) trends in citizen satisfaction with police as measured in annual surveys of PWC residents (the most recent of which was conducted in May and June of 2008).

7.1. Police Perceptions of the Policy’s Impact on Police-Community Relations

Interviews and focus groups with PWCPD personnel indicated that both the announcement of the policy in July 2007 and the implementation of the first policy in March 2008 created a substantial amount of fear and distrust of police in the Hispanic community in PWC. This was aggravated by misunderstandings and misinformation about the policy in the Hispanic community. In particular, there was a misperception among some in the immigrant community that the PWCPD would be “head hunting” for illegal immigrants. Many officers feel that this contributed to an outflow of immigrants from PWC, though the declining economy in the county is also thought to have caused much of this out-migration. Some officers also perceived that crime victims and witnesses in the Hispanic community were more reluctant to cooperate with police for fear that police would check their immigration status. Overall in the interviews, officers reported that the net effect of the policy on police-immigrant relations has been negative.

Many of these interviewee observations are reinforced by our survey of PWCPD officers. As shown in Table 7-1, nearly three-fourths of PWCPD’s officers agree or strongly agree that the immigration policy has caused illegal immigrants to leave PWC. Forty percent also believe that the policy has prompted legal immigrants to leave the county.

Table 7-1: Officers’ Perceptions of the Policy’s Impact on PWC’s Immigrant Population

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neither Agree nor Disagree</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>The policy has resulted in illegal immigrants leaving PWC.</td>
<td>28.2%</td>
<td>45.0%</td>
<td>21.2%</td>
<td>5.4%</td>
<td>0.3%</td>
</tr>
<tr>
<td>The policy has resulted in legal immigrants leaving PWC.</td>
<td>7.5%</td>
<td>33.1%</td>
<td>41.4%</td>
<td>14.8%</td>
<td>3.2%</td>
</tr>
</tbody>
</table>

Data were missing for 7 (1.8%) of the respondents. Percentages in the table are based on valid responses.

Officers were also asked how commonly they had witnessed various problems related to police-community relations since July 1, 2008. Most officers felt that these problems, which are listed in Table 7-2, occurred only occasionally. However, 40% of respondents reported that difficulties in getting illegal immigrants to report crime to the police occurred regularly (i.e., all the time) or often, and about one-third

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77 In this sense, the policy has arguably hurt PWCPD’s community policing efforts. However, officers have also pointed out that the Department’s community policing efforts have suffered more generally due to rising demands for police service. This trend, combined with the Department’s growing emphasis on the use of special units to address street crime, has limited the time that officers have for conducting proactive activities and for interacting informally with residents and workers.
reported the same for getting witness cooperation. Further, between 18% and 25% of officers reported that accusations of biased policing, negative feelings towards the police, poor police relations with the immigrant community, and difficulty in forming community policing partnerships with the immigrant community were problems that occurred regularly or often.

We cannot say whether the problems in Table 7-2 have become more severe since the implementation of the current immigration policy because we do not have measures of how officers perceived these problems before the implementation of PWCPD’s immigration policies. Consequently we cannot track changes caused by either policy.

Table 7-2: Problems Observed by Officers since the Current Immigration Policy went into Effect on July 1, 2008 (Values are in Percentages)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Regularly/All the time</th>
<th>Often</th>
<th>Occasionally</th>
<th>Never</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charges of biased policing against the PWCPD</td>
<td>5.3</td>
<td>12.6</td>
<td>47.1</td>
<td>35.0</td>
<td>0</td>
</tr>
<tr>
<td>Negative feelings directed against the PWCPD by PWC residents</td>
<td>6.9</td>
<td>18.5</td>
<td>61.3</td>
<td>13.3</td>
<td>0</td>
</tr>
<tr>
<td>Poorer relations with the legal immigrant community in PWC</td>
<td>5.0</td>
<td>16.9</td>
<td>59.2</td>
<td>18.9</td>
<td>0</td>
</tr>
<tr>
<td>Difficulty in forming community policing partnerships between the police and the immigrant community</td>
<td>6.4</td>
<td>16.2</td>
<td>52.1</td>
<td>25.3</td>
<td>0</td>
</tr>
<tr>
<td>Problems getting non-immigrant residents of PWC to report crime</td>
<td>5.3</td>
<td>14.7</td>
<td>45.6</td>
<td>34.4</td>
<td>0</td>
</tr>
<tr>
<td>Problems getting legal immigrant residents of PWC to report crime</td>
<td>4.2</td>
<td>11.6</td>
<td>48.8</td>
<td>35.5</td>
<td>0</td>
</tr>
<tr>
<td>Problems getting illegal immigrant residents of PWC to report crime</td>
<td>12.7</td>
<td>27.7</td>
<td>44.0</td>
<td>15.5</td>
<td>0</td>
</tr>
<tr>
<td>Problems getting witnesses to cooperate with the police</td>
<td>6.4</td>
<td>25.8</td>
<td>49.9</td>
<td>18.0</td>
<td>0</td>
</tr>
<tr>
<td>Physical attacks against officers</td>
<td>0.3</td>
<td>4.2</td>
<td>41.6</td>
<td>54.0</td>
<td>0</td>
</tr>
<tr>
<td>Verbal threats against officers</td>
<td>2.5</td>
<td>9.7</td>
<td>53.3</td>
<td>34.4</td>
<td>0</td>
</tr>
<tr>
<td>Low levels of support among most PWC residents for this policy</td>
<td>1.4</td>
<td>10.5</td>
<td>63.0</td>
<td>24.9</td>
<td>.3</td>
</tr>
<tr>
<td>Illegal immigrants are moving out of Prince William County</td>
<td>12.3</td>
<td>36.9</td>
<td>41.1</td>
<td>9.5</td>
<td>.3</td>
</tr>
<tr>
<td>More difficulty in recruiting minority candidates to join PWCPD</td>
<td>2.0</td>
<td>4.3</td>
<td>32.2</td>
<td>61.3</td>
<td>.3</td>
</tr>
</tbody>
</table>

*Data were missing for 18 (4.7%) of the respondents. Percentages in the table are based on valid responses.

Finally, our survey asked officers to compare and contrast the effects that the current policy and the original policy have had on police relations with the immigrant community. Two-thirds of respondents

78 This item was not phrased specifically in reference to immigrants, but this problem is thought to be common in immigrant communities generally.
agreed that both policies have had a negative impact on the Department’s relationship with the immigrant community in PWC, in contrast to 29% who felt that neither policy had affected this relationship and less than 6% who felt that the policies had improved the relationship (Table 7-3). Among those who felt that the immigration policies had harmed the relationship between police and immigrants, most appeared to feel that both policies were equally harmful; this group represented just over one-third of all respondents. Yet by a ratio of nearly 4 to 1, those who perceived a decline in police-immigrant relations were more likely to feel that relations have been better under the current policy than they were under the original policy. Specifically, 23% of all respondents felt that both policies had harmed police-immigrant relations but that relations had improved under the current policy; only 6% felt that this negative trend has been worse under the current policy than it was under the original policy.

Table 7-3: Officers’ Perceptions of PWCPD’s Relationship with the Immigrant Community under the Current and Original Policies

<table>
<thead>
<tr>
<th>Statement</th>
<th>Percent Agreeing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both policies have had a negative impact on relations between the department and the immigrant community</td>
<td>36.4</td>
</tr>
<tr>
<td>Both policies have had a negative impact on relations between the department and the immigrant community, but relationships have improved under the current policy</td>
<td>23.2</td>
</tr>
<tr>
<td>Both policies have had a negative impact on relations between the department and the immigrant community, but relationships have gotten worse under the current policy</td>
<td>5.9</td>
</tr>
<tr>
<td>Relations between the department and the immigrant community have stayed the same under both policies</td>
<td>28.8</td>
</tr>
<tr>
<td>Both policies have had a positive impact on relations between the department and the immigrant community</td>
<td>5.6</td>
</tr>
</tbody>
</table>

*Data were missing for 25 (6.6%) of the respondents. Percentages in the table are based on valid responses.

Although the surveys indicated that officers thought that the Department's relations with the immigrant community were worse after the policy was implemented, some of our focus groups and interviews with officers suggest that things are improving. Many officers feel that the situation has improved more recently due to the change to the current policy and to the Department’s ongoing educational outreach efforts, including dissemination of informational materials, attendance at community meetings, recruitment efforts in the Hispanic community, and everyday interactions with residents and workers. A telling example of these changes came from an officer who described how in the early days of the policy Hispanic restaurant patrons would stop their meals and leave when he and other officers entered a restaurant. At one of these establishments, the officer and his colleagues talked at length about the policy with the restaurant’s Hispanic owner, who in turn conveyed this information to her customers and others she knew in the community. Now, the officer sees fewer signs that patrons in the restaurant are fearful of the police; on the contrary, officers feel that they can now interact informally with patrons without causing fear.

Anecdotally, officers also see other signs that fear and distrust are easing among immigrants. These include improvements in daily interactions with immigrants and a modest rebound in persons at day laborer sites around the county (following an earlier drop). Human resources specialists within PWCPD have also reported few setbacks in their outreach and recruitment efforts targeting minority communities (though minority applications and hires are not as high as the Department would like). However, we plan...
to measure officers’ perceptions of these problems later again in the year, and this will allow us to at least examine whether these problems are becoming more or less severe as officers and residents gain more experience with the current policy.

7.2. Citizen Satisfaction with the Police

More direct evidence of any changes in community attitudes toward the police is found in the annual Citizen Surveys that the University of Virginia Center for Survey Research has conducted annually for the County since 1993. These are large, high quality, comprehensive surveys of citizen satisfaction with a broad variety of services. The surveys are conducted by telephone, using random-digit dial sampling and, starting in 2008, also including samples of cellphone users. (For an account of the survey methods, see Appendix G.) These surveys have long included questions about citizen satisfaction with the police, satisfaction with police attitudes toward citizens, and perceptions of public safety. In 2008, the evaluation team added specific items to the survey that would be relevant to this evaluation. The survey questionnaire does not inquire about any respondent's citizenship or immigration status, so we cannot identify immigrants or illegal immigrants in our results. We do, however, ask respondents about their race and whether or not they consider themselves to be of Hispanic origin. Thus, we can identify the opinions of Hispanic residents and those in racial minorities, but not those of immigrants.

As in previous years, the 2008 Prince William County Citizen Survey asked respondents to rate their satisfaction with various county public safety services. These included police performance, police attitudes and behaviors toward citizens, efforts to reduce illegal use of drugs and gangs’ activities, fire department performance, and rescue service performance. New questions were added this year about the police immigration ordinance, the fairness of the police, and the types of crimes residents are victims of in the county.

The vast majority of residents, 89 percent, said they were satisfied with the overall performance of the Police Department. This rating was lower than the ratings reported in the last five years, and the drop in ratings was statistically significant. The 2008 rating did not vary across the seven geographic regions of the county that were defined for the survey analysis. In 2008, overall satisfaction with the police appeared to be related to the race or ethnicity of the respondent. For contrast, in 2005 when overall satisfaction was 94 percent, blacks were 91 percent satisfied and Hispanics the most satisfied at 97 percent, with all others at 94 percent. In 2008, the rating for all others is virtually unchanged, but satisfaction among blacks had dipped to 84 percent and Hispanic satisfaction with the Police had decreased to 73 percent (see Figure 7-1). Note that the majority of respondents classified as “other” in this survey were Hispanics who do not identify themselves as white, black or Asian.

Figure 7-1: Satisfaction with Overall Performance of the Police Department by Race/Ethnicity, 2008

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Percent Satisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>93.2%</td>
</tr>
<tr>
<td>Asian</td>
<td>94.9%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>72.8%</td>
</tr>
<tr>
<td>Black</td>
<td>83.5%</td>
</tr>
<tr>
<td>Other</td>
<td>70.3%</td>
</tr>
</tbody>
</table>

It should be noted that earlier surveys contained a limited number of Hispanic respondents, and it was not until the 2000 year survey that their percentage started to increase. Using the unweighted data, Figure 7-2
Figure 7-2: Percentage of Survey Respondents who were Hispanic, by Year (unweighted data)

Figure 7-3 shows overall performance ratings of the Police Department by race/ethnicity over the years. While ratings from “All Others” are consistent over the years, those of Hispanics and non-Hispanic blacks show a sharp and significant decrease in 2008. Fluctuation in Hispanic ratings in earlier years of the survey may be due to sampling variability because of the small number of Hispanics in the samples. Recent years of the survey included more Hispanics because of their increase in the county population and because, since 2006, respondents have been offered the possibility of taking the survey in Spanish.

Figure 7-3: Satisfaction with Overall Performance of the Police by Race/Ethnicity and by Year, 1993–2008

Satisfaction of blacks may be different from satisfaction from non-Hispanic blacks, as the latter group is a subset of the former group.

In regards to the immigration ordinance, respondents were asked the following question:

*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? Are you very satisfied, somewhat satisfied, somewhat dissatisfied, or very dissatisfied?

Of those who offer a rating, eight out of ten respondents said they were satisfied with the job the Police Department is doing in carrying out the policy, with nearly half (48.1%) saying that they were very satisfied Figure 7-4. Not accounted for in these satisfaction ratings are those respondents (7.7%) who, because of their opposition to the policy, declined to rate it and those respondents who did not know about the policy (17.2%).

**Figure 7-4: Satisfaction with the Job the Police Department is Doing in Carrying Out the Immigration Policy, 2008 (n=915)**

![Pie chart showing satisfaction levels with percentages]

While there were no significant differences across the regions79 on this item, Dale and Potomac scored the lowest satisfaction ratings (see Figure 7-5).

**Figure 7-5: Satisfaction with the Job the Police Department is Doing in Carrying Out the Policy by Region, 2008**

<table>
<thead>
<tr>
<th>Region</th>
<th>Percent Satisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Battlefield</td>
<td>83.4%</td>
</tr>
<tr>
<td>Broad Run</td>
<td>79.1%</td>
</tr>
<tr>
<td>Hoadly</td>
<td>84.0%</td>
</tr>
<tr>
<td>Old Bridge</td>
<td>82.8%</td>
</tr>
<tr>
<td>Dale</td>
<td>76.6%</td>
</tr>
<tr>
<td>Potomac</td>
<td>74.5%</td>
</tr>
<tr>
<td>Forest Park</td>
<td>86.5%</td>
</tr>
</tbody>
</table>

79 For definition of these survey regions, see the 2008 Prince William County Citizen Survey Report of Survey Results.
As with satisfaction with Police Department attitudes towards citizens, satisfaction with the job the Police Department is doing in carrying out the immigration policy was significantly lower among Hispanic respondents (51%) than among non-Hispanic respondents (84.6%) (see Figure 7-6).

**Figure 7-6: Satisfaction with the Job the Police Department is Doing in Carrying Out the Policy by Race/Ethnicity, 2008**

Respondents who reported that they were very satisfied or very dissatisfied with the job the Police Department is doing in carrying out the policy were asked a follow-up question about the reasons for their satisfaction or dissatisfaction. This question was asked in an open-ended format and each respondent could provide more than one answer. Respondents’ verbatim responses were coded for analysis.

Table 7-4 presents the grouped responses for those respondents who said they were very satisfied (n=440). Of these respondents, 428 responded to the open-ended question. More than one third (36.5%) had favorable comments on police actions, and 31.4 percent had positive comments on the policy itself. About a fourth (24.4%) cited favorable results of police enforcement of the policy. About one-sixth (15.7%) of those who were satisfied had (negative) comments on the problem of illegal immigration, stressing its disadvantageous aspects. A more detailed listing of these responses is presented in Appendix G.

**Table 7-4: Reasons for Satisfaction with the Job the Police Department is Doing in Carrying out this Policy (n=501)**

<table>
<thead>
<tr>
<th>Comments</th>
<th>Responses</th>
<th>% of respondents mentioning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respondent said s/he was satisfied with the job the Police Department is doing because...</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>Illegal immigration causes problems in the community</td>
<td>67</td>
<td>15.7</td>
</tr>
<tr>
<td>The policy is good/needed</td>
<td>134</td>
<td>31.4</td>
</tr>
<tr>
<td>The policy’s enforcement is having positive results</td>
<td>104</td>
<td>24.4</td>
</tr>
<tr>
<td>The police have been doing a good job of carrying out the policy.</td>
<td>156</td>
<td>36.5</td>
</tr>
<tr>
<td>Haven't experienced, no opinion, other reasons, answers cannot be coded</td>
<td>40</td>
<td>9.4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>501</strong></td>
<td><strong>117.3</strong></td>
</tr>
</tbody>
</table>

*Some respondent answers were coded into more than one category of response. The “Responses” column indicates the number of responses coded for each response category. The column “percentage of respondents mentioning” presents the number of people with responses in each category as a percentage of the number of respondents (428). On average, each respondent’s answer was coded into 1.17 responses.*
Table 7-5 presents the 101 responses from those respondents who said they were very dissatisfied with the job the Police Department is doing in carrying out the policy. Of these respondents, 85 responded to the open-ended question. About half of these respondents (48.2%) had unfavorable comments about the Prince William County policy in general, and 15.3 percent indicated unfavorable outcomes or negative effects from the policy or from police enforcement in general. One-quarter (25.9%) of respondents in this group felt the policy does not go far enough. Less than one quarter of these very dissatisfied respondents mentioned the actions of the police among their reasons for being dissatisfied. It is apparent from the open-ended follow-ups that the question elicited responses based more on residents’ orientations to the immigration controversy and feelings about the County’s new policy than on actual assessment of the Police Department’s performance as executor of the policy. Refer to Appendix G for a more detailed listing of these responses.

Table 7-5: Reasons for Dissatisfaction with the Job the Police Department is Doing in Carrying out this Policy (n=101)

<table>
<thead>
<tr>
<th>Comments</th>
<th>Responses</th>
<th>% of respondents mentioning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respondent said s/he was dissatisfied with the job the Police Department is doing because...</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>Illegal immigration causes problems in the community and the policy does not adequately address them</td>
<td>22</td>
<td>25.9</td>
</tr>
<tr>
<td>The policy is bad</td>
<td>41</td>
<td>48.2</td>
</tr>
<tr>
<td>The results of enforcing the policy are negative</td>
<td>13</td>
<td>15.3</td>
</tr>
<tr>
<td>Approves of policy but problems with enforcement exist</td>
<td>6</td>
<td>7.1</td>
</tr>
<tr>
<td>The police are discriminatory/racial profiling</td>
<td>14</td>
<td>16.5</td>
</tr>
<tr>
<td>Haven't experienced, no opinion, other reasons, answers cannot be coded</td>
<td>5</td>
<td>5.9</td>
</tr>
<tr>
<td>TOTAL</td>
<td>101</td>
<td>118.8</td>
</tr>
</tbody>
</table>

Some respondent answers were coded into more than one category of response. The “Responses” column indicates the number of responses coded for each response category; there were 101 coded responses in all. The column “percentage of respondents mentioning” presents the number of people with responses in each category as a percentage of the number of respondents (85). On average, each respondent’s answer was coded into 1.19 responses.

Residents were also asked as in previous years about their satisfaction with police attitudes and behaviors toward citizens. This question was asked in a split ballot format with one-third of the respondents answering the question with the word citizens and the remaining two-thirds answering the question with the word residents.80 Slightly more than three-quarters (79.3%) of respondents expressed satisfaction with the traditional question (using the word citizens), while 78.4 percent expressed satisfaction with the new wording (using the word residents).81 Using the rating of 79.3 percent for comparative purposes, the analysis showed that satisfaction with police attitudes and behaviors towards citizens in 2008 was significantly lower than previous ratings experienced since 2003.

80 In prior years, the question referred to “citizens,” which was meant to be understood as a synonym for “resident.” In light of the immigration policy, CSR decided to clarify the question’s wording by using the term “resident.” The split ballot was used to determine if the wording change would affect responses.

81 Analysis of these ratings shows no significant differences between the two wordings of the question.
As in previous years, race of the respondent was related to opinions about police attitudes and behaviors. In 2008, the data showed that respondents of “other races” and Hispanics were least satisfied with the attitudes and behaviors of the police, a significant change from previous years. For example, in 2004, blacks were most satisfied at 87 percent, and, in 2005, Hispanics were most satisfied at 91 percent. These figures changed significantly in 2008, with 73 percent of blacks and only 54 percent of Hispanics reporting that they were satisfied with police attitudes and behaviors (see Figure 7-7).

**Figure 7-7: Satisfaction with Police Attitude and Behaviors by Race/Ethnicity, 2008**

![Satisfaction with Police Attitude and Behaviors by Race/Ethnicity, 2008](chart.png)

Figure 7-8 shows the satisfaction ratings with police attitudes and behaviors towards citizens by race/ethnicity and by year. These ratings indicate a sharp and significant decrease in the ratings of Hispanics. Non-Hispanic blacks and “others” also show a decrease in their ratings.

**Figure 7-8: Satisfaction with Police Attitudes and Behaviors towards Citizens by Race/Ethnicity and by Year, 1993-2008**

![Satisfaction with Police Attitudes and Behaviors towards Citizens by Race/Ethnicity and by Year, 1993-2008](chart2.png)

Satisfaction of blacks may be different from satisfaction from non-Hispanic blacks as the latter group is a subset of the former group.

With respect to age, seniors (91.8%) were more likely to express satisfaction than respondents aged 26-37 (71.9%) and respondents aged 38-49 (77.8%). Unlike in 2007, the 2008 satisfaction ratings with police attitudes and behaviors show no significant differences with respect to the geographical regions.

In another new survey question, respondents were asked to rate how satisfied they were that the Police Department treats everyone fairly regardless of race, gender, ethnicity, or national origin. Nearly three-
quarters (74.3%) of respondents expressed their satisfaction, with 43.8 percent saying that they were very satisfied (Figure 7-9).

**Figure 7-9: Satisfaction that the Police Department Treats Everyone Fairly Regardless of Race, Gender, Ethnicity, or National Origin, 2008**

![Pie chart showing satisfaction levels](image)

As illustrated in Figure 7-10, blacks (61.6%) and respondents of “other” races (53.5%) were less likely to be satisfied than whites (82.6%) and Asians (79.7%). Hispanics (49.4%) were also less likely to be satisfied than non-Hispanics (79.8%) (see Appendix E of the 2008 citizen satisfaction survey report).

**Figure 7-10: Satisfaction that the Police Department Treats Everyone Fairly Regardless of Race, Gender, Ethnicity, or National Origin by Race/Ethnicity, 2008**

![Bar chart showing satisfaction by race/ethnicity](image)

On this item, the results again show no significant differences across the regions. However, Forest Park registered the lowest score (67.2%) (see Figure 7-11).

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82 As explained above, most of the “others” are those who identified their race as Hispanic, which is not considered a racial category in this survey.
Figure 7-11: Satisfaction that the Police Department Treats Everyone Fairly Regardless of Race, Gender, Ethnicity, or National Origin, by Region, 2008

- Battlefield: 72.2%
- Broad Run: 78.1%
- Hoadly: 82.2%
- Old Bridge: 79.8%
- Dale: 72.7%
- Potomac: 72.2%
- Forest Park: 67.2%
8. The Policy’s Effects on the Community

As we saw in Section 2, people had a range of goals for the policy, and we have used those goals to generate and then test hypotheses about what the policy’s effects on the community might be. Those hypotheses are:

- Immigrants would leave the county;
- Cost savings would be achieved because fewer services would be delivered to illegal immigrants;
- Overcrowded housing and public disorder would decline;
- People would feel safer; and
- Immigrants would feel unwelcome in the county and fearful of the police and government.

This chapter examines the evidence around four of these five issues. We do not discuss the potential cost savings achieved in this report; the final report will investigate that question. The last two hypotheses regarding the quality of life and fearfulness are discussed together because although the supervisors wanted to address people’s concerns over the quality of life in their neighborhoods, they may have unintentionally decreased the quality of life for immigrants.

8.1. Did Illegal Immigrants Leave the County?

Did immigrants move out of Prince William County when the Police Department implemented General Orders 45 and 45.01? Data from a variety of sources—social service providers, Police Department personnel, County staff, business people, pastors and other community leaders—is very consistent in suggesting that they did, albeit in modest numbers. Some people noticed fewer Hispanics in their neighborhoods and in the local grocery stores; business owners reported a drop in Hispanic customers. The number of people at day labor sites also dropped. According to newspaper reports\(^{83}\) and interviews, these changes occurred through fall 2007 and winter 2008.

An employee in a large PWC institution said,

> At the grocery stores you don’t see as many of them—at the grocery store—I mean I’ll stop here before I head home, and I’ll see it.

A Health Department employee reported,

> The number of WIC clients decreased. A fair amount went to Fairfax...We noticed the decrease because they were asking for their information to be transferred. Initially staff reported that people were requesting the records and moving because they were scared.

One County official said that after the County passed its resolutions, her children’s play groups became less Hispanic. Another resident said that his church’s ESOL class for adults was “decimated” and is now more diverse, with Asians along with Hispanics. Finally, the absolute number of children identified as English Speakers of Other Languages (ESOL) students in the schools dropped between fall 2007 and fall 2008 in the County schools (see Figure 8-1).

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\(^{83}\) Aizenmann (2008, March 27); Brolliard (2008, April 21); Gardner (2008, April 28).
In doubt, however, are answers to the following questions:

- How many illegal immigrants left the county?
- Why did people leave the county?

These are challenging questions to answer because during the same period that the policy was being debated and initiated (July 2007 through March 2008), housing and other construction, which had been booming in Prince William County, decreased dramatically. In January 2001, the Bureau of Labor Statistics documented 9,919 employed construction workers in PWC. In June 2006, the number of construction employees had grown to 15,786. By January 2008, the figure had fallen almost 4,000 to 11,909.\(^4\) Because the policy's public debate and implementation occurred at the same time that the housing market and its associated construction collapsed, it is very challenging to disentangle the effects of the policy from the effects of the economy.

8.2. How Many Illegal Immigrants Left the County?

Trying to disentangle the size of the policy’s effects from those of the economic recession with respect to outmigration is critical in assessing the policy. It is also very challenging because many social service agencies, whose information might be useful in estimating the loss of illegal immigrants in the county, do not gather immigration status data. In many cases, there are good reasons for this. Illegal immigrants fear deportation and avoid government agencies and other places where they might be asked their status. Depending on the agencies' missions, it may be more important to ensure that people use agency services than to ensure that those people who use those services are in the country legally. For example, public

health departments aim to ensure the health of entire populations and a process which deters people from using public health services, such as requesting information about immigration status, may endanger the agency's mission.

How many illegal immigrants were there in Prince William County to begin with? Unfortunately, there is no way to know with any great certainty. Census data indicate that in 2006—a year before the first resolution—the Hispanic population stood at 68,418, many of whom were immigrants. Some national studies indicate that undocumented immigrants constitute at least 30 percent of the immigrant population. But that percentage could vary widely across states and localities, and there is no such percentage estimate available that can be confidently applied to the Prince William case. The number of illegals in the County, including all nationalities, probably numbered in the tens of thousands; the majority of these were Hispanic.

To provide a preliminary assessment of the scale of outmigration from Prince William County, we rely on census and other federal government data, information from interviews with County agency staff and supervisors, and school enrollment data on the number of English Speakers of Other Languages (ESOL students).

Data show that the foreclosure rate for homes in the county is highly concentrated in neighborhoods where the Hispanic population is densest, which we also observed in tours through these neighborhoods. We assume that most of the former residents of these foreclosed properties have left the county.

The trend in the county’s ESOL enrollments also indicate a reduction in the county’s Hispanic—and possibly illegal immigrant—population. In the 8 years before fall 2008, ESOL enrollments in Prince William County had been steadily rising by an average of 1,450 students a year, an almost twelve-fold increase. In fall 2008, the number of ESOL students dropped by 247. Although the press and some of our informants reported a fairly large drop in the ESOL student population between Fall 2007 and April 2008 (over 700 students), a look at the county’s data over time indicates that the population of ESOL students typically drops between September and June every year by about the same number. The more reliable figure is 247 because it measures the change between one fall (2007) and the next (2008) and does not reflect academic year fluctuations in student enrollments due to things such as dropping out of school or, perhaps, moving back to the country of origin. This drop not only suggests that some illegal immigrants left the county, it also indicates that some dynamic—the policy or the economy—deterred immigrants from moving into the county.

A spokesperson for a local hospital indicated that in fiscal year 2008, births to uninsured mothers dropped by 15%. (According to our informant, those mothers are often immigrants who are not eligible for health insurance.) A staff member from a social services agency said:

We can chart some of the movement out of the county—it has not been as overwhelming as I thought it would be for our clients—one of our workers was collecting some data for us, I don’t know how accurate it is, but I wanted to see in terms of our Spanish speaking population if there were fluctuations, and really it’s about the same. There are spikes, but those tend to be seasonal spikes—there are particular months—October is a big month for us and July and August are down.


87 The Pew Report also estimated that 78 percent of all undocumented immigrants are Hispanic, Ibid.


Finally, the Bureau of Labor Statistics also indicates that about 4,000 construction jobs were lost in PWC due to the mortgage and foreclosure crisis between June 2006 and June 2008; some of the workers in these jobs were immigrant day laborers who may have left the county.

Given the available information, the outmigration from Prince William County does not appear to have been substantial, although it may have been experienced as such by people living in areas where immigrants are highly concentrated. If several houses on a block are overcrowded, that can have a tangible impact on people’s daily lives when it comes to parking a car; if these houses are vacated, the local effect will be substantial.

Although we cannot determine the exact number of people who left the county, the information from County staff and residents, along with the ESOL school enrollment data, suggests that the number of people who left was modest—probably less than 5,000 overall, but more than a few hundred. Information from the American Community Survey for 2008, which will be available in late 2009, will give us a better idea, although we will be unable to generate more than a rough estimate. Whatever the size of the population loss, it is clear that the trajectory of rapid growth in the immigrant population was substantially altered around the time of the policy’s adoption due to a convergence of circumstances already described.

8.3. Why Did People Leave?

It is unclear if the modest outflow was attributable to the immigration enforcement policy (that is, people getting arrested and turned over to ICE), fear of the policy or the highly publicized anti-immigration sentiment voiced in the controversy, the economic downturn or all four. As the policy was being debated, a serious downturn in the housing market began and foreclosures in Prince William County rose precipitously. As it was being implemented, the entire economy entered a recession. In Prince William County, for example, the number of construction jobs in the county, which had risen by 41 percent between 2000 and 2005 decreased significantly by 2007. Seventy-five percent of the earlier gains in construction jobs were lost.

Many interviewees acknowledged the impossibility of disentangling fear, arrests and the severe economic downturn as causative factors in possible Hispanic outmigration. The highly politicized nature of the policy means that people have tended to interpret the outmigration according to their policy position. People in support of the policy have tended to report that the policy had a large impact on the change:

Yes, our street at this time last year—my block—probably has about 30 homes on it, and this time last year it probably had 10 homes that were overcrowded, my wife didn’t feel it was safe to take the kids out for a walk in the evening—there were concerns about being in the street, being out in front of the house—issues of drunken drivers—folks who had their cars smashed into by drunken drivers—only the back yard could be considered safe.

Greg Letiecq, Help Save Manassas

People opposed to the policy, have two interpretations. Members of Mexicans Without Borders, an advocacy group, suggested that the county had become a hostile environment for all immigrants, leading to an exodus of legal immigrants, as well as those in the country illegally:

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90 Ibid., Quarterly Census of Employment and Wages for the Private Construction Industry, Prince William County, Virginia.
I know in my neighborhood the number of Latino families that have left—it’s a lot—my street alone, probably about 8 families who have left—we know how many people have left—when we call meetings—we used to have several hundred people come to those meetings, and a large number of them have gone, the ones that have remained cannot sell their homes—people don’t want to live in a county that is as unwelcome as PWC, if I could leave, I would. There are business owners that are relocating. If you believe that people should be treated as human beings and not be judged by the color of their skin [then you don’t want to stay in this county].

Nancy Lyall, Mexicans Without Borders

Others, however, deny that the policy had an effect:

More than half my 10,000 parishioners are Hispanic...The press has made it sound like because of the resolution hordes of people have left PWC in reaction to this racist resolution. That is wholly inaccurate. Certainly there has been a number who have left the county but not because of any perceived racism or they are afraid of being stopped by the police. The vast majority of illegal immigrants have left simply for economic reasons. Because this whole thing happened at the same time as the huge downturn in the housing market, and it’s a vicious circle for Hispanics because I would say that the majority of Hispanic men in my parish work in construction. Construction is down so they lose their jobs...Now, interestingly, our numbers here of Hispanics in the parish have grown over this time. The number of registrations is up and the number of people coming to Mass is the same or higher. So we have not experienced any significant decrease in the number of Hispanics. That being said, whenever I go out to Hispanic restaurants—which I do frequently—or Hispanic businesses which I know in the area, I notice that the numbers have fallen. I think a lot of that has more to do with economics than with persecution.

Rev. Donald J. Planty, Jr.,
Holy Family Catholic Church

Although trying to determine how many people left because of the policy and how many left because of the economy is impossible, the evidence is relatively strong that both played a role in people’s decisions to leave. First, if estimates from the Government Accountability Office about the proportion of people that ICE deported from 287(g) programs hold for Prince William County, about 65% of the people who were turned over to ICE as a result of both the Jail’s and the Police Department’s 287(g) programs probably did not return to the county because they were detained or deported. Second, as we saw in Section 7, many police officers think that both illegal and legal immigrants left as a result of the policy. Also, information from interviews suggests that the policy played a role in people leaving the county. Carlos Castro, a businessman who maintains extensive contacts with the county’s Hispanic population because of his many businesses catering to that community, has argued that the period leading up to passage of the resolution in 2007 frightened some Hispanics into leaving the county. Among his businesses, Mr. Castro runs a travel agency, and he stated that some Hispanics had bought one way tickets back to their homelands. Others migrated to different counties. He also reported:

I don’t have anything scientific way of proving it, but Manassas is a ghost town when it comes to Latinos. Also, in day-to-day contacts with my business, I knew of people who were moving out who were citizens. I told them not to move but they said that some of their relatives would not come to visit them in PWC.

Mr. Castro emphasized the need for care in interpreting the issue of possible outmigration by county Hispanics. He argued that though, initially, some had been frightened into leaving, once the community realized that the resolutions did not mean mass deportations the fear subsided and the outflow ceased.

In a similar vein, officials reported that in March 2008, when General Order 45 went into effect, there was a very large drop in attendance at the most popular day labor site in the county. Before that month 30 to 60 men congregated at the site; afterwards the number of men was in the single digits. If the drop was due only to the economy, one would not expect to see such a sudden large drop. And later, even as the
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8.4. Overcrowded Housing Complaints Have Declined and Loitering Has Decreased—But Problems Associated with Vacant Homes Have Risen

One of the major reasons there was so much support for the immigration enforcement policy was related to negative changes in the quality of some PWC residents’ lives. To investigate the possibility that the policy improved conditions, we examine residents’ comments about the policy on the 2008 community survey and data from the County’s Neighborhood Services Division, which handles residents’ complaints about overcrowded housing.

When interviewed for the annual Citizen Survey in late Spring 2008, residents who reported that they were very satisfied with the job that the police were doing enforcing the policy provided a broad range of responses. About 20% of those residents volunteered that they were satisfied with the Police Department’s work because community conditions had improved, including declines in day laborers and other people loitering on street corners and the Seven-Eleven. Because the survey was administered soon after the policy had first been implemented, it will be interesting to follow up on people’s comments in 2009 to see if there is any indication that immigrants’ presence at day labor sites had increased after changes to the policy itself and increased comfort within the community.
In the period leading up to the policy’s implementation, a key complaint voiced by supporters of the policy was the deterioration of neighborhoods due to overcrowded homes occupied by numerous illegal male immigrants who parked on the lawns. Data from the Neighborhood Services Division of Prince William County help us assess the validity of those claims. The data are, of course, an imperfect measure because we must examine the proportion of complaints that proved to be founded by the staff at the Division, which depends in part on there being enough staff to assess all the complaints. Prior to 2005, the Division was very short-staffed, and we do not consider data before then because we believe strongly that the abrupt changes between 2004 and 2005 represent the effects of improved staffing levels, and not changes in the community itself.

In the years between 2005 and 2008, the number of complaints to the Neighborhood Services Division rose dramatically, from 3,341 in FY 2005 to 7,126 in FY 2008. The number of founded violations, however, dropped from 97 percent of all complaints to 69 percent of all complaints, although the absolute number of founded violations rose, from 3,226 to 4,975. Although these figures indicate that residents were making a higher proportion of unfounded complaints, which represents their concerns over the quality of life in their neighborhoods, they also represent actual changes in the neighborhoods during those years.

If we look in more detail at the nature of the changes, it suggests that problems associated with overcrowding rose through June 2006 (a year before the Board of County Supervisors passed the first immigration enforcement resolution) and then began to fall. Between July 2005 and June 2006, parking on an unimproved surface violations (in other words, parking on lawns), which is associated with overcrowding, reached a high of 828 violations before dropping to 516 in the period July 2007 and June 2008. These data support the strong feeling in the community that there were overcrowding problems in some neighborhoods, and they also indicate that the overcrowding declined as the policy was getting off the ground.

Table 8-1: Founded Neighborhood Services Complaints, 2005–2008*

*Data on maintaining a dump heap and parking on an unimproved surface come from fiscal years (July 1 through June 30). The weed and tall grass violations refer to calendar years for the 2005–2006 and fiscal years for 2007 and 2008. Thus, the weed and tall grass violations for 2007 are for only part of the year (January–June 2007), and the drop in 2007 for those violation is due to that change in the period. Had all of 2007 been counted in that column, we would expect to see a steady rise in weed and tall grass violations. Data retrieved from a September 9, 2008 presentation on the immigration enforcement policy to the Board of County Supervisors.

91 Prince William County Police Department (2008, September 9).
92 The Neighborhood Services Division also provided data on other founded violations, such as maintaining outside storage, complaints involving inoperative vehicles on the property, and complaints about housing maintenance.
However, here again we have evidence that two forces—the economic downturn and the policy—were at work in ameliorating the neighborhood overcrowding that had motivated the policy. At the same time that complaints associated with overcrowding were diminishing, complaints associated with vacant homes were rising: Total weed and tall grass violations rose from 561 in 2006 to 1,128 in 2008. The fact that a large decline in parking on unimproved surfaces occurred between July 1, 2006 and June 30, 2007 indicates that problems with overcrowding were already declining prior to the introduction of the policy. This suggests that the foreclosure crisis accounted for at least some of the drop in overcrowding; stricter code enforcement and increased staffing at neighborhood services could also have played a role.

8.5. Although Some Residents Feel Safer, Others Feel More Fearful

In previous chapters we discussed objective aspects of public safety—calls for service to the Police Department and crime rates for a variety of crimes. Here we discuss the subjective aspects of public safety and order, which are critical elements of community life that affect how people interact and their overall quality of life. According to proponents of the policy, residents who felt threatened by changes to their community as a result of the influx of illegal immigrants would feel safer. Opponents of the policy, however, thought immigrants—both legal and illegal—would feel less safe in the community. Both predictions came to pass.

8.6. Feeling Safer

When we asked Greg Letiecq, a major advocate of the policy, how his neighborhood was different after the policy took effect he reported:

[It’s] dramatically different—we do go out on walks frequently now, there’s no concern at all about whether that car coming down the street is going to hit you, the amount of people hanging out in front of the house is almost non-existent now. The overcrowded houses are almost entirely gone, the noise level has markedly decreased, and we can find parking in front of our house.

Three residents who participated in the 2008 Citizen Survey echoed Mr. Letiecq’s feelings of greater safety after the policy’s implementation. Such people said they supported the policy, and when asked why, responded with a variety of comments:

Well, I have noticed since they started clamping down on the immigration thing [that there’s] much less loitering now. Frightening before. Done on-line shopping for that reason. Better now.

I feel safer, and I think it should be done for the safety of Prince William people.

However, data on people’s feelings of safety in Prince William County have been collected for years through the Citizen Survey, and the picture that emerges from those data show that feelings of safety in the county have remained remarkably high and stable over time for non-Hispanic residents (see Figure 9.5-1 below), with over 90% of residents reporting feeling safe. Therefore, while at least some non-Hispanic residents did feel unsafe in their neighborhoods prior to the immigration enforcement policy, that feeling was not pervasive within the county, nor does it appear to have changed with the growth of the immigrant population.
Figure 8-2: Percent of PWC Residents who are Satisfied with Safety in their Neighborhood in Daytime by Race/Ethnicity*

*3-year running averages are used for the 1997–2005 period. Years 2006–2008 reflect actual figures. 93 The dashed line on the chart represents the passage of the policy in 2007.

93 3-year running averages are often used in presenting trends over time in order to flatten out the year-to-year fluctuations that occur when sample sizes are small. For example, the sum of the actual percentages for the years 1999, 2000 and 2001 would be divided by 3 to get an estimate for 2000 in the chart above. They permit the reader to better see underlying patterns in the data. We use them in this report because the proportion of Hispanics taking the survey was small in the early years of the survey. When examining before and after trends of a policy, it is necessary to omit the running averages in the years immediately preceding and succeeding the policy in order to avoid averaging across the two time periods of interest. Therefore, we use 3-year running averages through 2005 and from 2006 on we use the actual figures for the designated years.
8.7. Feeling More Fearful and Uncertain

The story is somewhat different for the Hispanic population. As Figure 8-2 shows, Hispanic have typically felt a little less safe in their neighborhoods during the daytime than blacks or all other ethnicities (consisting primarily of non-Hispanic whites and Asians), although their rates have also been high. Between 2000 and 2004, Hispanics feelings of safety rose until they were about the same as all others. But beginning in 2005, the gap between Hispanics and other ethnicities began to grow.

The picture of people’s feelings of safety at night in the neighborhoods also indicates that Hispanics have traditionally felt less safe than others. Again, the gap between Hispanics and others narrowed in the early 2000s, only to widen again, perhaps from the policy. Data from interviews with people who work with the Hispanic community bear out a sense of increased fear and uncertainty since the policy’s passage:

At first the community was desperate and uncertain about their future, so a lot of people left—legal and illegal.

Carlos Castro
There was fear in this community, I heard that from social workers and supervisors, and I’m sure our clients were impacted. We were seeing fewer people for a period.

County Employee

Patrol officers reported that Hispanics, fearing police roundups, had been afraid immediately after the policy was implemented. From their vantage point, the Hispanics feel threatened, while the native born think that the police are not doing enough.

People we interviewed—both opponents and proponents of the policy—consistently reported that there was greater fear in the Hispanic community, among legal as well as illegal immigrants, which they indicated was unfortunate. Where they differed, however, was in their accounts of what was causing the fear. From the perspective of the policy’s advocates, the fear was a result of fear mongering among the policy’s foes:

There were irresponsible people who were mischaracterizing what the police were going to do—they were trying to upset people and started screaming about how it was inevitable that racial-based policing would be done, all sorts of civil rights violations that this would enable, and I think that rhetoric has frightened folks who would hear voices in their language...and I’m sure that some legal immigrants did get caught up in this, and I wish folks on the other side would exercise more restraint—we’ve tried to be clear that if you’re here legally you are welcome, and we would say that and our political opposition would take us to task and say we were being disingenuous.

Greg Letiecq

Among the policy’s opponents, however, the policy itself generated fear because people thought they could be stopped by the police, even if they did nothing wrong. They were also afraid because they thought that, even though the policy’s advocates repeatedly said that they were interested in only illegal immigrants, Hispanics perceived the policy as being directed more generally at Latinos.

Once perceptions that the policy is aimed at immigrants—particularly Hispanics—arise, counteracting them is challenging. Police officers reported that they thought people were less afraid now that the policy has been modified and practice has shown that the fears were largely unfounded. Other community members, however, reported that Hispanics continued to feel unwelcome in Prince William County.

Some of the policy’s proponents think that those feelings are caused by a misunderstanding of the policy’s intent. But there is evidence that at least a few native born residents in the county make little distinction between legal immigrants, illegal immigrants and Hispanics, which can easily happen when people assume that behaviors that they object to (loitering, housing overcrowding and parking on lawns) are due to illegal immigration because the people engaging in the behaviors speak Spanish.

8.8. Trust in Government and the Desire to Stay in Prince William County Declined Among Hispanics

During interviews, we heard repeatedly that the Hispanic population in general was afraid of being stopped by the police as a result of the policy despite the efforts of the Police Department to inform the population that the policy’s intent was to rid Prince William County of serious criminal offenders who were illegal immigrants, not just illegal immigrants in general. We heard that Hispanics did not trust that they would be safe. We also heard from Police Department personnel that they believed people understood the policy and that people were more comfortable with the policy after months of public education forums. These competing statements led us to investigate responses to two questions that have been part of the Prince William County Citizens Survey for a number of years. The first examines survey

participants’ trust that the government will do what is right always or most of the time. As Figure 8-4 indicates, the results are startling.

**Figure 8-4: Trust that the Government will do what is Right (Always & Most of the Time)**

*3-year running averages are used for the 1997–2005 period. Years 2006–2008 reflect actual figures. The dashed line on the chart represents the passage of the policy in 2007.

In 2008 there was a sudden and dramatic decrease in the proportion of Hispanic and non-Hispanic blacks who reported that they trusted the government to do what is right always or most of the time. Responses for all other respondents (primarily whites and Asians) showed no such decrease. While we expected a decrease in Hispanics trust in government, we did not necessarily expect to see such a large decrease for blacks, but there were indications in our interviews that some blacks believed that they might also be vulnerable to police action, too, because they are also a minority in the community. In general, African Americans traditionally exhibit lower levels of trust in government than whites. What has been striking in Prince William County is that while African Americans have shown slightly lower levels of trust than other racial/ethnic groups, the differences had not been large until 2008. The policy, therefore, appears to have negatively affected people’s trust in government in two large demographic groups.

We also see a dramatic decline in the percentage of Hispanic respondents who want to live in Prince William County five years from now (now=summer 2008). As Figure 8-5 indicates, in 2006, 77 percent of Hispanic residents indicated that they wanted to live in Prince William County in five years. Two years later that figure was 42 percent. The pattern for whites and others was the inverse, although not as dramatic. In 2006, only 53 percent of the non-Hispanics and non-blacks wanted to live in PWC in five years; that figure was 63 percent in 2008.
Just as important, we see significant decreases in Hispanics’ assessments of the quality of life in Prince William County. Figure 8-6 shows that after rising to a high of 8 on a 10-point scale (10 represents the highest rating of the community), they fell to 5.9 in 2008. Responses from non-Hispanic blacks and all others remained relatively stable, fluctuating only slightly between 7 and 7.5 on the scale.

The responses to these questions are discouraging because they suggest that a fairly significant ethnic divide among Prince William County residents, with respect to people’s desire to live in the county, trust in government, and perceived quality of life, has emerged as a result of the policy and the policy controversy. (The collapse in construction jobs and the mortgage crisis may also have contributed to these divides inasmuch as they impacted minority groups more than others.) The findings also indicate that as one group’s comfort falls, another group’s rises slightly. This suggests that finding solutions that accommodate residents overall may be challenging.
8.9. Conclusion

Despite the challenges associated with attributing changes in the community to the policy vs. the economy, the data suggest that Prince William County’s immigration enforcement policy resulted in some changes in the community. We conclude that a relatively modest number of immigrants—both legal and illegal—left the community, although we cannot determine how many left because of the policy or the economy, but both contributed to the declines in the immigrant population. We also note that fewer immigrants may be moving to Prince William County, although this again is probably attributable to the same range of causes.

The quality of life also changed within the county, in both good and bad ways. People reported decreases in the number of people loitering on street corners and at day labor sites immediately after the policy went into effect. Some of those decreases may have been temporary as immigrants left in fear of being picked up by the police but then returned as the policy changed, which we will follow up on as the study moves forward. Overcrowded housing complaints to the Neighborhood Services Division fell precipitously, but these declines were offset by increased complaints for problems associated with vacant housing. Hispanics in the county report feeling less safe in their neighborhoods; they also report strikingly lower levels of trust in the government. And in 2008, many fewer Hispanics hoped to live in the county in five years compared to previous years.
9. Preliminary Conclusions

This interim report is based on events and data available to us at the half-way point in a two-year, broadly-based evaluation study. Our conclusions must be considered as preliminary. We expect to be clearer about the extent and permanence of the policy’s effects—and its costs—when we complete our analysis and submit our final report in 2010. For the present, we are able to state several preliminary conclusions that are well backed by the evidence so far available.

9.1. The Passage of the Policy was Rapid, Emotionally Charged and Required Major Modifications in the First Year

In an earlier report on the changes in Prince William County, the Brookings Institution concluded that the county was unprepared to address the challenges that emerged from the growth in the immigrant population, which ultimately resulted in the immigration enforcement policy. In particular, the report argued that the county lacked the types of services and organizations that could have helped mitigate the disruptions that come when new groups move into neighborhood, significantly changing the cultural climate and challenging public and other social service institutions’ capacities to address new needs while still serving the older population. This argument, along with strong public opinion against illegal immigration, helps explain the policy’s rapid passage through the Board of County Supervisor. It was proposed on June 25, 2007 and passed unanimously on July 10, 2007.

The Board had never before asked the Police Department to implement a major policy change in so short a time. It is important to emphasize, however, how skillfully and professionally the County staff and the Police Department responded after the Board passed the first resolution in July 2007.

As we saw in Section 2, working with members of the Board of County Supervisors, the County staff and Police Department gained some crucial time to better understand the implications the policy. As unpleasant and messy as the process became—with public demonstrations and angry outbursts in the media (including on-line blogs) on both sides of the debate—95—the Police Chief’s, County Attorney’s and County Executive’s offices carefully examined the County’s legal obligations and risks and the effect that the resolution would have on policing and County services. The Chief believed that the policy would have negative consequences for community policing and crime prevention in the county and was heavily criticized by the policy’s proponents96 for his statements about the potential harm of the policy. However, he and his colleagues managed to find ways to limit the policy’s damage on the Department’s community relations and minimize the legal risks while still carrying out its intent, which was to rid the county of criminal illegal immigrants. Although we suspect that the public education campaign that he launched was not as successful as he would have liked in educating the population at large of the policy’s content, he had the support of important community leaders, such as local pastors. Our next report will look more carefully at residents’ knowledge of the policy’s details and its changes.

9.2. The Policy’s Implementation was Fairly Smooth within the Police Department

In the end, the policy led to few operational changes for PWCPD officers, and implementation has gone smoothly. The vast majority of officers feel that the Department’s training was effective in providing them with the knowledge, skills, and abilities to enforce the new policy, and officers feel prepared and confident in questioning suspects about immigration status. However, although it was considered easy to implement by most officers, the initial version of the policy (General Order 45) was somewhat more challenging to implement than the current version (General Order 45.01).

95 Mack (2008, April 4).

96 In contrast, the policy’s opponents did not criticize the Police Chief per se. But they expressed considerable caution about police in general and thought that even if the Police Chief was interested in protecting the public, his officers would likely carry out the policy in ways that frightened the Hispanic population.
PWCPD’s Chief and his command staff provided strong leadership in preparing the Department for the implementation of the policy and navigating it through the politically volatile immigration issue in an even-handed and cautious manner. The Department’s efforts included legal and policy research, the study of practices around the country, the preparation of thorough training for PWCPD officers, and a substantial public education effort.

Although most officers feel that the policy (in both forms) has had some negative impact on the Department’s relationship with the immigrant community, most officers have never or only occasionally witnessed problems stemming from the policy. Further, most officers agree with the policy and believe that it is a useful tool.

According to PWCPD data, almost all persons (98%) suspected of being illegal immigrants by officers have turned out to be illegal immigrants, which suggests that police are focusing their enforcement efforts on the proper people. Further, officers have been able to maintain their focus on enforcing the policy with immigrants who commit crimes, with no known cases of officers inappropriately applying the policy.

The policy focus on serious offenders is also exemplified by the handling of many suspected illegal immigrants across the justice system. Data collection to date has revealed that many suspected illegal immigrants are not investigated further by PWCPD or ICE if they have not committed an arrestable offense. By all accounts, these are minor offenders (for example, persons arrested for public drunkenness who do not have prior records of criminal behavior or deportation).

Only a field interview card documents the potential illegal status of people who are not arrested or whom a local magistrate releases on a summons. Further, the Government Accountability Office estimates that ICE nationally releases about 35% of those identified by local jails.97 One problem in the implementation and assessment of the policy is that PWCPD does not receive information about the disposition of illegal immigrants that are turned over to ICE. Consequently, the Department does not know how many of those people are deported, although the GAO report on ICE suggests that it may be about 65%.

Another issue within PWCPD is that many rank and file officers are uninformed about the activities of the Criminal Alien Unit and would like the Unit to be more involved in supporting patrol officers’ activities in the field. This suggests that PWCPD should work to better educate rank and file officers as to the Unit’s role in immigration enforcement and how the Unit supports and complements the efforts of other officers.

9.3. There are Mixed Indications Regarding the Policy’s Effects on Crime Rates in Prince William County

During the first ten months that the policy was in effect (March 2008 through December 2008), illegal immigrants represented a very small percentage (approximately 3%) of those arrested for serious (Part I UCR) crimes and a very small percentage (5%) of those arrested for less serious offenses (Part II UCR crimes). Further, the PWCPD had relatively few contacts with illegal immigrants on any police matters during that time.

PWCPD data reveal that overall police contacts with suspected illegal immigrants declined in the latter part of 2008 (after the current version of the immigration policy, General Order 45.01, went into effect), though arrests of illegal immigrants did not. Consequently, the percentage of contacts with suspected illegal immigrants resulting in an arrest increased by about one-third following the change from General Order 45 to General Order 45.01. These data suggest that while there may be fewer illegal immigrants in PWCPD to be arrested, the remaining illegal immigrants are more likely to be arrested if they come into contact with the police.

There are mixed indications as to whether the immigration policy has affected crime in PWC. Our preliminary analysis of calls to police suggests that several types of crime and disorder calls, including those pertaining to violence, have declined by up to 11% since the policy’s announcement and

implementation. However, these trends could also reflect less crime reporting by immigrants and the effects of other social, economic, and criminal justice factors besides the immigration policy. Further, we cannot say whether the drop is attributable to fewer calls and crimes involving illegal immigrants because there is no way to track this over time with existing data sources (i.e., there is no field in the CFS database that identifies whether the alleged perpetrator was an illegal immigrant).

Crime and arrest statistics reported by PWCPD show that crime overall did not decline following the immigration policy, but they do show that one subtype of crime—aggravated assault—has dropped sharply in recent years. Without additional information about the types of persons historically involved in different types of crime, it is not readily apparent why the immigration policy would have had a disproportionate impact on aggravated assault. Considering that illegal immigrants account for only 3% of offenders currently arrested for aggravated assault, it seems unlikely that the policy was the primary cause of this trend. Nonetheless, it could have been a contributing factor.

Finally, the views of officers, as measured in interviews and surveys, are somewhat mixed. Most officers feel that the policy has been effective in controlling crime and disorder related to illegal immigrants, but they are split as to whether the policy has reduced crime overall. Their general view, moreover, is that immigrants do not contribute heavily to serious crime in PWC.

On balance, the evidence suggests that the policy may have contributed to reductions in some forms of crime and disorder, including some forms of serious crime. Our conclusions on these matters are tentative, however, due to various considerations that cloud assessment of the policy’s impact. These include a lack of historical data on offenses committed by illegal immigrants and other complications in analyzing and interpreting trends in crime.

Nonetheless, the policy (particularly in its current form) appears to be a reasonable way of targeting illegal immigrants who are serious offenders—a goal on which there is broad agreement—and there are some preliminary indications across data sources that it may have contributed to a drop in serious offending in PWC.

### 9.4. The Policy Would Be Challenging to Implement on a Large Scale

The policy casts a broad net: Over 76% of the illegal immigrants who were arrested in the first eight months of the policy’s implementation were initially charged with one of three offenses: public drunkenness; driving without an operator’s license; and driving under the influence. One implication of the fact that most of the people arrested under the policy were not serious offenders is that the policy is not a viable solution for other communities wishing to address their local illegal immigration problems. Both ICE and the police department have indicated that they were most interested in capturing serious criminals who were in the county illegally. ICE personnel reported that the agency was struggling with the resources needed to detain those turned over to it. Overall, ICE does not have the resources to enter into the type of agreement it has with PWC on a larger scale.

### 9.5. Most County Residents are Satisfied with the Police Department’s Implementation of the Policy, but Hispanics’ Levels of Satisfaction with the Police Have Declined

Results from the community survey show that most county residents are satisfied with the Police Department’s implementation of the policy, while a substantial minority are dissatisfied or decline to rate the Department’s work in this area because they object to the policy. Both the positive and negative opinions about the Department’s performance seem to reflect respondents’ underlying attitudes about immigration issues in the county or the policy itself, rather than any specific knowledge of police actions in implementing the policy. The 2008 citizen survey, when contrasted with the results from preceding years, shows the emergence of a conspicuous ethnic split in attitudes about the police, the County government, and the county in general. Hispanic respondents now score substantially lower than non-Hispanic whites in their satisfaction with police performance, police attitudes toward residents, and the fairness of police in dealing with people of different backgrounds. On the citizen survey, they reported
large drops in satisfaction with police performance, from a high of 97% reporting satisfaction in 2005 to 73 percent in 2008.

9.6. Multiple Changes in the Community were Associated with the Policy’s Implementation

Using predictions about the effect that the policy would have on the community from County staff, supervisors, police personnel and residents, we examined several hypotheses about the policy’s effect:

- Immigrants would leave the county;
- People would feel safer;
- People would feel less safe and less welcome; and
- Overcrowded housing and public disorder would decline.

We will test a fifth hypothesis—that the county would save money from providing fewer services to illegal immigrants—in our final report. Overall, the evidence provides support for all four hypotheses, even though some seems to contradict others. These contradictory findings are possible because the policy itself, and the acrimonious political debate that surrounded its passage, divided people’s experiences of living in the county by ethnicity.

9.7. Evidence Suggests that Immigrants, both Legal and Illegal, Left the County in Modest Numbers Relative to the County’s Overall Population

Overall, people from across the political spectrum, multiple organizations and County departments believe that illegal immigrants left Prince William County due to the policy and the economic downturn. They based their belief on their observations of fewer overcrowded homes, fewer people loitering at day labor sites, fewer births in the local hospitals, and fewer English language learners in the schools. Although determining precisely how many left the county as a result of the policy is impossible, our rough estimate suggests that less than 5000 (not hundreds and not tens of thousands) immigrants, probably both legal and illegal, left the county between mid-2007 and the end of 2008. Some illegal immigrants left when they were turned over to ICE. Our informants tell us that others left because they were afraid and felt unwelcome. We can be confident that others left because of the housing crisis, the loss of construction jobs, and the overall economic downturn.

9.8. Overcrowded Housing and Loitering Declined; Both the Policy and the Economy were Probable Causes

Overcrowded housing and loitering, which the policy’s advocates believed it would address, declined dramatically. According to information provided in a County staff report to the Board of County Supervisors, confirmed violations about parking on unimproved surfaces (unpaved surfaces such as lawns), which is associated with overcrowded housing, dropped 38 percent between fiscal years 2006 and 2008. Residents also reported that loitering had diminished at day labor and other sites. These changes were due both to the policy and the economy, which we know given the timing of those events. The loitering dropped as soon as the first policy was implemented in March 2008 and then rose again through the summer, suggesting the policy was responsible. The parking violations, in contrast, declined before the policy went into effect. Also, at the same time, weed violations and other vacant housing related complaints, such as dumping garbage in the yard, rose substantially, along with foreclosures. Although disentangling the effects of the economic recession and the policy prevents us from determining how much change was due to the policy and how much to the economy, we are not deterred from concluding that both contributed.
9.9. Trends in the Resident Survey Do Not Support the Perception that the Policy Increased People’s Sense of Safety

Non-Hispanic whites living in areas that had experienced significant growth in the immigrant population—particularly those that had large numbers of single men living in houses who then moved out—reported in interviews and in the media that they felt safer. However, the numbers of these residents were not high enough to substantially affect whites’ experiences in the county overall. Over the past 10 years, over 90 percent of non-Hispanic residents have reported that they feel safe in their neighborhoods. That proportion did not drop as the immigrant population grew, nor did it rise when the policy went into effect.

9.10. Although Non-Hispanics’ Perceptions of the County have Remained Positive and Stable, Hispanics’ Perceptions of the County and Its Police Have Become More Negative.

Hispanics reported large drops in satisfaction with police performance, from a high of 97% reporting satisfaction in 2005 to 73 percent in 2008 on the community survey. The survey also showed a very large drop—2 points on a 10 point scale—in Hispanics’ assessment of the quality of life in Prince William County. And importantly, when asked if they would like to live in the county five years from now, only 42 percent said yes compared to 77 percent in 2006. These figures are in marked contrast to the responses of other county residents, which tended to be fairly stable over time. And they suggest that the policy was probably affecting legal as well as illegal immigrants.

9.11. The Policy has Resulted in Lower Levels of Trust in Government among Hispanics and Blacks

One of the unintended consequences of the policy appears to be a large reduction—about 15 percent for each group—in blacks’ and Hispanics’ trust that the government will do what is right most or all of the time. In addition, Hispanics’ assessment of the quality of life in Prince William County dropped by two points on a ten point scale and 35 percent fewer Hispanics desired to live in the county in five years time compared to the Hispanic response in the previous survey. These declines are probably largely due to the policy, and they indicate that there is a growing divide between Hispanic residents and other Prince William County residents. They also indicate that there may be a spillover effect onto blacks, who may see themselves as potentially vulnerable, just as the Hispanics are vulnerable. In this instance, the assurances by the policy’s proponents that it is directed solely toward criminal illegal immigrants have not counteracted perceptions among many Hispanics that they are not welcome in Prince William County.

9.12. Looking Forward

In the coming weeks and months we will continue our evaluation of the Police Department’s implementation of the County’s immigration enforcement policy. The data in this report are based on a single year post-policy, and it is difficult to know whether the observations we have made throughout this report reflect real trends or one-year fluctuations. As we move forward, an additional year’s information will either corroborate or undermine our conclusions here. We will work to gain a greater understanding of the policy’s effect on policing and crime in Prince William County through an analysis of data from comparable counties that have not implemented a similar policy. Interviews with county residents, both in-person and telephone, will help us better understand residents’ understanding of what the policy is and their responses to it. We will also investigate whether or not the policy has resulted in cost savings due to a reduction in services to illegal immigrants. As we continue our work, we hope this interim report will be useful in informing the continued policy debate in Prince William County and in other jurisdictions that are coping with the continuing American dilemma of illegal immigration.
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