

Resolution 20180614-074 – Immigration Enforcement
Quarterly Report #4: October 1st - December 31th, 2019
Report Date: January 31st 2020

Overview

The purpose of this memorandum is to provide an update on the Council directive adopted on June 14, 2018 related to immigration enforcement and information sharing. The directive requires the Austin Police Department to provide quarterly reports regarding the number of inquiries into someone's immigration status, as well as the number of requests for assistance or cooperation made by ICE or other federal immigration officials.

Resolution Requirements and APD Definitions of Responsive Data

Resolution Requirement 1 and APD definitions

Anonymized and individualized records of every instance that a police officer inquires into the immigration status of a suspect. Such records should include a documented reason for the stop or the arrest, the reason for the inquiry into immigration status, the race and ethnicity of the person detained or arrested, a confirmation that the person was informed of their rights, the number of unduplicated officers involved, and the general location, such as the zip code of the incident.

- 1. There were no incidents where any police officers inquired into the immigration status of any individuals.**

Resolution Requirement 2 and APD definitions

All City resources used on immigration law enforcement assistance, and a justification for the use of those resources in relation to City's budget, public safety priorities, the city's strategic priorities, or legal requirement. Examples of immigration enforcement assistance include, at a minimum: contacting an immigration law enforcement agency to provide the agency information about a resident or person in custody, transferring custody of an individual to an immigration law enforcement agency, responding to an immigration law enforcement agency's request for information, providing backup for an immigration law enforcement agency operation, engaging in joint operations with an immigration law enforcement agency, and facilitating immigration arrests or interrogations of individuals in conjunction with an immigration law enforcement agency. The report should include the number of officers that assisted immigration law enforcement, the amount of time those officers were involved in such assistance, the financial resources and human resources dedicated to such assistance, the number of individuals arrested as a result of immigration law enforcement assistance (if known), the number of these arrestees charged with criminal offenses, if any and if known, the number of arrestees taken into federal immigration custody for alleged civil immigration violations (if known), and, when it is possible to identify, what, if any, other criminal law enforcement work was scheduled to be completed and was delayed or was incomplete due to the immigration law enforcement assistance provided.

2a. There were four instances in which APD aided in immigration enforcement during the time period – ICE requested APD assistance:

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-2300940
Date	8/18/2019
The number of officers that assisted in immigration law enforcement	3
How did officers assist immigration enforcement?	Transportation Security Administration (TSA) agents seized a fake identification card from an individual at an airport checkpoint. At the request of TSA, ICE agents and APD officers responded to the checkpoint to assist with the investigation. ICE confirmed the ID was fake and there was no record of the person entering the United States. APD officers seized the fake ID and submitted it into evidence. The aspirant traveler was released but not permitted to fly due to the lack of proper identification.
The amount of time those officers were involved in such assistance	1.6 hours
The financial and human resources dedicated to such assistance	\$96.28
The number of arrestees charged with criminal offenses, if any and if known.	0
The number of these arrestees taken into federal immigration custody for alleged civil immigration violations, if known.	0
Identified criminal law enforcement work was scheduled to be completed and was delayed or was incomplete due to the immigration law enforcement assistance provided.	N/A
General location of the incident	78719

For FY 2020, officer's hourly rate is \$60.25 based on a 10 year Officer (FICA/Medicare/Insurance/Retirement)

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-3030327
Date	10/30/2019
The number of officers that assisted in immigration law enforcement	3
How did officers assist immigration enforcement?	APD officers responded to the scene of a traffic stop initiated by an ICE agent conducting an investigation. The driver of the vehicle had doubts about the legitimacy of the ICE agent's actions and credentials. The driver preferred to interact with APD officers rather than the ICE agent. Accordingly, APD officers facilitated the exchange of information between the driver and the ICE agent. The driver was subsequently released without charges.
The amount of time those officers were involved in such assistance	5.9 hours
The financial and human resources dedicated to such assistance	\$356.66
The number of arrestees charged with criminal offenses, if any and if known.	0
The number of these arrestees taken into federal immigration custody for alleged civil immigration violations, if known.	0
Identified criminal law enforcement work was scheduled to be completed and was delayed or was incomplete due to the immigration law enforcement assistance provided.	N/A
General location of the incident	78753

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-3331250
Date	11/29/2019
The number of officers that assisted in immigration law enforcement	1
How did officers assist immigration enforcement?	An APD officer initiated a traffic stop, checked the driver for warrants, and received a notification to contact ICE. The officer subsequently confirmed the driver had a valid ICE detainer for being a previously deported aggravated felon. The officer complied with the detainer request and transported the driver to jail.
The amount of time those officers were involved in such assistance	1.8 hours
The financial and human resources dedicated to such assistance	\$105.77
The number of arrestees charged with criminal offenses, if any and if known.	1
The number of these arrestees taken into federal immigration custody for alleged civil immigration violations, if known.	0
Identified criminal law enforcement work was scheduled to be completed and was delayed or was incomplete due to the immigration law enforcement assistance provided.	N/A
General location of the incident	78741

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-3440303
Date	12/10/2019
The number of officers that assisted in immigration law enforcement	2
How did officers assist immigration enforcement?	An APD officer responded to a traffic stop initiated by an ICE agent. The driver of the vehicle was in possession of a handgun. The APD officer performed a standard verification check on the firearm through the national law enforcement database and discovered it had previously been stolen. ICE continued its investigation and the APD officer left the scene.
The amount of time those officers were involved in such assistance	1.04 hours
The financial and human resources dedicated to such assistance	\$62.91
The number of arrestees charged with criminal offenses, if any and if known.	0
The number of these arrestees taken into federal immigration custody for alleged civil immigration violations, if known.	0
Identified criminal law enforcement work was scheduled to be completed and was delayed or was incomplete due to the immigration law enforcement assistance provided.	N/A
General location of the incident	78754

2b. There were five instances where immigration enforcement authorities were contacted due to the immigration status of a subject during the time period – APD requested ICE Assistance:

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-690562
Reason for the stop or arrest	Sexual Assault Investigation
Reason for contacting ICE	The victim of a rape—who had previous knowledge that her assailant had been detained by ICE—asked her APD victim services counselor to confirm that the suspect in her case was still in custody. The counselor used ICE’s publicly-accessible online detainee locator system to confirm the suspect’s whereabouts.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	1
General location of the incident	78744

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-2721772
Reason for the stop or arrest	Missing Child Investigation
Reason for contacting ICE	Detectives contacted ICE to help establish the identity of a suspect while trying to locate a missing child.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	1
General location of the incident	78753

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-3400284
Reason for the stop or arrest	Murder Investigation
Reason for contacting ICE	Homicide detectives contacted ICE to establish the timeline of events in a murder investigation.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	25
General location of the incident	78741

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-3460373
Reason for the stop or arrest	Crash Investigation
Reason for contacting ICE	APD officers were dispatched to investigate a routine collision. The officers performed a standard license/warrant check on the involved drivers through the national law enforcement database and received a notification to contact ICE about one of the individuals. ICE agents subsequently arrived on scene and took custody of the individual.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	5
General location of the incident	78745

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2019-5041579
Reason for the stop or arrest	Theft Investigation
Reason for contacting ICE	After exhausting other leads and means of identification, the detective assigned to the case contacted ICE to confirm the identity of the suspect involved in the incident.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	This report came through our electronic report filing system. No patrol officers were ever on scene. A detective was involved after the fact.
General location of the incident	78752

Resolution Requirement 3 and APD definitions

Any information that the City shared with a federal immigration enforcement agency at the request of a federal immigration agency. The information provided in the report to Council should be anonymized and aggregated. The information provided shall include, at a minimum, how many records, and what kind of records, were requested from and shared by the City, and with whom the records were shared with.

3. Below is the anonymized and aggregated data provided to federal immigration agencies, by type of record provided and quantity, as required by the resolution.

APD provided a total of 81 records for 43 requests for assistance or cooperation from a federal immigration officer. Prior to releasing the information, the requesting agency must provide APD with a case number, name of the investigator assigned, the criminal nexus, and the crime type (e.g. Aggravated Assault, Robbery, DWI, etc.).

<i>Type of Report</i>	<i>Total for Q4 2019</i>
Police Report (Police General Offense Report)	20
Utility Report (A query of utility information such as Austin Electric and Austin Water)	23
Booking Photo (Photo of the person at the time they were booked into jail)	9
Public Record Report (ARIC has subscriptions to several databases that provide information that is publicly available)	10
Vehicle Registration Report (Query of an individual's vehicle registration)	11
License Plate Reader Report (A query of a specific license plate through license plate reader databases)	7
Driver License Report (A query of an individual's driver license report)	0
Phone Subscription (A query of an individual's cellular carrier administrative information. No data, location information, messages, or call logs are provided by this report)	0
CAD Report (A query of Computer-Aided Dispatch information: 911 calls and 911 call information associated with the individual)	0
ISD Police Report (A query of Austin Regional Intelligence Center partner school district General Offense police reports)	0
Incarceration Report (A check of local jail populations)	0
Insurance Report (Inquiries made to a database maintained by insurance companies. Law enforcement has been granted limited access)	0

Tattoo Search (criminal justice database)	1
Warrant Information	0
Address Gate Code	0
Total	81

*The next report will include data from January 1st through March 31th and will be published May 1st, 2020.