

Resolution 20180614-074 – Immigration Enforcement
Quarterly Report #3: July 1st - September 30th, 2019
Report Date: November 1st 2019

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	19-1951795
Date	7/14/2019
The number of officers that assisted in immigration law enforcement	4
How did officers assist immigration enforcement?	Officers responded to a family violence incident and arrested a subject for assault. The arresting officer checked the subject for warrants and received a notification to contact ICE.
The amount of time those officers were involved in such assistance	7.1 Hours
The financial and human resources dedicated to such assistance	\$397.66**
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.	Unknown
Identified criminal law enforcement work was scheduled to be completed and was delayed or was incomplete due to the immigration law enforcement assistance provided.	-
General location of the incident	78752

*For FY 2019, officer's hourly rate is \$56.26 based on a 10 year Officer (FICA/Medicare/Insurance/Retirement)

**This cost would have been incurred regardless of the immigration component of the incident, as family violence arrests are mandatory

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2350916
Date	8/23/2019
The number of officers that assisted in immigration law enforcement	1
How did officers assist immigration enforcement?	An APD detective assisted FBI agents endeavoring to locate and detain a subject wanted for violent felonies. This was not an operation led by ICE.
The amount of time those officers were involved in such assistance	.5 Hour
The financial and human resources dedicated to such assistance	\$28.13
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.	-
General location of the incident	78758

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2300770
Date	7/18/2019
The number of officers that assisted in immigration law enforcement	1
How did officers assist immigration enforcement?	ICE contacted an APD detective to inform the detective that the subject of a sex offender investigation had been deported.
The amount of time those officers were involved in such assistance	.4 Hours
The financial and human resources dedicated to such assistance	\$23.18
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.	-
General location of the incident	78753

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2671394
Date	9/24/2019
The number of officers that assisted in immigration law enforcement	1
How did officers assist immigration enforcement?	Loss prevention personnel at a local store detained a subject engaging in fraudulent activity. The responding officer checked the subject for warrants and received a notification to contact ICE.
The amount of time those officers were involved in such assistance	6 Hours
The financial and human resources dedicated to such assistance	\$336.70*
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.	Unknown
Identified criminal law enforcement work was scheduled to be completed and was delayed or was incomplete due to the immigration law enforcement assistance provided.	-
General location of the incident	78753

*This cost would have been incurred regardless of the immigration component of the incident, as the subject also had felony theft warrants issued for his/her arrest.

2b. There were ten 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	19-2360086
Reason for the stop or arrest	Call for Service – Emotionally Disturbed Person
Reason for contacting ICE	Officers responded to a disturbance call and encountered a subject behaving erratically. The responding officers checked the subject for warrants and received a notification to contact ICE.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	8
General location of the incident	78745

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-550587
Reason for the stop or arrest	Family Violence Investigation
Reason for contacting ICE	Officers responded to a family violence incident and arrested a subject for assault. The officers also seized a weapon involved in the incident. The detective assigned to the case contacted ICE to determine if the suspect legally possessed the weapon.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	10
General location of the incident	78724

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2251672
Reason for the stop or arrest	Missing Person Investigation
Reason for contacting ICE	An officer conducting a missing person investigation received information that the subject may have been detained at a border checkpoint. APD contacted ICE to determine if the subject had been detained by immigration personnel.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	1
General location of the incident	78741

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-5035260
Reason for the stop or arrest	Robbery Investigation
Reason for contacting ICE	The detective assigned to the case contacted ICE to confirm the identity of one of the subjects involved in the incident.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	Unknown
General location of the incident	78701

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2200539
Reason for the stop or arrest	Traffic Stop
Reason for contacting ICE	An officer conducted a traffic stop on a large semi-trailer truck for unsecured cargo. The driver was from Honduras and did not have a driver license. APD contacted ICE to confirm the subject's identity.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	2
General location of the incident	78749

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2521443
Reason for the stop or arrest	Call for Service – Emotionally Disturbed Person
Reason for contacting ICE	Officers responded to a disturbance call and encountered a subject behaving erratically. The responding officers checked the subject for warrants and received a notification to contact ICE.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	4
General location of the incident	78745

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2181612
Reason for the stop or arrest	Runaway Investigation
Reason for contacting ICE	The detective assigned to the case received information that the juvenile runaway had been detained by ICE. The detective contacted ICE to confirm the subject was in custody.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	2
General location of the incident	78723

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-1460004
Reason for the stop or arrest	Aggravated Assault Investigation
Reason for contacting ICE	The detective assigned to the case contacted ICE to confirm the identity of one of the subjects involved in the incident.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	5
General location of the incident	78758

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2021413
Reason for the stop or arrest	Rape Investigation
Reason for contacting ICE	The detective assigned to the case issued an arrest warrant and contacted ICE to determine if the subject of the warrant was being detained by immigration personnel.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	3
General location of the incident	78741

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	19-2661336
Reason for the stop or arrest	Missing Person Investigation
Reason for contacting ICE	The investigator assigned to the case contacted ICE to determine if the subject had been deported.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	1
General location of the incident	78758

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 142 records for 57 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 Q3 2019</i>
Police Report (Police General Offense Report)	51
Utility Report (A query of utility information such as Austin Electric and Austin Water)	15
Booking Photo (Photo of the person at the time they were booked into jail)	24
Public Record Report (ARIC has subscriptions to several databases that provide information that is publicly available)	20
Vehicle Registration Report (Query of an individual's vehicle registration)	18
License Plate Reader Report (A query of a specific license plate through license plate reader databases)	8
Driver License Report (A query of an individual's driver license report)	3
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
Travis County Sheriff's Office Contact	1
Warrant Information	1
Address Gate Code	1
Total	142

*The next report will include data from October 1st through December 31th and will be published February 1st, 2020.