

Resolution 20180614-074 – Immigration Enforcement  
Quarterly Report #5: January 1<sup>st</sup> - March 31<sup>th</sup>, 2020  
Report Date: April 30th 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 was one instance 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	2019-3440303
Date	12/10/2019
The number of officers that assisted in immigration law enforcement	1
How did officers assist immigration enforcement?	An ICE Agent asked APD to determine if a gun found during a traffic stop initiated by ICE was stolen.
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

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

**2b. There were six 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	2018-3551998
Reason for the stop or arrest	Assault Investigation
Reason for contacting ICE	During the process of preparing an arrest warrant packet—which requires investigators to conduct a criminal history check—the assigned detective discovered the suspect of the assault had been arrested by ICE. The detective contacted ICE and learned the suspect had been deported.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	2
General location of the incident	78724

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2020-240399
Reason for the stop or arrest	Traffic Collision/Forgery Investigation
Reason for contacting ICE	The driver in a traffic collision presented an officer with a permanent resident ID card that he admitted was a fake. The detective assigned to investigate the forgery contacted ICE to submit the fraudulent identification for review.
Race and ethnicity of the person detained or arrested	Hispanic

The number of unduplicated officers involved	1
General location of the incident	78653

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2020-340063
Reason for the stop or arrest	DWI
Reason for contacting ICE	Officers arrested an individual for DWI and, after exhausting all other reasonable means, contacted ICE in an effort to determine the identity of the subject.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	7
General location of the incident	78741

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2020-40958
Reason for the stop or arrest	Indecency with a Child Investigation
Reason for contacting ICE	The lead detective assigned to the case contacted an ICE detention center on two occasions to try to interview the suspect in the investigation. The suspect declined to speak with the detective on the first occasion and had already been deported by the time of the second attempt.
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	2020-5007353
Reason for the stop or arrest	Missing Person Investigation
Reason for contacting ICE	Detectives called ICE to determine if a missing person was in ICE custody.
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

<i>Resolution 74 Requirements</i>	<i>Data</i>
Case Number	2020-680349
Reason for the stop or arrest	Family Disturbance
Reason for contacting ICE	While conducting a routine warrant check on two subjects involved in a family disturbance, both showed as having warrants for their arrest issued by ICE. Officers called ICE to verify the identities of the subjects, and ICE informed them that both individuals were not the subjects of the warrants.
Race and ethnicity of the person detained or arrested	Hispanic
The number of unduplicated officers involved	2
General location of the incident	78744

### 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 114 records for 52 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 Q1 2020</i>
Police Report (Police General Offense Report)	34
Utility Report (A query of utility information such as Austin Electric and Austin Water)	19
Booking Photo (Photo of the person at the time they were booked into jail)	28
Public Record Report (ARIC has subscriptions to several databases that provide information that is publicly available)	19
Vehicle Registration Report (Query of an individual's vehicle registration)	8
License Plate Reader Report (A query of a specific license plate through license plate reader databases)	2
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

DL Photo	1
Warrant Information	0
Phone Subscription	3
Total	114

\*The next report will include data from April 1<sup>st</sup> through June 30<sup>th</sup> and will be published August 1<sup>st</sup>, 2020.