

Orange County Sheriff's Department Partnership with Department of Homeland Security



Progress Report on the 287(g) Cross-
Designation Program

March 2007

What is Cross-Designation?

- § 287(g) Immigration and Nationality Act.
- Authority for Department of Homeland Security to enter into Agreements with Local Law Enforcement agencies to train and certify deputies to perform limited immigration functions.
- Intent: To reduce crime and increase national security by utilizing local law enforcement resources to assist in enforcing immigration laws.

Why The Partnership Was Established

- To identify criminals who:
 - Overcrowd jail systems.
 - Congest court systems.
 - Return to society and repeatedly victimize members of our communities.

Illegal Immigrant Crime Statistics

Government Accountability Office 2005 Report
on Undocumented Foreign Nationals Arrested in
the United States.

- **55,322**: Undocumented foreign nationals in prison or jails.
- **459,614**: Total arrests for this group (Average: 8 arrests per undocumented foreign national.)
- **12%** of arrests were for violent offenses such as *Murder, Robbery, Assault, and Sex Offenses*.
- **58%** of all arrests occurred in *California*.

287(g) Program Development

- The Sheriff's intent is to identify criminal foreign nationals who are undocumented or in violation of their immigration status while in this country and have them removed.
- October 31, 2006, Sheriff forwards 287(g) application to Immigration and Customs Enforcement (ICE) and the Board of Supervisors approved Memorandum of Understanding.

Current Jail Operations Related to Immigration Interviews

- 12 Deputy Sheriff's & 2 Sheriff's Sergeants have been cross-trained by DHS/ICE (4 week program).
- Deputy Sheriff's provide 24 hour coverage to replace part-time DHS/ICE officers within the Orange County Jail System.
- All foreign nationals are being screened to determine their immigration status.
- All actions taken under the program are under the supervision of DHS/ICE.

Current Jail Operations

- A steering committee has been established to ensure compliance with the agreement and review complaints per section XIII of the agreement.
- Sheriff's Community Coalition has been invited to review enforcement action taken, consistent with Section XIV of the agreement.
- ICE has paid for all training costs.
- The Sheriff's Department absorbed the cost of overtime to backfill positions during the 4 week training sessions.

Current Jail Operations

- ICE trained deputies are currently interviewing foreign nationals booked into our jail system.
- In the first month of operation, ICE trained deputies have more than doubled the average monthly number of immigration holds placed by DHS/ICE in 2006.

Current Jail Operations

- In 2006 DHS/ICE maintained an average of **310** inmates in-custody with Immigration and Naturalization (INS) Services holds.
- The Orange County Jail currently has **852** inmates in-custody with INS holds.
- Since the ICE trained deputies have started, the number of INS holds have more than doubled.

Current Jail Operations (continued)

- From Jan. 19, 2007 thru Mar. 18, 2007, approximately **1508** interviews were conducted.
- Approximately **1004** Immigration holds were placed during that same time period.
 - Approximately **659** were for felony charges.
 - Approximately **345** were for misdemeanor charges.
- **71** of those with holds placed on them were affiliated with street gangs.
- That is an average of **2** felonies for every **1** misdemeanor.

Current Jail Operations

- Interviews have been conducted on foreign nationals from all over the world.
- Holds have been placed on foreign nationals from numerous countries, including: Romania, Honduras, Pakistan, Guatemala, Thailand, El Salvador, Vietnam, Peru, Canada, Mexico, England, Nicaragua, Cuba, Malaysia, Kenya and Korea.

Cross-Designation Statistics

Jan. 19 – March 18

| | January | February | March | TOTALS |
|---------------------|---------|----------|-------|--------|
| Booked OCJ: | 5922 | 5204 | 4622 | 15748 |
| Intial Screened: | 5922 | 5204 | 4622 | 15748 |
| ICE Interviews: | 249 | 707 | 552 | 1508 |
| Detainers: | 158 | 481 | 365 | 1004 |
| Agg Felons: | 12 | 44 | 18 | 74 |
| Gangs: | 6 | 48 | 17 | 71 |
| Misd.: | 41 | 173 | 131 | 345 |
| Felony: | 117 | 308 | 234 | 659 |
| Male: | 249 | 687 | 545 | 1481 |
| Female: | 0 | 20 | 7 | 27 |

Conclusions

- The program continues to exceed our expectations
- All criminal foreign nationals are being interviewed to determine immigration status
- INS holds have more than doubled
- On average, 10% (1508) of all inmate bookings are interviewed for foreign national status
- Detainers are placed on 67% (1004) of those interviewed
- We will continue to brief the Board of Supervisors on our progress