

# Undocumented Immigrants in U.S. - Mexico Border Counties

The costs of  
law enforcement  
and criminal  
justice services



US / Mexico

Border  
Counties  
Coalition



## **UNDOCUMENTED IMMIGRANTS IN U.S. - MEXICO BORDER COUNTIES**

### **THE COSTS OF LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES**

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Tanis J. Salant, D.P.A.  
School of Public Administration and Policy  
The University of Arizona  
September 2007

## THE RESEARCH TEAM

Tanis J. Salant, D.P.A.  
The University of Arizona  
Principal Investigator

John R. Weeks, Ph.D.  
San Diego State University  
Contributor

Efrat Feferman, M.P.A.  
Jenna Berman, M.P.A.  
David Eisenberg, Ph.D.  
Research Assistants

September 2007



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# Introduction: The Burden Falls on Border Counties

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## **INTRODUCTION: THE BURDEN FALLS ON BORDER COUNTIES**

From 1999 through 2006, the 24 counties along the U.S.-Mexico border spent a cumulative \$1.23 billion on services to process criminal undocumented immigrants through the law enforcement and criminal justice system. In fiscal year 2006 alone, the cost was \$192 million. These are staggering costs considering the rural nature and poverty level of most of these border counties. The enormous fiscal impact of undocumented immigration on border counties is not a recent phenomenon. As governor of Texas, George W. Bush harshly criticized the federal government for failing to reimburse states and localities for costs of imprisoning undocumented immigrants. As governor, he supported a lawsuit that sought restitution for money that Texas had spent educating, incarcerating and providing medical care to undocumented immigrants. Governor Bush stated in 1995, "If the federal government cannot do its job of enforcing the borders, then it owes the states monies to pay for its failure."<sup>1</sup> When President Bush visited Yuma, Arizona in April 2007, he acknowledged undocumented immigration as a "serious problem"—for public schools and hospitals, and for "the state and local budgets." He commented on how undocumented immigration brings crime to communities, and is "a problem [that] we need to address ... aggressively."<sup>2</sup> Yet in each of his first six years as president, President Bush has proposed to eliminate the program established to reimburse states and localities. On June 28, the last chance to adopt an immigration reform bill faded when the reform proposal failed to pass a critical procedural hurdle in the U.S. Senate. The Congress, in fact, may not address immigration policy until after the 2008 general election. There is one way, however, that President Bush and the Congress can address the problem of undocumented immigration aggressively and with little controversy: reimburse border counties for the monetary consequences of the failed federal immigration and border security policies. This report provides the federal government with an accounting of those costs.

### **THE U.S.-MEXICO BORDER ENVIRONMENT IN 2006-2007**

A Border Patrol agent was attempting to rescue an undocumented immigrant from drowning in a canal near El Paso in June 2007 when a suspected human smuggler hit the agent in the head with a rock. In response, the agent fired shots at the smuggler and another would-be entrant, who then fled back into Mexico. The Border Patrol agent sustained a three-inch gash in his head and the entrant he was trying to save drowned.<sup>3</sup> This incident symbolizes a border that has become more violent as tougher enforcement makes smugglers more desperate. As security tightens, smugglers dig tunnels under fences, disguise themselves as Mexican military, throw rocks and Molotov cocktails, fire paintball guns, and shoot real guns at agents. "It's a battle at the border," says one agent in the Yuma sector. "It's not like five years ago. When we showed up, they would run. Now they fight back." Indeed, in the first nine months of fiscal year 2006, 697 agents had been assaulted.<sup>4</sup>

More than 600,000 apprehensions of entrants without documents were made in fiscal year 2006 by the U.S. Border Patrol. A small portion of those undocumented immigrants, as well as the undocumented immigrants who have been residing illegally in the 24 border counties, gets caught committing a state felony or two or more misdemeanors. When they are apprehended on a state offense, they are not deported. Rather, they enter the county law enforcement and criminal justice system and undergo the adjudication process just as any citizen, or legal resident or visitor would. The U.S. government has acknowledged the fiscal burden placed on county governments by its failure to enforce immigration law and border security by adopting three policies to reimburse counties for some of these costs (the State Criminal Alien Assistance Program [SCAAP], the Southwest Border Prosecution Initiative, and the Federal Reimbursement of Emergency Health Services Furnished to Undocumented Aliens for medical care). Members of Congress from the four states along the border with Mexico—California, Arizona, New Mexico and Texas—have been working for many years to create a program that would reimburse counties for the entire costs of detaining and adjudicating undocumented immigrants. This study presents Congress with the fiscal data on costs that it has requested.

Traditionally, the federal government exercises exclusive control over immigration policy. A fundamental principle of immigration law since 1790 is that the federal government has primary power and responsibility. These are related to several Constitutional provisions, including the power of Congress to "provide for the common Defense and general Welfare of the United States; to regulate commerce with foreign Nations; and to establish a uniform Rule of Naturalization." States and counties have no control over the flow of immigrants across their borders. While Washington has



kept tight reins on these policies, the federal government ignores the costs that burden those governments that lack control over immigration policy. Moreover, Washington has increasingly been proposing that states and local governments assume much of their law enforcement function. Some states have refused, some have provided their National Guards, and some county governments have expressed varying opinions on the prudence of and their capacity for subsuming federal responsibility in this arena. State legislators considered 1,104 immigration measures in spring 2007 addressing undocumented immigration. Indiana, Kansas, Kentucky, Montana and Nevada all adopted new laws or strengthened old ones to bar undocumented immigrants from obtaining drivers' licenses.<sup>5</sup> Arizona Senator Jon Kyl has championed the cause of border counties, urging the federal government to cover all costs associated with failed federal law enforcement programs. Most recently, hospitals and other health care providers received some compensation for emergency medical services. Further, few state resources are made available to help counties with this burden, so costs fall heavily on local taxpayers in these 24 counties along the border. As the report will demonstrate, these counties are already in fiscal distress.

## **A COUNTY GOVERNMENT FISCAL PROBLEM**

Of any level of government in the United States, counties operate under the most restricted authority to raise and spend revenue. County governments must also balance their budgets every year and operate under strict limitations on raising and spending money and incurring debt. Unanticipated expenditures during the fiscal year, such as a single murder or large highway crash, can force counties to reduce staff or programs in order to rebalance their budgets. Moreover, considering household income, per capita income, tax base and general fund, few counties in the United States are as poor as the majority of counties along the border. County governments are largely dependent on the property tax as their main source of revenue. Property tax levies are determined by the assessed value of a property and the property tax rate, which is set by the county governing body each year. Counties are also dependent on the policies of their state legislatures regarding sharing portions of state taxes (e.g., income, sales, gasoline taxes, lottery proceeds) to help pay for state programs that are delivered by county governments. Not all states share these taxes, however, and only a few counties have the authority to impose a tax other than the property tax. Exacerbating the county fiscal problem further, western counties are comparatively large in area and small in population, with the federal government and Indian tribes as the major land holders. Thus, western counties have very limited tax bases for the tax on which they are most dependent, the property tax. Senator Jon Kyl expressed it this way: "These are very small, tax-based counties. When you put this kind of expense on them, it is overwhelming."<sup>6</sup>

## **THE UNITED STATES/MEXICO BORDER COUNTIES COALITION**

In the mid-1990s border counties began taking steps to protect their very limited resources for their citizens. As criminal undocumented immigrants began to overwhelm their jails and courts, border counties created an organization to address the unique challenges that they alone faced at the time, the U.S./Mexico Border Counties Coalition. The Coalition is a nonpartisan and consensus-based policy and technical forum with goals that include: (1) advocate legislation and other policies to provide to border counties the fiscal resources to meet the costs associated with being located on the border; (2) initiate advocacy efforts with the U.S. Congress to include establishing a U.S./Mexico Border Congressional Group; (3) promote improvements in the economy, infrastructure, and other conditions along the border; and (4) develop constructive dialogue between border county officials and their Mexican counterparts.<sup>7</sup>

The Coalition has successfully received several hundred thousand dollars from the federal government to conduct studies of the particular fiscal impacts on various service areas of providing services to undocumented immigrants, such as law enforcement, criminal justice and emergency medical care. Findings have been presented to Congress for its consideration in crafting reimbursement programs. Border hospitals and other emergency medical care agencies have received some reimbursement as a result of these research efforts.

## THE UNITED STATES-MEXICO BORDER

The line that separates the United States from the Republic of Mexico runs some 1,954 miles from Brownsville to San Diego. The overall goal of border protection is to prevent passage of both persons without documentation and illegal substances and commodities from entering into the United States. But the *security* of the residents living on or near the Mexican border is of peripheral interest to the federal government and left largely up to local law enforcement and criminal justice agencies, particularly those of counties.<sup>8</sup>

The Bureau of Customs and Border Protection (CBP) has primary responsibility for this objective. It is a unit in the Department of Homeland Security. The arrest of entrants who are in violation of the Immigration and Nationality Act is called an “apprehension.” Apprehensions take place under three different CBP programs: Border Patrol, Investigations, and Inspections. Border Patrol is the largest of the three programs. The mission of the Border Patrol is to secure 7,500 miles of land and water boundaries that exist between ports of entry, to prevent illegal entry, and to interdict drug and people smugglers and other crimes. The Border Patrol divides the U.S.-Mexico boundary into nine segments, called sectors. Sectors by state are presented in the following table.

**Table 1: U.S.-Mexico Border Sectors by State**

California	Arizona	New Mexico	Texas
San Diego El Centro	Yuma Tucson	El Paso	El Paso Marfa Del Rio Laredo McAllen

Source: Department of Homeland Security, Bureau of Customs and Border Protection

Other sectors are located in New Orleans, Miami, Havre in Montana, Blaine and Spokane in Washington, Grand Forks in North Dakota, Buffalo, Swanton in Vermont, Ramey in Puerto Rico, Houlton in Maine, and Detroit.

Each sector is divided into one or more ports of entry. Inspections and Customs Enforcement (ICE) defines a port of entry as “...any designated place at which a Customs and Border Protection officer is authorized to collect duties and to enforce the various provisions of the customs and navigation laws (19 CFR 101.1).” There are 41 ports of entry situated on the border where bus, train, and vehicle passengers and pedestrians may enter. (There are countless other ports at airports or that accept commercial traffic only.) In calendar year 2005, CBP reported 23 million passenger or pedestrian crossings through these 41 ports of entry. Hundreds of thousands of trucks, containers and rail cars also entered the U.S. Table 2 presents southern border statistics for 2005.

**Table 2: Southern Border Statistics by State**

STATE	Ports of Entry	Legal Crossings	Apprehensions	Border Length
California	6	88,951,186/37%	141,207/22%	165 miles/8%
Arizona	8	32,857,431/14%	403,493/63%	354 miles/18%
New Mexico	3	2,135,676/1%	22,314/3%	180 miles/9%
Texas	24	115,864,896/48%	75,736/12%	1,255 miles/64%
Total	41	239,809,189	642,750	1,954 miles

Source: Department of Homeland Security, Bureau of customs and Border Protection

## BORDER DEMOGRAPHICS

The total population of the 24 border counties reached 6,899,904 in 2006. This is a population increase of 9.5 percent over that of 2000. The two California counties contain 45 percent; Arizona's border counties have 19 percent; the three New Mexico border counties hold 3 percent; and Texas counties comprise 33 percent. The per capita income by county ranges from a low of \$13,744 in Maverick County, Texas to a high of \$35,841 in San Diego County. Table 3 presents some border county demographics.

**Table 3: Border County Demographics**

State	County Population	# Counties	Per Capita Income
California	3.1 million/45%	2	\$18,000
Arizona	1.3 million/19%	4	\$16,000
New Mexico	.23 million/3%	3	\$12,500
Texas	2.3 million/33%	15	\$14,200
Total	6.9 million	24	NA

Source: U.S. Census Bureau

## MEXICO'S BORDER STATES

Six Mexican states share the border with the United States. They are, from west to east, *Baja California*, *Sonora*, *Chihuahua*, *Coahuila*, *Nuevo Leon*, and *Tamaulipas*. They have a combined population of about 18 million. The size of the population on each side of the border is a factor in the level of legal and illegal crossings and apprehensions. Mexico's estimates for 2004 indicate that 6.4 million people live by or near the border. This is a 16 percent increase from that of 1999. The most populous *municipios* across the line are *Tijuana*, *Mexicali*, *Juarez*, *Nuevo Laredo*, *Reynosa*, and *Matamoros*. There is no equivalent in Mexico to the American county. Table 4 presents some Mexican border statistics.

**Table 4: Border Municipio Population**

U.S. Border State	Border Municipio Combined Population
California	2,365,667/37%
Arizona	561,114/9%
New Mexico	46,567/1%
Texas	3,418,223/53%
Total	6,391,571

Source: *El Instituto Nacianal de Estudia Geographica e Informatica*

## FEDERAL BORDER STRATEGIES

In recent years, as public and legislative attention to security issues has heightened, various new technological initiatives have been implemented both at border crossings and in surrounding areas, in attempts to apprehend those crossing illegally. At ports of entry programs have been implemented such as U.S.-Visitor and Immigrant Status Indicator Technology (US-VISIT), which addresses border security issues using digital, inkless finger scans and digital photographs in combination with the BioVisa program that runs checks against watch lists. The US-VISIT program also aims to implement an automated entry-exit system at all ports of entry.

Beyond the ports of entry, technological initiatives have been advanced in attempts to control the 1,954 miles of southern and 5,525 miles of northern borders. America's Shield Initiative and the Secure Border Initiative are recent



policies targeting technology at the border. The Shield Initiative called for an upgrade of the existing Integrated Surveillance Intelligence System (ISIS) and outlined several updates to remote video surveillance, sensor, and intelligent computer-assisted detention systems. The Secure Border Initiative, a multi-year plan announced in 2005 by Homeland Security Secretary Michael Chertoff, included additional upgrades to technology used in controlling the border. As part of this initiative, stadium lights at border areas susceptible to illegal crossing, surveillance cameras along targeted areas, and improved roads for Border Patrol access have been instituted in areas such as San Diego County.

As part of America's Shield Initiative and the Secure Border Initiative, sensors and cameras have been an integral part of border technology. In March 2003, the Border Patrol installed new ground sensors in Palominas, Arizona to detect undocumented immigration in nighttime operations. Volunteers, nicknamed the "Millisecond Men," continue to monitor the system utilizing web cams. Cameras also continue to be a staple in border security, especially in combination with sensors. As part of ISIS, camera technology is in use which can detect vehicle features from two miles away and human movement from three miles away when operated with buried sensors that use seismic, magnetic, and infrared technology. One of the more publicized technical advances in recent years is use of the Unmanned Aerial Vehicle (UAV). Use of these autonomous, remotely-piloted aerial vehicles on the southern border is the first non-military use of UAVs in our nation's history. The vehicles, such as the new "Predator B" in Fort Huachuca, Arizona, are equipped with electro-optic sensors and sophisticated communication systems which relay and transfer information to ground stations where resources can then be sent to the area of concern. They can be airborne for up to 20 hours, and can read license plates and even identify vehicle occupants from up to 15 miles away. Other current technology used to scope the southern border includes helicopters, planes, tower-mounted video cameras, ground sensors, night-vision goggles, and portable lifts.

With the increased use of sensors, cameras, UAVs, and other technology comes the need for upgraded communications centers. The Border Patrol completed a new state-of-the-art communications system in the Laredo Sector where the advancement of command and control systems, along with video surveillance, serves as "windows looking out onto the border." The center allows for better monitoring of cameras and sensors, quicker automated criminal checks, and communication with agents without the need for them to leave their terminals.

Along with new technology to secure the southern border have come additional Border Patrol and Customs agents. States have even committed the use of their National Guards to relieve agents from desk jobs. New strategies directly lower the incidence of illegal crossings and drug and people smuggling where new strategies are employed, but the game of entering the United States illegally for any purpose simply shifts in response. Moreover, crossers with criminal intent become more desperate and violent toward law enforcement, shooting guns, throwing rocks, smashing vehicles, sometimes with lethal effect. Where one avenue for crossing is pinched off, another in a more remote location opens up.

There have been numerous short-term border security strategies designed to concentrate resources in one area. Operation Blockade, Operation Hold-the-Line, and Operation Gatekeeper are a few that have been implemented since the early 1990s. Such concentration of resources, including the use of technology and physical barriers, have been successful, only to push illegal entry elsewhere. As one administrator for a hospital overwhelmed with undocumented immigrant patients described, "It's like poking your finger in a balloon. If you displace air in one place, it's going to bulge out somewhere else."<sup>9</sup>

## THE BORDER COUNTIES

Twenty-two counties are contiguous to the U.S.-Mexico border. Two others, both in Texas, are within a few miles of the border. Texas has the longest portion of the border and 15 of the counties. New Mexico has three counties, Arizona has four, and California has two. The 24 counties have a combined population of 6.9 million and a combined geographic area of 79,109 square miles. The aggregate general fund budgets of these counties in 2006 were \$4.7 billion. While governing body structures vary by state, (e.g., board of supervisors in California and Arizona, county commission in New Mexico, and commissioners court in Texas), they have identical fiduciary and policy-setting responsibility for their counties. One hundred-ten officials are elected every four years to provide governance. In addition to elected governing bodies, all counties elect three or more officials to head specific departments. The most common are

the sheriff and the prosecutor. Trial court and lower court judges are typically elected locally but are considered state officials in most counties. Records data, including county budgets, case filings and jail bookings, were provided to investigators by county officials upon request, usually while on site.

The counties along the border share similar characteristics with all other American counties. They are considered administrative arms of the state whose authority and powers are defined and limited by state constitutions and statutes. Counties primarily deliver services that are mandated by the state, namely public health, law enforcement, criminal justice, taxation, assessment, and property recording. They are, however, fundamentally local governments, elected by local voters and financed by local taxpayers.

**Border County Law-Justice System.** The border counties manifest some differences in their law-justice systems that influence the level of impact and cost of criminal undocumented immigrants. California and New Mexico, for example, have assumed responsibility for courts, so court costs do not accrue to their counties. New Mexico counties do not prosecute or handle juveniles. Arizona and Texas counties finance most of their law-justice systems through the general fund, though some programs, such as adult and juvenile probation, receive state funding. Similarly, the size of the law-justice system varies among states and counties. The following table illustrates the scope of the law-justice system in Arizona's border counties with respect to the number of full-time employees in each department.

**Table 5: Size of Arizona Border Counties Law-Justice System**

County/Department	Yuma	Pima	Santa Cruz	Cochise
Adult Probation	95	310	16	41
County Attorney	78	441	24	51
Clerk of Court	42	226	15	35
Constable	6	13	2	5
Justice Court	30	142	12	49
Juvenile Court	154	582	6	77
Indigent Defense	32	219	NA	26
Sheriff	113	791	53	127
Detention	242	596	30	58
Superior Court	54	664	17	21
Total	846	3,984	175	490

The number of full-time employees includes all categories in each department. Pima County's law-justice system provides an example of the proportion of staff in different divisions. In the county attorney's office, 72 percent (319) work in the criminal division. In juvenile court, 35 percent (201) work in detention, 5 percent (27) in juvenile court, and 45 percent (262) in juvenile probation. In the sheriff's department, 43 percent (596) are in detention, 18 percent (244) in investigations, 27 percent (374) in operations, and 12 percent (163) in administration.

## SCOPE OF STUDY

This study has been conducted under a grant from the U.S. Department of Justice, National Institute of Justice. The appropriation was contained in legislation signed by President G.W. Bush in 2005 (P.L. 109-108) and awarded to the United States/Mexico Border Counties Foundation in 2007. The purpose of the research is to determine the costs to the 24 border counties of providing services to undocumented immigrants in the service areas of law enforcement and criminal justice. The study examines one year of data, fiscal year 2006, which commenced July 1, 2005 and closed June 30, 2006 (the fiscal year for Texas counties runs October 1 through September 30). County governments operate with several funds within the total budget; with few exceptions, this study relates to only one—the general fund—which is financed through local taxes (i.e., the property tax) to support general government operations. Cost estimates refer to the general fund unless otherwise noted. Were costs to include impacts on other funds, such as

state-funded programs, special districts, road and hospital funds or districts, and debt service funds, the fiscal impact of undocumented immigrants would be significantly greater.

County operations examined in this study include patrol, investigation and administrative operations in the sheriff's office; detention (usually operated by the sheriff); lower and trial courts; district and county attorneys and clerks; indigent defense; adult probation; and juvenile probation and detention. (Costs of providing services to undocumented immigrants most surely accrue to municipal police departments and courts, state corrections and courts, public and private hospitals, border Indian tribes, and other counties farther north as well, but determining those costs is beyond the scope of this study.)

Although this study is limited to the impact on counties that share a border with Mexico or are within a few miles of the border, it is important to recognize that the burden extends to taxpayers and citizens of other counties throughout the border states, and more recently, throughout the country. The economic, social and environmental costs of undocumented immigration and drug smuggling are not limited to the counties examined in this report, although they clearly bear the brunt of the burden. For example, counties and states across the country now receive a greater portion of SCAAP awards than ever before. Further, municipal governments are adopting resolutions or ordinances to deny services to persons without documentation.

## RESEARCH METHODS

This research study addresses the following two questions: (1) What is the percentage impact on the workload of each department of providing services to undocumented immigrants? (2) What is the cost to the county general fund of providing those services? Investigators from two universities—The University of Arizona and San Diego State University—collected and analyzed all data. Both investigators employed graduate students from time to time to assist with data collection and report preparation. Site visits to each county began in summer 2006 and continued through summer 2007. In some cases, many site visits were required. Interviews were held on site with department heads, elected officials, data specialists, budget specialists, judicial officials, and county managers when possible. Officials of the U.S. Border Patrol were consulted from time to time. Months of follow-up work proceeded with telephone calls, faxes, and e-mails. Drafts were sent to a member of the governing body of each county for review. Other data sources include county budgets, U.S. Bureau of Census statistics, border crossing statistics, Border Patrol apprehension statistics, newspaper accounts, public documents, and academic and pragmatic literature for background information and existent research. Records data, including county budgets, case filings and jail bookings, were provided to investigators by county officials upon request, usually while on site.

Hundreds of county officials were interviewed and consulted. They are neither cited nor listed in the endnotes or reference section because of U.S. Department of Justice regulations on the “confidentiality of Identifiable Research and Statistical Information” and “Protection of Human Subjects.” The chairman of each governing body (county judge in Texas) was sent a letter introducing the research project and announcing that investigators would be visiting. A second letter was mailed indicating a specific date and requesting assistance in scheduling interviews. This letter also relayed the two research questions for which information would be collected. Follow-up phone calls and e-mails further solidified the visits. Department heads selected which staff would meet with investigators, and in many cases the department head participated, including elected officials. Often several people in a department would participate in interview sessions.<sup>10</sup>

During the interview, the investigator would describe the purpose of the research, the source of the funding, the sponsor of the project (U.S./Mexico Border Counties Foundation), and that the U.S. Senate had requested this research to update a previous study conducted in 2000. One central question was asked of each respondent: “What percentage of your department's workload is associated with processing criminal undocumented immigrants during fiscal year 2006?” This question led to discussions among respondents and often necessitated phone calls to information technicians. Many responses were based on “field experience.” Detention statistics, however, are maintained by sheriff's departments for the purpose of submitting reimbursement applications to the federal government's State Criminal Alien Assistance Program. In addition, adult and juvenile probation officers keep statistics on legal status as they develop a somewhat personal relationship with clients and work with Mexican consulates and family in Mexico. These two pieces of hard data gave an indication of the total impact on a county. However, the impact on sheriff's

patrol and investigation is usually greater than that on other agencies, as many crimes, such as undocumented immigrant homicides and remote residential burglaries, go unsolved. Prosecutors might also keep statistics on legal status as they can get some reimbursement from the Southwest Border Prosecution Initiative. Further, district and county clerks were sometimes able to cross reference with jail statistics to determine the percentage of filings involving undocumented immigrants. Moreover, the level of workload burden is often dependent on the choices of department heads. Elected prosecutors, for example, have discretion in accepting federal declination cases, which can reduce their impact as well as that of defenders and the balance of the system. Sheriffs also have restricted the use of their deputies in participating in tracking and holding undocumented immigrants (e.g., Cochise County Sheriff), which would alter the impact throughout the system.

Discussions during interviews were relatively open-ended. Investigators often asked law enforcement officials to describe the border environment with respect to illegal immigration as well as types of crimes and suspects. Discussions also revealed a wealth of contextual information. Some of the topics brought up for discussion included the treatment of juvenile offenders, the Texas Linebacker Program, infrastructure in colonias, locational shifts in border crossings, medical needs of undocumented inmates, smuggling strategies, general jail conditions, weapons, drugs and vehicle recovery, comparative pay scales in law enforcement, information technology deficiencies, burials and autopsies, and growth and economic development, to name a few.

Estimated costs capture all impacted departments in each county's law enforcement and criminal justice system that are funded through the general fund. Some departments, such as adult and juvenile probation, are heavily supported by state grants and so their budgets from the general fund reflect only a portion of full costs. Another, less direct impact registers in some general government departments that provide internal services to line departments. Those departments include county administration, the county governing body, human resources, finance and budgeting, and management information services. These administrative costs are noted in tables as "Gen Gov," for general government. Percentages vary from county to county depending on the size of these departments relative to the total general fund or on cost recovery studies that counties have conducted. In a few cases, the indirect cost percentage determined in the fiscal year 1999 study is also used for this study.

Cost estimates have been determined for all 24 border counties. Calculations for each department are based on their general fund budget and the estimated portion of their workload devoted to serving undocumented immigrants. Audited data were used when available. When departmental workload includes other services besides criminal work, such as civil filings with the district clerk, the estimated criminal portion of the budget is used. It is noted in tables as "Crim Budget." A few department officials were either unresponsive to queries or unable to make an estimate on workload impact, and those departments are noted and excluded. The designation "NA" in tables denotes that the impact information is either not available or not applicable. In some cases the exact costs were provided rather than a percentage impact on workload, and in others county officials did not respond to requests for information.

Cost estimates are also presented on a county per capita basis. The size of the impact and the cost of the impact vary widely from county to county, depending on population on both sides of the border, whether there is a port of entry, and border protection strategies, among others. Some of the smaller, more remote counties appear to have experienced little impact; however, when the cost is measured as a per capita cost, a more complete picture of the fiscal burden on citizens emerges. The total cost does not necessarily relate to a county's capacity to pay for the burden of services for undocumented immigrants. Thus, considering the per capita burden places these costs in a fuller context.

Statistics on undocumented immigrant apprehensions were provided by the U.S. Border Patrol. Segregating out sector apprehension figures by county was performed by investigators. Population estimates for 2006 were provided by "Quick Facts" from the U.S. Census Bureau. Quick Facts also provides the demographics, 2004 median household income figures, and the percentage living below the poverty level. Per capita income figures for 2003 were provided by the Regional Economic Information Systems (REIS) and U.S. Bureau of Economic Analysis (BEA). Mexican border *municipio* population estimates for 2004 were provided by *El Instituto Nacional de Estadística, Geografía e Informática* (INEGI). Sources for other statistics and information are cited in the document.

**Terms.** The term "undocumented immigrant" is used primarily in this study. Other terms noting illegal status are used interchangeably from county to county. "Illegal immigrant," "illegal alien," "undocumented alien," "UDA," or "undocumented person" are the most commonly used terms in counties and in newspaper accounts. The undocumented



immigrant population actually refers to three types of undocumented visitor: those who enter the country illegally; those who reside in the country illegally (i.e., overstay their visa); and those who enter legally for day work or shopping (“border crosser” or “day crosser”) but fail to return to Mexico. While the vast majority of subjects in this study hold Mexican citizenship, others come from India, China, Russia, Cuba, Ecuador, Guatemala, Germany, Honduras and El Salvador.

The federal government established the State Criminal Alien Assistance Program (SCAAP) in 1995 to reimburse state prisons and county jails for the costs of detaining undocumented immigrants who had committed a state felony or two or more misdemeanors. Initially the appropriation was \$585 million, but recently program money has been cut to as low as \$200 million. The awards for 2006 amounted to over \$400 million. Border counties were awarded 1 percent of the appropriation—\$4.7 million.

Most, if not all, border counties have colonias. A colonia is an incorporated town or an unincorporated place within 150 miles of the border that meets the U.S. Department of Agriculture standards, mainly related to insufficient infrastructure, especially for water and sewer systems. If standards are met, the colonia will be eligible to apply for various grants, including Community Development Block Grant funds.<sup>11</sup>

**Data Collection Limitations.** The inherent limits on collecting information on costs to counties of providing services to undocumented immigrants have been discussed in all studies on undocumented immigrants. County agencies do not generally track the legal status of clients. For one, they do not have the data fields in their management information systems that would enable them to record and retrieve information on legal status. For another, they do not have an economic incentive to track such information. Providing it for this and previous research would have been unthinkable in terms of labor requirements. Moreover, many departments consider inquiring into the legal status of clients (or patients) to be inappropriate, unethical or even illegal. County detention staff can and do track legal status, as federal law enforcement agencies require it and the SCAAP program provides some form of reimbursement. Tracking such data over a year’s time is labor intensive, however, and many counties decline to apply for meager SCAAP returns for their efforts. Adult and juvenile probation departments also have the capability to determine legal status, as they form somewhat personal relationships with clients and often contact relatives in Mexico or Mexican consulates. Last, undocumented immigrants produce false documents, or otherwise prove legal residency by showing a utility bill or other document. New Mexico, for example, only requires a utility bill for a household, not an individual. Therefore, most impact estimates are based on field experience or are deduced from the data of related departments. These methods of identifying legal status have been used for decades in studies by such sponsors as the Government Accountability Office (1994), The Urban Institute (1994) and The University of Arizona (1997 and 1998).<sup>12</sup>

## LITERATURE REVIEW

Review of recent research on the topic of costs to border counties of undocumented immigrants and the socioeconomic context of border counties follows. It includes the three most recent studies. A more comprehensive review of past research on undocumented immigration and border issues may be found in *Illegal Immigration in U.S./Mexico Border Counties: The Costs of Law Enforcement, Criminal Justice, and Emergency Medical Services* (2001).<sup>12</sup>

**Economic Impacts of Immigrants in Arizona.** This report examines the costs and benefits of immigration—both naturalized citizens and non-citizens—in Arizona. It provides estimates of fiscal costs of education, health care, and law enforcement. The total state tax revenue generated by immigrants amounted to \$2.365 billion in 2004 (\$1.49 billion from non-citizens). The cost was \$1.414 billion. The net fiscal impact of immigrants was a benefit of \$942 million. This report was published in July 2007.<sup>13</sup>

**At the Cross Roads.** The most recent comprehensive study of the 24 counties along the U.S.-Mexico border was published in March 2006. *At the Cross Roads: US/Mexico Border Counties in Transition* framed the 24 border counties as a 51<sup>st</sup> state and compared this “state” to the 50 existing states in 13 different categories. Categories include population, income, labor force, labor pool and unemployment, employment, public and higher education, environment, health and health care, trade and border traffic, immigration, housing, crime and law enforcement and finally, fiscal balance of payments. Some of the findings reveal that the border region would rank 13<sup>th</sup> in population, last in per capita

income (excluding San Diego County), 5<sup>th</sup> in unemployment, last in higher education (excluding San Diego County), last in the presence of health care professionals, 22<sup>nd</sup> in homeownership rates, and 16<sup>th</sup> in crime rates.

**Medical Emergency.** In an American Hospital Association annual survey, hospitals in southwest border counties reported uncompensated medical care that totaled \$832 million in 2000. A subsequent report determined that almost \$190 million (25 percent) in hospital costs and \$13 million in emergency transportation costs resulted from emergency medical treatment provided to undocumented immigrants. Proposed by the U.S./Mexico Border Counties Coalition and funded with a federal grant secured by Senator Jon Kyl and administered by the Centers for Medicare and Medicaid Services, *Medical Emergency: Costs of Uncompensated Care in Southwest Border Counties* found that state and local healthcare providers absorb a large portion of the costs incurred by undocumented immigrants and that the (former) Immigration and Naturalization Service brought injured and ill undocumented entrants to hospital emergency rooms or called ambulances without arresting them so that the federal government would not bear the cost of treatment. The study recommended that Congress reimburse these hospitals and transport agencies for care of undocumented immigrants and also provide Customs and Border Protection with sufficient funding to cover costs of entrants found by Border Patrol.

**Costs of Law Enforcement, Criminal Justice and Medical Emergency Services.** This research report, funded by a grant from the U.S. Department of Justice, determined that the 24 counties along the Mexican border incurred costs of \$108.2 million in fiscal year 1999 to provide services to undocumented immigrants in the areas of law enforcement, criminal justice and emergency medical service. The study concluded that the capacity of border counties to handle the “rising tide” of illegal immigration is severely limited because these counties are the poorest in the nation and their populations are increasing at a greater rate than those of the rest of the nation. New residents will not likely raise the per capita income levels or decrease the percentage living in poverty. State laws require that county government process anyone arrested on a felony or two or more misdemeanors at county expense, so counties have no discretion in enforcing the law or in preventing illegal entry. The federal government has sole province over immigration policy and enforcement and likewise for these costs that fall on counties. Additional social costs, not factored in estimates, include environmental degradation, wildfires, fear, property damage, and deterioration of communities.

## OVERVIEW OF STUDY

The study calculates and examines the costs to 24 border counties situated along the U.S.-Mexico border for providing law enforcement and criminal justice services to undocumented immigrants who have been apprehended on a state felony or multiple misdemeanors. In some cases costs also include the use of the judicial system for civil purposes. The report is divided into four sections by state, beginning west with San Diego County in California and moving east to Cameron County, Texas. Each section begins with an introduction to the state and follows with each of its border counties, westward to eastward geographically. County chapters include a brief introduction to the county, a description of its border environment, costs by department, and a summary. Endnotes are attached at the end of each state section. A final section presents a summary, makes several conclusions, and poses recommendations for Congressional action.

1. U.S. Senate Democratic Policy Committee Report on President Bush's Law Enforcement Funding. Washington, D.C.: February 6, 2003.
2. "President Bush Discusses Comprehensive Immigration Reform in Yuma, Arizona," April 9, 2007. <http://www.whitehouse.gov/news/releases/2007>.
3. "Attack on BP agent halts entrant rescue," *Arizona Daily Star*, June 28, 2007, A10.
4. Stephanie Innes, "Battle at the Border: Along with tougher enforcement has come a spike in assaults on border agents, indicating smugglers are becoming more desperate," *Arizona Daily Star*, September 26, 2006, A1.
5. Julia Preston, "State lawmaking on entrants widespread," *Arizona Daily Star*, August 7, 2007, B5.
6. Susan Carroll, "Illegal crossers cost Pima the most," *Tucson Citizen*, November 30, 2000, A1, quoting Senator Jon Kyl.
7. United States Border Counties Coalition website, [www.bordercounties.org](http://www.bordercounties.org). The research reports include the following: *Illegal Immigrants in U.S./Mexico Border Counties: The Costs of Law Enforcement, Criminal Justice, and Emergency Medical Services* (2001); *Medical Emergency: Who Pays the Price for Uncompensated Emergency Medical Care Along the Southwest Border?* (2002); and *At the Cross Roads: US/Mexico Border Counties in Transition* (2006).
8. Jose Garcia, "Operational Milieus: Security Regimes on the U.S.-Mexico Border," paper presented to the annual meeting of the Latin American Studies Association, Miami, Florida, March 16, 2000. Las Cruces, New Mexico: New Mexico State University.
9. Haley Nolde, "Border Hospitals on the Brink." <http://www.motherjones.com/newswires/borderhospitals.html>.
10. Investigators met with roughly 227 county officials. Most frequently interviewed were sheriff's department officials. The distribution and frequency of interviews across departments is as follows: sheriff, 42; detention, 18; district and county clerk, 20; district and county attorney, 26; indigent defense, 17; superior and district court, 12; justice court, 16; constable, 2; adult probation, 10; juvenile court, 17; supervisors and commissioners, 23; and county administration, 24. Title 45 Part 46 of the Code of Federal Regulations strives to make uniform the National Institutes of Health's Policies for the Protection of Human Subjects. Investigators must ensure that the identities of interview subjects remain confidential unless signed consent is given. As investigators were inquiring into departmental workload information, rather than personal opinions or experiences, they gave a guarantee of confidentiality to all subjects. In addition, investigators were required to describe how subjects would be identified and recruited, how the research and its purpose will be described to subjects, that their participation is voluntary and how it may benefit their department or county, and that the only cost will be their time. Both The University of Arizona and the National Institute of Justice must approve the subject consent process.
11. Fyffe, Nicole. *Choices for Unincorporated Communities in Arizona*. Tucson: Institute for Local Government, The University of Arizona. May 2001.
12. See, for example: Clark, Passel, Zimmerman and Fix, *Fiscal Impacts of Undocumented Aliens: Selected Estimates for Seven States*. Washington, D.C.: The Urban Institute, 1994; *Illegal Aliens: Assessing Estimates of Financial Burden on California*. Washington, D.C.: U.S. General Accounting Office, 1994; and Tanis J. Salant, *Border Impact: Criminal Illegal Immigrants on the Law Enforcement and Criminal Justice System, Santa Cruz County, Arizona*. Tucson: The University of Arizona, 1999.
13. Gans, Judith. *The Economic Impacts of Immigrants in Arizona*. Tucson: Udall Center for Studies in Public Policy, The University of Arizona. July 2007.



# California Border Counties

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US / Mexico

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B o r d e r  
C o u n t i e s  
C o a l i t i o n



## CALIFORNIA BORDER COUNTIES

At the beginning of the twentieth century, the population of the state was 1.5 million, less than 2 percent of the U.S. population. By the beginning of the twenty-first century, California was the most populous state, with 36,457,549 people, accounting for more than 12 percent of the total U.S. population. Migrants from Mexico, and especially their offspring, have made a substantial contribution to that growth since the 1970s. In 1970, the state's 2.4 million Hispanics represented 12 percent of California's population, whereas by the year 2006 the estimate of the Hispanic population was nearly 13 million, accounting for 35 percent of the state's population. The Demographic Research Unit of the California State Department of Finance projects that by 2042 the Hispanic population will represent the majority in the state's population.<sup>1</sup> California's median household income in 2003 was \$49,894, and the per capita income was \$22,711. Population living below the poverty level accounted for 13.2 percent.

The Mexican economy cannot generate enough jobs to meet the demands of its young people reaching adulthood. At the same time, the more robust California economy has been a nearly constant attraction for Mexicans to enter the state. Since the process of obtaining legal permission to enter the country can often be lengthy, the flow of undocumented immigrants is known to be large, although its exact size is unknown. The most widely cited estimates are those produced by the demographers at the Pew Hispanic Center, which estimates that there were approximately 2.6 million undocumented immigrants living in California in 2005 (25 percent of the U.S. total).<sup>2</sup>

## CALIFORNIA'S BORDER ENVIRONMENT

Two of California's 58 counties—San Diego and Imperial—share the state's 165-mile border with Mexico. Six ports of entry operate in California: three in San Diego County and three in Imperial County. In each county, one of the ports is a service port for trucks and thus not for pedestrians or passenger vehicles. Through the four general purpose ports of entry there is an annual average crossing in both directions of 19 million pedestrians and 70 million passengers in vehicles. These numbers account for 37 percent of all pedestrian and passenger crossings along the U.S.-Mexico border. Additionally, in 2006 there were 141,207 apprehensions of undocumented immigrants in California, accounting for 22 percent of apprehensions along the border in that year. This number represents a substantial decline from previous years, which is attributable to the impact of the border fences that have been constructed along the border in San Diego County as part of Operation Gatekeeper. These fences have pushed illegal crossers farther to the east, especially to Arizona. Table C1 presents California border statistics.

**Table C1: California Border County Statistics**

County	Population/%	Square Miles/%	Ports of Entry	Legal Crossings/%	Apprehensions/%
San Diego	2,941,454 (95%)	4,200 (50%)	3	63,194,708 (71%)	79,396 (56%)
Imperial	160,301 (5%)	4,175 (50%)	3	25,756,478 (29%)	61,811 (44%)
TOTAL	3,101,755	8,375	6	88,951,186	141,207

## CHARACTERISTICS OF CALIFORNIA COUNTY GOVERNMENT

California county governments represent the largest political subdivision of the state having corporate powers. The specific organizational structure of a county in California will vary from county to county, but each county is required to be governed by a board of supervisors consisting of five members. California law provides for two kinds of counties—general law and charter. General law counties adhere strictly to state law regarding the number and duties of elected county officials. Charter counties have some latitude or “home rule” with regard to the election of officials, and the administration of the county. However, all counties must elect the sheriff, district attorney, and assessor. Although charter counties have more flexibility than general law counties, a charter does not give county officials any

extra authority over local regulations, revenue-raising abilities, budgetary decisions, or intergovernmental relations. Of the two border counties, San Diego is a charter county, and Imperial is a general law county. Most counties employ a professional manager, who then appoints directors of the departments who report to the board of supervisors.

The single most important source of revenue for the general fund of most California counties comes from state-shared taxes (so-called intergovernmental revenues). The state of California distributes to counties a portion of the state's revenues (from sources including state income tax and federal block grants), although this funding comes largely in the form of revenue dedicated to specific programs. General county revenues include the property tax, sales tax, vehicle license fees, transient occupancy tax, real property transfer tax, and a few other miscellaneous sources.

## **CALIFORNIA COUNTY LAW ENFORCEMENT AND JUSTICE SYSTEM**

Most counties have a sheriff's department, which enforces laws in unincorporated parts of the county, as well as within municipalities that contract with the sheriff's department for those services rather than establishing their own. The sheriff's department is usually responsible for incarceration of prisoners before and during trial, and for minor offenses carrying a sentence of less than one year. Convicted felons are normally incarcerated in facilities operated by the California Department of Corrections. The prosecution of alleged criminals is undertaken by an elected district attorney, and the supervision of persons on probation is undertaken by the department of probation. The defense of indigents is the responsibility of the public defender and alternative public defender. San Diego and Imperial counties received a total of \$2.4 million from SCAAP for 2006.

The court system in California has undergone important recent changes in funding and structure. In 1997 the California legislature passed the Lockyer-Isenberg Trial Court Funding Act, which consolidated all court funding at the state level and also capped the amount of money that each county would be required to contribute to the state court fund. In centralizing the funding, the legislation unlinked the contribution that each county made from the amount that each county's court might receive. Thus, each county contributes to court costs, but those costs are not necessarily proportionate to the costs associated with the court in that county.<sup>3</sup> The contribution required of each county is based on its funding of state courts in fiscal year 1994-1995. Furthermore, counties are required to continue funding court facilities and those court-related costs that are outside the statutory definition of court operations, including indigent defense, pretrial release, and probation costs.

Unification of the court system has also occurred. In 1998, California voters approved a constitutional amendment permitting judges in each county to merge their superior and municipal courts into a single countywide court upon the vote of a majority of the county's superior court judges and a majority of the municipal court judges. San Diego and Imperial counties both unified their courts in 1998, whereupon the municipal court judges became superior court judges and thus subject to countywide election. Municipal court employees also became employees of the unified superior court, and municipal court locations became locations of the countywide superior court. All aspects of the criminal justice system, including arraignments, hearings, trials, and the handling of both misdemeanors and felonies are therefore now dealt with in the unified superior court.

## COSTS TO CALIFORNIA BORDER COUNTIES

The total annual cost to California's border counties for providing law enforcement and criminal justice services to criminal undocumented immigrants from the general fund is estimated to be \$82.6 million. This cost also includes the percentage charge for general government services. Table C2 summarizes these data for the two border counties of California.

**Table C2: Costs of Undocumented Immigration by County**

County	Costs/%	Per Capita Cost
San Diego	\$77,096,995 (93%)	\$26.21
Imperial	\$5,544,216 (7%)	\$34.59
TOTAL	\$82,641,211	\$26.64 (avg)

San Diego County's estimated cost of \$77 million accounts for 93 percent of the costs of the two counties combined, but table C2 shows that the impact per person is greater in Imperial County (\$34.59) than it is in San Diego County (\$26.21). The average per capita cost for both counties is \$26.64.

## COSTS TO CALIFORNIA BORDER COUNTIES BY DEPARTMENT

The cost of processing criminal undocumented immigrants at the departmental level is shown for each county in table C3. The costs are derived by multiplying the general fund departmental budget by the estimated percentage impact of undocumented immigrants, and adding a general government overhead cost. These costs are discussed in more detail in the section devoted to the individual counties.

**Table C3: Costs to Border Counties by County and Department**

Total Cost: \$82,641,211

Average Per Capita Cost: \$26.64

Department	San Diego County	Imperial County
Sheriff	\$50,842,831*	\$2,478,019
Detention	NA	\$1,606,680
District Attorney	\$9,049,743	\$604,721
Indigent Defense	\$7,128,667	\$135,217
Adult Probation	\$4,762,733	\$374,204
Juvenile Services	\$5,313,021	\$345,375

\* Includes costs for detention

## **COST TO CALIFORNIA COUNTY CITIZENS**

The money that is spent by California's border counties is an obvious burden on residents of these counties, and drains away resources that could be used more productively. For example, in San Diego County, a total of \$872,228,063 was spent in fiscal year 2006 on law enforcement and justice costs that could potentially be influenced by undocumented immigrants, accounting for 32 percent of the total county budget. In San Diego County the amount spent on undocumented immigrants represents 7 percent of the total law-justice budget, whereas in Imperial County it represents 21 percent.

The structure of public financing in California makes it extremely difficult for local governments, especially county governments, to increase their sources of revenue. This problem is greatly exacerbated when counties are also forced into expenditures that are beyond their control. Without the ability to raise taxes in any significant way to deal with the costs associated with criminal undocumented immigrants, counties are forced to cut back on other expenditures that would otherwise benefit the legal resident population, either through tax cuts or through augmented services.

## SAN DIEGO COUNTY

San Diego County lies at the southwest corner of the United States, at the westernmost end of the U.S.-Mexico border. It contains 4,200 square miles of territory and shares 60 miles of border with Mexico. The population is concentrated to the west of the Laguna Mountains, more specifically within 25 miles of the Pacific Ocean. The city of San Diego accounts for somewhat less than half (43 percent) of the county's population of 2.9 million and it is one of the two incorporated areas in the county that are adjacent to the border. Altogether, the county has 18 incorporated cities. The others include, in order of population size, Chula Vista, Oceanside, Escondido, Carlsbad, El Cajon, Vista, San Marcos, National City, Encinitas, La Mesa, Santee, Poway, Imperial Beach (the other municipality that is adjacent to the border), Coronado, Lemon Grove, Solana Beach, and Del Mar. The municipalities take in 84 percent of the county's population.

San Diego County has a reasonably diversified economy. Besides the long-term reliance on defense and tourism, the county now hosts the third largest concentration of bioscience companies in the United States. Other important high-tech manufacturing clusters include cellular communication technology and sports equipment. There are also close connections between San Diego County and the *maquiladora* industry in neighboring *Tijuana*—where, for example, most of the televisions sold in the western United States are manufactured. San Diego County also has an important agricultural area in which specialty crops such as avocados and poinsettias form part of the regional economy. Although the presence of Naval and Marine bases is the most visible way in which the defense industry impacts San Diego, there are actually more dollars injected into the regional economy through defense contracts awarded to local businesses. Much of this work is related to the Navy's Space and Naval Warfare Systems Command. Beaches and several state and national park facilities add to the county's appeal, as do major tourist attractions such as the San Diego Zoo, Wild Animal Park, Sea World, and Legoland.

The population estimate for 2006 was 2,941,454. The median household income in 2004 was \$51,939 and the average per capita income in 2003 was \$35,841. Sixty-seven percent of the population is white, and 14.4 percent claims Hispanic or Latino origins. Only 10.9 percent live below the poverty level. The 2006 San Diego County general fund was \$3.3 billion.

## SAN DIEGO COUNTY'S BORDER ENVIRONMENT

The Mexican state of *Baja California* shares its entire northern border with the two California border counties. The Mexican population south of San Diego County is clustered primarily in the large city of *Tijuana*, population 1.4 million, and the smaller cities of *Tecate*, *Playas de Rosarito* and *Ensenada*, although the latter two cities are not adjacent to the border. The 2005 Mexico *Conteo* enumerated 2 million people in those four cities combined. Three ports of entry operate in San Diego County: two at San Ysidro and one at Tecate. The San Ysidro border crossing between San Diego and *Tijuana* has for many years been the world's busiest international crossing. Among the three San Diego ports of entry there are an annual average of 10 million pedestrians and 53 million vehicle passengers who cross the border in both directions.

Since 1997 San Diego County has experienced a decrease in the number of apprehensions of undocumented immigrants. This is a direct consequence of the extension of the border fence in the more accessible regions of southern San Diego County through the federally-funded Operation Gatekeeper. (It has not necessarily deterred undocumented border crossing, but rather has pushed it east, into the mountains of San Diego County, into the desert in Imperial County, and farther east into Arizona and New Mexico.) Nonetheless, because of the size of the county's economy and its function as a gateway to the vastly larger economy in Los Angeles, the number of undocumented immigrants coming into San Diego County remains a serious concern. In 2006, nearly 80,000 persons without documents were apprehended trying to cross the border into San Diego County. Table C4 presents the county's border statistics.

Table C4: San Diego County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
2,941,454	4,200	60 miles	3	63,194,708	79,754

## COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The direct costs to San Diego County of providing law enforcement and criminal justice services to criminal undocumented immigrants are estimated to be \$65,558,760 for fiscal year 2006. A county expenditure audit has determined the indirect cost allocation formula for general government services on each department. Within the Public Safety Group of San Diego County, the rate is 17.6 percent, and this was applied to all departments. The indirect impact on general government services adds \$11,538,325 for a total impact of \$77,096,995. This translates into a per capita cost to San Diego County residents of \$26.21. Site visits were made throughout 2007. They included personal interviews, budget and report reviews, and follow up with e-mails, faxes and telephone calls. The calculations for each department are summarized in table C5, followed by a brief discussion of each department.

Table C5: San Diego County Costs by Department

County Total: \$77,096,995

Per Capita Cost: \$26.21

Sheriff/Detention	District Attorney	Indigent Defense	Adult Probation	Juvenile Services
\$50,842,831	\$9,049,743	\$7,128,667	\$4,762,733	\$5,313,021

## SAN DIEGO COUNTY SHERIFF AND DETENTION

The San Diego County Sheriff's Department (SDSO) does collect some data on undocumented persons in detention. Staff reports that the presence of federal immigration authorities in county jails has increased and that detention staff is now more likely than in the past to learn if inmates are illegally in the United States. SDSO also collects this information in order to prepare a request for federal reimbursement from SCAAP. The current measure of an undocumented person in custody is likely to underreport some persons, such as those sent to state prison with an immigration "hold" (a detention order to be executed at the time of release from state custody) that was unknown to SDSO, drunks released after they sober up, or persons who bond out quickly. Thus, the SDSO estimate is likely to underestimate the total impact. The estimate is that undocumented immigrants account for 8 percent of the costs associated with detention and, by inference, of other law enforcement responsibilities borne by the sheriff's department. The general fund budget in 2006 was \$540,421,248. The budget, impact and costs for detention are included. The direct cost, by applying the 8 percent impact, is \$43,233,700. After adding a 17.6 percent charge for general government services (\$7,609,131), the total cost comes to \$50,842,831, as displayed in the following table.

Table C6: San Diego County Sheriff and Detention Impact

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$540,421,248	8%	\$43,233,700	\$7,609,131	\$50,842,831



## SAN DIEGO COUNTY DISTRICT ATTORNEY

The District Attorney's Office does not collect data on the immigration status of defendants. However, it does provide a considerable amount of service and support related to the prosecution of undocumented immigrants arrested for crimes, as well as to the victims of those crimes. Although the level of support and services related to undocumented immigrants is not directly quantified, it is estimated that 6.5 percent of defendants are undocumented persons. The district attorney's 2006 general fund budget was \$118,390,160. Direct costs are \$7,695,360. With an indirect charge of \$1,354,383, the total comes to \$9,049,743. Table C7 portrays these findings.

**Table C7: San Diego County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$118,390,160	6.5%	\$7,695,360	\$1,354,383	\$9,049,743

## SAN DIEGO COUNTY INDIGENT DEFENSE

The public defender and alternate public defender are mandated by the court not to collect data on the immigration status of clients, in order to prevent any bias to representation that might be induced by that information. However, given the role of the public defender in providing legal representation to indigent persons accused of crimes, it is reasonable to assume that a disproportionate share of the public defender's workload involves undocumented immigrants. The 1999 impact study found that whereas the district attorney spent 6.4 percent of its resources on undocumented immigrants, the public defender spent 9.1 percent of its resources in that way. The same ratio has been applied to 2006 costs. Thus, adding 2.7 percent to the district attorney's impact of 6.5 percent brings the impact to 9.2 percent to both public defender offices for costs associated with undocumented immigrants. The public defender's budget in 2006 was \$50,787,795. The alternate public defender's budget was \$15,101,253. Combined budgets amounted to \$65,889,048 and calculations are found in table C8 below.

**Table C8: San Diego County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$65,889,048	9.2%	\$6,061,792	\$1,066,875	\$7,128,667

## SAN DIEGO COUNTY ADULT PROBATION

The San Diego County Probation Department serves about 20,000 adults at any one time. As of May 2007 there were 19,695 adults on formal probation, of which 2,040 were determined to be undocumented, representing 10.4 percent of the caseload. The majority of these offenders have been deported, but because they often return, and re-offend, the probation department must track them. The general fund budget for the Adult Field Services division was \$38,941,757, for a direct cost of \$4,049,943. An additional \$712,790 is added to cover general government services, and the total comes to \$4,762,733. The table below arrays these costs.

**Table C9: San Diego County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$38,941,757	10.4%	\$4,049,943	\$712,790	\$4,762,733

## SAN DIEGO COUNTY JUVENILE SERVICES

It is known that undocumented immigrants are included among the juveniles who are investigated, incarcerated, supervised, and placed in residential settings. For the most part, data are not collected on immigration status of juveniles, but it is known that 4.5 percent of juveniles currently in placement in the juvenile system are undocumented. All of them have been approved for the Permanently Residing Under the Color of Law (PRUCOL) Doctrine. It is assumed that 4.5 percent is a reasonable approximation of the overall impact of undocumented immigrants on the juvenile system. The general fund budget for 2006 for the Juvenile Field Services and Institutional Services divisions was \$100,397,231. The direct cost is estimated to be \$4,517,875, to which is added \$795,146 for general government, for a total impact of \$5,313,021. Table C10 presents these findings.

**Table C10: San Diego County Juvenile Services Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$100,397,231	4.5%	\$4,517,875	\$795,146	\$5,313,021

## SAN DIEGO COUNTY SUMMARY

The total cost to San Diego County's law enforcement and criminal justice system in fiscal year 2006 amounted to \$77,096,995. Each resident of the county paid approximately \$26.21 to fund these services. This represents a substantial absolute dollar increase from the estimated impact of \$34,063,840 for the comparable services for fiscal year 1999, which amounted to \$11.96 per resident. In constant dollars, the 1999 figure would have inflated from \$34 million to \$41 million in 2006. This means that, even taking the consumer price index into account, over this span of time there was nearly a doubling of the impact of criminal undocumented immigrants on the residents of San Diego County. Moreover, assuming that service costs increased at a steady rate in the six intervening years, the cost would rise each year by about \$6.3 million, for a cumulative cost impact on San Diego County of \$565 million. A reimbursement of \$77 million from the federal government for costs in 2006 would enable the county to do many important things. This could include important maintenance that has been deferred because of lack of funds, or it could even form the basis for an endowment that would provide a future source of programmatic funding.

## IMPERIAL COUNTY

Imperial County is an important agricultural region. It is an inland valley with the Laguna Mountains to the west and the Colorado River to the east. The river supplies irrigation water to farms in Imperial County that were created after construction of the Imperial Dam—the last American dam along the Colorado River before it enters Mexico and empties into the Gulf of California (Sea of Cortez). Imperial County is one of the larger border counties in area, with 4,175 square miles. The county seat of El Centro has a population of 37,985. Other incorporated municipalities include the second largest city, Calexico (population 32,517), Brawley, Imperial, Calipatria, Holtville and Westmoreland.

The 2006 population of Imperial County was 160,301, a 12.6 percent increase since 2000. The median household income in 2004 was \$33,674 and the per capita income was \$13,239. Eighteen and one-half percent lives below the federal poverty level. A little over 75 percent are Hispanic or Latino, and 18 percent are white. The general fund budget for fiscal year 2006 was \$179,166,360.

### IMPERIAL COUNTY'S BORDER ENVIRONMENT

Imperial County hosts three ports of entry along its 105-mile border with Mexico. Two are located at Calexico, the sister city of *Mexicali*. The state capitol of *Baja California*, *Mexicali*'s population is 867,000, dwarfing Imperial County's by five and one-half times. The third port of entry rests at Andrade, on the eastern edge of Imperial County near Yuma. Imperial County provides a major transportation route for *Mexicali*'s goods by way of Interstate-8, which cuts through the county connecting it to San Diego and Tucson; and Interstate-10, running north of Imperial County for a connection to Los Angeles and Phoenix. As shown in table C11, legal crossings from Mexico into Imperial County through these three ports totaled nearly 26 million (a drop of 10 million since 1999). Border Patrol apprehensions also decreased from those of 1999, falling from 220,439 to 61,811. Tightened border enforcement has pushed the incidence of undocumented immigration eastward into Arizona and New Mexico border counties.

Table C11: Imperial County's Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
160,301	4,175	105 miles	3	26,187,917	61,811

Despite a drop in apprehensions as well as legal crossings, border crimes occur, especially "ag crime"—theft of farm equipment, seed, alfalfa, batteries, and wire. Calexico police arrest the majority of undocumented immigrants who commit state crimes. Personal violence occurs as well, which requires more intensive investigation than legal resident crimes of violence. Homicides are unusual, occurring at the most once a year. As one sheriff's administrator explains, "Imperial County's terrain is straightforward [flat and open]." While Imperial County serves as a transit point to other U.S. destinations, entrants are more aggressive, entering with the intent to commit crimes. Rural homes are burglarized and ransacked with the purpose of "building supplies," a common "MO." They are also younger and more sophisticated. Moreover, people who live in Mexico but cross legally to work are committing crimes as well, especially those in the farm labor pool.

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The direct costs of providing law enforcement and criminal justice services to undocumented immigrants in 2006 are \$4,698,488. An additional \$845,728 for general government expenses brings the total impact to \$5,544,216. Each resident of Imperial County spent \$34.59 in 2006. The charge for indirect services is 18 percent. A site visit was made in August 2007 and officials in impacted departments—sheriff, detention, adult probation, and juvenile court services were interviewed. (The district attorney was interviewed by telephone.) Budget and SCAAP documents were reviewed, and follow-up e-mails and phone calls completed the data collection. Table C12 presents these costs by department.

**Table C12: Imperial County Costs by Department****Total Cost: \$5,544,216****Per Capita Cost: \$34.59**

Sheriff	Detention	District Attorney	Indigent Defense	Adult Probation	Juvenile Hall
\$2,478,019	\$1,606,680	\$604,721	\$135,217	\$374,204	\$345,375

## IMPERIAL COUNTY SHERIFF

Interviews with administrators reveal that about 18 percent of the workload on patrol, investigation and administration involves undocumented immigrants, farm laborers and those with three-day laser visas (72-hour time limit within 25 miles north of the border) who overstay. The general fund budget in 2006 was \$11,666,754. The direct impact is about \$2.1 million. The added cost for general government (\$378,003) brings the total impact to \$2,478,019. Table C13 below arrays these costs.

**Table C13: Imperial County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$11,666,754	18%	\$2,100,016	\$378,003	\$2,478,019

The sheriff's office also serves as county coroner. Thirty-two percent of its cases (about 60) are undocumented, most of whom drown in the American Canal. (Each canal drowning requires two to three professional divers and three or four additional investigators, most on overtime, making this responsibility very expensive.)

## IMPERIAL COUNTY DETENTION

The Imperial County Jail contains beds for 624 inmates. Its average daily inmate population is 490, of which 305 are county prisoners. With a general fund budget of just below \$11 million, its "county inmate budget" is 62 percent, or \$6,807,963. Of the 305 county prisoners, about 61 on average are undocumented, for a 20 percent impact. Many of these inmates stay fewer than four days and/or have been charged with only one misdemeanor, thereby not qualifying for reimbursement from SCAAP. Total impact to detention comes to \$1,606,680. Details are presented in the table below.

**Table C14: Imperial County Detention Impact**

County Inmate Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$6,807,963	20%	\$1,361,593	\$245,087	\$1,606,680

## IMPERIAL COUNTY DISTRICT ATTORNEY

The Imperial County District Attorney does not track the legal status of clients, and to determine an impact, the assumption is made that his impact mirrors that of adult probation, or about 18 percent. The general fund budget in 2006 was \$2,847,086, for a direct cost of \$512,475. General government charges bring the total to \$604,721, as shown in table C15.

**Table C15: Imperial County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,847,086	18%	\$512,475	\$92,246	\$604,721

## IMPERIAL COUNTY INDIGENT DEFENSE

Defense attorneys estimate that the impact to their caseload is about 15 percent, when border crossers and farm laborers are included. With a general fund budget of \$763,940 in 2006, the direct cost is \$114,591 and the total cost is \$135,217, as shown in the table below.

**Table C16: Imperial County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$763,940	15%	\$114,591	\$20,626	\$135,217

## IMPERIAL COUNTY ADULT PROBATION

According to adult and juvenile probation officials, there are a greater number of cases involving drugs and human smuggling than in 1999. Vehicle theft and home break-ins are also more prevalent. In addition to the ports of entry at Calexico and Andrade, there are three interior check points, easy to circumvent, to reach Indio or Coachella farther north and drop off loads. Entrants then steal cars to get back to the border. Adult entrants only receive pre-sentence investigation (PSI) services, which consumes half the adult probation budget. About 18 percent of PSIs are conducted on undocumented immigrants. As presented in table C17 below, the PSI portion of the budget is half the general fund budget of \$3,523,580, and the total cost is \$374,204.

**Table C17: Imperial County Adult Probation Impact**

PSI Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,761,790	18%	\$317,122	\$57,082	\$374,204

## IMPERIAL COUNTY JUVENILE PROBATION AND DETENTION

Minors who violate any laws can be prosecuted by the district attorney under an agreement with federal prosecutors which allows the federal prosecutor to charge federal code violations as state charges. The federal government still prosecutes the juvenile, but he or she still receives county detention and probation services. Juvenile entrant crimes include predominantly undocumented crossings and smuggling. (A juvenile “coyote,” for instance, took a family across in the Imperial County desert and left them there to die. He has been in detention for a year.)

Minors can drive a car into the county through the sand dunes or float up the All American Canal in tubes. They attack Border Patrol agents with rocks to distract them, and then others will steal the agent’s car keys and equipment inside the car. Juveniles are dangerous and “the money is good.” (Mexico is now the largest supplier of methamphetamine for the U.S.) If juveniles get adjudicated, usually for possession of marijuana, they spend 30 days in jail. If the charge is assault, they are sentenced 30 days to 60 days. Cocaine possession brings a sentence of 60 days. (Adults get out sooner.) Juvenile detainees are treated equally—they receive schooling, computer training, medical care (especially for TB, for which the medication is expensive), and treatment for eyes and teeth. Moreover, state law requires nutritional meals, such as steamed vegetables and low fat milk.

The general fund budget for juvenile probation was \$2,090,650, which includes detention. Officials estimate an impact of 14 percent on both probation and detention, for a direct cost of \$292,691. Complete costs are detailed in the following table.

**Table C18: Imperial County Juvenile Hall Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,090,650	14%	\$292,691	\$52,684	\$345,375

## IMPERIAL COUNTY SUMMARY

The total cost to the Imperial County general fund for providing services to criminal undocumented immigrants in fiscal year 2006 was \$5,544,216. Each citizen spent \$34.59. The cost determined for fiscal year 1999 for similar services was \$3,714,995, an increase in costs of \$1,829,190 (33 percent), or roughly \$300,000 per year. Assuming the cost increase was incremental over the six intervening years, the general fund has expended a cumulative \$40 million from 1999 through 2006.

Discussions with one of the governing board members indicate that the money spent on services for undocumented immigrants should be returned to those departments if the county were to be reimbursed for those costs. “The safety of the entire county,” he explains, “is our most important responsibility.”

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1. State of California, Department of Finance, “Population Projections by Race/Ethnicity for California and its Count,” Sacramento, California, July 2007.
  2. Pew Hispanic Center, “Estimates of the Unauthorized Migrant Population for States Based on the March 2005 CPS,” April 26, 2006; <http://www.pewhispanic.org>.
  3. Judicial Council of California, Administrative Office of the Courts, “Special Report: Trial Court Funding,” Sacramento, California, August 2007.



# Arizona Border Counties

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US / Mexico

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B o r d e r  
C o u n t i e s  
C o a l i t i o n

## ARIZONA BORDER COUNTIES

In 1912 Arizona became the last of the continental 48 states to join the union. Typical of Western states, Arizona is arid and rugged, with sparsely populated rural areas and geographically large counties. Nearly 85 percent of its population lives in the two metro areas of Phoenix and Tucson, making Arizona an urban state. The federal government and 21 Indian tribes own most of Arizona's 113,634 square miles (83 percent), so decisions and policies made in Washington affect the state significantly. As with other states along the border, the macroeconomic and political conditions in Mexico reverberate throughout Arizona.

Arizona's population in 2006 was 6.2 million, an increase of 16 percent since the 2000 Census. The median household income in 2003 was \$41,963, and the per capita income was \$27,232. Persons living below the poverty level constituted 14 percent of the population.

Four of Arizona's 15 counties share the state's 354-mile long border with Mexico. To varying degrees, Arizona counties have been grappling with the consequences of proximity to Mexico for many years. The economic benefits of easy access to Arizona communities by Mexican citizens have been well documented and encouraged for years, but the social, environmental and fiscal consequences of illegal activities have come to the forefront of the public's attention in the last decade. A tradition of county involvement in federal and state policy making led the four border counties to bring together their border counterparts in California, New Mexico and Texas. Santa Cruz County, the smallest of the four border counties in both land base and population, commissioned a precursor in 1997 to the 2000 and 2007 border impact studies; titled *Border Impact: Law Enforcement and Criminal Justice in Santa Cruz County, Arizona*, its findings led to a state appropriation to the county in 1998. The Santa Cruz County Board of Supervisors then distributed the study to other counties along the border, and formation of the U.S.-Mexico Border Counties Coalition followed. All four of Arizona's border counties are founding members.

## ARIZONA'S BORDER ENVIRONMENT

The four counties along Arizona's 354-mile long border with Mexico have a combined population of 1.3 million. Eight ports of entry operate along the border: one in Yuma County at San Luis, two in Pima County at Lukeville and Sasabe, three in Santa Cruz County at Nogales, and two in Cochise County, at Naco and Douglas. In 2006, there were 32.9 million legal crossings and 403,493 apprehensions reported by Border Patrol. Table A1 presents border county statistics for Arizona.

**Table A1: Arizona Border County Statistics**

County	Population /%	Square Miles /%	Ports of Entry	Legal Crossings /%	Apprehensions (%)
Yuma	187,555/14%	5,561/25%	1	8,919,676/27%	112,764/28%
Pima	946,362/73%	9,186 /41%	2	1,421,039/4%	110,296/27%
Santa Cruz	43,080/3%	1,237/6%	3	15,876,584/49%	99,672/25%
Cochise	127,757/10%	6,169/28%	2	6,640,132/20%	80,761/20%
Total	1,304,754	22,153	8	32,857,431	403,493

Recent research indicates that there are more than 500,000 undocumented immigrants in the state.<sup>1</sup> There were also more apprehensions by the Border Patrol than in California, New Mexico and Texas combined in 2004.<sup>2</sup> Moreover, nearly all the marijuana sold in the United States comes through Arizona, and the DEA also reports that more methamphetamine is seized along the Arizona-Mexico border than anywhere else.<sup>3</sup> Arizona's governor declared a state of emergency in August 2005 and released \$1.5 million to reimburse Arizona's four border counties for some of their extra costs. She also established the Arizona-Sonora Border Security Council with Sonora's governor "...because of the federal government's inability to secure the border."<sup>4</sup>

## CHARACTERISTICS OF ARIZONA COUNTY GOVERNMENT

Arizona county governments are subdivisions of the state but with considerable local authority. Principal revenues come from the property tax and state-shared revenues. Counties also may impose a one-half cent sales tax, development fees, and establish sub-taxing districts for jails, health care, sports stadiums, transportation, and localized benefit services. Counties are uniformly structured: county supervisors of three or five members; and the seven elected department heads (i.e., constitutional officers) of assessor, county attorney, clerk of superior court, county recorder, county school superintendent, sheriff, and county treasurer. They are elected on a partisan basis to four-year terms without term limits. Counties with a population of more than 200,000 may frame and adopt a home rule charter. Maricopa, Pima and Pinal counties qualify, and none has yet to adopt one. All counties appoint a professional county manager, who then appoints directors of all departments that fall under the responsibility of the board of supervisors. Judicial officers—superior court judges, justices of the peace and constables—are also elected to four-year terms.

## ARIZONA COUNTY LAW ENFORCEMENT AND CRIMINAL JUSTICE SYSTEM

County governments have a state responsibility to process anyone apprehended on state felony or multiple misdemeanor charges. From apprehension to preliminary hearings, prosecution and indigent defense, pre-trial services, adjudication, probation and detention (including a range of similar services for juvenile offenders), the county criminal justice system is complex and expensive to operate. Most parts of the system are funded through the county general fund from revenues generated locally. In all counties the major portion of the general fund is consumed by the law enforcement and criminal justice sectors. Arizona's system at the county level typically consists of eight departments. The departments include sheriff and detention, clerk of superior court, justice of the peace and constable, county attorney (criminal and civil), indigent defense, superior court, adult probation and juvenile court center. Each department contains multiple divisions, depending on the size of the county and the level of criminal activity.

## COSTS TO ARIZONA BORDER COUNTIES

Arizona's four border counties incurred a combined cost of \$26.6 million from the general fund to provide law enforcement and criminal justice services to undocumented immigrants. The combined cost also includes that for general government services; the percentage varies by county, as explained in each county chapter. Table A2 displays total costs to each county as well as the per capita cost.

**Table A2: Costs of Undocumented Immigration by County in Arizona**

County	Cost /%	Per Capita Cost
<b>Yuma</b>	\$7,689,505 / 29%	\$41.06
<b>Pima</b>	\$14,976,441 / 56%	\$15.83
<b>Santa Cruz</b>	\$2,205,158 / 8%	\$51.19
<b>Cochise</b>	\$1,719,840 / 6%	\$13.46
<b>Total</b>	\$26,590,944	\$20.38 (avg)

## COSTS TO ARIZONA BORDER COUNTIES BY DEPARTMENT

Estimated costs to each department were determined first by conducting site visits and interviewing both elected and appointed officials. The focus of research to determine costs were on the percentage of workload that involved undocumented immigrants in 2006. Percentage estimates were gathered either by statistical records or by "experience in the field." Most departments do not keep track of client legal status because there is no incentive to do so, no soft-

ware that provides capability, no way to know for sure, or they simply are not permitted to inquire. When reasonable workload percentages are estimated, the general fund expenditures are determined. An additional cost is factored in to account for workload burden on general government departments such as board of supervisors, county administration, human resources, information technology, etc. Table A3 presents total costs by county and department.

**Table A3: Costs to Arizona Border Counties by County and Department**  
**Total Cost: \$26,590,944**  
**Average Per Capita: \$20.38**

Department	Yuma County	Pima County	Santa Cruz County	Cochise County
<b>Sheriff</b>	\$797,379	\$5,909,398	\$817,000	\$109,000
<b>Detention</b>	\$5,031,764	\$3,289,636	\$459,000	\$584,000
<b>Prosecutor</b>	\$295,823	\$570,611	\$380,000	\$26,400
<b>Indigent Defense</b>	\$582,846	\$1,194,349	\$101,000	\$252,000
<b>Justice Court</b>	\$65,930	\$863,000	\$80,000	\$118,200
<b>Clerk</b>	\$151,781	\$70,000	\$52,400	\$170,300
<b>Superior Court</b>	\$435,252	\$1,126,051	\$127,000	\$429,300
<b>Adult Probation</b>	\$105,420	\$620,000	\$166,000	\$31,000
<b>Juvenile Court</b>	\$41,310	\$1,200,646	\$23,000	\$480
<b>Total</b>	\$7.7 million	\$15 million	\$2.2 million	\$1.7 million

Sheriff and detention departments bear the greatest impact and cost of any department in the law enforcement and criminal justice system.

## COSTS TO ARIZONA COUNTY CITIZENS

County boards of supervisors are constrained by comparatively high property rates as well as constitutionally-imposed revenue and expenditure limitations and burdened property owners whose taxes go principally to school and community college districts. In other words, raising the property tax rates to fund the extra burden placed on counties by criminal undocumented immigrants can be a wrenching experience and politically challenging, as property owners often assume their taxes go to the level of government that sends out the bills: the county. In fact, Arizona counties receive barely one-third of total property taxes. If taxes are not raised, other services are cut or provided at insufficient levels; for instance, sheriffs have the choice of lowering protection to citizens or helping other agencies to secure our borders. Or, in the words of some supervisors, programs that improve the quality of life and thus reduce the crime rate get undermined.

The cost imposed on all four border counties in fiscal year 1999 amounted to \$19.2 million (excluding \$5 million in emergency medical costs). The total cost in 2006 comes to \$26.6 million, an increase of 41 percent. Assuming that the cost difference between 1999 and 2006 increased on a gradual basis, citizens in Arizona's four border counties spent \$187.3 million in eight years of services to undocumented immigrants. The burden on Arizona's border counties placed by undocumented immigrant criminal activities has been amply acknowledged by higher levels of authority. Both of Arizona's senators and the Southern Arizona Congressional Delegation consistently support comprehensive immigration reform and allocating more money to reimburse counties (e.g., SCAAP and SWBPI). In August 2005 Arizona Governor Janet Napolitano followed the steps of New Mexico Governor Bill Richardson and declared a state of emergency to secure \$1.5 million to reimburse Yuma, Pima, Santa Cruz and Cochise counties. An editorial described these two actions as "...stepping in where federal policy has fallen short, [they] have the potential to both assist people in Arizona and New Mexico and help educate the rest of the country about the need for a sensible, comprehensive immigration policy."<sup>5</sup>

## YUMA COUNTY

Located in the southwest corner of Arizona, Yuma County is separated from California on the west by the Colorado River and from Mexico on the south by desert. While much of the county is arid, the Colorado River Valley is rich farm land that sustains agriculture as a major part of Yuma County's economy. During winter months the county's population doubles in size with the arrival of winter visitors. The county's permanent population is 187,555, an increase of more than 38 percent over 2000's. Half the population lives in the four incorporated municipalities of Yuma (the county seat), Wellton, Somerton, and San Luis. Yuma County covers 5,514 square miles, making it one of the larger border counties. Household income averaged \$34,230 and per capita income averaged \$24,458 in 2004. Fifty-five percent of the population claims Hispanic or Latino descent, and 40 percent claim white. People living below the poverty level comprise 18.4 percent of the population. The general fund budget in 2006 was \$67,823,830.

### YUMA COUNTY'S BORDER ENVIRONMENT

Yuma County shares roughly 94 miles of border with Mexico, much of that uninhabitable desert. The county has one port of entry, at San Luis. *San Luis Rio Colorado* is its Mexican counterpart, with a population of 170,359, dwarfing its American neighbor of 23,000 residents. A total of 9 million legal crossings northward were documented in 2005, a 10 percent decrease since that of 1999. Border Patrol apprehensions, however, rose to 112,764 in 2006, an increase of 28 percent over that of 1999. Table A4 arrays some statistics on the border environment.

**Table A4: Yuma County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
187,555	5,514	94 miles	1	9 million	112,764

Organized criminal activity involving undocumented immigrants is much greater than it was in 1999 (juvenile involvement is rare). While narcotics smuggling has predominated over the years and is still "very big," the new endeavors involve stealing precious metals, namely copper, catalytic converters, and auto parts. Violence against federal agents in the Yuma Sector is also at an all time high. Entrants are robbing other entrants in greater numbers as well. For the first 10 months of 2006, according to statistics of the sheriff's office, 410 undocumented immigrants were victims of crimes, far more numerous than in the previous three years. Criminals find a relatively easy route for escape back into Mexico at the Colorado River, and crime accompanies this exit route. One example is the "Rape Tree," so dubbed by law enforcement agencies because they find undergarments nearby, even those of children.

A new multi-agency task force is now engaged in removing non-indigenous plant life that flourishes along the river banks, providing good cover for criminals. Indeed, the violence along the Colorado River has forced away families who used to enjoy its recreational opportunities. According to law enforcement officials, "Limitrophe," the name of the lower Colorado River area, has become a "haven for criminal activity for crimes committed against citizens of both nations and has become overrun with invasive non-native vegetation that obscures a clear line of sight, providing cover for the attacks upon citizens and law enforcement," including homicides and rape. The task force submitted a resolution to the U.S./Mexico Border Counties Coalition in support of the "collaborative efforts in the Yuma 'Limitrophe' to protect citizens, promote law enforcement and encourage recovery of the lower Colorado River area."<sup>6</sup> Additionally, the sheriff's office has proposed to the Department of Homeland Security the creation of a funding region called Border Area Security Initiative, or "BASI." BASI would complement its urban counterpart, Urban Area Security Initiative, or "UASI."

## COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The estimated cost to Yuma County of providing services to criminal undocumented immigrants in fiscal year 2006 is \$7,689,505. This cost includes \$1,281,584 in general government charges. Each man, woman, and child living in Yuma County paid \$41 for these extra services. During a site visit in August 2007, interviews were conducted with governing board members, sheriff's administrators, county administrators, court personnel, probation officers, and others. Documents were reviewed and follow-up e-mails and telephone calls completed the data collection. The portion attributed to general government services is 20 percent. Table A5 contains these costs by department.

**Table A5: Yuma County Costs by Department**

**Total Cost: \$7,689,505**

**Per Capita Cost: \$41**

Sheriff	Detention	County Attorney	Clerk of Superior Court	Superior Court	Indigent Defense	Justice Court/ Constable	Adult Probation	Juvenile Services
\$979,379	\$5,031,764	\$295,823	\$151,781	\$435,252	\$582,846	\$65,930	\$105,420	\$41,310

### YUMA COUNTY SHERIFF

The general fund budget for Yuma County sheriff was \$7,419,539. Administrators estimate that the impact on workload for patrol, investigation and administration of providing services involving undocumented immigrants in 2006 was 11 percent. The direct cost is \$816,149. Adding 20 percent for general government charges brings the total to just under \$1 million. The table below arrays these costs.

**Table A6: Yuma County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$7,419,539	11%	\$816,149	\$163,230	\$979,379

### YUMA COUNTY DETENTION

The Yuma County jail, funded through a voter-approved ½ cent sales tax, receives about 10 cents on the dollar from SCAAP. A more realistic estimate of the average daily inmate population that is undocumented is 25 percent. (SCAAP eligibility requirements eliminate most undocumented inmates, as they must be detained for a minimum of four days and have committed two or more misdemeanors. This means that an undocumented person who is picked up for DUI spends time in the system but jail time is ineligible for reimbursement.) Records for SCAAP and other projects and grant applications for the sheriff provide ample statistics on undocumented inmates. The jail district budget in 2006 was \$16,772,546. The jail's average daily population is 600 with a per diem cost of \$78.31. The direct impact is thus \$4,193,137. Total costs are presented in table A7.

**Table A7: Yuma County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$16,772,546	25%	\$4,193,137	\$838,627	\$5,031,764



## YUMA COUNTY ATTORNEY

The Yuma County Attorney's budget for the criminal division in fiscal year 2006 was \$2,241,080 (63 percent of the caseload). The county attorney's office does not track the legal status of clients, but court personnel indicate that the impact will mirror that of the trial court, 11 percent. Direct costs total \$246,519. Adding a charge for general government of \$49,304 brings the total to \$295,823, as shown in the table below.

**Table A8: Yuma County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Indirect Cost
\$2,241,080	11%	\$246,519	\$49,304	\$295,823

## YUMA COUNTY CLERK OF SUPERIOR COURT

The Clerk of Superior Court's budget was \$1,825,164 in 2006. About 63 percent of filings are criminal, for a criminal budget of \$1,149,853. Though the office does not track the legal status of filers, officials believe that statistics reported by the adult probation department would reflect the impact on clerk, superior court, and county attorney. The impact would be, as indicated under the adult probation section, 11 percent. Total costs, including that for general government, come to \$151,781, as shown below in table A9.

**Table A9: Yuma County Clerk of Superior Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,149,853	11%	\$126,484	\$25,297	\$151,781

## YUMA COUNTY SUPERIOR COURT

Total expenditures for superior court in 2006 amounted to \$5,233,907. The criminal caseload consumed 63 percent of the budget. Court administrators confirm that the percentage impact on adult probation—11 percent— would apply to superior court as well. The direct cost is \$362,710, the indirect cost is \$72,542, and the total cost is \$435,252. These figures are arrayed in table A10.

**Table A10: Yuma County Superior Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$3,297,361	11%	\$362,710	\$72,542	\$435,252

## YUMA COUNTY INDIGENT DEFENSE

The combined general fund budget for public defender, legal defender and conflict administration was \$4,415,504 for 2006. Officials in the legal defender's office could not venture a guess as to the impact on caseload of undocumented immigrants, and the public defender's office did not provide an estimate. It is assumed that the impact on defending undocumented immigrants is consistent with that of the prosecutor, 11 percent, as undocumented entrants rarely, if ever, hire private counsel. Table A11 shows details of this impact.

**Table A11: Yuma County Indigent Defense Impact**

Budgets	Impact	Direct Cost	Gen Gov	Total Cost
\$4,415,504	11%	\$485,705	\$97,141	\$582,846

## YUMA COUNTY JUSTICE COURT AND CONSTABLE

The general fund budget for justice court in fiscal year 2006 was \$1,616,019. The budget for constable was \$215,397. In 1999, 30 percent of the caseload was criminal, and the assumption is made that 30 percent holds true in 2006, for a criminal budget of \$549,425. Justice court officials were unable to determine the percentage impact on its workload of processing undocumented immigrants within the time frame required, so it is assumed that 10 percent is a very reasonable estimate given the impact on other departments and the 1999 justice court impact of 20 percent. Direct costs come to \$54,942, indirect costs are \$10,988 and total costs are \$65,930. Table A12 presents these figures.

**Table A12: Yuma County Justice Court and Constable Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$549,425	10%	\$54,942	\$10,988	\$65,930

## YUMA COUNTY ADULT PROBATION

The general fund budget for adult probation was \$1,774,740 in 2006. Roughly 45 percent is allocated to the pre-sentence investigation (PSI) unit. The crimes committed by undocumented immigrants, according to probation officers, range from high profile violent crimes to low-level ones such as breaking down fences and possessing marijuana. Many, if not most, probationers are living in the county. They impact about 11 percent of the PSI unit, receiving about 165 pre-sentence investigations out of 1,500. A cost breakdown of writers, supervisors, staff, and operating costs total \$87,850. General government expenses add another \$17,570, bringing the total to \$105,420, as shown in the table below.

**Table A13: Yuma County Adult Probation Impact**

PSI Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$798,633	11%	\$87,850	\$17,570	\$105,420

## YUMA COUNTY JUVENILE JUSTICE CENTER

The Juvenile Justice Center detained six undocumented immigrants in 2006. Two were turned over to the Border Patrol, and four were processed into the detention center for a direct cost of \$34,425 (cost per day multiplied by length of stay). Another 20 percent (\$6,885) is added for departmental administrative costs. The direct cost is \$34,425 and the total cost is \$41,310. Table A14 presents these estimates.

**Table A14: Yuma County Juvenile Justice Center Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$4,059,580	4 inmates	\$34,425	\$6,885	\$41,310

## YUMA COUNTY SUMMARY

If reimbursed by the federal government, Yuma County would use the \$7,689,505 it spent on services for criminal undocumented immigrants to bolster resources in the criminal justice system, especially for indigent defense and its conflict administration office, court security, and additional sheriff deputies. For example, when the county assumes responsibility for U.S.-95 from San Luis to Yuma, more patrol officers will be needed. Other needs include an additional judge and five staff positions for juvenile court to handle the skyrocketing caseload. In fiscal year 1999, the cost to Yuma County for similar services was \$4.2 million, a difference of \$3,489,505. Assuming that the cost increases are consistent in the intervening six years, Yuma County has spent a cumulative \$49.2 million on services to criminal undocumented immigrants.

## PIMA COUNTY

Pima County lies in south central Arizona, contiguous on three sides to Arizona's other border counties. It is the largest county along the border in area and second largest in population. The county's population was 946,362 in 2006, an increase of 12.2 percent since 2000. Its land area covers 9,186 square miles of Sonoran Desert, rugged Coronado National Forest, and 126 miles of international border. Within Pima County are five incorporated municipalities, two Indian tribes, and several other populated places. Tucson, South Tucson, Oro Valley, Marana and Sahuarita, along with the Tohono O'odham Nation and the Pascua Yaqui Tribe, constitute the county's other governments. Pima County's general fund budget in 2006 was \$404,047,076. General fund expenditures for law enforcement and the justice system comprised 50.7 percent of the general fund (\$204,762,408). Median household income was \$37,454 (below the state average), with 14.3 percent living below the federal poverty line (2003). The per capita income was \$25,906, and 31.5 percent are Hispanic or Latino.

### PIMA COUNTY'S BORDER ENVIRONMENT

The county's two ports of entry, at Lukeville and Sasabe, are in remote desert and not heavily traveled. Customs and Border Protection reported 1,421,039 bus, vehicle and pedestrian crossings from Mexico in 2005, and 110,296 undocumented apprehensions were made by the U.S. Border Patrol. Vast stretches of desert along the southern and western parts of the county through the Tohono O'odham Nation and Pascua Yaqui Indian reservations make illegal crossings physically dangerous. One hundred sixty-four deaths and 623 rescues were reported in 2006. About 120,000 live in towns across the line.

In May 2007 a people-smuggling ring believed to have brought more than 500 undocumented entrants a week into the country was busted.<sup>7</sup> The Pima County Sheriff's Office had participated in this 12-month multi-jurisdictional sting and helped make the arrests. The ring had been smuggling people into the country near Sasabe, on the Pima County border, charging each entrant \$1,400. The ring also had a stash house inside the city of Tucson. During the investigation period, several other violent events that involved the sheriff's office were connected to the ring, including one man who was shot and abducted in the southern part of the county. Near the town of Sahuarita, on the property of the man who was shot and abducted after his wife called authorities, four dozen undocumented immigrants were found. Also discovered were smugglers' ledgers, hand-held radios, and television screens that provided audio and video feed from security cameras placed around the property. Pima County's border environment has become treacherous. Border statistics are in table A15 below.

**Table A15: Pima County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
946,362	9,186	126 miles	2	1,421,039	110,296

Whenever the U.S. Border Patrol tightens the Tucson Sector's border with Mexico, which include the borders of Cochise, Santa Cruz and Pima counties, smugglers of drugs and people become more violent. Tightened border security, particularly with the hundreds of extra hands from the National Guard, has forced Mexican bandits, or *bajadores*, to prey on undocumented crossers as they march through Pima County's Sonoran Desert. The Pima County Sheriff's Office investigates most of these incidents, as they occur in remote unincorporated areas, calling bandit attacks "epidemic." Thirty-one violent incidents, accounting for hundreds of victims, were recorded in 2005 alone. Armed robbery, in fact, is a daily occurrence. Furthermore, when injury or death occurs, the county emergency medical system and the medical examiner get to work. The impact of illegal activity reverberates throughout county departments.<sup>8</sup>

Once struggling to survive, the Mexican town of *Sasabe* across from Sasabe, Arizona has been resurrected. It boasts new construction of hotels, housing, and restaurants to accommodate thriving smuggling enterprises. Said the town administrator, success with smuggling is driving the town's growth. "This is turning in to a 'little Nogales,' that's what I

tell everyone. Everyone's moving to Sasabe. They can make money here," he explained. Indeed, one smuggler affirmed, "Everybody's making money. When it's hot, hot, hot, that's when we make the best money, brother."<sup>9</sup>

"Border crime," criminal activity involving undocumented immigrants and smuggling rings, has fueled the Pima County Sheriff's Office into expanding its border-crimes squad and setting up roadblocks. Border-crime sheriff deputies will be cross-trained in immigration law and certified by the federal government. Thirty-six percent of the county's homicides in the second quarter of 2007 are related to border banditry. As the Sheriff remarked, "The violence associated with the problem of migration and narcotics and other contraband going both north and south has reached epidemic proportions...we're getting people shot and killed on a regular basis in our county."<sup>10</sup> The sheriff will initially receive \$1.8 million from the general fund to hire and train border task force deputies. The cost to operate the border unit will be about \$1 million a year.

In addition, there are "huge problems" with methamphetamine. Tucson has become a "meth" distribution capital, maybe the country's largest. Meth seeps into the country through the vast wasteland along the county's border on the Tohono O'odham Nation reservation. As tribal and county officials bemoan, "Smugglers have telecommunications equipment that far surpasses our own, perhaps even their own satellite."

## COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The direct costs for providing law enforcement and criminal justice services to criminal undocumented immigrants are estimated to be \$14,976,441 for fiscal year 2006. A county expenditure audit determined the cost allocation formula for general government services on each department. The formula ranges from a low of 7.6 percent to a high of 79.71 percent. For this study, the average for 16 departments will be applied to determine the additional cost for general government services, or 26.73 percent. This translates into a per capita cost to Pima County residents of \$15.83. Each relevant department was surveyed by Pima County for fiscal year 2005 costs, and those costs were adjusted proportionately to reflect fiscal year 2006 expenditures.<sup>11</sup> Also consulted were elected officials, county administrators, budget documents, and newspaper accounts of the impact of undocumented immigration on various services. The following table presents the total cost to Pima County as well as the cost to each department.

**Table A16: Pima County Costs by Department**  
**County Total: \$14,976,441**  
**Per Capita Cost: \$15.83**

Sheriff	Detention	County Attorney	Indigent Defense	Justice Court	Clerk Superior Court	Superior Court	Adult Probation	Juvenile Center
\$5,909,398	\$3,289,636	\$570,611	\$1,194,349	\$862,673	\$69,461	\$1,260,051	\$619,616	\$1,200,646

## PIMA COUNTY SHERIFF

General fund expenditures for the sheriff's office totaled \$103,696,664. ( Jail operations comprised 35.7 percent of this budget.) Patrol and investigation deputies estimate a criminal undocumented immigrant impact on workload of 7 percent. The Tucson Police Department typically makes about 70 percent of the arrests, the majority of which involve burglary, auto theft, and multiple DUIs. The Sheriff's Office makes the remaining 30 percent. Table A17 presents cost data for the Pima County Sheriff. This amount includes a portion of sheriff's administration.

**Table A17: Pima County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$66,614,043	7%	\$4,662,983	\$1,246,415	\$5,909,398

## PIMA COUNTY DETENTION

Detention statistics also demonstrate an impact on the jail population of 7 percent. The jail budget was \$37,082,621 for 2006. The following table displays detention costs.

**Table A: Pima County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$37,082,621	7%	\$2,595,783	\$693,853	\$3,289,636

## PIMA COUNTY ATTORNEY

The county attorney's general fund expenditure totaled \$19,062,235. The expenditure for the criminal division, about 79 percent of the fund, was \$15,008,567. Included in this amount are expenditures for the 88-Crime Unit, Victims' Witness Unit, and a portion of administration. Data collected by the county attorney's issuing attorneys and the superior court's pre-trial services indicate that about 3 percent of adult felony defendants, 3 percent of misdemeanor defendants, and 3 percent of juvenile defendants are undocumented immigrants. The adult felony estimate is based on a designation of an "INS-hold" identifier. ("INS-hold" is a term still used by some departments even though Immigration and Naturalization Service no longer exists). The direct cost is estimated to be \$450,257, and the total cost is \$570,611 as shown in table A19.

**Table A19: Pima County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$15,008,567	3%	\$450,257	\$120,354	\$570,611



## PIMA COUNTY INDIGENT DEFENSE

The system of indigent defense consists of public defender, legal defender, and office of court-appointed counsel (contract attorneys). Expenditures for these three divisions totaled \$25,471,231. Officials estimate that the impact on the caseload of defending undocumented immigrants is about 3.7 percent, for a direct impact of \$942,436. General government impact adds \$251,913, for a total cost of \$1,194,349. The impact includes those on appellate and felony representation. The assumption is made by officials that the impact is considered to be consistent with juvenile and superior courts estimates of 3.7 percent. These statistics are presented in the table below.

**Table A20: Pima County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$25,471,231	3.7%	\$942,436	\$251,913	\$1,194,349

## PIMA COUNTY JUSTICE COURTS

Justice Court consists of seven precincts: one in Ajo, one in Green Valley, and five in Tucson's consolidated court. The total expenditure for all seven courts was \$7,579,377. About 65 percent of the overall justice court caseload is devoted to criminal cases, for a criminal budget of \$4,926,595. Criminal cases are further divided into felonies, misdemeanors and criminal traffic cases. Each of these divisions incurs different impacts from undocumented immigrant cases consistent with those of pre-trial services and the issuing attorneys. Estimates for the Ajo and Green Valley Justice Courts are for interpreter services only; the estimate for Tucson's Consolidated Justice Court includes impacts on court administration, court operations, and judicial operations. Estimated impacts are based on Pima County jail data (a median of 10 percent). Direct costs for all seven courts are \$680,717, with an additional \$181,956 for general government expenses. The total is \$862,673. Table A21 presents these costs.

**Table A21: Pima County Justice Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$4,926,595	Various	\$680,717	\$181,956	\$862,673

## PIMA COUNTY CLERK OF SUPERIOR COURT

General fund expenditures for the clerk of superior court totaled \$10,652,984. Approximately 15 percent of the court clerk's workload involves criminal filings, for a criminal budget of \$1,597,948. Costs were determined by the actual number of "international border cases" times a unit cost per case. Out of 23,871 cases, 468 were filed for international border defendants. Estimated impact on the workload of undocumented immigrants, therefore, comes to about 3.43 percent. The direct cost is \$54,810. Shown in table A22 below, a general government charge of \$14,651 brings the total cost to \$69,461.

**Table A22: Pima County Clerk of Superior Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,597,948	3.43%	\$54,810	\$14,651	\$69,461

## PIMA COUNTY SUPERIOR COURT

The superior court operated with a budget of \$22,393,695. Sixty percent is allocated to criminal work, or \$13,436,217. Court operations that relate to undocumented immigrant cases include pre-trial services, adjudication, administration, calendaring, information services, interpreters, court commissioners, and the law library. While civil filings outnumber criminal filings, criminal cases are far more expensive to adjudicate. Officials determined that about 7.4 percent involves undocumented immigrants, for a direct cost of \$994,280. An indirect cost of \$265,771 brings the total cost to \$1,260,051, as table A23 depicts.

**Table A23: Pima County Superior Court Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$13,436,217	7.4%	\$994,280	\$265,771	\$1,260,051

(The actual cost to superior court of processing undocumented immigrants is not known, as there is no procedure or practical reason to document legal status. The impact is based on the number of Customs and Border Protection holds as a percentage of all felony arrest interviews conducted by the court's pre-trial services.)

## PIMA COUNTY ADULT PROBATION

The Pima County Adult Probation Department receives funding from 17 different funds and grants. Only about 30 percent comes from the general fund, or about \$6,607,112. The direct cost of providing probation services to undocumented immigrants is estimated to be \$488,926, representing an impact of 7.4 percent; this percentage is derived from the number of all adult felony arrests that contain Customs and Border Protection holds. An indirect cost of \$130,690 brings the total to \$619,616, as presented in the following table.

**Table A24: Pima County Adult Probation Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$6,607,112	7.4 percent	\$488,926	\$130,690	\$619,616

Adult probation provides numerous programs, including several types of supervision, pre-sentence investigations, and literacy instruction. Undocumented immigrants as a rule only receive pre-sentence investigations. But probation officers become involved if undocumented immigrants return to Pima County while on probation and are brought to their attention. A number are allowed to remain in the county, and they receive regular supervision. According to officials, the courts are often reluctant to revoke probation status if the only charge is returning to the county. The department also becomes involved if these probationers are arrested again. Arrest and re-arrest result in another investigation and report to the court, followed by one or more hearings requiring attendance of probation officers.

## PIMA COUNTY JUVENILE COURT CENTER

Services for juveniles include calendaring, early intervention, child and family services, judicial services, administrative services, detention and probation. The general fund budget for these operations was \$23,907,347, plus \$113,824 for inmate medical care. (The juvenile court center also receives significant state funding and grants.) Total cost for providing probation, detention, and interpreting services to undocumented juveniles amounted to \$1,200,646, as shown in table A25.

**Table A25: Pima County Juvenile Court Center Impact**

Division	Budget	Impact	Direct Cost	Gen Gov	Total Cost
Detention	\$9,768,523	2.5%	\$244,213	\$65,278	\$309,491
Probation	\$6,782,438	7%	\$474,771	\$126,906	\$601,677
Interpreters	\$224,330	33%	\$74,029	\$19,788	\$93,817
Admin	\$4,678,531	3.3%	\$154,392	\$41,269	\$195,661
<b>TOTALS</b>	<b>\$21,453,822</b>	various	<b>\$947,405</b>	<b>\$253,241</b>	<b>\$1,200,646</b>

Providing interpreting services, detaining undocumented juveniles, and providing them with probation services are not tracked; rather, this percentage is based on the experiences of officials in each division.

### **PIMA COUNTY SUMMARY**

The Pima County general fund spent nearly \$15 million providing services to undocumented immigrants in one fiscal year. Each resident of the county paid approximately \$15.83 to fund these services. Pima County citizens spent \$8.3 million arresting, detaining, prosecuting, defending and adjudicating in 1999, when baseline data were collected. It can be assumed that those costs have increased by about \$1.1 million a year between 1999 and 2006, for an estimated expenditure of \$95.5 million over eight years, or roughly \$101 per person.

Pima County, however diversified its economy, must still address daunting issues associated with growth in its urbanized areas, especially for the several hundred thousand living around the fringes of the city of Tucson. County supervisors point to a mediocre library system, insufficient parks and recreational opportunities, and gridlock as major problems. Pima County ranks as one of the top counties in the country to attract jobs and firms, but a disincentive to company relocation is the image of the county as a violent and drug-ridden border community with underperforming schools. For example, according to a county supervisor, the sheriff's department should use the \$1.8 million the county will spend to create its border task force to hire instead more deputies and bring its ratio of deputies per 1,000 residents up to the minimum national standard. Revitalizing old neighborhoods would also merit a cash infusion now spent on criminal undocumented immigrants—community centers, libraries, parks, ball fields, and various alternative modes of transit would lower crime and other social problems and advance the county's economy for everyone. One county supervisor, whose district includes the border, acknowledges that "We cannot quantify the drain placed on Pima County's resources by the violence and fear generated by meth and other smuggling operations. We have shifted resources from basic services our community deserves and needs in order to meet challenges that the federal government should have solved."

## SANTA CRUZ COUNTY

Santa Cruz County is located in south central Arizona. The county serves as a major transportation route connecting Mexico Highway 15 with the United States via Interstate-19 and Interstate-10. Seventy percent of the United States' winter produce enters through Nogales, the county seat of Santa Cruz County. Trade, commerce and some ranching anchor the county's economy, and bi-national twin plants have been operating for decades. Santa Cruz County's population is 43,080 (a growth of 12.2 percent since 2000) and its land area comprises 1,237 square miles, the smallest county in Arizona. The city of Nogales contains 21,830 residents, and the town of Patagonia, the other incorporated municipality, has 920 residents. Other population enclaves include Sonoita, Rio Rico and Tubac. The median household income in 2003 was \$32,000 and the per capita income was \$18,278. Nearly 20 percent live under the poverty level. Eighty percent of the population is of Hispanic or Latino origin. Santa Cruz County's 2006 general fund budget was \$22,514,123.

### SANTA CRUZ COUNTY'S BORDER ENVIRONMENT

In January 2007, a trio of Mexican bandits opened fire on nine Mexican drug runners in the county's Tumacacori Mountains just west of the artists' colony of Tubac, killing two and wounding two others. Four survivors, two soaked in blood, walked into the Aliso Springs development and appeared at the doorstep of a mother with small children at home. After calling 9-1-1 and seeing no weapons, she gave them food and water. These survivors were members of a drug-running cartel that had been ambushed by *bajadores*, or armed "rip-off teams." The Santa Cruz County Sheriff's Office responded to the call and secured the area, transporting the wounded to Tucson and locating the two bodies. The county also handled their autopsies and burials.<sup>12</sup> This is no isolated incident. It mirrors the wave of violence that is occurring with increasing frequency along the Interstate-19 corridor, threatening the unincorporated communities of Rio Rico, Tumacacori, Carmen, Tubac-Aliso Springs, Amado and Arivaca. Escalating violence is also taking place in more remote areas of the county, where state and local law enforcement agencies must use helicopters to reach crime scenes. Border Patrol apprehended just under 100,000 undocumented immigrants in 2006.

In 2006, 10 undocumented entrants were assaulted and robbed near Rio Rico, three more met a similar fate in Amado, and one was killed with an AK-47 southwest of Rio Rico. Such "immigrant versus immigrant" warfare is undermining the sheriff's capacity to protect its own citizens. "We do not have any special resources [to respond to and investigate border violence and back up the Border Patrol]," explains one deputy. Urges the sheriff in a letter to Arizona Governor Napolitano:

We cannot now participate in GITEM, the Auto Theft Task Force, DARE, the school resource officers program, or generate additional revenue by housing federal prisoners. The quality of life has diminished in Santa Cruz County; we are shortcutting merit increases and benefits [in our department], making it more difficult to recruit officers and we are decreasing expenditures on parks and recreation and basic infrastructure.<sup>13</sup>

Another official adds, "There is no buffer zone here. We are one big community from Nogales to Hermosillo." Santa Cruz County is the busiest for cross-border traffic in Arizona. Two major and one minor ports of entry along the border with Mexico are situated in Santa Cruz County. One small entry point for pedestrian traffic only is located in downtown Nogales and a few blocks west is one of the busiest in the country, for vehicles, trucks and pedestrians. The federal government will spend \$13 million in 2008 to study the expansion of the third port, Mariposa, to expedite truck crossings; it can now take from three to eight hours of waiting. (It will take another \$100 million for construction.) The log jam is so bad that Mexican produce trucks are now bypassing Arizona and shifting to Texas, thus costing Santa Cruz County commercial losses in the distribution industry. In the 1970s, 420 trucks a day passed through the port; that number has increased to 1,500 today. (Agents also process 40,000 vehicles and pedestrians a day.)<sup>14</sup> The county's border is 56 miles long, and except for the border separating *Ambos Nogales*, the terrain is mountainous, rugged, and remote.

The term *Ambos Nogales* (ambos means "both") symbolizes the tradition of closeness between Nogales, Arizona and Nogales, Sonora. Cross-municipal commerce thrives: Nogales, Arizona is a shopping magnet for Mexicans and Nogales, Sonora caters to Americans' tastes for Mexican crafts, food, and prescription medicines. *Nogales, Sonora*, according to

local officials, has a population of well over 300,000 and Mexican municipalities along Highway 15 south to *Obregon* have a combined population of well over one million. However, the 2004 Mexican census places the population of *Nogales* at 188,133. Nevertheless, Santa Cruz County is dwarfed by the sheer size and population of its southern neighbor. The three ports of entry at Nogales reported 15,876,584 crossings of train, bus and vehicle passengers and pedestrians. Table A26 presents some border statistics.

**Table A26: Santa Cruz County Border Statistics**

Population	Square miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
43,080	1,237	56 miles	3	15,876,584	99,672

## **COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES**

Undocumented immigrants who are apprehended on one state felony or two or more misdemeanors are jailed and processed through the criminal justice system. The Nogales Police Department makes about 70 percent of those arrests and the sheriff's office makes the other 30 percent. Site visits were made throughout February and March 2007. Department heads and elected officials were interviewed, and budgets and other documents were reviewed. Estimated costs to the Santa Cruz County general fund for providing services to undocumented immigrants total \$2,205,158. The county applies an 18 percent cost allocation to grant-funded programs, and that percentage is utilized in this study. The per capita cost to Santa Cruz County residents is \$51.19. Table A27 below presents these costs by department.

**Table A27: Santa Cruz County Costs by Department**

County Total: \$2,205,158

Per Capita Cost: \$51.19

Sheriff	Detention	County Attorney	Indigent Defense	Justice Courts	Clerk of Superior Court	Superior Court	Adult Probation	Juvenile Center
\$816,657	\$458,995	\$379,725	\$101,387	\$80,294	\$52,379	\$126,904	\$166,253	\$22,564

## **SANTA CRUZ COUNTY SHERIFF**

General fund expenditures for the sheriff's patrol, investigation and administration divisions were \$2,306,939. The impact on these three divisions was estimated by officers to be 30 percent, and costs were determined to be \$816,657, as shown in table A28.

**Table A28: Santa Cruz County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,306,939	30%	\$692,082	\$124,575	\$816,657

Search and rescue operations and securing remote crime scenes fall on the Santa Cruz County Sheriff's Office. Half the workload of the criminal investigation division is spent on desert deaths and attempted homicides. As the Border Patrol tightens the border in Santa Cruz County, drug and people smuggling rings are becoming more desperate and thus more violent. Moreover, detainees must be prevented from communicating, so most of them cannot be housed in the county's small jail. This requires that deputies make multiple trips to Tucson to conduct interviews. Undocumented immigrants also commit the typical burglaries and vehicular thefts.

## SANTA CRUZ COUNTY DETENTION

Jail operations are run by the sheriff's office. The general fund expenditure for dispatch, jail, meals, transportation and medical services was \$2,401,099. One hundred eighty-seven undocumented immigrants served a total of 6,170 days in jail, comprising 16.2 percent of the jail population. The direct cost is \$388,979 for detaining undocumented immigrants. Allocating costs for general government brings the total to \$458,995. Table A29 arrays these statistics.

**Table A29: Santa Cruz County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,401,099	16.2%	\$388,979	\$70,016	\$458,995

## SANTA CRUZ COUNTY ATTORNEY

Arizona county attorneys handle both criminal and civil cases. About 66 percent of the county attorney's workload is spent on criminal work. That portion of the general fund is \$643,602. Half the work of the criminal division involves undocumented immigrants, for a direct cost of \$321,801. As is common in most border county departments, legal status isn't noted but officials can make a very good estimate based on experience, "especially using sheriff data." The allocation for general government services, \$57,924, brings the total cost to \$379,725, as shown in the table below.

**Table A30: Santa Cruz County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$643,602	50%	\$321,801	\$57,924	\$379,725

Most cases involve Mexican drug smugglers. About two years ago the federal government raised the federal possession threshold to 500 pounds (from 60 pounds), so federal prosecutors pursue fewer drug smuggling cases. The effect of this was explained by an official in the county attorney's office:

The news traveled fast to smugglers, and now they send cars of 499 pounds over the border, whereas before it was single loads of 60 pounds or less. Why? They know that county resources are slim and that they would just be deported, not jailed and prosecuted.

## SANTA CRUZ COUNTY INDIGENT DEFENSE

Santa Cruz County utilizes contract attorneys to defend indigents, appointed by superior court judges. The expenditure for indigent defense was \$505,420. Records indicate that about 21 percent of adult criminal case filings involved undocumented immigrants, and about 11 percent of juvenile cases involved undocumented youth. An impact of 17 percent for both types is used as a total impact, for a direct cost of \$85,921. The general government allocation, \$15,466, brings the total cost to \$101,387. The following table presents these statistics.

**Table A31: Santa Cruz County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$505,420	17%	\$85,921	\$15,466	\$101,387

## SANTA CRUZ COUNTY JUSTICE COURT IMPACT

There are two precincts for justice court functions: one in the city of Nogales and one in the town of Patagonia. The combined criminal budget for both precincts was \$348,952. A record of filings indicates that 19.5 percent of the workload involved undocumented immigrants. The direct cost to the justice court is \$68,046. Adding an indirect cost of \$12,248 brings the total cost to \$80,294, as displayed in table A32.

**Table A32: Santa Cruz County Justice Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$348,952	19.5%	\$68,046	\$12,248	\$80,294

## SANTA CRUZ COUNTY CLERK OF SUPERIOR COURT

Clerk of Superior Court handles both adult and juvenile criminal cases, as well as civil filings. The clerk's general fund budget was \$588,209. The criminal caseload budget (39 percent of the total) is roughly \$227,637. Raising the federal threshold to 500 pounds has increased the number of federal cases that the county processes. It has had a "front-end impact" on the clerk's office, superior court, and adult probation. With an impact on the criminal side of 19.5 percent, the direct cost to the clerk is \$44,389. After adding the indirect cost for general government, \$7,990, the total cost is \$52,379. The table below presents these findings.

**Table A33: Santa Cruz County Clerk of Superior Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$227,637	19.5%	\$44,389	\$7,990	\$52,379

## SANTA CRUZ COUNTY SUPERIOR COURT

Santa Cruz County's Superior Court operates two divisions as well as retains one judge pro-tem. The general fund budget was \$1,425,111, and its criminal portion was \$551,517. The workload impact reflects those of the clerk of superior court and justice court, 19.5 percent. In addition to the two judges and judge pro-tem, the court utilizes judicial assistants, secretary-receptionists, interpreters and bailiffs. Some interpreters are under contract as well. Estimated cost to the Santa Cruz County Superior Court is \$126,904, which includes \$19,358 in general government impact. Table A34 reflects these numbers.

**Table A34: Santa Cruz County Superior Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$551,517	19.5%	\$107,546	\$19,358	\$126,904

## SANTA CRUZ COUNTY ADULT PROBATION

The adult probation department is primarily funded by the state of Arizona. County general fund expenditures amounted to \$398,000. Records indicate that 35.4 percent of the department's workload involved undocumented immigrants, which includes conducting pre-sentence investigations and unsupervised probation. Raising the federal threshold to 500 pounds has placed a big burden on the adult probation load, especially on the officers who write the pre-sentence investigations. Undocumented entrants are placed on unsupervised probation; a report is sent by mail on a monthly basis, and other activities include termination papers and petitions for revocations. The direct cost for



adult probation services is \$140,892 and an additional charge of \$25,361 brings the total cost to \$166,253. Table A35 displays these costs.

**Table A35: Santa Cruz County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$398,000	35.4%	\$140,892	\$25,361	\$166,253

## SANTA CRUZ COUNTY JUVENILE COURT CENTER

Juvenile court services include supervised probation, unsupervised probation, and detention. The general fund budget for juvenile court was \$637,400, and the estimated impact on pre-sentence investigations and detention was 3 percent, mostly for detention services. Detention also provides medical care and state-mandated education, for which a half-time bi-lingual teacher is retained. In cases where juveniles are detained and remain in detention, probation officers invest 10 to 12 hours per case. Case processing includes reviewing the police report, making a recommendation to the county attorney's office, court appearances, interviews with the juvenile and his or her family, the preparation of a comprehensive social history report when ordered, and data entry into an online data base. The cost to serve juvenile undocumented immigrants is \$19,122. Adding \$3,442 in indirect costs brings the total to \$22,564, as shown in table A36.

**Table A36: Santa Cruz County Juvenile Court Center Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$637,400	3%	\$19,122	\$3,442	\$22,564

## SANTA CRUZ COUNTY SUMMARY

Handling all of the extra burdens placed by undocumented immigrants on Santa Cruz County during fiscal year 2006 has cost the general fund over \$2.2 million. That amount equals 10 percent of the total general fund. Santa Cruz County is one of the poorest in Arizona, where the median household income and per capita income levels are far below those of the state. Indeed, each resident in the county paid \$51.19 to finance the undocumented immigrant burden on the county's workload. There were other opportunity costs, of course. Not giving merit increases to sheriff's deputies and detention officers undermines recruitment and retention, always a problem in border counties. Two million dollars could also be used to build the county's first soccer field, light the county's baseball diamonds to allow night play and thus reduce juvenile mischief, and restore the old county courthouse to its original luster. One county supervisor would like to use the money to begin a community college; Santa Cruz County is one of only three counties in the state without its own, prohibiting the county's youth from seeking higher education in other counties because of cost. He continues,

We could also use that money to improve our quality of life, especially the health and safety of our citizens. The federal government should pay 100 percent of border costs. Santa Cruz County sends a lot of taxes to the federal government, and the taxpayers of Santa Cruz County have been burdened with millions of dollars in local taxes because the federal government shirks its responsibilities.

The fiscal year 1999 estimated cost to Santa Cruz County was \$2,152,663. Assuming cost increases were incremental in the intervening years, it has cost Santa Cruz County citizens roughly \$17.6 million over the last eight years, about \$440 a person.

## COCHISE COUNTY

Cochise County lies in the southeast corner of Arizona, bordered by New Mexico on the east and Mexico on the south. Cochise County covers 6,169 square miles and shares 84 miles of border with Mexico. The county's population was 127,757 in 2006 (an increase of 8.5 percent since 2000), and about 59 percent lives in the seven incorporated municipalities of Benson, Bisbee, Douglas, Huachuca City, Sierra Vista, Tombstone, and Willcox. The county's economy is based on ranching, farming, tourism, and the military; Fort Huachuca is located next to Sierra Vista. Median household income in 2003 was \$34,755, and per capita income was \$23,217, well below the state average of \$27,232. Residents living below the federal poverty level composed 16.3 percent of the population. Just over 60 percent are listed as white, and 31.2 percent list Hispanic or Latino as their origin. Cochise County's general fund came to \$54.5 million in 2006.

### COCHISE COUNTY'S BORDER ENVIRONMENT

The Mexican state of *Sonora* shares the border with all of Arizona. The *Sonoran* cities near Cochise County include *Agua Prieta*, *Naco* and *Cananea*, with a combined population of 114,514. Two ports of entry operate in the county: one in Douglas and one further west in Naco. There were 6,640,132 bus and vehicle passenger and pedestrian border crossings from south to north in 2005 and 80,761 apprehensions of undocumented immigrants in 2006. The Border Patrol has stations in Douglas, Bisbee and Willcox.

Undocumented border crossings have recently taken a sudden jump. Border Patrol captured more than 13,000 in one month alone, up 30 percent from a year earlier. Law enforcement officials suspect that some of the human smugglers pushed out of Cochise County in 2005 by the Border Patrol build-up are now returning for another attempt. One of them explained, "It's almost like they've come back to see if they're able to get groups across again."<sup>15</sup> Human smugglers are trying different tactics as well. They are now renting cars in Tucson and Phoenix to avoid having to get their own cars out of impoundment when they get caught and the vehicles seized. Renting cars is an efficient approach to smuggling; they can run five or six loads in a single car and make \$15,000 with a \$300 rental fee.<sup>16</sup> Moreover, violence along the county's border is escalating, as the Cochise County sheriff testified in a Congressional hearing. "[Violence] is pretty pervasive," he testified, "it seems to be escalating rather than us getting a hold of it."<sup>17</sup> Drug and human smuggling, high speed chases, and break-ins have characterized this county's border environment over the years, but the level of violence has risen. Undocumented immigrants and their smugglers are much more "brazen" and sophisticated, with better communication systems than those of law enforcement agencies. Forward surveillance teams, encrypted radio transmissions, and mountaintop antennas are common.

Cochise County has also garnered notoriety as the birthplace of the Minutemen, a civilian militia organized in 2000 to patrol the border. Private ranchers have also drawn national attention for patrolling their own land and detaining border crossers. Controversy appears to embroil citizen actions against undocumented immigrants, and some entrants have sued. Moreover, a recent scare sent all border agencies into mobilization when Mexican police and military invaded *Cananea*, a town due south of Cochise County, to bust drug-trafficking cartels that flourished with the blessing of local police and government officials. (The Mexican reporter who covered the invasion was subsequently severely beaten and is now seeking asylum in the U.S.)<sup>18</sup> Table A37 presents the county's border statistics.

Table A37: Cochise County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
127,757	6,169	78 miles	2	6,640,132	80,761

## COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The total cost to Cochise County of apprehending, detaining and adjudicating criminal undocumented immigrants comes to \$1,719,840. The per capita cost to each resident is \$13.46. Two site visits were made in February 2007 and several interviews were subsequently conducted by telephone and e-mail. Elected officials, department and division heads, technical experts and administrators were consulted, as well as budgets, court records, and departmental statistical records. Table A38 below presents Cochise County impacts by department, including a general government charge of 20 percent.

**Table A38: Cochise County Costs by Department**  
County Total: \$1,719,840  
Per Capita Cost: \$13.46

Sheriff	Detention	County Attorney	Indigent Defense	Justice Courts	Clerk of Superior Court	Superior Court	Adult Probation	Juvenile Center
\$108,516	\$584,110	\$26,437	\$251,831	\$118,262	\$170,353	\$429,256	\$30,595	\$480

### COCHISE COUNTY SHERIFF

Costs to the sheriff were estimated to be \$108,516. Consistent with other counties, the sheriff's budget is the greatest expenditure in the law enforcement and criminal justice system as well as the general fund, coming to \$4,110,436 in 2006. (This does not include the expenditure for detention.) Interviews with administrators indicate that the impact on patrol, investigation and administration was about 2.2 percent, a significant decline from 60 percent in 1999. The Cochise County sheriff explained that deputies cannot provide sufficient coverage for the county's own residents if they are pulled away to assist Border Patrol and answer calls from border-area ranchers. The sheriff recounts in *USA Today* an incident when a single deputy, working alone at night in a 1,200 square mile area of the county, came across a van filled with 31 undocumented immigrants. The deputy then called the Border Patrol, which announced that it will take three hours to get there. The sheriff then called the Border Patrol himself and demanded they get there in 20 minutes, which they did. "What's [the deputy] supposed to do?" asked the sheriff, when deputies cannot serve Cochise County residents while they are "babysitting" a load of entrants.<sup>19</sup> Indeed, with no major population centers in the county, deputies are spread thin over the jurisdiction's 6,169 square miles. The sheriff's approach to undocumented immigration has reduced the impact to other justice departments as well. Table A39 portrays this impact.

**Table A39: Cochise County Sheriff's Office Impact**

General Fund	Impact	Direct Cost	Gen Gov	Total Cost
\$4,110,436	2.2 %	\$90,430	\$18,086	\$108,516

A snapshot of booking records reveals the crimes committed by undocumented immigrants. Murder, burglary, child molesting, rape, and drug smuggling are the most prevalent. Undocumented immigrants apprehended on nonviolent misdemeanors are cited and released. Trespassers are released to the Border Patrol, and when check points are shut down, they are transported elsewhere. The sheriff's office also notes a shift in immigration patterns. Undocumented immigrants are now entering Cochise County and transiting through to other destinations instead of remaining. Said one, "We get 1,000 a day, but they commit crimes at endpoint." For example, a criminal alien may get arrested in Iowa for burglary, and after he serves time in jail, he gets caught in the automated fingerprint system and Iowa extradites him to Cochise County. The biggest change in the law enforcement pattern, however, is the fact that the county attorney will no longer take federal deferment of drug cases since the threshold was increased to 500 pounds. Further, juvenile crime has dropped off to "nothing," as the border fence and other hardening measures discourage youth from crossing (this is reflected in the juvenile center's impact). Undocumented immigration has also shifted to the Huachuca Mountains and to Fort Huachuca, as well as to the "boot heel" area in Hidalgo County, New Mexico.

## COCHISE COUNTY DETENTION

The jail is operated by the sheriff's office and requires 29 percent of the sheriff's general fund. Two-thirds of the arrests of undocumented immigrants are made by the sheriff's office. They enter the booking process in a holding cell, where they receive a psychological profile by jail staff to determine which part of the jail is appropriate. Jailers then notify the Mexican Consulate in Douglas of their detention. Within 24 hours, deputies take them to justice court for formal arraignment. They are then bound over for trial or released on bond. If they remain in jail and receive a sentence of over 366 days, they are transferred to state prison and become the responsibility of Arizona. Two hundred-twelve Mexican nationals were jailed for a total number of jail days of 8,694 in 2006. They are detained on failure to appear, vehicle theft, possession of marijuana, drugs, fugitive warrants, driving under the influence, sexual misconduct with a minor, shoplifting, and violation of probation.

The largest impact on costs involving non-serious crimes occurs at the beginning point of contact: the dispatch center and the field deputy. The sheriff also performs search and rescue operations that occasionally involve undocumented entrants. Costs associated with detaining undocumented immigrants in 2006 totals \$486,758, or about 14.4 percent of detention expenditures. Indirect costs bring the total impact on detention to \$584,110, as table A40 below lists.

**Table A40: Cochise County Detention Impact**

General Fund	Impact	Direct Cost	Gen Gov	Total Cost
\$3,380,267	14.4%	\$486,758	\$97,352	\$584,110

## COCHISE COUNTY ATTORNEY

Costs to the Cochise County Attorney are \$26,437, including \$4,406 in indirect costs. Cases indicate that the impact on workload is about 1.5 percent of the department's criminal budget, since the office no longer accepts federal drug cases below the federal threshold. Burglary and theft constitute the majority of criminal undocumented immigrant charges prosecuted by the county attorney. Very few cases actually go to trial. The county attorney also prosecutes juveniles, but that caseload is very small. Table A41 shows these statistics.

**Table A41: Cochise County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,468,744	1.5%	\$22,031	\$4,406	\$26,437

## COCHISE COUNTY INDIGENT DEFENSE

The cost to defend undocumented immigrants is \$251,831, as presented in table A42. Cochise County's system of indigent defense includes a legal defender, a public defender, and an office of Indigent Defense Council (IDC). General fund expenditures for the system amounted to just under \$3 million. Officials in the three offices estimate the impact on workload of defending undocumented entrants is about 7 percent for legal defender, 6 percent for public defender, and 4 percent for IDC. Most cases come first to the public defender. Where conflicts of interest arise, defendants are shifted to the legal defender. In cases with multiple defendants, the IDC appoints private counsel, which drives up the cost of defense (undocumented defendants, many of whom were admitted legally but overstayed their visit, do not pay into the defense reimbursement system). Attorneys in all offices are hampered by a shortage of bi-lingual attorneys. Moreover, the defense process involves transcribing, translating and investigating, calling Mexico, and educating defendants in the American criminal justice system, particularly the concept of "trial."

**Table A42: Cochise County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,997,992	7%	\$209,859	\$41,972	\$251,831

Since the county attorney no longer handles “federal declination” cases, the impact on caseloads has diminished. Further, Mexico opened a consulate in Douglas, which has been very helpful with port of entry cases (e.g., verify authenticity of documents, locate families in Mexico, and secure necessary documents). Defense lawyers also add that there is “a lot of stuff” that happens in the street that doesn’t culminate in processing.

## COCHISE COUNTY JUSTICE COURT

The cost of providing services to undocumented immigrants in the six justice courts is \$118,262, shown in table A43a below.

**Table A43a: Cochise County Justice Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$842,327	11.7%	\$98,552	\$19,710	\$118,262

Estimates were compiled by superior court administrators through interviews with justices of the peace, justice court administrators and clerks. The combined general fund for justice court was \$1,958,900, with criminal caseloads amounting to about 43 percent, for a criminal budget of \$842,327. The impact of undocumented immigrants on each court varies, with 11.7 percent the average. Justice Court #2, located in Douglas, registers the greatest impact at 30 percent. Table A43b shows the impact on each court.

**Table A43b: Cochise County Impact by Justice Court**

Justice Court	#1	#2	#3	#4	#5	#6
Crim Caseload	34%	49%	44%	45%	39%	47%
Impact	10%	30%	4%	15%	1%	10%

## COCHISE COUNTY CLERK OF SUPERIOR COURT

The general fund budget for this department was \$1,384,985, of which \$567,845 covers criminal filings. Clerks estimate that about 25 percent of their workload involves undocumented immigrants. The cost estimated for the clerk of superior court is \$170,353, which includes \$28,392 for indirect cost allocation. Table A44 arrays these impacts.

**Table A44: Cochise County Clerk of Superior Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$567,845	25%	\$141,961	\$28,392	\$170,353

## COCHISE COUNTY SUPERIOR COURT

Providing services to undocumented immigrants cost the superior court \$429,256. General fund expenditures for all court operations were over \$2.5 million, and the portion of operations for criminal cases was nearly \$1.5 million. There are four superior court divisions, court administration, court security, interpreters, and jury commissioners. Court administration officials estimate that the percentage of the criminal workload involving undocumented entrants was 25 percent. Superior Court statistics follow in table A45.

**Table A45: Cochise County Superior Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,430,851	25%	\$357,713	\$71,543	\$429,256

## COCHISE COUNTY ADULT PROBATION

The estimated cost to the adult probation department of providing services to undocumented immigrants is \$30,595. General fund expenditures for probation were \$445,743 (the major part of this service is funded by the state). Most undocumented immigrants plea bargain, and work performed for unsupervised probation cases merely requires sending termination notices. Costs for the time spent on undocumented immigrant cases for management information services (MIS), criminal history checks, and pre-sentence investigations are part of the estimate. Records indicate that the cost for processing undocumented immigrants is \$25,496, for an impact of 5.72 percent. With a general government charge of \$5,099, the total cost comes to \$30,595. Table A46 displays these impacts.

**Table A46: Cochise County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$445,743	5.72 %	\$25,496	\$5,099	\$30,595

The adult probation department has also lost cases because the county attorney doesn't prosecute port of entry cases; however, the impact on workload of car theft cases has risen "enormously" because victims and insurance companies get involved and intensify these cases.

## COCHISE COUNTY JUVENILE COURT CENTER

The juvenile court center detained only one undocumented juvenile entrant in 2006 and provided no probation services during that year. The estimated cost for detention was "under \$500." A cost of \$400 is assigned for detention services, and a general government charge brings the total to \$480, as shown in the following table.

**Table A47: Cochise County Juvenile Court Center Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,273,966	Negligible	\$400	\$80	\$480

## COCHISE COUNTY SUMMARY

Cochise County spent over \$1.7 million on processing undocumented immigrants through the criminal justice system in 2006. That impact translates into a demand of over \$13 on each citizen of the county. Cochise County is rich in natural beauty, and one county supervisor would like to keep it pristine, where coyotes outnumber *coyotes*. He would dedicate a federal reimbursement toward cleaning up “our precious natural areas” of trash left by undocumented crossers, especially in the Chiricahua Mountains and San Pedro River Valley. But a greater need is upgrading the county’s infrastructure, specifically enlarging the jail and adding courtroom space. As previously noted, the sheriff does not have enough deputies to “do the Border Patrol’s work.”

Cochise County has provided services to fewer undocumented immigrants than in 1999. The cost in 1999, \$4.7 million, is nearly triple the 2006 cost. However, drawing out that cost to include the six years in between studies, Cochise County citizens have spent closer to \$25 million. Starting in 1999, each citizen has reached into his or her pocket and given up nearly \$200.

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# New Mexico Border Counties

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US / Mexico

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B o r d e r  
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## NEW MEXICO BORDER COUNTIES

New Mexico's history is marked by the intersection of multiple cultures, changing political status and a powerful connection with Mexico. In addition to Native American pueblos and tribes, the flags of Spain, the Republic of Mexico, and the Confederate States of America have flown over New Mexico. With the signing of the Gadsden Purchase in November 1864, the flag of the United States of America began flying over the state, and New Mexico entered statehood in 1912.

New Mexico's area comprises 121,666 square miles, making it the fifth largest state in the union. Less than half the land is privately owned; more than one-third is owned by the federal government, and the state and Indian tribes each hold just over 10 percent. The population of New Mexico in 2006 was estimated to be 1,954,599. The city of Albuquerque and Bernalillo County are the most populated local governments, and the city of Las Cruces and Doña Ana County rank second. New Mexico is still largely rural, however.

By almost all measures, New Mexico is a poor state. The state consistently ranks in the bottom five relative to other states in terms of per capita income and other indicators of economic prosperity. Moreover, its three border counties rank far below the state average in household and per capita incomes.

### NEW MEXICO'S BORDER ENVIRONMENT

Three of New Mexico's 33 counties form the 180-mile border with Mexico. These counties—Hidalgo, Luna and Doña Ana—differ widely in terms of population, urbanization, development along the border, and the nature and extent of the fiscal impact of undocumented immigrants on their law enforcement and criminal justice system. Table NM1 arrays summary statistics on New Mexico's three border counties.

Table NM1: New Mexico Border County Statistics

County	Population (%)	Square Miles (%)	Border Length (%)	Ports of Entry	Legal Crossings (%)	Apprehensions (%)
Hidalgo	5,087 (2%)	3,445 (34%)	86 miles (48%)	1	0	5,008/22.5%
Luna	27,205 (12%)	2,965 (29%)	60 miles (33%)	1	1,371,664/64%	15,232/68.5%
Doña Ana	189,444 (86%)	3,807 (37%)	43 miles (19%)	1	764,012/36%	2,074/9%
Total	221,736	10,217	180 miles	3	2,135,676	22,314

Most of the state's border with Mexico is marked by barbed wire fences built primarily to keep cattle from wandering across the international line. But barbed wire is easily and frequently cut to allow illegal crossings through the desolate desert. Unlike armed ranchers and militia in Cochise County, Arizona, determined to protect their property from trespassers and damage, residents in some areas of the border region are more likely to place water containers for entrants along frequently used paths.

The entire state of New Mexico is served by the El Paso Sector of the U.S. Border Patrol. Customs and Border Protection maintains three ports of entry in New Mexico, one in each county. Consideration has been given to erecting a fourth, at Sunland Park in Doña Ana County, since the 1950s, but no plans have been cemented as yet. New Mexico's border counties participate in the High Intensity Drug Trafficking Areas (HITDA). They also receive reimbursement for detaining undocumented immigrants who commit state felonies from the federal government's State Criminal Alien Assistance Program (SCAAP). SCAAP reimbursements cover a fraction of real costs, however, and HITDA funds cannot be used for detention costs, so costs for detention are the most burdensome. (New Mexico's border counties received a reimbursement from SCAAP of \$167,913 for 2006, just 18 percent of estimated detention costs of \$956,000.)

As the federal government implements strategies that hinder undocumented entrance and smuggling in the Texas and Arizona regions, New Mexico counties pick up the slack, especially in the “boot heel” part of Hidalgo County. Agents at the Deming station, which includes both Luna and Hidalgo counties, guard the busiest corridor for undocumented immigration in the El Paso Sector. New agents were assigned to the El Paso Sector to beef up capacity in New Mexico, and a Congressional representative responded to the increase by saying, “This legislation constitutes a significant victory for New Mexico’s ranchers and residents, who have waited too long for Washington, D.C. to notice their plight.”<sup>1</sup>

## **NEW MEXICO COUNTY GOVERNMENT**

New Mexico county governments are subdivisions of the state with more limited local authority than that of municipalities. Elected officers include the board of county commissioners (either three or five members), assessor, sheriff, probate judge, treasurer and county clerk. Commissioners are elected to four-year terms on a staggered basis in partisan elections. Two of the border counties have three-member governing boards, with Doña Ana County having a five-member board. All appoint a county manager.

The major revenue source for counties is the property tax. The tax is based on the assessed value of property at a ratio of one-third of full value; property tax rates are determined by the board of county commissioners and vary considerably among counties. New Mexico counties also impose an ad valorem tax on oil and gas, various fees and permits, as well as a portion of the state gross receipts tax. Counties also rely on a variety of grants and federal and state aid.

## **NEW MEXICO COUNTY LAW ENFORCEMENT AND CRIMINAL JUSTICE SYSTEM**

The chief law enforcement official for counties is the sheriff, who is elected to a four-year term, limited to two consecutive terms. County detention operations are under the control of either the sheriff or the county manager. County detention centers function as pre-sentence holding facilities as well as jails for sentences of not more than one year. Detention centers also hold federal prisoners if they have the beds. County detention centers are reimbursed for housing federal prisoners.

Juvenile offenders are the responsibility of the state’s Children, Youth and Families Department, rather than any criminal justice agency. Holding juvenile offenders accountable for their actions is conceptualized more as a social welfare function than a justice function. Therefore, undocumented immigrant juvenile offenders, without family in New Mexico, are likely to be deported rather than prosecuted. This approach is viewed as encouraging smugglers to enlist juveniles in their enterprises.

The judicial branch consists of a supreme court, a court of appeals, district courts, magistrate courts, probate courts, and other lower courts as created by the legislature. New Mexico’s 33 counties are divided into 13 judicial districts served by 72 district judges. District courts are the courts of unlimited general jurisdiction and are referred to as trial courts. They have exclusive juvenile jurisdiction and hear the vast majority of felony cases. Doña Ana County is served by the Third Judicial District, and Luna and Hidalgo counties are served by the Sixth Judicial District. New Mexico’s 54 magistrate courts have jurisdiction in civil matters in which the amount involved does not exceed \$7,500. Magistrate courts also have jurisdiction in criminal matters over most misdemeanors and other actions where specific jurisdiction is granted by law, such as DUI cases, traffic violations, and select felony cases. Doña Ana County has three magistrate courts while Luna and Hidalgo counties each have one. New Mexico maintains control over the judicial branch, and judges, administrators and clerks are state employees. Prosecutors, elected locally, are also considered employees of the state. Public defenders as well as probation and parole officers are also state officials. Counties are only responsible for judicial facilities.

## COSTS TO NEW MEXICO BORDER COUNTIES

Hidalgo, Luna and Doña Ana counties stretch 180 miles along the border with Mexico and have a combined population of 221,000. With one port of entry in each county and miles of isolated terrain, undocumented immigration flourishes here. When entrants commit state felonies or multiple misdemeanors, the three counties foot the bill. The costs to the general fund of each county and the per capita costs are presented below in table NM2.

**Table NM2: Total Costs of Undocumented Immigration by County**

County	Cost Estimate (%)	Per Capita Cost
Hidalgo	\$450,132 (6%)	\$88.49
Luna	\$679,639 (9%)	\$24.98
Doña Ana	\$6,205,128 (85%)	\$32.75
Total	\$7,334,899	\$33.08 (average)

When comparing the costs of New Mexico counties to those of California, Arizona and Texas, the New Mexico burden pales. The sheer length of the Texas-Mexico border, the greater number of ports of entry in the other states, and the urbanized areas on both sides of the border combine to minimize the cost impact on New Mexico. More telling, however, is the per capita impact. These are poor counties. The household incomes and per capita incomes register far below even the state of New Mexico's, already a poor state. Further, a greater percentage than the state average lives below the poverty line in these three counties. Hidalgo and Luna counties do not have the growth in population or commerce necessary to fund critical services for their own residents, such as a new jail in Hidalgo County and after-school programs in Luna County. Moreover, New Mexico counties do not fund the judicial system, prosecution or probation, further reducing comparative overall costs.

The costs were first estimated for fiscal year 1999; costs for Hidalgo and Luna counties have declined slightly, but they have increased significantly for Doña Ana County. Averaging the difference between the two data sets, 1999 and 2006, it is estimated that citizens in these three border counties have spent a total of \$239 million in eight years of providing services to undocumented immigrants.

## COSTS TO NEW MEXICO BORDER COUNTY DEPARTMENTS

Costs are estimated by calculating the percentage impact on workload required to serve undocumented immigrants. In many cases, officials use experience as their guide. In others, such as detention, legal status is clarified and records are kept. Most departments, however, lack the incentive to ask about legal status and many are simply prohibited from asking altogether. Percentage of workload is applied to general fund expenditures (audited where available), as this method takes into account the costs of administrative support within departments. In addition, a charge for general government services (e.g., human resources, payroll, information technology, administration, and county commission) is added to the cost. That percentage varies by county, depending on the size of those departments relative to the total general fund. Table NM3 summarizes department costs.

**Table NM3: Costs to New Mexico Border Counties by County and Department****Total: \$7,334,899****Average Per Capita Cost: \$33.08**

<b>Department</b>	<b>Hidalgo County</b>	<b>Luna County</b>	<b>Doña Ana County</b>
<b>Sheriff</b>	\$263,360	\$548,329	\$3,463,572
<b>Adult Detention</b>	\$186,772	\$120,730	\$2,648,196
<b>Juvenile Detention</b>	NA	NA	\$44,500
<b>Judicial Facilities</b>	NA	\$10,580	\$50,860
<b>Total:</b>	\$450,132	\$679,639	\$6,205,129

The next three chapters report detailed findings by county and by department. Each county chapter describes the context in which undocumented immigrants are apprehended and processed through the criminal justice system. County budgets, interviews with elected and department heads, and follow up by telephone and e-mail comprise the data collection. A site visit was paid to each county in February 2007.

## HIDALGO COUNTY

Hidalgo County is located in the southwestern corner of New Mexico. Bordered by Grant County to the east and north, Cochise County, Arizona to the west, and Mexico to the east and south, the county shares its entire southern border and more than a third of its eastern border with Mexico. The one major highway through the county is Interstate-10, traversing east to west through the county seat of Lordsburg. Historically, Hidalgo County has been a center of ranching, farming and mining interests, but mining, especially, has declined precipitously in recent years, beginning with the closure of Phelps-Dodge copper smelter in Playas. (In recent years, Playas has become a center for anti-terrorism training and thus a source of new revenue for Hidalgo County.) The county's population, however, has declined 14.2 percent since 2000, to 5,087 in 2006.

The two incorporated areas in Hidalgo County are the city of Lordsburg, with a population of 2,921, and the village of Virden, population 106. Smaller unincorporated enclaves include Animas, Playas, Road Forks and Rodeo. The median household income of Hidalgo County was \$22,451 in 2003 and the per capita income was \$17,370, well below the state average of \$35,091 and \$24,995, respectively. Moreover, the per capita income had fallen by \$5,000 since 1997 (28 percent). Twenty-seven percent of the population lives below the federal poverty level. Demographics indicate that 53.8 percent of the population is of Hispanic or Latino origin and 43.6 percent is white. The Hidalgo County general fund in 2006 was \$2,932,173.

### HIDALGO COUNTY'S BORDER ENVIRONMENT

Hidalgo County shares 86 miles of border with Mexico, running along two sides of the county. Few residents live along the border, and there are no towns across the line in Mexico. The nearest Mexican town is *Agua Prieta*, south of Douglas, Arizona. Hidalgo County has one remote port of entry, at Antelope Wells in the "boot heel" part of the county; there were, however, no legal crossings. The Border Patrol, stationed in Lordsburg, apprehended 5,008 undocumented entrants in 2006.

As the border becomes more difficult to cross in Cochise County, people and drug smugglers have shifted east to the "boot heel" part of New Mexico, basically all of Hidalgo County's border (i.e., the border is "wide open from Douglas to Columbus"). Vast areas of sparsely-populated terrain, with one paved road, provide a corridor for entry and a chance of greater success than some of the more traditional crossing routes. As one county commissioner put it, "We are the last hole to put the finger in." The area consists of both public lands and large private ranches, dotted with wells for livestock that serve as designated meeting places and drop-points in the smuggling trades. Drug cartels keep current on conditions for smuggling in Hidalgo County. They are aware, for example, that both population and budgets for the county have plummeted, weakening county law enforcement capabilities.

County officials explain that while there is not as much entrant violence in Hidalgo County as in Arizona border counties, they still experience undocumented immigrants robbing other undocumented immigrants, and "mules" that leave immigrants behind in the desert. Further, entrants have stolen a county road grader and truck, and are often high on alcohol or drugs. They are more aggressive, as they have radios and attempt to lure law enforcement to the border to shoot them. Rock throwing and fist fights with Border Patrol agents are common, though not so with sheriff deputies. (One female entrant carried an AK-47.) Indeed, remarks a county official, "Anything you can imagine, they do." Entrants now are caught walking with foam rubber tied to the soles of their feet, for example, carrying marijuana in burlap sacks or trying to impersonate Mexican police. They cross without food and head to pre-arranged food stashes. Table NM4 shows Hidalgo County border statistics.

Table NM4: Hidalgo County Border Statistics

Population	Square Miles	Border Length	Port of Entry	Legal Crossings	Apprehensions
5,087	3,445	86	1	0	5,008



## COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Workload impact and cost estimates were developed for the sheriff's department and detention. A site visit was conducted in February 2007. The total cost to Hidalgo County's general fund for providing services to undocumented immigrants was \$450,132. The cost represents 16.3 percent of the total general fund and translates into \$88.49 per county resident. Table NM5 shows these costs. While the population and the county general fund have declined since 1999, the cost of processing undocumented immigrants has remained steady since the costs were first documented in 1999 and the per capita impact has increased by 15 percent. Hidalgo County absorbs a dramatically disproportionate share of the border burden. General government services are about 28 percent of the general fund, the percentage used for indirect overhead.

**Table NM5: Hidalgo County Costs by Department**  
County Total: \$450,132  
Per Capita: \$88.49

Sheriff	Detention
\$263,360	\$186,772

### HIDALGO COUNTY SHERIFF

The Hidalgo County Sheriff's Department provides patrol, detention, dispatch, and animal control. The department does not have investigators nor can it spare a deputy to assist with HIDTA in Deming. With a general fund budget of \$823,000 (including detention), this small department requires 45 percent of the county's general fund. About one-quarter of the department's workload involves undocumented immigrants. For example, drug and people runners no longer pull over when pursued by agents, so local law enforcement must pursue them; the driver usually bails out if he is far enough ahead and abandons the vehicle. A favorite method of smuggling entails stuffing horse trailers with more drugs than horses or feed trucks with "molasses" (drugs). Table NM6 shows the impact on patrol and administration.

**Table NM6: Hidalgo County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$823,000	25%	\$205,750	\$57,610	\$263,360

### HIDALGO COUNTY DETENTION

The jail, operated by the sheriff's department, registered an impact of 30 percent on its operations. The jail operates at full capacity every day and is unable to accept federal prisoners for extra revenue. In fact, Hidalgo County even sends county prisoners to Gallup at great cost. Six female prisoners are housed there for narcotics possession, check fraud, swindles, and batteries. "Female prisoners are much more aggressive [than they used to be]", explains one deputy. The magistrate often must hold warrants because there is no bed available. Further, medical care for undocumented immigrant inmates is a drain on the jail's meager budget: One is a diabetic, one has cancerous facial sores, and many have mental problems. Table NM7 portrays the impact on the jail.

**Table NM7: Hidalgo County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$486,386	30%	\$145,916	\$40,856	\$186,772

## HIDALGO COUNTY SUMMARY

Hidalgo County spent over 16 percent of its general fund budget on providing services to criminal undocumented immigrants. While the total cost of \$450,132 is one of the lowest among border counties, it translates into one of the highest per capita costs and the greatest portion of local taxpayer-funded services. The more difficult it becomes to cross illegally through Arizona, the more likely smugglers and entrants will choose Hidalgo County, for, as one county commissioner, remarked, “We’re the last hole to put the finger in.” How could one-half million dollars better serve the citizens of the county? Clearly and unanimously, county leaders would use it to help replace the county’s “pitiful jail.”

Hidalgo County’s costs are lower than those estimated for fiscal year 1999 by \$11,700. Nevertheless, residents have spent about \$4.1 million altogether on law enforcement and criminal justice services over the years. Each resident has been taxed nearly \$800, a large sum for residents with a per capita income of \$17,000.

## LUNA COUNTY

Luna County lies in the southwest part of New Mexico, between Hidalgo and Doña Ana counties. The county encompasses 2,965 square miles. Deming is the largest municipality with a population of 14,116 and serves as the county seat. The only other incorporated municipality is the village of Columbus, population 1,765, located three miles north of the border at the county's only port of entry.

Luna County's population is 27,205, a growth of about 8.8 percent since 2000. Luna County is one of the poorest counties in one of the poorest states. Median household income in 2003 was \$22,449, well below the state average. Per capita income was \$17,145, and over 26 percent of the county's population lives below the poverty level. The majority of residents, 59.6 percent, claim Hispanic or Latino as their origin, and 38.1 percent as white. The county general fund budget in 2006 was \$5,316,175.

Luna County is at the center of vast grazing lands in southwestern New Mexico. The federal government owns 42 percent of county lands. Farming and ranching is an important economic factor, and government employment, retail trade and services constitute the other economic contributors.

### LUNA COUNTY'S BORDER ENVIRONMENT

The county's southern border runs about 60 miles alongside Mexico. The village of Columbus hosts one of the state's three ports of entry. Linking Columbus with *Palomas*, the port is the oldest and busiest in the state and the only one to operate 24 hours a day. The nearest Mexican municipality of any size is *Ascension*, roughly 50 kilometers from the border. With no urban areas on either side of the border, open space contributes to the ease of slipping across the border.

The Border Patrol apprehended 15,232 undocumented entrants in 2006, and the Customs and Border Protection reported 1,371,664 crossings by bus and vehicle passengers and pedestrians in 2005. Luna County, with only 12 percent of the state's border county population, experienced 68 percent of the apprehensions and legal crossings. Summary border statistics are presented in table NM8.

**Table NM8: Luna County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
27,205	2,965	60 miles	1	1,371,664	15,232

Population growth has occurred principally outside of the two municipalities, "very scattered in little clusters," describes a sheriff's administrator. There are new dairies in the northeast corner of the county, which draw undocumented crossers there to steal from farmers. "So much farm material is out in the open," describes one law enforcement official, "that entrants even take aluminum irrigation equipment, and these cases are extremely hard to solve." Entrants' most visible crime, however, is entering abandoned houses that are too isolated to be protected by law enforcement. These houses are used as staging areas, especially in the rainy months. Sometimes 15 or 20 will be removed, only to return the following day. Sheriff's deputies just hold them and wait for Border Patrol to arrive. In August 2006, the National Guard was placed between Johnson Ranch and the port, which slowed down the march of entrants. Before the clamp down, a deputy noted that the sheriff's department caught them "all over the place, six to 20 people in a vehicle, three times a week." (New Mexico Governor Richardson declared a state of emergency on August 12, 2005 and provided \$1.75 million to these counties.)

As noted by officials in other border counties, the character of criminal undocumented immigrants has changed. They are present in greater numbers and have become bolder, stealing money, food and staples from isolated homes near the border as well as equipment from ranchers and farmers. Often innocent entrants are part of a larger group that commits these crimes. Moreover, the number of deaths is up. Thirty-five bodies have been recovered in the last two years, mostly due to weather. Their locations are often tipped off by an anonymous caller.

According to the sheriff, every four days robberies are committed by bandits who wait in the bushes to ambush victims. The main goal of entrants remains getting to rest areas along Interstate-10 for pick up and transportation to final destinations. While waiting, they sleep in gravel pits, referred to as “tent cities” in Luna County.

## **COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES**

The total cost to Luna County in 2006 is \$679,639. Each Luna County resident spent \$24.98 to finance this burden. Workload impact and cost determination were conducted on the services of sheriff, detention and judicial facilities. A site visit was made in February 2007 and followed by phone calls and e-mails. Based on general fund expenditures for internal service departments, 28 percent is added for general government. Table NM9 summarizes total costs.

**Table NM9: Luna County Costs by Department**  
County Total: \$679,639  
Per Capita: \$24.98

Sheriff	Adult Detention	Judicial Facilities
\$548,329	\$120,730	\$10,580

## **LUNA COUNTY SHERIFF**

Sheriff’s officials estimate that the impact on workload is about 25 percent, a fairly steady impact for the last several years. Burglary and theft are the most prevalent crimes among undocumented immigrants. The department also investigates deaths and assists other law enforcement agencies. When deputies are accused by federal agents of overstepping their boundaries, they remind their colleagues that “My county goes all the way to the border; just ask the county assessor!” The direct cost of providing services to undocumented immigrants is \$428,382, and the cost for county indirect services boosts the total cost to \$548,329, as shown in table NM10 below.

**Table NM10: Luna County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,713,526	25%	\$428,382	\$119,947	\$548,329

## **LUNA COUNTY DETENTION**

The Luna County Detention Center holds 395 beds for adults. With 900 to 1,100 bookings a month, the adult jail is always full. The center also has six juvenile beds, but jail administrators believe that jail is “not for kids,” and education and case managers are the focus of juvenile detention. (Juvenile undocumented immigrants do not spend time in jail in Luna County.) Booking records show that 22 undocumented immigrants were detained for a total of 1,310 days in 2006; at a daily rate of \$72, the direct cost is \$94,320. Table NM11 presents these findings.

**Table NM11: Luna County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$6,356,750	NA	\$94,320	\$26,410	\$120,730

## LUNA COUNTY JUDICIAL SERVICES

The state of New Mexico covers prosecution, defense and court services, but counties are responsible for facilities, maintenance and utilities. In Luna County, the Sixth Judicial District Court presides. The growing judicial docket does have an indirect impact on the county in the form of backlogs that lead to longer detention and slower dispensation of cases. Judicial officials estimate that the caseload involving undocumented immigrants is about 20 percent, for a total cost of \$10,580 to the facilities budget. Those impacts are presented in table NM12.

**Table NM12: Luna County Judicial Services Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$41,328	20%	\$8,266	\$2,314	\$10,580

## LUNA COUNTY SUMMARY

Services for undocumented immigrants cost county taxpayers just under \$700,000. Each citizen spent \$25 in 2006 to finance these services. Luna County, like its neighbor to the west, Hidalgo County, is one of the poorest along the entire border. County officials and commissioners struggle to find ways to lift the quality of life in this slow-growing desert area. Foremost on the minds of those responsible for the county's future is the retention of Mimbres Memorial Hospital. "If we cannot improve our quality of life, hospital staff will leave and the facility will close, further lowering our quality of life," explains one county commissioner. County officials also desperately want to expand after-school programs for K-12. "We have too many latch-key kids in our community," another adds. Mariachi, ballet, art and music classes would complete the current offerings. Another pressing concern is the Border Patrol's plan to add 150 more agents to its station in Deming. Additional agents with good salaries should be welcomed, but the county cannot absorb them with the current housing stock. New schools, roads, sewers, and utilities would place a huge burden on the county's "social system," so the economic benefits of additional agents would probably accrue to Las Cruces.

Since baseline data were determined for fiscal year 1999, when residents spent \$887,053, Luna County citizens have financed roughly \$6.8 million in services for criminal undocumented immigrants. The per capita cost over these eight years works out to about \$272.

## DOÑA ANA COUNTY

Doña Ana County is the largest of New Mexico's three border counties, with a population of 189,444. In the south central part of the state, Doña Ana County shares 34 miles of border with Mexico. Las Cruces is the largest city in the county and the second largest in the state. With a population of 77,000, it serves as the county seat and home of New Mexico State University. Other incorporations include the village of Hatch, Chili Capital of the world; the town of Mesilla, historic site of the consummation of the Gadsden Purchase in 1854; and Sunland Park, historic site of Mount Cristo Rey.

Two major interstates bisect in Las Cruces: Interstate-25 northbound connects to Albuquerque and Interstate-10 connects Doña Ana County to points east and west. The Rio Grande supplies water to the farmers of the rich Mesilla Valley, making agriculture an important part of the economy as well as employment in higher education, local government, public schools, and retail.

Doña Ana County's residents comprise 65 percent Hispanic or Latino and 31 percent white. The median household income in 2003 was \$30,150 and the per capita income was \$20,756. Nearly one-quarter live below the poverty level. The county's general fund was \$24,413,880 in 2006.

### DOÑA ANA COUNTY'S BORDER ENVIRONMENT

The county's sole port of entry at Santa Teresa is a land crossing 11 miles west of El Paso that is becoming a major industrial, commercial and pedestrian port. With no large cities on either side of Santa Teresa, pedestrian traffic is minimal. Although Doña Ana County spans only 19 percent of the state's border length, it contains 86 percent of the border population and serves as a destination point for border crossers. The port at Santa Teresa reported 764,012 in bus and vehicle passenger and pedestrian crossings and 2,074 in apprehensions. Doña Ana County's border statistics are presented in the table below.

Table NM13: Doña Ana County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
189,444	3,807	34 miles	1	764,012	2,074

According to law enforcement officers, there are both more undocumented immigrants and greater violence involving them than in previous years. While the Border Patrol rarely requests assistance, the sheriff's office often calls Border Patrol to pick up undocumented crossers they have apprehended or detained. Common incidents include traffic stops, domestic violence, and burglaries. "There are so many living here," explains a sheriff's deputy, "that 90 percent of our work in Hatch, Garfield, and Salem involves illegal immigrants." Much greater criminal activity involves undocumented immigrants who have made Doña Ana County their residence rather than a pass-through. Doña Ana County, with a healthy and growing economy, is now a place where undocumented immigrants can make a living. Few people live in towns across the border.

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The estimated total cost to Doña Ana County of providing services to undocumented immigrants is \$6,205,128. Each resident paid nearly \$33 in 2006 to finance these services. Workload burden and cost studies were conducted on the departments of sheriff, adult detention, juvenile detention, and judicial facilities. A site visit occurred in February 2007. The impact on taxpayers includes a charge for general government services of 25 percent, based on 2006 departmental expenditures relative to the general fund. Table NM14 presents total costs by department.

**Table NM14: Doña Ana County Costs by Department**  
**County Total: \$6,205,128**  
**Per Capita: \$32.75**

Sheriff	Detention	Juvenile Detention	Judicial System
\$3,463,572	\$2,648,196	\$42,500	\$50,860

## DOÑA ANA COUNTY SHERIFF

The sheriff's general fund budget in 2006 amounted to \$9,236,192 for the divisions of law enforcement, support and administration. Sheriff's officials estimate that undocumented immigrant activities impact the workload by "at least" 30 percent, depending on the area of the county. It is highest in Sunland Park, Salem, Hatch and Garfield. Total estimated cost to the sheriff's department is \$3,463,572; direct costs are \$2,770,858 and indirect costs are \$692,714. Table NM15 shows these calculations.

**Table NM15: Doña Ana County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$9,236,192	30%	\$2,770,858	\$692,714	\$3,463,572

## DOÑA ANA COUNTY ADULT DETENTION

The Doña Ana County Adult Detention Center is the responsibility of the county manager, not the sheriff. The detention facility administrator oversees an operations manager, jail supervisors, nurses, social workers, a medical director and physician, a programs manager, and training coordinators. In 1996 the county opened a two-story, 134,311 square foot, 562-bed detention center; another 312 beds were added three years later. Detention records indicate that 319 undocumented immigrants were booked in 2006 for an average length of stay of 81.2 days, which comprised 26 percent of the jail population. The general fund budget was \$8,148,295. Direct costs to the detention center were \$2,118,557 and an indirect charge of \$529,639 brings the total to \$2,648,196. The following table presents these findings.

**Table NM16: Doña Ana County Adult Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$8,148,295	26%	\$2,118,557	\$529,639	\$2,648,196

## DOÑA ANA COUNTY JUVENILE DETENTION

Typically for all border counties, the impact on the juvenile detention center is considerably less than that on adult detention. Juvenile detention center officials estimate that about 10 undocumented juveniles were detained for an average of 60 days, or about 2 percent of total costs. (The average daily population varies from 38 to 50.) Juveniles apprehended with small quantities of drugs are not turned over to local officials to prosecute on state charges; rather, they are detained and then transferred to federal officials for deportation. (With no threat of prosecution, juveniles are attractive candidates for smuggling small loads.) Total impact is estimated to be \$42,500, as table NM17 indicates.



**Table NM17: Doña Ana County Juvenile Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,700,000	2%	\$34,000	\$8,500	\$42,500

## DOÑA ANA COUNTY JUDICIAL SERVICES

State, county and municipal courts operate in Doña Ana County. The Third District Court has jurisdiction over the entire county. While New Mexico funds the court system, Doña Ana County provides facilities, maintenance and utilities for judges, court clerks, prosecutors, public defenders, and probation and parole officers. Judicial officials estimate that about 10 percent of the court's workload is spent on cases involving undocumented immigrants. The county general fund expenditure for facilities was \$406,877 in 2006. The general government charge of \$10,172 brings the total to \$50,860. Table NM18 presents these costs.

**Table NM18: Doña Ana County Judicial Services Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$406,877	10%	\$40,688	\$10,172	\$50,860

## DOÑA ANA COUNTY SUMMARY

Doña Ana County is growing and by all accounts thriving, with general fund revenues strong and commercial and retail projects booming. Along with the growth, however, come infrastructure pressures, especially in the unincorporated areas of Sunland Park and Sonoma Ranch. County taxpayers spent over \$6.6 million (\$38.18 apiece) on undocumented immigrants, a significant part of the general fund that one commissioner would like to use for essential infrastructure needs. That cost is nearly double the county's cost in fiscal year 1999. Its growth leads to more crime, a portion of which is committed by undocumented immigrants. Doña Ana County taxpayers paid \$3.5 million for these costs in 1999, and projecting yearly costs consistent with the difference between \$3.5 million and \$6.6 million, they have spent roughly \$13 million in the last eight years, which translates into \$74.30 per resident.

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1. "Overflow of AZ migrants floods El Paso sector," *Tucson Citizen*, October 10, 2005, 5A.



# Texas Border Counties

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US / Mexico

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B o r d e r  
C o u n t i e s  
C o a l i t i o n

## TEXAS BORDER COUNTIES

The Republic of Texas was born when the Battle of the Alamo against Mexico was fought in 1836, and in 1845 Texas was annexed into the union as the 28th state. Texas is the largest in area of the 48 continental states with 261,797 square miles and has created the largest number of counties among the 50 states, 254. The 2005 population of Texas was 22,859,968, an increase of nearly three million since the 2000 Census. The average state median household income in 2003 was \$39,967, and the average per capita income was \$19,617. About 16 percent of the population lives in poverty.

Immigration across state borders and particularly the southern border contributed to the growth of Texas. Immigrants from Mexico and Germany comprised the majority of the influx in the state's early history. Hispanics experienced a greater increase than their immigrant counterparts through new immigration and birth rates. Mexican Americans established a stronghold south of San Antonio and particularly along the Rio Grande, where they gained political clout. Thirty-five percent of the state's population is Hispanic or Latino and 49 percent is white. The percentage of Hispanics or Latinos in the state's 15 border counties is greater; the average is 75 percent, with a low of 37 percent in Jeff Davis County to a high of 98 percent in Starr County.

## TEXAS' BORDER ENVIRONMENT

Thirteen counties form a border with Mexico extending over 1,200 miles from El Paso County to Cameron County. Two other counties, while not contiguous to the boundary, are close enough to experience similar challenges of the contiguous counties. Table T1 lists the 15 border counties from west to east with their population, area, border length, ports of entry, and legal and undocumented immigrant crossings. The most populous is westernmost El Paso County, followed closely by Hidalgo and Cameron counties in the Lower Rio Grande Valley. Webb County is the fourth most populous and the largest in the Middle Rio Grande Valley. The other counties are small and rural.

**Table T1: Texas Border County Statistics**

County	Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
El Paso	736,310	1,013	80 miles	4	38,407,822	2,367
Hudspeth	3,320	4,571	100 miles	1	0	4,145
Culberson	2,525	3,812	0	0	0	385
Jeff Davis	2,315	2,264	0	0	0	0
Presidio	7,713	3,855	175 miles	1	1,759,687	1,001
Brewster	9,048	6,192	185 miles	0	0	367
Terrell	983	2,358	60 miles	0	0	0
Val Verde	48,145	3,233	125 miles	2	7,989,980	4,546
Maverick	52,298	1,280	63 miles	1	9,267,029	16,918
Kinney	3,341	1,364	54 miles	0	0	0
Webb	231,470	3,356	75 miles	4	19,200,044	5,420
Zapata	13,615	997	65 miles	0	0	707
Starr	61,780	1,229	80 miles	3	5,560,558	9,516
Hidalgo	700,634	1,569	118 miles	4	16,133,080	17,715
Cameron	378,311	1,271	75 miles	4	17,546,696	12,649
<b>Total</b>	<b>2,251,808</b>	<b>38,364</b>	<b>1,255</b>	<b>24</b>	<b>115,864,896</b>	<b>75,736</b>

There are 24 ports of entry in Texas. The number of legal crossings from south to north in 2006 totaled 116 million. The Border Patrol apprehended 76,000 undocumented entrants in 2005. Moreover, it is estimated that roughly 354,000 undocumented immigrants were living in these 15 counties in 2005, with the majority in Hidalgo and El Paso counties.

## **CHARACTERISTICS OF TEXAS COUNTY GOVERNMENT**

Texas counties are subdivisions of state government with limited local authority. As general law units of local government, they are limited to the powers and structure dictated by the state constitution and statutes. The state does not permit counties to frame and adopt home rule charters. The commissioners' court governs each county. It consists of four commissioners elected by district and one county judge elected at large. The county judge is a voting member of the governing body with additional judicial duties. A few department heads are also elected; they include sheriff, district and county court clerk, district attorney, and all judicial officials. The principal source of local revenue is the property tax. Texas counties also receive a small share of state revenues, grants, fees and fines.

## **TEXAS COUNTY LAW ENFORCEMENT AND CRIMINAL JUSTICE SYSTEM**

The sheriff is responsible for patrol and investigation in the unincorporated parts of counties, giving warrants and civil papers, operating county jails, and providing bailiffs for state courts and law enforcement protection. The district attorney represents the state in felony criminal actions in the district court and misdemeanor criminal actions in the county court at law and justice of the peace courts. Prosecutorial districts often encompass two or more counties. The county attorney provides legal counsel to the commissioners' court, handles civil cases against the county, and misdemeanor cases in county court at law.

Texas district courts have original jurisdiction in all felony criminal cases, divorce cases, cases involving title to land, election contest actions and some civil matters. County courts at law hear both criminal and civil cases. Justice of the peace courts have original jurisdiction over Class C misdemeanor criminal cases and constables are the peace officers of the justice courts.

## **COSTS TO TEXAS BORDER COUNTIES**

The total cost to Texas' 15 border counties is estimated at \$75.4 million, as shown in table T2. This figure includes varying percentages applied to direct costs to cover general government services provided to each department. On average, Texans living in border counties spend \$33.47 a year each to fund law enforcement and criminal justice services for undocumented immigrants.

**Table T2: Costs to Texas Border Counties****Total Cost: \$75,380,953****Average Per Capita Cost: \$33.47**

County	Total Cost/% of total impact	Per Capita Cost
El Paso	\$34,983,712/46.4%	\$47.51
Hudspeth	\$1,253,688/1.7%	\$378
Culberson	\$238,611/3%	\$94.50
Jeff Davis	\$37,277/0.0%	\$16.10
Presidio	\$326,298/4%	\$42.30
Brewster	\$126,299/2%	\$13.96
Terrell	\$123,412/2%	\$125.55
Val Verde	\$1,503,248/2.0%	\$31.22
Maverick	\$958,894/1.3%	\$18.34
Kinney	\$191,074/03%	\$57.19
Webb	\$5,170,328/6.9%	\$22.34
Zapata	\$1,519,364/2.0%	\$111.59
Starr	\$1,821,339/2.4%	\$29.48
Hidalgo	\$20,059,418/26.6%	\$28.63
Cameron	\$7,067,991/9.4%	\$18.23
<b>Total</b>	<b>\$75,380,953</b>	<b>\$33.47 (avg)</b>

### **COSTS TO TEXAS BORDER COUNTY DEPARTMENTS**

By estimating the percentage of total workload associated with processing undocumented immigrants in each law enforcement and criminal justice department, investigators in consultation with county elected and appointed officials determined the cost to the general fund for each department. This method ensures that overhead costs in each department are also included. Moreover, incorporating a cost for general government overhead based on a percentage either given by the county or derived from the general fund budget ensures that the additional workload on human resources, administration, information technology, auditor, and others are also included. Total costs by department are shown in tables T3A, T3B, and T3C. (Many counties combine the offices of district clerk and county clerk. Costs for justice of the peace and constable are combined in tables as well. The cell designation of “NA” denotes the impact as either not available or not applicable.)

**Table T3A: Total Costs to Five Border Counties by Department**

County/Dept	El Paso	Hudspeth	Culberson	Jeff Davis	Presidio
Sheriff	\$5,970,166	\$997,485	\$119,846	\$31,719	\$232,789
Detention	\$20,177,761	\$152,342	\$59,923	NA	\$4,718
District Clerk	\$437,757	\$12,545	\$9,359	\$2,145	\$15,631
District Attorney	\$3,653,577	NA	NA	NA	\$206
District Court	\$1,301,291	\$1,054	\$5,822	NA	\$10,165
County Clerk	\$70,857	NA	NA	NA	\$12,624
County Attorney	\$189,121	\$24,113	\$13,020	\$3,413	\$14,877
Court at Law	\$200,748	NA	NA	NA	NA
Indigent Defense	\$1,358,512	\$1,826	NA	NA	\$4,988
JP/Constable	\$378,278*	\$63,525	\$30,312	NA	\$19,969
Adult Probation	\$68,780	\$798	\$149	NA	\$10,334
Juvenile Services	\$1,176,864	NA	NA	NA	NA
Totals	\$34,983,712	\$1,253,688	\$238,611	\$37,277	\$326,298

\* Includes cost for criminal law magistrate

**Table T3B: Total Costs to Five Border Counties by Department**

County/Dept	Brewster	Terrell	Val Verde	Maverick	Kinney
Sheriff	\$97,253	\$66,513	\$1,193,736	\$597,500	\$114,406
Detention	NA	\$56,899	\$232,000	\$53,968	\$31,316
District Clerk	\$10,304	NA	\$8,495	\$75,494	\$18,014
District Attorney	\$5,971	NA	\$8,165	\$61,266	\$3,549
District Court	\$11,271	NA	\$8,397	\$94,335	\$11,194
County Clerk	NA	NA	NA	\$13,778	NA
County Attorney	NA	NA	\$12,469	\$15,675	NA
Court at Law	NA	NA	\$6,295	NA	NA
Indigent Defense	\$1,500	NA	NA	NA	NA
JP/Constable	NA	NA	\$24,391	\$37,548	\$9,695
Adult Probation	NA	NA	\$1,425	NA	NA
Juvenile Services	NA	NA	\$7,875	\$9,375	NA
Totals	\$126,299	\$123,412	\$1,503,248	\$958,894	\$191,074



Table T3C: Total Costs to Five Border Counties by Department

County/Dept	Webb	Zapata	Starr	Hidalgo	Cameron
<b>Sheriff</b>	\$1,748,597	\$1,015,396	\$434,423	\$9,240,944	\$2,344,678
<b>Detention</b>	\$844,408	\$23,741	NA	\$6,005,210	\$1,248,073
<b>District Clerk</b>	\$2,675	\$18,251	\$112,239	\$178,054	\$437,124
<b>District Attorney</b>	\$37,691	NA	\$181,592	\$1,077,434	\$6,612
<b>District Court</b>	\$14,738	\$13,836	\$230,572	\$181,927	\$724,297
<b>County Clerk</b>	\$596	\$34,276	\$240,114	\$443,418	\$144,491
<b>County Attorney</b>	\$7,342	\$33,175	\$287,289	NA	\$638,521
<b>Court at Law</b>	\$2,566	\$41,366	\$251,154	\$305,734	\$283,006
<b>Indigent Defense</b>	\$27,600	\$72,650	NA	\$2,467,396	\$333,088
<b>JP/Constable</b>	\$349,012	\$246,232	\$68,164	\$142,321	\$778,826
<b>Adult Probation</b>	\$323,341	NA	NA	\$16,980	NA
<b>Juvenile Services</b>	\$1,811,762	\$20,441	\$15,791	NA	\$129,275
<b>Totals</b>	\$5,170,328	\$1,519,364	\$1,821,339	\$20,059,418	\$7,067,991

The budgets of Texas sheriffs bore the greatest brunt of these costs, 70 percent (\$53.1 million). The federal government, through SCAAP, could offset law enforcement costs significantly by reimbursing county jails for their total costs. However, reimbursements distributed to Texas border counties for 2006 costs totaled only \$1.1 million, just 3 percent of the aggregate costs for 2006 of \$37.4 million. Details by county follow.

## EL PASO COUNTY

El Paso County is located in the far-western tip of Texas. It covers just over 1,000 square miles, encompassing the northern boundary of the Chihuahuan Desert, the Franklin Mountain State Park, the foothills of the Rocky Mountains, and the Rio Grande. The city of El Paso is the largest along the Texas border, with a population of 563,662. El Paso County is the fourth largest in the state, with a population of 736,310, an increase of 28 percent since 2000. The county is uniquely situated in the bi-cultural tri-state region of New Mexico and *Chihuahua*, Mexico. El Paso's sister city is *Ciudad Juárez*, with a population of 1.4 million. The region's economy incorporates those of the United States and Mexico, primarily through the twin-plant industries; transportation and distribution play an important role in moving goods produced on both sides of the border. Interstate-10 provides convenient east and west connections and connects Mexico's Pan American Highway with New Mexico's Interstate-25.

El Paso County is also a center for federal governmental operations. Fort Bliss covers over 700,000 acres in the north-eastern section of the county. La Tuna Correctional Institution, a federal prison, is also located in the county, as well as several federal law enforcement agencies. The International Boundary and Water Commission is located in El Paso, the only federal agency not headquartered in Washington. Trade and manufacturing entwine the U.S. and Mexican economies through twin plant industries. Electronics, auto equipment and plastics are their primary products. Both east and west of the city of El Paso, smaller agricultural communities grow peppers, pecans, onions and cotton.

El Paso County's population in 2006 was 736,310, an increase of 28 percent since the 2000 census. Hispanics or Latinos comprise 81.2 percent of the population, and whites make up 14.6 percent. The median household income in 2003 was \$31,068 and per capita income was \$20,675, both well below the state average. Nearly 26 percent of residents fall below the poverty level. The El Paso County general fund in 2006 was \$197,367,988.

### EL PASO COUNTY BORDER ENVIRONMENT

The international boundary between El Paso County and the state of *Chihuahua* is approximately 80 miles long. Flat alluvial floodplains form both sides of the border. Much of the Rio Grande has been diverted into concrete channels with steeply angled sides that create turbulent waters, making river crossings dangerous. Moreover, river rescues are hampered by concrete covers placed over irrigation canals. Drowning is the primary cause of death of undocumented crossers. The Border Patrol installed four unmanned water rescue stations stocked with flotation devices, safety vests, blankets and first aid kits to assist with river rescues.

There are four ports of entry in El Paso County. The Stanton Street Bridge in downtown El Paso is a toll bridge with a dedicated commuter lane. The northbound bridge, Paso del Norte, offers pedestrian access for many Mexican nationals who shop in El Paso's downtown. The Bridge of the Americas, east of downtown, does not have a toll, and the Zaragoza Bridge, east in the county's Lower Valley, serves as a major transit point for commercial traffic. In the rural easternmost part of the county, the international crossing point is a small two-lane bridge connecting agricultural Fabens with *Caseta*, Mexico. It will soon be replaced by a major six-lane commercial crossing. There are also two railroad crossings linking El Paso with *Juárez*. In 2005 the ports of entry experienced over 38.4 million crossings by train, bus and vehicle passengers and pedestrians, but only 2,367 undocumented persons were apprehended. Table T4 presents border statistics.

**Table T4: El Paso County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
736,310	1,013	80 Miles	4	38,407,822	2,367

The incidence of undocumented immigrants committing crimes against other immigrants is on the rise. Officials explain that, "whenever the federal government begins talking about amnesty, a rush across the border results." Ranchers and farmers get caught in the middle: undocumented immigrants leave trash behind when crossing through private property, the cattle eat the trash, and then the cattle die. Crops also get trampled. Most disturbing to El Paso

County officials is the level of fear throughout the community engendered by these events. “Farmers and ranchers,” explain administrators in the sheriff’s department, “are afraid to file a criminal trespass complaint because they cannot afford a lawyer.” They suffer loss of cattle, loss of plow time, and decreases in their water supply. More disturbing, farmers and ranchers feel trapped on their own property: They do not want to leave their homes once the sun sets. Officials think “the cost of fear” would be high if it were quantified.

## **COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES**

The total estimated cost to El Paso County is \$34,983,712, shown below in table T5. A site visit was made in March 2007 and several elected and appointed county officials were interviewed. Budgets, SCAAP data, border information, and reports were utilized in determining the costs to each department. A general government charge of 19 percent, based on the proportion of the general fund allocated to internal services, was added to direct costs.

**Table T5: El Paso County Costs by Department**  
**County Total: \$34,983,712**  
**Per Capita Cost: \$47.51**

Sheriff	Detention	Dis- trict Clerk	District Attorney	District Court	Coun- ty Clerk	Coun- ty At- torney	Coun- ty Court at Law	Indigent Defense	Adult Proba- tion	Juvenile Proba- tion	Justice of the Peace	Crimi- nal Law Magis- trate
\$5,970,166	\$20,177,761	\$437,757	\$3,653,577	\$1,301,291	\$70,857	\$189,121	\$200,748	\$1,358,512	\$68,780	\$1,176,864	\$240,211	\$138,067

### **EL PASO COUNTY SHERIFF**

The general fund budget for the sheriff was \$20,067,783. Administration officials estimate that the impact on patrol, investigation and administration of law enforcement activities involving undocumented immigrants is 25 percent. The direct cost is \$5,016,946, and with \$95,322 added for indirect costs, the total burden on the El Paso County Sheriff is \$5,970,166. Table T6 presents these costs.

**Table T6: El Paso County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$20,067,783	25%	\$5,016,946	\$95,322	\$5,970,166

Throughout the day patrol officers will stop drivers for speeding and sometimes find 12 to 15 individuals in the automobile, all without documentation. They will then call Border Patrol to pick them up, necessitating long waits for their arrival. Undocumented immigrants are also committing more murders than in years past, which tie up homicide detectives for days. Detectives’ time is also taken up investigating auto thefts, burglaries, and drug smuggling. As one detective points out, “Everywhere you go you encounter illegal aliens. El Paso is the gateway city.”

### **EL PASO COUNTY DETENTION**

The El Paso County Detention Center is part of the sheriff’s department. The two-jail bed capacity is 2,400. In 2005, the jail housed 15,733 criminal undocumented immigrants for a total of 853,247 inmate days. Under SCAAP restrictions, however, only 905 qualified for reimbursement because individuals must be convicted rather than just apprehended. The general fund expenditure for detention was \$49,006,074 in 2006. Administrators reported an impact of 34.6 percent and the cost for jailing undocumented immigrants detained on state felony or multiple misdemeanors is \$16,956,102. As table T7 indicates, the addition of \$3,221,659 brings total impact to \$20,177,761.

**Table T7: El Paso County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$49,006,074	34.6%	\$16,956,102	\$3,221,659	\$20,177,761

## EL PASO COUNTY DISTRICT CLERK

The district clerk provides administrative support for the 15 district courts, the impact court, the county courts at law, court masters, and jail magistrate. The district clerk operated with a budget of \$3,123,304 in 2006. Court and jail records show that the caseload devoted to criminal undocumented immigrants was 19.63 percent, or 1,460 filings out of 7,436 filings. Criminal cases comprise 60 percent of all filings, so, as shown in table T8, the impact on the criminal budget of 19.63 percent results in a direct cost of \$367,863 and a total cost of \$437,757.

**Table T8: El Paso County District Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,873,982	19.63 %	\$367,863	\$69,894	\$437,757

## EL PASO COUNTY DISTRICT ATTORNEY

The district attorney represents El Paso, Hudspeth and Culberson counties. (The two smaller counties pay a portion of costs prorated on the basis of population.) The district attorney also handles misdemeanor criminal actions in the county courts at law and justice of the peace courts. The budget was \$8,772,094 in 2006. Based on detention statistics, officials estimate that the impact on workload of undocumented immigrants is 35 percent. The direct cost to the department is just over \$3 million. Total cost is shown in the following table.

**Table T9: El Paso County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$8,772,094	35%	\$3,070,233	\$583,344	\$3,653,577

## EL PASO COUNTY DISTRICT COURT

Each of the 15 district courts has jurisdiction over criminal and civil cases as well as juvenile cases. District court expenditures include Council of Judges, which schedules jury trials and pre-trial hearings, appoints defense attorneys, and provides interpreters, and judges' salary supplement. A Juvenile Court Referee presides over juvenile cases. Sixty percent of the adult docket is criminal. The total impact of undocumented immigrants on district courts is \$1,301,291. Table T10 arrays these costs.

**Table T10: El Paso County District Court Impact**

Category	Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
District Courts	\$1,979,135	19.63 %	\$388,504	\$73,816	\$462,320
Council of Judges Admin	\$2,841,800	19.63 %	\$557,845	\$105,991	\$663,836
Juvenile Court Referee	\$588,686	25%	\$147,172	\$27,963	\$175,135
Total	\$5,409,621		\$1,093,521	\$207,770	\$1,301,291

## EL PASO COUNTY COURTS AT LAW

Civil and criminal cases are heard in the El Paso County Court at Law. The budget for courts at law and courts at law administration was \$4,325,529. In 2006 there were 15,387 total criminal filings, of which 1,990 involved undocumented immigrants. The impact on the criminal budget, about 30 percent of the docket, was just under 13 percent. The estimated fiscal impact of undocumented immigrants is \$200,748, including an indirect charge of \$32,052. Table T11 presents these costs.

**Table T11: El Paso County Court at Law Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,297,659	13%	\$168,696	\$32,052	\$200,748

## EL PASO COUNTY ATTORNEY

In addition to providing general counsel to the county commissioners, the El Paso County Attorney's office handles civil litigation. It also processes deceptive business complaints, environmental crimes (e.g., illegal dumping), and co-administers the hot check collections. Family Protective Services focuses on juvenile prosecution, while domestic services handles child protective services, family violence protective orders and cases involving mental illness and chemical dependency. The general fund budget was just over \$4 million, which includes juvenile prosecution and bond forfeiture. Based on filings with the county clerk, about 13 percent concern undocumented persons. The criminal caseload consumes about 30 percent of workload, so the fiscal impact on county attorney is about \$189,121, shown in the table below. This estimate could be much higher, for, as one deputy allows, "Many cases go unreported for fear of deportation."

**Table T12: El Paso County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,222,500	13%	\$158,925	\$30,196	\$189,121

## EL PASO COUNTY CLERK

As the official repository of documents, the county clerk is responsible for filing, retrieving, transcribing and safeguarding information used by various county departments. Criminal filings involve about 30 percent of workload, and the impact of undocumented immigrants on the criminal workload mirrors that of the county court at law and the county attorney, 13 percent. Table T13 displays the fiscal impact on county clerk.

**Table T13: El Paso County Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$458,032	13%	\$59,544	\$11,313	\$70,857

## EL PASO COUNTY CRIMINAL LAW MAGISTRATE

The criminal law magistrate presides over all arraignments of prisoners prior to booking in detention. The council of judges appoints the magistrate. This judicial official is empowered to accept uncontested pleas, conduct special hearings from the district court, and conduct trials. The general fund budget for criminal law magistrate was \$335,328. The impact of undocumented immigrants on this court mirrors that of detention, 34.6 percent. Costs are shown below.

**Table T14: El Paso County Criminal Law Magistrate Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$335,328	34.6%	\$116,023	\$22,044	\$138,067

## EL PASO COUNTY INDIGENT DEFENSE

Defending adults and juveniles in district court, county court at law, and justice of the peace courts cost the general fund \$3,261,734 in 2006. The number of felony cases filed was 3,338 and the number of misdemeanor cases filed was 3,849. Determining the legal status of clients is difficult “because they can lie easily,” explains one defense lawyer. A lot of juveniles get talked easily into smuggling drugs, and they do go to prison. There were 1,736 cases filed in 2006. Out of 1,324 cases pending, 235 defendants are from Latin America, and 465 are foreign without documentation. The public defender estimates that 35 percent of the adult and juvenile caseloads together were undocumented immigrants. Total cost to defend undocumented immigrants was \$1,358,512, as table T15 presents in more detail.

**Table T15: El Paso County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$3,261,734	35%	\$1,141,607	\$216,905	\$1,358,512

## EL PASO COUNTY ADULT PROBATION

The West Texas Community Supervision is responsible for probation and community supervision for El Paso, Hudspeth and Culberson counties. Partially funded by the state, the general fund allocation to adult probation was \$561,148. Pre-sentence investigations and caseload records indicate that undocumented immigrants comprised 10.3 percent of the 2006 workload. The Impact Court adjudicates drug offenses only, and “a lot of illegals who quickly drop off [drug loads] easily qualify for ‘foreign national probation.’” Impacts are arrayed in table T16 below, for a total cost of \$68,780.

**Table T16: El Paso County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$561,148	10.3%	\$57,798	\$10,982	\$68,780

## EL PASO COUNTY JUVENILE PROBATION

The El Paso Juvenile Probation Board is responsible for ensuring due process for youthful offenders while still holding them responsible for the crimes they commit. Clients detained include Mexican nationals who are in the county without documentation. As border security tightens, the number of juvenile probation cases decreases. Undocumented juveniles between the ages of 10 and 17 are referred for shoplifting and picking pockets. The 15-year olds and 16-year olds are often arrested for possessing large quantities of drugs. Automatic commitments to Texas Youth Corrections follow, a facility that many probation officers do not think is appropriate for undocumented offenders. Hence, Texas implemented the Border Children’s Project in an attempt to supervise them in *Ciudad Juárez* and its outskirts. The most common felonies are aggravated assault and burglary. The general fund expenditure for juvenile probation was \$9,889,611. Experience leads probation officers to estimate that 10 percent of the caseload in 2006 involved juveniles without legal documentation. Table T17 displays these impacts.

**Table T17: El Paso County Juvenile Probation Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$9,889,611	10%	\$988,961	\$187,903	\$1,176,864

## **EL PASO COUNTY JUSTICE OF THE PEACE**

The El Paso County general fund appropriated \$1,922,456 for the nine justice of the peace courts, and criminal workload comprises about 30 percent. Various justices' estimates ranged from 20 percent to 50 percent, and a designation of 35 percent as an average is applied. Constables reported no impact on their workload of undocumented immigrants. The direct cost to justice of the peace is \$201,858; adding \$38,353 for general government costs brings the total to \$240,211. Table T18 shows these statistics.

**Table T18: El Paso County Justice of the Peace Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$576,737	35%	\$201,858	\$38,353	\$240,211

## **EL PASO COUNTY SUMMARY**

El Paso County is a major gateway into the United States. Not only are undocumented crossers passing through to other destinations, but they are also remaining in El Paso County to work and raise families, not unlike in other urbanized border counties with economic opportunities and major population centers across the line. What is most disturbing about this county's border environment is the "climate of fear" that law enforcement executives describe with great concern. Sheriff's calls for service originate in the Lower Valley 70 percent of the time, and 15 percent of the time both in the Upper Valley and Montana Vista areas, where growth has hit 4 percent. The fiscal impact on the county's general fund and each county resident is significant—\$35 million, or \$47.51 a person—and could be used to address many local needs. For example, the county needs libraries and parks to help with reducing crime, and better roads to help with economic development, especially to and within the county's colonias, where law enforcement protection is scant because streets have no names.

El Paso County citizens paid \$9.2 million to fund services for undocumented immigrants in 1999. That cost has increased by nearly 380 percent in seven years. If costs were documented between 1999 and 2006, that figure could reasonably amount to \$190 million. Each citizen of El Paso County, then, has paid \$271 in extra local taxes to process criminal undocumented immigrants.



## HUDSPETH COUNTY

Hudspeth County, one of the largest along the Texas border, is a rich mixture of agricultural valleys, plateaus, mountains and salt lakes. The Quitman Mountains run parallel to the Rio Grande in the central portion of the county's boundary with Mexico. Sierra Diablo Mountains lie northeast of the county seat, Sierra Blanca. The Sierra Diablo Wildlife Management Area forms part of the central eastern border with Culberson County, and the Guadalupe Mountains National Park covers a small portion of the northeast corner, adjoined by small lakes that form a salt basin.

The unincorporated town of Sierra Blanca, population 533, is a ranching center. Located on Interstate-10, it also serves as a fuel and food stop for travelers. Dell City, on the northern county line, is an agricultural center with cattle feedlots and vegetable packing operations. Unlike most of the West Texas desert region, Dell City has some of the largest water wells in the state. Fort Hancock lies in the alluvial floodplain of the Rio Grande and hosts the county's lone port of entry. Other small agricultural communities along the banks of the Rio Grande are Acala, McNary, Esperanza and Quitman.

Hudspeth County's population is 3,320 (a decrease of less than 1 percent since 2000). Three-quarters of its population are of Hispanic or Latino origin, and 23 percent are white. The 2003 median household income was \$21,855 and the 1999 per capita income was \$16,482. Nearly 29 percent live below the poverty level. Hudspeth County's 2006 general fund was \$4,087,481. A large percentage of the county's land area is owned by the railroads, universities, and the state, which narrows the tax base drastically. One county official summed up the fiscal environment: "Hudspeth County carries a heavy load for what the tax base is."

### HUDSPETH COUNTY'S BORDER ENVIRONMENT

Hudspeth County runs along the international border with Mexico for 100 miles. State highway 20 runs parallel to the Rio Grande from the county line to McNary and from there, Farm to Market 192 continues eastward past Quitman. Historic ruins of river fortifications are preserved in Fort Hancock and Fort Quitman. At Fort Hancock there is a rural port of entry, and the Quitman Mountains form a geographical barrier to undocumented entrance into the United States. The Border Patrol also operates a checkpoint west of Sierra Blanca. The Southern Pacific Railroad runs parallel to Interstate-10 before heading south to Presidio County. Also from Sierra Blanca, the Union Pacific line runs eastward toward Houston. Both routes are used for human smuggling. In 2006, Border Patrol agents apprehended 4,145 undocumented entrants, and no legal crossings were reported. Table T19 presents border statistics.

**Table T19: Hudspeth County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
3,320	4,571	100 miles	1	0	4,145

Hudspeth County ranks third in Texas for marijuana seizures. As one sheriff's deputy explains, "Ninety percent of what is done here [crime-wise] is narcotics-related, and the transportation and burning of marijuana is at the county sheriff's expense." Indeed, the sheriff's department has its own (seized) trucks, trailers, fuel, tires, oil, and maintenance operation because of the profusion of narcotics trafficking. It even has a 10-bed truck for surveillance, whose driver was a Russian who overstayed his visa. (Other seized trucks have been driven by Indonesians, Germans, French and Koreans.)

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Estimated total costs to Hudspeth County for providing services to criminal undocumented immigrants in 2006 is \$1,253,688. Each resident paid \$378 for these services. A site visit was made in March 2007, where county officials were interviewed and the budget was analyzed. Indirect costs for general government services are added at 24 percent. Table T20 provides the costs by department. Discussion of costs by department follows.

**Table T20: Hudspeth County Costs by Department**  
**Total Cost: \$1,253,688**  
**Per Capita: \$378**

Sheriff	Adult Detention	District and County Clerk	District Court	County Attorney	Justice of the Peace	Indigent Defense	Adult and Juvenile Probation
\$997,485	\$152,342	\$12,545	\$1,054	\$24,113	\$63,525	\$1,826	\$798

## HUDSPETH COUNTY SHERIFF

The general fund budget for patrol, investigation and administration was just over \$1 million in 2006. Interviews determined that 80 percent of the workload is spent on undocumented immigrant activities. The direct cost is \$804,423, and an additional \$193,062 in indirect costs brings the total impact to the sheriff's department to \$997,485, as table T21 shows.

**Table T21: Hudspeth County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,005,529	80%	\$804,423	\$193,062	\$997,485

## HUDSPETH COUNTY DETENTION

Hudspeth County's jail, operated by the sheriff's department, holds 120 beds. On average, about 25 percent of the inmates are detained on state or local charges, and about one-third of those are undocumented immigrants. (Three-quarters of the beds are used for federal prisoners.) The total budget for detention is \$1,489,169 and the cost to detain county prisoners is \$372,292 and the undocumented immigrant impact is \$152,342. Details are presented in table T22.

**Table T22: Hudspeth County Detention Impact**

County Inmate Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$372,292	33%	\$122,856	\$29,486	\$152,342

## HUDSPETH COUNTY DISTRICT AND COUNTY CLERK

The combined office of district and county clerk handles the administrative records associated with criminal and civil cases heard in district court. It also collects and processes fees, fines and forfeitures, as well as records legal documents and titles. About half of its workload relates to criminal filings, for a criminal budget of \$59,514. As reported by officials, the impact of undocumented immigrants on the clerk is about 17 percent. Costs are presented in table T23.

**Table T23: Hudspeth County District and County Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$59,514	17%	\$10,117	\$2,428	\$12,545

## HUDSPETH COUNTY DISTRICT COURT

Hudspeth County is served by the 394<sup>th</sup> District Court, which is based in El Paso County. The demand for trial court adjudication is small, and the general fund's allocation was \$17,000. Court personnel in El Paso County estimated that about half the court's workload is criminal-related, and only 10 percent of that involves undocumented immigrants, for a direct cost of \$850. (There is no impact on district attorney.) Details are found in the table below.

**Table T24: Hudspeth County District Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$8,500	10%	\$850	\$204	\$1,054

## HUDSPETH COUNTY ATTORNEY

Misdemeanor cases make up the majority of the county attorney's work. The county attorney also serves as legal advisor to the county commissioners' court. The general fund budget for this small office is \$77,782, and officials determined that 25 percent of its workload involves undocumented immigrants, for a direct cost of \$19,446 and a total cost of \$24,113. Details are found in the table T25.

**Table T25: Hudspeth County Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$77,782	25%	\$19,446	\$4,667	\$24,113

## HUDSPETH COUNTY JUSTICE OF THE PEACE AND CONSTABLE

Hudspeth County funds four justice of the peace courts and four constables. Their combined budget is \$204,921. These judicial law courts hear civil cases if the controversy is less than \$5,000 and Class C criminal cases if the fine is less than \$500. Constables are law enforcement officers and execute the criminal and civil processes, make arrests, and uphold the peace in their precinct. Justices estimated that their caseload involving undocumented immigrants was 25 percent, as presented in table T26.

**Table T26: Hudspeth County Justice of the Peace and Constable Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$204,921	25%	\$51,230	\$12,295	\$63,525

## HUDSPETH COUNTY INDIGENT DEFENSE

Defense lawyers estimated that about 10 percent of their caseload involves undocumented immigrants, for a total cost of \$1,826, including indirect costs. See table T27 below for details.

**Table T27: Hudspeth County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$14,729	10%	\$1,473	\$353	\$1,826

## HUDSPETH COUNTY ADULT PROBATION

West Texas Community Supervision and Corrections Department, headquartered in El Paso County, provides probation services to Hudspeth County. Records indicate that 9.4 percent of its adult probationers were undocumented, for a total cost of \$798. Table T28 provides details. (No juveniles received services.)

**Table T28: Hudspeth County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$6,846	9.4%	\$644	\$154	\$798

## HUDSPETH COUNTY SUMMARY

Hudspeth County citizens paid over \$1.2 million to finance services provided to undocumented immigrants in 2006. That sum is nearly one-quarter of the entire general fund budget. This cost represents a 1,000 percent increase since the first cost was determined in 1999. If the cost steadily increased for each year between 1999 and 2006, the aggregate expenditure on undocumented immigrants would reach nearly \$5.8 million in an eight-year span.

How could that money be used to benefit Hudspeth County's citizens? A governing board member declares that the first expenditures would go toward a front-end loader for the landfill and an ambulance for emergency transportation. He explained that automobile and truck wrecks wait an hour on Interstate-10 or U.S.-62 and U.S.-80.

## CULBERSON COUNTY

Culberson County does not share an international boundary with Mexico, but the southern tip of the county is less than 10 miles from the border. Located between Hudspeth and Jeff Davis counties, Culberson County has major transportation routes, a north-south route connecting the county seat, Van Horn (population 2,435), with Jeff Davis County, and the east-west route, Interstate-10, connecting the county to El Paso and Dallas. The Union Pacific Railroad runs parallel to Interstate-10, and Van Horn provides rail switching services. Van Horn is principally a rest stop for travelers and tourists, with motels and RV parks beckoning. The Southern Pacific Railroad passes through Lobo on the route through the Davis Mountains as it heads to Houston.

Culberson County's population was 2,525 in 2006, a 15.1 percent decline since 2000. Hispanics and Latinos comprise 71.5 percent and the balance is primarily white. Median household income in 2003 was \$23,850, and per capita income was \$15,522. The poverty rate was 23.1 percent. Culberson County's 2006 general fund was \$1,915,443.

### CULBERSON COUNTY'S BORDER ENVIRONMENT

Culberson County, with only a tip near the border, does not have a port of entry. Its rugged mountains prevent undocumented entrants from crossing, but drug smugglers hire "mules" to carry narcotics through the county in backpacks. The rail lines are more likely to be used to smuggle human cargo, which often leads to treacherous conditions for migrants. Interstate-10 offers an additional point of transit for smugglers, though migrants do not settle in the county. The Border Patrol apprehended 385 undocumented persons in 2006. Table T29 presents these statistics.

**Table T29: Culberson County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
2,525	3,812	0 Miles	0	0	385

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Culberson County spent \$238,611 to provide services for undocumented immigrants. A site visit was made in March 2007 where a few officials were interviewed and the budget was reviewed. Additional data were gathered through e-mails and phone calls. The general fund suggests that an indirect cost rate of 24 percent should be applied to direct costs. Table T30 presents total costs by department.

**Table T30: Culberson County Costs by Department**

**Total Cost: \$238,611**

**Per Capita Cost: \$94.50**

Sheriff	Detention	District and County Clerk	District Court	County Attorney	Justice of the Peace	Adult Probation
\$119,846	\$59,923	\$9,539	\$5,822	\$13,020	\$30,312	\$149

### CULBERSON COUNTY SHERIFF

The general fund expenditure for the sheriff's department was \$483,247 in 2006. (Roughly half goes to jail operations.) Deputies estimate that about 40 percent of patrol, investigation and administration operations are directed at undocumented immigrant activities. The direct cost is \$96,650, and \$23,196 in indirect costs brings the total impact to \$119,846, shown in table T31.

**Table T31: Culberson County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$241,624	40%	\$96,650	\$23,196	\$119,846

### **CULBERSON COUNTY DETENTION**

The 17-bed jail is operated by the sheriff's department. The 2006 budget was roughly \$241,624, which includes prisoner medical and jail supplies. Jail records indicate that the percentage of undocumented immigrants detained on state charges is 20 percent, for a direct cost of \$48,325. General government costs bring the total impact to \$59,923, as the following table enumerates.

**Table T32: Culberson County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$241,624	20%	\$48,325	\$11,598	\$59,923

### **CULBERSON COUNTY DISTRICT ATTORNEY**

Culberson County is represented by the El Paso County District Attorney. The office reports no impact on its workload due to undocumented immigrants.

### **CULBERSON COUNTY INDIGENT DEFENSE**

Undocumented immigrants were not served by public defenders in 2006.

### **CULBERSON COUNTY DISTRICT AND COUNTY CLERK**

The combined office of County and District Clerk handles administrative record keeping associated with both criminal and civil cases heard in district court. Other duties include filing legal documents, titles and proceedings, and disposing of and collecting money and related fees. The general fund expenditure was \$125,797; the criminal portion is 60 percent, and the impact on the criminal side was estimated to be 10 percent. Figures are arrayed in table T33.

**Table T33: Culberson County District and County Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$75,478	10%	\$7,548	\$1,811	\$9,359

### **CULBERSON COUNTY DISTRICT COURT**

Both the 205<sup>th</sup> and the 394<sup>th</sup> District Courts serve Culberson County; district judges sit in Brewster County and El Paso County, respectively. Costs include those for travel, bailiff, court reporter and court interpreter, as well as a small portion of judges' salaries. The general fund expenditure for district court was \$78,247, about 60 percent of which is for criminal work. With an undocumented immigrant impact of 10 percent, the total cost for judicial services is \$5,822, shown in the table below.

**Table T34: Culberson County District Court Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$46,948	10%	\$4,695	\$1,127	\$5,822

### **CULBERSON COUNTY ATTORNEY**

The county attorney estimates that 10 percent of his office's workload involved undocumented immigrants. The general fund expenditure was \$104,992, for a direct impact of \$10,500. Table T35 presents all costs.

**Table T35: Culberson County Attorney Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$104,992	10%	\$10,500	\$2,520	\$13,020

### **CULBERSON COUNTY JUSTICE OF THE PEACE AND CONSTABLE**

The justice of the peace courts are charged with the responsibility for all civil cases with less than \$5,000 in controversy and Class C misdemeanor cases with less than \$500 in controversy. Along Interstate-10, driving under the influence, driving while intoxicated, suspended licenses and uninsured motorists comprise the majority of charges. About 10 percent of the motorists charged under these violations are undocumented persons. The general fund budget for justice of the peace and constable amounted to \$244,453. Impact statistics are presented in table T36 below.

**Table T36: Culberson County Justice of the Peace and Constable Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$244,453	10%	\$24,445	\$5,867	\$30,312

### **CULBERSON COUNTY ADULT PROBATION**

West Texas Community Probation in El Paso County provides services to adult probationers in Culberson County. Records indicate that 8 percent of the county's caseload involves undocumented probationers, for a direct cost of \$120. Statistics are presented in the table below.

**Table T37: Culberson County Adult Probation Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$1,500	8%	\$120	\$29	\$149

### **CULBERSON COUNTY SUMMARY**

Though costs to Culberson County have dropped by two-thirds since 1999 (there were 1,400 apprehensions in 1999 compared to 385 in 2006), from \$610,104 to \$238,611, the cost is still more than 10 percent of the general fund, a sizeable chunk. Moreover, aggregate costs, assuming a steady decline over the years, would be about \$3.2 million. Culberson County by all measures is very poor, and even \$238,000 could be better spent on tangible assets for citizens. One county commissioner, when asked what the greatest needs of the county are, declared "Such a wish list I don't know where to begin."



## JEFF DAVIS COUNTY

Jeff Davis County is located in the high desert region of the Chihuahuan Desert. In the heart of the rugged Davis Mountains, the county covers 2,264 square miles, many of which are covered in pine. Tourism and services dominate the economy, and ranching continues. The Fort Davis National Historic Site is one of the best preserved 19<sup>th</sup> century frontier forts, which was the home of the Buffalo Soldiers. Davis Mountain State Park and the University of Texas McDonald Observatory also draw tourists.

The population of Jeff Davis County is 2,315, a growth of 4.9 percent since the 2000 census. The county seat, Fort Davis, is an unincorporated town with numerous bed and breakfast inns, restaurants and shops. Its population is just over 1,000. The sole incorporated jurisdiction and only other town in the county is Valentine, an agricultural community. Sixty-two percent of the county's population is white, and 37 percent are Hispanic or Latino. The median household income was \$33,755 and the per capita income was \$20,154 in 2003. The poverty level was 11 percent. The 2006 general fund budget was \$1,225,812.

### JEFF DAVIS COUNTY BORDER ENVIRONMENT

Although Jeff Davis, Hudspeth, and Presidio counties meet at the Rio Grande, Jeff Davis County does not share an international boundary with Mexico. The county's rugged mountain terrain provides a deterrent to undocumented crossings from Mexico. Most undocumented entrants arrive in Jeff Davis County through Presidio County along US-90 or Texas-17. The Southern Pacific Railroad angles through the western portion of the county to serve as another transportation mode for undocumented persons. Law enforcement officers indicate that crimes of drug smuggling and breaking and entering to steal food take place in the remote areas of the county. Undocumented entrants "steer clear of the populated places," explains a sheriff's deputy. He adds, "But what we really worry about are the drug cartels doing their reconnaissance in Jeff Davis County." There were no apprehensions in Jeff Davis County. The following table presents border statistics.

Table T38: Jeff Davis County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
2,315	2,264	0 miles	0	0	0

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Total costs to Jeff Davis County for providing law enforcement and criminal justice services to undocumented immigrants is \$37,277, or \$16.10 per resident. This figure includes a general government charge of \$9,249. A site visit was made in March 2007, and both elected and appointed officials were interviewed. The general fund budget apportions about 33 percent of total expenditures to internal service departments, the percentage used to determine general government costs. Table T39 arrays costs by departments.

Table T39: Jeff Davis Costs by Department

Total Cost: \$37,277

Per Capita: \$16.10

Sheriff	District/ County Clerk	County Attorney
\$31,719	\$2,145	\$3,413

## JEFF DAVIS COUNTY SHERIFF

The sheriff and two deputies cover Jeff Davis County, as well as provide police protection to the town of Valentine. The department's budget is \$158,990, and 15 percent of its workload involved undocumented entrants smuggling drugs or breaking into rural homes to steal food. The sheriff participates in the Southwest Border Sheriffs' Coalition and Texas' Operation Linebacker. Costs are presented in table T40.

**Table T40: Jeff Davis County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$158,990	15%	\$23,849	\$7,870	\$31,719

## JEFF DAVIS COUNTY DETENTION

Detainees of Jeff Davis County are held in the Presidio County Jail, for a general fund cost of \$25,000. No undocumented persons were detained in 2006.

## JEFF DAVIS COUNTY DISTRICT-COUNTY COURT CLERK

Undocumented cases impacted about 2 percent of the workload of this combined clerk's office, for a total cost of just over \$2,000. As one court official explained, "There aren't many undocumented persons in our court system; they are almost always turned over [to Border Patrol]." Table T41 shows the breakdown.

**Table T41: Jeff Davis District-County Court Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$80,646	2%	\$1,613	\$532	\$2,145

## JEFF DAVIS DISTRICT ATTORNEY

The 83<sup>rd</sup> Judicial District encompasses Jeff Davis County, as well as Brewster, Upton, Reagan and Pecos counties. Jeff Davis County contributed to the cost of the 83<sup>rd</sup> Judicial District Attorney's office based on its population size (\$5,000). In 2006 there were no undocumented immigrant cases handled by the office. One official explains, "We don't prosecute because they can't pay fines and it holds down the jail bill."

## JEFF DAVIS COUNTY DISTRICT COURT

The 394<sup>th</sup> District Court serves Jeff Davis County (as well as Brewster, Culberson and Hudspeth counties). District court headquarters is in Brewster County, so expenses cover travel, reporting and interpreting only. The budget for 2006 was \$21,325 and there was no undocumented immigrant impact on this court.

### JEFF DAVIS COUNTY ATTORNEY

The general fund expenditure was \$64,145 in 2006. The county attorney allocates about 4 percent of his workload to undocumented immigrant matters, for a total impact of \$3,413. Table T42 provides details.

Table T42: Jeff Davis County Attorney Impact

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$64,145	4%	\$2,566	\$847	\$3,413

### JEFF DAVIS COUNTY JUSTICE OF THE PEACE AND CONSTABLE

With a combined budget of \$106,489, there was no impact from undocumented immigrants.

### JEFF DAVIS ADULT AND JUVENILE PROBATION

Jeff Davis County does not provide adult probation, and of the \$4,000 expenditure for juvenile probation, none was incurred by undocumented juveniles.

### JEFF DAVIS COUNTY SUMMARY

Jeff Davis County does not experience significant costs due to processing criminal undocumented immigrants, but \$37,000 still carries a marginal impact to the \$1.2 million general fund. The hardest impact falls on the sheriff's department, whose budget is the lowest among the 24 border counties and whose three officers must cover 2,264 square miles and assist Border Patrol through Operation Linebacker. The cost of providing services to undocumented crossers has declined by \$1,900 from 1999. Nevertheless, it must be assumed that taxpayers have spent roughly \$305,000 over eight years.

## PRESIDIO COUNTY

Presidio County spans 3,855 square miles of the upper Rio Grande Valley. Some of the highest mountain peaks in Texas grace this county. Capote Falls, the highest waterfall in the state, is in the Sierra Vieja Mountains. Intermountain washes form natural drainage areas into the Rio Grande, and Big Bend Ranch, a state natural area, is in the southeastern portion of the county. Los Palms Wildlife Management Area is west of the town of Presidio on Texas-170, as well as Fort Leaton State Park. Farm-to-Market Road 170 runs parallel to the border from Candelaria to Big Bend National Park and crosses the historic El Camino del Rio, the trail used by Spanish explorers centuries ago.

The city of Marfa is the county seat and the second largest municipality, population 2,121. The city of Presidio, located in the southern portion of the county, has a population of 3,794. Laying at the confluence of the Rio Concho and Rio Grande, Presidio has the oldest continuously cultivated farmland in the United States. It forms the closest point of entry to the interior of Mexico. Its neighbor across the line, *Ojinaga*, the gateway to the state capitol of *Chihuahua* and the seaport of *Topolobampo*, offers shopping, social and cultural opportunities.

Agriculture and local government, along with service industry jobs, have provided most of the employment. Hydroponic tomatoes are grown in climate-controlled greenhouses between Marfa and Fort Davis; the fields cover the size of “four football fields” and the business is the largest employer in the county with 600 workers. Onions, cantaloupes and honeydew melons are the primary crops in the southern part of the county. Presidio County is also a major entry point for Mexican cattle. However, agriculture is not as dominant as it once was, as labor is in short supply. Workers have gravitated to the oil industry, with higher wages, and the economy is now shifting to import-export businesses. From 20 to 50 trucks a day cross the border, and by 2010 that number is projected to rise to 150. The railroads are “starting to come back,” too, because of the emerging import-export industry.

Presidio County’s population was 7,713 in 2006, down 5.6 percent since 2000. Residents comprise 83.8 percent Hispanic or Latino and 15.8 percent white. The median household income in 2003 was \$24,254 and the per capita income was \$14,465. Twenty-eight percent lives below the poverty level. The general fund budget for Presidio County in 2006 was \$2,054,212.

### PRESIDIO COUNTY’S BORDER ENVIRONMENT

The Border Patrol maintains a sector in Marfa. The border spans 175 miles and includes an international toll bridge at Presidio and several other small communities. Class “B” ports of entry at Redford, Ruidosa, Candelaria, and Ochoa have been closed, and the small businesses that proliferated in these communities have “dried up.” A few state and private roads lead east and northward from border points. Seasonal workers from Mexico enter Presidio County to work the fields each year, and there is a large resident alien population that received amnesty under the 1986 Immigration Reform and Control Act. Rail routes—South Orient and the Southern Pacific—provide gateways to both Presidio County and Mexico’s west coast. *Coyotes* frequently use empty box cars to ship larger groups of undocumented workers into the country. Mules carrying packs also transport narcotics across the line through Big Bend National Park and remote ranchland. Through the Presidio port of entry 1,759,687 persons crossed legally by train, bus and vehicle, or on foot. The Border Patrol apprehended 1,001 entrants in 2006. There were recently 23 drive-by shootings in *Ojinaga* (population 27,000) by drug smugglers. Table T43 presents border statistics for Presidio County.

Table T43: Presidio County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
7,713	3,855	175 miles	1	1,759,687	1,001

## COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The estimated cost for Presidio County during fiscal year 2006 is \$326,298, with a per capita impact of \$42.31. County officials were interviewed during a site visit in March 2007 and the budget was reviewed. Follow-up consisted of e-mails and phone calls. The budget suggests that costs for general government should be about 33 percent of direct costs. Table T44 presents these costs by department.

**Table T44: Presidio County Costs by Department**

**Total Cost: \$326,298**

**Per Capita Cost: \$42.30**

Sheriff	Detention	District Clerk	District Attorney	District Court	County Clerk	County Attorney	Indigent Defense	Justice of the Peace	Probation
\$232,789	\$4,718	\$15,631	\$206	\$10,165	\$12,624	\$14,877	\$4,988	\$19,969	\$10,334

### PRESIDIO COUNTY SHERIFF

The general fund expenditure for the sheriff's department was \$350,057. The impact on patrol, investigation and administration is estimated to be 50 percent. The majority of felonies and misdemeanors committed by undocumented persons occur in the city of Presidio. Driving while intoxicated and suspended licenses dominate the charges, and often substances are found during these traffic stops. When drugs are found, suspects are referred to the Border Patrol. Further, sheriff's deputies provide the Border Patrol with a lot of assistance. Table T45 presents sheriff data.

**Table T45: Presidio County Sheriff Department Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$350,057	50%	\$175,029	\$57,760	\$232,789

### PRESIDIO COUNTY DETENTION

The jail's capacity is for 112 inmates. Only 7 percent of the daily average population is detained on state felonies or multiple misdemeanors, and booking data indicate that about 3 percent of county prisoners are undocumented. The total budget for detention is \$1.7 million. The county-inmate portion is \$119,832. Direct costs for housing undocumented immigrants are \$3,595. Table T46 displays details.

**Table T46: Presidio County Detention Impact**

County Inmate Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$119,832	3%	\$3,595	\$1,186	\$4,718

### PRESIDIO COUNTY DISTRICT CLERK

District clerk had been combined with the county clerk's office. While they have one budget, they have recently been separated. The district clerk's office estimates that 12.5 percent of its workload involves undocumented immigrants, for a direct cost of \$11,753. Details are displayed in the table below.

**Table T47: Presidio County District Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$94,023	12.5%	\$11,753	\$3,878	\$15,631

## **PRESIDIO COUNTY DISTRICT ATTORNEY**

The district attorney's office reports that only a "small number" of undocumented immigrants comes through the court system, about 15 out of 300, for an impact of one-half percent. Those figures are presented in table T48.

**Table T48: Presidio County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$30,957	.5%	\$155	\$51	\$206

## **PRESIDIO COUNTY DISTRICT COURT**

The impact on the district court is consistent with that of the district clerk, 12.5 percent. The county's general fund expenditure for the court was \$61,147. The direct cost is nearly \$8,000, and with general government costs the total is \$10,165, as shown in table T49.

**Table T49: Presidio County District Court Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$61,147	12.5%	\$7,643	\$2,522	\$10,165

## **PRESIDIO COUNTY CLERK**

County clerk administrators estimate that undocumented immigrants had an impact of 10 percent on its workload, for a total cost of \$12,624. Details are found in the following table.

**Table T50: Presidio County County Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$94,923	10%	\$9,492	\$3,132	\$12,624

## **PRESIDIO COUNTY ATTORNEY**

The impact on the county attorney is also 10 percent, for a direct cost of \$11,186 out of a general fund budget of \$111,860. Most offenses are thefts and "minor drugs." Table T51 shows details of the impact. The impact on the county court at law is also 10 percent, but its budget amount is apportioned among several departments and not itemized.

**Table T51: Presidio County County Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$111,860	10%	\$11,186	\$3,691	\$14,877

## PRESIDIO COUNTY INDIGENT DEFENSE

Costs to defend undocumented immigrants consumed an estimated 12.5 percent of the \$30,000 budget. The direct cost is \$3,750, and an additional \$1,238 brings the total to \$4,988. The following table presents these findings.

**Table T52: Presidio County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$30,000	12.5%	\$3,750	\$1,238	\$4,988

## PRESIDIO COUNTY JUSTICE OF THE PEACE AND CONSTABLE

Presidio County has two justice of the peace precincts. The general fund expenditures for both courts amounted to \$150,140. Justices estimate that the impact to both courts is about 10 percent, for a direct cost of just over \$15,000. No impact was estimated for the constables. Table T53 shows the details.

**Table T53: Presidio County Justice of the Peace Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$150,140	10%	\$15,014	\$4,955	\$19,969

## PRESIDIO COUNTY ADULT PROBATION

Officers operating out of the Fort Stockton Community Supervision Program and based in Brewster County determined that 14 percent of its caseload in Presidio County involved undocumented adults. They did not provide services to undocumented juveniles. Presidio County's expenditure for adult probation was \$55,500 in 2006, and total costs of serving undocumented probationers are \$10,334, as shown in the table below.

**Table T54: Presidio County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$55,500	14%	\$7,770	\$2,564	\$10,334

## PRESIDIO COUNTY SUMMARY

In 2006 Presidio County taxpayers spent about \$300,000 on services for undocumented immigrants in the law enforcement and criminal justice areas. (The cost in 1999 was \$438,000.) As one official commented, however, the big impact would be registered in healthcare services delivered in the town of Presidio (a service cost that is beyond the scope of this study). Nevertheless, while population and these particular costs have declined since 2000 and 1999, respectively, there are substantial needs which this cost impact could address. A county commissioner enumerated the most important, including contributing to emergency medical services (the ambulance has "worn out"); purchasing new equipment for EMS; establishing a federally-qualified health clinic, which would cost \$1 million; funding indigent health care adequately; and helping the city of Presidio run its ambulance (\$1,000 for each run).

Since 1999, citizens have spent an estimated total of \$2.9 million to cover the costs of detaining and adjudicating undocumented persons.



## BREWSTER COUNTY

Brewster County is one of the largest in area in Texas. Mountains and deserts are encompassed in its 6,192 square miles, forming the northern edge of the Chihuahuan Desert. The towering Davis Mountains, the Chisos and Bofecillos Mountains, and Big Bend National Park fashion the county as “the Alps of Texas.” Government employment in state and local government and retail are the major economic sectors. The city of Alpine, population 5,786, is the largest population center of the county and the county seat. A state university and a regional hospital draw residents from surrounding counties, and recreational opportunities draw tourists from around the world.

U.S.-67 and U.S.-90 traverse the northern part of the county through the ranching community of Marathon, and Texas-118 extends south from Alpine through the Elephant Mountain Wildlife Management Area to the towns of Terlingua, home of a renowned chili cook-off, and Study Butte, a gateway to Big Bend. Texas-170 travels west from Texas-118 to the border, terminating in Lajitas.

Brewster County’s 2006 population was 9,048, an increase of 2.1 percent over 2000’s. The majority is white (53.8 percent), and 42.8 percent is Hispanic or Latino. The median household income in 2003 was \$29,201 and the per capita income was \$15,183. Persons living below the poverty level formed 17.5 percent. Brewster County’s 2006 general fund was \$3,158,792.

### BREWSTER COUNTY BORDER ENVIRONMENT

The international boundary spans 185 miles along Brewster County’s southern end. Most of it lies along Big Bend National Park and Black Gap Wildlife Management Area. The National Park Service manages 234 miles of the wild and scenic Rio Grande for recreational use, primarily float and canoe trips. One hundred ninety-one miles of the river form the park boundary with Mexico. This environment, with desert, heat and mountains, makes crossing into the United States foreboding. Brewster County residents freely cross into Mexico at Coyote, Castolon, Rio Grande Village and Lajitas for dinner and shopping. One county official reports that “If you want to go eat in Mexico, you just go.” Brewster County has a few border checkpoints, south of Marathon and near Rio Grande Village, but there is no port of entry. In 2006, the Border Patrol apprehended 367 entrants. There were no legal crossings and few people live across the border.

Narcotics interdictions involving backpackers take place in Big Bend as well as larger loads transported along state and park roads. Crimes committed by undocumented entrants in the county include auto theft, rural break-ins for food (they often wash the dishes and sometimes leave pesos behind), and drug possession. Brewster County border statistics are presented in table T55.

**Table T55: Brewster County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
9,048	6,192	185 miles	0	0	367

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The total cost to Brewster County for processing undocumented immigrants in 2006 is \$126,299, a 300 percent increase since 1999. The site visit was conducted in March 2007. Several elected and appointed officials were consulted, budgets were analyzed, and follow-up proceeded for several weeks through e-mail and telephone contact. The departments of county attorney, county clerk, county court at law, justice of the peace, constable, and detention were not measurably impacted by services for undocumented immigrants. An analysis of Brewster County’s general fund budget determined the charge for general government costs at 25 percent. Table T56 presents costs by department.

**Table T56: Brewster County Costs by Department**  
**Total Cost: \$126,299**  
**Per Capita Cost: \$13.96**

Sheriff	District Clerk	District Attorney	District Court	Indigent Defense
\$97,253	\$10,304	\$5,971	\$11,271	\$1,500

## **BREWSTER COUNTY SHERIFF**

The sheriff's department registered the largest increase in impact of any department since 1999, from 1 percent in 1999 to 15 percent in 2006. The general fund expenditure was \$518,682 and the total cost to the sheriff's department for patrol, investigation and administration divisions is \$97,253. Table T57 shows details. County detention is under the jurisdiction of the sheriff, but it did not house undocumented immigrants as county prisoners in 2006.

**Table T57: Brewster County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$518,682	15%	\$77,802	\$19,451	\$97,253

## **BREWSTER COUNTY DISTRICT CLERK**

The impact on the district clerk has increased along with the sheriff's, from 1 percent to 8 percent. General fund expenditures were \$103,041 in 2006, so the direct cost of processing undocumented immigrants is over \$8,000, as shown in table T58.

**Table T58: Brewster County District Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$103,041	8%	\$8,243	\$2,061	\$10,304

## **BREWSTER COUNTY DISTRICT ATTORNEY**

The district attorney for the 83<sup>rd</sup> Judicial District prosecutes state cases in a five-county region that includes Brewster County. The office estimates that the impact on prosecution is consistent with that of the district clerk, 8 percent. With a general fund expense of \$59,713, the direct cost of prosecuting undocumented persons is \$4,777. Table T59 shows total costs.

**Table T59: Brewster County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$59,713	8%	\$4,777	\$1,194	\$5,971

## BREWSTER COUNTY DISTRICT COURT

The 394<sup>th</sup> District Court, headquartered in Alpine, serves a four-county area that includes Brewster County. The district court's impact on workload, according to court staff, is also about 8 percent. With a general fund expenditure of \$112,709, the direct cost is \$9,017. Adding \$2,254 for general government costs brings the total to \$11,271. The table below depicts this impact.

**Table T60: Brewster County District Court Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$112,709	8%	\$9,017	\$2,254	\$11,271

## BREWSTER COUNTY INDIGENT DEFENSE

Defense attorneys were not available for interviews, but other departments estimated that the impact on caseload is “about the same” (8 percent) for undocumented clients. The cost to Brewster County for indigent defense was \$15,000 in 2006, and undocumented persons accounted for \$1,200. Total cost to defend undocumented persons is \$1,500, shown in the table below.

**Table T61: Brewster County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$15,000	8%	\$1,200	\$300	\$1,500

## BREWSTER COUNTY SUMMARY

Fewer departments were impacted by undocumented immigrants than in most counties, but the impact has risen considerably in the last seven years, for a total cost of over \$126,000. Patrol and investigation, including assisting other agencies, has registered the greatest demand on workload. Impacts fell on the county clerk, county attorney and county court at law because, as the county attorney explained, “We are always called by the U.S. Attorney’s Office in Alpine to ask if the county attorney will take a case, and we always decline, so the U.S. Attorney calls Border Patrol to deport the defendants.” However, the county clerk suspects some impact (“one or two out of 80”) and other departments admit to “one or two here and there,” but such impacts would be negligible. Ambulance services indeed see an impact, especially when mothers cross to deliver their “anchor babies” or undocumented immigrants get drunk, belligerent, or “doped up” and need medical care. Those impacts are not included in this study. Nevertheless, the estimated cost to Brewster County residents since 1999 is roughly \$678,400. Moreover, impacts are most certainly higher than officials are comfortable offering: It is very difficult in border counties, comments a county clerk, to prove illegal status when “everyone in the county has a post office box for an address and in many cases the only clue would be inability to speak English.”

## TERRELL COUNTY

Terrell County is the most sparsely-populated county along the Mexican border and one of the least populous in the state. With 2,358 square miles, the population density is only one person per 2.37 miles. The economy had been robust from the 1950s through the 1980s when sheep and goat ranching thrived on federal subsidies, but the federal government ended the wool and mohair subsidy in 1996 and “broke the backs of ranchers.” The Union Pacific Railroad then closed its facility in Sanderson, the county seat, and 55 families were forced to transfer to either Del Rio or El Paso. The county’s total population has declined as well, falling from 1,202 in 2000 to 983 in 2006. Sanderson (population 861) and Dryden are the only communities in the county, both unincorporated.

Local, state and federal governments provide most of the jobs. Population composition is 53.8 percent white and 42.8 percent Hispanic or Latino. The median household income in 2003 was \$29,201 and the per capita income was just over \$15,000. Seventeen and one-half percent lives below the poverty level. The 2006 Terrell County general fund was \$2,533,353.

### TERRELL COUNTY’S BORDER ENVIRONMENT

Terrell County shares 60 miles of border with Mexico. The semi-mountainous terrain is harsh and forbidding. All the land along the Rio Grande is privately owned and most of it is inaccessible from Mexico because of the steep escarpments along deep river canyons. There are only two spots along the river where crossing is possible. Border Patrol has a small station in Rodriguez but it made no apprehensions in 2006. There is no port of entry or population south of the border. Terrell County’s border statistics are presented in table T62.

Table T62: Terrell County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
983	2,358	60 Miles	0	0	0

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Terrell County has a fiscal impact of \$123,412. Many sheriffs in other border counties described Terrell County as a major drug smuggling route, and interviews with the sheriff, jail administrator and county judge confirm that. In 1999, Terrell County registered no fiscal impact at all; since then, the county has become a popular pathway for narcotics en route to markets across the country. As one official described, “Narcotics are ‘coyotied’ through our county.” While a site visit was not made, interviews were conducted by telephone in March 2007. The budget suggests that 25 percent should be added to direct costs to cover services from internal departments. Impacts on sheriff and detention are presented in table T63.

Table T63: Terrell County Costs by Department

Total Cost: \$123,412

Per Capita Cost: \$125.55

Sheriff	Detention
\$66,513	\$56,899

## TERRELL COUNTY SHERIFF

The general fund budget for sheriff was \$266,052. Impact to patrol, investigation and administration was estimated to be 20 percent, for a direct cost of \$53,210. Sheriff's deputies also spend about 16 hours per week assisting Border Patrol. The cost for general government brings the total to \$66,513, as shown in the following table.

**Table T64: Terrell County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$266,052	20%	\$53,210	\$13,303	\$66,513

## TERRELL COUNTY DETENTION

The seven-bed jail's average daily population is one inmate. In 2006 four undocumented entrants spent 31 days each in detention, comprising about 34 percent of the total jail population. The general fund expenditure of \$133,879 includes costs for medical, meals and dispatch. Detention statistics are arrayed in table T65.

**Table T65: Terrell County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$133,879	34%	\$45,519	\$11,380	\$56,899

## TERRELL COUNTY SUMMARY

Since no impact was registered in 1999, it is difficult to estimate the costs to Terrell County citizens of providing services to undocumented immigrants over the last seven years. It appears, however, that the county has become an important route through which to smuggle narcotics to other major destination points. Undocumented immigrants do not enter and then remain in the county, for it does not provide employment opportunities. It may be assumed that both the sheriff and the jail have incurred some impact in the last few years and that it has cost the county more—perhaps \$500,000—than the single year snapshot of \$123,400 for 2006.

## VAL VERDE COUNTY

Val Verde County, in the Middle Rio Grande region, encompasses 3,233 square miles. The Rio Grande forms the southwestern border, and steep escarpments rise from the river banks on both sides of the international boundary. Lake Amistad was created in 1969 at the confluence of the Rio Grande, Pecos and Devils rivers. The international reservoir and recreation area covers nearly 58,000 acres and draws users from both sides of the border. U.S.-90 runs parallel to the Rio Grande, connecting Del Rio, the county seat, to Van Horn and El Paso to the northwest and San Antonio to the east. U.S.-277 is the primary north-south route, connecting to Interstate-10. The Southern Pacific Railroad parallels U.S.-90, providing rail transit for twin plant products from *Ciudad Acuna*, Del Rio's sister city in Mexico. *Ciudad Acuna* links Del Rio to *Monterrey*, Mexico with direct highway access.

Trade, government and tourism anchor the county's economy, with Laughlin Air Force Base and winter snowbird visitors making their homes there. *Ciudad Acuna*, across the line in the state of *Coahuila*, hosts 57 twin plants that employ 31,000. Smaller communities in Val Verde County include Comstock, Langtry (home of Judge Roy Bean), Loma Alta, Pandale, and Juno.

The population of Val Verde County in 2006 was 48,145, an increase of 7.3 percent since 2000. Del Rio's population is 36,020, 76 percent of the total county population. The median household income was \$31,202, and the per capita income was \$18,894. In 2004, 22 percent were living in poverty. The percent of the population claiming Hispanic or Latino descent is 78.3. Val Verde County's general fund budget for 2006 was \$23,982,724.

### VAL VERDE COUNTY'S BORDER ENVIRONMENT

Val Verde County shares about 125 miles of international border with Mexico. The forbidding terrain characterized by towering, rocky escarpments along the Rio Grande forms the majority of the boundary. These geographic obstacles are an imposing deterrent to undocumented entry into the United States. South of the Amistad Dam, the Rio Grande's rich alluvial flood plains provide a broad, flat plain where most of the undocumented entries occur. Snowbirds who make that area their home and who do not understand the border environment experience considerable tension when entrants come through, as recounted by a law enforcement officer:

This isn't a problem with people who've lived here all their lives. These people move in from out of state, retirees. They buy land close to the river because it's beautiful. Locals won't build there. They get broken into four, five, six times, the seventh time they shoot them. It's just their frustration from all the prior break ins.

Border Patrol enforcement in this region includes motion detectors located in the ground in waves spaced 100 feet apart. Remote observation can detect not only border penetration, but also the rate at which the successive line sensors are tripped can indicate whether it is an animal or a human, traveling alone or in groups.

Lake Amistad presents additional boundary enforcement challenges. Speedboats patrol the coves, and planes conduct surveillance. River drownings are another problem for law enforcement and the county. Border Patrol has positioned lifeguard stations stocked with water rescue equipment along the river as has been done in other river counties, but with the emergence of immigrant violence, it has become dangerous to attempt water rescues.

There are also costly incidents involving ranch hands. For example, six undocumented entrants accosted a ranch hand in 2006. Another entrant had been left behind by his smuggler and had gotten sick and died. The investigative costs for one set of remains "is enormous," reports a sheriff's administrator. Deputies spent two days in the bush and "worked it" as a murder. Added to that are the costs of the medical examiner. In another incident deputies found four bodies in the river, and spent time recovering them. An additional cost to the county general fund was \$1,000 for a "straight" autopsy, and then the county had to do a DNA analysis to identify the body. Yet the biggest drain on the budget has been conducting mental health and retardation tests on detained undocumented immigrants and then transporting them to hospitals, which require two deputies, one vehicle and eight hours of driving. In the process, the sheriff's department has lost two vehicles to collisions with deer on the highway.

According to county officials, even though “Operation Streamline” reduced undocumented crossings at Laredo and McAllen, drug trafficking organizations still exist as very complex entities. A principal cause of the drug trafficking increase in Val Verde County is the fact that the federal government won’t prosecute juveniles, so when they get caught, “they walk.” Now, “legal kids” are getting caught up in the drug trade. Drugs are known to come across the Rio Grande in Terrell County and cross the mountains into Val Verde County by backpack. Both Terrell County and Zavala County are “overrun.” Reports one law enforcement official, drug dealers can even get an effective sheriff in Terrell County ousted in his reelection bid by influencing “only 24 votes.” Further, legal aliens presently residing (LAPR) in Val Verde County also become involved.

There are two ports of entry in the county. Legal crossings by bus, vehicle and on foot totaled nearly eight million in 2005, and the Border Patrol apprehended another 4,546 entering without documentation. Table T66 presents Val Verde County statistics.

**Table T66: Val Verde County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
48,145	3,233	125 miles	2	7,989,980	4,546

## **COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES**

The total estimated costs to Val Verde County of providing services to criminal undocumented immigrants in 2006 are \$1,503,248. This includes a charge for general government services of 25 percent. A site visit was conducted in April 2007 and several key officials, both elected and appointed, were interviewed. Follow-up research included e-mails, telephone calls and faxes. Fiscal cost analyses were conducted on the departments of sheriff, detention, district and county clerk, district attorney, district court, county attorney, county court at law, indigent defense, justice of the peace and constables, adult probation and juvenile court services. A review of the budget indicates that about 25 percent of expenditures are allocated to internal service departments, commissioners’ court and county administration. Table T67 arrays findings by department and the discussion that follows examines each department.

**Table T67: Val Verde County Costs by Department**

**Total Cost: \$1,503,248**

**Per Capita Cost: \$31.22**

Sheriff	Detention	Clerks	District Attorney	District Court	County Attorney	County Court at Law	Justice of the Peace and Constable	Adult Probation	Juvenile Center
\$1,193,736	\$232,000	\$8,495	\$8,165	\$8,397	\$12,469	\$6,295	\$24,391	\$1,425	\$7,875

## **VAL VERDE COUNTY SHERIFF**

The sheriff’s department estimates that half of its total workload involves undocumented persons. Patrol duties are “heavy” in the “hot areas,” where there are numerous burglaries. One deputy states, “We’re in the ‘keeping our people safe’ business.” Recently one entrant trashed a rancher’s fence. Even though the district attorney will not prosecute federal border crimes, sheriff deputies still write up the cases and so “it’s no less on us.” The sheriff’s budget was \$1,909,978 and the direct cost of enforcing the law with entrants is \$954,989. An additional \$238,747 for general government brings the total impact to the sheriff’s department to \$1,193,736, as shown in table T68.

**Table T68: Val Verde County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,909,978	50%	\$954,989	\$238,747	\$1,193,736



## VAL VERDE COUNTY DETENTION

The budget for the county jail, operated by the sheriff, was \$800,000 for county prisoners. (The average daily inmate population is 888, and about 50 of those are county prisoners.) Jail records indicate that 56 undocumented inmates spent 4,229 “inmate days” in the jail, for an impact of 23.2 percent on county prisoner expenses. Total cost to detention is estimated to be \$232,000. Table T69 displays details.

**Table T69: Val Verde County Detention Impact**

County Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$800,000	23.2%	\$185,600	\$46,400	\$232,000

## VAL VERDE COUNTY DISTRICT AND COUNTY CLERK

Domestic and juvenile cases as well as felonies go through the district clerk’s office. A representative of the county clerk’s office indicates that the undocumented immigrants impact is “...not high in numbers [about 2 percent] but extremely important to us because we want to preserve their rights; they don’t speak English. A juvenile will already have a public defender and a Mexican liaison will be present for magistration.” The following table presents the fiscal impact to district and county clerk.

**Table T70: Val Verde District and County Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$339,794	2%	\$6,796	\$1,699	\$8,495

## VAL VERDE COUNTY DISTRICT ATTORNEY

District attorney’s officials, who represent Kinney, Edwards and Terrell counties as well, would not “venture a guess,” but the assumption is made that the caseload impact mirrors that of district and county clerk, 2 percent, or \$8,165 in total costs. Details follow in table T71.

**Table T71: Val Verde District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$326,624	2%	\$6,532	\$1,633	\$8,165

## VAL VERDE COUNTY DISTRICT COURT

The general fund budget for the two district courts in Val Verde County totaled \$335,887. It is assumed that the impact to district court also mirrors that of the district and county clerk, 2 percent. The direct cost on the district court is \$6,718. Table T72 presents total costs.

**Table T72: Val Verde County District Court Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$335,887	2%	\$6,718	\$1,679	\$8,397

## VAL VERDE COUNTY ATTORNEY

The budget for county attorney was \$332,490. County attorney officials estimate that the impact on workload of processing undocumented persons was about 3 percent, for a direct cost of \$9,975. Details are presented in the following table.

**Table T73: Val Verde County County Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$332,490	3%	\$9,975	\$2,494	\$12,469

## VAL VERDE COUNTY COURT AT LAW

With a budget of \$251,789, one county court judge estimated that the impact on the courts was 2 percent, especially in administrative costs and seeking assistance from the Mexican consulate. Some cases fall under assault and violence, and driving while intoxicated is a misdemeanor. Table T74 presents statistics.

**Table T74: Val Verde County Court at Law Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$251,789	2%	\$5,036	\$1,259	\$6,295

## VAL VERDE COUNTY INDIGENT DEFENSE

The budget for indigent defense “went sky-high in 2005,” but defense lawyers did not provide an estimate of impact on the \$350,000 budget.

## VAL VERDE JUSTICE OF THE PEACE AND CONSTABLE

The combined budgets for the four precincts of justice of the peace (\$501,296) and constable (\$149,136) totaled \$650,432. Their estimated impact of 3 percent comes to a direct cost of \$19,513 and a total cost of \$24,391, as shown in the table below.

**Table T75: Val Verde County Justice of the Peace and Constable Impact**

Budgets	Impact	Direct Cost	Gen Gov	Total Cost
\$650,432	3%	\$19,513	\$4,878	\$24,391

## VAL VERDE COUNTY ADULT PROBATION

The budget for adult probation in 2006 was \$57,000. The assumption is made that its impact is consistent with those of clerks, courts, and attorneys, 2 percent. Table T76 shows that impact.

**Table T76: Val Verde County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$57,000	2%	\$1,140	\$285	\$1,425

## VAL VERDE COUNTY JUVENILE CENTER

Juvenile felonies in the county court at law—“some 3 percent”—are all domestic matters. When undocumented juveniles are “magistrated,” they get help from a Mexican officer funded by a state program. Table T77 below presents costs.

**Table T77: Val Verde County Juvenile Center Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$210,000	3%	\$6,300	\$1,575	\$7,875

## VAL VERDE COUNTY SUMMARY

Val Verde County’s costs have increased by \$23,000 over those of 1999 (\$1,480,312). Assuming that the levels of service have held steady, the cumulative costs since 1999 total about \$13.4 million. At roughly \$255 per resident, the impact on citizens is staggering. The opportunity costs of these funds, according to the governing body’s office, include more healthcare services, better highways and county roads, more programs for child abuse, women’s shelters and child care, and more financing for the Citizen Emergency Fund (e.g., light bills, medications).

## MAVERICK COUNTY

Maverick County, in the Middle Rio Grande Valley, covers 1,280 miles. The city of Eagle Pass is the county seat, and south of Eagle Pass, the Kickapoo Indian Tribe operates the only casino in Texas. The 2006 population is 52,298, an increase of 10.6 percent over 2000's. The median household income in 2004 was \$24,786 and the per capita income was \$12,774. Twenty-eight percent of the population lives below the poverty level and 95.3 percent of the population is Hispanic or Latino. The county's general fund in 2006 was \$10,518,565.

### MAVERICK COUNTY'S BORDER ENVIRONMENT

Maverick County shares 63 miles of border with Mexico. The county's single port of entry, at Eagle Pass, is a busy trade route through which passes 5 percent of the total U.S.-Mexico trade. Goods are transported on U.S.-277 to Del Rio and then north to Interstate-10. U.S.-57 also provides an eastern route to Interstate-35 through Laredo and north to San Antonio. The Union Pacific Railroad offers northern transit of goods from the twin plants to U.S. destinations. These transportation routes inadvertently provide undocumented entrants with passage to the interior of the United States.

The location of Eagle Pass's sister city, *Piedras Negras*, population 146,000, supports the retail and commercial sectors of the county's economy. The city of *Acuna*, along with *Piedras Negras*, form the heart of Maverick County's Mexico tourism, drawing visitors from afar to shop for silver jewelry, leather and woven goods and pottery across the line. Bullfights, restaurants and discos also draw visitors to and through Maverick County.

There were 9,267,029 legal crossings (by train, bus, vehicle and pedestrian) in 2005 and almost 17,000 apprehensions. Ninety percent of migrants in the county jail are OTMs, or "other than Mexicans." Border Patrol agents arrest between 100 and 200 every night. Mostly from Central America and Brazil, OTMs have swamped the Eagle Pass area because they are usually detained or let out on bail pending an appearance before an immigration court rather than quickly deported as Mexicans are. "Word is out that we are unable to detain the other than Mexican crossers, and they are exploiting a bottle-neck in the system," announces a Border Patrol spokesman.<sup>1</sup> An immigration summons, dubbed "the diploma" by local officials, allows OTMs to travel in the United States legally. Immigrant crimes in Maverick County tend to be residential and vehicle burglaries in subdivisions near the Rio Grande; criminal mischief crimes, such as drunkenness and damaging ranch fences, are major. Ranchers, for example, invest hundreds of thousands of dollars in high fencing, only to see them cut down by crossers. This behavior creates an ongoing and very expensive cost that ranchers have to bear, including hiring more workers just to make rounds to check for fence damage.

Law enforcement officials describe a different type of undocumented entrant now. In 1999, for example, the typical entrant would be looking for work in the county, carrying a little bag of canned food, water, crackers, a can opener and toiletries. Now, "wearing Nike shoes, designer clothes, sporting tattoos, and no bag of personal effects," they come from *Piedras Negras* to commit crimes. One of the reasons is that there are few economic opportunities along the border, in spite of the twin plants; this type of border crosser does not have enough education to be hired. Some of the younger crossers will accept \$500 to bring over 500 pounds of marijuana, just to pay their college tuition in Mexico. Maverick County's border statistics are found below.

Table T78: Maverick County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
52,298	1,280	63	1	9,267,029	16,918

## COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The costs to Maverick County of processing undocumented immigrants through the law enforcement and criminal justice system amount to \$958,894 for fiscal year 2006. The cost per person is \$18.34. A site visit was conducted in April 2007. Both elected and appointed officials were interviewed and the budget was analyzed to determine departmental expenditures and the percentage charge for general government services utilized by these departments (25 percent). Follow-up e-mails and telephone calls completed the data collection. Costs by department are presented in table T79.

**Table T79: Maverick County Costs by Department**

**Total Cost: \$958,894**

**Per Capita Cost: \$18.34**

Sheriff	Detention	District Clerk	District Attorney	District Court	County Clerk	County Attorney	Juvenile Probation	Justice of Peace/ Constable
\$597,500	\$53,968	\$75,449	\$61,266	\$94,335	\$13,778	\$15,675	\$9,375	\$37,548

### MAVERICK COUNTY SHERIFF

The general fund expenditure for the sheriff—patrol, investigation and administration—was \$2.1 million in 2006. Sheriff's administrators estimate that between 20 percent and 25 percent (22.5 percent) of their workload concerns undocumented immigrants, both arresting and investigating crimes mentioned in the section above, and assisting other agencies, such as Operation Linebacker and Operation Rio Grande. Costs to the sheriff are presented in table T80.

**Table T80: Maverick County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,124,433	22.5%	\$478,000	\$119,500	\$597,500

### MAVERICK COUNTY DETENTION

The Maverick County jail has a capacity for 236 inmates. Most of those (165) are federal prisoners for which the jail is compensated. About 70 are in for county and state charges. About 2 percent of total inmates (or 6.7 percent of county inmates) are without documents, for a direct cost of \$43,174. The additional cost for general government (\$10,794) brings the total to \$53,968, as depicted in table T81.

**Table T81: Maverick County Detention Impact**

County Inmate Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$644,395	6.7%	\$43,174	\$10,794	\$53,968

### MAVERICK COUNTY DISTRICT CLERK

The budget for district clerk was just over \$300,000. Clerk officials estimate that the impact of the clerk's workload is consistent with that of the district attorney, or 20 percent. Details are presented in table T82 below.

**Table T82: Maverick County District Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$301,794	20%	\$60,359	\$15,090	\$75,449

## MAVERICK COUNTY DISTRICT ATTORNEY

Investigators in the district attorney's office estimate that 20 percent of its workload involves undocumented immigrants. Because the federal government won't prosecute smugglers caught with loads less than 500 pounds, the county's costs have risen; the county's district attorney will prosecute (as will the El Paso County district attorney). Bemoans one investigator, "Payments are way behind in Southwest Border Prosecution Initiative funds." Driving up costs further, if a warrant for arrest is issued in Maverick County but the accused is in another state, then the county must go through the process of extradition. These usually involve drug crimes of between 50 pounds and 100 pounds or "aliens who have crossed and then picked up loads or autos here." The district attorney's budget of \$245,066 was impacted by \$61,266, shown in the following table.

**Table T83: Maverick County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$245,066	20%	\$49,013	\$12,253	\$61,266

## MAVERICK COUNTY DISTRICT COURT

District attorney's investigators also estimate an impact on the court of 20 percent. For a budget of \$377,340, the total cost is \$94,335 as shown in table T84.

**Table T84: Maverick County District Court Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$377,340	20%	\$75,468	\$18,867	\$94,335

## MAVERICK COUNTY CLERK AND COUNTY ATTORNEY

Officials in both the county attorney and county clerk's offices estimate that about 5 percent of their workloads involve undocumented persons. Maverick County does not operate a county court at law. Statistics on the impact to the county attorney's and county clerk's offices are noted in the following table.

**Table T85: Maverick County Clerk and Attorney Impact**

Office	Budget	Impact	Direct Cost	Gen Gov	Total Cost
County Clerk	\$220,442	5%	\$11,022	\$2,756	\$13,778
County Attorney	\$250,797	5%	\$12,540	\$3,135	\$15,675
Total	\$471,239		\$23,562	\$5,891	\$29,453

## MAVERICK COUNTY INDIGENT DEFENSE

Indigent defense attorneys did not provide an estimate of undocumented immigrants on caseload. The budget was \$18,000.

## MAVERICK COUNTY JUSTICE OF THE PEACE AND CONSTABLE

The county attorney's office estimates that the same impact on its office, 5 percent, would apply to the justice of the peace courts and the constables, for a combined cost of \$37,548. The following table presents costs by department.

**Table T86: Maverick County Justice of the Peace and Constable Impact**

Department	Budget	Impact	Direct Cost	Gen Gov	Total Cost
Justice of the Peace	\$439,753	5%	\$21,988	\$5,497	\$27,485
Constable	\$161,002	5%	\$8,050	\$2,013	\$10,063
<b>Total</b>	<b>\$600,755</b>		<b>\$30,038</b>	<b>\$7,510</b>	<b>\$37,548</b>

## MAVERICK COUNTY JUVENILE PROBATION

The impact of undocumented juveniles on probation is about 5 percent, according to an official. Work effort involves some administrative work, detention if they have priors, and pre-sentence investigations and follow-up. Border Patrol then typically picks up and deports juveniles. The Mexican consulate is also notified of any action. Maverick County does not provide any program for undocumented juvenile offenders. Information was not provided on the impact to adult probation. The total cost for juvenile services came to \$9,375. Table T87 presents these findings.

**Table T87: Maverick County Juvenile Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$150,000	5%	\$7,500	\$1,875	\$9,375

## MAVERICK COUNTY SUMMARY

Total costs to Maverick County of providing services to undocumented immigrants for law enforcement and criminal justice services come to \$1 million. This is 10 percent of the county's general fund. Maverick County did not provide data for its impact in 1999, so 2006 is the first year for which an impact has been determined. It may be assumed, however, that Maverick County has been financing services for undocumented immigrants for the past eight years and that the cumulative costs would be well over \$2 million or \$3 million at a minimum.

One governing board member claims, "The federal government gives us the biggest headache." For example, Maverick County only receives \$54 a day in jail per diem for federal prisoners. "We depend on federal money, but when the feds start playing games, it is so damaging," he concludes. Indeed, Maverick County suffers from a budget deficit. The county eliminated 40 positions out of 350, all funded through Department of Justice grants for security and law enforcement, and the county has not been able to restore staffing to the previous level.

The biggest challenge is that more residents live in the unincorporated portions of the county, thus needing services that Maverick County has not had to provide in the past, such as planning, zoning, and parks and recreation—urban services that improve the quality of life in a community. According to the county commissioner, service demands will get worse; population growth is predicted to grow by 20 percent between 2000 and 2010.

## KINNEY COUNTY

Kinney County has a landmass of 1,364 square miles. Located in the Middle Rio Grande Valley, Kinney County has two state highways, 90 and 131, along with farm roads and the Southern Pacific Railroad. The Edwards Plateau and the plains along the Rio Grande define the southwestern region of the county. The northern section runs along the Balcones Escarpment, and the Anacacho Mountain dominates the southeastern region. The county's primary industry is sheep and goat ranching. The town of Brackettville is the largest with a population of 1,830 and serves as the county seat. Fort Clark Springs, just outside of Brackettville, and Spofford are the two other communities.

The 2006 population was 3,341, a drop of 1.1 percent since 2000. The population is divided almost evenly between white and Hispanic. The 2004 median household income was \$31,335, the per capita income was \$19,418; nearly 19 percent lives in poverty. The Kinney County general fund in 2006 was \$2,743,032.

### KINNEY COUNTY'S BORDER ENVIRONMENT

Fifty-four miles of the county borders Mexico. The county does not have a port of entry. The only municipality across the line is *Jiminez*, with a 2000 population of less than 1,000. There are, however, some problems with undocumented immigration. State highway 131 connects Brackettville with the international crossing at Eagle Pass in neighboring Maverick County. International trade passes through Brackettville to the west via U.S.-90, which eventually links to Interstate-10 through Del Rio and San Antonio. Additional commercial traffic uses U.S.-277, which connects Eagle Pass and Del Rio, running parallel to the Rio Grande in the southwest portion of the county. Drug and human smugglers use these routes, too. (The sheriff's evidence locker is full of dope.) Kinney County has two heavy dope roads, one 12 miles east of Brackettville and the other toward Rock Springs. Many of the burglaries that occur in the county are "harassment burglaries," stealing items such as tennis shoes, blankets, food and utensils. There were no apprehensions in 2006. Kinney County border statistics are found in table T88.

Table T88: Kinney County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
3,341	1,364	54 miles	0	0	0

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

The total cost to Kinney County of providing services to undocumented immigrants is \$191,074, including indirect costs. A site visit was conducted in April 2007 when both elected and appointed officials were interviewed and the general fund budget was reviewed. Budget allocations suggest that 25 percent for general government services is appropriate. Table T89 presents total costs by department.

Table T89: Kinney County Costs by Department

Total Cost: \$191,074

Per Capita Cost: \$57.19

Sheriff	Detention	District and County Clerk	District Attorney	District Court	Indigent Defense	Justice of the Peace/Constable
\$114,416	\$31,316	\$18,014	\$3,549	\$11,194	\$2,900	\$9,695



## KINNEY COUNTY SHERIFF

The general fund budget for sheriff was \$366,100. Patrol, investigation, administration and assisting other agencies to handle undocumented immigrant matters require about 25 percent of workload, for a direct cost of \$91,525. The addition of \$22,881 in general government services brings the total to \$114,406. The table below presents these statistics.

**Table T90: Kinney County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$366,100	25%	\$91,525	\$22,881	\$114,406

## KINNEY COUNTY DETENTION

The Kinney County jail holds an average of 28 inmates a day. One-third of inmates are “county prisoners,” and one-quarter of those are undocumented. (The three undocumented immigrants in jail during the April site visit had been arrested on dope and burglary charges.) Kinney County does not apply for SCAAP; a deputy explained that “[Applying] wasn’t worth the paperwork because we receive 40 cents on the dollar.” The total jail budget was over \$300,000; the “county prisoner” share was \$100,213. Total costs for detaining undocumented immigrants are estimated to be \$31,316, as shown in the following table.

**Table T91: Kinney County Detention Impact**

County Inmate Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$100,213	25%	\$25,053	\$6,263	\$31,316

## KINNEY COUNTY DISTRICT AND COUNTY CLERK

District and county clerk officials estimate that about 15 percent of their workloads involve undocumented immigrants who break into ranches to steal food and minor items or who are caught with narcotics. The general fund budget was \$96,070 and the direct cost was \$14,411. Full costs are presented in table T92.

**Table T92: Kinney County District and County Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$96,070	15%	\$14,411	\$3,603	\$18,014

## KINNEY COUNTY DISTRICT ATTORNEY

The general fund budget for district attorney was \$18,929. While the district attorney was not interviewed, other justice system officials estimate that its workload impact is also 15 percent, for a direct impact of \$2,839, as shown below in table T93.

**Table T93: Kinney County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$18,929	15%	\$2,839	\$710	\$3,549

## KINNEY COUNTY DISTRICT COURT

An impact of 15 percent was estimated for the district court as well. The direct cost to the general fund of \$59,702 was \$8,955. Details are included in Table T94.

**Table T94: Kinney County District Court Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$59,702	15%	\$8,955	\$2,239	\$11,194

## KINNEY COUNTY INDIGENT DEFENSE

Court personnel also estimated that the impact on the indigent defense budget was consistent with that of the other departments—15 percent—for a total cost of \$2,900. Table T95 presents full costs.

**Table T95: Kinney County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$15,469	15%	\$2,320	\$580	\$2,900

## KINNEY COUNTY JUSTICE OF THE PEACE AND CONSTABLE

For the justice of the peace, undocumented immigrants are receiving “more and more” traffic tickets than in years past. They are issued about 12 tickets a month out of 300 for an impact of 4.5 percent on workload. The constable is impacted similarly. The direct cost for each department is \$5,855 and \$1,901, respectively. Table T96 presents statistics for both departments.

**Table T96: Kinney County Justice of the Peace and Constable Impact**

Department	Budget	Impact	Direct Cost	Gen Gov	Total Cost
Justice of the Peace	\$130,115	4.5%	\$5,855	\$1,464	\$7,319
Constable	\$42,240	4.5%	\$1,901	\$475	\$2,376
Total	\$172,355		\$7,756	\$1,939	\$9,695

## KINNEY COUNTY SUMMARY

Although the departments of county attorney and adult and juvenile probation were not impacted by undocumented immigrants, the total cost to Kinney County was nevertheless far greater than it was in 1999, increasing from \$16,000 to nearly \$200,000 (1,200 percent). Holding service levels steady, it is estimated that residents of Kinney County have spent over \$900,000 to fund undocumented immigrant services since 1999.

## WEBB COUNTY

Webb County is situated in the Middle Rio Grande Valley, one of the largest counties in Texas with 3,356 square miles. The city of Laredo is the county seat and one of the principal inland ports in the United States. Laredo uniquely shares a border with two Mexican states, *Tamaulipas* at *Nuevo Leon* and *Nuevo Leon* at *Columbia*. Interstate-35, a major NAFTA transportation corridor, connects Laredo with San Antonio, Austin and the Dallas-Fort Worth metroplex. U.S.-59, which cuts diagonally through the county from Laredo, provides connectivity with the port city of Corpus Christi. Other smaller municipalities in Webb County include El Cenizo, Rio Bravo, Bruni, Mirando City, and Oilton. Wholesale and retail trade and government generate the majority of jobs.

Webb County's population reached 231,470 in 2006, an increase of 19.9 percent since 2000. All but 6,600 live in municipalities, with 93 percent in the city of Laredo (208,754). Ninety-five percent of the county's population is Hispanic. The median household income in 2004 was \$29,433, the per capita income was \$17,060 and nearly 27 percent live in poverty. Webb County's general fund budget in 2006 was \$58,064,651.

### WEBB COUNTY'S BORDER ENVIRONMENT

Webb County shares 75 miles of border with Mexico. Much of the traffic and economy of the city of Laredo are based on the trucking industry. Trade is made possible by three modes of transportation: truck, air, and railroad. The Union Pacific Railroad and the Tex-Mex Railroad make rail transportation accessible. As noted above, Laredo is the only city along the border that hosts international bridges with two Mexican states. They are the International Bridge, Juarez-Lincoln, Solidarity/Laredo/Columbia Bridge, and Gateway to the Americas Bridge. Twin plants in *Nuevo Leon* and *Columbia* provide jobs for citizens on both sides of the border.

Legal crossings by bus, vehicle and on foot totaled over 19 million in 2005. The Border Patrol apprehended 5,420. Law enforcement officials report that the border area is more volatile and dangerous than it was in 1999. There is more human and "narco" trafficking, involving many more groups, and operations are much more sophisticated (e.g., GPS and satellite cell phones). There is also the "hiker," one who travels alone. Moreover, many border crossers are "not nice anymore," describes one official. Others are clean cut, fit, and wear cargo pants. Smuggling small loads of drugs across the line is "the easy way out" for both types of youth: nice kids seeking money for college tuition in Mexico and high school drop outs. Table T97 presents border statistics for Webb County.

Table T97: Webb County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
231,470	3,356	75 miles	4	19,200,044	5,420

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Total estimated costs to Webb County for providing services to criminal undocumented immigrants in 2006 are \$5,170,328. A site visit took place in April 2007 and interviews were conducted with several elected officials and department heads. The general fund budget was also reviewed. Follow up e-mail queries and telephone conversations concluded the data collection. Twenty percent of the total cost is attributable to a charge for general government services for affected departments. Table T98 arrays costs by department as well as total and per capita costs.

**Table T98: Webb County Costs by Department**  
**Total Costs: \$5,170,328**  
**Per Capita Cost: \$22.34**

Sheriff	Detention	Dis- trict Clerk	Dis- trict Attor- ney	District Court	Coun- ty Clerk	County Attor- ney	County Court at Law	Justice of the Peace	Indi- gent Defense	Adult Proba- tion	Juvenile Court
\$1,748,597	\$844,408	\$2,675	\$37,691	\$14,738	\$596	\$7,342	\$2,566	\$349,012	\$27,600	\$323,341	\$1,811,762

## WEBB COUNTY SHERIFF

General fund expenditures to run the sheriff's department were \$4,847,213 in 2006. Costs include running a substation in Mirando for the residents of Mirando, Oilton and Bruni in southeastern Webb County. The impact on patrol, investigation and administration of undocumented immigrants was estimated to be 30 percent over the course of the year. A direct cost of \$1,457,164 and an indirect cost of \$291,433 bring the total cost to \$1,748,597, as displayed in the table below.

**Table T99: Webb County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$4,847,213	30%	\$1,457,164	\$291,433	\$1,748,597

## WEBB COUNTY DETENTION

The total jail budget was \$11,038,007. The Webb County jail has an average daily inmate population of 515, one-quarter of which are prisoners of the U.S. Marshall. Statistics prepared for SCAAP show that 8.5 percent of the rest of the "county population" is undocumented. As one jail official tells it, "Inmates can refuse to reveal anything about themselves anymore, but 95 percent of the 'John Does' are undocumented." Table T100 arrays these statistics.

**Table T100: Webb County Detention Impact**

County Inmate Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$8,278,505	8.5%	\$703,673	\$140,735	\$844,408

## WEBB COUNTY DISTRICT CLERK

The district clerk provides administrative support for the three district courts and the county courts at law. The general fund budget for 2006 was \$1,486,000, and approximately 25 percent is used for criminal work. Officials in the district attorney's office estimate that the impact on the criminal caseload of undocumented immigrants is about six-tenths of 1 percent, for a direct cost of \$2,229. The following table gives details.

**Table T101: Webb County District Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$371,500	.06%	\$2,229	\$446	\$2,675

## WEBB COUNTY DISTRICT ATTORNEY

Webb County's district attorney represents the state's interests in felony criminal actions. It also prosecutes cases for Zapata County. Further, the office handles all misdemeanor criminal actions in the county court at law and the justice of the peace court. The budget in 2006 was \$3,140,852. District attorney's office investigators estimate that about 1 percent of its caseload involves undocumented immigrants for a direct cost of \$31,409. Total costs are presented in table T102.

**Table T102: Webb County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$3,140,852	1%	\$31,409	\$6,282	\$37,691

## WEBB COUNTY DISTRICT COURT

Four district courts hear the criminal, civil, tax and domestic relations cases in Webb County. The 49<sup>th</sup> District Court has the additional responsibility for legal proceedings in Zapata County. Clerk and court officials estimate that less than 1 percent of total workload is devoted to undocumented immigrants, as shown in table T103.

**Table T103: Webb County District Court Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,047,041	.06%	\$12,282	\$2,456	\$14,738

## WEBB COUNTY CLERK

Serving as the official repository of documents for the Webb County Commissioners Court, County Court at Law and the County Clerk itself, officials estimate that one-third of its workload is criminal, and a minimal portion, 2/10 of 1 percent, involves undocumented immigrants. The following table presents cost details.

**Table T104: Webb County Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$248,430	.002%	\$497	\$99	\$596

## WEBB COUNTY ATTORNEY

The Webb County Attorney's Office estimates that its criminal caseload of undocumented immigrants amounts to about six-tenths of 1 percent of cases. Fifty-five percent of its general fund budget of \$1,853,861 is for criminal work, and costs are allocated in table T105 below.

**Table T105: Webb County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,019,624	.06%	\$6,118	\$1,224	\$7,342

## WEBB COUNTY COURT AT LAW

Webb County has two divisions of county court at law. They adjudicate probate, juvenile, mental condemnations, family law and criminal misdemeanor cases. The general fund allocation in 2006 was \$1,943,290. Fifty-five percent of the court's caseload is criminal, and officials estimate that only two-tenths of 1 percent of criminal work involves undocumented immigrants. Table T106 lists the total estimated financial impact on the county courts at law as \$2,566.

**Table T106: Webb County Court at Law Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,068,810	.02%	\$2,138	\$428	\$2,566

## WEBB COUNTY JUSTICE OF THE PEACE

The four justice of the peace courts have a general fund budget of \$1,931,743. About half its workload is allocated to criminal matters. Justices estimate, depending on the precinct, that the impact of undocumented immigrants ranges from 10 percent to 70 percent. The direct cost is roughly calculated to be \$290,843, a 30 percent impact. With \$58,169 in additional indirect impact, the total cost comes to \$349,012. (Impacts on the constable precincts were not available.) These figures are displayed in table T107 below.

**Table T107: Webb County Justice of the Peace Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$965,872	30%	\$290,843	\$58,169	\$349,012

## WEBB COUNTY INDIGENT DEFENSE

Indigent defense lawyers conduct pre-trial motion hearings, jail visits, and records checks as well as entering plea bargains and defending the indigent at both jury and bench trials. The general fund allocation for 2006 was \$2.3 million. Officials in public and indigent defense offices could not provide statistics on the number of undocumented immigrants in their workload, but they estimated that their impact was probably in line with that of detention and the district attorney, perhaps about 1 percent. The county court at law had indicated that 60 percent of undocumented immigrants booked in the jail do not get filed; many just get released because the crime was not serious enough. Total cost is \$27,600, as table T108 illustrates.

**Table T108: Webb County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,300,000	1%	\$23,000	\$4,600	\$27,600

## WEBB COUNTY ADULT PROBATION

The general fund expenditure for adult probation in 2006 was \$2,694,505. About 10 percent of workload, including pre-sentence investigations, involved undocumented immigrants, for a direct cost of \$269,451. Adding \$53,890 in general government costs brings the total to \$323,341. Most undocumented immigrants are deported and granted unsupervised probation. These probationers had gone through the court system and been found guilty. If they return without documentation, they are in violation of their probation; if they return with papers, they must report to the office. Some actually live in Mexico and report to the office anyway. Table T109 demonstrates this impact.

**Table T109: Webb County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,694,505	10%	\$269,451	\$53,890	\$323,341

## WEBB COUNTY JUVENILE COURT CENTER

The general fund budget for juvenile justice was \$2,694,505. Another \$720,000 funded detention. Juvenile court officials explain that its number of undocumented juvenile referrals has dwindled because their families live here illegally rather than in Mexico and so they can't be deported any more. Most offenses are vehicle theft and burglary, drug and weapon possession, and some aggravated assault. About 40 percent of the probation caseload was devoted to undocumented juveniles, and about 60 percent of the average daily juvenile inmates were undocumented. One of the drains on the juvenile court budget is that of detention medical care. One undocumented immigrant, for example, needed \$1,000 in medical care but then was murdered after release. The court was billed one year later for an amount that claimed one-third of the budget for medical treatment. Table T110 shows the full impact on the probation and detention sides of the juvenile court center.

**Table T110: Webb County Juvenile Court Center**

Division	Budget	Impact	Direct Cost	Gen Gov	Total Cost
Probation	\$2,694,505	40%	\$1,077,802	\$215,560	\$1,293,362
Detention	\$720,000	60%	\$432,000	\$86,400	\$518,400
Total	\$3,414,505	various	\$1,509,802	\$301,960	\$1,811,762

## WEBB COUNTY SUMMARY

Citizens of Webb County spent nearly \$5.2 million in 2006 on law enforcement and criminal justice services for undocumented immigrants. That is a 41 percent increase in costs over those in 1999. It may be assumed that Webb County has spent a minimum of \$35.2 million for these services over the last eight years. A federal government reimbursement of just the costs in 2006 could help the county cover state-mandated services and build up its underfunded indigent healthcare program. The principal discretionary project on the list would be constructing a fifth international bridge with the city of Laredo. Explains one commissioner's aide, "There is a big push for a rail bridge that would shift transportation out of the city." Another project that merits an investment of county funds, according to the county judge's office, is that of improving the quality of life in the county's several colonias. Water, utilities, sewers, water line extensions, and road equipment would be included.

## ZAPATA COUNTY

Zapata County covers 997 square miles in the Lower Rio Grande Valley, bordered by Webb County on the west and Starr County on the east. Spanning both Zapata and Starr counties is the Falcon Reservoir and Falcon State Park. The park encompasses 572 acres of scenic land and lake with birds, fish and tropical species, making Zapata County a popular location for winter visitors. The county has no incorporated municipalities. Zapata City—population 4,856—is the county seat, and other small communities include San Ygnacio, Lopeno, Bustamante, Ramireno, Chicuahua Farm and Escobas.

The 2006 population for the county is 13,615, an increase of nearly 12 percent since the 2000 Census. Nearly 90 percent are Hispanic and most of the balance is white. The median household income in 2005 was \$26,157 and the per capita income was \$13,647. A little over 27 percent lives in poverty. The Zapata County general fund in 2006 was \$15,434,525.

### ZAPATA COUNTY'S BORDER ENVIRONMENT

Though Zapata County's border with Mexico runs 65 miles in length, it does not have a port of entry. Border Patrol reported 707 undocumented apprehensions in 2006. The majority of the boundary line traverses the International Falcon Reservoir to the dam in neighboring Starr County. Within the limits of the reservoir, the international boundary follows the Rio Grande, as established under the Treaty of Guadalupe Hidalgo in 1848; it is demarcated by 14 fixed lighted towers and 36 buoys. The Falcon Dam in Starr County, however, is the main crossing point in this region. Three Mexican municipalities—*Guerrero*, *Mier*, and *Miguel Aleman*—border Zapata County. Their combined population is 43,000. Table T111 presents Zapata County Border Statistics.

Table T111: Zapata County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
13,615	997	65 miles	0	0	707

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Zapata County's provision of law enforcement and criminal justice services to undocumented immigrants in 2006 is \$1,519,364. A site visit was made in April 2007 where meetings were held with elected and appointed officials and the budget was reviewed. Follow up research consisted of e-mails and phone calls. Nineteen percent was estimated to be a reasonable rate to add for general government services. The discussion that follows enumerates the costs by department, and table T112 displays these costs.

Table T112: Zapata County Costs by Department

Total Cost: \$1,519,364

Per Capita Cost: \$111.59

Sheriff	Detention	District Clerk	District Court	County Clerk	County Attorney	County Court	Indigent Defense	Justice of the Peace/Constable	Juvenile Services
\$1,015,396	\$23,741	\$18,251	\$13,836	\$34,276	\$33,175	\$41,366	\$72,650	\$246,232	\$20,441



## ZAPATA COUNTY SHERIFF

The Zapata County Sheriff's Department estimates that the impact on total workload involving undocumented immigrants is 40 percent. With a general fund budget of \$2,133,184, the direct cost comes to \$853,274. An additional 19 percent for general government brings the total cost to \$1,015,396, as shown in the following table.

**Table T113: Zapata County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,133,184	40%	\$853,274	\$162,122	\$1,015,396

## ZAPATA COUNTY DETENTION

Zapata County has two detention facilities: a women's jail and a regional jail for men. No female undocumented immigrants were detained in 2006 and an average of five male entrants a month are detained for a total of 399 inmate days at \$50 per day. The direct impact on the jail is \$19,950 and the total cost is \$23,741. Table T114 below displays these costs.

**Table T114: Zapata County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,660,051	NA	\$19,950	\$3,791	\$23,741

## ZAPATA COUNTY DISTRICT CLERK

The impact to the district clerk's office is estimated by officials to be about 15 percent. As with all counties and most departments, records do not indicate legal status. However, as one official points out, "Most of the cases that come through the court are not 'from here.'" Many, if not most, may well be undocumented, but 15 percent is a very reasonable if not conservative estimate. The district clerk's budget was \$146,070 and 70 percent of filings are criminal in nature. The direct cost to this office is \$15,337, with other details presented below.

**Table T115: Zapata County District Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$102,249	15%	\$15,337	\$2,914	\$18,251

## ZAPATA COUNTY DISTRICT ATTORNEY

Represented by the Webb County District Attorney's Office, Zapata County does not pay for services from the general fund.

## ZAPATA COUNTY DISTRICT COURT

The 49<sup>th</sup> Judicial District Court's caseload mirrors that of district clerk filings, so the estimated impact of undocumented immigrant criminal cases is 15 percent. With a general fund budget of \$110,736, the criminal budget is \$77,515. Table T116 presents details of a total cost of \$13,836.

**Table T116: Zapata County District Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$77,515	15%	\$11,627	\$2,209	\$13,836

## ZAPATA COUNTY CLERK

The county clerk's office has an impact consistent with that of the county attorney, or 15 percent. The general fund budget was \$274,314 in 2006 and criminal filings constitute 70 percent. The total impact on the county clerk's budget is \$34,276, as shown in the table below.

**Table T117: Zapata County Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$192,020	15%	\$28,803	\$5,473	\$34,276

## ZAPATA COUNTY ATTORNEY

The Zapata County Attorney's general fund budget was \$265,504. Seventy percent of workload deals with criminal cases, and officials report that about 75 cases a month are in the country illegally, for an impact on the criminal workload of about 15 percent. Details of impact are presented in table T118.

**Table T118: Zapata County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$185,853	15%	\$27,878	\$5,297	\$33,175

## ZAPATA COUNTY COURT AT LAW

The budget for the county court at law was \$331,060. An assumption is made that both the criminal side of the court and the percent impact of undocumented immigrants on workload mirror those of the county clerk, 70 percent and 15 percent respectively, for a total cost of \$41,366, as shown in table T119.

**Table T119: Zapata County Court at Law Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$231,742	15%	\$34,761	\$6,605	\$41,366

## ZAPATA COUNTY INDIGENT DEFENSE

Defense attorneys handle both criminal and civil cases that involve undocumented immigrants. Half the caseload is criminal and half is civil. The impact of undocumented immigrants on either type is “over 50 percent.” Civil cases include divorces, property, and status of the children of undocumented defendants. As one defender explained, “We are on the border, and all of these people [undocumented immigrants] have problems. They drive drunk, they go into rehab, they smuggle drugs, they get divorced...and then we have to take their children away. All of these problems are interconnected. The Child Protective Services docket has just exploded. The entire court system is overwhelmed.” He continues, “If the federal government finally reimburses border counties for these costs, the reimbursement must go back into the courts, not into the general fund where it will be spent on a dump truck.” The indigent defense budget in 2006 was \$111,000. An estimate of 55 percent impact comes to a direct cost of \$61,050. All costs are found in table T120.

**Table T120: Zapata County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$111,000	55%	\$61,050	\$11,600	\$72,650

## ZAPATA COUNTY JUSTICE OF THE PEACE AND CONSTABLE

The total budget for the four justice of the peace precincts was \$274,068 plus another \$93,786 for their constables. Several justices estimated that 90 percent of their workload is criminal and between 60 percent and 65 percent of that is due to undocumented immigrants. An estimated impact of 62.5 percent brings the direct cost to \$206,918 for both departments. Table T121 presents total costs.

**Table T121: Zapata County Justice of the Peace and Constable Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$331,069	62.5%	\$206,918	\$39,314	\$246,232

## ZAPATA COUNTY ADULT PROBATION

With one out of 300 cases that is undocumented, the impact on adult probation is minimal. Webb County provides the funding for probation services (reimbursed by the state), and expenses only entail those for travel costs.

## ZAPATA COUNTY JUVENILE SERVICES

The general fund expenditure for juvenile court services was \$171,768. A probation supervisor reports that undocumented juveniles comprised 11 cases out of 102 in 2006, and six out of 70 juvenile inmates were undocumented. Impacts are 11 percent and 9 percent, respectively, for an average impact of 10 percent and a total cost of \$20,441, as shown in table T122.

**Table T122: Zapata County Juvenile Services Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$171,768	10%	\$17,177	\$3,264	\$20,441

## **ZAPATA COUNTY SUMMARY**

Each resident paid \$111.59 in 2006 for undocumented immigrant services in the law enforcement and criminal justice areas, for a total cost to the general fund of \$1,519,364. This extra burden on Zapata County, where over one-quarter of its population lives below the poverty level, consumes 10 percent of the general fund. The cost to Zapata County for these services in 1999 was \$341,119. Costs have risen about 340 percent in the seven intervening years and residents have likely spent approximately \$8.4 million, or \$617 each.

## STARR COUNTY

Starr County, in the Lower Rio Grande Valley, has an agriculture-based economy. Principal crops include sorghum, hay, cantaloupes, onions, lettuce, bell peppers and honeydew melons. Spanning across both Zapata and Starr counties is the Falcon State Park, home to birds, fish, and subtropical species. The park draws tourists from all areas of Texas. The county covers 1,229 square miles.

Starr County has a population of 61,780 in 2006, a growth of 15.3 percent since the 2000 Census. Less than half the county's population lives in incorporated municipalities. Rio Grande City is the largest and serves as the county seat, population 13,600; other communities include Roma and La Grulla. (Over half the county's population lives in unincorporated areas.) Ninety-eight percent is Hispanic. The median household income in 2004 was \$19,775 and the per capita income was \$10,805. Thirty-five percent of the population lives in poverty. The Starr County general fund budget in 2006 was \$12,583,844.

### STARR COUNTY'S BORDER ENVIRONMENT

The U.S.-Mexico border spans 80 miles of Starr County. With three ports of entry, the county connects to a major NAFTA transportation corridor (U.S.-83 to Interstate-35). By this route Starr County is connected to other major cities in the Lower Rio Grande Valley and provides access to international airports and the Port of Brownsville. The Mexican municipalities that border Starr County are *Camargo* and *Reynosa*, with a combined population of 524,260. Legal crossings into Starr County in 2005 totaled 5.5 million and the Border Patrol reported 9,516 apprehensions. Table T123 presents border statistics.

Table T123: Starr County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
61,780	1,229	80 Miles	3	5,560,558	9,516

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Total costs amounted to \$1,821,339. A site visit was made in April 2007, where a few officials were interviewed and the budget reviewed. The percentage charge for general government services was determined to be 19 percent. Most of the data were collected in telephone conversations after the visit, but many departments did not respond to requests for information. The per capita cost to Starr County residents is \$29.48, as shown in the following table.

Table T124: Starr County Costs by Department

Total Cost: \$1,821,339

Per Capita Cost: \$29.48

Sheriff	District Clerk	District Attorney	District Court	County Clerk	County Attorney	County Court	Justice of the Peace/Constable	Juvenile Services
\$434,423	\$112,240	\$181,592	\$230,572	\$240,114	\$287,289	\$251,154	\$68,164	\$15,791

### STARR COUNTY SHERIFF

Patrol officers make a great number of traffic stops that incidentally involve undocumented immigrants. "We don't go looking for them," notes one officer. But more entrants are coming across into Starr County each year. Traffic stops often lead to pursuit, and when the driver is stopped, the car may yield a load of marijuana and four entrants in the trunk. Entrants also cause damage to private property, especially ranches, by cutting fences. In 2006, one deputy even caught an undocumented immigrant who had been wanted for homicide 10 years earlier. Workload impact is about 30 percent, for a direct cost of \$365,061 to the sheriff's budget of \$1,216,871. All costs are listed in table T125.

**Table T125: Starr County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,216,871	30%	\$365,061	\$69,362	\$434,423

## STARR COUNTY DETENTION

The detention budget was \$2,655,350 in 2006. Repeated attempts to retrieve jail impact data were unsuccessful.

## STARR COUNTY DISTRICT CLERK

The district clerk's office reports that 60 percent to 70 percent of its workload involves people who are in the county illegally or are legal residents. To be on the "safe side," the impact is reported as 35 percent to 45 percent. This report will use 40 percent. Explains one official of the presence of Mexican nationals in Starr County, "A newspaper photo of the entire Rattler football team contained only one local boy!" The district clerk's budget was \$235,797, for a direct cost of \$94,319. Additional costs are included in table T126 below.

**Table T126: Starr County District Clerk Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$235,797	40%	\$94,319	\$17,921	\$112,240

## STARR COUNTY DISTRICT ATTORNEY

Types of cases handled by the district attorney are consistent with filings in the district clerk's office. It is estimated that 40 percent of the workload involves undocumented immigrants for a total cost of \$181,592. Details follow in table T127.

**Table T127: Starr County District Attorney Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$381,495	40%	\$152,598	\$28,994	\$181,592

## STARR COUNTY DISTRICT COURT

The combined budget for the 229<sup>th</sup> and 381<sup>st</sup> District Courts was \$484,396 in 2006. It is assumed that the percentage of cases that involve undocumented persons mirrors that of the district clerk and attorney on both courts, for a total cost of \$230,572. Direct and indirect costs are included in table T128 below.

**Table T128: Starr County District Court Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$484,396	40%	\$193,758	\$36,814	\$230,572

## STARR COUNTY CLERK

The general fund budget for county clerk was \$263,760. Clerk officials had no system for determining filings involving undocumented immigrants and suggested that the county attorney's impact would be appropriate. Thus, the criminal budget (85 percent) is \$224,196, with an estimated impact of 90 percent. Total costs, as spelled out in table T129, are \$240,114.

**Table T129: Starr County Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$224,196	90%	\$201,776	\$38,338	\$240,114

## STARR COUNTY ATTORNEY

The county attorney's budget was \$315,581 for 2006. In a telephone interview, an official estimated that the criminal portion of workload was 85 percent, and of that the impact of undocumented immigrants was 90 percent. The total cost for county attorney was \$287,289, and calculations are found in table T130.

**Table T130: Starr County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$268,244	90%	\$241,419	\$45,870	\$287,289

## STARR COUNTY COURT AT LAW

The general fund expenditure for county court at law was \$275,887. Court officials could not be reached, and it is assumed that its workload impact mirrors those of county clerk and county attorney, for a total cost of \$251,154. Details are presented in table T131.

**Table T131: Starr County Court at Law Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$234,504	90%	\$211,054	\$40,100	\$251,154

## STARR COUNTY INDIGENT DEFENSE

Attempts to reach indigent defense lawyers were unsuccessful.

## STARR COUNTY JUSTICE OF THE PEACE AND CONSTABLE

There are eight justice of the peace precincts and constable offices in Starr County: three in Rio Grande City, three in Roma, one in La Grulla and one in Garciasville. Precinct One is the busiest court and also has the greater workload involving undocumented immigrants, about 15 percent. The other precincts estimate an impact ranging between 10 percent and 15 percent. It is estimated that a reasonable impact on all eight courts and constables is 12.5 percent. The combined budgets for all courts and constables were \$654,645. The criminal portion of work is estimated to be 70 percent, for a total cost impact involving undocumented immigrants of \$68,164. Table T132 arrays calculations.

**Table T132: Starr County Justice of the Peace and Constable Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$458,252	12.5%	\$57,281	\$10,883	\$68,164

## **STARR COUNTY ADULT PROBATION**

The general fund budget for adult probation was \$8,588 in 2006 and the impact of undocumented immigrants on workload was reported as negligible.

## **STARR COUNTY JUVENILE SERVICES**

The combined budget for juvenile probation and juvenile detention is \$331,741. A department official estimated that the caseload on both probation services and the jail is 4 percent, for a direct cost of \$13,270. The additional cost for general government brings the total to \$15,791. Table T133 shows these findings.

**Table T133: Starr County Juvenile Services Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$331,741	4%	\$13,270	\$2,521	\$15,791

## **STARR COUNTY SUMMARY**

Providing law enforcement and criminal justice services to undocumented immigrants in 2006 cost the residents of Starr County \$1,821,339, or nearly \$30 apiece. The 2006 cost represents an increase of \$380,000 over the 1999 impact of \$1.44 million. Assuming that service levels held steady from year to year, it is estimated that Starr County has spent about \$13.2 million.

The money spent on undocumented immigrants since 1999 should be funding infrastructure improvements above all, especially water and sewer for drainage areas. According to commissioners, “We band-aid it.” They report desperately needing storm sewers and a drainage ditch system, both of which are “really expensive.” Because of the amount of low income people, they build the cheapest system they can and live in arroyos. A reimbursement from the federal government would be “leverage money” for drainage systems.

Continuing, the commissioners add, “We also have paving needs, fire protection and health care needs, but mainly paving. Infrastructure first, then paving. The better our infrastructure, the better the economic development will be for Starr County.” For example, on the west side of Rio Grande City, land is best suited for development—flat, fertile, and open. But the county only has septic tanks, so there is no economic development in this area. The east side of Rio Grande City is already saturated with development, and on the north side is flood plain. Improving drainage and removing the area from FEMA’s 10-year flood plain designation, the north could be developed commercially and then provide Starr County’s communities with sales tax revenue. (One large hotel chain is currently looking at Starr County.)



## HIDALGO COUNTY

Located in the Lower Rio Grande Valley, Hidalgo County sits along the Mexican border between Starr and Cameron counties. Hidalgo County is the primary producer of the majority of fruit and vegetables in this region. Its economy also depends on tourism, oil, gas, and trade with Mexico. As one official commented, “Economic growth in the last five years has been incredible. We are part of Mexico’s economy, too.” The Bentsen-Rio Grande Valley State Park is a top spot for viewing subtropical bird and botanical species and the Santa Ana National Wildlife Refuge features an amalgamation of subtropical, Gulf Coast, Great Plains and Chihuahuan desert environments.

The county covers 1,583 square miles. Its 2006 population of 700,634 (an increase of 23 percent since 2000) makes it the second largest on the Texas border and the fourth on the entire border. Edinburg is the county seat, with a population of 62,736 but McAllen is the largest with 123,622. Other incorporated municipalities include Mercedes, Pharr, Mission, and Weslaco, among others. Ninety percent of the population is Hispanic. Median household incomes averaged \$26,375 in 2004 and per capita incomes averaged \$15,184. Poverty claims 30.5 percent. The general fund was \$129,315,237.

### HIDALGO COUNTY BORDER ENVIRONMENT

Hidalgo County’s border with Mexico is 118 miles long, with four ports of entry. The Pharr International Bridge links U.S.-281 with the Mexican super highway called *Autopista*. This four-lane highway covers *Monterrey* to *Reynosa*, Mexico. Mexican municipalities that border Hidalgo County are *Rio Bravo* and *Valle Hermoso*, with a combined population of 181,224.

Undocumented immigrants often seek shelter and establish homes in the hundreds of colonias in Hidalgo County. Now the county is a destination point for entrants rather than a transit as it once was because “there is money to be made here now.” But insufficient physical infrastructure creates enormous health problems for the county.

Legal crossings into Hidalgo County (2005) totaled 16 million and the number of apprehensions was 17,715 (in 2006). A county commissioner describes the border environment this way:

Gangs in Mexico don’t recognize boundaries now. We are entwined with Mexican culture. Here, the bad guys look like the good guys; they are not distinguishable anymore. Today crime affects everybody. We all at least know someone affected. There is also some white collar crime—organized families. There was \$250 million seized in Mexico City [in February 2007]; these families are very rich but into meth.

According to a law enforcement official, there is also a substantial amount of crime against undocumented immigrants; gunpoint holdings, sexual assault, or aggravated assault are common events against entrants being smuggled. Of 16 homicides in 2006, nine were aliens. Home invasions involve entrants as well. Smugglers can make between \$1,500 and \$3,000 per alien. “Working the border,” says a sheriff’s deputy, “is tedious, day in and day out.” Hidalgo County border statistics are found in the following table.

Table T134: Hidalgo County Border Statistics

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
700,634	1,583	118 Miles	4	16,133,080	17,715

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

Estimated costs for Hidalgo County are \$20 million, as shown in table T135. A site visit was conducted in April 2007 when most department heads and other officials were interviewed and data, including the general fund budget, were examined. The percentage charge for general government services is 20 percent. Weeks of follow up consisted of phone calls and e-mails.

**Table T135: Hidalgo County Costs by Department**  
**Total Cost: \$20,059,418**  
**Per Capita Cost: \$28.63**

Sheriff	Detention	District Clerk	District Attorney	District Court	Indigent Defense	County Clerk	County Court	Justice of the Peace/Constable	Adult Probation
\$9,240,944,	\$6,005,210	\$178,054	\$1,077,434	\$181,927	\$2,467,396	\$443,418	\$305,734	\$142,321	\$16,980

## HIDALGO COUNTY SHERIFF

The sheriff's budget was \$15,401,573 in 2006. Investigators indicate that when patrol, investigation and administrative workloads take into account undocumented immigrants who are also victims and witnesses as well as perpetrators, the percentage impact is 50 percent. Total costs to the sheriff are \$9,240,944, which includes \$1,540,157 in indirect costs. Findings are presented in table T136 below.

**Table T136: Hidalgo County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$15,401,573	50%	\$7,700,787	\$1,540,157	\$9,240,944

## HIDALGO COUNTY DETENTION

According to jail administrators, the Border Patrol visits the jail on a daily basis to check on the legal status of detainees and conduct interviews. Many bond out before Border Patrol arrives, however, so they are never counted as undocumented inmates. Undocumented immigrants are usually arrested on public intoxication charges or other nuisance behaviors. The cost of detention also includes that for inmate medical care. One undocumented detainee, for example, spent 30 days in the hospital and then died.

The direct cost to detain undocumented immigrants charged with a state felony or multiple misdemeanors in 2006 was \$5,004,342. Jail administrators estimated that about 250 per day out of 1,100 inmates (only 14 are federal prisoners) are in the county illegally, for an impact of about 22 percent. (Maximum capacity for the jail is 1,232.) The general fund for detention was \$22,747,007. Total costs to detention, which include \$1,000,868 for general government services, are \$6,005,210, as depicted in the table below.

**Table T137: Hidalgo County Detention Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$22,747,007	22%	\$5,004,342	\$1,000,868	\$6,005,210

## HIDALGO COUNTY DISTRICT CLERK

The district clerk provides administrative support for the nine district courts, impact court, visiting court, and two master courts. The general fund budget was \$2,005,110. Criminal filings constituted 40 percent of all filings, for a criminal budget of \$802,044. In 2006, 5,033 criminal cases were filed and 925 involved undocumented immigrants for an impact of 18.5 percent. The direct cost to the district clerk's workload is \$148,378. After adding \$29,676 in a general government charge, the total cost comes to \$178,054, shown in table T138.

**Table T138: Hidalgo County District Clerk Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$802,044	18.5%	\$148,378	\$29,676	\$178,054

## **HIDALGO COUNTY DISTRICT ATTORNEY**

The impact on the district attorney's caseload mirrors that of the district clerk, 18.5 percent. With a general fund budget of \$4,853,309, the direct cost is \$897,862. Many cases involve protective orders as well as the typical felonies and misdemeanors. The full impact is presented in table T139.

**Table T139: Hidalgo County District Attorney Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$4,853,309	18.5%	\$897,862	\$179,572	\$1,077,434

## **HIDALGO COUNTY DISTRICT COURT**

The combined budget for the nine district courts is \$2,048,730. The assumption is made that its criminal caseload mirrors that of filings in the district clerk's office, 40 percent, for a criminal budget of \$819,492. The direct cost to the district court is \$151,606 (18.5 percent impact). The general government cost of \$30,321 brings the total to \$181,927. Table T140 shows these figures.

**Table T140: Hidalgo County District Court Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$819,492	18.5%	\$151,606	\$30,321	\$181,927

## **HIDALGO COUNTY INDIGENT DEFENSE**

Defense lawyers represent many indigent defendants in custody who are "predominantly" undocumented and do not bond out. Two-thirds of the public defender's caseload is undocumented. Most defendants are arrested on DWI charges; the county has "the highest percentage arrested on DWI in the state and the highest number of arrestees for underage drinking on a per capita basis." The indigent defense office reports that "at least half" of its caseload is undocumented, many of whom have been in the county for 15 years and are "embedded in the community." Attorney voucher payments (to contract attorneys) "skyrocketed" to \$5 million in 2006 for 150 attorneys. The assumption is made that two-thirds of the total indigent defense caseload is undocumented, for a direct cost of \$2,056,163. Details are presented below.

**Table T141: Hidalgo County Indigent Defense Impact**

<b>Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$3,115,399	66%	\$2,056,163	\$411,233	\$2,467,396

## HIDALGO COUNTY CLERK

The county clerk's budget was \$3,284,580, and administrators estimate that between 20 percent and 25 percent of the workload was allocated to filings involving undocumented immigrants. It is estimated that half the county clerk's workload is criminal, for a criminal budget of \$1,642,290. Table T142 presents these cost estimates.

**Table T142: Hidalgo County Clerk Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$1,642,290	22.5%	\$369,515	\$73,903	\$443,418

## HIDALGO COUNTY COURT AT LAW

The combined budget for the six county courts at law totaled \$2,264,695 in 2006. About half the workload involves criminal cases. While impacts on each court may vary, it is assumed that the overall impact is consistent with that of the county clerk, or 22.5 percent. The direct cost is \$254,778. Details of the full cost are found in table T143. (It is noted that the Hidalgo County Attorney's office handles the legal affairs of the county commission only and does not process undocumented immigrants.)

**Table T143: Hidalgo County Court at Law Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$1,132,348	22.5%	\$254,778	\$50,956	\$305,734

## HIDALGO COUNTY JUSTICE OF THE PEACE AND CONSTABLE

There are nine justice of the peace precincts with a combined general fund budget of \$2,241,968. There are five constable precincts with a combined budget of \$2,502,075. The two total \$4,744,043. Criminal work takes about 50 percent of the workload. Involvement with undocumented immigrants would only occur at arraignment, and, according to one judicial official, detention data would provide a guide for their impact. The duty to perform arraignments rotates around the nine precincts every 12 weeks to 13 weeks and arraignments are handled electronically. It is estimated that the impact on justice of the peace and constable workloads is very low, about 5 percent. Table T144 presents this estimate.

**Table T144: Hidalgo County Justice of the Peace and Constable Impact**

<b>Crim Budget</b>	<b>Impact</b>	<b>Direct Cost</b>	<b>Gen Gov</b>	<b>Total Cost</b>
\$2,372,022	5%	\$118,601	\$23,720	\$142,321

## HIDALGO COUNTY ADULT PROBATION

The adult probation department's 2006 budget was \$283,000. Probation officers estimate that about 5 percent of the department's workload involved undocumented immigrants. "They are in and out all the time," they report, "but the biggest impact would be on detention." Statistics are arrayed in the following table.

**Table T145: Hidalgo County Adult Probation Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$283,000	5%	\$14,150	\$2,830	\$16,980

## HIDALGO COUNTY JUVENILE PROBATION AND DETENTION

The budget for juvenile probation and detention was \$4,108,301. Repeated requests for data on the impact of undocumented juveniles were unsuccessful.

## HIDALGO COUNTY SUMMARY

Hidalgo County is a fast-growing county with a healthy economy that attracts undocumented immigrants who want to settle and work here. Nevertheless, over 30 percent are living in poverty. The cost to provide undocumented immigrants with law enforcement and criminal justice services in 2006 is \$20 million, or 15.5 percent of the general fund. Moreover, the cost has increased 11-fold since 1999 (\$2,169,440). As the county grows, so does the service responsibility for undocumented immigrants. The costs over the years could well be over \$95 million, or \$136 per resident.

## CAMERON COUNTY

Cameron County is the easternmost county along the U.S.-Mexico border, the terminus of the Rio Grande at the Port of Brownsville and the Gulf of Mexico. The county covers 1,277 square miles with an economy based on electronics, textiles, metal fabrication, food processing and petrochemical industries. The city of Brownsville, population 167,493, is the county seat. The ship channel of the Port of Brownsville, 17 miles in length, with 14 deep sea docks and six barge berths, railway and trucking facilities, is considered one of the leading foreign trade zones in the United States.

Commerce, job creation and construction growth are influenced by trade with Mexico. Brownsville is one of the few places in the country that offers highway connections to deep water ports and airports for international air and cargo services, and railways with direct connection to international crossings. There are 116 twin manufacturing plants employing 45,640 people in *Matamoros*, sister city of Brownsville.

Other major cities include Harlingen, San Benito, Port Isabel, and South Padre Island. U.S.-77 and -83 provide connections from Brownsville along a northwestern route through San Benito and Harlingen. The population of the county is 387,717, an increase of 15.7 percent since 2000. Twenty-two percent of the population lives in the unincorporated area of the county. Eighty-six percent is Hispanic and 10 percent of the balance is white. The median household income in 2004 was \$26,719 and the per capita income was \$16,308. Nearly 30 percent lives in poverty. The 2006 Cameron County general fund was \$132,237,354.

### CAMERON COUNTY'S BORDER ENVIRONMENT

Cameron County shares 75 miles of border with Mexico (50 miles to 60 miles are beachfront). Four ports of entry facilitate a healthy commercial exchange. The Free Trade Bridge is located at Los Indios and the three international bridges, Gateway, Los Tomates, and Brownsville and Matamoros, are located in Brownsville. Additionally, Cameron County is constructing a new international bridge west of Brownsville to be called Flor de Mayo.

*Matamoros* has a population of 487,000. One hundred million dollars worth of goods pass through the ports of entry on a weekly basis. Planned for the near future is a commercial bridge to connect the industrial area of *Matamoros* with the Texas port. The sister cities of Brownsville and *Matamoros* have "grown to become one of the largest employment centers within the twin-plant program." <sup>2</sup>

The characteristics of entrant crime have changed since 1999. According to law enforcement officials, drug traffickers fight more violently, firing weapons from Mexico and bringing across greater quantities of drugs. Often deputies will pull over a vehicle on a state violation and find 30 entrants inside. Entrants also make Cameron County their destination, and many are apprehended on drug possession, family violence, DWI, stealing, or the occasional homicide. There were over 17 million individuals who crossed legally by bus, vehicle and on foot in 2005 and 12,649 apprehensions made by the Border Patrol in 2006. Border statistics are found in table T146.

**Table T146: Cameron County Border Statistics**

Population	Square Miles	Border Length	Ports of Entry	Legal Crossings	Apprehensions
387,717	1,277	75 Miles	4	17,546,696	12,649

### COSTS OF UNDOCUMENTED IMMIGRATION FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE SERVICES

During fiscal year 2006, Cameron County's provision of law enforcement and criminal justice services to undocumented immigrants cost \$7 million. A site visit was conducted in April 2007, when both elected and appointed department heads and others were interviewed. Budget and detention data were also reviewed. Follow-up consisted of several months of e-mails and phone calls. The charge added for general government services was 22 percent, the same as applied to 1999 impacts. Total costs to Cameron County by department are presented in the table below.

**Table T147: Cameron County Costs by Department**  
**Total Cost: \$7,067,991**  
**Per Capita Cost: \$18.23**

Sheriff	Detention	Indigent Defense	District Clerk	District Attorney	District Court	Justice of the Peace/ Constable	County Court	County Clerk	County Attorney	Juvenile Court Services
\$2,344,678	\$1,248,073	\$333,088	\$437,124	\$6,612	\$724,297	\$778,826	\$283,006	\$144,491	\$638,521	\$129,275

## CAMERON COUNTY SHERIFF

The sheriff's department reports that 30 percent of operations involved undocumented immigrants, either those in the process of entering or those who have made the county their home. With a general fund budget of \$6,406,224 in 2006, the direct cost is \$1,921,867. A general government charge of \$422,811 brings the total impact to \$2,344,678. Table T148 presents these estimates.

**Table T148: Cameron County Sheriff Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$6,406,224	30%	\$1,921,867	\$422,811	\$2,344,678

## CAMERON COUNTY DETENTION

The total detention budget was over \$14 million in 2006 for four facilities housing a total of 1,390 inmates. With a jail that is "always full," only 288 are typically "county prisoners," or 21 percent. Of those 288, about 97 on average are undocumented, for an impact of 33.5 percent. The total cost for detention is estimated to be \$1,248,073, as table T149 enumerates in detail.

**Table T149: Cameron County Detention Impact**

County Inmate Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$3,053,765	33.5%	\$1,023,011	\$225,062	\$1,248,073

## CAMERON COUNTY DISTRICT CLERK

The total number of defendants with one or more offenses in fiscal year 2006 was 13,745. Nearly 26 percent of them—3,537—were without legal status. The district clerk's budget was \$1,546,656, with a criminal caseload of 90 percent, or \$1,391,990. The impact is \$358,298 in direct costs, \$78,826 in indirect costs, and \$437,124 in total costs. Table T150 presents these findings.

**Table T150: Cameron County District Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,391,990	25.74%	\$358,298	\$78,826	\$437,124

## CAMERON COUNTY DISTRICT ATTORNEY

The district attorney's general fund budget is only a supplement to the state's appropriation, \$23,398. Officials estimate the criminal portion of the workload is 90 percent, and the assumption is made that the caseload impact mirrors that of district clerk, 25.74 percent. Costs are enumerated in table T151 below.

**Table T151: Cameron County District Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$21,058	25.74%	\$5,420	\$1,192	\$6,612

## CAMERON COUNTY DISTRICT COURT

The five district courts had a combined budget of \$2,562,747 for 2006. District clerk officials indicate that its impact, 25.74 percent, would also be consistent with that on the courts. Ninety percent involves criminal filings. Total costs to the district court are estimated to be \$724,297, enumerated in table T152.

**Table T152: Cameron County District Court Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$2,306,472	25.74%	\$593,686	\$130,611	\$724,297

## CAMERON COUNTY INDIGENT DEFENSE

Indigent defense administrators report that on average two out of 10 clients are undocumented. The general fund budget was \$1,365,113, for a direct impact of \$273,023. A general government cost of \$60,065 brings the total impact to \$333,088, as shown in the table below.

**Table T153: Cameron County Indigent Defense Impact**

Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,365,113	20%	\$273,023	\$60,065	\$333,088

## CAMERON COUNTY JUSTICE OF THE PEACE AND CONSTABLE

The combined budgets for the seven justice of the peace courts and justice of the peace administration, and seven constable offices totaled \$3,904,479. About half of the courts' caseload is criminal, for a criminal budget of \$1,952,240. One judge estimates that each court experiences about a 32.7 percent impact and, by extension, a similar impact on constables. The direct cost for these two departments is \$638,382. General government costs of \$140,444 bring the total to \$778,826. Table T154 presents these figures.

**Table T154: Cameron County Justice of the Peace and Constable Impact**

Combined Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,952,240	32.7%	\$638,382	\$140,444	\$778,826



## CAMERON COUNTY COURT AT LAW

Court officials claim that “there is no way to know which filings are for undocumented immigrants, but it would be consistent with justice of the peace records.” Half of the general fund budget of \$1,418,786 covers criminal cases, for a criminal budget of \$709,393. An impact of 32.7 percent would result in a direct cost of \$231,972. All costs are presented in the following table.

**Table T155: Cameron County County Court at Law Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$709,393	32.7%	\$231,972	\$51,034	\$283,006

## CAMERON COUNTY CLERK

The county clerk’s 2006 budget was \$724,373. Assuming that the criminal caseload requires half the work and that the impact mirrors that of the county court at law and justice of the peace courts, 32.7 percent, the total cost is \$144,491. The following table details these costs.

**Table T156: Cameron County Clerk Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$362,187	32.7%	\$118,435	\$26,056	\$144,491

## CAMERON COUNTY ATTORNEY

The county attorney’s impact is consistent with that of the county clerk and county court at law, 32.7 percent. The 2006 budget was \$3,201,091 and the criminal budget was half that, \$1,600,546. The direct cost is \$523,378, and with the additional charge for general government services, the total cost is \$638,521. Table T157 lays out the details.

**Table T157: Cameron County Attorney Impact**

Crim Budget	Impact	Direct Cost	Gen Gov	Total Cost
\$1,600,546	32.7%	\$523,378	\$115,143	\$638,521

## CAMERON COUNTY JUVENILE COURT SERVICES

The budget for juvenile probation was \$1,627,016 and for juvenile detention, \$2,044,105. Juvenile probation officials estimated the impact of undocumented juveniles on probation to be 4 percent and on detention to be 2 percent. Those cost findings are presented in the table below.

**Table T158: Cameron County Juvenile Court Services Impact**

Division	Budget	Impact	Direct Cost	Gen Gov	Total Cost
Probation	\$1,627,016	4%	\$65,081	\$14,318	\$79,399
Detention	\$2,044,105	2%	\$40,882	\$8,994	\$49,876
Total	\$3,671,121		\$105,963	\$23,312	\$129,275

## CAMERON COUNTY SUMMARY

Cameron County residents paid over \$7 million to fund services for undocumented immigrants in 2006. The cost has more than doubled since 1999, when it was \$3.5 million. Between 1999 and 2006, with the difference added in increments, residents have spent an estimated \$44 million for law enforcement and criminal justice services for undocumented immigrants.

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1. "Non-Mexican illegal entrants swamp Texas border town," *Arizona Daily Star*, May 31, 2005, A4.
  2. Cameron County Budget Letter of Transmittal, Fiscal Year 2007.

# Summary, Conclusions and Policy Recommendations: The Burden Falls on Border Counties

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US / Mexico

Border  
Counties  
Coalition

## SUMMARY, CONCLUSIONS AND POLICY RECOMMENDATIONS:

### THE BURDEN FALLS ON BORDER COUNTIES

#### SUMMARY

This report is about the costs to county governments of providing services for populations that are the responsibility of the federal government. The costs of the federal government's failed immigration policy disproportionately affect the 24 counties along the U.S.-Mexico border. In fiscal year 2006, the law enforcement and criminal justice costs associated with undocumented immigration to these 24 border counties were \$192 million. Over the past eight fiscal years, from 1999 through 2006, the costs have added up to a staggering \$1.23 billion. A fundamental principle of immigration law since 1790 is that the federal government has primary power and responsibility. These are related to several Constitutional provisions, including the power of Congress to "provide for the common Defense and general Welfare of the United States; "to regulate Commerce with foreign Nations; and "to establish a uniform Rule of Naturalization." In addition, immigration policies and their enforcement are "recognized to have a national impact both domestically and in our relations with foreign powers."<sup>1</sup> Yet, the federal government has only reimbursed these 24 counties \$4.7 million for detaining criminal undocumented immigrants for fiscal year 2006 (and \$54.8 million since 1999).

Some entrants remain in border counties to work and settle and others pass through on the way to other destinations. Most of these undocumented immigrants find work and build lives in the United States or return to their country of origin. Some, however, commit state felonies and/or multiple misdemeanors while they are here and enter into the county criminal justice system, just as any legal resident would. The additional costs to county budgets of services for this specialized group of entrants place undue burdens on their citizens and taxpayers. County governing bodies and their elected members of Congress have been concerned about these heavy costs for many years and have sought to create a program that would reimburse them for the added costs to their law enforcement and criminal justice systems. Many members of Congress have recognized that costs to counties associated with undocumented immigration are a federal responsibility and reimbursement is the only appropriate action when costs are documented. Congressional support to the Department of Justice, National Institute for Justice, provided funding for this study.

#### SCOPE OF STUDY

The study researched the law enforcement and criminal justice agencies in all 24 border counties, beginning with San Diego County, California and concluding with Cameron County, Texas. Workload and fiscal data were compiled for one fiscal year—2006—on expenditures from the county general fund. Site visits were made to each county during spring 2007 and follow-up research consisted of e-mails, faxes, and phone calls. Data collection concluded in August 2007. Hundreds of county officials, both elected and appointed, were interviewed. Documents researched included county budgets, court records, federal statistics, crime statistics, SCAAP applications, relevant research, and newspaper accounts. Preliminary drafts were presented to all county governing bodies for review in July and August. Findings are limited to the 24 border counties only. Impacts of undocumented immigration on municipalities, states, Indian tribes, and counties further north are not included in this scope of work.

## BORDER COUNTIES COSTS

The total cost to border counties for fiscal year 2006 was estimated to be \$192 million. Costs were calculated by department within counties and aggregated by state and as a border region. The basis for estimates was the percentage of workload in 2006 that involved undocumented immigrants in the departments of law enforcement and criminal justice. Table S1 presents combined county costs by state and table S2 presents costs by function.

**Table S1: Border County Costs by State**

California (2 counties)	Arizona (4 counties)	New Mexico (3 counties)	Texas (15 counties)	Total (24 counties)
\$82,641,211	\$26,590,944	\$7,334,899	\$75,380,953	\$191,948,007

Table S2 presents total border county costs by function. Sheriff and detention services impose the most expensive burden on the general fund—65 percent.

**Table S2: Total Costs by County Function**

Function	Cost
Sheriff	\$90 million*
Detention	\$43 million
District and County Clerks	\$3 million
District and County Attorneys	\$17 million
Indigent Defense	\$14 million
Adjudication	\$9 million
Adult Probation	\$6 million
Juvenile Services	\$10 million

\*Cost includes that for San Diego County detention

Another perspective on cost burdens considers costs on a per capita basis. Findings show that when costs are measured on a per capita basis, citizens of some of the smallest and poorest counties bear the highest cost. Table S3 presents several of these factors.

**Table S3: Population, Total Costs, Per Capita Costs, Per Capita Income, and Percent Living Below Poverty Level by County**

County	Population	Total Cost	Per Capita Cost	Per Capita Income	Below Poverty Level (%)
San Diego	2,941,454	\$77.1 million	\$26.21	\$35,841	10.9%
Imperial	160,301	\$5.54 million	\$34.59	\$13,239	18.5%
Yuma	187,555	\$7.7 million	\$41.00	\$24,458	18.4%
Pima	946,362	\$15 million	\$15.79	\$25,906	14.3%
Santa Cruz	43,080	\$ 2.2 million	\$52.50	\$18,278	20%
Cochise	127,757	\$ 1.7 million	\$13.46	\$23,217	16.3%
Hidalgo, NM	5,087	\$ .45 million	\$88.50	\$17,370	27%
Luna	27,205	\$ .7 million	\$25.00	\$17,145	26%
Doña Ana	189,444	\$ 6.2 million	\$32.75	\$20,756	25%
El Paso	736,310	\$35 million	\$47.51	\$20,675	26%
Hudspeth	3,320	\$1.25 million	\$378	\$16,482	29%
Culberson	2,525	\$ .24 million	\$94.50	\$15,522	23.1%
Jeff Davis	2,315	\$ .04 million	\$16.10	\$20,154	11%
Presidio	7,713	\$ .33 million	\$42.30	\$14,465	28%
Brewster	9,048	\$ .13 million	\$13.96	\$15,183	17.5%
Terrell	983	\$ .12 million	\$125.55	\$15,000	15.1%
Val Verde	48,145	\$ 1.5 million	\$31.22	\$18,894	22%
Maverick	52,298	\$ .96 million	\$18.34	\$12,774	28%
Kinney	3,341	\$ .19 million	\$57.17	\$19,418	19%
Webb	231,470	\$ 5.2 million	\$22.34	\$17,060	27%
Zapata	13,615	\$ 1.5 million	\$111.59	\$13,647	27%
Starr	61,780	\$ 1.8 million	\$29.48	\$10,805	35%
Hidalgo, TX	700,634	\$20.1 million	\$28.63	\$15,184	30.5%
Cameron	378,311	\$ 7.1 million	\$18.23	\$16,308	30%
Totals	6.9 million	\$192 million	\$33.48 (avg)	\$18,241 (avg)	22.7% (avg)

Not surprisingly, the urban counties bear the highest costs. Not only do urban counties offer job opportunities and thus serve as final destinations for undocumented workers, but also they tend to have the greatest concentration of populations across the line (with the exception of Pima County). However, they also have large and diversified economies and are able to absorb these extra costs more easily than rural counties. Nevertheless, urban counties have urban demands that their costs could be funding. San Diego, Pima, El Paso, Hidalgo, Texas and Cameron counties spent in combination \$119.7 million on services to criminal undocumented immigrants in 2006 and a staggering \$999.5 million on those same services in the eight years from fiscal years 1999 through 2006.

The residents of three Texas counties, Hudspeth, Terrell and Zapata, carried the costliest per capita burden, \$378, \$125.55 and \$111.59, respectively. Culberson County, Texas, and Hidalgo County, New Mexico ranked fourth and fifth, with \$94.50 and \$88.50, respectively, in costs per each resident. Hudspeth County residents, however, carry the greatest burden of all residents along the border by far. While a comparatively low total cost of \$1.25 million may seem like a minor nuisance to a county's general fund, \$378 per person is a great sum in a county with a per capita income of just over \$16,000 and a general fund of \$4 million. Second and third tier impacts need to be taken into account when measuring overall fiscal burden on border counties.

Fiscal burdens of failed federal immigration policies, while developed, adopted and implemented by legislators and the executive branch that represent the nation as a whole, fall disproportionately on border counties in the "direct line of fire" with economies that are well below the state and national levels. Household and per capita income levels as well as percentage of population living below the federal poverty level are telling. Every border county but one registers not only below their state per capita income level, but far below that of the United States. Only San Diego County is above the nation (and state) in per capita income (yet its California neighbor, Imperial County, at \$20,674, is well below the state and federal levels as well as many other border counties). The three poorest counties along the border in terms of per capita income are in Texas: Maverick, Zapata and Starr counties, with the latter the lowest at just \$10,805. Twenty-two counties have population percentages well below that of the United States (12.7 percent). Only San Diego County and Jeff Davis County are lower, at 10.9 percent and 11 percent, respectively. The counties with the highest percentage of people living below the federal poverty level are Starr (35 percent), Hidalgo (30.5 percent), Cameron (30 percent), Hudspeth (29 percent), Presidio (28 percent) and Maverick (28 percent), all in Texas. Twenty-three counties have a median household income below the \$44,334 national median, ranging from a low in Culberson County of \$15,522 to a high of \$37,454 in Pima County. Only San Diego County, with a median household income of \$52,000, ranks above the national median.

## MULTI-YEAR COSTS

This research documents the costs encumbered by counties for one year only, fiscal year 2006. But border counties have been providing services to criminal undocumented immigrants for decades. Fiscal year 1999 was the first year for which costs were measured. Using those costs as a base, it can be estimated what counties have spent in the intervening six years. Table S4 presents the estimated aggregate costs for fiscal years 1999-2006 by county. These cumulative cost estimates are based on the assumption that the increase (or decrease) was consistently incremental in each intervening year.

**Table S4: Aggregate Costs By County FY1999-2006**

<b>County</b>	<b>Aggregate Costs</b>
San Diego	\$565 million
Imperial	\$40 million
Yuma	\$49.2 million
Pima	\$95.5 million
Santa Cruz	\$17.6 million
Cochise	\$25 million
Hidalgo, NM	\$4.1 million
Luna	\$6.8 million
Doña Ana	\$13 million
El Paso	\$190 million
Hudspeth	\$5.8 million
Culberson	\$3.2 million
Jeff Davis	\$ .3 million
Presidio	\$2.9 million
Brewster	\$ .7 million
Terrell	\$ .5 million
Val Verde	\$13.4 million
Maverick	\$2 million
Kinney	\$ .9 million
Webb	\$35.2 million
Zapata	\$8.4 million
Starr	\$13.2 million
Hidalgo, TX	\$95 million
Cameron	\$44 million
Total:	\$1.23 billion

### **OPPORTUNITY COSTS TO BORDER COUNTIES**

The costs to process undocumented immigrants come at the expense of basic, vital services to county residents. The needs unmet include libraries, jails, courtrooms, parks, and basic infrastructure to colonias, new developments, and flood prevention. The unmet needs also include social service programs for abused children and women, childcare, and after school programs. Some of the capital needs include a community college, an international bridge, and a soccer field. But the overwhelming needs expressed by elected officials in most counties are related to health care—ambulances, clinics, more indigent healthcare funding, and more funding for comprehensive healthcare programs (e.g., inoculations, restaurant and public pool inspections, etc.). Other needs included more funding to retain and attract law enforcement officers, street construction and paving, and cleaning up environments left trashed by cross-ers. These are basic services that lift the quality of life in communities and also help reduce crime, especially among youth. Some specific examples include an ambulance for Presidio County, Texas; more amenities for parks in Santa Cruz County, Arizona to deter youth mischief; sewers to colonias in Webb County, Texas; after school programs for Luna County, New Mexico to deter youth mischief; and reinvestment of these foregone dollars to strengthen the law-justice system in Imperial County, California.



## CONCLUSIONS

### BORDER ENVIRONMENT

**Violence.** Many sheriffs testified that the border is much more violent than it was in 1999-2000, when border impacts on counties were first documented. As border enforcement gets tougher, drug- and people-smugglers become more desperate. Many incidents of “immigrant-on-immigrant” crime were recounted, leading to bloodshed and murder. Sheriffs secure the crime scene, investigate, and transport; counties also autopsy and bury bodies. Border Patrol agents and national park rangers are attacked and occasionally killed. “It’s a battle at the border,” says a Border Patrol agent. Smugglers dig tunnels under fences, disguise themselves as Mexican military, and resort to rock and Molotov cocktail throwing, lethal guns, and paintball guns.<sup>2</sup> Smugglers are also involving undocumented immigrants crossing to seek work in their activities. Smugglers use them as decoys to divert federal agents from cocaine shipments worth billions of dollars. They have seized control of favorite entrant routes, transforming themselves into more “diversified crime syndicates.” In December 2006 heavily armed smugglers stopped 12 vans filled with 200 entrants on a desolate desert road near *Sasabe, Sonora*. The smugglers burned the vans and then dictated where and when the migrants could cross into Arizona, collecting “protection money” from them. Smugglers have also expanded to include arms shipments.<sup>3</sup>

**Environmental Degradation.** In 2002 the federal government released a study that concluded it would cost \$23.5 million to clean up damage to federal land in southeastern Arizona caused by undocumented immigrants, smugglers, and the law enforcement officers who pursue them. Damage includes abandoned campfires that start wildfires, abandoned vehicles, human waste in and near rivers and streams, disrupted wildlife, and damage to fences, water supplies, and equipment belonging to ranchers and farmers who lease federal land.<sup>4</sup> Moreover, in a three-year time period, federal money for clean up has disposed of 250,000 pounds of trash, removed more than 600 abandoned cars and 1,725 bicycles, rehabilitated more than 50 illegally made roads and maintained 50 miles of legal roads, installed 1,750 feet of guardrail along roads, and barricaded two riparian areas in Las Cienegas National Conservation Area from smugglers and installed two miles of fence in Ironwood Forest National Monument in Pima County. Most of the garbage is left in areas where entrants wait to be picked up, and that is “particularly serious in areas where there are livestock,” says a Bureau of Land Management report. Wildlife gets tangled up in it or eat it, causing digestive problems and death.<sup>5</sup> Moreover, immigrant trash isn’t limited to remote areas any more. Along Interstate-10 in Pima County, for instance, a pile of backpacks, flannel shirts, coats, water bottles, soft-drink cans, pill packages, toothbrushes, toilet paper and diapers awaits clean up. A county official commented, “Look how close we are to town. It’s getting worse.” He estimates that border crossers dump about 2,000 tons of garbage each year.<sup>6</sup>

### CAPACITY OF BORDER COUNTIES

This research is intergovernmental in nature—levels of government, responsibilities, program implementation, and financing. It is not about immigration or immigration policy. At center are costs to county governments of providing services for populations that are the responsibility of the federal government. Cost analyses, however, were conducted within the context of county government. An understanding of the implications of this research requires a grasp of the roles and capacities of county governments. They are fundamentally both local governments and administrative agents of state governments. County leadership—hundreds of officials in the 24 border counties alone—is elected locally. County budgets are primarily based on local tax collections, and how these budgets are allocated has severe consequences on the political leadership and the capacity of county governments to respond to state-mandated programs and local citizen demands to live in a quality environment. Yet the capacity of county governments to fulfill their mandates is severely limited by state-restricted revenue raising authority and the propensity of the federal and state governments to shift costs down to counties. Processing undocumented immigrants through the law enforcement and criminal justice system in any county is unfair, but making border counties absorb these costs is untenable. These counties, with the exception of San Diego County, are among the poorest in their states and in the nation. Moreover, with the exception of one county in New Mexico and five in Texas, these counties are growing rapidly; demands for state-mandated, basic and quality of life services grow proportionately. New residents, furthermore, are not likely to raise income levels in these growing border counties.

Most members of Congress recognize the federal government's responsibility for the spillover effects of undocumented immigration on local communities, but Congress has not yet met its responsibility; in fact, appropriations to reimburse county jails and county prosecutors have been reduced. From a high of \$585 million, for instance, the appropriation for the State Criminal Alien Assistance Program (SCAAP) has fallen to a low of \$205 million and recently has increased to just over \$400 million. In fiscal year 1999 border counties received \$12.6 million from SCAAP; in fiscal year 2006, they received \$4.7 million. Their portion has declined by two-thirds. (The administration has eliminated SCAAP altogether from its proposed budget for the last several years.) Funding for the Southwest Border Prosecution Initiative, beginning with \$30 million in fiscal year 2002, has declined to \$27 million in 2006. (Awards to jurisdictions in the four border states totaled \$106.7 million from fiscal year 2002 through fiscal year 2004, and \$55.3 million for fiscal years 2005 and 2006. Border counties received \$36.8 million in the first three years and \$12.7 million in the last two.)<sup>7</sup> The vast majority of border counties lack the capacity to absorb these costs; they struggle to finance basic services as it is.

## METHODOLOGY

Accounting for the number of undocumented immigrants—those who cross the line undetected, those who overstay their visas, and those who overstay their daily work permits—who receive county services is very difficult. The judicial system is not likely to change its practice of not inquiring into the legal status of clients. County detention facilities have an incentive and legal right to determine legal status, but they often lack the technology and manpower to do so. Moreover, SCAAP has narrowed reimbursement eligibility to those who have been convicted of their charges, so payments do not begin to cover true costs. Sometimes determining workload impact requires a best guess based on experience in the field or by analyzing statistics prepared by other departments, such as detention, probation, and court clerk. External factors also add to analysis, such as county population, population across the line, type of terrain, county economies, legal crossings, and apprehensions. The cost estimates determined for this study are clearly conservative. Not only have the limits of technology (e.g., no field to denote legal status in computer programs across the criminal justice system) precluded a complete count, but also undocumented immigrants, for understandable reasons, tend not to reveal their status.

## COUNTY CONCERNS

County officials uniformly expressed concerns about several aspects of federal policy. Frequently cited was the higher threshold for drugs (500 pounds) required for federal prosecution. The impact on county criminal justice systems has become so burdensome that many prosecutors refuse to accept drug cases shifted to them by federal prosecutors. That appears to be an effective policy in lowering costs (e.g., Cochise County, Arizona), but drug smugglers go unprosecuted, so there is a negative impact on communities as well. Some jails are so full that they cannot take in federal prisoners for whom they would be reimbursed—reimbursement is an important source of revenue for many county jails. County officials also lament the “games” that federal agencies play with them, specifically in promising funding but not delivering it. Many will not apply for SCAAP reimbursement because the meager award would not be worth the expenditure of department resources. Indeed, SCAAP reimbursements to border counties for fiscal year 2006 costs amounted to \$4.7 million, 9 percent of documented costs for detaining undocumented immigrants. Perhaps border states, but certainly not the majority of border counties, have sufficient resources and immigration expertise to enforce federal immigration law, but that is a controversial issue of great concern to border counties.

While the federal executive and legislative branches struggle to produce an effective comprehensive immigration policy that would end undocumented immigration, they can devise a program that will have an effective and immediate impact on the local governments that bear the greatest brunt of failed efforts: a program to reimburse border counties on an annual basis for true costs of processing criminal undocumented immigrants through the law enforcement and criminal justice system.

## POLICY RECOMMENDATIONS

The \$192 million price tag represents the impact to border counties for fiscal year 2006. Undoubtedly this amount is a fraction of the total impact across the United States. Still to be identified and quantified are the costs to border states, counties farther north, Indian tribes, municipal police departments and municipal courts. While comprehensive immigration policy reform is complex, contentious and elusive, Congress can begin to fulfill its responsibility for border security simply by reimbursing border counties for the fiscal consequences of those failed policies. Three simple recommendations cover the costs associated with undocumented immigrants who commit state felonies and/or multiple misdemeanors: fully fund SCAAP, fully fund the Southwest Border Prosecution Initiative, and fully reimburse the 24 border counties for the costs of law enforcement and criminal justice services—annually for as long as undocumented immigrant criminal activities continue.

**State Criminal Alien Assistance Program.** SCAAP must be fully funded to cover detention costs as calculated in this report. Eligibility requirements should not be limited to only those undocumented immigrants who are ultimately convicted and spent four or more days in jail. SCAAP is authorized at \$950 million from fiscal year 2008 through fiscal year 2011.

**Southwest Border Prosecution Initiative.** Many counties no longer accept federal declination cases because the reimbursement is insufficient. SWBPI should also be fully funded to ensure that all undocumented drug smugglers are brought to justice.

**“Southwest Border County Law Enforcement Program.”** A new program should be established and fully funded to reimburse border counties for the costs imposed by criminal undocumented immigrants on all departments that provide services: sheriff, detention, clerk of court, prosecution, adjudication, probation and juvenile services. A methodology for determining these costs on an annual basis must be implemented.

Undocumented immigration and its costs are an emotionally-charged issue because there is strong evidence that U.S. efforts to control it are failing and the consequences of this failure have negative impacts that ripple through border counties. As policy makers determine how to respond, it is important that they be cognizant of the intergovernmental aspects of both decision making authority and fiscal responsibility. The level of government with the authority to make and implement policy must also cover the costs of implementation and enforcement. As immigration policy is a federal responsibility, the federal government should bear these costs. Yet, in fiscal years 1999 through 2006, the 24 counties along the U.S.-Mexico border have spent a staggering \$1.23 billion on their enforcement. A federal program to cover these costs must be created and fully funded.

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1. Jorgensen, Jay T. “The practical power of state and local governments to enforce federal immigration laws.” *Brigham Young University Law Review*. 1997. (4): 899-942.
  2. “Mexican drug lords using migrants to divert patrols,” *Arizona Daily Star*, May 1, 2007, A1.
  3. “Environment is the loser in border battles,” *Arizona Daily Star*, July 8, 2002, 4B.
  4. Tony Davis, “Crossers burying border in garbage,” *Arizona Daily Star*, July 30, 2006, A1.
  5. Tony Davis, “Trash woes piling up,” *Arizona Daily Star*, August 24, 2005, B1.
  6. See: <http://www.ojp.usdoj.gov/BJA/grant/southwest.html>.
  7. The level of criminal violence is documented in two annual Federal Bureau of Investigation reports, the *Uniform Crime Report and Crime in the United States*. These reports suggest that violence in the United States as a whole decreased in 2006 and between 2005 and 2006. However, the reports do not segregate violent crimes committed by undocumented immigrants, so their statistics do not inform this aspect of border crime. See: [www.fbi.gov/ucr/cius2006](http://www.fbi.gov/ucr/cius2006).