

California again leads the nation — this time in trying to quantify the costs of immigration. We present here the executive summary of the final report of the Los Angeles County ad hoc Subcommittee on Criminal Aliens, Countywide Criminal Justice Coordination Subcommittee, Supervisor Deane Dana, Chairman. The report was issued July 15, 1992.

Impact of Repeat Arrests of Deportable Criminal Aliens in Los Angeles County

In July 1992, the Countywide Criminal Justice Coordination Committee (CCJCC) concluded a follow-up study of rearrests among deportable aliens and their impact on the criminal justice system in Los Angeles County. This was a longitudinal study of the rearrest patterns of a group of County jail inmates who, upon release from custody in May 1990, were identified by the Immigration and Naturalization Service (INS) as deportable aliens. Both the May 1990 survey and this follow-up study were strictly limited to identified deportable aliens who had been arrested and/or convicted of criminal offenses under California state law. The great majority of persons (83 percent) included in these studies were, in fact, convicted criminals who should be differentiated from the vast majority of immigrants who have come to the United States and to this County in search of work and a better way of life.

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The follow-up study targeted a group of 1,933 deportable aliens who were identified in the May 1990 study, and entailed a comprehensive analysis of local, state and Federal criminal records for the 12-month period beginning June 1, 1990 and ending May 31, 1991. Both research projects were designed to provide information needed for the establishment of new policies and procedures which would expedite the identification of deportable aliens who are convicted of criminal offenses in Los Angeles County.

During this study, all 1,933 deportable aliens identified were tracked through the various systems identified above to establish the number of times that they had been recorded in the various systems for arrests prior to May 1990, and Target Year and subsequent arrests and convictions. The data revealed that 1,875 of the original study defendants were

trackable deportable aliens. No verifiable information could be found for 58 defendants.

FINDINGS

Over 50 percent of the 1,933 defendants in the May 1990 study identified as deportable criminal aliens were returned to their country of origin by either voluntary removal or deportation.

- 663 deportable criminal aliens were voluntarily returned by INS to their country of origin without formal proceedings, and deportation proceedings were initiated for 311 defendants who were either formally deported or voluntarily returned to their country of origin by INS.

Over 40 percent of the 1,875 trackable defendants had been rearrested within one year of release through IRC.

- Over 40 percent or 772 defendants had been rearrested during the Target Year (June 1, 1990 through May 31, 1991) following the May 1990 study.
- 772 defendants were rearrested for a total of 1,522 arrests.
- The average number of rearrests per person for the 12 month Target period was 1.97.

87 percent of the rearrests occurred in Los Angeles County.

- 87 percent (1,318) of the 1,522 rearrests during the Target Year occurred within the county.

29 percent of the rearrest charges involved drug violations.

- 29 percent of the rearrest charges involved drug violations followed by 28% for crimes against property.

Cumulative arrests totalled 10,989.

- Prior to and following May 1990, 1,536 deportable aliens accounted for 10,989 arrests from 1958 to February 1992.

- 339 deportable aliens had only one indicated arrest leading to incarceration and inclusion in the May 1990 study.
- 87 percent (9,604) of the cumulative arrests occurred within Los Angeles County.

Of the 772 persons rearrested during the Target Year, 75 percent (578) were known to have been convicted.

- There were a total of 578 conviction charges with 33 percent involving drug violations and 32 percent for crimes against property.
- 52 percent of the defendants received an average of 123 jail days as a condition of probation.
- 25 percent of the defendants received prison sentences averaging 2.7 years.

Estimated annual impact of deportable aliens on the criminal justice system in Los Angeles County is \$75,165,000.

- 11 percent of the County jail population were estimated as deportable aliens based on the May 1990 study.
- Over \$683,318,000 was budgeted by the County for the processing of all adult criminal cases and defendants in FY 1991-92, of which 11 percent can be attributable to deportable aliens based on CCJCC's May 1990 study of the County jail population.

CONCLUSIONS AND RECOMMENDATIONS

This study clearly demonstrates that deportable aliens involved in criminal activity are indeed a burden on the local justice system. The follow-up analysis verifies that significant numbers of deportable aliens who are removed from the country do, in fact, return to Los Angeles County and sustain new contacts with the criminal justice system. Legislation is needed to firmly establish Federal responsibility for this problem, and to provide immediate relief to local jurisdictions.

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The data collection and analysis procedures required for the follow-up study revealed other problems. Formal deportation orders against criminal aliens are not routinely shared and there needs to be more effective coordination between Federal, state and local justice agencies in the positive identification and tracking of deported aliens who continue to be involved in criminal activities.

Therefore, the Subcommittee on Criminal Aliens recommends that CCJCC urge the Board of Supervisors to:

1. Approve the report on the impact of Repeat Arrests of Deportable Criminal Aliens in Los Angeles County.
2. Direct the CAO and the County's representatives in Washington, D.C. to continue efforts to enact new legislation and Federal policies which will transfer greater financial and legal responsibility for deportable criminal aliens to the Federal government and which will specifically:
 - Establish programs for the transfer of deportable criminal aliens in county jails to serve sentences for state crimes in Federal correctional facilities.
 - Provide Federal reimbursement to local jurisdictions for the cost of arrest, prosecution and incarceration of deportable criminal aliens.
 - Provide resources to expedite the development and implementation of a nationwide automated fingerprint identification system for deportable criminal aliens.
 - Mandate the prompt reporting of criminal alien deportation orders to state and Federal criminal record systems with requirements that all such reports include a standard of positive identification based on the national Automated Fingerprint Identification System (AFIS).
3. Direct the Countywide Criminal Justice Coordination Committee to:
 - Continue cooperative efforts between local and Federal agencies to develop programs which will expedite the positive identification and formal deportation of criminal aliens.
 - Work with Federal agencies to develop recommendations for policies and procedures to ensure the timely reporting of criminal alien deportation orders to state and Federal criminal record systems.
 - Work with Federal agencies to develop recommendations to ensure greater coordination in the development of Automated Fingerprint Identification Systems (AFIS) for deportable criminal aliens. ■

[Copies of the entire report are available from the Board of Supervisors, Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012; telephone (213) 974-5555.]

Methodology of the Report

The original survey in May of 1990 involved a comprehensive INS screening of all identifiable foreign-born inmates released through the Inmate Reception Center (IRC) at Men's Central Jail to determine the extent to which prisoners in the Los Angeles (L.A.) County Jail were deportable under Federal immigration laws. Since all inmates exit the jail system through IRC, this study provided a one-month "snapshot" of the custody population and a statistical profile of persons who were identified as deportable by INS. In May 1990, 17,774 inmates were released through IRC of which 3,227 were persons who had been born outside of the United States. All foreign-born inmates were screened by INS resulting in the identification of 1,933 deportable aliens or 11 percent of the total number of released inmates. Although a significant number of these individuals were exiting the jail system to be incarcerated in state prison, most were being released after being convicted and serving their sentences in the County jail.

To further understand the impact of deportable aliens on the local criminal justice system, the follow-up study was undertaken to analyze the extent to which deportable aliens are rearrested during a one-year period. This study entailed a comprehensive criminal records analysis for 1,875 of the 1,933 persons identified during the one-month survey. The review of records provided specific criminal history data:

- Number of rearrests
- Number of new convictions
- Most serious new charge for each new arrest
- Most serious conviction for each new arrest
- Sentence type, i.e. probation, jail, prison, fine for each new conviction
- Sentence length for each new conviction
- Number of INS contacts prior to May 1990 and during the year succeeding May 1990.

For those defendants who had extensive contact with the criminal justice system, the following data elements were also captured:

- Total number of addresses, compiled from the list of addresses carried in the local automated justice systems as reported by the defendant at each new arrest
- Number of other names ("also known as" or AKAs) used by the defendant

The follow-up study included data retrieved through computer searches of local, state and Federal justice information systems including the Justice Data System, Municipal Court Information System, Juvenile Automated Index, the California Law Enforcement Telecommunications System, the Department of Motor Vehicles System, and the National Crime Information Center System. ■