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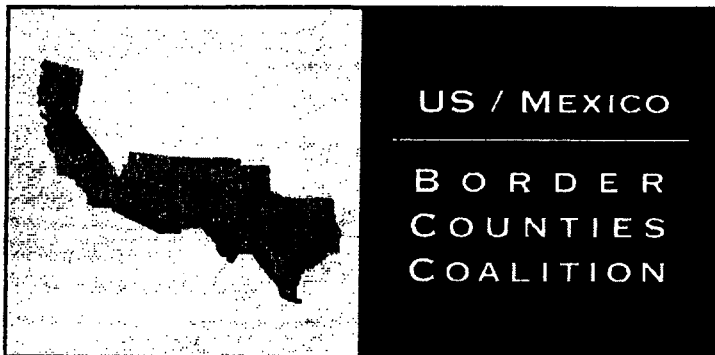
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ILLEGAL IMMIGRANTS IN U.S.-MEXICO BORDER COUNTIES:

COSTS OF LAW ENFORCEMENT, CRIMINAL JUSTICE and EMERGENCY MEDICAL SERVICES

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We are honored to have met and spent time with numerous county officials, both elected and appointed, who govern the counties that stretch along the U.S.-Mexico border from Cameron County, Texas in the east to San Diego County, California in the west. They carved time out of their busy schedules to meet with us, sometimes on several occasions, to educate us about their functions and to explore with us how the presence of criminal undocumented persons has impacted their departments and the emergency medical responses required for persons without legal U.S. residency status. We are humbled by their dedication and hard work in the face of terribly insufficient resources.

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We hope that this research contributes meaningfully to the ongoing debate in the U.S. Congress on the impact of illegal immigration on local communities and that it inspires further research on the impacts of illegal immigration on other entities not included in our study: states, municipal police departments, border-area tribes, and hospitals.

The Research Team
January 24, 2001

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TEXAS' BORDER COUNTIES

The name of the State of Texas is derived from the Hasinai Native American phrase "Tejas," meaning friend.¹ Paleo-Indians, which hunted great mammoths and buffalo, were the first inhabitants of the state in 10,000 B.C. The State of Texas has a very rich history that involved the exchange of governmental power a total of eight times, although the state has been ruled under six flags. In 1528 Cabeza de Vaca landed in what is now Galveston and began the famed story of the "Seven Cities of Gold." Texas came under the Kingdom of France in 1685 when La Salle founded Fort St. Louis along Matagorda Bay. The stronghold switched hands in 1690, when the Mission San Francisco de Los Tejas was created in East Texas. The Mission San Antonio de Valero, which is currently known as the Alamo, was established in 1718.²

During the same time that Mexico gained independence from Spain in 1821, Mexico authorized Stephen F. Austin to begin a colony of 300 families in southeast Texas, which was later called the "Old Three Hundred." The Battle of the Alamo began in 1836 and became the battle cry for Texans. On March 2, 1836, the Texas Declaration of Independence was ratified, and the Republic of Texas was born. On December 29, 1845, the State of Texas became the 28th state, through annexation into the United States.³ Texas became part of the Confederate States on January 28, 1861, and on March 30, 1870, after the Reconstruction Period, Texas formally became part of the United States.⁴

At the beginning of the 20th century the population of the State of Texas was about three million. According to the Census Bureau, the 1999 population figure reached over 20 million, about 7 percent of the U.S. total. Texas is ranked first out of the 10 fastest growing states in terms of population. The latest census figures place Texas as the second most populous state. The population increased 18 percent between 1900 and 1999, nearly half that of the U.S.⁵

Immigration from state borders and particularly the southern border contributed to the growth of Texas. Immigrants from Mexico and Germany comprised the majority of the influx into the state, with the addition of 179,357 foreign born persons into the population. Eighty-two percent of the population in 1900, worked in rural regions of the state. African Americans and Hispanic Americans comprised the two largest minority groups in Texas. From the period of 1880 through 1900, the African American population increased from 393,384 to 620,722. This increase can be misleading for the reason that while the African American population was increasing, their population figures decreased, due to the fact that other ethnic populations were growing at much faster rates. Hispanic Americans experienced a greater increase than their counterparts through immigration and birth rates. The 1880 birthrate for Hispanic Americans was 43,161, which grew to 71,062 by 1900. Mexican Americans created a stronghold South of San Antonio and along the Rio Grande, where they held some political clout. Their culture flourished because they were able to preserve their language through Spanish newspapers, churches and through the celebration of Mexican holidays.⁶

Texas' Border Environment

Fourteen of Texas' 254 counties form a 1,092-mile international boundary between the U.S. and Mexico. Population, degree of urbanization, physical topography and degree of impact by undocumented persons on their law enforcement and administration of justice as well as healthcare systems varies tremendously. Table T1 presents summary characteristics of these border counties. Jeff Davis and Culberson Counties, although not directly on the U.S.-Mexico border, are included in this study because their proximity creates similar challenges experienced by other border counties. The 15 border counties included in this study represent 9.7 percent of Texas' total population. The most populous is El Paso County with 36 percent of the border residents. Hidalgo and Cameron Counties, in the lower Rio Grande Valley, are the next largest border counties. Webb County, with Laredo as the county seat, is the largest county in the middle Rio Grande region. The other counties are small, rural counties with less than 5 percent each of the total border population.

Table T1: Texas Border County Statistics

County	Population	Square miles	Border Length	Ports- of- Entry	INS Border Crossings	Border Patrol Apprehensions
Cameron	329,131 16.8%	2,345 2.5%	66 6.0%	3	22,808,120 12.1%	84,789 22.2%
Hidalgo	534,907 27.4%	4,064 4.4%	68 6.2%	4	31,389,565 16.6%	33,261 8.7%
Starr	56,577 2.8%	3,168 3.4%	59 5.4%	3	8,223,707 4.3%	8,170 2.1%
Zapata	11,436 0.6%	2,582 2.8%	73 6.6%	0	0	582 0.2%
Webb	193,180 9.9%	8,695 9.4%	104 9.5%	3	47,748,336 25.3%	78,234 20.4%
Maverick	48,639 2.4%	3,316 3.6%	87 7.9%	1	8,722,754 4.6%	62,100 16.2%
Kinney	3,465 0.2%	5,532 6.0%	13 1.1%	0	0	18,778 4.9%
Val Verde	44,188 2.2%	3,232 3.5%	98 8.9%	2	5,959,546 3.1%	32,708 8.5%
Terrell	1,202 0.6%	2,385 2.6%	48 4.3%	0	0	953 0.2%
Brewster	8,793 0.5%	16,040 17.5%	164 15.0%	0	0	1,035 0.3%
Presidio	8,954 0.5%	9,987 10.9%	158 14.4%	1	1,976,222 1.0%	1,586 0.4%
Jeff Davis	2,415 0.1%	5,865 6.4%	0	0	0	0
Culberson	3,018 0.2%	9,875 10.7%	0	0	0	1,378 0.4%
Hudspeth	3,238 0.2%	11,840 12.9%	94 8.6%	1	598,193 0.3%	4,708 1.2%
El Paso	701,908 36.0%	2,624 2.8%	60 5.4%	4	60,748,808 32.2%	53,613 14.0%
TOTAL	1,951,051	91,550	1,092	22	188,175,251	381,895

There are 22 ports-of-entry in Texas. According to the INS, 188 million people crossed from Mexico into the U.S. through the State of Texas in 1999. An average of 515,549 persons enter per day through Texas counties. The U.S. Border Patrol apprehended 381,895 alleged undocumented persons during 1999, or an average of 1,046 persons per day.

Characteristics of Texas County Government

Texas county governments are subordinate units of state government with limited local authority. As general-law units of local government, they are limited to the powers and structures established by state law. Unlike other states, Texas counties may not adopt a home rule charter. This parameter on their operations means that many of their responses to local problems must receive state legislative authorization before action can be taken. Texas counties, therefore, serve a dual function. Within their jurisdiction counties have the responsibility for implementing state policies as well as providing services to their local citizens.

The commissioners' court governs each county. It consists of four commissioners and a county judge. Each is elected to staggered, four-year terms on a partisan basis. Elected from single-member districts, the commissioners represent specific districts, or precincts. The county judge is elected at-large and serves as head commissioner and a voting member of the court. Texas county judges do have judicial responsibilities. They may be called upon to preside in the constitutional county court. Larger urban counties delegate this authority to the county courts at law. The county judge also serves as the chief financial-budget officer in smaller rural counties with fewer than 225,000 residents.⁷

Because of the statutory limits on Texas counties, the commissioners court may set the property tax rate. However, the Texas constitution imposes a maximum permissible rate. According to the Texas Comptroller of Public Accounts, "Under the Texas constitution, a county may levy as many as three individual tax rates for funds dedicated to specific purposes: Farm-to-Market Roads and Flood Control, General Fund and a Special Road and Bridge Fund." All 254 Texas counties impose a property tax for the general fund. Land is appraised by a Central Appraisal District, which also handles appraisal for cities and special districts within a county. Counties have the local option of granting local homestead exemptions. The state also makes available exemptions for disabled persons and disabled veterans. Total county property taxes collected in Texas in 1999 were \$3.2 billion, a 5 percent increase from the previous tax year. County taxable property values reached \$876 billion.⁸

Texas counties have the additional revenue option of imposing a sales and use tax. The Texas sales tax rate is 6.25 percent. Local sales and use taxes, which include city, county, transit authorities and special use districts, cannot exceed an additional 2 percent. One-hundred nineteen of Texas' 254 counties impose a ½ percent county sales and use tax.⁹ Intergovernmental grants-in-aid from the state and federal government compose the remainder of the revenue sources for Texas counties. Texas counties received \$43.6 billion from the state, of which \$14.3 billion was attributable to intergovernmental payments. The remainder of the funds included labor costs, public assistance, highway construction and maintenance funds, operating expenses and capital outlays.¹⁰

County healthcare, while a part of the county general fund, often includes service provision through a special taxing district. Various counties have special districts, with their own boards and taxing authorities, to fund hospitals, health services and emergency services. Other county services such as water, rural fire and police, municipal utilities and community colleges are sometimes funded via special districts. Rural Texas counties often work together for service provision. Adult probation and detention and community supervision of juveniles is often handled in this fashion. Participating counties underwrite the cost of service based on their population as a proportion of the total service area.

Texas County Law Enforcement and Criminal Justice System

The principal law enforcement officer at the county level in Texas is the sheriff. The sheriff's department is responsible for the following: the operation of county jails, criminal investigations, arrest of criminal offenders, giving warrants and civil papers, providing bailiffs for all state courts and law enforcement protection.

The District Attorney (DA) is the main prosecutor that upholds the state penal code. The DA represents the State of Texas in felony criminal actions and misdemeanor criminal actions in the County Court at Law and the Justice of the Peace Courts. One district attorney may provide services for several counties with smaller communities, although the regular jurisdiction for DAs is based on county lines.¹¹ The County Attorney provides legal council to the Commissioners Court. This office handles civil cases filed against the county. In addition, the County Attorney handles misdemeanor cases up to felony.

Texas District Courts have original jurisdiction in all felony criminal cases, divorce cases, cases involving title to land, election contest actions and civil matters in which the controversy is over \$200. Texas County Courts at Law hear both criminal and civil cases. The courts criminal responsibility includes Class "A" and "B" misdemeanors with the highest fine being \$500. The civil cases heard by the County Courts at Law involve controversies between \$500 and \$5,000. The lowest county court is the Justice of the Peace Court. Justice of the Peace courts have original jurisdiction in Class "C" misdemeanor criminal cases with fines up to \$500. Civil cases with controversies under \$5,000 are heard in the J.P. court. Constables are the peace officers of the justice court.

Texas Emergency Medical Services and Indigent Health Care

Emergency medical services for residents of Texas counties are provided through multiple funding and delivery systems. Special hospital districts have been created in many of the border counties as a way to manage indigent healthcare. These special districts have their own boards of directors and independent taxing authority.

Some counties solely own EMS and ambulance services, while others choose to contract out this service. In still other counties, special hospital districts operate emergency ambulance service. In at least one instance, a local military base whose mission includes the training of flight nurses and surgeons offers medical airlifts.

In those counties with a public health department, the department services the critical role of overseeing indigent healthcare. Counties are mandated by the State of Texas to provide emergency healthcare to undocumented persons through the Type 30 Medicaid program. The federal government enacted a pilot program through the Federal Balanced Budget Act of 1997 that would provide \$3.9 million per year as a special allotment of federal funds to provide healthcare to TP30 clients in the State of Texas. The monies were available for a five-year period from 1998 through 2001. The Medicaid program draws reimbursement for claims paid for the Program Type 30 clients until monies are exhausted each year. Once the \$3.9 million is exhausted, then state funds are used in conjunction with federal dollars to provide service to the patients. Either the county health department, or in some cases a local office of the Texas Department of Health (TDH), make the eligibility determinations for reimbursement under the Program Type 30, Medicaid. According to TDH, the majority of the TP30 funds in Texas are being used for childbirth or the complications of childbirth.

Medical personnel do not inquire whether a person has legal residency status in the U.S. when presented with an individual needing acute care. Intake workers at hospitals and community-based clinics will ask for a social security number and place of birth. Determining the total number of unique patients seen in a given year who are undocumented therefore becomes a daunting task. Interviews with hospital and community-based clinic personnel were used to estimate percentages of patients seen who were presumed to lack legal residency status in the U.S. In some cases, lack of a social security number was used as an indicator.

Determining the nativity and residency status of the deceased presents further challenges. Manner of death, location and circumstances under which the body is found all enter into the assessment of the coroner, medical examiner or Justice of the Peace. In several of the counties, autopsies were not routinely performed if the individual's remains were skeletonized. For the purposes of this research, reported statistics from the local officials were used to determine the fiscal impact of persons who may have lacked legal residency status in the U.S. at the time of death.

Costs to Texas Border Counties

The total cost to Texas' border counties for the provision of law enforcement, criminal justice and emergency medical service to undocumented persons was estimated to be \$23,289,011, as shown in table T2. This figure includes the general government indirect costs. The impact on the general fund of border counties varies from zero in Terrell County to almost one-third of the total Culberson County budget. On an average, Texans living in border counties spend 9.2 percent of their county's general fund expenditures for the incarceration, prosecution and community supervision of criminal undocumented persons and the provision of emergency healthcare for individuals without legal residency status in the U.S.

The cost estimates for emergency healthcare included all persons without legal residency status, whether they had committed felony criminal acts or not. Table T2 summarizes the data for the Texas border counties. El Paso County shoulders the largest portion of costs associated with criminal undocumented persons, 39.5 percent. Cameron, Hidalgo and Webb Counties, the other

counties with large urban population centers, account for 15.7, 10.9 and 13.7 percent of the total costs, respectively. The average cost per capita in Texas border counties was \$11.94.

Table T2: Estimated Fiscal Impact of Undocumented Persons by County

County	Estimated Fiscal Impact	Percentage of Total Estimated Fiscal Impact	General Fund	Estimated Fiscal Impact as Percentage of General Fund	Per Capita Impact
Cameron	\$ 3,663,064	15.7%	\$ 31,790,196	11.5%	\$11.13
Hidalgo	\$ 2,531,488	10.9%	\$ 50,441,047	5.0%	\$4.73
Starr	\$ 1,440,443	6.2%	\$ 8,300,000	17.4%	\$25.46
Zapata	\$ 432,430	1.9%	\$ 5,564,928	7.8%	\$37.81
Webb	\$ 3,191,064	13.7%	\$ 36,700,000	8.7%	\$16.52
Maverick	NA	NA	\$ 4,900,000	NA	NA
Kinney	\$ 16,026	0.1%	\$ 1,241,160	1.3%	\$4.63
Val Verde	\$ 1,527,737	6.6%	\$ 7,985,767	19.1%	\$34.57
Terrell	\$ 0	0%	\$ 1,043,637	0%	\$0.00
Brewster	\$ 56,401	0.2%	\$ 2,336,115	2.4%	\$6.41
Presidio	\$ 465,356	2.0%	\$ 1,702,496	27.3%	\$51.97
Jeff Davis	\$ 44,478	0.2%	\$ 492,483	9.0%	\$18.42
Culberson	\$ 610,104	2.6%	\$ 1,937,814	31.5%	\$202.16
Hudspeth	\$ 120,524	0.5%	\$ 1,814,407	6.6%	\$37.22
El Paso	\$ 9,189,896	39.5%	\$97,744,000	9.4%	\$13.09
Total State Cost	\$ 23,289,011	100.0%	\$253,994,050	9.2%	\$11.94*

*Average per capita impact cost for counties experiencing fiscal impact. Maverick and Terrell Counties excluded.

Costs to Texas Border County Departments

By estimating the percentage of total workload associated with processing criminal undocumented persons, researchers in consultation with the local counties determined the cost to the general fund for each department. Using a percentage of the total departmental effort ensured that overhead costs are also included. These figures also incorporate an estimate of the cost of general governmental services for each department, such as human resources, auditor, finance and budgeting. The costs for emergency medical care are county general fund expenditures including

ambulance, county eligibility determination and acute medical care. The results of these calculations are shown in table T3. Sections on each county will discuss the departmental costs in detail.

Table T3A: Costs to Texas Border Counties by County and Department

Cameron \$3,663,064	Hidalgo \$2,531,488	Starr \$1,440,44	Zapata \$432,430	Webb \$3,191,064
Sheriff \$2,293,818	Sheriff \$1,618,794	Sheriff \$865,912	Sheriff \$124,436	Sheriff \$1,709,495
District Court \$90,618	District Court \$65,529	District Court \$152,191	District Court \$3,480	District Court \$97,976
District Attorney \$227,679	District Attorney \$183,788	District Attorney \$93,065	District Attorney \$5,031	District Attorney \$440,122
District Clerk \$64,239	District Clerk \$28,247	District Clerk \$67,157	District Clerk \$3,081	District Clerk \$58,244
County Court at Law \$327,783	County Court at Law \$42,724	County Court at Law \$56,098	County Court at Law None	County Court at Law \$62,187
County Attorney None	County Attorney None	County Attorney \$74,509	County Attorney \$25,900	County Attorney \$28,658
County Clerk \$375,484	County Clerk \$31,725	County Clerk \$73,653	County Clerk \$23,841	County Clerk \$43,980
Justice of the Peace & Constable \$11,052	Justice of the Peace & Constable \$63,164	Justice of the Peace & Constable N/A	Justice of the Peace & Constable \$96,396	Justice of the Peace & Constable \$47,660
Indigent Defense \$109,406	Indigent Defense \$135,469	Indigent Defense \$27,391	Indigent Defense \$4,659	Public Defender \$373,821
Juvenile Probation \$0	Juvenile Probation \$0	Juvenile Probation \$20,756	Juvenile Probation \$51,919	Juvenile Probation \$259,458
Adult Probation \$0	Adult Probation \$0	Adult Probation \$9,701	Adult Probation \$2,376	Adult Probation \$0
Emergency Medical \$67,657	Emergency Medical \$320,779	Emergency Medical N/A	Emergency Medical \$86,856	Emergency Medical \$69,463
Autopsy & Burial \$95,328	Autopsy & Burial \$41,269	Autopsy & Burial N/A	Autopsy & Burial \$4,455	Autopsy & Burial N/A

Table T3B: Costs to Texas Border Counties by County and Department

Maverick N/A	Kinney \$16,026	Val Verde \$1,527,737	Terrell \$0	Brewster \$56,401
Sheriff NA	Sheriff \$7,310	Sheriff \$919,368	Sheriff \$0	Sheriff \$3,588
District Court NA	District Court NA	District Court (includes District Attorney) \$71,449	District Court \$0	District Court \$700
District Attorney NA	District Attorney NA		District Attorney \$0	District Attorney \$161
District Clerk NA	District Clerk NA	District Clerk \$68,118	County-District Clerk \$0	District Clerk \$969
County Clerk NA	County Clerk NA	County Clerk \$13,479	—	County Clerk \$0
County Court at Law NA	County Court at Law NA	County Court at Law \$14,291	County Court at Law None	County Court at Law \$0
County Attorney NA	County Attorney NA	County Attorney \$11,111	County Attorney None	County Attorney \$0
Justice of the Peace & Constable NA	Justice of the Peace & Constable \$8,716	Justice of the Peace & Constable \$157,728	Justice of the Peace & Constable \$0	Justice of the Peace & Constable \$0
Juvenile Probation NA	Juvenile Probation NA	Juvenile Probation \$13,292	Juvenile Probation \$0	Juvenile Probation \$1,295
Indigent Defense NA	Indigent Defense NA	Indigent Defense \$89,768	Indigent Defense \$0	Indigent Defense \$12,250
Emergency Medical NA	Emergency Medical NA	Emergency Medical \$10,704	Emergency Medical \$0	Emergency Medical \$16,277
Autopsy & Burial NA	Autopsy & Burial NA	Autopsy & Burial \$36,721	Autopsy & Burial \$0	Autopsy & Burial \$16,245
Detention NA	Detention NA	Detention \$135,000	Detention \$0	Detention \$4,916

Table T3C: Costs to Texas Border Counties by County and Department

Presidio \$465,356	Jeff Davis \$44,478	Culberson \$610,104	Hudspeth \$120,524	El Paso \$9,189,896
Sheriff \$189,151	Sheriff \$20,320	Sheriff \$371,425	Sheriff \$64,884	Sheriff \$4,525,131
District Court \$41,631	District Court \$3,934	District Court \$24,649	District Court \$2,336	District Court \$343,363
Administrative Judicial Court NA	Administrative Judicial Court NA	Administrative Judicial Court NA	Administrative Judicial Court NA	Administrative Judicial Court \$4,025
District Attorney \$14,219	District Attorney \$834	District Attorney \$57,988	District Attorney \$392	District Attorney \$643,435
County-District Clerk \$83,926	County-District Clerk \$7,409	County-District Clerk \$61,272	County-District Clerk \$10,973	District Clerk \$162,701
County Court at Law NA	County Court at Law NA	County Court at Law NA	County Court at Law NA	County Court at Law \$1,159,678
County Attorney \$32,836	County Attorney \$0	County Attorney \$13,494	County Attorney \$0	County Attorney \$89,069
County Clerk (combined with District Clerk)	County Clerk (combined with District Clerk)	County Clerk (combined with District Clerk)	County Clerk (combined with District Clerk)	County Clerk \$141,004
Justice of the Peace & Constable \$52,512	Justice of the Peace & Constable \$0	Justice of the Peace & Constable \$79,430	Justice of the Peace & Constable \$38,945	Justice of the Peace & Constable \$63,647
Criminal Law Magistrate NA	Criminal Law Magistrate NA	Criminal Law Magistrate NA	Criminal Law Magistrate NA	Criminal law Magistrate \$40,359
Indigent Defense \$18,661	Indigent Defense \$0	Indigent Defense	Indigent Defense \$1,496	Public Defender \$519,205
Adult & Juvenile Probation \$9,344	Adult Probation \$0 Juvenile Probation \$0	Adult Probation \$1,846 Juvenile Probation \$0	Adult & Juvenile Probation \$1,498	Adult Probation \$16,385 Juvenile Probation \$475,224
Emergency Medical \$12,026	Emergency Medical \$3,677	Emergency Medical \$0	Emergency Medical \$0	Emergency Medical \$962,923
Autopsy & Burial \$11,050	Autopsy & Burial \$1,598	Autopsy & Burial \$0	Autopsy & Burial \$0	Autopsy & Burial \$43,748
Detention (Not in general fund)	Detention \$6,706	Detention (included with Sheriff)	Detention (Not in general fund)	Detention (Included with Sheriff)

CAMERON COUNTY, TEXAS

Cameron County lies the very tip of the State of Texas. The county covers 2,345 square miles. The county seat is located in the southernmost city of the state, Brownsville, Texas. Brownsville is largest city in the lower Rio Grande Valley, with a local economy that is based on electronics, textiles, metal fabrication, food processing and petrochemical industries. Brownsville has a skilled labor force that experiences low employee turnover while at the same time maintaining minimal production costs.¹² The 17-mile ship channel of the Port of Brownsville, which includes 14 deep sea docks and six barge berths, railway and trucking facilities, is considered to be one of the leading Foreign Trade Zones in the United States.¹³

The other major cities in Cameron County include Harlingen (population 48,735), San Benito (population 20,125) plus the coastal gateway city of Port Isabel (population 4,467) and the island resort community of South Padre Island (population 1,677). Other smaller communities include La Feria (4,360), Santa Rosa (2,223), Combes (2,024), Rio Hondo (1,793), Rangerville (280), Rancho Viejo (885), Los Fresnos (2,473), Laguna Vista (1,166) and Bayview (291). U.S. Highway 77/83 provides connections from Brownsville along a northwestern route through San Benito and Harlingen.

Within the sub delta of the Rio Grande in the southeastern portion of county is the Boca Chica State Park. Located east of the city of Brownsville, Texas, the 1054.92-acre park includes the Mesa de Gavilan. Boca Chica provides a natural habitat for numerous rare bird species that winter at the park. It is also a sanctuary for many fauna and geological sites that are preserved in their natural environment. The Port Isabel Lighthouse State Historical Park is located in the City of Port Isabel along the lower Laguna Madre. It is the only lighthouse, out of a total of 16 in the entire State of Texas, that is available for public tours. The light from the lighthouse was disabled in 1905 following a decrease in the commercial shipping due to a rail line that linked Corpus Christi to Mexico.

The 1999 population estimate for Cameron County was 321,738, which is a 23.7 percent increase from the 1990 Census Bureau figure of 260,120. Seventy percent of the population in Cameron County is located within six miles of the Mexican border. The racial/ethnic composition of the county is comprised of an 85.2 percent Hispanic population and less than 1 percent African American population, with the remainder of the population as non-Hispanic white. The median family income for the county was \$21,928 in 1995, with a poverty rate of 39.7 percent in 1990. The average unemployment rate in 1999 was 10 percent, with 50 percent of the populace having obtained a high school diploma and only 11.9 having attended four or more years of higher education. Cameron County has a total of 10 school districts, with a student population of 82,139. Brownsville Independent School District (ISD) has the largest enrollment figure, 40,262, while the smallest school in the district, Santa Maria ISD, has a total of 504 students. The vast majority of the entire student population of the county, 79.57 percent, is considered economically disadvantaged.

Higher educational resources are provided by the University of Texas at Brownsville (UTB) and Texas South most College (TSC), which provide degrees, certificate programs and continuing education courses to 10,000 students. The Texas State Technical College (TSTC), located in Harlingen, offers technical and specialized preparation to approximately 2,900 students and is the second largest TSTC campus in Texas.¹⁴

The metropolitan area of Brownsville, Harlingen and San Benito has led the employment growth among other urban regions in the State of Texas. In 1993 this region experienced a 5.6 percent total employment growth, which was concentrated in the manufacturing, construction and the service sectors of the economy. In the period from April 1993 through April 1994, the employment rate maintained a figure of 5.1 percent. Following the devaluation of the Mexican peso the figures plummeted to a rate of 2.2 percent from April 1994 to April of the following year. The employment growth did not convalesce until 1997, when the figure rose to 1.8 percent from 1.1 percent in the previous year. The service sector, which includes health services, business services and social services, leads in employment along the border.¹⁵

The county tax rate for FY 1999 consisted of 0.32593, with a total levy of \$22,818,698 that is based on the total assessed county valuation of \$7,702,341,983. Cameron County ranks 18th out of 254 counties in total assessed valuation, which indicates that there are sufficient economic resources accessible for county services. The 1999 total general fund expenditures for Cameron County were \$31,790,196.

Cameron County's Border Environment

There are 66 miles of international boundary in Cameron County. Cameron County has three international ports-of-entry into the United States. The Free Trade Bridge is located at Los Indios and the two international bridges, Gateway International and Brownsville and Matamoros International, are located in Brownsville. Matamoros, the Mexican municipality that borders Cameron County, has a population estimate of 416,428. Seventy-five million dollars worth of goods pass through the border of Brownsville on a weekly basis. Brownsville has also obtained a presidential permit for the erection of the Los Tomates International Bridge and is seeking permits for a \$21 million commercial bridge that would connect the industrial area of Matamoros with the Texas port.

Through the *maquiladora* industry and the North American Free Trade Agreement (NAFTA), the sister cities of Brownsville and Matamoros have "grown to become one of the largest employment centers within the *maquiladora* program."¹⁶ The 118 *maquiladoras* in Matamoros, Mexico employed an annual average of 59,095 persons in 1999. A unique interchange and interdependence between the border cities emerges with the manufacturing of automotive and electronic components and apparel in Brownsville while the assembly of these products into "semi-finished goods" is continued in the *maquiladoras* of Mexico.

The INS reported 22,808,120 legal border crossings during 1999. During that same time 84,789 persons were apprehended by the Border Patrol.

Table T4: Cameron County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
321,738	2,345	66 miles	22,808,120	84,789	3

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

During FY99 Cameron County's provision of law enforcement, criminal justice administration and emergency medical services for undocumented persons totaled \$3,661,052. The cost of general governmental services included in that total was \$798,583. Two site visits were conducted in March and July 2000 to collect data and interview local appointed and elected officials. Detailed cost analysis evaluated services and time spent on various legal and medical tasks. Included in the review were the Cameron County Sheriff, District Attorney, District Clerk, County Court-at-Large, County Attorney, County Clerk, Justice of the Peace and Constables. Emergency medical cost evaluation included both ambulance and hospital services. The subsequent discussion provides details of the estimated costs by departments.

**Table T5: Cameron County Costs by Department
County Totals \$3,663,064**

Sheriff	District Attorney	District Court	District Clerk	Court at Law	County Clerk	Justice of the Peace	Indigent Defense	Adult Probation	Juvenile Services	Emerg. Med.
\$2,293,818	\$227,679	\$90,618	\$64,239	\$327,783	\$375,484	\$11,052	\$109,406	\$0	\$0	\$162,985

Cameron County Sheriff

The Sheriff's Department general fund expenditure was \$9,930,000. The largest portion of the Sheriff's budget, \$6,168,873, supports the operation of a 738-inmate prison and infirmary. The total number of inmate days in 1999 was 269,370. Currently there is one undocumented person on death row in Cameron County.

The Sheriff's Office reported that there were many outstanding warrants for undocumented persons, including two for murder. The illegal crossers are "kind of like ghosts, [they] cross back and forth undetected. There's a good network of families. The amnesty in 1986 made it easier". One thousand three hundred twenty-five of the prison inmates were persons in the U.S. without legal residency status.

The patrol operations account for 38 percent of the patrol/administration portion of the budget, or \$1,429,228. Traffic stops in Cameron County result in the arrest of 1-2 undocumented persons a month of the "100 many illegal immigrants in the district." Law enforcement heavily patrols the area, as frequent fights are common especially with intoxicated persons at local convenience stores. The Sheriff's Office cites as the most common reasons for arrest was disorderly conduct, driving under the influence (DUI), assault and public intoxication. Law enforcement administrative support is allocated 54 percent of the funds, \$2,047,196, and investigation has a budget of \$300,890 (8 percent.) The Sheriff reports that 7 percent of the patrol, 3 percent of investigation and 5 percent of the administrative support is dedicated to law enforcement efforts involving undocumented persons, which can be seen in table T6.

Table T6: Cameron County Sheriff Impact

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Jail	\$6,168,873	29.0%	\$1,788,973	\$262,310	\$2,051,283
Patrol	\$1,429,228	7.0%	\$100,046	\$14,671	\$114,717
Investigation	\$300,890	3.0%	\$9,027	\$1,467	\$10,494
Administration	\$2,047,196	5.0%	\$102,360	\$14,964	\$117,324
TOTAL	\$9,930,000	Varies	\$2,000,406	\$293,412	\$2,293,818

Cameron County received \$825,080 in payment through SCAAP. The 1,325 undocumented prisoners were jailed for an average of 58 days each for the equivalent of 76,850 inmate days. This represents 29 percent of the total number of inmate days.

Cameron County District Court

Cameron County has five District Courts with a combined general fund budget of \$1,622,511. This figure does not include the judges' salaries, which are included as a state line item, nor the court-appointed attorney budget. One of the Districts judges estimated the court's workload at between 25 percent and 50 percent of criminal cases and 5 percent to 10 percent of the non-criminal cases involving undocumented persons. The District Courts estimated fiscal impact of these cases was \$90,618, as shown in table T7.

Table T7: Cameron County District Court Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$1,622,511	\$730,130	10%	\$73,013	\$17,605	\$90,618

District Attorney

Cameron County has a combined office for District and County Attorney. In this capacity the District Attorney prosecutes criminal and civil cases as well as acting as legal counsel to the County Commissioners. The general fund budget was \$1,807,325.

The District Attorney prosecuted 13,405 cases in 1999. The cases committed by illegal immigrants include murder, terrorist threats, burglary (vehicular and home), assault, indecency with a child and tampering with government records to lesser crimes of perjury, public lewdness, reckless driving and fictitious license plates. According to officials, "Mental commitments are civil in nature, but criminal illegal immigrants are also in this category. Juveniles are considered civil in nature, but they are charged with criminal conduct. Protective orders are civil in nature, but result from criminal conduct. These are technically civil cases, but they all involve criminal conduct on the part of illegal immigrants and impact our workload." Four hundred-sixty of the FY99 cases involved persons in the U.S. without legal residency status, and when juveniles are included it brings the impact to 10

percent. As shown in table T8, The fiscal impact of prosecution of criminal undocumented cases in Cameron County was \$227,679.

Table T8: Cameron County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,807,325	10%	\$180,733	\$46,946	\$227,679

Cameron County District Clerk

The District Clerk has administrative responsibility for the criminal and civil cases heard in District Court. The general fund expenditures were \$1,028,022. Of the 7,002 new cases that were filed in FY99, 3,357 were criminal (48 percent). The District Clerk reported that criminal cases take longer to file because of the forms and reporting required. She estimated 50 percent of the indicted criminal cases had undocumented defendants. As indicated in table T9, the District Clerk estimated costs associated with service provision for persons without legal residency status at \$64,239, or 10 percent of the total budget.

Table T9: Cameron County District Clerk Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$1,028,022	\$514,011	10%	\$51,401	\$12,838	\$64,239

Cameron County Court at Law

Both criminal and civil cases are heard in the County Court at Law. Class "A" and "B" misdemeanors, where the highest fine cannot exceed \$500, compose the criminal caseload. When financial disputes between parties range from \$500 to \$5,000 the County Court at Law hears those civil cases. During FY99 the general fund budget for the County Court at Law was \$822,601.

According to court officials, "There were 8,600 criminal cases in '99; about 40 percent were illegal immigrants. One out of 5 is actually illegal, and 15 percent are border crossers, for a total workload impact of 40 percent." Table T10 shows the total estimated cost of criminal undocumented persons in the County Court at Law of \$327,783.

Table T10: Cameron County Court at Law Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$822,601	\$658,081	40%	\$263,232	\$64,551	\$327,783

Cameron County Clerk

The County Clerk's office handles the filing of civil and misdemeanor felony cases heard in the County Court at Law. The general fund budget for FY99 was \$934,994. Based on the caseload of the County Court at Law, the filing and processing of fees were estimated at 40 percent of the total

workload, or \$299,198. With the addition of the general government costs, the total estimated impact was \$375,484, which is depicted in table T11.

Table T11: Cameron County Clerk Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$934,994	\$747,995	40%	\$299,198	\$76,287	\$375,484

Cameron County Justice of the Peace and Constables

The seven Justice of the Peace precincts had a combined general fund budget of \$870,453 in FY99. Their courts adjudicated Class "C" misdemeanors with fines up to \$500 and civil cases with disputes under \$5,000. In interviews with the local justices, they indicated that Precincts 2 and 5 had the highest impact of cases with undocumented persons. The Justice of the Peace conducts arraignments, sets bonds but does not process undocumented persons. "We just read 'em their rights and set bond is all, (Local JP.)" The minimal impact of undocumented persons on the total Justice of the Peace workload was estimated at 1 percent. The total estimated impact of undocumented persons, indicated in table T12, on the Justice of the Peace Courts and Constables was \$11,052.

Table T12: Cameron County Justice of the Peace and Constable Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$870,453	1%	\$8,705	\$2,347	\$11,052

Cameron County Indigent Defense

Cameron County allocated \$338,702 for indigent defense in FY99. This includes \$140,211 from the County Court at Law budget and the District Court budget of \$298,491. The courts use contract, or court-appointed, attorneys for most of the adult indigent cases. Two staff attorneys handle the juvenile cases. Using the caseload percentages from the District Courts and the County Court at Law, table T13 depicts the impact of cases involving undocumented persons was \$107,395, which includes \$21,462 in indirect general government costs.

Table T13: Cameron County Indigent Defense Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
District Court	\$298,849	10%	\$29,849	\$8,145	\$37,994
County Court at Law	\$140,211	40%	\$56,084	\$15,328	\$71,412
Total	\$439,060	20%	\$85,933	\$23,473	\$109,406

Cameron County Adult Probation

Cameron County officials reported that "during calendar year 1999, our department prepared 1,347 pre-sentence investigations, of which 134 were for illegal aliens. Please keep in mind that these are felony cases only, and the misdemeanor courts may or may not have the same ratio." Officials agreed that 10 percent of the total caseload for undocumented persons would be consistent with the District Court and District Clerk, more or less. The department is funded by state grants, and this cost impact would accrue to the State of Texas. There is no general fund allocation for adult probation in the Cameron County Budget.

Cameron County Juvenile Court Center

The Cameron County Juvenile Jail has had 32 beds since 1995. Under agreements of the Texas Border Project, juvenile probation officers are hired to work with juvenile undocumented persons and the Mexican consulate. "As long as the Border Project continues to be funded by the state, we will not have an impact on our general fund. Kids are mostly coyotes and drug smugglers. No probation, PSI, etc. is conducted on juveniles." Costs associated with illegal immigrants are by the State of Texas. There is no general fund allocation for adult probation in the Cameron County Budget.

Cameron County Emergency Medical

Emergency medical costs associated with undocumented persons consist of the eligibility determination function of the county health department. According to the director, eligibility workers reviewed 1,349 cases of which 244 (18 percent) were denied. Of the denials, 25 percent were illegal immigrants, but many cases were also illegal residents of Cameron County. The general fund budget for eligibility determination was \$310,734, of the total health department budget of \$1.3 million. Using the denial rates as an impact percentage, table T14 depicts the total estimated fiscal impact of undocumented persons on emergency medical costs were estimated at \$67,657.

Table T14: Cameron County Emergency Medical Impact

General Fund	Eligibility Budget	Impact	Cost	General Gov.	Total Cost
\$1,298,922	\$310,734	18%	\$55,921	\$11,736	\$67,657

Cameron County Autopsies and Burials

The general fund budget for autopsies in FY99 was \$226,755. Cameron County officials estimate 30 percent of the autopsies were conducted on undocumented persons. Burial expenses include the cost of transporting the body, body bag charges and physical burial. The general fund budget was \$48,480, of which officials estimate 20 percent of the burials, were conducted for persons without legal residency status when they died. The total estimated fiscal impact of autopsies and burials for Cameron County was \$97,136, as indicated in table T15.

Table T15: Cameron County Autopsies and Burial Impact

Department	General Fund	Impact	Cost	General Gov	Total Cost
Autopsy	\$226,755	30%	\$68,027	\$17,605	\$85,632
Burial	\$48,480	20%	\$9,696	\$0	\$9,696
Total	\$275,235	28%	\$77,723	\$17,605	\$95,328

HIDALGO COUNTY, TEXAS

Hidalgo County, which encompasses 4,064 square miles, is situated along the lower Rio Grande bordering Mexico. The county seat is Edinburg. The largest city in the lower Rio Grande Valley, McAllen, has an economy that depends on tourism, citrus and vegetable crops, oil, gas, and trade with Mexico.¹⁷ Many "snow birds" flock to the lower Rio Grande area in the winter months from the Midwestern U.S., which benefits tourism in the region.¹⁸ Hidalgo County is also the primary producer of the majority of fruit and vegetables in the Lower Rio Grande Valley.¹⁹

The level of elevation of Hidalgo County rises from east to west from 40 feet above sea level in the eastern section, to 375 feet above sea level in the western section of the county.²⁰ Five miles outside of Mission, Texas and alongside the Rio Grande, is the Bentsen-Rio Grande Valley State Park. The 587.7-acre park offers wildlife viewing of a multitude of animals and fauna, and is considered one of the top places in the United States for observing subtropical bird and botanical species.²¹ The Santa Ana National Wildlife Refuge is a 2,088-acre park located just South of Alamo, Texas. The park features a unique amalgamation of subtropical, gulf coast, Great Plains and Chihuahuan desert environments.²²

The 1999 total population figure for Hidalgo County consists of 535,539 persons, which represents a 39.6 percent increase from the 1990 U.S. Census Bureau estimate of 383,545. Located within six miles of the Mexican border, is a mere 19 percent of the population in the county. Ninety-nine percent of the population is white, with less than 1 percent African American; Hispanics account for 88.1 percent of the total population. Hidalgo County had a median family income of roughly \$19,957 in 1995 that included a poverty rate of 41.9 percent in 1990. The 1999 average unemployment rate for the county was 14 percent. Educational levels include with a total of 46.6 percent of the county having graduated from high school, and only 11.5 having furthered their education by acquiring a Bachelor's or Master's Degree from a university.

According to the Texas Education Agency (TEA), there are a total of 15 school districts and a student population of 135,639 in Hidalgo County. The largest district in the county is McAllen Independent School District (ISD), with an enrollment figure of 40,262. Monte Alto ISD is the smallest district, with a student population of 439. Eighty-four percent of the student population of Hidalgo County is considered economically disadvantaged. The county also has two charter schools, Technology Education Charter High and One-Stop Multiservice Charter, that together have a student population of 366 students. Sixty-seven percent of the charter student population of the county is regarded as economically disadvantaged.

There are two institutions for higher learning in Hidalgo County: the University of Texas Pan-American (UTPA), located in Edinburg and South Texas Community College (STCC), located in McAllen, which was created by the State of Texas to provide educational services for Hidalgo and Starr Counties.²³

McAllen, Edinburg and Mission are an important metropolitan region for Hidalgo County. This metropolitan area experienced an employment growth rate of 6.7 percent, which was quadruple the national rate in 1993. In the following year the region's employment rate slowed to 3.8 percent, due to the impact of the peso devaluation in Mexico. Hidalgo County followed the state with the decrease in unemployment figures in 1993 to 1994 from 16.1 percent to 15.9 percent, while the state

rate decreased from 6.5 percent to 6 percent. During the period April 1996 through April 1997, the service sector experienced the most gains in employment with the addition of 2,000 more positions. This sector accounted for approximately 50 percent of the metropolitan area's employment growth.²⁴

The FY 1999 county tax rate for Hidalgo County was 0.44670 and a total levy of \$49,361,702, which is derived from the total assessed county valuation of \$12,446,777,806. Hidalgo County placed 14th out of the 254 counties in Texas, in total assessed valuation. This suggests that there are sufficient economic resources available for county services. Hidalgo County's total general fund expenditures in 1999 were \$50,441,047.

Hidalgo County Border Environment

Sixty-eight of the total 2,345 square miles of Hidalgo County, lie on the border between the State of Texas and Mexico. The county has four international ports of entry into the United States. The Pharr International Bridge, which was erected in January 1995, links United States Highway 281 with the Mexican superhighway called the *Autopista*. The four-lane highway covers Monterrey to Reynosa, Mexico. The Mexican municipalities that border Hidalgo County are *Rio Bravo* and *Hermosa*. The 2000 population estimate for the two cities is 162,193 persons.

Future growth of the metropolitan region is expected due to the student population and through the 1994 North American Free Trade Agreement (NAFTA). NAFTA reduced the tariffs that were placed on goods that crossed over international lines, which allowed for greater exportation across the border. The emergence of NAFTA acted as a catalyst for international trade and a buffer during the *peso* devaluation in Mexico.²⁵

There are over 800 *colonias*, or unplanned settlements, in Hidalgo County. Many of the people who cross into the U.S. without legal residency status find shelter and establish homes in the local *colonias*. Lack of physical infrastructure, including running water, paved roads and wastewater removal, present public health challenges to the county government. Seventy-five percent of the total population of Hidalgo County lives below the federal poverty level.

The INS reported 31,389,565 legal border crossings during 1999 and during that same time 33,261 persons were apprehended by the Border Patrol.

Table T16: Hidalgo County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
535,539	4,064	68 miles	31,389,565	33,261	4

Costs of Illegal Immigration on Law Enforcement, Criminal Justice and Emergency Medical Services

Hidalgo County's estimated costs for providing law enforcement, criminal justice and emergency medical care for undocumented people, as seen in table T17, totaled \$2,531,488 in general fund expenditures. The cost includes \$333,105 general government costs. In March and July 2000 numerous county officials were interviewed. While no data existed regarding emergency medical care estimates for undocumented persons, 18 people drowned, were autopsied and buried in Hidalgo County. The narrative description that follows will discuss each department in detail.

**Table T17: Hidalgo County Costs by Department
County Totals \$2,531,488**

Sheriff	District Attorney	District Court	District Clerk	Court at Law	County Clerk	Justice of the Peace	Indigent Defense	Adult Probation	Juvenile Services	Emerg. Med.
\$ 1,618,794	\$183,788	\$65,529	\$28,247	\$42,724	\$31,725	\$63,164	\$135,469	\$0	\$0	\$362,048

Hidalgo County Sheriff

Hidalgo County Sheriff's budget for FY99 was \$14,696,039; more than 55 percent (\$8,223,167) was apportioned to the jail budget. The total jail bookings for FY99 were 16,592 inmates, from which 6,822 (41percent) were undocumented persons. The jail daily inmate average population was 592, making an annual total of 216,080 inmate days. The estimated jail cost impact was \$501,559, or 5.3 percent of the total jail budget, indicated in table T18.

In the areas of patrol, investigation and administration, county officials estimated the impact of undocumented persons to be 5 percent for patrol, 15 percent for investigation and 25 percent for administration. Taken together these three areas of law enforcement had an average impact of 15 percent. Burglaries and acts of family violence were the primary criminal offenses reported for undocumented persons. Each of these investigations required police reports and notification of the Mexican consul plus interviews with victims of the crimes. In addition, local officials reported that in the 100 miles of the Rio Grande in Hidalgo County, 18 persons drowned while attempting to cross into the U.S. without legal entry papers. The fiscal impact on patrol, investigation and administration of criminal undocumented persons was \$1,117,235.

The total cost to Hidalgo County for incarceration as well as law enforcement involving persons without legal residency status was \$1,618,794, as depicted in table T18.

Hidalgo County Sheriff's Department applied for a federal grant of \$346,200 through SCAAP and was awarded \$122,000. Eighty-five inmates without legal residency status were incarcerated with an average length of stay of 135 days. This represents 11,390 inmate days, or 5.3 percent of total inmate days. A county official stated however, " Prior to 1999 there was no identifying method in

our booking computers to retrieve the necessary information regarding illegal aliens. The count used for the SCAAP grant was done manually and therefore the results were very low.”

Table T18: Hidalgo County Sheriff's Department Impact

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Jail	\$8,223,167	5.3%	\$435,828	\$65,731	\$501,559
Patrol, Investigation & Administration	\$6,472,872	15%	\$970,931	\$146,304	\$1,117,235
Total	\$14,696,039		\$1,406,759	\$212,035	\$1,618,794

Hidalgo County District Court

Hidalgo County general fund budget for the District Court was \$2,676,295. This budget includes expenditures for nine courts as well as an impact court, visiting court, and two master courts. Each of the courts has jurisdiction over criminal and civil cases. Forty percent of the District Court budget is devoted to criminal cases. In interviews with district court officials they declined to estimate the impact of undocumented persons on the caseload. For the purposes of this report, the 5.3 percent impact of the District Clerk's office was used for the District Courts, resulting in a \$65,529 impact of undocumented cases, as shown in table T19.

Table T19: Hidalgo County District Court Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$2,676,295	\$1,070,518	5.3%	\$56,737	\$ 8,792	\$65,529

Hidalgo County District Attorney

Hidalgo County's District Attorney is combined with the County Attorney. He represents the state's interests in felony criminal actions as well as civil cases. During 1999, the District Attorney's office handled 3,394 felonies and 12,000 misdemeanor cases. The general fund for this department was \$3,002,480. The District Attorney's office declined to estimate the percentage of cases for persons without legal residency status handled by its staff. Therefore, it was assumed that 100 percent of the cases related to undocumented persons were criminal, and the jail incarceration rate of 5.3 percent of undocumented inmates was a valid impact for criminal prosecution. Table T20 depicts the total fiscal impact of criminal undocumented cases on the office of District Attorney of \$183,788.

Table T20: Hidalgo County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$3,002,480	5.3%	\$159,131	\$24,657	\$183,788

Hidalgo County District Clerk

The District Clerk's office provides administrative support for the nine District Courts, impact court, visiting court, and two master courts. This includes filing all court pleadings, maintaining court dockets, issuing writs, citations and executions. Fees that are assessed in District Court cases are also processed in this office. Hidalgo County District Clerk's general fund budget was \$1,153,615. The criminal budget, representing 40 percent of the total, was \$461,446. One of the county officials reported that out of 12,550 cases, there were 5,020 criminal cases, "But they are more complex, more time consuming." Since the District Clerk's office was unable to estimate the impact of criminal undocumented cases, the 5.3 percent jail incarceration rate was used to calculate the fiscal impact of persons without legal residency status. The estimated impact, as depicted in table T21, on the District Clerk's budget was \$28,247.

Table T21: Hidalgo County District Clerk Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$1,153,615	\$461,446	5.3%	\$24,457	\$3,790	\$28,247

Hidalgo County Court at Law

There are four courts in Hidalgo County. Class "A" and "B" misdemeanors in which the fine assessed cannot exceed \$500 and civil cases in which the amount of controversy is between \$500 and \$5,000 are heard in these courts. The general fund for the Hidalgo County Courts at Law was \$1,163,262. Twenty-one percent of that is attributable to the criminal budget for a sub-total of \$246,612.

The County Courts at Law were not able to offer an estimated impact percentage for the criminal undocumented caseload. Using the estimated workload from the County Clerk's office of 15 percent, the total estimated impact of criminal undocumented persons on the Hidalgo County Courts at Law was \$42,724, as seen in table T22.

Table T22: Hidalgo County Courts at Law Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$1,163,262	\$246,612	15%	\$36,992	\$5,732	\$42,724

Hidalgo County Clerk

The County Clerk's office handles the filing of legal documents related to the civil and criminal cases that come before the County Courts at Law. Hidalgo County Clerk's general fund was \$863,809. The County Clerk's office reported that 21 percent, or \$183,128, was allocated for criminal cases. One of the county officials commented that, "We file between 1,000 to 1,200 cases per month, 14,400 per year; of those about 10 percent to 20 percent are illegal, usually car thefts. With juveniles,

the most common case is DWI, driving while intoxicated, bad checks, assaults, drugs and appeals.” Therefore an average of 15 percent caseload was assumed and the estimated impact of criminal cases involving persons without legal residency status was \$27,469, as shown in table T23. With the inclusion of the general government costs, the total estimated fiscal impact was \$31,725.

Table T23: Hidalgo County Clerk Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$863,809	\$183,128	15%	\$27,469	\$4,256	\$31,725

Hidalgo County Justice of the Peace

Class “C” criminal misdemeanors, with fines up to \$500, are under the jurisdiction of the Justice of the Peace courts. The JP civil caseload includes cases where the amount in controversy is under \$5,000. Additionally, Justices of the Peace conduct preliminary hearings, issue search and arrest warrants and performs civil marriages. In Hidalgo County there are five Justice of the peace precincts. The general fund for the courts was \$1,031,893. Justices of the Peace indicated they were unable to estimate the impact of criminal undocumented persons on their caseload; therefore the percentage impact assumed was that of the jail, 5.3percent. This resulted in an estimated impact of \$63,164, which includes \$4,256 for general government costs, as depicted in table T24.

Table T24: Hidalgo County Justice of the Peace Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,031,893	5.3%	\$54,690	\$4,256	\$63,164

Hidalgo County Emergency Medical

The general fund budget for emergency medical assistance in Hidalgo County was \$793,552. Commenting on the impact of undocumented persons on the county’s emergency health care costs, one official stated, “The floaters and other dead with John Doe names are assumed to be illegal, though our computer doesn’t identify alienage. Rough estimate is 35 percent in past few years, both for eligibility determination and direct medical service provision. A lot of ‘undocs’ prove residency, so they qualify for indigent health care.” The total estimated fiscal impact on emergency health care costs was \$277,743, and with the inclusion of the general government costs of \$43,036, made a total impact of \$320,779, which can be seen in table T25.

Table T25: Hidalgo County Emergency Medical Impact

General Fund	Impact	Cost	General Gov.	Cost
\$793,552	35%	\$277,743	\$43,036	\$320,779

Hidalgo County Autopsies and Burials

The general fund assigned for autopsies was \$300,000. In light of the lack of detailed data from the county, it was assumed that the 18 undocumented people who drowned were autopsied and buried. The average cost for an autopsy is \$1,500 and for burials is \$500. The estimated cost the autopsy and burial costs in Hidalgo County were \$41,269, which includes \$5,269 in general government costs and is indicated in table T26.

Table T26: Hidalgo County Autopsies and Burial Impact

General Fund	Cost per individual	Number performed	Cost	General Gov.	Total Cost
Autopsies	\$1,500	18	\$27,000	\$3,719	\$30,719
Burials	\$500	18	\$9,000	\$1,550	\$10,550
Total	\$2,000	18	\$36,000	\$5,269	\$41,269

Hidalgo County Indigent Defense

Hidalgo County does not have a public defender; all the attorneys handling indigent defense cases are contract attorneys. The general fund allocation for indigent defense was \$ 1,973,415. A county official expressed that, "There is a major problem in RV parks. Juvenile border crossers steal bicycles and other things. Now, park residents patrol their own park, make apprehensions, and then call the sheriff." In order to determine the impact of persons without legal residency status, a six-month sample of cases was obtained from January through July 2000. During that period, 36 of the 649 indigent defense cases were for undocumented persons, or 6 percent of the caseload. Using this rate, the estimated fiscal impact of \$118,405, which when added to the general government cost of \$17,064, gives a total fiscal impact of \$135,469 on the Hidalgo County indigent defense budget, as depicted in table T27.

Table T27: Hidalgo County Indigent Defense Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,973,415	6%	\$118,405	\$17,064	\$135,469

Hidalgo County Adult Probation

Hidalgo County's general fund for this department was \$30,762. The county did not provide additional information; therefore the cost impact is reported as \$0.

Hidalgo County Juvenile Court Center

Hidalgo County's Juvenile Court Center general fund was \$\$1,972,943 for FY99; the percentage spent on undocumented juveniles was reported as zero. One of the county officials reported that "

UDAs are always deported and do not impact this department. We get maybe one or two a year, no more. We hold some in the detention center and work with the consulate and with Mexican juvenile authorities. We also have the Border Project. Once about three years ago, a group of juveniles terrorized McAllen. When juveniles commit a minor infraction, they are handled by JP and municipal courts, and not reported to us.”

STARR COUNTY, TEXAS

Starr County is situated in the Rio Grande Plain, comprising a total of 3,168 square miles. The county was named after James Harper Starr on October 26, 1848, and the county seat, Rio Grande City, was once named Rancho Davis, with a population of 8,887. The altitude of Starr County, which is primarily a plains region, ranges from 200 to 400 feet above sea level. The natural flora that can be found in the county include low grasses, shrubs, mesquite, cacti and oak trees. The main crops that are grown in this subtropical region are sorghum and hay. The county is also the second largest producer of onions, cantaloupes, lettuce, bell peppers, and honeydew melons in the State of Texas. The natural resources that have been discovered in the county are caliche, clay, gravel, oil and gas.²⁶ Spanning across both Starr and Zapata Counties and along the Falcon Reservoir is the Falcon State Park. The 572.6 land acre park's altitude crests at 325 feet above sea level, and is home to birds, fish and tropical species.

The 1999 population estimate for the county consists of 52,618 persons, which demonstrates a 29.9 percent increase in population from the 1990 Census Bureau figure of 40,518. Half of the population in the county is located within six miles of the Mexican border. While 99.7 percent of the population is white, 97.9 percent are of Hispanic origin. Less than 1 percent of Starr County is African-American. The median family income estimate for Starr County was \$16,727 in 1995, with a 60 percent poverty rate in 1990. The average 1999 unemployment rate was 24.4 percent, with 31.6 percent of the population having graduated from high school. Only 6.7 percent of Starr County's adult population have completed four or more years of higher education.

Starr County has three school districts, with a student population of 14,429, according to the Texas Education Agency (TEA). Rio Grande City Independent School District (ISD) is the largest district in the county, with a student enrollment of 8,117. The smallest district in Starr County is San Isidro, which has a 267-student body. A total of 88.6 percent of the county's student population is considered economically disadvantaged.

The county tax rate for fiscal year 1999 was 0.65200, with a total levy of \$6,075,285, which is derived from the total assessed county valuation of \$1,263,245,610. Starr County ranks 101 out of 254 counties in total assessed valuation. During 1999 Starr County's total general fund expenditures were \$8,300,000.

Starr County's Border Environment

Fifty-nine miles out of the county's 3,168 square miles, converge with the border between the United States and Mexico. Starr County has three international ports-of-entry into the United States. South of the International Falcon Reservoir, in the westernmost section of the county, is a port-of-entry that connects Falcon Heights via a farm road to U.S. Highway 83. U.S. 83 connects to the north with Laredo and U.S. Interstate 35, a major NAFTA transportation corridor. South on U.S. 83, which parallels the Rio Grande, are the other two ports of entry in Roma and Rio Grande City. This route continues through the other major cities in the lower Rio Grande Valley and provides access to international airports and eventually the Port of Brownsville.

The Mexican municipalities that border Starr County are Camargo and Reynosa, which have a combined 2000 population of 436,544 persons. INEGI, the Mexican census bureau, reports that

during 1999 there were an average of 111 *maquiladoras* active in Reynosa, and those firms employed 61,387 persons. According to the INS, 8,223,707 persons crossed into Starr County from Mexico from the period of 1998 through 1999. The Border Patrol apprehended 8,170 undocumented aliens.

Table T28: Starr County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
52,618	3,168	59 miles	8,223,707	8,170	3

Costs of Illegal Immigration for Law Enforcement, Criminal Justice and Emergency Medical Services

The total estimated costs to Starr County for criminal justice administration, law enforcement and emergency medical services for undocumented persons was \$1,440,433, which includes a general governmental cost of \$183,787. During the months of March and July, two site visits were conducted and county officials were interviewed. Among the departments contacted were, Starr County Sheriff, County Attorney, District Attorney, Justice of the Peace, County Clerk, District Clerk, County Court-at-Law, District Court, and Emergency medical Service. The following discussion provides more detailed information from these departments.

**Table T29: Starr County Costs by Department
County Totals \$1,440,443**

Sheriff	District Attorney	District Court	District Clerk	Court at Law	County Attorney	County Clerk	Justice of the Peace	Indigent Defense	Adult Probation	Juvenile Court	Emerg Med.
\$865,912	\$93,065	\$152,191	\$67,157	\$56,098	\$74,509	\$73,653	NA	\$27,391	9,701	\$20,756	NA

Starr County Sheriff

The general fund budget for the Starr County Sheriff's Department was \$3,500,000. The budget was divided into patrol (\$200,000), investigation (\$600,000) and administration (\$200,000) as well as jail operations (\$2.5 million.) Officials estimate 20 percent of patrol, 10 percent of investigation and 15 percent of administrative time are spent handling cases involving persons in the U.S. without legal residency status.

County officials reported that the average daily jail population was 260 inmates of which 75 percent were federal prisoners, and 25 percent were state prisoners. The Sheriff's department estimated that over half of the state prisoners were non-citizens. One local law enforcement official commented:

All are undocumented aliens or border crossers; they swim and walk over (depending on river level). Smuggling is shifting west into Starr and Zapata Counties, a lot of

Haitians and Cubans. They are not able to make bond, so they pay the fine in jail time. [The] feds are not interested in taking mules anymore, so we get them. If they reenter after deportation, then the feds will take them. We get a lot of repeat business.

Table T30: Starr County Sheriff Impact

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Jail	\$2,500,000	25%	\$625,000	\$91,836	\$716,836
Patrol	\$200,000	20%	\$40,000	\$5,878	\$45,878
Investigation	\$600,000	10%	\$60,000	\$8,762	\$68,762
Administration	\$200,000	15%	\$30,000	\$4,436	\$34,436
Total	\$3,500,000		\$755,000	\$110,912	\$865,912

The total cost estimated from the Starr County Sheriff's department to arrest and incarcerate undocumented persons was \$865,912, as shown in table T30. County law enforcement officials were not aware of the SCAAP and had not filed for federal funds under provisions of the act.

Starr County District Court

There are two District Courts in Starr County. They are responsible for both civil and criminal cases. The District Court Judge estimated that 35 percent of the court's caseload involved criminal cases in which the defendant was an undocumented person. Table T31 indicates the total estimated court cost for persons in the U.S. without legal residency status was \$152,191.

Table T31: Starr County District Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$381,000	35%	\$133,350	\$18,841	\$152,191

Starr County District Attorney

The District Attorney's office is responsible for all criminal prosecutions in District Court. They also handle all misdemeanor criminal actions in the County Courts at Law and Justice of the Peace Courts. The general fund budget for the District Attorney's office was \$233,000. The primary cases with undocumented persons involve charges of narcotics and drug trafficking. Burglaries and driving under the influence are the other major charges brought against persons without legal U.S. residency status. The District Attorney's office estimates there are approximately 60 cases per year. Using the impact rate from the District Court (35 percent), the total estimated cost of prosecution for criminal undocumented persons was \$93,065, as shown in table T32.

Table T32: Starr County District Attorney Impact

General Fund	Impact	Cost	General Govt	Total Cost
\$233,000	35%	\$81,550	\$11,515	\$93,065

Starr County District Clerk

The District Clerk's office provides administrative support for the two District Courts. This office maintains all the official court records, court pleadings, as well as notifying and empaneling juries, maintaining court dockets and issuing writs, citations, and executions. All court mandated fees are also payable through the District Clerk's office. The general fund budget was \$168,123. Assuming the same impact rate as the District Court, table T33 shows the total estimated impact of criminal undocumented persons was \$67,157.

Table T33: Starr County District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$168,123	35%	\$58,843	\$8,314	\$67,157

Starr County Court at Law

The County Court at Law hears criminal cases, Class "A" and "B" misdemeanors, and civil cases. Fifty percent of the County Court at Law's docket involves criminal cases, which have fine limits of \$500. Court officials estimate that 60-70 percent of this caseload involves persons without legal residency status in the U.S. The total estimated cost of administration of justice in the County Court at Law for undocumented persons was \$56,098, as indicated in table T34.

Table T34: Starr County Court at Law Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$151,240	\$75,620	65%	\$49,153	\$6,945	\$56,098

Starr County Attorney

Starr County Attorney's general fund budget was \$201,000. Approximately half of the budget was allocated for criminal prosecution. Officials estimated that 65 percent of their criminal budget was spent on assisting non-citizens, including juveniles, illegal residents and resident aliens who get deported immediately after conviction. The total estimated impact of criminal undocumented persons, shown in table T35, on the County Attorney's office was \$74,509.

Table T35: Starr County Attorney Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$201,000	\$100,500	65%	\$65,325	\$9,184	\$74,509

Starr County Clerk

The County Clerk serves as the official repository for documents from the various county departments. Fees assessed by the County Court at Law are processed through this office. The County Clerk's office estimated that of the 1,000 misdemeanor convictions per year, between 60 percent and 70 percent involve undocumented persons, who are mostly juveniles. The total estimated cost impact of persons without legal residency status was \$73,653, as depicted in table T36.

Table T36: Starr County Clerk Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$198,568	\$99,284	65%	\$64,535	\$9,118	\$73,653

Starr County Justice of the Peace

There are seven Justice of the Peace Courts in Starr County. No data were available on the impact of undocumented persons on these courts.

Starr County Indigent Defense

There is no Public defender in Starr County; all defense counsel are appointed and contracted by the court. The general fund was \$40,000 plus and additional \$10,000 allocated in the County Court at Law budget. The impact of undocumented persons estimated by District Court judges and County Court at Law judges was 40 percent and 80 percent, respectively.

A county official commented, "UDAs keep returning after serving jail time and get re-prosecuted. Then they get welfare. These include resident aliens. We lose from 30 percent to 40 percent of our jurors because they are non-citizens." The total estimated impact of criminal undocumented indigent defense in Starr County, shown in table T37, was \$27,391.

Table T37: Starr County Indigent Defense Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$40,000	40%	\$16,000	\$2,261	\$18,261
\$10,000	80%	\$8,000	\$1,130	\$9,130
\$50,000		\$24,000	\$3,391	\$27,391

Starr County Adult Probation

The general fund budget for adult probation is \$10,000, which is a supplement for the clerks. County officials stated, "We provided some supervision in the past, but not now. Our costs are all in the PSI reports." They estimate 85 percent to 90 percent of adult probationers involve illegal aliens, border crossers and resident aliens, who are quickly deported if they commit a felony. The total estimated impact of undocumented persons on Starr County's adult probation budget was \$9,701, which can be seen in table T38.

Table T38: Starr County Adult Probation Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$10,000	85%	\$8,500	\$1,201	\$9,701

Starr County Juvenile Court Center

Starr County contributes \$222,000 from its general fund budget for juvenile probation and detention. Of that sum \$166,000 is allocated for detention and the remaining \$56,000 for juvenile probation and community supervision. The federal Border Project covers all the detention costs. County officials report that "at least 30 percent of our caseload in probation and PSI work is juvenile. They are waiting for resident status." Table T39 shows the estimated impact of criminal undocumented juveniles is \$20,756.

Table T39: Starr County Juvenile Court Center Impact

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Detention	\$166,000	0%	\$0	\$0	\$0
Probation	\$56,000	30%	\$16,800	\$3,956	\$20,756
Total	\$222,000		\$16,800	\$3,956	\$20,756

Starr County Emergency Medical, Autopsies and Burial

Starr County allocates \$6,000 in its general fund for emergency medical costs. The amount budgeted for autopsies were \$30,000 and \$1,500 for burials. There were no data available regarding the impact of undocumented persons on the emergency medical, autopsy or burial costs of Starr County.

ZAPATA COUNTY, TEXAS

Zapata County comprises a total of 2,582 square miles. The county was named after Antonio Zapata, a local rancher in the county. The county seat is Zapata, population 7,797. Zapata City, located on the border highway, U.S. 83, also provides northern transit via State Highway 16 to the port at Corpus Christi. San Ygnacio with 1,200 residents is located in the northwestern portion of the county at the intersection of U.S. 83 and farm-to-market 3169. Lopeno, Bustamante, Ramireno, Chicuahua Farm and Esocbas are the other small rural communities in Zapata County. There is a small county airport located north of Zapata City.

The altitude of Zapata County ranges from 200 to 700 feet above sea level, with loamy soils on top of rust sub-soils. Limestone can be uncovered 40 inches from the surface, in the strata below. The vegetation of the area includes shrubs, grasses, mesquite bushes and cacti. The natural resources that can be found in the county are caliche, clay, lignite coal, sand gravel, oil and gas.²⁷ Located within both Starr and Zapata Counties and along the Falcon Reservoir, is the Falcon State Park. The 572.6 land acre park's altitude peaks at 325 feet above sea level, and is home to birds, fish and tropical species. The scenic beauty of the parklands and access to the Falcon Reservoir make Zapata County a popular location for winter Texans.

The 1999 population estimate for the Zapata County was 10,755 persons, a 15.9 percent increase in population from the 1990 U.S. Census. Over half of the population is located within six miles of the Mexican border. Racially, 99.7 percent of Zapata County is white with 85.4 percent of the population having Hispanic origins. The 1995 median family income for Zapata County was \$20,696, with a 41 percent poverty rate in 1990. The average 1999 unemployment rate was 13.3 percent. Half of the adult population age 25 and over have obtained a high school diploma and only 6.9 percent have completed four or more years of higher education. Zapata County has one school district, with an enrollment figure of 2,925, according to the Texas Education Agency (TEA). Eighty-two percent of the student population of Zapata County Independent School District (ISD) is considered economically disadvantaged.

The county tax rate for fiscal year 1999 was 0.86381, with a total levy of \$7,483,514, which is derived from the total assessed county valuation of \$1,071,911,821. Zapata County ranks 117 out of 254 counties in total assessed valuation. Zapata County's total general fund expenditures in 1999 were \$5,564,928.

Zapata County's Border Environment

Forty-eight miles out of the county's 2,582 square miles meet at the border between the United States and Mexico. South of the small rural community of Ramireno, the majority of the international boundary traverses the International Falcon Reservoir to the dam in neighboring Starr County. Within the limits of the reservoir the international boundary follows the bed of the Rio Grande, as established under the Treaty of Guadalupe Hidalgo in 1848, and is demarcated by 14 fixed lighted towers and 36 buoys. Describes one official,

The Falcon Dam in Starr County is the main crossing point in our area. Falcon Lake is 800,000 acres when it is full. Now, in March, we call it Falcon Pond. Most who

cross at the dam go either to Roma or Laredo. The river runs north-south in Zapata, so Mexico is to our west. There are 20 *colonias* in Zapata County and they have water and sewer. The county is also home to snowbirds from the Midwest

Zapata County does not have an international port-of-entry into the United States. The nearest port-of-entry is located just south of the Falcon Reservoir in neighboring Starr County. Three Mexican municipalities, Guerrero, Mier, and Miguel Anaman, border Zapata County. The Mexican population of the three communities is 36,783, according to INEGI (Mexican census bureau) 2000 figures.

The INS reported no legal border crossings in Zapata County; however the Border Patrol apprehended 582 persons in 1999.

Table T40: Zapata County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
10,755	2,582	48 miles	0	582	0

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

Zapata County's provision of criminal justice, law enforcement and emergency medical services for undocumented persons was \$432,430, which includes \$68,430 of general government services. During the months of March and July 2000 site visits were conducted to interview key county officials from the Sheriff Department, County Attorney, District Attorney, Justices of the Peace, County Clerk, District Clerk offices. Zapata County's Health Department was also contacted to gather emergency medical cost estimates. The discussion that follows enumerates the estimated costs by department.

**Table T41: Zapata County Costs by Department
County Totals \$432,430**

Sheriff	District Attorney	District Court	District Clerk	County Attorney	County Clerk	Justice of the Peace	Indigent Defense	Adult Probation	Juvenile Court	Emerg. Med.
\$124,436	\$5,031	\$3,480	\$3,081	\$25,900	\$23,841	\$96,396	\$4,659	\$2,376	\$51,919	\$91,311

Zapata County Sheriff

The general fund budget for the Sheriff's office was \$1,193,613. The departmental costs are divided between jail operations (\$313,000), patrol and investigation (\$640,613) and administration (\$240,000.)

The jail capacity is 48 beds; and 50 percent of the inmates were reported to be "local." Law enforcement officials estimate 13 percent were criminal undocumented persons who have an average prison stay of 10 days. If they are arrested on a weekend the average length of incarceration is from 12 to 19 days. Explains one deputy,

Illegal fishing is one of the biggest incidents. UDAs see the JP, receive a fine, can't pay it, and so go to jail at our expense. The medical budget for UDAs in the Sheriff's budget is about \$5,000 and insufficient. For example, in 1998 one UDA received a heart pacemaker which cost the department \$10,000. Also a lot of dental work for UDAs adds up.

The total impact of criminal undocumented persons on the Zapata County Sheriff's budget was \$124,436 depicted in table T42. The Zapata's Sheriff office did not apply for SCAAP funding.

Table T42: Zapata County Sheriff Impact

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Jail	\$313,000	13%	\$40,690	\$7,647	\$48,337
Patrol	\$640,613	10%	\$64,061	\$12,038	\$76,100
Administration	\$240,000	0%	\$0	\$0	\$0
Total	\$1,193,613		\$104,751	\$19,685	\$124,436

Zapata County District Court

The 49th District Court, located in Laredo, handles the criminal and civil cases from Zapata County. District judges do not visit Zapata County. The county pays for travel and other costs associated with hearing cases in Laredo. Webb County officials were unable to provide the fiscal impact of Zapata County on the total 49th District Court's costs. For the purposes of this research, it is assumed that the Webb County impact rate of 4 percent is applicable in Zapata County also. Therefore, the total estimated fiscal impact on Zapata County's District Court costs was \$3,480, indicated in table T43.

Table T43: Zapata County District Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$73,225	4%	\$2,929	\$551	\$3,480

Zapata County District Attorney

Zapata County does not have its own District Attorney, but uses visiting judges and attorneys from Webb County. Zapata County contributed \$15,686 to Webb County to underwrite the cost of prosecution by the Webb County District Attorney. Additional data from Zapata County were not available to estimate the impact on caseload, thus the absence of better data. Webb County's District Attorney impact rate of 27 percent was applied in. Table T44 shows the total estimated

impact of criminal undocumented caseload on the District Attorney costs for Zapata County was \$5,031.

Table T44: Zapata County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$15,686	27%	\$4,235	\$796	\$5,031

Zapata County District Clerk

The general fund budget for the Zapata County District Clerk's office totaled \$86,466. Approximately 25 percent of the budget covers the costs associated with filings, fees and other legal processing of criminal cases. The local county official said they "just can't estimate" the impact of undocumented persons on the office. It was assumed that half of the criminal cases, 12 percent, was a reasonable estimation of impact. Table T45 gives the total estimated impact of \$3,081.

Table T45: Zapata County District Clerk Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$86,466	\$21,617	12%	\$2,594	\$487	\$3,081

Zapata County Court at Law

Zapata County does not have a County Court at Law.

Zapata County Attorney

Zapata County Attorney's general fund budget was \$173,697. Seventy percent of the County Attorney's budget was apportioned to criminal budget. Local officials estimated that 29 percent of their caseload involved juveniles and 70 percent adults. Those cases in which the defendant was an individual in the U.S. without legal residency status accounted for 30 percent of the total juvenile cases and 13 percent of the total adult cases. The total estimated fiscal impact on the County Attorney's office was \$25,900, shown in table T46.

Table T46: Zapata County Attorney Impact

Division	Budget	Caseload Impact	Crim Budget	Impact	Cost	General Gov.	Total Cost
Juvenile	\$50,372	29%	\$35,260	30%	\$10,578	\$1,989	\$12,567
Adult	\$123,325	70%	\$86,327	13%	\$11,223	\$2,110	\$13,333
Total	\$173,697		\$121,588		\$21,801	\$4,099	\$25,900

Zapata County Clerk

Zapata County Clerk's general fund budget was \$154,372. The County Clerk's office estimated that the criminal budget represented 100 percent of its workload. Thirteen percent was the estimation for the impact of cases involving undocumented persons. Depicted in table T47, the total estimated fiscal impact on the County Clerk's office was \$23,841.

Table T47: Zapata County Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$154,372	13%	\$20,068	\$3,773	\$23,841

Zapata County Justice of the Peace

Zapata County Justice of the Peace's general fund allocation was \$200,343. Several justices estimated that 90 percent of their cases were criminal, and the remaining 10 percent civil. Comments one justice,

At least 25 percent of the cases are felonies and about 25 percent are misdemeanors, though we can not ask about legal status. A good part of my time is spent in nonresident aliens for DWI, possession of MJ, commercial fishing, and many other crimes. The constables and the state game warden bring in most of them.

For the purposes of calculating fiscal impact of undocumented criminal cases on the Justice of the Peace Courts, the impact rate of 45 percent was used. Table T48 shows the total estimated impact of criminal undocumented persons, \$96,396.

Table T48: Zapata County Justice of the Peace Court Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$200,343	\$180,309	45%	\$81,139	\$15,257	\$96,396

Zapata County Indigent Defense

Since Zapata County does not have a Public Defender, it contracts indigent defense out to two local attorneys. The general fund budget was \$15,686. One of the attorneys interviewed for this study indicated his indigent defense caseload was 126 cases for Zapata and Brooks Counties, (which has a Border Patrol checkpoint.) He indicated approximately 25 percent of his contract work with Zapata County's indigent defendants are persons in the U.S. without legal residency status. He continues,

There are mules going around the checkpoint, and they get caught. About 25 percent of my caseload is undocumented aliens. INS is deporting everybody, no matter how long they've been in this country, even 20 years. For their third DWI, they get deported, no matter how many children they have. They can't make bond, so they stay in jail at the county's expense. Smuggling and assault are also frequent charges.

The total estimated fiscal impact of undocumented persons on the indigent defense budget of Zapata County was \$4,659, as depicted in table T49.

Table 49: Zapata County Indigent Defense Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$15,686	25%	\$3,922	\$737	\$4,659

Zapata County Adult Probation

There is a minimal general fund budget for Zapata County Adult Probation. The only expenses covered are for travel and hearings in Laredo. The State of Texas reimburses Webb County for services provided to Zapata County's clients, but, say officials Webb County does not then reimburse Zapata County. The caseload reported by county officials was from 300 to 350 cases per year, of which 25 to 50 percent involved undocumented persons. Table T50 gives an estimated fiscal impact of \$2,376, assuming a nominal cost of adult probation of \$2,000.

Table T50: Zapata County Adult Probation Impact

Cost	General Gov.	Total Cost
\$2,000 (assumed)	\$376	\$2,376

Zapata County Juvenile Probation

Zapata County's Juvenile Probation general fund budget totaled \$145,672. The caseload reported was about 112 per year, of which about 30 percent (34 cases) were identified as undocumented persons by the county official interviewed. She explained,

We often do not know if our cases are illegal. They are protected by the Family Code, a state code that requires parental consent, which is impossible if parents are in Mexico. The number of undocumented aliens is climbing. Proximity to Falcon Lake, especially when it is low and juveniles can wade across, especially during harvest time of MJ. They are trying to get rich quick in the MJ trade. We conduct pre-sentence investigation reports, which includes time and travel, psychological and drug testing, car maintenance, and staff training. Webb County gets reimbursed, not us.

The total estimated impact of undocumented juveniles was \$51,919, shown in table T51.

Table T51: Zapata County Juvenile Probation Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$145,672	30%	\$43,702	\$8,217	\$51,919

Zapata County Autopsies and Burials

The general fund for Zapata County autopsies during fiscal year 1999 was \$10,000. The cost impact was not available. Zapata County's general fund allocation for burials totaled \$15,000. The total annual number of burials for 1999 was between 12 and 15, from which about three to five were "alien." Thus, it was estimated that 25 percent was the total impact rate, resulting in a total estimated fiscal impact of \$4,455, shown in table T52.

Table T52: Zapata County Burial Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$15,000	25%	\$3,750	\$705	\$4,455

Zapata County Emergency Medical Services

Zapata County Emergency Medical Services was not financed through the general fund. Its own special hospital-taxing district finances Mercy Hospital. The director of the County Health department makes the eligibility determinations to receive health care. According to him, about 20 percent of his time is spent denying eligibility because of a lack of social security number.

We have an agreement with the hospital for \$344,000 a year, which goes toward indigent health care. It will increase to \$400,000 in 2000. At least 50 percent of recipients are illegal. The county owns the building and pays maintenance on it. We also pay the transportation to other cities of illegal patients.

The total estimated fiscal impact of undocumented persons for indigent health care in Zapata County was \$86,856, depicted in table T53.

Table T53: Zapata County Emergency Medical Impact

Budget Items	General Fund	Impact	Cost	General Gov.	Total Cost
Indigent Health Care	\$344,000	20%	\$68,800	\$12,937	\$81,737
County Health Director	\$21,546	20%	\$4,309	\$810	\$5,119
Total	\$356,546		\$73,109	\$13,747	\$86,856

WEBB COUNTY, TEXAS

Along the border of the State of Texas and Mexico is Webb County, which encompasses 8,695 square miles, in the middle Rio Grande region. The county was named after James Webb, who was the Secretary of the Treasury for the Republic of Texas in 1848.²⁸ Webb County is the sixth largest county out of a total of 254 counties in the State of Texas. The county seat of is Laredo which is the principal inland port in the United States. Laredo is the largest city in the county and the only border city in the state that shares its border with two Mexican states: The State of Tamaulipas at Nuevo Laredo and the State of Nuevo Leon at Columbia.²⁹ 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 settlements in Webb County include El Cenizo (population 1,775), Rio Bravo (4,131), Bruni (581), Mirando City (707) and Olton (585.) The Lake Casa Blanca International State Park is located east of Laredo on United States Highway 59. The 371-land acre and 1650 lake acre park is rich in wildlife such as deer and javelina.

The 1999 total population estimate for Webb County was 196,815 persons compared to the 1990 Census Bureau figure of 133,239. This represents an increase of 47.7 percent in roughly a decade. Thirty-two percent of the population in the county is located within six miles of the Mexican border. Racially 99.1 percent of the county is white, with 95.2 percent are of Hispanic origin. Webb County's 1995 median family income estimate was \$24,288, with a poverty rate of 38.2 percent in 1990. The average unemployment rate for the county in 1999 was 8.5 percent. The number of individuals that have obtained a high school diploma was 47.8 percent, and higher educational attainment of four or more years of college has been obtained by 11.1 percent of Webb County's adult population.

In Webb County there are a total of four school districts, with a student population of 47,239, according to the Texas Education Agency (TEA). The largest district in the county, United Independent School District (ISD), has an enrollment figure of 24,194. Mirando City ISD is the smallest district in the county, with a student population of 61 students. The student population in Webb County that is considered economically disadvantaged is 81 percent.

Texas A and M International University (TAMIU) was recently selected to be a four-year university by the Texas Legislature, and is currently building a new campus. The Laredo Community College (LCC) is another educational resource for higher learning. TAMIU and LCC are working together to start various courses and studies that better utilize the unique location of the institutions and their proximity to the Mexican border.

Webb County's fiscal year 1999 county tax rate was a total rate of 0.42995 with a total levy of \$22,892,526 and an assessed county valuation of \$6,343,514,591. The county was ranked 23rd out of the 254 Texas counties in total assessed valuation. During 1999 Webb County's total general fund expenditures were \$36,700,000.

The Laredo metropolitan area saw positive employment growth in 1994; 4,500 new jobs representing an 8.5 percent growth rate were added. At the close of 1994, the devaluation of the Mexican *peso*, along with growing interest rates, took a toll on Laredo's economy. In 1995 the employment rates began to increase by 2.0 percent, and the unemployment rate rose from 10

percent to 13.2 percent. State unemployment figures decreased during the same year, from 7.2 percent to 5.6 percent. The greatest number in Laredo is employed in the wholesale and retail trade industry, which comprises 29 percent of the employment in the city. The government employs 23 percent of Laredo's workforce, and approximately 17 percent work in the service sector.

Webb County's Border Environment

A small portion of Webb County, 32 miles out, is on the border between the United States and Mexico. The North American Free Trade Agreement (NAFTA) opened a gateway of traffic of over 15,000,000 vehicles in a single day. Much of the traffic and the 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 railway transportation available.

Laredo is currently known as "The City Under Seven Flags" and has grown to become the main port-of-entry into Mexico.³⁰ The city is not only the largest city in Webb County, but also the second fastest growing city in the United States. Laredo also functions under very unique conditions, due to the fact that it is the only city that has international bridges that border two Mexican states. There are two border crossings along the State of Tamaulipas located at Nuevo Laredo, and one that borders the Mexican State of Nuevo Leon in Colombia. Nuevo Laredo had 53 *maquiladoras* in 1999, which employed an annual average of 22,019 persons. The largest concentration of *maquiladoras* is located in Nuevo Leon, where the 131 firms employed an annual average of 54,585 during the same time period. Many of the *maquiladora* workers live in Laredo and commute daily to work in Mexico.³¹ Webb County has three international bridges into the United States: the International Bridge, Juarez-Lincoln and the Solidarity/Laredo/Colombia Bridge.³² The Texas Turnpike Authority has also approved the erection of a new bridge, the Laredo Northwest International Bridge. The fourth international port-of-entry would link Laredo to Tamaulipas, Mexico. The eight-lane bridge is supposed to offer services solely for commercial and pedestrian traffic.³³

Over 47.7 million persons crossed legally into the U.S. through Webb County's 3 ports of entry. The Border patrol apprehended 78,234 persons in Webb County during 1999.

Table T54: Webb County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
196,815	8,695	32 miles	47,748,336	78,234	3

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

The total estimated costs to Webb County for providing law enforcement, criminal justice and emergency medical services was \$3,191,064. In addition to direct service provision, this figure includes \$555,000 in general governmental costs. Two site visits were conducted during March and

July 2000. During that time numerous county officials were interviewed. Data was also collected from the Sheriff's department, District Court, District Attorney, District Clerk's office, County Court at Law, County Attorney's office, County Clerk, as well as public health officials. The following discussion provides detailed insight into the costs by department.

Table T55: Webb County Costs by Department
County Totals: \$3,191,064

Sheriff	District Attorney	District Court	District Clerk	County Court at law	County Attorney	County Clerk	Justice of the Peace	Indigent Defense	Juvenile Court	Emerg. Med.
\$1,709,495	\$440,122	\$97,976	\$58,244	\$62,187	\$28,658	\$43,980	\$47,660	\$373,821	\$259,458	\$69,463

Webb County Sheriff

The Sheriff offices' general fund budget was \$11,232,533. These funds are divided into several main areas of concentration. Administration, patrol and investigation account for \$3,179,581, while the bulk of the budget, \$8,052,952, is needed for detention. The Sheriff's department maintains a sub-station in Mirando for the residents of Mirando, Oilton and Bruni in southeastern Webb County. There are many undocumented persons with outstanding warrants. Local law enforcement officials refer to them as "UTL," or unable to locate. "We go to the bridges to see if INS and Border Patrol can find them because the Border Patrol has enough agents spaced along the river bank, every 100 yards."

In describing the fiscal impact on Webb County, representatives from the Sheriff's department noted:

Here are some of our costs that are always unreimbursed: transportation to hospitals when illegal immigrants are injured, and officers must remain at their bedside for at least six hours. Accidental deaths at Bruni, which are frequent, always require a lot of work. Drowning or dead in the brush from dehydration, we pay all costs. We send bodies to San Antonio for autopsies; in that case, Laredo pays for transportation, and Webb pays for autopsies. Homicides take a lot of work. The last five involved aliens into narcotics. Out of the 1,082 deaths in 1999, 67 were homicides. We also have Canadians, Hondurans, and Cubans whose detention is not reimbursed by SCAAP.

The Webb County Jail has an average daily inmate population of 483 prisoners. Based on the total male adults incarcerated in 1999 there were a total of 176,295 inmate days. The total estimated financial impact of undocumented persons on the Webb County Sheriff's department was \$1,709,495, shown in table T56.

Table T56: Webb County Sheriff Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Patrol	\$397,448	35%	\$139,107	\$28,283	\$167,390
Investigation and Administration	\$2,782,133	25%	\$695,533	\$141,414	\$836,947
Detention	\$8,052,952	7.28%	\$586,255	\$118,903	\$705,158
Total	\$11,232,533		\$1,420,895	\$288,600	\$1,709,495

Webb County received \$114,000 from SCAAP. This figure was based on 101 undocumented persons who had an average jail stay of 127.1 days, which represented 7.28 percent of the total inmate days for the Webb County Jail.

Webb County District Court

Three District Courts hear the criminal, civil, tax and domestic relations cases in Webb County. The 49th District Court has additional responsibility for legal proceedings in Zapata County. The District Judges are also members of the Auditor's, Juvenile and Purchasing Boards and the Community Supervision and Corrections Department of Webb County. Two of the courts have minor impacts by criminal undocumented persons. The 49th District Court reported approximately 4 percent of their caseload and the 341st District Court indicated 7 percent of their cases involved persons without legal residency status. The largest impact was felt by the 111th District Court, which estimates 22 percent of their criminal cases have undocumented persons as defendants. The total estimated financial impact to the 3 District Courts was \$97,976 depicted in table T57.

Table T57: Webb County District Court Impact

Court	General Fund	Impact	Cost	General Gov.	Total Cost
49 th District Ct	\$257,907	4%	\$10,316	\$2,115	\$12,431
111 th District Ct	\$237,741	22%	\$52,303	\$10,706	\$63,009
341 st District Ct	\$267,247	7%	\$18,707	\$3,829	\$22,536
Total	\$762,895		\$81,326	\$16,650	\$97,976

Webb County District Attorney

The Webb County District Attorney represents the state's interests in felony criminal actions. In addition to Webb County, it provides prosecution services to neighboring Zapata County. The District Attorney's office also handles all misdemeanor criminal actions in the County Court at Law and the Justice of the Peace Court. This office of 26 screens cases representing the State of Texas before Grand Juries and handles asset forfeitures related to criminal activities and bond forfeiture proceedings.

The 1999 caseload for the District Attorney's office was 5,316. Local officials estimate undocumented persons commit 30 shoplifting and 10 "harder" crimes per month. The resident aliens show up in the County Attorney's office, too. Aliens started two to three ago with drug offenses, and now "We see them on family violence and DUI (driving under the influence) charges. If you add resident aliens another 80 a month," explains one attorney. Given the fact that resident aliens are deported quickly after trial, the two case estimates are consistent. This results in approximately 1,440 cases involving persons without legal residency status, or 27 percent of the total workload in the District Attorney's office. The total estimated financial impact of undocumented persons on the Webb County District Attorney's budget was \$440,122, depicted in table T58.

Table T58: Webb County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,342,304	27%	\$362,422	\$77,700	\$440,122

Webb County District Clerk

The District Clerk's office provides administrative support for the three District Courts and the County Courts at Law. All court pleadings and official papers are filed through the District Clerk. In addition, this office notifies and empanels juries, maintains court dockets, issues writs, citations and executions for the court. The District Clerk's office, which employs 23, is also responsible for receiving and sending all court support payments. An additional four employees are in charge of the jury selection process for Webb County. The Central Jury determines the number of potential jurors needed for the pool, sends summons, assigns panels and acts as liaison between the jurors and the courts. The total general fund budget for the Central Jury was \$210,762.

The general fund budget for the District Clerk's office was \$718,707, of which approximately 25 percent is devoted to criminal cases. Half of the central jury budget of \$210,762 is used to empanel jurors for criminal cases. During the months of April through June 2000, the District Clerk followed the undocumented cases. Of the 173 cases handled during that time span, 21 cases involved persons without legal residency status. This 12 percent impact rate was used to calculate the total estimated impact of undocumented persons of \$58,244 from the District Clerk's office, with the calculations shown in table T59.

Table T59: Webb County District Clerk Impact

	General Fund	Criminal Budget	Criminal Budget	Impact	Cost	General Gov.	Total Cost
Clerk	\$718,707	25%	\$287,483	12%	\$34,498	\$8,125	\$42,623
Central Jury	\$210,762	50%	\$105,381	12%	\$12,646	\$2,975	\$15,621
Total	\$929,469		\$392,864	12%	\$47,144	\$11,100	\$58,244

Webb County Court at Law

The two Webb County Courts at Law adjudicate probate, juvenile, mental condemnations, family law civil and criminal misdemeanor cases. The criminal cases must carry a fine that is above \$500 but below \$5,000 to be heard in this court. The general fund allocation for the County Courts at law was \$757,974.

Judges estimate that 20 percent of their caseload involved persons in the U.S. without legal residency status. The majority of the crimes committed by undocumented persons were driving under the influence (DUI), shoplifting and misdemeanor offenses. Table T60 lists the total estimated financial impact of undocumented cases on the County Courts at Law budget was \$62,187.

Table T60: Webb County Court at Law Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$757,974	\$252,658	20%	\$50,532	\$11,655	\$62,187

Webb County Attorney

The Webb County Attorney provides legal counsel to the Commissioner's Court. This office, which employs 20, provides legal assistance in tort claims, delinquent taxes, title searches, and condemnations. The County Attorney also prosecutes all juvenile, child welfare and mental health cases. The total general fund allocation was \$904,419.

The criminal caseload represents approximately 35 percent of the total budget expenses in the County Attorney's office. Of the 820 juvenile cases prosecuted by this office in 1999, 60 of the youths were in the U.S. without legal residency status. The County Attorney commented, "Many juveniles tell us that they are citizens, but a lot are not, so our numbers are low." The total estimated impact of undocumented criminal cases on the County Attorney's office was \$28,658, shown in table T61.

Table T61: Webb County Attorney

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$904,419	\$316,547	7.3%	\$23,108	\$5,550	\$28,658

Webb County Clerk

Serving as the official repository of documents for the Commissioners Court, County Court and County Court at Law, the Webb County Clerk's office employs 17 people. All fees collected for records management are processed through this office, as well as the filing of business names, cattle brands, notices of foreclosure and veteran's discharge records. The general fund budget for the Webb County Clerk was \$540,232.

County official estimate one third of their workload involves criminal cases. This caseload includes juveniles in the county and district courts. Approximately 20 percent of the juvenile criminal cases

are undocumented persons. The County Clerk uses lack of social security number as one indicator of lack of legal residency status; however that fact was not always entered in the computer, so officials think the 20 percent impact is probably a low estimate. The total estimated financial impact on the County Clerk's budget was \$43,980, depicted in table T62.

Table T62: Clark County Clerk Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$540,232	\$178,277	20%	\$35,655	\$8,325	\$43,980

Webb County Justice of the Peace

Webb County has four Justice of the Peace Courts with a total general fund budget of \$596,609. These courts have jurisdiction in Class "C" misdemeanor cases and civil cases when the fine does not exceed \$5,000. Justices of the Peace also process citations issued by the Sheriff's Department, Department of Public Safety, Game Warden, Texas Alcoholic Beverage Commission and Constables Office. Additionally they handle truancy cases, inquests, search and arrest warrants. Local officials estimate half of their work is associated with criminal cases. The Justices of the Peace magistrate about 450 cases a month, or 5,400 a year. Out of these, the JPs estimated that approximately 60 cases a month involve persons without legal residency status. Using the 13 percent impact rate, Table T63 shows the total estimated financial impact of criminal undocumented persons was \$47,660.

Table T63: Webb County Justice of the Peace Impact

General Fund	Crim Budget	Impact	Cost	General Gov.	Total Cost
\$596,609	\$298,305	13%	\$38,780	\$8,880	\$47,660

Webb County Public Defender and Indigent Defense

The Public Defender's office is charged with the responsibility of representing indigent defendants with felony and misdemeanor cases pending in the Webb County Courts. Serving at the discretion of the Commissioners Court, the Public Defenders 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 Public Defender's general fund allocation was \$668,696.

The Webb County Public Defender's office handles about 600 cases a year. According to local officials:

At least one third is illegal, 200-300 cases. Usually a court-appointed attorney handles them. The period between their first appointment with a defender and their first court appearance is between 30 and 45 days for a misdemeanor and 4-6 months for a felony. Then, when we finish a case, they are released or sent to prison. The misdemeanor process for a defense attorney includes a jail visit, preparing the

defense, several pre-trials where the attorney is present, or the agreement of plea bargain. If they go to trial, the attorney is with the client for 3 days.

If it is a felony case, sometimes we go on bond reduction 6 times. In a felony, illegals consume more time. Also, many residents are illegal. Let me give you an example. Say we have a man from Hidalgo, Mexico. He's arrested 2-16-00. We seek bond reduction on 2-24. Still ongoing 3-16. They have an INS hold, so nothing will happen. They will just stay in jail. We try to reduce the bond to protect ourselves, but only a few bond out.

The Public Defender's budget represents only a portion of the indigent defense expenditures for Webb County. Contract attorneys received \$204,680 and an additional \$150,693 is in the judicial general fund. The total general fund budgets for indigent defense in Webb County was \$1,024,069. With a 30 percent impact rate, Table T64 depicts the total estimated cost of indigent defense for persons without legal residency status in the U.S. were \$373,821.

Table T64: Webb County Indigent Defense Impact

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Public Defender	\$668,696	30%	\$200,609	\$43,490	\$244,099
Contract Attorneys	\$204,680	30%	\$61,404	\$13,320	\$74,724
General Judicial	\$150,693	30%	\$45,208	\$9,790	\$54,998
Total	\$1,024,069		\$307,221	\$66,600	\$373,821

Webb County Juvenile Court Center

The Webb County Juvenile Probation department provides community supervision for youths who are involved in the juvenile justice system. Employing a staff of 35, the general fund allocation for juvenile probation was \$1,092,764.

Local officials receive an average of 700 juvenile referrals per month; of which they estimate 40 percent are undocumented youth. Says one official:

In Webb County, our terrain, geography and demography make probation services harder with illegals. It is drudgery work. But the political aspect, dealing with another culture and a different bureaucracy, really makes it difficult. We spend a lot of administrative time finessing, using diplomacy. We are successful, but it is time consuming. We always notify the Mexican consul, he spends time with each client in jail, which slows things down. The consul has to verify information. Often, juveniles will lie about their age and we send them to the wrong jail, then we have to

get them transferred, which impedes a speedy process. In one case, we had to return a kid to Puerto Rico and we had to pay his transportation.

The detention general fund for juvenile prisoners was \$710,297. Of the 1,500 youth housed in the Juvenile Detention Center, probation officials stated 109 inmates lacked legal U.S. residency status. The average length of stay for undocumented juveniles was eight days. The Webb County per diem charge for juvenile detention is \$68, making the fiscal impact of undocumented youth \$72,458. When juvenile detention and probation supervision are considered together in table T65, the total estimated fiscal impact of undocumented youth was \$259,458.

Table T65: Webb County Juvenile Court Center

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Probation	\$1,092,764	40.0%	\$152,987	\$34,013	\$187,000
Detention	\$710,297	8.3%	\$59,296	\$13,162	\$72,458
Total	\$1,803,061		\$212,283	\$47,175	\$259,458

Webb County Emergency Medical

The Central Welfare Office of Webb County provides emergency financial assistance to disabled persons and families who cannot work and lack other sources of income. The director, who is appointed by the Commissioners Court, makes the eligibility determinations. The general fund budget for Central Welfare was \$515,433.

County officials estimate 11 percent of their workload in eligibility determination involves persons who are in the U.S. without legal residency status. The total estimated impact of undocumented persons on the Central Welfare budget was \$69,463, shown in table T66.

Table T66: Webb County Emergency Medical Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$515,433	11%	\$56,698	\$12,765	\$69,463

Webb County Autopsies and Burials

Webb County general fund allocations for autopsies were \$124,400 and an additional \$19,950 was allocated for indigent burials. County officials were unable to provide any data regarding the cases involving undocumented persons.

Webb County Adult Probation

In March 2000 during the site visit to Webb County, 635 unsupervised adult probationers were residents of the county. Local officials estimates at least 30 to 50 of these cases were undocumented persons. Unsupervised probation means that at sentencing, the judge tells the defendant that he is "illegal," not a resident, and he is told not to return to the U.S. The probation department still maintains the defendant's file. When the client comes back into the U.S. and gets into trouble, probation still handles the paperwork. "There is always work to do. We're always going to court," adds one officer. Indirect probation occurs when people reside or work in the county or when the probation department has not had face-to-face contact with the probationer for over 90 days. According to local officials, the state does not pay the probation department for these cases: "This is a good deal of work. Indirect cases are Mexican as well as from other states." Probation fees are also an issue in Webb County, because the county is so poor and fees are uncollectible. Webb County does not benefit from probation fees. There is no county general fund allocation for adult probation.

MAVERICK COUNTY, TEXAS

Maverick County, located in the Middle Rio Grande Valley, covers 3,316 square miles. The county seat is Eagle Pass, with a population of 20,651. Laughlin Air Force Base maintains an auxiliary field north of Eagle Pass on State Highway 277, and South of Eagle Pass the Kickapoo Tribe has its reservation.

The 1999 population estimate for Maverick County consists is 47,315, which represents a 30.1 percent increase in population from the 1990 U.S. Census. Fifty-three percent of the population is located within six miles of the Mexican border. Ninety-five percent of the population has Hispanic origins. Racially 97.8 percent are white. The median family income for Maverick County was \$17,150 in 1995, with a 50.4 percent poverty rate in 1990. The average unemployment rate in 1999 was 21.6 percent. Of the adult labor force 25 years and older, only 35.6 percent of the populace obtained a high school diploma and 7.3 percent achieved four or more years of higher education.

Maverick County has one school district, Eagle Pass, that has a student population of 12,207, according to the Texas Education Agency (TEA). Eagle Pass Independent School District (ISD) has a total of 89.1 percent of its student body that are considered economically disadvantaged. Higher institutions for learning in the Middle Rio Grande Region are provided by Southwest Texas Junior College and Sul Ross State University, with campuses located in Uvalde, Del Rio and Eagle Pass.³⁴

The county tax rate for fiscal year 1999 was of 0.24000, with a total levy of \$2,079,860, which is based on the total assessed county valuation of \$1,054,444,655. Maverick County ranks 120th out of 254 counties in total assessed valuation. Maverick County's total general fund expenditures in 1999 were \$4,900,000.

Maverick County's Border Environment

Fifty-three miles of Maverick County are alongside the border between the United States and Mexico. The county has one port-of-entry is located at Eagle Pass. Five percent of the total United States-Mexico trade passes through this port-of-entry.³⁵ Trade goods are transported via U.S. Highway 277 to Del Rio and then north to Interstate-10 for western transit. U.S. 57 provides an eastern route to Interstate-35, one of the major trade corridors, and thus San Antonio and northward. The southern route from Eagle Pass, U.S. 277, provides access to Laredo and Nuevo Laredo, Mexico. Additionally, the Union Pacific Railroad offers northern transit of goods from the *maquiladora* industries. Persons seeking entry into the interior of the U.S. who lack legal entry documents use these various transportation routes.

Piedras Negras, the Mexican municipality that borders Maverick County, has a 2000 population estimate of 131,387 persons. Wholesale and retail trade were greatly affected by the devaluation of the *peso* in 1994. Sixteen retail stores were forced out of business in Eagle Pass during that year.

Through the *maquiladora* industry and the 1994 North American Free Trade Agreement (NAFTA), Farah U.S.A. was able to open a finishing facility in Piedras Negras, Mexico, and a twin plant in Eagle Pass, Texas. The multimillion-dollar plant has employed a total of 1,600 individuals in

Maverick County.³⁶ The 44 plants in Piedras Negras employed a total of 14,965 persons in 1999. Tourism for Maverick County lies across the Rio Grande in the Mexican municipalities of Piedras Negras and Acuna, which provide silver jewelry, leather and woven goods and pottery items. The entertainment industry of Mexico also provides bullfights, restaurants and discotheques that enhance the tourism attraction for the county.³⁷

Table T67: Maverick County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
48,639	3,316	53 miles	47,748,336	8,722,754	1

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

The total general fund of Maverick County was \$4.9 million.

Maverick County officials were visited and interviewed in March 2000, but they chose not to collect or provide any data. During the site visit county officials reported, "Problems with shoplifting, drugs, burglary and illegal transporting of people. Most shoplifters go to the JP, pay a fine and then leave." After repeated attempts to contact county officials through mailings, telephone calls and faxes were unsuccessful, all efforts to include Maverick County in this study ceased.

KINNEY COUNTY, TEXAS

Kinney County has a landmass of 5,532 square miles. The county was named after Henry Lawrence Kinney, an early settler to the area. The county seat and the largest city in the county is Brackettville, named after Oscar B. Brackett who owned the first dry goods store along the stage line running from San Antonio to El Paso. The other small settlements in this rural county are Fort Clark Springs (population 1,070) and Spofford (population 66).

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 of the county runs along the Balcones Escarpment, and the Anacacho Mountain is located in the southeastern region. The elevation of Kinney County extends from 1,000 to 2,000 feet. The primary industry of the county is based on livestock of sheep and goats, with less than 1 percent of the county used as farmland.³⁸

Kickapoo Cavern State Park is located just 22 miles north of Brackettville on the county line of Kinney and Edwards Counties. Named for the Native American Indian tribe, the 6,368.4-acre park rests upon the Edwards Plateau, with the elevation varying from 1,580 feet to 2002 feet. The park features the Kickapoo Cavern, which is roughly a quarter mile in length, the Green Cave, and 15 other caves. The park has numerous rare species of birds, reptiles and amphibians, including public viewings of the migratory Brazilian Free Tail Bat.

The total 1999 population estimate for Kinney County was 3,516, which is a 12.7 percent increase from the 1990 Census Bureau figure of 3,119. Seventeen percent of the population of the county is located within six miles of the Mexican border. Fifty-five percent of Kinney County's population has Hispanic origins. The white population comprises 96 percent of the total population and 2.4 percent are African-American. The median family income for Kinney County was \$19,768 in 1995, with a poverty rate figure of 41.9 percent in 1990. The average unemployment rate for 1999 was 14 percent. Fifty-six percent of county residents completed high school, and 11 percent have gone on to higher education. According to the Texas Education Agency (TEA), there is one district in Kinney County, Brackett Independent School District (ISD), with a student population of 648. Seventy percent of the student population is considered economically disadvantaged. Higher educational resources for the Middle Rio Grande Region are provided by Southwest Texas Junior College and Sul Ross State University, with campuses located in Uvalde, Del Rio and Eagle Pass.³⁹

Kinney County's fiscal year 1999 county tax rate was 0.72110 and a total levy of \$755,146; the assessed county valuation was \$303,505,961. Kinney County ranked 33rd out of a total of 254 Texas counties, the total assessed valuation. During 1999 the total general fund expenditures in Kinney County were \$1,241,160.

Kinney County's Border Environment

A small portion of Kinney County, only 54 miles, rests directly on the border. The Mexican municipality that borders Kinney County is Jimenez, Mexico, which has a 2000 population of 706 persons. The county does not have a port-of-entry. Although no international bridge links Kinney County to Mexico, the county does experience problems with illegal immigration. State Highway 131

connects Bracketville to the international crossing at Eagle Pass in neighboring Maverick County. International trade passes through Bracketville to the west via U.S. Highway 90, which eventually links to Interstate-10 through Del Rio and San Antonio to the east. Additional commercial traffic uses Federal Highway 277, which links Eagle Pass and Del Rio, and runs parallel to the Rio Grande in the southwestern portion of the county. Human smugglers also use these main transportation routes.

Without a legal port of entry, there were no sanctioned border crossings in Kinney County, however 18,778 individuals were apprehended by the Border Patrol in 1999.

Table T68: Kinney County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
3,516	5,532	54 miles	0	18,778	0

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

Kinney County's provision of law enforcement, criminal justice administration and emergency medical services to assist undocumented persons totals \$16,026. This includes a general government cost of \$2,450. During spring 2000, a site visit was conducted to interview county officials from the Sheriff Department, Justice of the Peace, District Attorney, County Clerk, District Court, and County Attorney. The following discussion provides additional information from these departments.

**Table T69: Kinney County Costs by Department
County Totals \$16,026**

Sheriff	Justice of the Peace	District Attorney	District Court	County Clerk	Indigent Defense	Adult Probation	Juvenile Probation	Emergency Med.
\$7,310	\$8,716	\$0	NA	NA	\$0	\$0	\$0	NA

Kinney County Sheriff Department

The general fund budget for the Sheriff's Department totaled \$480,200. Local law enforcement officials report approximately 30 percent of the funds was expended on patrol and investigation while the remaining 70 percent was used for detention. According to the sheriff's department, "Maybe about 2 percent are illegal in any given year." The total estimated fiscal impact to the sheriff department was \$7,310, depicted in table T70. Kinney County did not apply for SCAAP funds.

Table T70: Kinney County Sheriff Impact

Division	General Fund	Impact	Cost	General Gov.	Total Cost
Jail	\$336,140	2%	\$6,000	\$1,310	\$7,310
Patrol	\$144,060	0%	\$0	\$0	\$0
Total	\$480,200		\$6,000	\$1,310	\$7,310

Kinney County Justice Of The Peace

Kinney County's Justice of the Peace general fund budget was \$104,500. "About 5 percent to 10 percent of the workload is devoted to undocumented aliens," according to officials. The estimated fiscal impact of undocumented persons was \$8,716, as shown in table T71.

Table T71: Kinney County Justice of the Peace Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$104,500	7.25%	\$7,576	\$1,140	\$8,716

Other Departments

The District Attorney reported that the presence of undocumented persons did not have an impact on the Kinney County prosecutions. Data from the District Court and the County Clerk's office were not available. There is no County Court at Law in Kinney County. Neither indigent defense, nor adult probation nor juvenile probation reported any impact by persons in the U.S. without legal residency status. There were no data available on emergency medical, autopsy nor burial costs.

VAL VERDE COUNTY, TEXAS

The Rio Grande forms the southwestern border of Val Verde County's 3,232 square miles.⁴⁰ From the Terrell County border to just below the small community of Comstock, population 375, steep escarpments rise from the river's banks on both sides of the international boundary. In 1969, Lake Amistad was created at the confluence of the Rio Grande, Pecos and Devils Rivers. The international reservoir and recreation area covers close to 58,000 acres, which are primarily underwater. The American shoreline with its high bluffs runs for 540 miles. After leaving Lake Amistad, the floodplains of the Rio Grande flatten out as the river approaches Del Rio and neighboring Kinney County.

Federal Highway 90 parallels the Rio Grande connecting Del Rio, through the Davis Mountains to Van Horn and El Paso to the west and San Antonio to the east. The primary north-south transportation corridor is Federal Highway 277, which allows access to Interstate-10 at Sonora. A secondary northern route to Interstate-10, State Highway 163, begins at Comstock through Juno in Val Verde County and connects to the interstate at Ozona, approximately 50 miles west of Sonora. The county judge is working toward highway lane expansion with the vision of a four lane corridor from Del Rio to Colorado. The Southern Pacific Railroad line parallels FH90 providing rail transit for *maquiladora* products from *Ciudad Acuna*, Del Rio's sister city in Mexico. *Ciudad Acuna* connects Del Rio with direct highway access all the way to Monterrey, Mexico.

The county seat of Del Rio, population 34,167, is an international port-of-entry. The city is home to a wide variety of government services, including Laughlin Air Force Base, which is home to the 47th Flying Training Wing. The economic sector also encompasses tourism. "Snowbirds" from the mid-west winter in Del Rio and many retired military choose to make Del Rio their home. International trade with Mexico is the other major employment sector. *Ciudad Acuna*, located in the northern Mexican State of *Coahuila*, with approximately 120,000 persons, is home to 57 *maquiladora* industries employing 33,100.⁴¹ The other towns in the county include Comstock, Langtry (home of Judge Roy Bean), Loma Alta, Pandale, and Juno.

The 1999 county population estimate was 44,188, a 13.2 percent increase since the 1990 Census. While 96.6 percent of the population is white, 75 percent of the population is Hispanic. African-Americans compose only 2 percent of the local population. The median family income in 1995 was \$22,135. As with many border counties, Val Verde County has a high unemployment rate, 8.3 percent. The county workforce suffers from low levels of educational attainment. Only 56.1 percent of adults 25 years or older hold high school diplomas, and 13 percent have completed four years of college or more.

There are two independent school districts in Val Verde County. San Felipe-Del Rio Consolidated has a student population of 10,034, of whom 73.1 percent are economically disadvantaged. The smaller rural district of Comstock has only 137 students. Just over half of those students are from families that are economically at risk.⁴² Thirty-six percent of the population in Val Verde County lives on income below the federal poverty level.

The total assessed valuation of Val Verde County was \$1,050,912,556. The county tax rate of 0.38200 resulted in a levy of \$3,207,859 for the provision of services to local citizens. The 1999 total general fund expenditures in Val Verde County were \$7,985,767.

Val Verde County's Border Environment

Val Verde County has approximately 100 miles of international border with Mexico. The forbidding terrain characterized by towering, rocky embankments to the Rio Grande make up the majority of the boundary. These geophysical features serve as a strong deterrent to illegal entry into the United States. South of the Amistad dam the Rio Grande's rich alluvial flood plains provide a broad, flat topography. It is in this area that the local sheriff indicates most of the illegal entry occurs. The beautiful area adjacent to the river has been very popular with non-native retirees, and their lack of understanding of the border environment has resulted in tensions with the Mexican nationals who enter there.

Border Patrol enforcement in this region has become very high-tech with the use of 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 (i.e. cattle) or a human, traveling alone or in groups.

One of the reasons for use of this sophisticated tracking was to decrease the number of agents needed along the border and increase their capacity to provide fuller monitoring over wider areas. A local problem that has arisen in relation to this method is the tendency towards vigilantism on the part of individuals owning property adjacent to the river; they are suffering from repeated break-ins, presumably by persons in the U.S. without papers. According to local law enforcement officials, their homes are located so close to the river that the Border Patrol monitoring zone may not pick up on the movement of alleged illegal immigrants until after a crime has occurred. As one official described,

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 4, 5, 6 times, the 7th time they shoot them. It's just their frustration from all the prior break-ins.

Two cases involving shooting incidents by residents defending their property are currently pending in local courts.

Following the tracks of crossers gives law enforcement officials a clue as to the nature of the crossing. Two-way traffic generally is seen as indicating either narcotics trade, or *banditos*, young juveniles from Acuna who are stealing items like VCRs and televisions. One-way tracks tend to be from individuals who are heading north via the highway or to jump the freight trains, presumably looking for work. Another official notes,

Sometimes I'll catch an illegal crosser with nothing more than one jug of water. I take them back to the bridge and tell them when you come back tomorrow, bring two jugs, two jugs each or you'll never make it. They come across to jump the freights and head north.

The changing economy in the U.S. has also impacted the number and circumstances of some border crossings. According to local officials, federal subsidies for wool and mohair have also affected the traditional venues used for illegal entry. Explains one,

Illegals would cross to a windmill, climb and look for the next one. They could criss-cross the desert from one windmill to another. Problem is a lot of windmills are dry now. I expect we're going to see a lot more deaths this summer when they can't find water.

But, as ranchers sold off their stock, many of the windmills were abandoned, removing this traditional source of water for the illegal crosser.

Lake Amistad, the bi-national reservoir, creates additional boundary enforcement challenges. Speedboats patrol the many coves of the lake and airplanes are used for surveillance. River drowning is another problem encountered both in Val Verde and the other border counties. While the Border Patrol established lifeguard stations along the river stocked with water rescue equipment during the summer of 2000, local law enforcement remains skeptical of their impact. Describes one officer,

I just came back from a bi-national meeting at which the US consulate wants to put lifeguards on the river. God-damn lifeguards. Those people in Washington don't have a clue as to what's really going on down here.

Narcotics trafficking in Del Rio had increased in the last three to four years. Stepped up border enforcement activities in Laredo and Eagle Pass has pushed illegal trade to the Del Rio area. Local officials have seen a direct linkage to the increased drug traffic and increased illegal entry. The rapid population growth in Ciudad Acuna is also placing additional pressure on the border.

The 2 ports of entry in Val Verde County saw nearly 6 million persons cross legally into the U.S. During 1999, the Border Patrol apprehended 32,708 individuals who committed crimes and crossed without appropriate legal documents.

Table T72: Val Verde County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
44,188	3,232	100 miles	5,959,564	32,708	2

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

The total estimated costs to Val Verde County for providing services to criminal undocumented persons and providing medical care to undocumented persons was \$1,527,737. This includes general government costs of \$439,310. An additional \$570,928 cost which is NOT included in the county's general fund was expended on adult probation and emergency ambulance services for persons without legal residency status. A site visit was conducted in July 2000 during which time interviews were conducted with key officials in the county. Fiscal cost analysis reviewed the county

departments of sheriff, district court, district clerk, county court-at-large, county attorney, county clerk, justice of the peace and constables. Costs were estimated for emergency medical provision, including both ambulance and hospital services. The following discussion provides a breakdown of the estimated costs by department.

Table T73: Val Verde County Costs by Department
County Totals \$1,527,737

Sheriff	District Court	District Clerk	County Attorney	County Clerk	County Court at Law	Justice of the Peace	Indigent Defense	Juvenile Probation	Detention	Emerg. Med.
\$919,368	\$71,449	\$68,118	\$11,111	\$13,479	\$14,291	\$157,728	\$89,768	\$13,292	\$135,000	\$47,425

Val Verde County Sheriff

The sheriff's general fund expenditures for FY99 were \$2,431,925. Jail operation costs form a large portion of the sheriff's budget. Jail expense and food during FY99 were \$350,000, and prisoner medical expenses were \$48,058. Some of the services for jail operation are contracted out. (County officials reported the operation of the entire jail would be privatized during FY 2000.)

The jail's capacity is 187 prisoners. At any given time, between 60 and 70 of the inmates are state prisoners, and the remainder are federal (Border Patrol, INS and U.S. Marshals. Val Verde County seldom has prisoners from other counties, local officials report that is they do they prefer to switch prisoners, rather than "trade off money." The payment from SCAAP was \$66,000 in 1998. Describes one deputy,

I went through every inmate booked in 1997 to determine the numbers. Almost 25 percent of my time was spent on that project, working after hours. Looking for felonies and 2 plus misdemeanors and foreign place-of-birth. But it was worth it; we went from \$4,000 to \$66,000 in federal reimbursements. We bought 2 squad cars for the county with that money.

The total estimated costs of criminal undocumented persons on the Sheriff's office, indicated in table T74, was \$919,368.

Table T74: Val Verde County Sheriff Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$2,431,925	26.4%	\$642,028	\$277,340	\$919,368

Val Verde County District Court

Val Verde County is in the 63rd judicial district, which serves a four county area. The court as well as the district attorney who prosecutes the cases is headquartered in Del Rio. Felony criminal actions in Val Verde, Kinney, Edwards and Terrell County are all heard in this court. The finances needed to support the district attorney are apportioned based on the population of the counties. Val Verde County pays 83.6 percent of the cost, \$76,650.

The total general funds allocated for the 63rd District Court (including district attorney) was \$191,905. Local officials estimate approximately 26 percent of the caseload involves persons in the U.S. without legal residency status. The total County taxpayer cost for prosecuting undocumented persons was estimated at \$71,449, indicated in table T75.

Table T75: Val Verde County District Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$191,905	26%	\$49,895	\$21,554	\$71,449

Val Verde County District Clerk

The administrative responsibility associated with the criminal and civil cases heard in District Court are handled by the clerk's office. The general fund expenditures for FY 1999 were \$182,960. (Although the district clerk was unable to estimate the workload relative to cases involving undocumented persons, for the purpose of this study the same percentage effort for the district court has been applied.) The estimated costs associated with service provision for undocumented persons, approximately 26 percent of the workload, were \$68,118, shown in table T76.

Table T76: Val Verde County District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$182,960	26%	\$47,569	\$20,549	\$68,118

Val Verde County Attorney

As legal counsel to the County Commissioners, the County Attorney handles any civil cases files against the county. The majority of prosecutions handled by the County Attorney are for misdemeanors. The County Attorney indicated that the top three reasons she sees undocumented persons in the County Court-at-Law are for driving while intoxicated, criminal trespass and assault. When individuals are arrested for these crimes they are usually held until the case comes to trial, because they lack the financial resources to pay their bond. They aggressively pursue voluntary release or deportation to Mexico for undocumented persons with two or more misdemeanors. The general fund budget for the County Attorney's office was \$155,179. The County Attorney estimates that 5 percent of their total work effort is devoted to cases involving persons in the U.S. without legal residency status, for a total estimated impact of \$11,111 which can be seen in table T77.

Table T77: Val Verde County Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$155,179	5%	\$7,758	\$3,352	\$11,111

Val Verde County Clerk

The filing of legal documents related to civil and the County Clerk handles misdemeanor felony cases. The general fund expenditure in FY 1999 was \$188,252. Based on the County Attorney's caseload, the resultant filing and processing of fees in the county clerk's office is also estimated at 5 percent, or \$13,479, depicted in table T78.

Table T78: Val Verde County Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$188,252	5%	\$9,412	\$4,066	\$13,479

Val Verde County Court at Law

The County Court at Law hears both civil and criminal cases. The criminal cases include Class "A" and "B" misdemeanors in which the highest fine that may be imposed is \$500. The County Court at Law also hears civil cases in which the amount in controversy is between \$500 and \$5,000. The general fund budget for FY99 was \$199,596. According to the County Attorney approximately 5 percent of the cases that come before this court involve persons without legal residency status. Table T79 shows the estimated financial impact of those cases is \$14,291.

Table T79: Val Verde County Court at Law Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$199,596	5%	\$9,979	\$4,311	\$14,291

Val Verde County Justice of the Peace and Constables

Justices of the Peace have original jurisdiction over Class "C" misdemeanors, cases with fines up to \$500. They adjudicate civil cases in which the amount in controversy is under \$5,000. Additionally, they marry people, conduct preliminary hearings and issue search and arrest warrants. There are four JP courts in Val Verde County. They rotate their magisterial duties at the jail, so each JP serves once a month. Describes one justice,

They cross illegally. They cross at a point where it is railroad property and most of them are charged with interference with railroad property. There would be more cases if we could find all the people that have citations but usually we can't find them. Most of the citations are for improper cars; they exceed the gross weight permitted. We spend thousands of dollars on certified letters to Mexico, but they

probably just throw them in the trash. We have a whole drawer full of cases on Mexican trucks, but we can't do anything about it unless we place a warrant. Then they might be caught when they cross over again, but it is very unusual that they will be caught. I'm sure this is the case for the other judges, tons of cases "just sitting there."

The caseload associated with undocumented persons varies from 25 percent to 35 percent based on the Justice of the Peace Court, with the precincts bordering the Rio Grande having the largest impact. Each precinct also has a constable, who serves as the peace officer of the justice court. In that capacity he executes criminal and civil processes and acts to preserve the peace within his precinct. The constables report that if they encounter a problem with someone in the U.S. without legal residency status, they normally turn the individual over to the Border Patrol.

The general fund budget for the Justice of the Peace Courts includes Constables salaries (\$68,599) plus auto expenses for patrol (\$4,700) for a total of \$367,157. The estimated impact of undocumented persons on the court and constables is 30 percent, or \$157,728 depicted in table T80.

Table T80: Val Verde County Justice of the Peace and Constable Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$367,157	30%	\$110,147	\$47,581	\$157,728

Val Verde County Autopsies and Burials

During the interviews conducted this summer in Val Verde County there had been 5 deaths of undocumented persons in a 2-month period of time. A county autopsy averages \$1,000 and interment for the deceased is approximately \$800. Describes one law official,

A lot of them don't get autopsied. Sometimes they're skeletonized when we find them, with Mexican money and Mexican phone cards in their pockets. We know they're Mexicans, but we have no way of identifying them. Usually when they're skeletonized like that they die of a leg injury or snakebite. The judge says he knows we'll never figure out the crime and just has us bury them.

The general fund allocation for autopsies was \$24,632 and \$9,560 for burials. County officials estimate 75 percent of the autopsy cases and burials involve persons who died in the U.S. without legal residency status. Table T81 shows the county impact was \$36,721.

Table T81: Val Verde County Autopsies and Burials Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$34,192	75%	\$25,644	\$11,077	\$36,721

Val Verde County Indigent Defense

Val Verde County allocated \$83,584 to indigent defense. Of that total approximately 75 percent of the cases have defendants who lack legal residency status. The total estimated impact of criminal undocumented persons, shown in table T82, was \$89,768.

Table T82: Val Verde County Indigent Defense Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$83,584	75%	\$62,688	\$27,080	\$89,768

Val Verde County Indigent Medical

During FY99 Val Verde County budgeted \$9,967 for indigent medical care. County officials estimate that approximately 75 percent of the money expended was for persons without legal residency status. The impact of undocumented persons on these line items was \$10,704, depicted in table T83.

Table T83: Val Verde County Indigent Medical Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$9,967	75%	\$7,475	\$3,229	\$10,704

Val Verde County Detention Center

Val Verde County operates a detention center for adult probationers from a four-county region which include Terrell, Kinney and Edwards Counties. The total cost of operating the detention center was \$213,551, of which Val Verde contributes 64 percent of the cost, or \$135,000.

Val Verde County Adult Probation

The same four county consortiums that operate the detention center manage community supervision of probationers and paroles. The total cost for adult probation was \$203,132. Each county contributes to the cost based on its proportion of the total population of the four-county region. As the largest county in the consortium, Val Verde County contributed \$169,981. Any impact of illegal immigration would be borne by other funds.

TERRELL COUNTY, TEXAS

Terrell County's 2,385 square miles are semi-mountainous. The Trans-Pecos region is rocky with limestone soils and includes many canyons along the tributaries to the Rio Grande. Terrell's county seat is Sanderson (population 876), and is unincorporated. The only other settlement in the county is Dryden, which has a population of 13. With a county population of 1,202, Terrell County is largely agricultural, with some tourism via its hunting leases. Ninety-nine percent of the residents are white and 59.4 percent have Hispanic origins.

The economy of Terrell County was robust from the 1950s through the 1980s with the ranching of sheep and goats. In 1996, when the federal government ended the wool and mohair subsidy, local officials noted that it "broke the back of the ranchers." The county lost \$2.8 million as a result of that action. The Union Pacific Railroad maintained a home terminal in Sanderson until 1995. With the closure of that facility, 55 families were forced to move to either El Paso or Del Rio. The net payroll loss to Terrell County was \$5.5 million.⁴³ Terrell County lost 12.7 percent of its population between 1990 and 1999. Government---local, state and federal--- is the largest employment sector in Terrell County. The 1999 unemployment rate was 4.2 percent. The median family income in 1995 was \$22,815. In 1990, 27.4 percent of the county lived below the federal poverty level. Two-thirds of the county's adult population age 25 and over have obtained a high school diploma, and 12 percent have four or more years of college. There is one countywide school district with 230 students. Fifty-nine percent of the pupils come from economically disadvantaged households.

The total assessed valuation of Terrell County was \$328,897,902. The county tax rate of .54600 resulted in a levy of \$1,359,602 for provision of local services, including operation of the countywide school district. Terrell County's total general fund expenditures were \$1,043,637, which includes the operation of a countywide school district.

Terrell County's Border Environment

Terrell County's terrain is harsh and foreboding. The Rio Grande cuts through 48 miles of the county. All the land on the border is privately held. Seventy percent has no access from Mexico because of the steep escarpments along deep river canyons. County officials stated that there are only two places in the whole county that are possible river crossings. High cliffs, sparsely populated ranch lands and little water result in few illegal border crossings. The U.S. Border Patrol has a station in Rodriguez where five agents are stationed. They pick up approximately 100 undocumented persons per month.

Table T84: Terrell County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
1,202	2,385	48 miles	0	953	0

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

There is no fiscal impact of undocumented persons on the general fund of Terrell County. County officials stated that there have been no problems with undocumented criminals in the past five years. The last incident occurred in 1996, when four undocumented persons "came across Highway 90, stole a pickup, had it 57 minutes before they were picked up," recounted one sheriff's deputy.

Although the county has a seven-person jail, it is rarely used. According to a local official, "We don't mess with the 'wets'. We give 'em to the feds. We've got seven beds, and we like to keep it empty. About the only people ever in there are people doing community service."

An official with Emergency Medical Services stated, "The impact (of undocumented persons) is zero percent. If there ever is an undocumented person that needs help, they get it at Marfa or they are transported to Fort Stockton, 65 miles north."

BREWSTER COUNTY, TEXAS

Brewster County is the largest county in Texas. The 16,040 square miles include the northern terminus of the Chihuahuan desert, the largest desert in North America; the towering Davis Mountains with altitudes to 8,000 feet; and the Chisos and Bofecillos Mountains.⁴⁴ Government employment, primarily state and local, and retail trade are the primary economic sectors. Alpine, the county seat with a population of 6,187 is located in the northern portion of the county in the heart of the Davis Mountains. The City of Alpine serves as the service center for the Big Bend area, providing both a regional hospital and state university for the neighboring counties. Sul Ross State University, with a student population of 2,500, emphasizes teacher education and biology, geology and ranch management studies, capitalizing on the natural laboratory setting adjacent to the Chihuahuan desert region. Small galleries, restaurants and over 400 motel rooms provide opportunities for tourists to enjoy this picturesque community. Amtrak provides passenger service from Alpine to Houston three times a week.

Marathon, a ranching center with a population of 850, is the other town in the northern portion of the county. Fort Pena Colorado Park can be accessed through the town. U.S. Highways 67 and 90 provide east-west access through the northern part of the county. State Highway 118 extends south from Alpine past the Elephant Mountain Wildlife Management Area to the towns of Terlingua (population 35), home of the famous chili cook-off, and Study Butte (population 160), which serves as an entryway to Big Bend National Park. From SH118, State Highway 170 travels westward from State Highway 118 to the Mexican border at the small (population 50) resort community of Lajitas. The other access to the southern portion of the county is via State Highway 385 from Marathon. It ends at the national park and then State Highway 2627 turns eastward through the Black Gap Wildlife Management Area to a Border patrol point of entry just south of Rio Grande Village (population 9).

The 1999 county population estimate was 8,793, a 5.1 percent increase from the 1990 census. During the winter months the county population swells with the in-migration of over 1,500 retirees from many northern and midwestern U.S. states. Forty-eight percent of the county residents are Hispanic, one percent African-American and 51 percent are Anglo. The median family income in 1995 was \$23,248. Like neighboring Jeff Davis County, Brewster County enjoyed a low unemployment rate of 2.5 percent in 1999. The county's workforce is better educated than many of the border counties, with 73.2 percent holding high school diplomas and 27.9 percent having graduated from college.

There are four independent school districts in Brewster County. The largest is Alpine ISD with 1,257 students, of whom 46.8 percent are economically disadvantaged. The other had much smaller enrollments. Seventy-six percent of Marathon ISD's 110 students and 83.5 percent of Terlingua's 182 students were economically disadvantaged in 1999. San Vincente ISD had the smallest enrollment with 23 students.⁴⁵ Twenty-nine percent of the children in Brewster County live in poverty.

The total assessed valuation of Brewster County for FY 1999 was \$489,861,274. The county tax rate of 0.31430 resulted in a levy of \$972,774 for provision of local services. During 1999 Brewster County's total general fund expenditures were \$2,336,115.

Brewster County's Border Environment

Brewster County has approximately 164 miles of international border with Mexico. Over three-quarters of the border is adjacent to Big Bend National Park and Black Gap Wildlife Management Area. Big Bend covers 801,000 acres, which includes 118 miles along the Rio Grande. The national park administers 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.

The northern third of the Chihuahuan Desert is located in Big Bend National Park. Mountains that block the desert on three sides block the rains and the fourth side opens to the vast semiarid plains of northern Mexico. Weather is the most foreboding aspect of the desert environment. In the summer temperatures can reach 180 degrees and in the winter northern storms bring freezing temperatures. Each year campers and backpackers lose their life because they were ill-prepared for the intensity of the weather conditions. Undocumented persons crossing through Big Bend National Park often die from lack of water or exposure to the elements. According to the county sheriff, often their bodies are not found until their remains have skeletonized. The Chisos Mountains rise from the desert to an elevation of 4,500 feet. Designated an international biosphere reserve in 1976, there are some plant and bird species found only in this mountainous area, the Chisos Oak and the Colima Warbler. Big Bend attracts many naturalists as well as traditional campers and backpackers. Within the park there are five visitor centers and one lodge.⁴⁶ Some agricultural development is found in the river's floodplain. Cotton and food crops are still grown around Castolon and Rio Grande Village. Lajitas, located on the Rio Grande in the southwestern corner of the county, is home to a resort community complete with a golf course and airstrip for small private planes.

There is a port-of-entry at the terminus of State Highway 2627, which runs through the Black Gap Wildlife Management Area. U.S. Customs also maintains a site near Rio Grande Village in Big Bend National Park. The Brewster County sheriff indicates that many county residents cross from Coyote, Castolon, Rio Grande Village and Lajitas into Mexico for dinner or shopping without going through a border checkpoint. According to one county official, "If you want to go eat in Mexico, you just go. There are checkpoints at Boquillas and San Alianas, but people cross all the time."

In FY 1999, there were 1,035 border patrol apprehensions in Brewster County. South of Marathon where the road dips before the border checkpoint, undocumented persons have ridden their bikes across from Mexico, abandoned them and then struck out into the desert to avoid detection. One local rancher had a barn full of abandoned bicycles. Vehicular theft was a common reason for undocumented crossing in Lajitas. Most crossings by undocumented persons occurred on foot, although occasionally a railroad car was discovered with 40 to 50 undocumented individuals. Arrests of large numbers of persons from trains involved the *coyotes* that smuggled humans with the promise of employment in the interior of the U.S.

Brewster County is part of the HDIA and narcotics interdictions involved both backpackers in the national park as well as larger loads driven along the state and park roads. Narcotics abuse is not a major problem in the county. Most of the illegal substances are passing through the county for distribution elsewhere.

Although Brewster County lacks a port of entry, the Border Patrol apprehended 1,035 persons in 1999.

Table T85: Brewster County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
8,793	16,040	164 miles	0	1,035	0

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

The total estimated costs to Brewster County for providing services to criminal undocumented persons and providing medical care to undocumented persons for FY 1999 was \$56,401. This includes general government costs of \$11,128. Brewster County residents through the special hospital-taxing district that is NOT included in the county's general fund also incurred an additional \$59,703 impact. A site visit was conducted in July 2000, during which time interviews were conducted with key county officials. Fiscal cost analysis reviewed the county departments of Sheriff, County and District Attorneys, District Court, County-District Clerk, Justice of the Peace and Constables. Costs were estimated for emergency medical care provision including both ambulance and hospital services. The following discussion provides a breakdown of the estimated costs by department.

Table T86: Brewster County Costs by Department
County Totals \$56,401

Sheriff	District Attorney	District Court	Indigent Defense	District Clerk	County Attorney	County Clerk	County Court at Law	Justice of the Peace	Detention	Juvenile Court Services	Emerg. Med.
\$3,588	\$161	\$700	\$12,250	\$969	\$0	\$0	\$0	\$0	\$4,916	\$1,295	\$32,522

Brewster County Sheriff

The sheriff's office general fund expenditures for FY 1999 were \$287,136. As the largest county in Texas, 16,040 square miles, patrolling requires substantial vehicular expenses. The sheriff's budget also includes training for deputies and staff and communications.

The typical criminal problems in the county include juvenile auto theft (joyriding) and rural burglaries. For example, one county official commented, "I've had people break into my house. Get something to eat when I'm not home. Wash the dishes and leave them by the sink with a few pesos." Another said she kept her bunkhouse stocked with food. "If people come needing food, I've told my foreman to give it to them." The total estimated impact of criminal undocumented persons, indicated in table T87, was \$3,588.

Table T87: Brewster County Sheriff Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$287,136	1%	\$2,871	\$717	\$3,588

Brewster County District Attorney

The District Attorney's Office for the 83rd Judicial District prosecutes state cases in a five-county region that includes Brewster County. Located in Fort Stockton, the District Attorney travels to Brewster County to provide services. The D.A. represents the State of Texas in felony criminal actions and misdemeanor criminal actions in the County Court of Law and Justice of the Peace Courts. The county budget pays a portion of the district attorney's cost. Based on the county's population, Brewster County's general fund expenditures were \$12,905. The total county taxpayer cost for prosecuting undocumented persons was estimated at \$161, shown in table T88.

Table T88: Brewster County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$12,905	1%	\$129	\$32	\$161

Brewster County District Court and Indigent Defense

The 394th District Court serves a four-county area includes Brewster County. The District Court's original jurisdiction covers all felony criminal cases, divorce cases, cases involving title to land, election contest cases and civil matters in which the amount in controversy is over \$200. The court routinely sets hearings for pleas, arraignments, summary judgments, default judgments, pre-trial hearings and motions.

The 394th District Court Judge is located in Alpine. Travel time to the other counties leaves the judge with limited time for Brewster County cases. Conversations with the District judge revealed that the average cost for a 4-day trial was \$5,000. He spends three weeks in jury trials, adjudicating the cases of undocumented persons first to ensure their right to a speedy trial, and the remaining week for pleas, hearings and other issues.

Brewster County allocated \$73,801 from the general fund for District Court expenses. This figure includes \$18,500 for indigent defense. Approximately 50 percent of the indigent defense expenses were attributable to undocumented persons. Of the remaining \$55,301 only one percent of those expenses are related to cases involving the undocumented. The total fiscal impact of undocumented persons on the Brewster County District Court expenditures was \$12,250, depicted in table T89.

Table T89: Brewster County District Court and Indigent Defense Impact

Department	General Fund	Impact	Cost	General Gov.	Total
District Court	\$55,301	1%	\$553	\$147	\$700
Indigent Defense	\$18,500	50%	\$9,250	\$2,300	\$11,550
Total	\$73,801		\$9,803	\$2,447	\$12,250

Brewster County District Clerk

This office handles all the administrative responsibility associated with criminal and civil cases heard in district court. In addition, the district clerk files all legal documents, titles and other legal matters. The District Clerk's general fund expenditures for FY 1999 were \$ 77,510. The estimated costs associated with service provision for undocumented persons were \$969 depicted in table T90.

Table T90: Brewster County District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$77,510	1%	\$775	\$194	\$969

Brewster County Attorney

The County Attorney provides legal counsel to the County Commissioners, handles civil cases filed against the county, and handles misdemeanor cases up to felony. The county attorney indicated that although the U.S. Attorney has a high threshold for narcotics cases it is willing to prosecute, he has been successful in getting the U.S. Attorney to take many of the smaller cases as well. The County Attorney's general fund expenditures for FY 1999 were \$66,437; however the office did not handle any cases related to undocumented persons. There is no cost impact for the County Attorney.

Brewster County Clerk

This office provides the support for the County Attorney in the filing of legal documents related to civil and misdemeanor felony cases. The general fund expenditures of \$116,687 did not include any expenses related to the undocumented.

Brewster County Court at Law

The County Court at Law hears both civil and criminal cases. The court's criminal responsibility includes Class "A" and "B" misdemeanors where the highest fine imposed is \$500. In civil cases, the County Court at Law hears cases in which the amount of controversy is between \$500 and \$5,000. The general fund budget for FY 1999 was \$18,050. This court was not impacted by cases involving undocumented persons.

Brewster County Justice of the Peace and Constables

Justice of the Peace Courts have original jurisdiction in Class "C" misdemeanor criminal cases with fines up to \$500. Civil cases in which the amount in controversy is under \$5,000 are heard in Justice of the Peace Courts. The J.P. also marries people, conducts preliminary hearings and issues search and arrest warrants. Brewster County has three Justice of the Peace Courts for general fund expenditures totaling \$93,306 in FY 1999.

Each of the three precincts also has a constable. As the peace officer of the justice court, the constable executes criminal and civil processes. He is further tasked with the protection of the peace within the precinct and may make arrests and engage in other criminal deterrence activities. The total general fund budgets for constables in FY 1999 were \$42,588.

Neither the Justice of the Peace Court nor the constables indicated any impact from undocumented persons.

Brewster County Detention

The County Jail is responsible for the supervision, care, safety and custody of all inmates incarcerated in the facility. The Brewster County Jail holds both county prisoners and City of Alpine prisoners. In a unique funding arrangement, the county assumes the full cost for city inmates and the city assumes the cost of providing volunteer fire service in the unincorporated northern portions of the county.

The jail is a 54-bed detention facility. The majority of the prisoners are federal, and approximately 18 percent are state prisoners. The county sheriff has a policy that he will not accept any injured or ill federal prisoners without their first receiving medical attention from a physician. "I don't need any federal prisoners dying in my jail," he explains.

The general fund expenditures for the jail were \$393,403. While he remembered a case involving the theft of a saddle in South Texas, the county jail administrator indicated very few undocumented persons are held in the county facility. The impact of criminal undocumented persons for was estimated at a normal one percent or \$4,916, shown in table T91.

Table T91: Brewster County Detention Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$393,403	1%	\$3,934	\$982	\$4,916

Brewster County Juvenile Court Services

There is no federal legislation covering juvenile law. In the event that an undocumented juvenile commits a crime, the federal government simply remits the youth to Mexico. In Brewster County, the county has agreed to take any juvenile cases in order to send a strong message to youths who would commit crimes in the county. This has usually involved detaining and keeping juveniles who

have been used as *mules* in the transportation of narcotics. Once Brewster County began prosecuting the juvenile cases, the use of youths for the drug smuggling in the county decreased.

The challenge to the county has been what to do with the youths after the detention hearing. Because the parents or custodians of the undocumented juveniles live in Mexico, the county bears the cost of detention, which was \$60 per day. The juvenile detention facilities are located in Fort Stockton and if that site is full, the youths must be transported to Midland. The county's portion of the cost to operate the Fort Stockton juvenile center was \$10,358. The county transportation cost can be substantial. If the juvenile is a female, then the law requires two law enforcement officers accompany the young woman. Furthermore, if the county has to use sheriff's vehicles that lack cages, then again, two officers must accompany the juvenile. In FY 1999 Brewster County had two undocumented juvenile detainees for an impact cost of \$1,295, shown in table T92.

Table T92: Brewster County Juvenile Court Services Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$10,358	10%	\$1,035	\$259	\$1,295

Brewster County Emergency Medical Services

General fund expenditures for emergency medical care includes contracts with three separate ambulance services. Terlingua medics estimate 5 percent of their runs involve the undocumented. West Texas Ambulance, which made 400 calls in FY 1999, estimates that treating undocumented persons represents 22.5 percent of their calls. Their average call rate is \$250. The majority of their transportation is undocumented who are removed from trains or long distance transfers from Mexico. The Marathon Ambulance reports all of their calls were for treatment and transportation of injured undocumented persons. The total county general fund budget for emergency medical services was \$52,500. The impact of undocumented medical care on the general fund budget was \$16,277, as indicated in table T93.

Table T93: Brewster County Emergency Medical Services Impact

General Fund	Impact	Cost	Cost	General Govt.	Total Cost
West Texas Ambulance	\$16,000	22.5%	\$3,600	\$899	\$4,499
Terlingua Medics	\$28,500	5%	\$1,425	\$355	\$1,780
Marathon Ambulance	\$8,000	100%	\$8,000	\$1998	\$9,998
Total	\$52,500		\$13,025	\$3,252	\$16,277

Brewster County Autopsies and Burials

The sheriff indicated that there are a lot of deaths that occur as a result of illegal crossings in the three parks in the county. Another factor is individuals who drown in crossing. Bodies that end up

on the American side of the border become the responsibility of the local county for autopsy and burial. The average autopsy cost is \$1,500 and burials of indigents cost the county \$800 per interment. In FY99 100 percent of the cost of burial and autopsy were attributed to undocumented persons for a general fund impact of \$5,500 and \$7,500 respectively. All of these costs, \$16,245, were attributable to undocumented persons, as shown in table T94.

Table T94: Brewster County Autopsies and Burials Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$13,000	100%	\$13,000	\$3,245	\$16,245

Brewster County Medical

Additionally, the county operates the 40-bed Big Bend Regional Medical Hospital in Alpine. Completed in September 1999, this \$15 million state-of-the-art medical center serves Brewster, Presidio and Jeff Davis Counties. The hospital is not a part of the general fund budget; however, the county taxpayers in a separate assessment pay for the operation of the hospital. Brewster County's expenditures for the hospital in FY1999 were \$650,000. Hospital administrators estimate 25 percent to 30 percent of their patients are undocumented persons. One hospital official commented:

Our major assistance funds go to live births and deliveries; many cross the border in an ambulance and basically all they need to qualify is a paper from the doctor saying it was an emergency and they get automatic financial aid. I get between 50-60 people in the program per month. When we try to get a billing address, we usually get a P.O. box.

Of the undocumented persons the hospital offers emergency care to, one-third are from Brewster County and two thirds are from Presidio County. The total impact of undocumented persons on emergency medical care for Brewster County at the regional hospital was \$59,703, as depicted in table T95.

Table T95: Brewster County Hospital Impact

Special Hospital District	Impact	Cost
\$650,000	27.5%	\$59,703

PRESIDIO COUNTY, TEXAS

Presidio County extends over 9,987 square miles in the upper Rio Grande region. The rugged mountainous terrain contains some of Texas' highest peaks. Capote Falls, the highest waterfall in Texas is located in the Sierra Vieja Mountains. Intermountain washes serve as natural drainage areas flowing into the Rio Grande when the infrequent rains occur. The Big Bend Ranch, a state natural area, is located in the southeastern portion of the county. Los Paltos Wildlife Management Area is located west of Presidio on State Highway 170. East of Presidio is 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 over 300 years ago.⁴⁷

Marfa, the county seat, is located in the high desert plateau. The Border Patrol maintains its sector headquarters in Marfa. Ranching and hunting leases for tourism employ many of the city's 2,639 population. Tourists also come to Marfa to catch a glimpse of the mysterious ghost lights which can be viewed a night on the outskirts of town and to see the historic El Paisano Hotel. Artists, writers and architects have relocated to Marfa in recent years, creating an interesting art community. Chinati Hot Springs are open year-round for healing baths.

The City of Presidio, population 3,794, in the southern portion of the county is the largest community in the county. Laying at the confluence of the Rio Concho and Rio Grande, Presidio has the oldest continuously-cultivated farmland in the United States. It serves as the closest point of entry to the interior of Mexico. Ojinaga, Mexico offers shopping, social and cultural opportunities and is the gateway to the state capital of Chihuahua City and eventually the west coast of seaport of Topolobampo. Located on U.S. Highway 67 between Presidio and Marfa is the ghost town of Shafter. The current population of 26 ranches and offers tours of the famous silver mines.

Agriculture and local government are the dominant economic sectors. Hydroponic tomatoes are grown in climate-controlled greenhouses in the northern portion of the county, near Marfa. Onions, cantaloupes and honeydew melons are the primary crops in the southern part around the City of Presidio. Presidio County is also a major crossing port for Mexican cattle. (County unemployment averaged 27.8 percent in FY 1999.)

The county population estimate for 1999 was 8,954. This figure includes an equal number of net international migrations from Mexico and domestic migrations. Eighty-one percent of the county's population is Hispanic, 18 percent Anglo and less than one percent African American, Asian and Native Americans. The median family income in 1995 was \$16,877. The low level of educational attainment is borne out by the fact that only 43.9 percent of the adult population has completed high school and 11.8 percent hold college degrees. Forty-one percent of the county lives in poverty, and nearly 50 percent of the county's children are in poverty.

The data for the two school districts demonstrate that the poverty is not equally distributed throughout the county. While 68 percent of the students in the Marfa Independent School District, student population 497, are economically disadvantaged, 93 percent of Presidio ISD's 1,372 pupils are economically disadvantaged.⁴⁸

The total assessed valuation of property in Presidio County was \$288,340,742. The county tax rate of 0.54950 netted a levy of \$903,661 for provision of county services. The 1999 total general fund expenditures for Presidio County were \$1,702,496.

Presidio County's Border Environment

The 158-mile border Presidio County shares with Mexico includes the international toll bridge at Presidio and the other smaller border communities of Ruidosa, Candelaria, Adobes, Indio, Spencer, Ochoa and Redford each with populations under 100. "Class B" ports-of-entry exist in Redford, Ruidosa, Candelaria and Ochoa. State Highway 170 parallels the river from Candelaria to the Brewster County line in extreme southeastern Presidio County. Private roads reach northeasterly from Ruidosa to meet Farm-to-Market Road 2810, which leads to Marfa.

The City of Presidio is a largely agrarian community. Nearly 5,500 acres are under irrigation providing water for the onion and melon crops. When the crops are ready to be picked a large number of individuals cross over from Ojinaga, Mexico to help with the harvest. Many of these workers will join the seasonal migrant stream of workers who will harvest crops from Texas northward over the harvest season. The new hydroponic tomato hothouses outside Marfa have attracted many of the U.S. and resident alien farm workers living in Presidio. Despite the 60-mile trip, the higher wages have been an incentive to the workers. During the 1999 onion and melon harvest there was a severe shortage of workers in Presidio because so many individuals were employed in the northern portion of the county. The net result was an increased demand for Mexican farm labor with less attention to the official documentation of the workers. Presidio County also has a large resident alien population who received amnesty in 1986 under the federal Immigration Reform and Control Act.⁴⁹

Neighboring Ojinaga was host to 8 *maquiladoras* in 1999. The combined twin plants employed 1,224.⁵⁰ The South Orient Railroad provides piggyback services three days a week from Presidio northward towards Alomito swinging east of Marfa and into Alpine. This rail route provides the gateway to Mexico's west coast. *Coyotes* frequently use empty boxcars to transport larger groups (30 to 60 persons per car) of undocumented workers into the United States. The South Orient line joins the Southern Pacific's tracks in the northeastern portion of the county, providing additional east-west access for illegal transit.

Big Bend Ranch State Park encompasses 437 square miles in the southeastern portion of the county. This includes approximately 25 miles of river frontage on the Rio Grande.⁵¹ From the floodplain the parkland rises into the Bofecillos Mountains, popular with campers and backpackers, and includes Solitario, a nine-mile eroded crater formed by a volcanic explosion. *Mules* hiking with packs carrying narcotics sometimes choose to enter through the remote ranchland. Although there is a lodge and bunkhouse in the park, most of the area is preserved as a state natural area. Fort Leaton State Park, which includes the preserved historic fort grounds, is four miles west of Presidio.

A Mexican man found shot in the head on the Presidio levee Friday morning died on Saturday... According to the Chihuahuan State Judicial Police, the shooting likely took place on the Mexican side of the river. (*They*) were accosted at around 5 a.m. and forcibly taken to the river's edge near the railroad bridge by three armed men in a station wagon... Following

an argument, during which the 2 captive men were told they would be killed, they leapt into the river in an effort to escape... Speculation that his superiors in the (drug) smuggling trade found his performance unsatisfactory and perpetrated the murder is still unconfirmed. (*Big Bend Sentinel*)

Through the Presidio port of entry 1,976,222 persons crossed legally into the U.S. in 1999. The Border Patrol apprehended 1,586 individuals during the same time period.

Table T96: Presidio County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
8,954	9,987	158 miles	1,976,222	1,586	1

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

The total estimated costs to Presidio County for providing services to criminal undocumented persons and providing medical care to undocumented persons for FY 1999 was \$465,356. The Presidio County Jail, which is not a part of the general fund budget, has an additional \$117,739 impact. Finally, the county incurs costs of \$118,950 in the hospital located in Brewster County. This impact is also not included in the Presidio County general fund. Key county officials were interviewed during a site visit in July 2000. Further financial analysis of the budgets of the Sheriff, County and District Attorneys, District Court, County-District Clerk, Justices of the Peace and Constables were also conducted. Emergency health cares costs for ambulance service were also determined. The subsequent discussion details the estimated costs by department.

**Table T97: Presidio County Costs by Department
County Totals \$465,356**

Sheriff	District Attorney	District Court	District and County Clerk	County Attorney	Justice of the Peace	Probation	Indigent Defense	Emerg. Med.
\$189,151	\$14,219	\$41,631	\$83,926	\$32,836	\$52,512	\$9,344	\$18,661	\$23,076

Presidio County Sheriff

The general fund expenditures for the sheriff's office were \$232,790. In addition to the personnel costs, this budget included \$13,600 for capital equipment purchases as well as communication, transportation and vehicular repair. The majority of the crime associated with undocumented

persons occurs in the City of Presidio. These cases, in order of frequency, include driving while intoxicated, operating a vehicle with a suspended license, domestic violence and marijuana possession. The total estimated cost of criminal undocumented persons on the Presidio County Sheriff's department was \$189,151, shown in table T98.

Table T98: Presidio County Sheriff Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$232,790	50%	\$116,395	\$72,756	\$189,151

Presidio County District Attorney

Presidio County falls under the 83rd Judicial District's jurisdiction. The District Attorney's office is located in Ft. Stockton, and it serves a five-county region. The county's portion of the District Attorney's cost is pro-rated based on population. In FY 1999, Presidio County paid \$17,500 for the D.A.'s services. Approximately 50 percent of the caseload is directly attributable to criminal felonies involving undocumented persons. The total county taxpayer cost for prosecuting undocumented persons was estimated at \$14,219, depicted in table T99.

Table T99: Presidio County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$17,500	50%	\$8,750	\$5,469	\$14,219

Presidio County District Court

Presidio along with Brewster, Jeff Davis and Culberson Counties, is served by the 394th District Court. The District Court Judge's main office is in Alpine (Brewster County.) This court is responsible for all felony cases as well as contested elections, divorces, land title disputes and civil controversies in excess of \$200.

The District Court Judge indicated that approximately three weeks of his time per month is allocated to jury trials in the various counties. Additionally, he has set aside the fourth week of the month to process summary and default judgments, pleas, arraignments, pre-trial hearings and motions. Because of the backlog of jury cases, the civil cases that come before his court are often delayed up to three or four years. While local counties have the option of hiring a visiting judge to oversee cases, this poses an additional financial burden on the county.

Presidio County's general fund expenditures for the District Court, which include the cost of the court reporters and interpreters, were \$51,236. Fifty percent of those expenditures were attributable to the criminal felony cases involving undocumented persons. Table T100 shows the total fiscal impact of criminal undocumented persons on Presidio County's District Court expenditures was \$41,631.

Table T100: Presidio County District Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$51,236	50%	\$25,618	\$16,013	\$41,631

Presidio County District-County Clerk

The responsibilities of the County and District Clerk are combined into one office in Presidio County. This office files all the legal documents, titles and other matters associated with the criminal and civil cases heard in district court. During FY 1999 \$103,288 from the Presidio County general fund was necessary to support the activities of this office. The estimated costs associated with service provision for undocumented persons were \$83,926, depicted in table T101.

Table T101: Presidio County-District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$103,288	50%	\$51,644	\$32,282	\$83,926

Presidio County Attorney

Responsible for the legal council to the County Commissioners, the County Attorney also handles misdemeanor cases. The Presidio County Attorney is serving as a member of the state bar committee that is exploring options available to counties for reimbursement for state legal cases. Texas is one of only five states that do not provide assistance to counties for the legal costs associated with trials. The only exception is emergency funding that can be accessed if the county has to prosecute a capital murder trial. "A capital murder case could potentially bankrupt a small rural county," according to the Presidio County Attorney.

Of major concern to the Presidio County Attorney is the legal implication of misdemeanor charges on the immigration status of resident aliens. Officials fear court-appointed attorneys often don't understand the intricacies of immigration law and the fact that two misdemeanor convictions can result in the deportation of resident aliens. "Unless they are 'snocked up' or beating their wives, these are not crimes against humanity; however, local attorneys don't always know enough to advise people. We are trying to get more training but it is not always forthcoming," one added.

The majority of the cases handled by the county attorney involve motor vehicle violations in which individuals were driving while intoxicated or driving under the influence or operating a vehicle with a suspended license. The office also sees a large number of domestic violence cases particularly from the City of Presidio. A minor in possession of a controlled substance (marijuana) is the fourth most frequent case type handle by the county attorney.

The prosecution of juveniles is particularly problematic in Presidio County. Unless the youths live in Presidio County, due to the increased flight risk juveniles are kept in detention until their cases are adjudicated. Following disposition of the juvenile cases many of the youth are placed on probation. Non-residents and undocumented youth who violate probation are sent to the Texas Youth Corrections facility in Canadian, Texas, which is 625 miles north on the Oklahoma border.

The county attorney indicated one of the biggest challenges is the lack of federal legislation covering juvenile crime. She has had numerous cases where federal officials failed to follow the Texas juvenile code by giving appropriate warnings before interrogating juveniles. This most often occurs when the youths have been used in the transport of narcotics and the customs or immigration officers conducting the investigation are trying to "lean on" the youths in order to gain access to information about the more significant drug traffickers who have engaged the juveniles' services. When the case eventually comes to the county attorney's office, it is often not prosecutable because of lack of compliance with the state juvenile code. This results in increased resentment from people who live along the river who cannot understand why the juveniles aren't prosecuted and has led to a public outcry for tougher penalties for crimes.

The Presidio County Attorney offices general fund expenditures for FY 1999 were \$62,172. Approximately one-third of the total expenses were for investigation and prosecution of cases involving undocumented persons for a budgetary impact of \$32,836 depicted in table T102.

Table T102: Presidio County Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$62,172	32.5%	\$20,206	\$12,630	\$32,836

Presidio County Justice of the Peace and Constables

The two Justice of the Peace Courts are responsible for civil cases with a controversy of less than \$5,000 and criminal cases with fines up to \$500. Marriages, preliminary court hearings and the issuance of search and arrest warrants also fall under the courts' purview. The general fund expenditures for the two courts in FY 1999 were \$82,503.

Cases involving the mentally ill have been particularly troubling for the Justice of the Peace Courts. Many individuals have relatives living in *Ojinaga* and in the City of Presidio as resident aliens. If an undocumented person suffering from mental illness, who has never received appropriate mental health interventions, makes threats against resident alien family members, the court tries to intervene to obtain mental health services. If a mental health hearing indicates the need for in-patient psychiatric care, the patient has to be transported 300 miles to the state psychiatric hospital in Big Springs. All the costs, from transportation to in-patient care, then become the responsibility of the local county.

In one very high profile case, a mentally ill Mexican national without documentation crossed repeatedly from *Ojinaga* into Presidio. Legal authorities kept repatriating the man, but he would return, often walking into people's homes, eating their food and making himself at home; however, despite numerous incarcerations he never presented a physical threat to the local citizens. In frustration local vigilantes shot at him, and a stray bullet ended up lodged in the wall immediately over the head of the wife of a local community leader who was sleeping at the time. The local J.P. indicated that although the Midland-Odessa Mental Health-Mental Retardation maintains an office in the City of Presidio, the services are not available for undocumented Mexican nationals in the U.S. unless they have committed a crime. The Justice of the Peace indicated he sees 12 to 15 cases of crimes committed by undocumented persons per year. "I think everybody's working hard and doing the best they can to be as humane as possible while upholding the law," he says.

The J.P. court also handles a high number of DWI cases. Cutbacks on substance abuse prevention services coupled with higher rates of alcoholism have led to an increased caseload. Burglaries and stolen vehicles are the other crimes that most frequently come to the J.P. Court. Many of the vehicles that have been recovered are from the Midland-Odessa area. Possession of marijuana and speeding tickets are also common. Concerns over child safety have led to ticketing for unrestrained children in motor vehicles. With high bonds and little financial capacity to make bond, most undocumented persons stay in jail while they are waiting their court date.

The Justices of the Peace report fully half of the caseload in the southern precinct, which includes the City of Presidio, and in the northern county precinct, which includes the county seat of Marfa, approximately one-quarter of the cases involves undocumented persons.

Supporting the Justice of the Peace Courts, the constables are most often involved in apprehension of undocumented persons who are motor vehicular theft suspects. Because Presidio County is located in HIDTA, the constables also serve warrants and arrest undocumented persons, primarily for possession of marijuana with the intent to distribute. Table T103 indicates the total estimated financial impact of undocumented persons on the J.P. Courts is \$48,206 and an additional \$4,269 impact on the Constable's budgets.

Table T103: Presidio County Justice of the Peace and Constable Impact

Department	General Fund	Impact	Cost	General Gov.	Total
Justice of the Peace	\$82,503	3.6%	\$29,701	\$18,542	\$48,243
Constables	\$21,013	12.5%	\$2,627	\$1,642	\$4,269
Total	\$103,516		\$32,328	\$20,184	\$52,512

Presidio County Juvenile and Adult Probation

Presidio County contracts for probation service for both juveniles and adults through the Fort Stockton Community Supervision Program. During FY 1999 the general fund expenditures were \$11,500 for supervision of probationers. A local representative of this community supervision program supervises adult probationers. [See the section on County Attorney for more detailed discussion of juveniles.] Transportation costs for detention of juveniles is currently being covered by a federal grant. Approximately 50 percent of the probation budget is for community supervision of undocumented persons, costing the county \$9,344, shown in table T104.

Table T104: Presidio County Adult and Juvenile Probation Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$11,500	50%	\$5,750	\$3,594	\$9,344

Presidio County Autopsies and Burials

The Ojinaga-Presidio Border Liaison Mechanism has been working to increase public awareness in Mexico of the dangers of crossing desert areas in the heat of the summer. Posters and brochures highlighting the tragic results of hiring *coyotes* (human smugglers) have been distributed. The harsh terrain, limited road networks, sparsely populated towns and extreme drought conditions of the past two years dramatically increase the possibility of dying during crossing. In addition, the potential for drowning always exists. Local officials cited an incident where a Mexican national, a victim of the narcotics smuggling gone awry, was killed while fleeing Mexico. His body was discovered on the American levee, so the autopsy and burial became a Presidio County responsibility.

During FY 1999 the general fund expenditures for autopsies were \$5,000 and \$1,800 for burials. All of these expenses were for the investigation and burial of undocumented persons. Table T105 shows the total estimated impact of \$11,050.

Table T105: Presidio County Autopsies and Burials Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$6,800	100%	\$6,800	\$4,250	\$11,050

Presidio County Indigent Defense

The County Attorney estimated that 75 percent of the indigent defense budget, which was \$15,311, was for criminal undocumented persons. Nine local attorneys handled 41 indigent defense cases in FY 1999. One attorney was responsible for 50 percent of the cases, two attorneys handled an additional 20 percent, each and the remaining lawyers saw only one to two cases each. The impact on Presidio County for prosecution of criminal undocumented persons was \$18,661, shown in table T106.

Table T106: Presidio County Indigent Defense Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$15,311	75%	\$11,483	\$7,178	\$18,661

Presidio County Indigent Health Care

Two ambulance services operate in Presidio County. The Presidio (city) ambulance makes 20 to 30 runs per month, of which they estimate four to five runs provide emergency medical transport to undocumented persons. If there is a major trauma treatment the Presidio EMS transports the

patient 90 miles to Big Bend Regional Hospital in Alpine. The county's budgeted portion of the Presidio ambulance service was \$31,000.

In the northern portion of the county, Marfa EMS provides emergency treatment and transport. Presidio County contributed \$12,000 from the general fund to the operating expenses of the ambulance service. Marfa EMS averages one call per day and estimates ten percent of their services are to undocumented persons.

The total impact of emergency medical services on the Presidio County general fund was \$12,026, depicted in table T107.

Table T107: Presidio County Indigent Health Care Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Marfa EMS	\$12,000	10%	\$1,200	\$740	\$1,940
Presidio EMS	\$31,000	20%	\$6,200	\$3,886	\$10,086
Total	\$43,000		\$7,400	\$4,626	\$12,026

Presidio County Indigent Health Care

Indigents from Presidio County receive medical care at Big Bend Regional Medical Hospital in Alpine (Brewster County.) The major assistance to undocumented persons is for live births and deliveries. (For more detailed discussion see: Brewster County.) Two-thirds of the costs associated with medical care for undocumented persons at Big Bend Regional Medical Hospital are from Presidio County. The total impact of undocumented persons from Presidio County on emergency medical care costs for the hospital was \$118,950.

Presidio County Jail

Expenditures for the Presidio County Jail are not part of the county's general fund budget. The total special jail account expenditures were \$1,286,763 for FY 1999. One-third of that amount went for debt service reduction for a recent jail expansion.

The capacity of the facility is 96 prisoners. In FY 1999 a total of 1,283 persons were incarcerated in the Presidio County Jail, of which 1,019 were federal prisoners and 235 were state prisoners from Presidio County. The remaining 29 incarcerations were for Brewster County state inmates. The jail administrator estimated 50 percent of the state prisoners were undocumented persons, or 9.2 percent of the total jail population, for a special fund fiscal impact of \$117,739 for Presidio County state inmates as shown in table T108.

Table T108: Presidio County Jail Impact

Special Jail Fund	Impact	Cost
\$1,286,763	9.2%	\$117,739

JEFF DAVIS COUNTY, TEXAS

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 5,865 square miles. The economy of the area is dependent on tourism and service industries as the major employers. Davis Mountain State Park occupies 2,700 acres and is adjacent to the University of Texas' McDonald Observatory. The Chihuahuan Desert Research Institute engages in scientific research as well as makes available educational programs on its 507-acre site. The Fort Davis National Historic Site is one of the best preserved 19th century frontier forts, which was the home of the "Buffalo Soldiers" (African-American troops.)⁵²

Fort Davis, the county seat (population 1000), is an unincorporated town with numerous bed and breakfast inns, restaurants and small shops. Valentine, an agricultural community with 200 inhabitants, is the only other town in the county. The Texas state demographer estimates the 1999 total county population is 2,415, which represents a projected 17.1 percent increase from 1990. The median family income in 1995 was \$25,035. Atypical of many border counties, Jeff Davis County's average unemployment rate in 1999 was only 2.4 percent.

Educationally, 69.5 percent of the adult population (persons 25 years and over) holds high school diplomas and 25.1 percent are college graduates. The two public school districts, Ft. Davis and Valentine Independent School Districts, had enrollments of 363 and 53, respectively. Twelve percent of the Ft. Davis ISD students and 75.5 percent of the Valentine ISD students are economically disadvantaged.⁵³ The U.S. Census Bureau (1996) estimates 15.5 percent of all persons in Jeff Davis County live in poverty; however, 23.3 percent of children ages 18 and younger are in poverty.

The total assessed valuation in Jeff Davis County in FY 1999 was \$293,509,877. The county tax rate of 0.53000 resulted in a levy of \$728,927 for provision of local services. Jeff Davis' total general fund expenditures during that time were \$492,483.

Jeff Davis Border Environment

Although Hudspeth, Presidio and Jeff Davis Counties meet at the Rio Grande, Jeff Davis County does not share an international boundary with Mexico. The county's rugged mountain terrain is a deterrent to undocumented crossings from Mexico. Most of the illegal entry into Jeff Davis County is via the adjacent county of Presidio along US Highway 90 or Texas State highway 17. The Southern Pacific Railroad angles through the western portion of the county serving as another unauthorized transportation venue for undocumented persons. There were no Border Patrol apprehensions in Jeff Davis County in 1999.

Table T109: Jeff Davis County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
2,415	5,865	0 miles	0	0	0

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

Estimated total costs to Jeff Davis County for providing services to criminal undocumented persons and providing emergency medical care to undocumented persons is \$44,478. This includes \$11,077 in general government services. Cost analyses were conducted on the county departments of sheriff, county attorney, district attorney, Justice of the Peace and Constable. Costs were also estimated for medical emergency care. Information on burials and autopsies, indigent defense and indigent health care were also obtained. A site visit was conducted in July 2000, resulting in interviews with key county officials. Follow-up was made via phone calls, email and fax. The following section provides a breakdown and explanation of estimated costs by department.

**Table T110: Jeff Davis County Costs by Department
County Totals \$44,478**

Sheriff	District Attorney	District Court	District and County Clerk	County Attorney	Justice of the Peace	Detention	Adult Probation	Juvenile Probation	Indigent Defense	Emerg. Med.
\$20,320	\$834	\$3,934	\$7,409	\$0	\$0	\$6,706	\$0	\$0	\$0	\$5,275

Jeff Davis County Sheriff

The general fund expenditures were \$76,297. The sheriff's budget includes the personnel and operating funds necessary to provide law enforcement administration in Jeff Davis County. This includes capital equipment outlays, maintenance and operation costs for patrol vehicles, and training of employees. The personnel budget was \$43,965 and \$32,331 for operations. The total county taxpayers cost of investigating and apprehending undocumented persons was estimated to be \$20,320, shown in table T111.

According to the Jeff Davis County Sheriff, most of the arrests of undocumented persons are made by the Drug Interdiction Task Force, which covers multiple border counties. He estimates 80 percent of the task force arrests are narcotics cases involving backpackers.

Table T111: Jeff Davis County Sheriff Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$76,297	20%	\$15,259	\$5,061	\$20,320

Jeff Davis County District Attorney

The District Attorney's Office for the 83rd Judicial District is primarily responsible for prosecuting state cases in Jeff Davis, Brewster, Upton, Reagan and Pecos Counties. The D.A. represents the State of Texas in all felony criminal actions files in the State District Courts, in all misdemeanor criminal actions files in the County Court at Law and Justice of the Peace Courts. Jeff Davis County contributes to the cost of the 83rd Judicial District Attorney based on the size of its population. The District Attorney is located in Fort Stockton and travels to Jeff Davis County to provide services. In FY 1999 the general fund allocation was \$3,133. Table T112 indicates the total County taxpayer cost for prosecuting undocumented persons was estimated at \$834.

Table T112: Jeff Davis County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$3,133	20%	\$626	\$208	\$834

Jeff Davis County District Court

The 394th District Court serves Jeff Davis, Brewster, Culberson and Hudspeth Counties. The court has original jurisdiction over all felony criminal cases, divorce cases, cases involving title to land, election contest cases, and civil matters in which the amount in controversy is \$200 or more. In this regard, the District Court sets hearings for pleas, arraignments, summary judgments, default judgments, pre-trial hearings and motions.

The judge for the 394th District Court is located in Alpine, so Jeff Davis County incurs the travel costs of bringing in the district judge, as well as court reporters and interpreters. The district court judge estimates a four-day trial results in a local county cost of \$5,000. The 394th District Court's five-county workload involves three weeks for jury trials, one week for pleas and other issues. The cases involving non-citizens are tried first in order to ensure the right to a speedy trial for the incarcerated. The average jail stay is 120 days or less for those under the jurisdiction of this court. Ninety percent of the cases involving non-citizens are drug cases. This often means local civil cases will be backlogged for three to four years waiting for a jury trial. While visiting (usually retired) judges are available to hear cases, this places an additional financial burden on the local county. Impact of criminal undocumented persons in the Jeff Davis County district court general fund expenditures was \$3,934, depicted in table T113.

Table T113: Jeff Davis County District Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$5,908	50%	\$2,954	\$980	\$3,934

Jeff Davis County County-District Clerk (Combined)

This combined office handles all the administrative responsibility associated with criminal and civil cases heard in the district court as well as filing legal documents, titles and other legal matters. The portion of the general fund allocated for County and District Clerk was \$27,818, of which \$7,409

was the direct impact of providing services to criminal undocumented persons, indicated in table T114.

Table T114: Jeff Davis County District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$27,818	20%	\$5,564	\$1,845	\$7,409

Jeff Davis County Attorney

The Jeff Davis County Attorney is responsible for the civil cases filed against the county, and provides legal advice to the County Commissioners Court. The general fund allocation for the County Attorney is \$18,323. The County Attorney's office did not handle any cases involving undocumented persons in FY 1999.

Jeff Davis County Justice of the Peace and Constable

Justice of the Peace Courts have original jurisdiction in Class "C" misdemeanor criminal cases for which the fine does not exceed \$500. They also have jurisdiction over minor civil matters and function as small claims courts. Controversies in civil cases may not exceed \$5,000. In their official capacity, the justice of the peace may issue search and arrest warrants, conduct preliminary hearings and perform marriages. Jeff Davis County has only one Justice of the Peace Court with an operating budget of \$27,633.

The constable, as peace officer, is the chief processor of the justice court. In that capacity, the constable has statewide jurisdiction to execute criminal processes and countywide jurisdiction to execute civil process. The Constable acts to maintain the peace within the county precinct, makes arrests of individuals violating the state penal code, and works to prevent and deter crime within the precinct. The sole constable supporting the JP court operated in FY99 with a budget of \$15,419. They report no impact from illegal immigrants.

Jeff Davis County Jail

Prisoners from Jeff Davis County are housed in the Presidio County Jail. During FY 1999 the county's general fund jail expenditures were \$25,179. During that time period a total of 29 prisoners (average two per month) from Jeff Davis County were held in the Presidio County Jail. Table T115 shows the cost to the county of criminal undocumented persons was \$6,706 for transportation and incarceration.

Table T115: Jeff Davis County Jail Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$25,179	20%	\$5,036	\$1,670	\$6,706

Jeff Davis County Juvenile Probation

Although Jeff Davis County is experiencing an increase in juvenile crime, primarily vandalism, none of the problems has been associated with undocumented persons. Juvenile probation serves a tri-county area including Jeff Davis, Brewster and Presidio Counties. Community supervision fees in the FY 1999 budget were \$1,395.

Jeff Davis County Adult Probation

The county participates in the Tri-County Community Supervision Program that serves Presidio, Brewster and Jeff Davis County. Contributions from the various counties are pro-rated based on the county population. Jeff Davis contributed \$3,600 during FY 1999 and reported no impact from illegal immigrants.

Jeff Davis County Indigent Defense

During FY 1999 Jeff Davis County spent \$6,390 on attorney fees for indigent defense. None of these monies was used in cases defending criminal undocumented persons.

Jeff Davis County Indigent Health Care

The majority of the indigent health care budget in Jeff Davis County is spent on the elderly. In some fiscal years the county does not even use all the money allocated for indigent health care. \$13,806 was spent on indigent health care and an estimated \$3,677 was to provide services for undocumented persons, shown in table T116.

There is no county-funded hospital in Jeff Davis County. Patients needing medical attention are seen at Big Bend Medical Center in Alpine. Located in neighboring Brewster County, this is a small 34-bed hospital.

Table T116: Jeff Davis County Indigent Health Care Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$13,806	20%	\$2,761	\$916	\$3,677

Jeff Davis County Autopsies and Burials

No autopsies were conducted in Jeff Davis County in FY 1999. The two indigent burials of undocumented persons including general government costs was \$1,598, indicated in table T117.

Table T117: Jeff Davis County Autopsies and Burial Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,200	100%	\$1,200	\$398	\$1,598

CULBERSON COUNTY, TEXAS

The county's 9,875 square miles encompasses numerous mountain ranges. The county seat of Van Horn is situated in a valley in the midst of the mountains. North and northwest of Van Horn are the Baylor and Beach Mountains. In the northeastern sector of the county lay the Delaware Mountains. To the south and southwest are the Carrizo and Eagle Mountains, while the southeastern part of the county is home to the Van Horn and Wylie Mountains. The mountains slope to the east towards the Pecos Valley and the western ranges drain into the Diablo Basin. A narrow strip of the Sierra Diablo Wildlife Management Area is located at the midpoint of the Culberson-Hudspeth County line. The southern section of the 86,416-acre Guadalupe Mountains National Park is in the northwest Culberson County. The twin peaks of Guadalupe and El Capitan, both over 8,000 feet, are popular hiking and camping destinations. The mountains rise abruptly from the Chihuahuan desert floor so that the rugged terrain creates a stark desert beauty.⁵⁴

Although Culberson County does not share an international boundary with Mexico, the southern tip of the county is less than 10 miles from border. Situated between Hudspeth and Jeff Davis Counties, Culberson County has major north-south and east-west transportation routes traversing the county. Interstate-10 bisects southern Culberson County. Van Horn, the county seat with a population of 2,834, is located on Interstate-10, as is the smaller community of Kent, population 60. Van Horn's numerous motels and RV parks provide a rest stop for interstate travelers and tourists. Van Horn also has a small 25-bed county hospital.

U.S. Highway 90 connects Van Horn to the south with Jeff Davis County, passing through the rural town of Lobo. Traveling due north from Van Horn, State Highway 54 intersects U.S. 180/62, which give access to the Guadalupe Mountains and Carlsbad Caverns in New Mexico through the small rural towns of Pine Springs and Nickel Creek. The Union Pacific Railroad lines run parallel to IH10. In Van Horn rail switching services are available. The Southern Pacific line passes through Lobo on the route through the Davis Mountains as it heads to Houston.

Culberson County's population in 1999 was 3,018 persons, a slight decrease in population since the 1990 census. Seventy-five percent of the population is Hispanic with the remainder of the population non-Hispanic white. The median family income was \$18,267 in 1995, with most of the workforce engaged in service, motels and restaurants, and retail trade, primarily gas stations, automotive dealers and convenience stores. The 1999 average unemployment rate was 7.8 percent. Just over half of the population (53.3 percent) holds high school diplomas, while only 12.1 percent are college graduates.

There is one countywide school district, Culberson County-Allamoore ISD, with a student population of 795. Seventy-seven percent of the pupils live in economically disadvantaged circumstances.⁵⁵

The FY 1999 county tax rate of 0.83864 raised a levy of \$1,365,911 based on the total assessed county valuation of \$240,398,250. Culberson County ranks 234th out of 254 Texas counties in total assessed valuation, indicating the limited financial resources available for county services. The total general fund expenditures for Culberson County in 1999 were \$1,937,814.

Culberson County's Border Environment

Culberson County does not share an international boundary with Mexico; however, the southwestern sector of the county forms an acute angle between Hudspeth and Jeff Davis Counties. The rugged mountainous terrain in the vicinity of the border serves as major obstacles for human smuggling operations, but, the narco-traffickers frequently hire *mules* to backpack small loads (under 100 pounds of marijuana) into the area. *Coyotes* engaged in human smuggling operations are more likely to use the rail lines. Prying open empty boxcars and cramming 40 to 50 people in each for transport, the smugglers leave undocumented persons in inhumane conditions often without adequate food and water.

Interstate-10, traversing east to west through the county, offers an additional point of transit for undocumented persons. Culberson County functions as a transition point to locations further in the interior of the U.S., rather than as a destination point. According to the county sheriff, "Illegals cross over our county, headed elsewhere." The Border Patrol apprehended 1,378 persons in 1999, a number equivalent to nearly half the population of the county.

Table T118: Culberson County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
3,018	9,875	0 miles	0	1,378	0

Costs of Illegal Immigration on Law Enforcement, Criminal Justices, and Emergency Medical Services

The total estimated costs to Culberson County for providing services to criminal undocumented persons and providing emergency medical care to undocumented persons for FY 1999 was \$610,104. This figure reflects a general government cost of \$270,361 plus the direct impact of \$332,765. The residents of Culberson County have an additional impact of \$9,500 through the special hospital district, which is NOT a part of the county's general fund. A site visit in August 2000 resulted in interviews with key county officials. Follow-up clarification for the analysis of the fiscal impact by budgetary department was conducted through phone calls and email. Each of the impacted departmental areas will be enumerated in the discussion below.

**Table T119: Culberson County Costs by Department
County Totals \$610,104**

Sheriff	District Court	District Court	District and County Clerk	County Attorney	Justice of the Peace	Adult Probation
\$371,425	\$57,988	\$24,649	\$61,272	\$13,494	\$79,430	\$1,846

Culberson County Sheriff

During FY 1999 the total general fund expenditures for the Culberson County Sheriff's Office were \$487,079. Seventy-three percent of the budgeted expenses were for personnel. The Sheriff oversees the operation of the 17-prisoner jail, so the budget includes \$20,000 for indigent prisoner medical care as well as \$15,000 for jail supplies.

Enforcement of the border is a huge burden to the county, according to the sheriff. The Border Patrol apprehends most of the state prisoners who are charged with drug-related crimes; however, since the quantity of illegal narcotics being transported is under the federal threshold for prosecution those individuals become the state's responsibility. Suicide attempts by prisoners are especially costly for the county. When this occurs the inmates must be transported to mental health facilities in El Paso and off-duty deputies have to stay and guard the prisoner during his stay. The Sheriff reports outstanding medical bills totaled \$15,000 for two illegal prisoners who attempted suicide. The total impact of criminal undocumented persons was \$371,425.

Table T120: Culberson County Sheriff Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Indigent Medical	\$20,000	100%	\$20,000	\$15,966	\$31,966
Jail Supplies	\$15,000	40%	\$6,000	\$4,773	\$10,773
Remainder Sheriff Budget	\$452,079	40%	\$180,832	\$143,854	\$324,686
Total	\$487,079		\$206,832	\$164,593	\$371,425

Culberson County District Attorney

The 34th Judicial District is served by the District Attorney's Office located in El Paso. The D.A. is responsible for prosecuting state felony criminal cases in El Paso, Culberson and Hudspeth Counties.

The Culberson County general fund expenditures for Jury totaled \$40,588 in FY99. This budget item includes \$22,000 for court costs, juries and judicial district expenses. The bulk of the personnel budget pays for indigent defense (\$13,000), while the remainder for bailiffs (\$665), court reporter (\$2,000) and administrator (\$700), and the district attorney (\$1,593.) During FY99 approximately 70 percent of the general jury fund and 100 percent of the court appointed attorneys costs were for administration of justice on cases involving undocumented persons. The total impact of prosecution of criminal undocumented persons in Culberson County was \$57,988 in FY99.

Table T121: Culberson County District Attorney Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Court Appointed Attorneys	\$13,000	100%	\$13,000	\$10,279	\$23,279
Jury Expenditures	\$27,558	70%	\$19,291	\$15,418	\$34,709
Total	\$40,558		\$32,291	\$25,697	\$57,988

Culberson County District Court

Both the 205th and the 394th District Courts serve Culberson County. The judge of the 394th District Court has his home courtroom in Alpine, and the 205th District Court Judge has her primary courtroom in El Paso. Travel costs are therefore incurred whenever either of the judges hears cases in Culberson County. In addition, the 205th District Court Judge brings her own bailiff, court reporter and court interpreter with her. The 394th District Court Judge brings a court reporter and interpreter; however, she uses local law enforcement as a bailiff. The annual cost to Culberson County for these courts is a proportion of the total cost based on the size of the county's population.

The general fund expenditures were \$19,609 for the 394th District Court. The District Judge indicated that the number of criminal cases in his circuit meant that civil cases often wait several years before coming to trial. Culberson County used the services of visiting judges to hear some of the cases during FY 1999, as the 394th District Court docket was so full. Approximately 70 percent of the District Court costs are for criminal cases with undocumented defendants. The total fiscal impact for Culberson County of undocumented persons was \$24,649 depicted in table T122.

Table T122: Culberson County District Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$19,609	70%	\$13,726	\$10,923	\$24,649

Culberson County-District Clerk

The combined office of County-District Clerk is responsible for the administrative record keeping associated with both criminal and civil cases heard in district court. Other duties include filing of legal documents, titles and proceedings, and disposition and collection of money and fees related. The County-District Clerk's general fund expenditures for FY 1999 were \$85,300. The estimated costs associated with processing and filings for criminal undocumented persons were \$61,272 indicated in table T123.

Table T123: Culberson County-District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$85,300	40%	\$34,120	\$27,152	\$61,272

Culberson County Attorney

The County Attorney serves as legal advisor to the Commissioner's Court. Handling misdemeanor cases up to but not including criminal felonies, the County Attorney's general fund expenditures for FY 1999 were \$75,143. Table T124 shows the fiscal impact of criminal undocumented persons on the County Attorney's office was \$13,494.

Table T124: Culberson County Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$75,143	10%	\$7,514	\$5,980	\$13,494

Culberson County Justice Of The Peace and Constables

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" criminal misdemeanor cases less than \$500. They also have the authority to issue search and arrest warrants, conduct preliminary hearings and marry individuals. The Justice of the Peace Courts see a large number of driving under the influence, driving while intoxicated, suspended license and uninsured motorist cases because of the presence of the interstate. Many of the motorists charged under these violations are undocumented.

Constables act as the peace officer of the justice court. They execute the criminal and civil processes, make arrests, and maintain the peace in the precinct.

Culberson County's general fund expenditures for judicial law also include autopsy expenses (\$2,500) and prisoner's food and board (\$25,000.) The total general fund expenditures were \$164,426. The impact of criminal undocumented persons on the judicial law budget was \$79,431, as shown in table T125.

Table T125: Culberson County Justice of the Peace and Constable Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Autopsies	\$2,500	0%	\$0	\$0	\$0
Prisoner Food & Board	\$25,000	40%	\$10,000	\$7,955	\$17,955
JP, Constable, Judicial Law	\$136,926	25%	\$34,232	\$27,244	\$61,476
Total	\$164,426		\$44,232	\$35,199	\$79,431

Culberson County Jail

Culberson County maintains a 17-prisoner jail. Eight of the beds are reserved for federal prisoners. Expenditures for the county jail are accounted for in the Sheriff's Office and Judicial Law budgets. The Sheriff's budget includes personnel expenses for the jail administrator and other supervisory

personnel, as well as indigent prisoner medical costs. The Judicial Law budget incorporates the costs for prisoner room and board.

Culberson County Adult Probation

El Paso County oversees community supervision for adult probationers. Approximately half of the adult caseload involves persons illegally in the United States. The total general fund expenditures in FY 1999 were \$2,056. The fiscal impact of criminal undocumented persons was \$1,846, depicted in table T126.

Table T126: Culberson County Adult Probation Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$2,056	50%	\$1,028	\$818	\$1,846

Culberson County Autopsies and Burials

The budget expenditures for autopsies are included in the judicial law budget. For discussion see Justice of the Peace. There were no burials in Culberson County in FY 1999.

Culberson County Emergency Medical Care

Indigent prisoner medical care is included in the Sheriff's Office budget. The average prisoner medical cost is \$109 (see discussion above). Culberson County has a small hospital in Van Horn. The hospital's budget is \$95,000, which is funded separately through a special taxing district levied on county taxpayers. The hospital administrator said it renders emergency medical care to approximately 50 undocumented persons per year, which represents 10 percent of the total budget. Major trauma cases are transferred to Thomason Hospital in El Paso County. Military helicopters from Ft. Bliss, as part of its Military Air Transport Service, often provide transport for critical cases. A separate assessment for the Culberson County Hospital District determines the tax burden on the local citizen. The impact of emergency medical care for undocumented persons on the county hospital budget was \$9,500.

Table T127: Culberson County Emergency Medical Care Impact

Special Hospital District Fund	Impact	Cost
\$95,000	10%	\$9,500

HUDSPETH COUNTY, TEXAS

Hudspeth County's 11,840 square miles include a rich mixture of verdant agricultural valleys, plateaus, mountainous terrain and salt lakes. The Quitman Mountains are parallel to the Rio Grande in the central portion of the county's international boundary. Sierra Diablo Mountains are northeast of Sierra Blanca, the county seat. The Sierra Diablo Wildlife Management Area forms part of the central eastern border with neighboring Culberson County. In the northeastern corner of the county a small portion of the Guadalupe Mountains National Park extends into the Hudspeth County.⁵⁵ To the west of the national parkland is Linda Lake. When considered with the smaller lakes northeast of Linda Lake, they form a large salt basin.

Sierra Blanca (population 700) is a ranching center. Located on Interstate-10, which cuts laterally on an east to west route through the southern portion of the county, the city also offers a fuel and food stop for travelers. The federal government has considered locating a radioactive waste dump near Sierra Blanca because of the remoteness of the area; however, legal challenges have thus far prevented the site's development. Farm-to-Market Road 1111, the only north to south transportation route in the county, connects Sierra Blanca with State Highway 62/180, the east west connector in the northern sector of Hudspeth County. Dell City (population 780) situated on the northern county line, serves as 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 (population 400) is positioned in the rich alluvial floodplain of the Rio Grande. The U.S. Border Patrol maintains a port-of-entry in Fort Hancock. Other small agrarian communities farming the banks of the Rio Grande are Acala, McNary, Esperanza and Quitman.

The Texas demographer estimated Hudspeth County's population at 3,238 in 1999. This represents a 13.5 percent increase from the decennial census. Three of every four new county residents are international migrants, primarily from Mexico. Seventy-one percent of the residents are Hispanic, 27 percent are Anglo and less than one percent African-American. The estimated median household income was \$17,275. Hudspeth enjoyed a low unemployment rate of 3.5 percent. Forty-eight percent of the adult population are high school graduates, and 8 percent have college degrees.

The county has three independent school districts. Of the 495 students enrolled in Ft. Hancock ISD, 88.7 percent are economically disadvantaged. One of every four students in Ft. Hancock ISD drops out of school before graduation. Sierra Blanca ISD is the smallest district, with 130 pupils. Sixty-two percent of the children live in poverty and one of every 10 students drops out of school before completing graduation. Dell City ISD enrolled 190 students in 1999, of whom 64.2 percent were economically disadvantaged. Countywide, 40 percent of the youth less than 18 years of age live in poverty, while 32.7 percent of the total population are in households with income below the federal poverty level.⁵⁶

The total assessed valuation for Hudspeth County for FY 1999 was \$321,300,728. The county tax rate of 0.54500 net a tax levy of \$1,205,258. Hudspeth County's total general fund expenditures for 1999 were \$1,814,407.

Hudspeth County's Border Environment

Hudspeth County shares approximately 94 miles of international border with Mexico. From the El Paso County line in the west to about the midpoint of the boundary, irrigation of the alluvial floodplain yields a strong farming economy. State Highway 20 runs parallel to the Rio Grande from the county line to McNary from there Farm-to-Ranch 192 continues eastward past Quitman. There is a rural U.S. border port of entry at Fort Hancock. Historic ruins of prior river fortifications can be seen in Fort Hancock and Fort Quitman. The broad, flat floodplain provides ample venues for undocumented persons seeking to gain entrance to Hudspeth County.

Between Quitman and Indian Hot Springs the land rises steeply from the Rio Grande into the Quitman Mountains. This serves as a natural geophysical barrier from illegal entrance to the U.S.

The U.S. Border Patrol operates a checkpoint on Interstate-10 just west of Sierra Blanca as a deterrent to narcotics smuggling and illegal entrance of undocumented persons. The Southern Pacific Railroad transverses the southern county paralleling Interstate-10 to Sierra Blanca and then heading southeasterly towards Presidio. From Sierra Blanca the Union Pacific line runs along the interstate eastward towards Houston. Both routes have been used for human smuggling. In 1999 while 598,193 legally crossed into the U.S., Border Patrol agents apprehended 4,708 persons in Hudspeth County.

Table T128: Hudspeth County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
3,238	11,840	94 miles	598,193	4,708	1

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

Estimated total costs to Hudspeth County for providing services to criminal undocumented persons and providing emergency medical care to undocumented persons was \$120,524, depicted in table T129. Hudspeth County has several special funds in their budget, which are NOT included in the general fund budget. Additional county impact costs were estimated at \$3,938 for emergency medical care, \$98,322 in the jail enterprise fund and \$800 in the jury fund. During a site visit in August, conversations with the county judge and sheriff provided insight into the challenges undocumented persons present to Hudspeth County. Further financial analysis of the budgets of the Sheriff, County and District Attorneys, District Court, County-District Clerk, Justices of the Peace and Constables was done. The following discussion details the estimated costs for individual departments.

**Table T129: Hudspeth County Costs by Department
County Totals \$120,524**

Sheriff	District Attorney	District Court	District and County Clerk	County Attorney	Justice of the Peace	Adult and Juvenile Probation	Indigent Defense
\$64,884	\$392	\$2,336	\$10,973	\$0	\$38,945	\$1,498	\$1,496

Hudspeth County Sheriff

The total general fund expenditures during FY 1999 for the sheriff's office were \$401,079. The sheriff's budget includes personnel costs, liability insurance, gas, oil and car repairs for patrol and transport. The sheriff reports that the U.S. Marshals bring in most of the undocumented persons. The major criminal problems the sheriff's department handles are misdemeanors, DWIs (driving while intoxicated), and disposition of dead bodies.

During FY 1999 the sheriff's department discovered the bodies of three male juveniles. "Near as we figure," relates a deputy, "the boys were trying to jump on the train. Three boys died. We took the bodies to a funeral home in El Paso and notified the Mexican consulate in Juarez. Next thing we know, the family and the governor of Chihuahua were wanting to sue the county so we'd pay to transport the bodies home to the interior of Chihuahua. We figured we got them to the consulate, and they were the Mexican government's problem after that." This situation indicates some of the unexpected financial challenges that can confront border counties. The total estimated impact of undocumented persons on the Sheriff's Department was \$64,884 as shown in table T130.

Table T130: Hudspeth County Sheriff Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$401,079	13%	\$52,140	\$12,744	\$64,884

Hudspeth County District Attorney

The District Attorney serving the 34th Judicial District is responsible for prosecution of cases in Hudspeth, Culberson and El Paso Counties. With their primary offices located in El Paso County, staff attorneys from the D.A.'s office travel to Sierra Blanca to try cases. Hudspeth County reimburses El Paso County \$114.35 per month for these services. The total estimated impact of cases involving criminal undocumented persons for the District Attorney budget was \$392, depicted in table T131.

Table T131: Hudspeth County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,258	25%	\$315	\$77	\$392

Hudspeth County District Court

Hudspeth County is served by the 394th District Court. The judge schedules himself in Hudspeth County once a month in order to try cases. Coming from Alpine (Brewster County), travel costs borne by Hudspeth County in FY 1999 were \$2,170. In addition, a court reporter from Alpine and a translator from El Paso are also present during District Court cases involving undocumented persons. The average annual cost for court interpreters is \$3,000, and approximately \$4,500 is spent on the services of the court recorder.

The total general fund allocations for the 394th District Court were \$14,441. Estimated costs associated with the court cases involving undocumented persons were \$2,336, shown in table T132.

Table T132: Hudspeth County District Court Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$14,441	13%	\$1,877	\$459	\$2,336

Hudspeth County-District Clerk

The combined office of the County-District Clerk handles the administrative record keeping associated with criminal and civil cases heard in District Court. The County-District Clerk also processes the collection of fees and monies fined by the court. Legal documents and titles are also filed through this office. The total general fund expenditure for FY 1999 was \$67,833. Using the same impact rate as the District Court, the fiscal impact of criminal undocumented persons on the office of the County-District Clerk was \$10,973, which is shown in table T133.

Table T133: Hudspeth County-District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$67,833	13%	\$8,818	\$2,155	\$10,973

Hudspeth County Attorney

Misdemeanor cases make up the majority of the County Attorney's legal responsibilities. He also serves as legal advisor to the County Commissioner's Court. The general fund expenditures in FY 1999 were \$10,389. There was no impact from cases involving undocumented persons during the same time period.

Hudspeth County Justice of the Peace and Constable

There are four Justices of the Peace in Hudspeth County. These Judicial Law Courts are responsible for civil cases if the controversy is less than \$5,000 and Class "C" criminal cases if the fine is less than \$500. Other duties performed by Justices of the Peace include conducting preliminary hearings, issuing search and warrant arrests and marrying citizens. Supporting the efforts of the

Judicial Law Courts are the peace officers, or constables. These law enforcement officials execute the criminal and civil processes as well as make arrests and uphold the peace within the precincts.

Hudspeth County's total general fund budget for Justices of the Peace includes personnel costs for constables and inquest expenditures. The total allocated in FY 1999 was \$167,022. The estimated impact of undocumented persons was \$38,945, which is depicted in table T134.

Table T134: Hudspeth County Justices of the Peace and Constables Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Constables	\$23,465	0%	\$0	\$0	\$0
Autopsies	\$3,231	100%	\$3,231	\$765	\$3,996
Justice of the Peace	\$140,326	20%	\$28,065	\$6,884	\$34,949
Total	\$167,022		\$31,296	\$7,649	\$38,945

Hudspeth County Adult and Juvenile Probation

The West Texas Community Supervision and Corrections Department (WTCSCD) is responsible for oversight of probation and parole for Hudspeth, Culberson and El Paso Counties. In addition to traditional community supervision, WTCSCD also operates a diversion program for first-time offenders and three supervised community corrections residential living centers in El Paso County. Under current federal legislation, undocumented adults receiving probated sentences may have as a condition of their probation a provision that forbids re-entry into the United States for a given number of years. Lack of compliance with this provision of probation can lead to revocation of probation and incarceration. The WTCSCD supervised 2,200 foreign national adults in the three-county region during FY 1999. The total Hudspeth County general fund expenditure for adult probation was \$9,628.

Because the federal government has no legislation covering community supervision of juveniles, most of the undocumented youths picked up by the U.S. Border Patrol in Hudspeth County are repatriated back to Mexico. Two hundred-six Mexican national juveniles were supervised in FY 1999 in El Paso, Hudspeth and Culberson counties. The total estimated cost of adult and juvenile probation for Hudspeth County, shown in table T135, was \$1,498.

Table T135: Hudspeth County Adult and Juvenile Probation Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$9,628	12.5%	\$1,204	\$294	\$1,498

Hudspeth County Autopsies and Burials

Inquests are the responsibility of the Justice of the Peace. There were no indigent burials of undocumented persons in FY 1999. See above section for further discussion.

Hudspeth County Indigent Defense

The total general fund expenditures for indigent defense were \$18,491. Of that total, approximately 6.5 percent of the cases involve representation for undocumented persons for an impact of \$1,496, shown in table T136.

Table T136: Hudspeth County Indigent Defense Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$18,491	6.5%	\$1,202	\$294	\$1,496

Emergency Medical Care

Prisoner medical care is included in the jail enterprise account. During FY1999 Hudspeth County spent \$52,673 on medical care and \$629 for first aid at the jail. A local physician treats minor problems, but any serious health care problems must be treated outside the county. Most of the medical problems are sent to the 25-bed hospital in Culberson County; however, major medical illnesses or trauma requiring tertiary care specialists are shipped to Thomason Hospital in El Paso County. The costs for prisoner medical care are included in the jail enterprise fund.

The Indigent Health Care Fund is used to provide financial support for health care in Hudspeth County. While the majority of patients receiving financial assistance are elderly, approximately 10 percent of the recipients are undocumented persons. Expenditures during FY1999 covered hospital care expenses (\$31,822), physician services (\$6,815) and medication (\$494). Emergency care for undocumented persons represents approximately 10 percent of this fund, approximately \$3,938.

Jail Enterprise Fund

Hudspeth County operates a 120-bed jail. The average inmate population is composed of approximately 80 U.S. Marshal prisoners and federal holds, 20-25 inmates from the U.S. Bureau of Prisons, who are felons with sentences under one year, and the remaining 15 are state prisoners. The majority of the state prisoners are being held for narcotics, robbery and illegal entry into the U.S.

Administration of the jail requires a staff of 21. The personnel expenditure portion of the fund in FY99 was \$534,484. The total jail expenditures were \$1,512,641. Approximately half of the state prisoners held in the Hudspeth County Jail are undocumented persons. The impact of criminal undocumented on the jail enterprise fund was \$98,322.

Jury Fund

The Jury Fund includes payments for jurors serving both grand and regular jury duty. The cost of court reporters (\$5,524), court-appointed attorneys (\$9,927) and bailiffs (\$6,500) are also included in the Jury Fund expenditures. Jury Fund total expenditures in FY1999 were \$23,212. Of that amount, \$15,000 flows out via transfer (e.g., court appointed attorney costs are transferred to the non-departmental general fund budget). Of the remaining expenditures, \$8,211, or less than 10 percent of the expenditures, are for services to criminal undocumented persons. The total impact of criminal undocumented persons on the Jury Fund was \$800.

EL PASO COUNTY, TEXAS

El Paso County is located in the far-western tip of Texas. Covering 2,624 square miles, the county includes the 7,000-foot Franklin Mountains, which bisect the City of El Paso, and the verdant agricultural valley irrigated by the Rio Grande. El Paso is the northern boundary of the arid high Chihuahuan desert region with limited water resources. Popular with hikers and mountain bikers, the Franklin Mountains State Park protects 24,248 acres of the natural stark desert beauty of the mountains in the U.S.' largest urban park. The foothills of the Rocky Mountains, the Franklin Mountains overlook the Rio Grande and form the northern boundary of the Paso del Norte (Pass of the North) region. Thirty-two miles east of El Paso, similar beauty can be found in the solitude of the Hueco Mountains. Hueco Tanks State Park derives its name from the natural rock basins, or *huecos*, that hold precious desert rainwater. The 860-acre park preserves early Native American cave pictographs.⁵⁷

El Paso is the largest Texas city on the Mexican border. The fourth largest county in Texas with a population of 696,179 (1999), El Paso is uniquely located in a bi-national, tri-state area. The area has seen tremendous growth (17.7 percent) since the 1990 census. *Ciudad Juarez*, El Paso's Mexican sister city, is also experiencing major growth pains with a current population of approximately 1.3 million. The region's economy incorporates both the U.S. and Mexico, primarily through the *maquiladora* industries, and includes southwestern New Mexico (Las Cruces), Texas and the northern Mexican frontier state of Chihuahua. In 1999 there were 271 *maquiladoras*, which employed 218,456 persons.⁵⁸ Transportation and distribution play an important role in moving the goods produced on both sides of the border. Interstate-10 provides east to west connections and serves as the major transportation corridor with connection to Interstate-25 and Mexico's Pan American Highway. Highway 54 connects El Paso on a north to south corridor that eventually links with Kansas City. The Burlington Northern/Santa Fe and Southern Pacific Railroads offer rail transit for delivery of goods produced locally and in Mexico. The Airports Council International reports that El Paso has one of the fastest growing air cargo markets in the U.S. The new \$23 million cargo center moves approximately 100,000 tons of cargo per year.⁵⁹

The region is a center for U.S. governmental operations. Army Fort Bliss, which includes the headquarters of the U.S. Army Air Defense Command, covers over 700,000 acres, including much of the northeastern section of the county. There are 13,000 troops stationed at the post. They maintain a large regional hospital, William Beaumont General Hospital that provides care both to active duty and the many retired veterans in the El Paso area. La Tuna Correctional Institution is a federal prison located in El Paso. Due to the large border area, the FBI, INS and Customs also maintain substantial offices in El Paso County. State and local government and independent school districts (ISD) also are prominent employers. Trade and manufacturing keep the U.S. and Mexican economies intertwined through *maquiladora*, or twin plant, production. Electronics, auto equipment and plastics are the primary products of this bi-national enterprise. Clothing manufacturing has diminished in importance in the El Paso area in recent years with the closure of major U.S. plants; however, the garment industry is functioning through the twin plant system. The other dominant economic sector is service, with El Paso providing many of the back office functions for the *maquiladora* industries. In the past two to three years El Paso has also become a major location for call centers, which utilize entry level technical and computer skills, and have the advantage of offering bi-lingual services.

Both east and west of the City of El Paso, smaller agricultural communities raise peppers, pecans, onions and cotton in irrigated fields. Anthony (population 3,731), Vinton (807), and Canutillo (5,134) are located northeast of El Paso on State Highway 20, which connects with New Mexico. Southeast of El Paso in an area known as the Lower Valley, Socorro, population 29,131, is barely able to keep up with the infrastructure and educational demands of its rapidly expanding population. Socorro, Ysleta (now part of El Paso) and San Elizario (4,770) are major tourist attractions because of the historic Catholic missions located in each of the communities. Horizon City (population 3,234), a retirement center east of Socorro, is also facing a major population boom. Further east along Interstate-10, Clint (1,138), Fabens (5,934) and Tornillo (241) are agricultural communities.

The 1999 county population estimate was 701,908, an 18.6 percent increase since the decennial census. The county's population is predominantly Hispanic, 74.5 percent. Twenty percent are Anglo and 3.5 percent are African-American. Additionally, the 1,250 member Tigua Indians maintain a presence in the Lower Valley with a casino as well as gas and convenience stores. El Paso County's median family income was \$25,384. The U.S. Census Bureau estimated 30.9 percent of the families lived at or below the federal poverty level in 1996. After a near decade of double-digit unemployment, in 1999 El Paso County's rate dropped to 9.4 percent. The low educational attainment of the adult labor force, 63.7 percent with high school diplomas and 15.2 percent with four or more years of college, present workforce development challenges.

There are three major urban and six rural school districts in El Paso County plus one charter school. El Paso, Ysleta and Socorro ISDs' have student populations of 62,945, 47,238 and 23,566 respectively. Sixty-seven percent of both El Paso and Socorro ISDs' pupils are economically disadvantaged, and Ysleta is challenged by 72 percent of its students living in poverty. The other ISDs' include Tornillo, Canutillo, Anthony, San Elizario, Fabens and Clint. These rural districts ranging in size from 7,000 (Clint) to 803 (Anthony) have student bodies experiencing economic hardship from 80 percent to 97 percent of the total enrollment.⁵⁹ El Paso Community College, with a student enrollment 18,850, and The University of Texas at El Paso with 14,695 students, provide higher educational opportunities for the county. Additionally, 23 business and vocational schools offer specialized technical certifications and training in skilled trades.

The total assessed valuation in El Paso County for FY 1999 was \$19.6 billion. The county tax rate of 0.36143 resulted in a net levy of 60.9 million to operate services for local residents. Total general fund expenditures during 1999 were \$97,744,000.

El Paso County Border Environment

The international boundary between El Paso County and Mexico is approximately 60 miles in length. Flat alluvial floodplains form both sides of the border. During Lyndon Baines Johnson's presidency, the disputed river boundary was settled with the establishment of the Chamizal National Park. Much of the Rio Grande was diverted into concrete channels with steeply angled sides that create turbulent waters, making river crossings dangerous. Some of the irrigation canals, which average 8 feet to 12 feet in depth, have concrete covers making river rescues difficult. Drowning is the primary cause of death in illegal crossings. In 1999 there were 11 drownings and 44 water-related rescues in El Paso County. During the summer of 2000, the Border Patrol installed four

unmanned water rescue stations stocked with floatation devices, safety vests, blankets and first aid kits to assist with river rescues.⁶⁰

There are four ports-of-entry in El Paso County, where the INS reported 60.7 million border crossings. The Stanton Street Bridge in downtown El Paso is a southbound toll bridge with a dedicated commuter lane. Purchasing the necessary vehicular identification technology (approximately \$400 per year) and passing a rigorous security background check allows for reduced bridge wait times for frequent crossers. The northbound bridge also offers pedestrian access for many Mexican nationals who shop in El Paso's downtown area. Crossing fees are 25 cents for pedestrians and \$1.25 for automobiles. During FY 1999, 4.8 million pedestrians and 4.1 million cars crossed the international boundary at the Paso del Norte Bridge.

The Bridge of the Americas, just east of downtown El Paso, offers free passage to Mexico. As a result bridge wait times for persons entering the U.S. often run between 20 minutes to an hour or more. Further east in the Lower Valley, the Zaragosa Bridge, another toll bridge, serves as a major transit point for goods produced in Mexico. Daily workers and freight carriers travel between the U.S. and Mexico. The downside to the increased traffic has been longer crossing times for both commuter and commercial traffic and substantial increases in air pollution. Commercial vehicles are assessed \$2.30 per axle for entry into the U.S. Both the Bridge of the Americas and the Zaragosa Bridge have substantially fewer pedestrian crossings than the downtown bridge.

In the rural easternmost portion of the county the international crossing point is a small two-lane bridge connecting agricultural Fabens with Caseta, Mexico. During FY 1999, 5.6 million pedestrians and 16 million passenger vehicles entered the U.S. legally through these four ports-of-entry. Additionally 671,745 freight carriers brought in Mexican products.

There are also two railroad crossings linking the City of El Paso with *Ciudad Juarez*. Located in their respective central business districts, the international rail facilities are proving to be increasingly incompatible with surrounding urban development. El Paso is the fifth major Mexican rail import city in the U.S. The Southern Pacific/Union Pacific main rail lines parallel Interstate-10, forming an east to west corridor. From northwest El Paso County, the Burlington Northern/Santa Fe Railroad's lines provide access to Denver and Chicago. Illegal crossing activity is frequently found in the rail yards with undocumented persons hoping to jump a northbound freight. *Coyotes* smuggling larger numbers of people try to access empty freight cars.

El Paso, with its low wages and high unemployment, functions as a thoroughfare, or transit point, for undocumented persons looking for work in other parts of the U.S. More recently, *coyotes* have employed the strategy of renting large passenger vans and U-Hauls to transport human cargo. Accidents that occur when law enforcement officials are in hot pursuit of smugglers sometimes lead to deadly results. In FY 1999 INS reported seizing 738 vehicles and 969 individuals who had been illegally smuggled into West Texas and New Mexico.

Furthermore, of the 5,374 aircraft flights made from the El Paso International Airport, the INS report making 11,954 alien inspections. Alien inspections accounted for 43.1 percent of all individuals examined at the airport. Interviews with Border Patrol agents revealed that *coyotes* are currently paying \$1,500 for private air flights to smuggle individuals to the Dallas-Fort Worth airport.

The sale of fraudulent documents is another method of helping undocumented persons gain entry into the U.S. Alien registration cards, border crossing cards, visas and passports represent opportunities to cross under the guise of legality. The El Paso INS District (West Texas and New Mexico) intercepted 11,659 fraudulent documents in FY 1999. In other investigations for the U.S. Bureau of Census conducted during summer 2000, researchers discovered that even with some immigrants gain entry through Border Crossing Cards, their subsequent expiration results in loss of legal residency status. Confusion over legal processes results in many of these expired border crossers believing they have "papers."⁶¹

Drug smugglers and importers of other illegal contraband use both rail and commercial vehicles to transport their goods. U.S. Customs and the INS work in joint cooperation under the Border Coordination Initiative to increase the apprehensions of narcotics and illegal substances, persons attempting to cross without legal entry papers, and seizure of other contraband. Begun in September 1998, these coordinated initiatives have resulted in an increase seizure of illegal drugs. Cocaine seizures increased by 27 percent, marijuana was up by 23 percent and heroin by 33 percent along the entire southwestern border. Cooperation in port management, investigations and intelligence, technology, and communications as well as air surveillance are all aimed at stemming drug trafficking operations. The INS in West Texas and New Mexico in FY 1999 intercepted \$87 million worth of narcotics.

El Paso County is one of the major points of entry for illegal drugs into the United States. With an average of 300 to 500 cases per year, the District Attorney's office estimated that El Paso County taxpayers absorb the \$8 million cost of prosecution for smaller federal drug cases (under 200 pounds of marijuana.) In a June 2000 brokered settlement with the federal government, the U.S. Congress made a \$12 million emergency appropriation to the four U.S.-Mexico border states handling these drug cases. Shared equally among the 4 states, El Paso County anticipates receiving approximately \$1 million to cover pre-trial incarceration costs of local prosecutors, indigent defense counsel, and court costs. The District Attorney "characterized the emergency appropriation as a first step in getting the federal government to acknowledge its responsibility to 'reimburse the counties that are on the forefront on the war against drugs."⁶²

The El Paso INS District is comprised of 15 West Texas counties, including El Paso County, and the State of New Mexico. Thirty INS special agents pursue criminal aliens and status violators who are released from county jails and La Tuna Federal Correctional Facility. During FY 1999 3,891 criminal alien investigations resulted in arrests, of which 92.7 percent were Mexican nationals. Additional apprehensions occur at the official ports of entry. Of the 17,348 alien removals in the El Paso INS District in FY 1999, 4,301 (24.7 percent) were criminal removals.

Table T137: El Paso County Border Statistics

Population	Square mi	Border Length	INS Crossings	Border Patrol Apprehensions	Ports of Entry
701,908	2,624	Miles	60,748,808	53,613	5

Costs of Illegal Immigration on Law Enforcement, Criminal Justice, and Emergency Medical Services

The total estimated costs to El Paso County for providing services to criminal and medical emergency services to illegal immigrants for FY 1999 was \$9,189,896, as shown in table T138. This includes a general government cost of \$1,462,188. Several key county officials have been interviewed either by phone or by person since Spring 2000. Financial analysis of the El Paso County budget included the budgets of the Sheriff, County and District Attorneys, District Court, County Clerk, District Clerk, Justices of the Peace and Constables, Family Courts, Public Defender, County Court at Law. In addition, emergency health care costs were also determined through extensive interviews with Thomason County Hospital officials and the Texas Department of Human Resources. The following discussion provides a breakdown of the estimated costs by department.

Table T138: El Paso County Costs by Department
County Total: \$9,189,896

Sheriff	District Court	District Attorney	District Clerk	County Court at Law	County Attorney	County Clerk	Judicial Court, Court of Appeals & Magistrate	Indigent Defense	Adult Probation	Juvenile Probation	Justice of the Peace	Emerg. Med.
\$4,525,131	\$343,363	\$643,435	\$162,701	\$1,159,678	\$89,069	\$141,004	\$44,384	\$519,205	\$16,385	\$475,225	\$63,647	\$1,006,671

El Paso County Sheriff

The general fund expenditures for the sheriff's office were \$38,542,034. This budget included personnel costs, detention, jail annex, law enforcement, and courthouse security. The 882-inmate capacity facility incarcerates federal, state and local prisoners. Prisoners have a relatively short length of stay in detention following their initial booking, before being transferred to another facility for long-term incarceration. Detention Center officials report that state prisoners compose an average of one-third of all inmates at the facility. During FY 1999 detention facility had 79,500 prisoner days of detention; 38,500 of those were attributable to state and county prisoners, 8,000 were from federal agencies, and 33,000 were City of El Paso detainees. The jail magistrate indicated that 15 percent of the state prisoners were in the U.S. without legal residency status. He noted that the crimes mostly associated with undocumented persons in El Paso County, in order of frequency, include repeated illegal entry, misdemeanor cases, and drug smuggling. The general fund budget for the county detention facility was \$14,083,599 of which the direct impact of undocumented persons is estimated at \$676,013. A payment from SCAAP amounted to \$1,041,175.

The jail annex was opened in 1998. Designed to house 1,440 inmates, during FY 1999 jail capacity was 1,100. Jail administrators' report that 87 percent (960) of the prisoners in the jail annex are state inmates; the remainder are federal prisoners (140). The general fund budget for the jail annex was \$11,591,752 of which the direct impact of undocumented persons is estimated at \$1,518,520.

Two hundred fifty-three county law enforcement employees are responsible for patrol, dispatch, crime prevention, drug education, motorcycle and motor patrol as well as warrants, arrests and bookings. The general fund budget for the law enforcement portion of the sheriff's responsibility was \$12,387,240 for FY99. Local officials estimate that 13 percent of their workload involves undocumented persons, for a direct fiscal impact of \$1,610,341.

The total fiscal impact of services involving criminal undocumented persons for the sheriff's is estimated at \$4,525,131 as depicted in table T139.

Table T139: El Paso County Sheriff Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Detention	\$14,083,599	4.8%	\$676,013	\$128,206	\$804,219
Jail annex	\$11,591,752	13.1%	\$1,518,520	\$287,383	\$1,805,903
Law enforcement	\$12,387,240	13%	\$1,610,341	\$304,669	\$1,915,010
Total	\$35,542,034		\$3,804,874	\$720,258	\$4,525,131

El Paso County District Court

El Paso County District Court's budget for FY 1999 was \$3,799,812. The total budget figures include 13 district courts, Council of Judges administration costs, juvenile court referee and judges' salary supplement. Each of the district courts has jurisdiction over criminal and civil cases. During FY 1999 40,260 cases were on the civil docket (68.8 percent of the total caseload) and 15,898 on the criminal docket (27.2 percent). Additionally 2,348 juvenile cases (4 percent of the total caseload) were seen by the district courts. The general fund allocation for the 13 district courts was \$1,971,719. This amount is augmented by \$138,883 in salary and benefits supplements for the district court judges.

The Council of Judges Administration handles the scheduling of jury trials and pre-trial hearings, the appointing of indigent defense attorneys, and the provision of interpretation services for non-English speaking defendants. This office also schedules psychiatric evaluations for defendants. Cases are remanded from the grand juries and transferred to the receiving court through the Council of Judges Administration. Fifty-four percent of the cases on the dockets that are handled through the Council of Judges administration offices are district court cases. The general fund budget for this office was \$2,643,852 in FY 1999. Based on the caseload distribution, approximately \$1,425,036 was spent on services to the district courts.

The Commissioner's Court, moving it out from under the jurisdiction of the 327th District Court, established the Juvenile Court Referee in 1997. Appointed by the Council of Judges, the referee presides over juvenile cases. During FY 1999 this court disposed of 2,235 cases on the juvenile docket. The general fund budget was \$264,174. Approximately 46 percent of the juvenile caseload involves youths without legal residency status.

The total impact of undocumented persons on the El Paso County District Court was \$343,363, as seen in table T140.

Table T140: El Paso County District Court Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
District Courts	\$1,971,719	4.7%	\$92,671	\$17,615	\$110,286
Council of Judges Administration	\$1,425,036	4.7%	\$66,977	\$12,731	\$79,708
Juvenile Court Referee	\$264,174	46.3%	\$122,313	\$23,267	\$145,580
Judges Salary Supplement	\$138,883	4.7%	\$6,528	\$1,261	\$7,789
Total	\$3,799,812		\$288,489	\$54,874	\$343,363

El Paso County District Attorney

The District Attorney's primary responsibility is to represent the state's interests in felony criminal actions. In addition to El Paso County, the District Attorney's jurisdiction for the 34th Judicial District includes Hudspeth and Culberson Counties. The smaller neighboring counties pay a portion of the District Attorney's cost prorated on the basis of population. The District Attorney also handles all misdemeanor criminal actions in the County Courts at Law and Justice of the Peace Court, with the exception of juvenile offender prosecution. The DA also co-administers the hot check collection program and is sole administrator of the county's victim assistance program. There are 95 employees in the District Attorney's office. The FY 1999 budget was \$4,158,509.

"It costs El Paso taxpayers about \$8 million a year for the 300 to 500 federal cases handled by El Paso prosecutors, said Esparza, head of the Southwest Border Prosecutors, a coalition of border prosecutors from Brownsville to San Diego. (*El Paso Times*)" Local officials estimate 13 percent of the workload is spent on cases for persons without legal residency status. The total estimated impact of criminal undocumented cases on the District Attorney's office, as shown in table T141, was \$643,435.

Table T141: El Paso County District Attorney Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$4,158,509	13%	\$540,606	\$102,829	\$643,435

El Paso County District Clerk

The District Clerk provides administrative support for the 13 district courts, the impact court and the seven county court (civil issues), as well as the court masters and the jail magistrate. All court pleadings, this office maintains papers and official records. In addition, this office notifies and empanels juries, maintains court dockets, issues writs, citations, and executions. The various fees mandated by the courts are processed through the District Clerk's office. A separate division is responsible for the collection and distribution of child support payments. The El Paso County District Clerk operated with a budget of \$1,981,145. Approximately 7 percent of the workload was

attributable to cases involving undocumented persons, resulting in a total estimated impact of \$162,701, which can be seen in table T142.

Table T142: El Paso County District Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,981,145	6.9%	\$136,699	\$26,002	\$162,701

County Courts at Law

Both civil and criminal cases are heard in the County Court at Law. During FY 1999 there were 43,889 cases on the docket for Class "A" and "B" criminal misdemeanors with fine limits of \$500. The civil caseload, 3,052 cases on the docket, involves cases in which the controversy is between \$500 and \$5,000. The budget was \$3,504,403, and it included seven courts, judges and administration expenses. The courts estimate 10 percent of their cases involves persons without legal residency status. Although court administrators' report that they do not ask for citizenship, caseworkers, which have more personal knowledge of the defendants, estimated that 60 percent of the administrative caseload involves persons in the U.S. without legal residency status. The council of Judges Administration estimates 46.1 percent of their workload involves criminal undocumented persons. The estimated fiscal impact of undocumented persons is \$1,159,678 as shown in table T143.

Table T143: El Paso County Court at Law Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Courts at Law	\$1,008,866	10%	\$100,887	\$19,089	\$119,976
Council of Judges administration	\$1,218,816	46.1%	\$561,874	\$106,935	\$668,809
Court at Law administration	\$367,828	60%	\$220,697	\$42,071	\$262,768
Judges salaries & benefits	\$908,893	10%	\$90,889	\$17,236	\$108,125
Total	\$3,504,403		\$974,347	\$185,331	\$1,159,678

El Paso County Attorney

In addition to providing general counsel to the County Commissioners, the El Paso County Attorney's office handles civil litigation including defense litigation, plaintiff litigation, subdivision regulations and certificates of compliance. They also process deceptive business complaints, environmental crimes (e.g. illegal dumping), and co-administer 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 \$1,844,911.

The County Attorney's office reported the primary impact of undocumented persons was in the Juvenile Prosecution Unit. During FY 1999 15.9 percent of the felony cases, 12.2 percent of the misdemeanors and 12.4 percent probation violations were attributable to undocumented residents. The estimated total impact of undocumented resident cases in the Juvenile Prosecution Unit was \$59,011.

The County Attorney is also responsible for obtaining final judgments on forfeitures, both surety and personal recognizance, and collecting on all judgments. During FY 1999 the County Attorney's staff collected \$1 million. Funded as a separate line item, this division had a budget of \$141,954. The County Attorney's office estimates 10 percent of the bond forfeitures are attributable to undocumented immigrant resident cases, for a financial impact of \$15,881.

Legal services for the county hospital, Thomasson, are also provided by the County Attorney's office. In this capacity they review contracts, review and monitor lawsuits, process EEOC claims and employee grievances, and handle both plaintiff and defense legal claims. This division had a budget of \$239,598.

The total estimated impact of criminal undocumented persons, as shown in table T144, was \$89,069.

Table T144: El Paso County Attorney Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Juvenile Prosecution	\$441,701	13.4%	\$59,011	\$11,171	\$70,182
Bond Forfeiture	\$158,806	10%	\$15,881	\$3,006	\$18,887
Thomason Legal	\$239,598	0%	\$0	\$0	\$0
Other	\$1,386,358	0%	\$0	\$0	\$0
Total	\$2,226,463		\$74,892	\$14,177	\$89,069

Although one of the officials interviewed from the Family Violence Protective Orders Unit estimated that 40 percent of the cases are to assist undocumented persons, the County Attorney's office declined to include that subdivisions costs in the fiscal impact reported for this study. An average of 120 applications is filed seeking protective orders each month. According to the local officials, "there are many cases that go unreported for fear of deportation."

El Paso County Clerk

As the official repository of documents, the County Clerk is responsible for filing, retrieving, transcribing and safeguarding information used by the various county departments. The general fund expenditures for FY99 were \$1,184,698. Approximately 10 percent of the workload is attributable to documents related to undocumented persons, which results in a total estimated impact of \$141,004 shown in table T145.

Table T145: El Paso County Clerk Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$1,184,698	10%	\$118,470	\$22,534	\$141,004

Criminal Law Magistrate

The Criminal Law Magistrate, established by the Commissioners Court in 1986, presides over all the arraignments of prisoners prior to booking in the El Paso County Detention Facility. The Council of judges appoints the magistrate. He is empowered to accept uncontested pleas, conduct special hearings from the District courts and conduct trials. The general fund budget for the Criminal Law Magistrate was \$226,235. Using the same impact rate as the detention, the total estimated impact of criminal undocumented persons was \$40,359, as shown in table T146.

Table T146: El Paso County Criminal Law Magistrate Impact

General Fund	Impact	Cost	General Govt.	Total Cost
\$226,235	15%	\$33,935	\$6,424	\$40,359

El Paso County 6th Administrative Judicial Court and 8th Court of Appeals

Created to ensure efficient case management, there are nine judicial regions in the State of Texas. The 6th Administrative District includes 23 counties, 17 district courts and 32 county courts. The 34th District Judge, located in El Paso County, is responsible for assigning visiting judges within the region. El Paso County contributes to the 6th Administrative District based on its total population. During FY 1999 that contribution was \$47,430. Approximately 5 percent of the administrative work of the judicial district can be attributed to cases involving undocumented persons.

An intermediate appellate court, the 8th Court of Appeals, has jurisdiction over criminal and civil appeals for a 22-county area. This Court includes a Chief Justice, three Justices, plus a legal staff of eight. The primary funding for the office is provided by the state, however El Paso County supplements the costs from the general fund. During FY99 the amount allocated for the 8th Court of Appeals was \$20,196. Approximately 5 percent of the cases heard by the Court of Appeals comprise cases with persons without legal residency status. The total estimated impact of criminal undocumented persons was \$4,025, as shown in table T147.

Table T147: El Paso County Judicial District and Court of Appeals Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$67,626	5%	\$3,382	\$643	\$4,025

El Paso County Public Defender

Indigent defense is provided for defendants from the District Courts, County Courts at Law, and other county courts through the Public Defender's office. Of the 5,443 indigent adult cases handled in FY 1999, 41.5 percent were felony appointments, 57.8 percent were misdemeanors, 4.5 percent appeals and writs.

The majority of the 2,172 juvenile cases were hearings. Fifty-one percent of total cases were review hearings and 30.1 percent detention hearings. Of the actual cases heard in court, 10.4 percent of the juvenile cases were felonies and 8.5 percent were misdemeanors. The Public Defender's office estimates that one-quarter of the adult cases and one-half of the juvenile cases were for persons without legal residency status. The total estimated impact of criminal undocumented persons, presented in table T148, was \$519,205.

Table T148: El Paso County Public Defender Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Adult	\$932,719	25%	\$310,595	\$59,078	\$369,673
Juvenile	\$377,280	50%	\$125,635	\$23,897	\$149,532
total	\$1,309,999		\$436,230	\$82,975	\$519,205

El Paso County Adult Probation

The West Texas Community Supervision and Corrections is responsible for probation and community supervision for El Paso, Hudspeth and Culberson Counties. The District Courts, County Courts at Law, the Jail Magistrate and County Courts Masters assign probationers and paroles to community supervision. During FY 1999 they supervised 8,842 direct and 7,040 indirect cases. The high risk, specialized cases, of which there were 639, include undocumented persons. This represents approximately 3 percent of the total caseload. The El Paso County general fund budget in FY 1999 was \$458,894. The total estimated impact of criminal undocumented persons was \$16,385, shown in table T149.

Table T149: El Paso County Adult Probation Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$458,894	3%	\$13,767	\$2,619	\$16,385

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 have committed. Clients detained include Mexican nationals who have crossed illegally into the U.S., Texas Youth Commission parolees and juveniles who have violated federal crimes. The most common juvenile felony offenses, in order of frequency, are aggravated assault (30.4 percent), burglary (19.3 percent), drug offenses (9.4 percent),

robbery (7.6 percent), theft and motor vehicle theft (5.9 percent each), sexual assault (4.9 percent), weapons violations (4.1 percent) and homicide (1.4 percent). During FY 1999 administrators report that 108 Mexican national juveniles without documentation were under supervision for a total of 3,719 detention days. The general fund budget was \$5,871,731 for FY99. Table T150 shows the total estimated impact of \$475,225.

Table T150: El Paso County Juvenile Probation Impact

General Fund	Impact	Cost	General Gov.	Total Cost
\$5,871,731	6.8%	\$399,278	\$75,947	\$475,225

El Paso County Justice of the Peace and Constables

The El Paso Justices of the Peace and Constables budget for FY 1999 totaled \$1,289,479. All seven Justices of the Peace agreed that, "JP's estimate on what percentage of case loads are attributable to undocumented persons would be difficult to calculate. Since the 1990s there is a federal law that calls only for volunteer labels, so we can't ask them for citizenship." After interviewing all seven justices, their estimates of impact ranged from 0 percent to 10 percent. "It is probably higher, but that federal law camouflages the numbers," noted one. El Paso County Constables, on the other hand, unanimously reported no impact from persons in the U.S. without legal residency status. The total estimated impact of criminal undocumented persons, shown in table T151, was \$63,647.

Table T151: El Paso County Justice of the Peace and Constable Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Justice of the Peace	\$1,069,511	5%	\$53,476	\$10,172	\$63,647
Constables	\$219,968	0%	\$0	\$0	\$0
Total	\$1,289,479		\$53,476	\$10,172	\$63,647

El Paso County Emergency Medical Care

The El Paso County general fund covers a variety of emergency medical expenses including public health, county child welfare, ambulance service, mental health/mental retardation services and a shelter for battered women.

The Shelter for Battered Women is a United Way Agency and the only comprehensive, emergency shelter for domestic violence in El Paso County. They provide counseling to both abusers and women who are victims of domestic violence. In addition to providing 24-hour emergency shelter to women and their children, the shelter assists women in finding more permanent housing, job search assistance and help in applying for food stamps and other social services. Shelter administrators estimate 70 percent of the women who seek their services are in the U.S. without legal residency status. During FY99 26,500 shelter days were provided, 6,156 hotline calls were responded to and 1,800 nonresidents were counseled. Nine hundred batters participated in a 20-

session intervention and prevention program. The El Paso County general fund budget for FY99 was \$35,000.

Life Management Center offers the mental health/mental retardation services for El Paso County. It also maintains a 24-hour crisis hotline. The State of Texas and El Paso County jointly fund the facility. The funds from the county are used to provide psychological evaluation of jail inmates, and juvenile probationers. During FY 1999 the county budgeted \$174,000 for Life Management Center services. Center administrators indicate 13 percent of their clients are undocumented, primarily juveniles.

Life Ambulance Services transport and provide emergency care for injured persons prior to hospitalization. Sixteen ambulances located in five bases throughout the city made approximately 5,200 runs in FY99. The average cost per call was \$67. The ambulance service indicated 20 percent of their runs involve care for persons without legal residency status, primarily women in labor or with complications of childbirth. The general fund budget was \$353,280.

El Paso County Child Welfare operates under contract to the Texas Department of Protective and Regulatory Services. The county gives staff support for the Child Welfare Board, which is responsible for caring for the needs of abused or neglected children. Caseworkers estimate 40 percent of the children served by the Board are undocumented. The general fund contribution was \$312,090.

The City-County Health Unit is responsible for "preventative medicine and regulatory community health" for over 690,000 county residents and the interaction with New Mexico and Ciudad Juarez. In performing their duties they cooperate with the Center for Disease Control and the Texas Department of Health. Administrators estimate one-third of their services are rendered to undocumented persons. During FY99 the general fund budget was \$1,700,973.

The total estimated impact of undocumented persons on emergency medical costs, shown in table T152, was \$962,923.

Table T152: El Paso County Emergency Medical Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Shelter for Battered Women	\$35,000	70%	\$24,500	\$4,617	\$29,117
Life Management (MH/MR)	\$174,000	13%	\$22,620	\$4,309	\$26,929
Life Ambulance Services	\$353,280	20%	\$70,656	\$13,388	\$84,044
County Child Welfare	\$312,090	40%	\$124,836	\$23,699	\$148,535
Public Health	\$1,700,973	33.4%	\$566,424	\$107,874	\$674,298
Total	\$2,575,343		\$809,036	\$153,887	\$962,923

El Paso County Autopsies and Burials

The El Paso County Medical Examiner's office performs the autopsies when there is a sudden, violent, unexpected or suspicious death. During FY99 2,123 cases were investigated and 307 autopsies were conducted. The medical director reports that drowning was the primary reason for death among undocumented persons, with motor vehicle accidents the second most common cause. "They come from really small towns. They have a hard time estimating the speed of crossing on Interstate-10." There was also one death by electrocution in FY 1999.

Officials estimate that 15 to 20 of the autopsies were performed on persons in the U.S. without legal residency status. With the average cost of an autopsy at \$1,050, El Paso County spent approximately \$21,000 determining the cause of death of undocumented persons, or 2.7 percent of the Medical Examiner's budget. The general fund budget for the Medical Examiners office was \$775,103.

The Charities fund is used for paupers' burials as well as emergency financial assistance for individuals needing food and clothing. One hundred ten pauper burials were conducted in FY 1999. Each pauper burial costs the county approximately \$800. Twenty-two percent of El Paso County's pauper burials were for undocumented persons. The general fund allocation for charities was \$71,950. The total impact of autopsy and burial costs for undocumented persons was \$43,748, as shown in table T153.

Table T153: El Paso County Autopsies and Burials Impact

General Fund	Budget	Impact	Cost	General Gov.	Total Cost
Medical examiner	\$775,103	2.7%	\$20,928	\$3,981	\$24,908
Burials	\$71,950	22%	\$15,829	\$3,011	\$18,840
Total	\$847,053		\$36,757	\$6,992	\$43,748

Emergency Medical Expenditures Fund

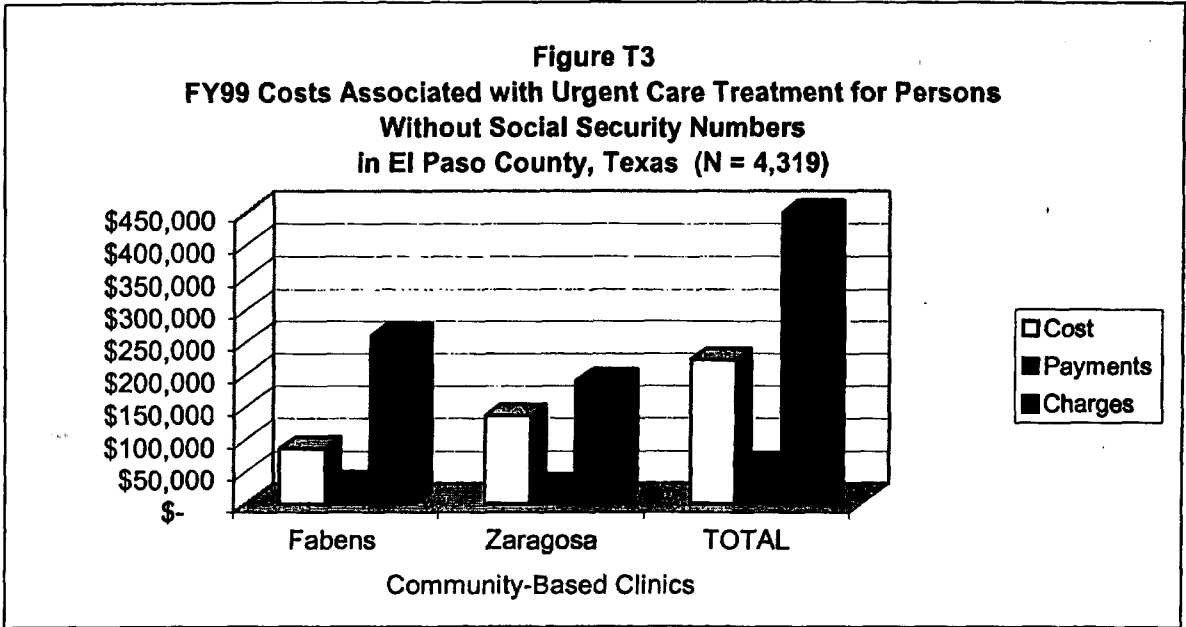
The El Paso County Hospital District is a separate taxing entity charged with the responsibility of providing medical care to indigent residents. The hospital district operates 2 community-based clinics in the rural portions of the county. Clinic administrator's report 19.6 percent of the patients is undocumented, as depicted in table T154.

Table T154: FY 99 Patient Load at Community-Based Health Clinics in El Paso

Clinic	Unique Patients	Undocumented Patients	Percentage Undocumented
Fabens	8,493	2,135	25.1%
Zaragosa	13,484	2,184	16.2%
Total	21,977	4,319	19.6%

Source: El Paso County Community Clinics

The total cost to the county for these medical services in FY1999 was \$449,684, as shown in Figure T3.



Emergency Medicaid reimbursement is available under the federal "TP 30" program. The Texas Department of Health reports an average of 200 applications are approved for undocumented persons in El Paso County per month. The TDH unit at Thomasson Hospital indicates 75 percent of the applications are approved. The Thomasson Trauma department sees the critical medical cases brought in by various law enforcement agencies. One hundred percent of the Border Patrol (67 patients), INS (50), U.S. Marshall (69) and International Sanction Facility (54) patients are in the U.S. without legal residency status; the majority of the patients from the Sheriff's department (140) are also. During FY1999 Thomasson Trauma costs associated with treatment of undocumented persons amounted to \$398,573. When overhead and administration costs are included, the total costs were \$686,957. Federal law enforcement agencies bear the financial burden for patients that are in their custody. The El Paso County Sheriff's patients who do not qualify for TP30 Medicaid are the financial responsibility of the county. (Note: To qualify for TP30 funds a patient must meet the normal Medicaid qualifications. This usually results in approval for women and children, but not for men.)

Texas Border County Summary

Texas's 15 counties along the U.S.-Mexico Border spent a total of \$23.6 Million in FY 1999 on services for illegal immigrants in the areas of law enforcement, criminal justice, and emergency medical care. The cost per county ranged from \$0 to \$9.3 million. With a combined population of 2 million, every man, woman and child residing in these 15 counties paid an average of \$12 in local taxes to fund these services. The impact on a per capita basis ranged from 33 cents to \$100. The highest per capita cost of any county on the border. Table T155 further shows the aggregate costs by department.

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T155: Texas County Costs by Department

County	Sheriff	District Attorney	District Court	District Clerk	County Attorney	Court at Law	County Clerk	Justice of the Peace	Indigent Defense	Adult Probation	Juvenile Services	Emerg. Medical	Total by County
Cameron	2,293,818	227,679	90,618	64,239	—	327,783	375,484	11,052	109,406	0	0	162,985	3,663,064
Hidalgo	1,618,794	183,788	65,529	28,247	—	42,724	31,725	63,164	135,469	0	0	362,048	2,531,488
Starr	865,912	93,065	152,191	67,157	74,509	56,098	73,653	NA	27,391	9,701	20,756	NA	1,440,443
Zapata	124,436	5,031	3,480	3,081	25,900	—	23,841	96,396	4,659	2,376	51,919	91,311	432,430
Webb	1,709,495	440,122	97,976	58,244	28,658	62,187	43,980	47,660	373,821	0	259,458	69,463	3,191,064
Maverick	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0
Kinney	7,310	NA	NA	NA	NA	—	NA	8,716	NA	0	NA	NA	16,026
Val Verde	1,054,368	—	71,449	68,118	11,111	14,291	13,479	157,728	89,768	0	0	47,425	1,527,737
Terrell	0	0	0	0	—	—	—	0	0	0	0	0	0
Brewster	8,504	161	700	969	0	0	0	0	12,250	0	1,295	32,522	56,401
Presidio	189,151	14,219	41,631	83,926	32,836	—	—	52,512	18,661	9,344	—	23,076	465,356
Jeff Davis	27,026	834	3,934	7,409	0	—	—	0	0	0	0	5,275	44,478
Culberson	371,425	57,988	24,649	61,272	13,494	—	—	79,430	—	1,846	—	0	610,104
Hudspeth	64,884	392	2,336	10,973	0	—	—	38,945	1,496	1,498	—	0	120,524
El Paso	4,525,131	643,435	343,363	162,701	129,428	1,163,703	141,004	63,647	519,205	16,385	475,224	100,667	9,189,896
Total by Dept.	12,860,254	1,666,714	897,856	616,336	315,936	1,666,786	703,166	619,250	1,292,126	41,150	808,652	1,800,775	23,289,011

Texas sheriffs bore the greatest brunt with nearly \$13 million, over half the total burden. Criminal prosecution took the second highest hit, at \$11.7 million. The federal government, through SCAAP, paid these counties a total of \$2.2 million in FY 1999. The federal government's participation in this aspect of illegal immigration amounted to only 9 percent of the total impact.

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NEW MEXICO'S BORDER COUNTIES

New Mexico's history is marked by the intersection of multiple cultures, changing political status and governance, and a long-standing and powerful link to Mexico. In addition to the Native American pueblos and tribes, and the nomadic Indians who were the early inhabitants of the area, the flags of Spain, the Republic of Mexico, the Confederate States of America, and the United States of America have all flown over the "Land of Enchantment" during its long and colorful history. The upper region of the Rio Grande was called Nuevo Mexico as early as 1561 by Spanish conquistadors who sought an area that could yield riches comparable to those found in Old Mexico. The name was anglicized and applied to lands ceded to the United States by Mexico as part of the 1848 Treaty of Guadalupe Hidalgo that ended the Mexican War.¹

Near the turn of the 20th century, New Mexico struggled through more than a dozen unsuccessful attempts to achieve statehood. Finally, on January 6, 1912, New Mexico became the 47th state to join the Union.² Interestingly, statehood did not end New Mexico's identity problems. A regular feature in *New Mexico Magazine* is a column entitled "One of Our Fifty Is Missing," which includes anecdotes of people, many of them federal government employees, who persist in the belief that New Mexico is a foreign country. Several legal provisions in the state, as well as symbolic gestures and common practices, reflect a multi-cultural heritage and strong ties to Mexico. The state constitution includes several references to the importance of the Spanish language heritage of the state.³ The familial, language and religious ties to Mexico are readily apparent. As with other states in the border region, the social, political and economic changes that occur in Mexico are felt in New Mexico on both a personal and governmental level.

New Mexico consists of 121,666 square miles, making it the fifth largest state in the country. A typical desert state, almost all of New Mexico (121,359 square miles) is land mass. With only 234 square miles of open water (lakes, reservoirs, rivers and streams), New Mexico is second only to Nevada as the state with smallest surface area covered by water. Of the 77,666,400 total acres in New Mexico, less than half (43.9 percent) of the land is privately owned. More than one-third (34.1 percent) of the land is owned by the federal government, and similar proportions are held in state trust (11.6 percent) or controlled by Indian tribes (10.2 percent).⁴

New Mexico is a unique land of stark contrasts. As the state historian so aptly points out: "...scientists such as those at the National Laboratories in Los Alamos, one of New Mexico's youngest cities, pioneer uses of nuclear fission; while an hour's drive away, the residents of Acoma and Taos Pueblo maintain traditions of great antiquity, and choose to live in two of North America's oldest continuously occupied communities without electricity or other modern conveniences."⁵ Additional contrasts exist between the rugged mountains of the Taos Ski Basin and the oil drilling fields of the Eastern plains, between the forests and streams of the Gila National Forest and the rolling dunes of the White Sands National Monument, and between the wealth and thriving tourist industry in the capital city of Santa Fe and the poverty and lack of basic infrastructure in the *colonias* that dot the border region.

In 1999, New Mexico's population was estimated to be 1,739,844.⁶ The largest population concentration is in Bernalillo County (523,472), home to the City of Albuquerque. The second largest county, Doña Ana County (170,361), home to the City of Las Cruces, is in the border region.

In keeping with its rural image, a much smaller percentage (57 percent) of the state's population live in metropolitan areas compared to the national average (80 percent). Although Native American pueblos and tribes comprise a notable proportion of the state population, none of the border counties is home to any tribes or pueblos, nor any sizeable Native American populations.

Between 1980 and 1990, New Mexico's overall population grew by about 16 percent, while its foreign-born population grew by close to 54 percent. The 81,000 foreign-born accounted for almost 5 percent of New Mexico's population in 1990. In 1980, Mexico was the source of just under one-half of the state's foreign-born residents. By 1990, Mexico accounted for five-eighths of the state's total foreign born. The City of Las Cruces, located in Doña Ana County, has the highest foreign-born concentration, nearly 15 percent of its population.⁷ Approximately 338,000 people, or 18 percent of the state's population in 1997, were "immigrant stock."⁸ According to a report issued by The Urban Institute, nearly two-fifths of all of New Mexico's children in 2000 were either foreign-born or children of immigrants.⁹ Additionally, the Census Bureau estimates that New Mexico's population increased roughly 14 percent between 1990 and 1999, and that 17 percent of that growth was due to international migration (immigration).¹⁰

In 1997, the U.S. Census Bureau projected that New Mexico's population would grow by 55 percent between 1995 and 2025, the second fastest projected rate of growth in the nation. The projection is based in part on continued high volume immigrant settlement in the state, particularly immigrants from Mexico. The problems associated with population growth are exacerbated by a growing number of illegal immigrants in the state.¹¹ These rapid population increases in the border region portend serious problems for border states in terms of lack of adequate infrastructure, limited supplies of water and energy, and the negative impacts on water, air, and natural resources.¹² The figures presented above for legal immigrant settlement dramatically underestimate the full impact of immigration; official statistics on immigration do not include the thousands of immigration applicants already living in the state awaiting INS processing or those who entered illegally.¹³

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. New Mexico ranks near the bottom of state ratings in teacher salaries, full-time college enrollment, personal income, and median household income. Census Bureau statistics from 1998 show New Mexico as 48th among the 50 states in terms of per capita income and 46th in median household income. Similarly, the state ranks in the top 10— a dubious honor— in percent of population below the poverty level, births to teenage mothers, violent crime rate, and percent of civilian labor force unemployed. In 1998, New Mexico ranked as the state with the largest proportion of its population (20.4 percent), compared to the national average of 12.7 percent, living below the poverty level.

New Mexico's Border Environment

Three of New Mexico's 33 counties share a 206-mile border with Mexico. These counties— Doña Ana, Luna and Hidalgo— differ widely in terms of a variety of characteristics, including population trends, level of urbanization, development in the border region, and nature and extent of the impact of illegal immigrants on their criminal justice and emergency medical systems. Table NM1 presents some summary statistics on the three counties in New Mexico that share the border with Mexico.

Table NM1: New Mexico Border County Statistics

County	Population (%)	Square miles (%)	Border Length (%)	Ports-of-Entry	INS Crossings (%)	Border Patrol Apprehensions (%)
Dofia Ana	170,361 (85%)	3,804 (37%)	53 (26%)	1	217,046 (12%)	19,790 (40%)
Luna	24,360 (12%)	2,965 (29%)	67 (33%)	1	1,607,420 (88%)	23,667 (48%)
Hidalgo	6,027 (3%)	3,447 (34%)	86 (42%)	1	0 (0%)	5,587 (11%)
Total	200,748	10,216	206	3	1,824,466	49,044

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

The southwest region of New Mexico, which consists of Dofia Ana, Luna, Hidalgo and Grant Counties, is projected to be one of the fastest growing areas in New Mexico.¹⁴ Between 1990 and 2000, the southwest region is estimated to grow at an annual rate of approximately 2.2 percent, a rate that is 50 percent higher than the statewide average of 1.49 percent.¹⁵ Migration is the major source of growth for the southwest region. Natural increases are projected to decline in this region due to the aging of the population in the region and a corresponding decrease in the fertility rate. Retirees will continue to be a substantial proportion of Luna County's population by 2020, with a projected retirement population of approximately 26 percent. The effects of the North American Free Trade Agreement (NAFTA), in the form of a greater volume of migration from Mexico, are expected to continue. Dofia Ana and Luna Counties rank among the top five counties in the state for population growth between 1990 and 1999.¹⁶ While New Mexico's population is growing at dramatic rates, the population of communities in Mexico (including Chihuahua) have experienced even more rapid increases.¹⁷ While two of the border counties are experiencing rapid growth, the western-most county along the border is suffering from noticeable population decreases. Hidalgo County has been hard hit by the closure of a copper smelter that had been a major employer in the county; the mine closure has resulted in abrupt out-migration and substantial reductions in the tax base.

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 the armed ranchers in Cochise County, determined to protect their property from illegal immigrants, residents in some areas of the New Mexico border region have been more inclined to place water along frequently used paths to avoid unnecessary deaths from dehydration and heat exhaustion. In addition to this private support for illegal immigrants demonstrated by some individuals, New Mexico's multi-billion dollar agricultural industry is greatly impacted by crackdowns and expulsions of undocumented workers by the INS.

The entire State of New Mexico is served by the El Paso Sector of the U.S. Border Patrol, a sector that has been referred to as "a busy corridor for illicit smuggling" and one with more than 700 vehicles seized in each of the past several years in connection with drug or alien smuggling.¹⁸ In the past few years, illegal alien apprehension has risen 60 percent, and drug seizures have increased by

50 percent. In March 2000, the Border Patrol reported apprehending 220,000 undocumented immigrants along the U.S./Mexico border, 600 of them in New Mexico.¹⁹ To compound the problem of immigration, New Mexico is experiencing a drug problem more severe than its neighboring states and the entire nation, and the problem is worsening despite increased efforts by law enforcement. Between 1995 and 1998, rates of violent crime and all crime were down nationwide and in neighboring states; yet New Mexico experienced increases.²⁰ In July and August of 1996, the INS and other agencies apprehended 483 illegal aliens working in New Mexico, nearly all (97 percent) from Mexico. The enforcement effort was conducted in 13 key states, and New Mexico accounted for the second largest work site apprehensions after Texas.²¹ In March 1997, the INS launched "Operation High Point" to intensify Border Patrol surveillance of a critical 10-mile stretch of New Mexico's border with Mexico that increasingly is being used as a corridor for illegal alien and drug smuggling,²² and the region has experienced a 25 percent increase in narcotics seizures.²³

New Mexico border counties participate in the High Intensity Drug Trafficking Areas (HIDTA) program,²⁴ and they receive partial payments for incarceration expenses from SCAAP. Despite these existing forms of assistance, New Mexico border counties are bearing a heavy burden. One of the greatest burdens incurred by counties is in detention and incarceration, yet HIDTA resources cannot be used for those activities. County officials also report frustration with the lack of local control over how best to use HIDTA funds in the effort to address the drug trafficking problem.

As California and Texas, and more recently Arizona, clamp down on traditional illegal alien crossing points, New Mexico experiences an increasing border-control problem. There are areas where people can drive or walk across the border relatively easily; there also are areas that are so vast as to negate effectively any possibility of monitoring by understaffed local and federal agencies.

Detention centers in New Mexico's border counties are forced to house a growing number of illegal immigrants without adequate compensation from the state or federal government. Border counties in New Mexico were quick to realize the importance of the U.S./Mexico Border Counties Coalition. Luna County Commissioner Dennis Armijo is one of four elected members of the coalition's executive board; Doña Ana County Commissioner Carlos Garza hosted the BCC meeting in Las Cruces in June 1999.

Characteristics of New Mexico County Government

New Mexico county governments are subdivisions of the state with limited local authority. The state constitution dictates the terms of office for all county officials, establishes term limits, and specifies a process for recall for all elected county officers. According to the state constitution, county commissioners, the assessor, sheriff, probate judge, treasurer, and clerk each serve four-year terms. County commissioners, of which there must be either three or five, must serve staggered terms. Since 1992, all county officers are limited to two consecutive four-year terms, after which they are ineligible to hold any public office for a two-year period. All elected county officials are subject to recall by the voters of the county.

Counties in New Mexico may incur debt for only a limited number of specific purposes provided for in the state constitution and state law, and then only after the proposition to create such debt has been approved by the county's voters. Counties are also limited to aggregate indebtedness not to exceed 4 percent on the value of taxable property within the county. Counties are further restricted by a state anti-donation provision.²⁵

County revenue sources include the property tax; an oil and gas ad valorem tax; various licenses, fees and permits; intergovernmental grants-in-aid from the state and federal government, and a proportion of the gross receipts tax that is collected by the state and returned to the counties. The taxable value of real property is calculated at a rate of one-third of the full value, and property tax rates vary considerably between and within counties. New Mexico counties tend to fund a variety of important activities outside the general fund. The extensive use of special funds is important in the context of this study because of the primary focus on general fund impacts of criminal illegal immigrants. It is not uncommon for the detention, emergency medical service, and/or indigent health care components to be outside the general fund.²⁶

New Mexico County Law Enforcement and Criminal Justice System

The chief law enforcement official at the county level is sheriff. The sheriff is elected for a four-year term, and may serve no more than two consecutive terms of office. In some counties, the detention function is within the sheriff's department; in others, detention is kept under the direct control of the county manager. County detention centers function as pre-sentence holding facilities as well as jails for sentences of not more than one year or 365 days.

Juvenile offenders in New Mexico are not the responsibility of any criminal justice agency, but rather the state Children, Youth and Families Department. In New Mexico, holding juvenile offenders accountable for their actions and rehabilitating them is defined as more of a social welfare function than a law enforcement or corrections function, and more of a state rather than a local responsibility. Although the state district courts have exclusive authority to hear juvenile cases, and some counties operate juvenile detention facilities, the impact of illegal immigrants in this area is minimal in New Mexico. Because juvenile offenses are considered a family rather than a law enforcement issue, there is a limited capacity in the state to address offenses by juvenile illegal immigrants whose families remain in Mexico. Juvenile illegal immigrant offenders are more likely to be deported rather than prosecuted if their offenses do not rise to the level required for federal prosecution. There is some speculation on the part of local law enforcement personnel in the state that this aspect of New Mexico law has contributed to the increased use of juveniles to smuggle drugs across the border into the state.

The New Mexico State Constitution provides for a judicial branch that includes the Supreme Court, the Court of Appeals, District Courts, Magistrate Courts, Probate Courts, and other such lower courts as are created by the legislature. New Mexico's 33 counties are divided into 13 judicial districts, served by 72 District Judges. The District Court is the court of unlimited general jurisdiction and is commonly referred to as the trial court in New Mexico. These courts have exclusive juvenile jurisdiction and handle the vast majority of felony cases. New Mexico's 54 Magistrate Courts have jurisdiction in civil matters in which the amount involved does not exceed

\$7,500; they also have jurisdiction in criminal matters over most misdemeanors and other criminal actions where specific jurisdiction is granted by law such as DWI/DUI cases, traffic violations, and select felony cases.²⁷

Each county has at least one magistrate court; in the border region, Doña Ana County has three while Luna and Hidalgo Counties have one each. The more populous counties have boundaries that coincide with a judicial district, while the less populous counties share a district with up to three neighboring counties. In no instance, however, is a county divided into more than one district. In the border region, Doña Ana County is served exclusively by the Third Judicial District with its six judges; Luna and Hidalgo Counties, as well as Grant County, are covered by the Sixth Judicial District with its two judges.

Unlike many other states in which the counties consist of fully empowered legislative, executive and judicial branches, New Mexico maintains much of the responsibility for the judicial branch at the state level. At both the District and Magistrate court levels, the judges, court administrators, and court clerks are employees of the state, not the county.²⁸ Similarly, District Attorneys (prosecutors), while elected by the residents of the county or counties served by the district, have their salaries paid by the state. Public Defenders as well as probation and parole officers are also state rather than county officials.²⁹ It is, however, the responsibility of the counties to provide offices and judicial facilities for these state officials within their respective counties.

The understaffed and overburdened federal courts in New Mexico contribute to an increased burden on the state courts. As a result of the Southwest Border Initiative, a coordinated national strategy launched in 1995 to curb illegal immigration and drug smuggling from Mexico, a disproportionate burden has been placed on the border region as demonstrated by multiple indicators. The five border districts currently handle 26 percent of the 60,000 criminal cases in the federal court system; the other 89 district courts handle the remaining 74 percent.³⁰ Between 1974 and 1998, criminal filings in the five border district courts increased more than 125 percent, from 6,460 to 14,517.³¹ The average caseload per judge in these courts is four times the national average. Criminal defendant filings in New Mexico rose 57 percent to 1,981 cases in fiscal year 1999.³² In New Mexico, responding to this increasing demand is particularly difficult. As noted by U.S. Senator Pete V. Domenici (R-NM) in June 2000, "[i]n New Mexico, a federal court in Las Cruces handles 65 percent of all the federal criminal matters in the state, yet there is not a single full-time sitting judge in that court. We desperately need ... new judgeships if our courts are to keep pace with the skyrocketing incidences of criminal activity along our southern border."³³ The number of defendants waiting for court action in Las Cruces has risen up to 400 at times, according to Chief U.S. District Judge for New Mexico.³⁴ Since 1994, criminal cases filed in border courts have increased by 125 percent with drug cases doubling between 1994 and 1998, and immigration-related prosecutions increasing more than five-fold in the same period. During the same period, while DEA, Border Patrol, INS and FBI personnel in the border region have grown 155, 99, 93 and 37 percent, respectively, the federal judicial officer resources have only increased 4 percent.³⁵ As the federal courts have been overwhelmed, a larger share of the burden has been shifted to county law enforcement and detention systems, and the state judicial system in New Mexico.

Without exception, the magistrate and district courts in the border counties are severely overburdened and have increasing backlogs of cases. This problem, which is exacerbated by the

demands of processing illegal immigrants for state offenses, impacts the counties in the form of extended terms of detention while those in their custody— both illegal immigrants and legal residents— await trial and sentencing.

New Mexico County Emergency Medical Services and Indigent Health Care

Emergency medical services are provided by New Mexico counties through a variety of delivery mechanisms and funding methods. Some counties have their own ambulance services, others contract with private companies, and still others contract with municipal government entities. A combination of paid and volunteer employees is generally used for public provision of this service. The extent of medical care that can be provided within the county varies considerably. Some counties are served only by medical clinics that are open limited hours and are unable to provide comprehensive medical treatment. For such counties, the transportation costs for EMS can reach exorbitant levels. The costs of medically-necessary treatment and transportation services provided to illegal immigrants can create a substantial drain on the county coffers when bills go unpaid for extended periods of time.

Given the economic profile of the state, it is not surprising that many New Mexicans depend on publicly-funded health care programs, such as Medicare and Medicaid. New Mexicans without resources may receive medically-necessary care (charity care) from hospitals, clinics and private providers. Another category of people, the medically indigent, become the responsibility of the county. The state's Indigent Hospital and County Health Care Act identifies the individual counties as "the responsible agency for the ambulance transportation or the hospital care or the provision of the health care to indigent patients domiciled in that county for at least three months...."³⁶ The Act defines the medically indigent as those persons to whom an ambulance service, a hospital or a health care provider has provided medical care, ambulance transportation or health care services who have available assets and/or income sufficient to support themselves and their household, but who normally are unable to pay the cost of some or all health care. The statutory definition includes minors who have received such transportation and/or treatment and whose parents or person having custody meets the above definition. County Indigent Funds in New Mexico are supported primarily through gross receipts taxes collected by the state and returned to the county. Other funds and sources often provide additional revenues and the counties carry forward any unspent balances from the previous fiscal period.

Federal law mandates that hospitals and emergency medical personnel treat anyone who needs emergency care, including illegal immigrants.³⁷ But the federal government only pays for the care of illegal immigrants who are in the custody of the INS or other authorized federal agent. The costs of caring for those individuals not in federal custody are picked up the hospital or the local jurisdiction providing the services, often through the indigent health care system. Although the federal government provides matching funds through Medicaid, the increased workload places a considerable burden on the county coffers.³⁸

As with the criminal justice functions, some emergency medical and health care activities that are commonly performed at the county level in other states are maintained at the state level in New Mexico. Included in this category are autopsies of individuals whose deaths occur while they are

residents in a county or state institution or those in the custody of law enforcement officials.³⁹ As a result, some expenses that are included for counties in the other border states are not included for the three New Mexico counties.

Costs to New Mexico Border Counties

New Mexico's three border counties share a 206-mile border with Mexico and have a combined population of roughly 200,000 people. There are three ports-of-entry currently in operation in the state and one other under consideration. If one considers only the general fund burden incurred by New Mexico border counties in providing services to illegal immigrants, the cost estimate would be \$1.9 million; the general fund burdens incurred by the individual counties are presented in table NM2.

Table NM2: Estimated Costs of Illegal Immigrants by County-General Fund

County	Cost Estimate (%)	Per Capita Cost
Dofia Ana	\$896,780 (46%)	\$5.26
Luna	\$603,256 (31%)	\$24.76
Hidalgo	\$447,780 (23%)	\$74.30
TOTAL	\$1,947,816	\$9.74

The general fund estimates presented above are misleading in that they dramatically underestimate the true burden placed on these three counties. Many New Mexico counties, because of low property tax rates and restricted revenue sources, find it necessary to pay for programs through special funds. For these counties, it is inappropriate to limit the study of the impacts of illegal immigrants on New Mexico counties to the general fund. The burden on Dofia Ana County, for example, almost triples when special funds used for the detention center, indigent health services and emergency medical services are added to those burdens on the general fund. Please note that not all county special funds supporting criminal justice and emergency medical services were incorporated into the estimates presented in this report; only those that are the equivalent of the general fund in that they are paid for by general tax dollars and place a burden on county residents are included; grant funds are explicitly excluded from the cost estimates.

When the relevant special funds are included, the total costs to the three counties of providing criminal justice and emergency medical services to undocumented persons, including indirect costs, is \$5 million. Average per capita costs for the three border counties combined is almost \$25. Table NM3 summarizes these total and per capita costs for the three border counties in New Mexico.

Table NM3: Estimated Costs of Illegal Immigrants by County-Total Budget

County	Cost Estimate (%)	Per Capita Cost
Dofia Ana	\$3,573,415 (71%)	\$20.98
Luna	\$943,476 (19%)	\$38.73
Hidalgo	\$485,049 (10%)	\$80.53
TOTAL	\$5,001,940	\$24.92

When considered in comparison to the other states that border Mexico, the impact of illegal immigration on the criminal justice and emergency medical systems in New Mexico counties may initially appear to be minimal, even with the special funds included. The sheer length of the Texas-Mexico border, the larger number of ports-of-entry in neighboring states, and the substantially larger populations of Arizona, California and Texas, all contribute to this disparity. Additionally, the dominance of the state government in New Mexico relative to the counties with respect to the judicial process compounds the gap. It is also imperative that the reader consider per capita impacts and other measures which place the effects in context, rather than aggregate dollar impacts alone. For example, the total burden incurred by Luna or Hidalgo Counties may seem trivial in comparison to estimates for some of the more populous counties in the other border states; yet, the per capita costs are extremely high especially when considered in light of the relative poverty of residents in these counties.

Costs to New Mexico Border County Departments and Functions

The percentage impact on workload of processing illegal immigrants is the basis for determining the costs incurred by each county department. Taking a percentage of the workload insures that costs of general department overhead (such as secretarial support and department administration) are included. In addition to the direct costs, a proportional estimate of the indirect costs of services from general county government (including support from the county human resource management department, county manager, county commission, and budget office, for example) is added to each department's estimate to reflect better the full burden incurred by the county. Because of the extensive use of special funds to provide services typically found in the general fund, the New Mexico county estimates also include a proportion of those special funds where applicable. Table NM4 presents the net cost estimates for each department involved in the provision of criminal justice and emergency medical services.

Table NM4: Costs to New Mexico Border Counties by County and Department

TOTAL \$5,001,940		
Doña Ana County \$ 3,573,415	Luna County \$943,476	Hidalgo County \$485,049
Sheriff \$1,281,501	Sheriff \$193,331	Sheriff \$461,850
Detention - Adult \$982,419	Detention - Adult \$675,248	Detention - Adult (included in Sheriff)
Detention - Juvenile \$12,933	Detention - Juvenile \$15,996	Detention - Juvenile (not applicable)
Judicial System \$61,588	Judicial System \$2,478	Judicial System (not applicable)
Emergency Medical \$30,472	Emergency Medical \$37,813	Emergency Medical \$18,192
Indigent Health Care \$909,655	Indigent Health Care \$18,610	Indigent Health Care \$5,008

Impact on New Mexico Citizens

Counties have limited options for increasing revenue. In addition to legal restrictions on their taxation powers, counties along the border face practical limitations due to the relative poverty of their residents and the large percentage of untaxed public lands. It is particularly difficult for counties to respond to unanticipated costs. When they are forced to expend monies for services beyond their control or means, they must compensate by reducing services that would otherwise benefit the legal resident population they have been entrusted to serve. The high per capita costs reflect an inordinate burden on residents of the less populous counties in particular.

The following sections provide information on the burden incurred by the three border counties in New Mexico. Each section includes brief background information on the history, population trends, economy, and government of the county, followed by a more detailed look at the county's border environment and the impact on individual county departments and functions of providing services to illegal immigrants. Summary statistics are presented in tables throughout, while the narratives provide an explanation of how the cost estimates were determined as well as illustrations of the nature of the burden felt by each department in processing illegal immigrants.

DOÑA ANA COUNTY, NEW MEXICO

Doña Ana County lies in the south central region of New Mexico. It borders El Paso County, Texas, to the east and southeast; the State of *Chihuahua*, Mexico, to the south; Luna County to the west; Sierra County to the north; and Otero County to the east. It contains 3,804 square miles, and shares approximately 53 miles of border with Mexico. The population in 1999 was estimated to be 170,361, making it the second largest county in the state.⁴⁰ Approximately 45 percent of the population lives in the county seat of Las Cruces, and 53 percent live within one of four incorporated areas.⁴¹ The City of Las Cruces (population 75,786), which is home to New Mexico State University and Doña Ana Branch Community College and site of the annual cooking of the world's largest enchilada, has been ranked as one of the fastest-growing communities in the United States for the last decade. The Village of Hatch (population 1,628) is the Chile Capital of the World. The Town of Mesilla (population 1,945) is the historic site of the consummation of the Gadsden Purchase on November 16, 1854. In the border area, the City of Sunland Park (population 9,880) is the historic site of Mount Cristo Rey and home of the Sunland Park Race Track.⁴² Approximately 35 percent of the population is under age 20, while slightly more than 9 percent is over age 65. Hispanics comprise close to 50 percent of the population, while White, Non-Hispanics comprise approximately one-third. Doña Ana County has experienced the 10th fastest growth rate among U.S. counties on the U.S.- Mexico border, growing more than 26 percent between 1990 and 1999.⁴³ In 1997 Doña Ana County had a per capita income of \$14,923, placing it 23rd among the state's 33 counties and at 77 percent of the state's average of \$19,298 and 59 percent of the national average of \$25,288.⁴⁴ More than 26 percent of the population lives below the poverty level and the unemployment rate in 1999 was 7.6 percent.⁴⁵ In addition to the county-run detention facility, Doña Ana County is also home to the state's Southern New Mexico Correctional Facility.

Two major interstates cross in Las Cruces; Interstate-25 runs north to south, and Interstate-10 traverses the county east to west. The jagged peaks of the Organ Mountains are impressive landmarks to the east, and the Rio Grande supplies the farmers of the rich Mesilla Valley. Land ownership in the county is distributed with 1,821,515 acres (75 percent) federal, 286,910 acres (12 percent) state, 326,135 (13 percent) deeded land, and no Indian lands.⁴⁶ The county's economic base relies heavily on the university and community college, local government, and the public schools as major employers, followed by the service industry, retail trade, and agriculture. The county contains dairy farms, large pecan groves, and irrigated farms that produce cotton, chile, alfalfa, lettuce and onions.

The county is governed by a five-member county commission and an appointed county manager. Four other department heads are elected countywide: sheriff, treasurer, assessor, and county clerk. The county's general fund budget was \$23.8 million; the total budget was \$96.6 million. The general fund represents less than 25 percent of the total budget for Doña Ana County. Many salient functions are budgeted through separate funds, including several specialized law enforcement programs, the detention centers, and most health programs. The county's total taxable assessed valuation was \$1.78 billion, of which \$1.1 billion was residential property. The county property tax rate is 70 cents per \$100 of assessed valuation. (County property taxes in New Mexico are levied on every \$1,000 of assessed valuation; the rate is adjusted in this study to \$100 for purposes of consistency with Texas, Arizona and California counties.) Property taxes in Doña Ana County generated \$15.2 million in revenue. Fully 64 percent of the general fund revenues and 16 percent of

the total budget are generated by the property tax. Other revenues sources include gross receipts taxes, licenses and permits, grants, fees, investments and interest on investments, and miscellaneous other revenue. The gross receipts taxes disbursed to the county by the state amounted to \$8,487,981.⁴⁷ Dona Ana County spent \$5,848,718 from the general fund on law enforcement and criminal justice, and \$13,411,294 from all funds.

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, Texas, that has the potential of becoming a major industrial, commercial and pedestrian port-of-entry. This link between Santa Teresa, New Mexico and *San Jeronimo, Chihuahua*, Mexico is the newest port-of-entry in New Mexico. There are no large cities in the immediate proximity of the port so pedestrian traffic is almost non-existent, although both vehicular and pedestrian inspections are available. An additional port-of-entry between Sunland Park and the northwest *Ciudad Juarez colonia* of *Anapra* is under consideration.⁴⁸ In 1999 the INS reported 217,046 crossings and the Border Patrol apprehended 19,790 persons. Although Doña Ana County shares only 26 percent of the state's total border with Mexico, fully 85 percent of the state's border population resides in the county. Summary border statistics are reported in table NM5.

Table NM5: Doña Ana County Border Statistics

Population	Square Mi.	Border Length	Ports-of-Entry	INS Border Crossings	Border Patrol Apprehensions
170,361	3,804	53 miles	1	217,046	19,790

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

In April 1997 the Border Patrol completed construction of a 1.3 mile long, 10-foot tall steel mesh fence that separates the *Anapra colonia* on *Ciudad Juarez's* west side from Sunland Park. When plans to build that fence were initially announced, it sparked heavy protests from the Hispanic residents of Sunland Park, who objected to a barrier dividing two fairly homogeneous communities with strong ties. More physical barriers are likely in the next couple of years. A proposed five mile-long fence in the Santa Teresa area has not generated the same level of controversy. The new fence would be built largely outside city limits and away from residential areas. It is considered an essential precautionary measure in anticipation of a highway along the border from the industrial *Ciudad Juarez* to the Mexican *San Jeronimo* port-of-entry. The highway is expected to be followed quickly by development and urbanization, and increased immigration activity. If built as planned, the area fence would be the second and longest heavy barrier along the state's border with Mexico.⁴⁹

Costs of Illegal Immigration for Law Enforcement, Criminal Justice and Emergency Medical Services

The estimated total cost to Doña Ana County of providing law enforcement, criminal justice and emergency medical services to illegal immigrants is \$3,573,415. This includes \$848,821 of direct general fund impact, \$1,746,696 of expenses in other funds, and \$977,897 of indirect general

government costs.⁵⁰ As shown in table NM6, the total estimate represents a cost of almost \$21 per person for residents of Doña Ana County.

Table NM6: Costs to Doña Ana County

Total Estimated Impact	Per Capita Impact
\$ 3,573,415	\$ 20.98

Workload burden and cost studies were conducted on the county departments of sheriff, detention, and health programs. Costs were also estimated for emergency medical services and judicial services. Site visits were conducted in May and June 2000, and follow-up phone calls and e-mails were made throughout the summer and fall. Various records from the affected departments, in addition to those from the county budget and assessor's offices, were examined to help generate these estimates. Table NM7 presents cost estimates for each of the county criminal justice and emergency medical departments and functions, after which an explanation is provided for the workload and cost estimates for each department or function.

Table NM7: Doña Ana County Costs by Department
County Total: \$3,573,415

Sheriff	Adult Detention	Juvenile Detention	Judicial System	Emergency Medical	Indigent Health Care
\$1,281,501	\$982,419	\$12,933	\$61,588	\$30,472	\$909,655

Doña Ana County Sheriff

The sheriff's department is headed by an elected sheriff, who oversees the work of an undersheriff, five lieutenants, and two captains. An additional 73 sheriff's deputies conduct the work of the department, along with six canine teams, two metro-narcotics agents, 10 investigators, three corporals, and 15 sergeants. Support staff consists of 24 individuals fulfilling various secretarial, transcription, evidence handling, and record keeping roles. Two intelligence analysts and one secretary are assigned to the HIDTA program, and another 20 sheriff's deputies are directly funded by grants. Through the HIDTA program, three officers work with Customs at the port-of-entry, three deputies are assigned to the Drug Enforcement Agency task force, and four are assigned to a Metro Narcotics unit.

The sheriff department's law enforcement budget from the general fund totaled \$4,758,483. Separately budgeted in the general fund is the sheriff's support services at \$845,893; this includes not only administrative support (secretarial and custodial services), but also transportation and extradition of prisoners. Several specialized sheriff's department programs are also budgeted in the general fund, some of which are relevant (including Custom projects and DEA programs), but many of which were excluded for purposes of this research because they were funded entirely through grants.

The total estimated cost to the sheriff's department is \$1.28 million, including nearly \$434,000 in indirect general government expenditures. Given the size of the department and the range of programs and activities in which they are engaged, it is not surprising that a considerable range of impacts was reported for different sheriff's department activities and for workload within different areas of the county. An average impact on the general fund of 15 percent incorporates those ranges, except in the area of special programs, where a much lower impact (3 percent) has been experienced. Cost estimates based on these workload impact levels are presented in table NM8.

Table NM8: Doña Ana County Sheriff Impact

Division	Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
Law Enforcement	\$4,758,483	15%	\$713,772	\$365,356	\$1,079,128
Support and Administration	\$845,893	15%	\$126,884	\$64,948	\$191,832
Special Programs	\$232,416	3%	\$6,972	\$3,569	\$10,541
TOTAL	\$5,836,792	varies	\$847,628	\$433,873	\$1,281,501

Doña Ana County Adult Detention

The Doña Ana County Detention Center is a department directly responsible to the county manager. In addition to the Detention Facility Administrator, the administrative duties of the department are handled by an operations manager, several detention center supervisors, nurses, social workers, a medical director/physician, a programs manager, and a training coordinator. Support services are provided by records, payroll, and budget/purchasing/supply specialists, while the day-to-day detention functions are fulfilled by a staff of approximately 130 detention officers, six medical technicians, and three licensed practical nurses.

In 1996 Doña Ana County opened a two-story, 134,311 square foot, 562-bed detention center; in 1999 the facility added 312 beds in an expansion funded partially by a \$2 million grant from the U.S. Marshal's Office and in part in response to growing demand for space to detain undocumented persons and other federal detainees. The county received \$386,524 in SCAAP payments for FY 1999 to help reimburse the county for the costs of housing undocumented illegal aliens detailed locally by the state. According to one county official, this funding is rather "unpredictable."⁵¹ Despite steady workload increases each year, the reimbursements have fluctuated considerably; Doña Ana County received \$133,000 for FY 1996, \$158,000 for FY 1997 and its peak reimbursement of \$400,083 for FY 1998.⁵²

Operation of the Detention Center is also outside the general fund through the Detention Center Fund. The fund collects revenue totaling \$8,823,002 from various federal, state and local entities for care of prisoners, and provides additional services costing \$5,805,340 for adult detention. The Detention Center submitted 202 claims to Indigent Health Services, totaling \$139,772, of which

\$5,000 is attributed to illegal immigrants held in detention. Only \$9,000 is budgeted through the Inmate Welfare Fund for the care of prisoners; additional revenues for this function are provided through the Corrections Fees fund. Outside the Detention Center Fund, \$680,230 was expended for retirement of the Detention Center Bond. It is reasonable to include this in the estimates as the need for additional space is in part a function of the demand for services to house illegal immigrants.

Unlike other departments where the cost estimate was generated based on a percentage of workload, the Doña Ana County Detention Center was able to provide actual costs for services to illegal immigrants. The Detention Center held illegal immigrants for 14,255 prisoner days. The average cost for housing, food and supervision of inmates is \$60 per day, resulting in a cost to the county of \$855,300 for detention. Additional expenses, including medical services and administrative costs bring the total for detention center services to \$870,801. This was then used to determine a percentage of workload for the Detention Center operations, and that same workload percentage (15 percent) was applied to the other fund, thereby generating the more complete cost estimate of \$982,419 presented in table NM9. The SCAAP payment of \$386,524 covered roughly 40 percent of actual expenses associated with detention of illegal immigrants.

Table NM9: Doña Ana County Adult Detention Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$6,485,570	15%	\$972,836	\$9,583	\$982,419

Doña Ana County Juvenile Detention

Currently reporting to the Juvenile Detention Center manager is a staff of 16 detention officers. When 13 vacant positions in this department are filled, the Juvenile Center will be staffed by a contingent of close to 30 officers. As with the adult center, the county budgets for this activity through the Detention Center Fund. The impact of criminal illegal immigrants on the juvenile detention center is considerably less than the impact on adult detention. Unlike adult illegal immigrants apprehended by federal officials with small quantities of drugs, juveniles are not turned over to local officials to prosecute on state charges. Because juvenile justice is considered a responsibility of the state Children, Youth and Families Department and there are no families in New Mexico with which to reunite the juvenile offenders, juvenile illegal immigrants are generally held only for short periods of time pending transfer to federal officials for deportation. The impact on juvenile detention workload is estimated to be only 2 percent, resulting in a cost of less than \$13,000, as presented in table NM10.

Table NM10: Doña Ana County Juvenile Detention Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$479,153	2%	\$9,583	\$3,350	\$12,933

Dofia Ana County Judicial Services

Dofia Ana County is home to state, county and municipal courts. Located in the City of Las Cruces are the state's Third District Court, as well as the county's Magistrate and Probate Courts and the city's Municipal Court. Additional Magistrate Courts are housed in Anthony and Hatch, and Hatch also has a Municipal Court. The state's Third Judicial District, which corresponds with the boundaries Dofia Ana County, is served by six judges and a court clerk.

The three Magistrate courts in Dofia Ana County handle primarily criminal cases (between 88 percent and 99 percent depending on the location) rather than civil matters, although the overwhelming majority of criminal cases are traffic cases or misdemeanors. These courts are able to clear only 15 percent to 37 percent of the cases on their dockets, resulting in an ever-increasing backlog. Within the Third Judicial District Court, approximately 70 percent of cases are civil, 20 percent are criminal, and roughly 10 percent are criminal cases involving juveniles. Among the adult criminal cases, almost all are felony offenses and the largest number involves felony crimes against property, followed by felony drug offenses, felony crimes against persons, and felony DWI/DUI. Only 62 percent of cases on the docket of the District Court were closed by year end, contributing to a growing number of pending cases held over for each successive year.⁵³

As explained earlier, the county's role in providing judicial services within the State of New Mexico is quite limited. The judges, court clerks, district attorneys, public defenders, and probation and parole officers are all employees of the state. For those cases involving undocumented persons that are processed through the state District Courts, which constitutes roughly 10 percent of their workload, the county's fiscal burden is limited to the expenses associated with providing the office and courtroom space, as well as utilities and general maintenance for the court to operate.

For purposes of calculating the impact of undocumented persons, only expenditures earmarked for the Judicial Complex are included as part of the direct impact. Other expenses associated with electricity, water usage, heating and cooling, telephone service, and building maintenance and repairs, that are part of the General Services Department budget, are encompassed in the general government or indirect measures. Outside the general fund, construction of the judicial complex was funded through a bond that is costing the county approximately \$600,000 per year; this is included because a proportion of the backlog that necessitated the construction of a new facility is attributable to illegal immigrants, and the burden is being applied to county residents.⁵⁴

Because of the growing backlog of cases in both Magistrate and District Courts, the number of cases tried per year is minimal; most are either dismissed before trial or settled through a plea agreement before trial. Thus, the burden on the courts for handling cases involving illegal immigrants in the custody of the county is less than that incurred by either the Sheriff or the Detention Center, roughly 10 percent. The total cost impact to Dofia Ana County judicial services function is estimated to be \$61,588 as shown in table NM11.

Table NM11: Doña Ana County Judicial Services Impact

Category	Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund	\$11,926	10%	\$1,193	\$610	\$1,803
Special Funds	\$597,853	10%	\$59,785	n/a	\$59,785
Total	\$609,779		\$60,978	\$610	\$61,588

Doña Ana County Emergency Medical Services (EMS)

Various EMS funds are used for county disbursement of monies to 23 separate community EMS services. The two largest EMS services are provided through the private American Medical Response (AMR) and the Village of Hatch Ambulance. The county contracts with AMR for ambulance service on both a fee for service and contract subsidy basis. The county also subsidizes the Hatch Ambulance through a maximum reimbursement rate and deductions for unused portions. As with indigent health services described in the following section, officials in Doña Ana County estimate that 20 percent of the EMS transport and treatment is provided to illegal immigrants. The cost implications of this estimate are presented in table NM12.

Table NM12: Doña Ana County EMS Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$ 152,360	20%	\$ 30,472	\$0	\$30,472

Doña Ana County Indigent Health

The Doña Ana County Health Services Department operates with seven full-time staff members and two student interns. The department consists of a director, a deputy indigent health claims administrator, three eligibility review specialists, a billing clerk, a secretary, a facilitator/planner and student interns. The two primary operations of the department are screening hospital referred patients to determine indigence eligibility and to process "claims" submitted by the hospital, contract providers, the detention center, and other health-related vendors. On a yearly basis, the department processes approximately 4,200 patients and 25,000 claims, and up to 3,000 to 3,500 claims per month.

The Health Programs Office oversees the county's Indigent Health Services programs and provides financial assistance to patients who have been seen at not-for-profit hospitals or clinics or who have been transported by an ambulance carrier. The Health Programs Office also provides inmate medical services. Eligibility for indigent claims requires proof of residency and imposes a 90-day residency requirement; however, there is one loophole that allows many undocumented persons to qualify: residency is based on household rather than individual status. Burials for unclaimed bodies, whether homeless, indigent or illegal persons, are supported by this office.

One of the major health care issues facing Doña Ana County is the number of uninsured and under-insured persons residing in the county and/or claiming eligibility for benefits in the county. This problem is not unique to the county, but it is compounded by the rapid population growth the border region is experiencing. Using the county's indigent eligibility income criteria, which is based on the state's median income, theoretically, half of the county's population qualifies for assistance. The geographical location at the U.S.-Mexico border presents health care providers and county government with additional challenges that non-border counties do not face, including a large number undocumented women who deliver their babies in the county.

The office expended \$5,222,752, which included \$2,142,000 for Indigent Health Care (IHC) and \$3,080,752 for the Health Services Fund (HSF). Both components were substantially impacted by illegal immigrants. The IHC component includes payments for services received by individuals who are unable to pay themselves, and the HSF pays for ambulance, burials, and medical screening of sheriff's officers and detention center employees. Doña Ana County dedicates the second and third 1/8^{ths} of the gross receipts tax to financing indigent health care. The available funds have modestly increased while the costs for indigent care have risen dramatically.⁵⁵ Although financed through gross receipts taxes, the department's functions are funded outside of the general fund, in the health services fund and the indigent claims department fund. Officials estimate that 20 percent of their resources are used to provide services to undocumented illegal immigrants, including those in detention. Cost implications of this workload estimate are presented in table NM13.

Table NM13: Doña Ana County Indigent Health Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$3,370,099	20%	\$ 674,020	\$235,635	\$909,655

LUNA COUNTY, NEW MEXICO

Luna County lies in the southwest part of New Mexico. Mexico borders it on the south, Doña Ana County on the east, Sierra and Grant Counties on the north, and Grant and Hidalgo Counties on the west. The county encompasses an area of 2,965 square miles⁵⁶ and shares close to 70 miles of border with Mexico. Deming, the county seat, is located approximately midway across the county, east to west, and along Interstate-10. Deming is approximately 100 miles northwest of El Paso 80 miles east of the Arizona state line, and 35 miles north of the Mexico border. Columbus, the only other incorporated area in the county, lies just three miles north of *Palomas*, Mexico, and about 30 miles south of Deming on State Highway 11. Luna County is governed by a three-member elected county commission. Day-to-day administration is provided by an appointed county manager. The county's general fund budget was \$5.1 million; the total budget was \$11 million.

Luna County's 1999 population, estimated to be 24,360, represented an increase of more than 35 percent since 1990,⁵⁷ the fourth fastest growing county on the U.S.-Mexico border.⁵⁸ More than 60 percent of the county's population resides in the county seat of Deming (1999 population of 14,923), while only 4 percent (964 individuals) live in the border village of Columbus.⁵⁹ Luna County's population growth has occurred mostly outside the county seat. Between 1990 and 1999 the City of Deming's population experienced a 28 percent increase, while the Village of Columbus saw its population increase 44 percent. The unincorporated areas of the county grew 47 percent.⁶⁰ Luna County cannot help but be affected by population trends in neighboring counties. Grant and Hidalgo Counties have experienced consistent out-migration since the 1980s as a result of reduced productivity in the copper mining industry. These two counties are expected to continue to experience population decreases into the next century. Meanwhile, Doña Ana County dominates the southwest region because of the number of employment opportunities and its status as a major education center. Slightly less than half (48.7 percent) of Luna County residents are Hispanic, while only 2 percent are Black and less than 1 percent are American Indian.⁶¹

Based on variety of indicators, Luna County is one of the poorest counties in one of the poorest states. The county's 1997 per capita income of \$12,353 ranked 30th among the state's 33 counties, and represented 64 percent of the state average of \$19,298 and 49 percent of the national average of \$25,288. More than 32 percent of the population lives below poverty level and the county has a staggering 24 percent unemployment rate. Total property valuation in the county was \$189,278,448.⁶² Gross receipts taxes disbursed to Luna County by the state amounted to \$872,580.⁶³

Luna County's general fund was \$5.1 million and total budget was \$11 million. The county property tax rate was \$1.60 per \$100 of assessed valuation. The county spent \$2,440,381 on law enforcement and criminal justice from the general fund, and \$3,598,119 from all funds. Luna County is governed by a three-member board of commissioners. Commissioner Dennis Armijo represents New Mexico border counties on the U.S./Mexico Border Counties Coalition executive committee. The county also elects a sheriff, treasurer, assessor, and county clerk.

Luna County is the center of vast grazing lands in southwestern New Mexico. The federal government owns 42 percent of all lands in the county, most of which are controlled by the Bureau of Land Management; the state owns 534,951 acres or (29 percent, and less than 1 percent (10,670 acres) is Indian lands.⁶⁴ Farming and ranching are important historical and current influences in the

county. Government employment, retail trade and services are the largest nonagricultural employers.

Luna County's Border Environment

Luna County shares approximately 67 miles of border with Mexico. The fastest growing area in the county--the Village of Columbus---is the location of one of New Mexico's three ports-of-entry. The Columbus port-of-entry, which links to *Palomas*, Mexico, is the oldest and busiest port in the state and the only one in operation 24 hours per day. The nearest Mexican municipality of any size is *Asension*, population 21,866, which is roughly 50 kilometers from the border. There are no large urban areas near either side of the border, but open spaces contribute to ease of crossing.

The Columbus port experiences the most activity of any port in the state, and recent expansions have been in direct response to growth of commercial and noncommercial traffic. In 1997, the Department of Transportation reported that there were 2,305 trucks entering the United States through the Columbus port, 119,418 pedestrians, and 490,706 passengers in personal vehicles. The Border Patrol's Deming office, which controls the area around Columbus, registered record apprehensions of 3,258 in March 1998, a one month total close to the 3,587 apprehensions in all of 1997. In 1999, the INS reported 1,607,420 crossings, and the Border Patrol made 23,667 apprehensions. Statistics on the apprehension of illegal aliens indicate that the Deming sector has become New Mexico's most frequently used crossing point for illegal entry along New Mexico's border.⁶⁵ Luna County, which is home to only 12 percent of the state's border population, experienced 88 percent of INS border crossings and 48 percent of Border Patrol apprehensions during the period covered by this study. The Columbus-to-Deming corridor, which has become one of the most heavily used routes by undocumented immigrants and smugglers entering New Mexico, is using recently-installed surveillance cameras and an improved border road to address these security concerns. Summary border statistics are presented in table NM15.

Table NM15: Luna County Border Statistics

Population	Square Miles	Border Length	Ports-of-Entry	INS Crossings	Border Patrol Apprehensions
24,360	2,965	67	1	1,607,420	23,667

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

Costs of Illegal Immigration for Law Enforcement, Criminal Justice and Emergency Medical Services

The total cost to Luna County of providing law enforcement, criminal justice and emergency medical services to illegal immigrants was estimated to be \$943,476. This includes \$427,302 of direct general fund impact, \$340,220 of expenses in other funds, and \$175,954 of indirect general government costs.⁶⁶ As shown in table NM16, the per capita impact approached the \$40 mark.

Table NM16: Summary of Impact on Luna County

Estimated Total Impact	Per Capita Impact
\$943,476	\$38.73

Workload burden and cost studies were conducted on the county departments of sheriff and detention, as well as city and village departments and private entities with whom the county contracts for emergency medical and health care services. Site visits were conducted in March and April, and follow-up phone calls were made in the subsequent months. Various records provided by county officials were examined to generate the estimates presented in table NM17; a description of the particular burdens incurred by each department is presented in subsequent sections.

Table NM17: Luna County Costs by Department
County Total: \$943,476

Sheriff	Adult Detention	Juvenile Detention	Judicial System	Emergency Medical	Indigent Health Care
\$193,331	\$675,248	\$15,996	\$2,478	\$37,813	\$18,610

Luna County Sheriff

Law enforcement services for the county are provided by the Sheriff's Department, which is headed by an elected sheriff and is staffed by 26 employees. Luna County has experienced recent reductions in incidents of homicide, rape, burglary, and arson, and increases in assaults, burglaries, larcenies and vehicle thefts. Despite the recent trends, crime is expected to increase as the population of the county grows.

Luna County participates in the HIDTA initiative; HIDTA resources assist with law enforcement and investigations, and the District Attorney's prosecution efforts, but the funds cannot be used for detention, where they are most needed. One detective in the sheriff's department is paid for by a HIDTA grant and is designated to work with the drug task force; the county receives no other HIDTA monies.

Sheriff's department officials report that the largest number of cases involving undocumented persons are narcotics offenses for which the offenders are apprehended at or near the port-of-entry. At the port-of-entry, Mexican nationals with or without a visa, who are apprehended for violation of a law, are considered illegal aliens, subject to deportation. The federal officials who apprehend these individuals generally contact the U.S. Attorney for a decision on how to proceed. The U.S. Attorney generally declines to prosecute those caught with less than the threshold quantity of drugs 100 pounds. Federal government officials then call the sheriff and turn over the suspect, and any accompanying vehicle or other evidence. The suspect is then arraigned at the local Magistrate Court, where the bond is generally set so high that the individual is unable to make the bond, so they

are sent to the detention center to await prosecution. In addition to apprehensions stemming from inspections conducted at the Columbus port-of-entry, illegal immigrants are also funneled to the local law enforcement and criminal justice system when apprehended at the Border Patrol Check Points. In these cases a similar process is followed to transfer custody of the accused from federal to local officials.

When the sheriff or state police, as part of a routine traffic stop or other call, identifies offending parties as illegal or undocumented immigrants, the Border Patrol and the U.S. Attorney are contacted immediately. The process is generally left in the hands of local authorities unless the volume of drugs is so large to warrant federal charges. Local officials report that they feel compelled to accept and pursue these cases, even though they have a legal right to decline, because they do not want to jeopardize the HIDTA resources directed to law enforcement and prosecution. Despite popular perceptions of illegal immigrants as criminals, county officials report that they generally keep a very low profile and are rarely involved in criminal activity. After narcotics offenses, illegal immigrants processed by the sheriff's department have most frequently been involved in either domestic disputes or burglary.

The sheriff's involvement in cases passed down from the federal government includes transportation to county detention and detectives' time to conduct investigations. When illegal immigrants have served their time and are deported, a court order will generally be issued to compel the sheriff to transport the individual back to the border port-of-entry and turn over custody to the INS. Officers report that the apprehension, investigation and processing of illegal aliens takes up a roughly 10 percent of their time. The cost implications of that estimate are presented in table NM18.

Table NM18: Luna County Sheriff Impact

General Fund	Percent Impact	Direct Cost	Indirect Cost	Total Cost
\$1,369,412	10%	\$136,941	\$56,390	\$193,331

Luna County Adult Detention

The Luna County Detention Center is a holding facility for individuals who are arrested by local, state, and federal law enforcement agencies. People may be held in the detention center for a period of 12 hours to 365 days. The county recently completed construction and began operation of a new \$3.3 million multi-purpose detention center that holds men and women, adults and juveniles in segregated areas. The county's old facility was built to house 52 prisoners, and held an average of 70 and up to 120 with added beds and some detainees sleeping on the floors; this facility is now used to house U.S. Marshal's prisoners on a contract basis. The new facility has beds for 122 adults and 22 juveniles. A satellite airport facility can hold 14 adults or seven juveniles, and is generally used when prisoners need to be isolated.

Detention costs in Luna County have tripled in the past few years, yet resources have become scarcer. In particular, SCAAP payments have not kept pace with the increased number of illegal

immigrants detained by the county. As the county has experienced increases in the number of illegal immigrants detained, they have faced dwindling SCAAP payments as the competition for these funds has become fiercer. Luna County received only \$8,000 through SCAAP, representing approximately 2 percent of actual costs, down from a peak of \$37,000 in 1997.

The Detention Center housed an average of 88 prisoners per day for a total of 22,000 "inmate days." On average, 35 percent of the adult detainees are U.S. Marshals prisoners, for which the county receives a subsidy of \$47.69 per day. Of the remaining 65 percent of the detainees, 35 percent are illegal immigrants held on drug smuggling charges, and another 12 percent are illegal immigrants detained for other offenses. Excluding the U.S. Marshal prisoners, 73 illegal immigrants were held during the year for a total of 4,500 man-days, representing more than 20 percent of the department's workload. These individuals were held from as little as four days to as much as eight months, with an average length of detention of 60 days. Detention for illegal immigrants awaiting prosecution may last from 30 days to one year, depending on how quickly they are willing to plea. In some cases, criminal illegal immigrants are detained for an extended period and then plea to a disposition with a sentence for time served; they are turned over the federal officials for deportation. The illegal aliens detained in Luna County were held primarily on drug offenses. The cost of housing and feeding an adult prisoner in the Luna County Detention Facility is \$52 per day, not including administrative expenses or medical treatment. The Detention Center also incurs costs associated with the transport of detainees and other administrative expenses that bring the burden closer to 39 percent for both the general fund and the corrections fee fund that is used in part to fund the detention center. Non-emergency transport from the hospital back to the border is generally provided by the Detention Center staff as they have the vehicles and the staff to provide that service at a less costly rate than the ambulances. County officials are particularly concerned that the Detention facilities bear a large portion of the burden and yet are ineligible for some of the existing federal resources, such as HIDTA funds. Table NM19 illustrates the heavy burden incurred by Luna County in the provision of adult detention services to illegal immigrants.

Table NM19: Luna County Adult Detention Impact

Category	Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund	\$713,163	39%	\$275,000	\$113,239	\$388,239
Special Fund	\$735,921	39%	\$287,009	N/a	\$287,009
Total	\$1,449,084		\$562,009	\$113,239	\$675,248

Luna County Juvenile Detention

The impact of illegal immigrants on juvenile detention is minimal. Luna County houses one juvenile illegal immigrant every two to three months for an overnight stay before transporting him to Las Cruces. These individuals are generally picked up at the port-of-entry and billed through the Adult Detention Center, although they are separated here for the purposes of this report. The Juvenile Detention Center has a capacity of 32 and averages 18 juvenile inmates at any point in time. The

Center housed 80 individuals for 6,570 “kid-days.” Three times during the year juvenile undocumented immigrants were held at the Detention Center for approximately three weeks each. At a cost of housing a juvenile of \$85 per day, the direct cost to the county for this service was \$5,355, representing approximately 2 percent of the general fund. This same workload estimate was then applied to the other fund to generate the cost estimates presented in table NM20. Most juvenile illegal immigrant offenders are not detained, but are released and escorted back to the port-of-entry. As a result of the disparity between adult and juvenile penalties, drug smugglers are increasingly utilizing the services of juveniles in their trade, particularly along the border with New Mexico. County officials report that the state and its lead agency— the Department of Children, Youth and Families— is not prepared to handle the expected increase in juvenile undocumented offenders.

Table NM20: Luna County Juvenile Detention Impact

Category	Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund	\$340,252	2%	\$5,355	\$2,205	\$7,560
Special Fund	\$421,817	2%	\$8,436	n/a	\$8,436
Total	\$762,069		\$13,791	\$2,205	\$15,996

Luna County Judicial Services

The Sixth Judicial District Court for the State of New Mexico serves Grant, Hidalgo and Luna Counties. The two district judges have their principle offices in Silver City (Grant County) and Deming (Luna County); each location also has a court clerk. The District Court administrator and one additional clerk are housed in Lordsburg (Hidalgo County). Luna County’s Magistrate and Probate courts as well as Deming’s municipal court are located in Deming. An additional municipal court is located in Columbus. The Magistrate Court in Luna County had 6,700 cases on its docket, of which 91 percent were criminal, and only 38 percent (2,569 cases) were closed by year end. The criminal cases handled by the Magistrate Court were primarily involving traffic offenses. The District Court had a slightly lower caseload (4,694) and a higher closing rate (53 percent), resulting in approximately the same number of closed cases (2,496) for the three-county region within its jurisdiction. Although 70 percent of cases handled by the District Court were civil matters, among the criminal cases, the most common offense was felony drug offense.⁶⁷

Luna County is responsible only to provide space for the court and pay for utilities and other building maintenance. As a result the increasing burden incurred by the state for the time spent by district attorneys, public defenders and district judges on cases involving illegal immigrants, is not directly passed on to the county. The increasing burden on the 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. Court officials estimate that 10 percent of their time is devoted cases involving criminal illegal immigrants originating in Luna County.

Table NM21: Luna County Judicial Services Impact

General Fund	Percent Impact	Direct Cost	Indirect Cost	Total Cost
\$17,554	10%	\$1,755	\$723	\$2,478

Luna County Emergency Medical Services

Luna County relies on contracts with its two incorporated jurisdictions for provision of emergency medical services and ambulance transportation. Within the City of Deming and outlying county areas to the north, the Deming Fire Department provides services. The county is then billed for services outside the city limits. The county also provides an annual appropriation to the Village of Columbus Fire and Emergency Services Department for services in the southern part of the county and the border region. In addition to general fund expenditures for these activities, the county uses a one-quarter percent gross receipts tax for an ambulance fund.

The Deming Fire Department provides EMS and emergency transport services in all areas of the county not serviced by the Columbus Fire and Ambulance Services, in part through the cooperation with a variety of volunteer fire departments throughout the county. They report an ever increasing number of undocumented persons, some of whom the Border Patrol will pay for and many others who are not paid for by the federal government and who do not pay themselves. In 1999, the Fire Department answered a total of 2,088 calls, of which 85 percent or 1,818 calls were EMS responses. At these calls, the department provided 8,243 treatments to 1,666 patients. Inter-facility transfers account for 21 percent of all EMS calls, and 42 percent of the total time spent on EMS calls. Of these 1,818 EMS calls, 1,398 were emergency calls, and 420 were routine calls. Transfers from either hospital to hospital or hospital to airport accounted for 388 calls. Roughly 30 percent of all emergency and routine calls were in the county (outside the Deming city limits). Transport costs range from \$160 to the airport, \$600 to Las Cruces in neighboring Doña Ana County, or \$900 to El Paso for the most severe injuries or illnesses. The Deming Fire Department bills the county on a quarterly basis in accordance with a Joint Powers Agreement. Of the total 451 calls representing 539 response hours that answered by the department for EMS, 121 calls and 133 response hours were billed to the county; 50 of these calls were for illegal non-residents.

Luna County also contracts with the Columbus Volunteer Fire Department and Ambulance Service for service outside the village. The Fire Department and EMS Service receive separate funding from the county, and only the EMS (Ambulance) portion is considered for the purposes of these estimates. The ambulance is three miles from the port-of-entry and 32 miles from the Mimbres Memorial Hospital in Deming. The village ambulance service is regularly called to the Columbus port-of-entry to treat and/or transport an injured or ill patient/suspect. It is also called in when individuals are apprehended after crossing illegally if injury or illness warrants emergency medical services. In one case a woman with a history of hypertension was crossing the desert with her family and over-medicated herself. Heat-related emergencies that lead to heart attacks and unconsciousness among illegal immigrants crossing in the barren desert areas have caused two deaths in the past two years. Motor vehicle accidents are also not uncommon; one in Luna County in January 2000 involved eight illegal immigrants in a single accident.

Ambulance officials emphasize that they are not allowed to ask patients about citizenship, but the Columbus Ambulance does maintain detailed records of two proxy measures: 1) where the call originated and 2) the residence of the patient. Call origination is based on zones that include: a) the port-of-entry, b) the Village of Columbus, c) other areas of Luna County, and d) elsewhere in New Mexico or the United States. Patient residence is categorized as: a) the Village of Columbus, b) elsewhere in Luna County, c) outside of Luna County and within New Mexico, d) outside of New Mexico and within the United States, d) Mexico or e) other foreign country.

Calls to the port-of-entry come from a federal official at the port. Although some calls to provide services to individuals residing outside the United States are for patients in critical need of emergency medical service, in other cases medical necessity for emergent transport is less certain. Current state regulations mandate that all patients requesting transport be transported. A large majority of billings sent to patients residing outside the United States has been returned as unclaimed or undeliverable. As a result, collections from these patients are at a minimum. Indigent funds are only available to cover the costs of services to eligible Luna County residents. Growth in population in Columbus' sister city of *Palomas*, Mexico and the lack of adequate health care facilities in Mexico, contribute to an increasing number of calls to serve illegal or undocumented immigrants.

The number of calls originating at the port-of-entry has risen from 36 percent of all calls in 1998 to 56 percent in 1999. In 1999 the Columbus Volunteer Fire Department/ Ambulance Service responded to 264 calls, of which 147 (56 percent) were at the port-of-entry, and 138 (52 percent) were for patients residing outside of the United States. Services were billed at the amount of \$118,420, of which \$91,872 (76 percent) was an uncollected write off, and \$69,351 (59 percent of the total) was for treatment of non-U.S. resident patients. In 1999 a total of \$76,401 in charges were for the emergency medical treatment and transport of individuals from Mexico, up from \$48,414 in 1998. In the first eight months of 2000, the total had already reached \$67,730, indicating a yearly total that could reach \$101,595.

Billing for services for residents of Mexico are most often returned as undeliverable and go unpaid. Medicaid and Medicare frequently deny transportation costs as not medically necessary. The department can and does bill the patients, but they are not likely to pay. To complicate matters, if Medicare or Medicaid pays even the smallest portion of the bill, the department is prohibited from billing the patient for the remainder. The department operates on a shoestring budget, and the inability to collect fees from the individuals served exacerbates the problem. In 1998, the department actually ran out of money to put gas in the ambulance, and the firefighters contributed more than \$1,000 out of their own pockets to keep the ambulance in service. There is only one paid staff member who maintains the records as well as work on the ambulance to provide emergency medical services; her annual salary is paid by the county.

Because of the disparities in workload estimates for the city and village, cost estimates are generated separately where feasible. An average workload multiplier was applied to the ambulance fund that provides resources for services provided by both entities. Table NM22 presents the itemized and total estimates for this function; Luna County paid roughly \$38,000 to provide emergency medical services to illegal immigrants.

Table NM22: Luna County EMS Impact

Category	Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund - City Contract	\$13,451	20%	\$2,690	\$1,108	\$3,798
General Fund - Village Contract	\$11,000	50%	\$5,500	\$2,265	\$7,765
Special Fund	\$75,000	35%	\$26,250	n/a	\$26,250
Total	\$99,451		\$34,440	\$3,373	\$ 37,813

Luna County Indigent Health Care

Mimbres Memorial Hospital is a private facility located in Deming, but county indigent funds are used to pay for services of those who meet eligibility requirements, including some illegal immigrants. Those housed in county detention and in need of medical services may be covered by the indigent fund if their detention keeps them in the county long enough to meet the 90-day residency requirement. This band-aid approach has worked so far, but county officials are quick to point out that a single case of tuberculosis in the Detention Center could break the bank of the indigent fund.⁶⁸ Some indigent services, including indigent burials, are budgeted through the county's general fund. The remaining services are budgeted through the county's indigent fund which is based on the second 1/8th of the gross receipts tax and is treated as a separate fund.⁶⁹ A total of 240 persons received services paid for by the county indigent fund (CIF), including ambulance, hospital, and other services. Five percent of services are estimated to be for services to illegal immigrants, resulting in a total cost to the county of \$18,160, as shown in table NM23.

Table NM23: Luna County Indigent Health Care Impact

Category	Total Budget	Percent Impact	Direct Cost	Indirect Cost	Total Cost
Indigent Burials	\$1,200	5%	\$60	\$25	\$85
Indigent Health Care	\$370,490	5%	\$18,525	N/a	\$18,525
Total	\$371,690		\$18,585	\$25	\$ 18,610

HIDALGO COUNTY, NEW MEXICO

Hidalgo County is located in the southwestern corner of New Mexico. This 3,447 square mile area⁷⁰ is bordered by Grant County to the east and north, Arizona to the west, and Mexico to the east and south. Hidalgo County is considerably longer (north to south) than it is wide (east to west), and a portion of the county extends south below the level of any of the other border counties in New Mexico. As such, it shares both its entire southern border and more than a third of its eastern border with Mexico. At the northeastern-most point along the Mexican border, Hidalgo County also shares a small portion of its border with Luna County. The only major highway through the county is Interstate-10, which runs east to west through the county seat of Lordsburg. Historically, Hidalgo County has been a center of vast ranching, farming and mining interests. New Mexico's share of the Coronado National Forest lies entirely within Hidalgo County. Hidalgo County is not part of a metropolitan area. Its 1999 population of 6,027 ranked it 27th among the state's 33 counties.⁷¹ Since the 1999 closing of the Phelps-Dodge copper smelter in the Hidalgo County community of Playas, the population of the county and its tax base have declined dramatically.

The two incorporated areas in Hidalgo County are the City of Lordsburg (population 2,921) and the Village of Virden (population 106),⁷² both of which are located in the northern region of the county. The rest of the county consists of smaller, unincorporated communities such as Animas, Playas, Road Forks, and Rodeo. Although the Census Bureau reports that the county experienced a 1 percent growth in population between 1990 and 1999, the county as a whole and both of the incorporated areas experienced population declines of 5 percent to 6 percent between 1996 and 1999,⁷³ and more dramatic declines are expected when the 2000 Census results are reported. Land ownership in the county is distributed as follows: 882,679 acres (40 percent) are owned by the federal government (of which 805,459 are controlled by the Bureau of Land Management and 77,220 are overseen by the Forest Service); 354,431 acres (16 percent) are state lands; 11,000 acres (0.5 percent) are Indian lands, and 957,970 acres (43 percent) are deeded lands.⁷⁴

County governance consists of three elected county commissioners and an appointed county manager. The sheriff, treasurer, assessor and county clerk are also elected. The general fund budget was \$2.8 million and the county's total budget was \$3.8 million. Total assessed valuation in the county was \$95,982,972.⁷⁵ The county property tax rate was 68 cents per \$100 of assessed valuation. Property taxes generated \$786,190 in revenue for the general fund; an additional \$47,969 was owed in delinquent taxes. The second largest revenue source for the general fund was the oil and gas ad valorem tax for copper production, which generated \$391,118. Gross receipts taxes distributed to Hidalgo County by the state amounted to \$195,047.⁷⁶ General fund expenditures for law enforcement and criminal justice amounted to \$1,339,136 and \$1,416,036 from all funds.

Until 1999 the largest industries in the county were durable goods manufacturing, state and local government, and farming. In 1999 the Phelps Dodge copper production taxable value was \$33 million, down from \$41 million in 1998, but still generating \$668,000 in tax revenue for Hidalgo County.⁷⁷ Forty percent of the tax base in Hidalgo County came from Phelps Dodge and its employees.⁷⁸ Since the plant closure, the major employers are the City of Lordsburg, the county, and the U.S. Border Patrol. When the third largest employer in the county employs approximately 40 people, it is clear that the economy is in dire straights. Notably, the plant closure has not resulted in dramatic increases in unemployment rates but, instead, has led to a massive out-migration of the

population. The closing of the Phelps Dodge smelter has left the town of Playas a virtual ghost town.

In 1999 the county's population was estimated to be 6,027,⁷⁹ although most local officials report a decrease of several hundred since the plant closure. An overwhelming percent of the population in Hidalgo County is White (92 percent), although more than 50 percent identify as being of Hispanic origin. In 1997 Hidalgo County had a per capita personal income of \$17,015. This ranked 11th in the state and was 88 percent of the state average of \$19,298 and 67 percent of the national average of \$25,288. The 1997 per capita personal income reflected an increase of 2 percent from the previous year, compared to a statewide increase of 3.6 percent and a national change of 4.7 percent during the same period. Approximately 20 percent of the population lives below the poverty level. Not surprisingly, local officials report that income levels have declined and poverty levels have risen since the loss of the county's major employer.

Hidalgo County's Border Environment

Approximately 86 miles of border are shared with Mexico on two sides of the county. The border extends for the entire southern boundary of the county as well as the eastern boundary below the level of other border counties in the state. The border region of Hidalgo County is home to very few residents. Lordsburg, which is approximately 80 miles from the border, is home to approximately half of all county residents (and a larger percentage since the plant closing), and most of the other population centers, albeit each rather small, are also in the northern part of the county. There are no towns in Mexico along Hidalgo County's border; the nearest border community is *Agua Prieta*, which lies below Cochise County, Arizona; the nearest Mexican municipality is *Janks* (population 10,225), more than 70 kilometers from the Antelope Wells port.

The Antelope Wells port-of-entry is the only port in the county. Located approximately mid-way across the county's southern border, it is a commercial inspection station open only from 8:00 a.m. to 4:00 p.m. The INS reports no legal border crossings through the port in Hidalgo County. The Border Patrol, which is stationed in Lordsburg, uses sensors throughout the region; however, it presently does not use cameras in Hidalgo County as it does in neighboring Luna County. In 1999 the Border Patrol apprehended 5,587 illegal immigrants in Hidalgo County. Summary border statistics are presented in table NM24.

Table NM24: Hidalgo County Border Statistics

Population	Square miles	Border Length	Ports-of-Entry	INS Border Crossings	Border Patrol Apprehensions
6,027	3,447	86	1	0	5,587

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

The county's border region consists of vast areas of sparsely populated terrain, accessed by dirt roads. The area consists of both public lands and large private ranches. The ranches are dotted with wells for livestock which serve as designated meeting places and drop-points in the drug and person smuggling trades. The rural nature of the border region in Hidalgo County makes it an appealing

location for smuggling operations. The drug cartels are also well informed; they are aware of the drastic budget cuts in Hidalgo County and realize the opportunity to act while the county's ability to respond is reduced. In February 1998 the Border Patrol stopped a 24-foot rental truck near Lordsburg and found it crammed with 124 illegal immigrants. Early in 2000, U.S. Border Patrol agents apprehended 188 illegal immigrants in Lordsburg.⁸⁰

Local officials acknowledge that Hidalgo County is not the intended final destination of drugs smuggled across state or national boundaries. Other than small personal use quantities, most drugs are simply passing through Hidalgo County on their way to major metropolitan areas. Given the poor state of the economy, it is also not a popular final destination for illegal immigrants. Although people and drugs intend simply to pass through, the burden on Hidalgo County officials and the county's budget is no less severe.

Costs of Illegal Immigration for Law Enforcement, Criminal Justice and Emergency Medical Services

There are noticeable differences between Hidalgo County and other border counties in New Mexico that affect the cost estimates generated for this report. The considerably greater distance of the county's population center from the border makes responding to law enforcement or emergency medical incidents in the border region more resource-intensive. The relative inactivity at the port-of-entry is misleading; a closer examination of the workload of county departments reveals a heavy burden. The lack of any health care system to speak of in Hidalgo County makes it an unattractive destination for illegal immigrants seeking health services, and the lack of employment opportunities also discourages illegal immigrants from migrating in the county. But the largely unpopulated vast terrain of the border region, and the well-publicized reductions in county spending for all activities, including law enforcement, make the county an appealing site for drug smuggling operations. As a result, the quantities of drugs with which people are apprehended is generally larger in Hidalgo County than either Luna or Doña Ana Counties. The total cost of providing criminal justice and emergency medical services to illegal immigrants in Hidalgo County is estimated to be just under a half-million dollars (see table NM25). While total cost is far less than that of the other border counties in the state, the per capita impact of \$81 is a more telling indicator of the incredible burden placed on the county.

Table NM25: Summary of Impact on Hidalgo County

Total Impact	Per Capita Impact
\$485,049	\$80.73

Workload and cost estimates were developed for the sheriff's department, including detention and dispatch, as well as the ambulance function and indigent health services. Hidalgo County, unlike the other two border counties in the state, does not operate a juvenile detention facility, and thus that function is not reported. Additionally, no separate itemization of costs for judicial services is provided due to minimal costs to the county and the inability to separate expenses from other budget items.⁸¹ Documents were collected in October and November, and site visits and follow-up

phone calls were conducted in December 2000. Cost estimates for the individual departments and functions are presented in table NM26 and discussed in greater detail in the narratives and tables that follow.

Table NM26: Hidalgo County Costs by Department
County Total: \$485,049

Sheriff (including Adult Detention)	Emergency Medical	Indigent Health Care
\$461,850	\$18,192	\$5,008

Hidalgo County Sheriff and Detention

The Hidalgo County Sheriff's Department consists of an elected sheriff, one undersheriff, 10 patrol deputies, and one deputy on loan to the HIDTA task force based in Deming. The department also includes 10 detention officers (including a Detention Administrator) and one individual in charge of rural addressing. The sheriff's department also oversees the central dispatch for the county, which employs six full-time and one part-time dispatcher, and averages 600 calls per month for police, fire, medical, and animal control.

Hidalgo County operates with a shoestring budget, and more than one-half of the general fund (\$1,339,136) is budgeted for the sheriff's department. In addition to the general fund expenditures, several activities are financed through special funds, including Law Enforcement Protection (\$31,900), Jail/Detention/Rural Addressing (\$67,405), and several grants. The county received \$2,638 from SCAAP and the HIDTA grant provided \$28,954. Unlike Doña Ana and Luna Counties, in which the detention function is apart from the sheriff, Hidalgo County includes detention within the sheriff's department.

The most frequent crimes committed by illegal immigrants in Hidalgo County include narcotics offenses, stolen vehicles, burglary, DWI and domestic violence. Property offenses, such as stolen vehicles and burglary, are particularly noticeable during the harvest season. The drug traffic crossing through Hidalgo County leads to a higher incidence of residential crime, and thus almost all sheriff's department operations have a counter-drug component, and indirectly, most have an illegal immigrant component. Deputies were instructed to spend more time patrolling the border area in an effort to improve narcotics interdiction. Six separate drug loads for 1999 were seized, totaling 2,900 pounds of marijuana.⁸²

County law enforcement officials report that the amateur drug smugglers of years past have been replaced by professionals who are well-informed and well-equipped. They leave no wrappers of food, cigarette butts or gum along their trail, their tracks are dusted, and scouts pack in sometimes two weeks in advance. They have mobile radios, military night vision goggles, bulletproof vests, and weapons. Officials have even found empty boxes for AK47s in a wash. These professionals are able to listen in on law enforcement radio channels and they will regularly provide law enforcement officials with "gifts" of small drug/illegal apprehensions to distract officials while a larger quantity is smuggled in at another location. At the same time that drug smugglers have become more

proficient at their trade, Hidalgo County has experienced economic downturn and the law enforcement resources have diminished.

Hidalgo County participates in the Southwest New Mexico Task Force and representatives of the sheriff's department attend HIDTA meetings, but department officials expressed frustration at the lack of local control and the reactive approach of the task force. County officials know what they need to do to address their particular needs but they do not have adequate resources. They feel as if they are fighting a war with their hands tied behind their backs. Several officials used the analogy of the Vietnam War in which decisions were made by people too distant from the action, more interested in reporting statistics than achieving meaningful results. For example, most HIDTA funds are used for overtime for law enforcement officials to engage in roadblock saturation patrols; while this may be a reasonable strategy in some areas, it is not effective in Hidalgo County. Local officials also express frustration at the number of repeat illegal immigrant offenders they encounter. Sheriff's officials told of a recent call they received to break up a bar fight. Nine illegal immigrants were involved and apprehended. The incident required the attention of two deputies for more than two hours; the offenders were turned over to the Border Patrol and promptly deported. Unfortunately, sheriff's deputies report that the same individuals were back in the county the following week.

There is a perception among local law enforcement officials that there is a plethora of agencies involved in counter drug operations and containing the border. Each has its own agenda, and none seems to be focused on shutting down the U.S.-Mexico border. The perception is that the Border Patrol is more interested in *catching* illegal immigrants than stopping them from entering in the first place. That is, they want to report apprehensions, and thus have a disincentive to stop illegal entries from occurring altogether. Even the United States General Accounting Office (GAO) has acknowledged the limitations of apprehension data as a measure of success. "Even if INS data were 100 percent reliable," the GAO has assessed, "the number of apprehensions...is not a very good measure of the effectiveness or results of broad strategies, such as the strategy to deter illegal entry across the Southwest border."⁸³

In recognition of the severity of the drug smuggling problem along the county's border with Mexico and the ineffectiveness of the more common tactics, the sheriff's department has developed a proactive and highly effective approach to the problem. Its goal is not simply to increase apprehensions, but ultimately to reduce the number of smuggling attempts. Nine observation post sites were established on mountaintops along the border, each of which provides unobstructed views into Mexico and of the border itself. The sites, some of which are on public lands and others developed in cooperation with local land owners, allow for overlapping visual coverage of the entire border shared by Hidalgo County with Mexico. Border operations then involve placing from two to four people, equipped with state of the art equipment, such as infrared scopes, night vision goggles, and a LORIS camera, on each of nine mountain tops for several days and nights. At the same time, officers in patrol cars are assigned to the roadways below. If an intrusion is observed by any of the observation teams, the information is radioed to one of the patrol cars, which responds and intercepts. While not a glamorous operation, it is highly effective. The department receives cooperation from a multitude of agencies, including the Bureau of Land Management Rangers, the National Guard, and the New Mexico Mounted Patrol. The Border Patrol and the Southwest New Mexico Task Force do not participate directly, but they do loan equipment to the department. While

these border operations are underway, the border is essentially shut down. Drug smugglers in Mexico have learned of the effectiveness of this approach and are careful to avoid falling prey. While in operation, often no activity is observed along the border and no apprehensions are made; when the operation concludes, the smuggling resumes. The Border Patrol once credited the sheriff's department with a 600-pound marijuana bust that was made immediately after an operation was over. Unfortunately, the sheriff's department is unable to apply this border observation strategy more widely. It is a labor-intensive process that places department staff some distance from the population centers; the department lacks sufficient staff or resources for overtime to utilize the method with any frequency.

A conservative estimate of the burden on Hidalgo County law enforcement is that each deputy spends, on average, 10 hours per month on investigations and response to calls explicitly involving illegal immigrants. Other calls have an indirect connection to illegal immigrants. For example, prowler calls and burglaries/break-ins on ranches in the southern part of the county generally involve illegal immigrants even if none is apprehended. One deputy who lives in the southern part of the county reports that undocumented persons regularly travel across his property at night on bicycles. They knock on doors and request water from the residents. The 45-minute response time by the Border Patrol allows them to be long gone before the arrival of federal officials. When making highway stops, almost 50 percent of the stops identify illegal immigrants; sheriff's deputies report that these stops tend to consume more of their time as they wait for federal officials to arrive. When one factors in the additional time spent responding to calls in the southern part of the county, where roads are poor and the terrain is remote, as well as the costs of the border operations described above, it is reasonable to estimate that 30 percent of the sheriff department workload is associated with illegal immigrants.

In addition to the law enforcement function, the sheriff's department is also responsible for the Hidalgo County Detention Center. The facility was constructed in the early 1970s and its capacity ranges from 30 to 50, depending on what standard is applied. The facility can house 30 inmates without having any one sleep on the floor. American Corrections Association standards based simply on square footage indicate that the facility could hold 50 if it had bunk beds. The Detention Center regularly holds up to 40 adult inmates; it is not intended to hold juveniles and there is no facility in the county to do so. Throughout the period of this study and up until the temporary discontinuation of the Federal Marshal's contract in December 2000, the facility operated at or near capacity at most times.⁸⁴

The length of detention ranges from 48 hours to 365 days, with the typical length of 90 days for pre-sentence hearings and holding on bench warrants for failure to appear. The cost per man-day is estimated to be \$55 to \$60 when one includes typical expenses associated with housing, meals, electricity, laundry, and other basic services. Generally up to five inmates are held on state charges at the detention center at any point in time.⁸⁵ During eight of the 12 months out of the year covered by this study, the Detention Center held four or five illegal immigrants for an average of 90 days each. The majority were held on either drug offenses or stolen vehicles. Arraignment and preliminary hearings generally happen relatively quickly, but the backlog in the courts leads to delays awaiting trial.

Officials in neighboring Luna County reported that most illegal immigrants held in county detention came into their custody from federal officials. That is, illegal immigrants who are caught by federal officials with quantities of drugs below the threshold level, are turned over to county authorities for prosecution on state charges. In Hidalgo County that situation rarely occurs. According to a Border Patrol official stationed in Lordsburg, the majority of drug offenses in Hidalgo County involve quantities that far exceed the threshold levels---most involve more than 250 pounds of narcotics---and thus they are not turned over to local officials for state charges. Instead, it is more likely that illegal immigrants will be apprehended by local officials and turned over to federal officials. When illegal immigrants are held on behalf of the federal government (for the U.S. Marshal, Border Patrol, or other federal agency), the county is fully reimbursed. However, when illegal immigrants are apprehended by local law enforcement officials and held overnight or longer awaiting pick up by a federal agent, the county is not reimbursed. Sometimes illegal immigrants also are held on detainer for one to 15 days without reimbursement when INS wants them after the resolution of state offenses. Additionally, and more importantly, responding to calls, conducting investigations, and apprehending illegal immigrants consume a large portion of the time of county law enforcement officials and is never reimbursed. As such, the burden on the law enforcement component of the department far exceeds that of the detention function.

Using the workload estimates for the law enforcement and detention functions, the combined impact on the Hidalgo County Sheriff Department is \$461,850, as shown in table NM27. The SCAAP payment of \$2,638 represents less than 1 percent of the department's total expenses associated with processing illegal immigrants; even when one limits the examination to general fund expenditures for the detention center, only 8 percent of costs are reimbursed by SCAAP.

Table NM27: Hidalgo County Sheriff Impact

Category	Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
Law Enforcement - General Fund	\$1,081,136	30%	\$324,341	\$90,445	\$414,785
Detention - General Fund	\$258,000	10%	\$25,800	\$7,195	\$32,995
Law Enforcement Protection Fund	\$31,900	30%	\$9,570	n/a	\$9,570
Detention Repair & Maintenance Fund	\$45,000	10%	\$4,500	n/a	\$4,500
Subtotal - General Fund	\$1,339,136		\$350,141	\$97,639	\$447,780
Total	\$1,416,036		\$364,211	\$97,639	\$461,850

Hidalgo County Emergency Medical Services

The Hidalgo County Ambulance operates entirely outside the general fund. The department receives monies from the Ambulance Fund as well as EMS grants. For the purposes of this report, grant funds are not included. The ambulance can be called in to provide treatment to inmates in the detention center/jail, but it tries to avoid responding to those calls and instead encourages the detention center to bring inmates to the clinic during business hours.

There is no hospital in Hidalgo County, only a medical clinic. The nearest hospital is the Gila Regional Medical Center in Silver City (Grant County), approximately 45 miles from the county seat. It is, however, often faster to transport those in need of medical attention 62 miles to the Mimbres Memorial Hospital in Deming (Luna County) due to the ease of travel on the interstate. The ambulance transports very few patients to Hidalgo County Medical Clinic, only 15 to 20 per year. Those involved in freeway accidents or picked up in the southern part of the county are transported to the hospital in Deming; others in the northern part of the county are transported to the hospital in Silver City.

Only three EMS calls initiated by the Border Patrol in the last 12 months required county involvement. Two calls involved one patient each, and one involved multiple subjects (Interstate-10 accident). In late spring, early summer 2000, a border patrol van full of undocumented persons blew a tire and rolled. Six patients were treated, including some for whom the severity of their injuries required helicopter transport to Tucson. For these services, the county was reimbursed by the U.S. Public Health Service.

A small number of other calls involved illegal immigrants. In 1999 the Hidalgo County ambulance had 734 patient encounters, of which 518 were treated and/or transported. The remaining 216 were either cancelled or the patients refused treatment and transport. Of those 518 treated and transported, approximately 20 were illegal immigrants and several of these involved more serious injuries and advanced life support. This represents approximately 4 percent of the calls; given the extended distance to the southern border region and the lack of well-maintained roads, an estimate of five percent of the ambulance workload is used in the calculation of cost impacts. Table NM28 presents the total cost estimate of \$18,192.

Table NM28: Hidalgo County Emergency Medical Impact

Total Budget	Percent Impact	Direct Cost	Indirect Cost	Total Cost
\$349,780	5%	\$17,489	\$703	\$18,192

Hidalgo County Indigent Health Care

County indigent funds were used to provide services to 1,358 individuals. Services paid for by the fund include ambulance, hospital, and other services. To be eligible for support, individuals must not only meet income requirements, but also demonstrate residency in the county for 90 days. Funds may be used to provide reimbursements for services to legal immigrants (non U.S. citizens), undocumented persons, and for out-of-county services. Due to the limited health care facilities in

Hidalgo County, the impact of illegal immigrants is relatively minor. No accurate statistics exist for the services provided to illegal immigrants using indigent funds; the best estimate is that roughly 2 percent of funds are used to provide these services to individuals who are able to qualify under the household eligibility standards. Because the county does not operate an indigent claims office *per se* (these duties are handled by the county manager's secretary), no overhead or indirect costs are attributed to this function. Table NM29 presents the cost estimates for both funds.

Table NM29: Hidalgo County Indigent Health Care Impact

Category	Total Budget	Percent Impact	Direct Cost	Indirect Cost	Total Cost
Indigent Claims Fund	\$191,876	2%	\$3,838	n/a	\$3,838
Hospital Fund	\$58,518	2%	\$1,170	n/a	\$1,170
Total	\$250,394		\$5,008	n/a	\$5,008

New Mexico Border County Summary

New Mexico's three counties on the U.S.-Mexico Border spent a combined \$5 million from their local tax funds in FY 1999 providing services to illegal immigrants for law enforcement, criminal justice, and emergency medical care. The total cost per county ranged from \$485,000 to \$3.6 million. With a combined population of 200,000, each man, woman and child residing in these counties paid an average of \$25 to fund these extra services. Table NM30 presents the aggregated costs to New Mexico border counties by department. Sheriffs departments bore the greatest hit, at \$1.93 million. When combined with adult detention, a separate department in two counties, the total comes to \$3.6 million, a full 72 percent of the total impact. The federal government, through SCAAP, gave these counties \$397,000 in compensation for detaining some criminal illegal immigrants. The federal payment represents only 8 percent of the total fiscal burden on New Mexico's border county citizens.

Table NM30: New Mexico County Combined Costs by Department

Department	Dona Ana County	Luna County	Hidalgo County	Totals by Department
Sheriff	\$1,576,347	\$193,331	\$461,850	\$2,231,528
Adult Detention	\$982,419	\$675,248	Included in above	\$1,657,667
Judicial System	\$61,588	\$2,478	NA	\$64,066
Juvenile Detention	\$12,933	\$15,996	NA	\$28,929
Emergency Medical	\$30,472	\$37,813	\$18,192	\$86,477
Indigent Health Care	\$909,655	\$18,610	\$5,008	\$933,273
Totals by County	\$3,573,414	\$943,476	\$485,050	\$5,001,940

Endnotes: New Mexico's Border Counties

¹ Torrez, R.J., New Mexico Blue Book "A Brief History of the Land of Enchantment" <http://web.state.nm.us/BLUEBOOK>

² Many reasons have been postulated for why it took so long for New Mexico to become a state, including a myriad of racial, religious, political, and economic issues. Early efforts were hampered by a general ignorance about the territory and suspicions towards its people. Statehood was opposed by those who felt that New Mexico's predominately Hispanic and Indian population was too foreign and too Catholic for admission to the American Union. There was even debate within the territory as to whether an alternative name would help the cause of statehood.

³ For example, the State Flag displays an image of the Native American Zia symbol on colors of the Spanish Conquistadors, and the official salute to the flag, which has been adopted by the state legislature in both English and Spanish versions, reads "I salute the flag of the State of New Mexico and the Zia symbol of perfect friendship among united cultures." See Torrez, R.J., New Mexico Blue Book "A Brief History of the Land of Enchantment" <http://web.state.nm.us/BLUEBOOK>

⁴ New Mexico State Land Office, "1999 Annual Report" <http://www.nmstatelands.org/landoffice/AboutSLO/AnnRpt.asp>

⁵ Torrez, R.J. New Mexico Blue Book "A Brief History of the Land of Enchantment" <http://web.state.nm.us/BLUEBOOK>

⁶ The preliminary results released by the Census Bureau for 2000 list the state's population at 1,819,046. See <http://www.census.gov/main/www/cen2000.html>

⁷ Based on U.S. Census Bureau data reported by The Federation for American Immigration (FAIR), "FAIR - New Mexico State Profile" <http://www.fairus.org/html>

⁸ Immigrant stock refers to immigrants and their children born here after their arrival. Based on U.S. Census Bureau data reported by The Federation for American Immigration (FAIR), "FAIR - New Mexico State Profile" <http://www.fairus.org/html>

⁹ The Urban Institute. "Check Points" September 2, 2000.

¹⁰ Ibid.

¹¹ The INS revised the October 1996 estimate of illegal resident alien population in New Mexico to 37,000, up from their previous estimate of 19,000.

¹² Based on a report prepared by the Southwest Center for Environmental Research and Policy, as reported by *AP*, San Diego, May 10, 1999.

¹³ The Federation for American Immigration reports that the backlog of cases for individuals eligible for immigrant status but awaiting INS processing of green cards reached 881,000 for that nation at the end of FY 1998. See FAIR, "Immigration Affects the Whole County" <http://www.fairus.org/html>

¹⁴ Estimate based on projections reported by the Bureau of Business and Economic Research, University of New Mexico. Note that a small portion of Grant County extends south between Hidalgo and Luna Counties very near the Mexican border. Grant County was not included in this study, however, because it does not share a physical boundary with Mexico and, therefore, does not meet the criteria for membership in the U.S./Mexico Border Counties Coalition.

¹⁵ "A Demographic Briefing on the Southwest Border Region," presented to The President's Interagency Task Force on the Economic Development of the Southwest Border at the meeting *Bordering the 21st Century* held at New Mexico State University, Las Cruces, New Mexico on February 23, 2000.

¹⁶ The other three counties all surround Bernalillo County and reflect urban sprawl and suburban expansion in the Albuquerque area.

¹⁷ Peach, J. and Williams, J. "Borderlands Demographic Trends" *borderlines* 58, vol 7, no. 7, August 1999.

¹⁸ Statement made by Border Patrol El Paso Sector Spokesman, Doug Mossier, as reported by Shubinski, J. "Border Patrol, INS examine seizure ruling." *Las Cruces Sun-News*. July 31, 1999.

¹⁹ Van Splawn, K. "Bingaman reviews border crime issues with area law enforcement officials" *Las Cruces Sun-News*, June 1, 2000, pg. A5.

²⁰ These results are based on a study conducted by Russell Winn of the New Mexico State University Department of Government under a contract with the New Mexico Department of Public Safety and the U.S. Department of Justice.

²¹ The Federation for American Immigration. "FAIR: New Mexico State Profile" <http://www.fairus.org/html>

²² Ibid.

²³ Van Splawn, K. "Bingaman reviews border crime issues with area law enforcement officials." *Las Cruces Sun-News*. June 1, 2000.

²⁴ The High Intensity Drug Trafficking Areas (HIDTA) program was authorized by the Anti-Drug Abuse Act of 1988 and is administered by the Office of National Drug Control Policy in the U.S. Department of Justice's Drug Enforcement Administration. HIDTA's mission is to "reduce drug trafficking in the most critical areas of the country, thereby reducing its impact in other areas" through a coordinated effort among local, state, and federal agencies and officials. For more information see <http://www.usdoj.gov/dea/programs/hidta.htm>

²⁵ The state's anti-donation clause prohibits a county from directly or indirectly lending or pledging its credit or making any donation to or in aid of any person, association or public or private corporation. This restriction applies except in cases where the provision of land, buildings or infrastructure is to create new jobs pursuant to a state statute. See Article X NMSA 1978, "County and Municipal Corporations" and Article XI NMSA 1978, "Corporations Other than Municipal".

²⁶ Due to the extensive reliance on special funds, the estimates for New Mexico counties were not limited to the general fund. Not all special funds were included, however, only those which are the equivalent of the general fund in that they are paid for by the general tax dollars and place a burden on the county's residents. Grant funds were not included.

²⁷ New Mexico Courts "About the Judiciary" <http://www.nmcourts.com/mnsc.htm>

²⁸ Even the Magistrate Courts, which are located within individual counties and are referred to as county courts, are staffed by state judges and employees, however, court security is provided by the county sheriff office.

²⁹ The Probation and Parole Division of the State Corrections Department is responsible for probation-parole services, preparation of pre- and post-sentence reports, investigation of parole plans, out-of-state investigations, probation and parole violation reports, and investigation of executive clemency cases.

³⁰ "Border federal courts need help, and quickly: Better late than never." *Las Cruces Sun-News*. June 16, 2000.

³¹ Ibid.

³² Romo, R. "Federal caseload strains N.M." *Albuquerque Journal*. February 17, 2000.

³³ "Border federal courts need help, and quickly: Better late than never." *Las Cruces Sun-News*. June 16, 2000.

³⁴ A bill signed into law in December 2000 provides one additional federal district judge for New Mexico who may be assigned to the Las Cruces courthouse to help alleviate its backlog of cases.

³⁵ Data on workload and staffing levels are drawn from two sources: Mecham, L.R. 1999 *Judicial Business of the United States Courts: 1999 Annual Report of the Director*, and U.S. Department of Justice, Spring 1999. *Budget Trend Data: From 1975 through the President's 2000 Request to Congress*.

³⁶ New Mexico Health Policy Commission. January 2000. "County Funded Indigent Care Report, State Fiscal Year 1999."

³⁷ Kourous, G. "The Rising Costs of U.S. Immigration Policy" *borderlines* 70, vol. 8, no. 8, September 2000.

³⁸ Sole Community Provider hospitals in New Mexico funded through the county Indigent Fund receive matching funds from the federal government at a rate of \$2.74 for every dollar the county pays.

³⁹ The State Office of the Medical Investigator (OMI) is responsible for autopsies required by law; this is not a county function.

⁴⁰ U.S. Bureau of the Census. "County Population Estimates for July 1, 1999 and Demographic Components of Population Change: April 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/county>

⁴¹ U.S. Bureau of the Census. "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999." <http://www.census.gov/population/estimates/metro-city/>

⁴² Population figures for each of the incorporated areas in the county are from the U.S. Census Bureau, "Population Estimates for States, Counties, Places, and Minor Civil Divisions, Annual Time Series, July 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/metro-city/scful>

⁴³ U.S. Bureau of the Census. "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999." <http://www.census.gov/population/estimates/metro-city/>

⁴⁴ Bureau of Business & Economic Research, Regional Economic Information System, May 1999. "REIS BEARFACTS: Doña Ana County." <http://www.unm.edu/~bber/reis95/>

⁴⁵ New Mexico Economic Development Department, "New Mexico Community Profiles - Doña Ana County." <http://www.edd.state.nm.us/COMMUNITIES/donaana.htm>

⁴⁶ New Mexico Association of Counties, "Doña Ana County Statistics", <http://www.nmcounties.org/counties/donaana.html>

⁴⁷ New Mexico Department of Taxation and Revenue. "Monthly Averages for Gross Receipts Distribution Period" <http://www.state.nm.us/tax/pubs/CRSDIST.htm>

⁴⁸ Romo, R. "State to push for another port of entry." *Albuquerque Journal*. December 30, 1999, pg. B3.

⁴⁹ Romo, R. "Another fence planned along Mexico border." *Albuquerque Journal*. August 15, 1999, pg. B1.

⁵⁰ For Doña Ana County, a proportion of the following general fund departments/functions were included in the calculation of the indirect general government estimate: county commission, communications, county manger, finance, general services, information systems, legal, personnel, purchasing, and risk management.

⁵¹ Statement made by Lt. Vicki Garcia and reported in "County to get \$386,524 for housing illegal aliens" *Las Cruces Sun-News*. August 20, 1999.

⁵² "County to get \$386,524 for housing illegal aliens" *Las Cruces Sun-News*. August 20, 1999.

⁵³ New Mexico State Court Annual Report for FY 2000. Statistics for the period of July 1, 1999 through June 30, 2000. <http://www.nmcourts.com/annualrp/index.html>

⁵⁴ Note that only the annual bond payment is included in the calculation, rather than the entire amount. The annual payment reflects the burden to county residents in the fiscal year encompassed by the study.

⁵⁵ New Mexico Health Policy Commission. January 2000. "County Funded Indigent Care Report, State Fiscal Year 1999."

⁵⁶ New Mexico Association of Counties, "Luna County Statistics", <http://www.nmcounties.org/counties/luna.html>

⁵⁷ U.S. Bureau of the Census. "County Population Estimates for July 1, 1999 and Population Change for April 1, 1990 to July 1, 1999." <http://www.census.gov/population/estimates/county/>

⁵⁸ U.S. Bureau of the Census, "County Population Estimates for July 1, 1999 and Population Change for April 1990 through July 1999" <http://www.census.gov/population/estimates/county/>

⁵⁹ Population figures for each of the incorporated areas in the county are from the U.S. Census Bureau, "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/metro-city/scful>

⁶⁰ Population figures for each of the incorporated areas in the county are from the U.S. Census Bureau, "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/metro-city/scful>

⁶¹ U.S. Census Bureau.

⁶² New Mexico Association of Counties, "Luna County Statistics", <http://www.nmcounties.org/counties/luna.html>

⁶³ New Mexico Department of Taxation and Revenue. "Monthly Averages for Gross Receipts Distribution Period" <http://www.state.nm.us/tax/pubs/CRSDIST.htm>

⁶⁴ New Mexico Association of Counties, "Luna County Statistics", <http://www.nmcounties.org/counties/luna.html>

⁶⁵ Romo, R. "Another fence planned along Mexico border." *Albuquerque Journal*. August 15, 1999, pg. B1.

⁶⁶ A proportion of the following Luna County departments and functions were included in the calculation of indirect general government costs: county commissioners, manager's office, maintenance, and data processing.

⁶⁷ New Mexico State Court Annual Report for FY 2000. Statistics for the period of July 1, 1999 through June 30, 2000. <http://www.nmcourts.com/annualrp/index.html>

⁶⁸ Given the high rate of tuberculosis in the border region, this concern is not unfounded. According to "Community Health in the Borderlands: An Overview" *Borderlands* (vol. 6, no. 4, May 1998), Mexico's border state TB morbidity rate was 32.6 per 100,000, compared to a rate of 12.1 elsewhere in Mexico.

⁶⁹ New Mexico Health Policy Commission. January 2000. "County Funded Indigent Care Report, State Fiscal Year 1999."

⁷⁰ New Mexico Association of Counties, "Hidalgo County Statistics", <http://www.nmcounties.org/counties/hidalgo.html>

⁷¹ U.S. Bureau of the Census. "County Population Estimates for July 1, 1999 and Population Change for April 1, 1990 to July 1, 1999" http://www.census.gov/population/estimates/county/co-99-2/99C2_35.txt

⁷² Although the Village of Virden is incorporated, it does not have its own police force and it relies extensively on the county for provision of basic services as if it were a unincorporated community.

⁷³ U.S. Census Bureau, "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/metro-city/scful>

⁷⁴ New Mexico Association of Counties, "Hidalgo County Statistics", <http://www.nmcounties.org/counties/hidalgo.html>

⁷⁵ New Mexico Association of Counties, "Hidalgo County Statistics", <http://www.nmcounties.org/counties/hidalgo.html>

⁷⁶ New Mexico Department of Taxation and Revenue. "Monthly Averages for Gross Receipts Distribution Period" <http://www.state.nm.us/tax/pubs/CRSDIST.htm>

⁷⁷ Hearn, S. "Dwindling tax base haunts Hidalgo County" *Las Cruces Sun-News*. July 8, 1999.

⁷⁸ Ibid.

⁷⁹ U.S. Bureau of the Census, "County Population Estimates for July 1, 1999 and Population Change for April 1990 through July 1999" <http://www.census.gov/population/estimates/county/>

⁸⁰ "Bingaman reviews border crime issues with area law enforcement officials" *Las Cruces Sun-News*, July 1, 2000, pg. A5.

⁸¹ The Magistrate Court in Hidalgo County had a caseload of 4,737 cases for the year, of which 96 percent were criminal (mostly traffic offenses), and 51 percent were closed by year end. The Sixth Judicial District Court that serves Grant, Hidalgo and Luna Counties, has an office in Hidalgo county staffed by the district court administrator and two clerks, however, the two district judges have their principle offices in Grant County and Luna County. Workload data for the district court was reported in conjunction with the Luna County estimates. Office space for the district court is provided within the county office building. Because there is no court house or separate office building for the court administration, expenses associated with this function are not itemized. Instead, they are included in the maintenance and general utility costs for the entire county and are not included for the purposes of this report. Court data are drawn from the New Mexico State Court Annual Report for FY 2000. Statistics for the period of July 1, 1999 through June 30, 2000. <http://www.nmcourts.com/annualrp/index.html>

⁸² "Hidalgo County Sheriff Department's 1999 Annual Report."

⁸³ Kourous, G. "The Rising Costs of U.S. Immigration Policy" *borderlines* 70, vol. 8, no. 8, September 2000.

⁸⁴ The U.S. Marshal's Office removed its prisoners from the Hidalgo County Detention facility in December 2000, citing the failure of the county to have all detention officers fully trained and certified in first aid and CPR, and the lack of a central surveillance system that includes both video and audio monitoring. The U.S. Marshals were charged \$45 per man day for housing prisoners, generating \$18,000 to \$19,000 per month. In the absence of this revenue, particularly with declining tax revenue, the county will be hard pressed to adequately fund Detention Center. The implications of this action are not included in the estimates presented in this report because it occurred after the fiscal year encompassed by the estimates.

⁸⁵ The county has a yearly contract of approximately \$60,000 with the city of Lordsburg to house inmates, provide communications services (dispatch).

ARIZONA'S BORDER COUNTIES

Arizona was the last of the continental 48 states to enter statehood. Typical of western states, Arizona is arid and rugged, with sparsely populated rural areas and geographically large counties. The federal government and Indian tribes own most of the state, so decisions and policies made in Washington affect the state deeply. As with other states along the southwestern border, the macroeconomic and political conditions of Mexico reverberate throughout Arizona. Four of Arizona's 15 counties share the state's 360-mile 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 only recently come to the public's attention.

Arizona's population in 1999 was estimated to be about 5 million. Just over three-quarters are concentrated in Maricopa County (2,803,325) and Pima County (803,618), making Arizona an urban state. Roughly 83 percent of the state's 113,554 square miles is controlled by the federal government and 21 Indian tribes; only 17 percent is privately owned. Private land ownership by county ranges from a low of 3 percent in Gila County to a high of 41 percent in Cochise County. Status of land ownership is important, because counties derive their principal general fund revenues from the property tax. The two urban counties and 13 suburban and rural counties are active participants in state policy making to ensure that their concerns are addressed. All 15 counties are also members of the National Association of Counties, and several county supervisors participate on national task forces, particularly ones that relate to federal land policies and criminal justice. A tradition of county activism in federal and state issues that impact county government led the counties on the border to bring together their border counterparts in California, New Mexico and Texas. Santa Cruz County, the smallest in land base and population of the four border counties, had commissioned a precursor to this study in 1997, *Border Impact: Law Enforcement and Criminal Justice in Santa Cruz County, Arizona.*¹

The findings of that study led to a bill that garnered a significant state appropriation to the county's general fund in 1998. Santa Cruz County officials then distributed the study to other counties along Mexico's border, and the U.S./Mexico Border Counties Coalition was formed soon after. All four counties are founding members of the U.S./Mexico Border County Coalition, and Pima County Supervisor Sharon Bronson represents them on the executive committee.

Arizona's Border Environment

Arizona's four border counties include Cochise County, Santa Cruz County, Pima County, and Yuma County. They have a combined population of 1.1 million, 18 percent of the 6.3 million population in the 24 border counties. Seven ports of entry operate in Arizona: two in Cochise County, two in Santa Cruz County, two in Pima County, and one in Yuma County. In 1999 the INS recorded 34.2 million border crossings into Arizona, roughly 11 percent of all crossings along the southern border. In that same year, however, approximately 530,000 apprehensions were made by the Border Patrol, nearly 40 percent of the total number of U.S./Mexico border apprehensions. Arizona clearly experiences a disproportionately high share of illegal apprehensions; the state, indeed, is the top choice for entering illegally. Moreover, the hottest spot currently for illegal entry is the Douglas area in Cochise County, where 56 percent of Arizona apprehensions were recorded.

On a per capita basis, however, Santa Cruz County has the greatest proportion of illegal crossings of the four border counties. The terrain along Arizona's border is rugged and remote, but not impassable. The most daunting passage is through vast stretches of uninhabited desert in Pima and Yuma Counties. Still, Arizona is relatively accessible---temperature rather than terrain is the principal physical deterrent. Table A1 presents border county data in Arizona.

Table A1: Arizona Border County Statistics

County	Population (%)	Square miles(%)	INS Crossings (%)	BP Apprehensions (%)	Ports-of-Entry
Cochise	112,754 (10.5%)	6,256 (28%)	7,078,430 (21%)	295,247 (56%)	2
Santa Cruz	39,150 (3.5%)	1,246 (6%)	14,774,813 (43%)	86,529 (16%)	2
Pima	803,618 (74%)	9,240 (41%)	1,665,802 (5%)	59,865 (11%)	2
Yuma	135,614 (12%)	5,561 (25%)	10,638,342 (31%)	87,939 (17%)	1
Total:	1,091,136	22,303	34,157,387	529,580	7

Source: DES, INS, BP

Characteristics of Arizona County Government

Arizona county governments are subdivisions of the state but with considerable local authority. While only the two urban counties, Maricopa and Pima, have the option of framing and adopting a home rule charter (though neither county has achieved voter approval), counties can levy a one-half cent sales tax for general purposes, set their own service charges, impose development impact fees, and establish sub-taxing districts for jails, health care, sports stadiums, and benefit service districts. Principal revenues for the county general fund come from the county property tax and state-shared taxes. (The State of Arizona distributes to counties a portion of the state sales tax, gasoline tax, vehicle license tax, and lottery profits.) Counties are uniformly structured: the governing body, called board of supervisors, is comprised of three or five members, elected to four-year terms from districts. The chairman is selected from among the members. The board of supervisors has overall fiscal and fiduciary responsibility for the county, but it does not oversee operations of the seven elected department heads, called county constitutional officers. They include county assessor, county attorney, clerk of superior court, county recorder, county school superintendent, sheriff, and county treasurer. All elected officials run on a partisan basis and can serve an unlimited number of terms. Judicial officers---superior court judges, justices of the peace, constables---are also elected on a partisan basis. (Superior court judges in Maricopa and Pima Counties are appointed by the governor and subsequently stand for voter retention.) All 15 counties have appointed professional managers or administrators with broad authority. Arizona counties belong to the Arizona Association of Counties, the County Supervisors Association of Arizona, and the National Association of Counties. Many top appointed officials also belong to the International City/County Management Association and the Arizona City/County Management Association.

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 services to juvenile offenders), the county criminal justice system is complex and expensive. Most aspects of this system are funded through the county general fund with revenues generated locally. In all counties, whether situated along the border or not, the major portion of the general fund goes toward financing law enforcement and criminal justice. Arizona's system at the county level typically consists of eight departments. They include: sheriff, indigent defense, county attorney (civil and criminal), justice court, clerk of superior court, superior court, adult probation, and juvenile court center. The departments of sheriff, county attorney, and clerk of superior court are headed by officials elected countywide to four-year terms. Elected presiding superior court judges oversee the superior and justice (and municipal) courts and appoint court administrators. Each department has multiple divisions, depending on the size of the county and the level of criminal activity. The indigent defense system is the responsibility of the board of supervisors, and the adult probation and juvenile court functions are the responsibility of the superior court. The board of supervisors, however, has full legal and fiduciary responsibility for all departments in the law enforcement and criminal justice system.

Arizona border counties spent a combined \$170.1 million from the general fund on law enforcement and criminal justice functions, or \$155 per capita. The proportion of general fund expenditures that finances the county law enforcement and criminal justice system ranges from a low of 37.5 percent in Santa Cruz County to a high of 61 percent in Yuma County. (The average is 48 percent.) The four counties spent from \$16 per resident to \$154 for law enforcement and justice services. These statistics are found in table A2.

Table A2: General Fund Expenditures on Law Enforcement and Criminal Justice

County	Expenditure (% gen fund)	Per Capita
Cochise	\$14,178,450 (39%)	\$126
Santa Cruz	\$ 6,043,014 (37.5%)	\$154
Pima	\$132,000,000 (54%)	\$16
Yuma	\$17,917,646 (61%)	\$132
TOTAL:	\$170,139,110	\$155

Arizona County Indigent Health Care System

The county indigent health care system consists of several components. Counties are mandated by

the state to provide health care to resident indigents through the state's version of Medicaid, called Arizona Health Care Cost Containment System (AHCCCS). Indigent medical services are not provided to nonresidents, but they can receive emergency care through the State Emergency Services (SES), a division of AHCCCS, or Federal Emergency Services (FES), a division of the federal government. Care for illegal immigrants treated under SES is indirectly financed by counties through their annual mandated contribution to AHCCCS. The SES program consumes about 9/10 of 1 percent of the state AHCCCS budget, and it is assumed that that portion of the county contribution goes to SES. The vast majority of non-resident indigents in border counties who receive emergency medical care, including labor and delivery, are undocumented immigrants. Further, counties conduct interviews and reviews to determine if applicants qualify for AHCCCS. Many of the applicants who do not qualify are illegal (though many who do qualify are residing illegally), so the eligibility determination function factors in a county's cost for emergency medical care for illegal immigrants. The number of applicants that are disqualified becomes the basis for determining cost. (Note that the requirements for qualifying for medical services differ among county, state and federal programs. There seems to be some disagreement on the interpretation of those qualifications, and more research is needed to determine exactly what types of non-residents, including illegal immigrants, are covered by either SES or FES [e.g., marital status and intent to remain in the state].)

Pima County presents a different situation with respect to emergency medical care. The county owns and operates Kino Hospital, so the county is in the medical care delivery business directly. While Kino Hospital is budgeted as an enterprise (i.e., self-supporting), the county general fund subsidized the hospital for \$18 million in FY 1999. Pima County also incurred some pre-AHCCCS medical expenses for illegal immigrants.

Medical personnel do not typically inquire about patient alienage, only county residency, so a county's illegal immigrant caseload is very difficult to determine. Estimated impacts on emergency medical services and eligibility determinations were based on general trends in border counties, interviews with a number of health care workers on various aspects of their work, and common sense. Likewise, the alienage of autopsy and burial recipients is not routinely documented, so other indicators were considered, such as manner of death (e.g., dehydration) and name (e.g., "John Doe"). Impact estimates in this domain, therefore, are meant to give only a general idea of costs.

Costs to Arizona Border Counties

Arizona's four border counties incurred an additional expenditure of \$24.2 million from the general fund during FY 1999 because of the influx of illegal immigrants who committed state felonies or two or more misdemeanors. The majority of this additional financial burden fell on law enforcement and criminal justice departments; a small portion was also tied to indigent health care for *any* illegal immigrant. Table A3 presents the cost estimates for each county as well as the cost per resident. These totals include the cost estimate for receiving services from general county government (e.g., information systems, board of supervisors, human resources, finance and budgeting).

Table A3: Estimated Costs of Illegal Immigrants by County

County	Cost Estimate (% of total)	Per Capita
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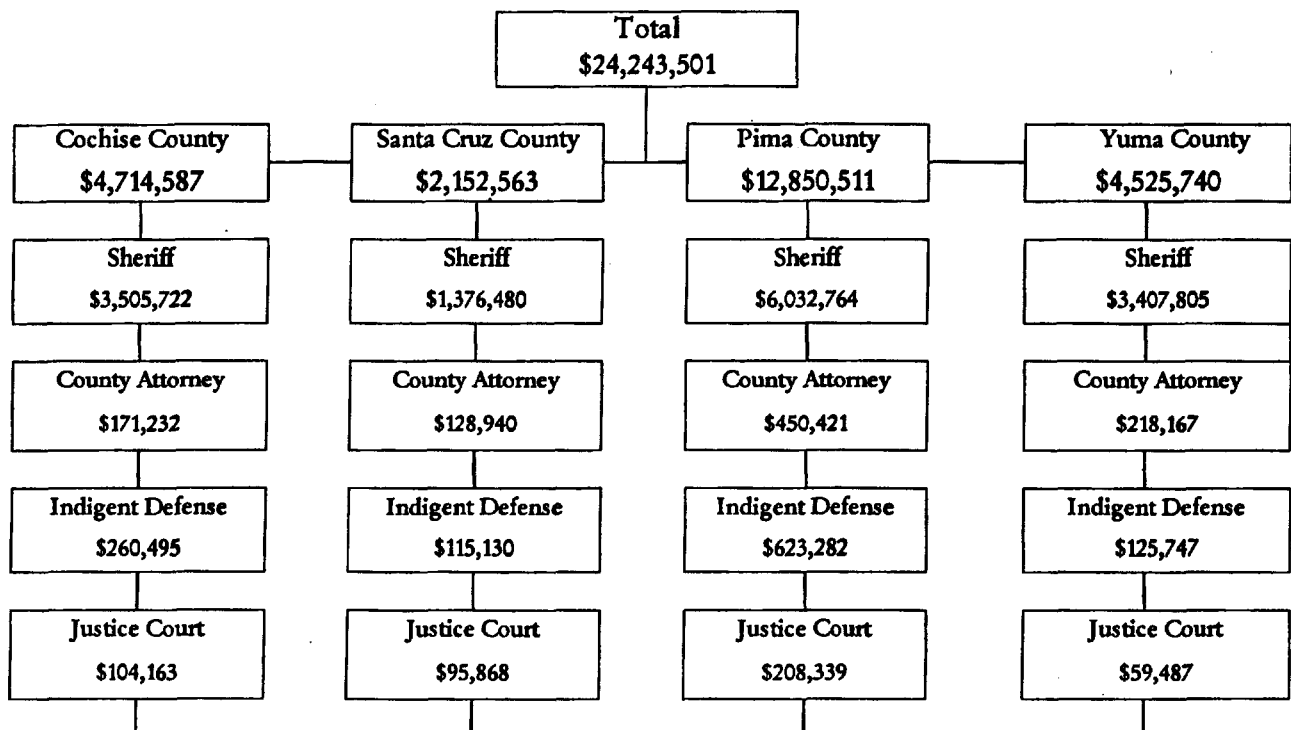
		Cost
Cochise	\$4,714,587 (19.9%)	\$41.81
Santa Cruz	\$2,152,663 (8.6%)	\$55
Pima	\$12,850,511 (51.8%)	\$16
Yuma	\$4,525,740 (19.7%)	\$33.37
Total:	\$24,243,501	\$22.22 (ave)

Arizona's border counties spent an average of \$22.22 per person to provide services to criminal illegal immigrants and illegal immigrants given emergency medical care, autopsies, or burials. Pima County's total share of the burden is 52 percent. Santa Cruz County's burden, however, is significantly disproportionate to that of the other three: The county's per person expenditure, at \$55 is \$33 greater than the border average of \$22.

Costs to Arizona Border County Departments

Estimated costs to each department were determined first by estimating the impact on departmental workload of processing criminal illegal immigrants and illegal immigrants needing emergency medical services. Considering workload and then taking a commensurate percentage of a department's general fund budget insures that the administrative overhead of the department is included. Additionally, estimates include the interdepartmental charges for general government services ("Gen Gov") as explained in Chapter 1. Note that autopsies and burials are also included in the category of "emergency medical." Table A4 presents estimated total costs by county and department.

Table A4: Costs to Arizona Border Counties by County and Department



Clerk of Superior Court \$96,903	Clerk of Superior Court \$64,990	Clerk of Superior Court \$36,342	Clerk of Superior Court \$61,698
Superior Court \$238,462	Superior Court \$156,320	Superior Court \$520,443	Superior Court \$211,518
Adult Probation \$44,856	Adult Probation \$149,528	Adult Probation \$132,308	Adult Probation \$105,581
Juvenile Center \$210,819	Juvenile Center \$55,255	Juvenile Center \$254,967	Juvenile Center \$0
Emergency Medical \$81,935	Emergency Medical \$16,152	Emergency Medical \$4,591,645	Emergency Medical \$335,736

As noted, the percentage of impact on workload is the basis for determining the cost to the general fund for each department. Impacts on the workload of each department are presented in table A5.

Table A5: Workload Impact on Departments by County

County	Sheriff Patrol/Jail	County Attorney	Indigent Defense	Justice Court	Clerk of Superior Court	Superior Court	Adult Probation	Juvenile Court
Cochise	60% 40% 28% 25%	15%	13%	9% (average)	26%	24%	14%	15%
Santa Cruz	30% 54%	23%	36%	36%	36%	36.0%	53%	10%
Pima	18% 4%	4.5%	4.5%	9.3% (average)	4.5%	4.5%	4.4%	2%
Yuma	25% 30%	20%	20%	20%	20%	20%	20%	0%

Sheriffs bear the greatest impact and cost of any department in the law enforcement and criminal justice system. The combined cost estimate for sheriffs is \$14.5 million. Further, while impacts on workload vary by county, they tend to be consistent from department to department within counties. Cochise County's impact on workload varies considerably, but Santa Cruz County's is about 36 percent throughout, Pima's is about 4.5 percent, and Yuma's is about 20 percent. The sheer size and scope of Pima County's government explains its relative impact on workload.

Impact on Arizona Citizens

County boards of supervisors are constrained by comparatively high property tax rates and low assessed valuations, as well as revenue and expenditure limitations and burdened property owners whose taxes go principally to school and community college districts. In other words, raising the county property tax rate can be a wrenching experience and politically challenging, as property owners often assume that their entire tax payment goes to county government or that, if they live within an incorporated municipality, they receive no services for their county taxes.

The economics of running a county government make it difficult and frustrating for boards of supervisors to absorb expenditure demands that are beyond the control of local officials. For example, Santa Cruz County, which is disproportionately impacted by criminal illegal immigrants, has had one of the highest increases in the primary property tax rate in recent years, climbing 23 percent from \$2.6485 in FY 1995 to \$3.2487 in FY 1999. As shown in table A3, the cost to each Santa Cruz County resident of providing services to criminal and other illegal immigrants was \$55 considerably greater than the \$42 paid by Yuma County residents, the \$16 paid by Pima County residents, or the \$34 paid by Yuma County residents.

This per capita cost does not take into consideration other costs of illegal immigration in terms of private property damage, private property loss, or environmental degradation on state and federal land. Moreover, the tactics of illegal immigrants can engender fear in border residents. None of these social impacts has factored into the study. There are also opportunity costs associated with providing services to criminal illegal immigrants. The total estimated cost of \$24.2 million to Cochise County, Santa Cruz County, Pima County and Yuma County is revenue from local residents that could have been returned to property owners in the form of a decrease in the property tax rate or applied toward county programs that would add value to the community, such as airport development, new recreation sites, investment in economic development or expansion of existing programs and services.

The \$24.2 million cost reflects the impact in FY 1999 only. More recent statistics indicate that the costs of providing services to illegal immigrants in FY 2000 and 2001 will be higher. Apprehensions by the Border Patrol in the month of April 2000 were over 37 percent greater than those one of year before; they jumped from 47,482 to 65,213 in one month alone.² Border counties are likely to continue spending more and more of their general fund on apprehending, detaining, prosecuting, defending, adjudicating, and medicating illegal immigrants who not only cross into Arizona without documentation but also commit state crimes, give birth or become injured on the journey.

The following four sections provide a detailed description of the impact on workload and budgets on Arizona's border counties. Each section includes brief descriptions of the county, its border environment, and the cost to each department. Data collection methods and limits are cited, as well as key assumptions employed to reach reasonable cost estimates.

COCHISE COUNTY, ARIZONA

Cochise County lies in the southeast corner of Arizona. It contains 6,256 square miles and shares 84 miles of border with Mexico. The county general fund was \$36.7 million, and the total budget was \$59.1 million. Expenditures for law enforcement and criminal justice functions totaled \$14.4 million (39 percent of the total general fund), for an expenditure of \$126 per capita. The county's primary property tax rate was \$2.9873 per \$100 of assessed valuation, and total assessed valuation was \$457.6 million. The county's population in 1999 was 112,754. About 60 percent live in the seven incorporated municipalities of Benson, Bisbee, Douglas, Huachuca City, Sierra Vista, Tombstone, and Willcox. Only Douglas, with a population of 15,000, sits on the border. Other populated enclaves include Naco, Palominas, Hereford, St. David, San Simon, Bowie, and Elfrida. Institutions of higher education include a branch of The University of Arizona in Sierra Vista and Cochise Community College.

Cochise County's Border Environment

The Mexican State of Sonora shares the border with Arizona. The Sonoran cities near Cochise County's portion of the border include Agua Prieta, Naco and Cananea, with a combined population of 99,247. Two ports of entry operate in Cochise County, at Douglas and Naco. There were 7,078,430 border crossings into Cochise County during 1999 and 295,247 illegal apprehensions, 21 percent and 56 percent of the state total, respectively. Border Patrol stations in Cochise County are located at Douglas, Bisbee and Willcox.

In the last two years Cochise County has experienced the greatest increase in immigrant crossings among Arizona's border counties and likely along the entire U.S. border. The county has attracted national attention from media portrayals of ranchers who detain illegal border crossers on their property and hold them for the Border Patrol. Table A6 displays Cochise County border statistics.

Table A6 : Cochise County Border Statistics

Population	Square mi.	Border Length	INS Crossings	Border Patrol Apprehensions	Ports-of-Entry
112,754	6,256	84 miles	7,078,430	295,247	2

Sources: Census Bureau, INS, Border Patrol

Costs of Illegal Immigration on Law Enforcement, Criminal Justice and Emergency Medical Services

The total cost to Cochise County of apprehending and adjudicating criminal illegal immigrants is estimated to be \$4.7 million. This includes the costs for general government services, emergency medical care, autopsies, and burials. The cost per resident of Cochise County was \$41.81. One site visit was made in February 2000 and several interviews were subsequently conducted in Tucson and Phoenix. All department heads and many division heads as well as some elected officials; technical experts, and administrators were consulted. Budgets, court records, and available departmental statistics were reviewed. Follow-up inquiries were made through telephone calls, e-mails and faxes,

and preliminary and final cost estimates were presented to officials for review. The total cost and costs by departments are presented in table A7. A narrative for each department follows.

Table A7: Cochise County Costs by Department
County Total: \$4,714,587

Sheriff	County Attorney	Indigent Defense	Justice Courts	Clerk of Superior Court	Superior Court	Adult Probation	Juvenile Center	Emergency Medical
\$3,505,722	\$171,232	\$260,495	\$104,163	\$96,903	\$238,462	\$44,856	\$210,819	\$81,935

Cochise County Sheriff

Costs to the sheriff were estimated to be \$3,505,722. Consistent with other counties, the sheriff's budget is the greatest expenditure in the law enforcement and criminal justice system. (The sheriff's portion of the total costs of processing criminal illegal immigrants in Cochise County is 74 percent.)

The sheriff's audited general fund expenditures were \$7.1 million. Interviews with officials indicate that the patrol, investigation, and administration divisions are impacted by criminal illegal immigrant activity at different rates. The patrol division incurred the largest impact, estimated to be about 60 percent of its workload. Impact on the investigation division was about 25 percent, and both impacted the administration division about 40 percent. Expenditures in these three divisions amounted to \$4.7 million dollars: \$2.4 million for patrol, \$.5 million for investigation, and \$1.8 million for administration. Jail operations comprise 34 percent of the sheriff's budget, or \$2.4 million. Documentation submitted to SCAAP indicates that criminal illegal immigrants amounted to 28 percent of the jail population. The average daily jail population is 150, and the average length of stay of illegal immigrants was 109 days. The total cost for detention came to \$614,354, with an additional \$91,575 in medical expenses for inmates and the services of a jail counselor. Combined cost to the Cochise County Sheriff for patrol, investigation, administration, and detention is \$2.9 million. (The sheriff received \$156,824 from SCAAP.) As shown in the table below, the addition of \$447,095 for general government services brings the total cost to \$3,505,722.

Table A8: Cochise County Sheriff Impact

Division	General Fund	% Impact	Cost
Patrol	\$ 2,402,881	60%	\$ 1,441,729
Investigation	\$ 518,269	25%	\$ 129,567
Administration	\$ 1,790,382	40%	\$ 716,153
Detention	\$ 2,427,153	28%	\$ 679,603

Medical-counsel	\$ 327,054	28%	\$ 91,575
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Cost	Gen Gov	Total Cost
\$3,058,627	\$447,095	\$3,505,722

The sheriff's office, located in Bisbee, is only six miles from the border and the county's two ports of entry. More than 60 percent of the activities of the sheriff's patrol division are related to undocumented immigrants or drug- and people-smugglers. Citizens living within a 10-mile area of the border make most of the calls to dispatch. Reported crimes, however, are not considered serious; burglaries are the most common offense. Activity is seasonal. Explains one official, "January and February bring heavy illegal entry attempts and the spring and fall are heaviest for drug smuggling."

Two-thirds of the arrests of criminal illegal immigrants are made by the sheriff's office (one-third of those in the summer). Often, from two to five immigrants together are taken into custody. They go through the booking process to a holding cell, where they receive a psychological profile by jail staff to determine which part of the jail is appropriate to house them in. Then jailers notify the Mexican consul in Douglas of their capture. Within 24 hours, deputies take them to justice court for formal arraignment. At this point, they are either 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 the state prison and become state prisoners. The largest impact on costs involving non-serious crimes occurs at the beginning point of contact: the dispatch center and the field deputy. Time spent on illegal immigrants is measured by number of phone calls and patrol logs. The sheriff also performs some search and rescue operations that occasionally involve illegals. While not a significant cost to the budget, the sheriff's office additionally lends support to the Border Patrol and municipal police departments in Douglas and Sierra Vista.

With no central population centers in the county, deputies are spread thin around the jurisdiction's 6,256 square miles. The sheriff operates five substations in addition to central operations and the detention center in Bisbee; they are located in Douglas, Sierra Vista, Benson, Willcox and Elfrida, and deputies reside near their substations. Activities that involve investigating and responding to illegal immigrants pull deputies away from their substation area and redirect them to the border area, "...forcing reprioritization of service calls throughout the county." Further, activities that are outside of a scheduled patrol nearly always require overtime pay. For example, a deputy may go home after working a 14-hour day in his or her area only to be called to Naco because no other deputies are available.

According to deputies, cases typically involve trespassers, many of whom break into barns or are found hiding under tractors and trailers. When deputies arrive, they decide if there has been a violation of state law or if they appear to be undocumented. If no serious crime has been committed, deputies call Border Patrol and wait for their arrival. Most property along the border is privately owned, so the sheriff has a state-mandated duty to remain and protect the property. Naco and Douglas experience about the same level of crime on a per capita basis, according to officials, and Sierra Vista is also beginning to get large groups coming through town attempting to reach public transportation. As a result, the Sierra Vista Police Department is now strapped for resources. Added one sheriff's deputy, "From five to 30 immigrants a day cross my own property in Benson."

Trespassing on private property is so prevalent in Cochise County that a great deal of time is now spent on garbage cleanup, and citizens have formed a landfill steering committee to determine who or what agency should pay the tipping fees of clean up. Citizen patrols have also cropped up in response to the rising incidence of trespassing. One deputy reported that ranchers can deter anywhere from 300 to 600 illegal crossers in a single group on their property. Ranchers, especially within the first half-mile of the border, have occasionally reported some acts of terrorism intended to prevent them from making phone calls to authorities. Moreover, on the other side of the border, an emerging criminal activity involves preying on groups of immigrants preparing to cross. Rape, robbery, servitude and beatings are becoming more common, and Mexican officials are contemplating putting together teams to blend in with the immigrants to prevent these incidents.

In case of a medical emergency for an illegal immigrant inmate, the sheriff must perform the screening. If hospitalization is required, a deputy then transports the prisoner to the hospital and remains with him for the entire period of hospitalization. Detention officers are specially trained for this job. Often if the immigrants are bonded out from jail or placed on their own recognizance and they fail to appear, a bench warrant is issued. If they are captured, they enter the criminal justice system for a second time.

Cochise County County Attorney

Costs to the county attorney were estimated to be \$171,232. The audited general fund expenditures were \$1.3 million, 69 percent of which finances the department's criminal division (\$889,098). The criminal illegal immigrant caseload was estimated by department officials to be 15 percent, or \$133,365. The county attorney also prosecutes juveniles; that caseload is "conservatively" estimated to be 15 percent, or \$15,000 out of the \$100,000 juvenile division budget. (Many juveniles are residing in Cochise County illegally but claim legal status, so this estimate is low.) The county attorney's portion of general government services amounts to \$22,867, as shown in table A9.

Table A9: Cochise County Attorney Impact

Gen Fund	Crim Budget	Impact	Gen Gov	Total Cost
\$1,285,639	\$889,098 + \$100,000	15%	\$22,867	\$171,232

Burglary and theft constitute the majority of criminal illegal immigrant charges prosecuted by the county. Very few cases actually go to trial. Most plea bargain, but all defendants spend time in jail. Statistics generated by the office indicate that out of 506 files of indictments, 256 were prosecuted, 104 of which had undocumented alienage. They required a total of 7,836 case days, or an average case length of 81.6 days. They remained in jail during that period.

Cochise County Indigent Defense

Estimated costs for indigent defense of criminal illegal immigrants is \$260,495. Cochise County's indigent defense system consists of the county departments of public defender and legal defender. A third component is contract defense counsel appointed by the bench under the budget item of

“mandatory indigent defense.” Total general fund expenditures for the indigent defense system were \$1.7 million.

Officials estimate that the caseload impact of criminal illegal immigrants was 11 percent. However, the extra work required to defend undocumented defendants adds another 2 percent, bringing the impact to roughly 13 percent (see below). The cost estimate for indigent defense services to illegal immigrants is \$227,495, plus \$33,000 in general government services, as seen in table A10.

Table A10: Cochise County Indigent Defense Impact

Gen Fund	Impact	Cost	Gen Gov	Total Cost
\$1,749,961	13%	\$227,495	\$33,000	\$260,495

Officials report that most cases involving undocumented immigrants come first to the public defender. The public defender typically handles from 50 percent to 80 percent of these original cases. In cases of conflict of interest, the list of remaining defendants is then sent to the legal defender. If a conflict still exists (i.e., multiple defendants), the bench will appoint a private defense attorney who is under contract with the county. Attorneys in both offices explain that they are hampered by a shortage of attorneys who speak Spanish. The process of defending criminal illegal immigrants includes transcribing, translating and investigating, making long-distance phone calls to Mexico, and educating defendants in the American criminal justice system, particularly the concept of “trial.” (Most of the defendants have minimal formal education, three to six years only.) Because of the lack of Spanish-speaking attorneys, bi-lingual county secretaries often must travel into Mexico to perform investigative fieldwork. Moreover, only one attorney (bi-lingual) in the public defender’s office handles undocumented immigrants, which diverts her from more serious cases. Using contract attorneys, who charge by the hour, drives up the cost of indigent defense significantly. Additional expenses are also incurred with the use of interpreters, bi-lingual court reporters, and witnesses. As one defense attorney explains:

Actually, the UDA [undocumented alien] cases often take a bit more work. They always require the services of an interpreter. I have learned a little Spanish and can speak it minimally. Another attorney in our office is headed for Mexico for a second, longer (3 month leave of absence, unpaid) course in Spanish. When he returns he will be fairly fluent. Until then, we have an investigator who is reasonably fluent and can accompany the attorney to the jail to talk with clients. So that is more expensive: two people instead of one talking to one client. You also need to know that the court interpreter is needed to translate documents from Mexico, and to work at every court appearance. This increases the cost of defending and prosecuting all Spanish-speaking defendants.

According to officials, many undocumented defendants provide local addresses, but they are usually fabricated. Non-citizens also include the category of “border crosser,” someone who has a travel card to enter for work on a daily basis but commits a felony. Documented citizens in multi-party crimes also involve non-citizens, further complicating a case. On rare occasions when four or five defendants are arrested for the same crime, they will implicate each other, eliminating the need to

hire contract attorneys. When defendants all agree, of course, there is no conflict of interest and the public defender handles the case.

Cochise County Justice Court

The cost to the six justice courts was estimated to be \$90,163. An additional \$14,000 was included for general government services for a total of \$104,163. Estimates were compiled by the superior court administration staff through interviews with justices of the peace, justice court administrators, and clerks. The combined general fund expenditure of the six courts was \$1.3 million. Since the justice courts handle civil and traffic cases as well, an estimate was first made of each court's criminal workload, followed by an estimate of that workload devoted to illegal immigrants and border crossers. Table A11 shows workload impact and table A12 shows cost impact.

Table A11: Cochise County Justice Court Workload Impact

Justice Court	# 1	# 2	# 3	# 4	# 5	# 6
Crim Caseload	40%	75%	65%	65%	37%	20%
Impact	10%	30%	4%	7%	1%	10%

The criminal workload and illegal immigrant caseload depends on the location of the court. Justice Court # 2, for example, is located in Douglas. Justice Court # 5 is located in Sierra Vista, and Justice Court # 6 in Bowie, a small, unincorporated community in the northeast part of the county.

Table A12: Cochise County Justice Court Cost Impact

Gen Fund	Impact	Cost	Gen Gov	Total Cost
\$1,289,268	varies	\$90,163	\$14,000	\$104,163

Cochise County Clerk of Superior Court

The clerk of superior court's general fund budget was \$787,633. Clerks estimate that 41 percent of their workload is related to criminal cases. "Using a pretty extensive sampling method," explains one clerk, "we came up with the figure of 26 percent of criminal cases involving illegal immigrants/border crossers." The cost estimated for the clerk of superior court of providing services to criminal illegal immigrants was \$83,962. The addition of \$12,242 in general government services brings the total to \$96,903, as shown in table A13.

Table A13: Cochise County Clerk of Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$787,633	\$322,930	26%	\$83,962	\$12,941	\$96,903

Illegal immigrants charged with state crimes generally go before a grand jury and do not receive a preliminary hearing. Most of them plead down, but they still remain in jail. (Some are also indicted who haven't been to jail yet.) There is an impact on jury selection, however, because people get called to serve on a jury and then the defendant pleads out.

Cochise County Superior Court

The estimated cost to the superior court of providing services to criminal illegal immigrants and border crossers is \$205,417. An additional cost of \$33,045 is added as general government services, for a total of \$238,462. General fund expenditures for all court operations amounted to \$1.5 million. Operations include four superior court divisions (\$684,828), court administration (\$520,194), court security (\$149,853), interpreters (\$99,141), and jury commissioners (\$74,402). Court personnel estimated that the overall workload of superior court for criminal cases is 56 percent. Further, the percentage of criminal cases that are illegal immigrant or border crosser is 24 percent. These court statistics are provided in table A14.

Table A14: Cochise County Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$1,528,418	\$855,904	24%	\$205,417	\$33,045	\$238,462

Cochise County Adult Probation

The estimated cost to the adult probation department of providing services to criminal illegal immigrants is \$38,856. Six thousand dollars was added as the cost of general government services, for a total of \$44,856. Expenditures covered by the general fund amounted to \$277,300 (the major part of this department is funded by the state). Department officials estimated that the number of pre-sentence investigations (PSI) conducted on criminal illegal immigrants was 205 and that each investigation and subsequent report took eight hours. They also estimated that it took 30 minutes to review each PSI. Most illegal immigrants plea bargain (95 percent), and work done on unsupervised probation cases consists of sending termination notices. The time spent on undocumented immigrant cases for management information services and criminal history checks is also included. During 1999 there were also 220 additional interactions with undocumented cases that were still open from previous years. Further, according to one official, "The federal government dumps some of its probation cases on us." These tend to be port-of-entry drug and vehicle theft cases. Workload devoted to processing criminal illegal immigrants was estimated to be about 14 percent of the department's total workload. Calculations for various aspects of processing are arrayed below, followed by cost estimates in table A15.

$$\text{PSI} = 205 \times 8 \text{ hours} \times \$19 = \$31,160$$

$$\text{PSI review} = 205 \times 30 \text{ minutes} \times \$25 = \$2,563$$

$$\text{Termination notification} = 52 \text{ hours per year} \times \$19 = \$988$$

$$\text{MIS} = 75 \text{ hours per year} \times \$17 = \$1,275$$

$$\text{Criminal history check} = 205 \times 1 \text{ hour} \times \$14 = \$2,870$$

Table A15: Cochise County Adult Probation Impact

Gen Fund	Cost	Gen Gov	Total Cost
\$277,300	\$38,856	\$6,000	\$44,856

Cochise County Juvenile Court Center

The estimated cost to the juvenile court center is \$167,505. An additional \$43,314 in general government services brings the total to \$210,819 (see table A16). A good portion of this department is state-funded; general fund expenditures amounted to \$1,271,969. The juvenile court center primarily provides detention services (\$666,196) and probation services (\$563,121). Juvenile court center officials estimate that about 9 percent of the average daily inmate population is illegal and that the average length of stay for them is 16.7 days. Out of 513 detainees in 1999, 45 of them were undocumented. Most illegal juvenile inmates are picked up for drug trafficking, burglary, or possession of marijuana. The incidence of "casual crime" has declined significantly since the border wall was erected at Douglas in 1998. One official defined the casual criminal in this way: "They are not professionals. They run into a house, grab a VCR, and run back across the border."

Probation services for illegal juveniles consume from 10 percent to 13 percent of the department's workload. Probation officers track illegal juvenile cases from detention to hearing to adjudication to resolution. A lot of time is spent attempting to reach parents in Mexico, which includes telephone costs, insurance, and sending staff across the border to search for documentation or locate family. Occasionally, psychic-evaluation tests are also conducted, at a cost of \$500 each.

Table A16: Cochise County Juvenile Court Center Impact

Detention Budget	Impact	Cost	Probation Budget	Impact	Cost	Gen Gov	Total Cost
\$666,196	15%	\$99,930	\$563,121	12%	\$67,575	\$43,314	\$210,819

Cochise County Emergency Medical Services

The aggregate estimated costs for illegal emergency medical services, autopsies, and burials amount to \$68,404. Added to these costs is \$13,531 in general government services for a total of \$81,935 (see table A17 for details). The county's contribution to AHCOCS was \$6.8 million; the portion that funds SES amounts to \$19,933. Burials are about \$750 a piece, and only two out of the 20 indigent burials were of illegal indigents. According to the county's medical examiner, about 6 percent of the autopsies performed were on illegal indigents. Not included in these medical estimates is the cost for ambulance service, which the county subsidized for \$103,254. (No records are available on the number of undocumented ambulance users. Moreover, the county subsidy for ambulance service disappears in 2001.) Estimates are likely very conservative: One health department official explained that the number of undocumented residents is significant in Cochise County. They reside with legal residents and can easily provide electric bills or other documentation to prove residency.

Table A17: Cochise County Emergency Medical Impact

Eligibility	Medical (SES)	Autopsy	Burial	Gen Gov	Total Cost
\$39,315	\$19,933	\$7,656	\$1,500	\$13,531	\$81,935

SANTA CRUZ COUNTY, ARIZONA

Santa Cruz County is located in the south central part of 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 nation's winter produce enters through Nogales, Santa Cruz County's larger municipality. Trade, commerce, and some ranching anchor the county's economy, and *maquila* (bi-national) plant operations abound. The county's assessed value was \$185.3 million and the property tax rate was \$3.2487 per \$100 of assessed valuation. The general fund amounted to \$16 million, with a total budget of just under \$30 million. Santa Cruz County spent \$6 million on law enforcement and criminal justice, which amounts to 37.5 percent of the general fund and \$159 per resident. Two incorporated municipalities lie in Santa Cruz County. Nogales, the county seat, is a shopping mecca for Mexicans and the dominant population center in the region. The other is the Town of Patagonia, northeast of Nogales, a tiny ranching community. Other population enclaves include Sonoita, Tubac and Rio Rico. Santa Cruz County is in the process of establishing a community college system. With a population of 39,150 and a land area of just 1,246 square miles, the county is the smallest of Arizona's border counties in terms of area, population and public resources.

Santa Cruz County's Border Environment

Santa Cruz County hosts two of the major ports of entry along the Mexican border. Nogales is the busiest of Arizona's seven ports of entry. Arizona's Nogales faces the largest border city in the State of Sonora, also called Nogales. Sonora's Nogales has a population of well over 300,000 (though census estimates are much lower), with several more municipalities lined along Mexico Highway 15 south to Guaymas. Sonora's capital of Hermosillo, just 150 miles south, has a population of nearly one million. Such population disparity and illegal entry pressures place significantly disproportionate pressures on the fiscal resources and taxpayers of Santa Cruz County.

The three ports of entry along Santa Cruz County's 56-mile border comprise two in downtown Nogales and one a few miles west. They have been modernized and expanded in recent years. In 1999 the number of persons crossing into the United States through Nogales amounted to 14,774,813. Entries into the county compose 43 percent of all crossings into Arizona. The number of illegal immigrant apprehensions by the Border Patrol amounted to 86,529, or 16.3 percent of all federal apprehensions in Arizona. The Border Patrol operates one station, in Nogales.

Undocumented immigrants who are apprehended on one state felony or two or more misdemeanors are jailed and processed. The Nogales Police Department makes about 70 percent of those arrests and the Santa Cruz County Sheriff's Office makes 30 percent. Table A18 presents some Santa Cruz County border statistics.

Table A18: Santa Cruz County Border Statistics

Population	Square mi.	Border Length	INS Crossings	Border Patrol Apprehensions	Ports-of-Entry
38,116	1,268	56 miles	14.8 M	86,529	3

Sources: Census Bureau, INS, Border Partol

Costs of Illegal Immigration on Law Enforcement, Criminal Justice and Emergency Medical Services

Estimated costs to Santa Cruz County for providing services to criminal illegal immigrants is \$2,152,663. This includes \$385,684 in general government services. The cost for every resident was \$55. Cost studies were conducted on the departments of sheriff, county attorney, justice court, clerk of superior court, superior court, adult probation and juvenile court center. Estimates for indigent defense, which is contracted out, were provided by several departments. Costs were also estimated for medical emergency care, burials and autopsies performed on all illegal immigrants. A site visit was made in March 2000 and additional interviews were conducted in Tucson and Phoenix. Follow-up to the site visit consisted of numerous telephone calls, e-mails, and faxes. Three previous studies,³ budget documents, court records, and available departmental statistics were also consulted. Both preliminary and final estimates were given to county officials for review. Table A19 presents total cost estimates for the county, and the section following provides a breakdown of estimates by department.

Table A19: Santa Cruz County Costs by Department
County Total: \$2,152,663

Sheriff	County Attorney	Indigent Defense	Justice Courts	Clerk of Superior Court	Superior Court	Adult Probation	Juvenile Center	Emergency Medical
\$1,370,480	\$128,940	\$115,130	\$95,868	\$64,990	\$156,320	\$149,528	\$55,255	\$16,152

Santa Cruz County Sheriff

General fund expenditures for the sheriff were \$2.7 million. The portion for patrol, investigation and administration ("Patrol" in the table) is about 49 percent of the budget, and that for detention is about 51 percent. The total cost of apprehending, investigating, and detaining illegal immigrants is estimated to be \$1,376,480, which includes \$230,000 in costs for general government services, as shown in table A20.

The most common crime committed by illegal immigrants in Santa Cruz County is burglary. The average daily jail population was about 65 inmates in 1999. The average daily inmate count that is criminal illegal immigrant is 35, or 54 percent of the total inmate population. Criminal illegal immigrants stay an average of 68 days. Jail officials indicate that inmates typically spend one month in jail before trial, another three weeks during trial, and approximately three more weeks after sentencing. Estimated costs for detention, which include medical care and transportation, amounts to \$743,586. A payment from SCAAP was \$173,800. Processing and handling criminal illegal immigrants places an estimated burden of about 30 percent on patrol, investigation, and administration; those costs amount to \$396,900.

Table A20: Santa Cruz County Sheriff Impact

Division	Budget	Impact	Cost
Patrol	\$1,323,000	30%	\$396,900
Detention	\$1,377,000	54%	\$743,580

Cost	Gen Gov	Total Cost
\$1,140,480	\$230,000	\$1,370,480

Santa Cruz County County Attorney

Arizona county attorneys handle both civil and criminal cases. About 66 percent of the county attorney's workload is devoted to criminal cases. That portion of the general fund budget is \$450,000. The county attorney processed 550 adult felonies and 345 juvenile felonies. (These figures do not include bad check cases, revocations or forfeitures.) About 23 percent of these cases were identified as illegal immigrants, all from Mexico. The portion of the county attorney's general fund budget spent on processing illegal immigrants comes to \$103,500. Another \$25,440 is added as general government services for a total of \$128,940 (see table A21).

According to county attorney officials, juvenile felony cases have declined in the last year because of the greater number of Border Patrol officers in the downtown Nogales area. Opportunities for shoplifting and car theft have been minimized.

Table A21: Santa Cruz County Attorney Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$674,322	\$450,000	23%	\$103,500	\$25,440	\$128,940

Santa Cruz County Indigent Defense

Santa Cruz County does not have a public defender or legal defender. All indigent defense is contracted out to private attorneys. The total general fund budget for indigent defense was \$256,580. According to officials in several departments, from 60 percent to 70 percent of all felony cases in the county receive public defense, and 100 percent of illegal immigrants are assigned a court-appointed attorney. Just under 36 percent of indigent defendants were illegal immigrants. The estimated cost for defending illegal immigrants comes to \$92,369, and an additional \$22,761 for general government services brings the total to \$115,130, as the table below indicates.

Table A22: Santa Cruz County Indigent Defense Impact

Gen Fund	Impact	Cost	Gen Gov	Total Cost
\$256,580	36%	\$92,369	\$22,761	\$115,130

Santa Cruz County Justice Court

Santa Cruz County has two justice court precincts. The combined general fund budget was \$403,452. The justice court in Nogales is the busier, spending 78 percent of the budget. Justice courts handle criminal, civil and traffic cases, and officials estimate that about 53 percent of the court's workload is devoted to criminal work. The caseload percentage of illegal immigrants is consistent with that of the county attorney, just below 36 percent. The estimated cost of providing services to criminal illegal immigrants is \$76,979, with another \$18,889 added for general government services. The department total is \$95,868, as the table presents.

Table A23: Santa Cruz County Justice Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$403,452	\$213,830	36%	\$76,979	\$18,889	\$95,868

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 \$374,566, and the criminal portion of that budget is about 39 percent, or \$144,957. According to officials, the clerk's office processed the same percentage of illegal immigrant filings as did the county attorney and justice court. Estimated cost to the clerk of superior court is \$52,185, about 36 percent of the criminal budget. Added to that is the clerk's portion of general government services, \$12,805, for a total of \$64,990 (see table below).

Table A24: Santa Cruz County Clerk of Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$374,566	\$144,957	36%	\$52,185	\$12,805	\$64,990

Santa Cruz County Superior Court

The superior court consists of two divisions. The general fund budget was \$900,947. The bench's criminal workload consumes about 39 percent of the budget, or \$348,666. During the year, 246 adult criminal cases were filed and 352 juvenile cases were filed. About 36 percent of those cases were illegal immigrants. In addition to the two superior court judges and judge pro-tems, also involved in processing criminal illegal immigrants are judicial assistants, secretary-receptionists, interpreters, and bailiffs. Some interpreters are under contract as well. Estimated cost to the superior court is \$125,520. Another \$30,800 is added to cover general government services for a total of \$156,320, as table A25 shows.

Table A25: Santa Cruz County Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
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\$900,947	\$348,666	36%	\$125,520	\$30,800	\$156,320
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Santa Cruz County Adult Probation

The adult probation department is primarily funded by the State of Arizona. Expenditures from the county general fund amounted to \$226,200. All of the workload is related to criminal activity, and about 53 percent of the probation department's workload, which includes unsupervised probation and pre-sentence investigations, involved undocumented immigrants. Estimated costs to the probation department are \$120,000 for unsupervised probation services and performing pre-sentence investigations on illegal immigrants. As table A24 indicates, an additional \$29,528 is added for general government services, bringing the total to \$149,528. One hundred twenty-six illegal immigrants out of 236 were under supervision, or about 53 percent. This caseload figure does not include intensive probation, which is funded by the state.

Table A26: Santa Cruz County Adult Probation Impact

Gen Fund	Impact	Cost	Gen Gov	Total Cost
\$226,200	53%	\$120,000	\$29,528	\$149,528

Santa Cruz County Juvenile Court Center

Juvenile court services include supervised probation, unsupervised probation, and detention. The general fund budget for juvenile detention alone was \$430,000. A total of 299 juveniles were detained in 1999, and 30 (roughly 10 percent) were undocumented. Costs include medical care and education, which is mandated by the state and requires hiring a half-time bi-lingual teacher. Estimated costs of detaining criminal illegal juveniles was \$43,000, plus \$12,255 in general government services, totaling \$55,255, as shown in table 27. The number of juvenile illegal immigrants receiving other probation services is not available.

Table A27: Santa Cruz County Juvenile Court Center Impact

Gen Fund (detention)	Impact	Cost	Gen Gov	Total Cost
\$430,000	10%	\$43,000	\$12,255	\$55,255

Santa Cruz County Emergency Medical Services

Like all Arizona counties, Santa Cruz County finances emergency medical care for non-resident indigents through its contribution to the state SES program. Santa Cruz County's contribution was \$428,832, so the 9/10 of 1 percent to SES was \$4,345. The general fund expenditure for determining eligibility was \$220,200. About 65 percent of the 1,258 determinations made in 1999 were denied, and about 5 percent of those denied were undocumented immigrants. The cost of conducting eligibility determinations on illegal immigrants came to \$7,177. The total estimate for emergency health care for illegal immigrants amounted to \$11,522. Santa Cruz County buried four illegal immigrants (out of 452) for a cost of \$1,800, but performed no autopsies on illegal

immigrants. The addition of \$2,830 in general government services brings the total to \$16,152. Table A28 shows these statistics.

Table A28: Santa Cruz County Emergency Medical Impact

Eligibility (SES)	Medical	Autopsies	Burials	Gen Gov	Total Cost
\$7,177	\$4,345	\$0	\$1,800	\$2,830	\$16,152

PIMA COUNTY, ARIZONA

Pima County lies in south central Arizona. The largest of Arizona's border counties in terms of both population and area, the county's population was about 803,618, making it the second largest of the 24 border counties behind San Diego County. Pima County's 9,240 square miles include 126 miles of border, two Indian reservations, and several federal and state parks. The county has five incorporated municipalities. Tucson is the largest with a population of 450,000; the others are Marana, Oro Valley, Sahuarita and South Tucson with a combined population of 34,000. Other population enclaves include Ajo, Green Valley, Catalina, Casas Adobes, and Vail. Arizona's land grant institution, the University of Arizona, is located in Tucson, as well as Arizona International College, an extensive community college system, and several private colleges. The general fund budget was \$246 million, and the total budget was \$748 million. Pima County's assessed valuation was \$3.9 billion, and the county property tax rate was \$3.6852 per \$100 of assessed valuation. General fund expenditures for law enforcement and criminal justice were \$132 million, comprising 54 percent of the general fund. The per capita expenditure for law enforcement and criminal justice in Pima County was \$161.

Pima County's Border Environment

The county's two ports of entry, at Lukeville and Sasabe, are in remote desert and not heavily traveled. About 170,000 crossings were reported by INS in 1999. Only 60,000 apprehensions were made by the Border Patrol, which operates two stations, at Tucson and Ajo. Vast stretches of desert along the southern and western parts of the county through the Tohono O'odham and Pascua Yaqui Indian Reservations make illegal entry dangerous; over 50 immigrants perished and many more were seriously injured in the first six months of 2000 alone. Moreover, two interstates serve as major people-smuggling routes and lead to additional deaths and injuries from van roll overs. The western part of the State of Sonora is lightly populated as well. Sonoyta, Puerto Penasco, Caborca, and other small towns have a combined population of about 108,000. Table A29 arrays some of these border statistics.

Table A29: Pima County Border Statistics

Population	Square miles	Border length	INS Crossings	Border Patrol Apprehensions	Ports-of-entry
803,789	9,240	126 mi	170,000	60,000	2

Sources: Census Bureau, INS Border Patrol

Costs of Illegal Immigration on Law Enforcement, Criminal Justice and Emergency Medical Services

The costs for providing law enforcement and criminal justice services to criminal illegal immigrants is estimated to be \$12.9 million, which includes \$4.6 million in emergency medical services and \$800,000 in general government costs. This translates into a per capita cost of \$16. The following section provides a breakdown of costs by department. Dozens of officials were interviewed: department and division heads, jailers, prosecutors and defenders, elected officials, technical experts, and administrators. Available statistical records were consulted as well as budget and court documents, SCAAP applications, and newspaper accounts. Follow-up was conducted through second site visits, telephone and e-mail interviews, and faxes. Department heads were provided with final cost estimations for review. Table A30 presents total and departmental cost estimates for Pima County.

Table A30: Pima County Costs by Department
County Total: \$12,850,511

Sheriff	County Attorney	Indigent Defense	Justice Courts	Clerk of Superior Court	Superior Court	Adult Probation	Juvenile Center	Emergency Medical
\$6,032,764	\$450,421	\$623,282	\$208,339	\$36,342	\$520,443	\$132,308	\$254,967	\$4,591,645

Pima County Sheriff

General fund expenditures for the sheriff totaled \$58 million. Jail operations comprised 42 percent of the budget, for \$24.3 million. Patrol, investigation and administration ("patrol" in tables) operations comprised 48 percent, for \$33.7 million. Patrol and investigation deputies estimate a criminal illegal immigrant impact on workload of from 3 percent to 5 percent. The two sheriff substations closer to the border, in Green Valley and Ajo, have higher impacts, from 4 percent to 9 percent. An average of 4 percent was used to estimate costs to the patrol, investigation and administration side of the sheriff's budget, for \$1,348,200. The cost for detaining criminal illegal immigrants was estimated to be \$4,366,440. This estimate is based on 4,851 criminal illegal immigrant inmates (out of an annual population of 515,380) whose average length of stay was 19 days. The Tucson Police Department makes about 70 percent of arrests, the majority of which involve burglary, auto theft, and multiple DUIs, and the sheriff's office makes 30 percent. A general government services cost of \$318,124 brings the total to just over \$6 million. (A payment of \$956,000 was received from SCAAP.) Table A31 presents calculations.

Table A31: Pima County Sheriff Impact

Division	Budget	Impact	Cost
Patrol	\$33,704,999	4%	\$1,348,200
Detention	\$24,258,000	18%	\$4,366,440

Cost	Gen Gov	Total Cost
\$5,714,640	\$318,124	\$6,032,764

Pima County County Attorney

The county attorney's general fund expenditures totaled \$12.2 million. The criminal division consumes about 60 percent of the workload, or \$7.3 million. Added to that are expenditures for the 88-Crime unit, victims' witness unit, and a portion of administration for a total criminal budget of \$9.8 million. Estimated cost to the county attorney's office is \$437,221 for processing illegal immigrants. The addition of \$13,200 in general government services brings the total to \$450,421, as table A32 indicates.

Data collected by the county attorney's "issuing attorneys" and the superior court's pre-trial services indicate that about 9 percent of adult felony arrestees are illegal immigrants, and about 6 percent of adult misdemeanor arrestees are illegal. Six hundred ninety-six illegal immigrants were reviewed by issuing attorneys, and approximately 369, or 53 percent, went on to impact superior court and other departments (4.5 percent of total felony caseload). Misdemeanor workload is not included.

Table A32: Pima County Attorney Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$12,150,690	\$9,716,022	4.5%	\$437,221	\$13,200	\$450,421

Pima County Indigent Defense

The system of indigent defense consists of the offices of public defender, legal defender, and the use of contract attorneys. Total expenditures for indigent defense amounted to \$13.5 million. (The cost for contract attorneys was \$4.3 million, 32 percent of total expenditures.) Neither the public defender, legal defender, nor the contract attorney administrator tracks the number of cases of undocumented immigrants, but they estimate that the 4.5 percent caseload in the county attorney's office and pre-trial services would apply to their caseloads as well. It is assumed that the percentage of cases in the public defender's office holds for the legal defender and contract attorneys. Costs to the indigent defense budget is estimated to be \$606,470. An additional \$16,812 in general government services brings the estimate to \$623,282, as table A33 presents.

Table A33: Pima County Indigent Defense Impact

Gen Fund	Impact	Cost	Gen Gov	Total Cost
\$13,477,110	4.5%	\$606,470	\$16,812	\$623,282

Pima County Justice Court

Justice court consists of seven precincts. Five are consolidated in Tucson, and the other two operate in Green Valley and Ajo. Total expenditures for all courts were \$4.1 million (85 percent in Tucson's court). About 65 percent of the justice court workload is devoted to criminal cases, for a criminal budget of \$2.6 million. Criminal cases are further divided into felonies (23 percent), misdemeanors (46 percent), and criminal traffic (31 percent) cases. Each of these divisions incurs different impacts consistent with those of pre-trial services and the issuing attorneys— 9 percent for felony cases, 6 percent for misdemeanors, and 6 percent for criminal traffic cases. The caseloads of illegal immigrants on the Green Valley and Ajo justice courts are higher: 12 percent and 8 percent, respectively. Estimated cost of providing services to criminal illegal immigrants is \$196,658. An additional \$11,681 in general government costs brings the total to \$208,339, as shown in table A34.

Table A34: Pima County Justice Court Impact

Gen. Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$4,069,733	\$2,645,326	Various	\$196,658	\$11,681	\$208,339

Pima County Clerk of Superior Court

Total general fund expenditures for the clerk of superior court amounted to \$5.2 million. Approximately 15 percent of the court clerk's workload is devoted to criminal cases, for a criminal budget of \$780,000. In 1999 the office handled about 4,361 criminal filings. While the office does not systematically track illegal immigrant cases, clerks offered a rough estimate of 3 percent. It is assumed that a more accurate estimate would be closer to the 4.5 percent to be consistent with that of the county attorney and pre-trial services. Estimated cost for processing criminal illegal immigrant cases is \$35,100; added to that is \$1,242 in general government services for a total of \$36,342 (see table A35).

Table A35: Pima County Clerk of Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$5,200,000	\$780,000	4.5%	\$35,100	\$1,242	\$36,342

Pima County Superior Court

The superior court operated with a \$16.7 million general fund budget. Court operations that relate to illegal immigrant cases include pre-trial services, adjudication, administration, calendaring, information services, interpreters, commissioners, and law library. The court estimates that 60 percent of its workload involves criminal cases, for a criminal budget of \$10 million. While civil filings outnumber criminal filings, criminal cases require a great deal more work. There were 7,602

arrests made. Of those, 696 were illegal immigrants. About half of those arrested on state felonies go on to be issued, so approximately 350 continued on through the courts, or about 4.5 percent. Cost to the superior court of adjudicating criminal illegal immigrants is estimated to be \$450,000. An additional \$70,443 is included to account for general government services for a total of \$520,443. Table A36 presents these statistics.

Table A36: Pima County Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$16.7 million	\$10 million	4.5%	\$450,000	\$70,443	\$520,443

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 \$4.2 million. The cost of providing probation services to criminal illegal immigrants is estimated to be \$117,200. An additional \$15,108 for general government services brings the total to \$132,308, as presented in table A37 below.

The probation department provides numerous programs, including several types of supervision, pre-sentence investigations (PSI), and adult literacy instruction. Illegal immigrants as a rule only receive PSIs. The adult probation office conducted 3,808 investigations (extrapolated from three months of statistics). One hundred sixty-eight were conducted on illegal immigrants, for a caseload percentage of 4.4 percent. Pre-sentence investigations are estimated to cost an average of \$400 each in probation officer time and administration. They are conducted on felony cases only, so this figure does not include misdemeanor cases. The probation department estimates that the cost of conducting PSIs on illegal immigrants reached about \$67,200 in 1999. (These particular immigrants spent an average of 136 days in the Pima County Jail.)

While the department does not generally provide supervision to illegal immigrants, probation officers become involved if they return to Pima County while on probation and are brought to their attention. A number is allowed to remain in the county, and they receive regular probation 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. Arrest (or re-arrest) results in another investigation and report to the court, followed by one or more hearings requiring attendance of probation officers. This type of supervision is provided to about 50 criminal illegal immigrants a year at a cost of \$1,000 each. The additional \$50,000 brings the estimated cost in services to \$117,200.

Table A37: Pima County Adult Probation Impact

Gen Fund	Impact	Cost	Gen Gov	Total Cost
\$4,200,000	168 X \$400 + \$50,000	\$117,200	\$15,108	\$132,308

Pima County Juvenile Court Center

Services for juveniles include calendaring, early intervention, detention, and probation. The general fund budget for these operations totaled \$9.3 million. (The juvenile court receives significant state funding and other grants.) The number and percentage of criminal illegal immigrant juveniles in the center is low. Impact to the general fund budget is estimated to be \$245,544 for both detention and probation. The additional cost for general government services---\$9,423---brings the total to \$254,967 (see table A38).

Fifty-eight illegal juveniles were detained, all Mexican citizens. Their average length of stay during that year was five days, for a total cost of \$34,800. There are a few illegal juveniles who receive supervision, and illegal juveniles who are brought in to the center, whether they are detained or not, all require unsupervised probation. In addition, the center has from 20 to 30 illegal juveniles on supervised probation because they reside (illegally) with relatives in Pima County. The cost for these illegal immigrants is not included. Probation costs only are estimated to be \$210,744.

Table A38: Pima County Juvenile Court Center Impact

Detention Budget	Impact	Cost	Probation Budget	Impact	Cost	Gen Gov	Total Cost
\$4,074,214	<1%	\$34,800	\$1,848,727	11.4%	\$210,744	\$9,423	\$254,967

Pima County Emergency Medical Services

Pima County is the only county along the border that owns and operates its own hospital. Called Kino Hospital, it is budgeted as an enterprise fund, but it received an infusion of \$18.4 million from the county general fund in FY 1999. Hospital officials do not track the alienage of patients, but indicators such as lack of social security number or a local address suggest an absence of documentation. Investigators determined that a conservative estimate of costs of providing emergency medical services to illegal immigrants to Kino Hospital is \$1,840,000, or an impact of 10 percent.

The county's contribution to AHCOCS was \$30.2 million; the SES portion was \$271,497. Further, Pima County also had one illegal immigrant receiving long-term care at a cost of \$28,000 per year (his year of birth is 1956 and he is expected to remain in the county's care for the rest of his life.) Pima County spent \$650,000 on pre-AHCOCS medical care before eligibility was determined. Illegal immigrants are coded when interviewed as eligible for emergency services only, and they comprised about 15 percent to 20 percent of those receiving pre-eligibility care for a cost of \$113,750.

The eligibility determination unit spent \$3.8 million to conduct 35,000 determinations. About half of those were denied. The state is responsible for all patients who are determined to be eligible within 48 hours. If a determination cannot be made within that time, the county assumes the cost of care. Illegal patients are either residing in the county illegally or are nonresidents. Illegal residents can qualify for medical care, and illegal nonresidents receive emergency care under SES. According to health department officials, costs for this second group are extremely high for AHCOCS, especially for births. Many illegal nonresidents are flown to hospitals or arrive by ambulance, all resulting in millions of dollars in uncompensated care.

According to officials, eligibility determinations on illegal patients are not routine applications. They take an inordinate amount of time to process, often requiring home visits or phone calls to Mexico or Canada. Many will falsify claims of residency, even though they have addresses in another country. Claimants will also withdraw from the process after staff has invested a lot of time in making determinations. As many as 5,200 withdrew from the process at various stages, and they were identified as undocumented. Clients often receive multiple denials, many of which are made face-to-face. Between January and June 2000, for example, 27,414 determinations were made, of which 16.64 percent were approved. (Forty-one percent of applicants actually receive a face-to-face review; 35 percent of those were approved.) Thousands of applicants never show up for their review, most of whom are likely undocumented. The cost of determining eligibility on undocumented patients is estimated to be \$1,609,864.

Pima County spent \$1.1 million on autopsies in 1999. Out of 1,300 cases, about 70 percent resulted in autopsies. Cause of death of illegals is typically heat or cold exposure from desert crossings, or from an occasional vehicle accident (van rollovers on interstates are alarmingly more frequent). The medical examiner performed autopsies on 42 illegal immigrants at a cost of \$38,500, or 5 percent of \$770,000. Burials of undocumented immigrants were estimated to be \$7,250. Records are not kept of nationality or immigration status; however, 1,000 requests were made for burial and 125 were approved. Total costs are presented in table A39.

Table A39: Pima County Emergency Medical Impact

Eligibility	Medical/SES	Hospital	Autopsies	Burials	Gen Gov	Total Cost
\$1,609,864	\$113,750 \$271,497 \$ 28,000	\$1,840,000	\$38,500	\$7,250	\$682,784	\$4,591,645

YUMA COUNTY, ARIZONA

Located in the southwest corner of Arizona, Yuma County is separated from California by the Colorado River and from Mexico by desert. While much of the county is desert, the Colorado River Valley is rich farm land and sustains agriculture as a major part of Yuma County's economy. During winter months the county's population nearly doubles in size with the arrival of winter visitors. The county's year-round population is 135,614. Forty-eight percent live in the City of Yuma, the commercial center of the county (increasing to 68 percent in the winter). The other incorporated municipalities are San Luis (8,000), Somerton (5,800) and Wellton (1,100). Higher education includes a branch campus of Northern Arizona University and a community college. Yuma County is 5,561 square miles in area. Its assessed valuation was \$495 million and the county property tax rate was \$2.3180 per \$100 of assessed valuation. The general fund budget came to \$29.3 million and the total budget was \$128 million. Yuma County also levies a one-half cent sales tax for general purposes and a one-half cent sales tax for the county jail district. Expenditures on law enforcement and criminal justice amounted to \$18 million, or a \$135 expenditure for each resident. Yuma County spent 61 percent of its general fund on law enforcement and justice functions.

Yuma County's Border Environment

Yuma County shares about 94 miles of border with Mexico, much of that uninhabited desert. The county has one port of entry, at San Luis, its second largest municipality. A total of 10,683,342 crossings into Yuma County were recorded for 1999. The Border Patrol operates three stations in the Yuma Sector (Yuma, Wellton, and Blythe), which includes the southeast portion of California. The number of Border Patrol agents stationed in the Yuma Sector in 2000 was 310. Agents apprehended 87,939 illegal immigrants in FY 1999. The only Mexican city near the Yuma border, San Luis Rio Colorado, has a population of about 145,276. Table A40 presents some Yuma County border statistics.

Table A40: Yuma County Border Statistics

Population	Square Miles	Border length	INS Crossings	BP Apprehens	Ports of Entry
135,614	5,561	94	10 M	88,000	1

Costs of Illegal Immigration on Law Enforcement, Criminal Justice and Emergency Medical Services

The estimated cost to Yuma County of providing services to criminal illegal immigrants is \$4.5 million, which includes \$293,645 in general government services. Each man, woman and child living in Yuma County paid \$33.37 for these extr services in FY 1999. During one site visit in February 2000, many county officials and one Border Patrol official were interviewed. Additional interviews were conducted in Tucson and Phoenix. Court records, budget documents, cost analyses, newspaper articles, and 1997 SCAAP data were reviewed. Follow-up inquiries were conducted by telephone, fax and e-mail. Preliminary and final cost estimates were given to department heads for review. Table A41 contains total and departmental estimates, followed by a breakdown of costs by department.

Table A41: Yuma County Costs by Department
County Total: \$4,525,740

Sheriff	County Attorney	Indigent Defense	Justice Courts	Clerk of Superior Court	Superior Court	Adult Probation	Juvenile Center	Emergency Medical
\$3,407,805	\$218,168	\$125,747	\$59,487	\$61,698	\$211,518	\$105,581	\$0	\$335,736

Yuma County Sheriff

The sheriff's cost is estimated to be \$1,073,196 for patrol, investigation and administration ("patrol" in the table) functions. Detention costs are estimated to be \$2,105,522. (The county did not apply for payment from SCAAP in FY 1999 because of insufficient staffing and an anticipated low award.)

Combined cost to the sheriff is \$3,178,718. A general government services cost of \$229,087 brings the estimate to \$3,407,805, as table A42 below shows.

Officials report that about 30 percent of patrol operations, 10 percent of investigations, and 25 percent of administrative services were spent on criminal illegal immigrants. The patrol function is the largest of the three, and a reasonable estimate of 25 percent was used for the \$4,292,785 patrol budget. The most frequent call that deputies receive is for burglary. One officer described a common situation that occurs south of the City of Yuma during harvesting season: "Illegal immigrants steal about \$2 million in agriculture equipment every year."

According to jailers, the Yuma Police Department makes roughly 65 percent of arrests and the sheriff makes about 35 percent. A 1997 application to SCAAP listed 154 illegal inmates in jail for an average length of stay of 17 days, or less than 2 percent of the annual jail population. (Yuma County's jail averages 420 inmates a day.) However, these statistics were collected when the jail did not have the technology to track sufficiently those illegal immigrants who had committed a state felony or multiple misdemeanors. Jailers indicate that "at least half" of those are illegal. A estimate of 20 percent of the jail population is more reasonable than 2 percent, but far more conservative than 50 percent and more consistent with other departments in the system (see below).

Table A42: Yuma County Sheriff Impact

Division	Budget	Impact	Cost
Patrol	\$4,292,785	25%	\$1,073,196
Detention	\$10,527,612	20%	\$2,105,522

Cost	Gen Gov	Total Cost
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\$3,178,718	\$229,087	\$3,407,805
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Yuma County County Attorney

The county attorney's general fund budget was \$1.5 million. Consultants have estimated that the criminal division is allocated 70.64 percent of the budget, for a criminal budget of \$1 million. According to prosecutors, the number of pre-sentence investigations conducted by the adult probation department also reflects the criminal division's caseload: Out of 1,200 felony cases, about 240 were criminal illegal immigrants (20 percent). Twenty percent of the criminal division's budget is \$205,650. An addition of \$12,518 for general government services brings the total to \$218,168 (see table A43). The costs of prosecuting misdemeanors and juveniles were not available.

Table A43: Yuma County Attorney Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$1,455,616	\$1,028,247	20%	\$205,650	\$12,518	\$218,168

Yuma County Indigent Defense

The indigent defense system in Yuma County consists of the office of public defender, the office of legal defender, and private attorneys on contract to the county. The total expenditure for indigent defense was \$1.6 million. According to officials, between 5 percent and 10 percent of the caseloads in both offices are criminal illegal immigrants. An average of 7.5 percent is used to determine the cost, for \$118,022. The addition of \$7,725 in general government services brings the total to \$125,747, as shown in table A44.

Table A44: Yuma County Indigent Defense Impact

Gen Fund	Impact	Cost	Gen Gov	Total Cost
\$1,573,632	7.5%	\$118,022	\$7,725	\$125,747

Yuma County Justice Court

The general fund expenditure for the justice court's three divisions was \$907,307. Justice court administrators estimate that about 30 percent of the court's business is criminal-related, for a criminal budget of \$272,192. (The court in the City of Yuma has the highest volume; Wellton's handles traffic only, and Somerton's handles one-tenth the volume of Yuma's court [although, according to administrators, Somerton's is growing substantially because of the magistrate's volume in San Luis].) Case filings totaled 25,548, and about 20 percent of those were illegal immigrants. Costs to the justice court are estimated at \$54,438. As table A45 shows, the addition of \$5,049 in general government services brings the total to \$59,487.

Table A45: Yuma County Justice Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$907,307	\$272,192	20%	\$54,438	\$5,049	\$59,487

Yuma County Clerk of Superior Court

The clerk of superior court's general fund expenditure was \$852,123. Officials estimate that about 33 percent of the court clerk's business is related to criminal cases, for a criminal budget of \$281,201. Approximately 20 percent of those criminal filings are for offenses committed by illegal immigrants. The estimated cost for the clerk of superior court's office is \$56,240 for processing criminal illegal immigrants. An additional \$5,458 in general government services brings the total to \$61,698, as seen in table A46.

Table A46: Yuma County Clerk of Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$852,123	\$281,201	20%	\$56,240	\$5,458	\$61,698

Yuma County Superior Court

The superior court consists of five divisions. The court's general fund budget was \$1.6 million. With 5,659 criminal case filings in FY 1999, about three-fifths of the court's business is devoted to criminal work, for a criminal budget of \$960,815. The court's statistics are consistent with those of the adult probation department's PSIs on illegal immigrants: an impact of 20 percent on the court's criminal division. The cost to the superior court of processing criminal illegal immigrants is \$192,163. An additional \$19,355 in general government services brings the total to \$211,518, as shown in the table below.

Table A47: Yuma County Superior Court Impact

Gen Fund	Crim Budget	Impact	Cost	Gen Gov	Total Cost
\$1,601,359	\$960,815	20%	\$192,163	\$19,355	\$211,518

Yuma County Adult Probation

The adult probation department conducts about 1,200 felony PSIs a year. Probation officers calculate that about 240, or 20 percent, are conducted on criminal illegal immigrants. The department's general fund expenditure was \$938,264 (adult probation also receives funding from the state and grants). As table A48 indicates, half of that expenditure, or \$491,632, covers the PSI component. Twenty percent of that component brings the cost of processing criminal illegal

immigrants to \$98,326. Another \$7,255 is added to cover general government services for a total of \$105,581. Criminal illegal immigrants did not receive supervisory probation services.

Table A48: Yuma County Adult Probation Impact

Gen Fund	PSI Budget	Impact	Cost	Gen Gov	Total Cost
\$983,264	\$491,632	20%	\$98,326	\$7,255	\$105,581

Yuma County Juvenile Court Center

According to juvenile court officials, the majority of juveniles in detention are illegal, but very few have committed state or local crimes. The children delivered by Border Patrol are not delinquent but simply awaiting deportation. For the most part they are "INS holds" and thus the costs for detention are reimbursed routinely by the federal government. However, there is some minimal impact; paperwork, interviews, a few phone calls, and one or two PSIs are occasionally required. The juvenile court center's budget is primarily funded with state grants, so the cost to the general fund is negligible.

Yuma County Emergency Medical Care

Emergency medical care costs consist of the county's contribution to AHCOCS for SES and the eligibility determination function. The AHCOCS contribution was \$1.3 million, and the portion that covers SES was \$11,700. Out of a total \$8 million general fund budget for indigent health care, the eligibility determination component was \$1.1 million. The unit processed about 5,000 applications for indigent health care. (In July 2000, 457 applications alone were processed; about 25 percent were ineligible to receive benefits because they did not have documentation and could not prove residency.) This group consists not only of undocumented immigrants, but also of illegal residents and U.S. citizens who live in Mexico.

Applications for health care are kept open for 30 days, during which time many do prove residency, but, according to health department officials, "a lot of fraud and attempted fraud are uncovered through investigative work on the part of the department." The cost of providing emergency medical care to illegal immigrants is estimated to be \$293,158. The public fiduciary's budget for indigent burials was \$41,000. Records indicate that the county buries an average of 8.57 undocumented immigrants each year at a cost of \$740 a piece. Total cost of illegal immigrant burials is \$6,342, about 15.47 percent of the total number of burials. According to one official, the number of immigrant deaths requiring burials is increasing, and in early 2000, 12 were buried in a single month. Evidence such as the name "John Doe" and police reports indicates alienage. Records on alienage are not maintained by the medical examiner, however, but applying the same estimate of 15.47 percent as for burials provides a reasonable estimate of workload and cost. The general fund expenditure for medical examiner was \$125,000. Estimated cost of performing autopsies on illegal immigrants is \$19,335. All costs under the category of emergency medical are estimated to be \$335,736, which includes \$5,198 in general government services. Table A49 arrays statistics.

Table A49: Yuma County Emergency Medical Impact

Eligibility	Medical	Autopsies	Burials	Gen Gov	Total Cost
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\$293,158	\$11,700	\$19,338	\$6,342	\$5,198	\$335,736
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ARIZONA BORDER COUNTY SUMMARY

Arizona's four counties on the U.S.-Mexico border spent a combined \$24.2 million from their general funds in FY 1999 providing services to illegal immigrants for law enforcement, criminal justice, and emergency medical care care. The total costs per county ranged from \$2.2 million to \$13 million. With a combined population of over 1.1 million people, each man, woman and child residing in these counties paid an average of \$22 to fund these extra services (the range was \$16 to \$55). Table A50 further shows the aggregate cost to each department in these counties. Sheriff's departments bore the greatest brunt, for a combined cost of \$14.3 million, or nearly 60 percent of all costs. The second hardest hit service area was emergency medical services, autopsies, and burials, for a total of \$5 million, largely because Pima County owns a hospital. The combined costs for indigent defense and superior court were both at \$1.1 million. It should be noted that defending criminal illegal immigrants is more expensive than prosecuting them. This could be because counties must hire contract attorneys at an hourly rate in order to handle the extra caseload with conflicts of interest. The federal government, through SCAAP, gave these counties \$1.3 million in compensation for the detention of some criminal illegal immigrants. Federal participation in this burden amounted to only 5 percent of the total cost to Arizona's border county citizens.

Table A50: Arizona Border County Combined Costs by Department

Department	Cochise	Santa Cruz	Pima	Yuma	Totals by Department
Sheriff	\$3,505,722	\$1,370,480	\$6,032,764	\$3,407,805	\$14,316,771
County Attorney	\$171,232	\$128,940	\$450,421	\$218,168	\$968,761
Indigent Defense	\$260,495	\$115,130	\$623,282	\$125,747	\$1,124,654
Justice Court	\$104,163	\$95,868	\$208,339	\$59,487	\$467,857
Clerk of Superior Court	\$96,903	\$64,990	\$36,342	\$61,698	\$259,933
Superior Court	\$238,462	\$156,320	\$520,443	\$211,518	\$1,126,743
Adult Probation	\$44,856	\$149,528	\$132,308	\$105,581	\$432,273
Juvenile Center	\$210,819	\$55,255	\$254,967	\$0	\$521,041
Emergency Medical	\$81,935	\$16,152	\$4,591,645	\$335,736	\$5,025,468
Totals by County	\$4,714,587	\$2,152,663	\$12,850,511	\$4,525,740	\$24,243,501

Notes: Arizona' Border Counties

¹ Tanis J. Salant, *Border Impact: Law Enforcement and Criminal Justice in Santa Cruz County, Arizona*, Tucson: The University of Arizona, 1997.

² Joseph Garcia, "Kolbe urges Clinton: Act now to calm U.S. border, *Tucson Citizen*, May 30, 2000, 1A.

³ See: Tanis J. Salant, 1991, 1997, and 1999.

CALIFORNIA'S BORDER COUNTIES

Spaniards were the first Europeans to make significant attempts to colonize the area now known as California and in the process nearly eliminated the sparsely settled indigenous population. When Mexico gained independence from Spain in 1821, California became a part of Mexico, but there was relatively little interest in settling the region until gold was discovered in 1848. That occurred at the same time that Mexico was ceding territory to the United States as a result of the Mexican-American Wars of 1846-48. American statehood for California quickly followed the discovery of gold, and California entered the Union in 1850. The state remained relatively isolated from the rest of the country until 1868, when the transcontinental railroad was completed. The real "gold" of California turned out to be its rich agricultural resources, supplemented later by the discovery of oil in the state.

At the beginning of the 20th century, the population of the state was 1.5 million, representing less than 2 percent of the U.S. population; 20 states were more populous than California. At the beginning of the 21st century, California was far and away the most populous state in America, with its 33 million people accounting for more than 12 percent of the total U.S. population. Migrants from Mexico, 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 2000 the estimate of the Hispanic population was 10.7 million, accounting for 31 percent of the state's population.

The Demographic Research Unit of the California State Department of Finance projects that by 2021 the Hispanic population will just equal the non-Hispanic white population at 18.2 million, and by 2050 Hispanics will represent the majority in the state's population.¹ Population growth in Mexico has led to a situation in which the Mexican economy cannot generate enough jobs to meet the demands of 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 a lengthy one, the flow of undocumented immigrants is known to be large, although its exact size is not known. The INS estimates that approximately 275,000 undocumented aliens take up residence in the United States each year. Based on INS estimates of the geographic distribution of undocumented immigrants, 40 percent of those (or 110,000 per year) would be in California.² This number represents the *stock* of new residents, but not the *flow* of people across the border. Almost all undocumented persons in the U.S. from Mexico arrived in the U.S. by illegally crossing the border, whereas illegal immigrants from most other countries arrive legally in the U.S., but then overstay their visas. Thus, most of the undocumented flow across the border is of Mexican nationals, although there are also some people from other countries who enter Mexico first (either legally or illegally) and then cross illegally into the U.S. from Mexico.

California's Border Environment

Two of California's 58 counties (Imperial County and San Diego County) share the state's 150-mile border with Mexico. In 1999 the population of San Diego County was estimated by the Demographic Research Unit of the California Department of Finance to be 2,855,901 and that of

Imperial County to be 144,481, as shown below in table C1. Together, these counties represent 9 percent of the total population of California. San Diego County, which encompasses the San Diego metropolitan area, is the largest urban area of the entire border region and has been for the last 100 years. It alone accounts for 45 percent of the population residing in the U.S. counties adjacent to Mexico.³

Six ports-of-entry operate in California: three in San Diego County and three in Imperial County. In FY 1999 the INS recorded 92 million crossings from Mexico into California, 21 percent of the 435 million land crossings into the United States in that fiscal year, and 29 percent of the land crossings from Mexico into the U.S. This amounts to an average of more than 250,000 persons crossing the border each day through these six points-of-entry. In that same year, approximately 392,000 apprehensions of presumably undocumented immigrants were made in the San Diego County and Imperial County sectors by the Border Patrol, representing 29 percent of the total number of apprehensions along the U.S.-Mexico border. This number represents a decline from previous years and is attributable to the impact of the 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, into Imperial County and especially to Arizona.

Table C1: California Border County Statistics

County	Population	Border Length	Square Miles	Ports-of-entry	INS crossings	Border Patrol Apprehensions
Imperial	145,287 (5%)	2,092 (11%)	4,175 (50%)	3	36,133,488 (39%)	220,439 (56%)
San Diego	2,820,844 (95%)	17,135 (89%)	4,204 (50%)	3	55,711,929 (61%)	171,743 (44%)
TOTAL	2,966,131	19,227	8,380	6	91,845,417	392,182

Sources: California Department of Finance Demographic Research Unit, Immigration and Naturalization Service, U.S. Border Patrol

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. Note, however, that in all counties the sheriff, district attorney, and assessor are required to be elected. 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 U.S.-Mexico border counties in California, San Diego is a charter county and Imperial is a general law county.

It is important to note that in California counties lack some of the powers of self-government that

California cities have. In particular, cities have broad revenue generating authority that is not available to counties. Counties may be seen generally as an instrument of state government, but with the added responsibility for the specific health and welfare of residents within the county. In general, the California Constitution authorizes counties to make and enforce local ordinances, as long as they do not conflict with general laws. A county can sue and be sued, purchase and hold land, manage and dispose of its properties, and levy and collect taxes authorized by law.

In FY 1999 the principal source of revenue for the general fund of most California counties came from state-shared taxes (so-called intergovernmental revenues). The State of California distributes to counties a portion of the state 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 property taxes, sales taxes, vehicle license fees, and the real property transfer tax.

California County Property Taxes

As a result of Proposition 13 passed in 1978, California has a state-wide uniform rate of property tax assessment equal to 1 percent of assessed valuation, plus an amount for the debt service on any bonds approved by popular vote.⁴ Assessed value is defined as the "fair market value" and is typically calculated as the property's full cash value as of the date of the latest change in ownership or completion of construction (the "base year value"), adjusted by an annual inflation factor not to exceed 2 percent per year. The usual taxable value of a property is thus the adjusted base year value or the property's current market value, whichever is lower.

Proposition 13 required the state, rather than local government, to allocate these property tax revenues among competing jurisdictions within a county. The property tax allocation system currently in place was established by the passage in 1979 of Assembly Bill 8 (AB8). This legislation allocated the property taxes collected at the 1 percent rate to counties, cities, special districts, redevelopment agencies, and schools. A local government's share of the property tax was based initially on the share of the property tax going to that local government before Proposition 13. For example, if a county government received 10 percent of the property taxes collected by all local jurisdictions in that county prior to the passage of Proposition 13, the county government would receive 10 percent of the property taxes collected at the 1 percent rate. However, AB8 also had a long-term allocation plan built into it to provide local governments with a property tax base that would increase over time as assessed value grew, thereby providing a financing mechanism for growing communities. In this process, the funding of schools was largely de-coupled from property taxes and is now paid for out of a combination of property taxes and general state revenue. A significant portion of health and welfare costs was also shifted from county to state control.

California County Sales Taxes

The sales tax is another important source of local revenue in California counties. For the period under study, the state sales tax rate was 6 percent of taxable sales (non-food items, excluding services). The local county tax rate was an additional 1.25 percent, plus any additional local voter-approved increases. Thus, in FY 1999 the sales tax rate in San Diego County was 7.75 percent, and

in Imperial County the rate was also 7.75 percent, except in the City of Calexico, where it was 8 percent due to a voter-approved increase for the Heffernan Hospital District.⁵

The state shares a portion of the sales tax with local governments, including counties, and counties keep the sales tax levied in their jurisdiction (the unincorporated areas) for discretionary purposes.

California County Law Enforcement and Justice System

Law enforcement in California counties is shared by several different agencies. The California Highway Patrol operates in every California county, with the mission to ensure safety and provide service to the public as they utilize the highway transportation system and to assist local government during emergencies when requested. Most counties also 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. (Larger municipalities will fund their own local police agency.) Additionally, there are sworn police officers in public and private universities, in community colleges, and in special districts (such as the San Diego Harbor Police). There are also sworn officers in the Courts (the Marshal's office), and in federal agencies such as the Border Patrol.

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 the County District Attorney, and the supervision of persons on probation is undertaken by the County Department of Probation. The defense of indigents is the responsibility of the County Public Defender and Alternative Public Defender.

The system of justice is conducted under the auspices of the Superior Court system. 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. In other words, each county contributes to court costs, but those costs are not necessarily proportionate to the costs associated with the court in that county.⁶ The contribution required of each county is based on its funding of state courts in FY 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. This legislation went into effect on January 1, 1998 and counties were still working out the budgetary implications during the 1999 fiscal year.

The other change taking place in California courts is court unification. Prior to 1998, the Constitution of the State of California provided for a two-tier system of trial courts that consisted of 58 superior courts (one in each county) and 209 municipal courts. Superior courts had jurisdiction over all felony cases and all general civil cases involving disputes over \$25,000. These courts also had jurisdiction over probate, juvenile, and family law cases. The municipal courts had jurisdiction over misdemeanor and infraction cases, civil matters involving claims of \$25,000 or less, including small

claims that did not exceed \$5,000, and presided over felony arraignments and preliminary hearings to determine probable cause to hold defendants for further proceedings in superior court. On June 2, 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 its municipal court judges. Upon unification, the municipal court judges become superior court judges and are subject to countywide election. Upon unification, municipal court employees become employees of the unified superior court, and municipal court locations become locations of the countywide superior court.⁷ 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. Both San Diego and Imperial Counties unified their courts in 1998.

California County Indigent Health Care System

California has a complex system of health-care provision for low-income and indigent persons. The state provides funding through two separate, but related programs---Medi-Cal and the Healthy Families Program. Medi-Cal is California's implementation of the federal Medicaid Program and is oriented to families on welfare. Eligibility for Medi-Cal is very similar to that for welfare (formerly Aid to Families With Dependent Children [AFDC] and now CalWORKs [the California Work Opportunity and Responsibility to Kids Program]) in that the family must have very low income and be headed by either a single parent or an unemployed parent.⁸ The Healthy Families Program is California's version of the federal Children's Health Insurance Program (CHIP) and it began operation in 1998. It provides coverage for children through age 18 in families with incomes up to 200 percent of the Federal Poverty Level (FPL) and 250 percent for infants enrolled through the Access for Infants and Mothers Program. The Healthy Families Program has no restrictions on two-parent families or hours of work, and it has no asset limits. These two programs cover approximately 3.6 million low-income children and parents in California, two-thirds of which are in families on welfare who thus automatically receive Medi-Cal coverage. Although these programs are funded by the state, eligibility is determined at the county level by employees of a county's health and human services department.

Counties may also either provide direct help or assist in the funding of necessary services for indigent uninsured persons who are not covered by any other program. Eligibility and scope of services will vary from county to county. In many counties, including San Diego and Imperial, this task is typically contracted to nonprofit community clinics. Such clinics provide primary care services to a mix of Medi-Cal and uninsured low-income patients, as well as to fee-for-service patients. Neither county has a county-owned or -funded hospital.

Low-income and indigent health care is oriented especially to the needs of children and pregnant women. It is likely that the biggest single category of medical expense for undocumented immigrants from Mexico to California is that associated with pregnancy, delivery, and post-natal care. A child born in the U.S. to an undocumented immigrant is automatically a U.S. citizen and may be eligible for reimbursed medical care, even if the mother is not eligible. The task of determining such eligibility normally falls to workers employed by a county's health and human services department. There is very little likelihood that a non-pregnant adult undocumented immigrant will qualify for any program of medical assistance; as a consequence treatment provided

to these individuals is normally a charity that is absorbed by the provider. It is illegal to inquire about legal residence until after medical services have been provided, so only after-the-fact can the health care provider determine whether the person has resources to pay for himself or herself, or whether he or she is covered by insurance or by a publicly-funded program such as Medi-Cal.

Costs to California Border Counties

The total annual cost to California's border counties for providing law enforcement and criminal justice services to criminal illegal immigrants and emergency medical care to any illegal immigrants is estimated to be \$55,691,650. This estimate includes indirect costs for general government services to these departments. Table C2 summarizes these data for the two border counties of California

Table C2. Estimated Costs of Illegal Immigrants by County

County	Cost Estimate (% of total)	Per Capita Cost
Imperial	\$5,433,894 (10%)	\$37.61
San Diego	\$50,257,756 (90%)	\$17.60
TOTAL	\$55,691,650	\$18.56 (ave)

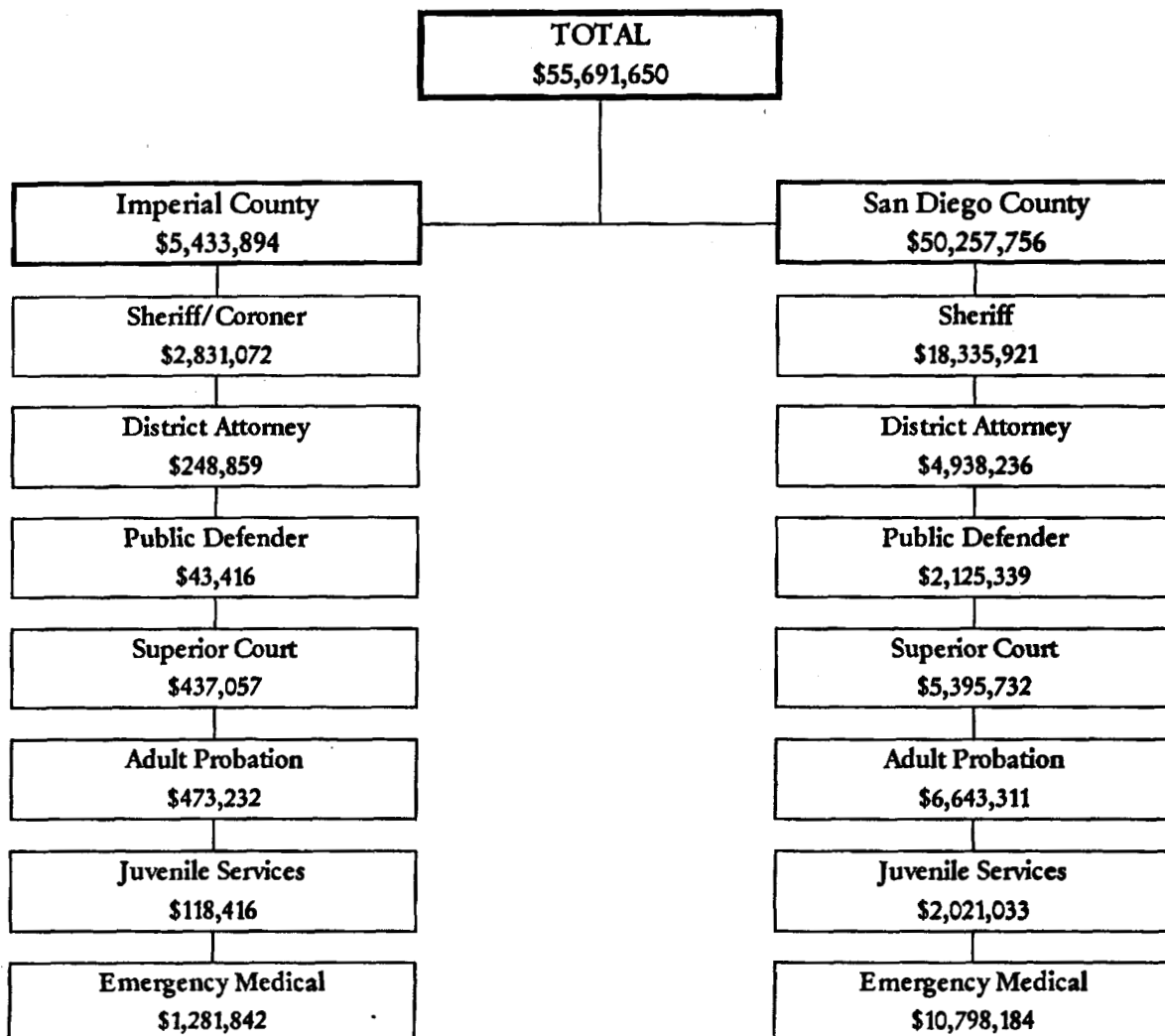
San Diego County's estimated cost of \$50.3 million accounts for 90 percent of the costs of the two counties combined, but table C2 shows that the impact per person is more than twice as high in Imperial County (\$37.61 per person) as it is in San Diego County (\$17.60).

Costs to California County Departments

The basis for determining the cost to the general fund for each department is the estimated percentage of workload in each department related to processing criminal illegal aliens. The results of these calculations are shown in table C3 and are discussed in more detail below in the sections devoted to each county.

Taking a percentage of workload insures that general department overhead costs are included as well as the direct costs of providing services. Also added is an estimate of the cost of services from general county government (e.g., auditor, human resources, finance and budget) to each department. These costs are included in the data shown above in table C3. The costs for emergency medical care (including ambulance/paramedic services and acute care), autopsies, and burials of indigents are combined under the heading of "emergency medical." These latter estimates are for all illegal immigrants, whether criminal or not.

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



Impact on California Citizens

The \$56 million 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. Table C4 shows that these two counties spent a total of \$566 million in FY 1999 on law enforcement and justice costs, accounting in each county for approximately one-fourth of the county general fund budget. In San Diego County the amount spent on illegal aliens (excluding the emergency medical costs) represents 7 percent of the total law-justice budget, whereas in Imperial County it represents 16 percent.

Table C4: General Fund Expenditures on Law Enforcement and Criminal Justice

County	Expenditures on Law-Justice (% of gen. fund)	Per capita	Percent of General Fund	Percent of Law-Justice budget spent on criminal illegal aliens
Imperial	\$25,624,741 (24%)	\$177	24%	16%
San Diego	\$540,761,097 (27%)	\$189	27%	7%
TOTAL	\$566,385,838	\$26.56 (ave)		

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 they 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 illegal aliens, 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.

IMPERIAL COUNTY, CALIFORNIA

Imperial County is one of North America's most important agricultural regions. 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 the building of the Imperial Dam--the last U.S. dam along the Colorado River before it enters Mexico and then empties into the Gulf of California (also known as the Sea of Cortez). The dam, located just north of Yuma, Arizona, was completed in 1938 and serves to divert water from the Colorado River into desilting basins before release into the All-American Canal, through which the water travels along the edge of the border to supply water to farmers in Imperial Valley. In 1997 the market value of agricultural goods sold by Imperial County farms was the highest in the State of California, and was five times the state average. Nonetheless, the unemployment rate in Imperial County has for several years been the highest in the state (consistently over 20 percent), reflecting the seasonal nature of the work in the agricultural sector (which includes both farm work and processing and transportation of harvested food).

The total population of Imperial County in 1999 was 144,000, most of which (76 percent) lives in unincorporated parts of the county. The remaining population is distributed among El Centro (the largest city and the county seat), Calexico (which is the city adjacent to the border at Mexicali), Brawley, Imperial, Calipatria, Holtville, and Westmoreland. Most of the county that is not irrigated is desert, although the northern part of the county, just north of Brawley, includes the southern portion of the Salton Sea, which is a huge human-origin basin of water originally created by accident when an early attempt to divert Colorado River water into the area went awry. Now the Sea, which sits more than 200 feet below sea level, is fed by irrigation and industrial wastewater from both the U.S. and Mexican sides of the border and a major restoration project is underway. Imperial County's educational resources include Imperial Valley College and the Imperial Valley Campus of San Diego State University. The county property tax rate in Imperial County was about 14 cents per \$100 of assessed valuation. The total assessed valuation was \$5.9 billion.⁹ The general fund for Imperial County in FY 1999 was \$107,168,178 and the total budget was \$164,416,707.

Imperial County is a founding member of the United States/Mexico Border Counties Coalition, and Imperial County Supervisor Tom Veysey represents California's two border counties on the executive committee. Elected county officials include all five members of the Board of Supervisors, the Assessor, the Auditor/Controller, the Clerk/Recorder, District Attorney, Public Administrator, Sheriff/Coroner, Tax Collector and Treasurer.

Imperial County's Border Environment

Imperial County hosts three ports-of-entry along the 90-mile border that it shares with Mexico. Two of these are located in Calexico, the American gateway to the City of *Mexicali*, which is the state capital of *Baja California* and has a population approaching one million persons. The area around *Mexicali* is, like Imperial Valley, a rich agricultural area. *Mexicali* also hosts a large number of *maquiladoras*. These firms have helped to create a technology and manufacturing presence on the Imperial County side of the border. The other port-of-entry is at Andrade, on the eastern edge of the county, near Yuma. Imperial County serves as a major transportation route through which goods produced in *Mexicali* reach the U.S. market by way of Interstate-8, which cuts through Imperial County, and Interstate-10, which lies just to the north of Imperial County and connects the

county directly to Los Angeles. As shown in table C5, the annual number of border crossings into Imperial County exceeds 36 million and is thus very large relative to the size of the county's population. Many of these crossings represent the thousands of persons who legally cross the border each day to work in Imperial County. Their presence in the labor market is one of the reasons for the high unemployment rate experienced by the county. Border Patrol apprehensions in Imperial County number 220,000 annually and now exceed those in San Diego County---a direct result of Operation Gatekeeper in San Diego, which has forced illegal immigrants east away from the major ports-of-entry in San Diego. Imperial County represents a relatively small population on the American side of the border, confronted by a much larger Mexican presence across the border. This fact, combined with the increasing eastward movement of illegal crossings out of San Diego County, places disproportionate pressure on the resources of the county government and thus on the taxpayers of Imperial County in dealing with the criminal side-effects of a large and increasing number of illegal entrants into the county.

Table C5: Imperial County Border Statistics

Population	Population in adjacent municipio	Border Length	Square miles	Ports -of -entry	INS border crossings	Border Patrol Apprehensions
144,481	764,902	90 miles	4,175	3	36,133,488	220,439

Sources: California Department of Finance Demographic Research Unit, INS, U.S. Border Patrol

Most criminal illegal immigrants apprehended at the border are processed through the federal criminal justice system, but many, including especially juveniles, are arrested on state felony or misdemeanor charges and enter the Imperial County criminal justice system. Undocumented immigrants who are apprehended on one state felony or two or more misdemeanors are jailed and processed. The Calexico Police Department makes a majority of those arrests, and the Imperial County Sheriff's Office makes most of the rest.

Costs of Illegal Immigration for Law Enforcement, Criminal Justice, and Emergency Medical Services

Estimated total costs to Imperial County for providing services to criminal illegal immigrants and providing emergency medical care to illegal immigrants is \$5,433,894. This includes \$186,789 in general government services. Cost studies were conducted on the county departments of sheriff, district attorney, public defender, probation, superior court maintenance, and juvenile services. Costs were also estimated for medical emergency care, burials and autopsies performed on illegal immigrants. Site visits were made in March 2000, resulting in personal interviews with key officials. Follow-up consisted of numerous telephone calls, e-mails, and faxes. The total cost estimate and a breakdown of costs by department are presented in table C6. A narrative of each department follows.

Table C6: Imperial County Costs by Department

County Total: \$5,433,894

Sheriff/ Coroner	District Attorney	Public Defender	Superior Court	Adult Probation	Juvenile Services	Emergency Medical
\$2,831,072	\$248,859	\$43,416	\$437,057	\$473,232	\$118,416	\$1,281,842

Imperial County Sheriff/Coroner

Imperial County combines the elected office of Sheriff and Coroner into one position and thus into one department. The Sheriff is also the Marshal of the Superior Court. The budget is not structured in a way to disaggregate costs for each component. General fund county taxpayer expenditures for the sheriff's office in FY 1999 were \$15.4 million, of which slightly more than one-half (\$7.8 million) was for corrections. The remainder was for patrol, investigation, administration, and the offices of the Coroner and Marshal. Note that slightly more than half of the total corrections cost is reimbursed to Imperial County by the State of California. The total county taxpayer cost of apprehending, investigating, and incarcerating illegal immigrants was estimated to be \$2,831,072, which includes \$97,317 in indirect costs for general government services. The calculations are shown in table C7.

Table C7: Imperial County Sheriff Impact

Division	Gen Fund	Percent Impact	Direct Cost	General Gov	Total Cost
Patrol, Investigation, Administration	\$7,546,883	17.8%	\$1,343,485	\$47,826	\$1,391,311
Detention	\$7,809,689	17.8%	\$1,390,270	\$49,491	\$1,439,761

The most common crimes committed by illegal immigrants in Imperial County are drug-smuggling and burglary. The Sheriff reports that most illegal aliens who are arrested plead guilty, so the investigation costs associated with the crime *per se* are not disproportionate, but that is more than compensated for by the higher cost associated with identification of the illegal immigrants, with the costs of interpreting, and with the greater health and social welfare needs of these individuals, which by law must be addressed by the Sheriff's office. The largest cost is associated with incarceration. The average daily jail population was 619 in 1999 at an annual cost per inmate of \$16,900. In that year, the INS identified 350 illegal aliens among the 2,261 incarcerated felons in Imperial County, for a 15.5 percent impact, based on approximate equivalence in the amount of jail days for illegal aliens and other inmates. A multiplier of 1.15 was employed to reflect the estimate that the average cost of arresting, investigating, and incarcerating an illegal immigrant is 15 percent higher than for other criminals. Thus, the overall impact of processing incarcerated illegal aliens is estimated to be 17.8 percent.

Estimated costs associated with illegal aliens for corrections, which include medical care and

transportation, amounts to \$1,439,761. A payment from SCAAP was \$337,000. The same 17.8 percent burden of processing and handling criminal illegal immigrants was applied to the costs of patrol, investigation, and administration, including the costs associated with the Sheriff's role as Coroner and Marshal. Those costs amount to an estimated \$1,391,311.

Imperial County District Attorney

The total budget for the Imperial County District Attorney was \$1,799,847. It was estimated that about 75 percent of the District Attorney's workload is devoted to felony cases. Of the felony criminal workload of the District Attorney's office, 15.5 percent of cases were identified as involving illegal immigrants. This computes to an overall 13.4 percent impact of processing criminal illegal aliens. Thus, the direct cost portion of the District Attorney's general fund budget spent on processing illegal immigrants is estimated to be \$240,305 which includes a 15 percent markup for the added cost of investigation, interpreters and other costs associated with the processing of criminal illegal aliens. Another \$8,554 is added as indirect general government expenses. These calculations are shown in table C8.

Table C8: Imperial County District Attorney Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$1,799,847	13.4%	\$240,305	\$8,554	\$248,859

Imperial County Indigent Defense

Imperial County has a Public Defender to handle indigent defense, and use is made of contracted services of the Alternate Public Defender if there are multiple defendants or other conflicts of interest on the part of the Office of Public Defender. The costs of the Alternate Public Defender are incorporated into the budget of the Public Defender. The total general fund taxpayer cost for this program in FY 1999 was \$949,711, of which an estimated 70 percent was spent on felony cases. The Public Defender estimated that 5.5 percent of cases involved illegal immigrants charged with a felony. However, it was once again agreed that a disproportionate amount of time went into the costs of processing illegal aliens, and the multiplier of 15 percent was used in these calculations. The estimated impact of defending illegal immigrants was thus 4.4 percent or \$41,923. An additional \$1,492 was included for the cost of general government services for a total estimated impact of \$43,416, as shown in table C9.

Table C9: Imperial County Indigent Defense Impact

General Fund	Percent Impact	Direct	General Gov	Total Cost
\$949,711	4.4%	\$41,923	\$1,492	\$43,416

Imperial County Superior Court

The cost of staffing and running the Superior Courts in California has been assumed by the State of

California. In FY 1999, counties were fiscally responsible largely for the cost of maintaining the court buildings. The taxpayer cost to Imperial County was budgeted at \$3,156,863. The Court is explicit in its lack of interest in determining who among the users of the Court is in the U.S. legally or not, in order not to introduce an element of discrimination into the legal proceedings. It was therefore assumed that the overall portion of this cost that was attributable to the presence of criminal illegal aliens in the Court system was equivalent to the fraction of budget spent by the District Attorney on criminal illegal aliens. This represented a sum of \$422,033 plus \$15,024 for associated indirect costs, for a total impact of \$437,057. These calculations are shown in table C10.

Table C10: Imperial County Superior Court Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$3,156,863	13.4%	\$422,033	\$15,024	\$437,057

Imperial County Adult Probation

The adult probation department had a general fund budget of \$2,967,715 in FY 1999, and virtually all of its time is estimated to be spent dealing with felonies, of whom 13 percent were estimated to be illegal aliens. Once again a multiplier was applied to these cases, to account for the additional time required to supervise these individuals, especially since many return to Mexico while under probation, and some investigation is required to attempt to maintain contact with these individuals. The estimated direct cost to the probation department of processing criminal illegal aliens is thus \$456,965. An additional \$16,267 was added to account for the department's share of general government services, producing a total estimated impact of \$473,232, as shown in table C11.

Table C11: Imperial County Adult Probation Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$2,967,715	15.4%	\$456,965	\$16,267	\$473,232

Imperial County Juvenile Services

Juveniles represent a special challenge for law enforcement personnel in Imperial County because there is no federal precedent for prosecuting illegal aliens who are under the age of 18. That places the entire burden of prosecution and incarceration of criminal juvenile illegal aliens onto the taxpayers of Imperial County. It is the perception of law enforcement authorities that the lack of federal sanctions encourages criminally-minded individuals in Mexico to recruit juveniles to cross the border illegally to commit crime, especially burglary. If juveniles succeed, they are paid in Mexico for their efforts. If they are caught, they spend time in the Imperial County Juvenile Facility where they are provided with good meals and a health examination. This may be perceived as a "win-win" situation by some Mexican youth. In FY 1999, the total general budget for Juvenile Services in Imperial County was \$1,394,033. The Director of Juvenile Services keeps exact records on the costs associated with Mexican national youth and in FY 1999 the cost associated with illegal criminal juveniles was \$114,345. To that was added \$4,070 in general government costs, for a total estimated impact of \$118,416, as shown in table C12. Note that the costs of investigating and prosecuting criminal juveniles is incorporated into the costs listed above for the District Attorney, Public Defender, and Probation Departments.

Table C12: Imperial County Juvenile Services Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$1,394,033	8.2%	\$114,345	\$4,071	\$118,416

Imperial County Emergency Medical Care

The Sheriff has a contract with a private sector health care provider for medical services required by the incarcerated population, including illegal aliens. These costs are included in the incarceration costs listed above.

Imperial County has no county-funded hospital, but the county does contract with a private ambulance company to respond to emergencies. However, there is no contract specification regarding illegal aliens and the company is required to offer the county-contracted services regardless of the legal status of the person being treated. Indeed, emergency medical personnel do not ask about residency, citizenship, or legal status when administering services. After a person has been admitted to the hospital and treatment has been completed, hospital staff will ask questions about the person's insurance coverage and ability to pay. Lack of insurance coverage, lack of other sources of payment, and the failure to produce a social security number or a green card, and Mexico indicated as the place of birth are the typical clues to hospital staff that the person may be an undocumented alien. However, there are still potential linkages to the state-funded Medi-Cal program. A pregnant woman is automatically linked to Medi-Cal as is a person under the age of 21 or age 65 and older, as is a person living in a household with income that is below the poverty level. Linkage implies that the case will be referred to a case worker employed the County Health Department to determine eligibility for Medi-Cal coverage.

The State of California assigns a code of "5x" to persons who are undocumented aliens who are otherwise eligible to receive Medi-Cal benefits. The most commonly used code is "58" which is used for undocumented aliens eligible for pregnancy and/or emergency services. However, since hospitals are required to treat all persons regardless of their status and regardless of whether or not they eventually are reimbursed by the State of California (in a process that can take many months), they have had no incentive to keep track of the costs associated with undocumented aliens. If no reimbursement is received and no payment is provided by the person who was treated, the cost is implicitly borne by other users of hospital services through cost-sharing of the fees that are paid by private and public insurers and by private-pay users. It would be possible to work with the hospitals, the County Health Department, and the State Health Department to identify the disposition of Code 58 persons and to determine the actual costs of acute and/or long-term care, but such an analysis was well beyond the scope of this study.

A particular concern of health and law enforcement officials in Imperial County is that the U.S. Border Patrol "refers" people to local emergency medical care who appear to be undocumented aliens, but who are not officially apprehended by the Border Patrol prior to the referral to the local health system. Imperial County officials report that when the Border Patrol apprehends an injured person suspected of being an illegal alien who has committed no other known crime except illegal entry, a call is made to the county-contracted ambulance unit, which then transports the person to a

local health care acute facility for emergency care. In FY 1999, it is estimated that 138 persons were referred in this way at a total cost of \$1,120,480. Of this amount, it is estimated that \$83,927 was borne by the county-contracted ambulance service and was implicitly borne by the county since the provision of these services impacts the annual negotiations of the price of this contract. The remaining \$1,036,553 was borne by the two hospitals in El Centro, neither of which is county-funded. To each of these direct costs the general government cost is added. The calculations are shown in table 13.

The Border Patrol defends its practice by noting that if it encounters an injured person it is bound by the same ethical code as the county to refer that person for medical care without prejudice regarding legal status. Since under those circumstances no judgment is made regarding the person's legal residence status, the person is not apprehended and so it is not considered an undocumented alien. On the other hand, if the Border Patrol causes injury to a person through pursuit or in the process of arresting the person, then the Border Patrol assumes the cost of medical treatment for that individual.

A separate medically-related expense that is borne by Imperial County taxpayers involves the discovery, identification, and burial of indigents who die in their attempt to enter the United States illegally. Causes of death are typically either hypothermia from trying to cross the desert terrain with insufficient water and protection from the heat, or from drowning in one of the agricultural canals. The discovery of a body involves an ambulance call (the cost of which is included in the \$83,927 referenced in the previous paragraph), investigation by the Sheriff (acting as Coroner) to determine cause of death and to ascertain the identity of the individual (the cost of which is included in the Sheriff's costs referenced above), and finally the cost of 36 indigent burials, borne by the County Public Administrator at a cost of \$927 per burial, for a cost in 1999 of \$33,372. Table C13 shows that when the cost of indigent burials is added to ambulance and acute care costs, the total emergency medical care impact is estimated to be \$1,281,842.

Table C13: Imperial County Emergency Medical Impact

Ambulance Expense	Emergency Medical Care	Indigent Burials	General Gov	Total Cost
\$83,927	\$1,120,480	\$33,372	\$44,063	\$1,281,842

A Note on the Impact of "Border Crossers" in Imperial County

Every member of the law enforcement community in Imperial County was concerned about the fiscal impact of criminals from Mexico who are technically not illegal immigrants. These are individuals who have legal permission to cross the border either to shop or work in the United States within a short distance of the border, but who use that privilege to commit a crime. These are identified as "border crossers" (compared to "line crossers," who represent the group technically called "illegal" or "undocumented" immigrants or aliens). Border crossers thus have legal access to the United States, but they are not residents of the United States and their fiscal impact on county services is identical to that of illegal aliens. Importantly, the data suggest that border crossers are a much bigger fiscal problem for Imperial County than are illegal aliens. Both the Sheriff and the District Attorney agree that 35 percent to 40 percent of their caseloads involves the combination of

border crossers and line crossers, but that less than half of that is accounted for by the line crossers. The Public Defender estimates that 30 percent of his department's caseload is comprised of border crossers and line crossers, but only about one-sixth of that is attributable to line crossers. This is an issue that needs to be addressed by future research and legislation.

SAN DIEGO COUNTY, CALIFORNIA

San Diego County lies at the southwest corner of the United States, at the western end of the U.S.-Mexico border. It contains 4,204 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 20 miles of the Pacific Ocean. The City of San Diego accounts for somewhat less than half (44 percent) of the county's population of 2.9 million and 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, El Cajon, Vista, Carlsbad, Encinitas, La Mesa, Santee, National City, San Marcos, Poway, Imperial Beach (the other incorporated area of the county that is adjacent to the border), Lemon Grove, Coronado, Solana Beach, and Del Mar. The incorporated areas take in 2.4 million (83 percent) of the county's 2.9 million people, with the remaining 17 percent residing in unincorporated areas.

The total assessed value of property in San Diego County was \$150 billion, and the county property tax rate was about 13 cents per \$100 of assessed valuation on average. The general fund was \$1.977 billion; the total budget was \$2.424 billion. Of that total budgeted amount, 41 percent was from state aid (intergovernmental revenue from California), 16 percent from federal and other government aid, 16 percent from charges for services, fees and fines, 14 percent from property and other taxes, 8 percent from interest, miscellaneous revenues and other financing sources, and the remaining 5 percent was from reserves and fund balance. San Diego County has an increasingly diversified economy. Besides the long-term reliance on defense and tourism, San Diego County now comprises 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 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 obvious 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 (SPAWAR). 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, Sea World and Legoland. Higher education includes two major public universities---University of California, San Diego, and San Diego State University; a major private university---University of San Diego, and an extensive community college system.

San Diego County is a founding member of the United States/Mexico Border Counties Coalition. Elected officials in San Diego County include all five members of the Board of Supervisors, the District Attorney, Sheriff, County Assessor/Recorder/Clerk, Tax Collector, and Coroner.

San Diego County's Border Environment

The Mexican State of *Baja California* shares its entire northern border with the two California border counties. In turn, San Diego and Imperial Counties are adjacent only to *Baja California*, which geographically is an extension of the State of California. The Mexican population south of San Diego County is clustered primarily in the large city of *Tijuana* and the smaller cities of *Tecate* and

Ensenada, although the latter city is not adjacent to the border. The 2000 Mexico census enumerated 1.3 million people in *Tijuana* and *Tecate* combined. Three ports-of-entry operate in San Diego County: two of them at *Tijuana* and one at *Tecate*. There were 55.7 million border crossings into San Diego County during 1999 and 172,000 illegal apprehensions, 61 percent and 44 percent of the border total, respectively. Table C14 shows San Diego County border statistics.

Table C14: San Diego County Border Statistics

Population	Population in adjacent <i>municipio</i>	Border Length	Square miles	Ports-of-entry	INS Border Crossings	Border Patrol Apprehensions
2,855,901	1,289,676	60 miles	4,204	3	55,711,929	171,743

Sources: California Department of Finance Demographic Research Unit, Immigration and Naturalization Service, U.S. Border Patrol

Since 1997 San Diego County has experienced a decrease in the number of apprehensions of illegal 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 project. It has not deterred illegal border crossings in any measurable way, but rather has pushed it east, into the mountains of San Diego County, into the desert in Imperial County, and farther east into Arizona. Nonetheless, because of the size of the San Diego economy and its function as a gateway to the vastly larger economy in Los Angeles, the number of illegal immigrants coming into San Diego County remains a serious concern.

Costs of Illegal Immigration for Law Enforcement, Criminal Justice, and Emergency Medical Services

The total cost to San Diego County of apprehending and adjudicating criminal illegal immigrants, and providing emergency medical services to undocumented aliens in FY 1999 was estimated to be \$50,257,756. This figure includes indirect general government costs of \$1,437,232. Cost studies were conducted on the county departments of sheriff, district attorney, public defender and alternate public defender, probation services, medical examiner, Marshal, and court maintenance. Estimates were made for adults and juveniles. Note that in 1997 the costs of administering the Superior Courts in California were taken over by the state. County governments are now responsible only for the cost of maintaining the buildings used by the Superior Court. Costs were also estimated for medical emergency care and autopsies performed on illegal immigrants. Data collection methods include site visits, discussions with elected officials and county administrators, record reviews, and analysis of data provided by the Sheriff's Department, District Attorney, and the Probation Department. The total cost estimate and a breakdown of costs by department are presented in table C15. A narrative of each department follows.

Table C15: San Diego County Costs by Department

County Total: \$50,257,756

Sheriff/ Coroner	District Attorney	Public Defender	Superior Court	Adult Probation	Juvenile Services	Emergency Medical
\$18,335,921	\$4,938,236	\$2,125,339	\$5,395,732	\$6,643,311	\$2,021,033	\$10,798,184

San Diego County Sheriff

General fund expenditures for the Detention section of the San Diego County Sheriff's Office in FY 1999 were \$110 million, while the budget for Law Enforcement (patrol and investigation) was \$93 million, and for administration was \$1.6 million. Thus, the total general fund budget for the Sheriff's Department was \$204.5 million. The Sheriff operates the seventh largest detention system in the United States and second in California only to that of Los Angeles. There are seven detention facilities; they are used for detention prior to arraignment, after arraignment but before trial, during trial, and then for sentences of up to one year. In FY 1999 there were 86,935 persons booked into San Diego County jails, with an average stay of 21 days. The average stay, of course, disguises considerable variability. In particular, those charged with a felony stay longer than those charged with a misdemeanor, and those who are sentenced stay longer than those who are not sentenced.¹⁰ Persons charged with felonies represented 42 percent of all people booked into jail in San Diego, but it is estimated that they accounted for 75 percent of the budget expenditures; that percentage was applied to the detention budget of the Sheriff's Department to calculate the impact of criminal illegal aliens.

Regardless of stay, it can be expected that immigrants, and especially illegal immigrants, will cost disproportionately more because of the need for health and social services (which by law must be provided without regard to legal status) and for interpretation and other services not necessarily required by U.S. residents. For this reason a 15 percent multiplier was applied to the cost of illegal aliens in the calculations. In FY 1999 the INS identified 3,325 illegal aliens incarcerated in San Diego County jails. Since SCAAP eligibility demands that these individuals be charged with a felony or two or more misdemeanors, these represent the more serious offenders who spend the longest time in jail and require a disproportionate share of resources. That number represents 9.1 percent of all persons in jail that year for felonies. Direct costs associated with illegal aliens for corrections, which includes medical care and transportation, is thus estimated to be \$8,631,211. To this was added \$304,659 in general government indirect costs, bringing the total impact for detention services to \$8,935,870. Payment from SCAAP was \$8,079,979. Calculations of impact for the Sheriff's Department are shown in table C16.

Table C16: San Diego County Sheriff Impact

Division	General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
Detention	\$109,891,704	7.9%	8,631,211	\$304,659	\$8,935,870

Patrol and Investigation	\$93,029,406	7.9%	\$7,306,797	\$257,911	\$7,564,708
Administration	\$1,598,900	7.9%	\$125,585	\$4,433	\$130,015
Marshall	\$22,380,256	7.4%	\$1,647,187	\$58,141	\$1,705,328

Law enforcement and administrative activities of the Sheriff's Department were budgeted at \$94,628,306 for FY 1999, of which almost all was budgeted for law enforcement. These activities are assumed to be involved in the processing of criminal illegal aliens in the same weighted proportion as those persons who are incarcerated. Thus, the same 7.9 percent proportionate weighting was applied to these activities to estimate the impact of criminal illegal aliens on their operations. The result for patrol and investigation activities is a direct cost of \$7,306,797, to which is added the general government cost of \$257,911 for a total estimated impact of \$7,564,708. The calculations for the administrative component of the Sheriff's office is a direct cost of \$125,585, to which is added a general government cost of \$4,433 for a total estimated impact of \$130,015.

The Marshal's Department is the law enforcement arm of the courts, but as a result of the restructuring of Court administration, the Marshal's Department is in the process of merging with the Sheriff's Department in San Diego County. Although it was still a separate entity in FY 1999, we have included the costs within those of the Sheriff to reflect the new structure. In FY 1999 the Marshall's office had a general fund budget of \$22,380,256. The Court is explicit in its lack of interest in determining who among the users of the Court is in the U.S. legally or not, in order not to introduce an element of discrimination into the legal proceedings. It was therefore assumed that the overall portion of this cost that is attributable to the presence of criminal illegal aliens in the Court system is equivalent to the fraction of budget spent by the District Attorney on criminal illegal aliens (see below). These calculations produced an estimate of the impact of criminal illegal aliens of \$1,647,187. To this is added the general government cost of \$58,141 for a total impact of \$1,705,328.

San Diego County District Attorney

The District Attorney prosecutes those individuals who commit felony offenses throughout San Diego County and misdemeanor offenses outside the City of San Diego. In FY 1999 the District Attorney's Office handled 52,532 cases, of which 19,089 (36 percent) were felonies. Nonetheless, since felonies typically require more investigation and staff time than do misdemeanors, it is estimated that 66 percent of time (and thus of budget) was devoted to felony cases. The District Attorney does not undertake independent verification of the residency and legal status of those persons being prosecuted, but rather accepts the legal status of persons as determined by police agencies. Of the 19,089 felony cases, 1,228 (6.4 percent) were represented as being undocumented immigrants. The assumption is made that undocumented immigrants will require more staff time as a consequence of the need for interpreters, in particular, and so a multiplier of 1.15 for each criminal undocumented immigrant is used to reflect that disproportionate burden on the processing system. The calculations are shown in table C17. The total budget of the District Attorney's office in FY

1999 was \$97,689,916, and using the assumptions above we estimate the impact of criminal illegal aliens is estimated to be \$4,769,872. Also added were \$168,364 in indirect general government costs, for a total impact of \$ 4,938,236.

Table C17: San Diego District Attorney Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$97,689,916	4.9%	\$4,769,872	\$168,364	\$4,938,236

San Diego County Indigent Defense

San Diego County has a Public Defender to handle indigent defense, and use is made of the Alternate Public Defender (see below) if there are multiple defendants or other conflicts of interest on the part of the Office of Public Defender. The total general fund cost for the Public Defender in FY 1999 was \$32,071,116. Of the 98,025 cases handled by the Public Defender, 13,250 (13.5 percent) were felony cases. Since most criminal illegal aliens could be expected to be indigent, it can be assumed that the percentage of felony cases that are illegal aliens will be higher for the Public Defender than for the District Attorney. The percentage calculated for the incarcerated population (9.1 percent) was applied in the absence of more definitive information. It was also assumed that felony cases require more time per case than misdemeanors, and that within that group, cases involving illegal immigrants will take proportionately more time. Overall, it was assumed that 40 percent of the budget was expended on felony cases, that 9.1 percent of those cases represented illegal aliens, and that those cases required 15 percent more time and budget than the average felony case. The estimated cost for defending illegal immigrants was thus \$1,342,497. An additional \$47,387 is included for the cost of general government services for a total estimate of \$1,389,884. Calculations for the Public Defender and Alternate Public Defender are shown in table C18.

Table C18: San Diego County Indigent Defense Impact

Department	General Fund	Percent Impact	Direct Cost	General Gov.	Total Cost
Public Defender	\$32,071,786	4.2%	\$1,342,497	\$47,387	\$1,389,884
Alternate Public Defender	\$8,065,322	8.8%	\$710,381	\$25,075	\$735,455

The Alternate Public Defender represents indigents who cannot be represented by the Public Defender in criminal cases because of conflicts of interest. The total general fund cost for this program in FY 1999 was \$8,065,322. In FY1999 the office handled 5,019 cases, of which 3,307 (66 percent) were felonies. It was estimated that 84 percent of the staff time and budget was devoted to felony cases. Consistent with the assumption made for the Public Defender, it was assumed that most criminal illegal aliens could be expected to be indigent, and that it can therefore be assumed that the percentage of felony cases that are illegal aliens will be higher for the Public Defender than for the District Attorney. The percentage calculated for the incarcerated population (9.1 percent) was applied in the absence of more definitive information. It was also assumed that felony cases required more time per case than misdemeanors, and that within that group, cases involving illegal

immigrants took proportionately more time. The estimated cost for the processing of criminal illegal aliens through the office of the Alternate Public Defender is \$710,381. An additional \$25,075 is included for the cost of general government services for a total estimate of \$735,455.

San Diego County Superior Court

The cost of staffing and running the Superior Courts in California has been assumed by the State of California. In FY 1999, counties were fiscally responsible largely for the cost of maintaining the court buildings. The cost to San Diego County was budgeted at \$70,812,094. The Court is explicit in its lack of interest in determining who among the users of the Court is in the U.S. legally or not, in order not to introduce an element of discrimination into the legal proceedings. It was therefore assumed that the overall portion of this cost that is attributable to the presence of criminal illegal aliens in the Court system is equivalent to the fraction of budget spent by the District Attorney on criminal illegal aliens (13.4 percent). This would represent a sum of \$5,211,770, plus \$183,962 for associated indirect costs, for a total impact of \$5,395,732. These calculations are shown in table C19.

Table C19: San Diego County Superior Court Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$70,812,094	13.4%	\$5,211,770	\$183,962	\$5,395,732

San Diego County Adult Probation

The Adult Field Services Program of the Probation Department had a general fund budget of \$36,782,062 in FY 1999. In that year they handled 21,558 cases of adult probation supervision, of which 18,722 (87 percent) were felony cases. They also handled 22,146 investigations, of which 14,631 (66 percent) were felony cases. The department estimates that 64 percent of its budget is expended on investigations and the remainder on supervision. Thus, the weighted fraction of budget spent on felony cases (supervision and investigation combined) is 74 percent. The department also estimates that it was supervising 3,338 illegal alien felons (thus, 17.8 percent of supervised felons were illegal aliens) and that it investigated 3,215 felony illegal aliens (thus, 22.0 percent of felons investigated were illegal aliens). The weighted impact of illegal aliens was thus 20.5 percent of felony cases (supervision and investigation combined). The Probation Department also notes that it knows of 269 felony border crossers that it was supervising, and 139 felony border crossers whom it was investigating. The impact of processing criminal illegal aliens is estimated to be \$6,416,815, to which is added \$226,497 in general government costs, for a total impact of \$6,643,311, as shown in table C20.

Table C20: San Diego County Adult Probation Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$36,782,062	17.4%	\$6,416,815	\$226,497	\$6,643,311

San Diego County Juvenile Services

Juveniles from Mexico represent a special challenge for law enforcement personnel in San Diego County, as elsewhere along the border, because there is no federal precedent for prosecuting illegal aliens who are under the age of 18. That places the entire burden of prosecution and incarceration of criminal juvenile illegal aliens onto the taxpayers of San Diego County. Some of the costs of investigating and prosecuting criminal juveniles are incorporated into the costs listed above for the District Attorney, Public Defender, and Alternate Public Defender. However, specific information exists about juveniles who were processed by the Probation Department. In FY 1999 the Probation Department received 12,950 juvenile referrals from law enforcement agencies, of which 4,242 (33 percent) were felony cases. They also supervised 4,749 juveniles who were on probation, including 1,772 (37 percent) felony cases. Additionally, there were 4,323 juveniles housed in Juvenile Hall. In that year, the general fund budget for Juvenile Field Services within the Probation Department was \$40,327,375.

The Probation Department estimates that 69 of the felony referrals (1.6 percent) were illegal aliens, as were 144 of the juveniles supervised for felonies (8.1 percent). Juvenile Field Services estimates that 21 percent of its budget was spent on investigation, and the remaining 79 percent on supervision (Juvenile Hall is funded separately--see below). The weighted average of budget spent on felony cases is thus 36 percent, and the weighted percent of felony cases that involve illegal aliens is 6.7 percent. Using these percentages, the impact of criminal illegal aliens on the juvenile field services is estimated to be \$1,118,601. To that is added \$39,484 in general government costs, for a total impact of \$1,158,084. These calculations are shown in table C21.

Juvenile Institutional Services (Juvenile Hall and two juvenile camps) is operated in San Diego County by the Probation Department. In FY 1999 the total general fund budget for Juvenile Institutional Services was \$24,184,407. The total number of juveniles processed was 4,323. Data are not available either on the percent of cases dealing with felonies or with the percent of those that are illegal aliens. In the absence of such information, the percentages used above for juveniles under the supervision of the Probation Department have been applied. This produces an estimated impact of \$833,528. To that is added \$29,421 in general government costs, for a total impact of \$862,949. These calculations are shown in table C21.

Table C21: San Diego County Juvenile Services Impact

Department	General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
Field Services	\$40,327,375	2.8%	\$1,118,601	\$39,484	\$1,158,084
Institutional Services	\$24,184,407	3.4%	\$833,528	\$29,421	\$862,949

San Diego County Medical Examiner

The Medical Examiner investigates and determines the cause of all unnatural deaths and deaths due to apparent natural causes in which the decedent has not been seen by a physician within 20 days

prior to death or in which the attending physical is unable to determine the cause of death. Some of these deaths will be to unauthorized immigrants who die of injuries or other causes after entering the U.S. illegally. The general fund budget for FY 1999 was \$3,928,539. Of the 2,440 cases examined by the Medical Examiner, 47 (1.9 percent) were to known unauthorized immigrants. Once again a 15 percent addition is applied to the cost of such cases, based on the need to contact foreign family and consulates. The impact of processing illegal immigrants on the Medical Examiner's office is thus estimated to be \$85,839. To this is added \$3,030 in general government costs, for a total impact of \$88,868. These calculations are shown in table C22, but they are incorporated into the Emergency Medical Impact, as shown in the next section.

Table C22: San Diego County Medical Examiner Impact

General Fund	Percent Impact	Direct Cost	General Gov	Total Cost
\$3,928,539	2.2%	\$85,839	\$3,030	\$88,868

San Diego County Emergency Medical Care

The Sheriff of San Diego County has a contract with a private sector health care provider for medical services required by the incarcerated population, including illegal aliens. These costs are included in the incarceration costs listed above for the Sheriff. San Diego County has no county-funded hospital, but the county does contract with a private ambulance company to respond to emergencies. However, there is no contract specification regarding illegal aliens and the company is required to offer the county-contracted services regardless of the legal status of the person being treated. Indeed, emergency medical personnel do not ask about residency, citizenship, or legal status when administering services.

The Auditor and Controller of San Diego County did conduct an analysis in 1994 of the impact of undocumented aliens on emergency and acute health care systems in San Diego County,¹¹ and the report was updated in 1999 to reflect estimates as of 1997. The estimate has been extended, based on the cost-of-living index, to reflect an estimate for 1999. These data imply a direct cost of \$361,308 in ambulance expense, to which \$12,753 in general government costs have been added for a total impact of \$373,061 of ambulance expense. Acute care in hospitals is estimated to be \$9,982,885, to which is added \$352,370 in general government costs for a total impact of \$10,335,254. To this has been added the total impact from the Medical Examiner's office, as shown above in table 22. The total impact is thus calculated to be \$10,798,184, shown in table C23.

Table C23: San Diego County Emergency Medical Impact

Ambulance Expense	Emergency Medical Care	Medical Examiner Impact (see Table 22)	Total Cost
\$373,061	\$10,335,254	\$88,868	\$10,798,184

When the Border Patrol apprehends an injured person suspected of being an illegal alien who has committed no other known crime except illegal entry, a call is made to the county-contracted ambulance unit, which then transports the person to a local health care acute facility for emergency care. A report by the California State Auditor in 1997 identified 199 such incidents between January

1996 and May 1997 in San Diego County.¹² The unreimbursed cost to local hospitals of these incidents was estimated by the State Auditor to be \$2.9 million (after accounting for a \$153,000 reimbursement from the Border Patrol). This would average to an annual figure of \$1.93 million. In the Balanced Budget Act of 1997, Congress authorized payments to states to be used for reimbursement of such costs, but thus far no money has reportedly been received by any hospital in San Diego County. These costs are assumed to be subsumed within the calculations in table C23.

A Note on the Impact of "Border Crossers" in San Diego County

San Diego County is contiguous to a large Mexican metropolis in which a significant number of Mexican residents have legal access to the United States to work or visit. Some unknown number of these persons commit crimes in San Diego County and when apprehended are processed at local taxpayer expense, but they are technically not illegal immigrants. Rather, they are using their privilege to enter the United States legally in order to commit a crime. These are identified as "border crossers" (compared to "line crossers," who represent the group technically called "illegal" or "undocumented" or "unauthorized" immigrants or aliens). Border crossers thus have legal access to the United States, but they are not residents of the United States. It is possible that border crossers may be a larger problem than illegal aliens *per se*. For example, in FY 1999 there were more than 15,000 persons incarcerated in San Diego County jails who were born in Mexico. Of these persons, 4,500 were U.S. citizens or their citizenship was unknown, whereas 10,500 were citizens of Mexico. However, only 3,325 were identified by the INS as illegal aliens. The others presumably had a legal right to be in the United States, but are lacking good data on residency of these individuals and thus it cannot be estimated with any certainty how many of them are border crossers rather than legal residents of the U.S. ("green card" holders). This is an issue that needs to be addressed by future research and legislation.

California Border County Summary

California's two counties on the U.S.-Mexico border spent a combined \$56 million from their general funds in FY 1999 providing services to illegal immigrants for law enforcement, criminal justice and emergency medical care. The cost per county was \$5.4 million for Imperial County and \$50.3 million for San Diego County. With a combined population of three million people, each man, woman and child residing in Imperial and San Diego Counties paid an average of \$18.56 to fund these additional services. Table C24 further shows the aggregate cost to the counties by department.

Consistent with border counties in other states, the sheriff bears the greatest burden, \$24 million, which is 43 percent of the total impact. Emergency medical care incurred the second greatest cost, \$12 million, and adult probation's costs reached \$7 million. The federal government, through SCAAP, paid these counties \$8.4 million in compensation for the detention of criminal illegal immigrants in FY 1999. The federal responsibility for this aspect of illegal immigration amounts to only 15 percent of the total burden on California's border county citizens.

Table C24: California County Combined Costs by Department

Department	Imperial County	San Diego County	Totals by Department
Sheriff	\$2,831,072	\$18,335,921	\$21,166,993
District Attorney	\$248,859	\$4,938,236	\$5,187,095
Public Defense	\$43,416	\$2,125,339	\$2,168,755
Superior Court	\$437,057	\$5,395,732	\$5,832,789
Adult Probation	\$473,232	\$6,643,311	\$7,116,543
Juvenile Services	\$118,416	\$2,021,033	\$2,139,449
Emergency Medical	\$1,281,842	\$10,798,184	\$12,080,026
Totals by County	\$5,433,894	\$50,257,756	\$55,691,650

Notes: California Border Counties

- ¹ State of California, Department of Finance, Race/Ethnic Population with Age and Sex Detail, 1970-2040. Sacramento, CA, December 1998
- ² U.S. Immigration and Naturalization Service, "Illegal Alien Resident Population," 2000, <http://www.ins.gov/graphics/aboutins/statistics/illegalalien/index.htm>
- ³ More details about the demographics of U.S.-Mexico border counties can be found in John R. Weeks and Roberto Ham-Chande, *Demographic Dynamics of the U.S.-Mexico Border*, El Paso: University of Texas at El Paso, Texas Western Press, 1992.
- ⁴ State of California, Board of Equalization, <http://www.boe.ca.gov/proptaxes/pdf> accessed 1/6/2001.
- ⁵ State of California, Board of Equalization, <http://www.boe.ca.gov/rates/rates.htm> accessed 1/6/2001.
- ⁶ Judicial Council of California, Administrative Office of the Courts, Special Report: Trial Court Funding, September 1997.
- ⁷ Mary Anne Lahey, Bruce A. Christenson, and Robert J. Rossi, "Analysis of Trial Court Unification in California: Final Report submitted to Administrative Office of the Courts, Judicial Council of California," September 28, 2000.
- ⁸ Legislative Analyst's Office, "A Model for Health Coverage of Low-Income Families," June 1, 1999; http://www.lao.ca.gov/1999_reports/0699_low_income_health_coverage.html.
- ⁹ Imperial County Assessor's Office, personal communication.
- ¹⁰ C. Rienick and S. Pennell, "Local Detention Facilities in the San Diego Region," San Diego Association of Governments, 1999b
- ¹¹ Summarized in a letter dated March 9, 1994 from Robert Booker, Auditor and Controller, County of San Diego, to Loretta Avent, Special Assistant to the President of the United States.
- ¹² California State Auditor, "U.S. Border Patrol: Its Policies Cause San Diego County Health Care Providers to Incur Millions of Dollars in Unreimbursed Medical Care," Report Number 96117, October 1997.

SUMMARY AND CONCLUSION: BORDER COUNTY CITIZENS PAY COSTS

Summary

"A rising tide of illegal immigration," as one observer described, has impacted significantly the U.S.-Mexico border region of the United States over the last decade. Congress has appropriated billions of dollars to strengthen the federal agencies that are responsible for securing the border, especially the Immigration and Naturalization Service, U.S. Customs, and U.S. Border Patrol. Programs such as JTF-6 and HIDTA have taken new federal resources and transformed the U.S.-Mexico border environment from "relaxed" to one more "hardened."¹ Yet, for every fence erected and agent added, drug- and people-smugglers from across the line answer in their own creative ways. The number of illegal immigrant apprehensions does not decline; rather, the points of entry simply shift in response to the latest federal initiative. This is not surprising—immigrant smuggling has become enormously lucrative in the past decade. According to an INS spokesperson, smugglers' charges have increased 1,000 percent in recent years.² The U.S. Border Patrol apprehended 1.35 million illegal immigrants in 1999. Moreover, that figure is expected to rise in ensuing years, if current trends hold steady. Apprehensions in the month of April 2000 were over 37 percent higher than that in April 1999.³ Further, the INS estimates that 275,000 illegal immigrants become absorbed into U.S. society every year—the ones that slip through.

A very small portion of illegal immigrants, illegal residents and legal border crossers gets caught committing a state felony or two or more misdemeanors. When that occurs, they are not deported; rather, they enter the law enforcement and criminal justice system of county governments and undergo the adjudication process just as any U.S. citizen or legal visitor would. An additional, though even smaller, portion also becomes injured, dies, or gives birth on U.S. soil. They, too, are not deported; rather, they enter the indigent health care system of county governments. While the number of illegal immigrants receiving county services is relatively small, the costs of those services—law enforcement, detention, prosecution, adjudication, probation, and medical—are very expensive. The U.S. Congress, under the sponsorship of Senator Jon Kyl and other senators representing the border states of Texas, New Mexico, Arizona and California, is beginning to respond to the outcries of border county officials seeking relief. Congress recognizes that border security is a federal responsibility, and that the federal government should be financially responsible for the burden that illegal immigration is placing on border communities. This study has been funded by the Department of Justice's National Institute of Justice, through an appropriation secured by Senator Kyl, to provide Congress with the costs to border counties of providing services to criminal illegal immigrants in the areas of law enforcement and criminal justice and to illegal immigrants in the area of emergency medical care.

Scope of Study

The study researched the law enforcement, criminal justice, and emergency medical service departments of 24 counties situated along the U.S.-Mexico border, beginning with Cameron County in Texas and concluding with San Diego County in California. Workload and fiscal data were collected for one fiscal year, FY1999, on expenditures from the county general fund. In some cases,

departments funded through special taxing districts were also included. Site visits to each county were conducted from February 2000 through December 2000. Hundreds of county officials were interviewed, including elected commissioners and supervisors, sheriffs, prosecutors, court clerks and judges; and appointed department heads, managers and auditors. Reference material consisted of county audited budgets, SCAAP application data, court records, INS and Border Patrol statistics, congressional testimony, previous research and newspaper articles. Preliminary and final cost estimates were given to county officials for review. The study limits data to border county governments only. While the costs of illegal immigration also accrue to counties farther north, municipal police departments, state agencies, Indian tribes, and private hospitals, those impacts are not included in this research.

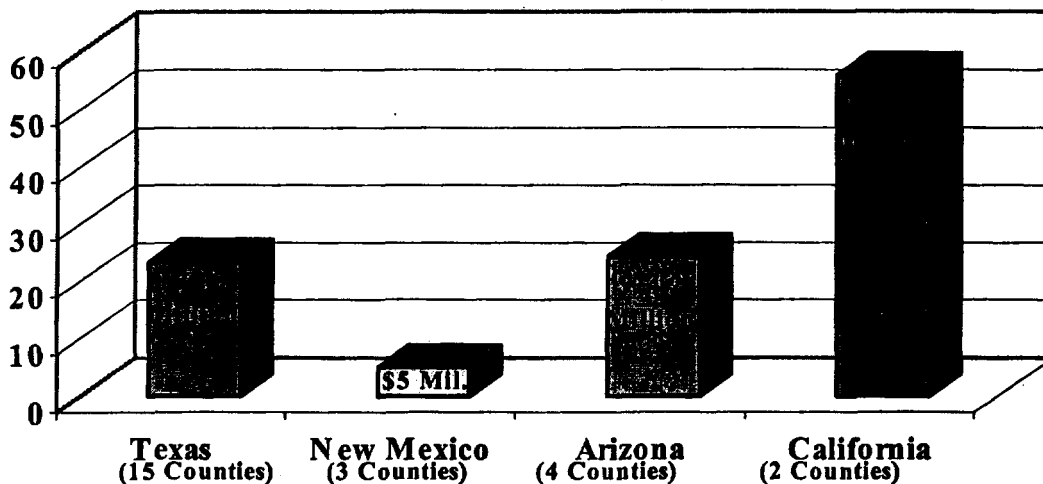
Border Counties Costs

The total cost to border counties was estimated to be \$108.2 million in FY 1999. Costs were calculated by department, by county, by state, and as a region. The basis for estimates was the impact on workload of each department of processing illegal immigrants. Table S1 and graph 1 array combined county cost estimates by state.

Table S1: Total Border County Costs by State

Texas (15 counties)	New Mexico (3 counties)	Arizona (4 counties)	California (2 counties)	Total (24 counties)
\$23.3 million	\$5 million	\$24.2 million	\$55.7 million	\$108.2 million

Graph 1: Border County Costs by State-FY 1999



The two California counties bore the greatest brunt of aggregate costs, over 50 percent of the total, largely because of the size and magnitude of San Diego County and its neighboring Mexican communities. Arizona's four counties, with only 17 percent of the border county population, incurred over 22 percent of the costs. The impact on New Mexico's counties is consistent with their small population, few ports-of-entry, and minimal populations on the Mexican side of the boundary. The impact on Texas counties is small on a per county basis, as it has several very small, rural

counties with little impact; however, several larger counties contain major ports-of-entry, and they were impacted accordingly. Indeed, the research identified key factors that influence the level of impact on a county. Such factors included county population and degree of urbanization, populations of neighboring Mexican municipalities, types of terrain, number of ports-of-entry, and federal strategies to deter illegal entry, among others. Table S2 contains some of these border statistics.

Table S2: Border Statistics by State

State	County Border Population	Border Length	Ports-of-Entry	Municipio Population
Texas (15 Counties)	2 million	1,100 miles	23	2.6 million
New Mexico (3 Counties)	200,000	225 miles	3	32,000
Arizona (4 Counties)	1.1 million	481 miles	7	515,000
California (2 Counties)	3 million	150 miles	6	2 million
Totals (24 Counties)	6.3 million	1,956 miles	39	5.1 million

However, findings also show that when costs are measured on a per capita basis, citizens of some of the smallest and poorest counties bear the highest burden. Table S3 looks at estimated costs by county population, total county cost, and per capita cost.

Table S3: Costs by County and County Citizen

County	Population	Total Cost	Per Capita Cost
Cameron	329,131	\$3,663,064	\$11.13
Hidalgo, TX	534,907	\$2,531,488	\$4.73
Starr	56,577	\$1,440,443	\$25.46
Zapata	11,436	\$432,430	\$37.81
Webb	193,180	\$3,191,064	\$16.52
Maverick	48,639	NA	NA
Kinney	3,465	\$16,026	\$4.63
Val Verde	44,188	\$1,527,737	\$34.57
Terrell	1,202	\$0	\$0
Brewster	8,793	\$56,401	\$34.57
Presidio	8,954	\$465,356	\$51.97
Jeff Davis	2,415	\$44,478	\$18.42
Culberson	3,018	\$610,104	\$202.16
Hudspeth	3,238	\$120,524	\$37.22
El Paso	701,908	\$9,189,896	\$13.09
Dona Ana	170,361	\$3,573,415	\$20.98
Luna	24,360	\$943,476	\$38.73
Hidalgo, NM	6,027	\$485,049	\$80.53
Cochise	112,754	\$4,714,587	\$41.81
Santa Cruz	39,150	\$2,152,663	\$55
Pima	803,618	\$12,850,511	\$16
Yuma	135,614	\$4,525,740	\$33.37
Imperial	145,287	\$5,433,894	\$37.61

San Diego	2,820,844	\$50,257,756	\$17.60
Total	6.3 Million	\$108.2 Million	\$17.31 (ave)

Per capita costs range from a low of \$0 in Terrell County to a high of \$202 in Culberson County (triple the second highest per capita cost, \$55, in Santa Cruz County). Every man, woman and child residing in these 24 counties paid an average of \$17.17 in FY 1999. Further, the total cost of \$108.2 million represents 12 percent of aggregate border county expenditures on law enforcement and criminal justice functions. For every dollar spent on public safety, 12 cents (on average) goes to services for criminal and medically-needy illegal immigrants. That means that in Texas border counties, 16 cents of every dollar is dedicated to services for this population; in New Mexico border counties, it is 52 cents; in Arizona border counties, it is 14 cents; and in California border counties, it is 10 cents. Table S4 presents these data.

Table S4: Border County Costs Per Dollar of Public Safety Budget for Illegal Immigrants

State	Public Safety Budget	Illegal Immigrant Cost	Cost per Dollar
Texas Counties	\$148 million	\$23.3 million	16 cents
New Mexico Counties	\$9.6 million	\$5 million	52 cents
Arizona Counties	\$170.2 million	\$24.2 million	14 cents
California Counties	\$566 million	\$55.7 million	10 cents

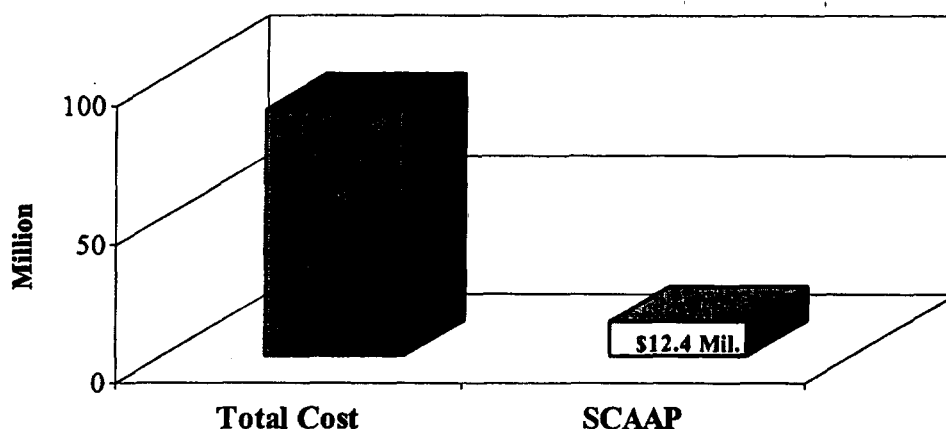
New Mexico counties spend the greatest portion of their public safety budget on criminal illegal immigrants, over half. Texas counties spend the second highest, but at 16 cents it is far less than that of New Mexico border counties. Both New Mexico and Texas border counties have smaller general fund budgets (and smaller law enforcement and criminal justice budgets) than do Arizona and California border counties. The State of New Mexico also has a greater role in the delivery of local public safety services.

The State Criminal Alien Assistance Program, created in 1995 by Congress to compensate county detention facilities for housing criminal illegal immigrants, awarded the border counties a total of \$12.4 million in FY 1999. The payments covered only 11.5 percent of the total impact. As explained in earlier sections, the annual pot of SCAAP money (\$585 million) is distributed to more and more jurisdictions as they become aware of the program and submit applications. (Border counties got 2 percent of the SCAAP pot.) Moreover, only 13 border counties out of 24 received awards. Six of the 15 border counties in Texas received compensation; many of the small, rural counties in Texas either had not heard of the program or did not have the capability of providing necessary documentation to SCAAP (e.g., name, place of birth, crime, and disposition of illegal immigrant inmates.) The 1999 SCAAP award to border counties by state is displayed in table S5 and graph 2.

Table S5: SCAAP Compensation to Border Counties by State-\$12.4 million

State	SCAAP	% total costs
Texas	\$2,168,255	9%
New Mexico	\$397,162	8%
Arizona	\$1,287,624	5%
California	\$8,416,979	15%
Total	\$12.4 Million	11.5% (ave)

Graph 2: SCAAP Contribution to Costs-FY 1999



Arizona's four border counties received the smallest percentage of total costs from SCAAP; at 5 percent, it is one-third that of California's two border counties. However insufficient, border county officials appreciate the compensation they do receive. Senator Kyl and Representative Kolbe both play major roles in securing the annual \$585 million appropriation.⁴

In the area of emergency medical services the total combined expenditure of all 24 counties is \$19.1 million. For purposes of this study, "emergency medical" combines the categories of ambulance services, eligibility determination for indigent health care, direct medical services in county-owned hospitals, and autopsies and burials. Emergency medical costs are arrayed by state in table S6. (It should be noted that these costs accrued to county governments only and do not reflect the enormous uncompensated costs to states and non-county hospitals.)

Table S6: Emergency Medical Costs by State

State	Emergency Medical Cost
Texas Counties	\$941,287
New Mexico Counties	\$1,019,750
Arizona Counties	\$4,025,468
California Counties	\$12,066,531
Total	\$19,066,531

In summary, the cost impact on the 24 border counties on the U.S.-Mexico border of providing services to illegal immigrants in FY 1999 was estimated at over \$108 million. This total includes sheriff, detention, prosecution, defense, lower and trial courts, court clerks, adult probation, juvenile services and emergency medical. Table S7 and graph 3 present a breakout of costs (liberally rounded) by county function and state.

Table S7: Total Costs by County Function and State

Function	Texas	New Mexico	Arizona	California	Total
Sheriff	\$7	\$2	\$7	\$10.8	\$26.8
Detention	\$6.6	\$1.8	\$7.3	\$10.4	\$26.1
Prosecution	\$2	— *	\$1	\$5.2	\$8.2
Defense	\$1.5	— *	\$1.1	\$2.2	\$4.8
Lower Court	\$7	— *	\$5	— **	\$12
Trial Courts	\$2	\$0.6	\$1.1	\$5.8	\$9
Court Clerks	\$1.4	— *	\$3	— **	\$1.7
Probation	\$1	— *	\$4	\$7.1	\$7.6
Juveniles	\$1	\$0.3	\$5	\$2.1	\$3.6
Medical	\$1	\$1.1	\$5	\$12.1	\$19.2
TOTALS	\$23.3	\$5	\$24.2	\$55.7	\$108.2

*state function

** unified with trial courts

Graph 3: Costs by Function-FY 1999

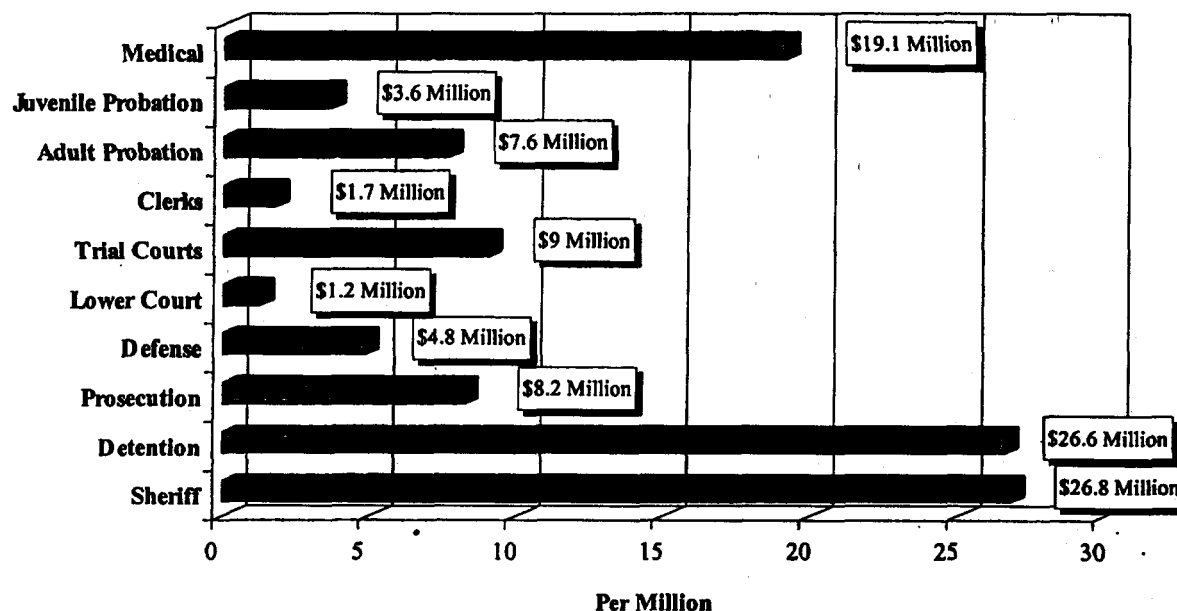


Table S7 and Graph 3 demonstrate the range of costs according to function. It also indicates how California border counties, with the largest populations and consequently the largest budgets, bear the highest total costs. Not surprisingly, they correspond to those with the highest budgets in general. However, the table also shows that states bear some of the costs. The State of New Mexico funds many functions in the county law enforcement and criminal justice system, and the State of California funds the county court system. All four states also provide significant funding to adult probation and juvenile services. Clearly, the costs of providing services to criminal or medically-needy illegal immigrants accrue to border states as well.

Moreover, when emergency medical costs are separated out, the costs of law enforcement and criminal justice services amount to \$89 million, or 82 percent of the total. Medically-related costs

associated with illegal immigrants, illegal residents, or legal border crossers reflect the direct costs to county governments only; the full costs of emergency medical care would be enormous—to hospitals, to states, and to the federal government. However, while the full costs of medical care are ultimately shifted or spread to hospital users, or from other government programs, the costs to county governments for law enforcement, criminal justice and emergency medical service are borne directly by local citizens. These 24 border counties are some of the poorest and fastest growing counties in the country, and their citizens are more limited than most to finance county government. Those additional obligations on county budgets—\$108.2 million worth—could be utilized in other ways that would reflect better the political choices of local citizens, such as a cut in the property tax rate, a new park or improved infrastructure, choices that directly serve the citizens themselves.⁵

Conclusion

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 the costs to county governments of implementing programs 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. County governments are fundamentally both local governments and administrative agents of state programs. County leadership is elected locally, county general fund budgets are funded locally, and how budgets are spent impacts the political leadership and the capability of county governments to respond to citizen needs. The capacity of counties in the United States to respond to local demands is severely limited by restricted revenue raising authority and the propensity of the federal government and states to pass along the costs of some programs to counties. Processing illegal immigrants through county systems is a good example. But the capacity of *border* counties to handle the “rising tide” of illegal immigration is especially limited. These counties, with the exception of the two urban ones, are the poorest in the country according to per capita income and federal poverty level data. Moreover, their populations are increasing at a greater rate than those of the rest of the southwest or the nation. The new residents will not likely raise their per capita income levels. The federal government recognizes its responsibility for the spillover effects of illegal immigration on local communities, but the question remains, which level of government is most able to pay for these costs?

Rural counties have not traditionally organized to advance or protect their interests—at the regional, state, or national levels. The U.S./Mexico Border Counties Coalition departs from this tradition. The potential for counties to influence policy at any level of government is unlimited. These 24 border counties could exert influence on any legislative body if they chose. Table 4 on page 12 illustrates this potential: Together the counties have 247 locally-elected officials (the judiciary would add hundreds), \$4.1 billion in total expenditures, \$2.6 billion in general fund expenditures, 130,000 square miles, and an assessed valuation that equals \$217 billion.

Methodology

Accounting for the number of illegal immigrants who receive governmental services is very difficult. The judicial and medical systems are not likely to change their practice of not inquiring into the legal status of clients and patients. County detention facilities attempt to track the illegal immigrant individuals in their systems, but the technology and manpower, not to mention the incentive, are insufficient. Because of the incentive that SCAAP provides, however, some detention facilities have developed methods of tracking. These statistics do not reflect the whole cost because SCAAP limits compensation to the incarceration of those who have been convicted of felonies. Many detainees do not progress through the system to resolution, and many are detained on misdemeanors. Nevertheless, detention data produced for SCAAP has been helpful, especially in assisting prosecution and defense in estimating their impacts. Further, adult probation departments intersect with criminal illegal immigrants through performing the required pre-sentence investigation. This investigation by its nature uncovers legal status. The statistics given by probation departments have been important indicators of the impact in other departments. Statistics on juvenile illegal immigrants are also reliable because of the requirement to contact family.

The cost estimates in this study are clearly conservative. Not only have the limits of technology precluded a complete count, but also illegal immigrants, for understandable reasons, are not prone to admit their illegal status. Officials from Cameron County to San Diego County reported how easy it is to prove residency by producing a property tax bill or electric bill from other family members who are legal residents. As one deputy described, "Illegal immigrants are like ghosts; they just come and go through the county."

Previous research and our own work on cost impacts of illegal immigrants have pointed out the difficulty of collecting hard data on the numbers of illegal immigrants that enter and move through the county systems. Investigator John Weeks, San Diego State University professor, developed a model to estimate the cost impact of illegal immigrants on the county law enforcement and criminal justice system. The model conducts a regression analysis using the factors that were found to influence the level of impact: amount of criminal activity in a county, volume of apprehensions, number of ports-of-entry, number of legal crossings, population of counties and proportion of Hispanics, population within 10 kilometers of the border, per capita income, Mexican border population, length of the county border, and size of the county general fund. The model can be used as an accounting protocol for estimating the impact on the county law enforcement and criminal justice system of illegal immigration. The results of the statistical analysis suggest that it is possible to model with accuracy the total dollar impact on the law enforcement and criminal justice system in border counties. The predictive model is contained in the Appendix.

Some County Concerns

County officials uniformly expressed concerns about several aspects of federal policy. One was the unofficial threshold of drugs required for federal prosecution. Many stated that their jails are burdened by undocumented immigrants who are apprehended at the border for possession of drugs in quantities too small to meet that threshold. The impact of illegal immigrants arrested on drug charges that the federal government refuses to prosecute ripples through the county prosecution and judicial system. In New Mexico, for example, the state threshold is 8 ounces. All quantities greater

than 8 ounces are treated as the same offense, for the federal government's practice only shifts the burden to the local and state governments and allows those caught with amounts under 8 ounces to be prosecuted for comparatively minor state charges. Some officials even express the view that the use of any threshold is arbitrary, and setting the level so high is outrageous. With great relief, county and state prosecutors in the four border states received a federal relief appropriation of \$12 million in January 2001.⁶

Another concern is lack of local control over border strategies, tactics and uses of resources. Needs of individual counties vary greatly, and local officials know best how to address the needs of their own jurisdictions. When federal government resources (e.g., HIDTA funds) come with so many strings attached, counties are unable to use those resources where they would be most needed.

Additional Social Costs

U.S. Representative Jim Kolbe wrote to President Clinton in May 2000, urging him to intervene in Arizona's volatile border situation before "tragedy" strikes: "The situation has reached a crisis point. The absence of hope has created volatility. Anti-foreign sentiment mounts, as does anger with the federal government. Residents, acting in unilateral fashion, are now taking detentions into their own hands."⁷ The estimated cost to border counties does not take into consideration other costs of illegal immigration in terms of private property damage, private property loss, or environmental degradation on state and federal land. Moreover, the tactics of immigrant-smugglers have engendered fear in border residents. One old widow in Douglas, Arizona has had her life altered because of increased traffic of illegals near her home: "I used to go to church in the morning," she says. "Now I don't because I'm afraid of somebody coming out of the ditch here."⁸ Another woman who lives within a mile of the border spent tens of thousands of dollars securing her home with iron bars, double locks and metal shutters that roll over her windows. Neighbors helped her remove garbage bags filled with water bottles, wrappers, shoes and clothing from her property last spring. And a member of the Tohono O'odham tribe, who's reservation shares 75 miles of the border in Pima County, plucks Mexican blankets from his mesquite trees and scoops up piles of water jugs, diaper wrappers, and empty cans. Tribal police say some immigrants, too afraid to ask for help, steal from residents. "It's getting worse. I've started firing at them. You never can tell what they are up to," reports one tribal member.⁹ Senator Kyl summed it up in June 2000 when he secured \$5 million in emergency relief for Arizona counties: "There is an environmental cost, and there probably are lost commercial opportunities. The deterioration of a community is hard to measure."¹⁰ None of these social costs has been factored into this study.

The \$108.2 million taxpayer price tag represents the impact to county governments along the U.S.-Mexico border. This cost is undoubtedly 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 on the border, municipal police departments (which make most of the arrests), and hospitals. One such study is forthcoming. Senator Kyl again led the effort in Congress to fund a similar study on hospital costs. It was signed into law by President Clinton in December 2000.¹¹ In the meantime, border counties will continue to spend more and more of their general fund dollars on apprehending and detaining, prosecuting and defending, adjudicating and counseling, and treating and burying illegal immigrants who not only cross into the United States without documentation but also commit state crimes, give birth, become injured or die on the journey.

NOTES: SUMMARY AND CONCLUSIONS

¹ Jose Garcia, *Ibid*, 3.

² Susan Carroll, "Federal report critical of INS," *Tucson Citizen*, January 22, 2001, A1.

³ Pamela Hartman, "McCain asks Reno to take action on border," *Tucson Citizen*, May 30, 2000, A1.

⁴ That role was acknowledged by Pima County Supervisor and Executive Committee member Sharon Bronson, in Hanna Miller, "Border counties seek funds," *The Arizona Daily Star*, January 16, 2000, B1.

⁵ Senator Kyl held a hearing on border issues in June 2000. Using preliminary cost findings on Arizona counties (\$15 million), he pushed through an emergency relief bill for \$5 million. Commented Kyl, "[This appropriation] is not a complete reimbursement of the four Arizona border counties' costs... but it is an important first step." It was approved three days later. See: Ignacio Ibarra, "U.S. authorizes \$5 million for state's border expenses," *The Arizona Daily Star*, July 1, 2000, A1.

⁶ "Cochise gets \$123,940 in U.S. drug war funds," *The Arizona Daily Star*, January 13, 2001.

⁷ Joseph Garcia, "Kolbe urges Clinton: Act now to calm U.S. border," *Tucson Citizen*, May 30, 2000, A1.

⁸ Tim Steller, "City dwellers on alert, living behind iron bars," *The Arizona Daily Star*, July 13, 1999, A6.

⁹ Stephanie Innes, "Migrants need help, present risk," *The Arizona Daily Star*, June 18, 2000, B1.

¹⁰ Jeff Barker, "Illegals stretch resources on border," *Arizona Republic*, June 28, 2000, A1.

¹¹ See H12140, *Congressional Record*, December 15, 2000.

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