



# Criminal Alien Program

City Council Work Session  
September 23, 2009

# Criminal Alien Program



## Berkeley Study Primary Allegation:

- “Irving Police engaged in racial profiling of Hispanics in order to filter them through the Criminal Alien Program”
- Berkeley states this is accomplished by increasing arrests for “petty” offenses.

# Criminal Alien Program



## Berkeley Study Information Source:

All data obtained by the ACLU through open records request in December 2007

23 months of arrest records

- January 2006 through November 2007

# Criminal Alien Program



- **Berkeley Study Data Ambiguity:**
  - **Ethnicity Classification based primarily on surnames**
  - **Definition of “Witness” Reported Offense**
  - **10,000 of 27,380 Records Purged**

# Criminal Alien Program



## Berkeley Study Error # 1:

- Caucasians represented the highest arrest category when considering all arrests

## FACT:

- Hispanics represented the highest arrest category for all arrests

# Criminal Alien Program



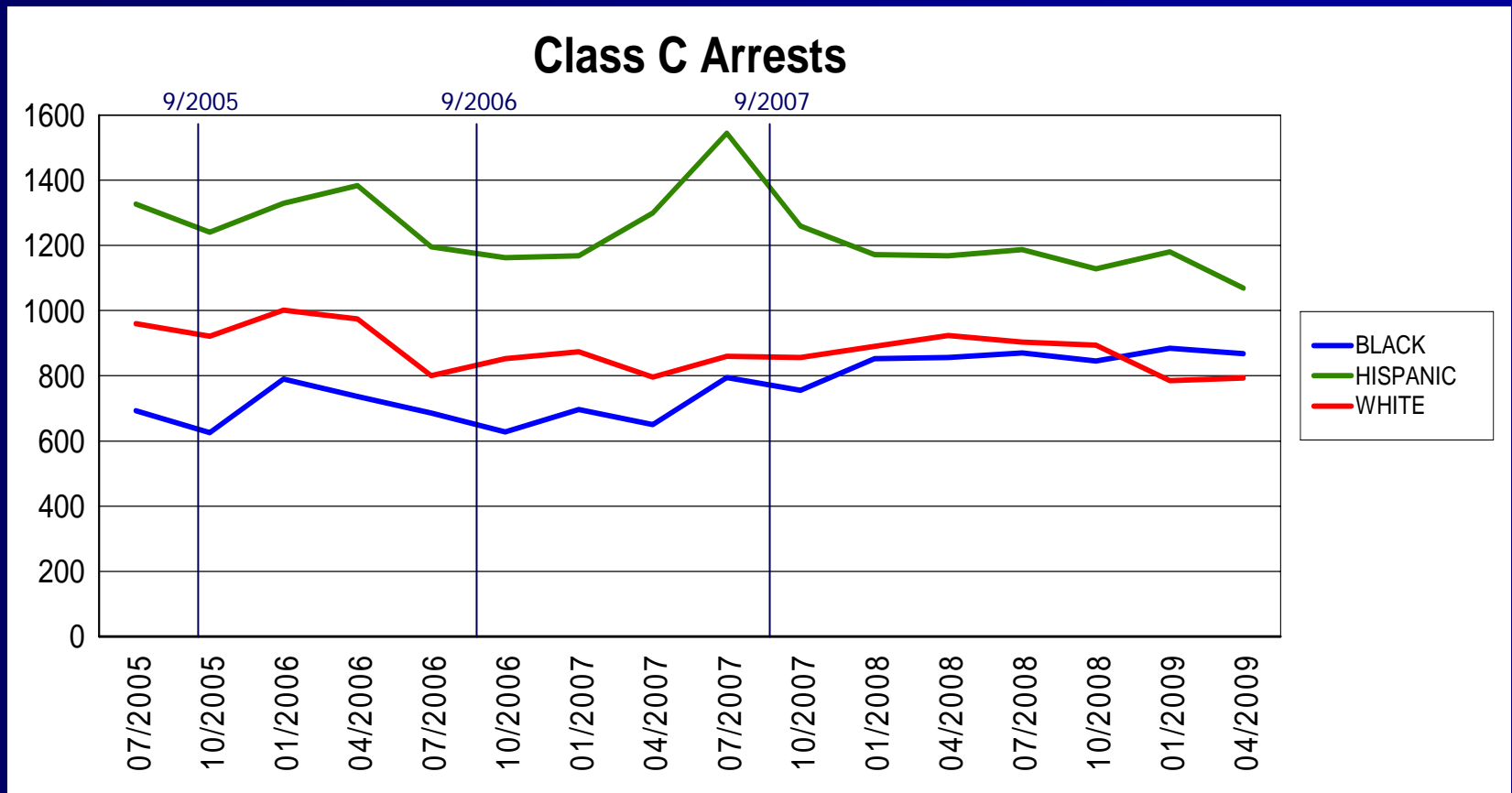
## Berkeley Study Error # 2

- Hispanics were arrested more frequently for misdemeanors after the implementation of the Criminal Alien Program

### FACT:

- Hispanic arrests for misdemeanors actually decreased after CAP began

# Factual Data



# Criminal Alien Program



## Berkeley Study Error # 3

- Arrest of Hispanics for Class C misdemeanors spiked soon after 24/7 access to ICE was initiated in April of 2007

### FACT:

- Arrests rose for all race categories during the following summer - unrelated to CAP

# Factual Data

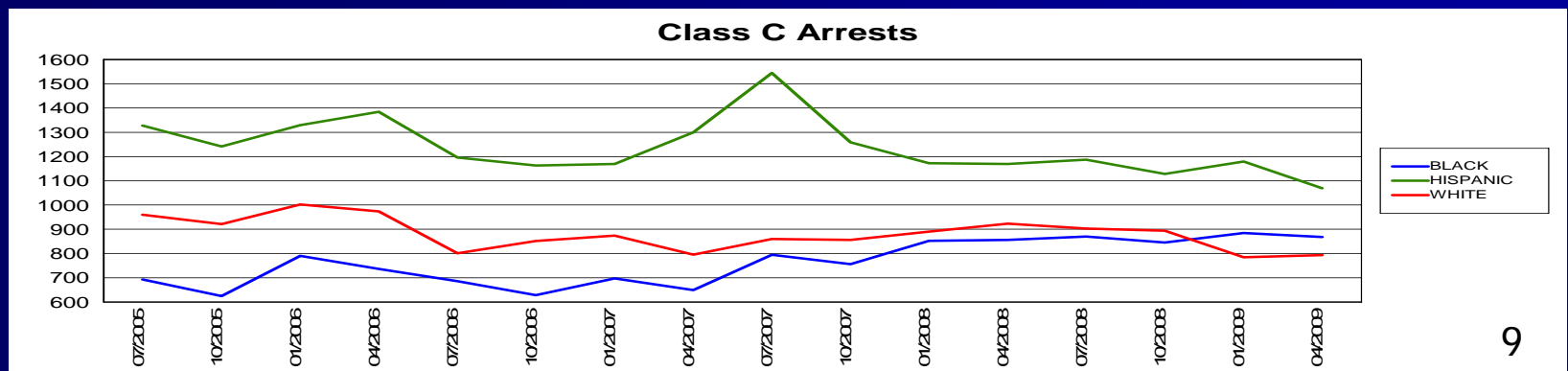


## ■ Initiatives

- COMSTAT
- Disorder Operation
- DWI Grant
- School Resource Officer

## ■ All Categories Increased

- Black 21%
- Hispanic 16%
- Caucasian 7%



# Criminal Alien Program



## Berkeley Study Error # 4

- Only 2 percent of referrals to ICE were originally arrested for felony offenses

### FACT:

- Felony offenses accounted for 15 percent of ICE referrals

# Factual Data



## ICE Detentions—Original Arrest Charge:

**15% Felony**

**50% DWI/Theft/Drugs/Assaults/Etc.**

**32% Warrant/Drivers License Offenses**

**3% Traffic Offenses**

# Racial Profiling Control Mechanisms



- ❑ State Law
- ❑ Departmental Policy
- ❑ Training
  - ❑ 4 hours in Police Academy (minimum)
  - ❑ 4 hours in-service each training cycle (4 years)
- ❑ Annual Racial Profiling Report
- ❑ Field Supervision Oversight
- ❑ Internal Affairs Investigation Process

# Hispanic Outreach Programs



- ❑ FAC Hispanic Counseling Services
- ❑ Police Athletic League
- ❑ Hispanic Citizens Police Academy
- ❑ Hispanic clergy on our Training Academy Advisory Board
- ❑ Police at Spanish speaking Town Hall Meeting
- ❑ Participation in Hispanic Chamber of Commerce
- ❑ Blue Christmas
- ❑ Diversity Advisory Group

# Crime Reduction



- ❑ Irving residents now see 1,100 fewer crimes a year compared to 2004
- ❑ Crime Rate has dropped four years in a row
- ❑ Record Low Crime Rate in 2007 and 2008
- ❑ Violent crimes down an additional 21% in 2009
- ❑ Robberies down an additional 16% in 2009
- ❑ All crimes continue to decline

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## Conclusions

- The Berkeley Study contain significant data errors
- The actual data does not support the allegation that CAP caused the increase of Hispanic arrests for Class C offenses

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## Discussion