

Prince William County Police
Department
Illegal Immigration Review



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Chief of Police

Executive Summary

On November 19, 2015, WJLA released a story about varying levels of cooperation with ICE amongst local law enforcement agencies, which asserted that PWC is a “sanctuary city.” As a result, the Police Department immediately began an internal review of the facts reported. On November 21, 2015, the Prince William County Board of Supervisors (BOCS) directed the PWCPD to look into which documents were referenced when the PWCPD member had a conversation with a reporter from WJLA. Furthermore, the BOCS directed the, “Police Department to immediately take corrective actions to inform ICE of any person they encounter who is identified, for whom there is an ICE warrant, whether it is deportation, civil or criminal” in accordance with the 2007 Board of County Supervisors resolution on illegal immigration. The BOCS also directed an outside audit to be conducted by RSM, the County’s contract audit provider.

In response to the BOCS directive the Police Department conducted a review by utilizing the following resources.

- National Law Enforcement Telecommunications System (NLETS)
- Law Enforcement Support Center (LESC -Bureau of Immigration and Customs Enforcement)
- Crime Analysis/Intel Unit
- Public Safety Communications Center /Teletype

In conclusion, we determined the information given to the WJLA reporter was due to incomplete information being shared from our Illegal Immigration General Orders by a Police Department member. Corrective action has been taken to address this oversight. Despite the miscommunication, PWCPD has verified we have notified ICE for 100% of the subjects who met the criteria established in the original BOCS resolutions in 2007 and 2008.

Background

On November 19, 2015 WJLA television aired a story about varying levels of cooperation with ICE amongst local law enforcement agencies. That story asserted that PWC is a sanctuary jurisdiction, based on incomplete information from a Police Department PIO.

As a result of the above, on November 21, 2015, the Prince William County Board of Supervisors (BOCS) passed a resolution directing the Police Department to look into what documents the Public Information Officer referenced when he had a conversation with a reporter from WJLA. Furthermore, the BOCS directed the, "Police Department to immediately take corrective actions to inform ICE of any person they encounter who is identified, for whom there is an ICE warrant, whether it is deportation, civil or criminal" in accordance with the 2007 Board of County Supervisors resolution on illegal immigration. The BOCS also directed an outside audit to be conducted by RSM, the County's contract audit provider.

The WJLA report characterized the Prince William County Police Department (PWCPD) as not communicating with ICE when an officer encounters a subject with a civil or deportation warrant. This was a result of a member of our Public Information Office not reviewing the entire General Order regarding Illegal Immigration, and a failure to consider the various methods by which we communicate with ICE, such as phone calls and Teletype Communications. The Police Department's General Orders on illegal immigration have been in effect since 2008, with no substantive changes. The only changes to date were minor grammatical changes and the removal of language related to the 287g agreement, which was terminated by ICE at the end of 2012.

Investigation

In response to the BOCS directive for the Police Department to "immediately take corrective actions to inform ICE of any person they encounter who is identified, for whom there is an ICE warrant, whether it is deportation, civil or criminal," the Department conducted a comprehensive review. A request was made on November 23, 2015 to the National Law Enforcement Telecommunications System (NLETS) to query all communication between the PWCPD and the Law Enforcement Support Center (LESC - Bureau of Immigration and Customs Enforcement) from January 1, 2015 to November 27, 2015. This communication included every person queried by PWCPD that resulted in any ICE return, whether it related to deportation, civil or criminal.

On December 1, 2015, we received 3,362 pages of VCIN/NCIC (Virginia Crime Information Network/National Crime Information Center) returns from the Virginia State Police covering the requested dates. Under Virginia law, only authorized VCIN users are allowed to review this information.

After an exhaustive review of the data, 15 query records were identified as cases in which the response was actually relevant to the person queried, and that person had an outstanding warrant for removal. The remaining overwhelming majority of the records did not pertain to the person queried. Our team of investigators manually reviewed the circumstances of each of the 15 queries to determine if ICE was notified. We also requested records from the ICE LESC regarding the number of contacts they received from our agency. Although the data received by the LESC was not 100% germane to PWCPD, the numerical data was consistent with the findings of our review.

A review of PWCPD internal records for 2013 and 2014 was also completed, and it verified that ICE was notified in each case. We determined that it was not necessary to request thousands of pages of external data for 2013 and 2014, such as was received for 2015, since no ICE notification gaps were identified by our thorough 2015 audit. For years 2013, 2014, and 2015, PWCPD reported every encounter to ICE for subjects who had an active warrant, whether it was deportation, civil, or criminal in nature.

In conclusion, despite the incomplete information given to the WJLA reporter, PWCPD has verified that we notified ICE for 100% of the subjects who met the criteria established in the original BOCS resolutions in 2007 and 2008, as well as the November 21, 2015 BOCS resolution which directed this inquiry. The Department has also taken corrective measures to insure that such public inquiries are properly handled in the future.

2015 Prince William County Police Contacts with the ICE

	Officer Out with Subject & Identity Confirmed	Arrest	No Arrest	Committed to the Adult Detention Center (287g)	Ice Contacted
2015	15	10	5	*9	15
2014	3	1	2	1	3
2013	8	6	2	6	8

*1 Released by magistrate

January 1, 2015 – November 27, 2015

Outstanding Warrant of Removal – No Arrest Made

- In 2015 there were five incidents when officers encountered citizens and a hit for “Outstanding Warrant for Removal” was received.
 - In all five cases the officers made phone contact with ICE and provided information requested (i.e. confirmed identity (e-mail picture) and provided updated information) and a “Hit Confirmation Response” by our TTY.

Outstanding Warrant of Removal – Arrest Made

- In 2015 there were ten cases officers arrested citizens who were run in VCIN/NCIC and a hit for “Outstanding Warrant for Removal” was received. In nine of the ten cases the arrestee was transferred to the Prince William Adult Detention Center and screened through 287g. In one case the arrestee was released by the magistrate, however, I.C.E. was contacted prior to release.

2014 Prince William County Teletype Records

Outstanding Warrant of Removal – No Arrest Made

- In 2014 there were two cases when officers encountered citizens who were queried in VCIN/NCIC and a hit for “Outstanding Warrant for Removal” was received.
 - In both cases the officers made phone contact with ICE and provided information requested (i.e. confirmed identity (e-mail picture) and provided updated information) and a “Hit Confirmation Response” by our TTY.

Outstanding Warrant of Removal – Arrest Made

- In 2014 there was one case that involved an officer who arrested a citizen who was run in VCIN/NCIC and a hit for “Outstanding Warrant for Removal” was received. The arrestee was transferred to the Prince William Adult Detention Center which screens each inmate through 287g. The officer made phone contact with I.C.E.

2013 Prince William County Teletype Records

2013 Outstanding Warrant of Removal – No Arrest Made

- In 2013 there were two cases in which officers encountered citizens who were queried in VCIN/NCIC and a hit for “Outstanding Warrant for Removal” was received.
 - In both cases the officers made phone contact with ICE and provided information requested (i.e. confirmed identity (e-mail picture) and provided updated information.) and a “Hit Confirmation Response” by our TTY.

Outstanding Warrant of Removal – Arrest Made

- In 2013 there were six cases that involved an officer who arrested a citizen who was run in VCIN/NCIC and a hit for “Outstanding Warrant for Removal” was received. The arrestee was transferred to the Prince William Adult Detention Center, which screens each inmate through 287g.
 - In all six cases the officers made phone contact with ICE and provided information requested (i.e. confirmed identity (e-mail picture) and provided updated information) and a “Hit Confirmation Response” by our TTY.