

APD Presentation – Commission on Immigrant Affairs, April 9, 2018

Present:

Assistant Chief Joseph Chacon

Lt. Christine Chomout

Sadot Azzura, Office of the Community Liaison

Dolores Laparte-Litton, Supervisor, Office of Victim Services

Michael Sheffield, Office of the Community Liaison

Implementation of SB4

- APD wants to be clear that they are not the immigration police, and do not want to be viewed as such
- Officers have been told that they are not prohibited to ask any questions regarding immigration status
- They do have to have a valid law enforcement reason to ask, and must document it
- From 9/2017 to date, the question has been asked 4 times: 1) a case of suspected Nigerian credit card abuse, to identify if it was a Nigerian issue; 2) clear case of labor trafficking; 3) wanted to offer a U visa to the person; 4) attempt to identify during a traffic stop and the person volunteered the information
- There have not been many requests from ICE
- The officer can ask, but the law does not require the person to answer the question
- They do not require evidence of immigration status during a stop, just ID
- If there are any concerns, the person can request to speak with a supervisor
- Almost all interactions are videotaped. For a nonincident, the tape is retained for 180 days; for the rest, they are kept for the period of the statute of limitations for the offense
- If there are any complaints, they can go to the Office of the Police Monitor.
- LAPD saw a significant drop in Latino victim cooperation with law enforcement, as did Houston PD. The Research and Planning Division of APD looked at 5 years of reporting, and found that for crimes where the victim was Latino, that reporting had gone up and there was no drop off. Rape went from 33 to 40%, robbery from 45 to 50%, and aggravated assaults from 37 to 41%

U visas

- U visa statistics (see attached chart)
- The U visa program is a huge tool to prosecute crimes.
- For denials where the victim has a pattern of criminal behavior, it's a judgment call.

- The panel deciding U visa certifications rotates, and two sergeants are assigned, as well as someone from Victim Services. Lt. Chomout supervises.
- At this point, no change will be made in denying U visa certifications based on the statute of limitations. The base purpose is to assist law enforcement with prosecutions, and if the case cannot be prosecuted, there's no reason for a certification. Certifications might be considered after the statute of limitations expired if there were something that stood in the way of the person reporting.
- APD is looking at a victim services pamphlet currently used by Travis County to get out the word about U visas without asking about immigration status

How can the Commission help?

- Education and outreach. APD is going out into the community with Coffee with a Cop, and are broadcasting on Spanish language media as well as Facebook Live.