



Board of Supervisors Memorandum

August 7, 2018

Operation Stonegarden Grant Award Acceptance for Federal Fiscal Year 2017 Item 27A as well as the High Intensity Drug Trafficking Areas (HIDTA) Grant Approvals for Items 27B and 27C on the August 7, 2018 Board of Supervisors Agenda

History

The Operation Stonegarden Grant (OPSG) program has been ongoing for at least 12 years, with the Pima County Sheriff's Department accepting and receiving OPSG grants over this period. The Department has received 44 grants over this timeframe for a total of \$16,485,719, of which \$10,447,933 was for personnel, mileage, or travel and \$6,037,786 for law enforcement equipment.

OPSG grants are funded by the Federal government, through the US Department of Homeland Security. These funds are distributed to individual states and administered through the State of Arizona's Department of Homeland Security.

The most recent grant for Federal Fiscal Year (FY) 2017 occurred on January 8, 2018 through a letter from the State Homeland Security Director, Gilbert M. Orrantia to Sheriff Mark Napier, indicating an amount of \$1,191,208 to be awarded for "OPSG overtime and mileage for the period of January 8, 2018 through December 31, 2018." This Item was originally on the Board of Supervisors Agenda for acceptance on February 6, 2018. At this meeting, the OPSG grant was rejected by a vote of 3 to 2.

On February 20, 2018, the Item was reconsidered by the Board and approved by a vote of 3 to 2, subject to five conditions. These conditions (Attachment 1) were enumerated by the Board. At a subsequent meeting, on March 20, 2018, the Board tabled two High Intensity Drug Trafficking Area (HIDTA) grants, subject to receipt of a report regarding Sheriff compliance with the five conditions associated with OPSG grant acceptance. Discussion of these five conditions was scheduled for the June 19, 2018 Board of Supervisors Meeting and continued to the July 3, 2018 meeting. Due to the Sheriff being unavailable on those dates, the Item was then continued to the August 7, 2018 Board of Supervisors Meeting at my request.

Why is Operation Stonegarden Controversial Now?

Given the County has been accepting OPSG grants for 12 years, the question that has been asked is, what is different now to make the acceptance of the OPSG grant controversial?

The primary reason appears to be the present Federal Executive Branch policy position on immigration, specifically a new policy that has resulted in family separations. The Legislative Branch of the Federal government has been unable to alter this policy even though it has

recently been rescinded by the Executive Branch and the Judicial Branch and has essentially stopped the policy by requiring family reunification.

In discussing this matter in more detail with the Sheriff, he concurs with this analysis and remains adamant that immigration is not a local law enforcement responsibility, nor function. However, cross border crime and the prevention of same, or enforcement actions related to cross border crime, are his direct responsibility. Hence, his past and continuing support of OPSG grant funding.

Compliance with the Five Conditions of Operation Stonegarden Grant Acceptance Imposed by the Board of Supervisors on February 20, 2018

The five requirements are briefly restated below along with the status of response to the requirements.

1. Full recovery of all employer related expenses – It has been confirmed that all employer related expenses are up to date and the County is recovering full cost of such for any law enforcement officer working overtime for OPSG. Therefore, this condition has been met.
2. Creating a Grants Management and Innovation Office/Department establishing oversight effective with the FY 2018/19 Budget - This condition has been met.
3. Establishing a process for collecting data and information related to OPSG – This condition has been met with the receipt of Daily Activity Reports (DARs) and analysis of same by our Criminal Justice Reform Unit. This Unit has reported their findings that will be summarized later in this communication. This requirement has been met, but there remains a need to ensure continuing data information from ongoing activities with the US Border Patrol and other law enforcement agencies. Therefore, this condition has been substantially met for now. We originally had to obtain the requested information through Freedom of Information Act (FOIA) requests. After these requests, we met with the Border Patrol and believed the information would be forthcoming, but there is no agreed upon transfer of data. Therefore, I have instructed staff to once again begin the FOIA process to obtain this information.
4. Develop a policy where County law enforcement agencies interact with Federal Immigration Officials – The Sheriff has developed a written policy and included the policy in his standard operating policies and procedures. Hence, this requirement has been met. I have asked the Staff Attorney from the American Civil Liberties Union (ACLU), Mr. Billy Peard, to comment on the policy. Mr. Peard's response is provided in Attachment 2 and generally concludes General Order 2018.001 of the Sheriff meets the minimum requirements of this conditions, but could be improved.

5. Establish a Committee to report to the Board of Supervisors and the Sheriff and oversee the issue of potential racial profiling and other activities resulting from law enforcement receipt of OPSG grants. – The Community Law Enforcement Partnership Commission has been established with 10 voting members and two non-voting ex-officio members. The Commission is lacking appointments from District 1 (two vacancies) and District 4 (one vacancy). The Commission has met three times with one cancelled due to lack of quorum. The results of the Commission’s meetings are public and the meeting minutes and summary information produced by staff will continue to be forwarded to the Board of Supervisors.

	Member	Office	District
1	VACANT (Bobby Lane)		1
2	VACANT		1
3	Cesar Aguirre		2
4	Kristen Landrum	Vice-Chair	2
5	Zaira Livier Serrato	Chair	3
6	Laura Conover		3
7	Kevin McNichols		4
8	VACANT		4
9	Anakarina Rodriguez		5
10	Jessica Rodriguez		5
11	Sheriff Mark Napier		Ex-officio, Sheriff's Department
12	Richard Saunders		Ex-officio, Tohono O'odham Nation Department of Public Safety Director

The Commission meets on the second Monday of every month at the Herbert J. Abrams Public Health Center’s community meeting room. The next Community Law Enforcement Partnership Commission meeting is scheduled for August 13, where Operation Stonegarden’s Daily Activity Reports will be presented. Commissioners have also expressed an interest in inviting Pima County Attorney Barbara LaWall and the US Border Patrol as future meeting presenters.

A commission webpage has been created, where agenda items and information are made available. The webpage is www.pima.gov/communitylawenforcement.

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In Summary

The five conditions established by the Board of Supervisors for accepting the OPSG grant have been met.

Outstanding OPSG Grant Issues to Review

An area that remains an issue is reimbursement for County mileage expenses, in particular, law enforcement vehicle usage.

The OPSG grant processed by the Arizona Department of Homeland Security only allows for a \$0.445 per mile reimbursement for utilization of equipment. The actual cost to operate a typical Sheriff's vehicle involved in OPSG is \$0.92 per mile; hence, the reimbursement falls far short of meeting our actual expenses for vehicle repair, maintenance and replacement. We have outstanding requests to determine if other states who also receive OPSG funding such as California and New Mexico, have specific limitations on vehicle reimbursement expenses. We learned from the Director of Texas Border Security that Texas does not reimburse for mileage costs but pays fuel and maintenance repair costs.

Our vehicle use is substantial because of our large rural environment. For example, of the eight agencies in Pima County involved in OPSG deployments in Federal FY 2016, the Sheriff's Department recorded the highest vehicle mileage usage of over 211,000 miles. Failing to receive full reimbursement for vehicle usage costs the County at least \$100,000 in providing vehicles for OPSG.

We will continue to pursue why this limitation exists and whether the County can be fully reimbursed for OPSG vehicle mileage usage of County law enforcement vehicles.

Daily Activity Report and Narrative Update Review

To meet Condition 3, the County requested Daily Activity Reports (DARs) from all eight municipalities in Pima County that receive OPSG grant funds for Federal FY 2016, which is defined from October 1, 2016 to September 30, 2017.

DARs are summaries of activities performed over a given period of time. For OPSG, DAR summaries are prepared after each OPSG deployment and contain incident information such as the identity of the law enforcement agency and responding agency representative, the location of the deployment, and the types of law enforcement response to an incident.

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The Law enforcement agencies in Pima County that received funding in Federal FY 2016 are identified below:

Arizona Department of Public Safety
Marana Police Department
Oro Valley Police Department
Pima County Sheriff's Department
Sahuarita Police Department
South Tucson Police Department
Tohono O'odham Police Department
Tucson Police Department

DARs were received after submitting formal public information requests to all eight agencies. To the credit of the Sheriff, he promptly provided all of the information requested. It should be noted that of the eight jurisdictions, six of the responding agencies provided complete DAR documents, but two jurisdictions – the Tohono O'odham and South Tucson Police Departments – responded with limited information.

Conclusions for these reports discussed below are limited to the Pima County Sheriff's Department, but information for six jurisdictions has been made available for review, along with limited information from Tohono O'odham and South Tucson.

Attached for the Board's information (Attachment 3) is a typical OPSG DAR form that is filled out by agencies engaged in OPSG activity. The DARs and narrative reports from the Sheriff's Department covered 415 operations during Federal FY 2016. Our review by the Criminal Justice Reform Unit was completed on July 5, 2018 and contains an analysis of the 415 Sheriff's OPSG operations as compared to 937 total operations for all agencies involved in OPSG activities within Pima County.

The summary of relevant data, shown in Attachment 4, shows that the Sheriff's Department performed 44 percent of the overall total operations, 51 percent of the overtime allocated to all agencies and 49 percent of the total mileage traveled in OPSG. The data also concluded an average of 4.91 Sheriff's deputies were involved in each mission billed and worked an average of 34.7 hours per mission and had the second highest average overtime rate of pay.

The Sheriff's Department was also involved in the second highest number of narcotic seizures by mission at 70 seizures, as compared to the Tucson Police Department at 255 narcotic seizures. However, of the total amount of marijuana seized in OPSG the Sheriff's Department seized 77 percent, 76 percent of the total amount of cocaine and 85 percent of heroin seized. Clearly, the Sheriff confiscated the largest amount of drugs compared to other OPSG law enforcement agencies. The Sheriff has the highest number of vehicle stops, but only 16 percent of these stops resulted in a citation.

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The Sheriff's Department is documented to have the second highest misdemeanor arrests at 342 and the second highest felony arrests at 170.

This data does substantiate that the primary benefit associated with having the Sheriff involved in OPSG is for drug interdiction. The Sheriff has by far confiscated the most narcotics of any agency in OPSG. It should be noted the Sheriff, through normal law enforcement functions, performs much of the same activities as OPSG on a regular basis. If the Sheriff does not receive the OPSG grant fund, it is likely that another agency such as Arizona Department of Public Safety will absorb the funds and continue the same activities and the County will have little or no policy input to the State agency.

A recent example of typical local law enforcement response to cross border crime is a traffic stop performed by a Sheriff's Deputy in Ajo, Arizona who initiated a traffic stop on July 21, 2018 for failing to stop at a stop sign. The driver and the passenger were in a vehicle that crossed the Lukeville Port of Entry from Mexico. The vehicle was immobilized because the driver did not have a valid driver's license. Later, the vehicle was identified as one that possibly matched the description of a vehicle loaded in Mexico with illegal narcotics. Pima County Sheriff's Deputies in Ajo executed a search warrant on the impounded vehicle, which yielded 194 pounds of methamphetamine and five pounds of heroin having a street value of approximately \$600,000. The two individuals involved in the matter are actively being sought out for possible additional charges.

Importance of Receiving Accurate Information in a Timely Manner

Condition 3 for approval of the OPSG grant, was designed mainly to determine if OPSG was having a significant impact on County criminal justice system expense from the prospective of prosecution, defense and adjudication. The information provided in the DARs and supplemental information is adequate to measure actual activities of law enforcement operating under the OPSG grant. The activities of the Sheriff's Department for Federal FY 2016/17 has been reported previously in this communication and adequately documents law enforcement involvement of the Sheriff in OPSG. It chronicles the number of arrests, type of arrests and other law enforcement related activities. What it does not provide, nor track, is where the individuals arrested through OPSG end up in our criminal justice system. To begin to measure this, we have asked the Sheriff for expanded information regarding occupants of the Pima County Adult Detention Complex (PCADC). We now track citizen and non-citizen detainees.

As of Thursday, July 26, 2018, there were 109 non-citizen individuals held in the PCADC on a variety of charges. These individuals could be citizens of other countries or resident aliens. They are not all undocumented non-citizens. Of the 109 individuals, only two are reported as detained through OPSG. There may be others depending upon when the data begins to differentiate regarding OPSG detainees. Please note, some of these individuals have been in the PCADC for two years. Data is also being provided to indicate if the individual detained has an Immigration and Customs Enforcement (ICE) Detainer. Of the 109

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non-citizen individuals, 61 have ICE Detainers. Many of these individuals are in the adjudication process, which means they will be tried, possibly convicted and sentenced to prison for their crimes. An ICE Detainer would only then be applied at the end of their prison sentence. Based on this very limited information, and if it is completely accurate, it would not appear OPSG has any measureable or appreciable effect on the overall cost of operating the County criminal justice system. However, such is difficult to judge with certainty since we are having such a difficult time obtaining timely and accurate information from ICE and the US Border Patrol.

Attachment 5 shows the non-US citizen snapshot from the PCADC for the week ending July 26. The names have been removed from this list but it is an accurate representation of the number of individuals, the arresting agency, whether there is an ICE Detainer, their trial status and charged crimes, along with the number of days they have been held in the PCADC are included.

Future Operation Stonegarden Grant Acceptance

While OPSG has been a recurring Federal grant for more than 12 years, County policy regarding administration of grants requires Board of Supervisors grant acceptance and approval. I have asked our new Grants Management and Innovation Department to perform a comprehensive review of our grants policies and procedures. It would be appropriate to ask the Sheriff to submit his grant request for Federal FY 2018 to the Board for general review prior to submission. Such would allow the Board to make appropriate suggestions in this grant application, such that, if the grant were awarded it would have a higher likelihood of acceptance by the Board.

The Board could suggest to the Sheriff that future OPSG grant applications contain the following:

- a) more emphasis on capital improvements than past grants, to greatly enhance law enforcement efforts in both in OPSG grants and in the pursuit of local law enforcement activities, including modernization of air unit equipment for identification, tracking and other surveillance equipment essential in assisting law enforcement in apprehending individuals involved in criminal activity,
- b) develop increased law enforcement communications capacity in the remote regions of Pima County, which would also assist in providing assistant to individuals in a climate distressed situation.
- c) significantly fewer hours of personnel service funding for overtime and benefits,
- d) direct financial assistance in decreasing the impact of border patrol operations on publically maintained infrastructure,

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- e) develop and implement appropriate protocols and advanced communication system with US Customs and Border Protection personnel such that detainees with an Immigration and Customs Enforcement (ICE) Detainer can be released to ICE representatives without ICE personnel being housed at the PCADC.

These suggestions as to what could be acceptable to the Board in a future OPSG grant would respect the roles of the Sheriff as an independent Elected Official as well as the Board of Supervisors who has governance roles in applying for and accepting federal grants.

High Intensity Drug Trafficking Areas (HIDTA) Discussion

HIDTA funds were also tied to the successful accomplishment of the five conditions stated above. Arizona and Pima County have participated in the HIDTA program since 1990. HIDTA is a separate grant funded program from OPSG. The goal of HIDTA is to enhance intelligence gathering and collaboration among law enforcement agencies (local and federal) to combat transnational organized crime related to drug trafficking.

There had been concern that law enforcement engaged in HIDTA operations were pursuing low-level drug users and those who were vulnerable to larger drug trafficking operations. Pima County has shown that its operations have been successful in the focused disruption of medium to high-level drug trafficking organizations. Pima County's role in HIDTA has been largely intelligence gathering and dissemination as well as fugitive recovery.

HIDTA efforts are, in general, entirely funded through the grant. HIDTA funds specific organizations such as the Counter Narcotics Alliance and the Pima County HIDTA Investigative Task Force. In Pima County, HIDTA grant funds directly support the Sheriff's Department, the County Attorney's office, and Adult Probation, as well as the other local law enforcement departments. HIDTA also contributes funds to training centers and programs for law enforcement such as the Pima Regional Training Center. If the grant funds were denied many of these missions would be severely curtailed or eliminated.

Recommendation

The five conditions for accepting the Stonegarden grant have been met. With these conditions, Pima County now has safeguards in place that ensures grant funds will not be used (or misused) without considerable oversight by this Board, the Community Law Enforcement Partnership Commission and the community in general.

The Sheriff has developed a written policy (which previously did not exist) on his Department's interaction with the Federal government in Stonegarden Operations. Sheriff Napier has gone on record that immigration is not a local law enforcement issue. An examination of the written records (DARs) reveal that the Pima County Sheriff's Department has been involved in a large number of narcotic seizures which comports with the stated mission of the Stonegarden Operations.

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Accordingly, it is my recommendation that this Board fully accept the \$1,191,208 in grant funds and, continue the grant to December 31, 2018.

In addition:

1. The Sheriff has conformed with the five conditions imposed on the Operation Stonegarden grant, therefore the Board of Supervisors should authorize continued grant implementation until December 31, 2018.
2. Ask the Sheriff to seek prior approval of any Operation Stonegarden grant for Federal FY 2018 prior to submission and that said submission substantially conform to the suggestions contained in this communication as noted on Page 7, Items a through e.
3. Request the Sheriff never apply for nor accept any grant that would enforce Federal immigration laws.
4. Based on the five conditions of compliance with the Operation Stonegarden grant, approve the High Intensity Drug Trafficking Areas (HIDTA) grants previously tabled by the Board of Supervisors.
5. Based on Arizona Revised Statute regarding Authority of the Sheriff to Operate and Manage the Jail, ask the Sheriff to remove Immigration and Customs Enforcement (ICE) personnel from the Pima County Adult Detention Complex as soon as practically possible.
6. Request that the Sheriff contact US Customs and Border Protection leadership and request a more cooperative exchange of requested information with the County and that continued administrative difficulty in obtaining this information will be deemed to be a breach of agreement and result in termination of any ongoing Operation Stonegarden agreements.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/anc - August 3, 2018

Attachments

c: The Honorable Mark Napier, Pima County Sheriff

ATTACHMENT 1

Board of Supervisors' Meeting of February 20, 2018
Relating to the following item:
Addendum Item No. 5, Request for Reconsideration:

Supervisor Valadez: I move the condition -- the conditional approval of these two items on five conditions.

1) The E.R.E., employee related expenses, for this grant be modified to reflect the analysis of the Finance and Sheriff's department to jointly determine correct E.R.E. to be used by the Sheriff's department. Furthermore, I ask that the Sheriff and the finance staff review the last three years or more, if possible of Stonegarden grants to determine if the County applied the current E.R.E. and was appropriately reimbursed for its expenses, if the amount was less then we request reimbursement for the actual expenditure.

2) I would direct the County Administrator to develop a grant coordination process for the Sheriff and the County Attorney, for federal or state grants, not directly administered by existing county grant staff, so that these grants are monitored by a centralized county grant staff under the direction of the County Administrator.

3) Direct the County Administrator to ensure a process exists for collecting appropriate data, and information that both confirms a specific benefit of a criminal justice grant such as Stonegarden, but also establishes a data and information reporting system such that the cost of accepting such a grant on other elements of the county funded criminal justice system as prosecution defense and adjudication through the County May be fully and transparently disclosed. This is inclusive, obviously, of the information we talked about, who is being stopped and why.

4) That the Sheriff develop a written policy that is to be provided to this Board, that indicates specifically how, when and under what circumstances county law enforcement agents will interact with Federal immigration officials including the border patrol, customs, and immigration officials, including at the border patrol stations stops, and

5) That we put together and compose and populate a Board of Supervisors committee to report to both the Board of Supervisors and the Sheriff's Department with two members from each Board member to oversee the issue of potential racial profiling in this and other instances.

Supervisor Bronson: Would you be amenable to amending that to include in addition to what you said, direct the Sheriff to establish training and transparency measures. If we look at what's happened in Maricopa County recently, and I'm -- it's the Melendres vs. Penzone and this was a consent decree. I think that we can look to that reporting and transparency requirement that was spelled out in that consent decree.

ATTACHMENT 2

ALESSANDRA SOLER
EXECUTIVE DIRECTOR

DALE BAICH
PRESIDENT



July 31, 2018

C. H. Huckelberry
County Administrator
Pima County Governmental Center
130 West Congress, Floor 10
Tucson, AZ 85701-1317

KATHLEEN E. BRODY
LEGAL DIRECTOR

Re: Pima County Sheriff's Department General Order 2018-001

Dear Mr. Huckelberry:

This letter is in response to your correspondence of June 21, 2018, requesting the ACLU of Arizona's review and comment on Pima County Sheriff Department ("PCSD") General Order 2018-001, governing PCSD's role in immigration enforcement and certain interactions between PCSD personnel and federal immigration agencies.

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I. Background

As you know, on February 20, 2018, the Board of Supervisors placed five conditions on the receipt of \$1,429,175 of federal "Operation Stonegarden" grant funding. On March 20, 2018, the Board of Supervisors attached the same five conditions to \$363,463 of federal High Intensity Drug Trafficking Taskforce Area ("HIDTA") funding. This letter addresses one of those five conditions, referred to here as Condition Four. Condition Four requires the Sheriff to "develop a written policy to be provided to the Board that indicate[s] specifically when, how and under what circumstances County law enforcement agents would interact with federal immigration officials, including Border Patrol and Border Control [sic] checkpoints, Customs and Immigration Officials."¹ Condition Four was intended to provide a framework for a wide range of interactions between PCSD and federal immigration authorities – not merely those interactions taking place during Operation Stonegarden deployments.²

¹ Pima County Bd. of Supervisors Feb. 20, 2018 Mtg. Minutes, at 9, <https://pima.legistar.com/View.ashx?M=M&ID=571069&GUID=B8CCE1CA-DF03-4A6E-BD7F-60F4AE0000D3>

² Video of Feb. 20, 2018 Pima County Bd. of Supervisors Mtg. (Supervisor Valadez: "Mr. Chairman, to that point I just wanted to clarify that Supervisors Bronson's point was specific to Stonegarden, my comments in the motion are much broader."), http://pima.granicus.com/MediaPlayer.php?view_id=7&clip_id=651

On May 8, 2018, Sheriff Napier promulgated General Order 2018-001, adding four pages to the approximately 400-page Rules and Regulations of PCSD. Our understanding is that General Order 2018-001 is the first PCSD written guidance related to immigration-enforcement matters.³ Before May of this year, PCSD was the largest Arizona law enforcement agency without any such written policy.⁴ Thus, the ACLU of Arizona views the adoption of General Order 2018-001 as a positive step. Moreover, General Order 2018-001 goes beyond what other Arizona jurisdictions have done with their immigration-enforcement policies, for example, by addressing officer interactions at Border Patrol checkpoints and by mandating the collection of certain categories of data.

II. Summary

While General Order 2018-001 as currently written likely satisfies the language of Condition Four, the ACLU of Arizona has identified several areas where the policy can be further improved to address legal concerns, racial-profiling concerns, and unnecessary entanglement with federal immigration authorities.

The following changes, which are explained in more detail below, would go further in protecting the civil rights and civil liberties of individuals in Pima County, enhance public safety by strengthening trust within the immigrant community, and offer greater clarity for PCSD's more than 400 sworn deputies:

1. Vehicle Passengers: The policy should restrict deputies from asking passengers about their immigration status.
2. Difficulty Speaking English as a Consideration in Developing Reasonable Suspicion: The policy should restrict deputies from relying on a person's language ability or difficulty speaking

³ *Law enforcement agencies revisit SB 1070 policies after South Tucson settlement*, ARIZONA DAILY STAR (May 30, 2014), https://tucson.com/news/local/border/law-enforcement-agencies-revisit-sb-policies-after-south-tucson-settlement/article_fc0d107a-038f-5278-849e-b0e8f3865fc1.html (noting that PCSD "has no written policy like those in Tucson or South Tucson").

⁴ Tucson Police Department has had such a policy since at latest 2012, Arizona Department of Public Safety since at latest 2012, Maricopa County Sheriff's Office since at latest 2013, Mesa Police Department since at latest 2015, Phoenix Police Department since at latest 2010, Flagstaff Police Department since at latest 2012, and Chandler Police Department since at latest 2016.

English as an indication of possible unlawful immigration status.

3. Border Patrol Checkpoints: The policy should restrict deputies from conducting routine traffic-enforcement missions within a minimum distance of a Border Patrol checkpoint and should prevent PCSD from collaborating with Border Patrol in planning limited-purpose sobriety checkpoints.
4. Language Interpretation: The policy should prohibit deputies from contacting the Border Patrol for the sole purpose of aiding in Spanish-language interpretation.
5. Border Patrol-Issued Radios: The policy should prohibit the use of Border Patrol-issued radios inside PCSD vehicles.

III. Suggested Improvements to General Order 2018-001

A. Asking Vehicle Passengers About Immigration Status

The current policy restricts deputies from asking about immigration status during specific types of interactions. These restrictions are essential to fostering trust with Pima County's immigrant community, and the current policy makes important reforms in this area. As currently written, the policy restricts a deputy's ability to ask about immigration status in three scenarios: (1) during interactions with witnesses and victims; (2) during consensual contacts with members of the public; and (3) during interactions on school grounds.

The ACLU of Arizona recommends that the policy also prohibit deputies from taking steps to determine the immigration status of vehicle passengers (including asking about immigration status), unless there exists independent reasonable suspicion that the passenger has committed or is committing a state or local crime. Nothing in state law – including SB 1070 – requires officers to ask passengers about immigration status. *See* A.R.S. § 11-1051(B) (requiring that Arizona officers attempt to determine the immigration status of only those who the officer stops to enforce a “law or ordinance of a county, city or town or this state”). At least one other jurisdiction in Pima County has a similar provision.⁵ This suggested change would still permit a deputy to initiate

⁵ South Tucson Policy (“[V]ehicle passengers who are not suspected of any criminal violation may not be questioned regarding their immigration status.”),

https://www.acluaz.org/sites/default/files/field_documents/stpd_immigrati_on_policy_2014_appendix_c_stpd_aclu_settlement_agreement.pdf

an immigration inquiry if, for example, the deputy observes illegal narcotics sitting on the passenger's lap. Similarly, this proposal would not prohibit a deputy from asking for a passenger's name.

This proposal is intended to limit the incidence of racial profiling, one of the primary objectives of Condition Four. The current policy accurately defines racial profiling as “an inappropriate reliance on factors such as race . . . in deciding whether to take law enforcement action.” Whether to initiate an immigration inquiry is, by itself, a “law enforcement action.” By permitting deputies to initiate immigration-status inquiries of passengers, the current policy invites deputies to develop “reasonable suspicion” of unlawful status, for example, solely on the basis that a passenger is in the same vehicle with another individual (likely of the same race) who an officer might suspect of being undocumented. The Constitution does not permit an officer to find reasonable suspicion or probable cause merely on the basis of companionship. *United States v. Vaughan*, 718 F.2d 332, 333-34 (9th Cir. 1983) (finding no probable cause to believe that a passenger was involved in wrongdoing even though his two travel companions were known felons); *United States v. Soyland*, 3 F.3d 1312, 1314 (9th Cir. 1993) (finding that a passenger's “mere presence” in the vehicle was not enough to connect him to the driver's wrongdoing); *State v. Primous*, 242 Ariz. 221, 225, ¶ 20 (2017). And allowing deputies to initiate immigration inquiries of passengers, absent independent reasonable suspicion of criminal wrongdoing, allows deputies to draw improper inferences related to race – precisely the type of “law enforcement action” this policy is designed to prevent.

B. Difficulty Speaking English as a Factor in Developing Reasonable Suspicion of Unlawful Status

The current policy does a good job of clarifying that a deputy may not rely merely on a “single factor” in determining whether there exists reasonable suspicion that an individual is undocumented. Nevertheless, the ACLU of Arizona recommends strengthening this section to make clear that a person's language abilities (i.e., difficulty speaking English) may not be considered at all in developing reasonable suspicion. Difficulty speaking English is a characteristic shared by a “substantial number of people,” such that the “characteristic is of little or no probative” value in drawing inferences about immigration status. *United States v. Montero-Camargo*, 208 F.3d 1122, 1131-32 (9th Cir. 2000). In Arizona, for example, there are more than 1.6 million people who speak a

language other than English at home.⁶ A small fraction of that number lack lawful immigration status,⁷ and, indeed, federal immigration law does not require that lawful permanent residents speak English at all.

More troubling, reliance on language ability as a factor leading to reasonable suspicion would raise racial-profiling concerns. In Arizona, where the vast majority of non-native-English speakers are Latinos, reliance on language ability is a proxy for race and national origin. Long ago, the U.S. Supreme Court recognized that a policy regulating language in a seemingly neutral fashion ought to be viewed as discriminatory when the demographics of the community suggest that the negative effects would be felt almost entirely by one ethnic group. *Yu Cong Eng v. Trinidad*, 271 U.S. 500, 524 (1926). More recently, the Supreme Court has acknowledged the possibility that “for certain ethnic groups and in some communities, that proficiency in a particular language, like skin color, should be treated as a surrogate for race under an Equal Protection analysis.” *Hernandez v. New York*, 500 U.S. 352, 371 (1991) (Kennedy, J., concurring). Arizona is such a community. *Yniguez v. Arizonans for Official English*, 69 F.3d 920, 947 (9th Cir. 1995), *vacated on other grounds*, 520 U.S. 43 (1997) (observing that an English-only provision in the Arizona Constitution “is especially egregious because it is not uniformly spread over the population, but falls almost entirely upon Hispanics”); *United States v. Maricopa Cnty.*, 915 F. Supp. 2d 1073, 1081 (D. Ariz. 2012) (noting that, in light of Maricopa County’s “large Latino LEP [limited English proficient] population,” the county’s refusal to provide services in any language other than English may be viewed as a form of national origin discrimination).

C. Interactions at Border Patrol Checkpoints

The current policy prohibits deputies from “participat[ing]” in operations at border checkpoints “except when requested to respond and enforce a specific State or local statute.” Implementation of this policy will be a marked improvement over past practice, in which deputies routinely stationed themselves at Border Patrol checkpoints for entire work shifts. As noted in the ACLU of Arizona’s February 19, 2018 memo to the Board of Supervisors, this practice raised many constitutional concerns, as “the mere presence of PCSD deputies at a Border Patrol checkpoint taints the whole enterprise because it converts a limited-purpose checkpoint into one whose primary purpose is general law

⁶ Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 years and Over: 2009-2013., U.S. CENSUS BUREAU (Oct. 2015), <https://www.census.gov/data/tables/2013/demo/2009-2013-lang-tables.html>.

⁷ U.S. Unauthorized Immigration Population Estimates, PEW RESEARCH CENTER (Nov. 2016), <http://www.pewhispanic.org/interactives/unauthorized-immigrants/>.

enforcement.” A sworn deposition of a PCSD deputy – made public after the February 20 Board of Supervisors meeting – underscores how routine this practice once was. In the deposition, for example, the deputy acknowledged that he “go[es] out to the particular checkpoint in question [Three Points] a lot” and adding that in the past deputies “were actually assigned to that checkpoint for the day.”

While the current policy is an important and worthwhile reform, its language could be strengthened to address two remaining concerns. Specifically, the policy should be amended to:

1. Prohibit deputies from conducting routine traffic enforcement operations (whether during Stonegarden or otherwise) no closer than one mile from any of the County’s five Border Patrol checkpoints;⁸ and
2. Prohibit collaboration with Border Patrol in the planning and preparing PCSD-sponsored sobriety checkpoints.

By requiring that routine traffic enforcement missions take place a minimum distance from a federal checkpoint, the local policy will ensure compliance with the principle of *City of Indianapolis v. Edmond*, 531 U.S. 32 (2000), that a checkpoint not be operated to “pursue primarily general crime control purposes.” General traffic enforcement taking place a half mile away from a checkpoint could risk altering that checkpoint’s “primary purpose,” thereby rendering unconstitutional each vehicle’s initial seizure at that checkpoint. *United States v. Soto-Zuniga*, 837 F.3d 992, 1000 (9th Cir. 2016).⁹ Indeed, a local resident recently sued Pima County, alleging that deputies’ mere presence near the Route 86 checkpoint “convert[ed] an already-questionable Border Patrol checkpoint devoted primarily to general law enforcement purposes into a checkpoint unquestionably tipping into the unconstitutional zone.” *Bressi v. Napier*, No. 4:18-cv-00186 (D. Ariz.), Doc. 8, ¶ 219).

⁸ The five Border Patrol checkpoints located in non-tribal portions of Pima County are: Route 83 near milepost 40 (near the town of Sonoita); Route 86 near milepost 146 (near Robles Junction); Arivaca Road at milepost 22 (one mile west of Amado); Route 85 at milepost 58 (South of Ajo); and Route 286 at milepost 26 (North of Sasabe).

⁹ Issues Related to Agent Deployment Strategy and Immigration Checkpoints, GOVERNMENT ACCOUNTABILITY OFFICE (Nov. 2017), at 37, available at <https://www.gao.gov/products/GAO-18-50> (noting that a checkpoint’s law enforcement influence extends to vehicles “on the roadway one-half mile from the checkpoint itself,” as the vehicle is approaching).

For the same reason, PCSD should prohibit collaboration with the Border Patrol during the planning of sobriety checkpoints, which recent PCSD emails confirm is a current practice. Just as immigration checkpoints are constitutionally permissible only if their “primary purpose” remains detecting unauthorized immigrants, so too are sobriety checkpoints permissible only if they remain focused on taking drunk drivers off the road. *Mich. Dep’t of State Police v. Sitz*, 496 U.S. 444 (1990). Under Arizona law, the Border Patrol lacks the authority to stop motorists for most traffic violations. *State v. Garcia-Navarro*, 224 Ariz. 38 (2010). Therefore, in order to maintain the single focus of the sobriety checkpoints, it is important to do so without the involvement of a federal agency whose primary purpose is something other than traffic enforcement.

D. Use of Border Patrol for Spanish-Language Interpretation

The ACLU of Arizona recommends that General Order 2018-001 be amended to prohibit deputies from contacting Border Patrol for the sole purpose of assisting with language interpretation, or at least to require that deputies exhaust other common-sense alternatives before calling Border Patrol for such purpose. The current practice of allowing deputies to call Border Patrol any time that a deputy encounters a Spanish-speaking motorist undermines confidence in the community and creates the public perception that PCSD and Border Patrol are indistinguishable. Moreover, such a practice raises racial-profiling concerns, as there is only one language for which deputies rely on Border Patrol’s interpreting assistance – a language associated with one particular race. Other Arizona law enforcement agencies, including Maricopa County Sheriff’s Office, regularly rely on professional, 24/7 phone interpretation services.

E. Use of Border Patrol-Issued Radios

Finally, the ACLU of Arizona recommends that General Order 2018-001 be amended to prohibit PCSD personnel from using Border Patrol-issued radios. Public records obtained by the ACLU of Arizona indicate that nearly all PCSD deputies in the Ajo substation are assigned a Border Patrol radio. While open communication with law enforcement partners is important to fighting crime, these records show an unnecessary blurring of the two agencies in Ajo. PCSD can communicate with its Border Patrol partners without using the Border Patrol’s radios. By allowing PCSD deputies to use Border Patrol-issued radios and sidestep formal communication protocols, the agency is undermining its

own recordkeeping objectives of tracking such interactions.¹⁰ Such a concern is not merely theoretical. Indeed, the ACLU of Arizona has identified instances within other southern Arizona law enforcement agencies in which local officers contacted federal law enforcement using methods not sanctioned by internal protocols. Ultimately, allowing deputies to communicate on a regular basis with Border Patrol without going through formal channels hurts PCSD's worthwhile efforts to track internal data and trends.

CONCLUSION

The ACLU of Arizona believes that the recent policy changes related to racial profiling and immigration-related considerations are worthwhile steps toward achieving a Sheriff's Department that protects civil rights and civil liberties and builds trust with our immigrant community. The ACLU of Arizona believes that General Order 2018-001 likely meets the minimum requirements of Condition Four. Nevertheless, as detailed above, the ACLU of Arizona recommends additions to further improve the policy.

Sincerely,



Billy Peard
Staff Attorney

¹⁰ Pima County Sheriff's Deputies Contact Border Patrol 101 Times in March, ARIZONA PUBLIC MEDIA (April 16, 2018), <https://www.azpm.org/s/55589-sheriffs-track-work-with-border-patrol/>.

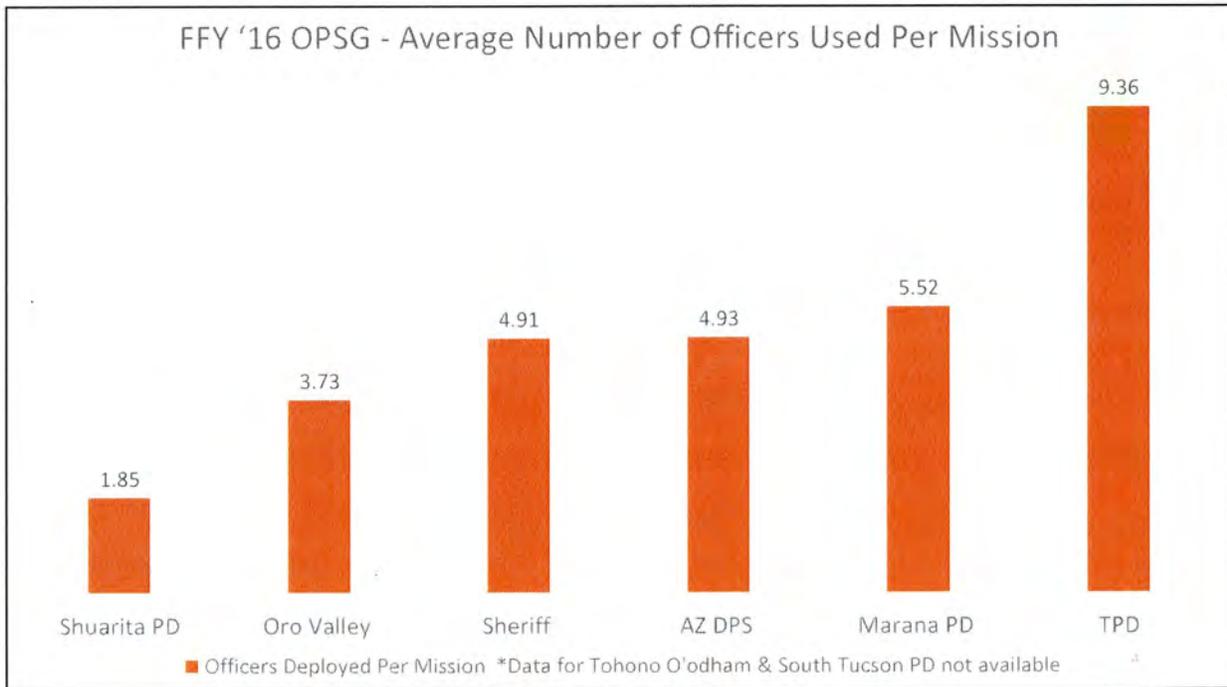
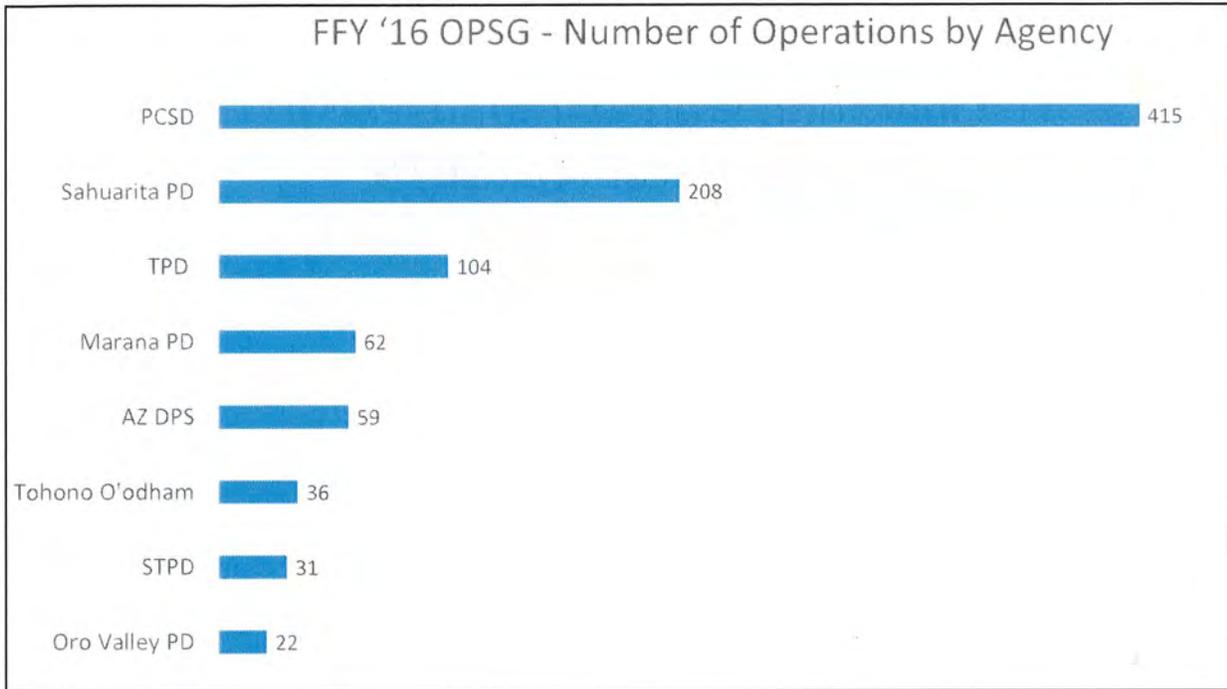
ATTACHMENT 3

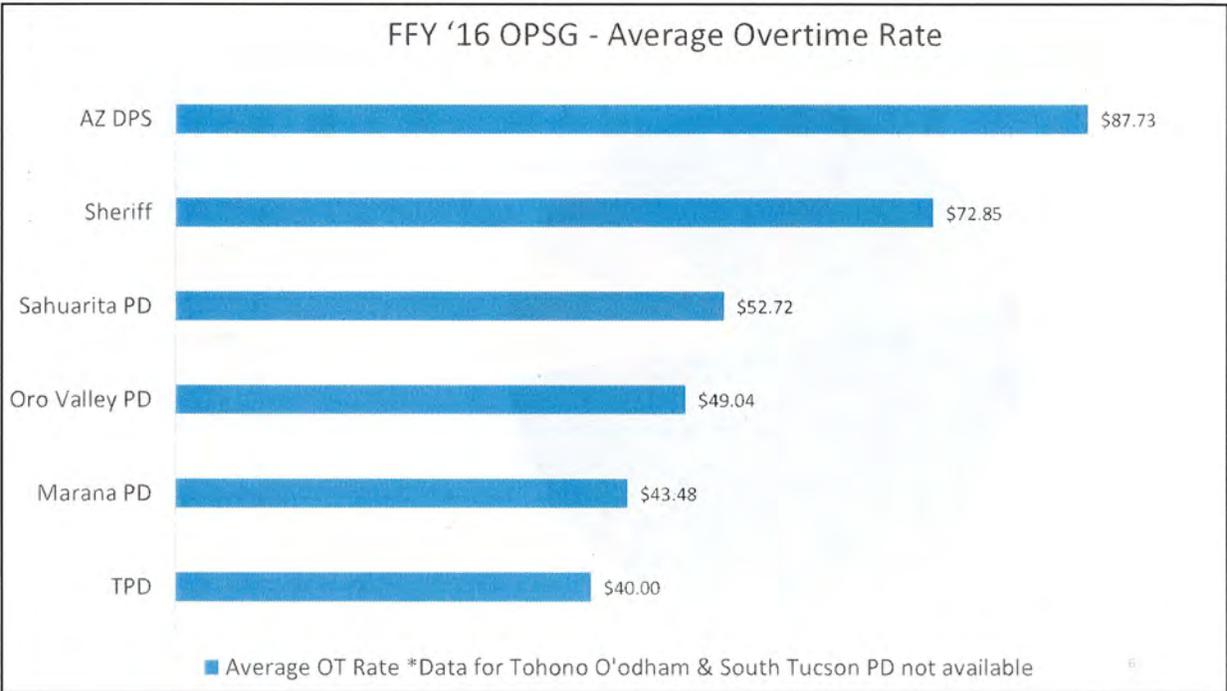
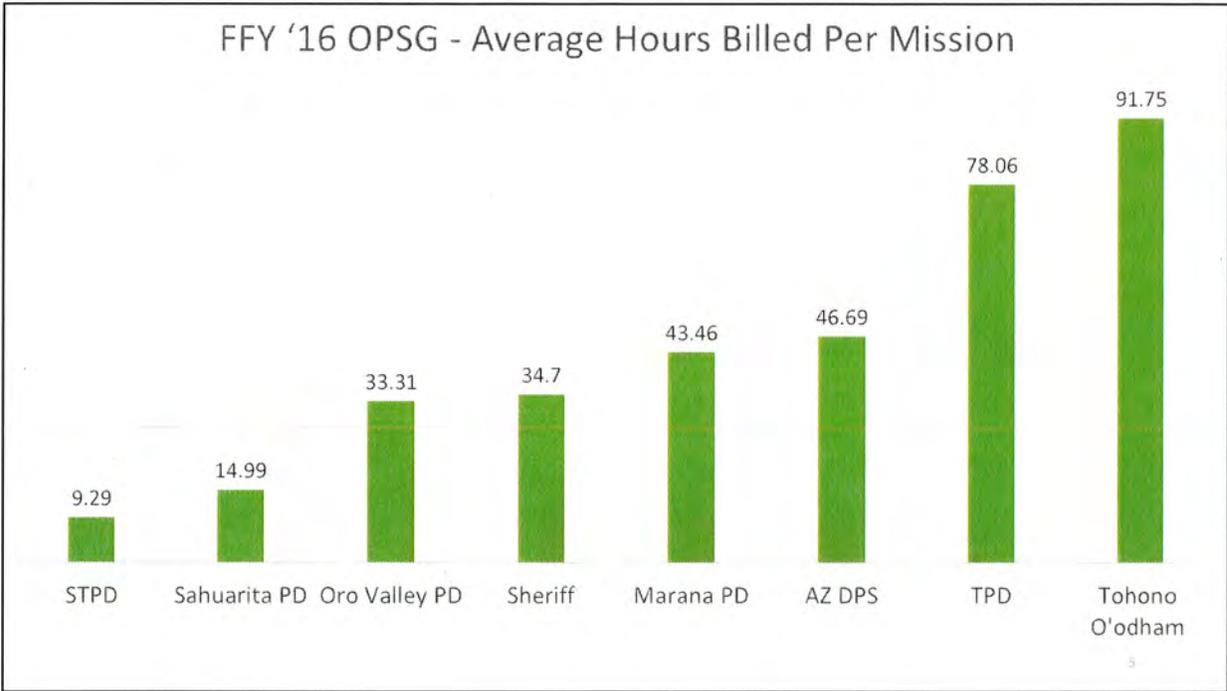
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Federal Fiscal Year 2016
(October 1, 2016 –September 30,2017)
Data Analysis

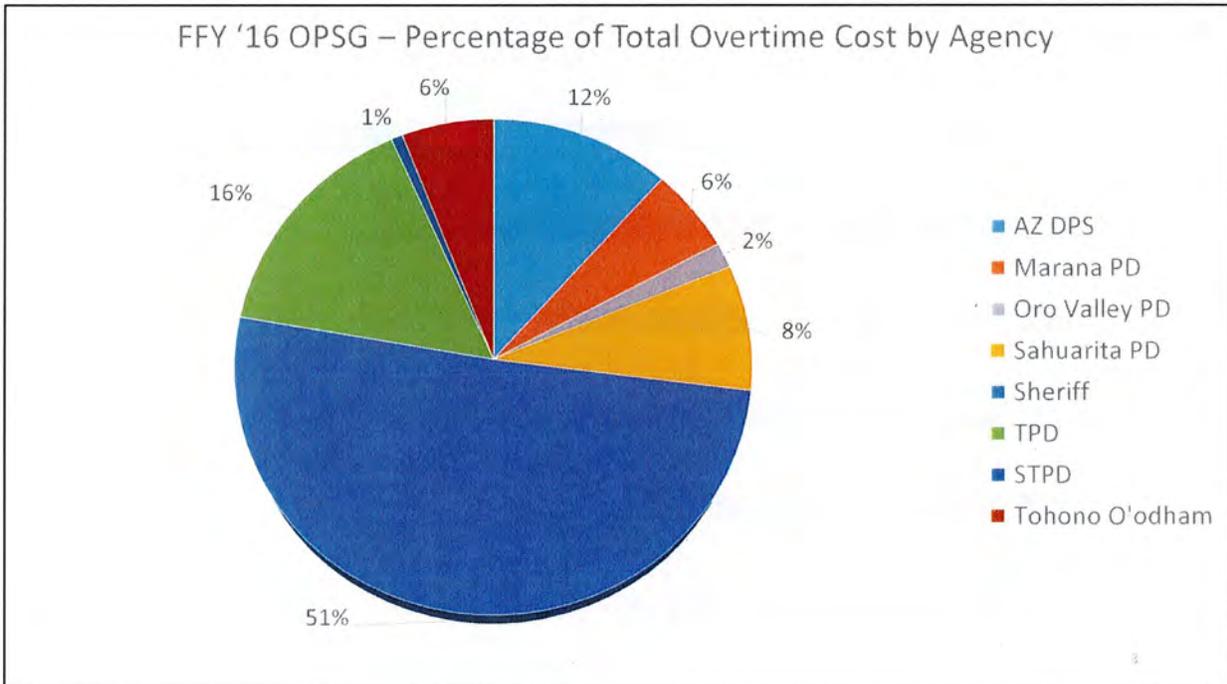
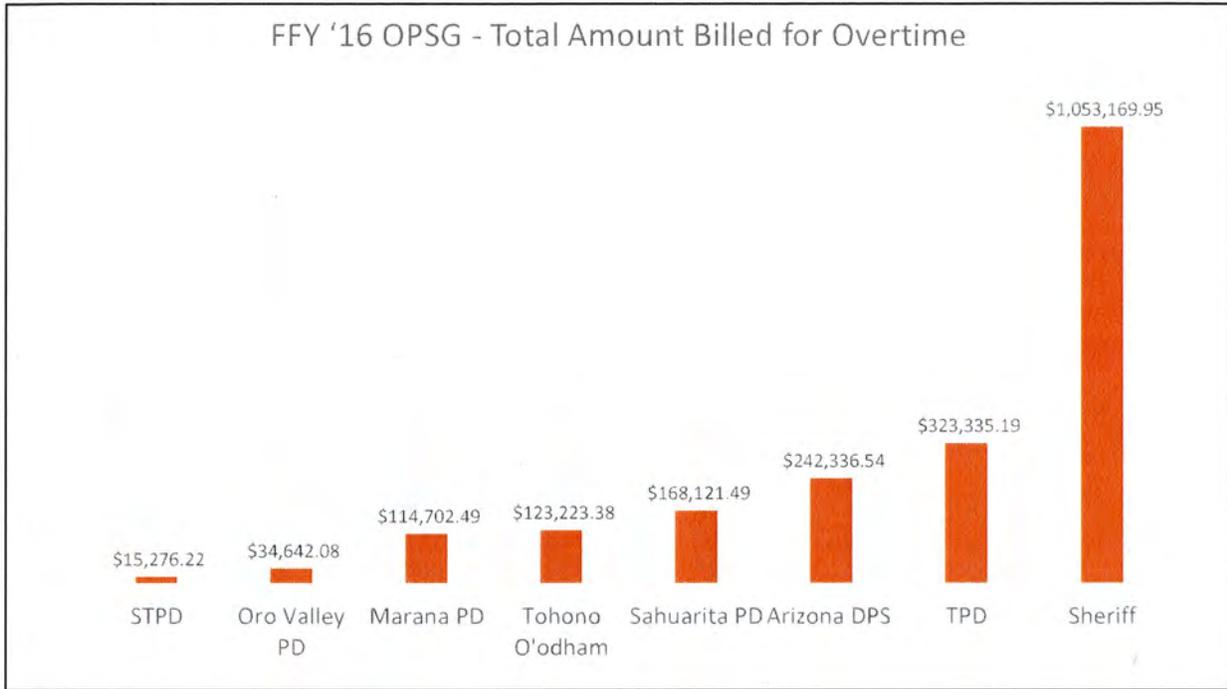
Report Produced by
Pima County Criminal Justice Reform Unit
July 2018

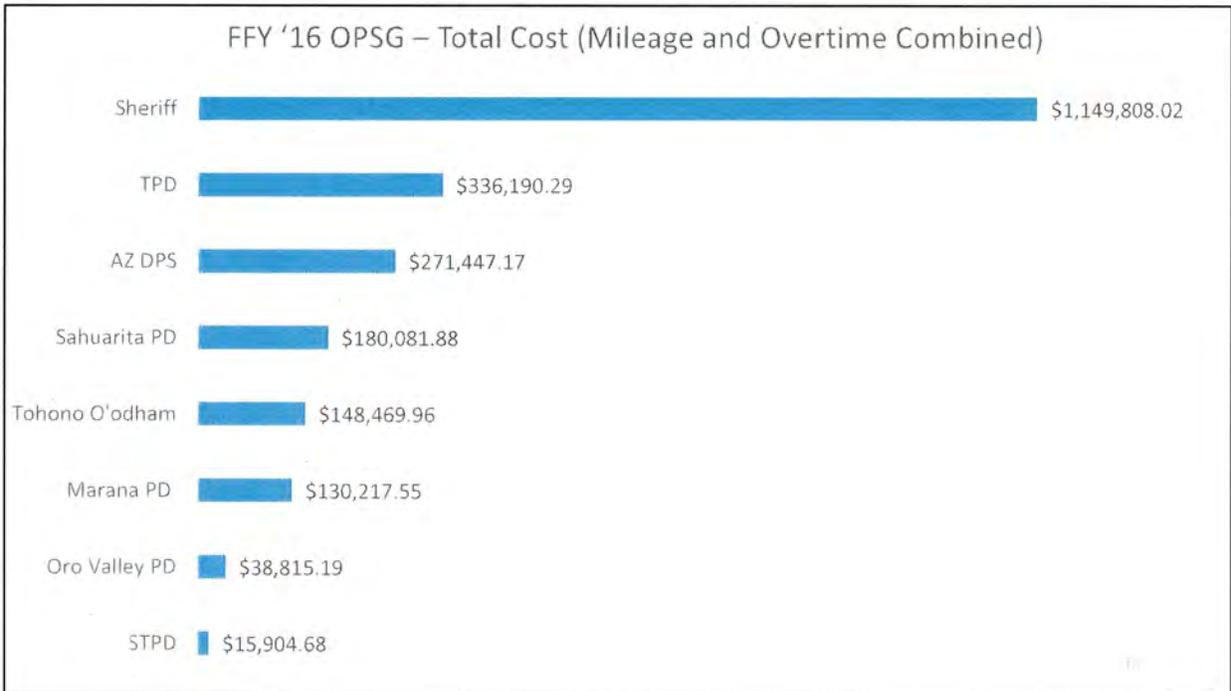
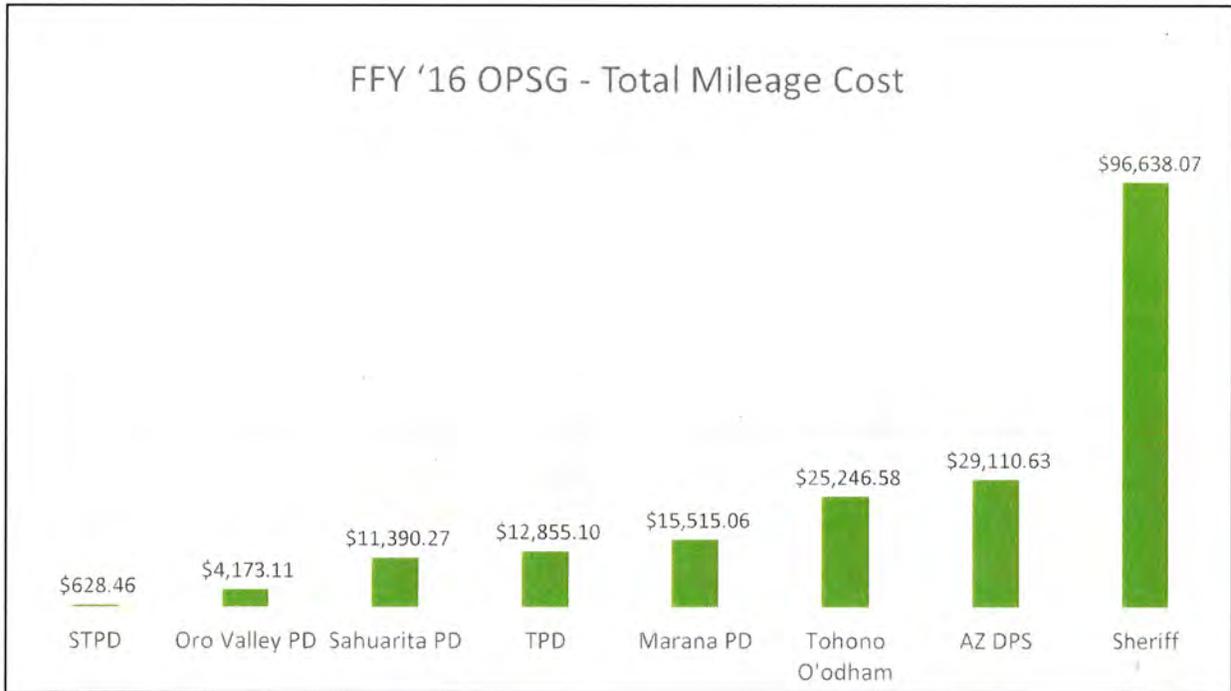
OPSG FFY '16 Overview

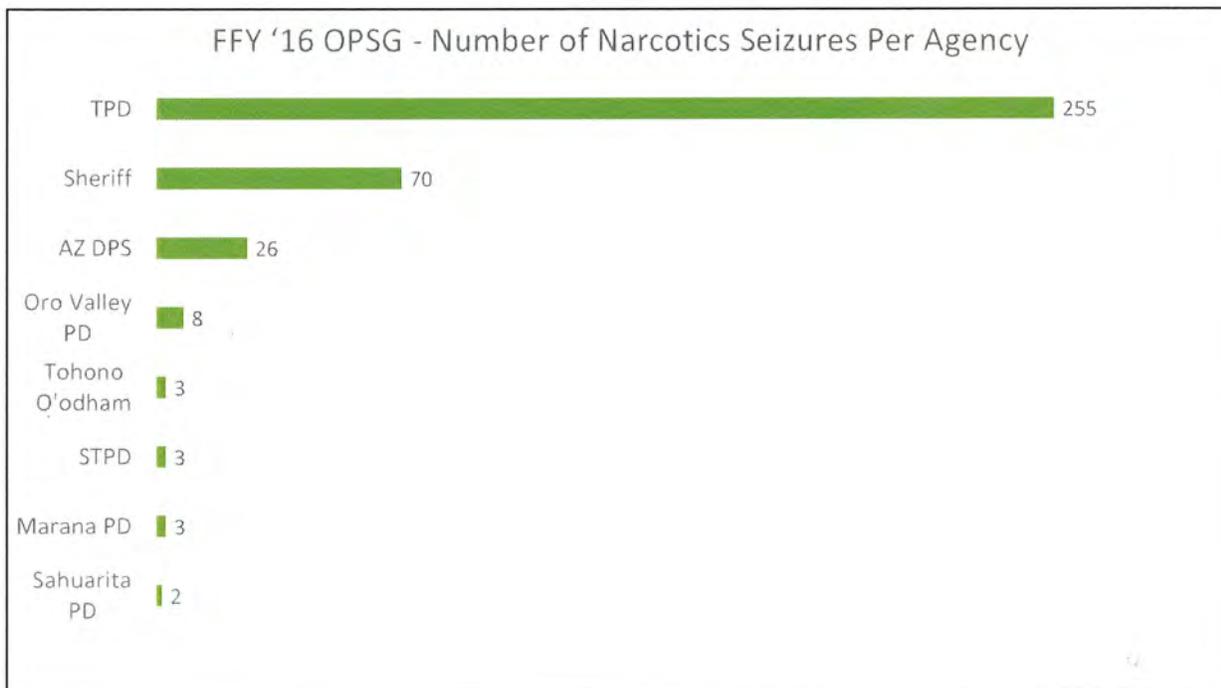
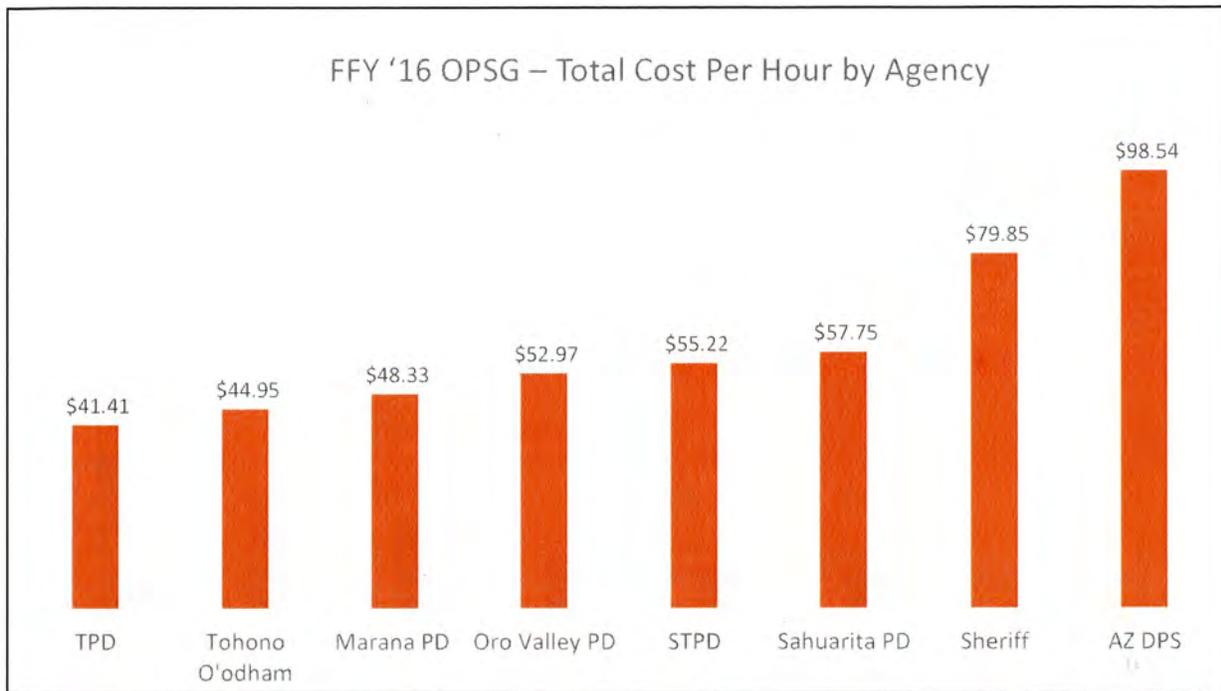
Agency	Number of Operations	Total Overtime Cost	Total Mileage	Total Cost for Mileage	Total Cost Per Department
Arizona Department of Public Safety (ADPS)	59	\$ 242,336.54	65,411	\$ 29,110.63	\$ 271,447.17
Marana Police Department (MPD)	62	\$ 114,702.49	32,474	\$ 15,515.06	\$ 130,217.55
Oro Valley Police Department (OVPD)	22	\$ 34,642.08	10,519	\$ 4,173.11	\$ 38,815.19
Sahuarita Police Department (SPD)	208	\$ 168,691.61	25,489	\$ 11,390.27	\$ 180,081.88
Sheriff's Department (SD)	415	\$ 1,053,169.95	211,594	\$ 96,638.07	\$ 1,149,808.02
Tucson Police Department (TPD)	104	\$ 323,335.19	28,922	\$ 12,855.10	\$ 336,190.29
South Tucson Police Department (STPD)	31	\$ 15,276.22	1,419	\$ 628.46	\$ 15,904.68
Tohono O'odham Police Department (TOPD)	36	\$ 123,223.38	56,773	\$ 25,246.58	\$ 148,469.96
Grand Total	937	\$ 2,075,377.46	432,601	\$ 195,557.28	\$ 2,270,934.74









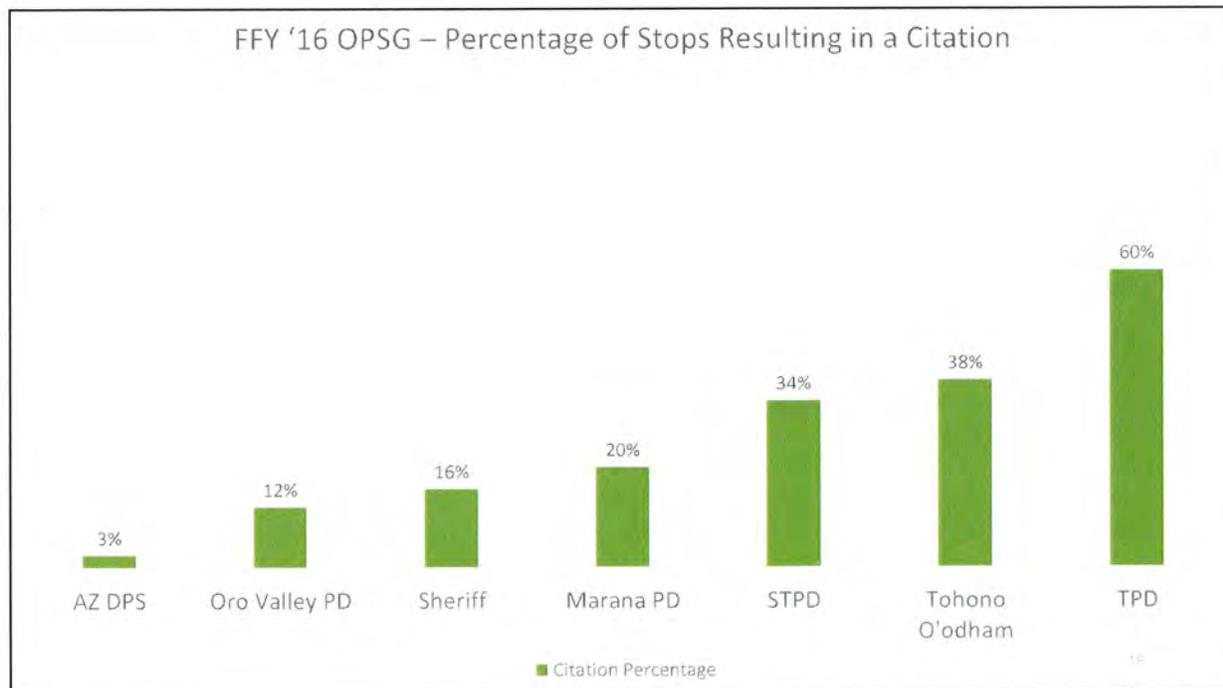
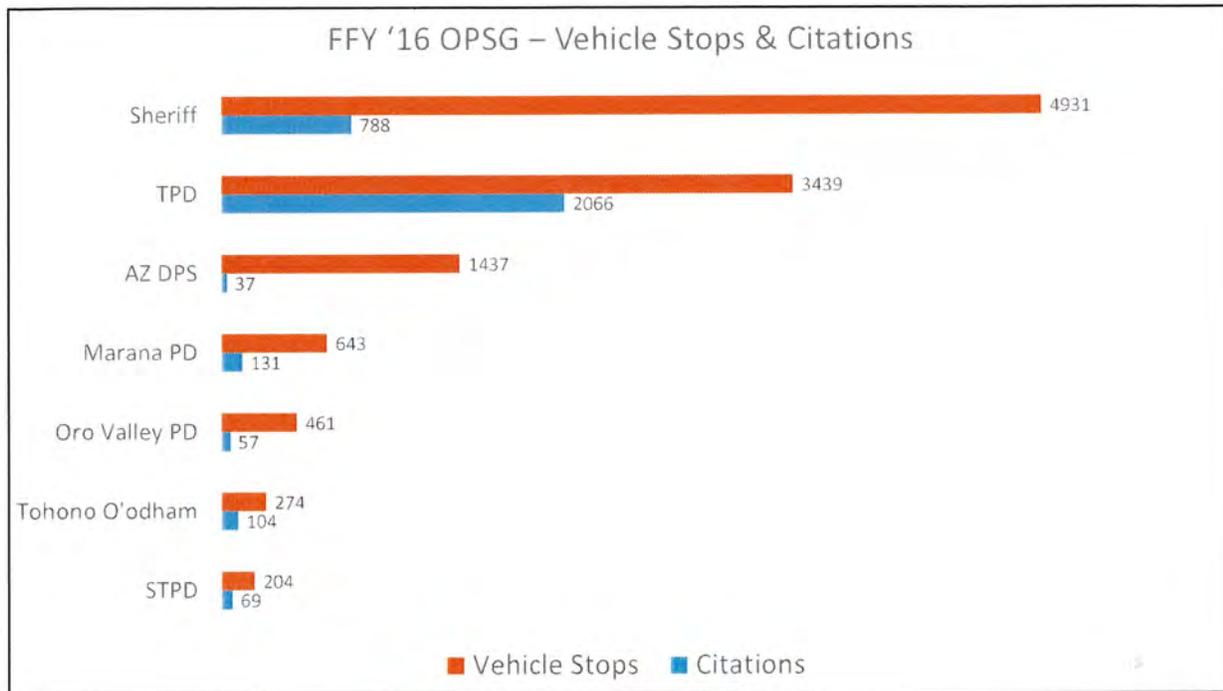


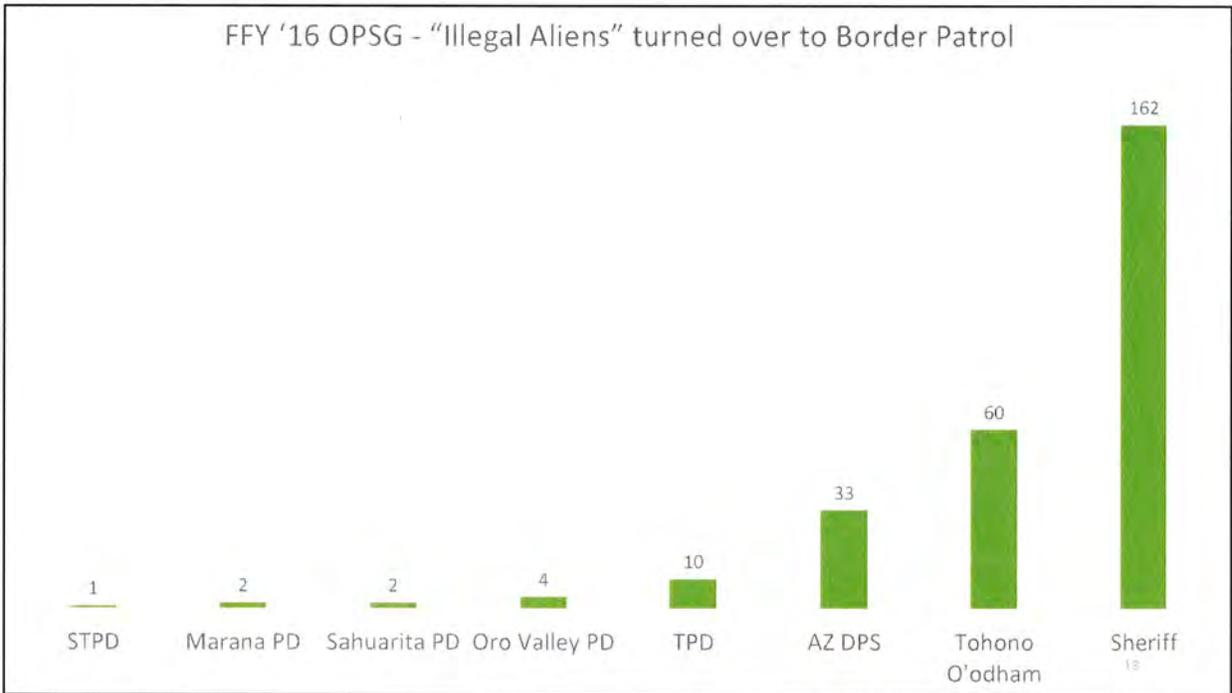
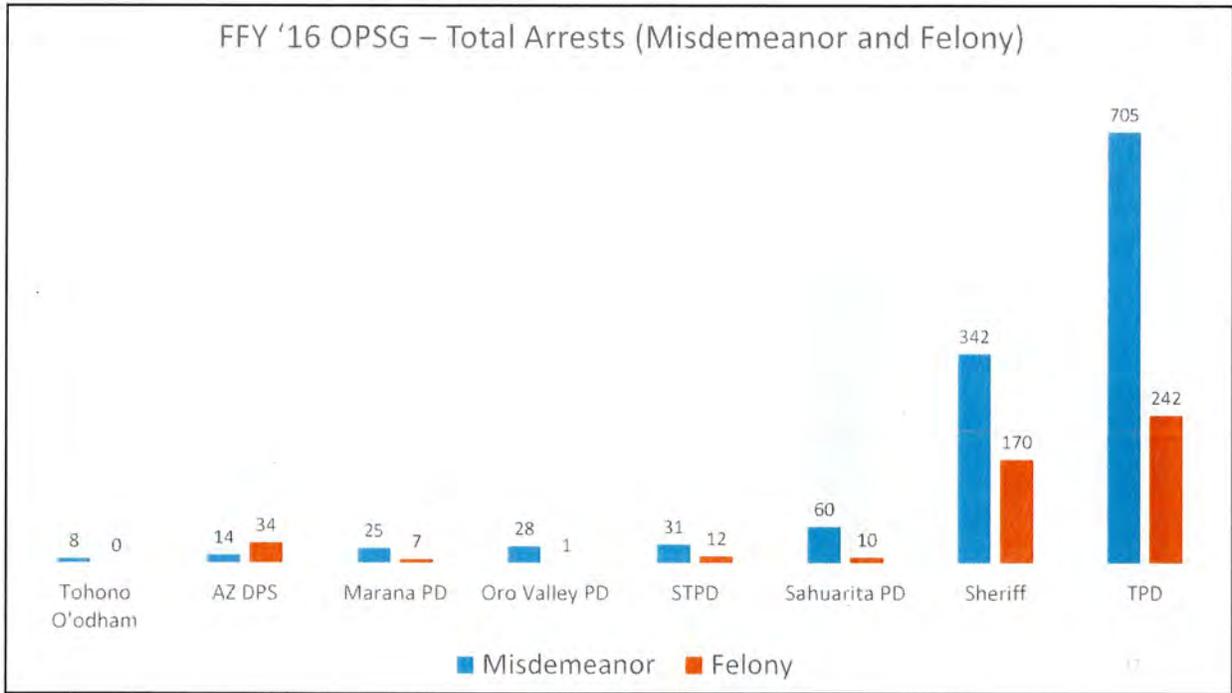
FFY '16 OPSG – Analysis of Drug Seizures

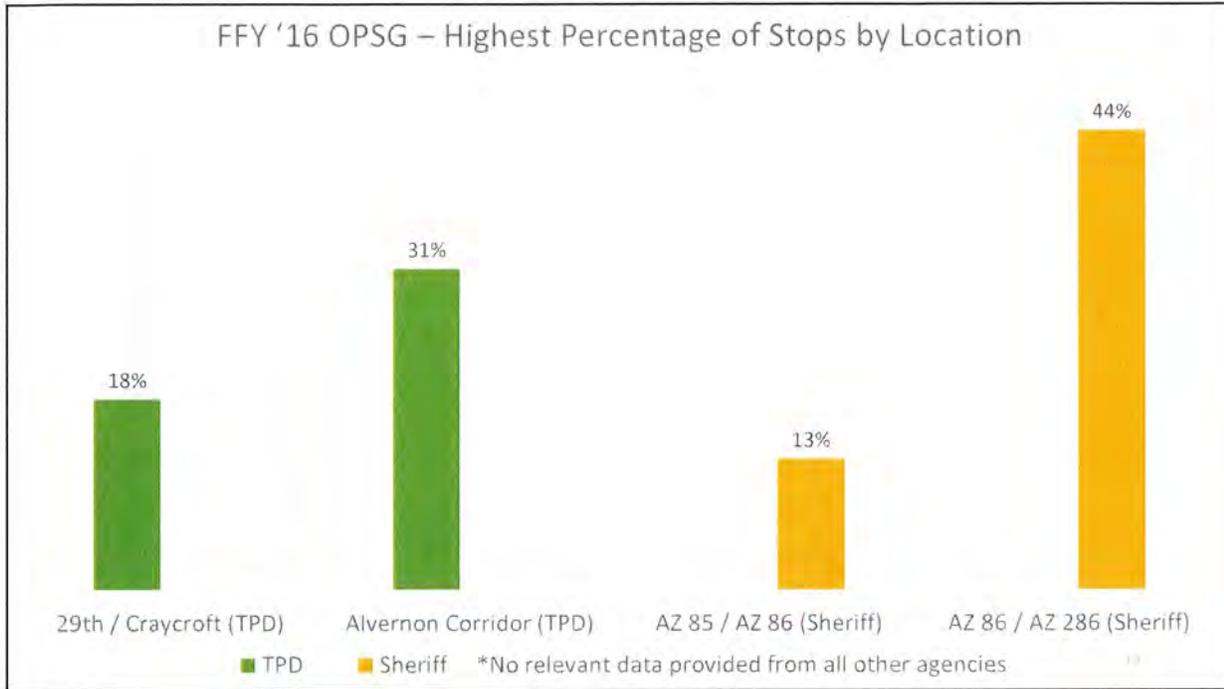
Agencies	Pounds of Marijuana Seized	Pounds of Cocaine Seized	Pounds of Heroin Seized	Pounds of Meth Seized
Arizona DPS	559.79429	24.96722	4.34477	89.39302
Marana PD	0.00009	0	0	0.00071
Oro Valley PD	0.01634	0	0	0
Sahuarita PD	3.87000	0	0	0
Sheriff	3994.19433	90.01691	27.68861	93.88251
TPD	48.93107	3.21830	0.72897	1.07705
STPD	226.07000	0	0	0
Tohono O'odham	377.00000	0	0	0
Grand Total	5209.87612	118.20243	32.76234	184.35329

FFY '16 OPSG – Percentage of Seizures by Drug

Agencies	Percent of Marijuana Seized	Percent of Cocaine Seized	Percent of Heroin Seized	Percent of Meth Seized
Arizona DPS	11%	21%	13%	48%
Marana PD	0%	0%	0%	0%
Oro Valley PD	0%	0%	0%	0%
Sahuarita PD	0%	0%	0%	0%
Sheriff	77%	76%	85%	51%
TPD	1%	3%	2%	1%
STPD	4%	0%	0%	0%
Tohono O'odham	7%	0%	0%	0%
Grand Total	100%	100%	100%	100%







Of These Locations

*Percentages as total production within agency

- **PCSD**
 - AZ 86 / AZ 286 - Activity
 - 40.84 lbs of Marijuana (1%)
 - 0.3318 lbs of Meth (Under 1%)
 - 0 IA's to Border Patrol
 - 357 Citations (45%) 145 Misdemeanor Arrests (42%) 16 Felony Arrest (21%)
 - **Total Cost: \$358,187.52 (31%)**

- AZ 85 / AZ 86 - Activity
 - 423.96 lbs of Marijuana (10%)
 - 0.38 lbs of Meth (Under 1%)
 - 16 IA's to Border Patrol (10%)
 - 205 Citations (26%) 35 Misdemeanor Arrests (10%) 15 Felony Arrests (9%)
- **Total Cost: \$267,413.16 (23%)**

Of These Locations

*Percentages as total production from within agency

- TPD

- 29th / Craycroft: Activity

- 32.9 lbs of Marijuana (67%)
 - .05 lbs of Heroin (6%)
 - 0.5 lbs of Meth (46%)
 - 5 IA's to Border Patrol (50%)
 - 156 Citations (7%) 126 Misdemeanor Arrests (18%) 42 Felony Arrest (17%)

- **Total Cost: \$57,403.82 (17%)**

- Alvernon Corridor: Activity

- 3.99 lbs of Marijuana (8%)
 - .04 lbs of Heroin (5.6%)
 - 0.46 lbs of Meth (43%)
 - 0 IA's to Border Patrol
 - 831 Citations (40%) 197 Misdemeanor Arrests (28%) 76 Felony Arrests (31%)

- **Total Cost: \$82,550.78 (26%)**

ATTACHMENT 4

STONEGARDEN DAILY ACTIVITY REPORT

Authorizing Officer: _____ Signature: _____ Date: _____

Outbound Operation at a Port of Entry? YES

Specific Named Operation? YES

Joint Agency/BP Patrol? YES

Name of Operation (If Applicable): Stonegarden

Agency	Border Patrol Sector	Location of Operation
Pima County SD		

Manpower

Name of Officer	Start Time	End Time	Hours	OT Rate	Total \$ Expended
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
			0.00		\$0.00
Totals			0.00		\$0.00

Mileage Reimbursement

Vehicle Number	Mileage		Total Miles	Current Rate	Total \$ Expended
	Start	End			
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
			0.00	0.445	\$0.00
Totals			0.00		\$0.00

Statistics

Vehicle Stops Citations Issued Misdemeanor Arrests Felony Arrests Stolen Vehicles Pursuits / Port Runners # of Narcotics Seizures MRJ ■ COC ■ HER ■ METH ■ OTR ■ 0 0 0 0 0	IA Turned Over to BP # of Intel Events # of Cases Vehicle Seizures Currency Seizures Weapons Seizures Ammunition Seizures Export/Trade Violations Currency Total \$
Wt (lb) Wt (gm) Wt (gm) Wt (gm) Weight	

Narrative:

Insert narrative on the embedded Word Document

- Follow the instructions to add your narrative:**
1. Double-click on the Microsoft Word icon; This will open a Word Document. If needed "Enable
 2. Complete your narrative on the word document.
 3. On the Toolbar, Click on (File / Save)
 4. On the Toolbar, Click on (File / Exit)



Microsoft Word
Document

ATTACHMENT 5

Inmate Name	Arresting Agency	Stone Garden	Holds and Notifications	Legal Status	Statute Description	Bond Amount	Charge Count	LOS
	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	DANGEROUS DRUG-POSS FOR SALE	\$2,000.00	1	113 Days
	TPD	No	No Holds	PRE-TRIAL DETAINEE	AGG ASLT-DEADLY WPN/DANG INST	\$15,000.00	1	741 Days
			No Holds	PRE-TRIAL DETAINEE	BURGLARY 2ND DEGREE	\$15,000.00	1	741 Days
			No Holds	PRE-TRIAL DETAINEE	SEXUAL ASSAULT	\$15,000.00	1	741 Days
			No Holds	PRE-TRIAL DETAINEE	STALKING	\$15,000.00	1	741 Days
	DOC	No	ICE Notification	PRE-TRIAL DETAINEE	DOC PAROLE VIOLATION	\$0.00	1	126 Days
	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	MARIJUANA VIOLATION	\$5,000.00	1	126 Days
	TPD	No	Other	PRE-TRIAL DETAINEE	MISCONDUCT INVOLVING WEAPONS	\$2,500.00	1	75 Days
	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	FAIL TO STAY/ACCID/DEATH/INJRY	\$10,000.00	1	74 Days
	TPD	No	No Holds	PRE-TRIAL DETAINEE	MURDER 1ST DEGREE	\$0.00	1	295 Days
	TOPD	No	ICE Notification	PRE-TRIAL DETAINEE	CRIMINAL IMPERSONATION	\$7,500.00	1	142 Days
			ICE Notification	PRE-TRIAL DETAINEE	FORGERY	\$7,500.00	2	142 Days
			ICE Notification	PRE-TRIAL DETAINEE	TAKING IDENTITY OF ANOTHER	\$7,500.00	1	142 Days
	TPD	No	Probation	PRE-TRIAL DETAINEE	AGGRAVATED DOMESTIC VIOLENCE	\$10,000.00	2	98 Days
			Probation	PRE-TRIAL DETAINEE	HARASSMENT	\$10,000.00	1	98 Days
			Probation	PRE-TRIAL DETAINEE	PROBATION VIOLATION	\$2,499.00	1	98 Days
	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	AGG ASLT-DEADLY WPN/DANG INST	\$0.00	1	673 Days
	TPD	No	ICE Notification	SENTENCED TO DOC	AGG ASLT-DEADLY WPN/DANG INST	\$0.00	1	673 Days
	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	MARIJ-TRANSPORT AND/OR SELL	\$0.00	1	221 Days
	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	SEXUAL ASSAULT	\$15,000.00	1	440 Days
	TPD	No	Probation	PRE-TRIAL DETAINEE	AGG DUI-LIC SUSP/REV FOR DUI	\$0.00	1	215 Days
			Probation	PRE-TRIAL DETAINEE	PROBATION VIOLATION	\$0.00	1	215 Days
	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	DRUG PARAPHERNALIA-POSSESS/USE	\$25,000.00	1	131 Days
			ICE Notification	PRE-TRIAL DETAINEE	NARCOTIC DRUG VIOLATION	\$25,000.00	1	131 Days
	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	DRUG PARAPHERNALIA VIOLATION	\$0.00	1	149 Days
			ICE Notification	PRE-TRIAL DETAINEE	NARCOTIC DRUG VIOLATION	\$0.00	1	149 Days
	APO	No	No Holds	PRE-TRIAL DETAINEE	PROBATION VIOLATION	\$0.00	1	17 Days
	NSIS	YES	ICE Notification	PRE-TRIAL DETAINEE	AGG ASLT-SERIOUS PHY INJURY	\$5,000.00	3	77 Days
			ICE Notification	PRE-TRIAL DETAINEE	CHILD/VUL ADULT ABUSE-INTENT	\$5,000.00	1	77 Days
			ICE Notification	PRE-TRIAL DETAINEE	CRIMINAL DAMAGE	\$5,000.00	1	77 Days
			ICE Notification	PRE-TRIAL DETAINEE	ENDANGERMENT	\$5,000.00	1	77 Days
			ICE Notification	PRE-TRIAL DETAINEE	UNLAW FLIGHT FROM LAW ENF VEH	\$5,000.00	1	77 Days
	PCSD	No	No Holds	PRE-TRIAL DETAINEE	BURGLARY 2ND DEGREE	\$0.00	1	257 Days
			No Holds	PRE-TRIAL DETAINEE	COMPUTER TAMPERING	\$0.00	1	257 Days
			No Holds	PRE-TRIAL DETAINEE	THEFT	\$0.00	1	257 Days
			No Holds	PRE-TRIAL DETAINEE	THEFT CRDT CRD OBT FRAUD MEANS	\$0.00	1	257 Days
	TPD	No	No Holds	PRE-TRIAL DETAINEE	FAILURE TO APPEAR 1ST DEG	\$0.00	2	257 Days
	TPD	No	No Holds	PRE-TRIAL DETAINEE	ARMED ROBBERY	\$0.00	4	354 Days
			No Holds	PRE-TRIAL DETAINEE	ROBBERY	\$0.00	4	354 Days
	TPD	No	No Holds	PRE-TRIAL DETAINEE	SEXUAL ABUSE	\$21,000.00	1	137 Days
			No Holds	PRE-TRIAL DETAINEE	SEXUAL CONDUCT WITH MINOR	\$21,000.00	3	137 Days
	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	CHILD/VULNERABLE ADULT ABUSE	\$30,000.00	2	440 Days
	MPD	No	ICE Notification	PRE-TRIAL DETAINEE	NARCOTIC DRUG-POSSESS/USE	\$1,000.00	1	123 Days
	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	AGGRAVATED ROBBERY	\$25,000.00	1	351 Days
			ICE Notification	PRE-TRIAL DETAINEE	ARMED ROBBERY	\$25,000.00	1	351 Days
			ICE Notification	PRE-TRIAL DETAINEE	PROSECUTION OF WRIT	\$0.00	2	351 Days
	DPS	No	No Holds	PRE-TRIAL DETAINEE	DANG DRUG-TRANSP AND/OR SELL	\$0.00	1	101 Days
			No Holds	PRE-TRIAL DETAINEE	DANGEROUS DRUG-POSS FOR SALE	\$0.00	1	101 Days
	PCSD	No	DOC	PRE-TRIAL DETAINEE	DANGEROUS DRUG-POSS/USE	\$1,100.00	1	300 Days
			DOC	PRE-TRIAL DETAINEE	DRUG PARAPHERNALIA-POSSESS/USE	\$1,100.00	1	300 Days
			DOC	PRE-TRIAL DETAINEE	PRISONER POSS/MAKE CONTRABAND	\$1,000.00	1	300 Days
			DOC	PRE-TRIAL DETAINEE	PROSECUTION OF WRIT	\$1,100.00	1	300 Days
			DOC	PRE-TRIAL DETAINEE	TAKE CONTRABAND IN CORR FACIL	\$0.00	1	300 Days
			DOC	PRE-TRIAL DETAINEE		\$10,000.00	1	300 Days
	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	MURDER 1ST DEGREE	\$1,000,000.00	1	552 Days
	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	CHILD/VULNERABLE ADULT ABUSE	\$25,000.00	2	440 Days
	PCSD	No	No Holds	PRE-TRIAL DETAINEE	CRIMINAL DAMAGE	\$5,000.00	1	438 Days
			No Holds	PRE-TRIAL DETAINEE	FAIL TO STAY/HIT RUN WITH INJ	\$5,000.00	1	438 Days

Inmate Name	Arresting Agency	Stone Garden	Holds and Notifications	Legal Status	Statute Description	Bond Amount	Charge Count	LOS
	TPD	No	No Holds	PRE-TRIAL DETAINEE	dangerous drug violation	\$50,000.00	1	140 Days
	TPD	No	ICE Notification ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGG ASLT DV-IMPEDE BREATHING KIDNAP THEFT-MEANS OF TRANSPORTATION	\$10,000.00 \$10,000.00 \$10,000.00	1 1 1	89 Days 89 Days 89 Days
	TPD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	NARCOTIC DRUG VIOLATION NARCOTIC DRUG-POSSESS FOR SALE	\$75,000.00 \$75,000.00	1 1	91 Days 91 Days
	TPD	No	No Holds No Holds No Holds No Holds No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGG ASLT DV-IMPEDE BREATHING AGG ASLT-DEADLY WPN/DANG INST AGG ASLT DV-IMPEDE BREATHING AGGRAVATED ASSAULT KIDNAP MURDER 1ST DEGREE	\$50,000.00 \$0.00 \$50,000.00 \$0.00 \$0.00 \$0.00	1 1 2 2 1 1	393 Days 393 Days 393 Days 393 Days 393 Days 393 Days
	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	SEXUAL CONDUCT WITH MINOR	\$50,000.00	2	830 Days
	PCSD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	FUGITIVE WARRANT GOVERNOR'S WARRANT	\$0.00 \$0.00	1 1	91 Days 91 Days
	PCSD	No	No Holds	SENTENCED TO PCADC	FAILURE TO APPEAR 1ST DEG	\$0.00	1	96 Days
	NSIS	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	MARIJ-TRANSPORT AND/OR SELL UNLAW FLIGHT FROM LAW ENF VEH	\$10,000.00 \$10,000.00	1 1	71 Days 71 Days
	DOC PCSD	No No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE SENTENCED TO DOC	PROSECUTION OF WRIT PROMOTING PRISON CONTRABAND	\$0.00	1 1	114 Days 114 Days
	PCSD	No	ICE Notification ICE Notification ICE Notification ICE Notification ICE Notification ICE Notification ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	ASSAULT DISORDERLY CONDUCT KIDNAP KIDNAP-APPREHENSION OF INJURY THREAT-INTIMIDATE AGG ASLT DV-IMPEDE BREATHING DISORDERLY CONDUCT INFLUENCE WITNESS-TESTIMONY KIDNAP	\$25,000.00 \$25,000.00 \$25,000.00 \$25,000.00 \$25,000.00 \$20,000.00 \$20,000.00 \$20,000.00 \$20,000.00	1 1 1 1 1 1 1 1 1	246 Days 246 Days 246 Days 246 Days 246 Days 246 Days 246 Days 246 Days 246 Days
	PCSD	No	No Holds	SENTENCED TO PCADC	PROBATION VIOLATION	\$0.00	2	74 Days
	PCSD	No	No Holds	PRE-TRIAL DETAINEE	SEXUAL CONDUCT WITH MINOR	\$25,000.00	3	126 Days
	PCSD	No	No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	FORGERY FRAUDULENT SCHEMES/ARTIFICES	\$10,000.00 \$10,000.00	10 10	72 Days 72 Days
	TPD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	KIDNAP-DEATH/INI/SEX/AID FEL SEXUAL ASSAULT	\$250,000.00 \$250,000.00	1 1	65 Days 65 Days
	APO	No	No Holds	SENTENCED TO PCADC	PROBATION VIOLATION	\$0.00	1	64 Days
	TPD	No	No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGG ASLT-ENTER RESIDENCE BURGLARY 2ND DEGREE	\$75,000.00 \$75,000.00	1 1	66 Days 66 Days
	TPD	No	No Holds	PRE-TRIAL DETAINEE	NARCOTIC DRUG VIOLATION	\$10,000.00	1	64 Days
	DPS	No	ICE Notification ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	DRUG PARAPHERNALIA-POSSESS/USE NARC DRUG-TRANSP AND/OR SELL PROSECUTION OF WRIT	\$0.00 \$0.00 \$0.00	4 4 1	42 Days 42 Days 42 Days
	TPD	No	No Holds	PRE-TRIAL DETAINEE	AGG DUI-LIC SUSP/REV FOR DUI	\$0.00	1	57 Days
	PCSD	No	No Holds No Holds No Holds No Holds No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGG ASLT-DEADLY WPN/DANG INST AGGRAVATED ROBBERY ARMED ROBBERY BURGLARY 1ST DEGREE CARRY WPN-COMMISSION FELONY CRM KIDNAP-INVOLUNTARY SERVITUDE	\$150,000.00 \$150,000.00 \$150,000.00 \$150,000.00 \$150,000.00 \$150,000.00	2 1 2 1 1 2	57 Days 57 Days 57 Days 57 Days 57 Days 57 Days
	TPD	No	No Holds No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	DRUG PARAPHERNALIA VIOLATION NARCOTIC DRUG VIOLATION PROBATION VIOLATION	\$2,500.00 \$2,500.00 \$0.00	1 1 1	45 Days 45 Days 45 Days
	TPD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	dangerous drug violation DRUG PARAPHERNALIA VIOLATION	\$7,500.00 \$7,500.00	1 1	59 Days 59 Days
	TPD	No	ICE Notification ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGG ASLT DV-IMPEDE BREATHING AGGRAVATED ASSAULT KIDNAP	\$2,500.00 \$2,500.00 \$2,500.00	1 1 1	48 Days 48 Days 48 Days
	TPD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	dangerous drug-poss/use DRUG PARAPHERNALIA-POSSESS/USE	\$0.00 \$0.00	1 1	54 Days 54 Days
	TPD	No	No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGGRAVATED DOMESTIC VIOLENCE PROBATION VIOLATION	\$100,000.00 \$2,500.00	1 1	99 Days 99 Days

Inmate Name	Arresting Agency	Stone Garden	Holds and Notifications	Legal Status	Statute Description	Bond Amount	Charge Count	LOS
[REDACTED]	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	NARCOTIC DRUG-POSSESS FOR SALE	\$10,000.00	1	43 Days
[REDACTED]	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	NARCOTIC DRUG-POSSESS FOR SALE	\$10,000.00	1	43 Days
[REDACTED]	PCSD	YES	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	DANG DRUG-TRANSP AND/OR SELL DANGEROUS DRUG-POSS FOR SALE	\$50,000.00 \$50,000.00	1 1	42 Days 42 Days
[REDACTED]	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	PROBATION VIOLATION	\$0.00	1	37 Days
[REDACTED]	CNA PCSD	No No	No Holds No Holds	PRE-TRIAL DETAINEE SENTENCED TO DOC	PROSECUTION OF WRIT FAILURE TO APPEAR 1ST DEG	\$0.00 \$0.00	1 1	105 Days 105 Days
[REDACTED]	PCSD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	FORGERY TAKING IDENTITY OF ANOTHER	\$7,500.00 \$7,500.00	1 1	37 Days 37 Days
[REDACTED]	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	UNLAWFL VIEW/TAPE/RECRD/PERSON	\$2,000.00	2	34 Days
[REDACTED]	ICE	No	ICE Notification	PRE-TRIAL DETAINEE	FAILURE TO APPEAR 1ST DEG	\$10,000.00	2	35 Days
[REDACTED]	TPD	No	ICE Notification	PRE-TRIAL DETAINEE	NARCOTIC DRUG-POSSESS FOR SALE	\$10,000.00	1	43 Days
[REDACTED]	TPD	No	No Holds	PRE-TRIAL DETAINEE	AGGRAVATED ASSAULT	\$5,000.00	1	34 Days
[REDACTED]	TPD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGGRAVATED ASSAULT KIDNAP	\$50,000.00 \$50,000.00	1 1	29 Days 29 Days
[REDACTED]	APO	No	No Holds	SENTENCED TO PCADC	PROBATION VIOLATION	\$0.00	1	25 Days
[REDACTED]	APO	No	No Holds	PRE-TRIAL DETAINEE	PROBATION VIOLATION	\$0.00	1	16 Days
[REDACTED]	DPS	No	ICE Notification	PRE-TRIAL DETAINEE	TAKING IDENTITY OF ANOTHER	\$2,100.00	1	27 Days
[REDACTED]	TPD	No	ICE Notification ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	AGG DUI-PASSENGER UNDER 15 CHILD/VULNERABLE ADULT ABUSE ENDANGERMENT	\$7,500.00 \$7,500.00 \$7,500.00	1 2 1	21 Days 21 Days 21 Days
[REDACTED]	APO	No	No Holds	PRE-TRIAL DETAINEE	PROBATION VIOLATION	\$0.00	1	16 Days
[REDACTED]	PCSD	No	No Holds No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	DANGEROUS DRUG-POSS/USE DRUG PARAPHERNALIA-POSSESS/USE NARCOTIC DRUG-POSSESS/USE	\$1,000.00 \$1,000.00 \$1,000.00	1 1 1	24 Days 24 Days 24 Days
[REDACTED]	PCSD TPD	No No	No Holds No Holds	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	ESCAPE 2ND DEG-CORRECT FACIL PROBATION VIOLATION	\$1,000.00 \$0.00	1 1	15 Days 15 Days
[REDACTED]	TPD	No	No Holds	PRE-TRIAL DETAINEE	FAILURE TO APPEAR 1ST DEG	\$15,000.00	1	15 Days
[REDACTED]	PCSD	No	ICE Notification	SENTENCED TO PCADC	DUI-LIQUOR/DRUGS/VAPORS/COMBO	\$0.00	1	10 Days
[REDACTED]	TPD	No	ICE Notification ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	DANGEROUS DRUG VIOLATION DRUG PARAPHERNALIA VIOLATION NARCOTIC DRUG VIOLATION	\$1,000.00 \$1,000.00 \$1,000.00	1 1 1	7 Days 7 Days 7 Days
[REDACTED]	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	FAILURE TO APPEAR 1ST DEG	\$25,000.00	1	8 Days
[REDACTED]	TPD	No	No Holds	PRE-TRIAL DETAINEE	FUGITIVE WARRANT	\$60,000.00	1	10 Days
[REDACTED]	TPD	No	No Holds	PRE-TRIAL DETAINEE	FUGITIVE WARRANT	\$0.00	2	10 Days
[REDACTED]	TPD	No	No Holds	PRE-TRIAL DETAINEE	INTERFER W/JUDICIAL PROCEEDING	\$2,500.00	1	6 Days
[REDACTED]	TPD	No	DOC DOC DOC DOC DOC DOC	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE SENTENCED TO DOC	DANGEROUS DRUG VIOLATION NARCOTIC DRUG VIOLATION POSSESS/USE WPN IN DRUG OFF PROSECUTION OF WRIT TAKING IDENTITY OF ANOTHER FAILURE TO APPEAR 1ST DEG	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00	1 1 1 1 1 1	589 Days 589 Days 589 Days 589 Days 589 Days 589 Days
[REDACTED]	APO	No	No Holds	PRE-TRIAL DETAINEE	PROBATION VIOLATION	\$0.00	1	2 Days
[REDACTED]	TPD	No	No Holds	PRE-TRIAL DETAINEE	FAILURE TO APPEAR 2ND DEG	\$500.00	1	6 Days
[REDACTED]	BOND TPD	No No	No Holds No Holds No Holds No Holds No Holds	PRE-TRIAL DETAINEE OTHER JURISDICTION OTHER JURISDICTION OTHER JURISDICTION PRE-TRIAL DETAINEE	FAILURE TO APPEAR 1ST DEG THEFT-OBTAIN BY MISREPRESENT FALSE STMT TO OBTAIN BENEFITS FRAUD SCHEME/PRACTICE-CONCEAL FUGITIVE WARRANT	\$5,500.00 \$2,000.00 \$2,000.00 \$2,000.00 \$35,000.00	1 1 26 1 1	4 Days 4 Days 4 Days 4 Days 4 Days
[REDACTED]	TPD	No	No Holds	PRE-TRIAL DETAINEE	ASSAULT-INTENT/RECKLESS/INJURE	\$2,500.00	1	3 Days
[REDACTED]	TPD	No	ICE Notification ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	DANGEROUS DRUG-POSS/USE DRUG PARAPHERNALIA-POSSESS/USE FAILURE TO APPEAR 1ST DEG	\$1,000.00 \$1,000.00 \$10,000.00	1 1 1	7 Days 7 Days 7 Days
[REDACTED]	PCSD	No	ICE Notification ICE Notification	PRE-TRIAL DETAINEE PRE-TRIAL DETAINEE	DRUG PARAPHERNALIA-POSSESS/USE MARIJUANA-POSSESS/USE	\$10,000.00 \$10,000.00	1 1	7 Days 7 Days

Inmate Name	Arresting Agency	Stone Garden	Holds and Notifications	Legal Status	Statute Description	Bond Amount	Charge Count	LOS
[REDACTED]	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	NARCOTIC DRUG-POSSESS FOR SALE	\$10,000.00	1	7 Days
[REDACTED]	PCSD	No	ICE Notification	PRE-TRIAL DETAINEE	LIQUOR-POSS OPEN CONT IN VEH	\$500.00	1	5 Days
[REDACTED]	TPD	No	No Holds	SENTENCED TO PCADC	EXTREME DUI-BAC .15-.20	\$0.00	1	1 Days
NO NAME BOOKING, [REDACTED]	PYPD	No	No Holds	PRE-TRIAL DETAINEE	FALSE REPORT TO LAW ENFORCE	\$100.00	1	1 Days