

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

TOTAL \$55,691,650	
Imperial County \$5,433,894	San Diego County \$50,257,756
Sheriff/Coroner \$2,831,072	Sheriff \$18,335,921
District Attorney \$248,859	District Attorney \$4,938,236
Public Defender \$43,416	Public Defender \$2,125,339
Superior Court \$437,057	Superior Court \$5,395,732
Adult Probation \$473,232	Adult Probation \$6,643,311
Juvenile Services \$118,416	Juvenile Services \$2,021,033
Emergency Medical	Emergency Medical

\$1,281,842

\$10,798,184

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	\$304659	\$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.