



Center for Immigration Studies

Illegal Immigration and Gangs in Virginia

Preliminary Findings

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Overview of Illegal Immigration in Virginia

Estimated Geographic Distribution **Based on Births to Illegal Alien Mothers**

- **Fairfax County** **35%**
- **Prince William County** **11%**
- **Arlington** **8%**
- **Alexandria** **6%**
- **Chesterfield County, Richmond,
Virginia Beach, Henrico County each** **2%**
- **Chesapeake County, Newport News, Norfolk each** **1%**
- **All others** **27%**

Estimated Geographic Distribution of Criminal Aliens

based on 2005 SCAAP Report

Fairfax County	44%
Prince William County	16%
Arlington County	15%
Alexandria	10%
Rockingham County	4%
Chesterfield County	2%
Loudoun County	2%
City of Chesapeake	2%

Immigration Enforcement Increasing in Virginia

Immigration Court: Proceedings Completed for Detained Cases (Arlington, Va.)

- 2000 – 426
- 2006 – 1,641

Per Capita Odds of Immigration Conviction (Eastern District of Virginia)

- 2002 – 66/million
- 2005 – 122/million

Number of Immigration Convictions (Eastern District of Virginia)

- +69% since 2006
- +146% since 2002

Operation Community Shield

- 274 arrests from January, 2004 – March, 2007
- 9 gang leaders, 228 gang members, 37 gang associates
- Criminal histories included:
 - 10 Murder/Homicide
 - 52 Assault/Battery
 - 58 Robbery/Burglary, etc.
 - 5 Child Abuse
 - 6 Kidnapping
 - 26 Illegal Weapons
 - 20 Drugs

SAC DC/VA ranks #3 in Nation for Gang Arrests

Top Offices:

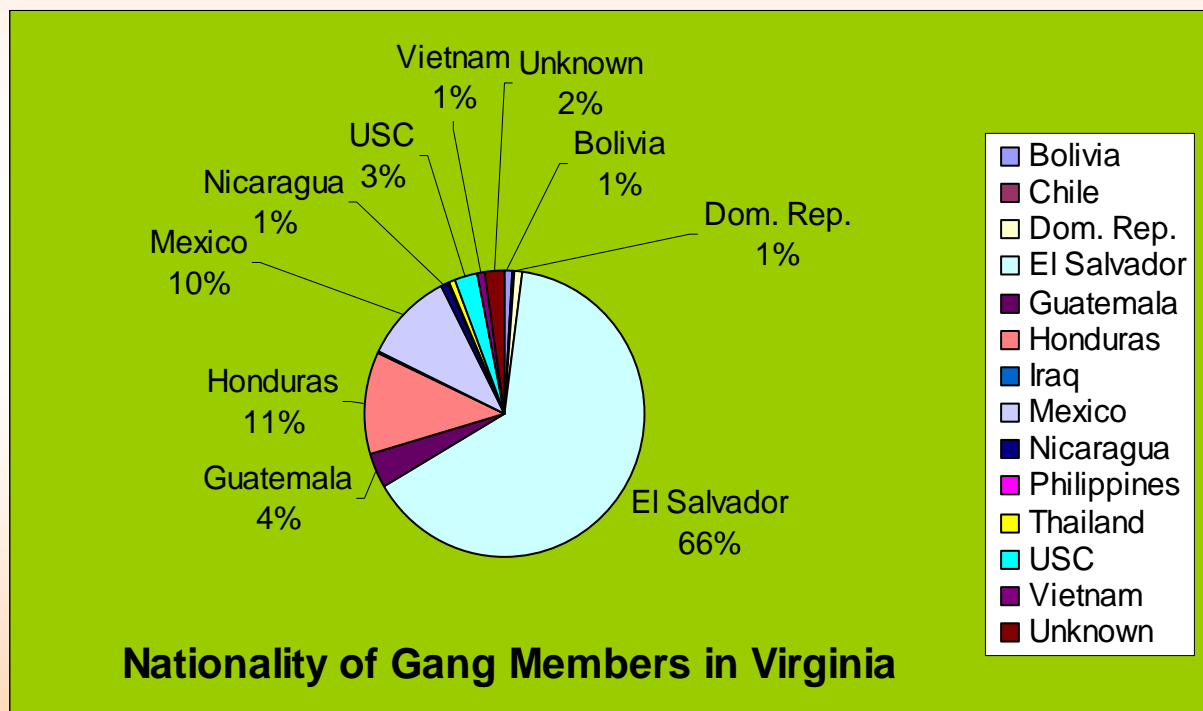
1. San Diego (352 arrests)
2. Atlanta (330)
3. DC/VA (274)
4. Dallas (251)
5. San Francisco (243)
6. Chicago (240)
7. Newark, NJ (221)
8. Los Angeles (184)

As of March, 2007

Alien Gang Members Arrested by ICE-Virginia Field Offices

Norfolk Office 19 Arrests:

- Mexican 68%
- Guatemalan 16%
- Also Honduran, Nicaraguan, Salvadoran



Gang Affiliation of Aliens Arrested in Virginia

• MS-13	216	80%
• 18 th Street	14	5%
• Street Thug Criminals	9	4%
• Mara-R	5	2%
• SUR-13	4	2%
• God Brothers	3	1%
• 1-5 Amigos	3	1%
• Vatos Locos	3	1%

Leaders apprehended:

5 MS-13, 2 Street Thug Criminals, 1 Western Locos, 1 Mara-R

MS-13

- Arrived in Northern Virginia in 1993 from Los Angeles;
- 10,000+ members in U.S.
- 50,000 members in Central America and Mexico;
- 20,000 of whom have had contact with U.S. law enforcement;
- 5,000-6,000 in DC-Md.-Va.;
- Aims to be viewed as most violent gang.

Signs that Anti-gang efforts in Northern Va. Are Working

- Gangs operating less openly, changing behavior;
- Moving to new locations – rural areas, Rt. 29 corridor, Maryland;
- Age of arrestees decreasing – can focus on younger, newer individuals;
- Reductions in Gang-related crimes;
- Membership not reported growing.

Immigration law enforcement is a key ingredient for success in efforts to combat gang activity.

- 1) Transnational gangs exploit weaknesses in border security and interior enforcement;
- 2) Significant share of gang members in Virginia have violated immigration laws;
- 3) Sizeable illegal alien population facilitates gang settlement and recruitment

Nationality and Immigration Status

- An estimated 43% of Salvadoran population in U.S. is residing here illegally (higher share of adult population);
- More than 55% of Mexican population in the U.S. is illegal;
- Roughly 47% of Honduran population is illegally resident.
- Many Central Americans and Mexicans entered illegally and later adjusted status or received temporary status.

ICE needs the assistance of state and local LEAs to succeed, particularly in addressing criminal aliens.

- Numbers – 5,500 special agents vs. 650,000 sworn LEOs.
- Locals are a presence in and part of the community
- Illegal population of roughly 12 million
- 605,000 foreign born individuals expected to be admitted to state correctional facilities and local jails in 2007
- Investigations – Suspects can be arrested for traffic or other state/local violations

Relationships inconsistent with ICE across the Commonwealth

- Officers in about 30% of jurisdictions do not inquire about immigration status of individuals in custody.
- Fewer than half of jurisdictions make an effort to ascertain immigration status of detainees.
- Most jurisdictions with frequent or occasional contact report positive experiences with ICE, especially in northern and western Virginia.
- 18 jurisdictions report negative experiences with ICE, including some with significant criminal alien populations.

Immigration law provides powerful tools to support gang suppression

- “On the street” immigration authorities
- Administrative violations: EWI, status violations
- Criminal violations: re-entry after deportation, false documents, alien smuggling, firearms possession, aggravated felony conviction, controlled substance
- New policy – gang members inadmissible

Incentives

Immigration law provides incentives for informants and protection for victims and witnesses, often unknown to LEAs. These measures aim to encourage cooperation and boost reporting of crime.

- Significant Public Benefit Parole
- Employment Authorization
- S Visa
- Selective enforcement/discretion

Pro-active approach of Operation Community Shield

- Identify targets
- ICE does research to identify potential violations
- Instantly subject to arrest
- Immediate disruption of gang activity
- Developed as informants
- Subject to incarceration and/or removal
- Material for long-term investigations and federal cases is developed.

Immigration Charges in Virginia under Operation Community Shield

- **Inadmissible (prior arrest)** **73%**
- **Re-entry after deportation** **10%**
- **Excludable** **9%**
- **State Charges** **7%**
- **Firearms** **1%**
- **Document Fraud**
- **Drug Trafficking**

Administrative Charges Regularly Used to Remove Serious Criminals

- Of the 208 gangsters removed under OCS from Va. on administrative charges:
- Nearly 60% had criminal histories, of which:
 - nearly 40% were violent crimes including:
 - murder (3), assault, kidnapping, child sexual abuse, and more.

Community Support

- State and local LEAs report widespread community support for anti-gang efforts.
- Victims are disproportionately from immigrant communities.

Challenges

- Border is revolving door for many (if not all) seasoned gang members
- Federal agencies and local law enforcement hampered by resources/staffing
- Detention space limited
- Illegal immigration appears to be slowing, but only slightly

Challenges Specific to Virginia

- ICE activities generally limited to areas around field offices with little outreach to more distant areas.
- Rural jurisdictions experiencing increasing illegal settlement and gang activity with little exposure to immigration issues.
- Rural jurisdictions have little contact with ICE or awareness of ICE mission priorities and resource limitations.
- ICE focus in recent years has been largely on terrorism and criminal aliens. Neglect of routine immigration law enforcement can be frustrating to local communities facing significant fiscal and economic impact of illegal immigration.
- ICE inability to respond without explanation can foster complacency/cynicism among local LEAs.

What States Can Do

- 1) Assist ICE to address criminal alien population and increase removals:
 - Policies to mandate screening and notification of ICE.
 - 287(g) – future opportunities limited.
 - Basic immigration law training for all state and local law enforcement agencies. Private sector and distance learning options are available.
 - Prosecute state crimes related to illegal immigration (ID and document fraud, gangs, smuggling/trafficking).

What States Can Do

- **Note: gangsters in Virginia rarely make a living as gangsters; they are typically employed by day in construction, farming and other unskilled jobs. Routine immigration law compliance/enforcement complicates life for gangsters and other criminals.**
- 2) **States can reduce employment magnet:**
 - **Require employers to screen new hires**
 - **State agencies screen and audit**
 - **State contractors screen new hires**
 - **Licensing of businesses**

What States Can Do

3) Disincentives to illegal settlement:

- Strict driver's licensing laws
- Identification standards for financial services and other arenas
- No public benefits except as required by federal law
- Regulation of day labor sites