

NEW MEXICO'S BORDER COUNTIES

New Mexico's history is marked by the intersection of multiple cultures, changing political status and governance, and a long-standing and powerful link to Mexico. In addition to the Native American pueblos and tribes, and the nomadic Indians who were the early inhabitants of the area, the flags of Spain, the Republic of Mexico, the Confederate States of America, and the United States of America have all flown over the "Land of Enchantment" during its long and colorful history. The upper region of the Rio Grande was called Nuevo Mexico as early as 1561 by Spanish conquistadors who sought an area that could yield riches comparable to those found in Old Mexico. The name was anglicized and applied to lands ceded to the United States by Mexico as part of the 1848 Treaty of Guadalupe Hidalgo that ended the Mexican War.¹

Near the turn of the 20th century, New Mexico struggled through more than a dozen unsuccessful attempts to achieve statehood. Finally, on January 6, 1912, New Mexico became the 47th state to join the Union.² Interestingly, statehood did not end New Mexico's identity problems. A regular feature in *New Mexico Magazine* is a column entitled "One of Our Fifty Is Missing," which includes anecdotes of people, many of them federal government employees, who persist in the belief that New Mexico is a foreign country. Several legal provisions in the state, as well as symbolic gestures and common practices, reflect a multi-cultural heritage and strong ties to Mexico. The state constitution includes several references to the importance of the Spanish language heritage of the state.³ The familial, language and religious ties to Mexico are readily apparent. As with other states in the border region, the social, political and economic changes that occur in Mexico are felt in New Mexico on both a personal and governmental level.

New Mexico consists of 121,666 square miles, making it the fifth largest state in the country. A typical desert state, almost all of New Mexico (121,359 square miles) is land mass. With only 234 square miles of open water (lakes, reservoirs, rivers and streams), New Mexico is second only to Nevada as the state with smallest surface area covered by water. Of the 77,666,400 total acres in New Mexico, less than half (43.9 percent) of the land is privately owned. More than one-third (34.1 percent) of the land is owned by the federal government, and similar proportions are held in state trust (11.6 percent) or controlled by Indian tribes (10.2 percent).⁴

New Mexico is a unique land of stark contrasts. As the state historian so aptly points out: "...scientists such as those at the National Laboratories in Los Alamos, one of New Mexico's youngest cities, pioneer uses of nuclear fission; while an hour's drive away, the residents of Acoma and Taos Pueblo maintain traditions of great antiquity, and choose to live in two of North America's oldest continuously occupied communities without electricity or other modern conveniences."⁵ Additional contrasts exist between the rugged mountains of the Taos Ski Basin and the oil drilling fields of the Eastern plains, between the forests and streams of the Gila National Forest and the rolling dunes of the White Sands National Monument, and between the wealth and thriving tourist industry in the capital city of Santa Fe and the poverty and lack of basic infrastructure in the *colonias* that dot the border region.

In 1999, New Mexico's population was estimated to be 1,739,844.⁶ The largest population concentration is in Bernalillo County (523,472), home to the City of Albuquerque. The second largest county, Doña Ana County (170,361), home to the City of Las Cruces, is in the border region.

In keeping with its rural image, a much smaller percentage (57 percent) of the state's population live in metropolitan areas compared to the national average (80 percent). Although Native American pueblos and tribes comprise a notable proportion of the state population, none of the border counties is home to any tribes or pueblos, nor any sizeable Native American populations.

Between 1980 and 1990, New Mexico's overall population grew by about 16 percent, while its foreign-born population grew by close to 54 percent. The 81,000 foreign-born accounted for almost 5 percent of New Mexico's population in 1990. In 1980, Mexico was the source of just under one-half of the state's foreign-born residents. By 1990, Mexico accounted for five-eighths of the state's total foreign born. The City of Las Cruces, located in Doña Ana County, has the highest foreign-born concentration, nearly 15 percent of its population.⁷ Approximately 338,000 people, or 18 percent of the state's population in 1997, were "immigrant stock."⁸ According to a report issued by The Urban Institute, nearly two-fifths of all of New Mexico's children in 2000 were either foreign-born or children of immigrants.⁹ Additionally, the Census Bureau estimates that New Mexico's population increased roughly 14 percent between 1990 and 1999, and that 17 percent of that growth was due to international migration (immigration).¹⁰

In 1997, the U.S. Census Bureau projected that New Mexico's population would grow by 55 percent between 1995 and 2025, the second fastest projected rate of growth in the nation. The projection is based in part on continued high volume immigrant settlement in the state, particularly immigrants from Mexico. The problems associated with population growth are exacerbated by a growing number of illegal immigrants in the state.¹¹ These rapid population increases in the border region portend serious problems for border states in terms of lack of adequate infrastructure, limited supplies of water and energy, and the negative impacts on water, air, and natural resources.¹² The figures presented above for legal immigrant settlement dramatically underestimate the full impact of immigration; official statistics on immigration do not include the thousands of immigration applicants already living in the state awaiting INS processing or those who entered illegally.¹³

By almost all measures, New Mexico is a poor state. The state consistently ranks in the bottom five relative to other states in terms of per capita income and other indicators of economic prosperity. New Mexico ranks near the bottom of state ratings in teacher salaries, full-time college enrollment, personal income, and median household income. Census Bureau statistics from 1998 show New Mexico as 48th among the 50 states in terms of per capita income and 46th in median household income. Similarly, the state ranks in the top 10—a dubious honor—in percent of population below the poverty level, births to teenage mothers, violent crime rate, and percent of civilian labor force unemployed. In 1998, New Mexico ranked as the state with the largest proportion of its population (20.4 percent), compared to the national average of 12.7 percent, living below the poverty level.

New Mexico's Border Environment

Three of New Mexico's 33 counties share a 206-mile border with Mexico. These counties—Doña Ana, Luna and Hidalgo—differ widely in terms of a variety of characteristics, including population trends, level of urbanization, development in the border region, and nature and extent of the impact of illegal immigrants on their criminal justice and emergency medical systems. Table NM1 presents some summary statistics on the three counties in New Mexico that share the border with Mexico.

Table NM1: New Mexico Border County Statistics

County	Population (%)	Square miles (%)	Border Length (%)	Ports-of-Entry	INS Crossings (%)	Border Patrol Apprehensions (%)
Doña Ana	170,361 (85%)	3,804 (37%)	53 (26%)	1	217,046 (12%)	19,790 (40%)
Luna	24,360 (12%)	2,965 (29%)	67 (33%)	1	1,607,420 (88%)	23,667 (48%)
Hidalgo	6,027 (3%)	3,447 (34%)	86 (42%)	1	0 (0%)	5,587 (11%)
Total	200,748	10,216	206	3	1,824,466	49,044

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

The southwest region of New Mexico, which consists of Doña Ana, Luna, Hidalgo and Grant Counties, is projected to be one of the fastest growing areas in New Mexico.¹⁴ Between 1990 and 2000, the southwest region is estimated to grow at an annual rate of approximately 2.2 percent, a rate that is 50 percent higher than the statewide average of 1.49 percent.¹⁵ Migration is the major source of growth for the southwest region. Natural increases are projected to decline in this region due to the aging of the population in the region and a corresponding decrease in the fertility rate. Retirees will continue to be a substantial proportion of Luna County's population by 2020, with a projected retirement population of approximately 26 percent. The effects of the North American Free Trade Agreement (NAFTA), in the form of a greater volume of migration from Mexico, are expected to continue. Doña Ana and Luna Counties rank among the top five counties in the state for population growth between 1990 and 1999.¹⁶ While New Mexico's population is growing at dramatic rates, the population of communities in Mexico (including Chihuahua) have experienced even more rapid increases.¹⁷ While two of the border counties are experiencing rapid growth, the western-most county along the border is suffering from noticeable population decreases. Hidalgo County has been hard hit by the closure of a copper smelter that had been a major employer in the county; the mine closure has resulted in abrupt out-migration and substantial reductions in the tax base.

Most of the state's border with Mexico is marked by barbed wire fences built primarily to keep cattle from wandering across the international line. But barbed wire is easily and frequently cut to allow illegal crossings through the desolate desert. Unlike the armed ranchers in Cochise County, determined to protect their property from illegal immigrants, residents in some areas of the New Mexico border region have been more inclined to place water along frequently used paths to avoid unnecessary deaths from dehydration and heat exhaustion. In addition to this private support for illegal immigrants demonstrated by some individuals, New Mexico's multi-billion dollar agricultural industry is greatly impacted by crackdowns and expulsions of undocumented workers by the INS.

The entire State of New Mexico is served by the El Paso Sector of the U.S. Border Patrol, a sector that has been referred to as "a busy corridor for illicit smuggling" and one with more than 700 vehicles seized in each of the past several years in connection with drug or alien smuggling.¹⁸ In the past few years, illegal alien apprehension has risen 60 percent, and drug seizures have increased by

50 percent. In March 2000, the Border Patrol reported apprehending 220,000 undocumented immigrants along the U.S./Mexico border, 600 of them in New Mexico.¹⁹ To compound the problem of immigration, New Mexico is experiencing a drug problem more severe than its neighboring states and the entire nation, and the problem is worsening despite increased efforts by law enforcement. Between 1995 and 1998, rates of violent crime and all crime were down nationwide and in neighboring states; yet New Mexico experienced increases.²⁰ In July and August of 1996, the INS and other agencies apprehended 483 illegal aliens working in New Mexico, nearly all (97 percent) from Mexico. The enforcement effort was conducted in 13 key states, and New Mexico accounted for the second largest work site apprehensions after Texas.²¹ In March 1997, the INS launched "Operation High Point" to intensify Border Patrol surveillance of a critical 10-mile stretch of New Mexico's border with Mexico that increasingly is being used as a corridor for illegal alien and drug smuggling,²² and the region has experienced a 25 percent increase in narcotics seizures.²³

New Mexico border counties participate in the High Intensity Drug Trafficking Areas (HIDTA) program,²⁴ and they receive partial payments for incarceration expenses from SCAAP. Despite these existing forms of assistance, New Mexico border counties are bearing a heavy burden. One of the greatest burdens incurred by counties is in detention and incarceration, yet HIDTA resources cannot be used for those activities. County officials also report frustration with the lack of local control over how best to use HIDTA funds in the effort to address the drug trafficking problem.

As California and Texas, and more recently Arizona, clamp down on traditional illegal alien crossing points, New Mexico experiences an increasing border-control problem. There are areas where people can drive or walk across the border relatively easily; there also are areas that are so vast as to negate effectively any possibility of monitoring by understaffed local and federal agencies.

Detention centers in New Mexico's border counties are forced to house a growing number of illegal immigrants without adequate compensation from the state or federal government. Border counties in New Mexico were quick to realize the importance of the U.S./Mexico Border Counties Coalition. Luna County Commissioner Dennis Armijo is one of four elected members of the coalition's executive board; Doña Ana County Commissioner Carlos Garza hosted the BCC meeting in Las Cruces in June 1999.

Characteristics of New Mexico County Government

New Mexico county governments are subdivisions of the state with limited local authority. The state constitution dictates the terms of office for all county officials, establishes term limits, and specifies a process for recall for all elected county officers. According to the state constitution, county commissioners, the assessor, sheriff, probate judge, treasurer, and clerk each serve four-year terms. County commissioners, of which there must be either three or five, must serve staggered terms. Since 1992, all county officers are limited to two consecutive four-year terms, after which they are ineligible to hold any public office for a two-year period. All elected county officials are subject to recall by the voters of the county.

Counties in New Mexico may incur debt for only a limited number of specific purposes provided for in the state constitution and state law, and then only after the proposition to create such debt has been approved by the county's voters. Counties are also limited to aggregate indebtedness not to exceed 4 percent on the value of taxable property within the county. Counties are further restricted by a state anti-donation provision.²⁵

County revenue sources include the property tax; an oil and gas ad valorem tax; various licenses, fees and permits; intergovernmental grants-in-aid from the state and federal government, and a proportion of the gross receipts tax that is collected by the state and returned to the counties. The taxable value of real property is calculated at a rate of one-third of the full value, and property tax rates vary considerably between and within counties. New Mexico counties tend to fund a variety of important activities outside the general fund. The extensive use of special funds is important in the context of this study because of the primary focus on general fund impacts of criminal illegal immigrants. It is not uncommon for the detention, emergency medical service, and/or indigent health care components to be outside the general fund.²⁶

New Mexico County Law Enforcement and Criminal Justice System

The chief law enforcement official at the county level is sheriff. The sheriff is elected for a four-year term, and may serve no more than two consecutive terms of office. In some counties, the detention function is within the sheriff's department; in others, detention is kept under the direct control of the county manager. County detention centers function as pre-sentence holding facilities as well as jails for sentences of not more than one year or 365 days.

Juvenile offenders in New Mexico are not the responsibility of any criminal justice agency, but rather the state Children, Youth and Families Department. In New Mexico, holding juvenile offenders accountable for their actions and rehabilitating them is defined as more of a social welfare function than a law enforcement or corrections function, and more of a state rather than a local responsibility. Although the state district courts have exclusive authority to hear juvenile cases, and some counties operate juvenile detention facilities, the impact of illegal immigrants in this area is minimal in New Mexico. Because juvenile offenses are considered a family rather than a law enforcement issue, there is a limited capacity in the state to address offenses by juvenile illegal immigrants whose families remain in Mexico. Juvenile illegal immigrant offenders are more likely to be deported rather than prosecuted if their offenses do not rise to the level required for federal prosecution. There is some speculation on the part of local law enforcement personnel in the state that this aspect of New Mexico law has contributed to the increased use of juveniles to smuggle drugs across the border into the state.

The New Mexico State Constitution provides for a judicial branch that includes the Supreme Court, the Court of Appeals, District Courts, Magistrate Courts, Probate Courts, and other such lower courts as are created by the legislature. New Mexico's 33 counties are divided into 13 judicial districts, served by 72 District Judges. The District Court is the court of unlimited general jurisdiction and is commonly referred to as the trial court in New Mexico. These courts have exclusive juvenile jurisdiction and handle the vast majority of felony cases. New Mexico's 54 Magistrate Courts have jurisdiction in civil matters in which the amount involved does not exceed

\$7,500; they also have jurisdiction in criminal matters over most misdemeanors and other criminal actions where specific jurisdiction is granted by law such as DWI/DUI cases, traffic violations, and select felony cases.²⁷

Each county has at least one magistrate court; in the border region, Doña Ana County has three while Luna and Hidalgo Counties have one each. The more populous counties have boundaries that coincide with a judicial district, while the less populous counties share a district with up to three neighboring counties. In no instance, however, is a county divided into more than one district. In the border region, Doña Ana County is served exclusively by the Third Judicial District with its six judges; Luna and Hidalgo Counties, as well as Grant County, are covered by the Sixth Judicial District with its two judges.

Unlike many other states in which the counties consist of fully empowered legislative, executive and judicial branches, New Mexico maintains much of the responsibility for the judicial branch at the state level. At both the District and Magistrate court levels, the judges, court administrators, and court clerks are employees of the state, not the county.²⁸ Similarly, District Attorneys (prosecutors), while elected by the residents of the county or counties served by the district, have their salaries paid by the state. Public Defenders as well as probation and parole officers are also state rather than county officials.²⁹ It is, however, the responsibility of the counties to provide offices and judicial facilities for these state officials within their respective counties.

The understaffed and overburdened federal courts in New Mexico contribute to an increased burden on the state courts. As a result of the Southwest Border Initiative, a coordinated national strategy launched in 1995 to curb illegal immigration and drug smuggling from Mexico, a disproportionate burden has been placed on the border region as demonstrated by multiple indicators. The five border districts currently handle 26 percent of the 60,000 criminal cases in the federal court system; the other 89 district courts handle the remaining 74 percent.³⁰ Between 1974 and 1998, criminal filings in the five border district courts increased more than 125 percent, from 6,460 to 14,517.³¹ The average caseload per judge in these courts is four times the national average. Criminal defendant filings in New Mexico rose 57 percent to 1,981 cases in fiscal year 1999.³² In New Mexico, responding to this increasing demand is particularly difficult. As noted by U.S. Senator Pete V. Domenici (R-NM) in June 2000, “[i]n New Mexico, a federal court in Las Cruces handles 65 percent of all the federal criminal matters in the state, yet there is not a single full-time sitting judge in that court. We desperately need ... new judgeships if our courts are to keep pace with the skyrocketing incidences of criminal activity along our southern border.”³³ The number of defendants waiting for court action in Las Cruces has risen up to 400 at times, according to Chief U.S. District Judge for New Mexico.³⁴ Since 1994, criminal cases filed in border courts have increased by 125 percent with drug cases doubling between 1994 and 1998, and immigration-related prosecutions increasing more than five-fold in the same period. During the same period, while DEA, Border Patrol, INS and FBI personnel in the border region have grown 155, 99, 93 and 37 percent, respectively, the federal judicial officer resources have only increased 4 percent.³⁵ As the federal courts have been overwhelmed, a larger share of the burden has been shifted to county law enforcement and detention systems, and the state judicial system in New Mexico.

Without exception, the magistrate and district courts in the border counties are severely overburdened and have increasing backlogs of cases. This problem, which is exacerbated by the

demands of processing illegal immigrants for state offenses, impacts the counties in the form of extended terms of detention while those in their custody—both illegal immigrants and legal residents—await trial and sentencing.

New Mexico County Emergency Medical Services and Indigent Health Care

Emergency medical services are provided by New Mexico counties through a variety of delivery mechanisms and funding methods. Some counties have their own ambulance services, others contract with private companies, and still others contract with municipal government entities. A combination of paid and volunteer employees is generally used for public provision of this service. The extent of medical care that can be provided within the county varies considerably. Some counties are served only by medical clinics that are open limited hours and are unable to provide comprehensive medical treatment. For such counties, the transportation costs for EMS can reach exorbitant levels. The costs of medically-necessary treatment and transportation services provided to illegal immigrants can create a substantial drain on the county coffers when bills go unpaid for extended periods of time.

Given the economic profile of the state, it is not surprising that many New Mexicans depend on publicly-funded health care programs, such as Medicare and Medicaid. New Mexicans without resources may receive medically-necessary care (charity care) from hospitals, clinics and private providers. Another category of people, the medically indigent, become the responsibility of the county. The state's Indigent Hospital and County Health Care Act identifies the individual counties as "the responsible agency for the ambulance transportation or the hospital care or the provision of the health care to indigent patients domiciled in that county for at least three months..."³⁶ The Act defines the medically indigent as those persons to whom an ambulance service, a hospital or a health care provider has provided medical care, ambulance transportation or health care services who have available assets and/or income sufficient to support themselves and their household, but who normally are unable to pay the cost of some or all health care. The statutory definition includes minors who have received such transportation and/or treatment and whose parents or person having custody meets the above definition. County Indigent Funds in New Mexico are supported primarily through gross receipts taxes collected by the state and returned to the county. Other funds and sources often provide additional revenues and the counties carry forward any unspent balances from the previous fiscal period.

Federal law mandates that hospitals and emergency medical personnel treat anyone who needs emergency care, including illegal immigrants.³⁷ But the federal government only pays for the care of illegal immigrants who are in the custody of the INS or other authorized federal agent. The costs of caring for those individuals not in federal custody are picked up the hospital or the local jurisdiction providing the services, often through the indigent health care system. Although the federal government provides matching funds through Medicaid, the increased workload places a considerable burden on the county coffers.³⁸

As with the criminal justice functions, some emergency medical and health care activities that are commonly performed at the county level in other states are maintained at the state level in New Mexico. Included in this category are autopsies of individuals whose deaths occur while they are

residents in a county or state institution or those in the custody of law enforcement officials.³⁹ As a result, some expenses that are included for counties in the other border states are not included for the three New Mexico counties.

Costs to New Mexico Border Counties

New Mexico’s three border counties share a 206-mile border with Mexico and have a combined population of roughly 200,000 people. There are three ports-of-entry currently in operation in the state and one other under consideration. If one considers only the general fund burden incurred by New Mexico border counties in providing services to illegal immigrants, the cost estimate would be \$1.9 million; the general fund burdens incurred by the individual counties are presented in table NM2.

Table NM2: Estimated Costs of Illegal Immigrants by County -General Fund

County	Cost Estimate (%)	Per Capita Cost
Doña Ana	\$896,780 (46%)	\$5.26
Luna	\$603,256 (31%)	\$24.76
Hidalgo	\$447,780 (23%)	\$74.30
TOTAL	\$1,947,816	\$9.74

The general fund estimates presented above are misleading in that they dramatically underestimate the true burden placed on these three counties. Many New Mexico counties, because of low property tax rates and restricted revenue sources, find it necessary to pay for programs through special funds. For these counties, it is inappropriate to limit the study of the impacts of illegal immigrants on New Mexico counties to the general fund. The burden on Doña Ana County, for example, almost triples when special funds used for the detention center, indigent health services and emergency medical services are added to those burdens on the general fund. Please note that not all county special funds supporting criminal justice and emergency medical services were incorporated into the estimates presented in this report; only those that are the equivalent of the general fund in that they are paid for by general tax dollars and place a burden on county residents are included; grant funds are explicitly excluded from the cost estimates.

When the relevant special funds are included, the total costs to the three counties of providing criminal justice and emergency medical services to undocumented persons, including indirect costs, is \$5 million. Average per capita costs for the three border counties combined is almost \$25. Table NM3 summarizes these total and per capita costs for the three border counties in New Mexico.

Table NM3: Estimated Costs of Illegal Immigrants by County-Total Budget

County	Cost Estimate (%)	Per Capita Cost
Doña Ana	\$3,573,415 (71%)	\$20.98
Luna	\$943,476 (19%)	\$38.73
Hidalgo	\$485,049 (10%)	\$80.53
TOTAL	\$5,001,940	\$24.92

When considered in comparison to the other states that border Mexico, the impact of illegal immigration on the criminal justice and emergency medical systems in New Mexico counties may initially appear to be minimal, even with the special funds included. The sheer length of the Texas-Mexico border, the larger number of ports-of-entry in neighboring states, and the substantially larger populations of Arizona, California and Texas, all contribute to this disparity. Additionally, the dominance of the state government in New Mexico relative to the counties with respect to the judicial process compounds the gap. It is also imperative that the reader consider per capita impacts and other measures which place the effects in context, rather than aggregate dollar impacts alone. For example, the total burden incurred by Luna or Hidalgo Counties may seem trivial in comparison to estimates for some of the more populous counties in the other border states; yet, the per capita costs are extremely high especially when considered in light of the relative poverty of residents in these counties.

Costs to New Mexico Border County Departments and Functions

The percentage impact on workload of processing illegal immigrants is the basis for determining the costs incurred by each county department. Taking a percentage of the workload insures that costs of general department overhead (such as secretarial support and department administration) are included. In addition to the direct costs, a proportional estimate of the indirect costs of services from general county government (including support from the county human resource management department, county manager, county commission, and budget office, for example) is added to each department's estimate to reflect better the full burden incurred by the county. Because of the extensive use of special funds to provide services typically found in the general fund, the New Mexico county estimates also include a proportion of those special funds where applicable. Table NM4 presents the net cost estimates for each department involved in the provision of criminal justice and emergency medical services.

Table NM4: Costs to New Mexico Border Counties by County and Department

TOTAL \$5,001,940		
Doña Ana County \$ 3,573,415	Luna County \$943,476	Hidalgo County \$485,049
Sheriff \$1,281,501	Sheriff \$193,331	Sheriff \$461,850
Detention - Adult \$982,419	Detention - Adult \$675,248	Detention - Adult (included in Sheriff)
Detention - Juvenile \$12,933	Detention - Juvenile \$15,996	Detention - Juvenile (not applicable)
Judicial System \$61,588	Judicial System \$2,478	Judicial System (not applicable)
Emergency Medical \$30,472	Emergency Medical \$37,813	Emergency Medical \$18,192
Indigent Health Care \$909,655	Indigent Health Care \$18,610	Indigent Health Care \$5,008

Impact on New Mexico Citizens

Counties have limited options for increasing revenue. In addition to legal restrictions on their taxation powers, counties along the border face practical limitations due to the relative poverty of their residents and the large percentage of untaxed public lands. It is particularly difficult for counties to respond to unanticipated costs. When they are forced to expend monies for services beyond their control or means, they must compensate by reducing services that would otherwise benefit the legal resident population they have been entrusted to serve. The high per capita costs reflect an inordinate burden on residents of the less populous counties in particular.

The following sections provide information on the burden incurred by the three border counties in New Mexico. Each section includes brief background information on the history, population trends, economy, and government of the county, followed by a more detailed look at the county's border environment and the impact on individual county departments and functions of providing services to illegal immigrants. Summary statistics are presented in tables throughout, while the narratives provide an explanation of how the cost estimates were determined as well as illustrations of the nature of the burden felt by each department in processing illegal immigrants.

DOÑA ANA COUNTY, NEW MEXICO

Doña Ana County lies in the south central region of New Mexico. It borders El Paso County, Texas, to the east and southeast; the State of *Chihuahua*, Mexico, to the south; Luna County to the west; Sierra County to the north; and Otero County to the east. It contains 3,804 square miles, and shares approximately 53 miles of border with Mexico. The population in 1999 was estimated to be 170,361, making it the second largest county in the state.⁴⁰ Approximately 45 percent of the population lives in the county seat of Las Cruces, and 53 percent live within one of four incorporated areas.⁴¹ The City of Las Cruces (population 75,786), which is home to New Mexico State University and Doña Ana Branch Community College and site of the annual cooking of the world's largest enchilada, has been ranked as one of the fastest-growing communities in the United States for the last decade. The Village of Hatch (population 1,628) is the Chile Capital of the World. The Town of Mesilla (population 1,945) is the historic site of the consummation of the Gadsden Purchase on November 16, 1854. In the border area, the City of Sunland Park (population 9,880) is the historic site of Mount Cristo Rey and home of the Sunland Park Race Track.⁴² Approximately 35 percent of the population is under age 20, while slightly more than 9 percent is over age 65. Hispanics comprise close to 50 percent of the population, while White, Non-Hispanics comprise approximately one-third. Doña Ana County has experienced the 10th fastest growth rate among U.S. counties on the U.S.- Mexico border, growing more than 26 percent between 1990 and 1999.⁴³ In 1997 Doña Ana County had a per capita income of \$14,923, placing it 23rd among the state's 33 counties and at 77 percent of the state's average of \$19,298 and 59 percent of the national average of \$25,288.⁴⁴ More than 26 percent of the population lives below the poverty level and the unemployment rate in 1999 was 7.6 percent.⁴⁵ In addition to the county-run detention facility, Doña Ana County is also home to the state's Southern New Mexico Correctional Facility.

Two major interstates cross in Las Cruces; Interstate-25 runs north to south, and Interstate-10 traverses the county east to west. The jagged peaks of the Organ Mountains are impressive landmarks to the east, and the Rio Grande supplies the farmers of the rich Mesilla Valley. Land ownership in the county is distributed with 1,821,515 acres (75 percent) federal, 286,910 acres (12 percent) state, 326,135 (13 percent) deeded land, and no Indian lands.⁴⁶ The county's economic base relies heavily on the university and community college, local government, and the public schools as major employers, followed by the service industry, retail trade, and agriculture. The county contains dairy farms, large pecan groves, and irrigated farms that produce cotton, chile, alfalfa, lettuce and onions.

The county is governed by a five-member county commission and an appointed county manager. Four other department heads are elected countywide: sheriff, treasurer, assessor, and county clerk. The county's general fund budget was \$23.8 million; the total budget was \$96.6 million. The general fund represents less than 25 percent of the total budget for Doña Ana County. Many salient functions are budgeted through separate funds, including several specialized law enforcement programs, the detention centers, and most health programs. The county's total taxable assessed valuation was \$1.78 billion, of which \$1.1 billion was residential property. The county property tax rate is 70 cents per \$100 of assessed valuation. (County property taxes in New Mexico are levied on every \$1,000 of assessed valuation; the rate is adjusted in this study to \$100 for purposes of consistency with Texas, Arizona and California counties.) Property taxes in Doña Ana County generated \$15.2 million in revenue. Fully 64 percent of the general fund revenues and 16 percent of

the total budget are generated by the property tax. Other revenues sources include gross receipts taxes, licenses and permits, grants, fees, investments and interest on investments, and miscellaneous other revenue. The gross receipts taxes disbursed to the county by the state amounted to \$8,487,981.⁴⁷ Dona Ana County spent \$5,848,718 from the general fund on law enforcement and criminal justice, and \$13,411,294 from all funds.

Doña Ana County’s Border Environment

The county’s sole port-of-entry at Santa Teresa is a land crossing 11 miles west of El Paso, Texas, that has the potential of becoming a major industrial, commercial and pedestrian port-of-entry. This link between Santa Teresa, New Mexico and *San Jeronimo, Chihuahua*, Mexico is the newest port-of-entry in New Mexico. There are no large cities in the immediate proximity of the port so pedestrian traffic is almost non-existent, although both vehicular and pedestrian inspections are available. An additional port-of-entry between Sunland Park and the northwest *Ciudad Juarez colonia* of *Anapra* is under consideration.⁴⁸ In 1999 the INS reported 217,046 crossings and the Border Patrol apprehended 19,790 persons. Although Doña Ana County shares only 26 percent of the state’s total border with Mexico, fully 85 percent of the state’s border population resides in the county. Summary border statistics are reported in table NM5.

Table NM5: Doña Ana County Border Statistics

Population	Square Mi.	Border Length	Ports-of-Entry	INS Border Crossings	Border Patrol Apprehensions
170,361	3,804	53 miles	1	217,046	19,790

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

In April 1997 the Border Patrol completed construction of a 1.3 mile long, 10-foot tall steel mesh fence that separates the *Anapra colonia* on *Ciudad Juarez’s* west side from Sunland Park. When plans to build that fence were initially announced, it sparked heavy protests from the Hispanic residents of Sunland Park, who objected to a barrier dividing two fairly homogeneous communities with strong ties. More physical barriers are likely in the next couple of years. A proposed five mile-long fence in the Santa Teresa area has not generated the same level of controversy. The new fence would be built largely outside city limits and away from residential areas. It is considered an essential precautionary measure in anticipation of a highway along the border from the industrial *Ciudad Juarez* to the Mexican *San Jeronimo* port-of-entry. The highway is expected to be followed quickly by development and urbanization, and increased immigration activity. If built as planned, the area fence would be the second and longest heavy barrier along the state’s border with Mexico.⁴⁹

Costs of Illegal Immigration for Law Enforcement, Criminal Justice and Emergency Medical Services

The estimated total cost to Doña Ana County of providing law enforcement, criminal justice and emergency medical services to illegal immigrants is \$3,573,415. This includes \$848,821 of direct general fund impact, \$1,746,696 of expenses in other funds, and \$977,897 of indirect general

government costs.⁵⁰ As shown in table NM6, the total estimate represents a cost of almost \$21 per person for residents of Doña Ana County.

Table NM6: Costs to Doña Ana County

Total Estimated Impact	Per Capita Impact
\$ 3,573,415	\$ 20.98

Workload burden and cost studies were conducted on the county departments of sheriff, detention, and health programs. Costs were also estimated for emergency medical services and judicial services. Site visits were conducted in May and June 2000, and follow-up phone calls and e-mails were made throughout the summer and fall. Various records from the affected departments, in addition to those from the county budget and assessor’s offices, were examined to help generate these estimates. Table NM7 presents cost estimates for each of the county criminal justice and emergency medical departments and functions, after which an explanation is provided for the workload and cost estimates for each department or function.

**Table NM7: Doña Ana County Costs by Department
County Total: \$3,573,415**

Sheriff	Adult Detention	Juvenile Detention	Judicial System	Emergency Medical	Indigent Health Care
\$1,281,501	\$982,419	\$12,933	\$61,588	\$30,472	\$909,655

Doña Ana County Sheriff

The sheriff’s department is headed by an elected sheriff, who oversees the work of an undersheriff, five lieutenants, and two captains. An additional 73 sheriff’s deputies conduct the work of the department, along with six canine teams, two metro-narcotics agents, 10 investigators, three corporals, and 15 sergeants. Support staff consists of 24 individuals fulfilling various secretarial, transcription, evidence handling, and record keeping roles. Two intelligence analysts and one secretary are assigned to the HIDTA program, and another 20 sheriff’s deputies are directly funded by grants. Through the HIDTA program, three officers work with Customs at the port-of-entry, three deputies are assigned to the Drug Enforcement Agency task force, and four are assigned to a Metro Narcotics unit.

The sheriff department’s law enforcement budget from the general fund totaled \$4,758,483. Separately budgeted in the general fund is the sheriff’s support services at \$845,893; this includes not only administrative support (secretarial and custodial services), but also transportation and extradition of prisoners. Several specialized sheriff’s department programs are also budgeted in the general fund, some of which are relevant (including Custom projects and DEA programs), but many of which were excluded for purposes of this research because they were funded entirely through grants.

The total estimated cost to the sheriff's department is \$1.28 million, including nearly \$434,000 in indirect general government expenditures. Given the size of the department and the range of programs and activities in which they are engaged, it is not surprising that a considerable range of impacts was reported for different sheriff's department activities and for workload within different areas of the county. An average impact on the general fund of 15 percent incorporates those ranges, except in the area of special programs, where a much lower impact (3 percent) has been experienced. Cost estimates based on these workload impact levels are presented in table NM8.

Table NM8: Doña Ana County Sheriff Impact

Division	Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
Law Enforcement	\$4,758,483	15%	\$713,772	\$365,356	\$1,079,128
Support and Administration	\$845,893	15%	\$126,884	\$64,948	\$191,832
Special Programs	\$232,416	3%	\$6,972	\$3,569	\$10,541
TOTAL	\$5,836,792	varies	\$847,628	\$433,873	\$1,281,501

Doña Ana County Adult Detention

The Doña Ana County Detention Center is a department directly responsible to the county manager. In addition to the Detention Facility Administrator, the administrative duties of the department are handled by an operations manager, several detention center supervisors, nurses, social workers, a medical director/physician, a programs manager, and a training coordinator. Support services are provided by records, payroll, and budget/purchasing/supply specialists, while the day-to-day detention functions are fulfilled by a staff of approximately 130 detention officers, six medical technicians, and three licensed practical nurses.

In 1996 Doña Ana County opened a two-story, 134,311 square foot, 562-bed detention center; in 1999 the facility added 312 beds in an expansion funded partially by a \$2 million grant from the U.S. Marshal's Office and in part in response to growing demand for space to detain undocumented persons and other federal detainees. The county received \$386,524 in SCAAP payments for FY 1999 to help reimburse the county for the costs of housing undocumented illegal aliens detailed locally by the state. According to one county official, this funding is rather "unpredictable."⁵¹ Despite steady workload increases each year, the reimbursements have fluctuated considerably; Doña Ana County received \$133,000 for FY 1996, \$158,000 for FY 1997 and its peak reimbursement of \$400,083 for FY 1998.⁵²

Operation of the Detention Center is also outside the general fund through the Detention Center Fund. The fund collects revenue totaling \$8,823,002 from various federal, state and local entities for care of prisoners, and provides additional services costing \$5,805,340 for adult detention. The Detention Center submitted 202 claims to Indigent Health Services, totaling \$139,772, of which

\$5,000 is attributed to illegal immigrants held in detention. Only \$9,000 is budgeted through the Inmate Welfare Fund for the care of prisoners; additional revenues for this function are provided through the Corrections Fees fund. Outside the Detention Center Fund, \$680,230 was expended for retirement of the Detention Center Bond. It is reasonable to include this in the estimates as the need for additional space is in part a function of the demand for services to house illegal immigrants.

Unlike other departments where the cost estimate was generated based on a percentage of workload, the Doña Ana County Detention Center was able to provide actual costs for services to illegal immigrants. The Detention Center held illegal immigrants for 14,255 prisoner days. The average cost for housing, food and supervision of inmates is \$60 per day, resulting in a cost to the county of \$855,300 for detention. Additional expenses, including medical services and administrative costs bring the total for detention center services to \$870,801. This was then used to determine a percentage of workload for the Detention Center operations, and that same workload percentage (15 percent) was applied to the other fund, thereby generating the more complete cost estimate of \$982,419 presented in table NM9. The SCAAP payment of \$386,524 covered roughly 40 percent of actual expenses associated with detention of illegal immigrants.

Table NM9: Doña Ana County Adult Detention Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$6,485,570	15%	\$972,836	\$9,583	\$982,419

Doña Ana County Juvenile Detention

Currently reporting to the Juvenile Detention Center manager is a staff of 16 detention officers. When 13 vacant positions in this department are filled, the Juvenile Center will be staffed by a contingent of close to 30 officers. As with the adult center, the county budgets for this activity through the Detention Center Fund. The impact of criminal illegal immigrants on the juvenile detention center is considerably less than the impact on adult detention. Unlike adult illegal immigrants apprehended by federal officials with small quantities of drugs, juveniles are not turned over to local officials to prosecute on state charges. Because juvenile justice is considered a responsibility of the state Children, Youth and Families Department and there are no families in New Mexico with which to reunite the juvenile offenders, juvenile illegal immigrants are generally held only for short periods of time pending transfer to federal officials for deportation. The impact on juvenile detention workload is estimated to be only 2 percent, resulting in a cost of less than \$13,000, as presented in table NM10.

Table NM10: Doña Ana County Juvenile Detention Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$479,153	2%	\$9,583	\$3,350	\$12,933

Doña Ana County Judicial Services

Doña Ana County is home to state, county and municipal courts. Located in the City of Las Cruces are the state's Third District Court, as well as the county's Magistrate and Probate Courts and the city's Municipal Court. Additional Magistrate Courts are housed in Anthony and Hatch, and Hatch also has a Municipal Court. The state's Third Judicial District, which corresponds with the boundaries Doña Ana County, is served by six judges and a court clerk.

The three Magistrate courts in Doña Ana County handle primarily criminal cases (between 88 percent and 99 percent depending on the location) rather than civil matters, although the overwhelming majority of criminal cases are traffic cases or misdemeanors. These courts are able to clear only 15 percent to 37 percent of the cases on their dockets, resulting in an ever-increasing backlog. Within the Third Judicial District Court, approximately 70 percent of cases are civil, 20 percent are criminal, and roughly 10 percent are criminal cases involving juveniles. Among the adult criminal cases, almost all are felony offenses and the largest number involves felony crimes against property, followed by felony drug offenses, felony crimes against persons, and felony DWI/DUI. Only 62 percent of cases on the docket of the District Court were closed by year end, contributing to a growing number of pending cases held over for each successive year.⁵³

As explained earlier, the county's role in providing judicial services within the State of New Mexico is quite limited. The judges, court clerks, district attorneys, public defenders, and probation and parole officers are all employees of the state. For those cases involving undocumented persons that are processed through the state District Courts, which constitutes roughly 10 percent of their workload, the county's fiscal burden is limited to the expenses associated with providing the office and courtroom space, as well as utilities and general maintenance for the court to operate.

For purposes of calculating the impact of undocumented persons, only expenditures earmarked for the Judicial Complex are included as part of the direct impact. Other expenses associated with electricity, water usage, heating and cooling, telephone service, and building maintenance and repairs, that are part of the General Services Department budget, are encompassed in the general government or indirect measures. Outside the general fund, construction of the judicial complex was funded through a bond that is costing the county approximately \$600,000 per year; this is included because a proportion of the backlog that necessitated the construction of a new facility is attributable to illegal immigrants, and the burden is being applied to county residents.⁵⁴

Because of the growing backlog of cases in both Magistrate and District Courts, the number of cases tried per year is minimal; most are either dismissed before trial or settled through a plea agreement before trial. Thus, the burden on the courts for handling cases involving illegal immigrants in the custody of the county is less than that incurred by either the Sheriff or the Detention Center, roughly 10 percent. The total cost impact to Doña Ana County judicial services function is estimated to be \$61,588 as shown in table NM11.

Table NM11: Doña Ana County Judicial Services Impact

Category	Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund	\$11,926	10%	\$1,193	\$610	\$1,803
Special Funds	\$597,853	10%	\$59,785	n/a	\$59,785
Total	\$609,779		\$60,978	\$610	\$61,588

Doña Ana County Emergency Medical Services (EMS)

Various EMS funds are used for county disbursement of monies to 23 separate community EMS services. The two largest EMS services are provided through the private American Medical Response (AMR) and the Village of Hatch Ambulance. The county contracts with AMR for ambulance service on both a fee for service and contract subsidy basis. The county also subsidizes the Hatch Ambulance through a maximum reimbursement rate and deductions for unused portions. As with indigent health services described in the following section, officials in Doña Ana County estimate that 20 percent of the EMS transport and treatment is provided to illegal immigrants. The cost implications of this estimate are presented in table NM12.

Table NM12: Doña Ana County EMS Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$ 152,360	20%	\$ 30,472	\$0	\$30,472

Doña Ana County Indigent Health

The Doña Ana County Health Services Department operates with seven full-time staff members and two student interns. The department consists of a director, a deputy indigent health claims administrator, three eligibility review specialists, a billing clerk, a secretary, a facilitator/planner and student interns. The two primary operations of the department are screening hospital referred patients to determine indigence eligibility and to process “claims” submitted by the hospital, contract providers, the detention center, and other health-related vendors. On a yearly basis, the department processes approximately 4,200 patients and 25,000 claims, and up to 3,000 to 3,500 claims per month.

The Health Programs Office oversees the county’s Indigent Health Services programs and provides financial assistance to patients who have been seen at not-for-profit hospitals or clinics or who have been transported by an ambulance carrier. The Health Programs Office also provides inmate medical services. Eligibility for indigent claims requires proof of residency and imposes a 90-day residency requirement; however, there is one loophole that allows many undocumented persons to qualify: residency is based on household rather than individual status. Burials for unclaimed bodies, whether homeless, indigent or illegal persons, are supported by this office.

One of the major health care issues facing Doña Ana County is the number of uninsured and under-insured persons residing in the county and/or claiming eligibility for benefits in the county. This problem is not unique to the county, but it is compounded by the rapid population growth the border region is experiencing. Using the county's indigent eligibility income criteria, which is based on the state's median income, theoretically, half of the county's population qualifies for assistance. The geographical location at the U.S.-Mexico border presents health care providers and county government with additional challenges that non-border counties do not face, including a large number undocumented women who deliver their babies in the county.

The office expended \$5,222,752, which included \$2,142,000 for Indigent Health Care (IHC) and \$3,080,752 for the Health Services Fund (HSF). Both components were substantially impacted by illegal immigrants. The IHC component includes payments for services received by individuals who are unable to pay themselves, and the HSF pays for ambulance, burials, and medical screening of sheriff's officers and detention center employees. Doña Ana County dedicates the second and third 1/8^{ths} of the gross receipts tax to financing indigent health care. The available funds have modestly increased while the costs for indigent care have risen dramatically.⁵⁵ Although financed through gross receipts taxes, the department's functions are funded outside of the general fund, in the health services fund and the indigent claims department fund. Officials estimate that 20 percent of their resources are used to provide services to undocumented illegal immigrants, including those in detention. Cost implications of this workload estimate are presented in table NM13.

Table NM13: Doña Ana County Indigent Health Impact

Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
\$3,370,099	20%	\$ 674,020	\$235,635	\$909,655

LUNA COUNTY, NEW MEXICO

Luna County lies in the southwest part of New Mexico. Mexico borders it on the south, Doña Ana County on the east, Sierra and Grant Counties on the north, and Grant and Hidalgo Counties on the west. The county encompasses an area of 2,965 square miles⁵⁶ and shares close to 70 miles of border with Mexico. Deming, the county seat, is located approximately midway across the county, east to west, and along Interstate-10. Deming is approximately 100 miles northwest of El Paso 80 miles east of the Arizona state line, and 35 miles north of the Mexico border. Columbus, the only other incorporated area in the county, lies just three miles north of *Palomas*, Mexico, and about 30 miles south of Deming on State Highway 11. Luna County is governed by a three-member elected county commission. Day-to-day administration is provided by an appointed county manager. The county's general fund budget was \$5.1 million; the total budget was \$11 million.

Luna County's 1999 population, estimated to be 24,360, represented an increase of more than 35 percent since 1990,⁵⁷ the fourth fastest growing county on the U.S.-Mexico border.⁵⁸ More than 60 percent of the county's population resides in the county seat of Deming (1999 population of 14,923), while only 4 percent (964 individuals) live in the border village of Columbus.⁵⁹ Luna County's population growth has occurred mostly outside the county seat. Between 1990 and 1999 the City of Deming's population experienced a 28 percent increase, while the Village of Columbus saw its population increase 44 percent. The unincorporated areas of the county grew 47 percent.⁶⁰ Luna County cannot help but be affected by population trends in neighboring counties. Grant and Hidalgo Counties have experienced consistent out-migration since the 1980s as a result of reduced productivity in the copper mining industry. These two counties are expected to continue to experience population decreases into the next century. Meanwhile, Doña Ana County dominates the southwest region because of the number of employment opportunities and its status as a major education center. Slightly less than half (48.7 percent) of Luna County residents are Hispanic, while only 2 percent are Black and less than 1 percent are American Indian.⁶¹

Based on variety of indicators, Luna County is one of the poorest counties in one of the poorest states. The county's 1997 per capita income of \$12,353 ranked 30th among the state's 33 counties, and represented 64 percent of the state average of \$19,298 and 49 percent of the national average of \$25,288. More than 32 percent of the population lives below poverty level and the county has a staggering 24 percent unemployment rate. Total property valuation in the county was \$189,278,448.⁶² Gross receipts taxes disbursed to Luna County by the state amounted to \$872,580.⁶³

Luna County's general fund was \$5.1 million and total budget was \$11 million. The county property tax rate was \$1.60 per \$100 of assessed valuation. The county spent \$2,440,381 on law enforcement and criminal justice from the general fund, and \$3,598,119 from all funds. Luna County is governed by a three-member board of commissioners. Commissioner Dennis Armijo represents New Mexico border counties on the U.S./Mexico Border Counties Coalition executive committee. The county also elects a sheriff, treasurer, assessor, and county clerk.

Luna County is the center of vast grazing lands in southwestern New Mexico. The federal government owns 42 percent of all lands in the county, most of which are controlled by the Bureau of Land Management; the state owns 534,951 acres or (29 percent, and less than 1 percent (10,670 acres) is Indian lands.⁶⁴ Farming and ranching are important historical and current influences in the

county. Government employment, retail trade and services are the largest nonagricultural employers.

Luna County’s Border Environment

Luna County shares approximately 67 miles of border with Mexico. The fastest growing area in the county---the Village of Columbus---is the location of one of New Mexico’s three ports-of-entry. The Columbus port-of-entry, which links to *Palomas*, Mexico, is the oldest and busiest port in the state and the only one in operation 24 hours per day. The nearest Mexican municipality of any size is *Ascension*, population 21,866, which is roughly 50 kilometers from the border. There are no large urban areas near either side of the border, but open spaces contribute to ease of crossing.

The Columbus port experiences the most activity of any port in the state, and recent expansions have been in direct response to growth of commercial and noncommercial traffic. In 1997, the Department of Transportation reported that there were 2,305 trucks entering the United States through the Columbus port, 119,418 pedestrians, and 490,706 passengers in personal vehicles. The Border Patrol’s Deming office, which controls the area around Columbus, registered record apprehensions of 3,258 in March 1998, a one month total close to the 3,587 apprehensions in all of 1997. In 1999, the INS reported 1,607,420 crossings, and the Border Patrol made 23,667 apprehensions. Statistics on the apprehension of illegal aliens indicate that the Deming sector has become New Mexico’s most frequently used crossing point for illegal entry along New Mexico’s border.⁶⁵ Luna County, which is home to only 12 percent of the state’s border population, experienced 88 percent of INS border crossings and 48 percent of Border Patrol apprehensions during the period covered by this study. The Columbus-to-Deming corridor, which has become one of the most heavily used routes by undocumented immigrants and smugglers entering New Mexico, is using recently-installed surveillance cameras and an improved border road to address these security concerns. Summary border statistics are presented in table NM15.

Table NM15: Luna County Border Statistics

Population	Square Miles	Border Length	Ports-of-Entry	INS Crossings	Border Patrol Apprehensions
24,360	2,965	67	1	1,607,420	23,667

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

Costs of Illegal Immigration for Law Enforcement, Criminal Justice and Emergency Medical Services

The total cost to Luna County of providing law enforcement, criminal justice and emergency medical services to illegal immigrants was estimated to be \$943,476. This includes \$427,302 of direct general fund impact, \$340,220 of expenses in other funds, and \$175,954 of indirect general government costs.⁶⁶ As shown in table NM16, the per capita impact approached the \$40 mark.

Table NM16: Summary of Impact on Luna County

Estimated Total Impact	Per Capita Impact
\$943,476	\$38.73

Workload burden and cost studies were conducted on the county departments of sheriff and detention, as well as city and village departments and private entities with whom the county contracts for emergency medical and health care services. Site visits were conducted in March and April, and follow-up phone calls were made in the subsequent months. Various records provided by county officials were examined to generate the estimates presented in table NM17; a description of the particular burdens incurred by each department is presented in subsequent sections.

Table NM17: Luna County Costs by Department
County Total: \$943,476

Sheriff	Adult Detention	Juvenile Detention	Judicial System	Emergency Medical	Indigent Health Care
\$193,331	\$675,248	\$15,996	\$2,478	\$37,813	\$18,610

Luna County Sheriff

Law enforcement services for the county are provided by the Sheriff’s Department, which is headed by an elected sheriff and is staffed by 26 employees. Luna County has experienced recent reductions in incidents of homicide, rape, burglary, and arson, and increases in assaults, burglaries, larcenies and vehicle thefts. Despite the recent trends, crime is expected to increase as the population of the county grows.

Luna County participates in the HIDTA initiative; HIDTA resources assist with law enforcement and investigations, and the District Attorney’s prosecution efforts, but the funds cannot be used for detention, where they are most needed. One detective in the sheriff’s department is paid for by a HIDTA grant and is designated to work with the drug task force; the county receives no other HIDTA monies.

Sheriff’s department officials report that the largest number of cases involving undocumented persons are narcotics offenses for which the offenders are apprehended at or near the port-of-entry. At the port-of-entry, Mexican nationals with or without a visa, who are apprehended for violation of a law, are considered illegal aliens, subject to deportation. The federal officials who apprehend these individuals generally contact the U.S. Attorney for a decision on how to proceed. The U.S. Attorney generally declines to prosecute those caught with less than the threshold quantity of drugs 100 pounds. Federal government officials then call the sheriff and turn over the suspect, and any accompanying vehicle or other evidence. The suspect is then arraigned at the local Magistrate Court, where the bond is generally set so high that the individual is unable to make the bond, so they

are sent to the detention center to await prosecution. In addition to apprehensions stemming from inspections conducted at the Columbus port-of-entry, illegal immigrants are also funneled to the local law enforcement and criminal justice system when apprehended at the Border Patrol Check Points. In these cases a similar process is followed to transfer custody of the accused from federal to local officials.

When the sheriff or state police, as part of a routine traffic stop or other call, identifies offending parties as illegal or undocumented immigrants, the Border Patrol and the U.S. Attorney are contacted immediately. The process is generally left in the hands of local authorities unless the volume of drugs is so large to warrant federal charges. Local officials report that they feel compelled to accept and pursue these cases, even though they have a legal right to decline, because they do not want to jeopardize the HIDTA resources directed to law enforcement and prosecution. Despite popular perceptions of illegal immigrants as criminals, county officials report that they generally keep a very low profile and are rarely involved in criminal activity. After narcotics offenses, illegal immigrants processed by the sheriff’s department have most frequently been involved in either domestic disputes or burglary.

The sheriff’s involvement in cases passed down from the federal government includes transportation to county detention and detectives’ time to conduct investigations. When illegal immigrants have served their time and are deported, a court order will generally be issued to compel the sheriff to transport the individual back to the border port-of-entry and turn over custody to the INS. Officers report that the apprehension, investigation and processing of illegal aliens takes up a roughly 10 percent of their time. The cost implications of that estimate are presented in table NM18.

Table NM18: Luna County Sheriff Impact

General Fund	Percent Impact	Direct Cost	Indirect Cost	Total Cost
\$1,369,412	10%	\$136,941	\$56,390	\$193,331

Luna County Adult Detention

The Luna County Detention Center is a holding facility for individuals who are arrested by local, state, and federal law enforcement agencies. People may be held in the detention center for a period of 12 hours to 365 days. The county recently completed construction and began operation of a new \$3.3 million multi-purpose detention center that holds men and women, adults and juveniles in segregated areas. The county’s old facility was built to house 52 prisoners, and held an average of 70 and up to 120 with added beds and some detainees sleeping on the floors; this facility is now used to house U.S. Marshal’s prisoners on a contract basis. The new facility has beds for 122 adults and 22 juveniles. A satellite airport facility can hold 14 adults or seven juveniles, and is generally used when prisoners need to be isolated.

Detention costs in Luna County have tripled in the past few years, yet resources have become scarcer. In particular, SCAAP payments have not kept pace with the increased number of illegal

immigrants detained by the county. As the county has experienced increases in the number of illegal immigrants detained, they have faced dwindling SCAAP payments as the competition for these funds has become fiercer. Luna County received only \$8,000 through SCAAP, representing approximately 2 percent of actual costs, down from a peak of \$37,000 in 1997.

The Detention Center housed an average of 88 prisoners per day for a total of 22,000 “inmate days.” On average, 35 percent of the adult detainees are U.S. Marshals prisoners, for which the county receives a subsidy of \$47.69 per day. Of the remaining 65 percent of the detainees, 35 percent are illegal immigrants held on drug smuggling charges, and another 12 percent are illegal immigrants detained for other offenses. Excluding the U.S. Marshal prisoners, 73 illegal immigrants were held during the year for a total of 4,500 man-days, representing more than 20 percent of the department’s workload. These individuals were held from as little as four days to as much as eight months, with an average length of detention of 60 days. Detention for illegal immigrants awaiting prosecution may last from 30 days to one year, depending on how quickly they are willing to plea. In some cases, criminal illegal immigrants are detained for an extended period and then plea to a disposition with a sentence for time served; they are turned over the federal officials for deportation. The illegal aliens detained in Luna County were held primarily on drug offenses. The cost of housing and feeding an adult prisoner in the Luna County Detention Facility is \$52 per day, not including administrative expenses or medical treatment. The Detention Center also incurs costs associated with the transport of detainees and other administrative expenses that bring the burden closer to 39 percent for both the general fund and the corrections fee fund that is used in part to fund the detention center. Non-emergency transport from the hospital back to the border is generally provided by the Detention Center staff as they have the vehicles and the staff to provide that service at a less costly rate than the ambulances. County officials are particularly concerned that the Detention facilities bear a large portion of the burden and yet are ineligible for some of the existing federal resources, such as HIDTA funds. Table NM19 illustrates the heavy burden incurred by Luna County in the provision of adult detention services to illegal immigrants.

Table NM19: Luna County Adult Detention Impact

Category	Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund	\$713,163	39%	\$275,000	\$113,239	\$388,239
Special Fund	\$735,921	39%	\$287,009	N/a	\$287,009
Total	\$1,449,084		\$562,009	\$113,239	\$675,248

Luna County Juvenile Detention

The impact of illegal immigrants on juvenile detention is minimal. Luna County houses one juvenile illegal immigrant every two to three months for an overnight stay before transporting him to Las Cruces. These individuals are generally picked up at the port-of-entry and billed through the Adult Detention Center, although they are separated here for the purposes of this report. The Juvenile Detention Center has a capacity of 32 and averages 18 juvenile inmates at any point in time. The

Center housed 80 individuals for 6,570 “kid-days.” Three times during the year juvenile undocumented immigrants were held at the Detention Center for approximately three weeks each. At a cost of housing a juvenile of \$85 per day, the direct cost to the county for this service was \$5,355, representing approximately 2 percent of the general fund. This same workload estimate was then applied to the other fund to generate the cost estimates presented in table NM20. Most juvenile illegal immigrant offenders are not detained, but are released and escorted back to the port-of-entry. As a result of the disparity between adult and juvenile penalties, drug smugglers are increasingly utilizing the services of juveniles in their trade, particularly along the border with New Mexico. County officials report that the state and its lead agency—the Department of Children, Youth and Families—is not prepared to handle the expected increase in juvenile undocumented offenders.

Table NM20: Luna County Juvenile Detention Impact

Category	Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund	\$340,252	2%	\$5,355	\$2,205	\$7,560
Special Fund	\$421,817	2%	\$8,436	n/a	\$8,436
Total	\$762,069		\$13,791	\$2,205	\$15,996

Luna County Judicial Services

The Sixth Judicial District Court for the State of New Mexico serves Grant, Hidalgo and Luna Counties. The two district judges have their principle offices in Silver City (Grant County) and Deming (Luna County); each location also has a court clerk. The District Court administrator and one additional clerk are housed in Lordsburg (Hidalgo County). Luna County’s Magistrate and Probate courts as well as Deming’s municipal court are located in Deming. An additional municipal court is located in Columbus. The Magistrate Court in Luna County had 6,700 cases on its docket, of which 91 percent were criminal, and only 38 percent (2,569 cases) were closed by year end. The criminal cases handled by the Magistrate Court were primarily involving traffic offenses. The District Court had a slightly lower caseload (4,694) and a higher closing rate (53 percent), resulting in approximately the same number of closed cases (2,496) for the three-county region within its jurisdiction. Although 70 percent of cases handled by the District Court were civil matters, among the criminal cases, the most common offense was felony drug offense.⁶⁷

Luna County is responsible only to provide space for the court and pay for utilities and other building maintenance. As a result the increasing burden incurred by the state for the time spent by district attorneys, public defenders and district judges on cases involving illegal immigrants, is not directly passed on to the county. The increasing burden on the judicial docket does have an indirect impact on the county in the form of backlogs that lead to longer detention and slower dispensation of cases. Court officials estimate that 10 percent of their time is devoted cases involving criminal illegal immigrants originating in Luna County.

Table NM21: Luna County Judicial Services Impact

General Fund	Percent Impact	Direct Cost	Indirect Cost	Total Cost
\$17,554	10%	\$1,755	\$723	\$2,478

Luna County Emergency Medical Services

Luna County relies on contracts with its two incorporated jurisdictions for provision of emergency medical services and ambulance transportation. Within the City of Deming and outlying county areas to the north, the Deming Fire Department provides services. The county is then billed for services outside the city limits. The county also provides an annual appropriation to the Village of Columbus Fire and Emergency Services Department for services in the southern part of the county and the border region. In addition to general fund expenditures for these activities, the county uses a one-quarter percent gross receipts tax for an ambulance fund.

The Deming Fire Department provides EMS and emergency transport services in all areas of the county not serviced by the Columbus Fire and Ambulance Services, in part through the cooperation with a variety of volunteer fire departments throughout the county. They report an ever increasing number of undocumented persons, some of whom the Border Patrol will pay for and many others who are not paid for by the federal government and who do not pay themselves. In 1999, the Fire Department answered a total of 2,088 calls, of which 85 percent or 1,818 calls were EMS responses. At these calls, the department provided 8,243 treatments to 1,666 patients. Inter-facility transfers account for 21 percent of all EMS calls, and 42 percent of the total time spent on EMS calls. Of these 1,818 EMS calls, 1,398 were emergency calls, and 420 were routine calls. Transfers from either hospital to hospital or hospital to airport accounted for 388 calls. Roughly 30 percent of all emergency and routine calls were in the county (outside the Deming city limits). Transport costs range from \$160 to the airport, \$600 to Las Cruces in neighboring Doña Ana County, or \$900 to El Paso for the most severe injuries or illnesses. The Deming Fire Department bills the county on a quarterly basis in accordance with a Joint Powers Agreement. Of the total 451 calls representing 539 response hours that answered by the department for EMS, 121 calls and 133 response hours were billed to the county; 50 of these calls were for illegal non-residents.

Luna County also contracts with the Columbus Volunteer Fire Department and Ambulance Service for service outside the village. The Fire Department and EMS Service receive separate funding from the county, and only the EMS (Ambulance) portion is considered for the purposes of these estimates. The ambulance is three miles from the port-of-entry and 32 miles from the Mimbres Memorial Hospital in Deming. The village ambulance service is regularly called to the Columbus port-of-entry to treat and/or transport an injured or ill patient/suspect. It is also called in when individuals are apprehended after crossing illegally if injury or illness warrants emergency medical services. In one case a woman with a history of hypertension was crossing the desert with her family and over-medicated herself. Heat-related emergencies that lead to heart attacks and unconsciousness among illegal immigrants crossing in the barren desert areas have caused two deaths in the past two years. Motor vehicle accidents are also not uncommon; one in Luna County in January 2000 involved eight illegal immigrants in a single accident.

Ambulance officials emphasize that they are not allowed to ask patients about citizenship, but the Columbus Ambulance does maintain detailed records of two proxy measures: 1) where the call originated and 2) the residence of the patient. Call origination is based on zones that include: a) the port-of-entry, b) the Village of Columbus, c) other areas of Luna County, and d) elsewhere in New Mexico or the United States. Patient residence is categorized as: a) the Village of Columbus, b) elsewhere in Luna County, c) outside of Luna County and within New Mexico, d) outside of New Mexico and within the United States, d) Mexico or e) other foreign country.

Calls to the port-of-entry come from a federal official at the port. Although some calls to provide services to individuals residing outside the United States are for patients in critical need of emergency medical service, in other cases medical necessity for emergent transport is less certain. Current state regulations mandate that all patients requesting transport be transported. A large majority of billings sent to patients residing outside the United States has been returned as unclaimed or undeliverable. As a result, collections from these patients are at a minimum. Indigent funds are only available to cover the costs of services to eligible Luna County residents. Growth in population in Columbus' sister city of *Palomas*, Mexico and the lack of adequate health care facilities in Mexico, contribute to an increasing number of calls to serve illegal or undocumented immigrants.

The number of calls originating at the port-of-entry has risen from 36 percent of all calls in 1998 to 56 percent in 1999. In 1999 the Columbus Volunteer Fire Department/Ambulance Service responded to 264 calls, of which 147 (56 percent) were at the port-of-entry, and 138 (52 percent) were for patients residing outside of the United States. Services were billed at the amount of \$118,420, of which \$91,872 (76 percent) was an uncollected write off, and \$69,351 (59 percent of the total) was for treatment of non-U.S. resident patients. In 1999 a total of \$76,401 in charges were for the emergency medical treatment and transport of individuals from Mexico, up from \$48,414 in 1998. In the first eight months of 2000, the total had already reached \$67,730, indicating a yearly total that could reach \$101,595.

Billing for services for residents of Mexico are most often returned as undeliverable and go unpaid. Medicaid and Medicare frequently deny transportation costs as not medically necessary. The department can and does bill the patients, but they are not likely to pay. To complicate matters, if Medicare or Medicaid pays even the smallest portion of the bill, the department is prohibited from billing the patient for the remainder. The department operates on a shoestring budget, and the inability to collect fees from the individuals served exacerbates the problem. In 1998, the department actually ran out of money to put gas in the ambulance, and the firefighters contributed more than \$1,000 out of their own pockets to keep the ambulance in service. There is only one paid staff member who maintains the records as well as work on the ambulance to provide emergency medical services; her annual salary is paid by the county.

Because of the disparities in workload estimates for the city and village, cost estimates are generated separately where feasible. An average workload multiplier was applied to the ambulance fund that provides resources for services provided by both entities. Table NM22 presents the itemized and total estimates for this function; Luna County paid roughly \$38,000 to provide emergency medical services to illegal immigrants.

Table NM22: Luna County EMS Impact

Category	Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
General Fund - City Contract	\$13,451	20%	\$2,690	\$1,108	\$3,798
General Fund - Village Contract	\$11,000	50%	\$5,500	\$2,265	\$7,765
Special Fund	\$75,000	35%	\$26,250	n/a	\$26,250
Total	\$99,451		\$34,440	\$3,373	\$ 37,813

Luna County Indigent Health Care

Mimbres Memorial Hospital is a private facility located in Deming, but county indigent funds are used to pay for services of those who meet eligibility requirements, including some illegal immigrants. Those housed in county detention and in need of medical services may be covered by the indigent fund if their detention keeps them in the county long enough to meet the 90-day residency requirement. This band-aid approach has worked so far, but county officials are quick to point out that a single case of tuberculosis in the Detention Center could break the bank of the indigent fund.⁶⁸ Some indigent services, including indigent burials, are budgeted through the county's general fund. The remaining services are budgeted through the county's indigent fund which is based on the second 1/8th of the gross receipts tax and is treated as a separate fund.⁶⁹ A total of 240 persons received services paid for by the county indigent fund (CIF), including ambulance, hospital, and other services. Five percent of services are estimated to be for services to illegal immigrants, resulting in a total cost to the county of \$18,160, as shown in table NM23.

Table NM23: Luna County Indigent Health Care Impact

Category	Total Budget	Percent Impact	Direct Cost	Indirect Cost	Total Cost
Indigent Burials	\$1,200	5%	\$60	\$25	\$85
Indigent Health Care	\$370,490	5%	\$18,525	N/a	\$18,525
Total	\$371,690		\$18,585	\$25	\$ 18,610

HIDALGO COUNTY, NEW MEXICO

Hidalgo County is located in the southwestern corner of New Mexico. This 3,447 square mile area⁷⁰ is bordered by Grant County to the east and north, Arizona to the west, and Mexico to the east and south. Hidalgo County is considerably longer (north to south) than it is wide (east to west), and a portion of the county extends south below the level of any of the other border counties in New Mexico. As such, it shares both its entire southern border and more than a third of its eastern border with Mexico. At the northeastern-most point along the Mexican border, Hidalgo County also shares a small portion of its border with Luna County. The only major highway through the county is Interstate-10, which runs east to west through the county seat of Lordsburg. Historically, Hidalgo County has been a center of vast ranching, farming and mining interests. New Mexico's share of the Coronado National Forest lies entirely within Hidalgo County. Hidalgo County is not part of a metropolitan area. Its 1999 population of 6,027 ranked it 27th among the state's 33 counties.⁷¹ Since the 1999 closing of the Phelps-Dodge copper smelter in the Hidalgo County community of Playas, the population of the county and its tax base have declined dramatically.

The two incorporated areas in Hidalgo County are the City of Lordsburg (population 2,921) and the Village of Virden (population 106),⁷² both of which are located in the northern region of the county. The rest of the county consists of smaller, unincorporated communities such as Animas, Playas, Road Forks, and Rodeo. Although the Census Bureau reports that the county experienced a 1 percent growth in population between 1990 and 1999, the county as a whole and both of the incorporated areas experienced population declines of 5 percent to 6 percent between 1996 and 1999,⁷³ and more dramatic declines are expected when the 2000 Census results are reported. Land ownership in the county is distributed as follows: 882,679 acres (40 percent) are owned by the federal government (of which 805,459 are controlled by the Bureau of Land Management and 77,220 are overseen by the Forest Service); 354,431 acres (16 percent) are state lands; 11,000 acres (0.5 percent) are Indian lands, and 957,970 acres (43 percent) are deeded lands.⁷⁴

County governance consists of three elected county commissioners and an appointed county manager. The sheriff, treasurer, assessor and county clerk are also elected. The general fund budget was \$2.8 million and the county's total budget was \$3.8 million. Total assessed valuation in the county was \$95,982,972.⁷⁵ The county property tax rate was 68 cents per \$100 of assessed valuation. Property taxes generated \$786,190 in revenue for the general fund; an additional \$47,969 was owed in delinquent taxes. The second largest revenue source for the general fund was the oil and gas ad valorem tax for copper production, which generated \$391,118. Gross receipts taxes distributed to Hidalgo County by the state amounted to \$195,047.⁷⁶ General fund expenditures for law enforcement and criminal justice amounted to \$1,339,136 and \$1,416,036 from all funds.

Until 1999 the largest industries in the county were durable goods manufacturing, state and local government, and farming. In 1999 the Phelps Dodge copper production taxable value was \$33 million, down from \$41 million in 1998, but still generating \$668,000 in tax revenue for Hidalgo County.⁷⁷ Forty percent of the tax base in Hidalgo County came from Phelps Dodge and its employees.⁷⁸ Since the plant closure, the major employers are the City of Lordsburg, the county, and the U.S. Border Patrol. When the third largest employer in the county employs approximately 40 people, it is clear that the economy is in dire straights. Notably, the plant closure has not resulted in dramatic increases in unemployment rates but, instead, has led to a massive out-migration of the

population. The closing of the Phelps Dodge smelter has left the town of Playas a virtual ghost town.

In 1999 the county’s population was estimated to be 6,027,⁷⁹ although most local officials report a decrease of several hundred since the plant closure. An overwhelming percent of the population in Hidalgo County is White (92 percent), although more than 50 percent identify as being of Hispanic origin. In 1997 Hidalgo County had a per capita personal income of \$17,015. This ranked 11th in the state and was 88 percent of the state average of \$19,298 and 67 percent of the national average of \$25,288. The 1997 per capita personal income reflected an increase of 2 percent from the previous year, compared to a statewide increase of 3.6 percent and a national change of 4.7 percent during the same period. Approximately 20 percent of the population lives below the poverty level. Not surprisingly, local officials report that income levels have declined and poverty levels have risen since the loss of the county’s major employer.

Hidalgo County’s Border Environment

Approximately 86 miles of border are shared with Mexico on two sides of the county. The border extends for the entire southern boundary of the county as well as the eastern boundary below the level of other border counties in the state. The border region of Hidalgo County is home to very few residents. Lordsburg, which is approximately 80 miles from the border, is home to approximately half of all county residents (and a larger percentage since the plant closing), and most of the other population centers, albeit each rather small, are also in the northern part of the county. There are no towns in Mexico along Hidalgo County’s border; the nearest border community is *Agua Prieta*, which lies below Cochise County, Arizona; the nearest Mexican municipality is *Janos* (population 10,225), more than 70 kilometers from the Antelope Wells port.

The Antelope Wells port-of-entry is the only port in the county. Located approximately mid-way across the county’s southern border, it is a commercial inspection station open only from 8:00 a.m. to 4:00 p.m. The INS reports no legal border crossings through the port in Hidalgo County. The Border Patrol, which is stationed in Lordsburg, uses sensors throughout the region; however, it presently does not use cameras in Hidalgo County as it does in neighboring Luna County. In 1999 the Border Patrol apprehended 5,587 illegal immigrants in Hidalgo County. Summary border statistics are presented in table NM24.

Table NM24: Hidalgo County Border Statistics

Population	Square miles	Border Length	Ports-of-Entry	INS Border Crossings	Border Patrol Apprehensions
6,027	3,447	86	1	0	5,587

Source: Census Bureau, NM Association of Counties, INS, Border Patrol

The county’s border region consists of vast areas of sparsely populated terrain, accessed by dirt roads. The area consists of both public lands and large private ranches. The ranches are dotted with wells for livestock which serve as designated meeting places and drop-points in the drug and person smuggling trades. The rural nature of the border region in Hidalgo County makes it an appealing

location for smuggling operations. The drug cartels are also well informed; they are aware of the drastic budget cuts in Hidalgo County and realize the opportunity to act while the county's ability to respond is reduced. In February 1998 the Border Patrol stopped a 24-foot rental truck near Lordsburg and found it crammed with 124 illegal immigrants. Early in 2000, U.S. Border Patrol agents apprehended 188 illegal immigrants in Lordsburg.⁸⁰

Local officials acknowledge that Hidalgo County is not the intended final destination of drugs smuggled across state or national boundaries. Other than small personal use quantities, most drugs are simply passing through Hidalgo County on their way to major metropolitan areas. Given the poor state of the economy, it is also not a popular final destination for illegal immigrants. Although people and drugs intend simply to pass through, the burden on Hidalgo County officials and the county's budget is no less severe.

Costs of Illegal Immigration for Law Enforcement, Criminal Justice and Emergency Medical Services

There are noticeable differences between Hidalgo County and other border counties in New Mexico that affect the cost estimates generated for this report. The considerably greater distance of the county's population center from the border makes responding to law enforcement or emergency medical incidents in the border region more resource-intensive. The relative inactivity at the port-of-entry is misleading; a closer examination of the workload of county departments reveals a heavy burden. The lack of any health care system to speak of in Hidalgo County makes it an unattractive destination for illegal immigrants seeking health services, and the lack of employment opportunities also discourages illegal immigrants from migrating in the county. But the largely unpopulated vast terrain of the border region, and the well-publicized reductions in county spending for all activities, including law enforcement, make the county an appealing site for drug smuggling operations. As a result, the quantities of drugs with which people are apprehended is generally larger in Hidalgo County than either Luna or Doña Ana Counties. The total cost of providing criminal justice and emergency medical services to illegal immigrants in Hidalgo County is estimated to be just under a half-million dollars (see table NM25). While total cost is far less than that of the other border counties in the state, the per capita impact of \$81 is a more telling indicator of the incredible burden placed on the county.

Table NM25: Summary of Impact on Hidalgo County

Total Impact	Per Capita Impact
\$485,049	\$80.73

Workload and cost estimates were developed for the sheriff's department, including detention and dispatch, as well as the ambulance function and indigent health services. Hidalgo County, unlike the other two border counties in the state, does not operate a juvenile detention facility, and thus that function is not reported. Additionally, no separate itemization of costs for judicial services is provided due to minimal costs to the county and the inability to separate expenses from other budget items.⁸¹ Documents were collected in October and November, and site visits and follow-up

phone calls were conducted in December 2000. Cost estimates for the individual departments and functions are presented in table NM26 and discussed in greater detail in the narratives and tables that follow.

Table NM26: Hidalgo County Costs by Department
County Total: \$485,049

Sheriff (including Adult Detention)	Emergency Medical	Indigent Health Care
\$461,850	\$18,192	\$5,008

Hidalgo County Sheriff and Detention

The Hidalgo County Sheriff's Department consists of an elected sheriff, one undersheriff, 10 patrol deputies, and one deputy on loan to the HIDTA task force based in Deming. The department also includes 10 detention officers (including a Detention Administrator) and one individual in charge of rural addressing. The sheriff's department also oversees the central dispatch for the county, which employs six full-time and one part-time dispatcher, and averages 600 calls per month for police, fire, medical, and animal control.

Hidalgo County operates with a shoestring budget, and more than one-half of the general fund (\$1,339,136) is budgeted for the sheriff's department. In addition to the general fund expenditures, several activities are financed through special funds, including Law Enforcement Protection (\$31,900), Jail/Detention/Rural Addressing (\$67,405), and several grants. The county received \$2,638 from SCAAP and the HIDTA grant provided \$28,954. Unlike Doña Ana and Luna Counties, in which the detention function is apart from the sheriff, Hidalgo County includes detention within the sheriff's department.

The most frequent crimes committed by illegal immigrants in Hidalgo County include narcotics offenses, stolen vehicles, burglary, DWI and domestic violence. Property offenses, such as stolen vehicles and burglary, are particularly noticeable during the harvest season. The drug traffic crossing through Hidalgo County leads to a higher incidence of residential crime, and thus almost all sheriff's department operations have a counter-drug component, and indirectly, most have an illegal immigrant component. Deputies were instructed to spend more time patrolling the border area in an effort to improve narcotics interdiction. Six separate drug loads for 1999 were seized, totaling 2,900 pounds of marijuana.⁸²

County law enforcement officials report that the amateur drug smugglers of years past have been replaced by professionals who are well-informed and well-equipped. They leave no wrappers of food, cigarette butts or gum along their trail, their tracks are dusted, and scouts pack in sometimes two weeks in advance. They have mobile radios, military night vision goggles, bulletproof vests, and weapons. Officials have even found empty boxes for AK47s in a wash. These professionals are able to listen in on law enforcement radio channels and they will regularly provide law enforcement officials with "gifts" of small drug/illegal apprehensions to distract officials while a larger quantity is smuggled in at another location. At the same time that drug smugglers have become more

proficient at their trade, Hidalgo County has experienced economic downturn and the law enforcement resources have diminished.

Hidalgo County participates in the Southwest New Mexico Task Force and representatives of the sheriff's department attend HIDTA meetings, but department officials expressed frustration at the lack of local control and the reactive approach of the task force. County officials know what they need to do to address their particular needs but they do not have adequate resources. They feel as if they are fighting a war with their hands tied behind their backs. Several officials used the analogy of the Vietnam War in which decisions were made by people too distant from the action, more interested in reporting statistics than achieving meaningful results. For example, most HIDTA funds are used for overtime for law enforcement officials to engage in roadblock saturation patrols; while this may be a reasonable strategy in some areas, it is not effective in Hidalgo County. Local officials also express frustration at the number of repeat illegal immigrant offenders they encounter. Sheriff's officials told of a recent call they received to break up a bar fight. Nine illegal immigrants were involved and apprehended. The incident required the attention of two deputies for more than two hours; the offenders were turned over to the Border Patrol and promptly deported. Unfortunately, sheriff's deputies report that the same individuals were back in the county the following week.

There is a perception among local law enforcement officials that there is a plethora of agencies involved in counter drug operations and containing the border. Each has its own agenda, and none seems to be focused on shutting down the U.S.-Mexico border. The perception is that the Border Patrol is more interested in *catching* illegal immigrants than stopping them from entering in the first place. That is, they want to report apprehensions, and thus have a disincentive to stop illegal entries from occurring altogether. Even the United States General Accounting Office (GAO) has acknowledged the limitations of apprehension data as a measure of success. "Even if INS data were 100 percent reliable," the GAO has assessed, "the number of apprehensions...is not a very good measure of the effectiveness or results of broad strategies, such as the strategy to deter illegal entry across the Southwest border."⁸³

In recognition of the severity of the drug smuggling problem along the county's border with Mexico and the ineffectiveness of the more common tactics, the sheriff's department has developed a proactive and highly effective approach to the problem. Its goal is not simply to increase apprehensions, but ultimately to reduce the number of smuggling attempts. Nine observation post sites were established on mountaintops along the border, each of which provides unobstructed views into Mexico and of the border itself. The sites, some of which are on public lands and others developed in cooperation with local land owners, allow for overlapping visual coverage of the entire border shared by Hidalgo County with Mexico. Border operations then involve placing from two to four people, equipped with state of the art equipment, such as infrared scopes, night vision goggles, and a LORIS camera, on each of nine mountain tops for several days and nights. At the same time, officers in patrol cars are assigned to the roadways below. If an intrusion is observed by any of the observation teams, the information is radioed to one of the patrol cars, which responds and intercepts. While not a glamorous operation, it is highly effective. The department receives cooperation from a multitude of agencies, including the Bureau of Land Management Rangers, the National Guard, and the New Mexico Mounted Patrol. The Border Patrol and the Southwest New Mexico Task Force do not participate directly, but they do loan equipment to the department. While

these border operations are underway, the border is essentially shut down. Drug smugglers in Mexico have learned of the effectiveness of this approach and are careful to avoid falling prey. While in operation, often no activity is observed along the border and no apprehensions are made; when the operation concludes, the smuggling resumes. The Border Patrol once credited the sheriff's department with a 600-pound marijuana bust that was made immediately after an operation was over. Unfortunately, the sheriff's department is unable to apply this border observation strategy more widely. It is a labor-intensive process that places department staff some distance from the population centers; the department lacks sufficient staff or resources for overtime to utilize the method with any frequency.

A conservative estimate of the burden on Hidalgo County law enforcement is that each deputy spends, on average, 10 hours per month on investigations and response to calls explicitly involving illegal immigrants. Other calls have an indirect connection to illegal immigrants. For example, prowler calls and burglaries/break-ins on ranches in the southern part of the county generally involve illegal immigrants even if none is apprehended. One deputy who lives in the southern part of the county reports that undocumented persons regularly travel across his property at night on bicycles. They knock on doors and request water from the residents. The 45-minute response time by the Border Patrol allows them to be long gone before the arrival of federal officials. When making highway stops, almost 50 percent of the stops identify illegal immigrants; sheriff's deputies report that these stops tend to consume more of their time as they wait for federal officials to arrive. When one factors in the additional time spent responding to calls in the southern part of the county, where roads are poor and the terrain is remote, as well as the costs of the border operations described above, it is reasonable to estimate that 30 percent of the sheriff department workload is associated with illegal immigrants.

In addition to the law enforcement function, the sheriff's department is also responsible for the Hidalgo County Detention Center. The facility was constructed in the early 1970s and its capacity ranges from 30 to 50, depending on what standard is applied. The facility can house 30 inmates without having any one sleep on the floor. American Corrections Association standards based simply on square footage indicate that the facility could hold 50 if it had bunk beds. The Detention Center regularly holds up to 40 adult inmates; it is not intended to hold juveniles and there is no facility in the county to do so. Throughout the period of this study and up until the temporary discontinuation of the Federal Marshal's contract in December 2000, the facility operated at or near capacity at most times.⁸⁴

The length of detention ranges from 48 hours to 365 days, with the typical length of 90 days for pre-sentence hearings and holding on bench warrants for failure to appear. The cost per man-day is estimated to be \$55 to \$60 when one includes typical expenses associated with housing, meals, electricity, laundry, and other basic services. Generally up to five inmates are held on state charges at the detention center at any point in time.⁸⁵ During eight of the 12 months out of the year covered by this study, the Detention Center held four or five illegal immigrants for an average of 90 days each. The majority were held on either drug offenses or stolen vehicles. Arraignment and preliminary hearings generally happen relatively quickly, but the backlog in the courts leads to delays awaiting trial.

Officials in neighboring Luna County reported that most illegal immigrants held in county detention came into their custody from federal officials. That is, illegal immigrants who are caught by federal officials with quantities of drugs below the threshold level, are turned over to county authorities for prosecution on state charges. In Hidalgo County that situation rarely occurs. According to a Border Patrol official stationed in Lordsburg, the majority of drug offenses in Hidalgo County involve quantities that far exceed the threshold levels---most involve more than 250 pounds of narcotics---and thus they are not turned over to local officials for state charges. Instead, it is more likely that illegal immigrants will be apprehended by local officials and turned over to federal officials. When illegal immigrants are held on behalf of the federal government (for the U.S. Marshal, Border Patrol, or other federal agency), the county is fully reimbursed. However, when illegal immigrants are apprehended by local law enforcement officials and held overnight or longer awaiting pick up by a federal agent, the county is not reimbursed. Sometimes illegal immigrants also are held on detainer for one to 15 days without reimbursement when INS wants them after the resolution of state offenses. Additionally, and more importantly, responding to calls, conducting investigations, and apprehending illegal immigrants consume a large portion of the time of county law enforcement officials and is never reimbursed. As such, the burden on the law enforcement component of the department far exceeds that of the detention function.

Using the workload estimates for the law enforcement and detention functions, the combined impact on the Hidalgo County Sheriff Department is \$461,850, as shown in table NM27. The SCAAP payment of \$2,638 represents less than 1 percent of the department's total expenses associated with processing illegal immigrants; even when one limits the examination to general fund expenditures for the detention center, only 8 percent of costs are reimbursed by SCAAP.

Table NM27: Hidalgo County Sheriff Impact

Category	Total Budget	Percent Impact	Direct Cost	Gen Gov	Total Cost
Law Enforcement - General Fund	\$1,081,136	30%	\$324,341	\$90,445	\$414,785
Detention - General Fund	\$258,000	10%	\$25,800	\$7,195	\$32,995
Law Enforcement Protection Fund	\$31,900	30%	\$9,570	n/a	\$9,570
Detention Repair & Maintenance Fund	\$45,000	10%	\$4,500	n/a	\$4,500
Subtotal - General Fund	\$1,339,136		\$350,141	\$97,639	\$447,780
Total	\$1,416,036		\$364,211	\$97,639	\$461,850

Hidalgo County Emergency Medical Services

The Hidalgo County Ambulance operates entirely outside the general fund. The department receives monies from the Ambulance Fund as well as EMS grants. For the purposes of this report, grant funds are not included. The ambulance can be called in to provide treatment to inmates in the detention center/jail, but it tries to avoid responding to those calls and instead encourages the detention center to bring inmates to the clinic during business hours.

There is no hospital in Hidalgo County, only a medical clinic. The nearest hospital is the Gila Regional Medical Center in Silver City (Grant County), approximately 45 miles from the county seat. It is, however, often faster to transport those in need of medical attention 62 miles to the Mimbres Memorial Hospital in Deming (Luna County) due to the ease of travel on the interstate. The ambulance transports very few patients to Hidalgo County Medical Clinic, only 15 to 20 per year. Those involved in freeway accidents or picked up in the southern part of the county are transported to the hospital in Deming; others in the northern part of the county are transported to the hospital in Silver City.

Only three EMS calls initiated by the Border Patrol in the last 12 months required county involvement. Two calls involved one patient each, and one involved multiple subjects (Interstate-10 accident). In late spring, early summer 2000, a border patrol van full of undocumented persons blew a tire and rolled. Six patients were treated, including some for whom the severity of their injuries required helicopter transport to Tucson. For these services, the county was reimbursed by the U.S. Public Health Service.

A small number of other calls involved illegal immigrants. In 1999 the Hidalgo County ambulance had 734 patient encounters, of which 518 were treated and/or transported. The remaining 216 were either cancelled or the patients refused treatment and transport. Of those 518 treated and transported, approximately 20 were illegal immigrants and several of these involved more serious injuries and advanced life support. This represents approximately 4 percent of the calls; given the extended distance to the southern border region and the lack of well-maintained roads, an estimate of five percent of the ambulance workload is used in the calculation of cost impacts. Table NM28 presents the total cost estimate of \$18,192.

Table NM28: Hidalgo County Emergency Medical Impact

Total Budget	Percent Impact	Direct Cost	Indirect Cost	Total Cost
\$349,780	5%	\$17,489	\$703	\$18,192

Hidalgo County Indigent Health Care

County indigent funds were used to provide services to 1,358 individuals. Services paid for by the fund include ambulance, hospital, and other services. To be eligible for support, individuals must not only meet income requirements, but also demonstrate residency in the county for 90 days. Funds may be used to provide reimbursements for services to legal immigrants (non U.S. citizens), undocumented persons, and for out-of-county services. Due to the limited health care facilities in

Hidalgo County, the impact of illegal immigrants is relatively minor. No accurate statistics exist for the services provided to illegal immigrants using indigent funds; the best estimate is that roughly 2 percent of funds are used to provide these services to individuals who are able to qualify under the household eligibility standards. Because the county does not operate an indigent claims office *per se* (these duties are handled by the county manager's secretary), no overhead or indirect costs are attributed to this function. Table NM29 presents the cost estimates for both funds.

Table NM29: Hidalgo County Indigent Health Care Impact

Category	Total Budget	Percent Impact	Direct Cost	Indirect Cost	Total Cost
Indigent Claims Fund	\$191,876	2%	\$3,838	n/a	\$3,838
Hospital Fund	\$58,518	2%	\$1,170	n/a	\$1,170
Total	\$250,394		\$5,008	n/a	\$5,008

New Mexico Border County Summary

New Mexico's three counties on the U.S.-Mexico Border spent a combined \$5 million from their local tax funds in FY 1999 providing services to illegal immigrants for law enforcement, criminal justice, and emergency medical care. The total cost per county ranged from \$485,000 to \$3.6 million. With a combined population of 200,000, each man, woman and child residing in these counties paid an average of \$25 to fund these extra services. Table NM30 presents the aggregated costs to New Mexico border counties by department. Sheriffs departments bore the greatest hit, at \$1.93 million. When combined with adult detention, a separate department in two counties, the total comes to \$3.6 million, a full 72 percent of the total impact. The federal government, through SCAAP, gave these counties \$397,000 in compensation for detaining some criminal illegal immigrants. The federal payment represents only 8 percent of the total fiscal burden on New Mexico's border county citizens.

Table NM30: New Mexico County Combined Costs by Department

Department	Dona Ana County	Luna County	Hidalgo County	Totals by Department
Sheriff	\$1,576,347	\$193,331	\$461,850	\$2,231,528
Adult Detention	\$982,419	\$675,248	Included in above	\$1,657,667
Judicial System	\$61,588	\$2,478	NA	\$64,066
Juvenile Detention	\$12,933	\$15,996	NA	\$28,929
Emergency Medical	\$30,472	\$37,813	\$18,192	\$86,477
Indigent Health Care	\$909,655	\$18,610	\$5,008	\$933,273
Totals by County	\$3,573,414	\$943,476	\$485,050	\$5,001,940

Endnotes: New Mexico's Border Counties

¹ Torrez, R.J., New Mexico Blue Book "A Brief History of the Land of Enchantment"
<http://web.state.nm.us/BLUEBOOK>

² Many reasons have been postulated for why it took so long for New Mexico to become a state, including a myriad of racial, religious, political, and economic issues. Early efforts were hampered by a general ignorance about the territory and suspicions towards its people. Statehood was opposed by those who felt that New Mexico's predominately Hispanic and Indian population was too foreign and too Catholic for admission to the American Union. There was even debate within the territory as to whether an alternative name would help the cause of statehood.

³ For example, the State Flag displays an image of the Native American Zia symbol on colors of the Spanish Conquistadors, and the official salute to the flag, which has been adopted by the state legislature in both English and Spanish versions, reads "I salute the flag of the State of New Mexico and the Zia symbol of perfect friendship among united cultures." See Torrez, R.J. New Mexico Blue Book "A Brief History of the Land of Enchantment" <http://web.state.nm.us/BLUEBOOK>

⁴ New Mexico State Land Office, "1999 Annual Report"
<http://www.nmstatelands.org/landoffice/AboutSLO/AnnRpt.asp>

⁵ Torrez, R.J. New Mexico Blue Book "A Brief History of the Land of Enchantment"
<http://web.state.nm.us/BLUEBOOK>

⁶ The preliminary results released by the Census Bureau for 2000 list the state's population at 1,819,046. See <http://www.census.gov/main/www/cen2000.html>

⁷ Based on U.S. Census Bureau data reported by The Federation for American Immigration (FAIR), "FAIR - New Mexico State Profile" <http://www.fairus.org/html>

⁸ Immigrant stock refers to immigrants and their children born here after their arrival. Based on U.S. Census Bureau data reported by The Federation for American Immigration (FAIR), "FAIR - New Mexico State Profile" <http://www.fairus.org/html>

⁹ The Urban Institute. "Check Points" September 2, 2000.

¹⁰ Ibid.

¹¹ The INS revised the October 1996 estimate of illegal resident alien population in New Mexico to 37,000, up from their previous estimate of 19,000.

¹² Based on a report prepared by the Southwest Center for Environmental Research and Policy, as reported by *AP*, San Diego, May 10, 1999.

¹³ The Federation for American Immigration reports that the backlog of cases for individuals eligible for immigrant status but awaiting INS processing of green cards reached 881,000 for that nation at the end of FY 1998. See FAIR, “Immigration Affects the Whole County” <http://www.fairus.org/html>

¹⁴ Estimate based on projections reported by the Bureau of Business and Economic Research, University of New Mexico. Note that a small portion of Grant County extends south between Hidalgo and Luna Counties very near the Mexican border. Grant County was not included in this study, however, because it does not share a physical boundary with Mexico and, therefore, does not meet the criteria for membership in the U.S./Mexico Border Counties Coalition.

¹⁵ “A Demographic Briefing on the Southwest Border Region,” presented to The President’s Interagency Task Force on the Economic Development of the Southwest Border at the meeting *Bordering the 21st Century* held at New Mexico State University, Las Cruces, New Mexico on February 23, 2000.

¹⁶ The other three counties all surround Bernalillo County and reflect urban sprawl and suburban expansion in the Albuquerque area.

¹⁷ Peach, J. and Williams, J. “Borderlands Demographic Trends” *bordelines* 58, vol 7, no. 7, August 1999.

¹⁸ Statement made by Border Patrol El Paso Sector Spokesman, Doug Mossier, as reported by Shubinski, J. “Border Patrol, INS examine seizure ruling.” *Las Cruces Sun-News*. July 31, 1999.

¹⁹ Van Splawn, K. “Bingaman reviews border crime issues with area law enforcement officials” *Las Cruces Sun-News*, June 1, 2000, pg. A5.

²⁰ These results are based on a study conducted by Russell Winn of the New Mexico State University Department of Government under a contract with the New Mexico Department of Public Safety and the U.S. Department of Justice.

²¹ The Federation for American Immigration. “FAIR: New Mexico State Profile” <http://www.fairus.org/html>

²² Ibid.

²³ Van Splawn, K. “Bingaman reviews border crime issues with area law enforcement officials.” *Las Cruces Sun-News*. June 1, 2000.

²⁴ The High Intensity Drug Trafficking Areas (HIDTA) program was authorized by the Anti-Drug Abuse Act of 1988 and is administered by the Office of National Drug Control Policy in the U.S. Department of Justice’s Drug Enforcement Administration. HIDTA’s mission is to “reduce drug trafficking in the most critical areas of the country, thereby reducing its impact in other areas” through a coordinated effort among local, state, and federal agencies and officials. For more information see <http://www.usdoj.gov/dea/programs/hidta.htm>

²⁵ The state's anti-donation clause prohibits a county from directly or indirectly lending or pledging its credit or making any donation to or in aid of any person, association or public or private corporation. This restriction applies except in cases where the provision of land, buildings or infrastructure is to create new jobs pursuant to a state statute. See Article X NMSA 1978, "County and Municipal Corporations" and Article XI NMSA 1978, "Corporations Other than Municipal".

²⁶ Due to the extensive reliance on special funds, the estimates for New Mexico counties were not limited to the general fund. Not all special funds were included, however, only those which are the equivalent of the general fund in that they are paid for by the general tax dollars and place a burden on the county's residents. Grant funds were not included.

²⁷ New Mexico Courts "About the Judiciary" <http://www.nmcourts.com/mnsc.htm>

²⁸ Even the Magistrate Courts, which are located within individual counties and are referred to as county courts, are staffed by state judges and employees, however, court security is provided by the county sheriff office.

²⁹ The Probation and Parole Division of the State Corrections Department is responsible for probation-parole services, preparation of pre- and post-sentence reports, investigation of parole plans, out-of-state investigations, probation and parole violation reports, and investigation of executive clemency cases.

³⁰ "Border federal courts need help, and quickly: Better late than never." *Las Cruces Sun-News*. June 16, 2000.

³¹ Ibid.

³² Romo, R. "Federal caseload strains N.M." *Albuquerque Journal*. February 17, 2000.

³³ "Border federal courts need help, and quickly: Better late than never." *Las Cruces Sun-News*. June 16, 2000.

³⁴ A bill signed into law in December 2000 provides one additional federal district judge for New Mexico who may be assigned to the Las Cruces courthouse to help alleviate its backlog of cases.

³⁵ Data on workload and staffing levels are drawn from two sources: Mecham, L.R. 1999 *Judicial Business of the United States Courts: 1999 Annual Report of the Director*; and U.S. Department of Justice, Spring 1999. *Budget Trend Data: From 1975 through the President's 2000 Request to Congress*.

³⁶ New Mexico Health Policy Commission. January 2000. "County Funded Indigent Care Report, State Fiscal Year 1999."

³⁷ Kourous, G. "The Rising Costs of U.S. Immigration Policy" *borderlines* 70, vol. 8, no. 8, September 2000.

³⁸ Sole Community Provider hospitals in New Mexico funded through the county Indigent Fund receive matching funds from the federal government at a rate of \$2.74 for every dollar the county pays.

³⁹ The State Office of the Medical Investigator (OMI) is responsible for autopsies required by law; this is not a county function.

⁴⁰ U.S. Bureau of the Census. "County Population Estimates for July 1, 1999 and Demographic Components of Population Change: April 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/county>

⁴¹ U.S. Bureau of the Census. "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999." <http://www.census.gov/population/estimates/metro-city/>

⁴² Population figures for each of the incorporated areas in the county are from the U.S. Census Bureau, "Population Estimates for States, Counties, Places, and Minor Civil Divisions, Annual Time Series, July 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/metro-city/scful>

⁴³ U.S. Bureau of the Census. "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999." <http://www.census.gov/population/estimates/metro-city/>

⁴⁴ Bureau of Business & Economic Research, Regional Economic Information System, May 1999. "REIS BEARFACTS: Doña Ana County." <http://www.unm.edu/~bber/reis95/>

⁴⁵ New Mexico Economic Development Department, "New Mexico Community Profiles - Doña Ana County." <http://www.edd.state.nm.us/COMMUNITIES/donaana.htm>

⁴⁶ New Mexico Association of Counties, "Doña Ana County Statistics", <http://www.nmcounties.org/counties/donaana.html>

⁴⁷ New Mexico Department of Taxation and Revenue. "Monthly Averages for Gross Receipts Distribution Period" <http://www.state.nm.us/tax/pubs/CRSDIST.htm>

⁴⁸ Romo, R. "State to push for another port of entry." *Albuquerque Journal*. December 30, 1999, pg. B3.

⁴⁹ Romo, R. "Another fence planned along Mexico border." *Albuquerque Journal*. August 15, 1999, pg. B1.

⁵⁰ For Doña Ana County, a proportion of the following general fund departments/functions were included in the calculation of the indirect general government estimate: county commission, communications, county manger, finance, general services, information systems, legal, personnel, purchasing, and risk management.

⁵¹ Statement made by Lt. Vicki Garcia and reported in “County to get \$386,524 for housing illegal aliens” *Las Cruces Sun-News*. August 20, 1999.

⁵² “County to get \$386,524 for housing illegal aliens” *Las Cruces Sun-News*. August 20, 1999.

⁵³ New Mexico State Court Annual Report for FY 2000. Statistics for the period of July 1, 1999 through June 30, 2000. <http://www.nmcourts.com/annualrp/index.html>

⁵⁴ Note that only the annual bond payment is included in the calculation, rather than the entire amount. The annual payment reflects the burden to county residents in the fiscal year encompassed by the study.

⁵⁵ New Mexico Health Policy Commission. January 2000. “County Funded Indigent Care Report, State Fiscal Year 1999.”

⁵⁶ New Mexico Association of Counties, “Luna County Statistics”, <http://www.nmcounties.org/counties/luna.html>

⁵⁷ U.S. Bureau of the Census. “County Population Estimates for July 1, 1999 and Population Change for April 1, 1990 to July 1, 1999.” <http://www.census.gov/population/estimates/county/>

⁵⁸ U.S. Bureau of the Census, “County Population Estimates for July 1, 1999 and Population Change for April 1990 through July 1999” <http://www.census.gov/population/estimates/county/>

⁵⁹ Population figures for each of the incorporated areas in the county are from the U.S. Census Bureau, “Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999” <http://www.census.gov/population/estimates/metro-city/scful>

⁶⁰ Population figures for each of the incorporated areas in the county are from the U.S. Census Bureau, “Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999” <http://www.census.gov/population/estimates/metro-city/scful>

⁶¹ U.S. Census Bureau.

⁶² New Mexico Association of Counties, “Luna County Statistics”, <http://www.nmcounties.org/counties/luna.html>

⁶³ New Mexico Department of Taxation and Revenue. “Monthly Averages for Gross Receipts Distribution Period” <http://www.state.nm.us/tax/pubs/CRSDIST.htm>

⁶⁴ New Mexico Association of Counties, “Luna County Statistics”, <http://www.nmcounties.org/counties/luna.html>

⁶⁵ Romo, R. "Another fence planned along Mexico border." *Albuquerque Journal*. August 15, 1999, pg. B1.

⁶⁶ A proportion of the following Luna County departments and functions were included in the calculation of indirect general government costs: county commissioners, manager's office, maintenance, and data processing.

⁶⁷ New Mexico State Court Annual Report for FY 2000. Statistics for the period of July 1, 1999 through June 30, 2000. <http://www.nmcourts.com/annualrp/index.html>

⁶⁸ Given the high rate of tuberculosis in the border region, this concern is not unfounded. According to "Community Health in the Borderlands: An Overview" *Borderlands* (vol. 6, no. 4, May 1998), Mexico's border state TB morbidity rate was 32.6 per 100,000, compared to a rate of 12.1 elsewhere in Mexico.

⁶⁹ New Mexico Health Policy Commission. January 2000. "County Funded Indigent Care Report, State Fiscal Year 1999."

⁷⁰ New Mexico Association of Counties, "Hidalgo County Statistics", <http://www.nmcounties.org/counties/hidalgo.html>

⁷¹ U.S. Bureau of the Census. "County Population Estimates for July 1, 1999 and Population Change for April 1, 1990 to July 1, 1999" http://www.census.gov/population/estimates/county/co-99-2/99C2_35.txt

⁷² Although the Village of Virden is incorporated, it does not have its own police force and it relies extensively on the county for provision of basic services as if it were a unincorporated community.

⁷³ U.S. Census Bureau, "Population Estimates for States, Counties, Places, and Minor Civil Divisions: Annual Time Series, July 1, 1990 to July 1, 1999" <http://www.census.gov/population/estimates/metro-city/scful>

⁷⁴ New Mexico Association of Counties, "Hidalgo County Statistics", <http://www.nmcounties.org/counties/hidalgo.html>

⁷⁵ New Mexico Association of Counties, "Hidalgo County Statistics", <http://www.nmcounties.org/counties/hidalgo.html>

⁷⁶ New Mexico Department of Taxation and Revenue. "Monthly Averages for Gross Receipts Distribution Period" <http://www.state.nm.us/tax/pubs/CRSDIST.htm>

⁷⁷ Hearn, S. "Dwindling tax base haunts Hidalgo County" *Las Cruces Sun-News*. July 8, 1999.

⁷⁸ Ibid.

⁷⁹ U.S. Bureau of the Census, "County Population Estimates for July 1, 1999 and Population Change for April 1990 through July 1999" <http://www.census.gov/population/estimates/county/>

⁸⁰ "Bingaman reviews border crime issues with area law enforcement officials" *Las Cruces Sun-News*, July 1, 2000, pg. A5.

⁸¹ The Magistrate Court in Hidalgo County had a caseload of 4,737 cases for the year, of which 96 percent were criminal (mostly traffic offenses), and 51 percent were closed by year end. The Sixth Judicial District Court that serves Grant, Hidalgo and Luna Counties, has an office in Hidalgo county staffed by the district court administrator and two clerks, however, the two district judges have their principle offices in Grant County and Luna County. Workload data for the district court was reported in conjunction with the Luna County estimates. Office space for the district court is provided within the county office building. Because there is no court house or separate office building for the court administration, expenses associated with this function are not itemized. Instead, they are included in the maintenance and general utility costs for the entire county and are not included for the purposes of this report. Court data are drawn from the New Mexico State Court Annual Report for FY 2000. Statistics for the period of July 1, 1999 through June 30, 2000. <http://www.nmcourts.com/annualrp/index.html>

⁸² "Hidalgo County Sheriff Department's 1999 Annual Report."

⁸³ Kourous, G. "The Rising Costs of U.S. Immigration Policy" *borderlines* 70, vol. 8, no. 8, September 2000.

⁸⁴ The U.S. Marshal's Office removed its prisoners from the Hidalgo County Detention facility in December 2000, citing the failure of the county to have all detention officers fully trained and certified in first aid and CPR, and the lack of a central surveillance system that includes both video and audio monitoring. The U.S. Marshals were charged \$45 per man day for housing prisoners, generating \$18,000 to \$19,000 per month. In the absence of this revenue, particularly with declining tax revenue, the county will be hard pressed to adequately fund Detention Center. The implications of this action are not included in the estimates presented in this report because it occurred after the fiscal year encompassed by the estimates.

⁸⁵ The county has a yearly contract of approximately \$60,000 with the city of Lordsburg to house inmates, provide communications services (dispatch).

