Criminalizing Immigration: The Latent Consequences of Punitive Policies on Migration Patterns

Background and Purpose Despite often facing disadvantaged living conditions, concentrated poverty, and limited formal employment opportunities, immigrants have been found to be a self-selecting, noncriminal group who are particularly motivated to avoid crime (Kirk et al. 2012). Indeed, conclusive empirical evidence demonstrates that immigrants in the U.S. are less likely to engage in criminal behavior than their native-born counterparts (Sampson 2008).[1] Nevertheless, numerous policies have been enacted which criminalize immigration in an attempt to enhance public safety. The most widespread effort, Homeland Security's Secure Communities (S-Comm) policy, grants previously federally-held detection and deportation responsibilities to local police departments. This diffusion of immigration enforcement, however, may dramatically alter migration patterns throughout the United States. Transposing immigrant populations' views of deportation risk from immigration officials to local beat cops may incite fear of local law enforcement, which may consequently reduce migration to areas that have adopted S-Comm. This research explores whether the shift of deportation efforts from federal authority to local police is reducing this community's propensity to migrate to areas who have adopted such policies, thus discouraging and decreasing migration among expanding areas of the U.S. due to S-Comm's widespread implementation.

Theoretical Framework Labor force supply and demand generally explains classical theories of migration. For example, Neoclassical Economic Theory, New Economics of Labor Migration Theory, and Labor Segmentation Theory all demonstrate cost-benefit analyses of migrant decision-making. However, it is also understood that the state plays a role in determining migration patterns in part by policy efforts controlling the number and origin of persons entering a country (Zolberg 1999). Although demographic study has focused largely on the economic influences of migration patterns, recent trends in immigration policy has shifted the attention of researchers to measure the role of the state in order to gain a full understanding of these institutional mechanisms on migration.

Aleinikoff (2005) argues that indeed, economic models are insufficient for a comprehensive explanation of migration. Although limited theoretical knowledge exists of the state's role impacting international migration (Massey 1999), Hollifield's (1992) application of hegemonic stability theory (HST) serves as a foundation to apply the salience of S-Comm's influence over current migration patterns. HST argues that political powers' regulation of economic systems influences migration through formal institutional procedures. Applying HST, researchers focus on the regulation of in-migration during times of economic need and labor deficiencies. For example, Brown and Bean (2005) recognize the European Union and North American Free Trade Agreement as the most recent attempts of institutional forces controlling migration for the sake of economic prosperity. However, this analysis may elucidate a gap in the application of the HST in particular, as well as international migration theories in general. This research will advance existing theories of HST and international migration by expanding the influences and motivations for migration patterns based upon recent shifts in deportation responsibilities from federal authority to local police to explain potential decreases of migration even in times of labor shortages.

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[1] First-generation immigrants are 45% less likely to commit violence than second-generation; second-generation are 22% less likely to commit violence than third-generation (Morenoff & Astor 2006).

Data and Methods This study will focus on how foreign-born Latinos have been affected by recent developments in immigration policy. I will employ a quantitative research design—utilizing records of the implementation of S-Comm throughout the U.S., as well as county-level American Community Survey and Census statistics of migration patterns—to determine whether laws targeted at immigrants may decrease migration to such areas. In doing so, my research will apply insights of hegemonic stability (Hollifield 1992) and international migration literature to an empirical case previously untouched by these theories.

Utilizing a dataset I constructed during the summer of 2012 containing the dates of S-Comm implementation throughout the U.S., I will conduct a natural experiment to examine the rates of Latino migration before and after the adoption of this policy. Controlling for economic variables that may have contributed to migration patterns due to the recession, I will uncover whether S-Comm has directly influenced the migration patterns of Latinos in the U.S. Furthermore, I intend to utilize GIS techniques to map these effects in order to understand how S-Comm has influenced the spatial and temporal patterns of Latino migrants. Evaluating S-Comm and analyzing its effects on a particular demographic group will lead to a more comprehensive understanding of international migration theories called on by Aleinikoff (2005) during times of state policies punitively regulating immigration.
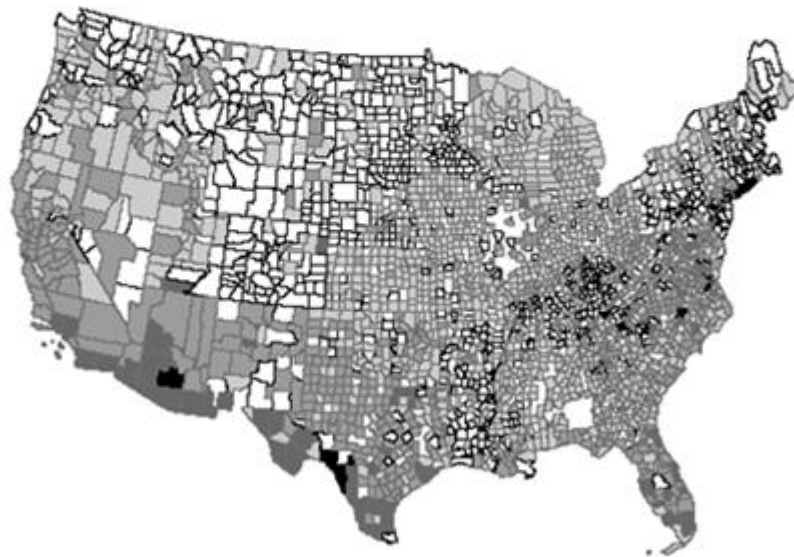
Expected Outcomes I hypothesize that immigrants' migration patterns will be greatly influenced by the spread of S-Comm. Furthermore, I expect a reduction of migration in not only counties that have adopted S-Comm, but also widely by state due to residual effects of nearby jurisdictions implementing S-Comm soon thereafter.

Broader Impact This study will address unanswered questions of whether migration patterns are influenced by recent shifts in deportation responsibilities from federal authority to local police departments. Furthermore, these laws may not only have implications for undocumented immigrants, but evolving punitive policies could also alienate legal immigrants and citizens as a consequence of racial profiling. These cumulative effects may greatly influence local economies that were sought to be protected by S-Comm's migration regulations. For further research, I hope to investigate how the loss of migrants due to S-Comm implementation impacts local economies.

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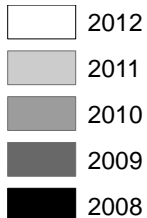
Secure Communities Implementation

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September 21, 2012
Source: 2010 Census. Department of Homeland Security / Secure Communities data

Legend

US Counties 2010

Year

	Year
☐	2012
☐	2011
☐	2010
☐	2009
☐	2008

This map demonstrates preliminary analysis on the temporal diffusion of S-Comm. I expect that over time, Latino's migration patterns will decrease in areas that have activated S-Comm.