

# POLICY ESSAY

---

## IMMIGRATION ENFORCEMENT, POLICING, AND CRIME

### Secure or Insecure Communities?

#### Seven Reasons to Abandon the Secure Communities Program

**Charis E. Kubrin**

*University of California, Irvine*

The study “Immigration Enforcement, Policing, and Crime: Evidence from the Secure Communities Program” by Treyger, Chalfin, and Loeffler (2014, this issue) is a welcome addition to the literature, and one that is timely. Importantly, the study investigates the effects of the Secure Communities program on local crime rates and on the arrest behavior of municipal police agencies across the United States. As described by Treyger et al., Secure Communities is a program launched by the federal government to improve the efficiency of interior immigration enforcement and to enhance the capacity for targeting deportable individuals with criminal convictions, referred to as “criminal aliens.” In particular, Secure Communities provides a system that automatically transmits and checks fingerprints against the Department of Homeland Security’s (DHS) Automated Biometric Identification System (IDENT), which contains information on known immigration violators, known and suspected terrorists, and “criminal aliens,” among others. A fingerprint match prompts Law Enforcement Support Center (LESC) officers from Immigration and Customs Enforcement (ICE) to investigate, determine the individual’s immigration status, and forward their conclusion to the relevant ICE field office. If ICE decides to take action, a detainer is issued to the law enforcement agency requesting that the individual be detained for up to 48 hours so that ICE can assume custody.

Secure Communities is unprecedented in scope. Since its inception in 2008 with just 14 jurisdictions, Secure Communities has expanded to all 3,181 jurisdictions within 50 states, the District of Columbia, and five U.S. territories. Full implementation was

---

I thank Nick Branich for comments on an earlier draft of this essay. Direct correspondence to Charis E. Kubrin, Department of Criminology, Law and Society, University of California, Irvine, Social Ecology II, Rm. 3379, Irvine, CA, 92697 (e-mail: ckubrin@uci.edu).

achieved on January 22, 2013. From the beginning, proponents have maintained that Secure Communities enables a more efficient system for identifying “criminal aliens,” and they have predicted that the program will reduce the risk that law enforcement agencies will release dangerous and deportable “criminal aliens” into the community, thereby enhancing public safety. Have their predictions borne out?

According to the findings of Treyger et al. (2014), they have not. As the authors empirically demonstrate, “There are no statistically discernible effects of activation on any category of crime under analysis . . . the program is associated with reductions in murder, rape, larceny, and motor vehicle theft that are well less than 1%. Effects on burglary and aggravated assault are somewhat larger but not significant at conventional levels.” Treyger et al. further show that the size of the immigrant population in the jurisdiction does not alter this finding, as jurisdictions with relatively higher shares of foreign-born residents did not experience statistically discernible reductions in their crime rates after activation and neither did jurisdictions with medium and low shares of foreign-born residents. They conclude that “[t]he absence of any detectable influence on these common index crimes bears on the controversy surrounding Secure Communities because it is these crimes, rather than other more minor violations, that truly threaten public safety.” Notably, these findings are consistent with another recent empirical investigation of Secure Communities (Cox and Miles, 2013) and related studies on the effects of local involvement in immigration law enforcement more generally (Kirk, Papachristos, Fagan, and Tyler, 2012; Koper, Guterbock, Woods, Taylor, and Carter, 2013).

Collectively, these findings raise serious doubt about whether Secure Communities can deliver on its promises. Given a lack of effectiveness, should Secure Communities be abandoned? My answer is unequivocally “yes.” Yet the findings of this study alone do not justify my answer to this question. There are several additional reasons—seven to be precise—that inform my response. These are as follows: (1) The assumptions upon which Secure Communities was founded are flawed; (2) Secure Communities is unnecessary; (3) Secure Communities does not target the right offenders; (4) Local law enforcement officials have not embraced Secure Communities; (5) Secure Communities creates insecure communities; (6) Secure Communities may increase instances of racial profiling and pretextual arrests; and (7) Secure Communities is associated with significant human costs. In the remainder of this essay, I discuss these reasons but not before first describing the broader context in which Secure Communities operates—the devolution of immigration enforcement.

## **Devolution of Immigration Enforcement**

Over the last few decades, state and local police have faced increasing demands to become more involved in enforcing immigration laws in their communities, something to which they had not been accustomed. Historically, immigration enforcement was left to the federal government. But starting in the 1990s, legislation was introduced to create closer ties between local police departments and federal officials tasked with immigration enforcement.

In 2002, the Bush Administration's Office of Legal Counsel issued a memorandum claiming that local law enforcement officials have "inherent" authority to make arrests for civil immigration violations, overturning earlier interpretations of federal law that had denied local police such authority. Local officials became empowered—and were strongly encouraged—to police immigration in their communities (Kubrin and Trager, 2014), thus marking the beginning of the "devolution of immigration enforcement" (Koulish, 2010; Provine, Varsanyi, Lewis, and Decker, 2012; Varsanyi, Lewis, Provine, and Decker, 2012).

The Secure Communities program is but one of several recent devolution efforts. Other, perhaps more widely known, initiatives include the Criminal Alien Program (CAP), which provides ICE-wide direction and support in the identification, arrest, and removal of priority "criminal aliens" who are incarcerated within federal, state, and local prisons and jails as well as at-large "criminal aliens" who have circumvented identification; 287(g) partnerships, which authorize federal authorities to deputize local law enforcement agencies to perform tasks such as screening individuals for their immigration status, issuing detainers to hold potential violators, and issuing charging documents that initiate removal proceedings; and senate bills such as Arizona's SB 1070 (2010), which makes it a misdemeanor for undocumented immigrants to be within Arizona state lines without legal documents, requires authorities to investigate an individual's immigration status during an arrest when there is "reasonable suspicion" that an individual is undocumented, and allows state and local police to detain anyone they believe is in the country illegally.<sup>1</sup> Secure Communities further expands and deepens the interpenetration of local criminal law enforcement and federal immigration enforcement.

Advocates describe these programs and partnerships, Secure Communities included, as a "force multiplier" to enhance interior enforcement by federal officials. But critics state these initiatives have led to the criminalization of undocumented immigrants (or "crimmigration," a term coined in 2008 by law professor Juliet Stumpf) given that prior to their enactment, being in the United States illegally was not considered a crime but a civil offense. Augmenting this criticism is the key finding of this study: Secure Communities does not seem to offer measurable public safety benefits. In the next section, I build

---

1. SB 1070 (2010) has generated copycat laws such as Georgia's HB 87 (2011), which requires private employers to use an employment eligibility verification system, provides authority for law enforcement officers to enforce federal immigration laws, and provides for the verification of the immigration status of foreign nationals; Florida's HB 1C (2010), which makes it unlawful for undocumented immigrants in Florida to apply for work or work as an independent contractor and forbids employers from hiring immigrants if they are aware of illegal status; and Alabama's HB 56 (2011), the harshest law yet, which prohibits police officers from releasing an arrestee before their immigration status is determined, does not allow undocumented immigrants to receive any state benefit, prohibits them from enrolling in public colleges and applying for work or soliciting work in a public space, prohibits landlords from renting property to undocumented immigrants and employers from hiring them, and requires residents to prove they are citizens before they become eligible to vote.

on this conclusion and offer seven (additional) reasons why we should abandon Secure Communities.

### **Seven Reasons to Abandon the Secure Communities Program**

#### *#1: The Assumptions upon which Secure Communities Was Founded Are Flawed*

On ICE's official website, which describes the purpose and rationale for Secure Communities, is written the following: "ICE is focused on smart, effective immigration enforcement that prioritizes efforts to identify and remove criminal aliens and others who pose a threat to public safety." Furthermore, "[o]ne important tool that ICE relies upon to advance this priority is Secure Communities, which uses an already-existing federal information-sharing partnership to identify and remove aliens who pose a threat to public safety" ([ice.gov/secure\\_communities/get-the-facts.htm](http://ice.gov/secure_communities/get-the-facts.htm)). Two assumptions underlying Secure Communities (and the related programs and partnerships discussed earlier) are that immigrants, and especially undocumented immigrants, are more crime-prone than the native born and that immigration to an area is likely to cause crime rates to rise. These assumptions also pervade public discourse on crime and immigration, and they have for decades (Hagan, Levi, and Dinovitzer, 2008: 96; Rumbaut and Ewing, 2007: 3).

Yet the empirical evidence on the crime–immigration link shows otherwise. First, research consistently has documented that immigrants are less crime-prone than their native-born counterparts (Hagan and Palloni, 1999). In their extensive review of the literature, Martinez and Lee (2000: 496) concluded, "The major finding of a century of research on immigration and crime is that . . . immigrants nearly always exhibit lower crime rates than native groups." Studies also have shown that immigrants are arrested and incarcerated at lower rates than the native-born (Butcher and Piehl, 1998; Sampson, Morenoff, and Raudenbush, 2005). Rumbaut and Ewing (2007), for example, reported that among U.S. males 18–39 years of age, the incarceration rate for the native-born (3.5%) is five times higher than the rate for immigrants (0.7%) and further suggested that "data from the census and other sources show that for every ethnic group without exception, incarceration rates among young men are lowest for immigrants, even those who are the least educated" (p. 1; see also Portes and Rumbaut, 2006: 194–197).

Second, a robust body of research at the aggregate level has found that neighborhoods and cities with higher concentrations of immigrants have lower rates of crime, all else equal (Akins, Rumbaut, and Stansfield, 2009; Chavez and Griffiths, 2009; Desmond and Kubrin, 2009; Feldmeyer and Steffensmeier, 2009; Graif and Sampson, 2009; Lee, Martinez, and Rosenfeld, 2001; MacDonald, Hipp, and Gill, 2013; Martinez, Lee, and Nielsen, 2004; Martinez, Stowell, and Cancino, 2008; Martinez, Stowell, and Lee, 2010; Nielsen, Lee, and Martinez, 2005; Nielsen and Martinez, 2009; Sampson et al., 2005; Stowell and Martinez, 2007, 2009). As indicated by the extensive list of studies just cited, the consistency with which this finding emerges in the literature is stunning.

Finally, a growing body of research has documented that increases in immigration may have been responsible, in part, for the crime decline that began in the early 1990s (MacDonald et al., 2013; Martinez et al., 2010; Ousey and Kubrin, 2009; Stowell and Martinez, 2009; Wadsworth, 2010).

As a result of data limitations—specifically, because information on legal status is not collected by law enforcement agencies—one cannot determine with absolute certainty the extent to which these findings apply to undocumented immigrants in particular. Yet there are sound reasons to believe that crime and undocumented immigration do not go hand and hand as many people believe. First, the finding that immigrants are less criminally involved than their native-born counterparts has been documented in studies using different sources of data, including official data, victimization surveys, and self-report surveys, which suggests a triangulation of sorts. And second, because of migratory flows, documented and undocumented immigrants tend to co-locate such that low-crime areas are likely to contain both documented and undocumented residents.

Although for many it is inconceivable that immigrants commit less crime and that immigrant communities are some of the safest places around, criminologists have several explanations to account for such findings. These include immigrant selection effects, immigration revitalization, ethnic enclaves, employment and ethnic entrepreneurship, and family structure (see Kubrin and Ishizawa, 2012: 150–154, for a review of these explanations). In sum, assumptions that immigrants in general, and immigrant “criminal aliens” in particular, pose a distinct threat to public safety fly in the face of empirical evidence that strongly suggests otherwise.

## *#2: Secure Communities Is Unnecessary*

According to ICE, “record numbers of criminal aliens have been removed, with Secure Communities playing a key role in ICE’s ability to fulfill this public safety priority. Between October 2008 and October 2011, the number of convicted criminals that ICE removed from the United States increased 89 percent, while the number of aliens removed without criminal convictions dropped by 29 percent. These trends are due in significant part to the implementation and expansion of Secure Communities” ([ice.gov/secure\\_communities/](http://ice.gov/secure_communities/)). In fact, Secure Communities is only responsible for a very limited percentage of ICE’s total removals and returns, a point ICE concedes later on its webpage. In contrast to ICE’s claim regarding the central importance of Secure Communities in carrying out their mission, I argue Secure Communities is unnecessary.

As Treyger et al. (2014) note in their study, there is little compelling evidence that serious threats to public safety would have remained at large but for Secure Communities. They suggest prior programs aimed at identifying and deporting “criminal aliens” before they are released into the community may have been imperfect but had been effective and were improving for at least a decade prior to the launch of Secure Communities. As

such, Treyger et al. argue that a sizable subset of individuals removed as a result of Secure Communities would have been identified regardless.

This argument is certainly persuasive if one considers the wide-ranging policies and practices associated with devolution that go beyond Secure Communities, including those noted earlier as well as others introduced to prevent undocumented immigrants from coming to the United States in the first place. There has been dramatic growth in government spending on immigration enforcement generally. Spending for the federal government's two main immigration enforcement agencies—U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement (ICE, formerly INS)—surpassed \$17.9 billion in fiscal year 2012, a figure that exceeds by 24% the government's total spending for all its other principal criminal federal law enforcement agencies *combined* (e.g., FBI, DEA, Secret Service, U.S. Marshals Service, and ATF, which stood at \$14.4 billion) (Meissner, Kerwin, Chisthi, and Bergeron, 2013: 16). This funding has created a variety of initiatives that, in one way or another, seek to identify and deport undocumented immigrants generally and “criminal aliens” specifically—consistent with the aims of Secure Communities. This includes visa controls and travel screening, new and linked data systems such as IDENT (fingerprints), workplace enforcement (E-verify), criminal prosecutions for immigration-related violations, and of course, detention and deportation.

My point is that long before Secure Communities came into existence, the United States created programs and policies aimed at both identifying and deporting “criminal aliens” before they were released into the community and preventing undocumented immigrants from entering the United States. It is not at all surprising, then, that the current level of immigrant deportation is the highest it has ever been in U.S. history, creating what some have referred to as a “deportation nation” (Kanstrom, 2007). Figures from DHS reveal that annual removals of immigrants doubled between 2001 and 2010 to almost 400,000 (Office of Immigration Statistics, 2011). Perhaps more telling, this record deportation level comes at a time when the rate of immigrants coming to the United States illegally has dropped to a 40-year low, resulting in part from the sluggish economy. Secure Communities is unnecessary.

### *#3: Secure Communities Does Not Target the Right Offenders*

As noted, proponents of Secure Communities predict the program will generate a substantial increase in the number of dangerous “criminal aliens” identified and reduce the risk that law enforcement agencies will release these individuals into the community. Note the emphasis on “dangerous” criminal aliens. The implication is that Secure Communities will target serious offenders who would pose a threat to public safety if left unidentified.

Who, in fact, is being targeted by Secure Communities? Are those identified by the program serious offenders posing a significant threat to public safety? According to the study, the program has not removed “criminal aliens” who have committed serious crimes such as assault and robbery. Rather, Treyger et al. (2014) discover that Secure Communities

has removed the pettiest of violators. Figure 1 in their article is instructive. Comparing the share of all “criminal aliens” convicted for specific crime categories from 2004 through 2012, the figure reveals that the most marked expansion in removals has been occurring among the less serious crimes. Treyger et al. state, “The most radical expansion from the pre- to post-Secure Communities is in removals of those convicted of criminal traffic offenses, which made up 23.1% of all criminal removals in 2013, up from 15.8% in 2009.” Patterns such as these have drawn criticism on the overly liberal application of the “criminal alien” label to people with traffic or other minor convictions (Stepick, 2013: 7).

In short, then, although Secure Communities enables the identification of undocumented immigrants arrested for a minor crime but with prior serious convictions, the program also sweeps in individuals committing only minor violations, first-time arrestees without a criminal record, and even those wrongfully arrested (Treyger et al., 2014). The expansion of the criminal-alien net to catch these offenders does not promise a boost to public safety.

#### *#4: Local Law Enforcement Officials Have Not Embraced Secure Communities*

Unlike other policies and programs associated with devolution of immigration enforcement, Secure Communities requires mandatory participation and prohibits law enforcement agencies from “opting out” of the program—even as many jurisdictions have sought to do so (Aguilasocho, Rodwin, and Ashar, 2012: 5; Denerstein, 2011; Quinn, 2011). This is quite telling.

Since the start of devolution, law enforcement agencies across the country have expressed concerns about being drawn into immigration enforcement, and for very good reasons (see point #5). To understand better how local police executives have responded to devolution, researchers distributed questionnaires to police chiefs in large- and medium-sized U.S. cities (Provine et al., 2012). Findings from their study reveal a high degree of variation in local responses to federal devolution of immigration-enforcement responsibilities; although most (roughly 75%) answered that they have no formal agreement with the agency but do contact ICE when holding suspected unauthorized immigrants for criminal violations, very few (less than 5%) had a Memorandum of Understanding with ICE (a 287[g] agreement) to help manage incarcerated inmates and work with ICE on investigations and arrests for (civil) immigration violations. Thirteen percent responded that they “do not participate or assist in ICE immigration enforcement activities” in any way. What emerges from this snapshot of police chiefs’ perceptions is that municipalities have not, in general, acted forcefully to direct their police departments toward greater engagement with immigration enforcement.

For many law enforcement officials, devolution is less than desirable. The increasing involvement in policing immigration runs at cross-purposes with community policing and other strategies to engage more closely with the community (Kubrin and Trager, 2014: 535). Police require the trust and cooperation of residents, including immigrants, to do

their job effectively (Fagan and Meares, 2008; Kirk et al., 2012; Skogan and Frydl, 2004). For example, police rely on the willingness of victims and bystanders to cooperate with investigations. To gain this cooperation, the police must remain in close and trusted contact with community members.

Developing trust and cooperation was a hallmark of policing prior to devolution, as community policing was adopted in communities throughout the United States. For decades, this approach helped make law enforcement officials more responsive to particular issues facing local communities, including immigrant communities, through regular channels for civic engagement and special arrangements for reaching out to immigrant groups (see Skogan, 2009, for an example of this in Chicago). Many, including law enforcement officials themselves, worry that devolution is eroding decades of progress that police officers worked hard to achieve under community policing. As officers increasingly occupy the role of “immigrant enforcers,” a breakdown in trust is likely to occur and produce a “chilling effect” in the local immigrant community (Khashu, 2009). Residents are left wondering, “Who is the police?” and “Who is la migra?” And if local police visibly join the ranks of immigration enforcement officials, residents may just stop talking to them all together (Kubrin and Trager, 2014: 536). Immigrants’ greatest fear is that contact with local authorities will somehow threaten their status in the United States. In sum, then, shifting the responsibility for enforcing immigration laws to local police puts at risk the decades-long investment they have made in community policing and trust building. For this reason alone, many law enforcement agencies rebuff the Secure Communities program even as they are required to comply.<sup>2</sup>

#### *# 5: Secure Communities Creates Insecure Communities*

But more is at risk with devolution. As Treyger et al. (2014) argue, if drawing local law enforcement agencies into immigration alienates residents, it may undermine the effectiveness of criminal law enforcement generally and harm public safety in the end. The irony is

---

2. Many cities have challenged compliance, joining the ever-growing list of sanctuary cities. Sanctuary cities are cities and towns where local officials have pushed back against the enforcement priorities of the federal government, and even the demands of their state legislatures, and have continued to emphasize the role of the police in serving all residents (Skogan, 2009). In Skogan’s (2009: 198) words: “When it comes to policing, what supposed sanctuary cities have in common is that their police have been instructed to make enforcement of immigration laws a very low priority. They do not participate in the 287(g) program. They may not ask apparent immigrants about their status or even place of birth, perhaps even when they arrest them. They frequently prohibit officers from inquiring about citizenship when they apprehend them for minor traffic offenses or misdemeanors. They do not immediately turn people with suspect documentation over to federal immigration authorities. They do not make arrests based on immigration holds placed in the national “wanted persons” database. They certainly do not make inquiries about the status of crime victims or people they interview during investigations.” Although continually evolving, the list of sanctuary cities includes such well-known places as New York, San Francisco, Houston, Austin, Los Angeles, Portland, Baltimore, Minneapolis, and San Diego. A comprehensive and up-to-date list can be accessed at [ojjpac.org/sanctuary.asp](http://ojjpac.org/sanctuary.asp).

that in response to Secure Communities and related practices and policies, immigrants may adjust their crime-reporting behavior rather than their criminal behavior. If immigrants fear police contact, they may choose not to report any crime or victimization to law enforcement authorities (Hennessey, 2011; Theodore, 2013), something that police officers themselves acknowledge. Decker, Lewis, Provine, and Varsanyi (2009), for example, found that most U.S. police chiefs they interviewed believed that immigrants were less likely to contact police as victims of, or witnesses to, a crime if they understood that local officers were authorized to enforce federal immigration law. And the Task Force on Secure Communities (2011) conceded that one of the unintended consequences of local officers holding immigrants on federal detainees is a reduction of immigrants' trust in the local police and the disruption of police-community relationships (see also Romney and Chang, 2012).

It has long been documented that immigrants, compared with the native-born, are less likely to contact the police for assistance and report victimization to local law enforcement officers even when the victimization is serious (Davis and Hendricks, 2007; Horowitz, 2001; Menjivar and Salcido, 2002). Findings from a National Institute of Justice-sponsored survey and from selected site visits in immigrant communities across the United States show that compared with other crime victims, immigrants face unique pressures in deciding to cooperate with local law enforcement authorities after victimization (Davis and Erez, 1998). Reasons for underreporting include possible embarrassment to families, language difficulties, cultural differences in conceptions of justice, and a lack of knowledge of the criminal justice system (Davis and Erez 1998: 3–4). Yet fear of becoming involved with authorities tops the list of reasons why victimized immigrants are reluctant to turn to the police for help. With immigrants already hesitant to seek help after victimization, underreporting is likely to become especially problematic in communities where local law enforcement officials actively police immigration. The Secure Communities program may thus exacerbate victims' vulnerability and alienation, increase crime and violence, and create insecure rather than secure communities.

#### *#6: Secure Communities May Increase Instances of Racial Profiling and Pretextual Arrests*

One of the most oft-repeated criticisms associated with Secure Communities and other devolution policies and practices centers on the potential abuses that may result from increased discretion among local law enforcement officers (American Civil Liberties Union, 2012; Cox and Miles, 2013; Gonzales, 2011; Heffernan, 2011; Kohli, 2011). Topping the list is unconstitutional discriminatory policing. As Treyger et al. (2014) mention, law enforcement agencies and individual officers who prefer a more aggressive immigration enforcement regime might be motivated to make arrests for offenses that otherwise would be deemed too petty, or unsubstantiated by probable cause, with the intention that the arrestee be screened through IDENT.

To be fair, Treyger et al. (2014) did not find evidence of discriminatory policing. The authors note, "As for the concerns that Secure Communities will lead to discriminatory policing, as far as we can tell, activation of the data sharing system did not lead to widespread increases in arrests for any crimes or crime categories, or to increases of arrests of White suspects relative to Black suspects." Yet as they also admit, the absence of ethnicity-specific arrest data across a large set of law enforcement agencies presents an important limitation to the study. In particular, Treyger et al. could not detect any reallocation of arrests from non-Hispanic Whites to Hispanic Whites, which would be suggestive of discriminatory policing. Thus, firmer conclusions about the fears of racial profiling must await analysis of jurisdictions that record and make available such data. In the meantime, we cannot rule out the possibility that Secure Communities may increase instances of racial profiling and pretextual arrests.

#### *#7: Secure Communities Is Associated with Significant Human Costs*

Besides the fact that Secure Communities does not target the right offenders (see point #3), we often forget that the individual being deported is not the only one affected by his or her removal. The innocent victims of deportation are the remaining family members and especially the deportee's children. The Urban Institute conducted a study that assessed the impact of immigration workplace raids (a major source of deportation) on children and families. The results were striking. For every two immigrants apprehended in the raid, one child was left behind (Capps, Castaneda, Chaundry, and Santos, 2007). Significant human costs are associated with this reality.

First, some of these children are placed in foster care. The Applied Research Center (2011) estimated that as of 2011, at least 5,100 children currently living in foster care were there because parents had been detained or deported. This number is expected to triple by 2015. Once placed in foster care, the children of immigrants must make the adjustment to adulthood without the guidance of their families or (often) other members of the immigrant community to which they had previously belonged (Kubrin and Trager, 2014: 534). This places them at greater risk for delinquency (Portes and Rumbaut, 2001, 2006).

Second, many of these children are raised in single-parent households. Not surprisingly, there is increased economic struggle as deportees are typically male and the breadwinners in their families. Moreover, research old and new has found that the children of immigrants often have difficulty adjusting to life in their country of residence and are at risk for antisocial and delinquent behaviors even when both parents are present (Morenoff and Astor, 2006; Taft, 1933; Tonry, 1997). Yet children who grow up with strong familial support tend to adjust better to life in their new country, whereas children who lack this support, in some cases because a parent is deported, are more likely to deemphasize their cultural heritage and adopt new lifestyle patterns. Such "assimilated" youth are at an increased risk for delinquency (Lee, 1998; Portes and Rumbaut, 2006; Rumbaut and Ewing, 2007; Zhou

and Bankston, 2006). This cultural dissonance only increases if a child views the detained or deported parent as a failed immigrant or as a criminal (Dreby, 2012).

A third human cost is the psychological trauma children experience as a result of having a parent or both parents deported. The Urban Institute report referenced earlier (Capps et al., 2007: 4) identified a range of emotional problems children suffer including anxiety, depression, and stress: “After the arrest or disappearance of their parents, children experienced feelings of abandonment and showed symptoms of emotional trauma, psychological duress, and mental health problems. . . . The combination of fear, isolation, and economic hardship induced mental health problems such as depression, separation anxiety disorder, post-traumatic stress disorder, and suicidal thoughts.” Unfortunately, often as a result of the fear of possible consequences in asking for assistance and barriers to accessing services, the report stated that few children sought or received any mental health care. These are among the many significant costs associated with Secure Communities.

### Conclusion

In June 2011, Representative David Price of North Carolina, a ranking member of the U.S. House of Representatives’ Appropriations Subcommittee on Homeland Security, had this to say about Secure Communities: “[Secure Communities] does draw that bright line between the federal role and the local role in immigration enforcement, . . . I believe it can accomplish the task more efficiently to identify and remove dangerous criminals from our communities, which I think we very widely agree should be the main priority of immigration enforcement” (157 Cong. Rec. H3947–48 [daily ed. June 2, 2011, statement of Rep. David Price]). Although I agree with Rep. Price that removing dangerous criminals from our communities should be a main priority of immigration enforcement, I disagree that Secure Communities offers an effective route to achieve this. As Treyger et al. (2014) convincingly show in their study, “Secure Communities has had no unambiguous beneficial effects” in enhancing public safety in jurisdictions across the United States. In fact, as I have argued here, the program may be doing more harm than good. It is time to abandon Secure Communities.

### References

- Aguilasocho, Edgar, David Rodwin, and Sameer Ashar. 2012. *Misplaced Priorities: The Failure of Secure Communities in Los Angeles County* (Research Paper No. 2013–118). Irvine: University of California at Irvine School of Law.
- Akins, Scott, Ruben G. Rumbaut, and Richard Stansfield. 2009. Immigration, economic disadvantage, and homicide: A community-level analysis of Austin, Texas. *Homicide Studies*, 13: 307–314.
- American Civil Liberties Union. 2012. *Secure Communities (“S-Comm”)*. Washington, DC: Author. Retrieved from [aclu.org/immigrants-rights/immigration-enforcement/secure-communities-s-comm](http://aclu.org/immigrants-rights/immigration-enforcement/secure-communities-s-comm).

- Applied Research Center. 2011. *Shattered Families: The Perilous Intersection of Immigration Enforcement and the Child Welfare System*. ARC.ORG. Retrieved May 14, 2013 from [arc.org/shatteredfamilies](http://arc.org/shatteredfamilies).
- Butcher, Kristin F. and Anne Morrison Piehl. 1998. Recent immigrants: Unexpected implications for crime and incarceration. *Industrial & Labor Relations Review*, 51: 654–679.
- Capps, Randy, Rosa Maria Castaneda, Ajay Chaundry, and Robert Santos. 2007. *Paying the Price: The Impact of Immigration Raids on America's Children*. Washington, DC: Urban Institute.
- Chavez, Jorge M. and Elizabeth Griffiths. 2009. Neighborhood dynamics of urban violence: Understanding the immigration connection. *Homicide Studies*, 13: 261–273.
- Cox, Adam B. and Thomas J. Miles. 2013. Policing immigration. *University of Chicago Law Review*, 80: 87–136.
- Davis, Robert C. and Edna Erez. 1998. *Immigrant Populations as Victims: Toward a Multicultural Criminal Justice System*. Washington, DC: Department of Justice, National Institute of Justice.
- Davis, Robert C. and Nicole J. Hendricks. 2007. Immigrants and law enforcement: A comparison of native-born and foreign-born Americans' opinions of the police. *International Review of Victimology*, 14: 81–94.
- Decker, Scott H., Paul G. Lewis, Doris Marie Provine, and Monica W. Varsanyi. 2009. On the frontier of local law enforcement: Local police and federal immigration law. In (William F. McDonald, ed.), *Immigration, Crime and Justice*. New York: Emerald Group.
- Denerstein, Mylan. 2011. *Letter from Counsel to Governor to John Sandweg, Counselor to the Secretary* (June 1). Retrieved July 8, 2014 from [governor.ny.gov/assets/Secure%20Communities.pdf](http://governor.ny.gov/assets/Secure%20Communities.pdf).
- Desmond, Scott A. and Charis E. Kubrin. 2009. The power of place: Immigrant communities and adolescent violence. *The Sociological Quarterly*, 50: 581–607.
- Dreby, Joanna. 2012. *How Today's Immigration Enforcement Policies Impact Children, Families, and Communities: A View from the Ground*. Center for American Progress. Retrieved May 14, 2013 from [americanprogress.org/wp-content/uploads/2012/08/DrebyImmigrationFamiliesFINAL.pdf](http://americanprogress.org/wp-content/uploads/2012/08/DrebyImmigrationFamiliesFINAL.pdf).
- Fagan, Jeffrey and Tracey L. Meares. 2008. Punishment, deterrence and social control: The paradox of punishment in minority communities. *Ohio State Journal of Criminal Law*, 6: 173.
- Feldmeyer, Ben and Darrell Steffensmeier. 2009. Immigration effects on homicide offending for total and race/ethnicity-disaggregated populations (White, Black, and Latino). *Homicide Studies*, 13: 211–226.
- Gonzales, Charles A. 2011. *Letter from US Rep., to Barack Obama, US President* (May 5). Retrieved July 24, 2014 from [uncoverthetruth.org/index.php?s=Hispanic+Caucus](http://uncoverthetruth.org/index.php?s=Hispanic+Caucus) (click on the link provided at this URL to retrieve the entire letter).
- Graif, Corina and Robert J. Sampson. 2009. Spatial heterogeneity in the effects of immigration and diversity on neighborhood homicide rates. *Homicide Studies*, 13: 242–260.

- Hagan, John, Ron Levi, and Ronit Dinovitzer. 2008. The symbolic violence of the crime-immigration nexus: Migrant mythologies in the Americas. *Criminology & Public Policy*, 7: 95–112.
- Hagan, John and Alberto Palloni. 1999. Sociological criminology and the mythology of Hispanic immigration and crime. *Social Problems*, 46: 617–632.
- Heffernan, Mary E. 2011. *Letter from Mary E. Heffernan, Massachusetts Secretary of Public Safety and Security, to Marc Rapp, Acting Director of Secure Communities* (June 3). Retrieved from [personal.crocodoc.com/8gBRiLK#redirect](http://personal.crocodoc.com/8gBRiLK#redirect).
- Hennessey, Michael. 2011. Secure communities destroys public trust. *SF Gate*. May 1. Retrieved from [sfgate.com/opinion/article/Secure-Communities-destroys-public-trust-2373213.php](http://sfgate.com/opinion/article/Secure-Communities-destroys-public-trust-2373213.php).
- Horowitz, Carl F. 2001. *An Examination of U.S. Immigration Policy and Serious Crime*. Washington, DC: Center for Immigration Studies.
- Kanstrom, Daniel. 2007. *Deportation Nation: Outsiders in American History*. Cambridge, MA: Harvard University Press.
- Khashu, Anita. 2009. *The Role of Local Police: Striking a Balance between Immigration Enforcement and Civil Liberties*. Washington, DC: Police Foundation. Retrieved May 21, 2012 from [policefoundation.org/pdf/strikingabalance/Narrative.pdf](http://policefoundation.org/pdf/strikingabalance/Narrative.pdf).
- Kirk, David, Andrew V. Papachristos, Jeffrey Fagan, and Tom R. Tyler. 2012. The paradox of law enforcement in immigrant communities: Does tough immigration enforcement undermine public safety? *The ANNALS of the American Academy of Political and Social Science*, 641: 79–98.
- Kohli, Aarti. 2011. *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*. Berkeley, CA: Earl Warren Institute.
- Koper, Christopher S., Thomas M. Guterbock, Daniel J. Woods, Bruce Taylor, and Timothy J. Carter. 2013. The effects of local immigration enforcement on crime and disorder. *Criminology & Public Policy*, 12: 239–276.
- Koulish, Robert. 2010. *Immigration and American Democracy: Subverting the Rule of Law*. New York: Routledge.
- Kubrin, Charis E. and Hiromi Ishizawa. 2012. Why some immigrant neighborhoods are safer than others: Divergent findings from Los Angeles and Chicago. *The ANNALS of the American Academy of Political and Social Science*, 641: 148–173.
- Kubrin, Charis E. and Glenn Trager. 2014. Immigration and crime in U.S. communities: Charting some promising new directions in research. In (Sandra M. Bucerius and Michael Tonry, eds.), *The Oxford Handbook on Ethnicity, Crime, and Immigration*. New York: Oxford University Press.
- Lee, Yoon Ho. 1998. Acculturation and delinquent behavior: The case of Korean American youths. *International Journal of Comparative and Applied Criminal Justice*, 22: 273–292.
- Lee, Matthew T., Ramiro Martinez, and Richard Rosenfeld. 2001. Does immigration increase homicide? *The Sociological Quarterly*, 42: 559–580.

- MacDonald, John M., John R. Hipp, and Charlotte Gill. 2013. The effects of immigrant concentration on changes in neighborhood crime rates. *Journal of Quantitative Criminology*, 29: 191–215.
- Martinez, Ramiro and Matthew T. Lee. 2000. On immigration and crime. In *Criminal Justice 2000: The Nature of Crime: Continuity and Change*, Vol. 1. Washington, D.C.
- Martinez, Ramiro, Matthew T. Lee, and Amie L. Nielsen. 2004. Segmented assimilation, local context and determinants of drug violence in Miami and San Diego: Does ethnicity and immigration matter? *International Migration Review*, 38: 131–157.
- Martinez, Ramiro, Jacob I. Stowell, and Jeffrey M. Cancino. 2008. A tale of two border cities: Community context, ethnicity, and homicide. *Social Science Quarterly*, 89: 1–16.
- Martinez, Ramiro, Jacob I. Stowell, and Matthew T. Lee. 2010. Immigration and crime in an era of transformation: A longitudinal analysis of homicides in San Diego neighborhoods, 1980–2000. *Criminology*, 48: 797–829.
- Meissner, Doris, Donald Kerwin, Muzaffar Chisthi, and Claire Bergeron. 2013. *Immigration Enforcement in the United States: The Rise of a Formidable Machinery*. Washington, DC: Migration Policy Institute.
- Menjívar, Cecilia and Olivia Salcido. 2002. Immigrant women and domestic violence: Common experiences in different countries. *Gender & Society*, 16: 898–920.
- Morenoff, Jeffrey D. and Avraham Astor. 2006. Immigrant assimilation and crime: Generational differences in youth violence in Chicago. In (Ramiro Martinez Jr. and Abel Valenzuela Jr., eds.), *Immigration and Crime: Race, Ethnicity, and Violence*. New York: New York University Press.
- Nielsen, Amie L., Matthew T. Lee, and Ramiro Martinez. 2005. Integrating race, place and motive in social disorganization theory: Lessons from a comparison of Black and Latino homicide types in two immigrant destination cities. *Criminology*, 43: 837–872.
- Nielsen, Amie L. and Ramiro Martinez. 2009. The role of immigration for violent deaths. *Homicide Studies*, 13: 274–287.
- Office of Immigration Statistics. 2011. *Immigration Enforcement Actions: 2010*. Annual Report. Policy Directorate, Department of Homeland Security. Retrieved January 23, 2013 from <http://www.dhs.gov/xlibrary/assets/statistics/publications/enforcement-ar-2010.pdf>.
- Ousey, Graham C. and Charis E. Kubrin. 2009. Exploring the connection between immigration and violent crime rates in U.S. cities, 1980–2000. *Social Problems*, 56: 447–473.
- Portes, Alejandro and Ruben G. Rumbaut. 2001. *Legacies: The Story of the Immigrant Second Generation*. Berkeley: University of California Press.
- Portes, Alejandro and Ruben G. Rumbaut. 2006. *Immigrant America: A Portrait*. Berkeley: University of California Press.
- Provine, Doris Marie, Monica Varsanyi, Paul G. Lewis, and Scott H. Decker. 2012. Growing tensions between civic membership and enforcement in the devolution of immigration control. In (Charis E. Kubrin, Marjorie S. Zatz, and Ramiro Martinez Jr., eds.), *Punishing Immigrants: Policy, Politics and Injustice*. New York: New York University Press.

- Quinn, Pat. 2011. *Letter from Pat Quinn, Illinois Governor, to Marc Rapp, Acting Assistant Director of Secure Communities* (May 4). Retrieved from [ccrjustice.org/files/2011-05ilterminate.pdf](http://ccrjustice.org/files/2011-05ilterminate.pdf).
- Romney, Lee and Cindy Chang. 2012. Secure communities is optional, Harris says: Attorney General says the U.S. program, intended to deport illegal immigrants convicted of serious crimes, had swept up too many non-criminals. *Los Angeles Times*. December 5, Local Section.
- Rumbaut, Ruben G. and Walter A. Ewing. 2007. *The Myth of Immigrant Criminality and the Paradox of Assimilation: Incarceration Rates among Native and Foreign-Born Men*. Washington, DC: Immigration Policy Center, American Immigration Law Foundation.
- Sampson, Robert J., Jeffrey D. Morenoff, and Stephen Raudenbush. 2005. Social anatomy of racial and ethnic disparities in violence. *American Journal of Public Health*, 95: 224–232.
- Skogan, Wesley G. 2009. Policing immigrant communities in the United States. In (William F. McDonald, ed.), *Immigration, Crime and Justice*. New York: Emerald Group.
- Skogan, Wesley and Kathleen Frydl, eds. 2004. *Fairness and Effectiveness in Policing: The Evidence*. Washington, DC: National Academies Press.
- Stepick, Alex. 2013. *False Promises: The Failure of Secure Communities in Miami-Dade County*. Miami: Research Institute on Social & Economic Policy Center for Labor Research & Studies, Florida International University.
- Stowell, Jacob I. and Ramiro Martinez. 2007. Displaced, dispossessed, or lawless? Examining the link between ethnicity, immigration, and violence. *Aggression and Violent Behavior*, 12: 564–581.
- Stowell, Jacob I. and Ramiro Martinez. 2009. Incorporating ethnic-specific measures of immigration in the study of lethal violence. *Homicide Studies*, 13: 315–324.
- Stumpf, Juliet P. 2008. States of confusion: The rise of state and local power over immigration. *North Carolina Law Review*, 86.
- Taft, Donald. 1933. Does immigration increase crime? *Social Forces*, 12: 69–77.
- Task Force on Secure Communities. 2011. Findings and recommendations: September 2011. Homeland Security Advisory Council. Retrieved January 5, 2013 from [dhs.gov/xlibrary/assets/hsac-task-force-on-secure-communities-findings-and-recommendations-report.pdf](http://dhs.gov/xlibrary/assets/hsac-task-force-on-secure-communities-findings-and-recommendations-report.pdf).
- Theodore, Nik. 2013. *Insecure Communities: Latino Perceptions of Police Involvement in Immigration Enforcement*. Chicago, IL: Department of Urban Planning and Policy, University of Illinois at Chicago.
- Tonry, Michael. 1997. Ethnicity, crime, and immigration. *Crime & Justice: A Review of Research*, 21: 1–29.
- Treyger, Elina, Aaron Chalfin, and Charles Loeffler. 2014. Immigration enforcement, policing, and crime: Evidence from the Secure Communities Program. *Criminology & Public Policy*. This issue.

- Varsanyi, Monica W., Paul G. Lewis, Doris Marie Provine, and Scott H. Decker. 2012. A multilayered jurisdictional patchwork: Immigration federalism in the United States. *Law & Policy*, 34: 138–158.
- Wadsworth, Tim. 2010. Is immigration responsible for the crime drop? An assessment of the influence of immigration on changes in violent crime between 1990 and 2000. *Social Science Quarterly*, 91: 531–553.
- Zhou, Min and Carl L. Bankston. 2006. Delinquency and acculturation in the twenty-first century: A decade's change in a Vietnamese American community. In (Ramiro Martinez Jr. and Abel Valenzuela Jr., eds.), *Immigration and Crime: Race, Ethnicity, and Violence*. New York: New York University Press.

**Statutes Cited**

- Beason-Hammon Alabama Taxpayer and Citizen Protection Act, Alabama House Bill (HB) 56 (2011).
- Illegal Immigration Reform and Enforcement Act of 2011, Georgia House Bill (HB) 87 (2011).
- Immigration, Florida House Bill (HB) 1C (2010).
- Support Our Law Enforcement and Safe Neighborhoods Act, Arizona Senate Bill (SB) 1070 (2010).
- 

**Charis E. Kubrin** is a professor in the departments of Criminology, Law and Society and (by courtesy) Sociology at the University of California, Irvine. She has published widely in the area of immigration and crime, law and victimization, and is co-editor of *Punishing Immigrants: Policy, Politics, and Injustice* (New York University Press, 2012).