

Punitive Immigration Policy and the Decline in Public Cooperation with the Police

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Background & Purpose: Many crimes are not reported to the police. Accordingly, data compiled by the Federal Bureau of Investigation (FBI) from local law enforcement for the Uniform Crime Reports (UCR) provides only a partial picture of the true volume of crime in society. Of importance, there are substantive reasons to believe not only that the percentage of crimes reported to the police varies across jurisdictions, but that crime reporting can be explained by characteristics of cities or counties. For instance, in cities with large numbers of immigrants, proportionally fewer crimes may be reported to the police than in counties without many immigrants because of immigrants' fear of the police. Given the precarious nature of their legal status, undocumented immigrants (and even authorized immigrants) may rationally decide not to report crimes to the police—especially in the context of recent policy changes. Post 9/11 trends in immigration policy have shifted the responsibility for immigration enforcement from the Federal Government to local police departments. As a consequence, the underreporting of crime to the police may be quite severe in areas with large immigrant populations.

In jurisdictions with toughening enforcement against illegal immigration, analysis of reported crime data from the police may erroneously suggest that crime is on the decline, when in fact the total volume of crime may be stable or increasing but the percentage of crimes known to the police is on the decline. How have post 9/11 transformations in immigration policy influenced crime and reporting trends across varying jurisdictions? Specifically, are MSA-level trends in crime reporting significantly associated with the area's proportion of immigrants?

Theoretical Framework: While the estimated 11 million unauthorized immigrants living in the U.S. today (Passel & Cohen 2011) foster a great deal of political attention, our knowledge of their perceptions of and experiences with the law remain unclear and vastly understudied. The salience between lawfulness and positive assessments of legal authorities, however, is well documented (see Tyler 1990, 2002). Law enforcement must rely on local residents to cooperate with and participate in police investigations in order to identify perpetrators of crime and to effectively reduce crime (Tyler 2002; Skogan & Frydl 2004). Furthermore, prior studies on legal compliance suggest that police achieve enduring lawfulness within a community when residents believe that laws are created and enforced fairly by trustworthy, legitimate officials (Tyler 1990). By contrast, when individuals experience or perceive unfair treatment from the law or legal authorities, their propensity to cooperate with and follow the law diminishes (*ibid*). This process, however, is not unique to individuals; it is also *cultural* (Kirk & Papachristos 2011). Through social interaction, negative experiences with the law become part of a neighborhood milieu. Such perceptions permeate in the form of legal cynicism to other individuals in that community regardless of whether or not they had any direct negative experiences with law enforcement (*ibid*).¹ Expanding detection and deportation duties to the police has the potential to undermine the legitimacy of local law enforcement in the eyes of immigrant communities. In turn, negative

¹ Legal cynicism is characterized as a cultural frame in which people perceive the law as “illegitimate, unresponsive, and ill-equipped” to ensure public safety (Kirk & Papachristos 2011; pg. 1191).

attitudes toward local authorities could be detrimental for public safety by reducing immigrants' willingness to work with police to make communities safer.

Whereas a select few studies examine the relationship between immigration, legitimacy, and legal compliance (Kirk et al. 2012; Ryo 2013; Tyler et al. 2010), no empirical research has assessed how punitive shifts in immigration policy may delegitimize perceptions of the law and police among immigrant communities, with consequences for compliance and cooperation with the law. Our study investigates police notification trends across various Metropolitan Statistical Areas (MSAs) in the U.S. to determine whether the proportion of immigrant residents in an MSA is negatively associated with the likelihood that a criminal victimization is reported to the police. In doing so, our study advances existing literatures on legal compliance, legitimacy of the law, and legal cynicism with an empirical case—immigration—underexplored by these theories.

Data & Methods: Police data, such as those reported to the FBI as part of the UCR program, are ill-suited to assess the true volume of crime in an MSA because many crimes are not reported to the police. Thus, to undertake an analysis of the association between immigration and the reporting of crime to the police, we use geographically identified data from the National Crime Victimization Survey (NCVS) and population estimates from the U.S. Census. The NCVS offers rich information on incident characteristics, including whether the victim reported the incident to the police, as well as individual traits of the victim. NCVS data also contain a geographic identifier that allows us to link incident records in the NCVS to MSA data. Hence, we link the area-identified NCVS data to a variety of MSA-level sociodemographic characteristics from the 2000 U.S. Census, including estimates on nativity. We utilize multi-level logistic regression models to estimate the likelihood that a victimization incident is reported to the police as a function of incident and individual characteristics from the NCVS and MSA-level correlates from the Census, including measures of immigration.

Preliminary Findings: Our preliminary findings displayed in Table 1 suggest that the reporting of a crime to the police is, in fact, inversely related to the proportion of immigrant residents within an MSA, net of incident and individual characteristics as well as other MSA-level correlates such as disadvantage. Our results illustrate a unique capacity to broaden our current knowledge of the predictors associated with the reporting of crime, and cooperation with the police more broadly, and also demonstrate more accurate estimates of area crime rates. Moreover, uncovering the relationship between crime reporting and immigrant concentration has the potential to enhance our understanding of immigrants' perceptions of the law and legal authorities and, in the context of a dramatic shift in immigration enforcement, may also have significant theoretical and policy relevance.

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Table 1. Logistic Regression Predicting the Association Between the Proportion of Undocumented Residents and Crime Reporting to the Police at MSA-Level

Key Predictor Variable	Victimization Reporting to the Police		
	Overall Crime	Property Crime	Violent Crime
Foreign-born non-citizens	-.010 †	-.006	-.022 **
Control Variables			
Victim Characteristics			
Male	-.851 †	-.061	-.296 *
Non-Latino Black	.266 ***	.213 **	.446 *
Latino	.159 †	.131	.360 †
Married	.088 *	.139	.072
Under age 25	-.256 ***	-.191 ***	-.696 ***
Less than HS education	-.425 ***	-.598 ***	-.055
Homeowner	-.092 †	-.060	-.125
Sociodemographic Characteristics			
Population density	.000 **	.000 *	-.001 **
% of the population 15 to 24	-.063	-.039	-.161 **
% of the population Non-Latino Black	.003	.003	.002
Disadvantage index	.048	.026	.127
Sample Size	11942	9736	2206
Chi-Square	632.58 ***	541.24 ***	224.05 ***
Pseudo R-Square	.015	.016	.042

Robust probability † p < 0.1 * p < 0.05 ** p < 0.01 *** p < 0.001

Sources: U.S. Census (2000) & NCVS (2002 - 2004)