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Providing Sanctuary or Fostering Crime? A Review of the Research on “Sanctuary Cities” and Crime

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Abstract

Recent high-profile, isolated incidents of violent crime committed by deportable noncitizens have led to increased public attention paid to so-called “sanctuary” cities, with some policymakers calling for the eradication of policies limiting local officials’ role in the enforcement of immigration law. This current public and political debate provides an opportunity to critically examine the existing literature on immigrant “sanctuaries.” We begin by offering a broad definition and description of “sanctuary” policies. We follow by discussing how and why such policies have evolved since the early 1980s. Considering the public safety concerns often articulated in contemporary political discourse, we then offer possible sociological explanations regarding how these policies might either be positively or negatively associated with crime. We subsequently highlight findings from existing empirical research that examines the relationship between the adoption or presence of “sanctuary” policies and crime. The few empirical studies that exist illustrate a “null” or negative relationship between these policies and crime. We conclude by offering possible directions for future research.

1 | INTRODUCTION

The 1986 Immigration Reform and Control Act (IRCA) remains the last major inclusionary comprehensive immigration reform passed in the United States. Although IRCA regularized the immigration statuses of approximately three million people by 1992, it also served as a catalyst for expanded border and interior immigration enforcement (Massey, Durand, & Malone, 2003). In the late 1990s, seasonal migration declined due to increased border enforcement, which in turn led to a dramatic increase in the unauthorized population residing in the United States as fewer migrants returned to their countries of origin. By 2014 the unauthorized population stood around 11.1 million people, 52% of which migrated from Mexico (Passel & Cohn, 2016). Unfortunately for this group and their mixed-status family members, the U.S. Congress has failed to pass comprehensive immigration reform in over 30 years.

Congress’ inability to pass immigration reform coincides with major transformations in the way immigration laws are enforced. Whereas the federal government and its relevant agencies—currently, U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP)—have traditionally been accountable for enforcing

immigration laws, recent policies and practices, made possible by changes to the Immigration and Nationality Act in 1996, shifted a share of the responsibility to state and local officials. Since 1996, broad enforcement initiatives requiring increased cooperation between the federal government and state and local law enforcement resulted in an expansion of the government's capacity to place individuals in removal proceedings. These enforcement initiatives include the Secure Communities program and the Criminal Alien Program. Additionally, the 287(g) program allowed ICE to enter agreements with local and state enforcement agencies authorizing designated officers to perform immigration enforcement activities. Moreover, pressure mounted in the era following the 9/11 terrorist attacks to further involve state and local law enforcement officials in the policing of immigration laws (Meissner, Kerwin, Chrishti, & Bergeron, 2013). Scholars, legal experts, and nongovernmental organizations have criticized these efforts and raised concerns regarding the legality of the programs, public safety, humanitarian considerations, issues of ethno-racial profiling, civil rights violations¹, and fiscal constraints at the local level (Dreby, 2012; Gardner & Kohli, 2009; Homeland Security Advisory Council, 2011; Lasch, 2013; Provine, Varsanyi, Lewis, & Decker, 2016; Wells, 2004; Wishnie, 2004).

Citing notable concerns, many communities across the country have adopted ordinances that explicitly limit cooperation with the federal government in enforcing immigration laws. These ordinances, colloquially known as "sanctuary" policies, are partly the result of a tension between the federal government's responsibility to enforce immigration laws and the state and local government's obligation to protect the well-being of all residentially present individuals (Wells, 2004). Although local communities adopt "sanctuary" policies to limit cooperation with the federal government, the implementation of these policies does not imply that noncitizens are protected from federal immigration enforcement action, leading some to suggest that the term "sanctuary" is a misnomer (Tramonte, 2011). In fact, many "sanctuary" jurisdictions allow for local assistance and cooperation in the enforcement of federal immigration laws when individuals have been convicted of violent or serious felony offenses².

However, "sanctuary" jurisdictions have faced criticism, particularly as related to "law and order" concerns. Public and political attention paid to "sanctuary" policies increased substantially in July 2015 after the tragic death of 32-year-old Kathryn Steinle. Steinle was shot and killed in San Francisco, a well-known "sanctuary" city. The alleged shooter was 45-year-old Juan Francisco López-Sánchez, an unauthorized immigrant from Mexico who had seven prior felony convictions and five deportations from the United States, mostly for nonviolent drug offenses (Littlefield, 2015).

Steinle's murder sparked a divisive political debate regarding the enforcement of immigration laws and the legitimacy of "sanctuary" policies. Following the tragic death of Steinle, several legislative proposals were introduced at the federal level that would increase penalties for unauthorized reentry and limit federal grants available to "sanctuary" cities. These initiatives have largely failed to materialize due to lack of political support. However, two recent versions of these bills successfully passed through the House of Representatives in June of 2017 and are currently waiting to be heard in the Senate (Marcos, 2017). In a similar vein, President Trump signed an executive order in January of 2017 that aims to strip federal funding from "sanctuary" jurisdictions (Executive Order 13768, 2017). Thus, the current public and political discourse surrounding unauthorized immigration in general—and deportable noncitizens more specifically—provides an opportunity to critically examine the existing literature on "sanctuary" policies.

In what follows, we provide a broad definition of so-called "sanctuary" policies and discuss how and why such policies have evolved since the early 1980s. Considering the public safety concerns often articulated in contemporary political discourse, we then offer possible sociological explanations of how these policies might either be positively or negatively associated with crime. We subsequently highlight findings from existing research that examines the association between the adoption or presence of "sanctuary" policies and crime. Our review of the literature identifies notable variation in the definition of "sanctuary" ordinances. In some cases, "sanctuary" policies are strictly defined as local efforts aimed at limiting cooperation with federal enforcement. In other cases, such policies are described as preconditions for immigrant inclusion at the local level. In terms of the relationship between "sanctuary" policies and crime, we find no evidence in the extant literature supporting the assertion that the implementation of such policies fosters crime. We conclude by offering possible directions for future research.

2 | A BRIEF HISTORY OF “SANCTUARY” POLICIES

In the early 1980s, hundreds-of-thousands of Central American immigrants fled violent conflict and political persecution in their countries of origin and sought refuge in the United States. The U.S. federal government often rejected Central American asylum applications during this period. In response, religious organizations began offering “sanctuary” in their places of worship to protect immigrants from deportation and provided other forms of assistance including food, clothing, housing, and social or legal services (Bau, 1994; Ridgley, 2008; Villazor, 2008). This led to a so-called “Sanctuary Movement” throughout the United States in the 1980s (Bilke, 2009; Garcia, 2009; Gregorin, 2011; Villazor, 2010). Following the lead of religious congregations and private individuals, localities enacted municipal ordinances stipulating that city officials would not cooperate with Immigration and Naturalization Service—the agency that administered federal immigration laws and regulations until 2003—in the arrest or deportation of noncitizens in the wake of IRCA, which expanded immigration enforcement into the interior United States (Bau, 1994; Ridgley, 2008).

“Sanctuary” policies continued to expand at the local level with the implementation of federal reforms, including the 1996 Illegal Immigration Reform and Responsibility Act (IIRIRA), the 1996 Antiterrorism and Effective Death Penalty Act, and more recently, the “War on Terror” (Bilke, 2009; Ridgley, 2008). The ‘96 laws and the War on Terror led to the devolution of immigration enforcement from the federal to the state and local levels (Coleman, 2007; Stumpf, 2006). These pieces of legislation expanded the list of deportable offenses, expanded the category of “aggravated felony,” which is a felony class that only applies to noncitizens, beyond murder and trafficking of drugs or firearms³, and limited “the legal review of immigration and criminal charges brought against undocumented migrants” as well as other immigrants (Coleman, 2007, p. 56).

Additional localities adopted “sanctuary” ordinances during the 2000s in response to federal initiatives such as the 287(g) program, Secure Communities, and the Criminal Alien Program. Whereas 287(g) deputizes local law enforcement officials to enforce immigration law (Meissner et al., 2013), Secure Communities checks the fingerprints of individuals who encounter local law enforcement agents against federal electronic databases (Kubrin, 2014; Waslin, 2011). Similarly, the Criminal Alien Program aims to identify allegedly deportable noncitizens incarcerated in correctional facilities. The Criminal Alien Program typically involves an interview or screening (i.e., an “encounter”) of an individual while they are incarcerated to determine whether the individual is potentially removable. The encounter may result in ICE’s placing a hold or detainer on the individual (American Immigration Council, 2013).

Because of 287(g), Secure Communities, and the Criminal Alien Program, some localities with existing “sanctuary” policies responded by further limiting their cooperation with federal authorities on matters of immigration enforcement. According to the Immigrant Legal Resource Center, four states, 364 counties, and 39 cities have policies that to some degree limit their cooperation with requests from ICE to hold noncitizens in detention.⁴ In addition, the National Immigration Law Center (NILC) notes that 65 cities or local law enforcement agencies have adopted “sanctuary” ordinances (more broadly defined) in some form since 1979, with the majority enacted between 2000 and 2008⁵. In sum, although “sanctuary” policies were initially developed to protect Central American refugees in the 1980s, they have since expanded to limit the role of local law enforcement agencies in the enforcement of federal immigration laws (Ridgley, 2008).

3 | CONTEMPORARY “SANCTUARIES”

How do contemporary “sanctuaries” differ from those established during the earlier Sanctuary Movement in the 1980s? To address this question, Villazor (2008) draws important distinctions between “private” and “public” sanctuaries. Private sanctuaries include religious congregations or nongovernmental organizations that offer food, shelter, or other forms of aid to unauthorized immigrants, while public sanctuaries consist of localities that “limit government employees, particularly local police officers, from inquiring or disseminating information about the immigration status

of immigrants whom they encounter" (Villazor, 2008, p. 148). Given the current political debate surrounding the alleged association between "sanctuaries" and public safety, we use the term "sanctuary" to identify what Villazor refers to as "public sanctuaries."

There is no official federal designation for what constitutes a "sanctuary" (Armenta, 2017; Garcia, 2009). For instance, President Trump's January 2017 executive order entitled "Enhancing Public Safety in the Interior of the United States" describes "sanctuary" jurisdictions as locales that refuse to comply with federal statute 8 U.S.C. 1373, which restricts jurisdictions from adopting policies that prohibit government entities or personnel from exchanging information related to individuals' immigration statuses with ICE or CBP (Executive Order 13768, 2017). On the other hand, the U.S. Department of Justice (DOJ) describes the term as a "jurisdiction that may have state laws, local ordinances, or departmental policies limiting the role of local law enforcement agencies and officers in the enforcement of immigration laws" (2007, footnote 44). As such, the DOJ's broader definition is perhaps a more accurate conceptualization of the ways in which "sanctuary" jurisdictions operate.

To account for variation across geography, some scholars use broader terms such as "sanctuary policy" or "ordinance" instead of "sanctuary city" (Price, 2014; Ridgley, 2008; Walker & Leitner, 2011). Despite this nuance, "sanctuary policies" generally fall into one of three categories: "(1) 'don't ask' policies that limit inquiries related to nationality or immigration status; (2) 'don't enforce' policies that limit immigration-related arrests or detentions; and (3) 'don't tell' policies that limit what information enforcement offices may share with federal officials" (Kittrie, 2006, as cited by Sullivan, 2009, p. 574). However, it is not uncommon for localities to use a combination of these approaches. Because "sanctuary" policies vary across geography (Kittrie, 2006; Pearson, 2015; Sullivan, 2009) as well as in terms of the protections they provide to immigrants, we use the term "limited cooperation policy" in lieu of "sanctuary city" or "sanctuary policy" throughout the remainder of this article.

4 | POTENTIAL LINKS BETWEEN LIMITED COOPERATION POLICIES AND CRIME

In the proceeding sections we identify the possible relationships between limited cooperation policies and crime. For the sake of parsimony, we present the dominant perspectives of both opponents and supporters of limited cooperation policies. Nevertheless, we must emphasize that the implementation of limited cooperation policies at the local level is not merely about whether a particular locality is "pro-immigrant" or "anti-immigrant." This would be an oversimplification, as some jurisdictions do not honor immigration detainers due to concerns over potential civil rights violations as well as financial constraints at the local level (Kittrie, 2006). In other words, a local jurisdiction may not comply with immigration detainers simply because it is not in their best legal or financial interest. However, our aim here is to capture some of the core concerns stemming from opposing sides of the debate.

4.1 | Arguments against limited cooperation policies

Limited cooperation policies have become a heavily contested political and legal issue in recent years. Drawing on a sociological perspective, we explore the possible consequences of limited cooperation policies as well as the logics that link these policies with public safety outcomes. As mentioned, some contemporary opponents often view limited cooperation policies as a public safety issue. In fact, President Trump's executive order, "Enhancing Public Safety in the Interior of the United States," claims that "Sanctuary jurisdictions across the United States willfully violate Federal law⁶ [...]. These jurisdictions have caused immeasurable harm to the American people and to the very fabric of our republic" (Executive Order 13768, 2017). However, the executive order does not specify exactly how, if at all, "sanctuary" jurisdictions threaten public safety. Below we discuss a few ways in which limited cooperation policies could potentially be linked to increased crime.

Explanations that hypothesize a positive correlation between limited cooperation policies and crime point toward three notable types of transformation within immigrant communities: behavioral changes, compositional

changes, or changes in the relative population size (see Treyger, Chalfin, & Loeffler, 2014 for similar discussions in the context of the Secure Communities program). Hypothetically, the adoption of limited cooperation policies could bring about *behavioral* changes in the local immigrant population by increasing the likelihood that individuals will engage in crime. For example, noncitizens may perceive there to be a lower risk of deportation in an area where officials refuse to cooperate with the federal government's immigration enforcement agencies. If the risk of deportation or removal from the country serves as a deterrent for immigrant-related crime, then noncitizens may be more inclined to engage in crime in the absence of that threat. Although intuitive, the "behavioral change" hypothesis suffers from two notable weaknesses. First, some have suggested that noncitizens may not fully understand the nuances of limited cooperation policies, especially in contexts where the federal and local governments possess opposing policy orientations towards immigrants (e.g., if a local government is more receptive or inclusive of immigrants compared to more punitive federal enforcement actions) (Kittrick, 2006). Thus, noncitizens are unlikely to substantially alter their behavior across jurisdictions. Second, and more important, even if noncitizens have perfect understandings of limited cooperation policies, local governments often make exceptions for violent and serious felony offenses. Therefore, the most serious (e.g., publicly harmful) offenses should have similar risks of punishment (e.g., removal) across all jurisdictions.

A second possible explanation for the positive association between limited cooperation policies and crime is that such policies bring about *compositional* shifts in local immigrant populations. That is, the existence of limited cooperation policies could *attract* noncitizens that are most likely to engage in crime on day-to-day basis. If the proportion of criminally-inclined noncitizens increased in a specific area, then we would expect crime rates to also increase net of other factors. Obviously, this line of reasoning, like that of the "behavioral change" perspective, assumes that noncitizens across the United States are aware of specific jurisdictions with limited cooperation policies but are not sufficiently informed to understand that such policies do not provide true "sanctuary." In addition, these lines of argument also generally associate immigrants with criminality. Nevertheless, a large body of research relying on both self-report surveys and official statistics reveals that immigrant adults and youths, relative to the general U.S. population, have lower levels of criminality and are consequently less likely to engage in criminal or delinquent behavior (Powell, Perreira, & Harris, 2010; Rumbaut & Ewing, 2007; Ewing, Martinez, & Rumbaut, 2015; Bersani, Loughran, & Piquero, 2014; Vaughn, Salas-Wright, Delisi, & Maynard, 2014).

A third potential connection between limited cooperation policies, immigration, and crime stems from the social disorganization framework. According to this framework, dense community social and institutional network structures inhibit crime and delinquency by fostering informal social control mechanisms such as the supervision of adolescents (Sampson, 2011; Shaw & McKay, 1969). However, structural factors like poverty or residential instability prevent, disrupt, and erode social network ties and weaken local institutions. When social and institutional networks are fractured, communities become characterized by social disorganization, or the inability of the community to maintain order (Sampson, 2011). As such, community crime is expected to increase under the condition of social disorganization (Shaw & McKay, 1969). Thus, even if immigrants have lower levels of criminality—as suggested by much of the extant literature—this framework would suggest that a rapid increase in the immigrant population may burden local institutions, deplete their resources, and limit new and existing community members' ability to effectively communicate and form or maintain social relationships. In other words, rapid social change—stemming from immigration—may destabilize communities and negatively impact informal and formal social control mechanisms resulting in increased crime (Shaw & McKay, 1969; Stowell, 2007).

A substantial body of research tests hypotheses derived from the social disorganization framework that link immigration to crime at aggregate levels. For example, Martinez, Stowell, and Cancino (2008) examined patterns in homicide in neighborhoods, defined as census-tracts, in the cities of San Diego and San Antonio. The authors found that the concentration of recent immigrants is negatively associated with homicide in San Diego neighborhoods overall but found a null relationship in Latino neighborhoods specifically. Similarly, Martinez and colleagues found

no evidence of a relationship between immigrants and crime in San Antonio across Latino communities and in communities overall. These results fail to support the expectations of social disorganization as it relates to immigration and crime.

Some scholars contend that research fails to find evidence in support of the social disorganization framework because researchers predominantly examine the immigration-crime link in traditional immigrant designations like San Diego, San Antonio, or other large metropolitan gateways (Shihadeh & Barranco, 2010). This position argues that traditional destinations possess institutional and social support structures that can readily accommodate influxes of new immigrants and protect against social disorganization. In contrast, newer immigrant destinations, such as cities and counties in North Carolina, lack necessary institutional support networks and are disproportionately likely to experience weakened social organization and thus an increase in violence (Shihadeh & Winters, 2010). However, much of the evidence supporting the claim that immigration leads to social disorganization in new destinations comes from analyses of cross-sectional data, which may suffer from omitted variable bias (Light, 2017). These studies are also limited in that they may not correctly model the temporally dynamic relationship between immigration and crime that is theoretically expected based on the social disorganization framework (Ousey & Kubrin, 2017).

A recent meta-analysis by Ousey and Kubrin's (2017) sheds further light on the question of whether or not there is a macro-level relationship between immigration and crime as well as the degree to which the relationship unfolds over time or differs between contexts of reception. The authors consider a sample of over 50 studies examining the immigration-crime link, which includes over 500 point estimates of an immigration effect. After controlling for various dimensions of study design, their meta-analysis found an average negative—albeit weak—effect of immigration on crime. Furthermore, while there was no significant average relationship between immigration and crime in studies of new destination contexts and for studies that relied on cross-sectional methods, there was a significant *negative* effect of immigration on crime in traditional destinations and in studies that utilized longitudinal analytic designs. These results, coupled with the evidence at the individual-level, strongly suggest that an influx of immigrants *does not* increase crime in communities across the United States, despite the rhetoric presented by opponents of limited cooperation policies.

4.2 | Arguments in favor of limited cooperation policies

Supporters of limited cooperation policies contend that such policies potentially heighten community safety and protect *all* members from criminal victimization. For example, limited cooperation policies may strengthen community-police relations because noncitizens do not feel at risk for removal when they interact with police, including when they are victims of violent crime. As such, noncitizens and immigrant communities may be more willing to seek assistance from law enforcement officials or cooperate with criminal investigations (Sullivan, 2009). A reduction in crime in the context of greater crime reporting and police cooperation may seem counterintuitive. Crime rates, as reflected in official statistics such as the FBI's Uniform Crime Reports, could increase if more crimes are reported to police. However, greater cooperation with police should facilitate the clearance of crimes by arrest, which has been shown to incapacitate and deter would-be criminals (Levitt, 1998). Limited cooperation policies, according to this logic, may contribute to a *reduction* in crime over time through improved cooperation with police and increased arrests.

Lyons, Vélez, and Santoro (2013) situate limited cooperation policies within a broader context of what they describe as “immigrant political opportunities” and argue that localities with “open political opportunities can generate a ‘spiral of trust’ that improves communication between officials and immigrants, promotes legislation protecting immigrant interests, and generates system-level trust in government on the part of immigrant groups” (p. 609–610). A “spiral of trust” may also be effective in increasing public and informal social controls that facilitate “collective crime control efforts” (Carr, 2005, as cited by Lyons et al., 2013, p. 610). This latter point is particularly important, as

criminologists have highlighted the importance of social organization and collective efficacy in reducing neighborhood crime (Sampson & Graif, 2009; Sampson, Raudenbush, & Earls, 1997).

5 | EXTANT EMPIRICAL RESEARCH ON “SANCTUARY” CITIES AND CRIME

Despite well-publicized political debates offering various forms of conjecture, only four empirical studies to our knowledge systematically examine the relationship between limited cooperation policies and crime (Lyons et al., 2013; Wong, 2017; Gonzalez, Collingwood, & El-Khatib, 2017; Martínez-Schuldt & Martínez, n.d.). Although the authors of these studies conceptualize and operationalize “sanctuaries” differently, examine patterns in crime across different units of analyses, rely on diverse analytic techniques, and focus on distinctive points in time, none of the studies support the claim that “sanctuaries” are more crime-prone than non-sanctuaries. In what follows, we provide a brief review of these four studies.

Wong (2017) compares the overall violent and property crime rates for demographically matched “sanctuary” and “non-sanctuary” counties across the United States. Wong defines “sanctuary” jurisdictions as counties that do not accept immigration detainer requests from ICE and categorizes counties by relying on data provided by ICE through a Freedom of Information Act request. Wong draws on the American Community Survey (ACS)'s 2015 5-year estimates to match “sanctuary” and “non-sanctuary” counties along demographic characteristics (e.g., population size, percentage of the population that is Latino, percent of the population that is foreign-born, etc.). Lastly, Wong derives violent and property crime rates from the FBI's Uniform Crime Reports (UCR). After matching counties and comparing their crime rates, Wong finds that large central metropolitan counties, micropolitan counties, and rural counties with “sanctuary” policies are *safer* than their “non-sanctuary” counterparts. However, similarly matched “sanctuary” and “non-sanctuary” large fringe metropolitan counties, medium metropolitan counties, and small metropolitan counties have crime rates that are not statistically different. Unfortunately, Wong's cross-sectional approach only confidently reveals the existing differences (or similarities) between counties as opposed to longer-term consequences of limited cooperation approaches.

Gonzalez et al. (2017) offer an improvement over Wong's (2017) approach by employing a similar causal-inference matching strategy on U.S. cities in conjunction with multivariate regression (to account for imperfect matching). Specifically, the authors compare overall violent crime, overall property crime, and rape rates in U.S. cities before and after the implementation of “sanctuary” policies as well as between 2000 and 2014, more generally. Unlike Wong (2017), Gonzalez et al. (2017) rely on a more encompassing definition of “sanctuary” cities, and include any “city or police department that has passed a resolution or ordinance expressly forbidding city or law enforcement officials from inquiring into immigration status and/or cooperation with Immigration and Customs Enforcement (ICE)” (p. 2). Overall, Gonzalez et al. (2017) find that “sanctuary” cities do not experience any uniform shift in crime rates in the year following the implementation of a “sanctuary” policy for all three of their outcome measures. Furthermore, Gonzalez and colleagues find no statistically significant differences in crime rates between 2000 and 2014 for their matched cities.

Like Wong (2017), Gonzalez et al.'s (2017) analysis is not without limitations. For example, the authors compare overall violent and property crime rates at the expense of more refined and/or reliable measures (e.g., homicide). It is possible that the effects (positive or negative) of limited cooperation policies are specific to certain types of crime. On a more technical note, the authors employ a regression analysis (post-matching) to compare crime *rates*, opposed to incidents, which may also suffer from bias (Osgood, 2000).

Lyons et al. (2013) draw on data from the National Neighborhood Crime Study (NNCS) and use multi-level statistical techniques to examine the relationships between neighborhood factors, city-level characteristics, and neighborhood violent crime. Specifically, the authors examine the number of homicides and robberies that occur in census tracts (a proxy for neighborhoods) in 2000. Although not the central focus of the analysis, Lyons et al. (2013) include a city-level measure for “sanctuary” city, which they created by drawing on data provided by NILC.

Lyons and colleagues find that immigrant concentration is associated with a reduction in neighborhood violence, a finding that has been routinely demonstrated in social scientific research and often described as the “immigrant revitalization perspective” (Martinez & Lee, 2000; Ousey & Kubrin, 2017). However, the authors find that the inverse relationship between neighborhood immigrant concentration and crime is stronger in “sanctuary” cities (municipalities with at least one law or formal resolution limiting local enforcement of immigration laws) compared to “non-sanctuary” cities. Lyons and colleagues suggest that the existence of “sanctuary” policies represent one dimension of the city-level concept of “immigrant political opportunities,” which they define as “the political receptivity or vulnerability of cities to meeting the needs and demands of immigrant communities” (2013, p. 605). The authors suggest that immigrant political opportunities strengthen the inverse immigrant-crime relationship because there is greater communication and trust between immigrant communities and city institutions (Sandoval, 2009), an interpretation that closely mirrors the justifications proposed by supporters of “sanctuary” policies. We must note that Lyons et al.’s (2013) cross-sectional analysis suffers from limitations similar those discussed regarding Wong’s (2017).

Lastly, Martínez-Schuldt and Martínez (n.d.) combine data from the FBI’s Uniform Crime Reports, the U.S. Census, and the American Community Survey to examine the relationship between the implementation of limited cooperation policies and incidents of violent crime across 107 U.S. cities between 1990 and 2010. Martínez-Schuldt and Martínez conceptualize and operationalize limited cooperation policies in the same manner as Lyons et al. (2013) and Gonzalez et al. (2017). However, unlike previous approaches, they simultaneously examine variation in refined measures of violence (e.g., homicide and robbery) and utilize longitudinal multivariate regression techniques. Martínez-Schuldt and Martínez’s results indicate that cities experience an initial decline in incidents of robbery following the passage of “sanctuary” ordinances, but no changes in homicide. Consistent with Lyons et al.’s (2013) expectations regarding “immigrant political opportunities,” the authors also find that “sanctuary” polices strengthen the inverse relationship between immigrant concentration measures and both homicide and robbery.

The analyses presented by Martínez-Schuldt and Martínez too are not without limitations. For example, the authors rely on official measures of crime as opposed to measures that are less susceptible to reporting bias such as those from victimization surveys. Moreover, similar to previous research on limited cooperation policies and crime, Martínez-Schuldt and Martínez focus on general measures of violence instead of ethnoracial-specific measures. As such, they neglect the fact that ethnoracial minority groups are not equally affected by the structural conditions that foster crime and victimization (Peterson & Krivo, 2005). Future researchers may want to consider how, if at all, ethnoracial groups are differentially impacted by the passage of limited cooperation policies.

Ultimately, there is minimal empirical research on the “sanctuary” policies-crime relationship and the four existing studies yield mixed results. However, none of these studies suggest that limited cooperation policies foster crime. Instead, findings support the maintenance and expansion of limited cooperation policies, at least insofar as they foster positive immigrant community-police relations and other immigrant political opportunities. Moreover, as Lyons et al. (2013) suggest “By marginalizing newcomers, creating political cynicism, and instilling mistrust of the police and local authorities, hostile regimes may set in motion the very [criminogenic] processes they fear” (Lyons et al., 2013, p. 624).

6 | DISCUSSION

Findings from the robust literature on the immigration-crime link (Lee & Martinez, 2002; Lee, Martinez, & Rosenfeld, 2001; Martinez, Stowell, & Lee, 2010; Ousey & Kubrin, 2017; Rumbaut & Ewing, 2007; Sampson et al., 1997) as well as those from recent studies examining the relationships between limited cooperation policies and crime are clear (Lyons et al., 2013; Wong, 2017; Gonzalez et al., 2017; Martínez-Schuldt & Martínez, n.d.). Neither immigration nor limited cooperation policies are directly positively associated with higher rates of crime. Despite these consistent and reliable findings, many policymakers continue to question unauthorized migration and limited cooperation policies on the basis of public safety concerns.

This leads us to question the underlying nature of the public discourse surrounding limited cooperation policies, immigration, and crime. Overall, we contend that this discourse has less to do with crime and safety concerns and more with what Chavez (2008) describes as the “Latino Threat” narrative as well as public conceptualizations of what it means to be “real American.” That is, the “rule of law” trope often deployed by opponents of limited cooperation policies serves as a color-blind, race-neutral guise for xenophobia and anti-immigrant sentiment, which are ultimately products of a larger racialized social system (Armenta, 2016; Armenta, 2017; Bonilla-Silva, 1997). This indirect and covert manifestation of racism becomes further entrenched and taken-for-granted precisely because certain segments of the population frame unauthorized migration as an assault on the “rule of law” or a “law and order” issue (Rumbaut & Ewing, 2007). We believe this helps explain why certain segments of the polity continue to recycle empirically inaccurate arguments that limited cooperation policies and noncitizens, more broadly, represent public safety concerns.

7 | CONCLUSION

In January of 2017, President Donald Trump signed an executive order entitled “Enhancing Public Safety in the Interior of the United States” (Executive Order 13768, 2017). The executive order targets so-called “sanctuary” jurisdictions by withholding federal grants, except for those funding law enforcement initiatives, until they fully cooperate with the federal government in the enforcement of immigration laws. Recent pieces of legislation proposed at the federal level have followed suite. Political pressure placed on the federal government to crackdown on limited cooperation policies is predicated upon the notion that localities with such ordinances threaten public safety by harboring “deportable” noncitizens. Nevertheless, this assertion is largely based on high-profile, isolated incidents of violent crime committed by deportable noncitizens rather than on empirical evidence. The current public and political discourse on “sanctuaries” inspired us to review the extant literature and pose three interrelated questions: 1) what is a “sanctuary” jurisdiction? 2) How and why have “sanctuary” policies evolved across time? And 3) what, if any, is the link between “sanctuary” policies and crime? In addressing these questions, our brief review of the existing academic literature on local “sanctuary” (i.e., limited cooperation) policies identifies several important findings.

First, although limited cooperation policies largely grew out of the 1980s Sanctuary Movement, these policies have evolved considerably as immigration enforcement has devolved from the federal to the local level. As such, contemporary “sanctuary” jurisdictions are broadly defined as places where state or local governments enact policies that limit local officials’ cooperation with federal authorities in the enforcement of immigration laws. These policies broadly consist of “don’t ask,” “don’t tell,” and “don’t enforce” measures (Kittrie, 2006).

Second, we find that relatively little empirical research examines the impact that local limited cooperation policies have on crime. This is concerning given the recent reliance on anecdotal evidence of violence committed by deportable noncitizens to call for the dismantling of limited cooperation policies through the withholding of federal funds. The studies we are aware of, conducted by Lyons et al. (2013), Gonzalez and colleagues (2017), Wong (2017), and Martínez-Schuldts and Martínez (n.d.) have yielded an inverse or null relationship between limited cooperation policies and crime. For the most part, it appears that jurisdictions with limited cooperation policies are either safer from crime or no different than jurisdictions without such policies (Wong, 2017; Gonzalez et al., 2017). Furthermore, limited cooperation policies may indirectly reduce crime by magnifying the crime-reducing effects of immigration (Martínez-Schuldts & Martínez, n.d.; Lyons et al., 2013; Ousey & Kubrin, 2017).

Our review of the literature suggests that existing evidence supports the expansion of limited cooperation policies. Criminological research has long established the importance of social organization and collective efficacy in reducing neighborhood crime (Sampson et al., 1997; Sampson & Graif, 2009). Ultimately, returning to the work of Lyons et al. (2013), it appears that limited cooperation policies expand immigrants’ political opportunities and solidify community-official communication, which builds trust between communities and the officials that they represent and

serve. The result is that this “spiral of trust” strengthens formal and informal social control through community organization, thus reducing crime.

Finally, there exist several avenues for future research on so-called “sanctuaries” and crime. First, there is a clear need for additional longitudinal macro-level research that, 1) relies on more precise measures of crime (e.g., counts of specific types of crime), 2) examines intra-ethnic crime, 3) compares different units of analysis, 4) uses different approaches to operationalize “sanctuary” policies, and 5) considers the moderating effects of these policies and other key independent variables on crime. Second, there appears to be a notable dearth in individual-level research that examines the relationships between limited cooperation policies and their effects on, 1) criminal offending, including minor crime, 2) criminal victimization across types of jurisdictions, and 3) criminal victimization reporting. Continued research in these areas will significantly advance the current understanding of the limited cooperation policies-crime nexus and undoubtedly contribute to ongoing policy debates.

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ENDNOTES

¹ See *Miranda-Olivares v. Clackamas County* and *Galarza v. Szalcyk*.

² For example, see San Francisco's Due Process for All and Sanctuary 96-16 ordinance.

³ Anti-Drug Abuse Act of 1988, Pub. L. No. 100-690, 102 Stat. 4181 (November 18, 1988).

⁴ For a full list of city and county ordinances and administrative policies as well as state laws that limit compliance of local law enforcement with federal authorities, see Immigrant Legal Resource Center, “Detainer Policies,” last updated on August 20, 2015. <https://www.ilrc.org/detainer-policies>

⁵ See <http://www.aialdownloads.org/advo/NILC-LocalLawsResolutionsAndPoliciesLimitingImmEnforcement.pdf>.

⁶ The constitutionality and legality of limited cooperation policies as well as immigration detainers are currently being debated in legal circles and in different circuit courts around the country, therefore it is imprecise to conclude that sanctuary jurisdictions across the United States willfully violate federal law.

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