

# Do Immigrants Threaten US Public Safety?

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## Executive Summary

Opponents of immigration often claim that immigrants, particularly those who are unauthorized, are more likely than US natives to commit crimes and that they pose a threat to public safety. There is little evidence to support these claims. In fact, research overwhelmingly indicates that immigrants are less likely than similar US natives to commit violent and property crimes, and that areas with more immigrants have similar or lower rates of violent and property crimes than areas with fewer immigrants. There are relatively few studies specifically of criminal behavior among unauthorized immigrants, but the limited research suggests that these immigrants also have a lower propensity to commit crime than their native-born peers, although possibly a higher propensity than legal immigrants. Evidence about legalization programs is consistent with these findings, indicating that a legalization program reduces crime rates. Meanwhile, increased border enforcement, which reduces unauthorized immigrant inflows, has mixed effects on crime rates. A legalization program or other similar initiatives not currently under serious consideration have more potential to improve public safety and security than several other policies that have recently been proposed or implemented.

## Keywords

immigrants, foreign born, crime, public safety

## Introduction

The relationship between immigration and crime is a hot topic, but it is not a new one. During the peak of US immigration in the late 19th and early 20th centuries, there was a perception that the two activities were related (Moehling and Piehl 2009, 2014). In fact, a common claim in congressional debates was that foreign countries actively encouraged convicts to immigrate to the United States (Moehling and Piehl 2007). Immigration was also sometimes seen as underlying the rise of certain criminal institutions in the United States, such as the mafia. The characterization of the US–Mexico border as a lawless place rife with crime and illicit activity dates back more than a hundred years, as does the debate over whether immigration exacerbates crime and other social ills (Moehling and Piehl 2009, 2014).<sup>1</sup>

Charges that immigrants, particularly unauthorized ones, endanger public safety have resurfaced in recent years and played a central role in the 2016 presidential election and in the government shutdown of early 2019. Immigration policies, most notably President Donald Trump’s call to “build the wall,” are being proposed and, in some cases, implemented partly on the basis of claims that immigrants are responsible for a disproportionate share of crimes and that devoting more resources to immigration enforcement would reduce illegal immigration and crime. Increased border and interior enforcement, crackdowns on sanctuary cities, and the reinstatement of Secure Communities are examples of policies proposed or implemented in the name of decreasing illegal immigration and bolstering public safety.

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<sup>1</sup>For example, in 1911, the US Immigration Commission, also called the Dillingham Commission, concluded that federal regulation was not effectively excluding criminal aliens and proposed strengthening restrictions on immigration.

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Such claims are contrary to the large body of research that shows that immigrants are less likely than US natives to commit crimes and that areas with more immigrants — including unauthorized ones — tend to have lower crime rates than areas with fewer immigrants. Furthermore, there is little credible evidence that unauthorized immigrants are more likely to commit crimes than US natives. While there is a growing consensus that the massive increase in border enforcement during the past two decades has reduced the inflow of people, particularly Mexicans, crossing the border illicitly in search of work, there is no clear evidence that it has led to a drop in crime rates. Research suggests that the relationship between immigration enforcement, either along the border or in the interior, and crime rates is complicated. Tougher immigration enforcement can even lead to increases in crime by reducing economic opportunities and pathways to legal status for unauthorized immigrants.

This article provides an overview of the research on immigration, enforcement, and crime and discusses how recent or potential changes to immigration policy may affect crime rates. As some politicians justify calls for tougher immigration enforcement by claiming it will improve public safety, it is vital for policymakers and the public to understand whether immigration in fact boosts crime and whether tougher enforcement reduces the number of unauthorized immigrants and thereby reduces crime rates. The article begins with a summary of the research on immigration and crime. It then turns to the research on whether increased border enforcement reduces unauthorized immigration and crime. It next explores several other policies related to immigration, enforcement, and crime and concludes with a discussion of the likely effects of recent policy initiatives and areas for further research.

## **Evidence on Immigration and Crime**

Standard economic theory predicts that criminal behavior is related to opportunity costs. Becker (1968) first formalized the idea that potential criminals consider the expected costs and benefits of committing crimes before they engage in criminal behavior. If so, the greater the expected costs in terms of foregone labor market opportunities (employment and earnings) and harsher punishment, the less likely most people would be to commit crimes.

Applied to immigrants in the United States, this theory gives countervailing predictions. On one hand, immigrants may be more likely to commit crimes because they typically have lower earnings than similar US natives. And since immigrants tend to be younger and disproportionately male — characteristics associated with criminal behavior — they may be more likely to commit crimes than the average US native. On the other hand, some immigrants who commit crimes face much stiffer punishments than US natives if they are caught. In addition to imprisonment, noncitizen immigrants can be deported if they are convicted of a serious crime, barred from reentering the United States, or deemed ineligible to become naturalized citizens. This heightened deterrence effect predicts that immigrants are less likely than US natives to commit crimes.

The empirical evidence comes down decidedly on the side of immigrants being less likely to commit crimes. A large body of empirical research concludes that immigrants are less likely than similar US natives to commit crimes, and the incarceration rate is lower among the foreign-born than among the native-born (see, e.g., Butcher and Piehl 1998a, b, 2007; Hagan and Palloni 1999; Rumbaut et al. 2006; Rumbaut and Ewing 2007). Among men ages 18 to 39 — prime ages for engaging in criminal behavior — the incarceration rate among immigrants is one-fourth the rate among US natives (National Academies of Sciences, Engineering, and Medicine 2015).

There are several potential reasons why immigrants are less likely than similar US natives to commit crimes despite their worse labor market prospects. First, the difference in the deterrence effect outlined above may dominate the difference in economic opportunities. Since noncitizens potentially face deportation, they should be more responsive than US citizens to crime deterrence policies, such as increased police presence. Immigrants also may be subject to more scrutiny by law enforcement officers. But other channels besides deterrence may contribute to immigrants' relatively low propensity to commit crimes. Immigrants may be positively selected from the population in their origin countries: People who are more likely to commit crimes may be less likely to become immigrants to the United States (Butcher and Piehl 1998a, 2007). The fact that many immigrants come to work may result in a self-selected group with a low propensity to commit crimes. Relatedly, US immigration policy may screen out some migrants who would commit crimes. Immigrants may be more likely to have close family and community ties, which tend to reduce the propensity to commit crimes (Sampson, Morenoff, and Raudenbush 2005; Ousey and Kubrin 2009).

There is some evidence that the lower propensity of immigrants to commit crimes does not carry over to immigrants' children. The US-born children of immigrants — often called the “second generation” — appear to engage in criminal behavior at rates similar to those of other US natives (Bersani 2014a, b). This “downward assimilation” may be surprising, since the second generation tends to considerably outperform their immigrant parents in terms of education and labor market outcomes, and therefore might be expected to have even lower rates of criminal behavior (National Academies of Sciences, Engineering, and Medicine 2015). Instead, immigrants' children are much like their peers in terms of criminal behavior. This evidence mirrors findings that the immigrant advantage over US natives in terms of health tends to not carry over to the second generation (e.g., Acevedo-Garcia et al. 2010).

Although immigrants are less likely to commit crimes than similar US natives, they are disproportionately male and relatively young — characteristics associated with crime. Does this difference in demographic composition mean that the average immigrant is more likely than the average US native to commit crimes? Studies comparing immigrants' and US natives' criminal behavior and

incarceration rates tend to focus on relatively young men, leaving the broader question unanswered. Indirect evidence is available, however, from looking at the relationship between immigration and crime rates. If the average immigrant is more likely than the average US native to commit crimes, areas with more immigrants should have higher crime rates than areas with fewer immigrants.

The evidence here is clear: Crime rates are no higher, and are perhaps lower, in areas with more immigrants. An extensive body of research examines the relationship between immigration and crime rates (see Ousey and Kubrin 2018 for a survey of the literature). The most convincing of these studies examine the relationship between changes in immigration — typically measured as the foreign-born share of the population — and changes in crime rates. Focusing on changes allows researchers to control for unobservable differences among areas. The finding of either a null relationship or a small negative relationship holds in raw comparisons, in studies that control for other variables that could underlie the results from raw comparisons, and in studies that use instrumental variables to identify immigrant inflows that are independent of factors that also affect crime rates, such as underlying economic conditions (see, for example, Butcher and Piehl 1998b; Lee, Martinez, and Rosenfeld 2001; Reid et al. 2005; Graif and Sampson 2009; Ousey and Kubrin 2009; Stowell et al. 2009; Wadsworth 2010; MacDonald, Hipp, and Gill 2013; Adelman et al. 2017). The lack of a positive relationship is generally robust to using different measures of immigration, looking at different types of crimes, and examining different geographic levels.<sup>2</sup> Furthermore, the lack of a positive relationship suggests that immigration does not cause US natives to commit more crimes, which might occur if immigration worsens natives' labor market opportunities, for example. There is little evidence linking immigration to a greater propensity for US natives to commit crimes.<sup>3</sup>

## Evidence on Unauthorized Immigration and Crime

The few studies that examine crime among unauthorized immigrants report findings that are consistent with the broader pattern among immigrants — namely, unauthorized immigrants are less likely to commit crimes than similar US natives (apart from immigration-related offenses). A study of self-reported criminal behavior among arrested youths in southern California finds that unauthorized immigrants report engaging in less crime before and after their arrests than legal immigrants or US natives (Bersani et al. 2018). A study of Texas Department of Public Safety data concludes that arrest and conviction rates among unauthorized immigrants are far lower than those among US natives, although rates among legal immigrants are the lowest (Nowrasteh 2018). Likewise, studies that examine the relationship between changes in the estimated number of unauthorized immigrants as a share of an area's population and changes in crime or arrest rates in that area find evidence of null or negative effects (Light, Miller, and Kelly 2017; Light and Miller 2018).<sup>4</sup>

While the small literature on the topic generally does not indicate that unauthorized immigration increases crime, the evidence does suggest that legal status matters when it comes to criminal behavior among immigrants. Areas in which more immigrants received legal status via the 1986 Immigration Reform and Control Act (IRCA) legalization program experienced larger reductions in their overall crime rate, driven by lower property crime rates (Baker 2015). Improved labor market opportunities among newly legalized immigrants led to the number of crimes falling by 3 to 5 percent. A study of one Texas county finds that alleged criminal behavior increased after IRCA among Hispanics living in neighborhoods composed largely of recent Mexican immigrants (Freedman, Owens, and Bohn 2018). The increase was concentrated among drug felonies and was presumably due to worse labor market opportunities for unauthorized immigrants, since IRCA made it illegal to hire unauthorized immigrants. Evidence from Europe likewise suggests that receiving legal status reduces migrants' criminal behavior by improving their labor market opportunities.<sup>5</sup>

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<sup>2</sup>The few academic studies that report a positive relationship do so when examining just Mexican immigrants, and even here the evidence is mixed. Spenkuch (2013) finds a positive relationship between changes in the Mexican immigrant share and property crime rates at the county level, but no significant relationship for violent crime rates. Chalfin (2014) does not find a significant relationship between changes in Mexican immigration and property crime or violent crime rates at the city level, while Chalfin (2015) finds that Mexican immigration is associated with a drop in property crimes and an increase in aggravated assaults at the metropolitan-area level.

<sup>3</sup>There is some limited evidence on this question by studies that examine the impact of immigration on African Americans' incarceration rates. The two studies on that topic reach mixed conclusions. Borjas, Grogger, and Hanson (2010) find a positive relationship between low-skilled immigration and African-American native-born men's incarceration rates at the national level between 1960 and 2000, and they suggest that this is because immigration reduced their wages and employment rates. Raphael and Ronconi (2008), however, show that this positive relationship does not hold up in state-level data, and they conclude that immigration does not affect either African-American or white US-born men's criminal activity via increased labor market competition.

<sup>4</sup>Green (2016) finds that the estimated share of a state's population composed of unauthorized immigrants is not significantly related to its overall violent crime rate but is positively related to drug-related crime rates. That study uses a single cross section of data and therefore is unable to control for unobserved state-level factors that may affect crime rates. Light, Miller, and Kelly (2017) and Light and Miller (2018), in contrast, use repeated cross sections and can control for such factors using state fixed effects.

<sup>5</sup>Receiving legal status reduced arrest and recidivism rates among Bulgarian and Romanian migrants in Italy (Mastrobuoni and Pinotti 2015). In the United Kingdom, property crime rates rose in areas where more asylum seekers settled but fell in areas where more migrants from EU-accession countries settled (Bell, Fasani, and Machin 2013). The former did not have permission to work legally, while the latter did.

## **Effects of Border Enforcement on Immigration and Crime**

Given the current focus on unauthorized immigration, border enforcement, and crime, it is important to understand whether border enforcement deters unauthorized immigrants and reduces crime. US border enforcement has increased considerably during the past three decades. The ramp-up in border enforcement encompasses everything from personnel to fencing to motion detector cameras and aerial surveillance. The probability of apprehension along the border is estimated to have risen from 40 percent in 2000 to 55 percent by 2015 (Alden 2017). Penalties for illegal crossings have also increased, as has the ease with which penalties are meted out. So-called “zero tolerance” and “consequence” policies implemented by the US Customs and Border Patrol (CBP) increased the share of apprehended migrants subject to administrative and criminal sanctions from 15 percent in 2008 to 85 percent in 2012 (Bazzi et al. 2018). Border enforcement deters migration by increasing not only the odds of being apprehended and the penalties if apprehended, but also the need to hire a smuggler to evade apprehension and the cost of doing so.

Recent years have seen a substantial decrease in the inflow of unauthorized immigrants. Indeed, the approximately 304,000 migrants apprehended along the US–Mexico border in fiscal year 2017 represent the lowest level of apprehensions since 1971.<sup>6</sup> Apprehensions have since increased, with a rising share of migrants asking for asylum when apprehended, but they remain lower than historical highs. Meanwhile, the estimated number of successful illegal entries fell by about 90 percent between 2005 and 2015, from almost 2 million to 200,000 (Roberts 2017). The best analysis available to date estimates that increased border enforcement explains approximately one-third of the recent reduction in the inflow of unauthorized immigrants, and economic and demographic factors explain the remainder (Roberts, Alden, and Whitley 2013). Those factors include improved economic conditions and demographic changes in Mexico; the US housing bust, ensuing 2007–2009 recession, and subsequent slow recovery; and recent US federal, state, and local immigration policies discussed later in this article.<sup>7</sup>

Some researchers have pointed out that a perverse short-run effect of increasing border enforcement was a rise in the unauthorized immigrant population as circular migration declined (see, for example, Massey, Durand, and Pren 2016; Roberts 2017). Many migrants who used to periodically return home instead settled in the United States and were joined by their families. As a result, the size of the unauthorized immigrant population continued to rise for at least a decade after the ramp-up in border enforcement began in earnest. The size of the unauthorized immigrant population has been stable or slightly smaller since the onset of the 2007–2009 recession, however. Estimates from the Pew Research Center indicate that the unauthorized immigrant population peaked at 12.2 million in 2007 and was about 10.7 million in 2016 (Passel and Cohn 2018). Tougher border enforcement, combined with increased interior enforcement and the other factors noted above, appears to be working in terms of reducing unauthorized immigrant inflows, particularly of traditional migrants, and ultimately the size of the unauthorized immigrant population.

But does this increase in border enforcement, and resultant drop in unauthorized immigration, result in less crime? The limited evidence available is mixed. A study of areas along the US–Mexico border finds that increases in apprehensions made by CBP are positively related to violent crime rates but are not significantly related to property crime rates (Coronado and Orrenius 2007). CBP linewatch hours — a measure of enforcement intensity — in a given border sector are not significantly related to violent crime rates in that sector, but linewatch hours in neighboring sectors are positively related to violent crime rates in a given sector (Coronado and Orrenius 2007). Increased border enforcement in an area deflects some unauthorized immigrant inflows to other areas, apparently boosting violent crime in those areas. The increase in violent crime is likely related to migrants’ growing reliance on organized criminal smuggling rings as border enforcement increases and to a concomitant rise in drug smuggling along the border.

## **Effects of Other Immigration Policies**

During the past two decades, the role of the criminal justice system in immigration has expanded considerably. In fact, the word “cimmigration” was coined to describe the intersection of criminal law and immigration law as the scope and importance of this nexus grew (Stumpf 2006). The increased involvement of the criminal justice system in immigration began in earnest with two 1996 laws, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and the Antiterrorism and Effective Death Penalty Act, which helped lay the groundwork for many of the policies in place today. Among other provisions, those laws expanded the list of crimes for which immigrants, including green card holders, could be removed from the country, and it eliminated due process for many unauthorized border crossers (Kerwin 2018). The IIRIRA also authorized the federal government to deputize state and local law enforcement officers to enforce immigration law. The resulting variation in policies throughout time and among areas, including the refusal of “sanctuary” jurisdictions to cooperate with federal immigration agencies, has enabled researchers to examine the effects of these policies on crime rates. As discussed below, the evidence tends to indicate that the increased involvement of state and local law enforcement in immigration enforcement has not led to lower crime rates.

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<sup>6</sup>See US Border Patrol (2017).

<sup>7</sup>The relative contribution of these factors to the decline in migration is unclear. Warren (2017) attributes little role to the US recession, whereas Chishti and Bergeron (2010), among others, argue that the recession played a role.

## *Federal Partnerships with State and Local Law Enforcement*

There are three major programs in effect in the interior of the country that aim to identify and remove immigrants who pose a threat to public safety: the Criminal Alien Program (CAP), Secure Communities, and 287(g).<sup>8</sup> As explained by Coon (2017), CAP involves identifying deportable immigrants — immigrants who are not US citizens and who are incarcerated in federal, state, and local prisons — and deporting them before they are released back into the community.

Secure Communities enables law enforcement officers to compare biometric data to a Department of Homeland Security database when arrestees are booked into local jails. Immigration and Customs Enforcement (ICE) is notified when a potentially deportable immigrant is arrested; it then begins an investigation and, if applicable, handles the deportation process. ICE began rolling out Secure Communities in 2008, and the program was in place nationwide in 2013.

The 287(g) program — named after the corresponding section of the Immigration and Nationality Act as amended by the 1996 IIRIRA — allows state and local law enforcement agencies to sign an agreement with ICE that delegates authority for immigration enforcement to these agencies. State and local law enforcement officers in participating jurisdictions can interview arrestees to ascertain their immigration status and potentially refer them to ICE for deportation. Under CAP, Secure Communities, and 287(g), immigrants must be incarcerated or arrested for some other crime before their immigration status is investigated.

Although deporting immigrants who commit violent crimes should increase public safety, the evidence suggests that these programs have had little effect. For example, studies that examine areas before and after they began participating in Secure Communities or 287(g) fail to find a significant increase in public safety as measured by crime and arrest rates (Miles and Cox 2014; Treyger, Chalfin, and Loeffler 2014; Forrester and Nowrasteh 2018). This is not surprising, since relatively few of the immigrants deported via these programs pose a threat to public safety. Indeed, the vast majority — 85 percent — of ICE removals under Secure Communities were for immigration offenses, including illegal entry, illegal reentry, and unlawful presence.<sup>9</sup> One study found that only 3 percent of the 2.6 million immigrants ICE dealt with via CAP during 2010 to 2013 had been convicted of a violent or serious crime (Cantor, Noferi, and Martínez 2015). The vast majority had been convicted of a nonserious or nonviolent offense. About one-half of immigrants detained under the 287(g) program had committed only a misdemeanor or a traffic violation (Capps et al. 2011). Furthermore, these programs may actually decrease public safety in some immigrant-intensive areas by making immigrants less willing to come into contact with law enforcement (Kirk et al. 2012; Theodore and Habans 2016). When immigrants are unwilling to report crimes or testify against offenders for fear of being deported, they become easier targets for criminals. More crimes may occur, but a smaller share of them may be reported or successfully prosecuted, resulting in no change in official crime rates measured on a per capita basis but a decrease in actual public safety.

In part because of concerns about racial profiling and the limited effectiveness of the Secure Communities and 287(g) programs, the Obama administration scaled them back.<sup>10</sup> Secure Communities was discontinued in 2014 and replaced with the Priority Enforcement Program (PEP). PEP limited ICE to pursuing deportation only for immigrants who posed a demonstrable risk to national security or had been charged with or convicted of a particular set of crimes, including criminal gang activity. PEP also limited the scope of the 287(g) program. The Trump administration promptly reversed course. In January 2017, it issued executive orders terminating PEP, reinstating Secure Communities, and expanding the 287(g) program.

## *Sanctuary Jurisdictions*

Some parts of the United States responded to the increase in partnerships between the federal government and local law enforcement, exemplified by the 287(g) program and Secure Communities, by adopting laws or ordinances that prohibit state or local government resources from being used to enforce federal immigration laws. The rationale for such laws has been to preserve trust in the police and encourage the reporting of crimes; to avoid the costs of complying with federal requests to detain suspects for longer and the costs of potential lawsuits involving such detentions and eventual removals; and to prevent the adverse impact on families and communities of deporting low-priority immigrants, often household heads with jobs and dependents.

In contrast, critics allege that these “sanctuary” policies protect immigrants who commit crimes and lead to an increase in criminal activity. Studies show, however, that crime rates are the same or lower in sanctuary jurisdictions compared with otherwise-similar jurisdictions as well as before and after areas enacted sanctuary policies (Gonzalez, Collingwood, and El-Khatib 2017; Martínez-Schuldt and Martínez 2017; Wong 2017). In addition, the negative relationship between the immigrant population share and crime rates discussed above is stronger in sanctuary cities (Lyons, Vélez, and Santoro 2013; Martínez-Schuldt

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<sup>8</sup>For a more detailed explanation of CAP, Secure Communities, and 287(g), see Kandel (2016).

<sup>9</sup>These data are based on Transactional Records Access Clearinghouse (TRAC) immigration data. See TRAC Immigration (2019).

<sup>10</sup>Since Secure Communities overlapped with many aspects of 287(g), ICE announced in 2012 that it would not renew any 287(g) agreements or enter into new ones. After the Obama administration discontinued Secure Communities in 2014, ICE resumed renewing 287(g) agreements and entering into new ones (Coon 2017).

and Martínez 2017). Nevertheless, the Trump administration issued an executive order in January 2017 making areas that refused to comply with federal immigration enforcement policies ineligible for federal grants related to law enforcement.<sup>11</sup>

### **E-Verify Requirements**

Since the mid-2000s, in an effort to discourage unauthorized immigrants from living and working there, several states have begun requiring some or all employers to use E-Verify. E-Verify is an online system run by the Department of Homeland Security that allows employers to check whether their newly hired workers are authorized to work in the United States. The general goal of these laws is to reduce unauthorized immigration by making it harder for those workers to find a job. Research indicates that these requirements generally succeeded in reducing the number of unauthorized immigrants living in the states that enacted them, although they may have just led unauthorized immigrants to move to other states (e.g., Bohn, Lofstrom, and Raphael 2014; Orrenius and Zavodny 2016; Hoekstra and Orozco-Aleman 2017). E-Verify requirements also appear to have made it harder for unauthorized immigrants to find a job, and to have reduced earnings among those who do find a job (e.g., Orrenius and Zavodny 2015a).

The theoretical effect on crime of requiring employers to use E-Verify is ambiguous, since an E-Verify requirement leads to population shifts as well as to changes in migrants' labor market opportunities. If the share of immigrants who are unauthorized falls, crime rates among immigrants might fall somewhat in immigrant-intensive areas, since the evidence suggests that unauthorized immigrants are slightly more likely than legal immigrants to commit crimes. A drop in the number of unauthorized immigrants may also reduce overall crime rates via a compositional effect — unauthorized immigrants are disproportionately young men, and young men are the demographic group most likely to commit crimes. Criminal behavior may rise, however, among unauthorized immigrants who remain, since E-Verify requirements worsen their labor market prospects. Only one study has examined this question to date. It concludes that Arizona's 2007 E-Verify law led to a drop in the property crime rate there, and the drop is fully explained by changes in the state's demographic composition because young unauthorized-immigrant men left (Chalfin and Deza 2018). Meanwhile, what happened to crime rates in the states those unauthorized immigrants moved to is an open question.

### **Discussion and Conclusion**

US immigration policy aims to achieve a large set of goals: Enable families to reunite, provide refuge to people fleeing persecution abroad, support economic growth by allowing firms to hire needed foreign workers, and advance US geopolitical interests. Immigration policy also aims to protect public safety and national security by barring and removing migrants who pose a credible threat.

The use of immigration policy as a tool for protecting public safety and national security has increased dramatically during the past two decades. Some of these changes make sense. For example, 9/11 and other terrorist incidents demonstrated the need for more thorough screening of applicants for temporary and permanent visas and for more coordination among federal agencies and between US agencies and foreign governments. The increase in border enforcement during the 1990s and early 2000s coincided with a surge in unauthorized immigration, which led to calls for even more increases in enforcement. Increased enforcement, combined with other changes in the United States and Mexico, appears to have finally resulted in smaller inflows of unauthorized immigrants, and the unauthorized immigrant population has been stable or falling for more than a decade. It is not clear that crime has fallen as a result, however.

An additional concern with devoting more resources to building a wall, increasing CPB staffing, and apprehending and removing large numbers of immigrants who have committed only minor offenses is that fewer resources are devoted to detecting and preventing more serious crimes. Whether along the border or in the interior, resources are limited. Recent news stories have highlighted how border-crossing wait times have spiked for trucks and passenger vehicles because CBP officers have been diverted to process asylum seekers. Delays in processing trade have significant adverse consequences for economic activity on both sides of the border. Similarly, as law enforcement funds and personnel are diverted to enforcing immigration laws, less effort goes to pursuing people who commit serious crimes, immigrants and natives alike. More research on the relative impacts of various enforcement activities on crime rates is sorely needed, as is more public discussion of opportunity costs.

Meanwhile, discussion of a legalization program has largely disappeared from the public agenda. The evidence from the United States and Europe suggests that a legalization program reduces crime rates by improving migrants' economic opportunities. A legalization program is necessary, since current laws make it impossible for many unauthorized immigrants to adjust to lawful permanent resident status in the United States. Most applicants for permanent residence who are already living in the United States must return to their home countries as part of the application process for a green card. IIRIRA imposed three- and 10-year reentry bars for unlawful presence in the United States, which are triggered when intending immigrants leave the country for consular processing. Those unauthorized immigrants likewise cannot shift to a temporary worker visa without leaving the country and triggering the reentry bar.

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<sup>11</sup>The order (Executive Order No. 13768) has been enjoined by several courts and ruled unconstitutional by the Ninth Circuit Court of Appeals.

A legalization program — or other changes that would enable some unauthorized immigrants to adjust to lawful permanent resident (LPR) status, including lifting the reentry bar, increasing the number of visas available, and removing the annual cap on the number of visas awarded to migrants from a given country — would likely reduce crime rates by enabling beneficiaries to move to better jobs that pay higher wages. In addition, creating more and wider pathways for future migrants to enter legally, both temporarily and permanently, would help ensure that the unauthorized immigrant population does not resume growing in the United States, and it would allow CPB and ICE to better focus on threats to public safety.

Instead of creating or expanding legal pathways, the current administration has moved in the opposite direction by proposing to end the Deferred Action for Childhood Arrivals (DACA) program and to no longer extend Temporary Protected Status (TPS) to migrants from several countries. At present, these programs provide temporary legal status to roughly 1 million qualified migrants who would otherwise be unauthorized, enabling them to work legally and improving their economic opportunities and living standards.<sup>12</sup> Participants lose their protected status if they are convicted of a serious crime, so the programs also have a deterrence component. Ending these programs will reduce those migrants' labor market prospects and therefore might increase crime rates, but there is no actual evidence on how programs like DACA and TPS have affected crime rates. Researchers should use the variation created by their establishment (and potentially their elimination) to assess the impact on crime rates. In addition, further research is needed on the effects of worksite enforcement programs, including E-Verify requirements and workplace raids. Disentangling the countervailing impacts of those policies on crime rates via their demographic and labor market effects is an important question to address.

Several other recent immigration policy initiatives by the Trump administration are unlikely to increase public safety and may even prove counterproductive. The evidence on Secure Communities indicates that the program did not lead to lower crime rates, yet the program has been resurrected in the name of reducing crime. The evidence on sanctuary cities indicates they do not have higher crime rates than other, similar areas, but the administration has proposed penalizing sanctuary jurisdictions. The best outcome would be for federal, state, and local governments to work together to craft enforcement policies that prioritize apprehending, incarcerating, and, if applicable, deporting serious criminals.

A crucial fact seems to have been forgotten by some policymakers as they have ramped up immigration enforcement during the past two decades: Immigrants are *less* likely to commit crimes than similar US natives. This is not to say that immigrants never commit crimes. But the evidence is clear that they are not more likely to do so than US natives. The comprehensive 2015 National Academies of Sciences, Engineering, and Medicine report on immigration integration concludes that the finding that immigrants are less likely to commit crimes than US natives “seems to apply to all racial and ethnic groups of immigrants, as well as applying over different decades and across varying historical contexts” (National Academies of Sciences, Engineering, and Medicine 2015, 328). Unauthorized immigrants may be slightly more likely than legal immigrants to commit crimes, but they are still less likely than their US-born peers to do so. Furthermore, areas with more immigrants tend to have lower rates of violent and property crimes. In the face of such evidence, policies aimed at reducing the number of immigrants, including unauthorized immigrants, seem unlikely to reduce crime and increase public safety.

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<sup>12</sup>For studies of the programs' effects on participants' economic outcomes, see, for example, Amuedo-Dorantes and Antman (2016) and Kuka, Shenhav, and Shih (2018) on DACA and Orrenius and Zavodny (2015b) on TPS.

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