



RESEARCH REPORT

# State Immigration Enforcement Policies

## How They Impact Low-Income Households

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Copyright © May 2017. Urban Institute. Permission is granted for reproduction of this file, with attribution to the Urban Institute. Emilio Lopez, his wife, Prudencia, and grandson, Esteban, age 3, talk about challenges they face because of steps taken by President Donald Trump to drastically increase deportations, at TODEC (Training Occupational Development Educating Communities) on February 24, 2017, in Coachella, California. Photo by David McNew/AFP/Getty Images.

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# State Immigration Enforcement Policies

Over seven million children (1 in 10 US children) live with at least one noncitizen parent, and 80 percent of these children are US-born citizens.<sup>1</sup> Close to 5 million US-citizen children live with an unauthorized immigrant parent (Capps, Fix, and Zong 2016), potentially subject to deportation. Research has shown that the deportation of a parent has serious deleterious effects on families—emotional distress, behavioral issues, and economic hardship for children—and that even the threat of deportation can hurt a family’s well-being by causing fear that restricts mobility, access to jobs, and use of public and private supports in times of need (Koball et al. 2015). The election of President Trump, with his plans to increase efforts to identify and deport unauthorized immigrants, has signaled a harsher policy environment for immigrant families than in recent years. This report examines the impact of a changing immigration policy environment on immigrant families.

In his first days in office, President Trump signed an executive order dismantling recent immigration enforcement practices that focused on serious criminals and recent entrants. His order established new deportation priorities that treat all unauthorized immigrants as equally subject to removal and moved to restore two controversial programs (Secure Communities and 287(g) task force agreements) that encourage local cooperation in enforcing immigration law (see box 1 for an explanation of Secure Communities and 287(g) agreements and of trends in state immigration enforcement policies).<sup>2</sup> In many ways, these policy changes will recreate the immigration policy context of the late years of President George W. Bush’s administration and the early years of President Obama’s administration. Between 2005 and 2010, more and more local jurisdictions signed up for local participation in immigration enforcement programs.

To understand the likely impacts of President Trump’s policy changes and to inform state and local policy choices in this new environment, we revisit this 2005–10 period of increasing local cooperation on immigration enforcement. This period offers useful hints about what may be in store for immigrant households over coming years and about how state and local policies can shape these outcomes. We exploit state variation in policies to test how local involvement in immigration enforcement affects the well-being of low-income immigrant households.<sup>3</sup>

To do this, we created a year-by-year and state-by-state database of immigration enforcement policies toward immigrants and a summary index that includes a range of policies, coded to the state

level, to measure the overall state enforcement climate toward immigrants. Then, we connected that policy index to household-level data from the Survey of Income and Program Participation (SIPP) covering 2005 and 2010. We analyze how these policies affect the material hardship of low-income immigrant households with children.

Material hardship is a commonly used measure that captures experiences of poverty (e.g., households that cannot meet basic expenses, live in overcrowded housing, have less food than they need, have trouble paying rent or utility bills, are evicted or have utilities shut off, go without seeing a doctor or dentist when needed). We use difference-in-difference models and control for a variety of household and state-level factors to approximate causal effects of policies on family material hardship.

Our results show the following:

- As states increase their immigration enforcement efforts, low-income immigrant households with children—both legal immigrant and unauthorized—experienced increased material hardship.
- Immigrant households in states with greater immigration enforcement efforts were more likely than households in states with lower enforcement efforts to report trouble making rent or mortgage payments or getting evicted, trouble paying utilities bills or having utilities shut off, not being able to see the doctor or dentist when needed, and trouble meeting basic household expenses.
- State policies intended to increase immigration enforcement did not affect the well-being of low-income US-citizen households.

In the short run, these experiences of poverty have strong implications for parents' and families' well-being. Higher material hardship also has long-term effects on children; it has been linked to poorer cognitive, social, and physical developmental outcomes (Gershoff et al. 2007; Yoo, Slack, and Holl 2009; Zilanawala and Pilkauskas 2012).

The fact that enforcement policies affect legal immigrant households as well as the unauthorized immigrant households they target, suggests that such policies may generate a more generalized climate of fear. That fear potentially influences the opportunities of legal immigrant households by fostering a reluctance to pursue the best-available jobs and to access available public and private supports in the community.

At the same time, we did not find countervailing benefits of immigration enforcement policies for US-citizen households. Put another way, while policies promoting immigration enforcement seem to hurt immigrant households, they do not seem to help US-citizen households.

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## BOX 1

### Trends in State Enforcement Policies

The Urban Institute’s interactive “[State Immigration Policy Resource](#)” allows users to explore these policies in more depth, by state and year.<sup>a</sup> Users can also download spreadsheets listing whether each policy existed in each state and each year.

Beginning in the mid-2000s, state cooperation in immigration enforcement expanded dramatically, driven primarily by three programs established at the national level: 287(g) agreements, Secure Communities, and E-Verify.

#### 287(g) Agreements

A 1996 law (the Illegal Immigration Reform and Immigrant Responsibility Act 1996) created the 287(g) agreement process, but the first agreement was not signed until 2002 by the Florida Department of Law Enforcement. These agreements allow state or local law enforcement officers to be trained and deputized to carry out certain functions of enforcing federal immigration law, including investigating, apprehending, and detaining noncitizens. Agreements can be signed by city, county, or state law enforcement agencies. There were originally two main types of 287(g) agreements: (1) task force agreements, which allow local law enforcement to identify and arrest removable immigrants on immigration charges in the community, in the course of their regular duties; and (2) jail models, which allow officers within corrections facilities to interview detained noncitizens, check their information against federal databases, and begin the paperwork to initiate a formal removal process. Some communities signed hybrid agreements that contained elements of both models.

The number of 287(g) agreements rose quickly starting in 2005. By 2010, there were 70 active 287(g) agreements with state and local law enforcement agencies (Capps et al. 2011). Because our analyses track policy at the state level, we counted the number of states that had agreements at the state level or where one or more counties with the largest immigrant population in the state had signed agreements. The number of states that fit these criteria grew from 4 in 2005 to 21 in 2010.

Use of the program fell after 2010, particularly after the Department of Homeland Security (DHS) ended the task force model at the end of 2012. In 2016, there were 32 state or local 287(g) agreements, overall, and 11 states with 287(g) agreements for state agencies or in the counties with the largest immigrant populations. A 2017 executive order signed by President Trump suggests that DHS will be actively marketing the program to state and local authorities and may once again use the 287(g) task force model.<sup>b</sup>

## **Secure Communities**

The second federal program encouraging local cooperation in immigration enforcement, Secure Communities, was launched as a pilot in 2008 under President Bush and expanded nationally during President Obama's first term in office. Under Secure Communities, when law enforcement agencies submit fingerprints of arrestees for checks against Federal Bureau of Investigations databases, they are also checked against DHS databases. Depending on the result, ICE officials decide whether to take enforcement action, including issuing a detainer request to the local law enforcement agency, to ask that the individual be held for up to 48 hours, so that ICE can take custody. State participation was initially understood to be voluntary, and 35 states signed agreements to participate by 2010. In 2011, DHS made it clear that the program would operate across the country whether or not states signed on. The program was active in all 50 states and Washington, DC, by 2012.

Starting in 2011, some communities began pushing back against Secure Communities, passing policies to limit cooperation with ICE detainer requests. Critics argued that the program was leading to the arrest and deportation of noncitizens with very minor criminal convictions or arrests but no convictions. In late 2014, Secure Communities was replaced with the Priority Enforcement Program (PEP), in part because of this opposition and in part because two court cases in 2014 ruled that immigration detainers are not binding on local jurisdictions and that holding someone just for ICE to take custody could violate the Fourth Amendment (Chishti and Hipsman 2015). PEP was implemented along with new enforcement priorities focused more narrowly on immigrants who were national security threats, had been convicted of serious crimes, or were new arrivals in the United States. PEP also allowed local law enforcement agencies to set further limits on cooperation (Rosenblum 2015).

President Trump's executive order on interior immigration enforcement ended PEP, reinstated the Secure Communities program, and reestablished expanded enforcement priorities, including unauthorized immigrants convicted of any crime, those arrested but not convicted for crimes, those who may have committed crimes but have not been arrested, and anyone deemed by an immigration officer to be a public safety threat. The restoration of Secure Communities and a return to broader enforcement priorities, mean that today's interior immigration enforcement system has a similar structure and guidelines as the system in place in 2010—the last year of data analyzed for this study.

## **E-Verify**

A third federal immigration enforcement program with variation across the states is E-Verify, an optional, federally run system that allows employers to verify that the name and Social Security number provided by new hires match those people authorized to work in the United States. Some states have mandated that public employers and state-funded contractors use E-Verify, others have mandated all employers use E-Verify, and yet others have passed policies to prohibit localities from mandating use of E-Verify.<sup>c</sup> States began passing these policies in 2006, and 12 states required use of E-Verify for at least some hires by 2010. On the other hand, Illinois passed a law blocking local E-Verify mandates in 2007, and California passed such a law in 2011.



## Comprehensive Enforcement Laws

Though most state action on immigration enforcement was spurred by these three federal programs, some states worked to stretch their own authority and passed comprehensive laws focused on immigration law enforcement. The first of these was Arizona's Support Our Law Enforcement and Safe Neighborhoods Act (S.B. 1070), which aimed to criminalize unauthorized status (which is normally a civil, not criminal violation), criminalize seeking work or employment for unauthorized immigrants, require local law enforcement to check the immigration status of those who were detained or arrested during the course of normal law enforcement activities, and criminalize sheltering, harboring, or transporting unauthorized immigrants.<sup>d</sup> Though most of S.B. 1070's provisions were eventually struck down by the Supreme Court, others went forward (Lam and Morse 2012). Alabama, Georgia, Indiana, South Carolina, and Utah all passed laws including some of the provisions included in S.B. 1070; all of these also faced legal challenges, and some provisions were never implemented (Morse et al. 2012).

<sup>a</sup> Julia Gelatt, Hamutal Bernstein, and Heather Koball. "State Immigration Policy Resource," Urban Institute, May 4, 2017, [www.urban.org/features/state-immigration-policy-resource](http://www.urban.org/features/state-immigration-policy-resource).

<sup>b</sup> Exec. Order No. 13768, "Enhancing Public Safety in the Interior of the United States," 82 Fed. Reg. 8799 (Jan. 30, 2017), <https://www.gpo.gov/fdsys/pkg/FR-2017-01-30/pdf/2017-02102.pdf>.

<sup>c</sup> See Gelatt, Bernstein, and Koball, "State Immigration Policy Resource" for which states have each type of policy in place between 2000 and 2016.

<sup>d</sup> There were two earlier state bills that we do not count in our index because they were not as comprehensive as later laws. In 2007, Oklahoma's H.B. 1804 Oklahoma Taxpayer and Citizen Protection Act went into effect. This bill made it a crime to knowingly "transport, harbor, or shelter" unauthorized immigrants, but it did not make it a crime to seek work as an unauthorized immigrant, as later bills did, and it did not authorize local law enforcement to verify immigration status in the course of their duties. Colorado's S.B. 90, passed in 2006, required local law enforcement to notify federal immigration officials during arrests when they suspected someone was in the country illegally, but did not criminalize unauthorized status or make it a crime to seek work as an unauthorized immigrant.

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## Review of Impacts of State Enforcement Policies on Immigrant Households

State participation in immigration enforcement efforts may lead to lower earnings, more limited mobility, and greater fear of government institutions for immigrant parents; each of these comes with implications for material hardship for noncitizen households and the many children residing in those households. State laws mandating use of E-Verify are correlated with reduced earnings among likely unauthorized immigrant men (Orrenius and Zavodny 2014). Higher state-level cooperation with federal immigration enforcement may lead to more deportations of unauthorized bread-winning parents, leading to greater economic hardship for their families (Capps et al. 2007; Chaudry et al. 2010).

Higher enforcement in a state can also deter mobility. Unauthorized immigrants who drive without a license (because licenses are restricted to legal immigrants in their state), can be arrested for minor

traffic violations and booked into jails, where they may then be screened by a 287(g) program or Secure Communities, taken into Immigration and Customs Enforcement (ICE) custody, and deported. From 2008 through 2010, this happened frequently in Southeastern states, such as Georgia (Capps et al. 2011). In many places, driving is the only practical means of transportation to work, public benefit administrative offices, sources of private assistance, and medical care, so limitations on driving can affect various dimensions of material well-being for families headed by one or more unauthorized immigrant parents.

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*The restoration of Secure Communities and a return to broader enforcement priorities, mean that today's interior immigration enforcement system has a similar structure and guidelines as the system in place in 2010—the last year of data analyzed for this study.*

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State immigration enforcement policies can also prevent households from seeking public or private systems of support during times of need. Watson (2010) and Vargas (2015) find that higher immigration enforcement deters take-up of Medicaid for US-citizen children with noncitizen (legal and unauthorized immigrant) mothers. Surveys of unauthorized immigrants have revealed high rates of fear of seeking public benefits or securing medical services because of concerns about potential deportation (Amuedo-Dorantes, Puttitanun, and Martinez-Donate 2013; Berk and Schur 2001). Perhaps as a result of this threat, local 287(g) agreements are correlated with an increased risk of food insecurity for noncitizen households (Potochnick, Chen, and Perreira 2016).

## Methods

Our study adds to this evidence base by examining how state immigration enforcement policies shape a range of material hardship outcomes over a period of rapid policy change. To do this, our analyses draw on two primary data sources: data from the 2004 and 2008 SIPP panels and an original database of state policies toward immigrants between 2000 and 2016. The SIPP is uniquely suited for this analysis because it contains a large sample of immigrants, includes questions about legal status for immigrant adults, and includes a variety of measures of material hardship. Our analyses focus on low-income households (those with incomes below 200 percent of the federal poverty level) that contain at least

one child younger than 18 and at least one designated parent or guardian in the household, which leaves us with a sample size of 8,500. We use the SIPP to look at six measures of material hardship among unauthorized immigrant, legal immigrant, and US-citizen households, which are coded according to the least advantaged immigration status of a parent in the household.<sup>4</sup>

We connect the SIPP data to our index of state immigration enforcement policies. The enforcement index covers policies in 2005 and 2010. This database draws heavily on information from the National Immigration Law Center and the National Conference of State Legislatures (see our [“State Immigration Policy Resource: Technical Appendix”](#) for a detailed list of our sources for the policy information [Gelatt et al. 2017]). We draw on prior immigration policy indices to inform the development of our indices (Filindra, Blanding, and Garcia Coll 2011; Hero and Preuhs 2007; Leerkes, Leach, and Bachmeier 2012; Marquez and Schraufnagel 2013).

The enforcement index is a composite number that sums values (1 if the state has a policy, 0 if it does not) for the following policies for each state in 2005 and in 2010:

- 287(g) task force agreement with DHS signed by either a state-wide agency or one of the counties with the largest immigrant populations in the state<sup>5</sup>
- 287(g) jail agreement with DHS signed by either a state-wide agency or one of the counties with the largest immigrant populations in the state
- Activate participation in Secure Communities
- Mandate that some or all new hires were run through the E-Verify system<sup>6</sup>
- Bar counties or cities from mandating the use of E-Verify (reverse coded)
- Omnibus immigration bill with multiple enforcement-related provisions

Table 1 shows how many states had each policy in each of the two years. The most common change was that 35 states activated their participation in Secure Communities between 2005 and 2010. Over this period, 19 states took up one new enforcement policy, and 20 increased their immigration enforcement by more than one policy. For example, Georgia and Virginia adopted four new policies over this period (both types of 287(g) agreement, Secure Communities, and an E-Verify mandate for some hires), six states added three new policies (such as Arizona, which added Secure Communities, an E-Verify mandate, and an omnibus immigration bill, or Tennessee, which added both types of 287(g) models and Secure Communities), and 12 states added two new policies.

We then look at how states’ enforcement policies—the overall immigration enforcement climate in the state—affect various measures of material hardship. We estimate difference-in-difference, linear probability models, including state and year fixed effects, to explore how state policies affect family material hardship. All analyses use survey weights. In these models, we look at how family material hardship changes between 2005 and 2010 as state policies change. And, to net out any general trends in material hardship over this period, because of changes in the economy for example, we test whether the change in material hardship for unauthorized immigrant and legal immigrant households is greater than the change for US-citizen households. Using this technique, and including a host of family socioeconomic controls and state-level controls, we are able to approximate the causal effects of state policies on family material hardship by immigration status.

We explain our methods in more detail in the Methods Appendix. For detailed information on which states offered which policies in which years, please see Urban’s State Immigration Policy Resource.<sup>7</sup>

TABLE 1

**States with Each Type of Policy in 2005 and 2010**

	2005	2010
State has an omnibus immigration bill	0	1
State has policy barring localities from mandating E-Verify use	0	1
State has policy to mandate E-Verify for some or all hires	0	12
State took up Secure Communities	0	35
Statewide agency or largest immigrant counties in state have 287(g) task force agreement	3	13
Statewide agency or largest immigrant counties in state have 287(g) jail agreement	2	14

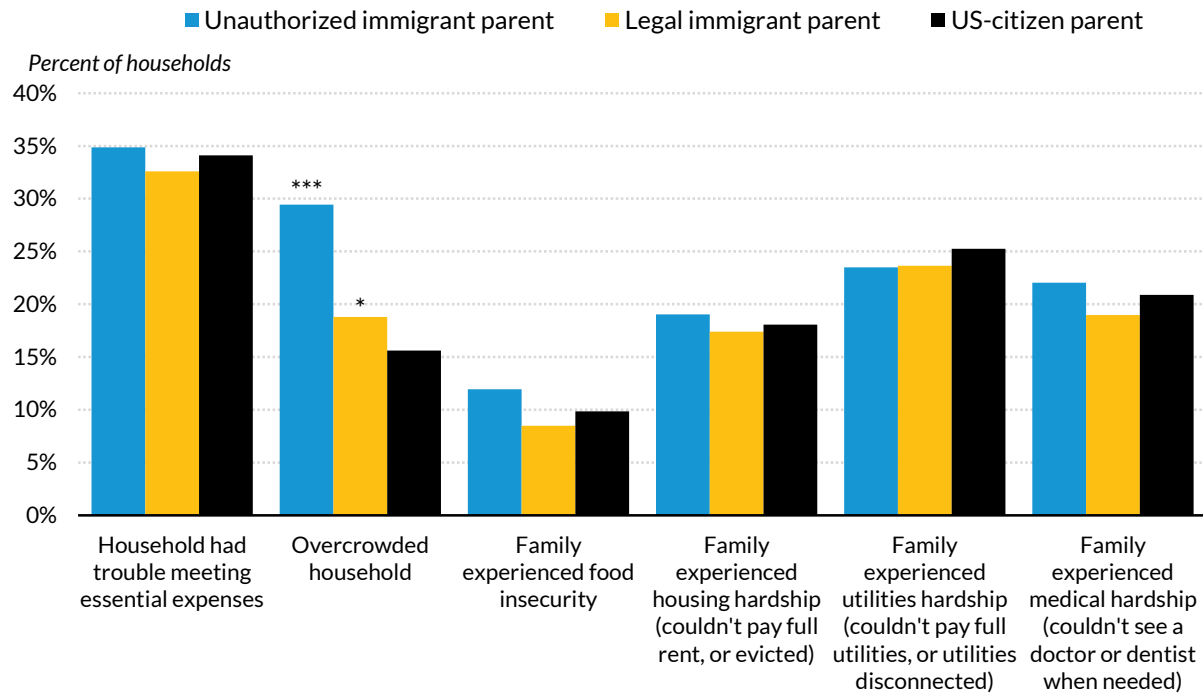
Source: Authors’ collection of state policy information, drawn heavily from the National Immigration Law Center and National Conference of State Legislatures.

## Results

First, we look at how material hardship varies by household immigration status, controlling for household sociodemographic characteristics, to set the stage for our analysis of state policies’ effects. When looking at low-income households, unauthorized immigrant households are more likely to experience overcrowding than US-citizen households, but they experience similar levels of material hardship to US-citizen households on other measures (figure 1). Low-income legal immigrant

households report more overcrowding than US-citizen households but less than unauthorized immigrant households.

**FIGURE 1**  
**Material Hardship by Household Immigration Status, among Low-Income Households**  
*2005 and 2010 combined*



**Source:** Authors' analysis of 2004 and 2008 Survey of Income and Program Participation (SIPP) data, connected to an original database of state policies toward immigrants.

**Notes:** This table shows predicted, regression-adjusted means, generated from linear probability models predicting each type of material hardship. Low-income households are those with household income below 200 percent of the federal poverty level. Stars indicate significance of difference from the mean rate for US-citizen households. Estimates control for the age of the oldest designated parent in the household, the number of children in the household, whether any children are US citizens, the race and ethnicity of the designated parent, whether the designated parents are limited English proficient, the highest educational attainment of a designated parent, whether the family lives in a metropolitan area (versus a rural area), whether a designated parent is married, the state unemployment rate, the maximum Temporary Assistance for Needy Families (TANF) benefit for a family of three in the state, the state median income, and the size of the immigrant population in the state. Models are weighted using SIPP household weights.

\*\*\* p < 0.01 \*\* p < 0.05 \* p < 0.10.

Next, we examine how changes in immigration enforcement policies, as coded at the state level, affect material hardship. Specifically, we look at whether material hardship increased more in those states that expanded their immigration enforcement cooperation more between 2005 and 2010.

## Consequences of State Policies Expanding Immigration Enforcement Activities for Material Hardship

We find that policies expanding immigration enforcement activities in a state increase the material hardship of immigrant households significantly more than for US-citizen households along several measures. This is particularly true for unauthorized immigrant households.

### IMPACTS FOR UNAUTHORIZED IMMIGRANT HOUSEHOLDS

Each point increase on the immigration enforcement scale (that is, if a state adopts one new policy) affected unauthorized immigrant households as follows:

- A 4 percentage point increase in the share of unauthorized immigrant households unable to afford basic household expenses
- A 3 percentage point increase in the share of unauthorized immigrant households who reported that they could not pay the full amount of their rent or mortgage or that they had been evicted
- A 6 percentage point increase in the share of unauthorized immigrant households who reported that they could not pay utilities bills in full or had utilities or a phone line cut off

Each of these changes represented a significantly greater increase in material hardship than experienced by US-citizen households, suggesting that it is immigration policies, and not other changes in these states, that drove these increases in material hardship. There was no impact of immigration enforcement policies on other components of material hardship, including household overcrowding, food insecurity, or medical hardship (someone in the household was unable to see the doctor or dentist when needed).

Among states that take up more than one new policy, these changes would be bigger. For example, according to our model, states that adopted **four** new policies, like Georgia or Virginia, would bring an increase in housing hardship of 11 percentage points and an increase in utilities hardship of 21 percentage points for unauthorized immigrant households.<sup>8</sup> States that adopted **three** new policies, like Arizona and Tennessee, would bring an increase in housing hardship of 9 percentage points and an increase in utilities hardship of 18 percentage points for unauthorized immigrant households.

### IMPACTS FOR LEGAL IMMIGRANT HOUSEHOLDS

For that same one point increase in the immigration enforcement scale within a state, between 2005 and 2010, legal immigrant households experienced the following:

- A 2 percentage point increase in the share of legal immigrant households reporting that they were unable to afford basic household expenses
- A 3 percentage point increase in shares of households reporting housing hardship, that is, that they could not pay the full amount of their rent or mortgage or that they had been evicted
- A 2 percentage point increase in shares of households reporting that they could not pay utilities bills in full or had utilities or a phone line cut off
- A 2 percentage point increase in shares of households reporting that at least one person in the household was not able to see the doctor or dentist when needed

Again, each of these changes represents a significantly greater increase in material hardship for immigrant families than for US-citizen households.

According to our model, states that adopted **four** new policies, like Georgia or Virginia, would bring an increase in housing hardship of 9 percentage points, an increase in utilities hardship of 7 percentage points, and an increase in medical hardship of 7 percentage points for legal immigrant households.<sup>9</sup> States that adopted **three** new policies, like Arizona and Tennessee, would bring an increase in housing hardship of 8 percentage points, an increase in utilities hardship of 6 percentage points, and an increase in medical hardship of 6 percentage points for legal immigrant households.

The effects for legal immigrant households are smaller than for unauthorized immigrant households but still worth noting. The fact that enforcement policies targeted at unauthorized immigrants affect legal immigrant households as well suggests that such policies have impacts throughout the immigrant community. This may be because a changed relationship between the immigrant community and law enforcement authorities changes the climate for all, not only unauthorized immigrant residents.

In figure 2, we illustrate these changes, by household immigration status, for states with a “low” enforcement score and states with a “high” enforcement score. We only show graphs for the four outcomes that showed significant changes in material hardship between the “low” and “high” enforcement scenario. We did not find significant associations of state immigration enforcement policies with levels of food insecurity or overcrowded housing in immigrant households.

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*The fact that enforcement policies targeted at unauthorized immigrants affect legal immigrant households as well suggests that such policies have impacts throughout the immigrant community.*

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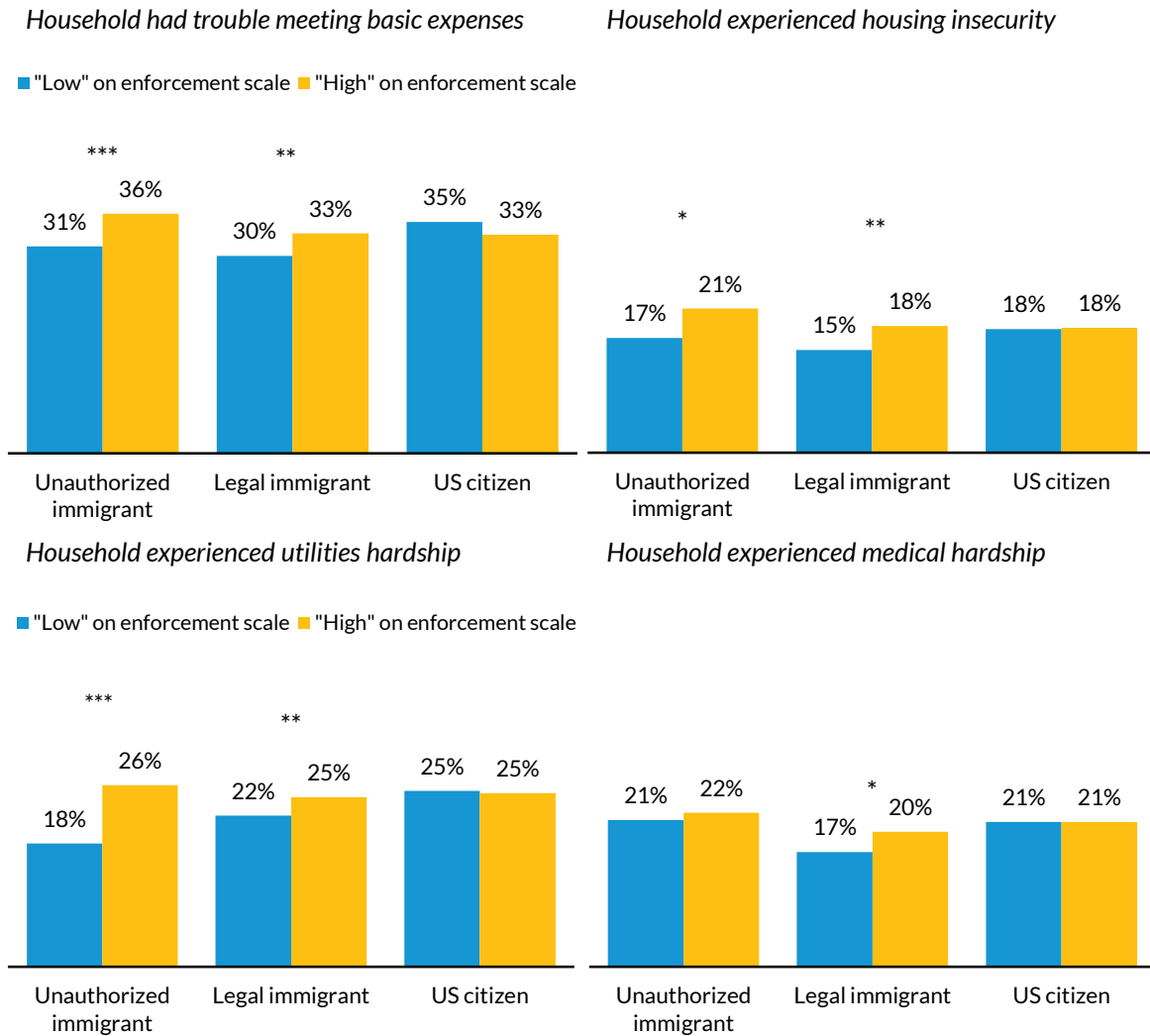
#### IMPACTS OF INDIVIDUAL ENFORCEMENT POLICIES

Though our overall focus was on looking at the impact of immigration enforcement context on material hardship, as summarized by our policy index, we also looked at the effect of individual enforcement policies on material hardship.<sup>10</sup> We found that taking up Secure Communities in the state or adding a 287(g) agreement had the biggest impact on material hardship for immigrant households.



FIGURE 2

**Predicted Household Material Hardship by Household Immigration Status and State Immigration Enforcement Policies**



**Source:** Authors' analysis of 2004 and 2008 Survey of Income and Program Participation data, connected to an original database of state policies toward immigrants.

**Notes:** For purposes of this illustration, we define a "low" score on the immigration enforcement scale as a score of 1.2, which was the average score experienced by households in our sample in 2005. This is equal to having 1.2 immigration enforcement policies in place (a policy could be a 287(g) task force agreement, a 287(g) jail agreement, Secure Communities, an E-Verify mandate, or an omnibus immigration law). We define a "high" score as having a score of 2.6, the average score experienced by households in our sample in 2010. Stars indicate significance of difference from the change experienced by US-citizen households. Estimates control for the age of the oldest designated parent in the household, the number of children in the household, whether any children are US citizens, the race and ethnicity of the designated parent, whether the designated parents are limited English proficient, the highest educational attainment of a designated parent, whether the family lives in a metropolitan area (versus a rural area), whether a designated parent is married, the state unemployment rate, the maximum Temporary Assistance for Needy Families (TANF) benefit for a family of three in the state, the state median income, and the size of the immigrant population in the state. Models are weighted using SIPP household weights. Appendix table A.1 shows the regression model on which these figures are based.

\*\*\* p < 0.01 \*\* p < 0.05 \* p < 0.10

# Conclusions

## Summary of Findings

To anticipate how current policy changes may affect children in immigrant households, this paper examines the impact of past state policy choices on the material hardship of low-income, noncitizen households with children. We examine policy choices between 2005 and 2010, the country's last period of high focus on immigration enforcement, to inform state policy responses to federal immigration enforcement efforts over coming years.

We find that increased cooperation in federal immigration enforcement efforts brings increases in material hardship for low-income immigrant households with children, both those headed by unauthorized immigrants and those headed by legal immigrants. In looking at the effects of individual immigration enforcement policies on material hardship, we see that taking up Secure Communities and having a 287(g) agreement have the greatest impact on increasing material hardship for immigrant households. Our assessment of these impacts looks just at families who stay in the United States and does not include well-being effects for families who leave the country after the deportation of a family member or of the whole family.

These policies affect over 7 million children living with a noncitizen parent, including 5.9 million children who are US citizens. And, they affect legal immigrant households, who are not the target of the policies. This suggests that these policies may generate a climate of fear that affects the economic opportunities of legal immigrants as well.

In the short term, increased material hardship means children and parents experience financial stress, sometimes go without basic necessities like electricity or heat, experience housing instability because of missed rent payments, or go without needed medical care. Over the long term, material hardship has negative implications for children's cognitive, social, and physical development.

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*We found that taking up Secure Communities in the state or adding a 287(g) agreement had the biggest impact on material hardship for immigrant households.*

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## Implications

Given that research strongly links household material hardship to children's development, these policies are likely to affect the children in these households, most of whom are US-born citizens. At the same time, policies increasing state involvement in immigration enforcement do not provide benefits to children in households headed by US-citizen parents.

These findings provide new evidence to states and localities as they chart their course in the wake of policy changes at the federal level. President Trump's executive order on interior immigration enforcement actively promotes state and local cooperation in immigration enforcement. And a recent policy statement by Attorney General Jeff Sessions suggests that the federal government may try to punish states and localities that do not fully cooperate with federal immigration enforcement, through withdrawal of federal law enforcement assistance.

Though these policies have the potential to meet their intended goals of increasing removals of unauthorized immigrants, local leaders may want to also consider the deleterious effects these policies can have on children in low-income immigrant families, on legal immigrant households, and on broader communities.

If states and localities wish to follow the lead of President Trump's administration and increase their participation in enforcement of federal immigration law by signing new 287(g) agreements, actively participating in Secure Communities, or mandating employers' use of E-Verify, our evidence suggests they may do so at the cost of increasing material hardship among unauthorized and legal immigrant households alike, with no apparent benefits for US-citizen households.

As states take other approaches to improve the well-being of low-income families in their states, trade-offs between enforcing the country's immigration laws and supporting the country's low-income children and families should be carefully considered.

# Methods Appendix

## SIPP Data

To explore the relationship between state policies and households' material hardship, we analyze data from the 2004 and 2008 panels of the Survey of Income and Program Participation (SIPP), a nationally-representative, longitudinal survey conducted by the US Census Bureau. The SIPP is uniquely suited for this analysis because it contains a large sample of immigrants, includes questions about immigration status for adults, and includes a variety of measures of material hardship. Bachmeier, Van Hook, and Bean (2014) thoroughly analyzed the quality of the measures of legal status included in the SIPP. They found that combining these questions with a few additional pieces of information leads to a valid measure of individuals' immigration status. SIPP respondents are followed over time, with interviews every four months, conducted in English and Spanish, with interpreters used for other languages. We draw information on immigration histories from the second interview of each panel, conducted in 2004 for the 2004 SIPP panel and in 2009 for the 2008 SIPP panel, and draw measures of material hardship and household-level control variables from the fifth interview of the 2004 panel (conducted in 2005) and in the sixth interview of the 2008 panel (conducted in 2010). Therefore, we are able to compare the material hardship of immigrant households in 2005 and 2010, by state, and by immigration status.

## Sample

Our analyses focus on low-income households—those with household incomes below 200 percent of the federal poverty level—that contain at least one child under age 18 and at least one designated parent or guardian of the children in the household. We include only households that participated in both the second and fifth wave of the 2004 panel or that participated in both the second and sixth wave of the 2008 panel. This leads to a sample size of 8,500 low-income households with children: 4,374 in 2005 and 4,126 in 2010.

## Measuring Material Hardship

All measures are coded to the household level. Our dependent variable—material hardship—is measured with a series of dummy variables indicating that the household reported an inability to meet basic expenses, food insecurity, housing overcrowding, housing hardship, utilities hardship, and medical hardship. **Inability to meet basic expenses** indicates whether the household indicated that they had trouble meeting essential expenses in the past year. **Food insecurity** is coded based on a food insecurity scale included in the SIPP. Households reporting that they were in at least four of the following situations on the SIPP’s scale are coded as having food insecurity: there was sometimes or often not enough to eat in the house; the food they bought often did not last long enough and they did not have enough money to buy more; they were often unable to afford balanced meals; adults in the household ever skipped or cut the size of meals because there was not enough food; adults in the household ate less than they felt they should because they could not afford more; or adults in the household ever went a day without eating because there was not enough food. **Housing overcrowding** is defined as more than one household member per room in the house, not including bathrooms. **Housing hardship** is coded as whether the household was unable to pay their full monthly rent or mortgage payment in the past year or was evicted in the past year. **Utilities hardship** is coded as the household was unable to fully pay their utilities bills in the past year, had their utilities shut off, or had their phone disconnected. **Medical hardship** is coded as whether someone in the household needed to see a doctor or dentist in the past year, but was unable to do so.

### MEASURING HOUSEHOLD IMMIGRATION STATUS

We look at how immigration enforcement policies matter for the material hardship of unauthorized immigrant households, legal immigrant households, and US-citizen households. We define immigration status based on SIPP measures of whether foreign-born respondents entered the United States with a green card for lawful permanent residence, whether they obtained a green card after entering the country, or whether they are naturalized citizens. Drawing on methods used by Hall, Greenman, and Farkas (2010) and Bachmeier, Van Hook, and Bean (2014), we consider most of those lacking citizenship and a green card to be unauthorized immigrants. However, those who appear to be unauthorized immigrants but who report receiving Supplemental Security Income (SSI) for themselves, work in a government job, or have characteristics consistent with having a longer-term temporary visa are recoded as legal immigrants. Those who entered with a green card or reported getting a green card are coded as legal immigrants. If at least one parent in the household is an unauthorized immigrant, we consider the household to be an **unauthorized immigrant household**. If all parents have legal status, but

at least one lacks US citizenship, we code it as a **legal immigrant household**. If all parents in the household are US citizens, we code it as a **US-citizen household**.

#### HOUSEHOLD CONTROL VARIABLES

We control for other individual and family characteristics to net out factors related to immigration status that affect rates of material hardship, but that are not the result of immigration status, specifically: the age of the oldest parent in the household, the number of children in the household, whether any children are US citizens, the race and ethnicity of the designated parent, whether the designated parents are limited English proficient, the highest educational attainment of a designated parent, whether the family lives in a metropolitan area (versus a rural area), and whether parents are married.

## State Policy Database

### Longitudinal State Policy Database

We connect the SIPP data on material hardship to our original state-by-state, year-by-year database of state policies toward immigrants. For these analyses, we focus on state immigration enforcement policies, and state policies shaping noncitizens' eligibility for public benefits. We include enforcement policy measures for 2005 and 2010, the same years in which we observe material hardship outcomes. But for public benefits policies, we assume there is a delay between when policies take effect and when they affect family behavior, given that it takes time for families to learn about newly available benefits and to enroll in programs, so we include measures from 2004 and 2009, one year earlier. Urban's State Immigration Policy Resource documents the data source for each of these policy indicators.<sup>11</sup>

### Policy Indices

We constructed an enforcement index, which ranges from 0 to 6, and sums up whether the state had (1) or did not have (0) each of the six enforcement policies listed earlier in the brief. For E-Verify mandates, if the state required E-Verify for some but not all hires (usually meaning E-Verify is mandated for state employees and public contractors), we added 0.5 to the scale, instead of 1. The mean state policy index score for households in our sample was 1.2 in 2005 and 2.6 in 2010.

## State Level Controls

In our analyses, we also control for state-level factors that may be correlated with state adoption of immigration enforcement policies, and that might disproportionately affect immigrant households' material hardship, including the annual unemployment rate drawn from the Bureau of Labor Statistics Local Area Files; overall state welfare generosity in the form of the nominal maximum TANF benefit for a family of three, drawn from the Urban Institute's Welfare Rules Database; and the inflation-adjusted state median income and size (count) of the immigrant population in the state, from the American Community Survey.

We also control for an index of state public benefits policies toward immigrants. The public benefits policy index computes a composite number that sums values (1 if the state has the policy or 0 if it does not) for each of the following policies in 2004 and in 2009, where each policy is weighted by the share of the immigrant population in the state that could be affected, calculated using American Community Survey data with imputations of immigrants' legal status (e.g. policies for unauthorized immigrant children are weighted by the share of all immigrants in the state who are unauthorized immigrant children):

- TANF to lawful permanent residents (LPRs) after the five-year bar
- Cash assistance for LPRs during the five-year bar
- Food assistance to LPR adults during the five-year bar
- Public health insurance (Medicaid/Children's Health Insurance Program or similar) to LPR children during the five-year bar
- Public health insurance to some unauthorized immigrant children
- Public health insurance to LPR adults during the five-year bar
- Public health insurance to some unauthorized immigrant adults
- Medicaid to pregnant LPR women during the five-year bar
- Medicaid to unauthorized immigrant pregnant women

## Analytic Methods

To analyze the effect of state enforcement and public benefits policies on the material hardship of noncitizen households, we rely on difference-in-difference models. To do this, we run weighted multivariate ordinary least squares (OLS) models predicting our material hardship outcomes. We include dummy variables for family immigration status, our state benefits policy and state enforcement policy indices, and interaction terms between each immigration status and each policy index. We control for household and state characteristics and include state and year fixed effects. The coefficients on the policy\*immigrant status interaction terms indicate, therefore, how the difference in material hardship between immigrant and US-citizen households in a state *changed* as the policy context in a state changed between the two observation periods. So, a positive coefficient on a policy indicator suggests that an increase in that policy index led to an increase in material hardship for the reference group, US-born households. A positive coefficient on a policy\*immigration status interaction term suggests that an increase in the policy index led to an even greater increase in material hardship for that type of immigrant household compared to a US-citizen household. We also ran models without the state fixed effects. Without state fixed effects, we are examining how *levels* of immigration enforcement and public benefits availability in a state affect material hardship, including comparisons between states as well as comparisons within states over time. These models show similar results to our fixed effects models.

## Robustness Checks

We conducted several robustness checks to ensure that our results were not strongly affected by coding choices. First, we coded household immigration status based on the *most* advantaged immigration status of a designated parent, rather than the *least* advantaged immigration status. Coding to the most advantaged status means that, for example, in households with both legal immigrant and unauthorized immigrant parents, we coded the household as a legal immigrant household. We found that the results were very similar between the two approaches.

Our second robustness check explored whether any particular state was driving our results. We reran our models, this time excluding each state from the model, in turn, to see if our results changed. This test suggested that our results were not driven by anomalous trends in any particular state.

Finally, because some research has suggested that increased immigration enforcement may drive immigrants out of a state, and that this emigration could be selective, with more-advantaged immigrants



better able to flee high-enforcement states than less- advantaged immigrants, we tested whether our data showed selective emigration from states that increased immigration enforcement cooperation between 2005 and 2010. Specifically, we looked at whether the share of households with a limited English proficient parent decreased in a state as enforcement went up, and whether the share of households with a parent with a college degree increased in a state as enforcement went up. We chose these indicators because they are correlated with having higher household income, but they seem unlikely to be directly affected by immigration enforcement policies in a state. We did not find significant changes in the English proficiency or college attainment rates in with increased enforcement, relative to states without increased enforcement, suggesting there is no selective emigration in our data, and so selective emigration of more-advantaged immigrants cannot be driving our finding that increased enforcement increases material hardship of immigrant households.

TABLE A.1

## Effects of State Enforcement Policies on Material Hardship among Low-Income Families by Immigration Status

	Household couldn't meet all expenses in past year		Household overcrowded		Food insecurity in past year		Housing hardship in past year		Utility hardship in past year		Medical hardship in past year	
	b	SE	b	SE	b	SE	b	SE	b	SE	b	SE
<b>Parents' immigration status (ref=US-born)</b>												
Unauthorized	-0.10**	(0.05)	0.11**	(0.04)	-0.00	(0.04)	-0.05	(0.04)	-0.16***	(0.04)	-0.01	(0.04)
Legal immigrant	-0.10***	(0.04)	0.03	(0.03)	-0.03	(0.02)	-0.06**	(0.03)	-0.06**	(0.03)	-0.07**	(0.03)
<b>Unauthorized immigrant x enforcement policy count</b>	0.05***	(0.02)	0.01	(0.02)	0.01	(0.01)	0.03*	(0.02)	0.06***	(0.02)	0.01	(0.02)
<b>Legal immigrant x enforcement policy count</b>	0.04**	(0.01)	0.00	(0.01)	0.01	(0.01)	0.02**	(0.01)	0.02**	(0.01)	0.02*	(0.01)
<b>Count of enforcement policies for immigrants</b>	-0.01	(0.01)	-0.00	(0.01)	-0.01	(0.01)	0.00	(0.01)	-0.00	(0.01)	0.00	(0.01)
<b>Count of public benefits policies for immigrants</b>	0.22	(0.17)	-0.05	(0.13)	0.13	(0.14)	-0.10	(0.14)	-0.05	(0.18)	-0.17	(0.18)
<b>Household-level controls</b>	Yes		Yes		Yes		Yes		Yes		Yes	
<b>State-level controls</b>	Yes		Yes		Yes		Yes		Yes		Yes	
<b>State fixed effects</b>	Yes		Yes		Yes		Yes		Yes		Yes	
<b>Year fixed effects</b>	Yes		Yes		Yes		Yes		Yes		Yes	
<b>Constant</b>	0.07	(0.45)	-0.39	(0.27)	0.27	(0.30)	-0.12	(0.34)	0.13	(0.41)	0.06	(0.35)
<b>N</b>	8,276		8,276		8,276		8,276		8,276		8,276	

Source: Authors' analysis of Survey of Income and Program Participation, 2004 and 2008 panels.

Notes: Ordinary least squares (OLS) models. Standard errors in parentheses. Model includes controls for the number of children in the household, the number of adults in the household, parents' age, parents' ethnicity and race, whether all parents in the household are limited English proficient, whether there is a US-citizen child in the household, parents' educational attainment, whether the household lives in a metropolitan area, parents' marital status, the state annual employment rate, the state median household income, the state maximum TANF benefit for a family of three, and the size of the state foreign-born population. The model also includes state and year fixed effects.

\* p<0.10 \*\* p<0.05 \*\*\* p<0.01

# Notes

1. “Children of Immigrants Data Tool,” Urban Institute, accessed April 26, 2017, <http://datatool.urban.org/charts/datatool/pages.cfm>.
2. Exec. Order No. 13768, “Enhancing Public Safety in the Interior of the United States,” 82 Fed. Reg. 8799 (Jan. 30, 2017), <https://www.gpo.gov/fdsys/pkg/FR-2017-01-30/pdf/2017-02102.pdf>.
3. We use the term “immigrant household” throughout to refer to households headed by one or more noncitizen parents.
4. Meaning that if one parent in the household was a US citizen and the other was a legal immigrant, we coded the household as a legal immigrant household; if one parent in the household was a legal immigrant, and another was an unauthorized immigrant, we coded the household as an unauthorized immigrant household. In our methods appendix we document that results are very similar if we instead code households to the most-advantaged status of a parent in the household. We chose to present this coding because we think that if at least one parent in the household lacks legal status, or lacks US citizenship, the whole household may be affected by policies targeting unauthorized immigrants or legal noncitizen immigrants.
5. We include the counties in the state that have the highest number of immigrants in them, and include all largest-immigrant counties that collectively make up 50 percent of the total foreign-born population of the state. For example, in Arizona, 66 percent of the foreign-born population lives in Maricopa County, so we code Arizona’s 287(g) policy indicators based on policies in Maricopa County, only. In Florida, Miami-Dade and Broward Counties have the largest numbers of immigrants of all counties in the state, and 51 percent of the foreign-born population of Florida lives in these two counties, so we code Florida’s 287(g) policies based on the policies in these two counties.
6. Most states that required E-Verify for “some” versus all hires required E-Verify to be used for public employees and state contractors (and in some cases state subcontractors). We gave states a half point on the scale if they required E-Verify for “some” versus all hires.
7. Julia Gelatt, Hamutal Bernstein, and Heather Koball, “State Immigration Policy Resource,” Urban Institute, May 4, 2017, [www.urban.org/features/state-immigration-policy-resource](http://www.urban.org/features/state-immigration-policy-resource).
8. The way we calculated our enforcement index, these four new policies added 3.5 points to Georgia and Virginia’s enforcement index total, because, as explained in note 6, we gave states a half point on the scale if they required E-Verify for *some* versus all hires. Therefore, these numbers technically show the estimated impact of adding 3.5 new policies, not 4 new policies.
9. See note 8.
10. In these models, we include dummy variables for all individual enforcement policies and the same set of controls as before, but we only include the policy immigrant status interaction term for one policy at a time, rather than interacting the enforcement scale with immigrant status.
11. See note 7.

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