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# **ESTIMATING THE EFFECTS OF IMMIGRATION ENFORCEMENT ON LOCAL POLICING AND CRIME: EVIDENCE FROM THE SECURE COMMUNITIES**

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**George Mason University Law and  
Economics Research Paper Series**

**14-09**

**Estimating the Effects of Immigration Enforcement on Local Policing and Crime:  
Evidence from the Secure Communities Program**

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**Abstract**

Recent changes in U.S. immigration enforcement have sought to complement strong border enforcement with a renewed emphasis on enforcement in the country’s interior. In 2008, the federal government introduced “Secure Communities,” a program that requires local law enforcement agencies to share arrestee information with federal immigration officials at the time of booking. Supporters of the program have argued that it will enhance public safety by facilitating the efficient removal of criminal aliens. Critics of the program have expressed concern that it will encourage local law enforcement agencies to engage in discriminatory or arbitrary policing practices, making arrests for the sole purpose of checking an individual’s immigration status. Since its introduction in 2008, the program has expanded to include all U.S. jurisdictions. We employ the staggered activation dates of Secure Communities across counties to examine whether the program has a detectable effect on the crime rates or the arrest behavior of municipal law enforcement agencies across U.S. cities. We do not observe any clear effect of the program on either crime or arrest patterns, suggesting that at least across the nation’s biggest cities, there is little evidence either for the most ambitious promises of the program or the greatest fears behind involving local law enforcement agencies in immigration enforcement.

## **I. Introduction**

Over the course of the last two decades, modern immigration enforcement has developed into a “formidable machinery,” in the words of one former INS commissioner (Meissner et al. 2013). While historically focused on securing the border area, robust interior enforcement aimed at identifying and deporting immigration violators is now an integral and expanding part of immigration enforcement. In 2008 the federal government launched Secure Communities, a program designed to improve the efficiency of interior enforcement as well as to enhance the capacity for targeting deportable individuals with criminal convictions, known as “criminal aliens.” Unlike previous initiatives, which generally required the active cooperation of local law enforcement agencies (LEAs)<sup>1</sup>, Secure Communities enables automatic transmission of fingerprints taken upon arrest to the Department of Homeland Security (DHS) for verification of an arrestees’ immigration status. The program is unprecedented in its scope and mandatory involvement of LEAs. Proponents of the program have argued that it not only enables a more efficient identification of criminal aliens, but also augments public safety. Critics of the program, on the other hand, have expressed concern that the program encourages local law enforcement agencies to engage in discriminatory or arbitrary policing practices, making arrests for the sole purpose of checking an individual’s immigration status. An atmosphere of fear created by Secure Communities, according to the critics, also erodes the cooperation with the police among immigrant communities, which only undermines effective law enforcement.

Now four years since its initiation, Secure Communities has been activated nation-wide. Yet, while there is a growing literature about the legal consequences of the interpenetration of immigration and criminal law and the corresponding enforcement apparatuses (e.g., Legomsky 2007; Chacon 2009; Sklansky 2012), it is only recently that scholars have begun to examine the empirical effects of sub-federal involvement in immigration law enforcement on public safety or policing generally (Davies and Fagan 2012; Kirk et al. 2012), or to investigate the effects of Secure Communities specifically<sup>2</sup> (Cox and Miles 2013). In this paper, we contribute to this nascent empirical literature. In particular, we employ the staggered activation dates of Secure Communities across counties to investigate whether the program has a detectable effect on local crime rates or the arrest behavior of local law enforcement agencies. The paper proceeds as follows: section II.A situates Secure Communities in the context of local participation in immigration enforcement, and II.B describes the

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<sup>1</sup> Local law enforcement agencies include municipal police departments, county sheriff departments, state police agencies, and any other non-federal agency with the authority to arrest an individual.

<sup>2</sup> Cox and Miles (2013) provide the first nation-wide empirical examination of Secure Communities as part of a larger project.

Secure Communities program. Section II.C details the program’s hypothesized effects on public safety and policing, drawn from the public debate as well as relevant prior scholarship, and II.D presents what we know about the dynamics behind its activation across the country. Part III presents the data, empirical strategy, and results. In short, we find very little to substantiate either the most ambitious promises of the program’s champions, or some of the greatest fears behind embroiling criminal law enforcers in immigration enforcement.

## II.

### A. Implications of Modern Federal Immigration Enforcement for Public Safety and Policing

Over the last two decades, the resources devoted to immigration enforcement have grown dramatically. Spending has grown fifteen-fold since the mid-1980s, and the federal government now spends more on its immigration enforcement agencies (U.S. Customs and Border Protection, or CBP, and Immigration and Customs Enforcement, or ICE) than on all other federal law enforcement agencies combined.<sup>3</sup> Intensified interior enforcement is an integral part of this expansion of the immigration enforcement apparatus. The number of annual deportations<sup>4</sup> increased from about 30,000 in 1990 to a record high of over 390,000 in 2011, more than doubling since the creation of DHS in 2002. Unlike enforcement at the border, which is carried out by federal officers (CBP), modern interior enforcement is becoming a state and local affair, increasingly relying upon state and local LEAs to identify and apprehend deportable non-citizens (Varsanyi et al. 2012).

Since the late 1800s, when the Supreme Court declared the federal government’s exclusivity over the realm, states and localities have not played an active role in immigration regulation or enforcement.<sup>5</sup> This state of affairs began to change at the turn of this century, as sub-federal involvement in matters concerning immigration and immigration enforcement expanded markedly (Stumpf 2008; Rodriguez 2008). In particular, because sub-federal law enforcers greatly outnumber their federal counterparts, the former are more likely to come into contact with criminal aliens. In the past decade or so, willing LEAs have been involved in federal

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<sup>3</sup> In 2012, spending on CPB and ICE was close to \$18 billion, while the FBI, DEA, the Secret Service, the US Marshals Service, and ATF cost about \$14.4 billion (Meissner et al. 2013).

<sup>4</sup> Because this paper is concerned with interior enforcement, all references to deportation and removal do not include exclusion at the border, notwithstanding the broader legal definition of “removal”.

<sup>5</sup>E.g., *Chy Lung v. Freeman*, 92 U.S. 275, 280 (1875); *Henderson v. Mayor of New York*, 92 U.S. 259, 274 (1875).

enforcement in several ways.<sup>6</sup> First, LEAs have been able to identify and turn over suspected immigration violators under the auspices of federal/sub-federal partnership programs. So-called “287(g)” partnerships along with the Criminal Alien Program (CAP) are the most noteworthy of such federal-sub-federal cooperation efforts (Meissner et al. 2013, 105; Rosenblum and Kandel 2011). As part of legislative changes in 1996, state and local authorities were invited to enter into agreements with the federal government to aid in immigration enforcement under Section 287(g) of the Immigration and Nationality Act (INA). Through 287(g) agreements, the Attorney General deputizes and trains local law enforcement agencies to perform certain functions of federal immigration officers, such as screening people for immigration status, issuing detainers to hold potential violators, and even issuing charging documents that trigger removal proceedings. Approximately 75 LEAs out of a total of 17,985 such agencies (Reaves 2011) have participated in some way in such partnerships, leading to the identification of over 300,000 potentially removable aliens since 2006.<sup>7</sup> Under CAP, prisons and jails share inmate information with ICE, allow ICE agents to interview suspected deportable immigrants, and provide for their removal prior to release if necessary (Guttin 2010, 5). CAP has been responsible for a growing number of removals in recent years, peaking at 230,250 in 2009 from 67,850 in 2006 (Meissner et al. 2013, 106).

Second, LEAs have been able to take part in immigration enforcement through unilateral action. Officers may seek to ascertain the status of individuals encountered in the course of their ordinary local criminal law enforcement activities pursuant to laws or policies directing them to do so, policies which have become common only within the last decade. Such a policy, for example, was contained in the Arizona law at issue in *Arizona v. United States*,<sup>8</sup> which was the only provision to be upheld. LEAs not obligated by a similar law may simply adopt an agency practice to the same effect. To verify an individual’s immigration status, officials must contact ICE with their queries. DHS is required by law to respond to such status inquiries; thus, whenever a local official contacts ICE with an inquiry, the enforcement machinery is put in motion, with the corresponding increase in probability of deportation for that individual (see Motomura 2011).<sup>9</sup> Initiating status inquiries for

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<sup>6</sup> To be sure, states and localities are also able to adopt a large variety of laws to make their jurisdictions welcoming or hostile to unauthorized immigrants; here, however, we are concerned specifically with the use of LEAs in the enforcement of federal law.

<sup>7</sup> See Fact Sheet: Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act, <http://www.ice.gov/news/library/factsheets/287g.htm>

<sup>8</sup> 132 S.Ct. 2492 (2012).

<sup>9</sup> See 8 U.S.C. § 1373(c). As Motomura (2011) demonstrates, the chances that any given deportable person would be targeted for investigation and arrested are not overwhelming: the deportable population is large, and resource constraints allow the investigation and arrest of only a small fraction. Once a deportable individual is arrested, however, the probability that he will be placed in deportation proceedings, and ultimately deported, is very high.

*some* subset of individuals encountered by officers has been fairly widespread: in one survey of 489 LEAs, 87% of police chiefs and 89% of county sheriffs reported a policy or practice of checking immigration status for those arrested for a violent crime, and 51% and 67% respectively for those arrested for first-time offenders arrested for a nonviolent crime. Outside of arrest, 59% of both police chiefs and sheriffs indicated that their officers routinely check the immigration status of a possible victim of human trafficking, 21% of police chiefs and 27% of county sheriffs would do so for individuals stopped as a traffic violation, and 15% and 20% respectively would do so for crime victims, complainants, or witnesses (Varsanyi et al. 2012, 146).

Secure Communities, described in more detailed below, is the latest innovation that further expands and deepens the interpenetration of local criminal law enforcement and federal immigration enforcement. This rapid expansion of the local role in immigration enforcement took place despite the absence of empirical research on the consequences for the core functions of state and local LEAs. There is a growing body of legal scholarship about the rise of “cimmigration” and its consequences for criminal law and procedure and immigration law (Legomsky 2007; Chacon 2009; Sklansky 2012), including a literature addressing the state and local role in federal immigration enforcement (Olivas 2007; Rodriguez 2008; Schuck 2007; Stumpf 2008; Varsanyi et al. 2012). Legal scholars have drawn attention to the potential impact of police participation in immigration enforcement on the traditional norms of criminal procedure (Chacon 2009; Sklansky 2012), as well as the risk of due process violations, selective enforcement, and unlawful racial profiling (Chacon 2009; Eagly 2010; Wishnie 2003).

On the empirical side, a growing literature investigates the immigration-crime link: the weight of empirical research indicates that late twentieth-century immigrants are either less likely or no more likely to commit crimes than the native born, (Macdonald and Sampson 2012; Sampson 2006; Martinez, Stowell, and Lee 2010; Rumbaut 2008; Butcher and Piehl 1998b) and that higher concentrations of immigrants at the aggregate level do not correlate with higher crime rates (Chalfin 2013; MacDonald, Hipp, and Gill 2013; Wadsworth 2010; Stowell et al. 2009; Ousey and Kubrin 2009; Reid et al. 2005; Butcher and Piehl 1998a). By contrast, not much is known empirically about the effects of participation in a federal regime on state and local policing, crime control, or public safety. Indeed, little is known about the impact of immigration itself on criminal law enforcement (Davies and Fagan 2012). Proponents of local involvement in immigration enforcement claim that it enhances public safety and does not affect the process of criminal law enforcement. Opponents suggest otherwise. Notwithstanding the potentially significant consequences for policing and public safety, there have been very few systematic attempts at empirically investigation.

## **B. Secure Communities**

Secure Communities is a data interoperability system that automatically transmits information on each arrestee to ICE. Prior to its creation, fingerprints taken by LEAs were routinely transmitted to the FBI for the purposes of conducting a National Criminal Information Check (NCIC). Under Secure Communities, these fingerprints are also checked against DHS's Automated Biometric Identification System (IDENT), which contains data on known immigration violators, known and suspected terrorists, criminal aliens and non-citizens subject to the US-Visit program. If there is a fingerprint match, ICE's Law Enforcement Support Center (LESC) officers investigate further, searching various databases to determine the individual's immigration status, and forward their conclusion to the relevant ICE field office and the arresting LEA.<sup>10</sup> Finally, the ICE field office decides whether to take any enforcement actions vis-à-vis the arrested individual; if it decides to do so, a detainer is issued to the LEA requesting that the suspect be detained for up to 48 hours so that ICE can assume custody.

Secure Communities was devised in response to the repeated Congressional directives to DHS to improve its ability to deport non-citizens convicted of crimes (DHS OIG 2012b). During the activation of Secure Communities, ICE leadership has also articulated a new priority-based deportation policy, which calls for concentrating scarce resources on criminal aliens, and within these, on more serious over less serious offenders (Morton 2011a; Morton 2011b). Criminal aliens are much more likely to come into contact with state or local, rather than federal LEAs, and ICE has been dissatisfied with the previously available avenues for LEAs to bring these contacts to its attention. LEAs participating in 287(g) partnerships or unilaterally contacting ICE to verify status were not advancing federal enforcement priorities and were not susceptible to federal control over risks of civil rights abuses (Capps et al. 2011; DHS OIG 2012b; GAO 2009; Schriro 2009; Nguyen and Gill 2010). There was dissatisfaction over the operation of CAP as well (Schuck 2012), for which ICE requires local cooperation to access to the incarcerated non-citizens and their records. In the words of a former ICE Assistant Secretary, "the success [or] failure" of programs preceding Secure Communities "depended almost entirely on the relationship between the relevant ICE officials and the ... state or local correctional personnel" (Myers Wood 2011). Automatic information sharing was intended to shift enforcement discretion back to DHS and away from the idiosyncratic local preferences (Venturella 2009, 2).

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<sup>10</sup> For a general overview, see *The Secure Communities Process*, at [http://www.ice.gov/secure\\_communities/](http://www.ice.gov/secure_communities/), GAO-12-708 (July 2012)

Prior to Secure Communities, particular LEAs were able to largely self-select out of immigration enforcement. Just as some jurisdictions adopted policies directing immigration status checks, others adopted policies directing their officers not to inquire into the immigration status of anyone encountered in the course of their duties, including arrestees. While the extent to which local discretion has been eliminated is debatable (see Treyger 2013), these policies lost some of their force once immigration checks become automatic. LEAs may and do refuse to honor ICE’s detainer requests (Harris 2012), and some state and local governments adopted measures limiting compliance with the same (McGreevy 2013).<sup>11</sup> Short of abstaining from arrests or fingerprinting arrestees, however, LEAs cannot avoid transmitting the information to ICE.

### **C. Expectations about the Effects of Secure Communities**

Secure Communities has met with considerable controversy, leading DHS officials to repeatedly defend and explain the program. We investigate two focal points of this controversy: the impact of Secure Communities on public safety and policing. As explained in Part III, we investigate whether the activation of Secure Communities was followed by discernible changes in the rates of commonly measured crimes, rates of arrests for commonly measured crimes, and the patterns of arrests. But first, we review the claims made by the proponents and the critics of Secure Communities in this regard, and the testable implications of these claims.

#### **1. Secure Communities and Public Safety**

##### ***Program Expectations***

DHS has consistently claimed that, because Secure Communities will facilitate the detection and removal of criminal aliens, it will “improve public safety” (DHS 2011; ICE 2011; ICE 2009). It is billed as “a comprehensive plan to improve community safety by transforming the way the federal government cooperates with state and local law enforcement agencies to identify, detain, and remove criminal aliens held in custody and at large” (DHS 2011, 3). These expectations rest on particular assumptions about how the program will function. The program’s architects assume that it “will lead to a substantial increase in the number of criminal aliens identified,” and “reduce the risk that an LEA will release a dangerous and removable criminal alien into the community” (ICE 2009). In particular, Secure Communities is expected to be an improvement over CAP (Meissner et al. 2013, 105; Myers Wood 2011), which served to identify criminal aliens already incarcerated

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<sup>11</sup> The most recent and visible such measure is part of California’s TRUST Act (see McGreevy 2013). New York City, Cook County and Chicago, Illinois, Santa Clara County, California, Washington, DC, the State of Connecticut, Milwaukee, Wisconsin, and Taos and San Miguel Counties in New Mexico have also adopted laws or policies limiting the local government’s compliance with detainer requests.



(ICE 2011), but had notable shortcomings. CAP did not extend to all local jails, and while 100% of inmates are screened at some prisons, this is true for about 14% of the participating local jails (DHS OIG 2012a, 5). It relied on local officials to transmit information on foreign-born inmates, was under-resourced, and operated on an ad-hoc manner (Schuck 2012, 14–15; AIC 2013, 1). Moreover, as an ICE official explained, “criminals with a violent criminal history and who have been previously removed from the United States might be arrested on minor charges but never incarcerated and thus, avoid detection; [also,] criminal aliens with violent criminal histories (that would make them subject to removal) might avoid incarceration, even when convicted, as a part of a plea agreement, and never be screened by a CAP team” (Venturella 2009, 2). Finally, because non-citizens may use aliases, these individuals may escape detection as immigration violators without biometric screening early in the process. Secure Communities would remedy some of the gaps in enforcement, thereby “reduc[ing] recidivism of criminal aliens” and increasing “community safety” (Venturella 2009, 1).

Indeed, some LEA officials have claimed that Secure Communities helps their departments fight crime (Page 2011; Major County Sheriff’s Association n.d.). And according to some DHS statistics, Secure Communities appears to be an improvement over past practice with regard to focusing specifically on criminal aliens. On the eve of the Secure Communities roll-out, the majority of the deportations were of non-criminal aliens (Capps et al. 2011, 6). Since 2008, when DHS deported just over 102,000 criminal aliens, the raw numbers of such climbed to over 225,000 by 2012 (see *Figure 1*), constituting 55% of all removals. DHS OIG’s audit concluded that ICE was able to “identify criminal aliens in areas not previously covered by its other programs,” and “some of whom it might not have otherwise identified, earlier in the criminal justice process” (DHS OIG 2012a, 5). Of course, the impact of this rapid increase in criminal alien deportation at the local level varies. *Table 1* presents a few illustrative counties with the number of “matches” or “hits” that local arrests have produced in the IDENT database, and the number of convicted criminals ultimately removed from the jurisdiction.<sup>12</sup> The local impact from removing, for example, over 2000 convicted criminals from a county such as Gwinnett in Georgia, of which 548 are individuals convicted of “aggravated felonies” or two or more

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<sup>12</sup> The number of “hits” necessarily exceeds the number of convicted criminals deported: first, an initial match is no guarantee that the individual is in fact deportable; second, the match may not indicate a person with a criminal convictions; and finally, the arresting agency may choose to prosecute the individual prior to handing him over to federal authorities, in which case the individual would not be deported until after conclusion of his sentence or prosecution.

felonies (or Level 1<sup>13</sup>) may well be noticeable, if a substantial fraction of these would have otherwise been released back into the community.

Insofar as Secure Communities shifts enforcement towards the removal of criminal aliens, the hypothesized benefits to public safety may accrue in a number of ways. Deportable individuals now face a higher probability of deportation as a result of any arrest, which in effect raises the expected severity of the sanction and could affect crime rates either by prompting *behavioral* changes by the population of those threatened by the program or by bringing about *mechanical* changes in the number or composition of the affected population. As for *behavioral* effects: assuming the affected population remains static, crime rates may be reduced by virtue of improved deterrence of criminal activity by noncitizens. Apart from any behavioral changes, there may be *mechanical* or compositional changes to the stock of the affected population (Parrado 2012). The arrest, detention, and deportation of criminal immigrants could diminish the numbers of criminal offenders, where the same individuals might otherwise be released back into the community. It is also possible, though not explicitly contemplated by DHS, that mechanical effects follow from the removal of people who are more likely to be *victims* of crimes than the general population (Chalfin 2013a). Finally, Secure Communities may set off a change in the composition of the immigrant populations by leading the more criminally inclined to flee, and/or by selecting for less criminally inclined immigrants to enter the United States.

Studies based on pre-Secure Communities experience with immigration enforcement lend some credibility to those expectations. Butcher and Piehl's (2007) individual-level study found evidence for some behavioral and compositional effects following a change to a more aggressive deportation regime. Butcher and Piehl found that expanding the number of crimes that carry deportation consequences in the 1980s and 1990s (as well as raising the punishment for some crimes) produced discernible self-selection and deterrence effects, drawing less criminally active immigrants into the country, while finding no evidence that the effects are driven by the actual deportation of immigrants. Likewise, recent research on immigration enforcement measures that are not based on increasing the probability of deportation, finds that enacting severe employer sanctions for hiring unauthorized workers was accompanied by a decline in the proportion of Arizona's foreign-born, young male Mexican population (Bohn, Lofstrom, and Raphael 2013; Chalfin 2013b). By contrast, a study on the

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<sup>13</sup> Level I offenders are aliens convicted of "aggravated felonies," as defined in § 101(a)(43) of the Immigration and Nationality Act, or two or more crimes each punishable by more than one year, commonly referred to as "felonies"; Level 2 offenders are aliens convicted of any felony or three or more crimes each punishable by less than one year, commonly referred to as "misdemeanors"; and Level 3 offenders are aliens convicted of crimes punishable by less than one year.

migration impacts of the 287(g) program found “no evidence that the 287(g) program impacted the size of the Mexican immigrant population,” with the exception of four outlier cities (Parrado 2012). A less systematic investigation examining the experience of Prince William County found a substantial drop in aggravated assaults following the announcement of the policy (Guterbock et al. 2010). The authors suggest that the drop may be in part attributable to deterrence generated by the highly publicized policy, but also that it may be due in part to decreased reporting of assaults by immigrants.<sup>14</sup> On the whole, this research suggests that a program such as Secure Communities is unlikely to lead to a *general* exodus of immigrants out of the country, but that behavioral deterrence effects and selection effects as to what kinds of people arrive or remain are plausible.

### ***Program Criticism***

Critics of Secure Communities offer several reasons to doubt the vaunted benefits to public safety. Much criticism focuses on the overly liberal application of the “criminal alien” label to people with traffic or other minor convictions and long-ago rehabilitated offenders (Stepick 2013, 7; Murray 2011, 19; Aguila-socho, Rodwin, and Ashar 2012, 9; Gonzales 2011). The removal of such individuals, critics argue, is unlikely to do much good for the public order. Studies of the program’s targeting success in its earlier phases suggest that it has not effectively focused on criminal aliens (Kohli and Varma 2011; Stepick 2013; Aguila-socho, Rodwin, and Ashar 2012). Similarly, the task force assembled by DHS to review the program found that Secure Communities had not in fact limited its reach to “convicted criminals, dangerous and violent offenders, or threats to public safety and national security” (HSAC 2011, 16). Thus, the mechanical effect of the program has been to primarily remove the pettiest of violators.

With regard to behavioral effects, the critics argue, the affected population may adjust their crime-reporting behavior, rather than criminal behavior. If immigrants fear any contacts with the police, they may choose not to report any crimes suffered or observed to the LEAs (Theodore 2013; AVEF 2011; Hennessey 2011). Reductions in crime achieved solely through plummeting reporting of crimes, of course, do not constitute the kind of boost to public safety contemplated by DHS. If drawing state and local LEAs into immigration enforcement alienates the affected populations, it may undermine the effectiveness of criminal law enforcement generally, harming public safety (AILA, 4). Consistent with these claims, there is documented

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<sup>14</sup> Although the “annual community surveys do not show any change in crime reporting by Hispanic residents,” they reveal that the new program “seriously disrupted police-community relations in the County, at least temporarily” (Guterbock et al. 2010, xv). The authors also note that the reduction may be due to the departure of immigrants (legal and illegal) from the jurisdiction, but cannot separate the effects of the policy change on departures from those of economic downturn.

episodic evidence of immigrants’ choosing not to report crimes for fear of deportation (PERF 2010; GAO 2009). Accordingly, some LEAs perceive their involuntary participation in Secure Communities as harmful to police-community relations (ABC News 2012; Begin 2011; Waslin 2011). The concern expressed by Governor Cuomo of New York, that the program was “compromising public safety by deterring witnesses to crime and others from working with law enforcement,” is a common one (Denerstein 2011). Several cities and police departments have announced that they will not comply with ICE’s detainer requests, and some asked that federal agents identify themselves as such to their citizens, to avoid the impression that local LEAs are at all involved in immigration enforcement (National Immigration Forum 2012; Zaveri 2012; Begin 2011; Quinn 2011).

The scholarly literature offers some support for the critics’ concerns. Criminal law enforcement depends on the cooperation and trust of the public to detect, prevent, and solve crimes (Skogan and Frydl 2004; Tyler 2010; Fagan and Meares 2008). Prior to Secure Communities, some police departments cultivated a relationship of trust with their immigrant communities, by, among other things, assuring immigrants that their cooperation with local police would not result in their exposure to federal immigration enforcers (Lewis and Ramakrishnan 2007). Involving local police in immigration enforcement threatens destroying trust, undermining cooperation, and impeding effective crime control (Kirk et al. 2012). For example, Tyler, Schulhofer, and Huq (2010) offer evidence that the trust required for cooperation is eroded in presence of (Muslim) immigrants’ fear that any contact with the police may lead to deportation. As Peter Schuck (2007, 72–74) observed, the degree to which more intensive enforcement compromises the efficacy of crime control depends on the magnitude of that effect at the margin, which is not likely to be large because deportable individuals must already be quite reluctant to engage with public authorities. Available empirical evidence suggests the contrary: notably, Kirk and collaborators find that in the pre-immigration enforcement era (2002), “cooperation with the police is significantly more likely in neighborhoods with concentrations of immigrants” (2011, 19). Insofar as aggressive enforcement also breaks up stable social networks responsible for informal social control over crime, the thinning of the social fabric in immigrant communities may also undermine public order (Sampson 2011). In sum, the alienation of immigration communities combined with poor targeting of serious criminals may well outweigh any public safety-enhancing effects from heightened enforcement.

### *Anticipated Effects*

Amidst confident assertions regarding the consequences of Secure Communities, there is reason to be skeptical about the likelihood of non-trivial effects on public safety. While Secure Communities identifies a

greater number and proportion of criminal aliens, there is less compelling evidence that they would have remained at large but for Secure Communities. Pre-Secure Communities programs aimed at identifying and deporting criminal aliens before they are released into the community were flawed and had notable gaps in coverage. Still, by all accounts, the capacity to do so has been improving for at least a decade prior to the launch of Secure Communities (Schuck 2012, 40–45; Guttin 2010, 6; Preston 2010; Mora 2011). A considerable subset of people removed as a result of Secure Communities would have been identified and placed in deportation proceedings even without it. Early screening, one of the program’s advantages, is unlikely to prevent many more serious criminals from returning to the community: serious offenders are not likely to be released after arrest irrespective of their immigration status, but are likely to be actually prosecuted and convicted, with a good chance of being identified as removable aliens prior to the end of their sentences. According to DHS, Secure Communities enables the identification of aliens arrested for a minor crime, but with prior serious convictions (DHS OIG April 2012, 7). However, among those identified at arrest, who would otherwise remain undetected, are also individuals committing only minor violations, first-time arrestees without a criminal record, or even those wrongfully arrested. The expansion of the criminal-alien net to catch *these* offenders does not promise a boost to public safety.

Indeed, insofar as the phasing in of Secure Communities produced more criminal alien removals, the expansion appears primarily among the less serious criminals (see HSAC 2011, 16). ICE officials maintain that the share of least serious offenders (Level 3<sup>15</sup>) among those deported as a result of identification via Secure Communities is shrinking, (GAO 2012, 20), and that the share of the most serious offenders (Level 1) is likely to increase, as the latter serve their comparatively longer sentences and are eventually removed (GAO 2012, 21). These broad categories, however, do not shed much light on the trends that are most germane to the likely impact on public safety – the changes in the number and share of serious criminals most threatening to public safety among those deported. DHS’s statistics for 2004 through 2011 are instructive in this regard. Comparing the share of all criminal aliens convicted for particular crime categories from 2004 through 2011 (**Figure 2**), we can see that the most marked expansion in criminal removals occurring among the less serious crimes. While the number of removed non-citizens convicted of common serious offenses (assault, robbery, burglary, and sexual assault) increased, the share of these crimes among all deported criminals declined from over 20% in 2004 to under 13% in 2011, when Secure Communities covered the majority of counties. Likewise, the share of those convicted of “dangerous drug” crimes, a category DHS describes as “including the manufacturing,

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<sup>15</sup>See note 13.

distribution, sale, and possession of illegal drugs,” declined from 37.5% to 23% of all removals between 2004 and 2011. The most radical expansion from the pre- to post-Secure Communities is in removals of those convicted of criminal traffic offenses, which made up 22.8% of all criminal removals in 2011. Before 2008, that crime is not heavily represented and is absorbed in the “other” crimes category; to compare the changes in the share of this crime overtime, we can add up all the removals for all crimes that are not reported individually across all years into a broader “other crimes” category. The share of removals in this category increased dramatically during the implementation of Secure Communities: individuals convicted of “other crimes” including traffic represented under 19% of all removals on average prior to 2008, a category that expands to 39.8% by 2011, with over half of the latter figure due to criminal traffic arrests. Although these data are not limited to Secure Communities removals, they do convey a distinct impression that as ICE intensified deportations from the interior with the aid of Secure Communities, it has also “diluted” the seriousness of the typical crimes committed by the deported resulting in a less serious marginal offender.

## **2. Secure Communities and Policing Patterns**

### ***Program Expectations***

The second set of expectations we examine bears on the behavior of the police. The architects of Secure Communities were emphatic that the notification of activation to the LEA “does not in any way change local jurisdiction’s existing law enforcement or fingerprinting policies, procedures, or practices,” (ICE 2012a, 11) and imposes few if any costs on the LEAs (DHS OIG 2012a, 10). The expectation is “that LEAs continue to enforce the criminal law in exactly the same manner as they did before Secure Communities was activated” (ICE 2012a, 11). In fact, DHS officials thought that Secure Communities had less potential for abuses of discretion in the form of racial profiling than its prior attempts to involve state and local LEAs in immigration enforcement, pointing out that the automatic nature of the process eliminates the opportunity for local officers to discriminate on an ethnic or racial basis in selecting persons for screening<sup>16</sup> (Venturella 2009, 2; ICE 2010, 14).

### ***Program Criticism***

The program’s many critics offer good reasons and some tentative evidence to the contrary. LEAs and individual officers who prefer a more aggressive immigration enforcement regime, might be motivated to make

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<sup>16</sup> The 287(g) partnerships, by contrast, were found to present a risk of such profiling and civil rights violations, which could not be effectively constrained by the federal government (DHS OIG 2010, 22–23).

arrests for offenses that otherwise would be too petty to warrant an arrest, as well as arrests not substantiated by probable cause, with the intention that the arrestee be fingerprinted and potentially identified as an immigration violator. With Secure Communities, LEAs need not incur the cost of contacting ICE, nor commit to actual prosecution or prolonged incarceration, because local officials can transfer the suspected violators to ICE custody promptly upon receiving a detainer request.<sup>17</sup> While immigrants subject to deportation who are convicted of a crime must serve at least a part of their sentence under the law, which imposes costs on the local or state budgets, local officials can decide not to prosecute individuals identified right after arrest and transfer these to ICE custody promptly upon receiving a detainer request.<sup>18</sup>

Thus, immigrants' rights organizations, public officials and others have expressed misgivings about the risks of racial profiling and pretextual arrests (e.g., ACLU 2012; Kohli 2011; Heffernan 2011). For instance, the Congressional Hispanic Caucus expressed concern about the likelihood of racial profiling, in view of the high percentage of deported individuals without a criminal record or with only minor convictions such as traffic violations (Gonzales 2011). It is possible that these individuals would not have been arrested at all, were it not for the opportunity to channel them into the deportation pipeline. One public defender, for example, noted the increase in arrests "for charges we would not normally see," and of which "many are dismissed outright" (Stepick 2013, 9). Critics note likewise that "rates of non-criminal deportations [effected via Secure Communities] appear to vary widely between jurisdictions," (Gonzales 2011), with the implication that higher proportions of non-criminal removals are a result of targeting at the arrest stage.

Analyses of prior immigration enforcement initiatives lend credibility to these criticisms. The experiences of Maricopa County's Sheriff's Office (MCSO) under Sheriff Arpaio, the self-proclaimed "America's Toughest Sheriff," and Alamance County's Sheriff's Office (ACSO) under Sheriff Terry S. Johnson are instructive. The MCSO and the ACSO secured authority to enforce immigration law under 287(g) agreements, in addition to acting unilaterally. The consequences for policing and civil rights have been

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<sup>17</sup> Even in the context of partnerships with the federal government, the process of screening demands resources: under the 287(g) "task-force" partnerships, whereby some local officers were trained to do some of ICE's screening functions, the process is described by an involved county official as "sometimes time-consuming" (Guterbock et al. 2010, xiv). Likewise, while details of how CAP operated differed across facilities, it required prison and jail officials to alert ICE about foreign-born arrestees at some intervals and accommodate ICE investigations (Guttin 2010, 5-6).

<sup>18</sup> To our knowledge, there is no data on which and how many removals under Secure Communities occur after conviction and completion of the sentence and how many are effected without the filing of criminal charges; all those deported without criminal convictions, however, could not have been prosecuted and convicted for the crime of arrest.

notorious, and culminated in DOJ determinations that both the MCSO and the ACSO engaged in unconstitutional practices (USDOJ 2011; USDOJ 2012). The DOJ found that the ACSO Sheriff directed officers “to arrest all Latinos who commit the traffic infraction of driving without a license,” in order to “bring them into the Alamance County Jail to be run through immigration databases, rather than simply issuing them citations” (USDOJ 2012, 5). MCSO deputies were found to “stop, detain, and/or arrest Latino drivers... without reasonable suspicion or probable cause” (USDOJ 2011, 6).

Similarly, an analysis of Irving, TX found that arrests of Hispanics increased immediately after CAP was implemented in the jurisdiction (Gardner and Kohli 2009). This could not be explained by changes in criminal behavior by Hispanics, and was suggestive of racial profiling so as to filter them through the newly activated CAP screening process in the local jails. Another study reports evidence of a similar effect following the activation of Secure Communities: using a sample of deported immigrants identified through Secure Communities, the authors find that Latinos are overrepresented in the sample relative to their share in the estimated unauthorized immigrant population, and that the differences cannot be explained by their higher criminal activity (Kohli 2011).<sup>19</sup>

In general, there is evidence that LEAs may be motivated by considerations beyond immediate crime control when policing in immigrant-heavy areas. In their study of New York City, Davies and Fagan (2012) find that “immigrant areas experience disproportionately higher levels of enforcement,” measured as arrests and detentions, relative to crime rates. As the authors observe, the import of that finding is ambiguous, consistent both with the possibility that police perceive immigrant neighborhoods as more crime-prone than they are, and with the possibility that over-enforcement is driven by considerations other than crime detection and prevention.

If Secure Communities does affect police behavior, it may alter observable arresting patterns in a number of ways. The effect may be on *arrest levels*: that is, it may lead to higher arrest rates across the board, or for particular crimes, on account of additional pretextual arrests made purely or partly for immigration screening purposes. If such an effect is detectable anywhere, it is most likely to be for relatively petty crimes, with regard to which police discretion is at its peak. It may, on the other hand, not significantly affect overall arrest rate levels, but lead to a reallocation of the arrests among demographic groups. That is, while aggregate

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<sup>19</sup> To address this concern, a monitoring system was put in place by ICE and the DHS Office of Civil Rights and Civil Liberties, aimed at detecting jurisdictions that are making improper arrests (DHS 2011). How well such a monitoring system would detect, much less deter, problematic law enforcement practices remains to be seen.



rates remain the same, the arrests of Hispanic or foreign-born individuals for some crimes or across crime categories may grow to a larger share of total arrests.

### ***Anticipated Effects***

Although there are good reasons to believe that police are affected by involvement in immigration enforcement, Secure Communities would only have discernible effects if the changes in the incentives and opportunities facing LEAs are more than trivial. As we learn from the aforementioned experience with unilateral actions, 287(g), and CAP, LEAs who have a preference for an aggressive enforcement of immigration laws were targeting potentially deportable people for enforcement actions without the benefit of Secure Communities. Insofar as the deportation regime presents incentives for the willing LEAs to target Latinos or others suspected of being deportable, those incentives existed prior to Secure Communities. Likewise, LEAs that were not inclined to take part in immigration enforcement were actively avoiding it prior to Secure Communities, and are continuing to do so by other means. Whereas before, these LEAs abstained from inquiring into suspects' and arrestees' immigration status, limited in-person ICE access to their jails and prisons, and ignored detainees, after activation of Secure Communities, they continue to limit participation in enforcement by ignoring detainees. In short, LEAs were already doing most of what is possible to identify deportable immigrants, or to refrain from doing so, without much room for any further meaningful changes to their practices.

### **D. Activation Order**

Our analysis of crime rates and arrest rates relies on the staggered activation of Secure Communities to investigate its impact. Unbiased identification relies on the assumption that the exact timing of a county or city's activation is conditionally random and, at minimum, is unrelated to its pre-activation crime and arrest trends. This assumption would be violated if the activation pattern is correlated with month-to-month variation in a city's crime and arrest trends around the month of activation. In this section, we discuss the key characteristics of activation trends and the potential sources of bias.

The data interoperability program was initially activated on a pilot basis in 2008 in 14 jurisdictions. Further activations of the program proceeded slowly through 2009, and gained considerable speed in 2010 and 2011. As of January 2013, DHS reports that Secure Communities has been activated in all 3,181 counties (DHS 2013). **Figures 3 and 4** show the progress of Secure Communities implementation on a monthly basis. The

decision to activate a particular county was made by the federal government, rather than by a process of jurisdictional self-selection of willing enforcers that was characteristic of prior modes of local involvement in immigration enforcement. However, the launch of the program was marked by inconsistent public pronouncements: although ultimately, DHS made clear that no jurisdiction could opt out of participation, the program started with agreements executed with states, giving an appearance that opting out was possible (OIG 2012, 9). Some jurisdictions attempted to take advantage of the apparent option to opt out. Notably, the governors of New York and Illinois declared that they wished to suspend their participation in the counties in which it was already in operation (Denerstein 2011; Quinn 2011). A few individual counties attempted unsuccessfully to do the same (Aguilasocho et al. 2012, 5; Villaraigosa 2011). In response, DHS officials made clear that information from local arrests will continue to be transmitted to ICE without the need for agreements (DHS OIG 2012b; Preston 2012). There is no record of any jurisdiction successfully withdrawing from the program after activation.

There remains a possibility that activation in most Massachusetts counties, as well as some Illinois and New York counties were in effect postponed. In Massachusetts, on June 3, 2011, Governor Deval Patrick communicated to ICE his request not to expand participation in Secure Communities beyond Boston, where it has been activated since 2008. All Massachusetts counties were activated at once about a year later. Similarly, after New York announced its “suspension” of program, no additional counties were activated until nearly a year later, when all remaining counties were activated at once. Illinois Governor Pat Quinn went further in his opposition, hinting that the state was considering legal action, and requesting that ICE obtain the assent of all the Illinois counties where Secure Communities continued in effect (Mitchell 2013). The remaining Illinois counties were the last to be activated in January of 2013. Insofar as activation for these states were affected by the jurisdictions’ own unwillingness to engage in this form of immigration enforcement, there is some concern about self-selection on a basis that may be correlated with intra-jurisdictional crime or arrest trends. However, the self-selection problem is unlikely to be serious enough to introduce substantial bias into our estimation strategy. Even if Illinois and Massachusetts did affect ICE’s decision as to their activation dates, they did so for *all* of their then-unactivated counties. Since activation is at county level, and our analysis is at the city level, state-level selection will not be a concern after conditioning on city fixed effects.<sup>20</sup>

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<sup>20</sup> There is no record of any individual cities or their encompassing counties securing postponement of their activation dates. Furthermore, we found no evidence that any jurisdiction was able to select a particular activation *month* in the future.

Apart from self-selection, there is the possibility that the federal government’s determination of the activation order was not exogenous to local crime rates and policing patterns. Estimates would be biased if, for example, the federal government chose to activate Secure Communities earlier in counties experiencing an above average increase or decrease in crime or arrests such that any subsequent regression to the mean trend might be confused for a program effect. Cox and Miles (2013) conduct a comprehensive analysis of the roll-out and its correlates; their analysis, as well as publically available documents, suggests that the activation order may not be random for early activators, but that activation becomes plausibly random over time. During its early phases, it was not clear that the program would be extended to the entire country, and the federal government appeared to be more selective about where it deployed its scarce enforcement resources (Cox and Miles 2013, 88). ICE suggested that implementation was initially targeted at jurisdictions, which ICE “determined had the greatest density of criminal aliens,”<sup>21</sup> (DHS OIG 2012b, 3) and that “although it planned to implement interoperability nationwide by 2013, it sought out jurisdictions interested in participating and activated those first” (DHS OIG March 2012, 7). Cox and Miles’s (2013) findings suggest that the actual pattern of activation over the entire lifespan of the program did not conform to these publically identified criteria. While the indicia used by the DHS to decide on activation order are unknown, Cox and Miles find that neither high crime rates, nor higher shares of non-citizen or foreign-born populations were significant predictors of activation timing. The strongest consistent correlates of activation were location on the southern border, and the fraction of the population that is Hispanic.<sup>22</sup> The authors also conclude that, with one caveat, there is little support for the hypothesis that the order of activation reflected the extent of local political support for immigration enforcement<sup>23</sup> (Cox and Miles 2013, 129–30).

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<sup>21</sup> Another official stated that ICE “initially focus[ed] on jurisdictions that have the highest estimated volumes of criminal aliens or criminal activity while remaining flexible,” suggesting that the first wave of activations “in the Southwest” was responsive to “violence along the U.S.-Mexico border” (Venturella 2010a). Other statements indicated that in addition to the density of criminal aliens, ICE prioritized areas “where required resources were in place to support the initiative” (Venturella 2010b).

<sup>22</sup> The authors do find that pre-Secure Communities violent crime rates corresponded to a higher risk of activation in a limited way: in counties with the highest shares of the non-citizen population – notably, the top quartile and deciles – higher violent crime rate predicted a somewhat higher risk of activation. The same was not case for the counties with fewer non-citizens than the top quartile (Cox and Miles 2013, 128).

<sup>23</sup> The caveat was that having a 287(g) agreement in force in the county increased the activation hazard by roughly four times. As noted above, only about 75 LEAs out of a total of 17,985 such agencies ever had such an agreement, and of these roughly half adopted the “jail model,” which entails screening of those already incarcerated. Jail model 287(g) agreement may be entered into not because of eagerness to rid the jurisdiction of deportable immigrants but to deal with prison overcrowding. For example, the city of Mesa in Arizona, which has been openly opposed to the aggressive pro-enforcement strategies employed by Maricopa’s Sheriff Arpaio entered into a “jail model” agreement to manage their incarcerated populations, not to enforce more aggressively (Varsanyi et al. 2012, 148). Moreover, 287(g) agreements are more common among Sheriffs’ Offices rather than city police departments. Our analysis focuses

The detectable patterns in the activation order appear to be overwhelmingly due to more selective activation in the earliest phases. Insofar as border location drove selection, almost every county on the southern border (18 of the 23) was activated within less than a year of the program’s launch. As it became increasingly apparent that the program would be extended nation-wide, prioritizing particular types of jurisdictions became less important. The bulk of counties were activated after ICE has made public statements that participation in Secure Communities will be mandatory nation-wide in March of 2010 (OIG 2012, 10). As Cox and Miles show, while early activations targeted a particular county within a state, mass activations of all remaining unactivated counties in a state became more common as time went on, strongly suggesting that later activations were less discriminating (2013,114).

### III. Empirical Strategy and Data

#### A. Model

The effects of Secure Communities on local crime and arrest rates are estimated using a standard differences-in-differences research design, in which the log of either the crime rate or the arrest rate is regressed on an indicator variable representing treatment activation. While the treatment is assigned at the county level, we leverage the granularity of agency-level monthly crime data to estimate all models at the city-month level. The advantage of such a design is the multiple treatment and comparison units within counties. Estimating the model at the city level is also sensible as crime and policing are primarily local phenomena, and city police departments often differ in important ways from their own county- or state-level LEAs. Finally, leveraging monthly data is desirable in view of the staggered timing of Secure Communities’ activation. We begin by estimating a series of standard models, which employ the following basic form:

$$\text{LOG}(Y_{ijt}) = \beta_0 + \beta_1 D_{ijt} + R_t \theta + G_i \varphi + e_{ijt} \quad [1]$$

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only on police departments, whose eagerness to enforce immigration law is not strongly correlated with the attitudes of their county Sheriffs’ offices. Only 10 of the police departments we analyze ever requested such an agreement, and only 6 ever participated in the partnership (Mesa and Phoenix, AZ; Danbury, CT; Las Vegas, NV; Carrollton, TX; and Durham, NC).

In this specification, we regress the log of the per capita crime rate or arrest rate  $Y$  reported by the LEA in the  $i$ th city, in the  $j$ th county, in month  $t$ , on the treatment dummy  $D$ , which is indexed to the county-month. The most basic models also include month and city fixed effects, denoted by  $R_t$  and  $G_i$  in the above equation. These terms ensure that the treatment effect is estimated using only within-panel variation and absorbs variation in the dependent variable that is due to national time trends.

The standard model, however, is vulnerable to omitted time-varying city-specific shocks. Accordingly, in more sophisticated models, we augment the standard city fixed effects with interacted city-by-year effects, retaining the month fixed effects. The city-by-year fixed effects add 1,340 parameters to the model and control for unobserved heterogeneity in all factors that vary across city-years. This includes city, county and state level criminal justice policies, such as the changes in law enforcement strength and sentencing policies. These fixed effects also control for city- and time-varying shocks to crime markets as well as changes in the local macro-economy, demographic trends, and a variety of other local predictors of crime and policing. The city-by-year fixed effects explain more than 90% and 60% of the variation in monthly crime and arrest rates, respectively indicating that there are few remaining sources of unobserved heterogeneity that are not accounted for in the model. Using the interacted fixed effects, the treatment effect is identified by comparing, within a given year, the crime rate in a city before and after the implementation of Secure Communities. Standard errors are clustered at the county level in order to account for both heteroskedasticity and arbitrary serial correlation in the errors at either the city- or county-level, and observations are weighted by city population.

## B. Data

Data utilized in this research is described below:

*Secure Communities Activation and Removals.* ICE makes available the list of all activated jurisdictions and includes summary statistics on the number of identity checks submitted from each county as well as the number of removals (ICE 2012b).<sup>24</sup> Due to the evidence that the initial wave of activations was targeted (see Part II.D), we exclude counties activated in 2008 from our analysis, with 335 cities, representing 41 states, and 31 unique activation months remaining.

*Crime Data.* We examine the consequences of the Secure Communities program for public safety using monthly crime rates for 335 city police departments that consistently reported such data to the Federal Bureau

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<sup>24</sup> Because the crime and arrest data are available only through 2011, our analysis does not include the post-treatment trends in the jurisdictions that were activated after November of 2011.

of Investigation (FBI), published in the Uniform Crime Reports (UCR), for each year between 2008 and 2011. We analyze the seven categories of “index crimes” that are reported consistently and reliably across agencies: murder, rape, robbery, burglary, assault, larceny, and motor vehicle theft.<sup>25</sup>

*Arrest Data.* The law enforcement effects of participation in Secure Communities are estimated using monthly UCR arrest data covering the same time period and U.S. cities. We limited our analysis to arrest rates for 10 crime categories, selected on the basis of the completeness of reported data. We examine arrests for a set of violent crimes (aggravated assault, murder, rape, and robbery), a set of property crimes (burglary, larceny, possession of stolen property, fraud and motor vehicle theft), and a set of minor crimes (drug offenses, liquor law violations, vandalism and prostitution).<sup>26</sup>

We limited our analysis to municipal police departments for a few reasons. First, this ensures greater comparability and avoids the analytical complications such as double-counting and problematic imputation methods, which accompany the use of county-level data or the inclusion of multiple LEAs with overlapping jurisdictions (see Maltz and Targonski 2002; Lynch and Jarvis 2008). Second, police departments are the most significant agencies involved in criminal law enforcement, accounting for 60% of all sworn officers (Reaves 2011). Sheriffs’ Offices employ fewer law enforcers and perform a broader range of functions apart from criminal investigations and other activities likely to eventuate in arrests (Reaves 2011). Finally, municipal police departments tend to report more complete data than county or suburban agencies (Lynch and Jarvis 2008, 74). We further limited our analysis to LEAs serving cities of over 50,000 people, which also minimizes missing data (Lynch and Jarvis 2008, 73). Because crime and arrest data are measured at the agency level, and the treatment is at the county level, the activation of Secure Communities in each county may correspond to activations in more than one city. Since each city within a county is serving as its own control, this multi-city activation is unaccompanied by aggregation or other ecological biases. Summary statistics for crime and arrest rates are presented in *Table 2*.

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<sup>25</sup> Using log-transformed crime creates a problem for rare crimes that take on a value of 0, because the log of zero is undefined. To address this problem, we utilize a correction procedure suggested by Chalfin and McCrary (2013). The procedure uses a transformation that closely approximates the natural log function where, for a given dependent variable,  $y$ , and a given value of the dependent variable,  $c$ ,  $f(y)$  is defined as  $1/c$  if  $y < c$  and  $1/y$  if else. Further details can be found in the data appendix of Chalfin and McCrary (2013). To minimize reporting errors, we examined the crimes and arrests for every city in our dataset, and rid the data of likely outliers by replacing as missing any observation that is  $> 5x$  or  $< 0.2x$  the city-specific mean for each crime type for the 60 months in our sample, when the mean was at least 20.

<sup>26</sup> We use the same correction procedure to address zero values for arrests for rare crimes as well as the same data cleaning methods as we employed for crime rates, see note 25.

### ***Treatment Intensity and Attitudes Towards Immigration Enforcement***

Because not every LEA in our analysis polices communities with an appreciable immigrant population and because the intensity with which LEAs police non-citizen communities differs, there may be considerable heterogeneity in the effects of Secure Communities across jurisdictions. Jurisdictions that do not arrest or remove criminal aliens – whether it is because this population does not exist in the jurisdiction or because law enforcers are not apprehending them – are likely to respond to Secure Communities differently than jurisdictions that actively apprehend such individuals. Compare, for example, the cities of Richmond and Virginia Beach, both activated on the same date. The two cities have comparable shares of the foreign-born population, with Richmond’s share around 7% (about 14,500 people) and Virginia Beach’s around 8.5% (about 38,000) of the total population. However, deportation has been distinctly more intense in Richmond since activation, where the number of criminal aliens deported was equivalent to 3.2 %, and total deportations to 4% of the foreign-born population, compared to .2% (criminal aliens) and .17% (total) in Virginia Beach. Whatever the factors generating these disparities, it is sensible to expect that places with more intense post-activation removal trends should experience more pronounced effects on public safety compared to those with less intense, or even non-existent, deportation rates. Moreover, if the benefits accrue due to the actual removal of would-be offenders, places with more intense *targeted* enforcement – i.e., higher rates of deportations of *criminal* aliens – should be expected to reap greater public safety benefits than places with more indiscriminant enforcement. To investigate these possibilities, we first calculate the ratio of (i) total and (ii) criminal removals, relative to the foreign-born population, which is a reasonable measure of the “pool” of potentially removable individuals, and adjusted for the time since the activation of Secure Communities. We then categorize our cities as experiencing “high,” “medium,” or “low” levels of (i) overall enforcement, and (ii) targeted enforcement.<sup>27</sup> These categories are constructed at the county level, are time-invariant, and do not allow us to distinguish cities within the same county. Notwithstanding these shortcomings, we expect that these two indicators for the intensity of enforcement in the county are reasonable comparative indicators of city-level impact.<sup>28</sup> We then re-estimate our models for each subset, which allows for the identification of the average effect on the cities with most intense levels of overall and targeted enforcement.

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<sup>27</sup> Data on the foreign-born population come from the 2010 U.S. Census.

<sup>28</sup> Notably, we need not assume that it is arrests by the municipal police departments under analysis that lead to removals. Relevant arrests may be made by county Sheriffs’ offices or any other agencies operating on the same territory: removals of criminal aliens should be expected to have the same consequences for public safety regardless of which agency makes the arrests that lead to their identification.

Our data includes cities such as Muncie, Indiana and Shreveport, Louisiana, which are in counties where only 2% of the population is foreign-born, as well as cities such as San Jose and Santa Clara, California, both in a county where over 36% of the population is foreign-born. If Secure Communities altered immigrants' assessment of their odds of deportation sufficiently to have the behavioral effects described above, these effects should be expected to vary in magnitude with the size of the affected population. Since only the foreign-born are potentially removable, their share in the population is a reasonable indicator of the population likely to respond to the policy change. Because behavioral responses by the affected population may condition the reaction to Secure Communities apart from the intensity of enforcement, we also categorize our cities as having “high,” “medium,” or “low” shares of the foreign-born, and re-estimate our model for each strata, which allows us to identify the average effect on cities with highest shares of the foreign-born.<sup>29</sup>

Likewise, the effects on arrest practices are unlikely to be uniform across LEAs. Because some LEAs have expressed concerns about being drawn into immigration enforcement, they may be expected to monitor their officers closely and to discourage any temptation to exercise arrest powers as pretext for rounding up immigration violators. As noted, a number of jurisdictions have adopted various policies of non-cooperation with ICE (National Immigration Forum 2012; Zaveri 2012; Begin 2011). LEAs operating under such policies are less likely to alter their arrest practices with an eye towards identifying more potential immigration violators. On the other hand, some LEAs are willing and enthusiastic participants. These LEAs may alter arrest patterns so as to identify potential immigration violators, whether that is done pursuant to a policy or on the initiative of individual officers. Accordingly, we investigate the possibility that the impact on arrest behaviors is conditioned by the local attitude towards immigration enforcement.

Several studies have found that local decisions to adopt tough-on-illegal-immigration, or pro-immigrant measures are best explained by the partisan composition of the local population<sup>30</sup> (Wong 2012; Ramakrishnan and Wong 2010; Chavez and Provine 2009; Lewis et al. 2013). Jurisdictions that lean Republican are more likely to adopt aggressive measures aimed at unlawful immigrants, and those that lean Democratic are more likely to adopt so-called “sanctuary” measures. As a proxy for the LEAs' likely attitude towards immigration

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<sup>29</sup> Counties were divided into three evenly-grouped categories: low foreign-born population counties (0-7.1%), medium foreign-born population (7.2%-19.8%) and high foreign-born population (> 19.8%).

<sup>30</sup> Lewis et al. (2013), however, find that partisanship predicts pro-enforcement orientations only in combination with an indicator for “mayor-council” cities, where the police departments report directly to the mayor. Although county partisanship may not perfectly correspond to the likely attitudes of municipal LEAs, we think it is a reasonable and parsimonious indicator that does not so restrict the subset of LEAs as to substantially lose statistical power.



enforcement, we employ the partisan composition of the population of the county in which the city is located. To capture the partisan composition of the counties through the time period under analysis, we use the presidential vote in 2008; we re-estimate our models separately for “Democratic majority counties,” which are counties with at least 50% voting for Barack Obama, and for Republican majority counties, which are those with at least 50% voting for John McCain.

#### IV. Results and Discussion

##### *Crime Rates*

*Table 3* presents the results investigating the effect of Secure Communities on log-transformed crime rates. Model (1) presents coefficients and standard errors using a standard two-way fixed effects model, which conditions on city and month fixed effects, following equation 1 above. In model (2), we instead condition on interacted city-by-year fixed effects, which control for unobserved heterogeneity at the city-year level only. Model (3) adds a dummy variable for each calendar month that controls for seasonal trends to model (2). Finally, in model (4), we add a full set of month dummies to model (2) to compliment the city-by-year fixed effects, as specified in equation 2. Under our preferred specification, model (4), there are no statistically discernible effects of activation on any category of crime under analysis. Notably, the program is associated with reductions in murder, rape, larceny and motor vehicle theft that are well less than 1%. Effects on burglary (-0.022) and aggravated assault (-0.018) are somewhat larger but not significant at conventional levels.

However, even under the less restrictive models in columns (1)-(3), there is no consistent evidence that the activation was followed by a statistically significant change in crime rates in either direction. Some estimated coefficients (robbery, aggravated assault, and burglary) are statistically significant and negative under specification (1), the standard two-way fixed effects differences-in-differences model. As noted, however, such a model is vulnerable to omitted trends or annual crime shocks at the city, county or state level. Once we condition on the interacted city-by-year fixed effects, the size of the estimated effect decreases considerably and ceases to be significant. Column (2), which reports results from specifications conditioning only on city-by-year fixed effects but does not account for any time trends within a year, shows estimated coefficients that are in the opposite direction from that implicit in the hopes behind the Secure Communities program. In models (3) and (4), which control for monthly trends, coefficients are once again negative but are quite small and uniformly insignificant at conventional levels. This strongly suggests that the results presented in column (2)

are picking up on month-to-month time trends. Although monthly criminal justice data are more variable than annual or quarterly data, our estimates appear to be reasonably precise, allowing us to rule out monthly changes in crime that are any larger or smaller than 1 to 2%.

To be sure, there is no well-founded expectation that rates of the most serious and comparatively rare crimes would be influenced by immigration enforcement, so the results with regard to murder and rape should not be surprising even to the most ardent believers in the public safety benefits of Secure Communities. However, the lack of effect on more common crimes such as larceny, burglary, motor vehicle theft, and robbery might suggest that the most ambitious expectations of augmenting public safety have not materialized. While this finding is inconsistent with the expectations of Secure Communities, it is broadly consistent with the growing academic literature on the effect of immigration on crime, which generally finds null or even negative effects (Butcher and Piehl 1998a; Butcher and Piehl 1998b; Reid et al. 2005; Moehling and Piehl 2009; Stowell et al. 2009; Wadsworth 2010; Chalfin 2013a). Although our data do not allow us to detect the impact of Secure Communities on the least serious offenses, which are not reported on a standardized basis to the FBI, the absence of any detectable influence on the common index crimes we examine bears on the core of the controversy surrounding Secure Communities, since it is these common crimes, rather than more minor violations, that truly threaten public safety.

To assess the degree to which the insignificant null effects found in *Table 3* are due to heterogeneous effects of the treatment, we investigate whether crime rate reductions might have been more significant in the cities that were arguably the most intensely impacted by the activation of Secure Communities. To give a sense for the variation in the intensity of immigration enforcement under Secure Communities as well as the relative size of the affected population, *Table 4* presents data on select counties, listed in the order of highest to lowest removals per 100,000 foreign-born residents (per month on average since activation). The two jurisdictions with the highest removal rates among all the cities in the data, Charleston County, SC and Richmond City, VA, each removed the equivalent of more than 4 % of its foreign-born population over a fifteen- and twenty-month period, respectively. Maricopa County, AZ, whose notoriety with immigration enforcement was noted above, ranks fourth overall, having led to the deportation of over 18,000 people between the activation of Secure Communities in January of 2009 and December 2011. By contrast, LEAs in some counties produced no deportations (as in Delaware County, Indiana) or considerably lower rates of deportations: in Westchester County in New York, for example, arrests led to the deportation of only 160 people, equivalent to 0.07% of the foreign-born population. Notably, even among the counties with relatively intense rates of enforcement

overall, there is variability in the proportions of criminal aliens: for instance, while over two thirds of individuals removed from Jefferson Parish, LA have a criminal conviction, for other jurisdictions, such as El Paso and Travis, TX, criminal removals represent fewer than 20% of all individuals detected through Secure Communities. Finally, it is worth noting that the likely size of the targeted population (gauged by the foreign-born population share) is not closely correlated with the intensity of enforcement: areas with relatively low and relatively high shares of the foreign-born are found across all levels of overall and targeted enforcement. Because both the intensity of enforcement and the size of the affected population may be responsible for heterogeneous effects of the program, we stratify our data based on both criteria.

The results of this analysis are presented in *Table 5*. Overall, estimated coefficients on individual crimes differ across levels of enforcement, but no clear patterns emerge. The only signal that cities experiencing most intense enforcement saw any reductions in crime is the negative and significant coefficient on the aggravated assault rate, suggesting a 5% reduction after activation. Notably, the reduction in the assault rate is linked to overall levels of removals, not levels of *criminal* removals, which suggests that areas with the most targeted enforcement did not experience any public safety benefits. More notably still, it is the cities experiencing lowest levels of overall and targeted enforcement that appear to have experienced statistically significant reductions in larceny (2-3%) and motor vehicle theft (5-6%), with cities with medium levels of enforcement actually experiencing an increase in motor vehicle thefts. Cities with the lowest levels of enforcement include cities with no removals at all; as such, it is not plausible that the reductions result from a mechanical removal of would-be offenders. It is likewise implausible that the reductions are due to deterrence effects, as there is no apparent reason why these would be felt disproportionately in the cities with the least intensive enforcement. The results justifiably lead to an inference that Secure Communities has had no unambiguous beneficial effects on the cities where these would be most expected – i.e. in areas of the most targeted and intense deportation efforts. To be sure, the indicators we employed to identify the cities with most intense enforcement do not distinguish areas where high removal rates were achieved by a purposeful policy of aggressive policing of immigrants, and those where high rates were simply a result of the frequency with which non-citizens actually engaged in arrest-worthy conduct. It is possible that the aggressively policing jurisdictions have yielded high removal rates even prior to Secure Communities, and that they have already reaped the benefits of declining crime rates in the past, with not much further “room” for improvement. That would mean, however, that little, if any, additional public safety benefits accrue to such jurisdictions from improved targeting of criminal aliens ostensibly made possible by Secure Communities.

Similarly, as the bottom panel of *Table 5* shows, jurisdictions with relatively high shares of foreign-born did not experience statistically discernible reductions in their crime rates after activation, and neither did the cities with medium and low shares of foreign-born. While the estimated coefficients across the three groups of cities were not the same, none are statistically significant. In short, there is no indication that the crime-reducing effects of Secure Communities are concentrated in areas with higher shares of foreign-born residents, whose behavior might be affected by the increased odds of deportation. Stratifying the analysis by enforcement intensity and the foreign-born population reduces the number of cities included in each model. Nonetheless, our estimates remain reasonably precise for most crimes and allow us to rule out monthly changes in crime that are any larger or smaller than 1 to 3% for crimes other than the rare murders and rapes.

### *Arrest Rates and Patterns*

The top panel of *Table 6* presents the estimated effects of Secure Communities on aggregate arrest rates of adults classified by the LEAs as “white.” Because arrest data are noisy for individual arrest categories,<sup>31</sup> we analyze aggregate arrest rates for three broad categories of criminal activity: violent crimes, property crimes, and minor crimes.<sup>32</sup> To the extent that Secure Communities has changed patterns of policing, this would be most likely seen in increased arrest rates for the most minor crimes, with regard to which police have greater discretion. *Table 6*, which reports the results of this analysis, is organized in the same way as *Table 3*, with our preferred estimates obtained by conditioning on interacted city-by-year and month fixed effects presented in column (4). The results suggest that the program has had no discernible effects on arrest rates that are distinguishable from zero at the conventional levels of statistical significance. The coefficient in the minor crimes regression is -0.016 suggesting that, if anything, arrests of white residents for minor crimes declined after activation of Secure Communities. Notably, the standard error on this coefficient is relatively small (0.012) allowing us to rule out large effects in either direction.

As noted above, if Secure Communities influenced policing, it is more likely to have done so by *reallocating* arrests among categories and/or demographic groups. Police have limited incentives to expend more effort on arrests; thus, to accommodate any additional interest in arresting in order to trigger the automatic immigration screening is likely to come at the expense of other arrests. The type of arrest reallocation of deepest concern is ethnicity- based. While data limitations rule out a direct test of whether Hispanic or Latino

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<sup>31</sup>Although we do not report analysis for individual crime arrest rates, that analysis revealed no statistically significant results.

<sup>32</sup> Violent crimes include aggravated assault, rape and robbery; property crimes include burglary, larceny, possession of stolen property, fraud and motor vehicle theft; and minor crimes include drug offenses, liquor law violations, vandalism and prostitution.

individuals are arrested at higher rates after the activation of Secure Communities, we investigate the possibility of ethnically -based reallocation of arrests in an indirect way, by examining the effect of the program on the ratio of arrests of white suspects relative to black suspects. We presume that most individuals likely to be identified as immigration violators by the police would be Hispanic in appearance, and that most will enter the statistics as “white” (see Nguyen and Gill 2010, 17). Thus, we examine whether the log of the ratio of white to black arrests changes as a function of Secure Communities.

The results in the bottom panel of *Table 6* show the estimated effect of Secure Communities on these outcomes for the three general crime categories (violent crimes, property crimes, and minor crimes). The standard differences-in-differences model (1) suggests a non-significant increase in white relative to black minor crime arrests; the coefficient changes direction, however, and remains insignificant, once we allow for annual city shocks in model (4). Overall, the activation of Secure Communities is not significantly associated with changes in white arrest rates relative to black arrest rates, for any of the three crime categories.

Because not all LEAs are likely to respond to the availability of automatic screening in the same way, we next investigate the possibility that the effects of activation differ across jurisdictions depending on the likely orientation towards immigration enforcement. We re-estimate all the models separately for the 79 LEAs serving the 51 majority Republican counties and the 246 LEAs serving the 147 majority Democratic counties, with results reported on *Table 7*. We find no discernible effects on white arrest rates for any crime in any direction for either set of LEAs.

It is worth emphasizing that no changes in arrest patterns are evident for the subset of crimes which are relatively minor, and for which police wield greater discretion. In particular, while we have no data on arrests for traffic offenses, the most frequent arrest charge for non-citizens identified through Secure Communities for whom ICE recorded arrest charges, we do look at the second and third most frequent charge categories (GAO 2012, 23): “dangerous drug offenses,” which are not clearly defined, but must overlap with crimes that are included in our minor crime category (drug sales and drug possession), and assault, which is analyzed individually.<sup>33</sup> Were LEAs to engage in targeted arresting of immigrants, these would be the categories we might most expect to see altered as the immigration status check consequences of an arrest became automatic.

### ***Robustness***

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<sup>33</sup> Our analysis on the individual crime arrest rates for each of the minor crimes, which is not reported here, also fails to detect any statistically significant effects.

To assess the robustness of our estimation strategy, we re-estimate our models while excluding two sets of observations: first, we progressively exclude cities in counties that were activated within the first full calendar year (2009), and second, we exclude several atypical jurisdictions.

We begin by testing the sensitivity of our estimates of the average effects on all cities to the progressive exclusion of cities in counties that were activated early. That is, we re-estimate the coefficient on the treatment first without counties activated in January 2009, then without counties activated January and February 2009, and so on, until all cities activated in 2009 are excluded. The results of this exercise are depicted in a series of figures presented in *Figure 5*. Progressive exclusion of activated jurisdictions has little impact on the estimated treatment coefficients indicating that a lack of conditional randomness in the early activation dates has little bearing on the results of our analysis.

We also tested the sensitivity of our estimates to the omission of jurisdictions that are particularly likely to be atypical. These are reflected in *Table 8*. In *Table 8*, column (1) refers to estimates from our preferred specifications using the entire sample (column 4 of *Tables 3* and *6*). In columns (2), (3), (4), and (5) we exclude observations from Arizona, Texas, California and Illinois, respectively. Estimated coefficients are sufficiently similar across the five columns of *Table 8* to conclude that the results reported in *Tables 3* and *4* are not driven by the inclusion of one important set of jurisdictions. The only indication that these jurisdictions may be influencing results is that the estimated coefficient on the aggravated assault rate becomes larger in magnitude and significant at conventional levels when Texas's 30 jurisdictions are excluded, and the same is the case with the burglary rate when Arizona's 10 jurisdictions are excluded.

## *Discussion*

In the early years of the Secure Communities program, its then-Acting Director declared that the extent to which Secure Communities “improves the public safety for the American people... will be our definitive measure of success” (ICE 2009). While DHS officials tend to emphasize the numbers of criminal aliens removed as the relevant metric, these numbers on their own have at best a tenuous relationship to public safety. This is so especially in view of the well-founded criticisms regarding the petty nature of violations for which most people are deported. Using UCR index offenses, long employed as reliable indicators of crime levels throughout the United States, we show that the program has no discernible impact on these crime rates in medium and large-sized U.S. cities. Even in the cities that are likely to have removed the most criminal aliens and non-citizens since activation, as well as cities with the most sizeable affected populations, there are few visible effects on public safety.

Our results do not necessarily imply that Secure Communities is an unjustified endeavor; it may well be a more cost-effective way of using scarce enforcement resources than prior practice. As we noted, the data do not allow us to investigate whether the automatic identification of some immigration violators might have reduced crime rates for other, less serious categories of crime. Our findings also do not rule out the possibility that the program will yield safety dividends over time, as the more serious offenders identified via Secure Communities finish their sentences, and are removed rather than released back into the community. Nor do our findings rule out the possibility that the erosion of trust in the police among immigrant communities, of which critics complain, will eventually translate into less cooperation with law enforcement, and higher real crime rates.

Opponents of the Secure Communities Program, by contrast, have voiced their concerns that the program would lead to the targeting of immigrant communities. As far as we can tell, activation of the Secure Communities data sharing system did not lead to widespread increases in arrests for any crimes or crime categories, or to increases of arrests of white suspects relative to black suspects. Of course, this analysis is not without its limits. First, while limiting our analysis to city police departments makes our analysis more robust, it comes at a cost to generalizability of our results. As noted, it is Sheriffs' Offices that are often most eager to become involved in immigration enforcement, due in part to the fact that Sheriffs are elected and more responsive to popular opinions, whether pro- or anti-enforcement<sup>34</sup> (Varsanyi et al. 2012, 144; PERF 2012, xi; NSA 2013; Major County Sheriff's Association n.d.; MCCA 2006; MCCA 2013). Second, our analysis cannot reveal any changes in the frequency of the most minor of arrests, for which there is no reliable reporting across LEAs, or reallocations of arrests to target Latino individuals from other *white* suspects. Finally, we use a rather blunt indicator to identify those LEAs that are more likely to embrace the immigration consequences of arrests: perhaps limiting analysis to police departments in mayor-council cities in Republican counties, following Lewis et al. (2013), and those that police populations with a high share of foreign-born would produce different results. However, limiting the set of relevant LEAs in this way converts the investigation into one of a localized, rather than a widespread phenomenon. Further research with less expansive geographic coverage is

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<sup>34</sup> For example, in a survey of 489 LEAs (roughly 50% police departments and Sheriff's Offices) Varsanyi and co-authors find that "[w]hereas more than half of city police chiefs (52 percent) agree or strongly agree that 'gaining the trust of unauthorized immigrants is a priority in my department,' less than one-third of sheriffs (31 percent) agree with this statement" (2012, 145). Likewise, Sheriffs' organizations such as the National Sheriffs' Association and the Major County Sheriffs' Association publically supported local involvement in enforcement (NSA 2013, MCSA 2013; MCSA), while police organizations such as the Major Cities Chiefs Association are more ambivalent and tend to oppose involvement (MCCA 2013, MCC 2006).

warranted, but with more finely-grained data to allow researchers to grapple with the program's effects without losing statistical power.

Nonetheless, we do examine some low-level crimes, arrests for which are subject to relatively high police discretion, as well as two of three most frequently represented arrest charges for aliens detected through Secure Communities. Given the intensity of the opposition, and the persistent concern about pretextual arrests, what might account for the absence of discernible effects we find? As we have emphasized above, incentives for pretextual enforcement actions and targeting of Latinos were already in place before the implementation of Secure Communities. Activists, officials, and scholars have voiced the same objections to every initiative that embroils state and local LEAs in immigration enforcement (e.g., Guttin 2010, 7; Rodriguez et al. 2010, 8; Wishnie 2003, 1104; Nguyen and Gill 2010, 29, 44). However, the marginal impact of an additional mechanism triggering immigration screening may simply be too faint to be detected across a large number of jurisdictions. Evidence from earlier immigration enforcement programs tends to demonstrate that at least some LEAs altered their practices in response to the prospects of placing immigration violators into the deportation pipeline; however, there may be limited opportunities and high opportunity costs of further adjustments to police tactics. Evidence of selective enforcement is most frequently found with regard to actions short of an arrest, such as traffic stops or checkpoint searches, with regard to which officers have greater discretion. Arrests, by contrast, require more time and effort than a typical officer would be willing to expend for non-essential reasons, and although not devoid of discretionary choices, are more constrained. Finally, as the Task Force on Secure Communities found, “[t]he general public and local law enforcement agencies may not always be aware that DHS is operating ... different programs in their communities, and local agencies and the public may not fully understand the similarities and differences among these programs” (HSAC 2011, 14). If street-level officers are not acutely aware of the innovation introduced by the activation of Secure Communities in their jurisdiction, they are unlikely to alter their behavior. The same holds for the general public and the immigrant population, whose attitudes towards their local law enforcers may be shaped by their cumulative experience, rather than the most recent policy change.

### **Conclusion**

While it may be the case that Secure Communities has had implications for policing and public safety in certain jurisdictions, our analysis demonstrates that the addition of Secure Communities into the existing mix of programs and policies that involve sub-national LEAs in the enterprise does not appear as consequential as promised or feared. In a national sample of medium to large U.S. cities, neither the short-term public safety



promises made by the proponents of Secure Communities, nor the crime and targeted enforcement fears of its critics are supported by the experience under the new regime.

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**Table 1. Database Matches and Deportations (Removals) of Convicted Criminals (sample counties)**

<i>State</i>	<i>County</i>	<i>Activation Date</i>	<i>Submissions</i>	<i>Total Matches</i>	<i>convicted criminals removed</i>		
					<i>Priority Level 1</i>	<i>Priority Level 2</i>	<i>Priority Level 3</i>
AZ	Maricopa	1/16/2009	1,009,179	84,908	6531	2811	6727
FL	Miami-Dade	2/24/2009	408,093	71,447	929	377	616
GA	Gwinnett	11/17/2009	94,025	11,385	548	493	985
UT	Salt Lake	3/23/2010	108,646	6,019	631	338	330
VA	Arlington	4/1/2010	13,491	1,940	56	51	59
OH	Hamilton	7/20/2010	65,643	693	31	62	92
TX	Schleicher	8/24/2010	183	10	0	0	0
SC	Horry	9/8/2010	31,989	915	25	65	54
MO	Saint Louis City	9/21/2010	52,185	470	7	5	5
WI	Dane	1/11/2011	16,203	478	18	18	20
WI	Milwaukee	1/11/2011	71,852	1,339	31	29	60

Source: ICE, Secure Communities, Monthly Statistics through December 31, 2012

**Notes:** Priority levels correspond to the 3-level scheme created by DHS to prioritize criminal aliens: Level 1 offenders: aliens convicted of "aggravated felonies," as defined in § 101(a)(43) of the Immigration and Nationality Act, or two or more crimes each punishable by more than one year, commonly referred to as "felonies"; Level 2 offenders: aliens convicted of any felony or three or more crimes each punishable by less than one year, commonly referred to as "misdemeanors"; and Level 3 offenders: aliens convicted of crimes punishable by less than one year (Morton 2011b).



**Table 2. Summary Statistics**

Variable	N	Levels (per 100,000)				Logs			
		Mean	S.D.	Min.	Max.	Mean	S.D.	Min.	Max.
<b>Violent Crimes</b>									
Murder	20,099	0.8	1.0	0.0	14.0	0.90	1.22	-0.31	3.89
Rape	20,016	3.2	2.2	0.0	38.1	2.13	1.35	-0.31	4.75
Robbery	19,775	21.6	16.1	0.0	133.2	2.78	0.86	-0.84	4.89
Aggravated assault	20,021	32.8	22.5	0.0	183.9	3.25	0.75	-0.76	5.22
<b>Property Crimes</b>									
Burglary	20,056	79.2	45.3	5.5	452.1	4.21	0.58	1.59	5.97
Larceny	19,969	224.0	96.5	20.8	725.3	5.32	0.44	3.04	6.85
Motor vehicle theft	20,006	44.0	30.0	0.0	186.3	3.55	0.73	-0.37	5.57
<b>Arrests</b>									
Violent crimes	13,839	20.5	15.5	0.0	184.2	2.72	0.84	-0.31	5.22
Property crimes	17,161	52.1	30.2	0.0	459.1	3.80	0.58	-0.31	6.13
Minor crimes	14,691	137.3	77.3	0.0	930.2	4.77	0.59	-0.31	6.84

**Table 3. Effects of Secure Communities Activation on Log Crime Rates**

	N=	(1)	(2)	(3)	(4)
<b>Violent Crimes</b>					
Murder	20,099	-0.037 (0.021)	0.005 (0.030)	-0.024 (0.028)	-0.007 (0.029)
Rape	20,016	-0.025 (0.026)	0.005 (0.024)	-0.005 (0.024)	-0.001 (0.026)
Robbery	19,775	-0.046** (0.017)	0.068*** (0.017)	-0.025 (0.013)	-0.010 (0.015)
Aggravated assault	20,021	-0.063*** (0.016)	0.004 (0.022)	-0.022 (0.015)	-0.018 (0.015)
<b>Property Crimes</b>					
Burglary	20,056	-0.035* (0.014)	0.095*** (0.019)	-0.017 (0.013)	-0.022 (0.012)
Larceny	19,969	-0.017 (0.015)	0.050*** (0.011)	-0.006 (0.010)	-0.007 (0.011)
Motor vehicle theft	20,006	-0.025 (0.031)	0.031 (0.020)	0.007 (0.019)	-0.003 (0.017)
City fixed effects		X			
Month fixed effects		X			X
City*year fixed effects			X	X	X
Month (seasonal) dummies				X	

Note: Each column pertains to a regression of the log of the number of crimes reported to police on a treatment dummy indicating the timing of Secure Communities Activation. All regressions are run at the city-month level with standard errors clustered at the county level. Model (1) conditions on city and month fixed effects. In column (2), we replace these with interacted city-year fixed effects. Column (3) adds month dummies while column (4) adds a full set of month fixed effects. Significance: \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.10$ .

**Table 4. Intensity of Enforcement and Demographic Profiles of Select Counties**

Number city LEAs in County	County, State	Demographics			Intensity of Enforcement				Intensity of Targeted Enforcement				
		2010 Population	2010 Foreign- born Population	Foreign- born share category	Total Removals	% of population	% of foreign- born	per 100,000 foreign- born, per month since activation	Criminal Removals	% of population	% of foreign- born	per 100,000 foreign- born, per month since activation	Proportion Criminals Among Removed
2	Charleston, SC	350,208	19,612	low	913	0.26	4.66	290.96	169	0.05	0.86	237.10	18.5
1	Richmond City, VA	204,237	14,501	low	596	0.29	4.11	195.72	134	0.07	0.92	151.72	22.5
8	Maricopa, AZ	3,817,117	595,470	medium	18,008	0.47	3.02	84.00	4,098	0.11	0.69	64.88	22.8
1	Davidson, TN	626,684	73,322	medium	866	0.14	1.18	69.48	149	0.02	0.20	57.52	17.2
1	Canyon, ID	188,923	16,814	medium	220	0.12	1.31	68.86	23	0.01	0.14	61.66	10.5
1	Santa Barbara, CA	423,895	99,615	high	1,576	0.12	1.58	65.92	1230	0.01	0.14	51.45	78.0
1	Knox, TN	432,229	18,586	low	224	0.05	1.21	63.43	70	0.02	0.38	43.61	31.3
1	El Paso, TX	800,647	212,172	high	3,702	0.46	1.74	56.28	594	0.07	0.28	47.25	16.0
1	Caddo, LA	254,969	5,099	low	39	0.02	0.76	54.62	21	0.01	0.41	29.42	53.8
1	Jefferson, LA	432,552	48,013	medium	670	0.15	1.40	53.67	457	0.11	0.95	17.06	68.2
8	San Diego, CA	3,095,308	718,111	high	11,913	0.38	1.66	51.84	2,956	0.10	0.41	38.97	24.8
1	Travis, TX	1,024,272	184,369	medium	2,949	0.29	1.60	51.60	528	0.05	0.29	42.35	17.9
1	New Hanover, NC	202,681	10,945	low	183	0.09	1.67	46.44	74	0.04	0.68	27.66	40.4
1	Webb, TX	250,304	74,090	high	1,058	0.09	1.43	46.06	511	0.04	0.68	22.25	48.3
2	Oklahoma, OK	718,631	72,582	medium	852	0.12	1.17	45.14	397	0.06	0.55	24.11	46.6
1	Mecklenburg, NC	919,625	125,069	medium	1,330	0.14	1.06	39.38	821	0.09	0.66	24.31	61.7
1	Kane, IL	515,269	93,263	medium	387	0.08	0.41	15.96	297	0.06	0.32	12.24	76.7
1	Virginia Beach City, \	437,994	38,105	medium	91	0.02	0.24	11.37	67	0.02	0.18	8.37	73.6
5	Santa Clara, CA	1,781,642	657,426	high	1,414	0.08	0.22	10.75	1,185	0.07	0.18	9.01	83.8
4	Fairfield, CT	916,829	184,283	high	243	0.03	0.13	6.94	148	0.02	0.08	4.23	60.9
3	Westchester, NY	949,113	233,482	high	160	0.02	0.07	6.23	98	0.01	0.04	3.82	61.3
1	Delaware, IN	117,671	2,353	low	0	0.00	0.00	0	0	0.00	0.00	0.00	--

Note: The table reports the demographic make-up of each county based on the 2010 Census, and enforcement data on the total number of removals and the number of removals of individuals with a criminal record identified via Secure Communities since its activation in each county, as of December 31, 2011. For both total and criminal removals, we report the total number, removals as % of the total population, and as % of the foreign-born population. Counties are listed based on the average monthly removals per 100,000 foreign-born since activation in that county. The table also reports the proportion of the individuals removed via Secure Communities who have a prior criminal record.

**Table 5. Effects of Secure Communities Activation on Log Crime Rates, Heterogeneity by Treatment Intensity**

	# LEAs	category	Murder	Rape	Robbery	Aggravated assault	Burglary	Larceny	Motor vehicle theft
Total removals per 100,000 foreign-born	94	Low (0-16)	-0.054 -0.07	-0.025 -0.046	-0.040 -0.03	-0.024 -0.021	-0.034 -0.022	-0.029** -0.014	-0.056** -0.027
	96	Medium (17-32)	-0.014 (0.046)	0.04 (0.047)	0.028 (0.024)	0.031 (0.032)	0 (0.017)	0.029 (0.019)	0.075** (0.029)
	94	High (33-291)	0.067 (0.040)	-0.048 (0.041)	0.001 (0.028)	-0.053** (0.022)	-0.019 (0.025)	-0.011 (0.018)	-0.017 (0.027)
Criminal removals per 100,000 foreign-born	96	Low (0-12)	-0.043 (0.070)	-0.004 (0.048)	-0.045 (0.029)	-0.014 (0.022)	-0.026 (0.023)	-0.026* (0.014)	-0.063** (0.027)
	88	Medium (13-22)	-0.009 (0.047)	-0.005 (0.030)	0.018 (0.029)	0.007 (0.027)	-0.007 (0.017)	0.028 (0.020)	0.082** (0.032)
	101	High (23-237)	0.069* (0.037)	-0.014 (0.048)	0.017 (0.023)	-0.027 (0.028)	-0.018 (0.023)	-0.011 (0.018)	-0.011 (0.025)
Foreign-born population share	84	Low (0%-7.1%)	0.051 (0.051)	0.020 (0.047)	0.023 (0.034)	0.007 (0.022)	0.007 (0.024)	-0.014 (0.018)	-0.016 (0.026)
	119	Medium (7.2%-19.8%)	-0.034 (0.059)	0.013 (0.048)	0.005 (0.026)	0.003 (0.028)	0.002 (0.025)	0.010 (0.016)	0.032 (0.025)
	128	High (20.0%-63.4%)	-0.014 (0.032)	-0.013 (0.029)	-0.013 (0.022)	-0.039 (0.024)	-0.012 (0.015)	0.017 (0.012)	0.022 (0.032)

Note: Each column pertains to a regression of the log crime rate on a treatment dummy indicating the timing of Secure Communities Activations. Results reported for the regressions for low, medium, or high values on the indicator in the left-most column. Second column reports the number of agencies in each category. All regressions are run at the city-month level with standard errors clustered at the county level. Models condition on interacted city-year and month fixed effects. Significance: \*\*\* p < 0.01, \*\* p < 0.05, \* p < 0.10.

**Table 6. Effects of Secure Communities Activation on Selected Arrest Rate Aggregates**

	N	(1)	(2)	(3)	(4)
<b>White Arrest Rates</b>					
All violent Crimes	13,839	-0.047 (0.026)	0.018 (0.020)	-0.008 (0.018)	0.011 (0.018)
All property crimes	17,161	-0.003 (0.018)	0.028 (0.018)	0.008 (0.019)	0.025 (0.019)
All minor crimes	14,691	-0.035 (0.023)	-0.045*** (0.013)	-0.032** (0.011)	-0.016 (0.012)
<b>White-Black Arrest Rates</b>					
All violent Crimes	12,333	-0.017 (0.024)	0.007 (0.022)	-0.005 (0.025)	-0.009 (0.028)
All property crimes	16,195	-0.014 (0.020)	-0.026 (0.026)	0.007 (0.024)	0.004 (0.023)
All minor crimes	14,290	0.015 (0.020)	0.018 (0.016)	-0.017 (0.016)	-0.024 (0.018)
City fixed effects		X			
Month fixed effects		X			X
City*year fixed effects			X	X	X
Month (seasonal) dummies				X	

Note: Each column pertains to a regression of the log of the arrest rate for white offenders on a treatment dummy indicating the timing of Secure Communities Activation. All regressions are run at the city-month level with standard errors clustered at the county level. Model (1) conditions on city and month fixed effects. In column (2), we replace these with interacted city-year fixed effects. Column (3) adds month dummies while column (4) adds a full set of month fixed effects. Significance: \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.10$ .

**Table 7. Effects of Secure Communities Activation on Selected Arrest Rates by County Partisanship**

	White Arrests		White minus Black arrests	
	Republican Majority	Democratic Majority	Republican Majority	Democratic Majority
<b>Arrest Type</b>				
All violent Crimes	0.064 (0.035)	0.002 (0.021)	0.063 (0.055)	-0.021 (0.028)
All property crimes	0.028 (0.027)	0.024 (0.022)	-0.064 (0.083)	0.012 (0.021)
All minor crimes	-0.020 (0.020)	-0.016 (0.013)	0.002 (0.034)	-0.030 (0.019)

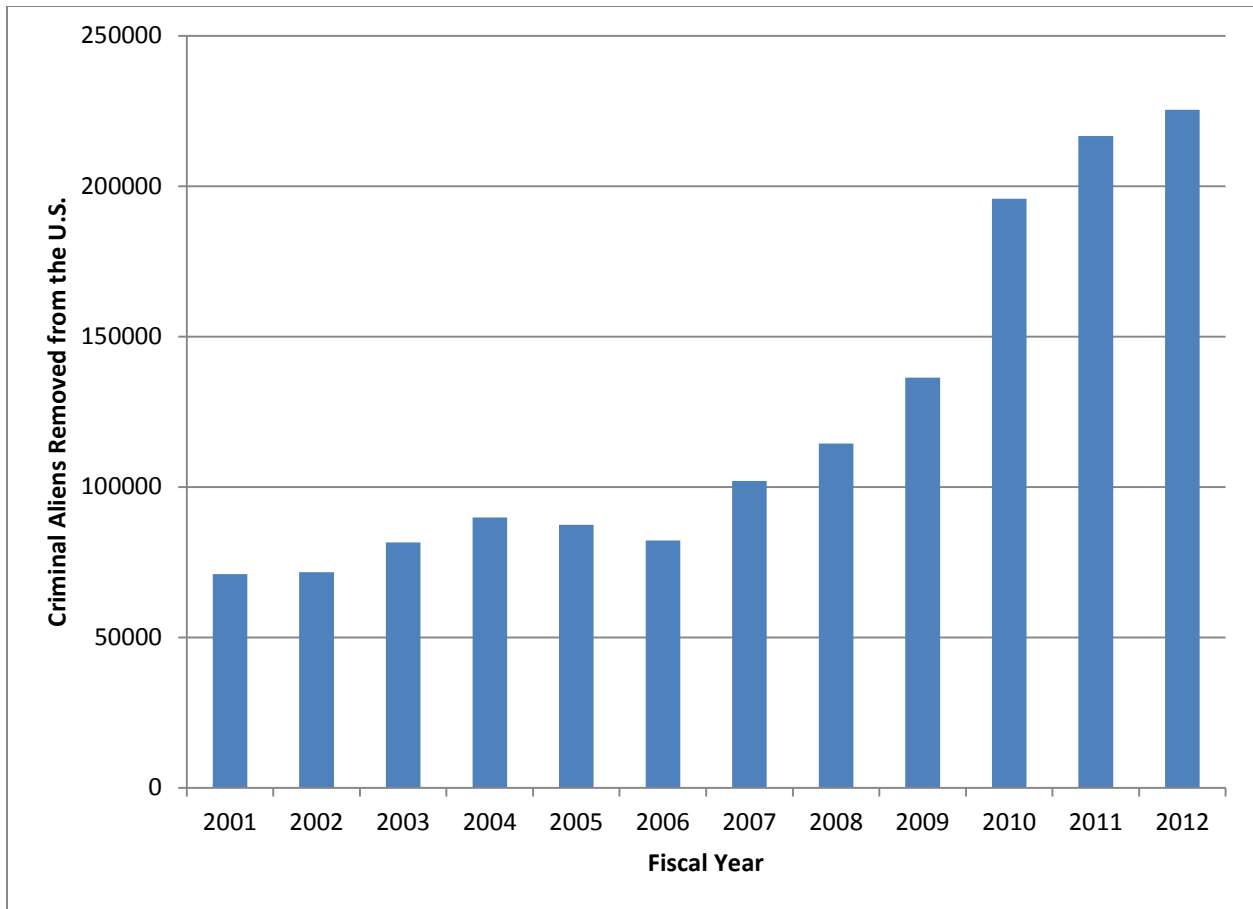
Note: Each column pertains to a regression of either the log crime rate or the log of the arrest rate of white offenders on a treatment dummy indicating the timing of Secure Communities Activation. Regression results are reported separately for Democratic and Republican majority counties. All regressions are run at the city-month level with standard errors clustered at the county level. Models condition on interacted city-year and month fixed effects. Significance: \*\*\*  $p < 0.01$ , \*\*  $p < 0.05$ , \*  $p < 0.10$ .

**Table 8. Effects of Secure Communities Activation on Crime and Selected Arrest Rates, Robustness to Removal of Specific Panels**

<b>Violent Crimes</b>					
Murder	-0.007 (0.029)	-0.012 (0.030)	-0.002 (0.026)	-0.019 (0.042)	-0.007 (0.030)
Rape	-0.001 (0.026)	-0.006 (0.026)	-0.020 (0.024)	0.007 (0.035)	-0.002 (0.026)
Robbery	-0.010 (0.015)	-0.013 (0.015)	-0.002 (0.016)	-0.004 (0.019)	-0.011 (0.015)
Aggravated assault	-0.018 (0.015)	-0.018 (0.015)	-0.026* (0.013)	-0.009 (0.021)	-0.019 (0.015)
<b>Property Crimes</b>					
Burglary	-0.022 (0.012)	-0.025* (0.012)	-0.019 (0.013)	0.001 (0.016)	-0.021 (0.012)
Larceny	-0.007 (0.011)	-0.010 (0.012)	-0.009 (0.013)	0.002 (0.012)	-0.008 (0.011)
Motor vehicle theft	-0.003 (0.017)	-0.007 (0.017)	-0.004 (0.019)	0.026 (0.017)	-0.008 (0.017)
<b>Arrests</b>					
Violent crimes	0.011 (0.018)	0.012 (0.018)	0.001 (0.019)	0.004 (0.026)	0.011 (0.018)
Property crimes	0.025 (0.019)	0.024 (0.019)	0.029 (0.019)	0.031 (0.031)	0.025 (0.019)
Minor crimes	-0.016 (0.012)	-0.014 (0.012)	-0.014 (0.013)	-0.021 (0.016)	-0.016 (0.012)
Excluding AZ		X			
Excluding TX			X		
Excluding CA				X	
Excluded IL					X

Note: Each column pertains to a regression of either the log crime rate or the log of the arrest rate of white offenders on a treatment dummy indicating the timing of Secure Communities Activation. Each column excludes from the sample certain places with large immigrant shares. All regressions are run at the city-month level with standard errors clustered at the county level. Models condition on interacted city-year and month fixed effects. Significance: \*\*\* p < 0.01, \*\* p < 0.05, \* p < 0.10.

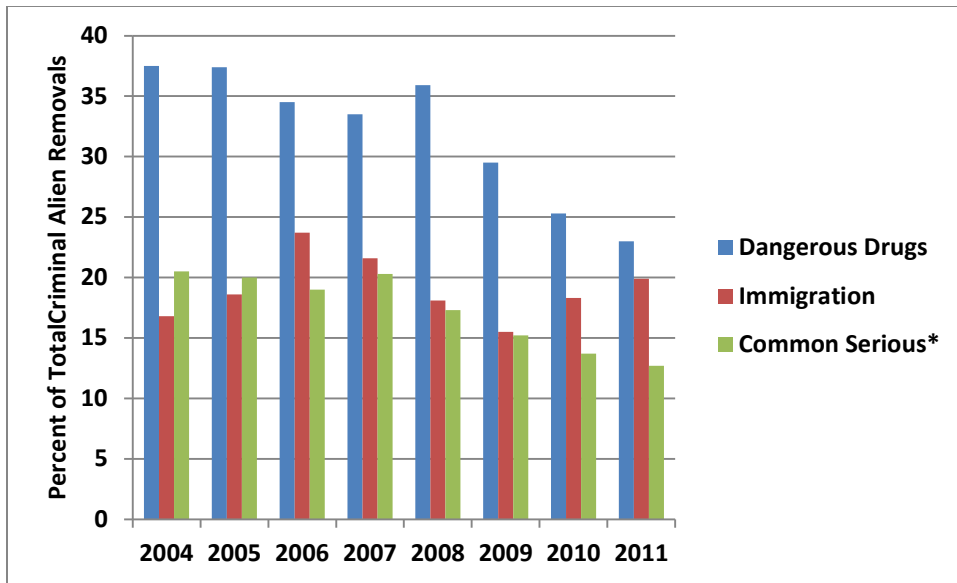
**Figure 1. Criminal Aliens Deported, 2001-2012**



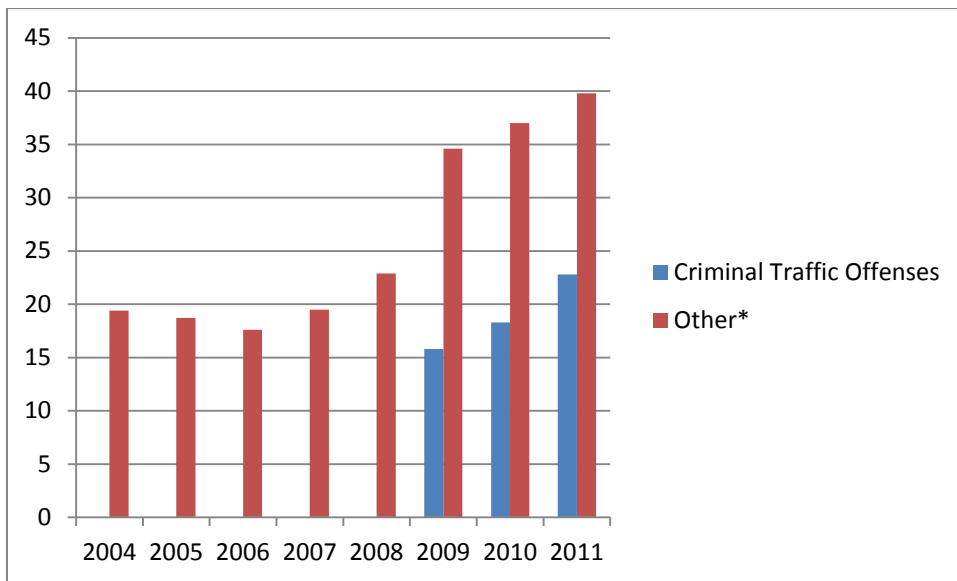
Source: ICE, Removal Statistics, 2013.



**Figure 2. Percent of Total Criminal Alien Removals by Most Serious Crime Category**



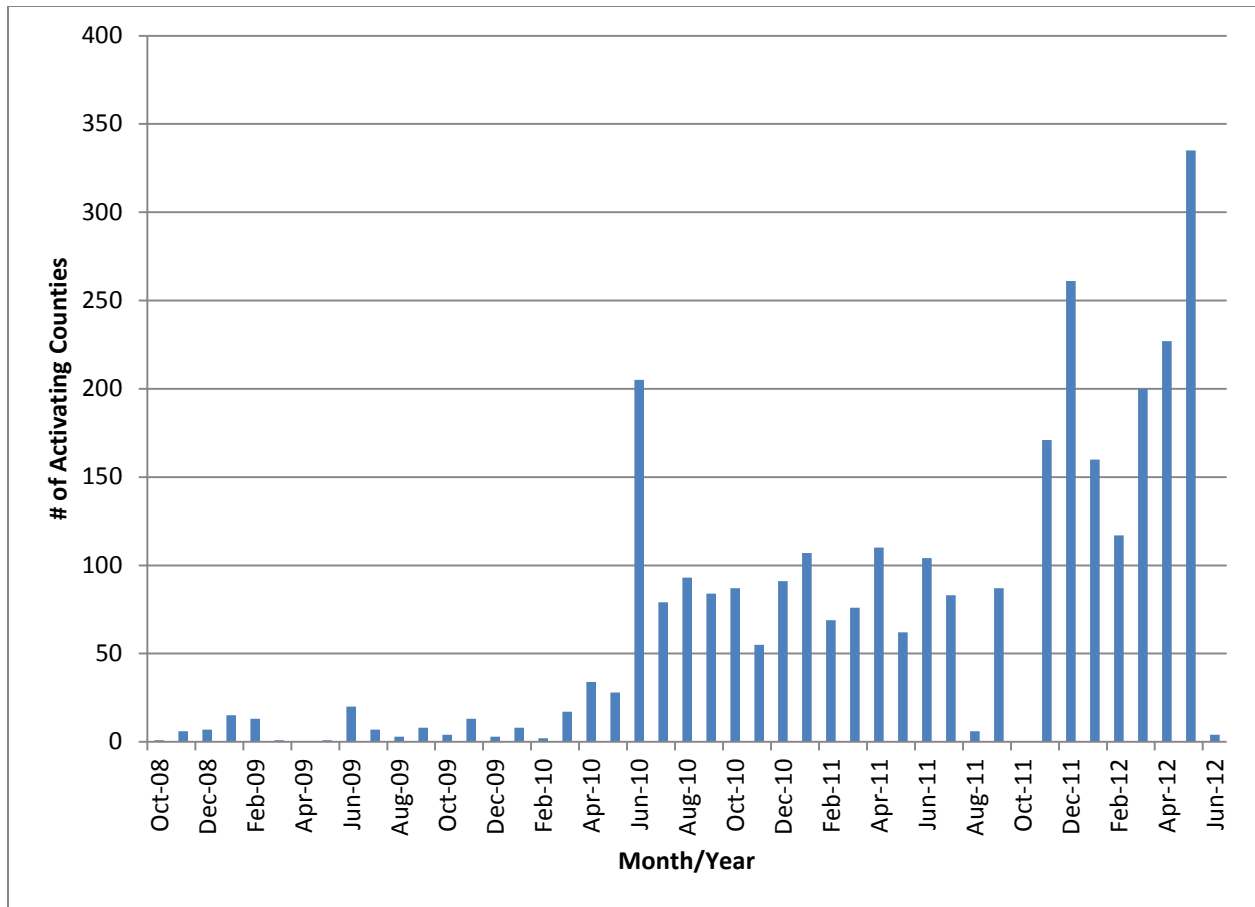
\*common serious crimes: assault, robbery, burglary, sexual assault



\*other: all crimes other than leading crime categories & crimes not reported across all yrs, including traffic offenses

Source: (DHS OIS 2004-2011)

**Figure 3. New Secure Communities Activations by Month/Year**



**Figure 4. Cumulative Secure Communities Activations by Month/Year**

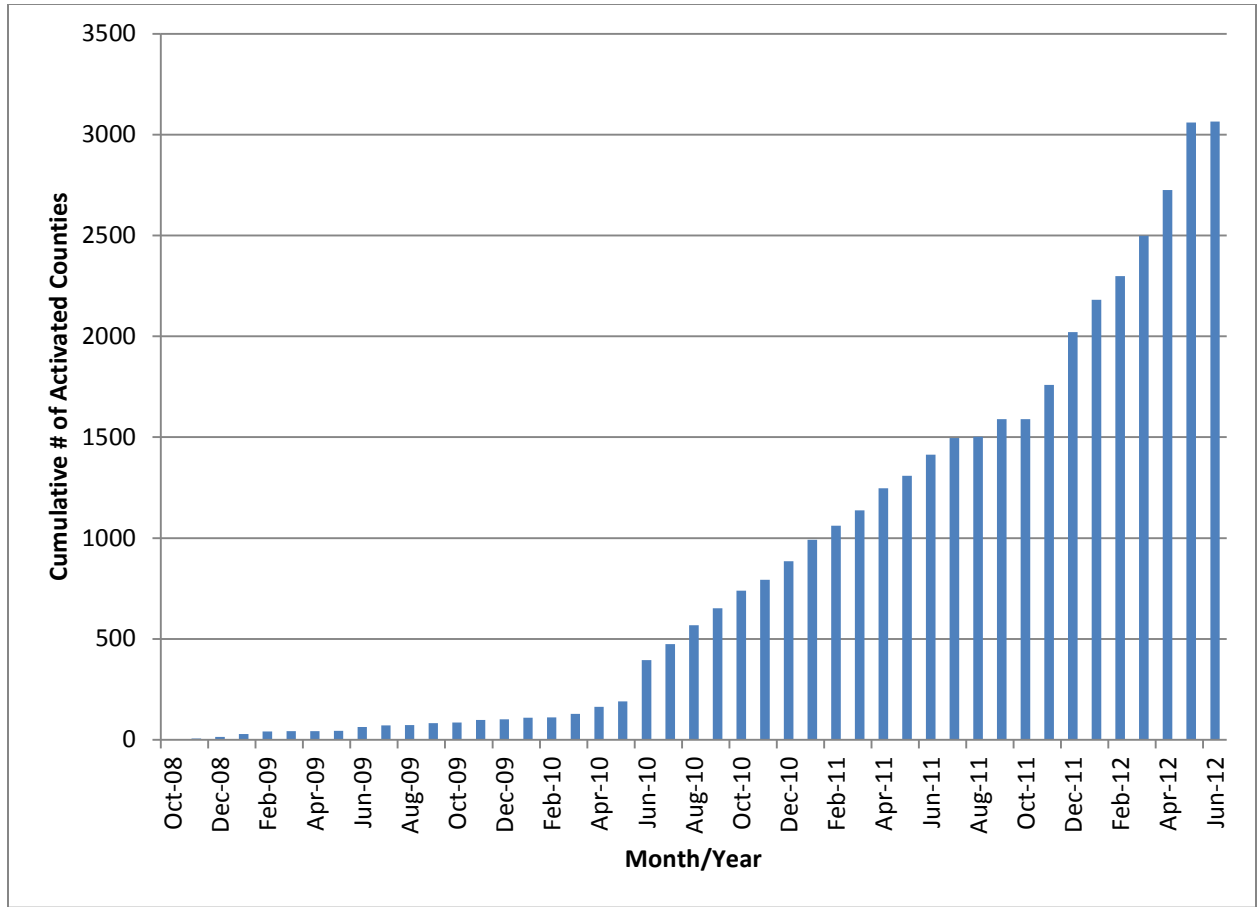


FIGURE 5. SENSITIVITY OF ESTIMATED TREATMENT EFFECTS TO LENGTH OF PANEL

