



When the Feds Need Help: Community-Based Policing and Deportation

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While there is a long history of cooperation between local police and sheriffs and federal immigration agents in the United States, the issue has more recently become a source of conflict. Federal initiatives begun in the Clinton Administration are designed to

encourage more intense and on-going relationships with local police. Local police and sheriffs are seen as “force multipliers” for the federal government.



Figure 1 Photograph by Petr Kratochvil. CCO

There has been community-level resistance to federal/local cooperations like these. The current debate over what have been dubbed “sanctuary cities,” that is, places where law enforcement limits its cooperation with federal immigration authorities, reflects this conflict and showcases community activism.

“Discretion in law enforcement, a necessary and desirable feature of American policing, means that ultimately who is at risk of deportation is essentially beyond top-down control.”

States and cities have a significant role in determining policing policy and the degree to which immigrants who lack proper authorization will be welcomed into communities.

Highlights

The U.S. Federal Government increasingly relies on local police to assist with deportation of undocumented immigrants.

This expanded role feels uncomfortable within the context of community policing.

Sanctuary Cities are one visible response to the needs and desires of the community.

The discretion reaches to the level of the nation's nearly 13,000 local law enforcement agencies and their personnel. All have a hand in determining what happens to immigrants because it is usually up to an individual officer whether to make an arrest, issue a warning, or completely overlook an individual's activity. Motor vehicle laws provide a perfect example. Almost any car can be found in violation of something.

This research explores the response of local law enforcement agencies to increased federal efforts to involve them in immigration enforcement. We uncover how sheriffs and local police approach immigration and deportation within their communities in this current political climate.

Methods

We conducted three national surveys of local law enforcement agencies: one of sheriffs, one of police chiefs in medium-sized cities, and one of police chiefs in smaller cities. We then conducted community-based case studies in seven cities throughout the United States in order to include additional perspectives and get a better sense of the entire community's response to resident unauthorized immigrants and federal efforts to deport them.

Results

- There are widespread differences in how police and sheriffs respond to immigration enforcement, and few fixed protocols: Arizona, for example, pushed for more aggressive federal efforts, but had difficulty keeping its own cities aligned with state policy, which was to require local police to aggressively detect and report suspected illegal immigrants for removal by federal immigration authorities.
- Cities around the United States tend to cooperate with federal immigration patrol efforts to the extent that it makes sense considering their own community needs. For example, a city where immigrants of varying legal status work at a local meat plant might do its utmost to keep those workers from being deported.
- How a community defines itself and its best interests lies at the heart of the controversy over deporting resident immigrants. These residents can be seen by their neighbors as a burden or a boon to the community's wellbeing. Mayors and city councils respond to the prevailing sense of where immigrants fit in the community – as workers, neighbors, and members of the community at large.

HOW DID A COMMUNITY PSYCHOLOGY PERSPECTIVE INFORM YOUR WORK?

Law-enforcement decisions reflect a community's assessment of what it means to be a member of that community. Correspondingly, changing attitudes in the community can alter local law-enforcement priorities, even in the face of unyielding federal pressure to deport immigrants. Context matters.

- While some officers and their leaders have embraced the opportunity to expand their powers, many have been reluctant because of their commitment to community policing.

What Does This Mean For?

Research and Evaluation: When evaluating a national policy, it is important for researchers to be aware of how that policy is received at the local level. The United States shares significant powers with states and cities, particularly in the area of law enforcement, but also regarding schooling, health, transport, and general welfare. Our research clearly shows that in a federal system, no national policy is self-executing. The task of determining what is really happening – that is, law in action, as opposed to law on the books -- is made more difficult by the fact that discretion reaches all the way down to the individual police officer or other public official who comes face to face with residents. This phenomenon of discretion at the front lines means that, in a real sense, policy is made at the individual and community levels.

Practice: Federal immigration efforts to employ a top-down control approach to immigration control have had mixed success. Immigration law gives virtually unlimited enforcement power to the federal level, but immigrants live in communities where they may be valued as workers and neighbors. Local law enforcement is cast in the unenviable middle, attempting to gain the trust and support it needs to ensure community safety, while being tasked to cooperate with federal deportation initiatives. How communities and local law enforcement agencies resolve this dilemma varies. In effect, communities can choose how much cooperation will be forthcoming.

Social Action: Our findings suggest that activism by immigrants and on behalf of immigrants is most effective when it begins at the community level. Community engagement encourages public officials and law-enforcement agencies to effect important changes. For example, we found that city leaders can be convinced to hire an immigrant-friendly police chief. Local laws can accommodate immigrants with insecure legal status. This is immigration policy making “through the back door,” but it can be helpful in creating space for immigrant well-being. Of course, activism can work in the other direction as well, making immigrant lives less secure.

Similar Settings: Our findings demonstrate the need for sensitivity to what communities want, even in the face of policies that appear to leave no room for local variation. Our findings also demonstrate that no policy will produce uniform results because discretion lurks at every level, and cannot, and should not, be abolished.

Original Citation: Policing Immigrants: Provine, D. M., Varsanyi, M. W., Lewis, P. G., & Decker, S. H. (2016). Policing immigrants: Local law enforcement on the front lines. University of Chicago Press.

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