



## **Immigration and Security: Does the New Immigration Law Protect the People of Arizona?**

Christopher E. Wilson and Andrew Selee

On July 29, the first pieces of Arizona's new immigration law, SB 1070, take effect without the most controversial parts of the legislation. The sections that mandated that Arizona police enforce federal immigration laws have been blocked by a federal judge pending further review.<sup>1</sup> If fully implemented, the law would direct police to ascertain the immigration status of people they stop or detain while enforcing other laws, make it a state crime for immigrants to not have papers documenting legal status in their possession, and otherwise increase state pressure on unauthorized (some would say all) immigrants.

Public opinion on the law is conflicted. Despite concerns by a majority of U.S. residents that the law may promote racial profiling or represent an unconstitutional usurpation of federal authority, the law enjoys broad popular support in Arizona and the nation.<sup>2</sup>

**Fact:** Recent polls have found that 60% of Americans and 55% of Arizonans are in favor of SB 1070. However, nationally 54% fear that the law will lead to racial profiling.<sup>3</sup>

While most of the current media attention is focusing on the legal challenges and potential effects of the law on civil rights, this analysis explores whether the law, intended address public security concerns in Arizona, would effectively achieve this goal. Too often, immigrants that enter the U.S. in search of economic opportunities are confused with the drug traffickers and organized crime groups that also illegally cross the U.S.-Mexico border. To the extent that these two groups are conflated, effective policy regarding immigration and border security is much less likely to be implemented.

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<sup>1</sup> After passing Arizona's Senate 17 to 11 and House 35 to 21, Arizona Governor Jan Brewer signed SB 1070 into law on April 23, 2010. Source: Arizona State Legislature, <http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/bills/sb1070o.asp>.

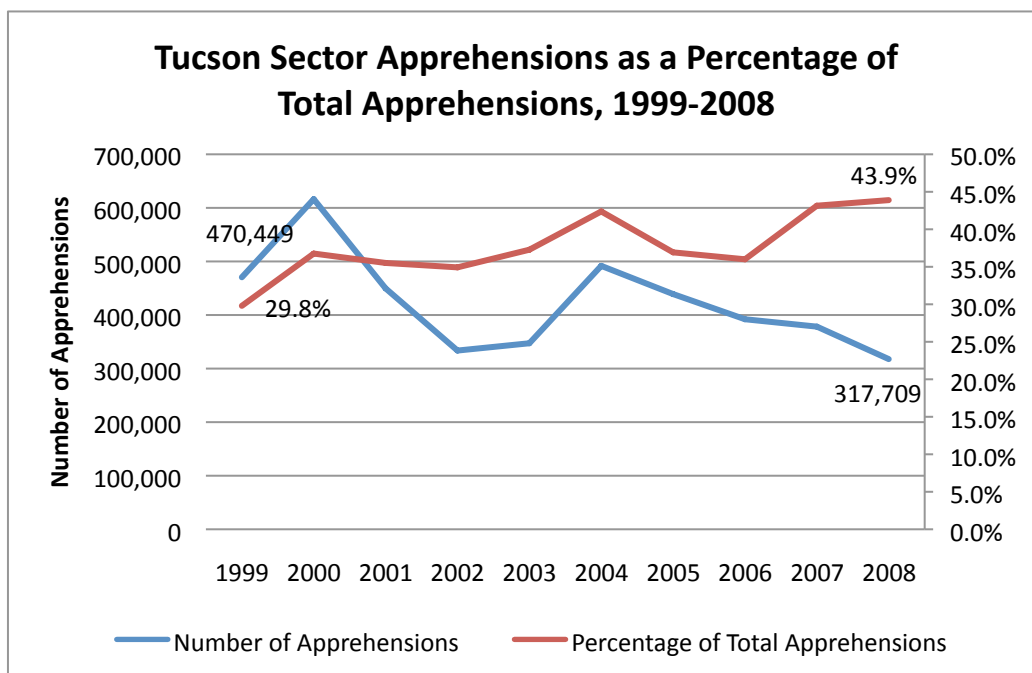
<sup>2</sup> 63% agreed that the federal government, not the states, is responsible for immigration laws, and 54% believe the law could lead to harassment. Time/Abt SRBI Poll, July 12-13, 2010.

<sup>3</sup> National poll: Time/Abt SRBI Poll, July 12-13, 2010. Arizona poll: Arizona Republic/WestGroup Research, July, 2010, <http://www.azcentral.com/news/articles/2010/07/25/20100725immigration-poll-demographic.html>.

## Why Arizona?

Two large programs designed to limit immigration began in the early-mid 1990s. Operation Hold the Line (El Paso) and Operation Gatekeeper (San Diego) focused Border Patrol resources along the border in high-traffic urban areas, pushing traffic away from San Diego and El Paso and into more remote locations, among them Arizona. Despite the expansion of Operation Safeguard in 1999, which focused resources on the region around Tucson, Arizona, over the last decade the Tucson Sector has become the most important point of illegal entry into the United States. However, since 2004, the number of apprehensions has actually dropped dramatically as border enforcement increased and the U.S. economy weakened.

**Fact:** By 2008, 43.9% of all immigrants apprehended while entering the United States illegally were caught in the Tucson Sector. However, apprehensions dropped from a high of 491,771 in 2004 to 317,709 in 2008.



Source: Department of Homeland Security, Office of Immigration Statistics, Yearbook of Immigration Statistics, 2008, <http://www.dhs.gov/files/statistics/publications/yearbook.shtm> (2008 enforcement data tables).

In the past five years, organized crime tied to drug trafficking has become more visible and violent on the U.S.-Mexico border, including in the Mexican state of Sonora, across the border from Arizona. Drug trafficking organizations (DTOs) have also gotten into the business of immigrant smuggling, either by running their own smuggling operations or charging fees to existing immigrant smuggling organizations. Many analysts speculate that this is the result of both tighter border security and the ability of the increasingly powerful Mexican DTOs to exert control over the smuggling corridors.

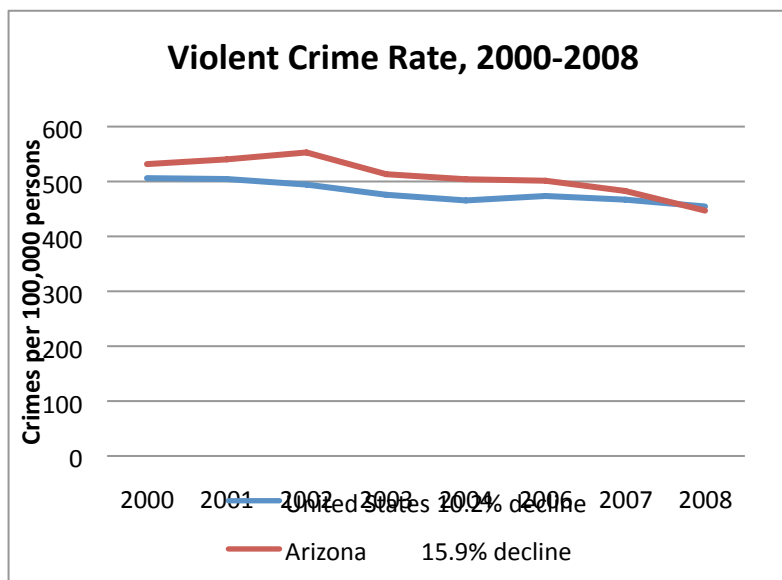
It is understandable that the people of Arizona are concerned about the possibility of increasing incidences of crime linked to illicit trafficking. In some cases, immigrant smugglers have kidnapped immigrants in the U.S. and held them until their family members pay a ransom. Drug traffickers have also captured rival traffickers, and incidents of trespassing and destruction of private property occur regularly along the border.

**Fact:** Phoenix has experienced a large number of kidnappings in recent years, with 358 cases reported in 2008 and 318 in 2009. Philadelphia, a city of similar size, had only 9 cases in 2009, 3% of Phoenix's total.<sup>4</sup>

On March 27<sup>th</sup>, Robert Krentz, a rancher from Southeastern Arizona, was shot and killed on his land. Most people suspect that he was killed by a smuggler coming from or returning to Mexico. If true, this represents the first such killing in decades.<sup>5</sup> But given the amount of illegal smuggling local residents have witnessed in recent years, this killing led residents to feel that his death was more of an inevitable consequence than a tragic aberration. Arizona legislators responded to the event by passing SB 1070 and sending it to Governor Jan Brewer for final approval.

### Is Arizona Unsafe?

Incredibly, not anymore so than the rest of the United States. In fact, crime has dropped significantly in Arizona as immigration has increased, and Arizona is slightly safer than other states.



Source: Department of Justice, Federal Bureau of Investigations, Uniform Crime Reports, 2000-2008, <http://www.fbi.gov/ucr/ucr.htm>.

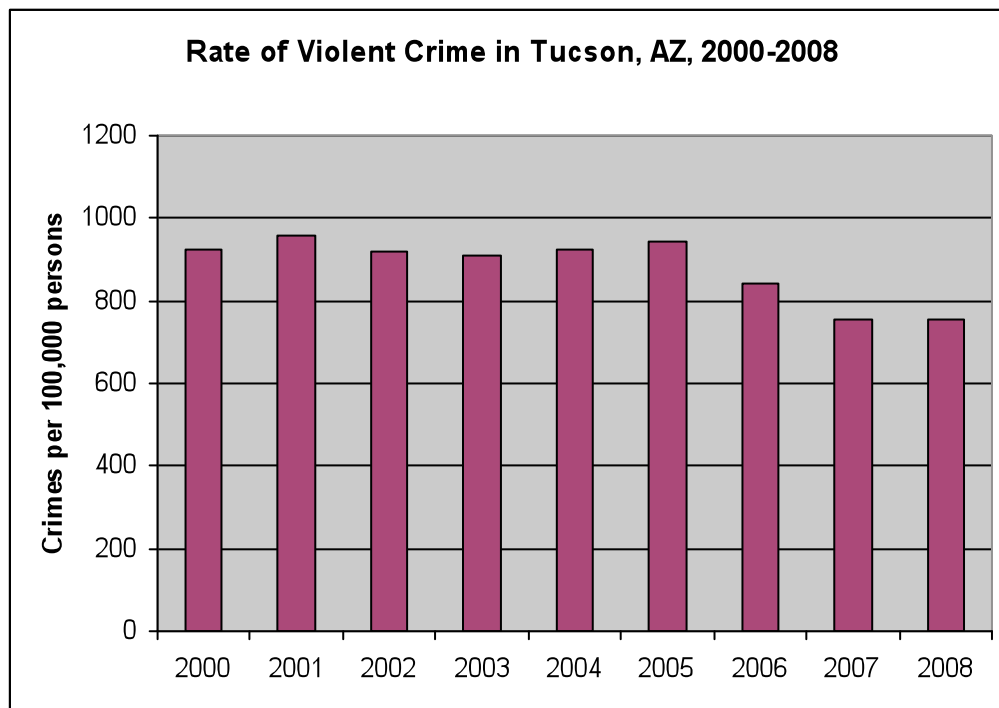
<sup>4</sup> PolitiFact.com, <http://www.politifact.com/rhode-island/statements/2010/jul/15/helen-glover/helen-glover-says-phoenix-kidnap-capital-western-h/>.

<sup>5</sup> Cochise County Sheriff Larry A. Dever, quoted in Randal C. Archibold, "Ranchers Alarmed by Killing Near Border," *New York Times*, April 4, 2010.

**Fact:** In 2008, the people of Arizona were less likely to be the victim of a violent crime than the general U.S. population. In Arizona, there were 447 violent crimes committed per 100,000 residents, while the national average was 455.<sup>6</sup>

**Fact:** Since 2000, the rate of violent crime in Arizona has decreased by 15.9% while the national rate has fallen 10.2% over the same period.

In the city of Tucson, less than seventy miles from the border, the rate of violent crime shows a similar trend, declining 18% from a level of 924 per 100,000 in 2000 to 757 in 2008.<sup>7</sup>

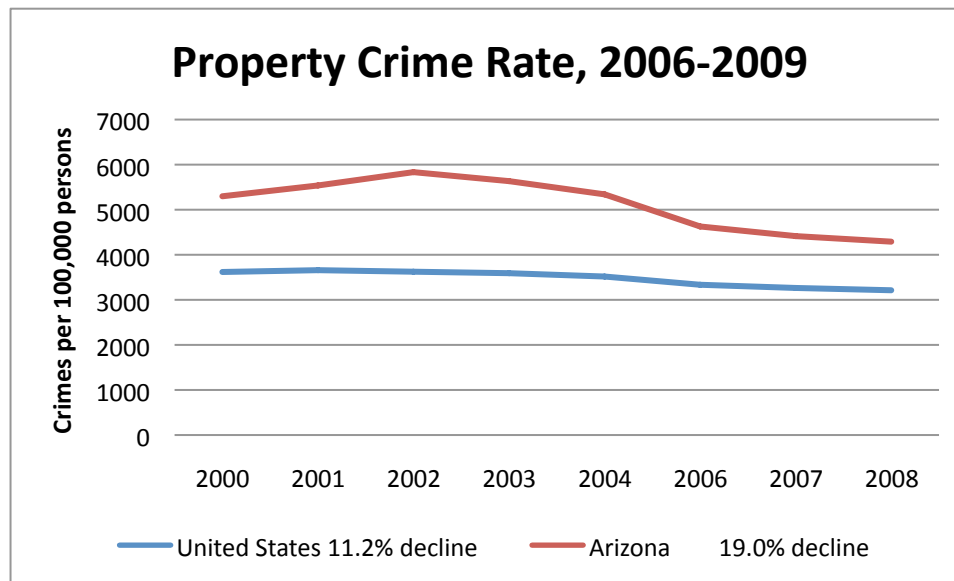


Source: Tucson Police Department, [http://tpdinternet.tucsonaz.gov/Stats/VIO\\_08\\_RATE.pdf](http://tpdinternet.tucsonaz.gov/Stats/VIO_08_RATE.pdf)

<sup>6</sup> FBI statistics for violent crime refer to four categories of crimes: murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault. Department of Justice, Federal Bureau of Investigations, Uniform Crime Reports, 2000-2008, <http://www.fbi.gov/ucr/ucr.htm>.

<sup>7</sup> Police Department, [http://tpdinternet.tucsonaz.gov/Stats/VIO\\_08\\_RATE.pdf](http://tpdinternet.tucsonaz.gov/Stats/VIO_08_RATE.pdf).

Even the rate of non-violent property crimes has decreased at a rate much faster than the national average in recent years.



Source: Department of Justice, Federal Bureau of Investigations, Uniform Crime Reports, 2000-2008, <http://www.fbi.gov/ucr/ucr.htm>.

The case of Arizona is not unique. Despite large amount of narcotics and other types of illicit traffic along the Southwest Border, the region as a whole has remained remarkably safe.

**Fact:** The four major U.S. cities with the lowest rates of violence, El Paso, San Diego, Phoenix, and Austin, are all located in Southwest Border States.<sup>8</sup>

Even more remarkably, a study done by the Congressional Research Service analyzing the rates of violent crime from 1999-2008 found no statistically significant increase in violent crime in cities and towns where Mexican drug trafficking organizations are known to operate, either along the border or in any part of the United States.<sup>9</sup>

Despite the thousands of drug-related killings each year in Northern Mexico, very little spillover violence has occurred in the United States. Great efforts have been made by officials at all levels of government to prevent spillover of violence from taking place.

<sup>8</sup> Data from FBI, reported in: Martha Mendoza, "Government study finds U.S. side of Mexico border area low on violent crime," *Dallas Morning News*, June 4, 2010, [http://www.dallasnews.com/sharedcontent/dws/news/world/stories/DN-border\\_04int.ART.State.Edition2.294bf61.html](http://www.dallasnews.com/sharedcontent/dws/news/world/stories/DN-border_04int.ART.State.Edition2.294bf61.html).

<sup>9</sup> Jennifer E. Lake, Kristin M. Finklea, et al., *Southwest Border Violence : Issues in Identifying and Measuring Spillover Violence*, Congressional Research Service, February 16, 2010, 22.

## Would SB 1070 Make Arizona Safer?

While migration and organized crime may share corridors along the U.S.-Mexico border, immigrants and members of organized crime syndicates have little in common. Immigrants who come to the United States to pursue economic opportunities for themselves and their families are generally less likely to commit crimes than other people in the United States. In fact, a peer reviewed study published earlier this year by Tim Wadsworth of the University of Colorado found:

**Fact:** the presence of a large number of immigrants in a city helps to make it safer.<sup>10</sup>

Other studies have made similar observations, showing that immigrants are less likely than U.S. born residents to commit crimes and that states with large immigrant populations have experienced higher than average drops in crime rates.<sup>11</sup> So, when designing policy to improve security, immigrants are not the cause for concern.

## Conclusions

Legitimate concerns about organized crime, including drug smuggling, human trafficking, and related violence, seem to have been conflated with problems of illegal immigration. Arizona's new law appears to redirect resources and policy focus towards apprehending unauthorized immigrants, whose presence does not increase crime rates, and away from dismantling potentially dangerous smuggling networks. Although border communities, including those in Arizona, do not yet appear to be suffering from extensive violence generated by organized crime groups, these are certainly a legitimate source of concern for border residents. The U.S. and Mexican governments, including federal, state, and local authorities in both countries, will need to work together to address the threat posed by organized crime, including efforts to enhance intelligence, limit the flow of illegal money and weapons, strengthen law enforcement and judicial capabilities, and reduce narcotics consumption.

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<sup>10</sup> Tim Wadsworth, "Is Immigration Responsible for the Crime Drop? An Assessment of the Influence of Immigration on Changes in Violent Crime Between 1990 and 2000," *Social Science Quarterly*, Vol. 91, 2, pp. 531-553.

<sup>11</sup> Morrison Institute for Public Policy, Arizona State University, *Illegal Immigration: Perceptions and Realities*, May, 2010, <http://morrisoninstitute.asu.edu/publications-reports/2010-illegal-immigration-perceptions-and-realities>.