Examining the Relationship between Immigration Status and Criminal

Involvement:

Do Illegal Immigrants Commit More Crime?

by

Lidia E. Nuño

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Graduate Supervisory Committee:

Charles Katz, Chair
Michael White
Scott Decker

ARIZONA STATE UNIVERSITY

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Abstract

A perceived link between illegal immigration and crime continues to exist. Citizens continue to believe that immigration creates crime and fear that as the immigrant population grows, their safety is jeopardized. Not much research in the field of criminology, however, has focused on examining this perceived relationship between immigration and crime. Those studies which have examined the relationship have mainly relied on official data to conduct their analysis. The purpose of this thesis is to examine the relationship between immigration and crime by examining self report data as well as some official data on immigration status and criminal involvement. More specifically, this thesis examines the relationship between immigration status and four different types of criminal involvement; property crimes, violent crimes, drug sales, and drug use. Data from a sample of 1,990 arrestees in the Maricopa County, Arizona, was used to conduct this analysis. This data was collected through the Arizona Arrestee Reporting Information Network over the course of a year. The results of the logistic regression models indicate that immigrants tend to commit less crime than U.S. citizens. Furthermore, illegal immigrants are significantly less likely than U.S. citizens to commit any of the four types of crimes, with the exception of powder cocaine use.

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CHAPTER 1

Introduction

Today, politicians, policymakers and media are placing increasing

attention to the relationship between immigration and crime. This attention has

focused on the prevalence of illegal immigrants residing in the US, the

relationship between illegal immigrants and crime, and the appropriateness of

various policies and programs aimed at illegal immigrants (Martinez, 2010;

Hickman and Suttorp, 2008). Attention to these matters have been given since

President George W. Bush offered support to the concept of "earned citizenship,"

which suggested that undocumented immigrants who met certain criteria (i.e. hard

workers, speak English, pass a background check, etc.) may be granted

citizenship (Dorsey and Diaz-Barriga, 2007). Further support came from

President Obama, who started to prioritize these issues as part of his agenda since

he was a senator in the state of Illinois (Dorsey and Diaz-Barriga, 2007).

Similarly, a number of states such as Arizona, Georgia, and Utah have enacted, or

plan to enact, state statutes to respond to their growing illegal immigration

problems (Valdes, 2011; Lacayo, 2011). Most recently, the state of Alabama

passed a law, which is considered to be tougher than Arizona's SB 1070. Aside

from resembling those provisions stated by Arizona's SB 1070, which require law

enforcement officials to demand proof of legal immigration status and

criminalizes undocumented immigrants, Alabama's new law will require students

from kindergarten to 12th grade to provide proof of legal status (Johnson, 2011).

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Despite these new and proposed statutes, there is little recent research in the field of criminology that has examined issues surrounding illegal immigration in general (Hickman and Suttorp, 2008), and the relationship between illegal immigration and crime specifically (Katz, Fox and White, 2010).

The purpose of this thesis is to examine the relationship between illegal immigrants and crime. Specifically, I will examine differences between illegal immigrants and U.S. citizens among a sample of recently booked adult arrestees in Maricopa County, Arizona. In the section below I provide a brief review on the history of immigration in the United States and review prior research on the link between immigration and crime. Following this section I discuss the methodology used for the present study.

CHAPTER 2

Brief History of Immigration to the United States

The issue of immigration is not new to the United States nor is the

perceived fears of the social changes created by the increase in the numbers of

immigrants. During the past two centuries, the U.S. has experienced at least four

major waves of immigration (Hagan and Palloni, 1998). With each of these

waves, public perceptions regarding immigration have shifted, normally leading

to negative perceptions of the immigrants. These negative perceptions tend to

arise from the fear of the unknown, and in this case, the fear of changes that could

occur due to the increased population of foreigners. This may perhaps be seen as

a racial threat from the view of the native born. Citizens may fear that

immigration may threaten their safety among other aspects of their lives, such as

employment opportunities. In turn, these waves of immigration have led to

changes in public policy (Musto, 1999).

Since its origin, the United States has welcomed immigrants. During the

early decades of the formation of the United States there was a need for labor and

immigrants were needed to provide the labor. Individuals from all over the world

came to the United States mainly for economic opportunities. This was considered

the first major wave of immigration to the United States, which lasted until the

early 1800's (Bromwell, 1969)[1]. During this time, however, immigrants were

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[1] Although the issue of immigration has prevailed in the United States since before the 1800's, not many statistics are documented prior to that time. This is particularly the case of criminal involvement statistics. Although the percentages of those entering the United States prior to the 1800's are documented (Bromwell, 1969), these percentages offer little information regarding demographic characteristics other than gender.

primarily of European descent, coming from such nations as Germany, Ireland, and England (Bromwell, 1969).

The second wave of immigration took place from the 1820's to the 1870's. During this period, over 7 million individuals entered the United States (Bromwell, 1969). This time newcomers were mostly from Europe. It was, however, right before the third wave of immigration that Americans started to become alarmed by the growing number of immigrants entering and staying in the United States. There were about 17.2 million admissions between 1901 and 1925, which is considered to be the period in which immigration reached its peak in the United States (Zhou, 2001). During the early 1900's immigrants began to be linked to crime, particularly drug use. At this time drug use was primarily associated with the Chinese immigrants and Black Americans. The connection between minority groups and drug use, however, was a misperception led by fear of minorities; as research suggests minority groups were not necessarily using drugs at higher rates than other U.S. citizens (Musto, 1999). This unsubstantiated claim of a link between minorities and immigrants, and crime further supported the moral panic among the general public. This created the "Southerner's fear of the Negro and the Westerners fear of the Chinese" (Musto, 1999, p. 11). Although Blacks were not immigrants, they were often viewed similarly to immigrants and associated with other minority groups. This fear, according to Musto (1999), is what dictated early drug control policy in the United States.

During this time, citizens residing in the southern states commonly directed their public fear of minorities towards Blacks and their use of cocaine. Whites feared that the stimulating properties of cocaine would allow Blacks to "become oblivious of their prescribed bounds and attack white society" (Musto, 1999, p. 6). This idea of blaming minority groups for committing specific types of crimes soon spread. Blacks began to be linked to various types of crime including sexual assaults against whites, the Chinese were accused of harassing whites, the Chicanos were believed to be violent due to marijuana use (Musto, 1999), and the Italians and Irish were accused of being involved in organized crime (Cressey, 1969). This in turn lead to the attribution of a particular illicit drug or crime to "an identifiable and threatening minority group" (Musto, 1999, p. 295). This fear in turn may be a result of a perceived racial threat from minorities.

Chinese immigrants were perceived as habitual users of opiates. This occurred particularly in the western part of the United States. Americans in the western states feared that opiate use by the Chinese would spread to the rest of the population. While the public perceived opiate use to be primarily restricted to the Chinese population, researchers have found that opiate addiction was most prevalent among whites (Courtwright, 2001). Courtwright (2001) suggests that foreign-born individuals were underrepresented among reported opiate addicts, and immigrants in general contributed relatively little to the population of opium users. This information, however, was not well known and the fear of the Chinese continued to spread among Americans. The Chinese soon began to be blamed by

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the American government for the spread of opium use among the American population (Musto, 1999). By the early to mid 1900's cocaine and opiates were substances strictly associated with immigrant groups and minorities. "Cocaine raised the specter of the wild Negro, opium the devious Chinese, morphine the tramps in the slums; it was feared that use of all these drugs was spreading into the 'higher classes'" (Musto, 1999, p. 65).

Despite of the lack of rationale behind the fear of minorities, Americans began to demand government regulations of these drugs (Provine, 2007). Although there were multiple motives behind the regulation of drugs, one of the primary motives was the association between drugs and minority groups (Provine 2007). Policy makers used the perceived association between minorities and drug use to pressure legislators to pass harsher laws prohibiting the use of drugs. They used claims that minorities were more likely to have a violent reaction to the consumption of these drugs and that they were likely to hurt Americans as a consequence of the violent reaction (Courtwright, 2001; Musto, 1999; Courtwright, Joseph and Des Jarlais, 1989). Furthermore, Americans feared that if drugs were not prohibited the use of them might facilitate sexual contact between minorities and whites (Musto, 1999).

Despite the strong perceived association between drug use and immigrants, and public pressure to regulate drugs, policymakers faced difficulties establishing laws to prohibit drug use. It was the division of power between the states and the federal government that made this particularly difficult. First, the

U.S. Congress passed the Harrison Narcotic Act of 1914. This Act required individuals who sold narcotics to register with the federal government and pay taxes on the drugs they sold (Courtwright, Joseph and Des Jarlais, 1989). This Act, however, was somewhat vague. First, it did not make medical distinctions between drugs, which in turn made it difficult to regulate drug consumption. Also, the law did not specify how long an individual could be prescribed the medication. Due to the lack of clarity of this law, policymakers continued to demand harsher regulations.

It was not until 1919 that the Supreme Court ruled that the federal government was permitted to regulate the use of drugs. When this case was presented to the Supreme Court, the majority ruled that "small addictions" would not be tolerated and that there would no longer be "addiction maintenances" (Musto, 1999). The negative perceptions of immigrants as drug users and criminals resulted in legislation that prohibited individuals from certain nations from immigrating to the United States. For example, the Chinese Exclusion Act, passed in the 1880's, and the Japanese Exclusion Act, passed in the 1920's, prohibited the immigration of Chinese and Japanese to the United States. Furthermore, Congressional acts passed in 1921 and 1924 significantly reduced the number of immigrants admitted into the United States by setting an immigration cap (Hagan and Palloni, 1998).

Negative public perceptions suggesting that minorities were the cause of the drug problem in the United States, resulted in the implementation of laws

segregating minorities from whites. This, however, did not impact immigration. Immigration to the United States continued to occur. Although both crime and immigration declined through the 1950's, the public fear continued (Hagan and Palloni, 1998). The late 1960's brought the fourth wave of immigration to the United States. This wave of immigration, however, was different than previous waves. It was different because it no longer represented a narrow geographical areas or specific countries. Instead, immigrants were coming from a variety of different countries in large numbers (Hagan and Palloni, 1998). Between 1971 and 1995 the number of individuals entering the United States each year steadily increased and reached one million in 1992 (Zhou, 2001). Many immigrants coming to the United States during this period were entering legally as agricultural workers and were granted permanent resident status through the Immigration Reform and Control Act of 1986.

Public perceptions regarding immigration and crime did not change, however. The public continued to believe immigrants and minority groups were responsible for much of the crime in the United States and demanded legislations (Chavez and Provine, 2009). They also continued to believe that immigrants and minorities were heavily involved in drugs, including drug use and drug distribution. Tonry (1995) notes that these perceptions, in part, resulted in the War on Drugs in the 1980s, where local, state, and federal authorities declared zero tolerance on the consumption, distribution, and production of drugs. Some academics and policymakers have argued that the war on drugs was primarily

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directed at minorities (Mauer, 1999; Miller, 1996) and that minority groups were in various ways the most affected by the war (Walker, Spohn and DeLone, 2007; Mauer, 1999; Miller, 1996). Research also suggests that the war on drugs increased racial disparities in incarceration (Spohn, 2000; Miller, 1996) and failed to decrease the drug problem (Mauer, 1999). Furthermore, it has been found that race and ethnicity play an important role in determining sentencing (Spohn, 2000).

Illegal immigrants have also been said to be the subject of discrimination in other ways. For example, in the mid 1990's California passed Proposition 187. This proposition "would bar state and local governments in California from providing non-emergency medical care, public assistance, social services, and education to undocumented immigrants" (Johnson, 1995, p.632), which they were legally entitled to (Garcia, 1995), and it required social service providers to report immigration status to authorities (Bosniak, 1996). This proposition was the consequence of fear of the rising number of illegal immigrants in California. Californians were fearful of immigrants being disproportionately represented in schools, welfare rolls, and emergency rooms (Johnson, 1995; Garcia, 1995). The passage of this proposition allowed for "increased potential for arbitrary discrimination" (Garcia, 1995, p. 148). This proposition, however, was determined unconstitutional and was overturned in July of 1999 (McDonnell, 1999).

In 2010, a similar proposition was introduced in the state of Arizona, Senate Bill 1070. SB 1070 proposed that law enforcement agencies act on behalf of federal immigration officers and enforce federal immigration laws. The bill also required that those individuals assisting or transporting an illegal immigrant be charged as a criminal as well. Overall, SB 1070 legislated harsher punishments for offenses associated with illegal immigrants (Martinez, 2010). For instance, those individuals who assist illegal immigrants may be seen as supporters of illegal immigration and may be charged with human smuggling. At the time of this thesis, however, SB 1070 continues to be a bill and has not yet been turned into a law. The future of the bill is still uncertain.

Other states attempted to create similar bills to Arizona's SB 1070. As of April 2011, Utah was the only state that has legislation like SB 1070 (Lacayo, 2011). Utah's bill however, differs from SB 1070 in that it recognizes that the issue of illegal immigration should be handled by federal government rather that the state government (Lacayo, 2011) when SB 1070, on that other hand suggests the issue of illegal immigration be handled by the state government. In May of this year, however, Georgia passed an anti illegal immigration law which allows law enforcement officers to question individuals regarding their legal status (Valdes, 2011). More recently, as of June of this year, the state of Alabama passed a law resembling those provisions stated by SB 1070 (Johnson, 2011).

CHAPTER 3

Prior Research on Immigration and Crime

Immigration has been discussed as a link to crime for several decades. Perhaps

one of the earliest connections made between immigration and crime was

Thrasher's (1927) research on the incidence of gangs in immigrant communities.

Since then, various scholars have given their attention to the "link" between

immigration and crime (Lee, Martinez, and Rosenfeld, 2001; Alaniz, Cartmill,

and Parker, 1998; Stowell and Martinez 2007; Katz, Fox and White, 2010;

Sampson and Bean, 2006; Hickman and Suttorp, 2008; Hagan and Palloni, 2008;

Martinez, Stowell and Lee, 2010). Scholars have largely examined the

relationship between immigration and crime from two different perspectives. The

first involves the association between immigration and crime at the community

level (Peterson and Krivo, 2005). The second focuses on the relationship between

immigration and crime at the individual level (Reid et al., 2005). In the two

sections below, prior literature examining the relationship between immigration

and crime from each perspective is discussed.

The Relationship between Immigration and Crime at the Community Level

Much of the prior literature examining the relationship between

immigration and crime has been conducted at the community level. Lee,

Martinez and Rosenfeld (2001) studied the effects of immigration on community

levels of homicide. The authors examined police and census data from the cities

of San Diego and Miami. Their analysis indicated that increases in immigration

were unrelated to community level homicides. In fact the authors reported that in some communities there was a significant negative relationship between recent immigration and homicide rates, suggesting that immigration lowered homicide rates. Furthermore, the authors reported that in Miami, black communities that experienced increases in Haitian immigrants also simultaneously experienced lower levels of homicide. Similar results were found by Stowell and Martinez (2007) in Houston and Miami. The authors also included different crimes, other than homicides to their analysis. They found negative and null effects on violent crime when foreign born individuals were included in their statistical models. Although they found that the impact of immigration on crime varies by ethnic group, they also found that immigration was more likely to predict low levels of violence, at least in Miami.

Similarly, Reid and colleagues (2005) examined specific types of crimes and their relationship with illegal immigration. They were interested in examining this relationship with four different crime types: murder, robbery, burglary, and theft. For their analysis, they used Uniform Crime Reports data as well as Census data. The authors found that, at a macro level, immigration was associated with a reduction in certain crime types. Specifically, recent immigration was associated with a decline in community levels of homicide and theft. The authors concluded that their findings "support neither the conventional conceptualizations nor the criminological theories that predict increased immigration will lead to increased rates of crime" (p. 775), that is, however, only at the macro level.

Additionally, Alaniz, Cartmill, and Parker (1998) conducted a study examining the relationship between immigration and violence in rural, suburban, and urban communities. Using Census data as well as police data, the authors found that the percentage of foreign born individuals was not significantly related to youth violence. They also reported that ethnicity explained little of the variation in the level of youth violence between neighborhoods. However, other factors, such as alcohol availability and high divorce rates, which were not related to immigration status, were associated with increased rates of youth violence. Last, the authors found that neighborhood characteristics such as youth violence, high divorce rates, and alcohol outlet density, were more closely associated with higher rates of violence than immigration.

Consistent with the findings of the previous study were the findings of Martinez, Stowell, and Cancino (2008). Martinez and colleagues also found that neighborhood characteristics play an important role in the variations of the levels of violence in San Diego and San Antonio. Martinez and colleagues analyzed police reports, medical examiner records, and census data and found that neighborhood characteristics such as neighborhood disadvantage, spatial proximity to violence, and affluence are significantly associated with levels of lethal violence, particularly in San Antonio. They found, however, that when controlling for these neighborhood characteristics immigration was not significantly related to levels of lethal violence.

As a consequence, the above body of literature not only suggests that immigration at the community level has no negative impact on crime and violence, but in fact it may actually reduce crime and violence. Sampson (2006) attributes these results to the place of birth of immigrants; with the majority of recent immigrants being born in Mexico. Sampson suggests that as individuals become acculturated (i.e. are born and raised in the United States) they are more likely to get involved in criminal activity when compared to first generation immigrants. With regards to community characteristics, Sampson suggests that high levels of immigration serve as a protective factor for criminal involvement. These findings may perhaps be linked to the Latino Paradox which suggests that despite of the disadvantages Hispanics may face, they tend to perform better on various social indicators, such as mortality rates and violent crimes (Sampson, 2008). may perhaps be due to lower levels of acculturation in those neighborhoods with a large number of immigrants. Lower levels of acculturation can perhaps lead to a higher level of social control.

Aside from social control theory, various criminological theories have been used to explain the relationship between immigration and crime. Social disorganization is perhaps the most widely used theory to study the link between immigration and crime (Sampson and Bean, 2006; Stowell and Martinez, 2007; Martinez, 2000; Stowell et al., 2009), which follows the classical views of the Chicago School. Shaw and McKay (1969) argue that social disorganization theory refers to the structural characteristics of the neighborhood, not those of the

individual, which allow them to be susceptible to criminality. Immigration may then alter these structural characteristics, which will allow the communities to become vulnerable to crime, in turn supporting the immigration-crime link.

Opportunity structure theory may also be used to support the immigration-crime link. Opportunity structure theory suggests that disadvantaged groups, such as immigrants, may face fewer opportunities to achieve economic success (Merton, 1938). These groups may then turn to illegitimate means in order to achieve economic success, which may include violence, property crimes, or other types of criminal involvement (Tonry, 1997).

The Relationship between Immigration and Crime at the Individual Level

Much less research has focused on individual factors and the role that they play in determining the relationship between immigration and crime. A study by Katz and colleagues (2010), however, focused on the relationship between immigrants and drug use. Katz and colleagues (2010) approached the issue by analyzing a sample of recently booked adult arrestees in Maricopa County. They studied the relationship between illegal immigrants and crime by examining drug use patterns. The authors used self report and urinalyses data to determine drug use among arrestees. They found that illegal immigrants were less likely to use marijuana and methamphetamines, but were more likely to use cocaine than U.S. citizens. Overall, their findings suggest that the relationship between illegal immigrants and crime, at the individual level, is not as strong as the public contentions. Their findings "refute the general contention that there is a strong

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relationship between illegal immigrants and crime in general and illegal immigrants and drug use specifically" (p. 21). Furthermore, the authors state that "the findings from this study support a growing body of research that challenges the immigration-crime link" (p. 21).

Hagan and Palloni (1999) analyzed prison data from El Paso and San Diego to examine the relationship between illegal immigration and crime. The authors regressed arrest rates on the proportion of illegal immigrants and legal immigrants. They found that arrest and immigration rates, at the individual level, were weakly related to one another; and that illegal immigrants in these two cities were less likely than U.S. citizens to be involved in drug crimes. The authors also stated that immigrants tended to be young males, who were more likely to become involved in criminality due to their inherent characteristics (i.e. gender and age group), regardless of immigration status. Last, the authors stated that "the image presented in prison statistics of the largest group of current immigrants to the United States, from Mexico, is potentially misleading" (p. 381-382) and that "it is also likely the case that specific groups of immigrants, much like specific groups of citizens, do have a heightened propensity that leads them to be disproportionately involved in crime." This statement supports the idea of the influence of individual characteristics, rather than immigration status, to the propensity of criminal involvement.

Similarly, Hickman and Suttorp (2008) measured the relationship between immigration status and recidivism using a sample of adult deportable and

nondeportable aliens released from the Los Angeles County jails. The authors compared the two groups and found that the immigration status or "deportability status," was not significantly related to re-arrest. The number of previous arrests, and the age of the individual, however, was found to be significant predictors of re-arrest. As a result, Hickman and Suttorp (2008) concluded that those individuals who were deportable do not represent a greater threat to public safety than those who were not deportable.

These findings, however, contradict those of The Office of Inspector General (2007). In 2007, The Office of Inspector General released a report that examined recidivism rates among deportable criminal immigrants. The results of this report indicated that deportable criminal immigrants recidivate at a rate of over 70 percent. However, the report used a "judgmental sample" or, in other words, a possibly biased sample, which raised questions regarding its validity and reliability (Hickman and Suttorp, 2008). On the other hand, other official reports support the findings of The Office of Inspector General. For example, the Maricopa County Attorney's Office, in 2008, reported that over 18 percent of all sentenced offenders are illegal immigrants (Maricopa County Attorney's Office, 2008), which compares to 13% of the general population in the Maricopa County that is an illegal immigrant (Fischer, 2008).

Although prior research has examined the link between immigration and crime, it is still unclear whether this relationship exists. Those studies which have found a relationship tend to indicate that the relationship is in the opposite

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direction as to what is argued by public perception; that is, immigration does not necessarily increase crime. Defining this relationship becomes more problematic once illegal immigration is taken into consideration. To date, little research, particularly in the field of criminology, has focused on the relationship between immigration status and criminal involvement. Although the relationship between immigration status and drug use has been studied (Katz, Fox and White, 2010), the relationship of immigration status to other types of crime has rarely been studied where criminal involvement is the dependant variable. This thesis looks to further contribute to the growing body of literature by examining the issue of immigration status and how it relates to various types of crimes.

Perhaps a gap in the current body of research focusing on immigration and crime lies within the different ways immigration and illegal immigration are measured. Those studies previously mentioned tend to lack consistency in their measures; illegal immigrants and legal immigrants are at times grouped into one single category. Furthermore, data sources and types of data are also inconsistent. While some studies use self report data, others use official data, which in turn can make it difficult to compare studies. Perhaps, as Mears (2002) suggests research on immigration and crime should focus on certain dimensions and distinguish between levels of immigration. Furthermore, Mears (2002) suggests distinction be made between immigrants and non-immigrants, the type of data which will be used, types of crimes, prevalence and incidence in criminal involvement, among other distinctions. This thesis attempts to study the relationship between

immigration and crime by following some of the dimensions stated by Mears (2002).

The Present Study

Illegal immigration has become a great public concern in the United States in general and in the state of Arizona specifically. Of particular importance in the debate has been the perception of the relationship between illegal immigration and crime. Fischer (2008), states that there are a substantial number of undocumented immigrants in the state of Arizona, particularly within Maricopa County. According to the Pew Hispanic Center, there were about 500,000 undocumented immigrants in the state of Arizona in 2008 (http://pewhispanic.org/files/factsheets/68.pdf). Given the public debate in Arizona, and law enforcement and legislative actions that have focused on illegal immigrants, it is of particular importance to study the relationship between illegal immigration and crime within this geographical area.

The purpose of this thesis is to examine the relationship between immigration status and criminal involvement. In the past, community level research has reported that the relationship between immigration and crime is negative; as immigration increases, crime decreases (Sampson, 2006). The findings from a handful of individual-level studies are consistent with community-level research but more work needs to be done at this level of analysis. The focus of this paper is to examine the relationship between illegal immigration and criminal involvement by analyzing self report data from a

sample of recently booked arrestees in the Maricopa County. As of the year 2009, 32 percent of Maricopa County's population was Hispanic, and that percentage continues to increase (http://pewhispanic.org/states/?countyid=4013). Furthermore, as discussed above, the Maricopa County Attorney's Office reports that about 18.7 percent of sentenced offenders in the Maricopa County are illegal immigrants (Maricopa County Attorney's Office, 2008). This allows for the Maricopa County to serve as an important county in which to study those immigrants who have entered the country illegally or have overstayed their visas, and their relationship to criminal involvement.

CHAPTER 4

Methods and Data

The Maricopa County serves as the setting for this thesis. In terms of population,

the Maricopa County is currently the fourth largest county in the United States;

about 3.8 million of Arizona's 6.4 million residents reside in Maricopa County

and it is considered to be one of the fastest growing areas in the United States

(Census Bureau, 2010). With regards to land area, Maricopa County is the 14th

largest area in the United States; the county covers over 9,200 square miles

(http://www.maricopa.gov/mfr/pdf/ReportToCitizens07.pdf). The county shares

its borders with Yavapai, Gila, Pinal, Yuma, and La Paz Counties and some of its

border are as close as one hundred miles away from the U.S. international border

(http://2010.census.gov/news/pdf/cb11cn76_az_totalpop_2010map.pdf).

According to the Census Bureau (2000), the majority of Maricopa

County's residents fall between the ages of 25 and 44 years old. Males and

females are closely represented in this county (49.9 percent and 50.1 percent,

respectively). About 80 percent of the county's population is white and about 25

percent is Hispanic. With regard to citizenship, about 14 percent of the residents

reported to be foreign born and 10.7 percent reported not being a U.S. citizen.

Data from the Arizona Arrestee Reporting Information Network (AARIN)

Project will be used for this thesis. The AARIN project was established in

Maricopa County (Arizona) in January of 2007. The project, funded by the

Maricopa County Board of Supervisors, was modeled after the Arrestee Drug

Abuse Monitoring (ADAM) Project, which was sponsored by the National Institute of Justice (National Institute of Justice, 2003). The purpose of the ADAM project was to monitor drug use trends and other at-risk behaviors among recently booked arrestees. The ADAM Project ran in 35 sites across the United States. The AARIN project was created when NIJ terminated the national funding for ADAM in 2007. Consequently, the AARIN project models the methodology used by ADAM and focuses on collecting data to examine drug trends, participation in criminal involvement, self-report victimizations, among other at-risk behaviors of recently booked arrestees. The AARIN project samples male and female adult arrestees.

The AARIN project uses a systematic sampling protocol and collects data from multiple facilities. The systematic sampling plan calls for the random selection of arrestees from two groups: stock and flow. Stock includes those individuals who were arrested over night during non-data collection hours. Flow includes those arrestees who were booked during data collection hours. This selection process ensures a representative sample of arrestees over a 24-hour period. Data are collected for two continuous weeks at Maricopa County Central Intake (4th Avenue Jail) and for a continuous one week period at Mesa and Glendale jails. This sampling method ensures representativeness of those arrested and booked in the county. Data are collected on a quarterly basis from participating facilities. During the data collection periods, face to face interviews with arrestees are conducted daily for an eight-hour shift.

The project uses a core survey instrument as well as various special topic survey addenda (i.e. criminal involvement, gang involvement, sexually transmitted disease). For the purpose of this thesis, data collected using the core survey instrument and the criminal involvement addendum will be analyzed. The core survey instrument includes demographic information, such as race and ethnicity, gender, and age, as well as self report data on drug use. Data from the core survey instrument will be combined with data from the criminal involvement addendum. The criminal involvement addendum collects self-report data on the types of crimes committed by the arrestee and the frequency of which these were committed. The criminal involvement addendum is composed of 23 questions, each representing a different type of crime. The arrestee is first asked if they have participated in any of the different crimes. If they respond "yes" to any of the 23 questions, they are then asked how many times they have engaged in that type of crime.

Limitations of the Data

As with any study, there are a number of limitations that must be considered. First, as official data on immigration status was not available, immigration status was determined by a self-report measure. Although prior research has found support for the validity of self-report measures of different characteristics related to crime (Hindelang and Hirschi, 1979), these characteristics do not include immigration status. It is possible that illegal immigrant arrestees may under-report immigration status for fear of being

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charged with deportation. Future research should include official data and compare it to self-report data to examine issues related to validity. Second, the sample of participants used for this analysis consisted of adult arrestees. The findings presented should not be generalized to the general population as past research has found that arrestee samples can differ from the general population who has not been in contact with the justice system (Tonry, 1997).

One last limitation which must be considered is the setting from which the sample was taken. The large and growing number of illegal immigrants residing within Arizona's boundaries, particularly, the Maricopa County, allow this geographical area to serve as a proper setting to study the topic at hand. This positive aspect, however, introduces some biases. Currently, the state of Arizona is in the midst of political debates regarding the implementation of anti-immigration laws, most recently SB1070. Arizona and the Maricopa County are currently known for their tough policies regarding illegal immigration and the wide discretion used when implementing immigration laws. These particular characteristics prevent the generalizability of these finding in two ways. First, these findings cannot be representative to other geographical areas due to the difference in anti-immigration laws across states. Although other states have implemented anti-immigration laws (i.e. Alabama), Arizona differs to other states due to its proximity to the U.S. international border and the number of immigrants constantly coming across the state. Second, the state of Arizona has demonstrated support for the enforcement of immigration laws. This may differ to other states

with regards to implementation policies; other states may not implement immigration laws and therefore may account for a smaller number of illegal immigrant arrestees. In turn, these findings can only speak of the Maricopa County arrestee population.

Independent, Dependent and Control Variables

Immigration status serves as the independent variable of interested in the present study. Immigration status was determined through self-report and was measured as: U.S. citizen, legal resident and illegal immigrant[2]. The respondents were asked "Are you a citizen of the United States?" If the participant responded to have been born in the United States, they were coded as a U.S. citizen. The participant was also coded as a U.S. Citizen if they reported to be an American citizen by naturalization. If the participant indicated that they were not born a U.S. citizen, they were asked "How did you enter the United States?" If the participant indicated that they used an immigrant visa issued by the U.S. State Department, admitted as a refugee seeking asylum, entered with a student, work, or long term visa they were coded as legal residents. Last, those participants who responded that they had entered the United States using a non-immigrant visa and overstayed, or entered the United Sates without documents were coded as illegal immigrants[3].

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[2] In order to check for the validity of self report measures, self reported data was crossed checked with results from the urinalysis. Although not found statistically significant, the results indicated that U.S. citizens are more likely to underreport marijuana use compared to legal immigrants and illegal immigrants.

[3] As a bilingual interviewer I interviewed individuals of different immigration status; illegal immigrants, legal immigrants, and U.S. citizens. It has been my experience that those arrestees who responded to being illegal immigrants did not show signs of discomfort when responding to the immigration status question. The participants were not reluctant to respond to this question and responded with the ease as they responded to other questions.

Several control variables are used for the present analysis. First, gang membership was included in the analysis and was coded 0 for non-gang members and 1 for current gang members. Gang membership was determined by asking the participants if they are currently in a gang. Much prior research (cross sectionally and longitudinally) has shown that gang membership is associated with increased levels of criminality (Decker and Van Winkle, 1996). Living status was also included as control variable measuring whether the participant lived with a spouse, boyfriend, or girlfriend. Prior studies have shown that living with a significant other significantly decreases the probability an individual is involved in criminality because of increased informal social control (Warr, 2002). Those respondents who indicated living with a spouse, boyfriend, or girlfriend were coded as 1 and those who indicated not living with a spouse, boyfriend, or girlfriend were coded as 0. Last, the analysis controls for the respondent's criminal history. Criminal history was measured by asking the participants if they have been arrested in the past 12 months. Criminal history was coded into a continuous variable to determine the average number of arrests per participant.

Gender, race/ethnicity, age, income, education, and employment status were also used as control variables for this thesis. These data were all collected through self report measures except for gender (gender was classified using official data). Self report information on race and ethnicity was used to categorize the arrestee into one of four groups; African American, White, Hispanic, or other. Age and income were measured as continuous variables and the means for both of

these variables are reported. The arrestee's educational achievement was collected

through self-report and individuals were grouped into three categories; did not

graduate high school, high school graduate, and received post high school

education. Last, employment was captured through three categories: not

employed, part-time employment, or full-time employment.

Four dependent variables were used in the present study: property crime,

violent crime, drug sales, and drug use. All four of the dependent variables for

this thesis were constructed through self report measures of their involvement in

crime. Respondents were asked, "In the past 12 months, have you done any of the

following?" The participant was then given a list of crimes and was asked to

respond "yes" or "no" (coded as no=0 and yes=1) to whether they had committed

the crime. The set of questions focusing on violent crimes asked the participants if

they had done the following in the past 12 months: threatened to attack someone

with or without a weapon, robbed someone by force or by threat of force, or if

they had attacked or assaulted someone with or without a weapon. Furthermore,

the section on violent crimes asked participants if they had possessed a firearm,

participated in a drive-by shooting, or committed rape or sexual assault. Measures

of property crime included questions that asked the participants if they had done

the following in the past 12 months: written graffiti, destroyed property, or stolen

something. The measure of drug sales was captured by asking the arrestee if they

had sold or made drugs in the past 12 months. Last, drug use questions were

obtained through the core survey instrument. The participants were asked if they

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have used marijuana, powder cocaine, crack, opiates or methamphetamines in the past 12 months. A detailed list of the measures can be found in Appendix A.

Sample

The data used for this thesis was collected between January and October 2010. The sample consisted of 1,990 male and female arrestees. The descriptive characteristics of the sample are presented in Table 1. The table shows that about 77 percent of the sample is male and approximately 23 percent of the sample is female. With regards to ethnic background, 31.1 percent of the sample reported that they were Hispanic, 38.8 percent reported that they were white, 13.4 percent reported that they were African American, and 16.8 percent reported that they were from an "other" ethnic group. The mean age of the arrestees was about 32 years old, and 33.7 percent of the arrestees were living with a spouse or a significant other at the time of their arrest. The table also shows that about 33.8 percent of the sample did not graduate from high school, 33.9 percent had graduated from high school or received a GED, and 32.3 percent received at least some post high school education. About 29 percent of the sample was employed full-time at the time they were arrested. About 21 percent were employed part-time, and 50 percent of the participants in this sample were not employed at the time of arrest. The average total monthly legally earned income reported by arrestees was about $1,150 and for those arrestees who reported to have earned illegal income in the past 30 days, the average was $240. When official data was analyzed, it was found that about 20 percent of the sample had been charged with

a violent crime, 19.7 percent with a property offense, 26.3 percent with a drug

offense, and 34.2 percent had been charged with another type of offense. With

regards to gang membership, 3 percent of the sample reported to be a current gang

member and 97 percent reported not being in a gang. On average, sample

respondents reported having been arrested one time in the past 12 months. Last,

the table shows that 6 percent of respondents reported that they were an illegal

immigrant, 2 percent reported that they were a legal immigrant, and almost 92

percent reported that they were a US Citizen.

Table 1. Sample Characteristics (n= 1,990)

	Percent
Sex	
Female	22.9
Male	77.1
Race/Ethnicity	
African American	13.4
White	38.8
Hispanic	31.1
Other	16.8
Mean Age (SD)	31.69 (10.65)
Education	
Did not graduate high school	33.8
High school diploma or GED	33.9
Post high school education	32.3
Employment Status	
Not employed	50.0
Part time	20.9
Full time	29.1
Gang Membership	
Current gang member	3.0
Non gang member	97.0

Mean Income (SD)	
Legally obtained income in last 30 days	$1,154.15 (1384.49)
Illegally obtained income in last 30 days	$240.28 (908.92)
Living with spouse or boy/girlfriend	33.7
Arrest Charges	
Any violent	19.9
Any property	19.7
Any drug	26.3
Other	34.2
Mean Number of Prior Arrests (12 months)	1.0 (2.95)
Immigration Status	
US Citizen	92.0
Illegal immigrant	6.0
Legal immigrant	2.0
Mean Number of Years in the US (Illegals only)	10.84 (8.02)

Analytical Strategy

Bivariate and multivariate analyses were used to examine the differences in drug use by immigration status. First, arrestee demographics, educational attainment, arrest charge, and prior number of arrests were compared across the different categories of immigration status using chi-square and analysis of variance procedures. Second, the same analytic procedures were used to examine differences in self-reported criminality between US citizens, illegal immigrants, and legal immigrants. Third, logistic regression was used to determine the effects of immigration status on criminal involvement, while controlling for individual (e.g., ethnicity, age, gender) and situational characteristics (e.g., income,

employment status, the offense for which the individual was arrested, number of prior arrests). Four logistic regression analyses were conducted, each predicting the participation in violent crimes, property crimes drug sales, and drug use. Before interpreting the findings I conducted multicollinearity diagnostics. The diagnostic tests indicated that multicollinearity was not a problem; no variance inflation factor was greater than 2.0 and no condition indices were over 15, well below levels that would suggest collinearity[4] (Belsley, Kuh, and Welsch, 2002; Fisher and Mason, 1981).

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[4] Multicollinearity diagnostics were of particular interest for the variables representing type of arrest and self reported criminal involvement. The results showed no multicollinearity between these variables. Therefore, these variables were included in the same model.

CHAPTER 5

Findings

Background characteristics of the arrestees by immigration status are presented in Table 2. The table shows that sex, race/ethnicity, education, employment status, living with a spouse (or boy/girlfriend), earning illegal income, the number of prior arrests, and the number of years living in the United States are significantly related to immigration status. About 84 percent of illegal immigrants were males, the average age was about 30 years old and they were mainly Hispanic (95 percent). With regards to U.S. citizens, about 76 percent were males, about 42 percent were white (almost 26 percent were Hispanic) and the average age almost 32 years old. Legal residents accounted for the largest percentage of males among the three groups with a about 92 percent being males, about 64 percent are Hispanic, and the average age is almost 35 years old.

Table 2. Sample Characteristics by Immigration Status

	Sig.	US Citizen (n=1826) %	Legal Resident (n=39) %	Illegal Immigrant (n=120) %
Sex	*			
Female		23.7	7.7	15.8
Male		76.3	92.3	84.2
Race/Ethnicity	*			
African American		14.3	10.3	1.7
White		42.1	7.7	0.0
Hispanic		25.9	64.1	95.0
Other		17.7	17.9	3.3
Mean Age (SD)		31.75 (10.79)	34.67 (12.36)	30.18 (7.15)
Education	*			
Did not graduate high school		32.8	38.5	47.5
High school diploma or GED		34.0	33.3	33.3

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Post high school education		32.7	28.2	19.2
Employment Status	*			
Not employed		53.0	28.2	15.0
Part time		19.2	33.3	41.7
Full time		27.8	38.5	43.3
Gang Membership				
Current gang member		3.2	0.0	0.8
Non gang member		96.8	100.0	99.2
Mean Income (SD)				
Legally obtained income in last 30 days		$1,143.77 (1407.59)	$1,565.08 (1516.69)	$1,182.83 (980.34)
Illegally obtained income in last 30 days	*	$255.31 (931.75)	$0.0 (0.0)	$94.02 (656.31)
Living with spouse or boy/girlfriend	*	32.7	41.0	44.2
Arrest Charges				
Any violent		20.5	7.9	14.8
Any property		19.6	18.4	20.9
Any drug		26.3	23.7	27.8
Other		33.6	50.0	36.5
Mean Prior Arrest past 12 months (SD)	*	1.06 (3.06)	.46 (.76)	.24 (.64)
Mean Number of Years in the US (SD)	*	n/a	16.29 (10.70)	10.84 (8.02)

* p ≤ .05

Illegal immigrants were the most likely among the three groups to have a full-time job (43.3 percent), followed by legal immigrants (38.5 percent), and U.S. citizens (27.8 percent). With regards to education, there was not much difference between the three groups, 34 percent of U.S. citizens reported to have graduated high school or obtained a GED compared to 33.3 percent reported by illegal immigrant and legal immigrants. U.S. citizens were more likely to obtain income from illegal sources, with an average of about $255 in the 30 days prior to the arrest. Illegal immigrants reported receiving an average of about $94 from

illegal sources in the prior 30 days and legal immigrants reported to have not received any income from illegal sources in the past 30 days. Illegal immigrants were more likely to live with a spouse, boyfriend, or girlfriend (44.2 percent) followed by legal immigrants (41 percent) and U.S. citizens (32.7 percent). U.S. citizens were more likely to be arrested for a violent offense (20.5 percent), when compared to the other groups. Illegal immigrants were more likely to be arrested for property crimes (20.9 percent) and drug offenses (27.8 percent) when compared to U.S. citizens and legal immigrants. On average, U.S. citizens were arrested more often in the 12 months prior to the current arrest, averaging 1.06 arrests in the prior 12 months compared to .46 arrestees in the past 12 months for legal immigrant, and .24 arrests in the past 12 months for illegal immigrants. Last, legal immigrants reported to have been living in the U.S. for an average of 16.29 years and illegal immigrants reported to have been living in the U.S. for an average of 10.84 years. There were no significant differences by immigration status for age and gang membership.

Table 3 shows the differences in criminal involvement by immigration status. Drug use, drug sales, property crimes, and violent crimes were all significantly related to immigration status. About 22 percent of U.S. citizens reported to have committed a property crime in the past 12 months, legal immigrants followed with 7.7 percent, and illegal immigrants with 4.2 percent. Within property crime, there were four types of crimes which significantly related to immigration status. These were "destroyed property worth less than $250,"

"destroyed property worth more than $250," "stolen property worth less than $1,000," and "stolen property worth more than $1,000."

U.S. citizens were more likely to report to have destroyed property worth less than $250 than illegal immigrants (6.9 and .8 percent, respectively). With regards to those individuals who reported being legal immigrants, 2.6 percent also reported to have destroyed property worth less than $250. U.S. citizens were also more likely to destroyed property worth more than $250 (4.5 percent) than legal immigrants and illegal immigrants; none of the illegal immigrants or legal immigrants in the sample reported to have engaged in this type of crime. With regards to stolen property worth less than $1,000, 13.8 percent of the U.S. citizens, 2.6 percent of legal immigrants, and 1.7 percent of illegal immigrants reported to have engaged in this crime. Last, 3.7 percent of U.S. citizens reported to have stolen property worth more than $1,000. Once again, none of the illegal immigrants or the legal immigrants in this sample reported to have engaged in this type of crime.

Table 3. Incidence of 12 Month Self Reported Criminal Activity by Immigration Status

	Sig.	US Citizen (n=1826) %	Legal Resident (n=39) %	Illegal Immigrant (n=120) %
Property Crimes	*	22.4	7.7	4.2
Written or drawn graffiti		2.7	0.0	0.8
Destroyed property worth less than $250	*	6.9	2.6	0.8
Destroyed property worth more than $250	*	4.5	0.0	0.0
Stolen property worth less than $1000	*	13.8	2.6	1.7
Stolen property worth more than $1000	*	3.7	0.0	0.0
Stolen a car or other motor vehicle		2.2	2.6	0.0
Broke into a building to commit theft		4.2	0.0	1.7

Violent Crimes	*	22.7	5.1	4.2
Threatened to attack someone without using a dangerous weapon	*	12.9	2.6	1.7
Threatened to attack someone using a dangerous weapon	*	5.3	0.0	0.8
Robbed someone by force or by threat of force without using a dangerous weapon		2.2	0.0	0.8
Robbed someone by force or by threat of force using a dangerous weapon		1.5	0.0	0.0
Attacked, assaulted, battered, or beaten up someone without using a dangerous weapon	*	13.0	2.6	1.7
Attacked, assaulted, battered, or beaten up someone using a dangerous weapon		2.0	0.0	0.0
Participated in a drive-by shooting		0.4	0.0	0.0
Possessed a firearm when prohibited	*	7.1	2.6	1.7
Possessed a firearm when committing any crime		3.0	0.0	0.8
Committed rape or sexual assault		0.3	0.0	0.0
Sold or Made Drugs	*	12.8	0.0	3.3
Drug Use	*	66.0	35.9	37.5
Marijuana	*	53.9	17.9	18.3
Crack Cocaine	*	7.8	0.0	1.7
Powder Cocaine	*	11.2	12.8	19.2
Opiates	*	8.8	0.0	0.0
Methamphetamines	*	26.5	7.7	8.3

* p ≤ .05

U.S. citizens were more likely than the other groups to report involvement in violent crimes in the last 12 months (22.7 percent), followed by legal immigrants (5.1 percent) and illegal immigrants (4.2 percent). There were four different items within the category of violent crimes that were found to be significantly related to immigration status. These variables were "threatened to attack someone without using a dangerous weapon," "threatened to attack someone using a dangerous weapon," "attacked, assaulted, battered, or beaten up someone without using a dangerous weapon," "possessed a firearm when prohibited." From those participants in the sample who reported being a U.S. citizens, 12.9 percent reported to have threatened to attack someone without using

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a dangerous weapon and 5.3 reported to have threatened to attack someone using a dangerous weapon. About 1.7 percent of illegal immigrants reported to have threatened to attack someone without using a dangerous weapon and .8 percent reported to have done the same but using a weapon. None of the legal immigrants in the sample reported to have threatened to attack someone using a dangerous weapon and 2.6 percent reported to have threatened to attack someone without using a dangerous weapon. With regards to the variable measuring if the participant had attacked, assaulted, battered, or beaten up someone without using a dangerous weapon, 13 percent of the U.S. citizens, 2.6 percent of legal immigrants, and 1.7 percent of illegal immigrants reported to have engaged in this type of crime. Last, 7.1 percent of U.S. citizens, 2.6 percent of legal immigrants, and 1.7 percent of illegal immigrants reported to have possessed a firearm when prohibited.

Immigration status was significantly related to drug sales. Specifically, almost 13 percent of U.S. citizens self-reported selling or manufacturing drugs in the past 12 months. Conversely, 3.3 percent of illegal immigrants and no legal immigrants reported selling or manufacturing drugs in the past 12 months. Last, drug use was found to be significantly related to immigration status. Sixty-six percent of U.S. citizens 37.5 percent of illegal immigrants, and 35.9 percent of legal immigrants reported to have used drugs in the past 12 months. The drugs included were marijuana, crack cocaine, powder cocaine, opiates, and methamphetamines. When the results for the individual drugs are examined, it

was found that U.S. citizens are more likely to use marijuana (53.9 percent) than

legal immigrants (17.9 percent) and illegal immigrants (18.3 percent). U.S.

citizens were also more likely to use crack cocaine (7.8 percent) than illegal

immigrant (1.7 percent) and legal immigrants, who reported to not have used

crack cocaine in the past 12 months. Differently, illegal immigrants were more

likely to use powder cocaine (19.2 percent) than U.S. citizens (11.2 percent) and

legal immigrants (12.8). U.S. citizens were the only participants in the sample

who reported using opiates (8.8 percent). Last, U.S. citizens were reported a

higher percentage of methamphetamine use than legal immigrants (7.7 percent)

and illegal immigrants (8.3 percent).

Table 4 presents my multivariate findings with respect to the relationship

between immigration status and criminal involvement, controlling for individual

and situational characteristics. Logistic regression was used for this analysis and

the coefficients (b), standard errors (SE), and the odds ratio (Exp(b)) are presented

for each of the independent variables. When compared to U.S. citizens, illegal

immigrants were significantly less likely to commit property crimes (Exp(b) =

.196), violent crimes (Exp(b) = .258), or to use drugs (Exp(b) = .383). Although

not found significant, illegal immigrants were also less likely to sell drugs (Exp(b)

= .381). Legal immigrants were significantly less likely to use drugs (Exp(b) =

.458) than U.S. citizens. Legal immigrants were also less likely to engage in

property crimes (Exp(b) = .499), violent crimes (Exp(b) = .351), or to sell drugs

(Exp(b) = .000) compared to U.S. citizens.

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Table 4. Logistic regression on the effect of immigration status on self-report criminal involvement in the past 12 months

	Property Crimes		Violent Crimes		Drug Sales		Drug Use	
	b (SE)	Exp (b)	b (SE)	Exp (b)	b (SE)	Exp (b)	b (SE)	Exp (b)
Sex (female reference)	.102 (.152)	1.107	-.044 (.145)	0.957	.465 (.217)	1.593 *	.088 (.122)	1.092
Race or ethnicity								
White (referent)	-	-	-	-	-	-	-	-
African American	-.507 (.207)	.602*	.074 (.180)	1.077	-.450 (.269)	0.638	-.117 (.163)	0.890
Hispanic	-.179 (.159)	0.839	-.607 (.165)	.545*	-.546 (.216)	.579*	-.455 (.137)	0.634*
Other	-.022 (.174)	0.978	.210 (.163)	1.234	-.333 (.240)	0.717	-.561 (.148)	0.571*
Age	-.057 (.007)	.944*	-.035 (.006)	.965*	-.041 (.009)	.960*	-.042 (.005)	0.959*
Level of education								
Post high school education (referent)	-	-	-	-	-	-	-	-
High school diploma or GED	0.077 (.156)	1.080	-.024 (.150)	0.976	.149 (.212)	1.161	.088 (.126)	1.092
Did not graduate high school	-.149 (.165)	0.861	.066 (.156)	1.069	.122 (.218)	1.129	.167 (.134)	1.181
Employment status								
Full-time (referent)	-	-	-	-	-	-	-	-
Part-time	.516 (.204)	1.675*	.099 (.186)	1.104	.500 (.280)	1.649	.485 (.150)	1.625*
Not employed	.765 (.182)	2.148*	.056 (.164)	1.058	.703 (.253)	2.01*	.466 (.133)	1.593*
Income								
Legally obtained income	.000 (.000)	1.000	.000 (.000)	1.000	.000 (.000)	1.000	.000 (.000)	1.000*
Illegally obtained income	.000 (.000)	1.000*	.000 (.000)	1.000*	.001 (.000)	1.00*	.001 (.000)	1.001*
Living with spouse or boy/girlfriend	.194 (.133)	1.214	.136 (.127)	1.146	.016 (.180)	1.016	.097 (.109)	1.102
Arrest charges								
Any property (referent)	-	-	-	-	-	*	-	-
Any violent	-.811 (.179)	.445*	.550 (.178)	1.733*	.105 (.273)	1.111	.146 (.161)	1.157
Any drug	-1.040 (.169)	.354*	-.234 (.179)	0.791	.602 (.236)	1.82*	.481 (.152)	1.618*

	b (SE)	Exp(b)	b (SE)	Exp(b)	b (SE)	Exp(b)	b (SE)	Exp(b)
Other	-1.353 (.169)	.258*	-190 (.172)	0.827	.105 (.243)	1.110	.179 (.142)	1.196
Current gang member	1.061 (.315)	2.888*	1.551 (.310)	4.718*	1.158 (.358)	3.18*	1.661 (.537)	5.263*
Prior arrest (past 12 months)	.112 (.031)	1.119*	.098 (.029)	1.103*	.019 (.018)	1.020	.077 (.035)	1.080*
Legal status								
US citizen (referent)	-	-	-	-	-	-	-	-
Illegal immigrant	-1.628 (.483)	.196*	-1.355 (.484)	.258*	-.919 (.578)	0.399	-.960 (.225)	0.383*
Legal immigrant	-.695 (.633)	0.499	-1.046 (.739)	0.351	n/a	n/a	-.785 (.362)	0.458*
N	1,946		1,946		1,946		1,946	
Nagelkerke R square	0.238		0.167		0.307		0.186	
Model chi-square (df)	321.524* (19)		221.112* (19)		335.474* (18)		284.910* (19)	

*p < .05.

Several control variables were found significantly related to the dependent variables. Males were significantly more likely to sell drugs (Exp(b) = 1.612) than females. With regards to ethnicity, when African Americans were compared to whites, they were found significantly less likely to commit property crimes (Exp(b) = .602). Hispanics, on the other hand, were significantly less likely to commit violent crimes (Exp(b) = .545), engage in drug sales (Exp(b) = .602), or to use drugs (Exp(b) = .634) when compared to whites. Those individuals who reported being from an other ethnic group were found significantly less likely to use drugs (Exp(b) = .571) than whites.

With regards to age, it was found the older arrestees were significantly less likely to commit property crimes (Exp(b) = .944), violent crimes (Exp(b) = .965), to sell drugs (Exp(b) = .960) or to use drugs (Exp(b) = .959). When compared to arrestees who reported working full time, those who reported

working part time were significantly more likely to engage in property crimes

($\text{Exp}(b) = 1.675$) and to use drugs ($\text{Exp}(b) = 1.625$). Similarly, those who reported

not being employed were significant more likely to engage in property crimes

($\text{Exp}(b) = 2.148$), to sell drugs ($\text{Exp}(b) = 2.015$) and to use drugs ($\text{Exp}(b) =$

1.593). Those arrestees who reported obtaining illegally earned income were

significantly more likely to engage in all four crime types ($\text{Exp}(b) = .000$ across

the four different types of crimes). Legally obtained income, on the other hand,

was found significantly related to drug use ($\text{Exp}(b) = .000$). When accounting for

type of arrest, those individuals who were arrested for a violent crime were

significantly less likely to self-report committing a property crime ($\text{Exp}(b) = .445$)

in the past 12 months. As expected, those who were arrested for a violent crime,

were significantly more likely to committing a violent crime ($\text{Exp}(b) = 1.733$) in

the past 123 months. Those individuals who were arrested for a drug offense were

significantly less likely to self-report committing a property crime ($\text{Exp}(b) = .354$)

in the past 12 months. Also as expected, those who were arrested for a drug

offense were significantly more likely to self-reported having engaged in drug

sales ($\text{Exp}(b) = 1.827$) and to use drugs ($\text{Exp}(b) = 1.618$) in the past 12 months.

Those individuals who were arrested for an other type of offense were

significantly less likely ($\text{Exp}(b) = .258$) to commit a property crime.

Gang membership was positively related to the four different types of

crimes. Those who reported being a member of a gang were significantly more

likely to have self-reported engaging in property crime ($\text{Exp}(b) = 2.888$), violent

crime ($\text{Exp}(b) = 4.718$), drug sales ($\text{Exp}(b) = 3.085$) and drug use ($\text{Exp}(b) = 5.263$). Last, those individuals who were arrested in the past 12 months were significantly more likely to self-report engaging in property crime ($\text{Exp}(b) = 1.119$), violent crime ($\text{Exp}(b) = 1.103$) and to use drugs ($\text{Exp}(b) = 1.080$). Living with a spouse, boyfriend or girlfriend, and level of education were not found to be significantly related to our four dependent variables.

CHAPTER 6

Discussion

While a growing body of literature has offered a basic understanding of the relationship between immigration and crime, measures of immigration status continue to be inconsistent, and tend to focus on immigration as a whole failing to distinguish between illegal and legal immigrants. Research has suggested that a better distinction be made when using immigration status as the independent variable (Mears, 2002). To date, little research in the field of criminology has examined the relationship between immigration and crime. Those studies which have focused on the issue, have done so by using official data, such as prison statistics and census data, rather than self –report data (Lee, Martinez and Rosenfeld, 2001; Martinez, 2000; Hagan and Palloni, 1999). This is problematic because relying solely on official records may yield results different from those using self-report data, or a combination of both. On the other hand, little research has studied the immigration-crime relationship by using self report data (Katz, Fox and White, 2010). The goal of this thesis is to add to the growing body of literature focusing on illegal immigration and crime using self-report data from a community that is at the center of the public policy debate related to this issue. Data collected from a sample of 1,990 recently booked arrestees in Maricopa County, Arizona were used to conduct the analysis for this thesis.

The findings presented in this study validate the claim of the Maricopa County Sheriff's Office, which states that about 10 percent of those individuals

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booked in their facilities are detained on an Immigration and Customs Enforcement (ICE) hold to verify legal status (Kiefer, 2008).This analysis shows that illegal immigrants in the sample are more likely to be young, Hispanic males, who live with a spouse (or significant other), and less likely to be arrested than U.S. citizens and legal immigrants. A few explanations regarding the characteristics of this sample can be drawn from previous research. First, according to the Pew Hispanic Center (2008), those individuals who come to the United States illegally tend to be young males predominantly of Hispanic descent. With regards to age, it is commonly articulated that illegal immigrants tend to be young men who migrate to the United States to obtain jobs (Nadadur, 2009). Taking this explanation into account, it is understandable why the illegal immigrants in this sample would be young males.

When the individual characteristics of illegal immigrants are further examined, there are consistencies between these findings and prior research on criminal involvement. Research indicates that males tend to participate in criminal activity at higher rates than females and that it is more likely for younger individuals to engage in criminal activity (Warr, 2002). Furthermore, young males from minority groups tend to be overrepresented in the criminal justice system (Walker, Spohn and DeLone, 2007). Takings these previous findings into consideration, the results of this study may suggest that legal status is not the direct cause of criminal involvement. Instead, these findings suggest that those illegal immigrants who are involved in criminal activity are part of a larger trend

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of criminal involvement, one in which being a young minority male account for predisposed individual characteristics towards criminal involvement.

The results further indicate that illegal immigrants are significantly more likely to be employed full time than those arrestees who reported being U.S. citizens, even when, according to the Pew Research Center, illegal immigrants account for only 7.4 percent of the Arizona's labor force (2010). These findings contradict the findings of Butcher and Piehl (1998) that suggest that immigrants have lower employment probabilities. These results, however, support previous research which suggests that illegal immigrant migrate to the United States for employment opportunities (Nadadur, 2009) and remain loyal to their aspirations of success by obtaining jobs and engaging in less criminal activity (Kao and Tienda, 1995).

These findings are of particular interest due to the setting of the study. Currently, the state of Arizona has implemented stricter regulations regarding verification of legal status prior to employment. These findings, however, show that despite stricter regulations illegal immigrants continue to hold full time jobs at a higher rate than U.S. citizens. Although not substantially supported, the results may favor conventional wisdom that suggests that illegal immigrants are more likely to obtain jobs than U.S. citizens due to their acceptance of lower or under minimum wage salaries.

Interestingly, however, illegal immigrant reported to have earned slightly less income than U.S. citizens in the past 30 days, despite being significantly

more likely to be employed and hold full time jobs. This might support the notion that illegal immigrants are considerably under paid or may hold jobs with low salaries (Nadadur, 2009). It is likely that illegal immigrants are willing to be paid less in order to obtain or hold employment even when they know that they are being underpaid. This may further support the notion that illegal immigrants come to the United States to acquire a better living situation. Furthermore, illegal immigrants were significantly less likely to report illegally obtained income in the past 30 days than U.S. citizens. The above stated findings are somewhat incongruent with opportunity structure theory, which suggest that disadvantaged groups, such as illegal immigrants may encounter fewer opportunities to achieve economic success and therefore turn to illegitimate means to achieve the desired success (Agnew, 1992). Although opportunity structure theory applies with regards to fewer employment opportunities available to illegal immigrants, illegal immigrants do not necessarily turn to illegitimate, or at least criminal activities in order to achieve success. Instead, illegal immigrants, despite of the difficulties of obtaining a job, manage to find an employment opportunity.

The analysis also indicated contradicting results regarding the perceived difference in educational attainment between illegal immigrants and U.S. citizens. Prior research has shown that illegal immigrants are less educated than U.S. citizens (Butcher and Piehl, 1998). This analysis, however, indicates that illegal immigrants have graduated high school at almost the same rate as U.S. citizens. These findings differ from the national averages stated by the Pew Hispanic

Center (2008), which indicate that illegal immigrants are less likely to graduate

high school than legal immigrants and U.S. citizens. With regards to post high

school education, however, these findings support those provided by the Pew

Hispanic Center (2008) stating that U.S. citizens and legal immigrants are

substantially more likely than illegal immigrants to attend college. It is relevant to

mention that the lack of higher education attainment may be a result of higher

tuition rates charged by higher education institutions to those individuals who

cannot present proof of residency status (Faller, 2008), which may perhaps be the

reason for the gap in higher education attainment for illegal immigrants.

Illegal immigrants were more likely to report living with a spouse,

boyfriend, or girlfriend. This finding, taken alone, supports the views of social

control theory, which suggests that those individuals with strong social bonds are

less likely to engage in crime (Hirschi, 1969). Previous research has also found

that marriages, or stable emotional relationships, encourage desistance from crime

(Warr, 2002). Perhaps the social bond that marriage, or a stable relationship

brings, may account for the lower levels of criminal involvement among illegal

immigrants.

With regards to arrest history, illegal immigrants were significantly less

likely to have been arrested in the past 12 months than U.S. citizens. This finding

alone can be interpreted in at least two different ways. One possible explanation is

that following an arrest illegal immigrants are being deported and therefore are

not subsequently arrested in Maricopa County. If this is the case, illegal

immigrants would logically have, on average, a lower number of previous arrests than U.S. citizens. It is important to consider, however, that illegal immigrants are not automatically deported when arrested and in many instances are released in the United States, which allows the possibility for a re-arrest. Another explanation is that this finding, once again, demonstrates that illegal immigrants are less likely to engage in criminal behavior than U.S. citizens. It is relevant to mention that illegal immigrants, just as any other arrestee, have social bonds (i.e. full time jobs and families) which can be broken when committing crimes and being arrested. Being that illegal immigrants are more likely to hold full time jobs and live with a spouse, they have substantial informal social control which may prevent them from engaging in criminal activity.

The results indicate, however, that illegal immigrants were more likely to be booked and arrested for property, violent, and "other" types of crimes than U.S. citizens and legal residents, even when they were significantly less likely to self-report engaging in those types of crimes. One potential explanation for this finding might be that illegal immigrants are under reporting their involvement in criminal activity. A second explanation might be that illegal immigrants are facing differential treatment from law enforcement and are being arrested for different types of offenses than U.S. citizens. This explanation is consistent to those findings of Hagan and Palloni (1998) analysis of prison statistics where they found that immigrants are perhaps subject to discretion in the justice system, which in turn results in higher rates of immigrants in prison.

The analysis also revealed that illegal immigrant arrestees were significantly less likely to commit property crimes, violent crimes, sell or make drugs, or to use drugs in comparison to both, legal immigrants and U.S. citizens. With regards to drug use, however, there was one exception. Illegal immigrants were significantly more likely to use powder cocaine than U.S. citizens. These findings support those of Katz, Fox and White (2010), which also indicated that illegal immigrants are more likely than U.S. citizens to use powder cocaine. It is important to mention that from a 23 item scale, the use of powder cocaine was the only type of crime in which illegal immigrants were involved at a higher rate than both, U.S. citizens and legal immigrants.

Although the findings of this study do not determine a specific reason why illegal immigrants are significantly more likely to use powder cocaine than to commit any other crime, prior research has offered some suggestions to the reason of this relationship. Past research has suggested that the country of origin of the individual has an influence in drug use; some cultures are more accepting of the use of certain types of drugs (Amaro, Whitaker, Coffman and Heeren, 1990). Other findings have suggested that perhaps powder cocaine use among illegal immigrants is a result of accessibility; illegal immigrants tend to have social networks that facilitate this specific drug at greater ease (Katz, Fox and White, 2010). It might be the case that the majority of the illegal immigrants represented by this sample, are from the same geographical area, one in which the use of powder cocaine is socially acceptable.

In summary, the findings from this analysis refute the public perceptions (http://www.pollingreport.com/immigration.htm) and the general contention that immigration causes crime or that illegal immigrants are more likely to be criminals. Furthermore, these findings offer support to the growing body of literature that challenge the perceived immigration-crime link and offers support to the commonly known Latino Paradox. The findings also indicate that illegal immigrants are less likely to engage in any of the four measures of crime, with the exception of the use of powder cocaine, are more likely to hold full time jobs, and are not substantially less educated than U.S. citizens. Future research should investigate the relationship between immigration status and criminal involvement by studying different geographical areas, as immigration populations differ across states. Future research should also consider the implementation of different methodologies which use community samples rather than arrestee samples. This is particularly important due to the overrepresentation of poor, young, minority, males in the criminal justices system (Tonry, 1997). Furthermore, research at the community level should focus on distinguishing between different levels of immigration status when studying the relationship between immigration and crime. As of now, only those studies at the individual level have been able to make distinction. Future research at the community level should focus on examining the role illegal immigrants play in the immigration-crime link. Although these findings help shed some light to the issue of illegal immigration and crime, it is imperative for more research to be conducted in different areas of

the United States, this may perhaps help to better understand the issue from a

broader perspective.

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APPENDIX A

Criminal Involvement Addendum

The following questions were asked to each of the participants. If they responded "yes" to any of the questions, the participants were then asked "how many times?" This applied to all of the questions, with the exception of the questions regarding drug use.

Questions used to measure property crimes:

1. Written/drawn graffiti on school property, neighborhood houses/walls, stores, etc.?
2. Destroyed property worth LESS than $250?
3. Destroyed property worth MORE than $250?
4. Stolen property worth LESS than $1000? (including shoplifting)
5. Stolen property worth MORE than $1000 not including a motor vehicle? (including shoplifting)
6. Stolen a car or other motor vehicle?
7. Broken into a house, store, or building to commit a theft?

Questions used to measure violent crimes:

8. Threatened to attack someone without using a gun, knife or other dangerous weapon?
9. Threatened to attack someone using a gun, knife or other dangerous weapon?
10. Robbed someone by force or by threat of force without using a weapon?
11. Robbed someone by force or by threat of force using a weapon?
12. Attacked, assaulted, battered, or beaten up someone without using a gun, knife or other dangerous weapons?
13. Attacked, assaulted, battered, or beaten up someone using a gun, knife or other dangerous weapons?
14. Participated in a drive-by shooting?
15. Possessed a firearm when prohibited? (prohibited possessor, underage)
16. Possessed a firearm when committing any crime?
17. Committed rape or sexual assault?

Questions used to measure drug related crimes:

18. Have you driven under the influence of drugs or alcohol?
19. Sold or made drugs?
20. Have you used marijuana in the last 12 months?
21. Have you used powder cocaine in the last 12 months?
22. Have you used crack in the last 12 months?
23. Have you used methamphetamines in the last 12 months?