

## **IMMIGRATION, CRIME, AND ENFORCEMENT**

Sociology / Chican@ and Latin@ Studies / Legal Studies 443

Monday / Wednesday 2:30 – 3:45pm

Sewell Social Sciences Building 5106

University of Wisconsin, Madison

Instructor: Michael Light, PhD, Associate Professor of Sociology

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Instructional Mode: Face-to-Face

Canvas site: <https://canvas.wisc.edu/courses/141638>

Credits: 3. This class meets for two 75-minute class periods each week over the fall/spring semester and carries the expectation that students will work on course learning activities (reading, writing, problem sets, studying, etc) for about 3 hours out of classroom for every class period. The syllabus includes more information about meeting times and expectations for student work.

### **Course Description**

Few topics in contemporary society have more sociological significance and public policy salience than the study of immigration, crime, and border enforcement. Drawing from research in law and the social sciences, this course engages both historical and present-day debates surrounding immigration and crime, with specific emphasis on (1) theories of migration and criminal behavior that inform these debates; (2) the motivation for, and effectiveness of, immigration enforcement; (3) the increasing use of criminal justice tools (e.g. the police and the prison) in border enforcement, and; (4) the experiences of living undocumented in the United States. Given that Hispanics comprise the largest group of foreign-born residents in the United States and the majority of undocumented immigrants in the US are from Mexico, a significant focus of this course will be on Latino immigration and the U.S.-Mexico border.

### **Learning Objectives**

1. Students will develop an empirically grounded understanding of the trends in immigration, crime, and border enforcement in recent decades and be able to analyze these patterns through the application of theory in the social sciences.
2. Students will engage major theoretical, social, and political debates surrounding immigration and crime. Is immigration linked to crime? If so, how and what types of crime? Why do people migrate and how does this inform our understanding of criminal behavior? Does deportation affect crime? How has border enforcement changed in recent decades?
3. Students will develop a broader understanding of border enforcement through critical analysis of immigration policies and practices from an international perspective. That is, students will ask and answer if the recent trends in border enforcement are unique to the United States?

- Through engagement with course readings and class discussion, students will establish a foundation for critically assessing the often controversial issues surrounding immigration enforcement.

### **Required Materials**

All course readings are available on canvas.

### **Course Grading**

Your grade is based on two exams, one paper, and two written evaluations of articles published in peer-reviewed journals.

Exam I	25%
Exam II	25%
Paper	30%
Article Eval. I	10%
Article Eval. II	10%

Grading: The standard UW grading scale will be used.

Total Percent	Grade	Total Percent	Grade
93-100	A	70-76.99	C
87-92.99	AB	60-69.99	D
83-86.99	B	<60	F
77-82.99	BC		

Exams: There will be two exams in this course. You are responsible for all material from lectures (including media) and the assigned readings for the exams. The exams will be some combination of multiple choice, short answer, and essays. The exams will not technically be cumulative, but there are concepts that will carry over from the previous parts of the course for which you will be responsible. There will be *no makeup exams* without a valid, documented excuse.

Course Paper: You will be expected to write a final term paper on a substantive topic of your choice. This final paper should be an in-depth treatment of an issue covered in class or an aspect of immigration, crime, and border enforcement not covered in class. The final paper can take various forms. It can be a theory paper that synthesizes theoretical arguments to explain some phenomenon surrounding immigration and crime. It can identify an unanswered question and propose a study to address it, or it can engage a current controversy in the field and discuss the merits and weaknesses of the opposing arguments. **This is the largest part of your grade so I encourage you to begin thinking about your paper topic early.**

Paper Requirements: The paper must be 11 or 12 point Times New Roman font, double spaced w/ 1" margins, stapled w/ name on each page. Do not use a cover sheet or plastic report cover. The essay should be approximately 10 pages (not including citations). Your final paper will be due **April 1<sup>st</sup>, 2019**. Late papers will be deducted one full letter grade per day. In support of your argument I want you to draw from in-class readings and ***at least five outside sources from peer-reviewed, scholarly books or articles***. Be sure to properly cite all supporting material. The

journals below are appropriate examples, but certainly not exhaustive. If you have questions about your sources feel free to ask me.

- *Criminology, Law & Society Review, American Sociological Review, Social Forces, Journal of Research in Crime and Delinquency, American Journal of Sociology, Quantitative Criminology, Justice Quarterly, Social Problems, American Journal of Public Health, Journal of Law & Economics*

**Article Evaluations:** The ability to evaluate evidence is a central and necessary skill. In these assignments your goal is to systematically evaluate the strengths and weaknesses of two peer-reviewed articles, both of which examine the relationship between immigration and crime. These written evaluations should be approximately 1-2 *single-spaced* pages and contain the following sections:

- 1) *Research Question:* what is the research question(s) being examined?
- 2) *Research Gap:* There are only two kinds of research articles; you're either doing something new or something different. Explain the gap that this article seeks to fill? How do they plan to do that?
- 3) *Evaluation:* what do they conclude? Do they offer convincing evidence for their conclusion? The question to ask yourself is this: do you buy it? If so, why? If not, tell me why you think that? (*note:* this should be the biggest section of the essay)
- 4) *Further Research:* what is left unanswered? How could this study be improved?

**Evaluation I: due March 6, 2019**

Green, David. 2016 "The Trump Hypothesis: Testing Immigrant Populations as a Determinant of Violent and Drug-Related Crime in the United States." *Social Science Quarterly* 97(3):506-524.

**Evaluation II: due April 17, 2019**

Ousey, Graham C., and Charis E. Kubrin. 2009. "Exploring the Connection between Immigration and Violent Crime Rates in U.S. Cities, 1980-2000." *Social Problems* 56(3):447-473.

**Course Outline**

Readings will be made available online at this course's Canvas site: <https://canvas.wisc.edu>. Readings can be found by clicking on the tab for that week in the semester. It is expected that readings will be done **prior to** the first meeting each week. It is VERY important that you do the readings and participate in class. The class size is ideal for generating good discussions and I will count on you all to be able to speak knowledgeably about course materials.

The readings are located under the following headlines:

**Week 1: Introduction**

No readings!

## **Week 2: Overview and Empirical Reality**

- Radford, Jynnah and Abby Budiman. 2018. *Facts on U.S. Immigrants, 2016 Statistical portrait of the foreign-born population in the United States*. Pew Research Center. Washington DC.
- Bialik, Kristen. 2018. *ICE arrests went up in 2017, with biggest increases in Florida, northern Texas, Oklahoma*. Pew Research Center. Washington DC.
- Morgan, R.E. and J.L. Truman. 2018. *Criminal Victimization, 2017*. Bureau of Justice Statistics. Washington DC.

## **Week 3: Why do People Migrate?**

- Massey D, Durand J, Malone N. 2002. *Beyond Smoke and Mirrors*. New York: Russell Sage Foundation. Chapter 2.
- Urrea, LA. 1993. *Across the Wire: Life and Hard Times on the Mexican Border*. New York: Anchor Books. Pp 11-28.

## **Week 4: Living in the Shadows**

- Abrego, Leisy J. 2014. "Latino Immigrants' Diverse Experiences of 'Illegality.'" Chapter 6 in *Constructing Immigrant 'Illegality': Critiques, Experiences, and Responses* (Menjívar and Kanstroom, Eds). Cambridge: Cambridge University Press
- Gonzales, Roberto G. 2011. "Learning to be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood." *American Sociological Review* 76: 602-619.
- Durand, Jorge, Douglas S. Massey, and Karen A. Pren. 2016. "Double Disadvantage: Unauthorized Mexicans in the US Labor Market." *The ANNALS of the American Academy of Political and Social Science* 666(1): 78-90.
- Chavez, Leo R. 2013. *Shadowed Lives: Undocumented Immigrants in American Society* (3<sup>rd</sup> Ed). Wadsworth Press. Chapter 9. (*recommended*)

## **Week 5: The Politics of Immigration Enforcement**

- Simes, Jessica T. and Mary C. Waters. 2014. "The Politics of Immigration and Crime." Pp. 457-483 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*.
- Esbenshade, J. B. Wright, P. Cortopassi, A. Reed., and J. Flores. 2010. "The 'Law-and-Order' Foundation of Local Ordinances: A Four-Locale Study of Hazleton, PA, Escondido, CA, Farmers Branch, TX, and Prince Williams County, VA." Pp. 255-275 in *Taking Local Control: Immigration Policy Activism in U.S. Cities and States*.
- Massey, Douglas S., Karen A. Pren, and Jorge Durand. 2016. "Why Border Enforcement Backfired." *American Journal of Sociology* 121(5): 1557-1600.
- De Genova N. 2013. "Immigration 'Reform' and the Production of Migrant 'Illegality.'" Chapter 2 in *Constructing Immigrant 'Illegality': Critiques, Experiences, and Responses* (Menjívar and Kanstroom, Eds). Cambridge: Cambridge University Press. (*optional*)

## **Week 6: Immigration and Crime (I)**

- Sampson, Robert. 2008. "Rethinking Crime and Immigration." *Contexts* 7:28-33

- Hagan, John, and Alberto Palloni. 1999. "Sociological criminology and the mythology of Hispanic immigration and crime." *Social Problems* 46(4): 617-632.
- Berardi, Luca and Sandra M. Bucurius. 2014. "Immigrants and their Children: Evidence on Generational Differences in Crime." Pp. 551-583 in *The Oxford Handbook of Ethnicity, Crime, and Immigration*. (read pp. 560-566).

### **Week 7: Immigration and Crime (II): Contemporary Debates**

- Light, Michael T. 2017. "Re-examining the Relationship between Latino Immigration and Racial/Ethnic Violence." *Social Science Research*.
- Lyons, Christopher J., María B. Vélez, and Wayne A. Santoro. 2013. "Neighborhood Immigration, Violence, and City-Level Immigrant Political Opportunities." *American Sociological Review* 78: 604-632.
- Miles, Thomas J., and Adam B. Cox. 2014. "Does Immigration Enforcement Reduce Crime: Evidence from Secure Communities." *Journal of Law and Economic* 57(4): 937-973. (recommended)
- Light, Michael T. and Ty Miller. 2018 "Does Undocumented Immigration Increase Crime?" *Criminology* 56: (370-401).

### **Week 8: Catch up and Mid-Term**

No Readings!

**Mid-Term Exam is on Wednesday March 13!**

### **Week 9: Spring Break**

No readings!

### **Week 10: Crimmigration in the United States**

- Stumpf, Juliet P. 2006. "The Crimmigration Crisis: Immigrants, Crime, and Sovereign Power." *American University Law Review* 56: 367-419.
- Bosworth, Mary, & Emma Kaufman (2011) "Foreigners in a Carceral Age: Immigration and Imprisonment in the United States," *22 Stanford Law & Policy Rev.* 429-54.
- Meissner, Doris, Donald M. Kerwin, Muzaffar Chishti, and Claire Bergeron. 2013. "Immigration enforcement in the United States: The rise of a formidable machinery." *Washington, DC: Migration Policy Institute*. (read Executive Summary)

### **Week 11: Punishing Immigrants**

- Light, Michael T., Michael Massoglia, and Ryan D. King. 2014. "Citizenship and Punishment: The Saliency of National Membership in U.S. Criminal Courts." *American Sociological Review* 79: 825-847.
- Stumpf, J.P. 2013. "The Process is the Punishment in Crimmigration Law." Pp. 58-75 in *The Borders of Punishment: Migration, Citizenship, and Social Exclusion*.
- Butcher, K.F. and A. M. Piehl. 2000. "The Role of Deportation in the Incarceration of Immigrants." Pp. 351-385 in George Borjas, ed., *Issues in the Economics of Immigration*, Chicago: University of Chicago Press.

Katherine Beckett and Heather Evans. 2015. "Crimmigration at the Local Level: Criminal Case Processing in the Shadow of Deportation." *Law and Society Review* 49, 1: 241-277. (optional)

### **Week 12: Detention and Deportation**

Hernandez, D. M. 2008. "Pursuant to Deportation: Latinos and Immigrant Detention." *Latino Studies* 6: 35-63.

Kanstroom, Daniel. 2007. *Deportation Nation: Outsiders in American History*. Harvard University Press. Chapter 6.

Dingeman-Cerda, M. K. and S.B. Coutin. 2012. "The Ruptures of Return: Deportation's Confounding Effects." Chapter 6 in *Punishing Immigrants: Policy, Politics, and Injustice*.

King, R. M. Massoglia, and C. Uggen. 2012. "Employment and Exile: U.S. Criminal Deportations, 1908-2005." *American Journal of Sociology* 117: 1786-1825. (optional)

Rozo, S.V. S. Raphael, and T. Anders. "Deportation, Crime, and Victimization." (September 1, 2016). Available at SSRN: <https://ssrn.com/abstract=2833484> (recommended)

### **Week 13: Immigrant Rights and National Emergencies**

Eagly, I. and S. Shafer. 2015. "A National Study of Access to Counsel in Immigration Court." *University of Pennsylvania Law Review* 165. (skim)

Cole, David. 2003. "Are Foreign Nationals Entitled to the Same Constitutional Rights As Citizens?" *Thomas Jefferson Law Review* 25: 367-388.

Ramji-Nogales, A. Schoenholtz, and P. G. Schrag. 2008. "Refugee Roulette: Disparities in Asylum Adjudication." *Stanford Law Review*. (skim)

Soltero, Carlo R. 2006. *Latinos and American Law*. University of Texas Press. Chapters 9 & 10. (recommended)

Chacon, J. M. 2013. "The Security Myth: Punishing Immigrants in the Name of National Security." Chapter 3 in *Governing Immigration Through Crime*. (optional)

### **Week 14: Crimmigration Abroad**

Melossi D. 2012. "The Processes of Criminalization of Migrants and the Borders of 'Fortress Europe' in Pickering S. (ed) *Borders and Crime: Pre-crime, Mobility and Serious Harm in an Age of Globalization*. London: Palgrave. 17-30.

Light, Michael T. 2016. "The Punishment Consequences of Lacking National Membership in Germany, 1998-2010." *Social Forces* 94: 1385-1408.

Bosworth, M. 2011. "Deportation, detention and foreign-national prisoners in England and Wales." *Citizenship Studies* 15:583-595.

Gehrsitz, Markus and Ungerer, Martin. "Jobs, Crime, and Votes: A Short-Run Evaluation of the Refugee Crisis in Germany" (January 2017). IZA Discussion Paper No. 10494. Available at SSRN: <https://ssrn.com/abstract=2903116> (recommended)

Thielemann, E.R. 2009. "Towards a Common European Asylum Policy: Forced Migration, Collective Security, and Burden Sharing." Chapter 9 in *Immigration Policy and Security: U.S., European, and Commonwealth Perspectives*. (recommended)

## Week 15: Catch up and Final Review

No Readings!

### Course Policies and Friendly Reminders

- **Attendance.** Attendance is not mandatory, but you will be highly disadvantaged by missing class. There is valuable information given during lecture that is not in the assigned readings and you are expected to know lecture material for the exams. Please also make every effort to be on time for class, as students entering late can be distracting to both teaching and learning.
- **Classroom Civility.** The study of immigration and crime requires discussing sensitive and often controversial topics that may be uncomfortable for some students. I encourage both good discussions and critical assessment of issues, however, I require that students will respect their peers and inflammatory remarks will be dealt with accordingly. The University of Wisconsin is committed to fostering diversity and inclusion and welcomes individuals of all ages, religions, sex, sexual orientations, races, nationalities, languages, military experience, disabilities, family statuses, gender identities and expressions, political views, and socioeconomic statuses. Behaviors that threaten, harass, discriminate or that are disrespectful of others will not be tolerated. Inappropriate behaviors will be addressed with disciplinary action, which may include being referred to the Dean of Students Office. Please visit UW's Nondiscrimination policy for more information: <https://oed.wisc.edu/statement-of-non-discrimination.htm>.
- **Accommodations.** Please inform the instructor if you are eligible for necessary accommodations for testing, assignments, or other aspects of the course. This may be the case if English is your second language or you experience a physical or psychological condition that makes it difficult for you to complete assignments and/or exams without some modification of those tasks. Accommodations are provided for students who qualify for disability services through the McBurney Center. Their website has detailed instructions about how to qualify: <https://mcburney.wisc.edu/>
- **Academic honesty.** As with all courses at the University of Wisconsin, you are expected to follow the University's rules and regulations pertaining to academic honesty and integrity. The standards are outlined by the Office of the Dean of Students at <http://www.students.wisc.edu/doso/academic-integrity/>. According to UWS 14, academic misconduct is defined as:
  - seeks to claim credit for the work or efforts of another without authorization or citation
  - uses unauthorized materials or fabricated data in any academic exercise
  - forges or falsifies academic documents or records
  - intentionally impedes or damages the academic work of others
  - engages in conduct aimed at making false representation of a student's academic performance
  - assists other students in any of these acts.
- **Other Issues.** It is important that YOU stay on top of issues as it relates to the class. The worst thing you can do is come to me at the end of the semester and bring up issues that happened weeks and months earlier.

**Departmental notice of grievance and appeal rights.** The Department of Sociology regularly conducts student evaluations of all professors and teaching assistants near the end of the semester. Students who have more immediate concerns about this course should report them to the instructor or to the chair, 8128 Social Science.

**Department learning objectives.** Beyond the specific substantive and methodological content described above, the course is designed to achieve the following instructional objectives designated as priorities by the Department of Sociology:

*Critically Evaluate Published Research.* Sociology graduates will be able to read and evaluate published research as it appears in academic journals and popular or policy publications.

*Communicate Skillfully:* Sociology majors write papers and make oral presentations that build arguments and assess evidence in a clear and effective manner.

*Critical Thinking about Society and Social Processes:* Sociology graduates can look beyond the surface of issues to discover the "why" and "how" of social order and structure and consider the underlying social mechanisms that may be creating a situation, identify evidence that may adjudicate between alternate explanations for phenomena, and develop proposed policies or action plans in light of theory and data.