

Commentary: When police team up with ICE, it ripples into classrooms

Thomas S. Dee

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Half of all Americans now reside in a “sanctuary” jurisdiction where state or local political leaders have committed to supporting refugees and undocumented residents by declining to cooperate with Immigration and Customs Enforcement in certain ways. But other communities have moved in the opposite direction. These “reverse sanctuary” communities have adopted partnerships with ICE that effectively deputize local police to enforce federal immigration laws.

The Trump administration has overseen a dramatic increase in these federal-local partnerships, which are called 287(g) programs after a 1996 section of the Immigration and Nationality Act. There are 78 active agreements, nearly two-thirds of which were adopted in the short time since President Trump took office.

When the Homeland Security Department approves an application from a local police agency, ICE trains local law enforcement officers to identify and arrest undocumented residents while, in theory, respecting 4th Amendment rights against unreasonable search and seizure. Under the “jail enforcement” model, the police only screen those who’ve already been booked into jail. Under the “task force” approach, local police incorporate immigration enforcement into all their day-to-day policing activities.

So what could possibly be wrong about aggressively enforcing immigration law in this way? A growing body of research shows that they produce significant harm to children, schools and communities.

My recent research with Stanford University graduate student Mark Murphy illustrates some of these consequences. Roughly half of the immigrants who are in the U.S. without legal documentation live in a household with children — and most of those kids are U.S. citizens. We found robust evidence that police partnerships with ICE caused some of these families to flee, and discouraged others from seeking economic opportunity in that community.

We examined data on the K-12 public school enrollment of Latino and non-Latino children in all the communities nationwide that applied for ICE partnerships before 2012. We found that when a 287(g) partnership was approved and implemented, the enrollment of Latino students fell by 10 percent within just two years relative to the communities that applied for but did not implement this policy. This impact was particularly pronounced among the younger elementary school students. In contrast, we observed no changes in the enrollment of non-Latino students.

The sort of displacement we discovered can be harmful to children’s success in school and later in life. That is, the family stress of a relocation under duress or being denied economic

opportunity in a new community both have been shown to reduce a student's engagement in school, their learning, and, ultimately, their financial well-being.

Local partnerships with ICE have caused these displacements on a shockingly large scale. We estimate that the ICE partnerships implemented before 2012 displaced more than 300,000 Latino students. Right now, the Trump administration is expanding this reckless and counterproductive policy.

The manner in which we enforce any law — whether it is tax evasion or jaywalking or immigration — is itself a policy choice. The potential consequences should inform the decisions we make.

For example, reducing crime is a primary motivation for adopting ICE partnerships, but a Cato Institute study of data from North Carolina showed no reduction in crimes in counties that teamed up with ICE. ICE partnerships also divert resources from policing serious crimes and make immigrants hesitant to come forward as victims or witnesses. Racial profiling has become a problem in some counties, where police sometimes harass or detain law-abiding residents based on how they look, speak or dress.

As if these problems weren't enough, other research shows that 287(g) partnerships can cause economic harm to the communities that adopt them. A study out of the University of Georgia found evidence that ICE-police partnerships did drive immigrants out — but that this self-imposed labor shortage reduced farm profitability. Other research found that aggressive deportation in ICE partnership counties led to more housing foreclosures.

But there is a straightforward way to roll back these partnerships. Local communities can simply choose to say no. Police partnerships with ICE are entirely voluntary. No community is under an obligation to seek out an ICE partnership. Those that have them in place can simply and unilaterally end them. A proper reckoning of the many ways these partnerships harm community policing, economic vitality and child development should make that an easy decision.