

NORWALK REFLECTOR

Immigrant crime rates are low, Ohio police say

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The border wall against Mexico that President Trump made a centerpiece of his election campaign two years ago so far is unbuilt, but his administration's "zero tolerance" immigration policy is having impact even far from the border.

On June 5, at Corso's Flower and Garden Center in Erie County near Sandusky, about 200 federal immigration agents arrested 114 workers suspected of being in the country illegally and of identity fraud. The raid was one of the largest in the Trump administration's increasingly aggressive immigration enforcement

The federal crackdown also refers all illegal border crossings for criminal prosecution, which results in children being separated from families at the border.

The president, continuing the argument he made in his campaign, justifies the tough policy by saying that immigrants cause crime and create instability.

But some national studies as well as interviews with Ohio law enforcement indicate a low level of crime committed by undocumented immigrants - beyond the unauthorized border crossing that is a federal misdemeanor.

Police departments don't track the birthplaces or immigration status of people they arrest. Because of the lack of data, The Plain Dealer contacted law enforcement agencies in Ohio areas with large immigrant communities to ask about their experience.

Those who responded said immigrants are no more apt than other Ohioans to commit crimes and may even be less likely to do so. That echoes the research of the Pew Research Center, the Cato Institute and others exploring the relationship between immigrants and crime, which has found that foreign-born residents, regardless of citizenship, commit fewer crimes than native-born Americans.

Lorain Police Chief Cel Rivera said that in his nearly 48 years in law enforcement, he has seen very few immigrants involved in serious crimes.

"They don't commit crimes," he said. Rather, immigrants want criminals caught even more than other residents do, because crime hampers their ability to work, support their families and raise their children.

He and other members of the Law Enforcement Immigration Task Force, a national coalition of 101 police chiefs and sheriffs, say efforts should target serious and dangerous criminals, not immigrants who are "contributing members of society."

Lake County Sheriff Daniel Dunlap said his county's established community of migrant nursery workers "generally is not violent," and of the 350 inmates in its jail "only a very small percentage is Latino."

But he supports stricter immigration laws, including for asylum-seekers fleeing violence in Central America, and describes deportation as "a free ride home."

He cited the notorious case in Painesville of Juan Razo, an undocumented immigrant from Mexico who was sentenced to life in prison in 2016 after he killed one woman, shot another in a park, and tried to rape a 14-year-old girl in July 2015. The crime spree contributed to a national debate on immigration during the presidential campaign.

Dunlap said undocumented workers involved in accidents try to flee the scene to avoid detection. What will happen, he asked, "when they run over one of our kids?"

Painesville Police Chief Daniel Waterman, however, said unauthorized immigrants would be far less likely to report crimes if they believed that local police were enforcing immigration violations, but he hasn't seen any evidence of that. If that was the case and people were more afraid of the police than of reporting criminals, Painesville would become less safe as a result, he added.

"Our experience in Painesville with people of Hispanic origin is that they're not committing crimes of violence or assault, and they're committing fewer crimes than their proportion of the population," Waterman said.

Police reports list racial designations, but in a community where a quarter of the population is Hispanic, including Mexicans, Cubans and Puerto Ricans, there's no way to know if someone is undocumented or has been in the U.S. for three generations.

"We're not a 287(g) police department," Waterman said, referring to a program of U.S. Immigration and Customs Enforcement (ICE) that deputizes volunteering local law enforcement agencies in immigration enforcement. "No one in Lake County or Cuyahoga County has that training."

According to ICE, the Butler County Sheriff's Office north of Cincinnati is the only agency in Ohio that has an active agreement with ICE, to provide jail enforcement.

Dayton Police Chief Richard Biehl says those who characterize all immigrants as criminals are looking for a blunt and ineffective instrument to solve a complicated and nuanced issue.

When he analyzed Dayton's records in the face of anti-immigrant sentiment, he found that Hispanic or Latino residents made up less than 4 percent of Dayton's population of 140,000, but only 1 percent of the city's crime and 2 percent of the crime victims that year.

"If you want crime to grow, just make the community too fearful to report it," he said. "The biggest reason police can't solve a murder isn't because they don't know who did it; it's because they don't have anyone willing to cooperate and become witnesses."

"That's not just in the immigrant community. That's in the community at large."

It's difficult to track the number of immigrants who commit crimes in the U.S. because police records don't report where arrestees were born. Neither the FBI's Uniform Crime Reporting Program, which compiles nearly 18,000 local, university, state, tribal and federal law enforcement agencies, nor the National Incident-Based Reporting System that collects and reports crimes, tracks offenders by immigration status.

There is data on the crimes committed by immigrants who are deported. Of the 545 people who were deported in Ohio under ICE's Secure Communities initiative in fiscal year 2017:

50 percent (238 people) had either level 3 misdemeanors such as DUIs, traffic violations, domestic violence and forged documents, or no conviction at all.

39 percent (214 people) were convicted of Level 1 crimes such as assault, drug trafficking and forgery. There were three homicide convictions.

While the Cleveland Police Department, for example, says that about 500 of the 19,000 people arrested last year were residents of other countries, they include all arrestees, violent and nonviolent, whether or not they were convicted of crimes, according to police spokeswoman Sgt. Jennifer Ciaccia. Residents of other countries also includes tourists.

The nonpartisan Pew Research Center in 2013 reported a "well-documented phenomenon" that immigrants are less likely than native-born Americans to be involved in crime.

"The crime rate among first-generation immigrants - those who came to this country from somewhere else - is significantly lower than the overall crime rate," the study found. (Though by the next generation, the crime rate becomes "virtually identical to the rate among native-born Americans across the most crime-prone years.")

The Cato Institute, a libertarian think tank, in February reported that conviction and arrest rates for immigrants in Texas "were well below those of native-born Americans" for most crimes statewide in 2015.

As a percentage of their populations, "there were 56 percent fewer criminal convictions of illegal immigrants than of native-born Americans in Texas in 2015 . . . The criminal conviction rate for legal immigrants was about 85 percent below the native-born rate."

Based on the information available, "it's hard to say if more immigrants mean more crime," said Chief Deputy Dennis Cavanaugh of the Lorain County Sheriff's Office. "I really don't see any indication of that. I don't think you can point to any one nationality [as being more crime prone]. It doesn't matter what your background is."

Sandusky Police Chief John Orzech said he doesn't have a large population of immigrants in Sandusky, but as far as immigrants committing violent crimes, "I just don't believe that's happening in our county."

The officers who come across immigrants might do so at a traffic stop or similarly minor incident, but nothing frequent or out of the ordinary, he said. Anything immigration-related would be referred to the U.S. Customs and Border Protection station in Port Clinton.

The only incident Orzech could recall was about three years ago, when police got a tip about a young man who may have been tied to the cartel and was dealing drugs. He doesn't know what happened to that case, because the case was referred to other authorities.

Biehl said that after he became Dayton's police chief, the number of arrests dropped in half, because of a new policy that didn't penalize people the first time they were pulled over without their drivers' licenses.

"Don't make an identity problem a jail problem," he told his officers. "Investigate and figure out who the person is" without automatically taking them into custody, he said. Although the policy spared some undocumented arrestees from being referred to ICE, "the greatest beneficiaries were whites and African Americans."

"I don't think the argument can be made that immigrants cause more crime. Last year, we had the largest declines in crime in a year and a half, double-digit declines in violent and property crimes," without a significant loss in safety for the community at large. He attributes the success to better relationships with community groups, and "well-executed enforcement efforts focusing on the 'right people.'"

"We're not a sanctuary city, but we've decided to be very thoughtful and mindful of how we interact with all community members," Biehl said. "As police chief, I'm responsible for the safety of everybody in my community, whether they're documented or not."