Basic facts about the Border and Immigration

Collected and curated by:
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1. THERE IS NO CRISIS ON THE BORDER
40-year Low: Border Patrol Apprehensions

Apprehensions
2016 = 415,816
2017 = 310,000
40-year Low in Total Apprehensions: FY 1925 TO 2016
(Including ICE, but not “Inadmissibles”) – border + interior enforcement

Apprehensions
2016 = 530,250
2017 = 421,000
2. THE UNDOCUMENTED POPULATION IS STABLE, SETTLED AND SLOWLY DECLINING
The undocumented population in the U.S.:
1. Stable, not growing; and
2. In slow decline
Undocumented Immigrants in San Diego County: A Settled Population
(MPI, January 2015)

• Average time in the United States = 12.5 years
In SD County, 180k
• 80% more than 5 years
• 77% over 25 years old
• 67% employed full-time
• 35% have and reside with USC children
• 25% own a home
• 6% speak only Spanish
No rush of migrants flooding across the border.

**Mexican Migration**

- Net Negative, since 2009 (Pew research study shows net loss of 140,000 since 2009)
- Net zero 2005-09
- End of large, but highly specific migration cycle
- FY 2014 Mexicans did not constitute majority of border apprehensions

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**PEW RESEARCH CENTER**
Bad Hombres?

• High profile detentions of undocumented immigrants under the current administration have included:
  • Juan Carlos Hernandez, a restaurant owner and community leader in Frankfurt, Illinois (currently free on bail)
  • Daniela Vargas, a DACA recipient in Jackson, Mississippi whose DACA status had lapsed due to her inability to pay the biennial fee, but is currently in process. She is currently detained.
  • Guadalupe Garcia de Rayos, a mother of two in Phoenix who was detained and deported while complying with a periodic check-in with immigration authorities. Her deportable offense was using a false social security number.
  • María Robles-Rodríguez, a mother of two in Escondido, California, who did not have a criminal record, was detained and deported.
Immigration and Crime

• Numerous studies have found that immigrants are less likely to commit crimes than natives, based on both incarceration rates and correlations between immigrant populations and local crime rates. (Martinez and Lee, 2000; Mears, 2002; *Sampson et al. 2005; Ousey and Kubrin 2014, for a review see Ousey and Kubrin 2017)

• Ewing, Martinez, and Rumbaut found that in 2010, **10.7 percent of native-born men aged 18-39 without a high school degree** were incarcerated compared to 2.8 percent of Mexican immigrants and **1.7 percent of Guatemalan and Salvadoran immigrants.**

• In 2008, in an effort to measure the criminal risk posed specifically by undocumented immigrants, Hickman and Suttorp found no difference in the rate of recidivism between deportable and non-deportable non-citizens.

• In 2014, Miles and Cox found that the Secure Communities immigration enforcement program “led to no meaningful reductions in the FBI index crime rate. Nor has it reduced rates of violent crime—homicide, rape, robbery, or aggravated assault.”

• Of immigrant youth who have committed a crime, Bersani and et al (2014) found that “first generation immigrants are less likely to be involved in serious offending and to evidence persistence in offending, and appear to be on a path toward desistance much more quickly than their [native born] peers.”

• This literature is often critiqued for relying on self-reported criminal activities on surveys. The concern is that undocumented immigrants in particular are more prone to lie to an authority for fear of deportation. Bersani and Piquero (2016) tested this association by comparing self-reported arrests by immigrants to local arrest records and found that immigrants accurately reported their arrests 87% of the time. The association between immigration and lower rates of criminal activity is not due to immigrants under-reporting their criminal activity.
Immigrants commit fewer crimes than their 2nd gen and native born peers. Notably, the 2nd gen "catches up" to the native born, largely as a consequence of assimilation.

Source: Justice Quarterly
PEW RESEARCH CENTER
Immigrant Anti-sociality

- In 2013, Vaughn, Salas-Wright, DeLisi, and Maynard found that rates of antisocial behavior among immigrants were lower than among native-born populations across the board.
*Fiscal Impacts*

Do immigrants cost more (in entitlements) than they contribute (in taxes)? Not under most scenarios (National Academies 2016)

**FIGURE 8-23** Net fiscal impacts of immigration, by budget scenario, treatment of public goods, and average characteristics of new immigrants.
*Fiscal Impacts*

- If we estimate into the future, over a 75 year period, and include the descendants of immigrants, we find a net positive fiscal effect

<table>
<thead>
<tr>
<th>TABLE 8-17 75-year Present Value Flows for Consolidated Federal, State, and Local Governments for Three Future Budget Scenarios, by Grouped Ages of Immigrant Arrival in the United States, with Public Goods (defense, federal subsidies, and rest-of-world payments) Included in Incremental Benefit Costs to Immigrants and Descendants (flows in thousands of 2012 dollars)</th>
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<tbody>
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<td><strong>CBO Long-term Budget Outlook</strong></td>
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<td><strong>Total Impact</strong></td>
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<td><strong>0-24</strong></td>
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<td>Total Net &lt;HS</td>
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<td>Avg.</td>
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*Fiscal Impacts*

- If we compare young adult immigrants with the native born, we find that at all educational levels except the BA, immigrants have a larger positive or a less negative fiscal impact than their native born peers.

<table>
<thead>
<tr>
<th>TABLE 8-13 75-year Net Present Value Flows Comparing an Immigrant Arriving at Age 25 with a Native-born Person Followed from Age 25, for Consolidated Government Finances under Two Future Budget Scenarios, by Educational Attainment, Varying the Treatment of Public Goods (in thousands of 2012 dollars)</th>
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<tbody>
<tr>
<td>No Public Goods Included in Benefits</td>
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**Labor Market Effects**

- Do immigrants lower the wages of the native born?
  No, not in general. For US-born workers who did not complete high school, there is evidence of small negative wage effect.

<table>
<thead>
<tr>
<th>Study</th>
<th>Wage Effect (%)</th>
<th>Which Natives</th>
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<tbody>
<tr>
<td><strong>A. Spatial Studies</strong></td>
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<tr>
<td>Altonji and Card (1991)</td>
<td>−1.7</td>
<td>Dropouts, black men</td>
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<td></td>
<td>−1.0</td>
<td>Dropouts</td>
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<td>Borjas (2016b)</td>
<td>−1.4</td>
<td>Dropouts, non-Hispanic men</td>
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<td>−0.5</td>
<td>Dropouts, non-Hispanic men</td>
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<tr>
<td>Monras (2015)</td>
<td>−0.7</td>
<td>High school graduates or less, non-Hispanic, including immigrants</td>
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<td>Cortés (2008)</td>
<td>−0.6</td>
<td>Dropouts, Hispanic with poor English</td>
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<td></td>
<td>−0.3</td>
<td>Dropouts, Hispanic</td>
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<td></td>
<td>−0.1</td>
<td>Dropouts</td>
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<td>Card (2001)</td>
<td>−0.1</td>
<td>Men</td>
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<td>Peri and Yashenov (2015)</td>
<td>0.1</td>
<td>Women</td>
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<td></td>
<td>0.3</td>
<td>Dropouts, non-Cuban</td>
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<td><strong>B. Skill Cell Studies</strong></td>
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<td>Llull (2015)</td>
<td>−1.7</td>
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<td>Borjas (2003)</td>
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<td>Card and Peri (2016)</td>
<td>−0.2</td>
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<td>Card and Peri (2016)</td>
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<td><strong>C. Structural Studies</strong></td>
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3. BIG STRUCTURAL FORCES DRIVE MIGRATION PATTERNS, NOT ELECTORAL POLITICS
Prelude: The 1980 Republican Primary Debate

- https://youtu.be/Ixi9_cciy8w
Mexican Migration Net Negative, since 2009

Pew research study shows net loss of 140,000 since 2009 (net zero 2005-09)

- Macro-economy
  - Recession and job loss in U.S. – some economists dispute importance
  - Growth in Mexico
    - GDP up 35% 2009-2014
    - Largest economy in Hispanic world for first time
    - Tijuana as city of net immigration
- End of a massive migration cycle (similar to what happened with Irish, Germans, or African-Americans coming from the South)
- Changing demographics
  - Declining birthrate
  - Aging population
- U.S. border enforcement – more difficult and dangerous to cross in either direction, so settlement has to be more permanent
  - Increase in Border Patrol from 4.2k in 1994 to 21k in 2011
  - Nearly 700 miles of fencing built since 1994
  - Dramatic increase in the number of “aggravated felonies” or deportable offenses since 1996
  - Perception of the U.S. declining in Mexico
- The drug war – Opportunity seekers don’t want to have to deal with gangsters, they hear about extortion, kidnapping, rape, etc.
ICE Removals: Obama and Trump

*Data for removals, excluding “returns”*
Deportations under Obama

- Obama Admin. = 2.8 million
- Bush Admin. = 2.0 million
- All 1892 to 1997 = 2.1 million
- Deportees with “criminal conviction”
  - 31% in 2008
  - 59% in 2015
- More than 80% of these = “Priority 1”
- Illegal re-entry an immigration-related criminal offenses growing, from 5% to 30% of federal docket (78% of federal public defender caseload)

Other harsh measures:
- Worksite raids (Postville, 2009)
- Information sharing (Secure Communities) (2008)
- Detention bed quota of 34k, now at 45k actual
- Family detention (2014)
- “Rocket dockets” (2014)

Takeaways:
1. Little historical precedent for hundreds of thousands of annual deportations
2. Rather than partisan issue, bipartisan legal change in 1996 made it much easier to get deported
3. Talk of deporting “felons” or criminals is misleading
U.S. Hispanic Population
Percent Change by County from 2000 to 2010

Percent change
- 100.0 percent increase or more
- 50.0 to 99.9 percent increase
- 20.0 to 49.9 percent increase
- 0.0 to 19.9 percent increase
- Loss
- Comparable data not available

Source: U.S. Census Bureau, Census 2010

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The poorest do not migrate internationally.
What do these Maps Mean?

- Natural demographic shift in a region bisected by the border
- Settlement of a “frontier” in both countries
- Social and family are networks key to the pattern
- Follows general Sun-Belt migration pattern in the U.S.
- Follows northward migration pattern in Mexico
- North American integration has created growth on both side of the border
- The most recent phase of migration went to different areas of the United States, with less migration history (change over time shapes perception more than actual numbers or impact)
- This migration also followed general internal migration pattern of the U.S., and it is driven more by opportunity than poverty
4. DETERRENCE MEANS DEATH
Operation Gatekeeper, 1994

- 1994 initiative to fortify the U.S.-Mexico border beginning at urban crossings, such as San Diego sector
- Began with 5.5 miles of new fencing from Pacific Ocean to San Ysidro Crossing, then moved East
- Doubled INS budget 1994-1997
- Doubled number of Border Patrol agents 1994-1997
- Followed by a series of related measures in El Centro, Tucson, and other BP sectors
- Led to increase in Border Patrol from 4.2k in 1994 to 21k in 2011
- Undocumented crossing moved from urban centers to remote deserts and death rate shot up, first in CA and then in AZ
- 6,915 deaths on the border since 1998 (as acknowledged by DHS)
- NGO estimates are closer to 11k – (they include cases w/out official death certificate and those that occurred on Mexican territory)

see IOM Study: https://publications.iom.int/system/files/pdf/fataljourneys_countingtheuncounted.pdf
Big Bend – the border here is a deep canyon, with Rio Grande surrounded by peaks between 1,800 and 8,000 feet.
Data from the Pima County, AZ Medical Examiner marks the dramatic rise in deaths after the construction of the border fence in Nogales, and enhanced enforcement in Tucson. Pima County includes the Organ Pipe Cactus National Monument and the Tohono O’Odham Nation Reservation, two of the largest and most dangerous wilderness crossing areas along the U.S.-Mexico border between AZ and Sonora, Mexico.
Trends and Relationships

- Deaths don’t end at the U.S.-Mexico border—there are thousands more than happen within Mexico, everywhere from the border with Guatemala north, and estimates range as high as 30,000. CNDH (MX) – found in 2012 that 11k migrants had been kidnapped in the previous year alone.
- Deaths on the border do not correspond directly with apprehensions—both are down now, although the IOM has found some reverse correlation (see next slide)
- Physical danger is part of the strategy of deterrence—think about DJ case.
- Deaths are part of a culture of cruelty and impunity—denial of water and food, physical abuse, disrupting humanitarian aid
- Enforcement policies do not distinguish between different kinds of migrants
Figure 2.2: Migrant deaths recorded by the United States Border Patrol relative to apprehensions on the south-western border, fiscal year 1998–2013

Figure 2.5: California migrant death estimates by data source (excluding Yuma area), 1993–2013

Figure 2.7: Arizona migrant death estimates by data source (excluding Yuma area), 1990–2013

4. THE “BORDER” IS EVERYWHERE
The Land Border is a Red herring

• Most undocumented immigrants do not use land border (which is incredibly dangerous, thanks both to geography and organized crime)
• The number of visa overstays for FY 2015, 50% higher than apprehensions on the border (and most arrived at one of the more than 300 official ports of entry not on the U.S-Mexico border) – 527,000 vs. 337,000
• 40% of the current undocumented population of 11 million overstayed visas
• Overstays still constitute only 1% of the 45 million legal entries for FY 2015
The Backlog

• Current backlog = 630k cases (FY2017)
• Current wait for initial hearing = 696 days
• Current wait for substantive immigration hearing = c. 5 years
• U.S. immigration and border enforcement = $19 billion/year
• U.S. immigration courts and adjudication = $360 million/year
• Number of immigration judges = 258 (Trump Admin. has appointed 47 new IJ’s, but still fewer than 300)
*“Get In Line”: The Prospects for Legal Migration*

- Prospective legal immigrants are subject to a per country visa cap that limits the number of visas that can be awarded to any country annually (~26,000). No limit is applied to immediate family members. For every other category of family preference admissions, for instance, the line can be decades long. This artificially produced backlog creates a structural pressure to migrate without authorization.

<table>
<thead>
<tr>
<th>Family-Sponsored</th>
<th>All Chargeability Areas Except Those Listed</th>
<th>CHINA-mainland born</th>
<th>INDIA</th>
<th>MEXICO</th>
<th>PHILIPPINES</th>
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<td>01FEB11</td>
<td>01APR96</td>
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<td>22MAY95</td>
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<td>08JUN04</td>
<td>22NOV03</td>
<td>08OCT97</td>
<td>01AUG94</td>
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Spending on Immigration Enforcement and Courts

<table>
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<tr>
<th>Fiscal Year</th>
<th>ICE</th>
<th>CBP</th>
<th>EOIR</th>
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Minimum Percentage of Cases that Go to Trial

- Federal criminal: 3%
- Federal civil: 1.2%
- Immigration: 39.6%

Numbers from Executive Office for Immigration Review, 2014

- IJs lack authority to order pre-trial conferences
- Cases are rarely resolved without judges
- Ten times the number of cases go to trial compared to other systems
“Like holding death penalty cases in traffic court”

- Dana L. Marks, San Francisco Immigration Judge and president of the National Association of Immigration Judges
Effect of counsel on case success for non-detained noncitizens, 2005-2012

Numbers for this chart obtained from Katzmann Study Group, 2011
Lessons

• Language, repetition, and mediation matter
• Servility and desperation make racism, not the other way around
• Nostalgia, amnesia and roll-back – historical amnesia facilitates the roll-back of hard-won gains
• Technology abets behaviorism – confirmation bias, predilection for vengeance, spectacle and visual culture
• Globalization confronts tribalism – sympathy, empathy, and anomie
5. THOSE WHO ARE TRYING TO CROSS THE LAND BORDER ARE INCREASINGLY DESPERATE AND VULNERABLE
The Other Migrants

- Long-term average = 5,000/year
- Arrivals FY2000 = 3,664
- Arrivals FY 2014 = 68,541
- Arrivals FY2017 = 29,375

*Unaccompanied Alien Children (Border Patrol)*
Unaccompanied Immigrant Children

Year:
- 2009
- 2010
- 2011
- 2012
- 2013
- 2014
- 2015
- 2016

Countries:
- El Salvador
- Guatemala
- Honduras
- Mexico

Numbers:
- 0
- 2,000
- 4,000
- 6,000
- 8,000
- 10,000
- 12,000
- 14,000
- 16,000
- 18,000
- 20,000

Chart showing the number of unaccompanied immigrant children from El Salvador, Guatemala, Honduras, and Mexico from 2009 to 2016.
Trafficking Victims’ Protection Reauthorization Act (2008)

- Custody of Office of Refugee Resettlement (at HSS), child welfare agency
- Released to “sponsors” rather than detained
- Cannot be deported without seeing an immigration judge
- Easier access to “SIJS” for abused neglected and abandoned kids
- Expanded access to “T” and “U” Visas
- Those from “contiguous countries” eligible for “voluntary departure” without hearing (meaning that Mexican children are excluded, de facto)
Why are they coming?

UNHCR Report: *Children on the Run* (2014) (Interviewed 404 kids, ages 12-17, 72 questions)

- **Majority of UA kids cited improved educational and job opportunities in U.S., but it was almost never the only reason**
- More than half (58%) of UA kids potentially eligible for international protection (13% in 2006)
  - El Salvador = 72%
  - Guatemala = 38%
  - Honduras = 57%
  - Mexico = 64%
The Nature of the Violence

• Girls fleeing forced relationships, rape, and murder
• Boys unable to escape gang IDs (even false ones), or caught in the crossfire
• Kids whose parents have been killed or disappeared
• Families targeted by extortion rackets
• Trying to escape “Zones of impunity”
• Targeted on public busses and other public places
• Violent repression of protestors and civil society more broadly
Human Development Index, 2013

El Salvador, Guatemala, Honduras, Haiti, Nicaragua, Dominican Republic, Mexico
Remittances as percentage of GDP, 2012 (World Bank)

Average U.S. Military Aid per capita, 2009-2015

- El Salvador
- Guatemala
- Honduras
- Haiti
- Nicaragua
- Dominican Republic
- Mexico
Homicide Rates per 100k (UNDOC)

- Honduras, 90.4
- El Salvador, 41.2
- Guatemala, 39.9
- Dominican Republic, 22.1
- Mexico, 21.5
- Nicaragua, 11.3
- Haiti, 10.2
Not Just Unaccompanied Children

- In FY2014, 68k adults from Central America = exactly equal to unaccompanied children
- Number of asylum seekers from Mexico has more than doubled since 2011
- Fleeing similar circumstances
- Less protection available
- “Rocket dockets”
- Family detention center in Artesia, NM (closed 2014)
- Replaced by private family detention center in Dilley TX (2,400 beds)
Family Detention

- DHS has expanded detention of mothers and children by more than 4,000% from approximately 85 detention beds to nearly 3,800 beds.
- Built quickly in order to expedite deportation and deter future migrants and refugees
- Negative physical and mental health effects
- Impedes due process
- Less effective credible-fear interviews with children present
- Challenged in court – Federal Judge in Central Dist. CA found that it family detention violates consent decree in Flores v. Reno