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### Immigration Enforcement in the Age of Trump: Local Government Responses to Federal Immigration Rhetoric and Policy Change

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# Immigration Enforcement in the Age of Trump: Local Government Responses to Federal Immigration Rhetoric and Policy Change

A Public Policy Honor's Thesis  
Abigail Painchaud  
Abigail Fisher Williamson

# Table of Contents

<b>Abstract .....</b>	<b>3</b>
<b>Introduction .....</b>	<b>4</b>
<i>Immigration Federalism.....</i>	5
<i>State and Local Initiatives.....</i>	13
<i>Theories of Local Response .....</i>	16
General Theories of Police Response and Decision Making .....	20
Policy and Rhetoric Changes Under President Trump .....	24
<i>Outline of Thesis By Chapter .....</i>	27
<b>Chapter One: Sanctuary City History and Analysis .....</b>	<b>30</b>
<i>History of the Term ‘Sanctuary’ .....</i>	30
<i>Recent Sanctuary City History.....</i>	34
Sanctuary City Debate: Pros and Cons.....	37
State Responses to Sanctuary Cities during Trump Administration .....	42
Examining Sanctuary Cities Before and After President Trump .....	44
<b>Chapter Two: Demographic Analysis for Case Study .....</b>	<b>48</b>
Connecticut and New Hampshire Demographic Information .....	49
Connecticut and New Hampshire Ideology Analysis.....	51
Connecticut and New Hampshire Immigration Policy Analysis .....	53
<i>Cities and Immigrant Policies.....</i>	56
City Demographics: Foreign-Born Population .....	59
<i>Immigration Policies in Each City .....</i>	60
Comparing Responses to Immigrants Across Cities .....	69
<b>Chapter 3: Interviewing Police Officers in Connecticut and New Hampshire: A Case Study Analysis.....</b>	<b>75</b>
<i>Views and Perceptions of Officers.....</i>	78
<i>Policies in the Six Cities.....</i>	85
Changes in Response to the New Administration.....	95
<b>Conclusion .....</b>	<b>103</b>
<b>Appendix .....</b>	<b>109</b>
<b>Bibliography.....</b>	<b>111</b>

## Abstract

This thesis explores how local governments, and specifically police departments are responding to the federal immigration rhetoric and policy changes. Previous literature argues that the national government's role in immigration will strongly shape how local governments respond and how they will change their policies. In the first section, this thesis examines sanctuary cities across the United States and uses a specific data set of sanctuary cities to determine their status and their changes under the new administration. I find that despite the constant change on the national level and their anti-immigrant rhetoric, localities around the United States are pursuing accommodating practices as well as restrictive practices, illustrating a deviation from previous literature. I continue my analysis with a case study in Connecticut and New Hampshire, to discover how practices in police departments may differ in states that have significantly different policies toward immigration and accommodation. Overall, I find that despite the differences in both Connecticut and New Hampshire, police departments on the local level are not experiencing formal changes in their departments despite the significant changes that have developed on the national level. This also demonstrates a divergence from previous literature that maintains that the national government's changes will have a significant effect on local policymaking.

## Introduction

The immigration debate gained its momentum during the last presidential campaign, as President Donald Trump spoke out strongly against illegal immigration, specifically targeting unauthorized immigrants crossing the borders from Mexico and Latin America. In 2015, in Donald Trump's campaign speech for President of the United States, he stated,

“When Mexico sends its people, they're not sending their best. They're not sending you. They're not sending you. They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people.”<sup>1</sup>

The comments made by the current President of the United States during his campaign, and the actions that have continued well into his administration have rapidly changed the political and social climate of the U.S. In this thesis, I explore the question, “how are local governments, and specifically police departments, responding to these federal policy and rhetoric changes regarding immigration? Immigrants live in local communities all around the United States, which makes the way in which local officials are responding to immigration enforcement highly significant. Furthermore, we expect police departments to mirror the national rhetoric and to respond to the restrictive nature of the federal government. This thesis will determine whether this is the case, and if it is not, this thesis will look into the policies and practices that are being implemented locally. In the first section of this thesis I analyze sanctuary city data and find that many cities have implemented sanctuary policies and practices even after President Trump began his strong anti-immigrant rhetoric. Additionally, drawing on interviews with eleven police officers in two New England states, I find few formal changes on the local level in response to

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<sup>1</sup> Staff, Washington Post, "Full Text: Donald Trump Announces a Presidential Bid," The Washington Post, June 16, 2015.

recent federal changes. In order to understand why police officials are responding to federal changes in this way, we must first consider previous findings about immigration federalism (or which level of government holds the power to enforce and regulate immigration), the characteristics of local government responses to immigrants, and the specifics of how President Trump's policy and rhetoric changes affect local law enforcement agencies.

### *Immigration Federalism*

Throughout American history, the power to control immigration enforcement has fluctuated between federal, state and local governments, and recently, this power has been contested at the local, state, and national level. The United States Constitution empowers Congress to “establish a uniform Rule of Naturalization,” (U.S Constitution, Article 1, Section 8, Clause 4) which provides the federal government with the power to control who can enter the country and who can become a citizen. As Gulasekaram and Ramakrishnan argue, Congress established these naturalization laws as early as the 1700's, and then did not establish any immigration control laws until the late 1800's. These early immigration control laws caused ambiguity for who can regulate immigration within the country.<sup>2</sup> This confusion has led to the “interpretative exercise” by the U.S Supreme Court in determining which level of government holds sway over immigration enforcement.<sup>3</sup>

Gulasekaram and Ramakrishnan identify three separate periods of immigration federalism that explain the changing role of enforcement and the recent devolution of power to state and local governments. In the first period from 1776 to 1875, state and local government

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<sup>2</sup> Pratheepan Gulasekaram, and S. Karthick Ramakrishnan, "Setting the Stage for the New Immigration Federalism," *The New Immigration Federalism*, 2015, 15.

<sup>3</sup> *Ibid*, 17.

played a significant role in enforcing immigration. Congress did enact naturalization laws, but state and local governments regulated a majority of the immigration enforcement and migration control.<sup>4</sup> During this period, state governments passed laws that were quite similar to modern-day immigration policies on the state level, such as excluding convicted criminals from policies and prohibiting poor populations from “draining” public resources.<sup>5</sup> However, as the federal government began to gain more power through the Civil War, the Civil Rights Act of 1870, and the adoption of the 13<sup>th</sup> and 14<sup>th</sup> amendments, the ability for states to be pioneers in enforcement slowly decreased.

The Supreme Court case *Chy Lung v. Freeman* (1875) marks the beginning of the second wave of immigration federalism from 1875 to 1965. This wave of immigration highlighted the federal government’s complete control over immigration decisions. *Chy Lung v. Freeman* involved a California state law, which as amended, required “a bond for immigrating passengers who were convicted criminals or presumed prostitutes.”<sup>6</sup> This law was exclusively enacted to curb Chinese immigration into the state. In its decision, the Supreme Court struck down the law and argued that only the federal government should be making immigration entry and exit decisions: “The passage of laws which concern the admission of citizens and subjects of foreign nationals to our shores belongs to Congress, and not to the states.”<sup>7</sup> The Supreme Court also struck down many other state laws that involved the entry and exit of immigrants during this second wave of immigration federalism and consistently relied upon the discretion of the federal government to handle those decisions. In this wave of immigration, the distinction between immigration law and alienage law became very clear.

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<sup>4</sup> Gulasekaram, and Ramakrishnan, "Setting the Stage for the New Immigration Federalism," *The New Immigration Federalism*, 2015, 15.

<sup>5</sup> Ibid, 16.

<sup>6</sup> Abrams, *Polygamy, Prostitution and the Federalization of Immigration Law*, 105 Colum L. Review at 676-77.

<sup>7</sup> *Chy Lung*, 92 U.S 275.

Immigration law can be defined as regulations that determine entry and exit, similar to the law that was struck down in the *Chy Lung v. Freeman* case. Alienage law, however, involves rules that affect the general livelihood of immigrants already living in states and localities.<sup>8</sup> *Yick Wo v. Hopkins* (1886) was the first Supreme Court decision to rule on discrimination practices in alienage law. In this case, San Francisco had adopted an ordinance that regulated laundry services within the city. Although the law did not specifically mention the exclusion of Chinese immigrants within the text of the law, it had implications from previous versions that persuaded the court to strike the ordinance on the grounds that it was discriminatory.<sup>9</sup> The importance of this decision is clear; it illustrates the Court's understanding that the equal protection clause should be applied to cases of immigration, and it illustrated the difference between decisions about immigration law and alienage law. Gulasekaram and Ramakrishnan state, "when a state or local law looks like immigration law, it will most likely be struck down, when a state or local law looks like alienage law, it may or may not be struck down."<sup>10</sup>

Scholars argue that we are currently in the third wave of immigration federalism, as the cases of this time period directly involve state and local governments responding to immigration enforcement, which differs greatly from previous waves of immigration policy. In the Supreme Court case *De Canas v. Bica* (1976), which questioned a California Labor code that barred employers from hiring undocumented individuals, the Court ruled, "Power to regulate immigration is unquestionably exclusively a federal power."<sup>11</sup> Cristina Rodriguez, an expert in the field of immigration and enforcement, explains that immigration enforcement is a federal

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<sup>8</sup> Gulasekaram, and Ramakrishnan, "Setting the Stage for the New Immigration Federalism," *The New Immigration Federalism*, 2015, 25.

<sup>9</sup> Ibid, 30.

<sup>10</sup> Ibid, 31.

<sup>11</sup> Cristina Rodriguez, "The Significance of the Local in Immigration Regulation," *Michigan Law Review* 106 2008-2007.



power because Congress has the ability to control the entry and removal of immigrants, and the executive branch of government has the power to control enforcement “through an extensive federal bureaucracy.”<sup>12</sup> However, because immigration significantly affects localities throughout the nation, and because the federal government has not participated in immigration integration in the nation, control of immigration has inevitably become a federalism dilemma.

Several scholars illustrate why immigration enforcement has devolved to the state and local level. Although Supreme Court cases and several federal laws have mandated that the federal government controls immigration, enforcement is actually “vertically integrated” because states and localities play a large role in incorporating immigrations into their communities.<sup>13</sup> Furthermore, in recent years there has been a significant trend toward local immigration enforcement because the national government has been unable to keep up with the great influx of immigrants into the country.<sup>14</sup> According to data from the Pew Research Center, 43.1 million foreign-born individuals live in the United States. Seventy-five percent of these individuals are in the country legally and a quarter of them are undocumented.<sup>15</sup> Additionally, about 44 percent of the foreign-born population are naturalized citizens. The number of foreign-born individuals has nearly quadrupled since 1965 (although quite similar to the annual volume of immigrants in the early 1900’s), which clearly illustrates that immigration enforcement is a much heftier task than it once was. Consequentially, states have questioned whether or not the federal government is capable of this task. An individual in the House of Delegates in Virginia, unhappy with the federal government’s action in enforcement said, “We feel that the federal government has not

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<sup>12</sup> Cristina Rodriguez, “Enforcement, Integration, and the Future of Immigration Federalism.” *Journal on Migration and Human Security* 5, 2017, 513.

<sup>13</sup> Ibid.

<sup>14</sup> Monica W Varsanyi, “A Multilayered Jurisdictional Patchwork: Immigration Federalism in the United States,” 2011, 39.

<sup>15</sup> Gustavo López and Kristen Bialik, "Key Findings about U.S. Immigrants," Pew Research Center. May 03, 2017.

stepped up and accepted its responsibility for a federal issue ... [which] is unfortunate because what you end up with are laws in one state that don't conform to laws in other states.”<sup>16</sup>

Scholars of immigration like Rodriguez and Varsanyi argue that federal inaction in immigration enforcement has led to the state and local enforcement practices.<sup>17</sup> In fact, Rodriguez argues that not only does the inaction of the federal government cause state and local governments to enforce immigration on their own, but also it is “unsuitable for the federal government to be solely in charge.”<sup>18</sup> On the contrary, Gulasekaram and Ramakrishnan dispute these factors and argue ideology and polarized change has led to local enforcement practices within communities, which will be explained in depth later on. At the same time that states and localities began to feel the scale of post-1965 immigration, Congress passed several policies that offered sub federal jurisdictions greater opportunity to participate in immigration enforcement.

The devolution of immigration enforcement truly began in 1996, when Congress enacted both the Anti-Terrorism and Effective Death Penalty Act and Illegal Immigration Reform and Immigration Enforcement Act (IIRIA). The Anti-Terrorism and Effective Death Penalty Act allowed state and local officers to arrest previously deported immigrant felons, which was formerly only a job for ICE officers.<sup>19</sup> The IIRIA and the Immigration and Nationality Act created 287(g) agreements which gave state, and local enforcement agencies the ability to sign a Memorandum of Understanding (MOU) or a Memorandum of Agreement (MOA), which would allow the agencies to work closely with the federal government to enforce immigration, specifically to target unauthorized immigration. According to the 287(g) agreements, there is no

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<sup>16</sup> Rodriguez, “The Significance of the Local in Immigration Regulation,” *Michigan Law Review* 106, 2008-2007, 576.

<sup>17</sup> *Ibid*, 576.

<sup>18</sup> *Ibid*, 576.

<sup>19</sup> Abigail Williamson, *Welcoming New Americans? Local Governments and Immigrant Incorporation*. Chicago, IL: University of Chicago, 2018, 9.

requirement to participate or sign a MOA; it is simply an option for local governments to participate in enforcement. Interestingly, no local or state government signed MOA's and participated in the agreement until after September 11, 2001, which was five years after the act was passed.<sup>20</sup> After 9/11 occurred, some state and local agencies signed agreements, and by 2011 there were 71 agencies that had agreed to participate.<sup>21</sup> Because local enforcement often resulted in racial discrimination, under President Obama Immigration and Customs Enforcement (ICE) stopped considering 287(g) agreements and by the end of his presidency, there were only 32 left that were enforced.<sup>22</sup>

In addition to these 287(g) agreements, the federal government was continuing to think of ways to share information about suspected criminals among levels of government and among agencies. In 2008, the federal government implemented a new program called Secure Communities to continue giving local agencies a role in immigration enforcement. Secure Communities differs from the 287(g) requirements in several ways. The Secure Communities Program was not an optional program; instead it was mandated that local law enforcement agencies participate.<sup>23</sup> Under the Secure Communities Program, when law enforcement runs arrestees' information through FBI databases, that information is automatically shared with ICE.<sup>24</sup> If ICE identifies an unauthorized immigrant, it can issue a detainer to local law enforcement agencies asking the agency to hold suspects for an additional 48 hours after the original release date.

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<sup>20</sup> Varsanyi, "A Multilayered Jurisdictional Patchwork: Immigration Federalism in the United States," 2011, 139.

<sup>21</sup> *Ibid.*, 139.

<sup>22</sup> Williamson, *Welcoming New Americans? Local Governments and Immigrant Incorporation*. Chicago, IL: University of Chicago, 2018.

<sup>23</sup> *Ibid.*

<sup>24</sup> "Homeland Security Investigations," ICE, Accessed April 25, 2018, <https://www.ice.gov/hsi>.

These changes on the federal level in terms of immigration enforcement and information sharing prompted state and local governments to respond. However, in some situations, the relationships between local and federal governments fostered an environment in which agencies engaged in racial profiling and discrimination against minority groups. Through several different studies, scholars have found that when local police forces work together with federal immigration officers, there is likelihood that racial profiling can occur.<sup>25</sup> The National Immigration Law Center wrote a letter to the Obama Administration, encouraging it to end the 287(g) program as it incentivizes officers in localities to engage in racial profiling.<sup>26</sup> Furthermore, the Migration Policy Institute has found that half of detainers issued in places with 287(g) agreements involved the collection of noncitizens that were arrested for traffic violations or misdemeanors, and no violent acts.<sup>27</sup>

In her book, *Protect, Serve, and Deport*, Amada Armenta describes the inherently discriminatory practices she witnessed in Nashville, Tennessee from 2009-2010, partially due to the 287(g) agreements that allowed the city to enforce deportation policies.<sup>28</sup> Armenta conducted a two-year ethnographic study to discover how the Davidson County Sheriff's Office (DCSO) in Nashville enforced immigration following the adoption of 287(g) agreements from 2007 until 2012. In 2003, before 287(g) agreements were adopted, police officers in the metropolitan Nashville area made a little over 125,000 stops.<sup>29</sup> In 2007, the number of vehicle stops had doubled. Further, Armenta explained, "In 2007, only 8 percent of all traffic stops resulted in

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<sup>25</sup> Carrie L Arnold, "Racial profiling in immigration enforcement: State and Local Agreements to Enforce Federal Immigration Law." *Ariz. l. rev.* 49, 2007 113.

<sup>26</sup> Rodriguez, Chishti Muzaffar, Randy Capps, and Laura St John, "A Program in Flux: New Priorities and Implementation Challenges for 287 (g)," *Washington, DC: Migration Policy Institute*, 2010.

<sup>27</sup> Randy Capps, Marc R, Rosenblum, Muzaffar Chishti, and Cristina Rodríguez, "Delegation and Divergence: 287(g) State and Local Immigration Enforcement," *Migrationpolicy.org*. August 12, 2015.

<sup>28</sup> Amada Armenta, *Protect, serve, and deport: The rise of policing as immigration enforcement*, University of California Press, 2017, 11.

<sup>29</sup> *Ibid*, 59.

arrests; however, stops made on Latino drivers led to arrests 29 percent of the time.”<sup>30</sup> This clearly shows the inequalities in traffic stops that Latinos experience because of their ethnicity. Further studies demonstrate that Nashville is *not* an anomaly. In a study of North Carolina in 2008, 83% of individuals detained through the 287(g) program were charged only for traffic violations.<sup>31</sup>

Furthermore, in Maricopa County, Arizona, more than 2,200 lawsuits have been filed against local leaders for unreasonable enforcement of 287(g) agreements within the community.<sup>32</sup> The county, with Joe Arpaio as Sheriff, engaged in extensive racial profiling procedures and, in 2008, the county was subject to a three year investigation concluding that “the Maricopa County Sheriff’s Office “engage[d] in a pattern or practice of unconstitutional policing and engaged in racial profiling of Latinos; [and] unlawfully stops, detains and arrests Latinos.”<sup>33</sup> Despite the potential that their actions could be unlawful, Maricopa County continued pursuing harsh profiling and immigration and enforcement practices.

In 2010 the Arizona state legislature enacted SB 1070 or the “show me your papers law,” which supported the aggressive enforcement of the county. However, before this bill could go into effect, the United States brought Arizona to court arguing that this legislation impeded the federal government’s ability to control immigration. The Supreme Court did strike a majority of the principles in SB 1070, maintaining that this bill, and others alike, were unconstitutional.

In order to understand which cities actively participate in programs like Secure Communities and which communities merely go along with or resist the policies, Abigail

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<sup>30</sup> Kate Howard, “Metro Traffic Stops Lead to Most Deportations,” *Tennessean*, April 28, 2008.

<sup>31</sup> A. Elena Lacayo, and NCLR, “The Impact of Section 287(g) of the Immigration and Nationality Act on the Latino Community,” August 12, 2010, 8.

<sup>32</sup> *Ibid*, 8.

<sup>33</sup> Letter from Assistant Attorney General Thomas E. Perez to Maricopa County Attorney Bill Montgomery, December 15, 2011.

Williamson conducted a survey of a stratified random sample of local municipalities around the country in 2016. In this survey Williamson found that among “police departments that operate jails and are involved with booking prisoners, nearly three-quarters (74%) reported merely complying with Secure Communities.”<sup>34</sup> Additionally, nine percent of cities reported that they engage in policies that “encourage active participation in Secure Communities and 16 percent have implemented some sort of anti-detainer policy.”<sup>35</sup> An anti-detainer policy specifies that at least under some circumstances, local law enforcement will not comply with ICE detainers.

According to *Galarza v. Szalczynk* (2013), state and local governments are not required to hold suspect unauthorized individuals for ICE.<sup>36</sup> Similarly, the Department of Homeland Security also has interpreted these detainers as a request and not a mandatory commitment. The data above show that there were localities that were actively engaging with Secure Communities and ones that were actively disengaging; however, the majority of localities were simply “going along” with the order.

### *State and Local Initiatives*

Aside from Secure Communities, the data also show that some state and local agencies adopted legislation and ordinances on their own, either to restrict or accommodate immigration.<sup>37</sup> For example, in 1994 state residents of California issued a ballot initiative, called Proposition 187, which called for the denial of social and health services for undocumented individuals in the state.<sup>38</sup> Supporters of this proposition called it the “Save our State Initiative” as many constituents felt that California was spending too many resources on noncitizens and

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<sup>34</sup> Williamson, *Welcoming New Americans? Local Governments and Immigrant Incorporation*. Chicago, IL: University of Chicago, 2018, 80.

<sup>35</sup> *Ibid*, 80.

<sup>36</sup> "Sanctuary Cities and Immigration Detainers: A Primer," Bipartisan Policy Center. September 28, 2017.

<sup>37</sup> Varsanyi, "A Multilayered Jurisdictional Patchwork: Immigration Federalism in the United States," 2011.

<sup>38</sup> R. Michael Alvarez, and Tara L. Butterfield, "The Resurgence of Nativism in California? The Case of Proposition 187 and Illegal Immigration," *Social Science Quarterly* 81, no. 1, 2000, 168.

undocumented individuals. Ultimately, the federal district court overturned Proposition 187 on the grounds that no child would be denied privileges in the state of California, and that the state should not be in charge of enforcing immigration.<sup>39</sup>

Gulasekaram and Ramakrishnan explain that starting in 2005, there was a significant increase in the amount of immigration enforcement policies and practices being implemented. In 2005, three hundred immigration policy laws were proposed at the municipal level and 39 laws were passed into law.<sup>40</sup> By 2011, 92 restrictionary ordinances or laws had been passed, were pending, or were tabled at the municipal level.<sup>41</sup> Between 2005 and 2012, advocates of restriction at the national level made their case at the local level and the majority of the initiatives passed were restrictive.

In addition to the larger cities that were enforcing immigration, smaller and less urban cities began to do the same. Hazleton, Pennsylvania, and several other local communities, passed what are called "Illegal Immigration Relief Acts." Karla Mari McKanders states in her book that Hazleton, PA enacted three different ordinances in order to curb immigration within the city; "The first ordinance fines landlords who rent to illegal immigrants; the second ordinance suspends the licenses of businesses that employ undocumented workers; and the third ordinance makes English the city's official language."<sup>42</sup> Before these ordinances could actually go into effect, they were immediately challenged at the U.S District Court. In 2007, a federal judge struck down the ordinances in Hazleton because they conflicted with the supremacy clause that gives the federal government power to enforce immigration. Despite the fact that Hazleton was

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<sup>39</sup> "CA's Anti-Immigrant Proposition 187 Is Voided, Ending State's Five-Year Battle with ACLU, Rights Groups." American Civil Liberties Union. 1999.

<sup>40</sup> Gulasekaram, and Ramakrishnan, "Setting the Stage for the New Immigration Federalism," *The New Immigration Federalism*, 2015, 60.

<sup>41</sup> *Ibid*, 78.

<sup>42</sup> Karla Mari McKanders, "Welcome to Hazleton-Illegal Immigrants Beware: Local Immigration Ordinances and What the Federal Government Must Do about It," *Loy. U. Chi., LJ* 39, 2007-2008, 3.

immediately barred from implementing this policy, several other localities around the United States copied Hazleton and implemented their own similar acts. According to the Migration Policy Institute, “estimates suggest that between July 2006 and July 2007, U.S. towns and counties actively considered 118 immigration enforcement proposals. And between 2000 and 2010, 107 U.S. towns, cities, and counties had approved local immigration enforcement ordinances.”<sup>43</sup>

Although some local agencies did engage actively in federal enforcement programs or pass their own restrictive ordinances, many also felt that local restriction was inhibiting law enforcement from working on community policing and building trust within the locales. Moreover, the tide of state and local immigration regulation turned in 2012 after the Supreme Court struck down Arizona’s SB1070 and subsequently when hopes for federal immigration reform faded. Following these events, advocates of expansionary immigration policies began to push their cause at the local and state level, resulting in a majority of policies that became more accommodating.<sup>44</sup>

These accommodating measures vary state-to-state and locality-to-locality and several practices will be explained below. According to the Catholic Legal Immigration Network, from 2010 to 2014, “29 cities and 264 counties passed anti-detainer ordinances indicating the localities’ intention not to honor ICE detainers.”<sup>45</sup> This is one example of how local agencies are resisting the federal government’s interest in enforcing immigration; however, there are several other ways in which law enforcement agencies are supporting their immigrant populations. In

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<sup>43</sup> Muzaffar Chishti, and Claire Bergeron, "Hazleton Immigration Ordinance That Began with a Bang Goes Out with a Whimper," Migrationpolicy.org, March 02, 2017.

<sup>44</sup> Gulasekaram and Ramakrishnan, "Setting the Stage for the New Immigration Federalism," *The New Immigration Federalism*, 2015, 78.

<sup>45</sup> Williamson, *Welcoming New Americans? Local Governments and Immigrant Incorporation*, Chicago, IL: University of Chicago, 2018, 10.



Williamson's survey to municipalities, 12 percent of towns reported following sanctuary or "don't ask don't tell policies."<sup>46</sup> A sanctuary city limits the amount of federal immigration enforcement allowed within the city. For example, New Haven, Connecticut is a very progressive city in terms of immigration and has declared sanctuary status in addition to providing municipal ID's to all residents in the city, despite their status in the United States. In cities such as New Haven, law enforcement officials are not allowed to ask about status, and individuals are able to show their Municipal ID like any other identification card.<sup>47</sup>

### *Theories of Local Response*

Several different theories exist to explain why some municipalities respond restrictively, while others choose to accommodate immigrants or remain inactive. Daniel Hopkins developed the *politicized place hypothesis* which argues that immigrants can face aggression and hostility from their local communities during times when the demography of communities change quickly and when the "salient national rhetoric politicizes immigration."<sup>48</sup> According to research by Hopkins, he found that respondents in districts with rapidly changing immigrant populations were 18 percent more likely to restrict immigration than districts with little to no change in immigration population.<sup>49</sup> According to Hopkins' theory, it is the change in diversity and not the level of diversity that can promote conflict.<sup>50</sup> Hopkins argues that increasing ethnic diversity will lead to political hostility within a community because of the perceived threat of immigrants, but

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<sup>46</sup> Ibid, 122.

<sup>47</sup> "Elm City Resident Card," The Official Website of the City of New Haven, 2018.

<sup>48</sup> Daniel J Hopkins, "Politicized Places: Explaining Where and When Immigrants Provoke Local Opposition," *American Political Science Review* 104, no. 01, 2010, 40.

<sup>49</sup> Ibid, 41.

<sup>50</sup> Hopkins, "Politicized Places: Explaining Where and When Immigrants Provoke Local Opposition," *American Political Science Review* 104, no. 01, 2010, 42.

also because national rhetoric mobilizes feelings of threat locally. Hopkins is clear that national politics play a large role in determining the opinions of immigration in local communities, especially when immigration is a nationally salient topic.<sup>51</sup>

Other immigration experts, however, disagree with Hopkins' analysis and conclusions that national rhetoric coupled with immigration population changes have contributed to restrictive policies. Gulasekaram and Ramakrishnan instead believe that ideology and political partisanship are the salient predictors of "subnational immigration law." Specifically, Gulasekaram and Ramakrishnan argue that local governments in Republican majority districts are more likely to engage in restrictive policy.<sup>52</sup> Six Californian cities (Apply Valley, Costa Mesa, Escondido, Lancaster, Santa Clarita, and Vista) passed restrictive policies in 2006 and 2007, however these six cities were *not* similar in demographics and did not share the recent trend of large-scale immigration into the cities.<sup>53</sup> Instead, as Gulasekaram and Ramakrishnan point out, all six cities leaned very right in their politics and ideology, an observation confirmed in additional nationwide analysis. In fact, in their research, the scholars found that Republican districts were "2.5 times more likely to propose restrictive ordinances and four times more likely to have passed such ordinances as compared to Democratic areas."<sup>54</sup> Gulasekaram and Ramakrishnan are very firm in their belief that changes in demographics do not lead communities to adopt restrictive policies because thousands of localities around the U.S have experienced demographic changes in the last several years and only a very small proportion of

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<sup>51</sup> Ibid, 44.

<sup>52</sup> Gulasekaram and Ramakrishnan, "Setting the Stage for the New Immigration Federalism," *The New Immigration Federalism*, 2015, 82.

<sup>53</sup> Ibid, 82.

<sup>54</sup> Ibid, 83.

them have enacted restrictive policies.<sup>55</sup> Rather, they argue that national issue entrepreneurs have identified Republican-leaning places to introduce restrictive ordinances.

While some scholars identify demographic or partisan motivations for local leaders to restrict immigrant residents, other scholars argue that local officials are motivated to accommodate by the responsibilities of their position. Lewis and Ramakrishnan concluded that generally, local bureaucrats, including police officers, have taken the lead in supporting their immigrant populations ahead of elected officials. Lewis and Ramakrishnan argue in their work, “Among municipal services, policing is perhaps the most visible function and can touch the lives of immigrants and other residents in a very direct way.”<sup>56</sup> Police officers hold a special role in society; their job is to maintain law and order within communities while also establishing trust so that they are able to deter and prevent crime. Research by Lewis and Ramakrishnan shows that police are able to integrate immigrants into society because of their roles as street level bureaucrats.

Interestingly, there is not much known about the process of integrating immigrants into communities. This is an important concept to understand and study because it will show how immigrants become a part of a community, or are left out, and how the rest of the community may view them. There are two theories on incorporation that are essential to the topic at hand. The traditional way of thinking about integration into society is through political incorporation. Political incorporation can be described as “incorporation of new groups into city electoral politics.”<sup>57</sup> Those who believe in political incorporation argue that this will happen before any

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<sup>55</sup>Gulasekaram, and Ramakrishnan, "Setting the Stage for the New Immigration Federalism," *The New Immigration Federalism*, 2015, 85.

<sup>56</sup> Paul G Lewis, and S. Karthick Ramakrishnan, “Police Practices in Immigrant-Destination Cities: Political Control or Bureaucratic Professionalism?,” *Urban Affairs Review* 42, no. 6, July 1, 2007, 876.

<sup>57</sup> Lewis and Ramakrishnan, “Police Practices in Immigrant-Destination Cities: Political Control or Bureaucratic Professionalism?,” *Urban Affairs Review* 42, no. 6, July 1, 2007, 878.

incorporation from bureaucrats into the city. However, as many recent immigrants in the United States lack the proper documents to vote, the desire of electoral officials to make decisions on their behalf is limited. In his 2004 work, Michael Jones Correa coined the phrase ‘bureaucratic incorporation’ in his study of schools and the ability of teachers to integrate students and families better into society than elected officials. Lewis and Ramakrishnan took their study further and applied it to police officer bureaucrats instead.

Lewis and Ramakrishnan found overwhelming evidence in their study of California immigrant destination cities, that police were more familiar with immigrant policies in their communities than the elected officials.<sup>58</sup> Police agencies were also much more likely to be diverse in ethnicity, and better represented the population they were serving, while elected officials and city council members tended to be all white.<sup>59</sup> Furthermore, in regards to the unauthorized population in the local communities that were studied, 74 percent of elected officials did not know whether or not police agencies in their districts reported information to the federal government.<sup>60</sup>

In Williamson’s book, *Welcoming New Americans? Local Governments and Immigration Incorporation*, she similarly found that the role of officials in communities affect how they plan to incorporate immigrants, though she argues that local elected officials are also predisposed to accommodate immigrants.<sup>61</sup> Williamson argues that not all officials are going to support immigrants; however, local elected officials and bureaucratic officials are likely to do so because a combination of federal policies and local fiscal needs leads these officials to see

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<sup>58</sup> Ibid, 887.

<sup>59</sup> Ibid, 887.

<sup>60</sup> Ibid, 887.

<sup>61</sup> Williamson, *Welcoming New Americans? Local Governments and Immigrant Incorporation*. Chicago, IL: University of Chicago, 2018, 147.

immigrants as clients, contributors, and a group worthy of local protection.<sup>62</sup> This will be an important element in this thesis, as I pursue a case study on police officers in local communities, who are bureaucratic officials.

### *General Theories of Police Response and Decision Making*

When studying sub federal enforcement, the ways in which police departments across the United States interact with their constituents is highly important. This section will describe the different theories of police response and decision making, and how police responses have changed over time and through different contexts. Throughout history, policing strategies have changed quite significantly in procedure and tactic. These changes can help explain how police officers interact with immigrants in their local communities. Up until the 1960's the majority of police officers used the standard policing model, which focused on preventative control, deterrence practices, and "rapid response to calls for service."<sup>63</sup> The standard policing model was supposed to deter crime in cities and localities; however, during the 1960's and until the 1980's, the United States experienced a high crime rate and policy researchers questioned the effectiveness of the standard model approach.

The 1960's also marked the beginning of the Civil Rights Movement and African Americans expressed distrust in police officers and experienced discrimination from the police force. During this time period, police officers became militant, especially in southern states to curb the protests of black individuals and supporters of the Civil Rights Movement.<sup>64</sup> This confrontational approach to policing failed departments across the United States because

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<sup>62</sup> Ibid, 148.

<sup>63</sup> David Weisburd, L., and John Eck, "What Can Police Do To Reduce Crime, Disorder, and Fear?" *The Annals of the American Academy of Political and Social Science*, 593: 42-65, 2004, 44.

<sup>64</sup> "The Oxford Handbook of Police and Policing," April 1, 2014.

community members stopped trusting the police and felt as if the police department did not support them. Because of this, the police looked toward a different type of reform to improve their legitimacy and trust within communities.

In response, three types of policing models developed after the 1960's to improve policing tactics. First, police departments responded to the dissatisfaction with standard policing by implementing a new style of policing, usually referred to as community policing. Community policing is a practice that emphasizes problem solving and strives to be proactive in fighting crime in communities. This style of policing aimed to integrate police into the communities they were protecting. The idea of community policing in the United States was so appealing that in 1994, Congress adopted Title 1 of the Violent Crime Control and Law Enforcement Act, and allocated 8.8 billion dollars to state and local police agencies around the United States to implement community-policing practices.<sup>65</sup> Community policing concentrated on preventing crime and increasing the visibility of the police within communities. According to Eck and Rosenbaum, "community policing promises to change radically the relationship between the police and the public, address underlying community problems, and improve the living conditions of neighborhoods."<sup>66</sup> The community-policing model sparked the trend toward community integration and "solving [broad] community crime and disorder problems."<sup>67</sup>

The second form of policing that Greene mentions is problem-oriented policing, which builds off of the community policing idea but focuses specifically on addressing problems within a community and being more cautious about intervention methods.<sup>68</sup> Problem-oriented policing relies on a focused analysis of policing to better understand the situation in certain communities.

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<sup>65</sup> Ibid.

<sup>66</sup> Rosenbaum et al, *The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing*, 1994, 3.

<sup>67</sup> H Goldstein, *Problem Oriented Policing*, New York: McGraw-Hill, <sup>1990</sup><sub>SEP</sub>.

<sup>68</sup> Jack R Greene, "Community policing in America: Changing the nature, structure, and function of the police," *Criminal justice* 3, no. 3, 2000, 315.

The third style of policing that Greene mentions is called zero-tolerance policing. There are varying opinions on how this type of policing emerged; some scholars believe that zero-tolerance policing was born from a misrepresentation of problem-oriented policing<sup>69</sup> and others believe that zero-tolerance policing directly relates to the problems found in problem-oriented policing.<sup>70</sup> William Bratton, a former New York City Police Commissioner, clearly describes the motives behind zero-tolerance policing:

“Reduce disorder and you WILL reduce crime. The strategy is sending a strong message to those who commit minor crimes that they will be held responsible for their acts. The message goes like this: behave in public spaces, or the police will take action. Police will also check you out to make sure that you are not creating chronic problems or wanted for some other more serious offense. Police will also question you about what you know about other neighborhood crime.”<sup>71</sup>

This zero-tolerance police model (also referred to as the “broken windows” model) can be seen as addressing specific problems in communities, or it can be seen as a backtrack to the standard policing model, where police officers are focused on deterrence of crime and “maintaining order in aggressive ways.”<sup>72</sup>

In recent years, police have struggled to balance their roles of maintaining law and order, and establishing trust with their communities, particularly in view of their increasing role in immigration enforcement. Police officers have struggled to establish a trusting community where members feel comfortable speaking and interacting with the police. As Tom Manger, Chief of Police for Montgomery County and President of the Major Cities Chiefs Association, said,

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<sup>69</sup> David Rosenbaum, A.J. Lurigio, and R.C. Davis, *The Prevention of Crime: Social and Situational Strategies*. Belmont, California: West/Wadsworth Publishing Company, 1998, 192–194.

<sup>70</sup> *Ibid*, 192–194.

<sup>71</sup> Kelling, G.L., and C.M. Coles, *Fixing Broken Windows*, New York: Free Press, 1996.

<sup>72</sup> *Ibid*.

"To do our job we must have the trust and respect of the communities we serve. We fail if the public fears their police and will not come forward when we need them. Whether we seek to stop child predators, drug dealers, rapists or robbers—we need the full cooperation of victims and witness. Cooperation is not forthcoming from persons who see their police as immigration agents. When immigrants come to view their local police and sheriffs with distrust because they fear deportation, it creates conditions that encourage criminals to prey upon victims and witnesses alike."<sup>73</sup>

With the emergence of ICE officials deporting unauthorized immigrants in local communities, it is extremely difficult for police officers to maintain healthy relationships with their immigrant communities, thus making community policing even more integral to protect immigrant populations. Examples of community policing to better support immigrants include hiring bilingual police officers, patrolling neighborhoods on foot and bike, holding public hearings on topics of community concern, regularly visiting schools, churches, and neighborhood organizations, and more.<sup>74</sup> Unfortunately, community-policing tactics are in direct conflict with the emergence of local governments acting as immigration enforcers. Immigrants in localities are unable to discern the difference between police officers interested in their well-being, and police officers that are looking to deport unauthorized individuals. Angela Garcia and David Keys explain that immigrants react to threats by the police and disappear from plain view, which makes policing a community difficult and unsafe.<sup>75</sup> Because of this, police departments tend to remain out of the spotlight when deciding how to interact with immigrants, especially unauthorized persons. Provine et al. found in their research that during the period that Secure Communities was being implemented, fewer than half of police departments in localities around

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<sup>73</sup> "Understanding Trust Acts, Community Policing, and "Sanctuary Cities," American Immigration Council, February 23, 2017.

<sup>74</sup> Oversight of the Administration's Misdirected Immigration Enforcement Policies: Examining the Impact on Public Safety and Honoring the Victims, 2015 Congress Session, 1-5, (Statement of Tom Manger, Chief of Police, President of the Major Cities Chiefs Association).

<sup>75</sup> Angela S. Garcia and David G. Keyes, *Life as an Undocumented Immigrant: How Restrictive Local Immigration Policies Affect Dailey Life*, Washington, DC: Center for American Progress, 2012.



the nation had adopted any rule or clarification for how to handle the unauthorized population. Without a clear written policy on how officers should treat and interact with unauthorized individuals, officers are more likely to engage in varying types of conduct and this allows for variation in enforcement of immigration and treatment of immigrants.<sup>76</sup>

### *Policy and Rhetoric Changes Under President Trump*

As the preceding examples demonstrate, scholars have long examined the role of federal policies in shaping local responses to immigrants and how it has evolved in response to various trends at the national level over time. Given the strong influence of federal policies and rhetoric on the local level, the 2016 election of President Trump seems likely to shake up responses to immigrants at the local level. Since his inauguration on January 20th, 2017, President Donald Trump has issued several Executive Orders related to immigration policies in the United States, which have direct implications for local law enforcement officials. Moreover, President Trump has been an outspoken critic of immigrants, making frequent provocative statements.

Within the first five days of his administration, President Trump issued Executive Order 13768: Enhancing Public Safety in the Interior of the United States, which basically rescinded all enforcement changes that former President Obama made in his Executive Orders. Instead of only focusing on ‘priority one’ deportations, which include persons engaged in terrorism, gang members, persons apprehended at the border for unlawful entry, and persons convicted of felonies, President Trump’s Executive Order made the priorities for deportation significantly more broad. For example, in the Executive Order it states that persons can be removed if they

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<sup>76</sup> Doris Marie Provine, Monica Varsanyi, Paul George Lewis, and Scott H. Decker, *Policing Immigrants: Local Law Enforcement on the Front Lines*, Chicago: The University of Chicago Press, 2016, 104.

have been charged or convicted for “any criminal offense.”<sup>77</sup> Additionally in this Executive Order, the President decided to hire 10,000 more ICE officials to enforce immigration within the United States. And most importantly, the 287(g) agreements that ICE stopped considering years ago have been reimplemented through the Executive Order. There is a clear policy change toward harsher enforcement of immigration in the United States that has continued throughout his administration.

In contrast, during President Obama’s administration, out of the 11 million estimated unauthorized immigrants within the United States, only 13 percent were considered a priority for deportation due to a criminal conviction, a recent removal order, or an illegal reentry.<sup>78</sup> As a result, the Pew Research Center conducted a survey of likely unauthorized immigrants, where 55 percent said they had serious concerns about their place in the country after President Trump’s election.<sup>79</sup> Although former President Obama was referred to by some advocacy groups as the “Deporter-in-Chief” because many immigrants were deported under his administration, Trump’s language and actions thus far have suggested that the political environment will be more hostile toward immigrants. The *New York Times* cited that more than 65,000 immigrants were arrested in President Trump’s first six months in office, a 40 percent increase in arrests over the same period of time from the previous year.<sup>80</sup>

The Executive Orders and speeches that President Trump has given about immigration into the U.S are widely shared in the news; however, Trump’s policy changes have continued into his administration and manifested in many different ways.

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<sup>77</sup> Sarah Pierce, and Randy Capps, "Trump Executive Order and DHS Guidance on Interior Enforcement: A Brief Review," Migration Policy Institute, February 2017.

<sup>78</sup> "The Trump Administration at Six Months: A Sea Change in Immigration Enforcement," Migrationpolicy.org, August 18, 2017.

<sup>79</sup> Latinos and the New Trump Administration," Pew Research Center's Hispanic Trends Project, February 23, 2017.

<sup>80</sup> Jennifer Medina, and Miriam Jordan, "A Broader Sweep," The New York Times, July 21, 2017

In addition to the Executive Orders, on February 21, 2017, Trump announced the creation of 15,000 jobs for immigration enforcement along the border. In his effort to build a wall and control the border, President Trump created jobs and sent thousands of officers to the southern border to keep protecting it and limiting immigration entry.<sup>81</sup> He then signed a memorandum to increase immigration enforcement within the United States on March 6, 2017.<sup>82</sup> The changes further continued in August of 2017, when Trump introduced the Raise Act into Congress, which would replace the current immigration process with a skill-based immigration system. This new system will instead favor individuals looking to come to the U.S that have a specific skill to offer the U.S.<sup>83</sup> Just a couple of weeks later at the end of August 2017, Trump made another anti-immigrant statement when he pardoned Joe Arpaio, a Sheriff from Maricopa County, Arizona that is known for being incredibly restrictive against immigration in his community. He was found guilty in a criminal conviction after holding a Mexican man (with a valid visa) in detention for 9 hours.<sup>84</sup>

In September 2017, days after President Trump pardoned Arpaio, Trump then made the substantial decision to announce his plan to rescind DACA, a program that protects unauthorized young individuals who were born in the United States out of no fault of their own. Although President Trump later began to second guess this decision, it still illustrates the overwhelming change in rhetoric between the two most recent presidencies. In addition, in January 2018, President Trump rang in the new year by exclaiming, "Why are we having all these people from shithole countries come here?" in a discussion concerning the protection of immigrants from

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<sup>81</sup> Paul McGeough, "Donald Trump to Form New Deportation Army but Claims There Will Be No Mass Round-ups," The Sydney Morning Herald, February 22, 2017.

<sup>82</sup> "Memorandum for the Secretary of State, the Attorney General, the Secretary of Homeland Security," The White House, March 6, 2016.

<sup>83</sup> Brittany De Lea, "Trump Unveils Bill to Transform Legal Immigration System," Fox Business, August 02, 2017.

<sup>84</sup> Tom Jackman, "How Ex-sheriff Joe Arpaio Wound up Facing Jail Time before Trump Pardoned Him," The Washington Post, August 25, 2017.

Haiti, El Salvador, and African countries.<sup>85</sup> And finally, in April of 2018, Trump signed a proclamation asking the National Guard to deploy members to the U.S and Mexico Border in an effort to continue to cut down on illegal immigration into the country.<sup>86</sup>

Although the timeline above is not all encompassing, it illustrates President Trump's ongoing restrictive rhetoric and policies toward immigration. President Trump and his administration have set the tone regarding immigration, and as part of this thesis, I was interested in learning how local governments across the United States are responding.

The previous literature suggests that federal policies will strongly shape local responses. Dan Hopkins' findings suggest that national rhetoric can mobilize local restriction. Therefore, we can hypothesize that President Trump's policy and rhetoric changes may mobilize restriction on the local level. At the same time, advocacy groups have proved their ability to push accommodating policies on the local and state level in the face of challenges at the local level. And, some scholars argue on that on the whole, local officials, especially bureaucrats like police officers, will be predisposed to respond positively toward immigrants. Given these cross-cutting predictions, how will local officials respond to President Trump's influence?

### *Outline of Thesis By Chapter*

To address these questions, I conduct two types of analysis. In chapter 1, I ask whether sanctuary cities will change their responses to immigrants following pressure from the Trump

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<sup>85</sup>Josh Dawsey, "Trump Derides Protections for Immigrants from 'shithole' Countries," The Washington Post, January 12, 2018.

<sup>86</sup>Greg Myre, "President Trump Signs Proclamation to Send National Guard Troops to Mexican Border," NPR, April 04, 2018.

Administration. For this analysis, I use Professor Williamson's data on cities across the United States. To examine this question, we gathered a comprehensive list of cities with sanctuary-style policies and determined how these policies had changed in response to Trump's actions through systematic coding of media accounts. I find that many cities have enacted sanctuary city policies after Trump was elected as President, which illustrates a city's accommodating nature.

Furthermore, only two cities out of my data set rescinded sanctuary policies. Lastly, I find there are many different policy initiatives that cities can implement that demonstrate an accommodating nature. As will be explained, there is no one definition of a sanctuary city, which allows cities to choose the type of initiatives they want to pursue.

Second, I conduct a comparative case study of law enforcement responses to immigrants in six cities—three in New Hampshire and three in Connecticut. In Chapter 2, I discuss the demographic and political similarities and differences between each state. I examine how police officers specifically are responding to the immigration enforcement changes in Danbury, Hartford, and Norwalk, Connecticut and Manchester, Concord, and Nashua, New Hampshire. Connecticut and New Hampshire have many similarities because they are both small, New England states, however, they vary widely with their immigration stances and policies. I also describe the immigration history in each city in the case study, to provide a substantive background on policy and rhetoric within the localities. In Chapter 3, I discuss my interview technique. I was able to talk to eleven different officers with varying statuses in their police departments. In this section I find that police departments across the two states have not experienced any formal changes in policy in their departments' response to immigration enforcement. I also find that none of the cities I interviewed ask their community members about status when talking to them in public. The only changes that have been noticeable on the local

level thus far, have been actions taken by the police force to go into their community and explain changes in policy to the immigrant community members to calm their nerves about their status. This information will be explained in depth in Chapter 3, along with several tables and charts that illustrate the findings.

## Chapter One: Sanctuary City History and Analysis

In a weekly address in March of 2018, President Trump exclaimed to the public, “Lawless sanctuary jurisdictions are nullifying federal law, obstructing immigration enforcement, and releasing thousands of criminal aliens into U.S. communities to prey on innocent victims. It’s absolutely terrible.”<sup>87</sup> In the most recent election, sanctuary policies and immigration enforcement have been a significant topic of interest. This chapter will discuss the history of sanctuary cities prior to the new administration, as well as policy changes during the Trump Era. Drawing on an original database, it then examines current sanctuary cities in the United States, when these policies were enacted, and what initiatives are included in these policies. I find that many local sanctuary policies were enacted after Trump began his anti-immigrant campaign, illustrating that localities around the United States are continuing to accommodate immigrants despite the strong push from the federal government not to do so. In this section it will be clear that there is not one singular and formal definition of a sanctuary city; there are varying policies that a city can pursue to consider itself a sanctuary city. In this analysis I investigate cities that have implemented practices in which they avoid cooperating in federal immigration enforcement.

### *History of the Term ‘Sanctuary’*

The term ‘sanctuary’ or ‘city of refuge’ actually dates back to biblical times when cities became refuges for fugitives who were otherwise going to be killed. This idea of refuge continued into the Middle Ages, when seeking asylum in a church was permissible for fugitives.

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<sup>87</sup> UPI Staff, "Watch: Trump Speaks about Sanctuary Cities during Weekly Address," UPI, March 10, 2018.

The Underground Railroad is yet another example of refuge and sanctuary, as the railroad provided African Americans escaping from slavery with a safe location to stay until they made it to the North.<sup>88</sup> These historical examples of refuges illustrate that sanctuaries have been a constant throughout history. While these historical sanctuaries differ greatly from the immigration sanctuary cities we see now in the 21<sup>st</sup> century, they nonetheless reveal that sanctuaries are not a new phenomenon.

The first sanctuary city movement regarding immigrants and refugees in the United States began in the 1980's, as many Central Americans fled their country because of violence and persecution and came to the United States.<sup>89</sup> This movement began in churches specifically in Tucson, Arizona where clergy gave Guatemalans and Salvadorans fleeing civil conflicts in their countries sanctuary because they were at risk of being detained by what was then the Immigration and Naturalization Service (INS).<sup>90</sup> Jim Corbett, a Quaker, and John Fife, a Presbyterian minister, were the first organizers of sanctuary for these refugees. As their movement grew, INS became aware and, in March 1982, threatened both Corbett and Fife for "illegally escorting undocumented Salvadoran refugees into the U.S."<sup>91</sup> Surprisingly, these threats played in favor of the sanctuary movement, as other activists and churches began to go public with their interest in becoming sanctuaries for Central American refugees.<sup>92</sup> To better organize the movement, the newly founded Task Force for Central America: Tucson Ecumenical Council, worked to spread the word to churches throughout the country.<sup>93</sup> By 1983, 45 churches

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<sup>88</sup> Elizabeth Allen, "Why Sanctuary Cities Must Exist," *Los Angeles Times*, September 17, 2015.

<sup>89</sup> Bill Ong Hing, "Immigration Sanctuary Policies: Constitutional and Representative of Good Policing and Good Public Policy," *UC Irvine L. Rev.* 2. 2012, 252.

<sup>90</sup> Susan Bibler Coutin, "The Culture of Protest: Religious Activism and the US Sanctuary Movement." 1991, 3.

<sup>91</sup> Norma Stoltz Chinchilla, Nora Hamilton, and James Loucky, "The Sanctuary Movement and Central American Activism in Los Angeles," *Latin American Perspectives* 36, no. 6 (2009), 105.

<sup>92</sup> *Ibid*, 105.

<sup>93</sup> Marshall Meyer, "Task Force for Central America - The Tucson Ecumenical Council / Marshall T. Meyer Papers / Duke Digital Repository," Duke Digital Collections, August 24, 1984.



and synagogues throughout the country announced publicly that they were sanctuaries for Central Americans and 600 secondary sanctuary groups endorsed support.<sup>94</sup> A year later in 1984, 150 churches were sanctuaries and 18 religious denominations and commissions had endorsed the movement.

Although the movement was making great progress, INS began to notice this progress and took action by arresting leaders of the sanctuary movement. In 1985, the United States Justice Department announced the indictment of 16 sanctuary organizers in Arizona, including both Corbett and Fife.<sup>95</sup> The media coverage of the indictments was significant, which further increased participation in the sanctuary movement.

In addition to the religious sanctuaries, colleges and universities, especially in California began declaring sanctuary status, and by the end of 1985, ten campuses in California declared support.<sup>96</sup> Furthermore, in 1985, Dianne Feinstein, who was Mayor of San Francisco, signed legislation that declared San Francisco a sanctuary city for immigrants seeking refuge from El Salvador and Guatemala.<sup>97</sup> This legislation was created by the San Francisco Board of Supervisors and supported by Protestant, Roman Catholic, and Jewish activist groups.<sup>98</sup>

In 1989, the movement further progressed, as the city passed a “City and County of Refuge” Ordinance, which extended the previous legislation to encompass all immigrants instead of only those from Guatemala and El Salvador. This ordinance states, “No department, agency, commission, officer, or employee of the City and County of San Francisco shall use any City funds or resources to assist in the enforcement of Federal immigration law or to gather or

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<sup>94</sup>Chinchilla et al., "The Sanctuary Movement and Central American Activism in Los Angeles," *Latin American Perspectives* 36, no. 6 (2009), 106.

<sup>95</sup>Coutin, "The Culture of Protest: Religious Activism and the US Sanctuary Movement." 1991, 35.

<sup>96</sup>Chinchilla et al., "The Sanctuary Movement and Central American Activism in Los Angeles," *Latin American Perspectives* 36, no. 6 2009, 115.

<sup>97</sup>S.F.'s Sanctuary City Story So Far," SFGate. August 31, 2008.

<sup>98</sup>Robert Lindsey, "Aid to Aliens said to Spur Illegal Immigration," *The New York Times*, December 23, 1985.

disseminate information regarding release status of individuals or any other such personal information...”<sup>99</sup> The Supervisors behind the legislation argued that this is a human rights issue, and San Francisco was obligated to help immigrants within their communities, or they could end up being murdered when they return to their home countries. It was estimated that 80,000 Guatemalans and Salvadorans lived in San Francisco during this time.<sup>100</sup> The organizers of this legislation sought to protect immigrants within the city so they were not in danger of repatriation to their violent countries. The resolution makes clear that police officials are not required to work with federal immigration enforcement to find and search for immigrants within their communities.<sup>101</sup> San Francisco was not the only city pursuing this type of ordinance; in California, Los Angeles, West Hollywood, and Berkeley all passed resolutions to protect their immigrant populations from South America. Chicago, IL, St. Paul, MN, and Cambridge, MA, also passed similar policies.<sup>102</sup>

However, these types of resolutions did precipitate backlash--especially under the Reagan Administration. Federal immigration officials, like Harold Ezell, who managed the western regional immigration office, felt that the resolutions and proposals promoted “irresponsible activity” and argued that cities with these types of resolutions were failing to uphold the law.<sup>103</sup> Despite the backlash, more and more resolutions and policies were passed in different cities around the United States. Sanctuaries began in churches in Arizona and California, but as the movement spread, universities and local governments took up the cause.

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<sup>99</sup> San Francisco Administrative Code, Chapter 12H: Immigration Status. Sec. 12H.1 City and County of Refuge

<sup>100</sup> AP, "San Francisco Approves bill to Designate it a Sanctuary," The New York Times, December 24, 1985.

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

<sup>103</sup> Ibid.

## *Recent Sanctuary City History*

While refuges and sanctuaries are clearly not new phenomena in the United States, the contemporary sanctuary movement does differ in scope and involvement from the movement in the 80's and the movements earlier in history. The sanctuary cities and policies that we are seeing in the early years of the Trump Administration were sparked by several policies and programs implemented in the late 1990's and in the 2000's to increase immigration enforcement within communities across the nation. First, in 1996, Congress enacted the Antiterrorist and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigration ACT (IIRIRA).<sup>104</sup> These acts increased information sharing between localities and the federal government, especially in relation to illegal immigration. New York City was the first entity that voiced its apprehension about the programs. New York City had an already established policy that limited information sharing with the federal government, and the city felt that these acts by Congress challenged the city's policies. Because of this, New York City brought suit against Congress alleging violation of the 10<sup>th</sup> Amendment in that the Acts "bar states and localities from controlling the degree to which their officials may cooperate with federal immigration authorities."<sup>105</sup> Eventually, the U.S. Court of Appeals ruled in favor of Congress and found that the acts did not violate any state or local rights.<sup>106</sup> Although New York City did not win its case, it brought forth the first legal argument about sanctuary cities and local government policy.

In addition to AEDPA and IIRIRA, the tragic events of September 11, 2001 precipitated federal actions that encouraged more cities to develop sanctuary policies. Because of 9/11 and

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<sup>104</sup> S. 735 (104<sup>th</sup>): Antiterrorism and Effective Death Penalty Act of 1996 and H.R. 2202 (104<sup>th</sup>): Immigration Control and Financial Responsibility Act of 1996.

<sup>105</sup> Garcia, *State and Local "Sanctuary" Policies Limiting Participation in Immigration Enforcement*, Congressional Research Service, 2014, 11.

<sup>106</sup> *Ibid*, 11.

the fear of more attacks, the national government asked state and local government authorities and police officials to participate in federal immigration enforcement. Some local governments and states that accepted this position and began enforcing immigration within their communities. Other locales were uncomfortable with being asked to enforce immigration and began to adopt non-cooperation policies, which can also be referred to as sanctuary policies.<sup>107</sup>

Additional sanctuary cities emerged in response to the Secure Communities Program that was first implemented under President George W. Bush in 2008. Under the Secure Communities Program, local agencies share information with ICE when they run arrestees information through FBI databases.<sup>108</sup> Scholar Chen Ming found that between 2010 and 2011, the number of federal detainer requests did not drop significantly; however, resisting detainer requests did begin to “take root in isolated communities in 2012,” suggesting a move toward sanctuary-style non-cooperation policies.<sup>109</sup> By 2014, Catholic Legal Immigration Network (CLINIC) found that “at least 259 localities officially restricted the extent to which local enforcement agencies may hold individuals for transfer to ICE.”<sup>110</sup>

As illegal immigration became a more controversial phenomenon, local law enforcement agencies have responded in different ways. One of the responses seen from local government is declaring sanctuary city status. At present, becoming a sanctuary city can mean a variety of things, but most importantly sanctuary cities aim to protect their immigrant populations by not cooperating with ICE, not asking about status, and/or maintaining the trust of all persons in their community. In the existing literature, there is no specific definition of a sanctuary city, as

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<sup>107</sup> Laurel R Boatright, "Clear Eye for the State Guy: Clarifying Authority and Trusting Federalism to Increase Nonfederal Assistance with Immigration Enforcement," *Tex. L. Rev.*, 2005, 84.

<sup>108</sup> Ming H Chen, "Trust in Immigration Enforcement: State Noncooperation and Sanctuary Cities After Secure Communities" *Chi.-Kent L. Rev.* 91, 2016, 24.

<sup>109</sup> *Ibid.*, 25.

<sup>110</sup> *Ibid.*, 25.

policies in cities differ tremendously. Indeed, some cities have sanctuary-style policies that avoid participation in enforcement, but do not call themselves sanctuary cities.

After analyzing several sanctuary-style policies and definitions, it is clear that sanctuary cities exist on a spectrum. There are cities that prohibit employees and agencies from inquiring about immigration status, and there are sanctuary cities with non-cooperation laws, which “prevent law enforcement officials from working with federal immigration officials.”<sup>111</sup> There are other sanctuary cities that do not allow city resources to aid immigration enforcement. And even more extreme, there are cities that may provide unauthorized immigrants with voting rights or ID cards. Despite the differences in policies and practices, sanctuary cities generally “refuse to provide information, personnel, or facilities to detain unauthorized immigrants on the federal government’s behalf.”<sup>112</sup> For its part, the Trump administration defines a sanctuary city as one that is “willfully refus[ing] to comply” with federal immigration laws, specifically section 1373 of the U.S Code, which forbids sub federal governments to prevent their employees from sharing information with the federal government.<sup>113</sup>

At the same time that cooperation with detainers began to decrease, the term “sanctuary city” became extremely politically charged. It has been used to describe cities that are simply involved with community policing, and it also has been used to describe cities that are actively disengaging from ICE enforcement. While there is no clear definition, it is important to study “sanctuary-style” policies rather than only cities that embrace the sanctuary term, because some communities avoid using the term ‘sanctuary’ in this political climate, even as they introduce or maintain non-cooperation policies.

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<sup>111</sup> Lauren Apgar, "State Immigration Laws and Immigrant Economic Incorporation across the 50 United States," PhD diss., Indiana University, 2017.

<sup>112</sup> Jennifer Ridgley, “Cities of Refuge: Immigration Enforcement, Police, and the Insurgent Genealogies of Citizenship in US Sanctuary Cities,” *Urban Geography*, 29, 2008, 53–77.

<sup>113</sup> Tess Owen, "Jeff Sessions Finally Defined What "sanctuary Cities" Are," VICE News, May 23, 2017.

## *Sanctuary City Debate: Pros and Cons*

Those who support sanctuary cities argue that they are safer because immigrants in the community are more comfortable with the police and are more willing to report crimes. Those who oppose them insist that sanctuary cities are breeding grounds for crime and violence.<sup>114</sup>

Opponents argue that sanctuary cities benefit criminals, which creates a dangerous environment for U.S. citizens. The most striking example of this opinion occurred in 2015 in California. An undocumented immigrant with seven prior felony convictions and five prior deportations was not detained for an extra 48 hours by the San Francisco police department and, upon his release, was accused of murdering a woman named Katie Steinle.<sup>115</sup> In December of 2017, the undocumented immigrant was found not guilty of the death of Katie Steinle, although the perceptions of unauthorized immigrants as violent criminals remain strong. Furthermore, Jessica Vaughan of the restrictionist think tank Center for Immigration Studies found that among the 8,145 undocumented immigrants released from detention requests from January 1, 2014 to August 31, 2014, a total of 63 percent had previous criminal convictions or were labeled as “a public safety concern.” Additionally, 37 percent of the undocumented immigrants had felony convictions.<sup>116</sup> Yet Vaughan’s claims must be looked at cautiously, particularly since immigrants on the whole, including undocumented immigrants, are less likely to commit crimes than are native-born citizens.

Opponents also argue that sanctuary policies prevent local police from being able to do their job adequately. According to some scholars, like Heather MacDonald from the Manhattan

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<sup>114</sup> Nik Theodore, and Robert Habans, "Policing Immigrant Communities: Latino Perceptions of Police Involvement in Immigration Enforcement," *Journal of Ethnic and Migration Studies* 42, no. 6, 2016.

<sup>115</sup> Clark and Dartunorro, "House Passes 'Kate's Law,' Votes to Defund Sanctuary Cities," NBC News, June 29, 2017.

<sup>116</sup> Jessica Vaughan, "Ignoring Detainers, Endangering Communities," 2015.

Institute, there are several cities where undocumented immigrants are committing dangerous acts; however, the immigrants are unable to be arrested until they commit a crime.<sup>117</sup> In the United States, being unauthorized is not actually a criminal offense--it is a civil violation. Individuals like Heather MacDonald argue that immigration status instead should be a tool that the police can use to make arrests to prevent violence and crime.<sup>118</sup> However, some of the statistics MacDonald uses have been debunked, and more comprehensive research over time demonstrates that immigration is not associated with higher crime. According to a detailed study by Robert Adelman and a collaboration of four universities, as immigration has significantly increased over time, the violent crime rate has also significantly decreased. The Marshall Project, a bipartisan news organization, continued this study and illustrated that even into the year 2016, crime continuously fell more often while immigration populations grew in certain areas.<sup>119</sup>

Furthermore, in a comprehensive study conducted by the National Academies of Sciences, they found that immigrants are less likely to commit crime and that the mere presence of immigrants in large groups has been seen to decrease crime.<sup>120</sup> Other scholars mentioned in the report found that immigrant men are less likely to become institutionalized than native-born men, illustrating that they are less likely to commit acts of crime on their own than natives.<sup>121</sup> Because of this information, scholars like Heather MacDonald have to be considered carefully, because many statements are not supported by hard facts and significant evidence.

Lastly, opponents of sanctuary cities believe that the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and the Illegal Immigration Reform and

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<sup>117</sup> Heather MacDonald, "The Illegal-Alien Crime Wave," city-journal.org, Winter 2004.

<sup>118</sup> Ibid.

<sup>119</sup> Anna Flagg, "The Myth of the Criminal Immigrant," The New York Times, March 30, 2018.

<sup>120</sup> National Academies of Sciences, Engineering, and Medicine, and Committee on Population, *The Integration of Immigrants into American Society*, National Academies Press, 2016, 326.

<sup>121</sup> K.F. Butcher, and A. M Piehl, *Why Are Immigrants' Incarceration Rates so Low? Evidence on Selective Immigration, Deterrence, and Deportation*, Cambridge, MA: National Bureau of Economic Research, 2007.

Immigrant Responsibility Act of 1996 (IIRIRA) prohibit sanctuary cities from existing, because they are in effect disobeying the two laws mentioned above. PRWORA prohibits any restrictions placed on state and local governments from sharing information about immigration status, and IIRIRA bars any prohibition relating to the sending or receiving of information regarding immigration status.<sup>122</sup> Therefore, opponents argue that sanctuary cities are illegal as they refuse to share information with federal officials and/or refuse to cooperate with immigration enforcement.

On the other hand, there are many proponents of the sanctuary movement. An important element of sanctuary cities is the community policing tactics that often are used to maintain trust between law enforcement officials and the immigrant community. Community policing allows officers to focus less on enforcement, especially immigration, and more on making sure community members feel comfortable speaking with and approaching law enforcement officers so that serious crimes are reported and the perpetrators are identified. Encouraging community members to feel comfortable with police is extremely important, as 38 percent of Latinos nationwide—including American citizens—have reported that they feel they are under suspicion now that they know local officials are working closely with ICE and enforcing immigration.<sup>123</sup> Because of this, many local law enforcement agencies are looking to improve the trust within their communities so that immigrants do not have to fear deportation and can feel comfortable talking to police.

Furthermore, the perception that sanctuary cities have higher crime rates is not entirely accurate. Tom Wong, an associate professor of political science at the University of California,

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<sup>122</sup> Michael Stubel, "Sanctuary Cities and Immigration Detainers: A Primer," Bipartisan Policy Center, September 28, 2017.

<sup>123</sup> Theodore and Habans, "Policing Immigrant Communities: Latino Perceptions of Police Involvement in Immigration Enforcement," *Journal of Ethnic and Migration Studies* 42, no. 6, 2016, 970-988.



San Diego, analyzed a sample of over 2,000 counties from an ICE data sheet. Within this data set there were sanctuary and non-sanctuary counties, and Wong found “35.5 fewer violent and property crimes per 10,000 people in sanctuary counties versus non-sanctuary ones.”<sup>124</sup> In large metropolitan areas, the crime rate in sanctuary cities is 15 percent less than the crime rate in non-sanctuary cities.<sup>125</sup> This information illustrates that claims that sanctuary cities promote crime are *not* substantiated.

In addition to sanctuary cities being safer, proponents of the movement also believe that sanctuary cities are needed to protect undocumented immigrants from the discriminatory practices of the federal government, such as being deported or imprisoned for illegitimate reasons. The federal government has been characteristically harsh with border control and immigration enforcement (although the policies under Trump differ greatly from Obama’s policies), and many supporters of sanctuary cities believe that local governments have the ability to protect immigrants within their communities.

Lastly, although opponents use PRWORA and IIRIRA to show that sanctuary cities are illegal, there are many legal studies that argue this may not be the case. According to the 10<sup>th</sup> Amendment of the U.S Constitution, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” On the basis of the 10<sup>th</sup> Amendment, an anti-commandeering doctrine has been established, which prohibits the federal government from forcing a state to enact specific standards or regulations, and from requiring that “state officers directly participate in enforcing federal law (10<sup>th</sup> Amendment, U.S Constitution).”

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<sup>124</sup> Tanvi Misra, "Crime and Poverty Are Lower in Sanctuary Cities," CityLab, February 09, 2017.

<sup>125</sup> Christopher Ingraham, "Analysis Trump Says Sanctuary Cities Are Hotbeds of Crime. Data Say the Opposite," The Washington Post, January 27, 2017.

The 1997 court case *Printz v. United States* illustrates the debate about the anti-commandeering principle and can be applied to the legality of sanctuary cities. The case involves a new gun control law that was passed by Congress in 1993, called the Brady Handgun Violence Prevention Act.<sup>126</sup> The purpose of the Brady Bill was to establish a national database for background checks on handguns. Before the system was fully created, however, the bill asked for local law enforcement agencies to help with the background checks. Two sheriffs from Montana and Arizona felt that the bill violated the anti-commandeering principle established in *New York v. United States*. In a 5-4 decision, the Supreme Court ruled in favor of the sheriffs and found the Brady Bill unconstitutional. Scalia stated, “The power of the federal government would be augmented immeasurably if it were able to impress into its service--and at no cost to itself--the police officers of the 50 states.”<sup>127</sup> This argument can be applied directly to PRWORA, IIRIRA, and the legality of sanctuary cities. Joseph Huston, in his constitutional primer on sanctuary cities, illustrates the illegitimacy of forcing local police officers to participate in federal immigration enforcement. Huston argues that although immigration is primarily a federal power, states and localities should have the opportunity to experiment in their response to their widely divergent experiences of immigrations, as long as they do not usurp federal authority. There is so much debate on how immigration is affecting the country, and allowing local governments to choose how they will handle their immigrant populations will best help “test the claims of the debate.”<sup>128</sup>

Clearly, the sanctuary city debate is extremely controversial; there are disagreements relating to the effectiveness and safety of sanctuary cities, as well as debates about the legality of the cities themselves. These debates gained even more attention days following President

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<sup>126</sup> Joseph Huston, "Sanctuary Cities: A Constitutional Primer," *Dartmouth LJ* 6, 2008, 211.

<sup>127</sup> *Printz v. United States*, 521 U.S. 898, 1997.

<sup>128</sup> Huston, "Sanctuary Cities: A Constitutional Primer," *Dartmouth LJ* 6, 2008, 214.

Trump's inauguration, when he announced an Executive Order that would change several interior immigration enforcement policies in the United States. In addition to changing deportation policies, Trump specifically called out sanctuary cities, stating: "Sanctuary jurisdictions across the United States willfully violate Federal law in an attempt to shield aliens from removal from the United States. These jurisdictions have caused immeasurable harm to the American people and to the very fabric of our Republic."<sup>129</sup>

President Trump even went so far as to announce that jurisdictions that "willfully refuse to comply with 8 U.S.C. 1373 (sanctuary jurisdictions)" will not receive federal grants, and thus will be defunded.<sup>130</sup> Several months after the Executive Order and the memo went public, a Federal judge ruled that denying cities funding was unconstitutional.<sup>131</sup> However, the Trump Administration's threats had already set the stage for how sanctuary cities were going to be treated in the new administration. In September of 2017, in a mission called Operation Safe City, ICE officials directly targeted sanctuary cities in a "deportation crackdown" where 500 undocumented immigrants were taken into custody.<sup>132</sup>

### *State Responses to Sanctuary Cities during Trump Administration*

Trump's anti-immigrant rhetoric and policy changes extended from the federal government into state governments as well. On May 8, 2017, Governor Abbott of Texas signed a law banning sanctuary cities in the state. The bill creates civil and criminal penalties for localities

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<sup>129</sup> Donald Trump, "Executive Order: Enhancing Public Safety in the Interior of the United States," The White House, January 25, 2017.

<sup>130</sup> Ibid.

<sup>131</sup> Richard Gonzales, "Federal Court Says Trump Administration Can't Deny Funds To Sanctuary Cities," NPR, September 15, 2017.

<sup>132</sup> Eric Westervelt, "ICE Raids Target Sanctuary Cities," NPR, September 29, 2017.

in the state that do not comply with federal immigration law.<sup>133</sup> The ban was to go into effect on the first of September; however, a federal judge blocked the Texas sanctuary city ban temporarily while a lawsuit on its constitutionality continues to move forward.<sup>134</sup> Texas is not the only state that has adopted bills or policies supporting the Trump Administration. In March 2017, Mississippi enacted S2710, which bars local jurisdictions from denying cooperation with the federal government regarding immigration enforcement.<sup>135</sup> In 2016, Georgia also adopted a similar policy prohibiting sanctuary policies in the state. In total, Georgia, Indiana, Mississippi, and Texas have legislation that bars sanctuary jurisdictions within their state.<sup>136</sup>

Although these states have followed Trump's position regarding sanctuary cities in the United States, there are states that are actively supporting sanctuaries within their state as well. In March of 2017, Vermont passed legislation that prohibits the state and local governments from sharing information with the federal government about immigration status. California also enacted legislation in March that calls upon the Trump Administration to reaffirm ICE's sensitive location principle established in 2011.<sup>137</sup> And Connecticut pioneered the enactment of the Trust Act (Transparency and Responsibility Using State Tools) in 2013, which only requires law enforcement to detain an individual on a violation of immigration law if they have been convicted of a felony, if they have an outstanding arrest warrant, if they are subject to criminal charges, or if they are a gang member or terrorist.<sup>138</sup> The Trust Act was reaffirmed following President Trump's executive order in 2017. More interesting, however, are the local government responses to President Trump's rhetoric and policy changes. When the president sought to crack

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<sup>133</sup> Chuck Johnston, and Darran Simon, "Texas Governor Signs Bill Banning Sanctuary Cities," CNN, May 08, 2017.

<sup>134</sup> Manny Fernandez, "Federal Judge Blocks Texas' Ban on 'Sanctuary Cities'," The New York Times, August 30, 2017.

<sup>135</sup> "Sanctuary Policy FAQ," National State Conference of Legislatures, June 28, 2017.

<sup>136</sup> "Report on State Immigration Laws, January-June," National State Conference of Legislatures, June 2017.

<sup>137</sup> "Sanctuary Policy FAQ," National State Conference of Legislatures, June 28, 2017.

<sup>138</sup> HB 6659, *An Act Concerning Civil Immigration Detainers*, 2013 Regular Session.

down on sanctuary cities specifically, what did these cities do? According to previous literature that demonstrates localities are very responsive to changes on the federal government and changes with national rhetoric, it is hypothesized that localities around the United States would respond to President Trump's changes by changes their own policies and pursuing a restrictive position on immigration.

### *Examining Sanctuary Cities Before and After President Trump*

To examine the status of sanctuary cities in the current administration, I relied on a data set compiled by Professor Abigail Williamson, which includes 251 cities from around the United States. The list of sanctuary cities draws on four sources. First, ICE has developed a Declined Detainer Outcome Report (DDOR) that compiles cities that have declined to enforce immigration in their localities. Second, the Catholic Legal Immigration Network Inc. (CLINIC) maintains a list of municipalities around the United States were limiting cooperation with ICE. Third, an advocacy organization that aims to ban sanctuary cities, the Ohio Jobs and Justice PAC (OJJPAC), has created its own list of sanctuary cities across the U.S. Lastly, some cities identified themselves as sanctuary cities in surveys of municipal leaders' responses to immigrants conducted in 2014 and 2016 (the Municipal Responses to Immigrants Survey (MRIS)). In combination, these four sources identified 251 sanctuary cities.

We then analyzed changes over time in sanctuary-style policies in all the cities identified by ICE, CLINIC, and the MRIS, in a random assortment of cities from OJJPAC<sup>139</sup>, and in any remaining city on the list with a population of over 250,000. To gather information on these 119

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<sup>139</sup> The reason I only used a random assortment of cities listed on the OJJPAC site was because it was the longest list, and some of the information was unreliable. To ensure that I was still covering this information, I picked a random assortment of the cities listed and affirmed their position as a sanctuary city through research of my own.

cities, research assistants first searched municipal codes to see if a sanctuary city ordinance was on the books. They then searched the city, state and word “immigration” through Google and LexisNexis to identify secondary sources about sanctuary-style policies or ordinances in each city. In this way, research assistants identified newspaper articles, court documents, minutes from meetings, and other sources to discover up-to-date information on the status of cities and outsider information.

Using a codebook, we then tracked when the sanctuary-style policy had been enacted, reaffirmed, or retracted, as well as the characteristics of the given policy. We marked if a city did not ask about immigration status, if a police department did not honor detainers, if the city forbids or limits funds to support federal immigration enforcement, and if a city asserts that it does not participate in immigration enforcement. Coding each of these policies separately was very important because it allowed us to analyze the types of policies that may be more present in cities around the United States. Lastly, we coded for whether cities actually called themselves sanctuaries, since some places with similar policies avoid this term. If a city did not use the term, we would see whether they followed “sanctuary-style” policies and/or whether they considered themselves a “welcoming city” instead. Written below is the analysis of the sanctuary city study, which will help provide the reader some context for what is changing on the local level during the current administration.

### *Analysis*

Of the 119 cities analyzed in this study, 82 have a sanctuary-style policy, 32 have no sanctuary policy, and 5 have some other welcoming policy that does not involve avoiding cooperation in federal immigration enforcement.

<b>Table 1.1: Sanctuary City Status</b>		
	<b>Number of Cities</b>	<b>Percent of Cities</b>
<b>Sanctuary City</b>	82	69%
<b>Not a Sanctuary City</b>	32	27%
<b>Welcoming City</b>	5	4%

More importantly, many of the sanctuary cities had enacted their policies following President Trump’s election, while very few had retracted these policies in response to Trump. Twenty-seven sanctuary or welcoming cities—that is, 31 percent of all the sanctuary cities analyzed—enacted their policies after President Trump had taken office. In contrast, only two cities among those analyzed publicly considered retracting their sanctuary city status after President Trump became President: Dayton, Ohio, and Miami, Florida. According to the *Dayton Daily News*, the sanctuary city status in Dayton is going to be reviewed and possibly rescinded because of the Executive Order that was initiated by President Trump.<sup>140</sup> In February of 2017, the city officially rescinded its policy that previously prohibited local officials from working with federal immigration enforcement on low-level crime.<sup>141</sup> The same type of policy change also occurred in Miami, Florida, as the mayor rescinded the sanctuary city status of the city after Trump’s Executive Order that targeted sanctuary cities. These two examples illustrate that there has been very limited movement to rescind ordinances and policies that support immigrants because of pressure from the federal government. Despite President Trump’s attempts to target sanctuary

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<sup>140</sup> Cory Frolik, "Dayton Police to Adjust to Trump's Immigration Orders," *Dayton Daily News*, January 28, 2017.

<sup>141</sup> Frolik, "Dayton Police Revise Immigration Status Policy," *Dayton Daily News*, February 09, 2017.

cities, many cities have decided to implement new resolutions or ordinances to better protect immigrants.

The ways in which these cities are better protecting their immigrant populations differ from city to city. Seventy out of the 87 sanctuary and welcoming policies (80%) make it clear that police officials do not ask about immigrant status when talking to individuals. This was the most common sanctuary-style policy, because it does not involve any resistance to or prohibition of interaction with the federal government. In fact, many states and cities that do not consider themselves a sanctuary state or city do not ask about immigration status, because it is simply not within their laws to do so. In addition, however, 60 of the 87 (69%) cities do not participate in federal immigration enforcement in some capacity, and 36 cities (41%) expressly do not honor some detainer requests from the federal government. In both of these cases, cities are actively challenging the federal government's request to enforce immigration at the local level. Additionally, 20 (23%) cities have limited the use of city resources to help the federal government enforce immigration.

In sum, many cities have become sanctuaries since President Trump entered office and the majority of the cities that were already sanctuaries have continued to uphold their policies, with the exception of Dayton, Ohio and Miami, Florida. Despite substantial changes on the federal level, evidence from sanctuary cities suggests few reversals of policy on the local level. Trump's policies and rhetoric have not convinced cities to scale back support for immigrants. To the contrary, since Trump took office more cities have gone public with policies supporting immigrants and avoiding cooperation in federal enforcement. To better understand the factors shaping these local policy changes, I now turn to examining interviews with local law enforcement officials in Connecticut and New Hampshire.



## Chapter Two: Demographic Analysis for Case Study

In order to understand how local law enforcement agencies are responding to President Trump's changes in immigration policy and rhetoric, I interviewed eleven law enforcement officials across six cities in two states: Danbury, Hartford, and Norwalk, Connecticut and Concord, Manchester, and Nashua, New Hampshire. Specifically, I examined cities with a range of responses to immigration under the Trump administration, across two relatively similar states with quite different immigration policy contexts. This research design allows me to understand how a variety of factors, including both state and local contexts, influence local law enforcement responses to immigrants amid an increasingly restrictive national context. In this chapter I introduce the cases and their stances on immigration prior to Trump's election. In the following chapter, I present findings from my interviews with police officials about changes in policy and practice in response to federal level restriction.

### *Why Connecticut and New Hampshire?*

Connecticut and New Hampshire are New England states that share many similarities, yet have very different approaches to immigrants and immigration enforcement. In this section I will discuss the key similarities and differences between each of the states regarding population, demographics, politics, and immigration.

*Connecticut and New Hampshire Demographic Information*

According to data collected in July of 2016 from the US Census and displayed below in Table 2.1, 3.6 million individuals live in Connecticut and 1.3 million live in New Hampshire. Connecticut ranks number 29 in state population size and New Hampshire ranks number 42, both of which are in the bottom half of population sizes. In terms of population size across all fifty of the United States, both Connecticut and New Hampshire are quite small. Although there are similarities here between population sizes in Connecticut and New Hampshire, the population breakdowns by ethnicity in each state are quite stark:

<b>Table 2.1: Demographics of CT and NH</b>				
	<b>Connecticut</b>		<b>New Hampshire</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Population</b>	3,588,570		1,327,503	
White Alone	2,464,450	69	1,211,271	91
Black/ African American Alone	347,674	10	15,565	1
American India/ Alaska Native Alone	4,937	0.1	1,855	0.1
Asian Alone	151,376	4	31,835	2
Hispanic or Latino	537,728	15	43,500	3
Other	82,405	2	23,447	2

Social Explorer, 2016, American Community Survey, Total Population, Hispanic/Latino By Race

Table 2.1 makes clear that New Hampshire is a much more homogenous state than Connecticut, with over 90 percent of its population being non-Hispanic white. Connecticut has a much more diverse population, with only 69 percent of its population being solely non-Hispanic white.

Connecticut also has a larger foreign-born population at 14 percent of the population, which is more than double the proportion in New Hampshire of 6 percent (Table 2.2.). In both states, however, nearly half of all immigrants are naturalized U.S citizens. In Connecticut and

New Hampshire just over 40 percent of immigrants are relatively recent, having arrived since 2000. Likewise, in both states a third of immigrants are longstanding, having arrived before 1990 (Table 2.3).

In terms of undocumented immigrants in each community, the precise number is unknown; however the American Immigration Council and the Pew Research Center have gathered estimates, which can be seen in Table 2.4. According to the Pew Research Center, there were 10,000 undocumented immigrants in New Hampshire and 120,000 in Connecticut during the year 2014.<sup>142</sup> The statistics in the table illustrate that both Connecticut and New Hampshire do have unauthorized immigrant populations, which is another similarity between the states. However, New Hampshire experiences a smaller amount of unauthorized immigration. This information will be important to consider throughout the analysis of the case studies. A common misconception is that census data does not collect information on unauthorized individuals in the United States. This is incorrect, as the census does attempt to collect information on all residents, regardless of status, to the best of its ability. However, the data on undocumented persons may be less accurate because it is harder to capture these results.

<b>Table 2.2: Foreign-Born Population Data 2016</b>				
	<b>Connecticut</b>		<b>New Hampshire</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total Population:	3,593,222		1,324,201	
Native Born	3,093,061	86	1,248,454	94
Foreign Born:	500,161	14	75,747	6
Naturalized Citizen	243,086	7	40,187	3
Not a Citizen	257,075	7	35,560	3

Source: Social Explorer, American Community Survey, 2016, Total Population, Foreign-Born Population.

<sup>142</sup> Travis Mitchell, "U.S. Unauthorized Immigration Population Estimates," Pew Research Center's Hispanic Trends Project, November 03, 2016.

<b>Table 2.3: Year of Entry for Foreign-Born Population</b>				
	<b>Connecticut</b>		<b>New Hampshire</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Foreign-Born Population:	500,161		75,747	
2010 or Later	55,623	11	9,552	13
2000 to 2009	151,260	30	21,734	30
1990 to 1999	117,997	24	15,957	22
Before 1990	175,281	35	28,504	38

Source: Social Explorer, American Community Survey, 2016, Year of Entry for Foreign-Born Population.

<b>Table 2.4: Undocumented Population</b>				
	<b>Connecticut</b>		<b>New Hampshire</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total Population:	3,593,222		1,324,201	
Foreign-Born:	500,161	14	75,747	6
Estimated Undocumented Population	120,000	0.03	10,000	0.01

Source: Pew Research Center, America Immigration Council, 2016.

### *Connecticut and New Hampshire Ideology Analysis*

Another important aspect to consider when studying the differences and similarities between Connecticut and New Hampshire is their political ideologies and the general political makeup of each state. Connecticut, overall is much more progressive than New Hampshire, while New Hampshire swings back and forth more readily between ideologies. In terms of ideology, Connecticut has voted Republican only five times in the fifteen presidential elections since 1960, and has had a Democratic governor (Governor Malloy) since 2011. Currently, the

state's two senators and five representatives in Congress are all Democrats, and 79 out of 150 state representatives are Democrats. Additionally, according to the Pew Research Center, half of Americans in Connecticut considered themselves Democrat or left leaning in 2014.<sup>143</sup>

As a swing state, New Hampshire goes back and forth much more readily regarding presidential elections, but is split quite evenly between those voting for Democratic candidates and those voting Republican in each election. Since 1960, New Hampshire has voted for a Republican candidate eight times, and only narrowly voted Democratic in the 2016 election.<sup>144</sup> The state currently has a Republican Governor (Chris Sununu) who was elected in January of 2017, but previously had a Democratic governor since 2005. New Hampshire's two U.S Senators and two U.S Representatives are also all Democrats. In the state, there are currently 175 Democratic representatives and 218 Republican representatives. Furthermore, Gallup released a study in 2014 naming New Hampshire one of the most "schizophrenic states in the nation" in terms of voting habits and political ideology.<sup>145</sup> In 2014, 41 percent of the population identified as Democrats/left-leaning.<sup>146</sup>

In contrast to the political differences explained above, there are similarities as well. In the 2016 election, both New Hampshire and Connecticut voted for Hilary Clinton. New Hampshire's election results were extremely close with 46.8 percent voting for Clinton and 46.5 percent voting for Trump, but Connecticut was fairly close as well, with 55 percent voting for Clinton and 41 percent voting for Trump.<sup>147</sup> Surrounding states like New York, Massachusetts, Rhode Island, and Vermont all voted for Hilary by a higher margin than both New Hampshire

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<sup>143</sup> , Benjamin Wormald, "Religious Landscape Study," Pew Research Center's Religion & Public Life Project, May 11, 2015.

<sup>144</sup> Zachary Crockett, "How Has Your State Voted in the past 15 Elections?" Vox, November 08, 2016.

<sup>145</sup> Andrew Dugan, "The State of New Hampshire: Politically in Flux," Gallup, October 24, 2014.

<sup>146</sup> Ibid.

<sup>147</sup> Presidential Election Results: Donald J. Trump Wins," The New York Times, August 9, 2017.

and Connecticut. In addition to the most recent election, New Hampshire has narrowly voted for the Democratic candidate in the last five elections while Connecticut has voted for the last 8 Democratic presidential candidates.<sup>148</sup> The political situation in both states is not exactly the same, with New Hampshire leaning more Republican on the whole, but there are growing similarities between both Connecticut and New Hampshire.

### *Connecticut and New Hampshire Immigration Policy Analysis*

With respect to demographics and ideology, Connecticut and New Hampshire have both similarities and differences. Their policies regarding immigration, however, are starkly different. Connecticut has been a pioneer in accommodating immigrants, including unauthorized immigrants, while New Hampshire has been far less active and at times has tilted toward restriction.

Several laws passed since 2010 illustrate Connecticut's accommodating stance toward immigrants. In 2011, the Connecticut state legislature passed a bill that allows undocumented students to receive in-state tuition and in 2015, the number of years that an undocumented student was required to live in the state in order to receive tuition was reduced to only two years.<sup>149</sup> Additionally, in 2013 Connecticut passed legislation that allows undocumented individuals to receive driver's licenses, clearly illustrating the legislature's support for undocumented individuals.<sup>150</sup> Of greatest relevance to law enforcement, in 2013, Connecticut was the first state to pass the Transparency and Responsibility Using State Tools (TRUST) Act,

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<sup>148</sup> "New Hampshire Policy," 270 To Win. 2004-2018.

<sup>149</sup> "Connecticut Policy," ULEAD Network, January 9, 2018.

<sup>150</sup> "Connecticut Policy," ULEAD Network, January 9, 2018.

which was an effort to limit the state's participation in the federal Secure Communities Program.<sup>151</sup>

Many immigrant advocates, like the Connecticut Immigrant Rights Alliance (CIRA) and the Unidad Latina en Acción argue that Secure Communities allowed for the unnecessary increase in deportations for unauthorized immigrants, which sparked their interest in state-level legislation. One event in particular that truly inspired advocacy groups to make change. In 2005 a man named Josemaria Islas came to the United States illegally, and thus was an undocumented individual. In 2013, Islas was arrested for a minor theft charge in Hamden, CT, and was later found not guilty for this charge; however, law enforcement had already put his name through the system and instead of setting him free, the police department turned him over to Immigration Customs and Enforcement.<sup>152</sup> Organizations began fiercely campaigning for legislation that limited the ability of law enforcement to detain and turn over immigrants without reasonable cause. The Trust Act illustrates an accommodating nature of the state to change the enforcement policies on immigration. According to the act, a law enforcement officer is unable to detain an individual longer than necessary unless they fall into one of the very specific categories such as being a convicted felon, having pending criminal charges or an outstanding arrest warrant, being in a gang, or being on a terrorist watch list.<sup>153</sup>

As stated above, Connecticut has been advocating for immigrants and specifically undocumented immigrants for many years. Recently, Governor Malloy reaffirmed the Trust Act, despite the rhetoric and policy changes that are occurring federally. Indeed, in response to President Trump's policy changes and rhetoric, Governor Malloy sent memoranda to police

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<sup>151</sup> Jesse Jaeger, "Action Alerts Immigration," UU Mass Action Network, June 3, 2013.

<sup>152</sup> Lucy Nalpathanchil, "Connecticut Leads the Way on Immigration TRUST Act as California Considers It," Connecticut Public Radio, September 16, 2013.

<sup>153</sup> HB 6659, *An Act Concerning Civil Immigration Detainers*, 2013 Regular Session.

chiefs and school superintendents, explaining to them the protocol for dealing with ICE officials so undocumented immigrants stayed safe within the state.<sup>154</sup> Governor Malloy has been a clear supporter of immigration reform and has urged other officials to continue to support immigrant populations as well.

New Hampshire, on the other hand, has not been active in setting policies with respect to immigrant residents in the state. New Hampshire has a significantly smaller population of immigrants, which may explain the lower level of activity. Where New Hampshire has been active, however, it has aimed to restrict the opportunities of unauthorized immigrants in the state. In 2012, HB 1383 barred undocumented individuals from receiving in-state tuition in New Hampshire because students had to sign an affidavit pledging their citizenship and state residency. In 2014, lawmakers tried to change this legislation by allowing certain undocumented individuals to receive tuition; however, this bill, HB 474 died when it reached the senate.<sup>155</sup> Furthermore, according to Resolution HCR 2, New Hampshire endorsed Arizona's controversial anti-immigration bill, SB 1070, offering its "full support" of the law in 2012.<sup>156</sup> This fact alone, illustrates the restrictive nature of the legislature at that time in history. More recently, in 2014, the state passed HB 1168 supporting E-verify, which requires certain employers to verify prospective workers' immigration status through a national database. While E-verify itself is considered restrictive toward immigrants because it results in false positives that can have a chilling effect on hiring immigrants and ethnic minorities, in the legislation the state changed all of the phrases, "illegal alien" to "undocumented individual," clearly showing a rhetoric change.

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<sup>154</sup> Russell Blair, and Kathleen Megan, "Malloy Tells Local Leaders They Don't Have To Enforce Federal Immigration Law," *The Hartford Courant*, February 22, 2017.

<sup>155</sup> "New Hampshire Policy." ULEAD Network. January 9, 2018.

<sup>156</sup> HCR 2, *In Support of the Arizona Immigration Law*, 2012 Regular Session.



As I have addressed earlier, state-level responses and national responses can affect the way localities respond to immigrants, thus we would expect to see much more resistance to Trump's policies in Connecticut than in New Hampshire, as Connecticut is much more progressive in immigration enforcement than New Hampshire. The states' differing positions on immigration have an effect on their respective cities; however, variation remains across cities even within the same state.

### *Cities and Immigrant Policies*

In addition to examining one accommodating (CT) and one restrictive (NH) state, within each state I studied three cities: a restrictive city, an accommodating city, and a city in the middle. This variation allows me to compare how cities with differing preexisting policies toward immigrants will change in response to President Trump's rhetoric and federal policy changes. In Connecticut, I studied Danbury, which has historically been a restrictive city in terms of immigration because of their previous 287(g) agreements with the federal government. I studied Norwalk, a city that is not very restrictive or very accommodating, and I studied Hartford as it is a sanctuary city and has been since 2008. For New Hampshire the differences between the cities when President Trump took office were less noticeable, as by that point all three cities had declared themselves welcoming cities. I studied Manchester, New Hampshire as a more restrictive city because of the immigration moratorium the Mayor wanted to pursue years ago. I studied Nashua as a city that lies in the middle, and I studied Concord as an accommodating city, as their policies from city hall have been actively in favor of immigrants within the community. Tables 2.5 and 2.6 summarize characteristics of foreign-born individuals in the cities in 2000 and

2016. In the sections that follow, I analyze each city, its population demographic information, and information about how the city has historically approached immigration and enforcement.

	<b>Table 2.5: Foreign-Born Population and Percentage Census 2000</b>											
	<b>Danbury, CT</b>		<b>Norwalk, CT</b>		<b>Hartford, CT</b>		<b>Manchester, NH</b>		<b>Nashua, NH</b>		<b>Concord, NH</b>	
<b>Total Population</b>	74,848		82,951		121,578		107,006		86,605		40,687	
<b>Percent Foreign-Born</b>	27%		20%		19%		9%		10%		4%	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Foreign-born population:</b>	20,241		16,800		22,671		10,035		8,778		1,737	
<b>Europe:</b>	3,975	20	4,183	25	5,429	24	3,083	31	1,657	19	561	32
<b>Asia:</b>	3,090	15	2,270	13	1,674	7	2,316	23	3,021	34	546	31
<b>Africa:</b>	130	1	176	1	467	2	561	6	279	3	93	5
<b>Latin America:</b> <sup>157</sup>	12,656	62	9,799	58	14,829	65	2,072	20	2,571	29	124	7
<b>Northern America:</b>	381	2	321	2	259	1	1,970	20	1,239	14	413	23

Social Explorer, American Community Survey, 2016, Foreign-Born Population.

	<b>Table 2.6: Foreign-Born Population and Percentage 2016</b>											
	<b>Danbury, CT</b>		<b>Norwalk, CT</b>		<b>Hartford, CT</b>		<b>Manchester, NH</b>		<b>Nashua, NH</b>		<b>Concord, NH</b>	
<b>Total Population</b>	83,890		87,930		124,320		110,231		87,279		42,634	
<b>Percent Foreign-Born</b>	31%		27%		21%		13%		15%		7%	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Foreign-Born Population:</b>	25,794		23,954		26,382		14,505		12,884		3,170	
<b>Europe:</b>	3,246	13	4,000	17	2,897	11	2,621	18	1,418	11	384	12
<b>Asia:</b>	4,078	16	3,974	17	3,181	12	4,990	34	5,215	40	1,793	57
<b>Africa:</b>	537	2	368	2	932	4	1,639	11	742	6	420	13
<b>Latin America</b>	17,777	69	15,247	64	19,113	72	4,082	28	4,762	37	343	11

Social Explorer, American Community Survey, 2016, Foreign-Born Population.

<sup>157</sup> The Latin America heading includes the Caribbean, Central America, and South America.

<b>Table 2.7: Percent Change of Foreign-Born Population 2000-2016</b>						
	Danbury CT	Norwalk CT	Hartford CT	Manchester NH	Nashua NH	Concord NH
<b>Percent Change</b>	27	43	16	45	47	82

*City Demographics: Foreign-Born Population*

The cities in Connecticut have significant populations of foreign-born individuals (Tables 2.5-2.6). In Danbury, 25,794 residents were foreign-born in 2016, accounting for just over thirty percent of the city’s population. The immigrants in Danbury are predominantly of Latin American decent (69%) and Asian decent (16%). Comparing table 2.5 and 2.6, the foreign-born population increased by four percentage points from 2000 to 2016, which equates to a 27 percent change in the foreign-born population. Norwalk, CT also has a significant amount of foreign-born residents; 23,954 individuals were foreign born in 2016, which equals about 27 percent of the city’s population. The majority of immigrants in Norwalk were of Latin American decent (63%) and European decent (17%). When comparing tables above, Norwalk’s foreign-born population grew by more than seven percentage points, which translates to a 43 percent increase in the foreign-born population. Although Danbury, CT had more foreign-born individuals in 2016, Norwalk, CT experienced a greater percent change in their foreign-born population. Hartford had 26,382 foreign-born individuals in the city in 2016, which is about 21 percent of the city’s population. The majority of immigrants in Hartford are of Latin American decent (73%). Hartford’s foreign-born population grew by three percentage points from 2000 to 2016 and experienced a 16 percent change in the population. Out of the three Connecticut cities, Hartford, CT experienced the smallest growth of immigrants over this period.

In New Hampshire, the population of foreign-born individuals in each of the three cities is significantly lower, but so is the total population of each city. In Manchester, 14,505 individuals were foreign born in 2016, which is about thirteen percent of the city's population. The majority of immigrants in Manchester are of either Asian decent (34%) or Latin American decent (28%). The city's foreign-born population grew by four percentage points from 2000 to 2016, representing a 45 percent growth in the foreign-born population. Nashua, New Hampshire saw a similar number of foreign-born individuals, adding up to 12,884 residents, with the majority being of Asian (40%) and Latin American (37%) decent and experienced a 47 percent increase in their population of foreign born people. Concord, New Hampshire's foreign-born population (and total population) was much lower than both Manchester and Nashua in 2016, at 3,170 individuals. Of the foreign-born population, the majority was of Asian decent (57%). Interestingly, the foreign-born population grew three percentage points from 2000 to 2016. However, the city experienced a drastic 82 percent increase in the foreign-born population from 2000 to 2016. Although the New Hampshire cities have a smaller number of immigrants in their communities, the percentage change over the years is significantly higher than those of the cities in Connecticut. This may cause New Hampshire cities to feel more pressure from immigration than cities in Connecticut.

### *Immigration Policies in Each City*

In addition to the demographic information about each city and the amount of foreign-born individuals in each city, analyzing the policies and history of immigration enforcement across the cities is also important. Given the information provided, we might expect that more restrictive cities will become more restrictive to their immigrant populations under the Trump

Administration, while more progressive cities may be more accommodating. Furthermore, the progressive nature of the state will also play into effect when analyzing the cities immigration policies.

### *Danbury, CT*

For Danbury, the city has always been diverse but mostly experienced immigration from Europe. In the 1990's to the 2000's, the city began to see an influx of immigrants from Latin America. Sociologist Peggy Levitt argues that because the city didn't see various types of immigrants earlier on, it is less accommodating now. In terms of the city's urban self-presentation, Danbury is very much a working city known for business and not for its multicultural shops or businesses.<sup>158</sup> As the foreign-born populations began to change, the city faced challenges with integrating the immigrants into the community.<sup>159</sup> Because of the new and old types of immigration that the city has experienced, the city sends mixed messages to the community regarding immigration, which in turn makes it a less accommodating community.

Furthermore, The mayor of the city, Mark Boughton, has a strong stance on immigration. In June of 2005, Mayor Boughton asked Public Safety Commissioner Leonard Boyle if the state police could be used in surrounding cities to enforce immigration law. Boyle at the time was focused on reducing human trafficking within the state and said no to Mayor Boughton's request.<sup>160</sup> Boughton requested the action on behalf of the state to enforce immigration because "he [was] trying to find a way to deal with an influx of immigrants to Danbury that has strained city services, created overcrowded and unsafe housing and sent the cost of education

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<sup>158</sup>Bernadette Jaworsky, Peggy Levitt, Wendy Cadge, Jessica Hejtmanek, and Sara Curran, "New Perspectives on Immigrant Contexts of Reception," 2012, 83.

<sup>159</sup> Ibid, 84.

<sup>160</sup> M., Spencer and S. W. Courant "State Gets Grant to Stop Traffickers; Money will be used Against Exploiting Illegal Immigrants," Hartford Courant, 2005.

skyrocketing as local schools fill with students who speak more than 40 languages.”<sup>161</sup> Boughton also emphasized the culture clashes his city was facing because of the influx of immigrants into Danbury. He mentioned that Danbury residents were having an extremely hard time adapting to the new individuals that were coming into the city.<sup>162</sup> The city of Danbury received national news coverage because of Mayor Boughton’s requests and statements, and the city has been characterized as quite restrictive on the national level.

In 2008, the city decided to participate in a 287(g) agreement with the federal government. This means that the city would designate local officers to be trained in immigration enforcement. This agreement produced incredible controversy in the city, as 287(g) programs make it more likely for immigrants to be deported. The city ended the 287(g) agreements in 2013 and has not entered into any other sort of agreement with the federal government; however, the restrictive nature still remains. Mayor Mark Boughton announced that the city will continue to comply with Connecticut’s TRUST Act; yet if federal ICE officials started to ask for help in Danbury, the local officials would offer their support.<sup>163</sup> Mayor Boughton also voiced concerns after Governor Malloy issued a memo to police officials and superintendents in Connecticut regarding the limited extent to which they need to cooperate with federal immigration officials. Boughton remains willing to work with ICE officials and praises them for arresting over two dozen criminals in his city.<sup>164</sup>

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<sup>161</sup> Spencer et al., “City Experiences Clash of Cultures; Immigration Proposal Puts Danbury Mayor at the Center of a Storm,” Hartford Courant, 2005.

<sup>162</sup> Ibid.

<sup>163</sup> Joe Lipovich, “Danbury Officials Say Local Immigration Enforcement Won’t Change After DHS Announcement,” Danbury, CT Patch, February 24, 2017

<sup>164</sup> Ibid.

## *Norwalk, CT*

There is much less information on the history of immigration in Norwalk, CT. However, the city has been diverse for most of its existence. More recently, Norwalk has been in the news because ICE threatened an undocumented immigrant and mother of American citizens with deportation in 2016. Nury Chavarria, from Norwalk, has lived in the United States for 24 years and has always been granted a stay of deportation until 2016. When she was told to buy a plane ticket home to Guatemala, Chavarria ended up taking refuge in a sanctuary church in New Haven, CT. The Norwalk community fiercely fought for this woman's safety and was adamantly against her removal by ICE.<sup>165</sup> Dozens of community members attended the press conference with Chavarria and both Richard Blumenthal and Chris Murphy wrote letters to the directors of Homeland Security and ICE showing support for Chavarria. The community response showed support for accommodating immigration measures but the city itself was unable to keep this woman and her family safe so she fled to New Haven.

In 2017 a similar case occurred, when Jung Courville was asked to leave the country, and her two children behind. Hundreds of individuals from the Norwalk community gathered in a church to show support for Courville- who had no history of criminal activity.<sup>166</sup> Protests for community members who face these types of deportations in Norwalk are common, but the city itself has not adopted any formal sanctuary policy.

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<sup>165</sup> Kathleen McWilliams, "Norwalk Woman with Four Dependent U.S. Born Children Facing Deportation Thursday," *The Hartford Courant*, July 25, 2017.

<sup>166</sup> Cassandra Basler, "Hundreds Attend Vigil For Norwalk Mother Facing Deportation To South Korea," *WSHU*, August 8, 2017.



### *Hartford, CT*

In the 19<sup>th</sup> and 20<sup>th</sup> centuries Hartford experienced immigration from European countries, much like Danbury did, but the capital city has remained a gateway throughout its history.<sup>167</sup> Hartford is the only city in my case study analysis that has declared itself a sanctuary city. In 2008, former Mayor Eddie Perez signed an ordinance stopping local police officers from cooperating with federal immigration enforcement. This policy also prohibited police officers from asking about identity and status.<sup>168</sup> In 2017, the city of Hartford reaffirmed its commitments to protecting immigrants and Mayor Luke Bronin said that President Trump’s executive orders would not affect the policies of the city. Bronin stated, “The city of Hartford never has and never will shield violent criminals from justice, regardless of immigration status. But we also don’t—and won’t—arrest or detain people simply on the basis of their immigration status, or ask victims or witnesses of crime about their immigration status, or deny services like our library system to anyone who lives peacefully as a member of our community.”<sup>169</sup> In addition, the city has continuously debated whether or not to create municipal I.D’s for city residents that would not require proof of birth certificate or social security number. This type of I.D has been implemented in New Haven, Connecticut, which is also a declared sanctuary city.

Because Hartford is the capital of Connecticut, the city sees a great deal of protest in front of the state building. Over the years, there have been countless protests for and against immigration enforcement within Connecticut and within the U.S. In 2005, there was a large protest about a bill that Connecticut Senator Joseph Lieberman co-authored about immigration

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<sup>168</sup> , Jeffrey B Cohen, “Perez Signs Immigration Rule (Hartford, CTT newest sanctuary city),” August 19, 2008.

<sup>169</sup> Blair, “39 Sanctuary Cities Vow to Continue Policies.”; Hartford Courant. January 25, 2017.

reform.<sup>170</sup> Although the legislation from the Connecticut Capitol is not always stemming from Hartford itself, many of the supporters for accommodating practices are from Hartford and the surrounding areas.

Furthermore, the city has created a Commission on Refugees and Immigrant Affairs, which “creates a means for refugee and immigrant voices to be heard and understood, facilitates civic engagement among refugees and immigrants, and recognizes and legitimizes issues of importance to new arrivals.”<sup>171</sup> The commission is also responsible for monitoring policies that are being implemented or considered in the city regarding immigration and also making recommendations to city leaders about policy initiatives.

### *New Hampshire Cities*

#### *Manchester, NH*

Manchester, New Hampshire has experienced substantial immigration since the 19<sup>th</sup> century. In 1890, a considerable half of the population in Manchester was foreign-born.<sup>172</sup> In the post-World War I era, the population did decline because of strict immigration laws and policies; however, the mills in Manchester made it so that it was a strong immigrant destination. At the end of the 20<sup>th</sup> century Manchester experienced another influx of immigrants, but this time the immigrants came from Latin America instead of Europe, as in the cities in Connecticut. Furthermore, since 1980, Manchester has been a refugee resettlement site in New Hampshire.<sup>173</sup> This practice was established in the Federal Refugee Act 1980. By being a refugee resettlement

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<sup>170</sup> Spencer and Courant “Face-Off on Immigration; Reform Bill Draws Over 60 Demonstrators,” Hartford Courant, 2005.

<sup>171</sup> “City of Hartford Boards and Commissions,” Hartford Has It, 2018.

<sup>172</sup> Sally Ward, “Immigration to Manchester, New Hampshire,” Federal Reserve Bank of Boston, March 02, 2015.

<sup>173</sup> Ibid.

site, Manchester acquires many refugees from around the world compared to other cities in New Hampshire.

In the past, Manchester has not been consistently supportive of immigrants and refugees. In 2011, Mayor Ted Gatsas and the Board of Alderman for the city asked if they could implement a moratorium on refugees entering the city.<sup>174</sup> The mayor said that he had nothing against immigrants or refugees but that he would like the city to be able to catch its breath.<sup>175</sup> Mayor Gatsas stated that this was less of an issue with the immigrants and refugees in the community, and more of an issue with the organization that brings refugees into the city; the International Institute of New Hampshire. Mayor Gatsas explains that he didn't want more refugees resettling in Manchester because the people already settled in Manchester are not receiving the resources and aid that they need. This bill did pass in the New Hampshire House of Representatives but did not pass in the senate, and illustrates Manchester's views on aiding refugees that come into the city. Despite the Mayor's claims, this type of rhetoric often stems from a restrictionist point of view. Refugees that come into the United States are supported by federal programs, and the idea that these refugees are draining local money or energy is often more perception than reality, though communities may experience short-term costs en route to longer-term fiscal gains.

More recently, in 2016, Manchester became a welcoming city and part of a greater movement called Welcoming America. Welcoming America is an initiative founded in 2009 that connects all cities around the United States that are interested in becoming welcoming cities for immigrants.<sup>176</sup> According to Welcoming America, welcoming communities "foster a culture and

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<sup>174</sup> Abby Goodnough, "Halt Is Sought to Manchester, N.H., Refugee Resettlement," *The New York Times*, November 25, 2011.

<sup>175</sup> *Ibid.*

<sup>176</sup> "FAQs: What Is Welcoming America?" Welcoming America, N.d.

policy environment that makes it possible for newcomers of all backgrounds to feel valued and to fully participate alongside their neighbors in the social, civic, and economic fabric of their adopted hometowns.”<sup>177</sup> The welcoming initiative illustrates an accommodating nature of the city, while the city officials in the past have not been accommodating in their policy recommendations.

### *Nashua, NH*

Nashua, New Hampshire has a similar history of immigration to Manchester and the cities in Connecticut. As another New England city, Nashua experienced immigration from Europe early on in the 19<sup>th</sup> century and throughout the 20<sup>th</sup> century. Around the 1950’s, the city began to experience immigration from other countries outside of Europe, specifically from Latin America.<sup>178</sup>

Nashua, in addition to Manchester, has recently declared support for the Welcoming America initiative, and became a welcoming city in 2016, which was approved by Mayor Jim Donchess. The city has pledged to support immigrants in a variety of different ways including the creation of the Cultural Connections Committee, that “facilitate[s] communication between the ethnic community and City government” in Nashua.<sup>179</sup> Although the city as a whole has expressed its support, many aldermen in Nashua questioned the resolution and its support for undocumented immigrants. Mayor Donchess said to the Board of Alderman, “We are not endorsing an agenda having to deal with illegal immigration or amnesty or anything else” and

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<sup>177</sup> “FAQs: What Is Welcoming America?” Welcoming America, N.d.

<sup>178</sup> “History of Nashua,” Nashua, New Hampshire Gate City, 2006-2018.

<sup>179</sup> “Cultural Connections,” Nashua, New Hampshire Gate City, 2006-2018.

also said that the city would look bad if it did not enforce some type of resolution.<sup>180</sup> So although the city is moving in an accommodating direction, the motives behind the resolution may not be as supportive.

### *Concord, NH*

Like Manchester, Concord, New Hampshire is also a refugee resettlement city and works closely with the Lutheran Church Services to aid refugees in their transitions. Like both Manchester and Nashua, Mayor Jim Bouley passed a resolution in 2016 declaring Concord a welcoming city to all immigrants and persons and the city official became part of Welcoming America.<sup>181</sup> Within this welcoming city resolution, Concord “affirms its commitment to welcoming immigrants” and fully integrating them into society.<sup>182</sup>

In addition, Concord has expressed its support for immigrants long before declaring itself a welcoming city in 2016. In September of 2011, hundreds of Concord residents came out to protest against the hateful comments being made about refugees in their community. Jim Bouley argued that this anti-immigrant rhetoric is not what Concord believes in: “This is not something that represents Concord, and we’re going to say no, we stand with the families, and we want them to know that we are accepting of them and we want them to feel as welcome in Concord as anyone else.”<sup>183</sup>

Despite this positive rhetoric from the mayor of Concord, it seems as if the community itself is very mixed in its opinion of immigrants and refugees resettling in Concord. Five years

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<sup>180</sup>Kimberly Houghton, "Nashua Aldermen Narrowly Approve Controversial 'Welcoming America' Initiative New Hampshire," *The Union Leader*, September 27, 2016.

<sup>181</sup>Bhagirath Khatiwada, "Letter: Concord, the Welcoming City," *Concord Monitor*, September 07, 2016.

<sup>182</sup>Eva Costillo and Yvonne Goldsberry, and Richard Ober, "Our Turn: Welcome Concord's Immigrants," *Concord Monitor*, August 22, 2016.

<sup>183</sup>Rebecca Lavoie, "An Act of Hate You Have to See to Believe," *A Word of Mouth*, NH Public Radio, 2011.

ago, in Concord's south end, three different immigrant families living within two streets of each other woke up to a paragraph long statement that was written on their homes. Part of this quote said, "You are not welcome here, this town was a wonderful crime free place for hundreds of years. Your subhuman culture has already brought many crimes linked to your mud people..."<sup>184</sup> This vandalism clearly shows an underlying message that in the city of Concord, there are people who feel that immigrants should not be welcome. Interestingly, the three families whose property was vandalized had lived in the city of Concord for quite some time- these weren't new families that were being attacked, but families that had already established themselves as members of the community. The city took measures to arrest the perpetrator that had vandalized the immigrants' homes, and also made sure to reinforce the positive sentiments of immigrants in the community.

### *Comparing Responses to Immigrants Across Cities*

In addition to this historical context, a national survey of local government officials' responses to immigrants allows us a more consistent metric for comparing the cities. In 2016, Professor Abigail Williamson sent a survey out to four different officials in a stratified random sample of towns nationwide; police officials, city managers, mayors, and a randomly selected city councilor. Responses to the survey are available from 5 of 6 cities: Hartford, Danbury and Norwalk, Connecticut and Manchester and Nashua, New Hampshire. Table 2.8 below illustrates which type of stakeholder answered the survey in each city:

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<sup>184</sup> Lavoie, "An Act of Hate You Have to See to Believe," *A Word of Mouth*, NH Public Radio, 2011.

<b>Table 2.8: Stakeholders in Each City</b>			
<b>Police Officer</b>	<b>City Manager</b>	<b>City Councilor</b>	<b>Mayoral Response</b>
Nashua, NH Norwalk CT		Manchester, NH Hartford, CT Danbury, CT	

*Unauthorized Immigration Position*

The first topic that is extremely important in determining the social context of the city regarding immigration is how the city officials respond to immigration and specifically illegal immigration within their community. Table 2.9 below clarifies where the cities fall in terms of their illegal immigration position, ranging from declaring a sanctuary city, to cooperating actively in federal enforcement. Hartford, Connecticut, indicated that they are openly declared a sanctuary for unauthorized immigrants, while Norwalk and Danbury, Connecticut, along with Nashua, New Hampshire all answered that their cities have an informal “don’t ask don’t tell” policy regarding illegal immigration except in situations where an individual is involved in a serious crime. Manchester, New Hampshire was the only city that answered that they have no official policy for unauthorized immigrants in their community. According to the previous literature and demographic information about Connecticut and New Hampshire and their prospective cities, it makes sense that Hartford is a sanctuary city, while the other two cities do not ask about status, because Connecticut is generally progressive. As New Hampshire has implemented less policy on immigration and also sees a smaller amount of immigration, it is not shocking that Manchester has no official policy.

<b>Table 2.9: Illegal Immigration Position 2016</b>		
<b>Sanctuary City</b>	<b>Don’t Ask Don’t Tell</b>	<b>No Official Policy</b>
Hartford, CT	Danbury, CT Norwalk, CT Nashua, NH	Manchester, NH

*Translation Services*

Understanding translation services that cities offer their immigrant community is an additional measure of the city’s accommodations to the immigrant community. Table 2.10 below lists the different translation services of the five cities that answered Williamson’s survey. As seen below, all five cities will call on bilingual employees to help translate in certain situations, and all five cities will also ask the resident’s family members or acquaintances to translate if they are able to do so. Calling on different bilingual employees is a good measure of accommodation because it means the cities have a somewhat diverse employee base and are able to use the resources. It is also quite common for cities around the U.S to contract out translation services, especially if there is not an individual in the department or city that is able to do the translating. Norwalk, CT and Nashua, NH both said that they contract out individuals for translation when it is necessary. All the same, all five cities at times lack in-house capability to translate for residents and must rely on immigrants’ kin to translate. This information illustrates that cities are pursuing policies and practices to support immigrants in their communities, but the types of practices vary and can depend on the historical and political makeup of each city.

<b>Table 2.10: Services for Translation in Each City</b>			
City:	Calls on a bilingual employee of municipality or county	Uses a translation service that municipality contracts with for this purpose	Asks the resident's family member, neighbor, etc., to translate
Hartford CT	X		X
Norwalk CT	X	X	X
Danbury CT	X		X
Nashua NH	X	X	X
Manchester NH	X		X



### *Accommodating Measures*

In Williamson's survey to localities, she asked a number of questions that relate to accommodation of immigrants in their respective communities. There were different types of respondents that could have answered Williamson's survey; police officials, city managers, city councilors, and mayors. Because of the nature of some of the questions, different liaisons were able to answer different questions and thus Williamson tailored the questions depending on the official answering the survey. Therefore, Williamson created an accommodating index that describes the relative position of each city, even though differences may accrue because of the differences in officials answering the survey. The index is located below in Table 2.11

<b>Table 2.11: Accommodating Index</b>	
	Percentage
Hartford CT	50
Norwalk CT	33
Danbury CT	74
Nashua NH	80
Manchester NH	63

According to the officials in Hartford that responded to the survey, they reported that they have implemented 50 percent of accommodating measures that they were asked. Norwalk reports that they implemented 33 percent of measures they were asked about. Danbury and Nashua reported the highest percentage of policies that they have implemented, while Manchester reported implementing 63 percent of policies they were asked about. To compare these statistics with the national survey on the whole, the main level of accommodation for cities was 27 percent, and the percent of accommodation for cities larger than 50,000 was 36 percent. This illustrates that the majority of the cities illustrated above (besides Norwalk, CT) were significantly above the national average of accommodation. It also should be noted that these

measures of accommodation do not necessarily match up with the political history and restrictive/accommodating nature of immigration in each city. However, understanding the accommodation practices in each locality is important because it illustrates how localities may react in the current administration.

*What role should local governments play in responding to immigrant residents?*

Finally, the survey asks officials what role the local government should play in providing services to immigrant residents in their community. Officials can check multiple options, responding that local officials should provide immigrants with access to existing programs, create new programs to serve immigrants, and/or restrict immigrant (or specifically unauthorized immigrant) access to local services. Officials in Norwalk and Danbury, CT and Nashua, and Manchester, NH all reported that local governments should respond to immigrants in their communities by creating programs and policing that can help new immigrants adjust to their home. Norwalk and Danbury, CT also felt that the city should be responsible for providing immigrants with access to existing programs that are already available to all residents.

<b>Table 2.12: What role should local governments play in responding to immigrant residents?</b>	
<b>Create programs and policies that help immigrants adjust to their new home.</b>	<b>Provide immigrants with access to existing programs available to all residents.</b>
Norwalk, CT Nashua, NH Danbury, CT Manchester, NH	Norwalk, CT Danbury, CT

Taking into account the history of these cities and the survey data provided by Abigail Williamson, I find that depending on the state and the degree of immigration that each community experiences, these cities have had different reactions to immigration in the past. Overall, research suggests that these cities will become more restrictive at the local level because of the national rhetoric on immigration enforcement. The differences in the cities that I have examined before the Trump Administration will shape the findings that I develop in the following chapters. I next discuss the my interviews with police officers to determine what local governments are experiencing in response to the Trump Administration's anti-immigrant regime.

## Chapter 3: Interviewing Police Officers in Connecticut and New Hampshire: A Case Study Analysis

In the previous chapters, I analyzed how cities have changed before Trump and when sanctuary cities enacted their policies. I am now interested in learning about the direct response of police departments to the federal government's immigration enforcement changes. As part of my thesis and case study, I asked the officers that I interviewed across the six cities several questions to gauge how the agency as a whole responds to immigrants and immigration enforcement. While collecting this information, I specifically asked these officers to describe their immigrant community and whether it has changed over the past decade. In this section I will address the views and perceptions of the police officers in Danbury, Norwalk, and Hartford, Connecticut and Manchester, Nashua and Concord, New Hampshire. Understanding how police officers view their immigrant community and the subsequent changes is an important element in the analysis of local immigration enforcement. I find that police departments have not experienced any formal changes in their departments regarding immigration practices, but have taken the initiative to go into their communities to reassure immigrant members.

Table 3.1 illustrates the breakdown of different officers from different cities. I assured these officers that their names would remain confidential and so would their titles, except for the police chiefs because they all gave permission to use their titles.

**Table 3.1: Type of Officer from Each City**

City	Type of Officer:	Police Chief	High-ranking Official	Patrol Officer
Danbury CT	<i>Officer 1</i>		X	
Norwalk CT	<i>Officer 2</i>	X		
	<i>Officer 3</i>		X	
Hartford CT	<i>Officer 4</i>		X	
	<i>Officer 5</i>			X
Manchester NH	<i>Officer 6</i>	X		
Nashua NH	<i>Officer 7</i>	X		
	<i>Officer 8</i>		X	
Concord NH	<i>Officer 9</i>			X
	<i>Officer 10</i>			X
	<i>Officer 11</i>			X

Table 3.1 illustrates that I have collected information from police chiefs from three different cities: Nashua, New Hampshire, Manchester, New Hampshire, and Norwalk, Connecticut. I was able to talk to a high-ranking police officer in Danbury, Norwalk, and Hartford, Connecticut, and Nashua, New Hampshire. I characterize a high-ranking official as a deputy-chief of the department or a lieutenant that may run or lead specific divisions of the department, such as the community policing division. In addition, I talked to patrol officers from Hartford, Connecticut and Concord, New Hampshire. Patrol officers do not have a higher title but spend the majority of their time working on the street and interacting with community members. The combination of police chiefs, high-ranking officials, and patrol officers allowed me to have a deeper understanding of what is occurring in each city and community.

For each of these officers, I conducted an interview that usually lasted between about thirty and forty minutes. I either spoke to the officers in person or, occasionally, over the phone. I asked the officers several questions about their practices and what has changed in their communities over the last several years. The interview guide that I used is located in the Appendix. In the interviews, I began by asking general questions about the makeup of each city. I was interested in learning about the biggest changes the city has faced, and the challenges the police department faced. After asking general questions I moved into asking specifics about the immigrant community. I asked the officers whether immigration was a controversial topic in their communities, and whether their cities experienced an influx of immigration. I also asked the officers what types of immigrants were in their cities, whether they were refugees, undocumented, or on visas. I then asked questions about policy changes; I was curious to find out what policies the cities already implemented regarding immigrant accommodation or

enforcement, and how their police departments have reacted to the changes on the federal level. The interviews that I gathered with these officers will be analyzed in the next several sections.

### *Views and Perceptions of Officers*

#### *Population Growth*

Before turning to police officials' views on how Trump's policies and rhetoric have changed their work, it is important to first analyze how police officials see their immigrant populations. One common theme among police descriptions of immigrant residents was assertions that immigrant populations were growing rapidly in local communities. Specifically, officers in Hartford, CT and the three New Hampshire cities explained to me that their communities had experienced very rapid immigration and/or refugee population growth in the last decade. As data in the preceding chapter indicates, the three New Hampshire cities did experience substantial growth over the past 16 years, while Hartford has a much larger immigrant population and therefore displayed slower growth rates.

In line with this data, officers in Hartford mentioned that they had noticed a more diverse population increase, but that the city itself was already very diverse so it did not make a substantial difference. An officer from Hartford told me, "especially now, we do have an influx of people coming into not just the city but the state and we are not sure where they are heading." According to the data in Table 2.7, Hartford experienced the smallest percent change of the population. Danbury and Norwalk Connecticut did not mention a population change as being a significant aspect of the recent changes in the city. However, Norwalk, Connecticut's percent change of the foreign-born population was very large, illustrating that the city has experienced a significant difference in their makeup of community members.

In New Hampshire, the three cities all experienced significant percent change increases. An officer from Concord, New Hampshire told me, “So, the big changes that I have noticed would be the population increase, especially the refugee population, Concord [is] a go-to city for refugees...I believe the last time I talked to [the high school’s community resource officer] he told me they were speaking 33 different languages at Concord High School.” A Nashua police officer exclaimed to me that he feels the population in his city is changing every day, and he attributes this change to the growing and very diverse immigrant community. According to the census data that I gathered in the previous section, all three cities have in fact experienced a growth in their foreign-born population since 2000. After talking to a few members in Concord, New Hampshire, this foreign-born population increase is especially evident in cities like Concord, New Hampshire that have been primarily white. According to the cities in New Hampshire, the population growth came on so quickly and so persistently that the cities were overwhelmed and thus faced some challenges.

### *Challenges*

While speaking with several officers across the six cities I studied, I realized that many report challenges because of perceived rapid immigration growth in their cities. Every officer that I interviewed from every city mentioned that one of the biggest challenges their police department has faced was the lack of resources they had, and specifically the inadequate number of officers to police their communities. Concord, for instance, used to have a community resource officer charged with developing relationships with different stakeholders in the community. However, because the city did not have enough officers working on the ground and patrolling the streets, this specific role was dismissed until there were more officers. Similarly,



an officer in Norwalk mentioned he would have liked to continue to grow his community policing division, but because of the needs in other divisions and the small pool of officers he has to work with, it is currently unachievable. These anecdotes illustrate that cities in both Connecticut and New Hampshire are struggling with resources to better support their growing populations. At the same time, especially in New Hampshire, these cities are also struggling with hiring officers that are diverse enough to support their communities.

This leads to the next challenge that some of the cities have experienced: the difficulties associated with a homogenous police force and weak communication with immigrant residents. In Concord, an officer mentioned the difficulty of responding to calls where none of the individuals are able to speak English. This creates an issue for the local department because they don't have the resources on their own to find translators so they have to go through the state. The officer from Concord, New Hampshire mentioned that he believed there were about 33 different languages being spoken in the high school alone, which means that many if not more are spoken in Concord. At the same time, the officer told me that he knew of only 4-5 languages that were spoken within the police force. A Nashua, NH officer explained how comforted his community was when they found out he spoke Spanish to them. This officer said, "Once I started patrolling the streets as a new officer they all like wow you speak Spanish. And they have never seen that before. There were a couple of officers before me but just seeing a brand new officer that spoke Spanish was mind boggling." According to the survey that Williamson conducted in 2016, Nashua used all three translation services in the city: using bilingual employees, contracting out services if needed, and relying on resident's family members or friends for translation. Although both of the cities mentioned have growing foreign populations, there is still

a strong majority of white individuals that live in the city, thus making it more homogeneous than cities in Connecticut.

In Hartford, an officer of Hispanic descent reiterated what the Nashua police officer said and told me that he feels like specific populations in his city are more willing to talk to him about their concerns than other officers who may not match his ethnicity. This information is corroborated in the findings in Williamson's survey, as the responses indicate that Hartford uses bilingual employees to help translate and also relies on local community members to do the translating as well. This shows the importance of a diverse police force and building trust within a community. It also illustrates that even though literature suggests that local governments will be more restrictive because of the national government's restrictive nature, Hartford's case demonstrates the opposite.

### *Immigration Controversy*

In addition to asking about challenges, another one of the questions I asked police officers was how controversial immigration was in their respective cities. In my interviews, I found that police responses varied when I asked about immigration controversy. I also found that even in the cities that said immigration was not controversial in their city, the officer speaking still felt strongly about working with the federal government and had a negative view of undocumented immigrants. This is a surprising finding, as we expected to see a variation of responses across the different states and cities because of their opinions and past views on immigration enforcement. Instead, the interviews demonstrated that many of the officers from all six cities spoke similarly about their views on controversy and immigration.

For example, the Chief of Police in Manchester explained to me that immigration is not controversial in his community. In fact, he told me the city embraces their immigrant populations, as they have brought so much to the community. At the same time, though, the Chief mentioned that he can't imagine how a city would defy the federal government, so although he doesn't experience any controversy in the city, he did mention his strong opinions in favor of working with the federal government. Here, there is a sense of support for the immigrants in the chief's community, but an overwhelmingly negative rhetoric about immigration in general, specifically unauthorized immigration.

Concord, New Hampshire was the other city that also said that immigration was not at all controversial in their community. Two officers gave me a very simple and straightforward answer of "not at all controversial" when I asked how controversial they thought immigration was in Concord, and one officer said that he didn't believe immigration was controversial, but he noticed that many people do not want the dynamics in Concord to change, referring to population and diversity changes. One officer further explained to me his opinion that Concord needs a break from refugees entering the city, and that foreign-born individuals are more likely to become terrorists and to have problems with America than native born residents. This officer was specifically interesting in helping the residents "that actually grew up" in Concord, before helping others. So although the officers agreed that immigration is not controversial in the city, their responses showed a clear bias to native-born residents and an apprehension to support those that may be from somewhere else.

In Nashua, New Hampshire, the Chief of Police asked me to specify between legal and illegal immigration when I asked whether immigration was controversial in his community. He told me that illegal immigration is very different. When I told him he could refer to either or

both, he said that in his community there hasn't been any protests or actions taken because of immigration, and that the city has a very diverse community. The Nashua police chief was again, very supportive of his own community (which rarely experienced illegal immigration) but against illegal immigration.

For the Connecticut cities, Norwalk did mention that immigration was a concern among "some segments of the population" when I asked if it was controversial. The officer alluded to the changes occurring on the federal level and how that has created concern on the local level, but he did not specify whether the controversy was ensuing because of actions taken on the local level or because of fear of the national agenda. Danbury also mentioned that immigration has been controversial in the city. The officer I spoke to talked about how Danbury used to be involved in the 287(g) agreements with the federal government, which means the city was working closely with ICE and using local officers in immigration enforcement tactics. This caused a significant amount of controversy within the city and the decision to participate in 287(g) was highly criticized by members of the local community. The officer I spoke to mentioned to me that Danbury stopped participating in 287(g) and there has been no such agreements since the city opted out of participating in the 287(g) agreement.

In Hartford, Connecticut, I received a different answer. A high-ranking police official told me, "I think it is a mindset; if you let it be controversial, I suppose it could be" and then went on to say that he is "all for immigration, as long as [immigrants] come in the right way." This type of rhetoric illustrates that there may not be outright controversy within the city, but officers may have strong opinions about legal and illegal immigration.

*Immigration occurring “the right way”*

The rhetoric insisting that immigrants come into the country “the right way” was another theme across several officers. Five out of eleven officers in three out of six cities were used this rhetoric in their interview. A Concord, New Hampshire police officer clearly stated that he doesn’t think any more refugees should be coming into the city. He believes that Concord should stop taking in other populations and instead focus on who is local to the city. This officer stated, “I would say a majority of police officers with agree with some of Trump’s [immigration] policies.” The same officer also said, “I think some of them [immigrants] are more apt to speak out against Americans and you know...home grown terrorists.”

In addition to Concord, NH, Hartford, CT was another city in which the police officers were strong with their rhetoric about people coming into the country. A high-ranking officer in Hartford continuously said that he is “all for immigration” and giving people a better life, but that he wants these people “to do it the right way.” I asked this officer to clarify for me what the right way of entering the country was, and he responded, “I am not familiar, but I would like to think that there is a formal process, if someone is seeking to come here for a better life than there has got to be a way to do it. I don’t know what the specific process is but I think there is something in place, so why not just do that?”

We have reason to question this officer’s response to immigration. According to the American Immigration Council, there are three different ways for undocumented persons to come into the country legally, but all three of these methods have significant constraints. The first two methods of coming into the country are employee-based and family-based. Qualified and eligible employees or family members are able to come into the U.S, but they also face serious backlogs and waiting times because the United States is only able to extend seven

percent of their visas each fiscal year to a given country.<sup>185</sup> This poses a problem for countries where there is a high demand of visas to the United States. For example, in Mexico, if you are a sibling of a U.S citizen, there is a 20-year wait to get a visa; in the Philippines, the wait is at 25 years. Because of this, the chance of family members entering the country legally from certain regions is extremely rare.

In addition to being sponsored by work or a family member, there is also the possibility of entering the country through a humanitarian program. However, these programs are rare and have extremely rigorous vetting processes that limit the people that can use the services.<sup>186</sup> For these reasons mentioned above, we have to carefully consider the Hartford police officer's statement and understand that it is much more difficult to enter this country legally than he (and many others) believe it to be. This type of rhetoric is important to note because it first shows that these officers are not familiar with the immigration process and are also biased toward people who supposedly were born in the United States. The Concord, New Hampshire officer illustrated clear prejudice against foreign-born individuals, and the Hartford, Connecticut officer showed me that he was extremely unfamiliar with immigration policies in his city. This is a significant similarity as both Concord, NH and Hartford, CT exist in very different political and immigration contexts.

### *Policies in the Six Cities*

In the previous section I described different views and perceptions that police officers shared with me regarding immigration and enforcement. Many of the officers in almost all of the

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<sup>185</sup> "Why Don't They Just Get In Line? There Is No Line for Many Unauthorized Immigrants," American Immigration Council, August 2016.

<sup>186</sup> Ibid.

cities experienced a perceived growth in the foreign-born population. In response, police departments report facing challenges related to navigating disparate cultures and languages. In this next section, I focus more on how local officials describe the immigration policies that exist already within the six cities I have studied. I look at policies about status, about welcoming/sanctuaries, and about acceptance of immigrants in the community. Overwhelmingly, I find that cities are more or less accommodating in practice to their immigrant communities, but often hold negative attitudes toward immigrants, specifically undocumented immigrants, regardless of how accommodating their policies may be. Moreover, many officers demonstrate little knowledge about existing federal policies such as 287(g) and Secure Communities. Lastly, I find that in response to policy and rhetoric changes on the federal level, police officers have unofficially gone out into the communities to reassure immigrant communities of their status and place in society.

### *Immigration Status*

Across the six cities that I studied, I find that no city asks about immigration status when they are speaking to residents unless there is a serious crime involved. At the same time, every city besides Hartford mentioned that even though they do not ask about status, they would still help out federal immigration enforcement agencies if they came into the city asking for help.

In Nashua, NH specifically, I find that the Police Chief demonstrates that his police force is accommodating in practice on the subject of immigration status, but that as the Police Chief, he is restrictive in his opinions about status and his willingness to work with ICE. The Chief specifically stated that they don't ask for status because New Hampshire laws don't allow for that type of questioning. However, the chief of the Nashua police department made it clear that

the city's rules could be different if they were not also under guidance from the state government. In an interview with Emily Corwin, of Vermont Public Radio, the Police Chief reiterated the same information; saying that Nashua does not ask about status because in New Hampshire, there is no law that covers that question. His point is, "why would we ask that question if we can't enforce that law?"<sup>187</sup> This information shows that Nashua's Police Chief has restrictive tendencies, but is not as restrictive as some other places because he feels that he is constrained under state law. It is interesting that the same Police Chief mentioned to me that his city does not experience a lot of illegal immigration, but yet at the same time, he is adamant about the policies to restrict these individuals from existing within his community.

In addition, I found that many of the officers interviewed were unfamiliar with policies like 287(g) or Secure Communities. Danbury, Connecticut was the only city that actually knew what 287(g) agreements were. Danbury, Connecticut does not currently engage in specific restrictive practices, but has a long history of pursuing immigration enforcement at the local level. As stated earlier, the city was involved with 287(g) agreements in 2008, which allowed for a direct partnership with the federal government and local officials for immigration enforcement. During this time, two local officers in Danbury were trained to enforce immigration much like ICE.<sup>188</sup> When the program ended, Danbury stopped participating and the officer I interviewed told me that there has been no other program implemented in its place. The city currently does not ask about status when talking to individuals. As the leader of the community policing division, this officer explained to me that the 287(g) agreement really upset the community and affected the trust of local constituents, which is something the police are trying to rebuild.

Danbury, a historically restrictive community did not show signs of being extremely restrictive

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<sup>187</sup> Emily Corwin, "Police Reporting Of Unauthorized Immigrants Varies Dramatically Between N.H. Towns," Vermont Public Radio, February 24, 2017.

<sup>188</sup> Dirk Perrefort, "Once Feared, Immigration Program Quietly Ends," Connecticut Post, January 30, 2013.



in nature during this new administration, which could be due to the issues that the city has faced previously.

I asked every other city if they were familiar with enforcement policies like 287(g) and Secure Communities, and none of the cities were clear on what I was talking about except for the Danbury officer. A Hartford, CT officer explained “no I think that is all on the federal level and we really don’t see it.” A Nashua, NH officer said to me, “No that stuff doesn’t come up here.” And the Chief of Police in Norwalk said that he was unaware of some of the policies I was talking about, referring to both Secure Communities and 287(g). This information is interesting, because out of the six cities that I interviewed, every city has a jail in their community, which means they should instinctively be familiar with Secure Communities because it is a system that takes place when arrestees are booked at jails.

After about three or four interviews of receiving the same response, I changed my question to be broader. Instead of asking directly about Secure Communities or 287(g), I asked if there were any policies within the city where police officers would work directly with the federal government to enforce immigration. I continuously received the same answer; the cities that I interviewed did not work directly with federal immigration enforcement officials, unless these officials reached out specifically to the communities. If ICE specifically reached out to the communities, every city but Hartford said that they would comply with the federal government because it is part of their duty as police officers.

For example, a high-ranking official in Nashua, New Hampshire told me, “and if [ICE has an] arrest warrant, we are a police agency, and it is against the law to ignore an arrest warrant, so we certainly assist them.” Nashua, New Hampshire was the most deliberate about how they will work with ICE, but Manchester and Concord, New Hampshire and Norwalk,

Connecticut said they would also work with ICE if the individual they were dealing with in custody ended up being a criminal of some sort, which would be identified after fingerprinting. It was surprising that Concord, New Hampshire, as a historically immigrant-friendly community, was adamant that they would work with federal immigration enforcement if asked to do so. Norwalk, Connecticut is a hard city to decipher, because the city seems more accommodating but they also have many more foreign-born individuals in the city than any of the New Hampshire cities. Because they are more accustomed to seeing an undocumented population in their community, they could have a more accommodating viewpoint, unlike the New Hampshire cities that see so few undocumented individuals.

Hartford is the one city in the study that specifically calls itself a sanctuary city. Hartford became a sanctuary city in 2008 and Mayor Luke Bronin has continuously supported this movement throughout the current administration. Sanctuary cities should have very different policies than some of the other cities studied, prioritizing very accommodating policies toward immigrants. However, a high-ranking officer in Hartford that I spoke to was not aware that the city was a sanctuary city. I found this extremely intriguing, as being a sanctuary city has serious effects on the local community, and thus a police officer should be clearly aware of this policy. Instead, this officer told me, "I don't know if it was officially declared with Hartford being a sanctuary city. I think there was a backlash here." This information shows a clear disconnect between city officials in Hartford and also shows a lack of communication between top officials in the police agency and the rest of the force. Hartford's sanctuary policy was implemented in 2008 and then strongly reaffirmed in 2017 by Mayor Bronin. The information also shows that even though a city may be a sanctuary for immigrants, that does not mean the entirety of the police force is informed or in agreement with this policy decision.

*Immigration Initiatives within Each City*

In addition to understanding how police officers handle immigration status within their communities, it is also interesting to look at what practices police officers are pursuing in terms of immigration accommodation. Through my interviews with these police officers, I asked several questions about the different immigration accommodation practices that their department engages in. Three typical forms of engagement emerged: working with immigration organizations, participating on immigration support boards, and giving talks to community members about immigration topics.

By asking these questions, I found that many of the police departments are substantially involved in their community and involved in the effort to support their immigrant populations. As seen below, the most common actions of police forces and accommodations were police officials giving talks to local community members about immigration. The officers mentioned that this was a very informal practice that they would pursue if there was a need to, and it consisted of police officers gathering together with a group of immigrants to explain specific practices or to answer different questions. Five out of the six cities pursued this type of

<b>Table 3.2: Police Practices with Immigration Accommodation</b>						
	<b>Danbury CT</b>	<b>Norwalk CT</b>	<b>Hartford CT</b>	<b>Manchester NH</b>	<b>Nashua NH</b>	<b>Concord NH</b>
<b>Practices:</b>						
Police department works with immigration organizations		X		X	X	
Police department officials are on different boards that support immigrants	X	X			X	X
Police officials give talks to local community members about immigration		X	X	X	X	X

accommodating practice; Danbury Connecticut did not. The next most common practice was the

presence of police officials on different boards and organization that support immigrants. Four of the six cities have police officers on different boards: Danbury, CT, Norwalk CT, Nashua, NH, and Concord, NH. This accommodating practice is important because it illustrates that the police force has a presence on different boards that support immigrants. Lastly, three of the six cities mentioned to me that their police force works directly with immigration organizations around the city, indicating that the police force has an active role in understanding the needs and/or grievances of the immigrant community.

It should be noted that the information reflected above in Table 3.2 is the information that the police officers volunteered. Police departments in each of the cities could be engaging in different practices that may not have been explained to me in my conversations with individual officers. This note can be especially applied to Hartford, CT because the police officers I talked to were unaware of many of the policies within the city. Furthermore, the high-ranking officer I spoke to kept reiterating how he believed politics and police work should be kept separate, which is why he may not have spoken about the different accommodating practices that the department pursues.

Table 3.2 illustrates that the officers in Norwalk, CT and Nashua, NH explained to me that they are involved in all three types of practices mentioned above, which shows an accommodating approach in both cities. In both places, police departments are actively engaging with the immigrant communities by talking to them and are also supporting their immigrant communities by being leaders on different boards and organizations. An officer from Norwalk told me, “We are on a number of forums in different areas of the city -- both in English and Spanish -- and explain the immigration statutes and what the police will and will not do.” This officer said that they began having these types of conversations with immigrants after the 2016

election, when individuals became fearful about the role of the police and their place in society. Another Norwalk, CT officer explained to me, “we have done several outreach days, specifically outreach in different languages and we did drive some of that through the churches because they have a very good outreach which is great and there is already a trust bond [between] religious institutions and the communities they serve.” Here, the officer in Norwalk explains a crucial component of immigrant organizations- many of them are run through the churches because immigrant families and communities feel very close to their religious organizations. In Norwalk, this officer shows that the department has a great working relationship with the religious organizations around the city that can help immigrants as well.

In addition to religious organizations, the Police Chief in Nashua, NH talks about his time on the racial and ethnic disparities committee. This is a committee designated to talk about diversity within the city and how to improve relations with the immigrant populations. This type of practice by the police department illustrates accommodating behavior because the police department is actively a part of conversations regarding immigrants. It is surprising again, that Nashua, NH is one of the two cities that explained to me that they experience all three of the practices in their community. As restrictive as the Police Chief was in his rhetoric about immigrants and illegal immigrants, he is involved with his own immigrant community quite substantially.

Several of the police officers explained that they have always gone out into the community to talk to members and gain trust, but this practice had been especially common after the 2016 election for immigration communities. Norwalk, CT, Manchester, Concord, and Nashua, NH all expressed to me that they have been active in their community, explaining to immigrants the local police practices and how the policies work. .

Manchester, NH is also accommodating in terms of speaking with local community members. The Police Chief in Manchester, NH told me that his police department works with different immigration organizations and also speaks to the local community about immigration. The Chief said, “We have a really robust community policing division. We have a lot of relationships with different immigration organizations within the city.” The Chief also explained to me that he is involved in an organization called the Community Advisory Board where he meets with representatives from different ethnicities every month to talk about culture and keep open lines of communication. This is a very accommodating practice in the city, because it illustrates that the city is actively engaging with stakeholders involved in immigration. The Manchester Police Chief also explained that the Muslim community in Manchester was extremely upset after President Trump enacted his travel ban for certain Muslim countries. Because of this, the Police Chief told me that he went in to the community multiple times to talk to the Muslim individuals and reassure them about their status and safety in the community.

This fear instilled in many immigrants because of changes in the new administration can be seen in other communities as well. A Concord, NH police officer explained to me that his department has also gone out into the community to talk to immigrants about the differences in policing in the United States. The police officer said, “We have community meetings with people to proactively explain what the police department does and explain how it is different from their country.”

In total, every city except for Danbury, Connecticut told me that they go out and speak to their immigrant communities to continue to build trust with them, but to also inform them of the practices that exist within the United States. Many of the officers mentioned that their immigrant communities are not used to the policing style of the United States, so it is the job of the

department to speak with these groups and help them assimilate to the police culture here in the United States. In half of the cities, police officials specifically noted that they had ramped up these efforts in response to concerns in the immigrant community following Trump's election.

The officer in Danbury, Connecticut informed me of only one practice that his department pursues in the city, which is being on different boards from around the city that support immigrants. Danbury has struggled with relations between its immigrant and non-immigrant populations, and the officer did not mention working with individuals within the city to inform them and build trust.

In addition to Danbury, only one practice was checked off in Hartford, Connecticut as well. As mentioned before, I interviewed two officers in Hartford, a higher-ranking officer and a patrol officer. Both seemed to be very separated from anything political. The higher-ranking officer told me, "The Hartford PD isn't going to get involved into the politics. Our mission is to keep order, and try to aid people in whatever way we can." Because of this, the police officer was not open to talking about how the police department interacts with other organizations, because he felt very strongly that the police department has to be a neutral organization that does not get involved in political matters. This high-ranking officer believed immigration was a political matter and therefore did not speak to me about the department interacts with other immigrant organizations. I did not gather as much information as I would have liked to from the officers in Hartford, but I was able to understand that there are a lot of immigrants that live in Hartford, and the police, especially the Spanish-speaking police officers play a large role in communicating with the public. A Hartford patrol officer that speaks Spanish told me that people in his community feel more able to talk to him because they can relate to him. This makes his job

different than other police officers, because he spends more time guiding community members than officers who cannot relate.

This chapter demonstrates the policies and practices that each city engages in regarding immigration from the officers' point of view. Overwhelmingly, the officers in each city stated that they do not ask for status because it is not a priority for them; however, they would assist ICE in immigration enforcement if they were asked. Hartford, Connecticut is the only city that would not help assist ICE because it is a sanctuary city; however, one officer was not sure whether his city was considered a sanctuary or not. Additionally, many of the officers I spoke to work with their local community to help integrate immigrants into their communities and to educate immigrants about life in the United States and how to be a successful community member.

Despite the accommodating policies, several police officials expressed negative attitudes toward immigrants, particularly unauthorized immigrants. In addition, officers often lacked knowledge about federal immigration policies, including those that were salient to their own work. Finally, this section gives us an early indication of one change in practice that occurred following President Trump's victory. Namely, local law enforcement has become more active in reaching out to immigrant communities to assuage their concerns about President Trump's rhetoric and policy changes. In the next section, I further analyze officers' statements about what has changed on the local level in response to the policy and rhetoric changes on the federal level.

### *Changes in Response to the New Administration*

President Donald Trump began his candidacy with the strong statement against immigrants quoted at the beginning of this thesis, which accused at least some Mexican



immigrants of drug dealing and rape.<sup>189</sup> As the introduction explained in detail, he continued this rhetoric throughout his candidacy and into his presidency through his executive orders, targeting of sanctuary cities, and statements about stopping immigration from certain countries and building a wall to restrict others. All of these elements combined have made immigration an extremely sensitive and controversial topic. One might expect that these controversies would extend to the local level, since federal immigration policies often have significant effects on local governments and communities. Contrary to this expectation, I find that police officials in all six of the cities I examined report no local formal policy changes in their departments in response to Trump's policies and rhetoric. Officials are spending more time reassuring their immigrant community members about their place in society, but there has been no formal policy or practice put in place in any of the cities. In this section I explain my findings and illustrate the similarities in differences between the two states and six cities.

### *Local Responses to Trump Administration Changes*

Every single police official that I interviewed explained to me that they have not experienced any changes in police practices on the local level because of changes that have occurred on the federal level since President Trump took office. There were different reasons for why they thought that their local agencies have experienced no changes, but overwhelmingly all of the cities report no changes in their policies or practices regarding immigration enforcement. The information I have gathered is from a small sample of police officers in each city, yet the consistency in response across officials in a diverse array of cities is striking. Of course, the responses I analyze are their perceptions of what is occurring in their communities and not

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<sup>189</sup>Amber Phillips, "Analysis, 'They're Rapists.' President Trump's Campaign Launch Speech Two Years Later, Annotated," The Washington Post. June 16, 2017.

necessarily the full reality. In Table 3.3 below, I have included quotes from officers from each city that I interviewed, explaining that they have experienced no changes on the local level:

<b>Table 3.3: Responses to Changes on the Local Level</b>	
<b>City:</b>	<b>Responses:</b>
<i>Danbury CT</i>	Nothing has happened under Trump. “Danbury <b>has not experienced changes</b> at the local level.”
<i>Norwalk CT</i>	"We haven't heard anything or seen anything." "We have <b>had no changes</b> and it has not impacted us at all.”
<i>Hartford CT</i>	" <b>We have experienced nothing</b> in Hartford."
<i>Manchester NH</i>	"I don't think [the changes] have had any effect on us."
<i>Nashua NH</i>	“No that doesn't even come up at all”
<i>Concord NH</i>	“ I don't think it has gotten to our local level yet.” " <b>We haven't noticed a specific change</b> due to President Trump's change in policies and no meetings."

By looking at this table, it is clear that all six cities report no changes in their practices even with Trump's clear policy and rhetoric changes. Danbury, CT exclaimed that they have “not experienced changes at the local level,” Norwalk, CT said they “had no changes,” Hartford, CT said they “experienced nothing,” and Concord, NH said they “haven't noticed a specific change.” The rhetoric is clear here and similar across the entirety of my study. I also found that there have been no formal department meetings or police-distributed notices about immigration

changes on the federal level in any of the six cities. When I asked the Chief in Norwalk, CT whether he has held any meetings or initiatives about immigration changes on the federal level, he responded to me “no, it does not impact us at all.” The lack of action taken at the local level in cities in both Connecticut and New Hampshire is surprising.

What is even more surprising, however, is that several of these officers mentioned that they don’t believe *anything* has changed on the federal level regarding immigration issues, which would explain why nothing is changing on the local level. Despite the constant media attention to Trump’s immigration enforcement priorities, three different officers from three cities mentioned that their locales have not experienced any changes and were either unaware of changes nationally, or believed these changes don’t actually exist. An officer from Norwalk, Connecticut told me that a lot of what is going on in the national government “is just talk.” This Norwalk officer also said, “actions speak louder than words,” suggesting that there are only words being thrown around on the federal level and no actions to corroborate them. Additionally, the Manchester, New Hampshire Police Chief told me that he was not aware that Donald Trump had made policy and rhetoric changes. These findings are significant because the news has constantly covered issues with immigration policy that the country is currently facing. For several officers to tell me that they either have not heard of the different changes occurring, or don’t believe they have actually occurred, shows me that these officers are extremely detached from politics and social policy.

Similarly, Nashua, New Hampshire’s Police Chief also did not agree with my statement about changes on the federal level in terms of immigration enforcement. The Chief said, “Quite frankly, immigration laws haven’t changed. There hasn’t been a new immigration law on the books, other than some of these presidential declarations, which don’t affect us, since the 90’s

under Clinton.” This same Chief also said, “President Trump is not enacting new laws; he is saying we have to enforce the ones we have.” While the Chief is correct that immigration legislation has not passed through Congress and been signed into law by Trump, President Trump has made changes through his Executive Orders that should impact local policing, such as reinstating Secure Communities, changing the prioritization of deportations, and reactivating 287(g). Moreover, I anticipated that the Trump administration’s anti-immigration rhetoric might result in local policing actions.

Yet Nashua, New Hampshire reported no response to Trump’s policies because they were seen as similar to Obama’s policies. The police chief in Nashua stated, “From what I understand, the first order from Trump banning multiple countries literally mirrored one of Obama’s order like exactly.” This misconception came from President Trump’s chief of staff, Reince Priebus, who exclaimed that Trump’s travel ban identified countries that Obama had already targeted as the most dangerous countries in the world.<sup>190</sup> This was not true; former President Obama had identified several countries as “countries of concern” and restricted travel without visas, but did not restrict travel in full. The Nashua, New Hampshire police chief clearly believed these erroneous statements attributing the travel ban to Obama and was not able to understand that important changes in policy and rhetoric have actually occurred since 2016. Manchester, New Hampshire’s Police Chief also agreed that the changes occurring under Trump are not new. He said to me, “It is important to remind everyone that these restrictions were put into place under the previous administration as well,” referring to the travel ban that President Trump implemented and his anti-immigrant rhetoric.

Another interesting city to look at closely is Danbury, Connecticut, because the city has historically been known for being restrictive. Danbury has been characterized as a restrictive city

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<sup>190</sup> Kertscher, "7 Nations in Trump Travel Ban Were Named by Obama?," PolitiFact, January 29, 2017.

because several years ago they opted into the 287(g) agreements with the federal government, which means they were willing to work with the federal government to enforce immigration on the local level. An officer told me that the city faced extreme backlash from its participation in 287(g), including several protests. However, from what the police officer could recall, this agreement ended and the city has not decided to comply with the federal government in terms of working hand-in-hand under the new administration. The officer also specifically said that he would have heard news if immigration enforcement policies had changed because he is head of the community policing division, and there have been no related notices or meetings of any sort. So even in a city that has historically been restrictive and may be in support of President Trump's changes, the city itself has experienced no policy changes or no department meetings about immigration enforcement.

There are several conclusions that can be drawn based on the analysis of the cities above. First, despite the all of the differences in the two states and six cities that were explained in the demographics chapter, every police department reports the same reaction on the local level, namely, the absence of any sort of formal policy change. New Hampshire and Connecticut experience significantly different amounts of immigration into their states, and have different stances on immigration accommodation. Despite their clear differences in state-level immigration trends and responses, cities in both states denied any changes in their policies at the local level or even any conversations about changes that are occurring on the federal level. Especially for a state like Connecticut that does have a significant amount of foreign-born individuals and has a undocumented population of around 120,000, it would make sense for the local police agencies to have recognized the changes on the federal level and at least engaged in

some sort of conversation about enforcement. The absence of response across varied settings is therefore surprising.

The only noticeable change I gathered through my case study was the way in which the police officers are communicating with their immigrant constituents. Even though the Police Chief of Nashua, NH told me that many of Trump's policies look like Obama's and the changes do not affect Nashua at the local level, he also mentioned how certain people in his community were extremely fearful about whether or not they were going to be deported under the new administration. Whether or not these changes were real in the eyes of the Police Chief, he still explained to me the fears that were recurrent in certain immigrant communities in his city. The Police Chief also explained to me that he had several meetings with the immigrant groups that were nervous about their status and reassured them that they will be okay in Nashua and that ICE is "not out to get them." Although there may be no changes occurring within the department itself, the Chief has had to reassure his community because there are people who are fearful. This is a practice that has generally occurred for years, but chief made specific comments about how often he has talked to more immigrant communities in the past year.

The same situation applied to Manchester, New Hampshire. Manchester's chief told me that the travel restrictions implemented by President Trump have concerned the Muslim community in Manchester. The Manchester Police Department took the initiative to talk to the Muslim community and explain the situation to them so they were informed about what the executive orders say and what that means for their families. The chief went out and talked to the community even though he believed that Trump had not changed policy and that travel restrictions were also put in place by President Obama. Police officers, like the chiefs in both Manchester and Nashua, New Hampshire speak about seeing no changes in their police

departments, yet have experienced situations where they have to go out into their communities and explain to members that their safety and livelihood is going to be okay.

In sum, Danbury, Norwalk, and Hartford, Connecticut and Manchester, Nashua, and Concord, New Hampshire have not experienced any modifications in their practices and policies regarding immigration since President Trump has been in office. The cities have also not experienced any sort of directives from their police departments regarding how to go about the changes that President Trump has initiated. However, several cities have had to go out into their communities and dispel concerns and rumors about certain policy changes that are occurring on the federal level.

## Conclusion

Recent years have challenged many theories in political science and public policy. From electing a President with no experience in public office, to seeing liberal governors use the conservative states' rights model to achieve policy innovation, the United States has seen deviations from political tradition that could never have been predicted.

President Trump began his campaign by declaring his mission to build a wall between Mexico and the United States and he continued this initiative throughout his presidency to advocate for strongly and ferociously secure the border. However, President Trump's rhetoric goes well beyond the "wall" phenomenon; it has led to significant policy changes, which in turn have led to thousands of additional deportations of undocumented immigrants and have cast an overwhelming sense of fear over the majority of the Latino community and other immigrant ethnic groups. It should be clear that we are now living in a different era; an era when the President of the United States calls Mexicans "rapists" and exclaims that countries like Haiti and El Salvador are "shit holes." These rhetoric and policy changes that we have faced as a nation directly affect state and local communities all over the United States.

In this thesis, I explored how state and local governments have responded to these changes, identifying four major findings. First, my sanctuary city data illustrates that the national anti-immigrant rhetoric has not led to a retraction in accommodating practices, but, rather, seems to have encouraged more cities to go public with their embrace of immigrants. Second, despite predispositions that federal policy changes shape local responses, police departments in my case studies have noticed no formal changes within their departments' policies and practices. Third, I find despite police officers noticing no changes in their departments, they still act as accommodating figures in their communities by going out and



talking to immigrant members about their status and safety. And lastly, I find that in some cities, officers go as far as to say that they have not noticed a serious or significant change in immigration enforcement policy on the federal level, illustrating a substantial disconnect and lack of knowledge among local officials about changes on the federal level. This disconnect may explain why the cities themselves report few significant changes despite the sea change at the federal level.

### *Sanctuary City Data and National Rhetoric*

According to prominent literature, federal policies are known to shape local response.<sup>191</sup> Yet cities do not seem to be consistently falling in line with Trump's immigration policy and rhetoric changes. Although, President Trump has been very active in his efforts to ban and defund sanctuary cities in the United States, only two cities out of 82 rescinded their policies after Trump began to run for office. Moreover, out of the 82 sanctuary and welcoming policies that I analyzed, 31 percent were enacted after Trump began his campaign and presidency. This finding contradicts the previous literature that argues that national rhetoric will promote restrictive policy on the local level. For a great deal of cities, the stance of the federal government has not stopped cities from being accommodating toward their immigrant populations. It is clear after reviewing the literature and analyzing policy at the city level, that cities have substantial power and may deviate from the federal government's national rhetoric. In sum, this sanctuary city data and the most recent presidency have challenged many policy conceptions.

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<sup>191</sup> Hopkins, "Politicized Places: Explaining Where and When Immigrants Provoke Local Opposition," *American Political Science Review* 104, no. 01, 2010, 40.

### *Federal Policy Shaping Local Response*

Under the Trump Administration, the legality of sanctuary cities has been highly contested, and it a policy choice that is under serious consideration. It is still contested whether sanctuary cities are legal; however, the Supreme Court has already said that President Donald Trump’s Executive Order that planned on defunding sanctuary cities is indeed unconstitutional. Despite the legality concern of sanctuary cities and the strong opinions of the federal government against sanctuaries, policies are still being implemented on the local level, and, more than ever, the United States is seeing a prominent shift in states rights initiatives.

It is a common conception to think of conservative policy as being driven by state and local rights instead of being driven by the national government. This traditional “conservative ideal” has been incorporated heavily into the Democratic ideology, especially during this conservative time in the federal government. As seen with the sanctuary city data, state and local governments are using local rights as a way to change policy that differs on the federal level. This is an important finding in my thesis, because not only does it show an increase in the amount of sanctuary city policies that are forming, but also it shows a legitimate shift in the dynamics of intergovernmental relations and partisan politics.

Furthermore, another policy change of the federal government in the recent administration has been the enforcement and policing of immigrants. President Trump has increased the amount of ICE officials working, and has increased the amount of officers working along the border. The President has also reintroduced the Secure Communities Program that Obama eliminated, which is a way of allowing local police agencies to actively enforce immigration in their communities. Through my case study analysis, I found that despite the policy changes that exist on the federal level, police departments in my case study cities have not

experienced formal changes in their policy or practices. This illustrates that the federal policy changes are not directly causing local police departments to also change. In this way, the study calls into question the power of the federal government to shape local responses.

### *Police Officers as Accommodating Figures*

Despite the lack of formal change occurring on the local level in the cities that I analyzed, I found that many of the officers explained how often they had to go out into their communities much more often to calm the nerves of their immigrant communities. This illustrates that although no changes are occurring formally in the police departments, officers are actively entering their communities and interacting with concerned community members, which shows that bureaucratic officials like police officers to have a significant effect on immigrants in local communities.

Yet the case studies also reveal a disjuncture between police officers' attitudes and their actions within their communities. Overwhelmingly I noticed that police officers are supportive of their own communities (except for one officer in Concord, NH who was very restrictive in his opinions on all immigrants) but find problems with immigrants in general; specifically undocumented immigrants. Furthermore, I find that police officers and especially the police chiefs are comfortable talking about how illegal immigration is wrong and how people should come into the country "the right way" but are supportive when it comes to handling immigrants in person during work hours. This disjuncture is important to analyze because it affects the ways immigrants are treated in communities and how they are viewed. It was clear through my research that many police officers had strong restrictive rhetoric when talking to me about

immigration and specifically illegal immigration, but their police practices leaned more toward neutral or even accommodating practices.

### *Noticing No Change on Federal Level*

Lastly, I noticed a strong notion from several police officers where they believe nothing changes on the federal level unless they directly experience it in their own communities. This is a problematic opinion. Several police officers I talked to do not believe that President Trump has been changing immigration policy during his administration and therefore were surprised when I asked if they had experienced any changes in their own communities. However, there have been significant changes in the federal government's response to immigration. And these changes have substantially affected many communities across the United States; whether that means instilling fear in their immigrant communities or actively deporting many more immigrants than before.

Although there are certain local governments that are actively pursuing policies that support immigrants in their communities, there are also state governments that are active in disallowing locales to do so. Williamson states, "in the last two years, at least nine states have considered (and North Carolina and Louisiana have passed) laws penalizing so-called "sanctuary cities" – those that limit police participation in federal immigration enforcement."<sup>192</sup> This describes yet another intergovernmental tension; when states and their local governments disagree about how to enforce immigration.

To conclude, studying local policy responses to federal government initiatives and policy changes is an essential way to determine what direction the United States is moving in, but this

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<sup>192</sup> Williamson, *Welcoming New Americans? Local Governments and Immigrant Incorporation*, Chicago, IL: University of Chicago, 2018.

movement can be hard to understand has some states are becoming restrictive, while other localities are being accommodating, and vice versa. It is clear that local governments are active players in the federalism process and are demonstrating their power through different initiatives and policies. But it is unclear how the federal government's power is going to shape the outcome of all localities around the U.S and their policy choices.

As the past couple of years have shown clear deviations from traditional political theory, the next several years may show continuous deviation as well. Paying attention to local governments and how their roles are changing in response to policy changes on the federal level will be an interesting and important area for additional research. Furthermore, understanding how these federal, state, and local policy changes are going to affect immigrant members throughout the United States is also important. The fear instilled in the immigrant community has only increased, as every month we can expect a different order or memorandum from the Trump administration, enacting some sort of restrictionary policy. Attending to the experience of immigrants in local communities will be an important area to follow and understand as President Trump continues to expand on his anti-immigrant rhetoric.

# Appendix

## Appendix A: Interview Guide

### Interview Guide:

Information taken from Williamson Interview guide and Municipal Response Survey

Goal: Learn about how local enforcement officers are responding differently to immigration and immigrants under the new administration.

Begin interview:

Hello, my name is Abigail Painchaud and I am a student with Trinity College majoring in public policy. I am currently writing a thesis about how police officials are responding to changes in immigration policy.

Provide consent handout.

Ask about recording interview.

Gauge on my own:

Age  
Race  
Gender  
Ideology

1. Can you tell me about how you got involved in police work within this city?
2. What would you say are the biggest changes your city has faced in the last decade?
3. What challenges does your police department face?
4. How controversial would you say immigration is in your community?
  - What is the immigrant population like in your town?
    - What do they do for work?
    - Race, refugee/undocumented
5. How does your department interact with immigrant residents?
  - What about undocumented or illegal immigrants; does your department have specific policies on immigration enforcement?
    - -Written policies? Or more of a don't ask don't tell policy
  - Can you tell me about your department's approach to Secure Communities?

6. What is your goal in interacting with immigrants?
  - Building trust?
7. Can you describe how your department policies toward immigrants have changed over the years?
  - Gauge / ask about role of Trump policy changes:
    - Attempts to revoke funding from sanctuary cities
    - Reintroduction of Secure Communities and 287(g)
    - Ending DACA
    - Travel restrictions
  - Gauge / ask about role of Trump rhetoric:
    - President Trump and his appointees have expressed concerns about threats from certain immigrant groups in the United States. To what extent has this change in rhetoric at the federal level affected police work in [Town]?
8. In general what are the factors that are shaping your policies toward immigration?
  - Who are the stakeholders?
  - State policy
  - Local public demands (pro or anti-immigrant?)
  - City Hall
  - County
9. Overall, how do you see your role as a police officer changing with respect to immigration?
10. Can you tell me about any specific things you or your department has done locally in response to the recent changes in immigration policy and rhetoric under President Trump?
11. Is there anything else I should know about local policing and immigration in [town]?
12. Is there anyone else I should talk to or anything I should observe regarding this subject?

Thank you so much for your time.

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