Labor Market Shocks, Minority Population Share, and Immigration Enforcement

By SERGIO BARRERA, BRIANNA FELEGI[1]

ABSTRACT

Does increased labor market scarcity lead to more local immigration enforcement? We answer this by evaluating the impact of the great recession on the likelihood that local law enforcement partners with ICE through 287(g) agreements, Secure Communities, and implementation of E-Verify laws. Using a Difference in Difference Specification we find that a one percent increase in a commuting zone's great recession driven unemployment rate leads to a one percentage point increase in the likelihood of signing a 287(g) agreement with ICE and being an early adopter of Secure Communities, as well as a three-percentage point increase in the likelihood of adopting E-Verify in all industries. Additionally, we find that the relationship between the great recession and law enforcement partnerships with ICE is concentrated among commuting zones with above median pre-recession immigrant population share, non-Hispanic and non-white population share, and workers employed in construction. These results are consistent with adverse labor market shocks generating more anxiety in majority groups that leads to more support of policies restricting immigrants' ability to compete in local labor markets.

[1] Barrera: Virginia Polytechnic Institute and State University, (email: sbarrera@vt.edu); Felegi: Virginia Polytechnic Institute and State University, (email: bfelegi@vt.edu). We would like to thank Joaquín Alfred-Angel Rubalcaba for creating the dataset on 287(g) agreements used in this project as well Marcus Perez-Davis for his excellent research assistance. All opinions expressed in this paper represent those of the authors and not necessarily the institutions with which they are affiliated. All errors in this paper are solely the responsibility of the authors.

Introduction

Immigration consistently ranks as one of the most important political issues in the United States. Partly because of its political importance, there exists a vast economic literature examining the impacts of changes in immigration on a wide variety of outcomes.[2] Much less work examines the forces that drive sentiment towards immigrants, or the policies adopted surrounding the issue.

In this paper, we examine whether negative local labor market shocks influence the adoption of anti-immigration policy by examining changes in the likelihood of any county within a commuting zone forming a partnership with US Immigration and Customs Enforcement (ICE) following changes in the unemployment rate as a result of the Great Recession. Our context centers around 287(g) agreements, which were first adopted by the state of Florida in 2002 and have expanded to over 150 counties across the US in 2020.

Our dataset consists of commuting zone (CZ)-level information from 2000 to 2020. We combine data on the universe of local law enforcement agency 287(g) agreements with commuting zone level demographic information from the American Community Survey and Decennial Censuses. Information on the effects of the Great Recession and controls for exposure to import competition come from Yagan (2019), Autor, Dorn and Hanson (2021) and Pierce and Schott (2020).

Using a standard difference-in-differences design, we find that law enforcement agencies in commuting zones that experienced larger increases in the unemployment rate following the Great Recession were more likely to adopt 287(g) partnerships with ICE. Additionally, we find that the increase in local adoption of 287(g) is concentrated among commuting zones that had above median non-white population, foreign born population, or adults working in construction industries in 2000. We find that the link between local economic shocks and the adoption of anti-

[2] See Abramitsky and Bouston (2017) and Alesina and Tabellini (2024) for excellent reviews on the labor market and political effects of immigration.

immigration policy is also apparent when considering other immigration enforcement policies including local compliance with E-Verify and law enforcement in the commuting zone being an early adopter of the Secure Communities Program.

Our results are consistent with the idea that additional local immigration enforcement is enacted in response to increased anxiety among majority group members, in this case native-born non-Hispanic white residents, regarding immigrants' potential to compete for scarce jobs following an economic downturn. We find these results despite research suggesting increased immigration promotes better economic recoveries following recessions (Borjas, 2001; Cadena and Kovak, 2018) and more immigration enforcement leading to worse outcomes for native born residents (Lee, Peri, and Yasenov 2022; East et al., 2023; Gutierrez-Li and Garcia 2023).

The previous literature examining the determinants of anti-immigration sentiment and policy has focused on individuals' contact with immigrants (Steinmayr, 2020; Bursztyn et al., 2021), and misperceptions about immigrants' characteristics (Alesina et al., 2022). Our findings build upon these papers by illustrating that the adoption of immigration enforcement policy is influenced by the business cycle. Additionally, this paper, to the best of our knowledge, is the first to examine the forces that led to the adoption of the 287(g) and Secure Communities programs. Other work has explored how civil rights investigations effected participating law enforcement agencies racial profiling of Latinx motorists (Rubalcaba et al., 2024). Other work has estimated the effects of 287(g) and Secure Communities on economic outcomes including migration destination (Watson 2013) self-employment (Gutierrez-Li and Garcia 2023) and labor market outcomes (East et al 2023).

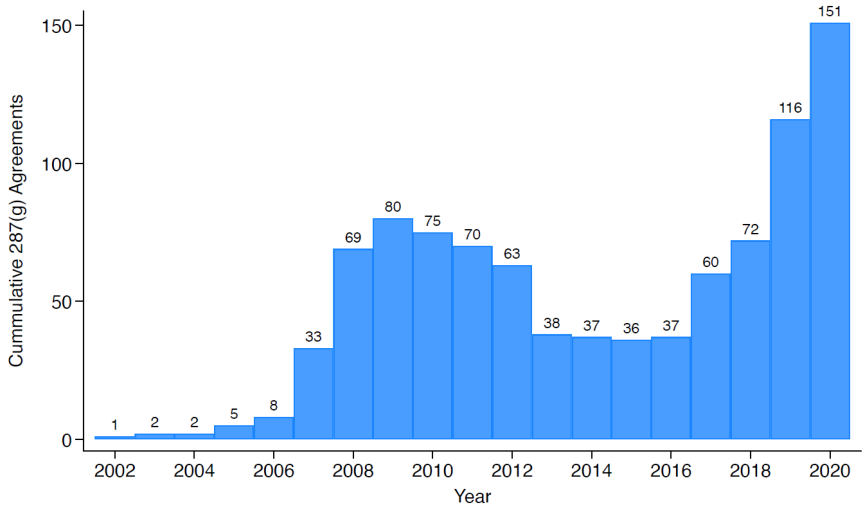

FIGURE 1. SIGNED 287(G) AGREEMENTS NATIONWIDE

Note: Presents the number of agencies with an active 287(g) agreement with ICE by year.

Background

The 287(g) program is named after section 287(g) of the Immigration and Nationality Act, that allows the Department of Homeland Security (DHS) to enter into formal written agreements with state or local law enforcement agencies. The program deputizes state and local law enforcement officers to perform certain functions of federal immigration agents (American Immigration Council, 2021). In general, deputized officers are authorized to interview individuals to ascertain their immigration status; check DHS databases for information on individuals; issue immigration detainers to hold individuals until ICE takes custody; issue a Notice to Appear;[3] make recommendations for detention and immigration bond; and transfer noncitizens into ICE custody.[4]

Figure 1 plots the implementation of 287(g) agreements over time. Figure 1 shows that very few 287(g) agreements were implemented before 2007, with a sharp increase after the great recession

[3] A Notice to Appear (NTA) is the official charging document that begins an individual's removal process.

[4] Originally, there were four types of 287(g) agreements local law enforcement agencies could adopt. However, since 2012 only the jail enforcement and warrant service officer models are allowed. We do not separate our results by 287(g) model, but instead focus on the likelihood of adopting any agreement.

in 2008 that remained relatively stable between 63-80 agreements until 2012. The number of agreements declined after 2012 to below 40 agreements when the program received less popular support following charges of racial profiling in Alamance County North Carolin in 2011 and Maricopa County Arizona in 2012. Law enforcement partnerships with ICE received further negative attention following Arizona v. United States where the supreme court struck down several provision of Arizona SB1070, which among other provisions made it a crime for immigrants to not carry proof of legal residence. Finally, the number of agreements increased after 2016 with the beginning of the Trump administration.

Figure 2 shows the relationship between 287(g) agreements and local severity of unemployment shocks brought about by the great recession. Figure 2 shows regional correlation in commuting zones short term unemployment increases and the number of 287(g) agreements signed within the commuting zone. Particularly within the Mountain West and South Atlantic regions, commuting zones that had larger increases in the unemployment rate following the great recession had more local law enforcement agencies sign more 287(g) agreements.

It is worth noting how agencies entered the program. During the early years of the program before 2012, after a local law enforcement agency would express interest in the program ICE would evaluate whether the agency had the resources and capability to serve as a force multiplier of ICE's interior immigration enforcement. If satisfactory, ICE would then sign a memorandum of agreement with local law enforcement agencies. However, according to a 2021 Government Accountability Office memorandum it is believed that during the Trump administration ICE instead focused on a strategy of approving as many agencies as possible without regard to any benefits to ICE (American Immigration Council 2021).

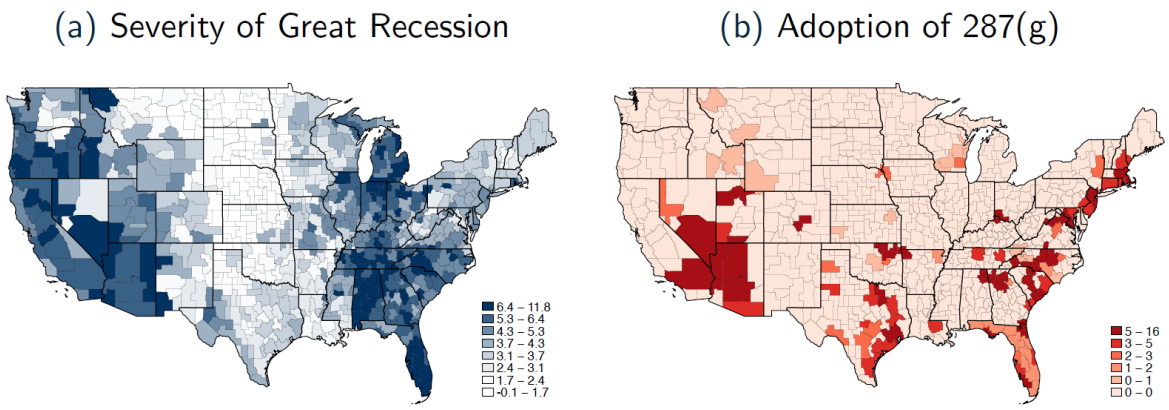

FIGURE 2. RELATIONSHIP BETWEEN 287(G) AGREEMENTS AND GREAT RECESSION

Note: Panel (a) presents severity of the great recession measured by the short term increase in a commuting zone's unemployment rate. Panel(b) shows the number of 287(g) agreements in commuting zones across the continental US.

Opponents of 287(g) policies argue that these agreements are used to incite racial profiling of the local Latinx population (American Civil Liberties Union, 2022) and can also serve as a measure of local anti-immigration sentiment (Caps et al., 2011). For instance, Rubalcaba et al 2023 showed that following a civil rights case against Alamance County Sheriff's department use of low level stops to racial profile Hispanic motorists, that other 287(g) agencies in North Carolina used other methods to racial profile Hispanics like stops during checkpoints that are harder for independent observers to monitor.

Furthermore, 287(g) agreements are voluntarily entered into by local law enforcement agencies – most often county sheriff's departments – through the signing of a Memorandum of Agreement with ICE. Since practically all county sheriff's departments are run by elected officials, an agency signing a 287(g) agreement can be directly influenced by local politics. This design feature of 287(g) policies provides a more direct route from local voter preferences to policy when compared

to other measures of anti-immigrant sentiment which is often centered around local vote shares of parties with anti-immigrant views (Tabellini, 2024).

Data and Methods

A. Data

287(g) Agreements.— Our main outcome variable of interest is an indicator for whether any county law enforcement agency within a commuting zone adopted a 287(g) agreement in a given year. We collected information on the timing of adoption of the 287(g) programs through archived records available on the U.S. Immigration and Customs Enforcement website (Immigration and Customs Enforcement, 2024). Our dataset includes information on when each program was adopted, the type of program authorized, and the termination year. Our dataset covers all programs adopted between 2002 and 2020. Additionally, we have information on all agencies that expressed interest in 287(g) agreements but failed to implement 287(g) agreements from Pedroza 2018.

Commuting Zone Characteristics.— Our explanatory variable of interest is a commuting zone's change in unemployment during the Great Recession. We collect information on unemployment rate changes from 2007 to 2009 using publicly available data from Yagan (2019). Our preferred specification includes baseline commuting zone characteristics and controls for additional economic shocks – the rise in automation and exposure to greater import competition – using data available from Pierce and Schott (2020) and Autor, Dorn and Hanson (2021).

Other Immigration Enforcement Policies.— We also include the analysis of the impact of the Great Recession on the adoption of other local immigration policies including early adoption of

the Secure Communities (SC) Program, and E-Verify.[5] Information on the roll-out of SC and E-Verify were obtained from East et al. (2023) and are limited to the years 2000 to 2016.

B. Difference-in-Differences Design –

To identify the impact of the Great Recession on the likelihood of adopting a 287(g) program we adopt the methodology in Yagan (2019) which exploits spatial variation in the Great Recession's severity to study its long-term impact on employment and earnings. Our main regression is:

$$(1)\ Has287g_{zt} = \beta_1 Post_t \cdot Shock_z + \sum_{t=2000}^{2020} \phi_t (1\{year = t\} \cdot X_z^{2000}) + \alpha_z + \lambda_t + \epsilon_{zt}$$

where $Has287g_{zt}$ is an indicator for whether a commuting zone, *z,* has adopted a 287(g) agreement in year *t*; $Post_t$ is an indicator that equals one in the years after the onset of the Great Recession (2007); $Shock_z$ is a measure of the impact of the Great Recession on a commuting zone, defined as the change in the unemployment rate from 2007 to 2009 ; α_z and λ_t are standard commuting zone and year fixed effects and ϵ_{zt} is our idiosyncratic error term.

ϕ_t captures potentially time-varying effects of initial commuting zone-level characteristics including the share of the commuting zone's population in 2000 without a college degree, identify as a veteran, are foreign born, the change in import competition from China from 2000-2007, incarceration rate per 100,000 residents, the routine-share of employment, and the normal trade relations tariff rates in 1990. We also include interaction terms to account for the phasing out of the global Multi-Fiber Arrangement to account for the other economic shocks. All standard errors allow for the arbitrary correlation in errors at the commuting zone level.

[5] While SC was a federal policy it was rolled out on a county-by-county basis between 2008 and 2013. Therefore, the outcome variable of interest in this specification is an indicator for whether a county in a commuting zone launched SC in given year prior to 2012. Furthermore, we separate out the analysis on E-Verify by whether all sectors of employment required it's use or only the public sector.

Our coefficient of interest is β_1, which captures the change in the likelihood a commuting zone adopts a 287(g)-agreement given a one percentage point increase in the unemployment rate from 2007 to 2009. The key identifying assumption behind this strategy is that there are no shocks related to adopting immigration enforcement partnerships that coincide with the timing of the Great Recession and are correlated to its severity

We also disaggregate our main results by several baseline commuting zone characteristics – share of the 2000 population that identify as Non-Hispanic White, are foreign born, and the share employed in the construction industry, to test whether the impacts differ by commuting zone characteristics. We calculate these estimates by introducing interactions of the commuting zone subgroup with the $\beta_1 Post_t \cdot Shock_z$ indicator in Equation (1).

Results

A. The Impact of the Great Recession on 287(g) Adoption

Figure 3 shows the event study specification, showing the timing of adoption of 287(g) agreements following the great recession. We see that the coefficients for the Unemployment shock interacted with year are near zero for years before the Great Recession. Then we see beginning one year after the Great Recession the likelihood of adopting a 287(g) agreement increases to about one then begins to decrease over time until reaching below zero at 10-11 years after the great recession around 2017-2018. Then the coefficient begins to increase again to near one, 12-13 years after the Great Recession around the years 2019-2020.

FIGURE 3. EVENT STUDY: TIMING OF 287(G) AGREEMENTS

Note: Presents Coefficients of Unemployment increase following the great recession interacted with year to show timing of 287(g) implementation.

The increase in the coefficient during 2019-2020 may reflect the change in strategy under the Trump Administration when ICE sought to maximize the number of 287(g) agreements. It is possible that these agencies may have desired to sign a 287(g) agreement in response to the great recession but were otherwise prevented from doing so by ICE. In order to evaluate this, we compare the universe of agencies that expressed interest between 2006-2011 with the universe of signed agreements after 2016. Consistent with this hypothesis, we see that more than half of the CZ's that applied but failed to implement between 2006-2011 eventually had active 287(g) agreements after 2016. Therefore, the spike in 2019-2020 may reflect agencies interested in signing agreements after the recession and having to wait for a more generous policy environment to implement.

TABLE 1 – THE IMPACTS OF THE GREAT RECESSION ON THE ADOPTION OF 287(G)

Specifications	Baseline	Population Non-White	Population Foreign Born	Population Construction	Population Incarcerated
	(1)	(2)	(3)	(4)	(5)
Panel A. Indicator for Adopts 287(g) Program					
$Post_t \cdot Shock_z$	0.01**	0.00	0.00	0.00	0.01*
	(0.004)	(0.003)	(0.003)	(0.003)	(0.005)
Interaction with Above Median 2000 share	-	0.07***	0.09***	0.10***	0.01
		(0.028)	(0.033)	(0.029)	(0.029)
Post-Period Mean	0.052	0.012	0.004	0.014	0.062
Observations	15,162	15,162	15,162	15,162	15,162

Notes: Robust standard errors in parentheses. All standard errors are clustered at the commuting zone level. Each coefficient is the result of a separate estimation. All regressions include commuting zone and year fixed effects and baseline covariates. A description of what variables are contained in the baseline covariates can be found in the main text. $Shock_z$ is defined as the change in unemployment within a commuting zone from 2007 to 2009 as in Yagan (2019). The heterogeneity analysis is completed by estimating Equation (1) with the inclusion of interactions of the commuting zone subgroup with the $\beta_1 Post_t \cdot Shock_z$ indicator. Post-period mean reports the share of commuting zones with a 287(g) agreement after 2006. For columns (2)-(4), the post-period means report the value for commuting zones that fall below to 2000 median share.

*** Significant at the 1 percent level.

** Significant at the 5 percent level.

* Significant at the 10 percent level.

Table 1 shows the difference-in-differences results for our baseline specification and the heterogeneity analysis. Overall, we find that commuting zones that faced greater changes in the unemployment rate due to the Great Recession saw statistically significant increases in the likelihood of adopting a 287(g) program. The coefficient in column (1) shows that a 1 percentage point increase in the unemployment rate during the 2007-2009 Great Recession was associated with a We see much larger effects when we disaggregate our results by subgroups.

Columns (2)–(4) in Table 2 show that the increase in the likelihood to adopt a 287(g) agreement is driven by commuting zones with initially high shares of non-White individuals (those that do not identify as Non-Hispanic White), foreign-born individuals, or individuals employed in construction(an industry heavily reliant on immigrants). However, despite a central aim of 287(g) being to reduce crime, column (5) shows that 287(g) agreements are not driven by commuting zones with higher crime measured by incarceration rate per one hundred thousand residents in the year 2000.

TABLE 2 –IMPACT OF THE GREAT RECESSION ON ADOPTION AND APPLICATION OF 287(G)

Variables	Accepted 287g	Applied or Accepted 287g	Accepted 287g	Applied or Accepted 287g
	(1)	(2)	(3)	(4)
$Post_t \cdot Shock_z$	0.013***	0.017***	0.009**	0.014***
	(0.003)	(0.004)	(0.004)	(0.004)
Constant	-0.003	0.000	0.128	0.138
	(0.006)	(0.006)	(0.164)	(0.167)
Post-Period Mean	0.0293	0.0293	0.0293	0.0293
Observations	15,162	15,162	15,162	15,162
Commuting Zone FE	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes
Baseline Covariates	No	No	Yes	Yes
Continuous	Yes	Yes	Yes	Yes

Notes: Robust standard errors in parentheses. All standard errors are clustered at the commuting zone level. Each coefficient is the result of a separate estimation. All regressions include commuting zone and year fixed effects and baseline covariates. A description of what variables are contained in the baseline covariates can be found in the main text. $Shock_z$ is defined as the change in unemployment within a commuting zone from 2007 to 2009 as in Yagan (2019). The heterogeneity analysis is completed by estimating Equation (1) with the inclusion of interactions of the commuting zone subgroup with the $\beta_1 Post_t \cdot Shock_z$ indicator. Post-period mean reports the share of commuting zones with a 287(g) agreement after 2006. The sample is restricted to the years 2006-2011 due to the availability of data on applications that were not implemented.

*** Significant at the 1 percent level.

** Significant at the 5 percent level.

* Significant at the 10 percent level.

These results are consistent with Group Threat theory, which posits that when resources are perceived to be scarce, a large "out group" population (such as the immigrant community) will trigger greater anxiety amongst "in-group" members (in this case non-Hispanic Whites) (Blalock, 1967; Esses et al., 2001; Schlueter and Scheepers, 2010). In our case, the Great Recession may have generated greater anxiety over scarce employment opportunities and as a result, these commuting zones were more motivated to enact partnerships to reduce competition from immigrants.

Table 2 shows the difference-in-differences results for specifications examining whether an agency in the CZ was accepted for a 287(g) agreement in Column (1), whether an agency in the CZ applied or was accepted for a 287(g) agreement in Column (2), how many agencies in the CZ were accepted for a 287(g) agreement in Column (3), and how many agencies in the CZ applied

or were accepted for a 287(g) agreement in Column (4) . Table 1 shows that we obtain similar results when we use either binary or continuous dependent variables or if we measure the outcome of interest as agencies within a commuting zone's interest in the program regardless of approval by ICE in Column (2) and (4), or interest and acceptance by ICE in Column (1) and (3). Specifically, a larger unemployment shock in a CZ leads to an increase in the likelihood of applying to the 287(g) program and signing a 287(g) agreement with ICE. Therefore, the association between local labor market shocks and 287(g) agreements is not just an artifact of ICE's priorities when approving agency partners but also reflects local willingness to partner with ICE regardless of approval.

B. The Impact of the Great Recession on Other Local Immigration Policy –

Table 3 presents the difference-in-differences results when we replace the outcome variable of interest in Equation (1) to indicators for the adoption of the Secure Communities Program (column (1)), E-Verify in the Public sector (column (2)), or E-Verify in all sectors of employment (column (3)). We find consistent evidence that commuting zones that faced greater impacts from the Great Recession had a higher probability of adopting immigration enforcement policies. Specifically, we find that a 1 percentage point increase in the unemployment rate from the Great Recession was associated with a 1 percentage point increase in the likelihood of a county being an early adopter of Secure Communities, a 2 percentage point increase in the likelihood of adopting E-Verify in the public sector and a 3 percentage point increase in the likelihood of adopting E-Verify in all sectors.

TABLE 3— THE IMPACTS OF THE GREAT RECESSION ON OTHER IMMIGRATION POLICIES

	Adopts Secure Communities by 2012	Adopts E-Verify in Public Sector	Adopts E-Verify in All Sectors
$Post_t \cdot Shock_z$	0.01***	0.02***	0.03***
	(0.003)	(0.008)	(0.006)
Post-Period Mean	0.436	0.330	0.115
Observations	8,664	11,552	11,552

Notes: Robust standard errors in parentheses. All standard errors are clustered at the commuting zone level. Each coefficient is the result of a separate estimation. All regressions include commuting zone and year fixed effects and baseline covariates. A description of what variables are contained in the baseline covariates can be found in the main text. $Shock_z$ is defined as the change in unemployment within a commuting zone from 2007 to 2009 as in Yagan (2019). The heterogeneity analysis is completed by estimating Equation (1) with the inclusion of interactions of the commuting zone subgroup with the $\beta_1 Post_t \cdot Shock_z$ indicator. Data on the roll-out of the Secure Communities Program and E-Verify comes from East et al. (2023). There are fewer observations for these specifications as data is only available until 2014 for SC and 2016 for E-Verify. Post-period mean reports the share of commuting zones with the corresponding policy after 2006.

*** Significant at the 1 percent level.

** Significant at the 5 percent level.

* Significant at the 10 percent level

Conclusion

Overall, our findings are consistent with the Great Recession leading to greater anxiety over competition from immigrants for local employment opportunities. As a result, local governments sought to either reduce the size of the undocumented immigrant pool through more cooperation of local law enforcement with deportation authorities in the form of 287(g) and Secure Communities or sought to prevent undocumented immigrants from employment opportunities by requiring employers to ascertain immigration status. We found that these results were stronger in commuting zones with a higher share of the population identifying as non-White, foreign-born, or employed in the construction before the recession.

Our findings help to understand how local economic downturns and demographic composition affect the adoption of local immigration policy. These findings are especially relevant given the rising importance of immigration in national politics coupled with the recent COVID-19 recession. Future work will explore whether these more contemporary forces further drive the adoption of these policies.

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