Center for American Progress

THE ASSOCIATED PRESS/PAUL CONNORS

Staying Put but Still in the Shadows

Undocumented Immigrants Remain in the Country Despite Strict Laws

Leah Muse-Orlinoff February 2012

Introduction and summary

With more than 11 million unauthorized immigrants currently living in the country,[1] a consensus has emerged that the current immigration system is broken and badly needs mending. In the absence of federal legislation providing a coherent immigration policy, states have taken it upon themselves to enforce their way to a solution. Arizona, Georgia, and Alabama recently took matters into their own hands by passing laws designed to criminalize virtually all activity engaged in by undocumented immigrants. This patchwork of state and local laws is driven by a strategy known by immigration restrictionists as "attrition through enforcement." The goal is to create a climate of fear and make life so difficult for immigrants that they will self-deport.

So have state anti-immigration bills led to an exodus of unauthorized migrants from the United States as restrictionists have promised?

To answer this question we review the current evidence, as well as findings from the University of California, San Diego's Mexican Migration Field Research Project's, or MMFRP, study of unauthorized immigrants in Oklahoma City. Oklahoma City passed anti-immigrant ordinances in 2007 and 2009, well before states such as Arizona, Georgia, or Alabama. Since the city's unauthorized population has had more time to gather experiences under the immigration ordinances, the data from this population provides a unique lens into what actually happens to immigrant communities and families in the wake of restrictionist laws.

The MMFRP conducted surveys and interviews in Oklahoma City in 2009 and 2010. The interviews were part of a larger study of migrants from Tlacuitapa, Jalisco, a town in Central-Western Mexico with nearly 100 years of migration to the United States. Migrants from Tlacuitapa primarily settle in Union City, outside of San Francisco, California, and in Oklahoma City. Between January and March 2010, a binational team of researchers surveyed nearly all adults between 15 and 65 in Tlacuitapa and several hundred migrants from the town who live in the United States.

In February 2010, a team of MMFRP researchers conducted surveys and interviews with migrants from Tlacuitapa living in Oklahoma City. While no single community can represent the experiences of all undocumented Mexican immigrants, the community of migrants from Tlacuitapa living in Oklahoma exemplifies the most frequently observed patterns of migration and settlement from Mexico's longest-term communities of migration. The breadth of this data allows us to understand the choices made by unauthorized immigrants in the wake of punitive anti-immigrant measures.

Immigrants' reaction to anti-immigrant laws

Based on the experiences of immigrants in Oklahoma City, and in more recent cases such as Arizona after S.B. 1070, we find that:

1. **Most unauthorized immigrants make the decision to stay in the country despite attempts to drive them out.** The proliferation of state-level anti-immigrant laws has not changed the calculus for immigrants when it comes to choosing to stay here or return home.[2]

2. **At best, anti-immigrant laws simply drive immigrants from one area to another—say from one county to the next, or from one state to the next—rather than from the country.** At worst, they further isolate immigrants from the communities they live in and from local law enforcement, while driving families deeper into the shadows.

The reasons behind their decision to stay

So why aren't immigrants leaving the country in response to these laws? There are several reasons.

- Most undocumented immigrants have been in the country for 10 years or more, and the majority live in family units with children, meaning that they are well settled into American life, making it less likely that they would want to leave.

- The costs of a return trip also are too steep for most people.[3]

- Finally, the stark lack of opportunities in the migrants' home countries—which pushed them to enter the United States outside of legal status in the first place—have not gone away, leaving them with little reason to believe that life would be better there than in the United States.

Many of these same reasons also explain why migration to the United States has slowed.

The Great Recession and increased border security have greatly decreased the number of people seeking to enter the country outside of legal status. Increased vigilance on the border has made it increasingly difficult to cross. And while it is still possible to enter illegally, it is vastly more expensive and risky than a decade ago. This increase in cost and danger, combined with the downturn in the U.S. economy, has caused the rate of clandestine migration to drop significantly. Even with this decline in immigration, however, the United States is still left with a large undocumented population.

And in addition to being ineffective, state efforts to drive undocumented immigrants out of the country are quite expensive. Arizona's S.B. 1070 cost the state at least $141 million in lost revenue from conference cancellations, while Georgia's H.B. 87 is projected to cost the state between $300 million and $1 billion in lost agricultural revenue.Alabama's law could be even more costly with one estimate as high as $10.8 billion or 6.2 percent of the state's GDP. [4]

In addition to being ineffective, state efforts to drive undocumented immigrants out of the country are quite expensive.

A better way forward

Above all, immigration policy should enable public safety officers and other officials to carry out their duties without creating fear or worry among immigrant communities that they are acting as immigration enforcement agents. As this report will show, policies of "attrition through enforcement" through anti-immigrant laws do not lead to large-scale resettlement. But they do complicate the relationships between local law enforcement officials, political leaders, and immigrant communities, to the detriment of all three.

Instead of burdensome state and local legislation, sensible policy solutions lie with the federal government and with Congress, which has the power to pass comprehensive immigration reform, bringing immigrants out of the shadows to vet them in a secure and orderly way rather than further criminalizing them.

Among the many problems under the current immigration system, too few avenues for legal migration exist, especially for Mexican residents. Reforming the legal visa system will help diminish the impetus for clandestine migration in the first place. Revamping the cumbersome, slow, and backlogged system will curtail illegal entry and promote the complementary goals of economic growth and family unification.

Instead of unsuccessfully trying to drive unauthorized immigrants out of the country, we should work to integrate them, which will keep families together, improve community safety, and better the economy all at the same time.[5]

The Center for American Progress is a nonpartisan research and educational institute dedicated to promoting a strong, just, and free America that ensures opportunity for all. We believe that Americans are bound together by a common commitment to these values and we aspire to ensure that our national policies reflect these values. We work to find progressive and pragmatic solutions to significant domestic and international problems and develop policy proposals that foster a government that is "of the people, by the people, and for the people."

Center for American Progress

1333 H STREET, NW, 10TH FLOOR, WASHINGTON, DC 20005 • TEL: 202-682-1611 • FAX: 202-682-1867 • WWW.AMERICANPROGRESS.ORG