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Migrant Misconceptions: A Review of Literature on National Heritage, Immigration Status, and Juvenile Offending

Abstract

In 2020, the Pew Research Center reported over 40 million Latinx adults are immigrants and nearly 23% are U.S.-born adult children of immigrant parents. Some rhetoric that surrounds immigration is indicative of crime, criminals, and the need to build a wall to protect the U.S. border from migrant crossing. In the U.S., immigration policies apply a 'securitized' approach to criminal law enforcement involving Latinos. However, criminological literature indicates immigrants do not pose any more of a threat towards crime than a natural-born citizen. Continued research should be completed to better understand differences among immigrant youth compared to native-born Latino youth.

Keywords: Latino youth, immigrants, juvenile offending, national heritage

Introduction

Latinos¹ are the fastest-growing minority group throughout the United States, especially in places like Texas, California, Florida, New York, and Arizona. Brown (2014) indicates "since 1960, the Latino population in the United States has increased nine-fold, with the foreign-born Latino population having grown 20 times, and the U.S.-born Latino population having grown over six times during the last half-century" (p. 1). In 2016, there were 52 million Latinos in the United States (Pew Research, 2017), and as of 2017, the national Latinx population was 58.6 million. In 2019, the Latino populace of the United States was 60 million (Census Bureau, 2019). Furthermore, the Pew Research Center (2020) reports over 40 million Latinx adults are immigrants and nearly 23% are U.S.-born adult children of immigrant parents.

Brown (2016) suggests Latino adults aged 18 and older born in Mexico that are considered "unauthorized foreigners that accounted for a quarter of the 44 million foreign-born U.S. residents; the remainder includes 19 million naturalized U.S. citizens, 12 million lawful immigrants, and almost 2 million lawful temporary visitors such as students and guest workers" (p. 1). First-generation immigrants constitute a person being "foreign" or born outside of the United States regardless of whether they become legal citizens or remain illegal. A second-generation immigrant has one parent born outside of the U.S while the other parent was born in the United States. Illegal immigration can be the act of knowingly crossing the border without permission, overstaying visas, or otherwise seeking to avoid immigration authorities in cases where a migrant knows he/she is deportable.

Overview of Immigration in the United States

Roughly, 250,000 babies were born in 2016 to unauthorized immigrant parents. (Passel et. al., 2018). In 2014, illegal immigration was a reported 11.1 million but has been slightly decreasing in the years past. Records indicate between 700,000 to 850,000 new illegal immigrants arrive in the United States each year (Amadeo, 2017). Reports from 2017 indicate 81 million immigrants along with their families make up 25% of the United States population (Amadeo, 2017).

Immigration is a vital topic relating to criminal justice politics and policy for adults and/or juveniles. Some of the rhetoric that surrounds immigration is negative. For example, "immigrants create more crime", "immigrants take all the jobs", and the need to build a wall to keep "America safe" and keep migrants out are just a few of the misconceptions of migrants. Moreover, immigration policies apply a 'securitized' approach to criminal law enforcement involving Latinos (Isom-Scott, 2020). For instance, the government has expressed zero-tolerance policies for illegal immigration and for offenses committed by illegal immigrants, forcing deportation on

¹ Notes

In the present work, "Latina", "Latino", and "Latinx" refers to those who classify themselves as a person of Cuban, Mexican, Puerto Rican, Central American, South American, or other Spanish cultural origin (Masuoka, 2008; Scharrón-Del Río & Aja, 2015).

illegal immigrants and specifically for illegal immigrants caught engaging in un-lawful abiding behavior.

Reports indicate Guatemalans, Hondurans, and Salvadorans account for 85% of detained unaccompanied children that come to the United States (Cheatham, 2020). During the Obama administration, an estimated 2.4 million persons were deported, and the Trump administration began the construction of a wall against illegal immigration into the United States (Amadeo, 2017). Moreover, in 2021, Texas Governor Abbott launched a border crackdown agenda called "Operation Lone Star," which includes jailing asylum seekers, and the continuation of the border wall in Texas.

Immigration is now more than ever on the political radar, in terms of legal citizenship, basic human rights, equal economic opportunity, and for some the overall safety of American citizens. As such, it is pivotal to better understand immigration amongst juveniles and adults from all parts of the nation. Thus, amidst the unprecedented growth within the Latino population, there is interest in the following questions: Does national heritage predict juvenile offending? Do rates of juvenile offending differ between juveniles from first-generation Latino homes and those from second-generation Latino families? Does first and or second-generation immigration have an impact on offending?

Perspectives

Some individuals assume Latinos are homogeneous; however, Latinos are not homogenous and have many sub-groups that differ by national heritage. For example, Mexicans, Peruvians, Colombians, Dominicans, Hondurans, Puerto Ricans, Cubans, Guatemalans, Salvadorians, and Ecuadorians are just some of the sub-groups that exist in the Latinx population. Within these subgroups are different cultures, beliefs, or senses of identities. Mexicans have been reported to settle in the U.S. Southwest, Cubans immigrants are reported to reside heavily in South Florida, and Puerto Ricans in New York City (Thomas, 2011). Other immigrants migrate to other places, but some of them are reported to migrate to the areas mentioned above.

In 2020, research suggests Republicans expressed frustration with increased immigrant border crossings, while Democrats indicated migrants are fleeing turmoil and poverty in their respective homelands and should be allowed to seek asylum (Sacchetti. 2021). The government has already expressed a zero tolerance of offenses by illegal immigrants, forcing anyone who is here illegally and or engaging in delinquent activities the grounds to be deported. Attitudes and perspectives about immigration may vary partly due to negative media portrayal of immigrants. For instance, in the 1990s, a report by the U.S. Commission on Immigration Reform suggested that many people believed undocumented citizens to be the main source of increase in serious crime (Hagen, 2008). Chiricos (2014) reported that national surveys have shown that 32% of U.S. citizens believed illegal immigrants employed in the country should not even be allowed in the United States. In addition, 43% approved "stopping the flow" of immigration and "deporting" as a primary focus of government immigration policy (Chiricos, 2014). The rhetoric is not surprising due to media coverage that labels immigrants as drug dealers, and a complete danger to the United States of America (Chiricos, 2014). Former President Trump brought a new

definition to illegal immigrants, by stating illegal immigrants "routinely victimize Americans," disregard the "rule of law and pose a threat" to people in communities across the United States (Shear & Nixon, 2017).

Overview of Studies that Examine Immigration Status and Juvenile Offending

Some literature suggests that there are no major differences between native-born residents and immigrants in rates of offending, and that immigrants, whether second- or first-generation, do not exhibit any extra harm or threats to the United States than native-born citizens (Bersani, 2014). Bersani et al. (2014) examined whether certain forms of offending between immigrants look like the offending patterns among non-immigrants utilizing longitudinal data of roughly 9,000 participants 12-16 years of age, of which nearly 2,500 were Latino and African American. The results indicated that second-generation immigrants had a pattern of being involved in delinquency more so than their native-born peers.

In 2018, Bersani and colleagues examined the association between undocumented immigration and crime amongst juvenile offenders. Results indicate that, as compared to documented immigrants and US-born peers, undocumented juvenile immigrants report engaging in less crime before and following their first arrest. In an exploration of ethnic and racial differences relating to violent offending, through analyzing longitudinal data, Sampson, and colleagues (2005) discovered the odds of perpetrating violence were 10% lower for Latinos compared to Whites; also, first- and second-generation Mexican Americans revealed lower rates of involvement in violence than Whites. Thus far, research suggests illegal immigrants commit less crime compared to native-born Americans (Adelman, et. al., 2005).

Wong (2015) reported the U.S. Immigration and Customs Enforcement (ICE) deported 32% of foreign-born individuals, 315,943 of whom were located inside the United States. Of those deported, approximately 56% had prior criminal convictions. However, Wong's (2015) findings did not support arguments that undocumented persons pose major risks within the criminal justice system.

Sutherland's (1934) historical study on first- and second-generation immigration and offending supports several later studies in concluding that first-generation immigrants do not generally engage in crime; however, crime does increase as later generations adapt to U.S. cultures and subcultures. Bersani and Piquero (2016) found that illegal immigrants and first-generation immigrants offending were less than second-generation immigration offending due to crime reporting biases. They used a sample size of nearly 1,400 individuals, 34% of whom were Latino through a longitudinal wave of interviews every 6 months for 3 years and then followed annually for another 4 years. Bersani and Piquero (2016) found that reporting between generations was similar, but second-generation immigrants seemed more often to report offending behaviors and arrests. They also found from the sample of juveniles who had an official record that first generation immigrants showed a pattern of lesser levels of offending related to their second and third-plus generation peers. It is imperative to continue to better understand possible correlates to criminal offending given immigration status and location, and if the generational distance from immigration by national heritage has an impact on variations of offending. Understanding their

trends can inform relevant policies and diminish false narratives that may involve immigrants and immigration status.

Risk Factors

DiPietro, Slocum, and Esbensen (2015) stated that an evolving body of literature suggests that immigrant adolescents compared to non-immigrant adolescents face exceptional experiences and difficulties that may contribute to criminal offending. Specifically, when compared to native-born American youth, immigrant youth are differentially vulnerable to criminogenic risk and protective factors. Cavanaugh and Cauffman (2014) examined the juvenile justice system experience and perceptions of police of youth who grew up with an illegal immigrant parent. It appears that a significant number of undocumented persons are directly or indirectly involved in the juvenile justice system (Cavanaugh & Cauffman, 2014). They concluded that although adolescents were conscious of the segregation they faced due to their immigration status, they viewed their chances for forthcoming achievement to be equally as positive as documented youth.

Waters (2016) reported that some children of undocumented persons have inferior stages of cognitive development in the early and middle part of their youth due to the prevalence and effect of stress growing up in poorer neighborhoods and being exposed to extensive violence and uncertainty. Children of undocumented citizens also have an increase in mental health problems in adolescence. Not only do these children have the propensity to perform at lower levels, but adults who are the offspring of the undocumented citizens were not as likely to complete high school and attained 1.25 years less schooling as related to children with parents who have attained legal status. Ultimately, Waters (2016) concluded that these negative experiences are due in part to a lack of integration. In sum, there are risk factors associated with immigration and the likelihood to offend; however, first-generation immigrants are less likely to offend compared to native-born Americans.

Protective Factors

The availability of extracurricular activities varies across the concentration of immigrants in various neighborhoods. Although pro-social activities reduce delinquency, non-native Americans have an extra layer of boundaries (less family engagement in the community) that prevent them from engaging in such pro-social activities. Neighborhoods represent a protective factor against offending behaviors (DiPietro et. al., 2015). First-generation Latino immigrants usually do better academically and health-wise than later generations given the protective nature of ethnic cultural norms infused in them by their families and communities (Ryabov (2016). Furthermore, first-generation immigrants are protective of their children, and therefore their "protective" behavior may have a significant impact on offending. Ryabov (2016) examined criminal behavior (graffiti writing) among Latino adolescents by the generation of immigration. Ryabov (2016) found that the further away from the generation of immigration a person is, the more likely that the adolescent would offend. Ryabov (2016) discussed how vital the home and social structure is with first-, and second-generation immigration. For instance, having one parent in the home with little or no support and low economic status plays a vital role in immigration and offending.

Conclusion

Immigrants do not pose any more of a threat towards crime than a natural-born citizen. Therefore, continued issues and/or misconceptions that have been voiced concerning immigrants or immigration deserve a closer look. Justification for heightened immigration enforcement, the criminalization of immigration, and some immigration laws are based on the assertion that undocumented immigrants represent a distinctly dangerous class. Some recent studies have pointed out that undocumented citizens do not pose any more of a threat than regular citizens. However, there is always a dark figure in crime that is not known through secondary data. More qualitative research should be completed to better understand and examine immigration status, national heritage, and juvenile offending.

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