CPLE CONSORTIUM FOR POLICE LEADERSHIP IN EQUITY

Deputizing Discrimination?

Causes & Effects of Cross-Deputization Policy in Salt Lake City, Utah

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Executive Summary

Passage of Utah State Senate Bill 81 (SB 81) in 2008 calling for the deputization of police officers as immigration officers thrust Utah onto the national stage as the first state to pass such legislation. Due to law enforcement's resistance to the policy, cross-deputization has not yet gone into effect. Though there are strong feelings on both sides of the issue, there has been limited empirical data to support the claims of either the bill's opponents or advocates. Thus, in 2009, at the request of the Salt Lake City Police Department (SLCPD), the Consortium for Police Leadership in Equity, (CPLE) began a program of research in Salt Lake City, Utah. Surveys were conducted with SLCPD police officers as well as White and Latino residents, and crime data from the last five years were analyzed. Results are presented below by the CPLE's board of directors.[1]

The goal of the research was to assess the validity of public arguments on both sides of the debate. This involved testing competing hypotheses in three major areas: 1) Why people support SB 81; 2) The relationship of the growing Latino population to crime rates; and 3) The likely impact of cross-deputization.

First, proponents of the bill publicly stated that they supported cross-deputization because it would 1) reduce the movement of undocumented immigrants into Utah and increase the movement of undocumented immigrants out of Utah, 2) reduce criminal activity, and 3) promote democratic values. Conversely, opponents of the bill publicly argued that it was motivated by racial prejudice. Our survey data suggests that cross-deputization may reduce the number of undocumented immigrants, but that this belief is unrelated to endorsement of SB 81. Rather, support for cross-deputization is predicted by racial prejudice and a threat to individuals' values.

In other words, support for SB81 is likely motivated not by an expectation of impact on the behavior of the undocumented immigrant population, but by a sense of threat and prejudice.

Second, proponents of the bill advanced an argument that cross-deputization was necessary due to the criminal activities of new Latino residents. Opponents of the bill did not believe that the Latino crime rate was increasing significantly. An analysis of both survey and crime data indicates that Latino criminal activity is currently proportional to their representation in the population, that Latino criminal activity is not increasing disproportionally to their growing population, and that the Latino crime rate is actually likely to *increase* as a result of cross-deputization—in response to a decrease in Latino crime-reporting.

Third, and most importantly, proponents of SB 81 argued that cross-deputization will improve lawful behavior and discourage criminality. Opponents of the bill argued that cross deputization would decrease trust and obedience to the law—driving down crime reporting and compliance. Responses to surveys revealed that Latinos—regardless of documentation status—indicated that they would be less likely to report a crime if SLCPD officers were cross-deputized. Importantly, White civilians indicated that they would also be less likely to report drug crimes if SLCPD officers were cross-deputized. Subsequent data also reveal that White civilians indicated that their sense of trust in and obedience to the SLCPD would decrease significantly should officers become cross-deputized.

Taken together, these data strongly support the contentions of SB 81's opponents, and support the contentions of SB 81 advocates only with regard to the likely reduction in total immigrant population. More importantly, these data suggest that support for cross-deputization stems more from concern over values and racial animus than a principled or pragmatic stand regarding

immigration, and that police agencies are justified in their concern that cross-deputization will reduce both crime-reporting and the public's general esteem of law enforcement. This casts doubts on both the rationale and the effectiveness of cross-deputization policies in the current socio-political climate.

Background

As of 2006, the undocumented immigrant population in the United States was estimated at 11.6 million people (Department of Homeland Security, 2007). Lawmakers continue to grapple with how to address this burgeoning population. One strategy proposed is the policy of federal training for police officers so that they are able to act as immigration officers while policing. This policy, known as "cross-deputization," was codified in 1996 by section 287(g) of the Immigration and Nationality Act, and has recently grown in popularity (U.S Department of Homeland Security, 2008). As this approach is poised to be both a crucial and controversial means of addressing illegal immigration in the coming years, we believe it is important to investigate its potential psychological and behavioral implications. The goal of the following research was to provide law enforcement and legislators with information about the effects of cross-deputization in order to inform future policy decisions.

To address the burgeoning popularity of cross-deputization, the Consortium for Police Leadership in Equity (CPLE) began a program of research in Salt Lake City, Utah in 2009 at the request of Chief Christopher Burbank of the Salt Lake City Police Department (SLCPD). The CPLE is an independently funded research consortium that creates partnerships between empirical social scientists and law enforcement agencies interested in issues of police effectiveness, transparency, equity, and accountability. Salt Lake City initiated this collaboration

in response to the passage of Utah State Senate Bill 81 (SB 81), which asked law enforcement agencies statewide to "make a reasonable effort to determine the citizenship status of a person confined to a county jail for a period of time and to verify the immigration status of a confined foreign national" (lines 13-15). As Salt Lake City's immigrant population is predominately Latino, we have concentrated our survey efforts on Latinos, Whites, and SLCPD officers (of all races and ethnicities). The goal of the present research was to investigate three aspects of the public debates surrounding SB 81 specifically, and the issue of cross-deputization more generally. These goals were, first, what motivates support for SB 81 and cross-deputization? Second, what is the relationship of immigration to crime? And, third, how will residents respond to a policy of cross-deputization?

Methodology & Sampling

The goal of our research was to test the hypotheses of SB 81's supporters and critics in the population that would be affected by its enactment. During an initial site visit, we met with police officers, politicians, activists, and academics to gather qualitative data regarding perceptions of SB 81 and the debates that surround it. The goal of this site visit was to document arguments, perceptions, and attitudes on both sides of the issue. This would allow us to investigate the hypotheses generated by both sides of the issue, rather than approaching it in one-sided manner. Specifically, we asked prominent supporters and critics of the bill to outline 1) the reasons the bill were necessary, 2) the relationship of the growing Latino population to crime trends, and 3) what they believed the outcome of the bill would be. We then used the most popular answers from our interviews to create testable hypotheses in each domain.

Based upon these conversations, we then created a survey that was given to 118 SLCPD officers,

96 White Salt Lake City residents, and 103 Latino residents (54 documented, 49 undocumented). Basic demographics are reported in Table 1. The survey took approximately 30 minutes to complete. To control for differing levels of literacy, surveys were conducted orally. Bilingual surveyors conducted the interview in either English or Spanish, according to the respondent's preference. The use of Spanish-speaking personnel also served to increase the level of trust between surveyors and participants—particularly important with the undocumented immigrant community. For SLCPD officers and White Salt Lake City residents, only White surveyors were used so as to lessen the respondents' fear of "saying the wrong thing." Lowering the degree to which respondents feel self-conscious helps to generate more reliable data. Surveyors approached civilians in public spaces likely to be populated by individuals from a diversity of backgrounds (i.e. local Department of Motor Vehicles). Religious organizations that aid undocumented families helped surveyors identify and contact undocumented individuals.

For the three groups sampled (Police, White, and Latino), the surveys were similar, to allow for comparisons between groups. Surveys contained questions about SB 81 itself and the impact expected from its implementation, as well as more general questions about the respondent's values and attitudes. We also included several questions about crime reporting which asked whether the respondent would be willing to report specific types of crime with and without SB 81 in place.

In the next stage of data collection, we collected and analyzed crime data in Salt Lake City spanning from 2004 to 2008 with the permission and cooperation of the SLCPD. Next, we conducted an additional survey with 91 White residents of Salt Lake City to improve our understanding of how their attitudes toward the police might change as a result of cross-deputization. Basic demographic information is reported below in Table 1. The discussion

below combines the results of the first and second survey, along with the crime data analysis. Though the sample size of this initial research is small, demographic information suggests that respondents came from a diversity of political backgrounds, but were fairly moderate in the aggregate. Importantly, both our law enforcement and White civilian samples were evenly split on the issue of cross-deputization, though Latinos strongly disagree with the policy. While sample size and sampling method make us cautious of over-generalizing the below results, respondents seem to comprise a representative sample of Salt Lake City residents from each population. Our sample was comprised of Salt Lake City residents over the age of 18. The sample was politically moderate, with an oversampling of men and individuals representing a wide range of views on SB 81 and cross-deputization.

Table 1

	Survey 1				Survey 2
	Police	*White*	*Latino*		*White*
			Doc.	*Undoc.*	
Gender	99 Male 18 Female	63 Male 30 Female	20 Male 30 Female	25 Male 24 Female	56 Male 35 Female
Age	39	38	33	31	32
Political Ideology[2] (scale from 1-7)	4.62 *"Leans Conservative"*	3.36 *"Leans Liberal"*	3.87 *"Moderate"*	3.36 *"Leans Liberal"*	3.41 *"Leans Liberal"*
SB 81 Support[3] (NR = No Response)	33% Pro 20% Con 33% Neutral 14% NR	20% Pro 29% Con 26% Neutral 25% NR	9% Pro 61% Con 11% Neutral 19% NR	20% Pro 51% Con 0% Neutral 29% NR	--

A note on language. Throughout this report, we refer to immigrants who reside in the United States without the proper legal permissions as "undocumented" as opposed to "illegal" immigrants. Though we understand that there is controversy surrounding which word is most appropriate to describe these individuals, we have chosen to use the word "undocumented"

throughout this report, except when a survey question was worded differently for data collection purposes, because it was the preferred term of respondents. We have chosen to refer to "illegal" as opposed to "undocumented" immigration for the same reason. This language has the added benefit of describing actions—but not people—in terms of legality.

Myth versus Fact: Rationales for cross-deputization

Our site visit revealed three arguments given by proponents of SB 81 with regard to what motivated the drafting of cross-deputization policy: 1) to dampen the movement of undocumented immigrants into Utah and boost the movement of undocumented immigrants out of Utah, 2) to diminish the level of criminal activity in Utah, and 3) to bolster democratic values in Utah. Opponents of the bill argued that cross-deputization policy was motivated by racial bigotry and threats to personal values. We addressed each of these in our survey and analyze the results below. Results are reported for police officers (collapsed across race and ethnicity), White residents, and Latino residents (both documented and undocumented). The Latino resident category is broken apart into documented and undocumented when there is a meaningful difference between the two groups, and collapsed when there is not. Except where indicated, responses to items reported in these sections were given on a scale from one to five.

Undocumented Immigration Movement. The first rationale we investigated for cross-deputization was that it would decrease the undocumented immigrant population of Utah. Specifically, proponents of SB 81 argue that passage of the bill will simultaneously discourage prospective undocumented immigrants from moving into Utah and encourage current undocumented immigrants to leave Utah. To test this hypothesis, we asked respondents to answer questions

about whether immigration would increase or decrease, and whether out-migration would increase or decrease (with 1 being "decrease dramatically" and 5 being "increase dramatically"). Results (see Figure 1) revealed that White residents did not endorse this hypothesis—even among those who supported SB 81 and a policy of cross-deputization. White civilians believed that the number of undocumented immigrants moving into and out of Utah would remain the same regardless of whether or not a policy of cross-deputization
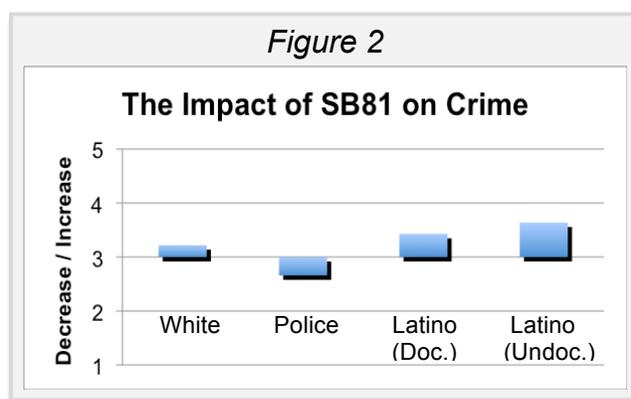

Figure 1
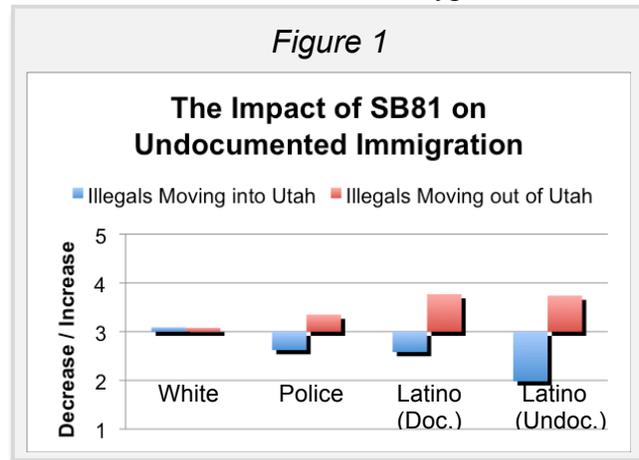
was adopted by the SLCPD. There was also no difference between those who supported SB 81 and those who opposed it in terms of their opinion regarding SB 81's impact on undocumented immigrant movement.[4] SLCPD officers believed that the number of undocumented immigrants moving into Utah would decrease slightly and the number of undocumented immigrants moving out of Utah would increase.[5] Interestingly, police officers showed a strong relationship between support of SB 81 and belief in the impact in immigration movement argument.[6] Latinos, on the other hand, endorsed the undocumented immigration movement rationale. Documented Latino residents believed that the number of undocumented immigrants moving into Utah would decrease slightly and the number of undocumented immigrants moving out of Utah would increase somewhat. Undocumented Latinos exhibited this trend even more strongly, and believed that the number of undocumented immigrants moving into Utah would decrease somewhat and the number of undocumented immigrants moving out of Utah would increase somewhat.

Thus, our data support the argument that cross-deputization could discourage undocumented immigrants from living in Utah, given that undocumented immigrants indicated that cross-

deputization would affect immigration rates. However, it is noteworthy that White civilians did not endorse this rationale. This suggests that while there is likely validity to the argument that cross-deputization will decrease the number of undocumented residents (given Latino responses), White residents may not believe it—even if they support the program. This, in turn, casts doubt on the genuineness of arguments regarding immigration reduction as a primary rationale of cross-deputization.

Criminal Activity Reduction. The next rationale put forward in favor of cross-deputization was that undocumented immigration is a source of crime. Consequently, if police contact becomes more of a threat to undocumented immigrants then they will be less likely to break the law—or to be in Utah in the first place. This again treats cross-deputization as a tool to inspire fear in undocumented immigrants. We asked about the impact of SB 81 on overall crime rates as well as the three types of crime most often attributed to Latinos in Utah by proponents of cross-deputization: identity theft, violent crime, and drug crime. Responses were given on a scale from 1 to 5 (with 1 being "decrease dramatically," 5 being "increase dramatically," and 3 being neither increase nor decrease).[7] As there was little difference among the categories only the overall crime impact is reported here.

As evidenced in Figure 2, the impact on crime rates rationale enjoyed little support in the White population sampled, with Whites indicating that they believed crime rates would actually remain constant.[8] Consistent with data regarding immigration (discussed above), Whites who supported SB 81 did not differ from those who opposed it in their beliefs

Figure 2

The Impact of SB81 on Crime

regarding the expected impact of SB 81 on crime.[9] Police officers believed that crime would decrease slightly, again endorsing a practical rationale for cross-deputization.[10] Additionally, the same relationship was seen between support of SB 81 and belief in the crime reduction argument.[11] Latinos, on the other hand, shared the view of White residents, with both documented and undocumented Latinos indicating that they thought crime would increase somewhat as a result of SB 81. Thus, no civilians endorsed the proposition that SB 81 would reduce crime. It is also noteworthy that, Whites, did not subscribe to the idea that SB 81 would reduce crime—even if they supported the bill. This, again, casts doubt on how genuine these arguments are when advanced as rationales in the public sphere.

Democratic Values. The final rationale for cross-deputization legislation advanced by supporters of the initiative was that illegal immigration devalues U.S. citizenship and degrades respect for the law. Curbing illegal immigration, the argument continues, would increase the value of both U.S. citizenship and respect for the law. To test this hypothesis, again, we asked respondents to estimate how the value of citizenship and the rule of law would change if SB 81 were to be enacted. Whites, police, documented Latinos, and undocumented Latinos all indicated that the value of U.S. citizenship would remain unaltered by SB 81.[12] Additionally, Whites, police, and documented Latinos also indicated that respect for the rule of law would remain unaltered by SB 81.[13] Undocumented Latinos, on the other hand, believed that respect for the rule of law would be damaged by the implementation of SB 81.[14] Returning to our White and police sample, though neither sample agreed with the idea that SB 81 would increase the value of either U.S. citizenship or the rule of law in the aggregate, those who supported the bill differed significantly from those who did not. Police and White supporters of SB 81 were more likely to endorse the idea that the value of American citizenship and respect for the rule of law would be bolstered by

cross-deputization.[15] It is interesting to note, however, that there was no difference between how much the proponents and opponents of SB 81 *valued* the rule of law.[16] The difference was only in how they thought SB 81 would impact respect for the law. This is the first of the three rationales provided by supporters of SB 81 that is supported by White respondents. That is, Whites who endorse SB 81 also believe that the passage of SB 81 will increase the value of citizenship and respect for the law, suggesting that this rationale may be among the most important to the bills advocates.[17]

An alternative explanation. Recall that opponents of SB 81 suggested that the bill was motivated by racial prejudice and xenophobia. Survey data supported this explanation. First, SLCPD officers' and White residents' support for SB 81 was moderately related to a dislike of immigrants (both documented and undocumented) as well as a dehumanization of undocumented immigrants in particular.[18] That is, the more respondents endorsed cross-deputization the more they tended to endorse items such as "illegal immigrants are no better than animals" (see Appendix for full set of items). However, dehumanization of undocumented immigrants and dislike of Latinos accounted for less than 1% of the variance in SB 81 support.

Explicit prejudice is often a poor predictor due to the fact that respondents are reluctant to express it. Thus, the presence of a more subtle bias was also investigated. To this end, a measure of what psychologists have called "symbolic racism" was included in our survey. Symbolic racism emphasizes "abstract, moralistic resentment" of a given sub-population, and is consistently a strong correlate of policy attitudes that tend to have a racially biased impact.[19] Symbolic racism has traditionally been used to understand Black-White race relations in the United States and associated policy attitudes (e.g. school integration). A scale for the issue of illegal immigration was developed[20], and contained items such as: "immigrants are a drain on the

state's resources" and "immigration is causing resentment between the races to grow" (see Appendix for full set of items). Though individual scale items refer to concrete symbols of intergroup conflict such as conflict over resources or values, the large and reliable relationship between our measure of symbolic racism and explicit anti-Latino prejudice suggests that this scale is a valid measure of racial animosity.[21] Endorsement of this symbolic racism scale was strongly related to support for SB 81.[22] Not only was this relationship strong and reliable, but it also accounted for nearly 40% of the variance in support for SB 81, making it by far the strongest predictor of SB 81 support of all variables measured.

Taken together, these data suggest that support of SB 81 is closely related to a dislike of Latino immigrants—both documented and undocumented. There was relatively little evidence that proponents of the bill believed that it would reduce Utah's undocumented population or crime rates, casting doubt on the notion that proponents of SB 81 support cross-deputization to reduce immigration and crime. However, there was significant evidence that proponents of the bill supported it in proportion to their belief that cross-deputization would increase the value placed on citizenship and rule of law. Additionally, proponents of SB 81 supported it in proportion to their racial animosity towards Latinos and their sense that Latinos threatened their values. This further suggests that the bill is conceptualized by civilians in terms of being pro- or anti-Latino— and not simply pro- or anti-immigration.

Myth versus fact: Race and crime

The blurring of lines between Latino and "undocumented immigrant" has implications for the way Latinos are seen in the context of criminal activity. In our survey, Whites and SLCPD

officers who agreed with the statement, "In Utah, Latinos take advantage of Whites in illegal ways," also tended to support SB 81.[23] In fact, agreement with this single statement accounts for 30% of the variance in opinions regarding SB 81. This Latino criminalization narrative is at the heart of many anti-immigration policies, not just cross-deputization policy. Thus, to understand whether Latino residents contribute disproportionately to crime rates in Salt Lake City we compared SLCPD crime statistics and to the perceptions of our second sample of White Salt Lake City residents.
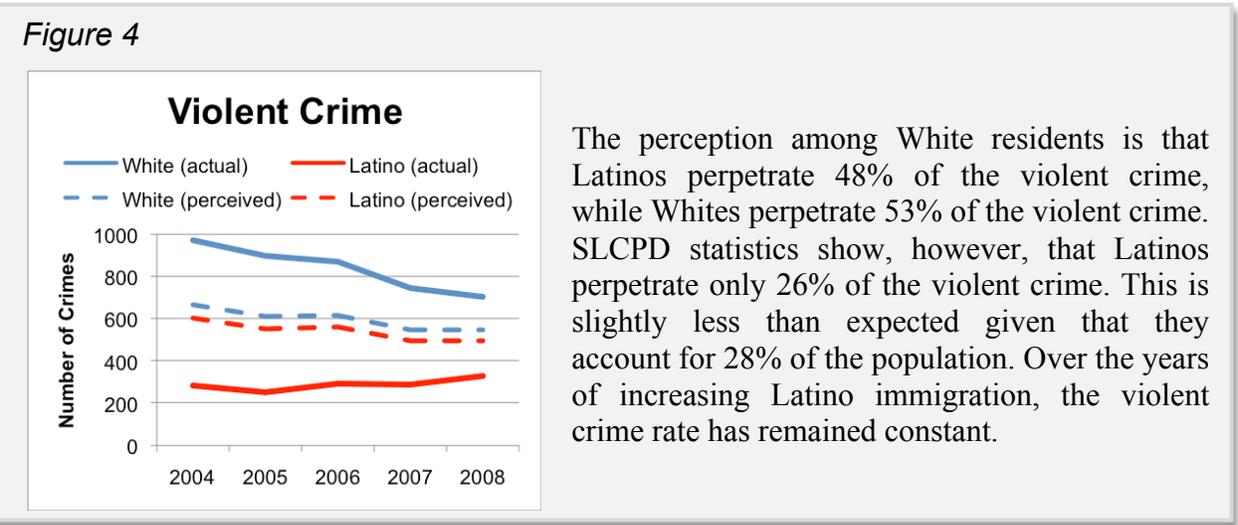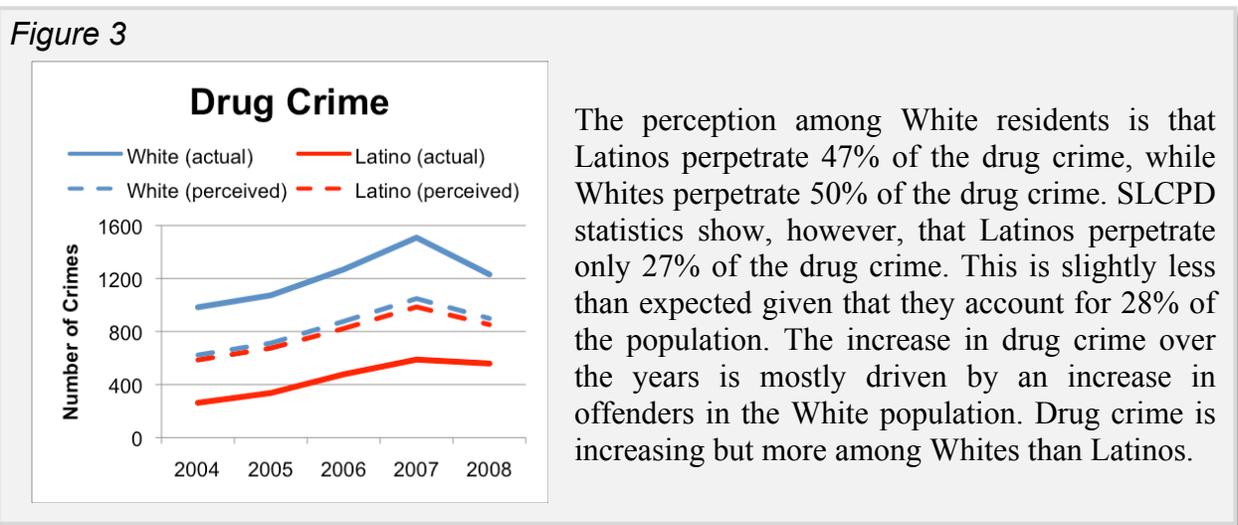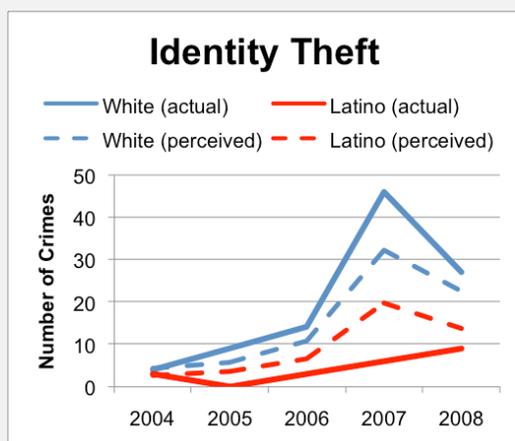
Figure 3

The perception among White residents is that Latinos perpetrate 47% of the drug crime, while Whites perpetrate 50% of the drug crime. SLCPD statistics show, however, that Latinos perpetrate only 27% of the drug crime. This is slightly less than expected given that they account for 28% of the population. The increase in drug crime over the years is mostly driven by an increase in offenders in the White population. Drug crime is increasing but more among Whites than Latinos.

Figure 4

The perception among White residents is that Latinos perpetrate 48% of the violent crime, while Whites perpetrate 53% of the violent crime. SLCPD statistics show, however, that Latinos perpetrate only 26% of the violent crime. This is slightly less than expected given that they account for 28% of the population. Over the years of increasing Latino immigration, the violent crime rate has remained constant.

Figure 5

Identity Theft

— White (actual)   — Latino (actual)
--- White (perceived)   --- Latino (perceived)

The perception among White residents is that Latinos perpetrate 38% of the identity theft, while Whites perpetrate 62% of the identity theft. SLCPD statistics show, however, that Latinos perpetrate only 17% of the identity theft. This is significantly less than expected given that they account for 28% of the population. Identity theft is a major worry of many politicians in Utah; its incidence rate, however, is very small. The recent rise in identity theft crime is driven entirely by the White population, not by Latinos.

In conclusion, when asked about crime rates, White Salt Lake City residents consistently overestimated the rate at which Latinos committed drug-related, violent, and identity theft crimes and consistently underestimated the rate at which Whites committed drug-related, violent, and identity theft crimes. Nevertheless, White residents did generally acknowledge that Whites committed more crimes than Latinos. Overall, crime rates have remained relatively constant despite burgeoning immigration rates. The only category for Latinos that showed any crime increase was drug crime.[24] Thus, on average, Latinos are slightly under-offending, and Whites are slightly over-offending. If Latinos were disproportionately contributing to crime rates, then we should have seen an exponential growth in crimes perpetrated by Latinos over the five years in our analysis. All available evidence, therefore, suggests that Latinos do not contribute disproportionally to crime rates in Salt Lake City.

Though there was no evidence of disproportionate Latino criminal representation, it was still possible that when Latinos do commit crimes, they disproportionately victimize Whites. This pattern would validate the perspective endorsed by many in our qualitative data that Latinos "take illegal advantage of Whites." To this end, SLCPD crime data from 2004-2008 were

analyzed for patterns of victimization. According to their proportions in the Salt Lake City population, White residents should be victimized in 72% of the crimes, while Latino residents should be victimized in 28% of the crimes.[25]

In examining the crime data we separated perpetrators of crimes by race (Latino versus White). White perpetrators victimized other Whites 83% of the time (16,995 incidences from 2004-2008) and Latinos only 17% of the time (3,517 incidences from 2004-2008). Latino perpetrators victimized Whites only 54% of the time (2,187 incidences from 2004-2008) and other Latinos 46% of the time (1,844 incidences from 2004-2008). Thus, White perpetrators are "over-victimizing" Whites, while Latino perpetrators are "under-victimizing" Whites. Put another way, White perpetrators are "under-victimizing" Latinos and Latino perpetrators are "over-victimizing" Latinos. Latino perpetrators have victimized "out-group" members more than have White perpetrators. Still, statistically speaking, crime is disproportionately an in-group phenomenon, with Latino and White criminals targeting same-race residents well out of proportion to their representation in the population. This supports the opponents of SB 81, and does not support its advocates.

Unintended Consequences: Collateral damage of cross-deputization

Police cooperation. The strongest concern voiced by opponents of SB 81—particularly law enforcement—is that enacting such policies will create a non-compliant, criminal subculture. The rationale is that, if undocumented immigrants are afraid of the police, then they will not call the police when a crime occurs—nor will they cooperate with police investigations out of fear of what police may uncover about their immigration status—or the status of their loved ones.

Additionally, documented immigrants with undocumented friends or relatives are likely to behave similarly. This will then strain relations between the police and immigrant/Latino communities making it more difficult for the police to do their job of keeping residents safe. Supporters of SB 81 argued that lawful behavior would increase. Neither of these lay-theories, however, has ever been examined empirically.

First, we asked our White and Latino sample about how likely they were to report a variety of crimes in the future both with or without SB 81 in place. As evidenced in Figure 6, Whites and Latinos were equally willing to report drug crimes to the police in the future *without* SB 81 in place. However, when respondents considered the future *with* SB 81 in place, this drastically reduced willingness to report drug crimes.[26] As drug crimes are often mentioned as one of the negative byproducts of illegal immigration,

Figure 6

Who would report a drug crime?
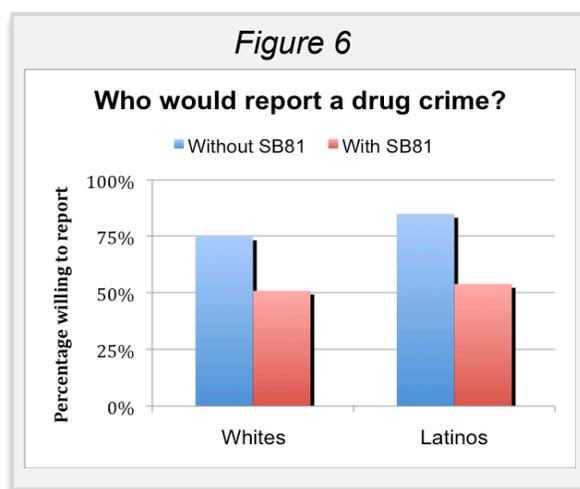
cross-deputization might be counterproductive in this instance. It is much harder to police drug crime effectively if community members, *regardless of race*, are unwilling to report its occurrence. The Latino portion of the sample (both documented and undocumented) showed a drop in willingness to report violent crimes similar to the drop in drug crime reporting.[27] The White sample showed a drop, albeit a smaller one (11%) for violent crimes as well.[28] Thus, not only are documented and undocumented Latino residents showing an identical detrimental impact, but White residents' willingness to report crimes is also being affected.

Crime reporting, however, is just one aspect of community cooperation with the police. Prior research on law enforcement demonstrates that general cooperation with police is connected to

the perceived legitimacy of the police department.[29] Legitimacy has two components: obedience and trust, both of which hinge on the way that police exercise their authority. To see if cross-deputization would impact community compliance on a broad-based level, a follow-up study was conducted with White respondents in Salt Lake City. Respondents indicated their agreement or disagreement with a variety of items such as, "You should accept the decisions made by the SLCPD, even if you think they are wrong" (*obedience*) and "People's basic rights are well protected by the SLCPD" (*trust*). The full set of items is listed in the appendix. As each respondent completed measures of obedience to, and trust of the SLCPD twice (with and without cross-deputization in place), any change in the level of each can be directly and causally linked to the enactment of cross-deputization.

Results indicated that White residents were mixed in their perceptions of SLCPD legitimacy, with a mean response equivalent to slight agreement that the SLCPD was legitimate. On average, the enactment of cross-deputization damaged the perceived legitimacy of the SLCPD in the eyes of White residents.[30] That is, White residents reported being less like to obey and trust the SLCPD simply because a policy of cross-deputization was in place. A depressed sense of police legitimacy has the potential to harm the SLCPD's reputation and to impair the SLCPD's ability to police effectively amongst both White and Latino residents. A new policy can undermine the legitimacy of a police force in the eyes of its constituents regardless of whether the given individual will be affected directly by the law.[31]

Police / Community Disconnect. Cross-deputization also has the potential to create a preoccupation among SLCPD officers with the way that undocumented immigrants perceive them. All survey respondents were asked to use a 'feeling thermometer' to indicate how they felt toward other groups on a scale from 0-100, with 100 being very warm and 0 being very cold.

Actual and perceived warmth towards the SLCPD among Whites and Latinos both hovered around 50. This indicates that both Whites and Latinos feel mixed about the police and the police accurately perceive these mixed feelings. The group about which the SLCPD is inaccurate, however, is undocumented residents of Salt Lake City. SLCPD officers perceive a great deal of antipathy towards the police in the undocumented community. In reality, however, undocumented immigrants' liking of the police is identical to both Latinos in general, as well as Whites. The extent to which SLCPD officers underestimated how much undocumented residents like them has implications. For example, it was related to dislike of both Latinos and undocumented immigrants.

Latino residents (both documented and undocumented) were highly concerned with the possibility that SB 81 would create more anti-Latino and anti-immigrant prejudice and discrimination. Police officers, however, indicated that both anti-Latino and anti-immigrant prejudice and discrimination would remain constant, and would be unaffected by SB 81.[32] Additionally, the more an SLCPD officer denied the potential discriminatory impact of SB 81, the more he or she underestimated the degree to which the police were liked by undocumented immigrants.[33] Thus, this perceptual disconnect has the potential to cause a great deal of strain on police/community relations.

Taken together, these data support the opponents of cross-deputization in terms of their concern that residents will be less willing to report a crime in the wake of a cross-deputization law. Importantly, this was the case even among Whites civilians. Similarly, White civilians saw the SLCPD as a less legitimate agency when the agency purportedly engaged in cross-deputization than when they did not. This, again, supports the critics of SB 81 and does not support the arguments of its advocates.

Concluding Remarks

In conclusion, opponents of cross-deputization expressed a series of concerns, and nearly all were confirmed by the above data. First, opponents of cross-deputization questioned the motives of submitting such legislation, offering that SB 81was about personal values rather than lawfulness, and that the legislation was anti-immigrant and anti-Latino rather than advanced on principle. The data bore out those suspicions. Similarly, opponents of SB 81 and cross-deputization—particularly law enforcement—were not convinced that the recent spike in undocumented immigrants had led to a corresponding spike in crime. Again, the data supported their suspicions. Finally, opponents of cross-deputization advance the argument that it will make cities less safe and produce a sub-culture of criminal lawlessness, the first step of which is not reporting a crime. Across White and Latino civilians, respondents generally felt that enacting immigration cross-deputization was both an illegitimate use of law enforcement powers, and they responded by indicating less of a willingness to report a crime—particularly drug crimes.

While the bulk of our data support the opponents of cross-deputization, SB 81 advocates found support for their argument that passage of the bill would decrease the total immigrant population—though it is possible that this decreased population would include a significant number of legal citizens. Additionally, supporters of cross-deputization demonstrated a genuine belief that the policy would bolster the value placed on democratic ideals, though there was not support that this would occur. This suggests that individuals' support for the legislation was based on threats to their values, and not solely based on intergroup prejudice as opponents had suggested—though both prejudice and principle were important contributing factors.

Taken together, these data are disturbing. This is particularly true in the wake of the recent Arizona law (Arizona Senate Bill 1070), given that Utah's SB 81 simply encourages law enforcement to "make a reasonable effort" to identify prisoners who might be in the United States illegally—and Arizona's law mandates that street-level law enforcement get involved. In Salt Lake City constituents do not believe that cross-deputization will be effective in reducing illegal immigration or criminal activity. Rather, support for cross-deputization policy is based on a fear that the rule of law and citizenship are under attack as well as symbolic racism against both legal and undocumented immigrants. Additionally, the focus on criminal activity in relation to immigrants, may serve to criminalize Latinos in general.

These data, however, suggest that this portrayal of Latinos as criminal is unwarranted, with Latinos committing crimes at a rate *less that* their proportion to the population and under-victimizing Whites within that. These data also illustrate how cross-deputization has the potential to damage community-police relations. First, it may endanger public safety by decreasing resident cooperation with the police, regardless of ethnicity. Second, it has the potential to strain relations between the SLCPD and the Latino community. Thus, our analyses indicate that SB 81 and similar cross-deputization laws may be counter-productive. That is, cross-deputization is likely harmful to both public trust in law enforcement and public safety.

Armed with the knowledge that support for SB 81 was strongly associated with anti-Latino bias, that there was no compelling crime need for new legislation targeting Latinos, and that the legislation would drive down crime-reporting, it is certainly worth re-examining this policy as the national immigration debate gains attention. Those who support cross-deputization are unlikely to get much of the benefit that they suggest (i.e. crime reduction or improved democratic values). However, the data suggest that law enforcement is likely to see everything

they fear: a reduction in crime-reporting and public trust. Given the rapidly changing demographics of our nation, the stakes for understanding the best way to implement immigration policy reform could not be higher. Therefore, the CPLE submits this report as an initial investigation into the merits of both sides of the debate. Our conclusion is that initial data militate against the wisdom of such legislation.

Acknowledgements

Appendix

Symbolic Racism:

1. Utah is a welcoming place for illegal immigrants.
2. Illegal immigrants are a drain on the state's resources.
3. Illegal immigration is a victimless crime.
4. Illegal immigration is causing resentment between the races to grow.
5. Compassion, empathy, tolerance, and goodwill fuel illegal immigration.
6. Immigrating illegally is a sign of disrespect for the laws of Utah.
7. Illegal immigration is unfair to the legal immigrants
8. Utah is a welcoming place for legal immigrants.
9. Legal immigrants are a drain on the state's resources.
10. Legal immigration is causing resentment between the races to grow.
11. Currently, Utah is more lenient and soft than the rest of the states in the U.S. when it comes to immigration law.

Dehumanization:
1. In some nations illegal immigrants are no better than animals.
2. Illegal immigrants are not entitled to anything.
3. Illegal immigrants deserve to be treated with dignity.

Obedience:
1. You should accept the decisions made by the SLCPD, even if you think they are wrong.
2. You should do what the SLCPD tells you to do even when you do not understand the reasons for their decisions.
3. You should do what the SLCPD tells you to do, even when you disagree with their decisions.
4. You should do what the SLCPD tells you to do, even when you don't like the way they treat you.
5. There are times when it is okay for you to ignore what the SLCPD tells you.
6. Sometimes you have to bend the law for things to come out right.
7. The law represents the values of the people in power, rather than the values of people like you.
8. People in power use the law to try to control people like you.
9. The law does not protect your interests.
10. Overall, the SLCPD is a legitimate authority and people should obey the decisions that SLCPD officers make.

Trust:
1. I have confidence that the SLCPD can do its job well.
2. I trust the leaders of the SLCPD to make decisions that are good for everyone in the city.
3. People's basic rights are well protected by the SLCPD.
4. The SLCPD cares about the wellbeing of everyone they deal with.
5. The SLCPD are often dishonest.
6. Some of the things the SLCPD does embarrass our city.
7. There are many things about the SLCPD and its policies that need to be changed.

Endnotes

[1] The Board or Directors is composed of: Kay Deaux, Ph.D.; John F. Dovidio, Ph.D.; Jennifer L. Eberhardt, Ph.D.; Phillip Atiba Goff, Ph.D.; Delores D. Jones-Brown, JD, Ph.D.; Tracie L. Keesee, Ph.D.; James Sidanius, Ph.D.; Samuel R. Sommers, Ph.D.; Tom R. Tyler, Ph.D.

The Consortium for Police Leadership in Equity (CPLE) is a research consortium that promotes police transparency and accountability by facilitating innovative research collaborations between law enforcement agencies and empirical social scientists. Through these facilitated collaborations, the Consortium seeks to improve issues of equity-particularly racial and gender equity-in policing both within law enforcement agencies and between agencies and the communities they serve. The Consortium aims to effect cultural transformations within both law enforcement and the academy by creating opportunities that simultaneously preserve the dignity of law enforcement and advance the application of social science to the real world. Taken from http://www.policingequity.org.

[2] The full scale for political ideology ranged from 1, "Very Liberal" to 7, "Very Conservative".

[3] Support for SB 81 was measured by level of agreement on a scale of 1-5 with a single item, "It is a good idea to put SB81 into practice." In Table 1, "Pro" refers to the percentage of a given population that expressed support for SB 81 (i.e. a score > 3 on our scale); "Con" refers to the percentage of a given population that expressed opposition to SB 81 (i.e. a score < 3 on our scale); while "Neutral" refers to those who had a score of exactly 3 on our scale.

[4] The relationship between SB 81 support and belief in undocumented immigrant movement was calculated using linear regressions. For the White sample undocumented immigrant movement into, $\beta = .07$, $p = .58$, nor out of, $\beta = .19$, $p = .12$, Utah showed a relationship to policy support.

[5] Difference of each mean from the midpoint of the scale was evaluated with a one-sample t-test. Both the mean for undocumented immigrant influx ($M = 2.62$, $SD = 1.12$), $t(101) = -.3.46$, $p = .001$, and the mean for undocumented immigrant egress ($M = 3.35$, $SD = .93$), $t(100) = .3.74$, $p < .001$, were significantly different from the midpoint.

[6] The relationship between SB 81 support and belief in undocumented immigrant movement was calculated using linear regressions. For the police sample both undocumented immigrant movement into, $\beta = -.24$, $p = .02$, and out of, $\beta = .25$, $p = .01$, Utah showed a relationship to policy support.

[7] The question asked participants to use a 5-point scale to indicated how they thought each potential outcome listed (i.e. violent crime) would *change*, regardless of how widespread the outcome was currently.

[8] A one-sample t-test was used to demonstrate that this mean of 3.22 ($SD = 1.02$) was not significantly different from the midpoint of the scale, $t(73) = 1.82$, $p = .073$.

[9] A one-way ANOVA contrast was used to demonstrate that the mean of 3.32 ($SD = 1.13$) for supporters and 3.00 ($SD = .82$) for detractors did not significantly differ, $t(67) = -1.35$, $p = .18$—equal variances were not assumed.

[10] A one-sample t-test was used to demonstrate that this mean of 2.66 ($SD = 1.05$) was significantly different from the midpoint of the scale, $t(102) = -3.28$, $p = .001$.

[11] The relationship between SB 81 support and belief in criminal activity reduction was calculated using linear regression. For Whites there was no relationship ($\beta = .10$, $p = .43$), while for the SLCPD there was a strong relationship where greater support for SB 81 meant increased belief that it would reduce crime, $\beta = -.31$, $p = .002$.

[12] For impact on citizenship, the difference of each mean of from the midpoint of the scale was evaluated with a one-sample t-test. Neither the mean Whites ($M = 3.13$, $SD = .94$), $t(101) = 1.37$, $p = .17$, nor SLCPD officers ($M = 2.97$, $SD = 1.20$), $t(74) = -.19$, $p = .85$, nor documented Latinos ($M = 2.89$, $SD = .97$), $t(52) = -.85$, $p = .40$, nor undocumented Latinos ($M = 2.91$, $SD = 1.36$), $t(44) = -.44$, $p = .66$, were significantly different from the midpoint.

[13] For rule of law, the difference of each mean of from the midpoint of the scale was evaluated with a one-sample t-test. Neither the mean Whites ($M = 3.10$, $SD = .98$), $t(101) = 1.01$, $p = .32$, nor SLCPD officers ($M = 2.95$, $SD = 1.19$), $t(73) = -.39$, $p = .67$, nor documented Latinos ($M = 2.81$, $SD = .93$), $t(51) = -1.49$, $p = .14$, were significantly different from the midpoint. Findings for undocumented Latinos are reported in Endnote 12.

[14] This amounted to a mean of 2.51 ($SD = 1.27$). This difference between undocumented immigrants views and the other three groups combined on respect for the rule of law was significant, as tested by a one-way ANOVA contrast without assuming equal variances, $t(60) = -2.22$, $p = .030$.

[15] This relationship between SB 81 support and values was tested with linear regression, the White and police samples were combined, as there was no difference between the groups. The relationship between SB 81 support and both the value of citizenship, $\beta = .33$, $p < .001$, and respect for the rule of law, $\beta = .32$, $p < .001$, were reliable.

[16] The means of rule of law endorsement were nearly identical, with proponents reporting a mean of 4.46 (*SD* = .50) and opponents reporting a mean of 4.50 (*SD* = .56). Rule of law was measured using a highly reliable scale (α = .77) adapted from the theoretical work of legal scholar Lon Fuller. See, Fuller, L. (1977). *The Morality of Law: Revised Edition.* New Haven, CT: Yale University.

[17] Though these relationships are reliable, the amount of variance they account for is small. Consequently, the values rationale as the sole basis for attitudes about SB 81 is not a compelling explanation on its own.

[18] Support for SB 81 was related to a dislike of immigrants in general, *β* = .21, *p* = .006, and dehumanization of illegal immigrants in particular, *β* = .30, *p* < .001. Dehumanization was measured with a reliable 3-item scale (α = .62) the full set of items is listed in the Appendix.

[19] Kinder, D. R. & Sears, D. O. (1981). Prejudice and Politics: Symbolic Racism Versus Racial Threats to the Good Life. *Journal of Personality and Social Psychology, 40,* 414-431.

[20] This scale was developed using the work of Kinder & Sears as a model, and was highly reliable (α = .84).

[21] The relationship was shown to be significant using bivariate correlations, *r* = -.45, *p* < .001. This relationship remained significant regardless of whether one supported SB 81 or not.

[22] Linear regressions were used to calculate the relationship between SB 81 support and belief in symbolic racism, *β* = .44, *p* < .001.

[23] Linear regressions were used to calculate the relationship between SB 81 support and belief in Latino victimization of Whites, *β* = .55, *p* < .001.

[24] This increase was predominately due to the larger number of Latinos arrested for drug sales.

[25] Using proportions of Latinos and Whites in the population of Salt Lake City, expected base rates were constructed and then compared to actual incidence rates. As crime did not vary appreciably over the 2004-2008 period, results were collapsed across years.

[26] Two paired-samples t-tests were used to test for a difference in the willingness of Latinos and Whites to report drug crimes with and without SB 81 in place. The means with and without SB 81 were significantly different, *t* (176) = 3.87, *p* < .001.

[27] A paired-samples t-test was used to test for a difference in willingness of Latinos to report violent crimes with and without SB 81 in place. The means with (*M* = .54, *SD* = .50) and without (*M* = .94, *SD* = .24) SB 81 were significantly different, *t* (95) = 7.57, *p* < .001.

[28] A paired-samples t-test was used to test for a difference in willingness of Whites to report violent crimes with and without SB 81 in place. The means with (*M* = .77, *SD* = .42) and without (*M* = .88, *SD* = .33) SB 81 were significantly different, *t* (83) = 3.16, *p* = .002.

[29] Tyler, T. R. & Wakslak, C. J. (2004). Profiling and Police Legitimacy: Procedural Justice, Attributions of Motive, and Acceptance of Police Authority. *Criminology, 42,* 253-281.

Tyler, T. R. & Fagan, J. (2008). Legitimacy and Cooperation: Why Do People Help the Police Fight Crime in Their Communities?. *Ohio State Journal of Criminal Law, 6,* 231-275.

[30] A paired-samples t-test was used to test for a difference between legitimacy levels with and without SB 81 in place. The mean SLCPD legitimacy with SB 81 in place (*M* = 3.21, *SD* = .72) was significantly lower than the mean SLCPD legitimacy initially reported (*M* = 3.33, *SD* = .66), *t* (90) = 3.27, *p* = .002.

[31] The purpose of the Wave 2 data collection was to deepen our understanding of White's unwillingness to report crimes in the wake of cross-deputization. Consequently, only White civilians were recruited for the Wave 2 data collection.

[32] The means for Latino endorsement were *M* = 4.23 (*SD* = .99) for prejudice and *M* = 4.24 (*SD* = 1.06) for discrimination. The means for the police sample were *M* = 3.11 (*SD* = 1.00) for prejudice and *M* = 3.15 (*SD* = .94) for discrimination. The difference between the Latino and White/police samples was tested with a one-way ANOVA contrast without assuming equal variances. The Latino sample showed a significantly higher endorsement of both anti-Latino, *t* (200) = 8.60, *p* < .001, and anti-immigrant, *t* (187) = 8.20, *p* < .001, prejudice and discrimination.

[33] Relationships were calculated with bivariate correlations. Misjudgment of undocumented immigrants level of liking was related to dislike of Latinos, *r* = .30, *p* < .001, dislike of undocumented immigrants, *r* = .54, *p* < .001, denial of discriminatory impact, *r* = -.22, *p* = .028, and concern with being seen as racist, *r* = -.27, *p* = .004.