2020

Sanctuary: Understanding Immigrant Victimization Reporting

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Abstract

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Abstract

In the criminal justice system, the victim possesses the power to determine if crime goes unreported. The problem addressed by this study is if sanctuary type policies have an effect on victimization reporting by immigrants. The theoretical framework was based on Appleton-Dyer and Field's interpretation of social exclusion theory. The key research question was focused on the perception of legal aid providers' perception of immigrants' victimization reporting determination. This qualitative phenomenological study included interviews with 4 legal aid providers who worked for an organization designed to serve victimized immigrants seeking relief. The data were coded and analyzed manually. Findings revealed that victimized immigrants in the United States navigate a constantly evolving system that realizes new policies with each new administration. Due to fear and a lack of knowledge on the behalf of immigrant victims, decisions are made without fully understanding the outcome. Recommendations include continued research in sanctuary policy cities and states encompassing multiple organizations or utilizing immigrants as participants. The findings from this study provide empirical information on the decision-making process of victimized immigrants related to sanctuary policies that can be used by legal aid providers and legislators to make the communities of this America safer.

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Dedication

To my wife, Kristin, who pushed me to take on this endeavor; without you, I would never have begun this journey. Thank you for your encouragement, tolerance, and service as a sounding board. To my children who tolerated their father locked in his office so often. I know anytime any of you walked into the home office, you saw me working on anything but this study, but clearly, I was working on it.

To my parents, thank you for pushing me and believing in me.

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Chapter 1: Introduction to the Study

Although immigration policy has been debated within the United States for decades, recently sanctuary cities have introduced a new facet to the conversation. The changing landscape of humanitarian needs and the realization that immigration is tied to homeland security has created a need to better understand how to approach sanctuary city policies. These policies may lead to immigrants interacting more with members of law enforcement and the community once the fear of deportation and/or judgement is removed. Additionally, once this barrier to interaction is removed, immigrants can better assimilate and take part within society. In this study, I examined the problems that immigrants face and how sanctuary city policies address them. Through phenomenological, one-on-one interviews with legal aids and advocates who work within or in counties adjacent to those with sanctuary style policies in place, I intended to provide a better understanding of the experiences of victimized immigrants. As victimization statistics provide policy makers and leaders with the necessary information to inform policy and distribute funds and resources, information that would skew that information must be understood.

As an overview, this chapter will explain the lack of understanding on the effects of sanctuary city policies and the determination of immigrants to report victimization, which will improve the understanding of the effect of sanctuary city policies on immigrants' decisions. This was done by viewing the problem through the lens of social exclusion theory and trying to understand how sections of society are prevented from utilizing all their available resources in seeking their own recourse and safety.

Background

The last meaningful immigration legislation passed in the United States was with the 1986 Immigration Reform and Control Act, and in the following 30 years, the method of enforcing immigration policy has changed dramatically (Martinez, Martinez-Schuldt, & Cantor, 2017). One method of circumventing these changes has been for localities to enact sanctuary city policies, limiting their cooperation with federal agencies (Armenta, 2017; Cebula, 2015; Martinez et. al., 2017). Advocates claim that these practices improve community relations by encouraging interaction with law enforcement and elected officials by removing the fear of deportation and judgement (Becerra, Wagaman, Androff, Messing, & Castillo, 2017; Gutierrez & Kirk, 2017). Furthermore, an increase in interaction with law enforcement can increase victimization reporting. However, immigrants are less likely to interact with members of law enforcement due to reasons such as history in their origin country, cultural beliefs, and fear of deportation (Ousey & Kubrin, 2017). This can lead to a lack of reporting and an artificial drop in crime rates (Green, 2016; Roles, Moak, & Ten Bensel, 2016). This shows that crime rate statistics can be unreliable due to the nature of collection, which then affects policy decisions based on skewed data.

Though past research has been focused on how the fear of deportation and perceptions of law enforcement effect the willingness to report crimes among Latinos (Beccera et al., 2017), the focus on this study expands the pool to immigrants in general with a focus on sanctuary cities. This understanding of immigrant victimization reporting was achieved by conducting interviews with legal aid advocates and professionals who

work within the immigrant community. The results can provide the opportunity for policy makers to make decisions based on empirical information and limit the use of rhetoric in the public discourse regarding sanctuary policies.

Problem Statement

The body of research surrounding immigrant victimization is growing (Grubb & Bouffard, 2014); however, with the growing rhetoric surrounding the American presidential campaigns, a resurgence in public discourse has developed. The concept of sanctuary cities has become surrounded by political and public discourse (Green, 2016). This concept of sanctuary has grown around the world (Bagelman, 2013), and though the concept is not new, its adaptation in America to circumvent a lack of immigration policy reform has created an environment where immigrants may be more inclined to report crime. Part of the discourse is that these policies, through removing fear of deportation, may create an environment where immigrants are encouraged to interact with elected officials and members of law enforcement (Becerra et al., 2017; Gutierrez & Kirk, 2017). This increased interaction can increase victimization reporting and improve relations of immigrants with mechanisms available to the community.

This study addressed the lack of understanding regarding immigrant victimization reporting within sanctuary cities, which results in rhetoric and poor policy implementation. Crime statistics provide a tool to city and law enforcement managers that enables allocation of money, deployment of members of law enforcement, and policy decisions. However, immigrants do not always report victimization (Gutierrez & Kirk, 2017; Martinez et. al., 2017). Better information on reporting can provide advocates with

information to present to policy makers, who will have accurate data to implement policy and provide legislative direction.

Purpose

The purpose of this study was to answer the following research question: To what degree do legal aid professionals perceive that sanctuary city policies impact the rate of immigrant criminal victimization reporting? To answer this question, I conducted qualitative interviews with immigration and asylum legal aid practitioners and advocates to better understand the effect that sanctuary city policies have on victimization reporting (if any). A determination of any on impact on immigrant victimization reporting due to locales where sanctuary city policies are employed may empower policy makers and to enact legislation with empirically backed research and lessen the strength of rhetoric in the public arena.

Theoretical Framework

Social exclusion theory indicates that sections of society are denied rights through the membership of a group that is either born into or given later in life. The denial in full or in part to social, economic, political, and cultural systems defines social exclusion (Sheppard, 2006). Many countries through their constitutions idealize the rights that members of society deserve. However, exclusion cannot be eliminated through measures taken or enacted due to the nature of society. But what can be examined is how these exclusions affect members of society and prevent engagement with the remainder of society and its offerings. This theory was chosen due to the nature of immigrants' experiences and challenges of settling in a new country that create offerings that

otherwise would be available to them. However, due to the nature of acculturation and assimilation (Akinropo, 2018), decisions may or may not be made that would exclude them from taking advantage of or even being aware of what is available to them.

Nature of the Study

With the focus on the lived experiences of victimized immigrants within sanctuary cities and their decision to report being the victims of crime, a qualitative focus was employed. Focusing on shared and lived experiences, an understanding was sought on how immigrants react to and live under sanctuary city policies. Through interviewing, a better understanding was derived regarding the decision-making that leads individuals to interact with members of law enforcement, report victimization, and seek available aid. These phenomenologically driven qualitative interviews provided a wealth of raw data that once analyzed were used to seek emerging themes based on sanctuary city policies.

Interviews were performed with members of an organization that provides legal aid and victim advocacy to immigrants and nonimmigrants both within and outside of sanctuary cities. This organization is in the Southeast United States, and though it is located in a jurisdiction that is not a sanctuary city, it provides aid and representation throughout the state that has multiple nearby sanctuary cities and counties. Once the interviews were conducted, the information was transcribed and coded for analysis.

Definitions

For purposes of this study, *limited cooperation and sanctuary policies* are intended to be viewed as similar enough to be used interchangeably.

Immigrants: Used regardless of citizenship status, unless specifically spoken to.

Assumptions

This study relied on a few assumptions in relation to its execution and how the information was analyzed. First, it was assumed that all participants have neutral opinions on sanctuary city policies and are aware of the ongoing public discourse surrounding them. Although it was possible that immigrant legal aid advocates and professionals may negatively view sanctuary city policies, for this research it was assumed to not be the case.

Additionally, immigrants, depending on home country and legal status in the United States, were assumed to have a varying level of perception on police and elected officials in the country. This was a primary assumption of this study. Different countries have a varying degree of corruption in government and law enforcement, be it power-grabbing or in some cases a militarized state that is run by the law enforcement or military, which embeds a level of mistrust within these institutions. Though it was generally acknowledged that the policing system and practices in the United States is an improvement when compared to other countries' systems, it was assumed that these other mistrusts and level of wariness will carry over to those who practice law enforcement within the United States.

The final assumption is that the gathering of information will best be performed through conducting of face-to-face interviews, with all information transcribed and coded. It was acknowledged that data collection could be qualitative or quantitative or even combined for a mixed methods approach. But for this study, phenomenological, semistructured interviews was the best method of data collection.

Scope and Delimitations

The scope of this study focuses on immigrants' decision-making process related to reporting victimization while fearing deportation and the effect of sanctuary cities on this process. Purposive sampling was employed to select participants from an organization that operates in the Southeast United States and specializes in supporting the immigrant community. Participants were those who have worked as advocates or legal practitioners for a minimum of 2 years within the immigrant community or 5 years in the role. Though the primary focus was victimization reporting of immigrants within sanctuary cities, there may be sections that could be generalized to a broader exploration on immigrants, criminal justice, and sanctuary cities. Broader areas explored included evaluation of immigrant decision making based on the threat perceived of deportation.

Delimitations to this study included a degree of generalizability of the victimization reporting procedure of immigrants to non-immigrants. Additionally, in some cases, factors leading to not reporting victimization have nothing to do with the fear of deportation or police interactions. This is realized in that many victims choose to not report crimes who would otherwise not fear interacting with police or having a fear of deportation. Factors relating to this decision in the community, while briefly covered, were not investigated in depth due to the limited scope of this study.

Limitations

There were limitations to this study. Chief among them is that victimized immigrants were not directly solicited as participants. This decision was made for two reasons: not further subjecting them to scrutiny and potentially have to relive the decision

to report victimization, and access to victimized immigrants can be a challenge especially when they have an active fear of deportation. Another official approaching them to question them about their status within the country was not something I wished to subject them to, nor would I require them to have to live through that interaction. Thus, this study included victim advocates and legal aid providers to victimized immigrants, who work closely enough with immigrant victimization reporting that it did not impact this study.

Another delimitation is that due to the limitation of availability in securing a partnering organization to undertake this study, only four participants provided their time for this study. These four participants work within the same organization and apart from one of them have not worked in any other areas in the last five years. As such, their experiences may not represent the experiences of all victim advocates and legal aid providers.

Finally, with qualitative inquiry there is a risk of researcher bias being introduced. Although I have no connection directly to the topic, I have personal feelings on the subject matter and how it is administered. To avoid this, participants were provided with almost-verbatim copies of the manually transcribed transcripts to perform member-checks. However, these transcripts omitted multiple "uhms" and "Ahs" for clarity.

Significance

The climate regarding immigration has shifted in the last 50 years in America. Illegal immigration that was originally a civil offense has changed to a criminal offense—a shift in immigration policy that began in the mid-70s and continues to this day

(Pomerenke, 2018). But a more open and understanding population of sanctuary cities

have grown in which local communities stop collaborating with Immigration and

Customs Enforcement (ICE). One benefit to this is that immigrants are more likely to

interact with law enforcement and members of the local legislature in sanctuary cities, as

immigrants (illegal and foreign-born) are less likely to report victimization of crime

because of fear of reprisal, fear of reliving the event, belief that it was their own fault, or

knowledge that they too could be criminally liable (Gutierrez & Kirk, 2017). But a minor

offense left unpunished creates an avenue where lesser crimes grow into bigger crimes

(Wilson & Kelling, as cited in Ren, Zhao, & He, 1982). With a large population of

society being unwilling to report victimization of crime, criminal or terrorist

organizations can foster, develop, and generate funding for more severe crimes and

actions. This is especially the case in disadvantaged communities with large groups of

immigrants, which shields these criminal groups due to immigrants' fear of interacting

with law enforcement for personal needs. However, these individuals are still victims

who deserve the benefits of society should they make their reports. Therefore, there

needs to be a better understanding of immigrant victimization reporting. This

information can help alleviate victimization of this section of society as well as inform

decision makers such as law enforcement, criminal justice practitioners, the immigrant

community, and ultimately the country to move forward in protecting its citizens.

Summary

To review, immigration law has remained stagnant with little change in the last 50

years. Due to this, the country has seen an influx of cities, counties, and states enact

sanctuary policies that limit interaction between the local and federal law enforcement agencies to protect members of their respective communities. However, it is important to understand the effects that such policies have on immigrant behavior in the face of victimization. With social exclusion theory, I examined the effects that such policies have on the behavior and decision-making process of immigrants as they navigate the process of making their determinations. This was done through one-on-one interviews with immigrant legal aid practitioners.

In the Chapter 2, I will present a review of literature relevant to the topic and how the approach has developed over the years. In Chapter 3, I will present the methodology undertaken for this study. In Chapter 4, I will present the data analysis and prevailing codes, themes and categories. Lastly, in Chapter 5 I will provide conclusions, implications, and future avenues of research recommended.

Chapter 2: Literature Review

Introduction

The purpose of this study was to identify whether sanctuary city policies affect the victimization reporting behavior of immigrant victims. Accounting for the accuracy of victimization reporting is a problem for decision makers of public policy, creating an environment where policy is dictated by data that are accepted with the knowledge that they are inaccurate (Gutierrez & Kirk, 2017). By developing a better understanding of sanctuary type policies' result on the decision to report, this study provides empirically based data that policy makers and members of government can utilize to enact policy rooted in evidence.

In this chapter, a review will be provided of the available literature. The chapter begins with an explanation of the strategy to search for literature about immigrants, sanctuary cities, victimization reporting, and social exclusion theory. A discussion on the lives of immigrants in the United States and the challenges they face, both in arriving legally or illegally will also be discussed as well as their decision making process in the locale they settle in and the challenges they face while attempting to assimilate. Following that is a discussion centering on sanctuary cities in America, with a a history of the concept, how it has developed throughout history, and the pushback to this policy. The discussion then transitions to victimization reporting, which is elaborated on by providing a viewpoint on the importance of accurate victimization reporting. The chapter next covers a review of social exclusion theory as the theoretical foundation for this study.

Literature Search Strategy

The approach to locating literature relevant to the topic took several avenues. The Walden University online library databases were the primary source of literature. Literature was accessed via EBSCO, Proquest Central, Criminal Justice Database, Sage Journals, Criminological highlights, Academic Search Complete, American National Election Studies, Bureau of Justice Statistics, Counseling and Psychotherapy Transcripts, Client Narratives, and References Works, CQ Researcher, Walden University Dissertation & Theses library, Opposing Viewpoints in Context, Political Science Complete, Google Scholar, and ScholarWorks. Within these databases, the following Boolean phrases were employed, either individually or combined: *immigration, sanctuary, fear, deportation, victimization, reporting, police, interaction, undocumented, alien, crime, statistics, migration, settlement, stigma, community policing, enforcement, advocate(s), hesitation, marginalization,* and *linkage*. In some instances, longer combinations and sentences were employed to capture one-off searches that arose through the nature of the research undertaken.

Because the expectation is that research that adds to the body of literature focuses on the most recent peer-reviewed literature, a preference was established for what has been published within the last 5 years with few exceptions. For instance, origins of theory surrounding social exclusion theory exists outside of this window. However, I was able to find further resources that build on the literature surrounding the theoretical framework. Through utilizing published works within the last 5 years on similar studies

related to immigrants, victimization reporting, sanctuary cities, and social exclusion theory, I was able to peruse references lists to find additional relevant literature.

The concept of sanctuary cities is a relatively new topic of discussion and policy within the public discourse. As such, search efforts to find peer-reviewed literature relevant to sanctuary cities returned few results. This was overcome through similar efforts to produce relevant research to social exclusion theory. In addition to this, creative combinations of the employed Boolean phrases provided opportunities for relevant literature on the topic. Because results were still lacking, I changed the approach to focus on literature that documented pro-sanctuary groups such as East Bay Sanctuary Covenant and other advocacy groups with similar missions. By utilizing this method, a comprehensive review of relevant literature on sanctuary and advocacy groups was accomplished.

Challenges Facing Immigrants in America

Most of the public's attention has been on America's southern border with Mexico; however, immigrants come to America from all countries and for a variety of reasons. For many immigrants the greatest challenge to living in America is assimilating, which is a common challenge not unique to America (Kislev, 2019). But integration upon arrival is an afterthought (Johnson, 2019); therefore, immigrants arrive to the United States with little to their name and no prospects for employment, even after completing their college program, which creates anxiety and limits their potential successes (Johnson, 2019). Immigrants also have limited opportunities due to the location of where they grew up, inexperience in navigating college admissions programs,

or a lack of education on behalf of their parents (Naranjo, Pang, & Alvarado, 2015). This challenge affects foreigners attempting to immigrate to America for the purpose of school or employment as well as immigrants already residing within the country.

In addition to limited opportunity, immigrants in America have a long past of being blamed (Shin & Dovidio, 2018) in what is referred to as a nativist narrative (Leyro & Stageman, 2018). Terms such as *criminal alien*, *illegal alien*, and *illegal immigrant* have all become part of the vernacular used and are interchangeable in their use. Yet America claims to be built on immigration and a land of opportunity. But an event will trigger media attention, which creates human interest stories and triggers public debate (Alamillo, Haynes, & Madrid, 2019). Despite this negative media attention and the long-standing challenges that face governance of immigration, the opportunities viewed by many continue to encourage the migration of people into the United States (Cebula, 2015).

These challenges are not singular to those with a questionable status in the United States; however, due to constructs in place, immigrants who have no legal status face greater challenges (Leyro & Stageman, 2018). These constructs together are called crimmigation, a collapsing of immigration and criminal enforcement (Pickett, 2016). Though the role of immigration enforcement has traditionally resided in the federal government, much of the leg-work is undertaken by the local sections of the criminal justice system (Alamillo et al., 2019; Aliverti, 2017; Bell, 2019; Garland, 2007; Picket, 2016; Pedraza & Osorio, 2017). This creates a criminal justice system that is not perceived to serve everyone and creates fear of interaction (Gutierrez & Kirk, 2017). The

dual nature of the police force within America has created distrust in procedural

interactions (Khondaker, Wu, & Lambert, 2017; Messing, Becerra, Ward-Lasher, &

Androff, 2015), which goes beyond legal status (Messing et al., 2015; Slocum, 2018). A

person may have preconceived notions of interactions and choose not to proceed due to a

general suspicion of government (Brown, 2015; Slocum, 2018), which inhibits access to

public aid (Leyro & Stageman, 2018) and limits reporting (Gutierrez & Kirk, 2017).

Post 9/11

Immigrants have faced a long-standing negative perception (Alamillo et al., 2019;

Leyro & Stageman 2018; Shin & Dovidio, 2018), but since 9/11, immigrants have faced

new challenges for having different accents and cultures. Since 9/11 immigrants have

faced not just exclusionary policies but negative public sentiment (O'Keefe, 2019).

Though immigrants bolster the community through cultural and economic means

(Hesson, 2015), media and authorities push a different narrative (Allwright, 2018; Bulut,

2016). Due to the negative perceptions of immigrants from an entire region (Bulut, 2016;

Green 2016), perceived fear creates a distrust that is experienced mutually, which creates

a further lack of intergroup contact and little willingness to intermingle between the two.

This increases distrust among the groups (Bulut, 2016), as a lack of understanding

through limited interaction further exacerbates an us-versus-them mentality.

This mentality has its roots in racist nativism, which can be triggered just from the

belief that someone is an immigrant (Duran, 2017). For example, immigrants are viewed

as competition when materials (jobs, housing, commodities) are believed to be finite

(Estep, 2016; see also Bulut, 2016). A threat is perceived, and in the face of mass

migration throughout the world, the federal system has not appropriately addressed immigration (Faizer, 2017).

2016 Election

In the years leading up to the 2016 U.S. presidential election immigrants had a general cooling period of tensions due to an administration that recognized a problem and manufactured temporary solutions to immigration. The Deferred Action for Childhood Arrivals (DACA) created a safety net for children of immigrants who were brought into the country as minor children (Benuto, Casas, Cummings, & Newlands, 2019). Recognizing that more than 11 million unauthorized immigrants live in the United States, former President Barack Obama acknowledged that The Development, Relief, and Education for Alien Minors (DREAM) act would not pass and signed DACA into existence. This program created an avenue to citizenship for many immigrants, empowering them and ultimately providing a level of inclusion (Ellis et al., 2019) as well as change the path of their life (Gonzalez, Terriquez, & Ruszczyk, 2014). Though DACA had its flaws both in writing and application (Campbell, 2018; Johnson, 2018; Thronson, 2016), it had its promises as well such as benefitting the quality of life of recipients (Campbell, 2018). Yet the continued use of family detention as a deterrent and the priority enforcement program has gone against these benefits.

Even in the years leading up to the 2016 election, immigrants and potential migrants had witnessed two approaches from the Obama administration (Campbell, 2018): the benevolence of a country that would open its arms (DACA) as well as a country that would enforce its borders and laws (priority enforcement program, family

detention). The decision to carry out both functions is confusing to many (de Graauw & Gleeson, 2018), and it prefaced what came with a new administration. The murder of Kathryn Steinle in 2015 was a flashpoint, and candidate Trump took a hardline on immigration, sanctuary cities, and illegal immigrants (Green, 2016; O'Brien et al., 2019). He made several promises along the campaign (Green, 2016; Villazor & Johnson, 2019) that their administration would roll back soft policies and strictly enforce the U.S. borders and immigration law (Bach, 2019). As campaign rhetoric faded into executive rhetoric, the intensity grew, clashing with small city governments, states, and congress members over sanctuary city policies (Bach, 2019; Lasch et al., 2018). Although inroads and access had been growing for immigrants in some locations, the enhanced focus on these policies negated much of the inclusion that immigrants felt leading up to this point. This extreme turn toward nativism only further hampers assimilation and inclusion by immigrants in America (Young, 2017).

Literature Related to Sanctuary Cities

The concept of sanctuary is not new and is centered around the concept that legal systems are imperfect, but the concept of sanctuary has mostly changed from its original intent (Begaj, 2008; Villazor & Gulasekaram, 2019). The concept and how it is applied has shifted considerably from classical applications and has shaped the conversation into a debate of humanitarian (crisis) and federalism (Amdur, 2016; Roberto, 2015; Villazor & Gulasekaram, 2019). With the 2016 election, rhetoric centered around sanctuaries, interest has spiked.

Before going any further, an understanding of what a sanctuary city is must be understood. Though the concept is tied to multiple measures with varying degrees of application, for purposes of discussion a sanctuary city shall defined as a city (county, or state) that limits its cooperation with federal immigration enforcement to protect low-priority immigrants from deportation (Cebula, 2016). This means that local municipalities will not honor federal requests to hold someone in jail for being an illegal immigrant. Thus, another label for sanctuary city is limited cooperation authority (jurisdiction), meaning that the local (or state) law enforcement will not cooperate with federal authorities in immigration enforcement unless in the case of known violent criminals (Cebula, 2016).

Sanctuary or asylum is not a new concept in the United States; a concept similar to it was offered in Madison, Wisconsin in the 1980s, when local churches started the practice, and within 2 years, the city council passed a resolution declaring themselves a sanctuary city for Central Americans (O'Brien et al., 2019). But these policies received little attention in mainstream media or from politicians until 2015 when Kathryn Steinle was murdered in San Francisco, which ignited the conversation around such policies (O'Brien et al., 2019; Villazor & Gulasekaram, 2019). These conversations center on why these policies are right, wrong, just, or unjust and promotes negative progress and rhetoric (Villazor & Johnson, 2019).

Another complication with sanctuary policies is a lack of cooperation between agencies. The evolution of law enforcement within America has taken shape where local, state, and federal agencies work together toward a common goal (Gardner, 2019).

However, in the wake of 9/11, the National Commission on Terrorist Attacks on the United States (Wirtz, 2004) pointed to the failures of this cooperation to predict and prevent these attacks. In the years since that report was released, efforts have been made to bring the differing local, state, and federal agencies to a level of cooperation to prevent such an occurrence from happening again (Shaffer, 2015). But with changes at the executive level, a focus on stricter homeland security may dismantle all this progress. Further, cultural norms that are rooted in law (federal anticommandeering rule, Court of 1997), the concept of federalism, harbor a landscape where absolute cooperation is not realistic, nor is it feasible. There is an excess of 18,000 local and state institutions of law enforcement agencies in America (President's Task Force, 2015). State governance, however, relies on the ability to govern. Part of that authority that allows a state to govern its borders is rooted in police power (Gardner, 2019), which involves the decision in how to pursue lower level crimes (Bach, 2018). Sanctuary policies strengthen this power by removing the requirement of local jurisdictions to inform federal agencies when making their decisions in how to proceed, as the violation of the sovereignty of the state's ability to perform their functions is a violation of the 10th amendment (Gardner, 2019; Michalove, 2018). Still, immigration laws are by their nature federal statutes and as such the role of the federal agencies to enforce (Neumann, 2017), but the problem arises when the federal government enforces their statutes in a manner that infringes on the states.

In response to the surge in federalism as a response to sanctuary cities, cities in California, New York, Oregon, Illinois, and others have taken a stance to resist the reach of the Trump administration to limit sanctuary cities (Somin, 2019). They have argued

that the legal fights have the potential to drastically change the way the United States is

governed (Bell, 2019; Somin, 2019) as well as drastically change immigration policy for

years to come. Regardless of the trajectory that the fate sanctuary cities steer the United

States, a central tenet to this study is that these cities promote immigrant–police

interaction by removing the fear of deportation (Martinez et al., 2017; O'Brien, 2019).

Victimization Reporting

When crimes are reported, police are expected to respond accordingly. However,

when crime goes unreported, and police are unaware of crimes committed, there is little

that they can do to address the problem created and faced by members of society

(Gutierrez & Kirk, 2017; Hardy, 2019). That is why victimization reporting is crucial to

the success of modern policing (Becerra, Wagaman, Androff, Messing, & Castillo, 2017;

Hardy, 2019; Kwak, Diernenfeldt, & McNeeley, 2019; Torrente, Gallo, & Oltra, 2016).

Determinations made by individual citizens who observe or are victims of crime to report

enables the criminal justice system to take action and serve justice, but in the case of the

victim a unique role is carried out (Reyn & Randa, 2015). The decision to come forward

and report victimization or the decision to remain hidden is a decision that rests with the

individual, yet the reasons for choosing to not come forward is varied. For instance, the

age of the victim has aided in determining if reporting would occur (Boateng, 2018;

Bosick, Rennison, Gover, & Dodge, 2012), and actual reporting goes up with respect to

the age of the victim or the perceived violence and threat during the reporting of the

crime.

In working through the decision-making process, Reyns and Randa (2015), posit that three factors weigh heavily on the determination to come forward: nature of the offense, relationship to the perpetrator, and if the offender has prior criminal behavior. While all of these are considerations to be made when reporting victimization, in the case of immigrants the reception by the police is another factor to take into consideration. While Gutierrez and Kirk (2017), acknowledge that a large amount of empirical research has been performed in attempting to understand the factors that contribute to the likelihood of reporting crime, scarce is the existence of research literature into the effects of sanctuary city policies aiding the determination of immigrants to report crime. However, there is evidence that cities with a higher proportion of immigrant's experiences fewer crimes reported (Gutierrez, & Kirk, 2017; Green, 2016), while Wong (2017) found that policies which encourage immigrants such as sanctuary cities are 'safer'. However, Gonzalez et. al. (2017) found no statistical variation between cities with such policies and those of similar size that do not limit their cooperation with immigration authorities. Acknowledging these findings, an understanding that less crime does not always mean safer is required. Therefore, looking at victimization statistics can be misleading.

While these statistics can be misleading, they remain a valuable tool in the prevention and deterrence of crime. Pratt and Turanovic (2016) state, "All forms of victimization can still be explained by the convergence of motivated offenders and attractive targets with no guardians around (p. 339)". The concept of the attractive target takes many forms, and depending on the crime different tangible differences. It could be

the victims looks, how much wealth they appear to possess, and in the case of particularly

discerning offenders; the likelihood that the victim would not report the crime.

From the eyes of a potential criminal offender, a victim that is unwilling to report

victimization is the ideal target. Xie (2014) acknowledges that trends in crime reporting

can be associated with the population within an area, and that in the case of immigrants,

socio-cultural norms may affect their willingness to report such crime. In cities with

large concentrations of immigrants, it can then be construed that the norm for their

section of society is to handle it among themselves, especially when deportation is a

possibility that follows police interaction (Armenta, 2017). In such situations, an

immigrant who could be susceptible to deportation proceedings, could in fact sign their

own order by reporting victimization. Even in locales where such activity does not

generate deportation actions, ICE agent's presence at state and local courthouses further

discourage the decision to come forward of an immigrant (Bach, 2018). Creating another

barrier to discourage reporting.

Becoming a victim, and grappling with the decision to report it are stressful

events in one's life, experiencing discrimination and to believe that the police do not

serve you only exacerbate this. Immigrants, and not just Latinos', perception of law

enforcement and the criminal justice system are negative (Becerra et al, 2017). The

perception of future negative police interaction is something that immigrants believe

based on past personal experiences (Weitzer, 2014), and while some of these interactions

could very well be with members of ICE, enforcement agencies are viewed as one in the

same. Gonzalez-Barrera & Krogstad, (2014) acknowledge that much of the negative

perception tied to the increase in deportations of undocumented immigrants during the Obama Administration. Therefore, the immigrant community is less inclined to interact with police due to negative feelings.

Crime Reporting Behavior

The act of crime reporting, correlates to crime reporting statistics, as such non-reporting biases official crime reporting statistics. In their effort to make light of many of the characteristics of victims that report crime, Boateng (2018) acknowledges that female crime victims are more likely to report victimization than male victims. However, Bersani and Piquero (2017) in citing, Krohn, Lizotte, Phillips, Thornberry, and Bell (2013) put forth that there is little statistical difference between gender(s) in the reporting of crime.

The determination to report a crime, comes at the end of a decision-making process that is the equivalent of the victim weighing their options (Hardy, 2019). Viewing the decision to come forward as a rational decision makes it easier to understand why one may not report a crime. Lesser crimes, such as petit theft, or stealing items of little significance are not worth the effort on behalf of the victim to follow up with. However, in cases of where an item stolen is of large value, or where great personal harm is experienced, the cost of reporting might weigh differently in a cost-benefit analysis as the victim feels more severely wronged. Torrente et. al. (2017) state that the severity of a crime has a direct correlation to reporting, as the benefit of seeing the wrong righted outweighs the cost of not reporting the crime. Therefore, understanding that the type of crime plays a role in reporting practices.

Looking at crime reporting behavior from a rational model, sometimes reporting crime even of an extreme severity is not worth it from the victim's perspective. Speaking to the nature of social networks, social values, and perception of how they will be viewed as a victim (Torrente et. al., 2017) claims that all play a role in making this decision. Therefore, if an immigrant who has been a victim views a prominent non-immigrant as someone, they do not have the means (time, money) to report a crime against, they may make the decision that the cost is not worth the potential benefit.

Social Exclusion Theory

To understand the experiences of immigrants and their decisions to report victimization, it felt appropriate to frame this in a way that allows the reader, especially living in America; a land billed as full of inclusion and opportunity to view this research through the lens of an exclusionary discussion. For that purpose, social exclusion theory established the framework from which this research was undertaken. Social exclusion theory will enable a better understanding of the experiences that immigrants face when utilizing the criminal justice system within the United States

In reviewing relevant literature to immigrant victimization, and immigration policy enforcement for this research, information was gleaned that further reinforces the decision to select social exclusion theory. For instance, understanding that the decision to come forward and report the victimization of a crime, with federal agents waiting at courthouses (Bach, 2018). In the world where witness tampering exists, this in effect is the ultimate interference in the criminal justice system. The federal government, through their sheer presence creating a barrier to a witness to come forward.

Social exclusion is discussed at two different levels, for the purposes of this research; community exclusion will be examined. While there are members of the immigrant community that experience individualized social exclusion, the decision to focus on the community aspect that immigrants experience, will provide a more accurate depiction of experiences that properly shape the delivery of information that provides the most opportunity for leaders of social change to find informative empirically sourced information to enact progress towards a corrective path.

Social exclusion is a relatively new concept within academia, coming to the forefront of conversations in the mid-1970s, primarily from the United Kingdom, and other European Union countries. With practitioners choosing to break social exclusion up into separate types: political, economic, and cultural (Appleton-Dyer & Field, 2014) However, France's socialist government in the 1970s, and the marginalization that occurred to groups within that society is where the roots of the framework's origin can be located (Benbow, Forchuk, Berman, Gorlick, & Ward-Griffin, 2019). The New Labour Government in the United Kingdom made it one of their foundational policies during the mid-1990s until leadership of the party was transferred out from under Tony Blair. At the same time, political discussions in Canada begin to center around social exclusion. While social exclusion was becoming a common concept of political and academic discourse at the end of the 20th century, countries, if choosing to address it approached it and framed it in a different manner (Benbow, et. al., 2019). Despite this, the focus has been on groups within society, that through the nature of social processes (regardless of

how engineered), are left in the margins of society. Thus, creating different levels where individuals resided as if tiered.

Stratification of a nation's population creates circumstances, where access to opportunities, commodities and services become restricted. In the context of social exclusion theory, political dominion is governed by classes and cultural groups that drive the process of stratification and while much of social exclusion has focused on poverty (Raphael & Bryant, 2015; Schroder, 2017), the other provisions that a governed society provides its population is also withheld from these marginalized groups (Estrada, Ebert, & Lore, 2016).

This research will rely on how social exclusion theory's focuses on how being a member of an 'out' group (in this case immigrants), creates a stratification of rights based on one's immigration status. Further, this marginalization creates a cycle that further purports the exclusionary attributes that immigration laws and their supporting discourse creates that further pushes immigrants to the margins of society, and thusly preventing them from partaking in services that society has created, yes is artificially unavailable to them.

Selection Rationale

By forming a partnership with an organization that works with immigrants seeking legal aid, immigrants who have reported victimization, and their efforts to seek relief. Thusly, the research that led up to that point, spoke to the nature of the exclusion that the immigrant community experiences due to policies, their interpretations, and the nature of assimilation within a new host country. The understanding that that not all of

the exclusionary practices that this group within the society is from without I felt would truly call attention to the multiple factors that create the marginalization that members of the immigrant community experienced when faced with the challenges of being a member of an out group, when migrating to a new country.

Social exclusion and marginalization can be located throughout the world, within one owns society, and even individual group member status. While within America, migrants face challenges of disadvantage and deprivation

Migrants in the United States face many challenges getting to, and following their arrival in the country. The decision on where to settle follows in a rather traditional cost-benefit analyses approach (Cebula, 2016), that includes opportunities for education and labor, as well as local policies. However, due to political rhetoric (Green, 2016), and the way the media portrays members of the immigrant community (Estrada, Ebert, & Lore, 2016), the cost-benefit analysis that followed concrete opportunities and policies becomes skewed due to influences by these two mediums. In addition to this, the fear of that which is different creates an environment where both the ability to communicate is prevented by language barriers (Anwar, 2018), as well as prejudice created through preconceived beliefs (Barrientos, 2009) that further enhances the marginalization of immigrants within a new community. With the surge in sanctuary cities, and the rhetoric surrounding it (Green, 2016; Ousey & Kubrin, 2017) brings the potential exclusionary nature of enforcing immigrant related laws and practices into the forefront of political, academic, and dinner table discussions. Lastly, within the context of Homeland Security, and the concept of "See something, Say something", criminal victimization reporting

becomes more important, with broken windows theory proposing that small crimes create an environment where bigger crimes may flourish; having a group within society that becomes more susceptible to victimization due to their fear of reporting (Traina, 2010).

Therefore, framing members of the immigrant communities experience with navigating victimization reporting, their decision making process; more importantly how they navigate this with the fear of deportation, the effect of sanctuary cities, and fearing interaction with members of law enforcement who traditionally in the United States is viewed as a friend to the people creates the social juxtaposition that I feel social exclusion theory can properly address. Social exclusion and marginalization have traditionally been employed to look at exclusion of and surrounding: immigrant status (Plenty & Jonsson, 2017), combatting vulnerability (Castellino & Bradshaw, 2015), the sense of belonging within the immigrant community (Zayas & Gulbas, 2017), and the effects of immigration policy (Ayon, 2017). An additional method to examine social exclusion is the game Cyberball (Leonard, 2016;Vaughan-Bonterre, 2017; Vrijhof, Overgaauw, Lelieveld, Engels, & van Ijzendoorn, 2016; Wang, Braun, & Enck, 2017) which is a virtual ball-toss game that is commonly used for research on social exclusion, ostracism, and rejection. Employing social exclusion to look at marginalization and exclusion of immigrants when navigating the criminal justice system appears to be a method that while often overlooked has its place within topical academia that I feel is not only timely to look at immigrants experiences within the context of sanctuary cities and victimization, but also appropriate.

Social Exclusion Theory Related to Immigrants

Immigrants have been framed in different mediums as being successful, living in dramatic conditions, or as a threat to the American public depending on the stance of the presenter (Collingwood, & El-Khatib, 2019; Green, 2016; O'Brien, Velazquez & Kempf-Leonard, 2010), this approach while convenient to attempt to make a point only aids in the exclusion of immigrants. In fact, Estep (2016) extends that, "The very concept of citizenship implies a tension between inclusion and exclusion" (Para. 1). Pushing forward a rhetoric or commentary as fact affects entire communities (Velazquez & Kempf-Leonard, 2010), and have lasting impressions on members who experience ostracization and rejection (Riva, Montali, Wirth, Curioni, & Williams, 2017). This suffering, which uses metaphors consistent with physical maladies (e.g. shocked, wounded, hurt) equates to social pain (Chen, Poon, & DeWall, 2015). While there is some empirical evidence that links social and physical pain, it is limited. Focusing on the effects of exclusion experienced by members of the immigrant community, Riva et al. (2017) put forth that even the slightest experience of exclusion can result in higher levels of resignation and negative emotional response.

While cases may be used of immigrants living in squalor as hyperbole (Velazquez & Kempf-Leonard, 2010), that is not always the case. Many immigrant families send their children to post-secondary school (Williams, 2016). However, in the case were these students are undocumented or unauthorized a significant level of exclusion or stress is experienced. It is the act of being different, not being exposed as different that neurologically affects these immigrants and is a burden that they carry daily. Knowing

that opportunities are closed to them such as higher-education is something that they accept, begrudgingly, and perceive as totalizing according to Williams (2016). While the motivation exists within the immigrant community to go on to accomplish great works, the nature of their status in the country impacts their potential.

The act of hiding their status in the case of undocumented immigrants creates a sense of isolation that may never go away (Williams, 2016), which ultimately creates out-groups as members of society bunch together to their own kind (Martinez, et. al., 2017; O'Brien, et. al. 2019) which encourages these marginalized groups to handle their issues internally. The fear of the institutions in place to protect them further creates a rift between immigrants and the rest of the populace.

While acknowledging the determination by many immigrants to form social clusters within cities (Cebula 2016; Cebula & Foley 2017). In their research in trying to understand if there was variation in the reporting of crime to the characteristics of an urban area, Gutierrez, and Kirk (2017) found that large concentrations of immigrants report less crime, due to a fear of interaction with police. These fears are rooted in being in the margins of society (Estrada et al., 2016), deportation (Williams, 2016), and police interaction (Armenta, Rosales, Garip, Gleeson, & Hall, 2019; Chandia, & Hart, 2016). The exclusion ultimately creates a fear of denial of opportunities and rights in the country that one considers their home (Chandia, & Hart, 2016).

Being socially excluded results in negative effects, the internal need to feel inclusion is rooted in Maslow's human needs (Bridgeman, Cummings, & Ballard, 2019). Therefore, by pulling on research on this popular management theory, a conclusion can

be made that inclusion of fringe groups would have the potential to create a better society. As such, viewing the challenges of immigrants living within the United States, Krishnan (2015), in looking at social exclusion as social inequality found that exclusion may not always be unjust.

Literature Review of Methodology

Phenomenological Approach

Studying humans, is in of itself a unique approach to perform research, not just in this research endeavor, but the philosophical undertones it carries provides the reader with an avenue to understanding how a section of, or members within society observe, experience, and live their lives. This is rooted within the context of the researcher's desire (Wertz, 2015). The focus is ultimately the participant, what Hacker (2007, cited in Wertz, 2015) refers to as the "person", ultimately the goal of this research is to understand the effect of policies on the 'person'. Ultimately, it is the study of people, who struggle living through their own experiences, and one day benefit from the findings of research. Establishing the methodology for understanding the decisions that immigrants who have been victimized make was clear to from the outset of the topic that qualitative inquiry would be the route that would provide the clearest seeking the answers to the questions being asked. However, since qualitative inquiry would be the vehicle that allowed the research to arrive at its destination; knowing how to drive that vehicle posed a problem. While, the undertaking of fieldwork for a large research process can be exciting (Brayda, & Boyce, 2014), not knowing how to proceed becomes a challenge. Gathering data goes beyond a simple library search, and especially within qualitative

methods requires a different type of data set. In fact, for much of the data collected, the

interview procedure is the tool utilized. Armed with the knowledge that wanted

information on immigrants' perceptions and decisions centered around their experiences,

a phenomenological approach was determined. Phenomenology with its focus on the

direct experience of the participant, and its study of the consciousness fulfills the desire

to understand the effects of sanctuary policies on immigrants as they navigate the

decision that results in them choosing to participate in victimization reporting. The desire

to understand the perspectives of the victimized immigrants who live in America, results

in allowing the research to study the phenomenon and attempt to understand it.

Maintaining topical relevance to the literature of phenomenological approach

specifically, DeRoo (2012) speaks how relying on the works that created the foundational

setting for this type of inquiry, and refers to phenomenology as the study of, "the things

themselves", and not, "the texts written about the things themselves by previous

phenomenologists" (p. 42). This is not to say that ignoring past masters of the art should,

but that ensuring futurity of phenomenology is able to pass forward into future

generations. Therefore, the focus on phenomenology will be on the art, and less on what

its creators state was the art.

Phenomenology in its study of the phenomena leaves room for the imagination.

Despite this, phenomenology provides an avenue to get first-hand experiences from the

participants. In their work Nicola (2017), wrote of their own experiences as an

undocumented immigrant, exploring what they had experienced, and attempting to

explain it. However, while using oneself as the participant is common, in fact Jones,

Norville, and Wright (2017) liken it to an autobiographical story. The memory can be a tricky matter to study as recalling the event(s) in question can be overshadowed by emotions. Despite this concern, the act of phenomenology by the researcher on one's self provides a level of intimacy to the subject that is critical. This intimacy allows for a more thorough understanding of the subject at hand. The belief that knowledge in relation to the subject-matter provides a window into understanding that material studied. In qualitative inquiry, specific to phenomenology more than other approaches the getting to know the subject, and understand it firmly is a tenant not to be misunderstood.

Examples Related to Immigrants

While Nicola (2017) utilized autobiographical phenomenology to represent the lived experiences of self, Scherer, Herrick, & Stamler (2019) employed hermeneutic phenomenology to understand immigrants and their learning experiences to determine the underlying meaning of the individual's stories. While Lane and Lee (2018) employed phenomenology to gain an in-depth understanding of the lived experiences of immigrants as they attempted to assimilate to life in the United States.

The belief is that the research question drives the design and approach to the study. Based on those that have performed research seeking to understand the lived experiences of immigrants, I found this approach appropriate as a method to realize the answers put forth by the research question.

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Research Gap and Summary

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While research up to now has taken great care to understand the lives of immigrants within America, as well as victimization reporting among immigrants and the

importance of victimization reporting to the effectiveness of policing. None of these topics have been examined in tandem within the contexts of sanctuary cities and their effects on the decision making that ultimately determines to report victimization. Additionally, Martinez et al. (2017) identify criminal victimization reporting in relation to sanctuary cities as an ideal future research article, with the belief that it will contribute to the policy discussion.

A review of the literature reveals that immigrants in America face challenges both in arriving to the country but as well as assimilation. Due to initial frameworks under DACA and The Dream Act which presented an opportunity to some immigrants under the Obama administration who had no defined legal status in the country, however, with the election of Trump, and his administration's handling of immigrants those opportunities have dwindled. Additionally, sanctuary cities provide a reprieve to some immigrants as a means of relief in the increasing trend of crimmigation, by focusing on higher threat crimes as a means of deportation, and not treating immigrants of questionable immigration status as a crime. Considering this, more hawkish federal government approaches to immigration enforcement have invoked the supremacy clause as well as placing immigration agents in courthouses to counter these efforts. Additional literature considered victimization reporting and reasons why some immigrant victims may not come forward, victimization reporting is a slippery slope with law enforcement and victims having a symbiotic relationship with the criminal justice system requiring victimization reporting to pursue criminals, and victims requiring the criminal justice system to realize justice served. Social exclusion theory was then presented

acknowledging past research connecting social exclusion theory and feeling

disconnected, not belonging, and avoidance. In Chapter 3, the methodology for this

study will be explained in full.

Chapter 3: Research Method

Introduction

I sought to investigate the effects of limited cooperation policies in the United States on immigrants' willingness to report victimization. The purpose of this study was to determine if legal aid providers and victim advocates experience a change in immigrants' behavior when provided with the opportunities through sanctuary policies. In this chapter, the research design and method will be explained. This chapter also includes discussions on the role of the researcher, the methodology, the data collection procedure, how the data were analyzed, how trustworthiness was addressed, how protection of participants rights was taken into consideration, and lastly how the results will be presented.

Research Design and Rationale

This research addressed the question of how legal aid professionals in sanctuary cities perceive that being a sanctuary city factors into the rate of immigrant victimization reporting. The main concept of this study involved the effect that sanctuary policies have on immigrants' ability to function within their community, with an emphasis on victimization reporting. Immigrants navigate the assimilation process while being immersed into a new culture, so policies such as immigration and sanctuary policies that can further affect them require better understanding.

Qualitative research is rooted in a fundamental need to understand a social problem, with data coming from participants relaying their experiences and researchers deriving meaning. Qualitative research can influence lives through what is discovered

and understood through the participants' lived experiences (Merriam & Tisdell, 2016). With that in mind, a qualitative research design was selected for this study, as the participants experiences with the immigrants' victimization reporting and their navigation through the legal system with sanctuary policies can provide a greater understanding. By creating a clearer viewpoint on the studied phenomenon, participants' responses helped capture the essence of the human experience to make sense (Lonesinger, as cited in Patton, 2015).

Additionally, as sanctuary policies are a sensitive topic, approaching the matter in a quantitative nature would not have been appropriate. Although such an approach would provide robust data, it would not provide an understanding of the phenomena in the way that it is sought for the purpose of answering the research question and providing answers to effect change. The topic of this study is tied to lived human experiences and does not involve experiments or numerical information to analyze that would lend itself to the quantitative method (Anfara & Mertz, 2015). Further, potential solutions to systemic issues can be derived through qualitative research through the study of how consequences and side effects effect the participants (Wadsworth, as cited in Patton, 2015).

Qualitative research was also deemed suitable for this study, as the small number of potential participants would be a challenge in a quantitative study. The sample size should be limited to manage the sample appropriately (Creswell, 2013). Qualitative research also focuses more on saturation than the number of participants (Fusch & Ness, 2016; Morse, 2015), though saturation is not always well understood (Saunders et al., 2017). For the purposes of this research, saturation referred to no new data being relayed

through the participants recounting of their experiences (Fusch & Ness, 2015).

Determining when to cease recruiting participants was made based on the data collected.

The use of purposive sampling was employed because it helped to select a small sample

group with contextually relevant experiences to the phenomena under study and provides

the researcher with high quality data (Maxwell, 2013).

Beyond these considerations for the approach and saturation, qualitative research

has many different traditions. I chose phenomenological research for this study because

it involves the lived experiences relayed through the participants. Phenomenological

research focuses on obtaining direct experiences and descriptions from participants as

they report to have experienced it (Merrill, 2018). Through interaction with and direct

observation of participants as they relay their lived experience, collecting data enables a

researcher to comprehend the experience (Creswell, 2007; Maxwell, 2013; Moustakas,

1994). The participants' roles provided enriching details for better understanding of the

decision-making process of immigrants, as they interact with immigrants as they navigate

the legal world of victimization reporting while being immigrants in the United States.

Additionally, a phenomenological approach is appropriate when little is known about the

phenomenon (Maxwell, 2013), and there is a lack of research on the effects that sanctuary

policies create (Martinez et al, 2017). Overall, this approach enabled me to delve into the

phenomena in its true setting (Lach, 2014), which aids in understanding the topic

(Eisenbeiss & Brodbeck, 2014).

Although consideration was given to other qualitative traditions, due to some of

their practices, restrictions, and methods; they did not suit this study. Although a case

study demonstrated considerable merit, focusing on a single phenomenon and a unique group of participants that work together toward the same goal would not have led to saturation. Additionally, having chosen to follow a theoretical framework (social exclusion theory), a grounded theory approach did not seem fitting, as the focus was on the research question rather than developing a new theory. I considered an ethnographic design, but the focus on immigrants specifically was an ethical concern. Finally, a narrative study was considered not suitable due to the fact that the focus on contiguous counties with sanctuary polices would also be taken into effect to provide a broader scope to the research, in which case a need to broaden the scope of the research to sanctuary states would have been required to accurately depict such a phenomena. Therefore, phenomenology was the most suitable, as it allows for flexibility in determining lived experiences of the study participants through open-ended questions that encourage rich and detailed responses.

Role of the Researcher

For this study, I was one of the instruments, which is common in qualitative research (Marshall & Rossman, 2015; Miles, Huberman, & Saldana, 2014; Yin, 2010). While performing as the instrument, it is also the role of the researcher to guide the study to answer the research questions (Creswell, 2013). These dual roles of observer and guide fit with the participatory nature of the researcher in qualitative inquiry (Maxwell, 2013). In this role, data collection and data analysis involved recalling information not recorded in the transcript like body language and tone. Such a level of involvement

places qualitative researchers in a role that supplies a heightened sense of understanding (Creswell, 2012).

Due to the use of the organization and its affiliates/employees as a research setting and participant pool, and prior to performing the interviews, little to no interactions occurred between the researcher and the participants. Sending consent forms in advance so that potential participants could review and ask any questions. Outside of this, the initial meeting for the data collection interview was the first interaction.

Having never worked in the legal aid field or with immigrants navigating the victimization reporting process, I possess no innate bias or knowledge of the process. I do, however, have a respect for the rule of law and a desire for homeland security. With that in mind, it was the goal of this study to supply empirical data to support a solution to immigration policies in America that improves the resilience of individuals, communities, and the nation. The only concern is that the point of contact with the organization that is supporting the data collection for this research is a director in the organization. Therefore, by routing invitations to participate in the study through a separate entity in the organization, there would be no misconstrued belief that it was an order or edict.

Methodology

The research setting for this project was a nonprofit organization based in the Southeast United States. Their staff primarily works with members of the immigrant community and they reside in a non-sanctuary county that has contiguous borders with limited cooperation counties, of which they serve as well. Selection of participants was through their association with this organization and the unique work that they do that

places them into contact with members of the immigrant community who have made the

determination to report victimization or seek aid as immigrants living in the United

States. Participants were those who work with and within the immigrant community in

the roles of legal aids.

Data collection was through in-person, face-to-face interviews on March 3rd,

2020. The interview protocol consisted of broad open-ended questions that warranted a

rich and substantive response and enabled participants to adequately answer the question

while speaking about the phenomenon. Following the conclusion of the interviews, I

manually transcribed the audio recordings before employing an iterative process to

review the data and search for themes (Moustakas, 1994). Utilizing epoche, to prevent

any prior knowledge of the phenomena that would influence interpretation of the

participants' lived experiences, I manually coded the transcriptions. The results are

presented in the narrative and in the appendices (Appendix C).

Setting and Sample

The means of data collection, focused on data gained through in-person, semi

structured interviews performed at the organization's office setting, with me traveling at

my own expense to facilitate interviews. This was done to limit the interruption to work

activities for the organization's employees and affiliates. Performing interviews face-to-

face aids in the capturing of that not said during an interview to add to their responses

(Merriam & Tisdell, 2016). Being onsite also limited the number of trips made.

With the focus on the perception of legal aid workers and victim advocates who

work with members of the immigrant community, this organization had staff who

qualified to be participants. A purposeful sampling approach was employed to select participants who informed the study through their understanding of the phenomenon (Creswell, 2013). As the potential sample size was limited by the number of employees who work for the partnering organization, purposive sampling was proper and provided data-rich sources (Maxwell, 2013; Miles et al., 2014, Patton, 2015). To be considered eligible, participants had to be working for the organization in a manner that brings them into professional interaction with immigrant victims such as through the preparation of legal briefs, active counsel, preparation for court proceedings, be an active advocate for the immigrant, or acting as an intermediary in legal dealings with authorities. There were additional demographic questions used to determine whether potential participants would not have experiences to properly relate. The expectation was that participants possesses at least 6 months on the job, maintained an active client (immigrants) list who are navigating the victimization or legal aid process either inside or in a contiguous county to a sanctuary policy city/county that would give their experiences an informed notion to the topic being researched.

After providing participants with a copy of the letter of consent, and a brief primer on the topic, a follow up question of if they would be willing to take part was transmitted. Once the point of contact at the organization had reached out to everyone and determined who was eligible and willing to participate, a brief discussion on potential interview dates was conducted, and travel arrangements were made to support data collection.

Due to the nature of the organization, the sample size was small ($n = 4$). Although many dismiss studies due to small sample sizes, every field, discipline, and profession has seen breakthroughs generated by in-depth single instances (Patton, 2015). To counter this small sample size, I employed a robust inquiry to balance and bolster the data provided by the participants.

Data Collection Procedures

Data was collected through conducting 25-40-minute semi structured interviews for each participant on March 3rd, 2020, at a location provided at the site of the participating organization. The semi structured interviews consisted of questions (Appendix B) developed through the framing of social exclusion theory and the literature reviewed. Recording of interviews was with an audio recorder manufactured by Aiworth that comes equipped with password protocol, which further protected the autonomy of research participants. In addition, I employed active note taking during the interviews to catch key points to review during the coding process.

After conducting the interviews, they were listened to in their entirety with the focus on listening for anything that stood out. I then listened again, during which I notated any reflexive journaling, and the third listening occurred while transcribing by hand. After transcribing all interviews, the individual files were sent to the participants individually via e-mail. This allowed the participants to add any additional context or clarification while performing a member-check. Additionally, this served as a debriefing opportunity. Based on the results of member-checks, I made the determination to not perform follow up interviews.

Data Analysis

Data analysis followed a three-stage process recommended by Pietkiewicz and Smith (2014) for a phenomenological study: (a) multiple readings, with note taking, (b) identify themes that emerge from the iterative reading(s), and (c) identify relationships and group the themes. As mentioned in collection, following transcription and member-checking, multiple readings of the interviews took place. Based off recommendations of Saldana (2015), first time researchers should manually code their data as opposed to utilizing a qualitative data analysis software. This provides the researcher more control and ultimately a better understanding of their work. Additionally, to the novice, it enables a better understanding of the data by immersing themselves in it, the themes that emerge will become intuitive.

Through the process of reviewing all of the interview transcriptions and notes, themes emerged through the iterative process of reviewing the data from the individual interviews, as opposed to providing an interpretation, which let the voices of the participants come through, and gave voice to their lived experiences.

Following the completion of all interviews and their subsequent transcription, coding began. Individual participant transcriptions were coded independently and sequentially, preventing any 'contamination' from differing answers to the questions. Focusing on one participants transcription at a time, taking notes, and observing the unique revelations of the participants lived experience as they emerge. These themes are displayed in relation to participant statement in Appendix C and discussed in Chapter 5.

Lastly, after developing themes, clustering and relationship forming was completed, which consisted of discerning connection between the themes based on similarities. I then grouped themes together, and a descriptive label was applied for the clustered themes.

Trustworthiness

Within qualitative research, validity to the data collected is essential. The methods that researchers undertake to ensure the data is valid and relevant to their work is monikered trustworthiness. To achieve trustworthiness, researchers must address: credibility, transferability, dependability, and confirmability.

Credibility

In qualitative research, credibility translates into the researcher being able to explain and ascertain details of the data collected in their study that someone not acting in that role would be able to provide (Ravitch & Carl, 2014). Additionally, Miles et.al. (2014) posit, that in qualitative research, credibility provides the clarity that the findings are an accurate depiction of the phenomenon examined. To address credibility in this study, member checking, by providing each participant with a verbatim copy of the transcription, in addition to any notes that I generated from the interview that was performed. This provided the participants with the opportunity to clarify any data gathered, and provide additional clarity. Member checking in such a manner is a methodology to increase credibility according to Miles et. al. (2014), and Ravitch and Carl (2016).

Transferability

Exploring the effects of policies that would affect immigrants in a similar manner would potentially be transferable, however qualitative studies do not spend considerable effort on ensuring that the results would be applicable to other settings/instances, and therefore generalized (Ravitch & Carl, 2016). Instead, transferability was attained by providing adequate context and being applicable to a broader medium. Therefore, to achieve transferability in this study, thick descriptions of the data to ensure that the data is rich in context derived information.

To address this, the intention was to develop and employ complex interview questions that would promote context-rich descriptions of lived experiences. Such an approach, of thick description to improve transferability is recommended by Ravitch and Carl (2016). Through purposive sampling, a concerted effort was made to create a target audience of participants that ensured that the information gleaned from interviews was relevant to the topic, and that participants have all lived through the phenomena, thus encouraging the likelihood that the data is transferable.

Dependability

Dependability in qualitative research, refers to accruing data from multiple sources (Creswell, 2013). Through documenting the process in its entirety of the, a presentation of the process involving recruitment of participants, as well as the interview protocol (Appendix B) to enable a researcher in the future to replicate this study. Audit trails serve as the main method that to ensure dependability. In utilizing audit trails, the field notes and documentation of the steps taken during the data collection process were

utilized. Another method, is that of multiple sources of data, while the intent was to rely

solely on individual interviews, the verbally provided answers were one source of data,

while the body language, timbre, and tone of the participant was utilized as a secondary

source of data. Such an approach provides a diverse approach as advocated by Maxwell

(2013), to ensure dependability. In addition to this, rigorous adherence to the IRB

approved research protocol ensured that the audit trail withstands any scrutiny. Another

method was any of the notes taken during the transcription process I included them into

the field notes to reinforce the body of data.

Confirmability

The process of ensuring the data collected is from the point of view of the

participants, and it is exact, is what Creswell (2013) refers to as confirmability. Patton

(2015) maintains that the researcher must utilize reflexibility by approaching the study as

an outsider viewing it critically. Confirmability is achieved through transparency

between I the researcher and the participants as well as the organization during the

coordination phase in setting up the interviews. During the interviews themselves,

transparency is achieved by allowing dialogue betwixt the participant and myself, as well

as the use of clarifiers when I was unsure of the response's meaning, in addition to

probes, and follow-up questions to ensure additional clarity. Lastly, the full transcript

was provided to the participants via e-mail to ensure that what they read in the transcript

was the same information that they provided during the interview.

Confirmability was also addressed by supplying a clear audit trail of the

methodology, data collection, and data analysis that leads to the interpretations and

conclusion presented. Any concerns for participants privacy will be addressed by masking the setting as mentioned earlier, as well as by keeping their identity confidential through the use of numbering, and lastly by removing any identifying information from within the interview transcripts (Allen & Wiles, 2016).

Reliability

Reliability in qualitative research can be an interesting topic. Unlike qualitative methods there is no significance test to be ran, and no accurate way to replicate the researchers process. According to Patton (2015), there is no absolute rule to ensure reliability. Instead, reliability is achieved through transparency, and by providing an accurate depiction of the data provided through the data collection process. The member checking that was undertaken to ensure that the participants interview was accurately transcribed, as well as providing them the opportunity to provide any clarification as needed will ensure reliability.

<div align="center">

Participant's Rights and Ethical Procedures

</div>

In qualitative research, researchers must be cognizant of how they affect people, according to Patton (2015), "Interviews are interventions (p. 495)". The interaction between the researcher and the participant can spawn emotions and thought processes that can reopen old wounds and impact the participant. The reality is there is no way to predict these reactions and therefore the focus most be on gathering data, and not changing people. Therefore, remaining neutral as the instrument, not providing validation or confirmation of the data is an important stance to take as a researcher. As such, taking steps to ensure that the interviewer remains impartial, and neutral is

important. Acting in the role of data collection, not judging, or performing in a role as a therapist. As such, accidental revelation of information can occur under the auspices of an interview with the veil of confidentiality that a participant may never intend to tell, akin to a confession.

Therefore, it is paramount that participants grant consent prior to engaging in interviews. As part of gaining this consent, informing the participant(s) of the broad gist of the research topic, and what the researcher is hoping to gain by engaging in the interview with the participant.

I collected data following approval from Walden's Institutional Review Board, with all their rules complied with throughout the course of this research study. Participant's provided consent in written form via e-mail, as well as recorded audio at the beginning of each interview, with the ad dedendum that their participation is completely voluntary, and that they can end the interview at any time they wish. Walden University requires researchers maintain the data collected. Therefore, five years after publishing this study, I will destroy the the recorded audio and transcripts.

Should a participant midway through an interview have decided that they no longer wished to participate, I would have acknowledged this, and prior to securing audio recording, I would have clarified if I could utilize participation thus far. Once I had that clarification, audio recording would have been terminated. A brief discussion may occur regarding their decision to decline continuing participation.

I coordinated recruitment through the organization's legal director, and consisted of them having the organizations Program Coordinator circulate invitations and consent

forms, which included IRB relevant information, as well as a brief synopsis of the focus and purpose statement of this research study. While the concern may be that a member of an elevated position is distributing employees for participation, I wished to clarify that the invitation to participate was not coming from a superior to a subordinate.

Prior to the dissemination of consent and information forms, I received a signed letter of cooperation from the organization signaling their willingness to cooperate with solicitation as well as providing a location to perform interviews. In addition to this, I clarified that no member of the organization would be acting as a supervisor during the collection of data.

All data gathered through this research is held in confidentiality per Walden's policies for five years by the researcher. Actual audio recordings will be on a device that is password enabled, and all transcriptions will be in files that are password enabled. Participation was voluntary, and as such no compensation was offered.

Summary

This qualitative phenomenological research project aimed to perform data collection through one on one semi structured, in depth interviews, that were recorded on an audio device that is password protected. The audio data once recorded and transcribed by me, then provided to the participants as a member check to protect the trustworthiness of the data. Upon receiving concurrence from the member check, the data was coded manually for emerging themes, which was then aligned with the literature reviewed in Chapter 2. I then categorized the themes to present them visually in list format and in narrative format with a description of the results, and how the researcher arrived at these

determinations. The data collection enterprise occurred on site, at the organization's

headquarters with members of their staff who work in the legal aid/victim advocate

profession and therefore have first-hand knowledge of the phenomena under study. The

process of data analysis and the results of the findings will be presented in Chapter 4.

Chapter 4: Results

Introduction

The purpose of this qualitative phenomenological study was to determine the effect that sanctuary policies have on immigrant victimization reporting based on legal aid professionals' perceptions. The study focused on the interactions between immigrants, legal aid professionals, and law enforcement. Using the literature review, I developed an interview protocol (Appendix B) for face-to-face interviews. Four interviews took place that averaged 28 minutes in length. Data analysis followed the process established in Chapter 3, which consisted of multiple readings with note taking and manually transcribing (Pietkiewicz & Smith, 2014). Following this, I manually coded the transcripts to find themes (Saldana, 2015). Lastly, I formed groups of codes based on relationships to the themes: fear, deportation, restriction/need, opposition, lack of knowledge, and opportunity.

Study Setting

For a qualitative researcher, the rapport built with a participant prior to engaging in face-to-face interviews can make a difference in the information provided (Creswell, 2009). Therefore, the atmosphere for the interview should be one where the participant is comfortable in disclosing information (Creswell, 2009; Rudestam & Newton, 2015), which requires a private setting that does not cause stress. For this study, the setting was participants' place of work. As these interviews occurred in a private interview room or personal office, they took place in a comfortable environment that all the participants were familiar with, and no adverse conditions impacted the interview. The first of the

four interview sessions was conducted in the participant's personal office because the interview room was occupied at the time. However, both locations for the interviews took place in private areas, free from distractions and behind closed doors. Such a setting provided for a normal conversational tone and ensured accuracy of data being captured by the recording device.

Demographics

I interviewed four participants for this phenomenological study. Inclusion criteria required participants to be actively working for the partnering organization in a professional capacity that required interaction with immigrant victims. Interaction with immigrants ranged from intake screenings to full legal representation. Three participants were women, and one participant was a man. Three of the participants were between the age of ages of 30-49 years old, and one was between the age of 18-29 years old. One of the participants considered their ethnicity to be non-Hispanic or Latino, and three identified as Hispanic or Latino. Three of the four participants consider their race to be White, while the fourth identified their race to be Asian. All four participants have attended college or professional school. Two of the participants are single, one is married, and one is divorced. All the participants work full time and have had less than three jobs in the last 2 years. Annual household income varied with two participants between $26,000-$51,999, and two more than $75,000.

Data Collection

Purposive sampling was employed to recruit participants, establishing a point of contact at the organization. Upon receiving approval from Walden Universities IRB on

February 11th, 2020 (approval number 02-11-20-0727379), I requested that the point of

contact have the organizations administrative manager send invites to members of the

organization so that the invites would not be coming from the point of contact directly. I

provided potential participants a letter of consent via e-mail further informing them of the

purpose of the study with a request that they reply to e-mail with the statement "I

consent."

Data was collected via face-to-face interviews from four participants, which were

recorded with the participants consent. Two of the participants were legal professionals,

with the other two being victim advocates. All interviews were conducted on the same

day (March 3rd, 2020) and the interactions with participants ranged from 30-60 minutes.

The difference in time allowed for conversation prior to beginning recording related to

introductions, the goal of the research, and a brief discussion of the topic to build

credibility and rapport (Creswell, 2009). Before interviews, I also addressed the nature of

their participation, ensuring that it was voluntary and informing them that they could

withdraw their participation at any time during the duration of the interview. Once that

was confirmed, I turned on the recorder, got them to verbally express their consent, and

proceeded with the interview guide (Appendix B). The interview guide provided semi

structured, open-ended questions designed to encourage a response yet allow for

clarifying questions, probes, and slants depending on the participants' answers. Due to

the nature of the participants' responses, some responses required clarifying or additional

follow-up questions to ensure that I accurately captured the essence of their narrative.

All the interviews were recorded on an Aiworth E36 digital voice recorder, capable of password protection. Following the manual transcription of the participants interviews, the device was placed in a safe for storage. Further, upon completion of this document, all files that are stored on a portable USB device were also placed in the same safe.

Data Analysis

Coding Process

Analysis of the data began with transcription by manually transcribing the four interviews, which helped to relive the experience of the interview repeatedly through multiple iterations to ensure accuracy and nuances in tone and timbre of the participants response. All the interviews were transcribed into separate Microsoft Excel documents. Microsoft Excel was selected due to my level of familiarity with the platform. After receiving confirmation of receipt of the member-checks by the participants, coding began.

Initially each interview was coded on its own to identify themes that emerged. Once each interview was coded individually, a new Excel document was created with one tab for each question. These were copied over clean, with no mark up or notes. In this new document the answers to the interview questions were viewed holistically with coding emerging among the commonalities of the shared experiences that the participants provided. Upon completing the multiple step coding process as described by Pietkiewicz and Smith (2014) until thematic saturation was reached (Pietkiewicz & Smith, 2014), six themes emerged: fear, deportation, restriction/need, opposition, lack of knowledge, and

opportunity. Once these themes were identified, the individual codes were revisited and assigned to a theme or discarded, with some codes being applicable to multiple themes.

Results

Themes were developed as a part of the iterative process of manually reviewing and coding the interview transcripts. These themes were fear, deportation, restriction/need, opposition, lack of knowledge, and opportunity. The following sections highlight participants' responses that relate to these themes.

Theme 1: Fear

As identified in Chapter 2, fear within the immigrant community is a constant emotion. The participants also revealed that many of their clients live with fear, not just as victims, but involving their legal status in the United States. Participant #1 shared their thoughts on how the threat or fear of deportation affects their client's behavior: "The fear of what could happen if they come forward and ask for help because now many of our clients feel that they are being targeted." Participant #2 noted that even when cooperating, "Clients had a fear of what can happen to them, withheld certain information, which can change, can change how things run." Participant #3 revealed similar instances where clients exhibited fear:

> There is always that fear with any interaction with police. You know, we tell
> clients if they have been victims of a crime they should always move forward, but
> a lot of times that's one of the main tools abusers will use against their victims.

Participant #4 revealed similar interactions with clients, acknowledging that the nature of their victimhood intersecting with their immigrant status compounding this: "Also,

feeling scared to come forward if it happened by, in the hands of like, a U.S. citizen, and they still aren't citizens, being scared to come forward."

Though each participant expressed differing encounters with their client's representation of fear, everyone recounted multiple times they have had to manage their client's fears. Participant #2 also had this to say about fear: "When they are scared, they do want to find like, some benefit. But I did see like, when there are certain immigration raids, there was, a boost of like, how many people we saw in consultation." Thus, although there are instances were fear prevents immigrants from coming forward, it can also be a motivating factor.

Theme 2: Deportation

The literature review in Chapter 2 provided a background on the fear of deportation, the participants expressed the change in policies under the Trump administration that further highlight some of these concerns. Participant #3 explained how this has changed the way that they educate clients:

> So, I would say more recently we have had to be more cautious in telling clients what the risks are. Changes in policies has made it so that where any application that is denied, where a person doesn't have status. Is in fear of, and we have actually seen the case, where they are put into proceedings. So if the application is denied, they receive a notice to appear, which begins the removal proceedings. So, we have to tell our clients upfront now.

This change in approach impacts client behavior and discourages coming forward, which requires hard advice from the advocate. Participant #2 recalled an instance where the

following advice was given: "It's actually better if just, don't based off your situation, and don't. It's better if you don't and just stay kinda like, under the radar, and don't." When pressed on the matter, Participant #2 emphasized that it was not a catch-all approach with that statement, but that,

> We're trying to like, advocate and not just push for an immigration benefit, because we also know there's a risk associated with it, like if they don't have a strong case, or not enough evidence. It's advised, you know what, don't apply for this, because you don't have enough evidence, or we want to help you out, but truly is like with this case, it's weak and, if you submit it. Chances are, it, it could be denied.

Participant #4 also expounded on this idea: "With clients who have already received immigration relief, like a U-Visa, they're still scared of being deported, they're still scared of doing something wrong, they're scared of like, seeking help that they may need." This creates an environment where the critical input that the criminal justice system requires. Participant #4 also echoed the concern of Participant #2: "Maybe it's better for them to live in the shadows rather than get placed into immigration proceedings." Based on this response, if crime goes unreported, then police are unaware of criminal activity and unable to fulfill their portion of the social contract. But the fear of deportation is a motivator for some immigrant victims to not come forward.

Theme 3: Restriction/Need

Being an outsider creates an environment where an individual is unaware of what is offered or afforded to them. Simple barriers such as language prevent or restrict access

to basic needs. Participant #1 elaborated on this: "Not speaking the language, not having a network of support, all of that is confusing and creates barriers to people coming forward anyway." Participant #3 expressed the basic needs of life that immigrants face challenges in, "Driving around, taking their kids to school, being able to work," and "Having them, letting them focus on you know, the case or other important things, more important matters." The nature of their legal status leaks into every portion of their life, preventing them from carrying out day-to-day activities or forcing them to perform these activities while concealed. Participant #4 highlighted how,

> We know that if we send our clients to another county, that actually they're putting themselves in danger, because we've had people, like, who later learned that they had something on their record and the police picked them up.

> The policies in the United States are not the only factors that create restrictions. Participant #4 recounted an interaction with a client where the combined policies of their home country and the United States created concerns:

> He started crying on the phone, because he was like what happens if, you know next time I am thrown into jail, and from there I am thrown into a detention center, and my country is not accepting anyone who is being deported, so then what?

These impacts that affect the ability to even come forward for immigrants discourages them from participating in the relationship with the criminal justice system. Additionally, it speaks to the restrictions in place that prevents them from coming forward.

These restrictions go beyond preventing or restricting immigrants who have been victimized, referring again to changing policies, Participant #1 stated,

> I think I have been here long enough to kinda see the way that clients respond to changes in immigration law and policy, and there, they have always been anxious of this process; being in a country, trying to figure out what your rights are.

The changes with administration, or new heads of justice or any variation in the way that policy is carried out creates undue restrictions – not directly, but indirectly through the change to the process. In an environment where there is so much uncertainty – any changes that shift the dynamics at play restricts victims from coming forward.

Theme 4: Opposition

Immigrants feel pressure from multiple angles that prevents them from coming forward. Some of these are procedural in nature, while others are individuals in positions of power that create barriers, or the community or sections thereof. Participant #1 commented that immigrants, "Feel that they are being targeted", meanwhile Participant #4 reflected on the requirement for U and T-Visas requiring certification signed by authorities,

> Sometimes these are unwilling to do that, depending on the county, and what they consider to be eligible for a U-Visa. So, for example, in some counties we've received letters back where it's like, well it wasn't severe enough to then actually the client has no choice but to stop because they are no longer eligible because authorities are not willing to sign.

Regardless of why authorities refuse to cooperate, this creates another barrier that inhibits the ability of victims to seek relief, Participant #4 recalls how a client relayed that, "In some counties, you have to like, for example, go to the jail, to go to the courthouse, to seek help. And, it is very intimidating". Participant #2 acknowledges that victims, "They are put in a situation where it's trying to deal with that trauma, without finding like, a justice. It's like, justice to them could be coming forward, and that would pose a threat to them". Which highlights how just the physical act of coming forward can pose a threat, as it exposes the immigrant.

Participant #1 reflected how,

Immigrant communities in general are distrustful of, of authorities, of anyone who doesn't have a similar lived experience, because for them again what they have, what they are hearing, and what they are seeing in their communities is very different.

Which creates a barrier, that was discussed in Chapter 2, the culture of the immigrant community is not inherently trusting of outsiders, be it advocates, or authorities. This is in part due to the nature of their existence, but also because as Participant #1 stated, "An agency like ours. We don't have a lot of community advocates, that are out in the communities building trust in neighborhoods". This is similar to the position that local authorities get placed in as recounted by Participant #1, "287g communities and local sheriffs' deputies being deputized to enforce immigration actions". This is another piece of opposition that prevents immigrants from engaging with local authorities, and when they do, Participant #2 spoke to the fact that,

Sometimes, they [authorities] see, they don't see the crime, they don't see, it's

like, oh, they try to break down the story, or are hesitant in signing the

certification – it creates a problem, because without certain certifications form

those law enforcement agencies, the person cannot seek an immigration benefit.

As mentioned by Participant #3, when victims are encouraged to come forward,

and they have a history of poor interaction with members of law enforcement, or they

come forward to law enforcement and get challenged in their recounting of their

experience it discourages other members of the community from coming forward. In

fact, speaking specifically to this, Participant #2 revealed,

People have experience with certain law enforcement agencies being adversarial

to try to even get a certification, that yes they were victims of a crime, or witness

to a very heinous, violent, or otherwise really bad crime And, just from that get-

go they decide, if this is the law enforcement agency, it's going to be much worse

once they start looking at me through the looking glass, like immigration. Once

they have me there, they are going to have me.

This creates uncertainty, and immigrants find themselves in a position where the

right decision is not so clear. Additionally, some immigrants face threats of authorities

against them. Participant #4 recalls how clients report, "My husband would threaten to

call ICE or whatever, so there is that – there identity as an immigrant was used against

them." And while Participant #1 acknowledges that,

Law enforcement officers on the other side have been able to build bridges with

the immigrant communities. Where federal agents for example have done a

> remarkable job of being as, as these folks that are here helping them identify,
>
> identify victims, connecting them to resources.

This highlights the importance of this sense of opposition or barrier being perceived, but ultimately it is the perception of the immigrant(s) that they live in this reality where they have no one to turn to.

Another way that immigrants face opposition is the rhetoric surrounding immigration. News media in their quest for viewers sensationalize, and inject hyperbole into the narrative, Participant #3 reflected on this, "With every new policy, when the news breaks and however it gets sensationalized by the media, at the end of the day, it is impacting our clients". As mentioned, with new Administrations, new policies are enacted, Participant #1 explains the challenges that these changes create,

> Whether you're talking about an educated, college educated journalist, or a single
>
> mother who doesn't speak English and has been in an abusive relationship.
>
> Across the board everyone is concerned about the real-life consequences of what
>
> is going to happen to them due to this administration's policies. It's a, it's a real
>
> concern and something that we try not to focus on as much, again, I think our job
>
> is not to scare people, it's not to hide things from people, so we set realistic
>
> expectations.

Participant #3 had a similar account,

> There is still a fear, because anytime, we don't really know how each county or
>
> department is going to respond. But most of the time clients, are just, it's where

they live and what the media is telling them. Their local medias, so that's how

they are informed.

The intersection of new policies and the way that the media portrays the news, and

changes to policies creates disturbances within the immigrant community as there is a

lack of understanding to the nuance's as changes occur.

Theme 5: Lack of Knowledge

The overall lack of the process of victimization reporting, what to expect, and

timelines creates a level of uncertainty, that creates additional uncertainty and were

mentioned by all Participants.

The lack of knowledge, or sometimes the abundance of incorrect information was

a common refrain, Participant #1 shared, "I think in theory if communities understood

these terms and concepts, but I think there is more important, is where the information is

coming from, can they trust the person that is telling them this. I think that is often a

gap", and "Created an uptick in people wanting to have more robust conversations about

whether coming forward is the right thing for them". The lack of understanding on how

the American legal system works causes discontent when victims do come forward,

Participant #1 recalls,

One thing I have seen over the years is the negative effect that a lack of follow up

on a case can have. So for example, if you have a crime victim that comes

forward to report an incident but that incident never turns into a full-blown

investigation, or if there is no prosecution that results from it, that also has a really

damaging effect on someone's feeling that they are being heard.

While those familiar with the American legal system understand that not all crimes are always actionable, or prosecutorial discretion comes into effect. Statutes of limitations, and focusing on the bigger criminals do not matter to victims, their feelings and perception of their reality is real, and the argument can be made that no statute of limitation, or discretionary decisions change that.

All of the participants recounted similar experiences of providing education to how the process works, and how initial interactions with many clients is their first introduction to the American Legal system surrounding immigrant benefits. Participant #1 relayed, "I think that we really see our job as educating our clients, making sure we have their informed consent to move forward", and, "And so my job is to also explain to them kinda how the legal system works, and that not ever report is going to turn into a prosecution". Concepts that seem commonplace to many Americans are alien to someone who has not grown up in the same environment.

Participant #2 had a similar experience, "Just inform them, and also inform them that, like, the current policies and laws that in place. So that they can make the best decision for themselves". This decision is not a snap decision, they have lasting implications and as covered by other participants can take years to resolve. So, explaining this to clients is a big part of the work that is undertaken to overcome this. Participant #2, "With a system that keeps changing, it also poses a challenge, of ok what used to apply, doesn't anymore so what somebody might have heard, doesn't apply now. And just try to navigate and explain, again educate and being completely honest and

explaining how things change". It is not just the legal system in some cases, it is their whole life, Participant #4 revealed how,

> Women, if they are coming forward about domestic violence it's a whole
> decision. Because they are probably having to leave their house, they probably
> have children – and they may not work, or they may have been isolated.
> Such a decision places the victim on the brink of the unknown in a country where
> they feel that they do not belong. Coming forward to report a crime, or
> victimization can be life altering for many immigrants.

Theme 6: Opportunity

Throughout the structured interviews, the theme of Opportunity came forth in every discussion. Either due to the concept of Sanctuary policies or through the nature of T and U-Visa's. Participant #4, in speaking about a non-Sanctuary city acknowledges, "*CITY* is actually pretty good about giving certifications in comparison to some of the nearby counties." Participant #2 spoke to this as well, "In certain cases, certain law enforcement agencies will vow for them, they'll sign the certification, and that goes a long way, in pretty much proving from homeland security, 'Oh yeah, they are helping'". Participant #3 acknowledges that Sanctuary policies, "Be able to work freely and go to and from not only work, but school, groceries, I mean anywhere, where we wouldn't have to worry about them doing those day to day things." Being a victim, and choosing to come forward can be a stressful life decision, that Sanctuary policies limit the additional stressors to.

Participant #1 acknowledged that, "The perception it gives to community members is, Ok, I am in a safe place/space. And that can go a long way." Earlier in referencing perception this concept was discussed, for many in the immigrant community, who do not speak the language of the country that they reside in knowing that they are welcome can make the difference. Participant #3 elaborated on this, "I would say whatever limits that exposure that, fear of being picked up by ICE". Participant #4 explained, "If someone is for some reason arrested or is in interaction with the police, having ICE not in that situation – makes that person's situation a lot better."

Evidence of Trustworthiness

Trustworthiness was addressed by providing members with copies of transcriptions, these transcriptions were verbatim with the exception of filler words like, "uh". This was done to provide participants with the opportunity to provide verification of the transcriptions and provide any clarity as needed. Moser and Korstjens (2018) surmise that member checks provide an opportunity to ensure that accurate data had been captured by providing the participants a methodology to validate their data. Transferability was addressed through the development of the Interview Guide (Appendix B). The questions were developed to promote content-rich descriptions, which according to Ravitch and Carl (2016) promotes transferability. Dependability was addressed by taking field notes during the performance of the interviews, additionally within the field notes body language, and tone of voice was annotated. Confirmability was achieved by approaching the coding process with no bias. Lastly, transferability has been addressed through the above-mentioned member checks.

Summary

The research question guiding my study was: To what degree to legal aid professionals perceive that sanctuary city policies impact the rate of immigrant criminal victimization reporting? Interviews were conducted to aid in answering this question, through analyzing these interviews six themes emerged. Legal aid professionals (Advocates and attorneys) through their interaction with victimized immigrants encounter dynamics that the Administration, policies, media, communities, and local authorities' impact. Immigrants are forced to navigate an environment that is constantly changing, and the conflicts between federal and local policies creates a dynamic where authorities are not always consistent across city, county, and state borders. This lack of consistency, due in part to changing policies, and administration of them effectively dismantles the primary method of communication between immigrant communities: word of mouth.

With many members of the community lacking a grasp of the policies being enforced and at what level of discretion – legal aid advocates effectively become gatekeepers, not just to accessing benefits such as T or U-Visas, but in coming forward. Many immigrants are unaware of any benefits they may have available to them due to events they have witnessed or been exposed. Unfortunately, there is no formal education program that addresses this shortfall. Many immigrants that legal advocates or attorneys speak to, it is the first time that they are learning of the options available to them. Prior to that interaction, the dynamics at play are so complex that many don't comprehend, additionally this lack of comprehension prevents immigrants from taking advantage of sanctuary policies. What immigrants are aware of, is communities to avoid. Reputations

of communities if they are welcoming, or a 'safe space/place', that information does not circulate in the same proportion as areas to avoid.

These experiences that immigrants face in the process of them attempting to come forward impacts them, and they share their story within the community, which ultimately helps others in making determinations on if they should proceed with reporting victimization.

In this chapter, the data analysis, comprised of the setting that interviews occurred, demographic information of the participants, data collection process and results. Efforts and evidence of trustworthiness during the data collection process was provided, with the answers to the interview guide (Appendix B) by the research participants aided in answering the research question that guided this study. Chapter 5 will provide a discussion and conclusion, as well as recommendations for future research.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

The purpose of this qualitative study was to develop a deeper understanding of the impact that sanctuary policies have on victimization reporting by interviewing four legal aid professionals who guide immigrants. Immigrants historically avoid interaction with members of law enforcement due multiple reasons (Ousey & Kubrin, 2017), so this study's goal was to determine if removing the threat of deportation or increased scrutiny would encourage more interaction with law enforcement. Immigrants regardless of their legal status are denied (both internally and externally) access to portions of American life, which includes the right to come forward if victimized, freely move about the country, or seek aid in time of need. Thus, this study was undertaken with the intent to provide policymakers, legislators, and advocates with empirical evidence from which to base their work. Results showed six prevalent themes from participants' responses: fear, deportation, restriction/need, opposition, lack of knowledge, and opportunity.

Interpretation of the Findings

Comparison of Findings with the Literature

The findings of this phenomenological study confirm, disconfirm, and extend knowledge on immigrant victimization reporting. The participants affirmed that immigrant victims must navigate a decision-making process with a cost-benefit analysis type approach (Hardy, 2019), which is not that simple. Immigrants face cultural and economic challenges in choosing to come forward. Thus, participants revealed similar information that was in the literature review, indicating that immigrants through their

nature of being foreign born, or appearing as others, navigate society differently from that of the mainstream (Reyns & Randa 2015).

The study results displayed that the fear of deportation is a constant in the immigrant community, which was also discussed in the literature (see Armenta, 2017; Williams, 2016). This fear is increased with the expansion of policies that puts victims of crime who are seeking T or U visas immediately into deportation proceedings should their claim be denied. Thus, deportation potentially prevents immigrants from coming forward regarding crimes, which confirms findings from the literature review (Bach, 2018; Becerra et. al., 2017; Gutierrez, & Kirk, 2017; Xie, 2014).

General fear held by immigrants was also a common theme throughout the literature review as well as participants' narratives. This fear extends beyond simple legal status and also encapsulates it (Messing et al., 2015; Slocum, 2018). Ultimately, this fear limits reporting and immigrants' access to any benefits they may be eligible for, which confirms findings in the literature review (Leyro & Stageman, 2018; Gutierrez, & Kirk, 2017). Further, because this fear is manifested toward an institution in place to protect them, law enforcement's ability to provide services is inhibited, excluding sections of society and creating greater levels of fear. This confirms the findings of several scholars in the literature review (Armenta, Rosales, Garip, Gleeson, & Hall, 2019; Cebular, 2016; Cebula & Foley, 2017; Chandia & Hart, 2016; Estrada et. al., 2016).

Another theme was restrictions or needs; members of society have group needs and individual needs, but when these needs are ignored or perceived to be withheld it creates an environment where restrictions are manifested and exclusion occurs.

Opportunities that are withheld creates an exclusionary perception (Williams, 2016), which is reflected in immigrant victims needing benefits to survive in light of or due to their victimization. Yet due to their inability to realize access to these benefits through their unwillingness to come forward, they go unclaimed. Thus, the restrictions placed on immigrants by their status inhibits their access to needs (Martinez et al., 2017; O'Brien, et al., 2019).

In addition to restrictions, opposition was another theme from participants' responses. Even in ideal communities that are hospitable to immigrants, there remains factions within the United States who do not share this sentiment, which creates opposition to individuals and communities of immigrants. Participants revealed that even within sanctuary cities, individuals within the community or the media presents rhetoric that creates a hostile environment in opposition to their presence and ability to live and participate within the community. In addition to this, some members of law enforcement struggle to not assume their old roles of doing immigrant enforcement. Examples of this are 287(g) program. This creates an environment that is not welcoming to members of the immigrant community and breeds fear and distrust through this opposition, confirming findings of several scholars (Khondaker, Wu, & Lambert, 2017; Messing et al., 2015).

Another prominent finding was a lack of knowledge. Immigrants whose native language is not English especially struggle in their attempts to assimilate; even in cases where there is no threat of deportation, fear of interacting with the criminal justice system is a challenge due to the fear of just fitting in (Alamillo et al., 2019; Leyro & Stageman

2018; Shin & Dovidio, 2018). Much of this is due to a lack of knowledge on social norms, which prevents immigrants from being able to navigate the criminal justice system (Plenty & Jonsson, 2017). In this case, it is no external party or institution that bars entry or access to immigrants, but it is their lack of knowledge.

Lastly, opportunity was a theme that emerged from participants' responses. America gets portrayed as the land of opportunity, and recognizing this, U.S. policy regularly offers opportunities to immigrants. Recent policies, such as DACA and The DREAM Act are prime examples of such opportunities. Policies such as sanctuary also provides opportunities to immigrants. All four participants revealed during their interaction that these policies encourage immigrant interaction with law enforcement and authorities by limiting the threat of adverse action against them due to their status.

The study results showed that though immigrants do not experience all the themes uncovered by the literature review individually or in their entirety, the content between the themes revealed in Chapter 2 and those presented by the study's findings had little disparity. However, there were two disconfirming cases. The first was that when there is increased ICE activity such as raids or reports that ICE authorities are sitting in courtrooms, immigrants tend to come forward. All four participants revealed that when there is an increased show of force by immigration officials, immigrants get nervous and begin to come forward in larger numbers. This presents a dichotomy of the relationship between immigration enforcement and immigrants electing to report victimization. One participant speculated that this heightened level of activity spurred a concern for longevity in the country and to seek aid as appropriate.

The second disparity was revealed directly in the interviews with participants. In response to the follow-up question to Question 9 "What portions of sanctuary concepts are detrimental to your clients?," it was revealed that pro-immigrant sentiment by a city caused an ICE detention center to be shut down and all its occupants to be relocated. This action limited the ability of advocates, attorneys, and family members from being able to visit and interact with detainees as they were relocated to a new location 3 hours away. Although these were unintended consequences, these pro-immigrant actions had a negative impact on immigrants.

Limitations of the Study

There were limitations to this study. Chief among them is that victimized immigrants were not directly solicited as participants. This decision was made for two reasons: not further subjecting them to scrutiny and potentially have to relive the decision to report victimization, and access to victimized immigrants can be a challenge especially when they have an active fear of deportation. Another official approaching them to question them about their status within the country was not something I wished to subject them to, nor would I require them to have to live through that interaction. Thus, this study included victim advocates and legal aid providers to victimized immigrants, who work closely enough with immigrant victimization reporting that it did not impact this study.

Another delimitation is that due to the limitation of availability in securing a partnering organization to undertake this study, only four participants provided their time for this study. These four participants work within the same organization and apart from

one of them have not worked in any other areas in the last five years. As such, their experiences may not represent the experiences of all victim advocates and legal aid providers.

Finally, with qualitative inquiry there is a risk of researcher bias being introduced. Although I have no connection directly to the topic, I have personal feelings on the subject matter and how it is administered. To avoid this, participants were provided with almost-verbatim copies of the manually transcribed transcripts to perform member-checks. However, these transcripts omitted multiple "uhms" and "Ahs" for clarity.

Recommendations

Although similarities in the literature existed in victimization reporting, immigrant victimization reporting, crime reporting, noncitizens, and "sanctuary" policies, the unique population of victimized immigrants in the unique situation of determining reporting behavior in the context of sanctuary policies was unique and needed to be addressed. As such the following recommendations are presented for future research.

Future Research

This research confirmed that immigrant victimization reporting depends less on the policies, and more on the individual victimized. Therefore, recommendations for future research would be to solicit participants from members of the immigrant community. Ideally, future research should target a locale that recently became or adopted sanctuary type policies, and employ a longitudinal design to capture how these relationships may change over time as members of the community grow accustomed to such policies. Additionally, there appears a need for additional research that relies on a

precise measure of crime in sanctuary cities. Conversely, and looking at the problem from the opposite direction, the recommendation for further research on the effect of sanctuary policies and their effect on criminal offending. Other possible recommendations related to a similar study, would be the development of a survey tool to support a qualitative approach to understanding the immigrant victimization reporting decision making process. Furthermore, this study was based on interviews with members of a single organization in one city. Future research should explore the experiences of multiple organizations in multiple locales.

Implications for Social Change

The aim of this research study was to produce potential social change by providing advocates for undocumented immigrants empirical evidence to reference. Social change is not an overnight event, it arises from brainstorming, creative solutions, strategizing with stakeholders, promoting common ground, and creating opportunities. All of this, with the goal of swaying an election, or convincing a legislator to draft a bill that promotes social change. However, opponents utilize the same measures, often with more vitriol.

Thus, this study undertook the topic to ascertain if sanctuary policies effected immigrant victimization reporting. A constant refrain in the literature review, and in interactions with Participants was the unique institution that is the criminal justice system. The transactional nature of the criminal justice system requires the discretion of the victim to come forward (Reyns & Randa, 2015). Crimes can only be investigated after they are reported. Taking criminals off the streets, and preventing additional

criminal acts is a result of victims coming forward. Additionally, if sections of society step forward into the light, and report their victimization, it makes them a 'harder' target, due to these actions.

Therefore, this study may impact positive social change in several ways. First, by creating an environment where legislators, and policy makers recognize the challenges to immigrants who are already victims of a crime and now must navigate the victimization reporting process – through providing an understanding of the effects of sanctuary type policies on reporting behavior. Secondly, by ultimately reducing crime – while it would experience an initial uptick as victimization is reported, the long-term trend would make immigrants from such policy decisions less desirable targets, ultimately lessening the advantage of targeting them.

Lastly, making the country safer. By reducing the attraction of a segment of society to would-be criminals, it would remove the opportunity of nefarious actors to operate freely. Prior to, and since 9/11 this has been a challenge as low level criminal activity provides avenues for greater acts. This study offers valuable information that could aid advocates, policymakers, and legislators in engaging in informed conversations towards positive social change.

Reflection of the Researcher

I undertook this study because it was a topical issue that I viewed as neglected in contemporary research. At the outset of the study, I had beliefs of what would be revealed, and like so many others – had my own opinion on sanctuary policies. Personally, I am against them – however, not for the reasons that would immediately be

assumed. I would prefer Immigration Reform enacted as opposed to localities having to come up with their own solution to the problem created by a lack of legislative action.

As such, I entered the research endeavor with that position, and I believe coming out on the other side- I am firmly still in that belief. In fact, mentioned earlier under disconfirming cases, the relocation of the ICE detention center created an adverse outcome for immigrants that appears unintended. This was not a solution, so much as a feel-good story.

However, after interacting with the participants, I was afforded first-hand accounts of the plight that victimized immigrants must endure to realize justice. While I acknowledge that in some cases, their presence in the country might be questionable – it does not change the fact that they have now suffered, and their inability to seek justice only increases that suffering. It is an aspect of the dynamic that I had not fully thought of before.

Conclusion

A plethora of contemporary research exists regarding immigrants, and victimization reporting. Despite this, the focus is largely on the types of crime, or locations of reporting. This study contributes to the literature by extending the victimization reporting literature to include immigrant victimization reporting in the context of sanctuary policies.

This study examined the experiences of immigrant victim advocates and legal aid providers in the context of sanctuary policies. By gaining a better understanding on the effects of sanctuary type policies on the immigrant victimization reporting phenomena,

positive social change may be promoted by educating policy-makers and legislators and encouraging dialogue between them and immigrant advocates.

The findings of this study revealed that there are significant hurdles to reporting victimization as an immigrant, navigating the immigration channels, and applying for citizenship in the process. Victimization is a traumatizing experience, with the decision to come forward marred with hurdles, one's legal status within the country exacerbates this. Despite this, advocates and legal providers provide guidance, education, a shoulder to cry on, and advocacy to navigate the system.

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Appendix A: Demographic Questionnaire

DEMOGRAPHIC QUESTIONS

Demographic questions collect data about the characteristics of the sample populations (e.g., gender, age, race, ethnicity, income, employment, educational level, etc.).

For classification purpose only:

1. What is your gender?
   o Male
   o Female
   o Other

2. How old are you?
   o 18-29 years old
   o 30-49 years old
   o 50 years and over

3. What do you consider your ethnicity to be?
   o Hispanic or Latino
   o Non-Hispanic or Latino

4. What do you consider your race to be?
   o Black or African American
   o White
   o Asian
   o American Indian or Alaska Native
   o Native Hawaiian or Other Pacific Islander
   o Other

5. What is the highest level education you have completed?
   o Some high school
   o High school diploma or G.E.D.
   o Trade/Technical/Vocational Training
   o College or Professional School (e.g., M.S., M.A., or Ph.D.)

6. What is your marital status?
   o Single
   o Married
   o Divorced
   o Window (er)
   o Unmarried Partners

7. What is your current work status?
- o Not working/looking for work
- o Part-time
- o Full-time

8. How many jobs you had or have had in the last 2 years?
- o 0-3
- o 4-6
- o 7 and over

9. What is your annual household income?
- o $0-25,999
- o $26,000-$51,999
- o $52,000-$74,999
- o more than $75,000
- o don't know/decline to say

Appendix B: Interview Guide

In general – unless the participant does not provide any information that would suggest there is more information to be gleaned. Follow ups requesting elaboration on specific details of their answer is planned.

1. How long have you been a [Victim Advocate/Legal Aid Provider]?

2. What does being a [Victim Advocate/Legal Aid Provider] entail?

3. How does the threat, or fear of deportation change your client's behavior?

4. Have you had instances were a victim comes forward, then becomes reluctant to move forward with the process as continue through with the process due to interactions with government appointed or employed individuals? Which?

5. There have been instances where even in Sanctuary cities, Immigration Agents are staged in courtrooms, have you experienced this?

    a. If so, how have your clients responded to such tactics?

6. What does limited cooperation/ Sanctuary policies mean to you in your role?

    a. How does it change your job or role as a [Victim Advocate/Legal Aid Provider]?

7. With victims who are concerned with their status in this country, how do you address this normally?

    a. Do Sanctuary policies change this? How so?

8. Have you found the severity of the threat and/or victimization changing the level of determination of your clients?

    a. Can you elaborate?

9. Sanctuary Policies are limited in their scope, as they range in how they are administered. What portions of sanctuary concepts are beneficial to your clients?

    a. What portions of sanctuary concepts are detrimental to your clients?

10. With contiguous counties have differing policies regarding sanctuary policies – have you encountered occurrences of victims pushing for venues more inviting?

    a. As a [Victim Advocate/Legal Aid Provider] would you suggest such venue(s)?

11. In general, how aware are your clients of Limited Cooperation/ Sanctuary policies, and how are they affected.

    a. Do you find yourself addressing these concepts and policies with your clients?

12. Sanctuary policies offer a dynamic where immigrants who otherwise may not come forward, now feeling comfortable have you found this to be true?

    a. Can you elaborate on this? Have they spoken to it directly?

13. Have any of your clients spoken about the political rhetoric that surrounds immigrants, and suggested that it concerns them? Or creates a situation where they may no longer feel comfortable coming forward?

Appendix C: Participant Statements Related to Themes

Theme 1: Fear

- victims
- hearing the news
- community are talking
- current policies
- denied
- fear of deportation
- news comes out and more scary things are shown
- get pulled over
- end up in jail
- more people are expressing, cause it not just about themselves it is about their family
- reliving that event
- clients had a fear of what can happen to them, withheld certain information, which can change, can change how things run
- I was undocumented, I was too scared to call the police
- She was truly afraid
- accessing what they need, critical lifesaving things that they need because they're afraid
- willingness of community members to come forward to cooperate with law enforcement
- scared to seek the help if they claim that, think that if I try to seek this help, like, if immigration didn't know that I existed or I was here, not they're going to know
- Too risky
- protect their child
- Depending on the severity, they're more likely to come
- Fear and Anxiety making people come forward
- So obviously, really limiting the fear of if they get picked up for less severe crimes or everyday traffic stops
- that risk that they will be put into immigration proceedings, and they will be picked up by ICE
- whatever limits that exposure that, fear of being picked up by ICE
- fear
- feel that they are being targeted
- fear, that anxiety
- something wrong, they're scared of like, seeking help that they may need
- because they saw the news, and heard this, or heard that
- detained
- get detained
- working with federal agents
- declined to move forward
- hesitance in moving forward

- red flag
- domestic violence
- fears of ICE raids and immigration raids
- see a boom of people come in, and be like "hey this just happened, I need to know what could happen to me."
- when they are scared, they do want to find like, some benefit.
- Concerned about their status
- cooperating with law enforcement
- history of sexual or physical abuse- which then because I guess, it's brought all back up when something happens to their family
- Almost like in desperation trying to hold on to any help, and sometimes the community is not well informed and even when crime happens, and the police know, that there is certain immigration benefit
- Spoken to law enforcement or sometimes, well I would say mostly in domestic violence issues maybe, they've never spoken to law enforcement.
- Pushback where clients aren't necessarily ready to move forward, so like I said, yeah good and bad days.
- regardless of how strong of a case they make they may still decide against it
- fear with any interaction with police
- nervous
- risk
- certain immigration raids, there was, a boost of like, how many people we saw in consultation
- If this is the law enforcement agency, it's going to be much worse once they start looking at me through the looking glass, like immigration once they have me there, they are going to have me.
- you know next time I am thrown into jail and from there I am thrown into a detention center and my country is not accepting anyone who is being deported so then what
- parents being more affected
- have to see their abuser
- concern for their own safety, or for the safety of their loved ones
- with the system, that keeps changing, it also poses a challenge

Theme 2: Deportation

- Changes in immigration law and policy, and there, they have always been anxious of this process
- current policies
- ICE could potentially pick you up
- hearing the news
- its actually better if you just, don't based off your situation and don't it's better if you don't, and just stay kind of like under the radar, and don't.
- ICE officials had been called and were going to show up at the hearing
- fear
- fear of deportation
- Consequences for them are so great
- removal proceedings
- fears of ICE raids and immigration raids
- consequences
- scared of being deported
- see a boom of people come in, and be like "hey this just happened, I need to know what could happen to me."
- changes in law and policy, figure out how it applies to our clients
- detained
- immigration consultation or legal advice, when they felt like that, that threat directly in front of me. Where before they don't see presence of ICE
- consequences are greater now
- you know next time I am thrown into jail and from there I am thrown into a detention center and my country is not accepting anyone who is being deported so then what
- certain immigration raids, there was, a boost of like, how many people we saw in consultation
- fear, that anxiety
- fear of, a repercussion for it
- it impacts how clients think, and they will call and say, are they going to be waiting for us, and we're like, we don't really know.
- immigration, especially with how policies change
- driving without a license or something like that - if they're less likely for example to get picked up by ICE
- Local sheriff's deputies being deputized to enforce immigration actions
- summons to appear, in which they are summoned to immigration court, and essentially removal proceeding would be started right, right away if their case is denied
- very real concern
- Spoken to law enforcement or sometimes, well I would say mostly in domestic violence issues maybe, they've never spoken to law enforcement.
- fear of deportation

- very unfair to get that person, arrested or under ICE's watchful eye for something very trivial, so it's like, that part of sanctuary cities, that protects informing to immigration services is huge.
- if people feel vulnerable, they want to seek immigration relief, but like I said, with the other intersecting issues - like having to go to family court
- risk
- that risk that they will be put into immigration proceedings, and they will be picked up by ICE
- AVOWA was denied- there wasn't any consequences - but now you are put into proceedings
- notice to appear policies - yes it's true, if your application is denied, now you could be referred and put into proceedings
- whatever limits that exposure that, fear of being picked up by ICE
- reported to some kind've huge database then ICE can use to locate, like track and then try to get people deported, you know
- Every affidavit, my husband would threaten to call ICE, or whatever, so there is that - their identify as an immigrant was used against them, and then also I've also seen people and then also I've seen people who have been in bad situations where someone has walked over them, or someone did something to them
- County where they know that the police, if they get in trouble in that county it is more likely than not that they will be referred to ICE, and we know that to.
- fine, and that's it. But if somebody decides to call ICE
- odds of you getting referred to ICE are higher than some of these other counties.

Theme 3: Restriction/Need

- Needs
- emphatic, and sympathetic
- area of concern for a lot of our crime victims who don't have a way to support themselves
- Rights
- it's actually better if you just, don't based off your situation and don't it's better if you don't, and just stay kind of like under the radar, and don't.
- need to access lifesaving public benefits
- Access
- under the radar
- accessing what they need, critical lifesaving things that they need because they're afraid
- Qualify
- government benefits that they really need
- undocumented and they cannot access certain needs
- Benefits
- more people are expressing, cause it not just about themselves it is about their family
- here's my proof that it is in the process, here, here's my work permit
- needs
- really damaging effect on someone's feeling that they are being heard
- Worry about basic things like that
- connect
- the governments not going to do anything about this, then why did I even put myself through that
- detention center here and it was awful, but at least we were close, at least their family members were close
- healthcare
- whole other issue that victim services in general are not good
- focusing on their needs, what we can do to help them through this process
- relief
- The other thing I'll say you know, its just every client's case is different - people have colorful backgrounds
- potential relief they qualify for
- eligible
- I know they are aware of what areas they want to stay out of. Usually they have a reputation of being stricter, and clients know about that, they hear about it.
- they're more likely to try to seek help because, it effects them in all aspects of life, and they understand that if you're depending on the severity of the crime that you are reporting - the likelihood of receiving some type of positive immigration result in the future - that kind've gives them hope
- providing

- a certain level of cooperation, or not adversarial interaction, where they can feel that they are seeking justice
- immigration benefit
- housing issues
- get relief
- maybe it's better for them to live in the shadows rather than get placed into immigration proceedings
- speaking the language, not having a network of support all of that is confusing and creates barriers to people coming forward anyway.
- make our jobs very difficult, because your client is already coming to you with this, very real concern
- Didn't want to put herself in any position - in general I think our clients try to stay away from any situation that could - I don't know…lead to trouble

Theme 4: Opposition

- fear
- release information of license, without telling like, certain information
- Telling them, hey don't commit any crimes, but hey you know you can't drive around, or be careful when you drive around, or try not to, or you have to pay for transportation all the time.
- feel that they are being targeted
- no warrant, if there's no warrant, they wouldn't be like legally able to
- panicked calls, and their like I've been picked up or I have a court date coming up, and we have to tell them. Hey, we don't know what that means.
- consequences
- have to be legal justification
- is not having an ICE detention center - is that now we don't have access to people that are detained, and it's extremely difficult for them to get
- immigration, especially with how policies change
- immigration consultation or legal advice, when they felt like that, that threat directly in front of me. Where before they don't see presence of ICE
- potentially just be in limbo during that time
- current policies
- advise against that because of the risk that, not only the police officers or potentially ICE could be at the courthouse
- should avoid essentially, getting caught being undocumented
- denied
- Local sheriff's deputies being deputized to enforce immigration actions
- Crime victim is a child
- cautious in telling clients what the risks are
- that law enforcement gets put into this difficult situations sometimes. Because if they are enforcing immigration laws, they are not able to do their job that they need to be doing
- impacts people differently when they have their own past experience
- adversarial towards the client
- immigrants are put in a very vulnerable situation
- certain immigration benefits can take several months, even years for them to get a response to get approved, or denied
- pushback
- jump through hoops to prove it
- every circumstance is different
- no longer eligible because authorities are not willing to sign
- it's like, justice to them could be coming forward, and that would pose a threat to them.
- in domestic violence cases, which can involve sexual assault, or child molestation - There is that extra added trauma of prolonged, that prolonged Trauma
- not willing to listen to this person
- law enforcement is more skeptical to like, helping out

- put them in danger or might have to make them reconnect, not reconnect, but re-interact with this person
- example to the jail to go to the courthouse, so seek help and, it is just very intimidating. And so yeah, I am sure before they even get to us, we've lost people.
- they don't see the crime, they don't see, it's like oh, they try to break down the story or are hesitant in signing the certification - it creates a problem, because without certain certifications from those law enforcement agencies, the person cannot seek an immigration benefit
- domestic violence it's a whole decision
- ICE officials had been called and were going to show up at the hearing
- Local law enforcement or government officials aren't going to let their work be
- we won't take a case that we are not too sure about or that we are not too sure that we can get a lot of evidence for.
- prevent
- that risk that they will be put into immigration proceedings, and they will be picked up by ICE
- However, sometimes it does get sensationalized, at the end of the day - it does, it has greatly impacted the way we are handling our cases and clients expectations.
- Consequences for them are so great
- find resistance, or a people that fall on the other side, thinking that this should not be a safe space where people really harbor people that shouldn't be here and that you could -- our clients could get lumped into that. Seen as people that shouldn't benefit from some of these policies.
- Whatever it may be, but then there is also, - you hear it, the rhetoric that is being said about immigrants.
- rogue agents
- And so inevitability if they have to work there, or they live there
- Peoples status's is used all the time, as a weapon against them, especially in cases where you have violence, it is always used
- Whatever they hear on the news or from their….the community, so depending on the areas that they live in, so, if you know if they live in an area.
- Not much they can do. As far as like picking a venue for judges - it really all depends on the county, so if they get picked up in a particular county, they're kind've stuck there. And all we can do is, tell them to be aware of this area or stay out of this area, but sometimes that's not possible
- Every affidavit, my husband would threaten to call ICE, or whatever, so there is that - their identity as an immigrant was used against them, and then also I've also seen people and then also I've seen people who have been in bad situations where someone has walked over them, or someone did something to them
- Heavily with strong anti-immigration rhetoric, and adversarial interactions, with agencies that are supposed to help everyone, they don't really give that image by their actions
- denied, and the person has to go to the more unfavorable venue, I guess that's just depending on where they live

- isolating themselves.
- Every new policy, when the news breaks and however, it gets sensationalized by the media, at the end of the day it is impacting our clients
- notice to appear policies - yes it's true, if your application is denied, now you could be referred and put into proceedings
- Changes in immigration law and policy, and there, they have always been anxious of this process

Theme 5: Lack of Knowledge

- Understanding
- under the radar and nothings going to happen, but as soon as they see that, that safety net, kind've being threatened, they kind've emerge to seek some, some more benefits, or like what can be, what can be done
- Setting expectations, letting them know upfront
- providing services
- record- you might not be eligible for like, some forms of relief - you might be eligible for others. But they take longer, so yeah….
- setting expectations
- Changes in immigration law and policy, and there, they have always been anxious of this process
- knowing more about the process than they did when they called us
- because they know that they might be eligible for something, and we confirm whether they or they are not - so yeah.
- fear
- Important, that's what's missing sometimes is, you know, oftentimes when someone calls us, it's the first time someone picked up the phone, and listened to their story or listened to their side of the story
- they were the victim of any crime - they would come in and try to apply for a U-Visa, without understanding that only certain crimes, based on their severity offer, that would qualify for it.
- uptick in people wanting to have more robust conversations about whether coming forward is the right thing for them
- can you do something to help de-mystify the support process for someone overall
- there is some misinformation
- educating our clients making sure we have their informed consent to move forward
- reassure them, and give them all the information
- changing, and also with people, people within the community kind've understand that it's a catch-all system
- not just push for an immigration benefit
- inform them, and also inform them that, like, the current policies and laws that are in place
- navigate and explain, again educate and being completely honest and explaining how things change. That's important
- because they saw the news, and heard this, or heard that
- best decision for themselves
- community kind've understand that it's a catch-all system, so if like they hear my friend got this
- news comes out and more scary things are shown
- again educate and being completely honest and explaining how things change
- with the system, that keeps changing, it also poses a challenge

- inform our clients that this ongoing cooperation
- may be waiting for years
- what used to apply, doesn't apply anymore so what somebody might have heard, doesn't apply now
- time commitment that they are making, its committing to responding to their requests
- things have changed
- And we do our best to you know, help them obtain immigration relief despite these things
- explain to them kind of how the legal system works
- perceive one way or the other and it has a real tangible impact
- most of our clients - don't understand those dynamics
- not all crime victims fully understand
- Different understanding, that creates a little bit of tension
- Are very real consequences that our clients need to understand when it comes to putting forward a claim here in CITY, and what their chances of success are
- they've seen and heard happen to other people
- Reality of what a client can expect, based on my experience with a certain community
- I don't know that the general population understands those dynamics
- unreasonably refused
- address with clients is telling them what counties we know of that are particularly harsh or the opposite of sanctuary policies, so we'll just tell them
- legal advocates to really inform them of the true nature, of the rejection rate for this type of case is very high. Okay you have a very high strong case
- It's what that victim in the moment thought
- communities understood these terms and concepts, but I think there is more important, is where the information is coming from, can they trust the person that is telling them this.
- we don't really know how each county or department is going to respond
- should we move forward with the case? Is it worth it? Should I withdraw?
- seeing in their communities is very different, and so I do think that there is a gap
- clients, are just, it's where they live and what the media is telling them
- News sources - and what they're hearing said about immigrants, and you now what's being said by the administration
- know, we tell clients if they have been victims of a crime, they should always move forward, but a lot of times that's one of the main tools abusers will use against their victims…immigration status
- local media's, so that's how they are informed, obviously they know by word of mouth what areas to try to avoid, but sometimes they can't because some of the most heavily policed ones are the ones that they live in, so, you know they move.
- It's a real concern and something that we try not to focus on as much, again, I think our job is not to scare people, it's not to hide things from people, so we set realistic expectations
- relationship, across the board everyone is concerned about the real-life consequences of what is going to happen to them due to this administration's policies.

Theme 6: Opportunity

- work permits
- federal agents for example have done a really remarkable job of being seen as these folks that are here helping them identify, identify victims, connecting them to resources
- Definitely it would take some stress off of having to navigate that with clients,
- providing them some sort of stability amongst all the chaos that is part of their victimization
- relationship with immigrant communities is being affected, but I do think that it is important that communities know that they can trust their law enforcement officers
- **CITY** is actually pretty good about giving certifications in comparison to some of the nearby counties, yeah…I don't know - I guess, would sanctuary cities - does this have anything to do with them also like, refusing to have an ICE detention center? Here?
- permanent residency
- communities; those in positions of power do what they can to make those community members feel safe.
- Les likely to get picked up by ICE
- flag other potential issues
- Foster these relationships
- called deferred action, which means that they can get a work permit, but even then it's still those 4-5 years where they are just waiting.
- uptick in people wanting to have more robust conversations about whether coming forward is the right thing for them
- need; in certain cases certain law enforcement agencies will vow for them, they'll sign the certification, and that goes a long way
- be able to work freely and go to and from not only work, but school, groceries, I mean anywhere, where we wouldn't have to worry about them doing those day to day things.
- generous in certain areas, if you had been a victim of a crime
- A Sanctuary city makes it easier
- Know that if they adjust their status, they have more access to other benefits, and they can keep getting help for their other needs
- options for immigration
- Sanctuary, it becomes easier, because, law enforcement are more prone to like, helping out - and they understand that, they are helping investigate a crime, they're cooperating and they should be afforded a certain like, safety netting in that regard.
- it's meeting them where they are
- advocate
- Wouldn't have to worry about them driving around, taking their kids to school, being able to work, or - without that fear, that additional fear of being stopped. For doing day-to-day things and stuff
- actual outcome of those policies doesn't affect someone or won't result in a positive outcome for that person's case. I think that makes them feel a level of comfort
- under the radar

- client's have that security and safety of being able to get a driver's license or if they do get stopped, knowing that they, there's not going to be this fear of them being put into, you know them getting picked up by ICE.
- pulling ICE out of that situation
- under the radar
- Victims feel more comfortable coming forward I think then you have to - yes it helps maybe that it's a sanctuary city
- Someone is for some reason arrested or is in interaction with the police having ICE not in that situation - makes that person situation a lot better
- immigration relief, like a U-visa
- Heard of are just - They're put out there to make it easier for these individuals to go about their day to day lives, I think they're aware of public perception.
- More likely to come forward if they know there is sanctuary
- permanent residence later on because of this whole public charge
- is the first time anyone has picked up the phone and listened to them, or heard their side of the story
- legal advocate, to the authorized law enforcement agencies that are helping them
- permanent residency
- I know they are aware of what areas they want to stay out of. Usually they have a reputation of being stricter, and clients know about that, they hear about it.
- where they have the protection of local law enforcement
- certification signed by authorities and sometimes these authorities are unwilling to do that
- when we need to get background checks we go to a specific county because we know that if we send our clients to another county that actually they're putting themselves in danger, because we've had people, like, who later learned that they had something on their record and the police picked them up.
- they'll have your back if you, you'll be able to come forward
- certain positives, at least in the case in general we see some positives
- wish that we could go to specific counties to get our certifications, but we can't
- source of hope
- they wouldn't be sharing certain information, which would make it harder for ICE
- clients are from
- communities building trust in neighborhoods, and immigrant communities in general are distrustful of, of authorities, of anyone who doesn't have a similar lived experience, because for them again what they have.
- build bridges with the immigrant communities.
- where they judge the benefits, like cost benefit analysis, where they see the benefits of going through and getting rewarded outweighs any potential risk where they still come forward regardless and knowing how unfavorable a certain venue may be.