BY / ELEANOR HUNT

Documenting the Undocumented:
Research Reveals Continued Polarization

There is no limit to the rhetoric on illegal immigration this election year, even while full-scale reform is deadlocked in the U.S. Congress. Meanwhile, cities, counties and states are enacting their own laws.

Gathering extensive research about subfederal immigration laws and sentiment are Van Pham, graduate program director and professor of Economics at the Hankamer School of Business, and his wife, Huyen Pham, professor at Texas A&M University School of Law.

The Phams chronicled immigrant laws for 2005 through 2011 and assigned composite scores based on whether regulations are permissive or restrictive. Each state has a positive or negative immigrant climate index (ICI) score.

"This is an example of how academic research can inform an issue in which many opinions and policies are running ahead of actual analysis," says Van Pham. "We, in academia, can contribute with dispassionate, objective analysis to help parse through difficult issues and make concrete statements about impact."

Creating the research database was a herculean effort because there are no central sources of all local laws. The Phams consulted media reports, advocacy groups and government officials to verify each immigration law that was enacted. To determine their impact, they placed them in the categories of law enforcement, employment, language, housing benefits, voting and legal services.

"To the extent that we are trying to measure immigrant climate, we tried to figure out what laws would have the most effect on immigrants in their everyday lives," Huyen Pham says. "There's some consensus among legal experts that policing laws have the most impact."

Van Pham adds, "Quantifying immigrant climate allows us and other researchers to study factors that can affect climate and the impact climate can have on economic performance and welfare. The ICI measure also illustrates wide ranging views across states and counties. One can appreciate how difficult it is to find consensus in immigration policy at the federal level."

Immigrant climates can vary widely even when states are in geographical proximity. The data shows Arizona has the most restrictive immigrant climate, whereas Illinois has the most pro-immigrant environment, followed by California. The ICI scores signal continued polarization and may also reflect voter opinions by region. After all, voters elected the local and state officials who passed the laws.

"As we update the ICI scores, it will be interesting to see possible changes in state climates and whether those scores will be reflected in November voting, as voters decide between federal candidates who may or may not reflect the immigration sentiment in their areas," Huyen Pham says.

Additionally, this research is important to others measuring immigration's effect in specialized areas, including healthcare, taxes, employment and economic growth. The Phams say their analysis has been downloaded at least 1,000 times and cited extensively in academic papers and the media.
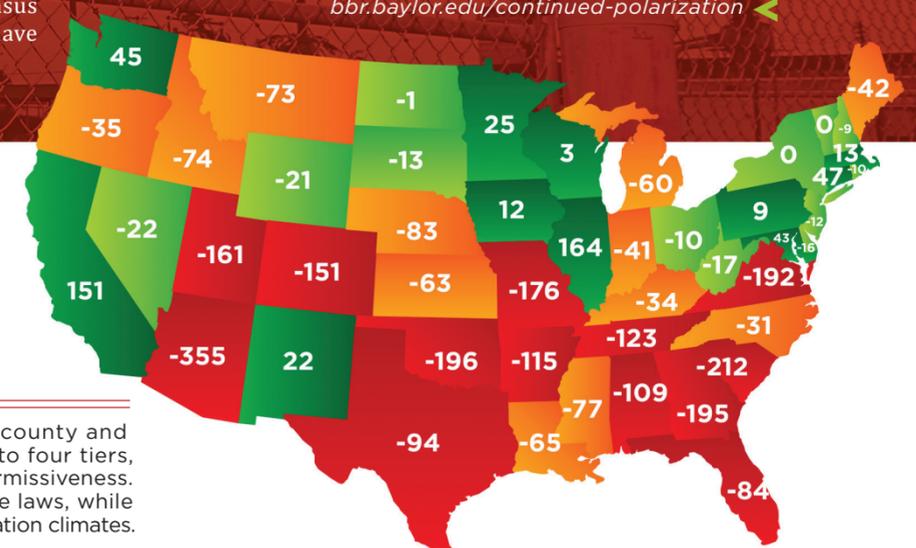
Van Pham concludes, "In an election year, it's difficult sometimes to make decisions based on objectivity. Hopefully, in the academic community, we can provide reasoned analysis that will guide some of the decisions made in our country."

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Immigrant Climate Index
(ICI) Scores Based on State and Local Legislation Enacted 2005-2011

This map highlights data taken from city, county and state immigration laws. Laws are assigned to four tiers, depending on their level of restriction or permissiveness. Negative numbers represent more restrictive laws, while positive scores reflect more permissive immigration climates.

TIER 4 AFFECT MANY ASPECTS OF LIFE FOR IMMIGRANTS and have the most impact on climate. This tier includes regulations related to law enforcement.

TIER 3 AFFECT A CRUCIAL ASPECT OF LIFE FOR IMMIGRANTS, an aspect that is difficult for the immigrant to avoid or substitute. This tier includes regulations related to private housing, identification and employment.

TIER 2 AFFECT AN IMPORTANT BUT NOT CRUCIAL ASPECT OF LIFE FOR IMMIGRANTS, an aspect for which immigrants can find alternatives. This tier includes laws that make it harder or easier for immigrants to obtain specific jobs or work licenses. It also includes laws that restrict or enhance access to government.

TIER 1 AFFECT IMMIGRANTS' LIVES BUT IN A LESS IMPORTANT OR SIGNIFICANT WAY. Laws in this tier include English-only laws, laws that make it harder or easier to vote, or legal services laws.