How Stop-and-Frisk affected Undocumented Students' Performance*

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Abstract

The New York City Police Department's stop-and-frisk program has stopped and briefly detained millions of New York residents during the last decade, aiming to reduce crimes. It has been widely criticized for being inefficient and discriminatory, as few arrests are made and racial and ethnic minorities are stopped more often than whites. This paper examines if the program affects the life of unauthorized immigrants, who are likely to be particularly wary of interacting with the police. We combine data on police stops around university campuses with individual-level administrative data on student's performance and documentation status. The results show that undocumented students' study performance, relative to students with legal status, is adversely affected by the the number of stops around campus. The result illustrate that stop-and-frisk and related police tactics have unintended spill-over effects on the behavior of unauthorized immigrants.

Keywords: Undocumented immigrant, Stop and Frisk, Education

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1   Introduction

Beginning in the 1980s, proactive police practices began to develop in the US. Instead of just responding to complaints, the police aimed to prevent crimes from taking place in the first place. The "broken windows' theory suggested that strict enforcement of low-level crimes would create an order of lawfulness that discouraged offenders and prevented more serious crimes. During the last decade several cities have adopted proactive policing strategies, such as hot spot policing and large scale stops of pedestrian to combat crime (Weisburd and Majmundar, 2018). In the 24 states with "stop and identify" statutes the police has the additional authorization to request individuals to identify themselves during a pedestrian stop. A prominent example of this strategy is the New York City Police Department's stop-question-and-frisk (SQF) program that has stopped and briefly detained millions of NYC pedestrians during the last decade. On the one hand, this type of pro-active policing could be beneficial by creating safe neighborhoods. On the other hand, the high number of stops might cause stress, and studies have found that ethnic minorities are more likely to be stopped (Gelman et al., 2007), which may cause certain groups to feel particularly targeted and criminalized.

There's an estimated 11 million unauthorized immigrants in the US, but the impact of this type of proactive policing on unauthorized immigrants' behavior has remained largely unexplored. Unauthorized immigrants are likely to be particularly wary of this type of involuntary police interactions, since they often lack ID cards and an arrest could lead to their personal information being shared with the US Immigration and Custom Enforcement (ICE). However, the behavior of unauthorized immigrants is generally hard to study, since surveys and other administrative data sources are prohibited from asking respondents about their immigration status.

We provide the first evidence of how unauthorized immigrant students were affected by SQF in NYC by combining geo-coded data on millions of police stops with a unique dataset based on individual level administrative data from the City University New York (CUNY) system. The CUNY data includes semester level information on students' performance as well as individual background characteristics. Importantly, in order to determine in-state tuition, CUNY registers students' citizenship and immigration status. To proxy for the number of police stops students may have encountered we construct measurement of the number of police stops around their college campus (as well as their home - not yet included). We examine if undocumented college students' semester GPA worsens compared to other students at the same campus, when the number of police stops increase. Such an effect could be due either to the fact that students avoid going to class, due to the risk of being stopped by the police, or that students feel less motivated to study due to changed beliefs about future prospects and the possibility to fully participate in society. Being stopped could also be experienced as invasive, and contribute to stress and anxiety, making it difficult for students to focus on their school work. Studies examining Hispanics experiences and perceptions of involuntary encounters with the police find that they view aggressive police tactics

as a way to restrict and criminalize their use of public space (Solis et al., 2009).

Unauthorized immigrants have the right to public education in the k-12 system, as a result of the the Supreme Court ruling Plyer vs Doe in 1982. For post-secondary education, there is no comparable legislation, and states differ regarding policies that enable or restrict undocumented students to enroll or receive tuition support and financial aid (Gilberto Mendoza, 2015).[1] Among unauthorized immigrants ages 18-24 with a high school diploma, half are in college or have attended college, while the comparable figure for US born residents is around 71 percent (Passel and Cohn, 2009). Unauthorized immigrants are not allowed to be employed in the US, although they can start their own business or work as independent contractors. Conger and Chellman (2013) show that undocumented college students perform well in the short term, with higher grades and rates of course completion than US citizens students, but they are less likely to enroll full-time. The pattern may be explained by the fact that undocumented students who enroll are more study motivated in general, but they experience higher costs to complete their degrees. This is possibly due to credit constraints, since undocumented students are not eligible for financial aid, or limited labor market opportunities. Following the implementation of the DACA program, which provided temporary work permits to undocumented immigrants who arrived to the US as children, Hsin and Ortega (2018) find that undocumented students were more likely to drop out from college or reduce course work, probably driven by the new labor market opportunities.

Our paper is related to the literature on how immigration enforcement, such as raids or deportations, have chilling effects on documented immigrants' behavior. These effects are explained by the prevalance of mixed status families, or the fact that immigration enforcement is viewed as a threat to the own community. Immigration enforcement has been found to reduce trust in government (Rocha et al., 2015), led to increasing fear and distrust of law enforcement (Nguyen and Gill, 2016; Theodore and Habans, 2016), and avoidance of health care services (Rhodes et al., 2015). Studies have showed that deportation levels affect immigrants' childrens' school dropout rates (Amuedo-Dorantes and Lopez, 2015), medicaid registration levels (Watson, 2014), and health status (Novak et al., 2017; Hainmueller et al., 2017). The paper also relates to other studies of the unintended effects of the SQF program. Recent papers by Kang and Dawes (2017) and Laniyonu (2018) have examined its impact on civic engagement, and found that SQF both caused voter demobilization and voter mobilization, depending on election, while also affecting candidate choice.

We find that police stops around CUNY campuses have a small but robust negative effect on the GPA of unauthorized students, while their authorized peers are not affected by the stops. Understanding the unintended consequences from this type of police tactics is important from a policy perspective. Unauthorized immigrant students constitutes an already marginalized group, making any underinvestment in education particularly troublesome. Moreover, members of minority communities often distrust police due to what they perceive as widespread discriminatory policing practices (Menjívar and Bejarano, 2004). Distrust of the police among undocumented immigrants

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[1]Three states, South Carolina, Montana, and Alabama currently ban students from accessing higher education.

could make them vary of reporting crimes to the police or testify (Davis and Henderson, 2003; Vidales et al., 2009), which is costly for society at large.

2 The Stop-Question-and-Frisk program

Several US cities have implemented the policing program known as "Stop, Question, and Frisk", where residents are briefly detained by the police. Although the extent of this type of programs is not well known, due to lack of reliable data, a few cities, such as New York City, Chicago, Philadelphia and Los Angeles have released data following class action lawsuitsacl (2015). The data from New York City revealed that millions of residents have been stopped over the last two decades. This police tactics, known as Terry stops, originates from Terry v. Ohio 1968, and constitutes a temporary detention of a person by police on reasonable suspicion of involvement in criminal activity, but short of probable cause to arrest. Given reasonable suspicion that the person is armed and dangerous, the police has the right to conduct a patdown (frisk) of the suspects outer garments, and based on the findings they can continue to do a thorough search if there is probable cause to believe they will find evidence of a crime.

Studies on SQF in NYC have showed that racial and ethnic minorities were stopped more often than whites, and few stops lead to an arrests (Coviello and Persico, 2015; Gelman et al., 2007; Goel et al., 2016). Being stopped by the police could be particularly problematic for unauthorized immigrants, as police officers would typically ask for identification, which many undocumented immigrants lack.[2] Hence, it could indicate that they were undocumented. Moreover, if an individual was arrested directly following a stop-and-frisk or if they were given a fine they were unable to pay, and later got arrested, their information could be shared with the US Immigration and Custom Enforcement (ICE). Moreover, any conviction, could affect the possibility to gain legal status in the future.

As a result of growing concerns of "racial profiling" and anecdotal evidence suggesting that police men felt pressured to increase the number of stops, leading them to conduct stops and frisks that did not fulfil the requirement of "reasonable suspicion", the practice was brought to court. In Floyd v. City of New York 2013 it was ruled that SQF had been used in an unconstitutional manner. The police was not mandated to stop the program, but reforms where necessary. However, following a NYPD internal memo earlier in 2013 the practice had already changed, as officers were instructed to provide a written justification for each stops, which led to far fewer stops (Mummolo, 2018). In the following years the number of stops declined drastically (see Figure 1).
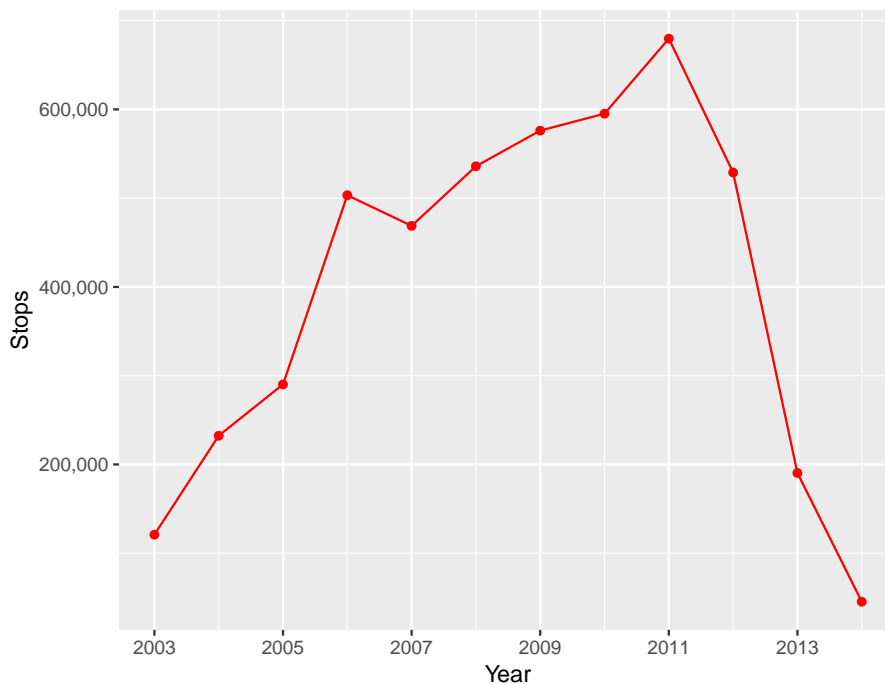
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[2] New York City ID cards were introduced in 2015

Figure 1: Number of geo-coded police stops per year 2003 to 2014.

3 Data

We use individual level administrative data from the CUNY system years 2001-2015, which includes semester level information on college ID, GPA, and credits, as well as background characteristics such as age, gender, residential zip code, and College Admission Average (a standardized measure of high school course work). When students apply they are not required to submit their social security number. However, students applying for in-state tuition are required to provide information about their documentation status. Undocumented students are eligible for in-state tuition if they received a high-school diploma or GED certificate from the state of New York. To qualify for in-state tuition, they are also required to submit a notarized affidavit stating that they plan to obtain legal status as soon as they are eligible (CUNY CN, 2015). Students who are eligible, have strong financial reasons to reveal their status, as out-of-state tuition for a full-time student at 4-year college (2-year community college) in 2018 is about $18,000 ($9, 600) versus $6,700 ($4, 800) for in-state tuition (CUNY, 2018).

We merge the CUNY data with detailed geo-coded data from the SF program 2003-2014, recording 5,030,122 police stops in total. The data was made publicly in 2003 following a lawsuit. Police men fill out a standardized form (UF-250) for each stop, that records the date of the stop, the location, why the individual was stopped, if a search or frisk was conducted, and whether the person was finally summoned or arrested (see Figure A.2). There are multiple pre-specified motives to stop an dindividual sucj as "suspicious bulge/object" and "fit description" , but around half of the stops where due to "furtive movement" (50 percent). The location is recorded as the address or

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street intersection before 2006, and in following years with geographical coordinates.[3] We attempt to convert all addresses to coordinates, and for the total sample we have information about the geo-code for 94.77%.[4] The UF-250 form also documents the individuals' age, ethnicity, and gender.

As nearly all police stops in our data are performed on men, we restrict our student sample to male students. We further restrict our sample to first semester students between 2003 and 2012. This is done for two reasons: First, following the introduction of DACA in 2012 the students coded as undocumented may also include student's who received DACA status. Second, our data indicates that many students drop out after their first semester. Since the decision to drop out could be a response to the number of police stops, we restrict our sample to first year students. Based on these criteria we find a total of 121,127 males first semester students, 4,088 of who are coded as unauthorized (see Table 2).

We further restrict the sample to individuals with a high school degree or GED from New York, since the documentation status is expected to be more accurate for students who are eligible for in-state tuition.

3.1 Summary statistics

Table 1 shows that the 90 percent of the stopped individuals were men, and 80 percent were black or Hispanic. Around half of them were also frisked, but a majority of the individuals were not found guilty of any crime as a summon or arrest only happened in around 12 percent of the cases.

	N	%
Gender		
Men	$4,310,036$	90.41
Women	$333,459$	6.99
Unknown	$123,746$	2.59
Ethnicity		
Black	$2,479,806$	52.02
Hispanic	$1,454,666$	30.51
White	$470,076$	9.86
Asian	$146,856$	3.08
Frisked	$2,498,622$	52.41
Summons issued	$291,733$	6.12
Arrested	$286,491$	6.01
	Mean	SD
Age	28.01	11.49

Table 1: Gender, ethnicity, age, and consequences of stops and stopped individuals.

To estimate the prevalence of police stops around campuses, we count each stop that happened in

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[3]New York City started using a citywide records management system to collect SQF data in January 2006.

[4]Most (87.15%) of the 262,881 police stops without geo-coordinates fall into the years 2003, 2004, and 2005. The share of missing observations lies between 37 and 33% for these years. After 2005, the yearly share of missing coordinates is $<= 1\%$ for each year.

a 1 kilometer radius around one of 17 CUNY campuses[5] and aggregate these stops by semester (see Figure 2). We find a total of 483,021 that fall under the outlined criteria. Between 2003 and 2014 the average number of stops per campus-semester was 1,184 with a standard deviation of 1,402. Figure 3 shows the variation over campuses and time in the log count of police stops.
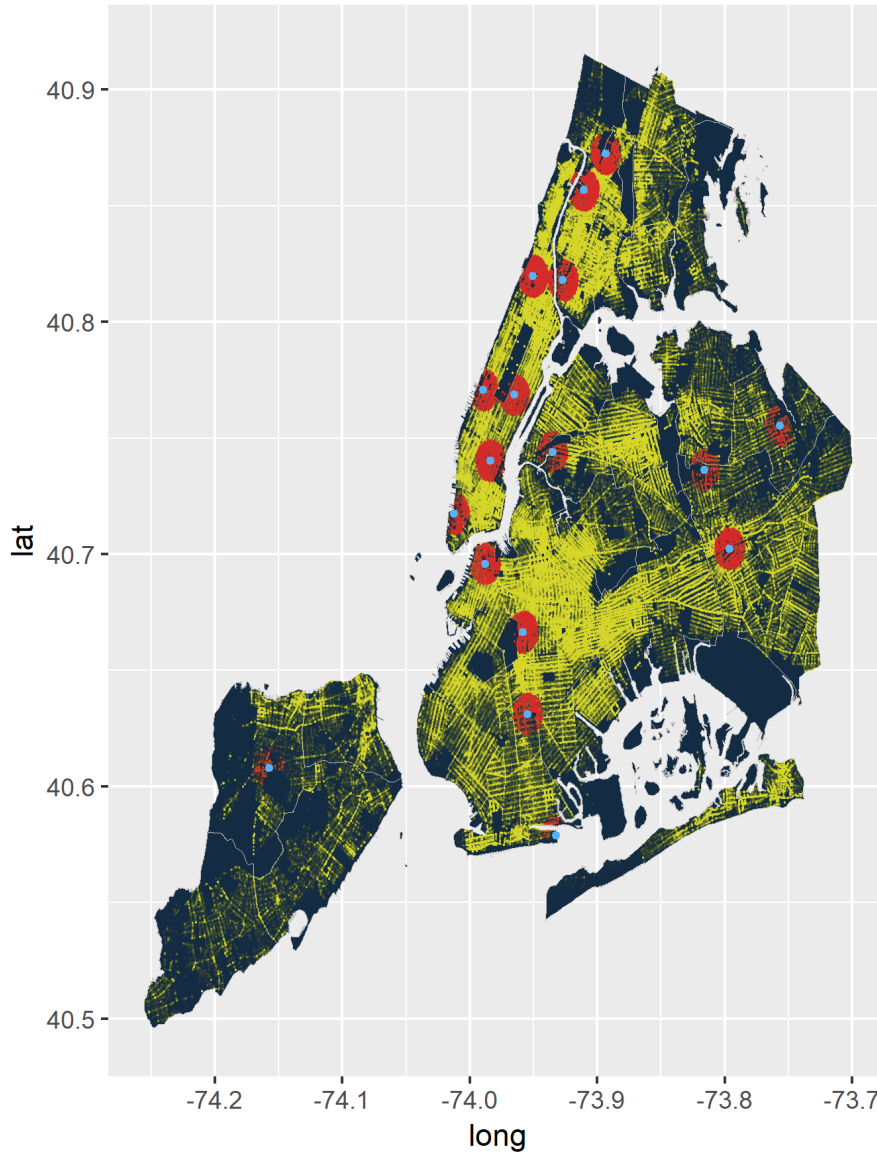

Figure 2: All geo-coded stops 2003 to 2014 with stops assigned to campuses (light blue dots) highlighted in red.

Table 2 show the characteristics of the student population. Among both the authorized and unauthorized students around 55 percent are women, and almost 60 percent are Hispanic or Black.

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[5]The City College Of New York, Baruch College, Hunter College, Lehman College, Brooklyn College, Queens College, College Of Staten Island, Bronx Community College, Queensborough Community College, Kingsborough Community College, Borough Of Manhattan Community College, New York City College Of Technology, Hostos Community College, York College, John Jay College Of Criminal Justice, LaGuardia Community College, and Medgar Evers College
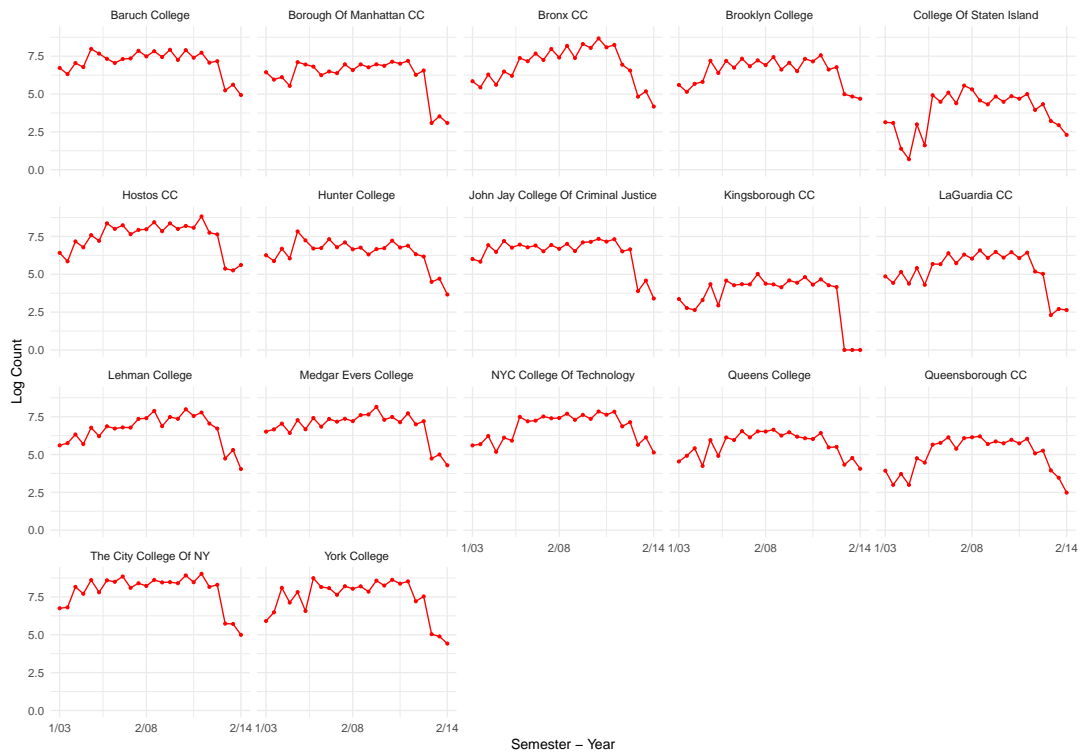
Figure 3: Log count of police stops by semester for each CUNY campus.

	Authorized		Unauthorized	
	N	%	N	%
Gender				
Men	117,039	44.5	4,088	44.1
Women	145,841	55.5	5,174	55.9
Ethnicity				
Hispanic	85,514	32.5	3,184	34.4
Black	69,454	26.4	2,348	25.4
White	64,870	24.7	973	10.5
Asian	42,333	16.1	2,733	29.5
Degree				
2 year	113,047	43.01	3,874	41.83
4 year	149,833	56.99	5,388	58.17
	Mean	SD	Mean	SD
Semester GPA	2.38	1.16	2.66	1.03
Age	19.75	4.12	19.65	3.71
College Admission Av.	77.51	7.98	79.66	8.12

Table 2: Gender, ethnicity, degree type, semester GPA, age, and College Admission Average (min: 50; max: 100) of first semester students at CUNY campuses 2003-2012.

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3.2 Empirical strategy

We test the hypothesis that widespread police stops have unintended spill over effects on undocumented students, by causing them to underinvest in education. There are several potential outcomes capturing a deteriorating study performances, such as the average grade or if an individual fails classes, changes campus, or drops out. In our initial analysis we focus on the students' semester level GPA, which is likely to be the most general and sensitive outcome measure. Police stops are measured by the log count of police stops per semester in a 1 kilometer radius around a given campus. With these main variables, we estimate the following model, where i is an individual student at campus c in semester t:

$$y_{ict} = \beta_0 + \beta_1 ln(stops)_{ct} + \beta_2 ln(stops)_{ct} * Undoc_{ict} + \beta_3 Undoc_{ict} + \beta_4 X_{ict} + \theta_c + \theta_t + \varepsilon_{ict}$$

X_{ict} is a series of covariates that includes an individuals College Admission Average, age when enrolled, and ethnicity. The time variation in police stops could be driven by multiple factors such as changes in crime levels, demographic changes, or local instructions to the police officers. Our empirical strategy is based on the assumption that any such underlying cause affects all students' performance in the same way, but the actual number of police stops adversely affects undocumented students due to their lack of legal status. We also control for crime levels around each campus using NYPD data on the number of reported crimes (violation offenses, felony offenses, misdemeanor offenses, non-felony offenses) at the precinct level, and include campus (θ_c) and semester (θ_t) fixed effects.

4 Results

In Table 3 we present several different specifications of our main model. All models confirm earlier findings according to which unauthorized students generally show better academic performances than their peers (Conger and Chellman, 2013). This advantage, however, decreases as the number of police stops around a campus increases. While the effect is significant in all models, the effect size is relatively small. If at each campus the measured amount of police stops per semester would be increased by 1500 (roughly one standard deviation), we would expect the average semester GPA of unauthorized students in our sample to drop by 0.07. If a hypothetical unauthorized student was moved from the campus-semester with the fewest police stops to the campus semester with the most police stops, the negative effect of police stops would balance the general academic lead of unauthorized students.

One concern might be that there are trends in both unauthorized students' performance and police stops, leading to a spurious correlation. To test for this, we perform a robustness check, where we estimate model 4 in Table 3 with lags and leads of one or two semesters in Table 4. No model with lags or leads estimates a substantial effect of police stops, as the point estimates are close to zero and only 0.1 percent of the original effect size. The result lends credibility to the main result, that

Table 3:

	(1)	(2)	(3)	(4)	(5)
			Dependent variable:		
			Semester GPA, OLS		
Log Stops	−0.010	0.006	0.006	0.006	−0.023**
	(0.008)	(0.008)	(0.020)	(0.015)	(0.011)
Unauthorized	0.511***	0.497***	0.497***	0.497***	0.498***
	(0.085)	(0.080)	(0.085)	(0.066)	(0.069)
College Adm. Av.		0.052***	0.052***	0.052***	0.052***
		(0.0005)	(0.001)	(0.001)	(0.001)
Age		0.040***	0.040***	0.040***	0.038***
		(0.001)	(0.003)	(0.001)	(0.001)
African American		−0.186***	−0.186***	−0.186***	−0.190***
		(0.010)	(0.030)	(0.013)	(0.013)
Hispanic		−0.194***	−0.194***	−0.194***	−0.196***
		(0.009)	(0.023)	(0.011)	(0.011)
Asian		0.037***	0.037	0.037***	0.035***
		(0.010)	(0.030)	(0.013)	(0.013)
Native American		−0.128**	−0.128**	−0.128**	−0.128**
		(0.061)	(0.056)	(0.051)	(0.053)
Log Stops * Unauthorized	−0.042***	−0.052***	−0.052***	−0.052***	−0.052***
	(0.013)	(0.012)	(0.013)	(0.010)	(0.011)
Constant	2.632***	−2.538***	−2.538***	−2.538***	−32.661
	(0.062)	(0.076)	(0.131)	(0.124)	(22.324)
Campus & Semester FE	✓	✓	✓	✓	
Covariates		✓	✓	✓	✓
SE at Campus			✓		
SE at Campus-Year				✓	✓
Campus time trend					✓
Observations	121,127	121,127	121,127	121,127	121,127
R^2	0.060	0.167	0.167	0.167	0.166
Adjusted R^2	0.060	0.167	0.167	0.167	0.166

Note: *p<0.1; **p<0.05; ***p<0.01
Male, 1st semster students 2003 - 2012
Reference category for ethnicity is "White".
Controlled for but not shown are different precinct level crime measures.

students are responding to the level of police stops in the current semester.

Table 4:

	(2 lags)	(1 lag)	(No lag/lead)	(1 lead)	(2 lead)
			Dependent variable:		
			Semester GPA, OLS		
Log Stops	−0.00001	−0.00001	−0.008	−0.00001	−0.00001
	(0.00001)	(0.00001)	(0.015)	(0.00001)	(0.00001)
Unauthorized	0.204***	0.216***	0.426***	0.215***	0.199***
	(0.024)	(0.024)	(0.071)	(0.024)	(0.025)
Log Stops *	−0.00004***	−0.00004***	−0.042***	−0.00003***	−0.00003***
Unauthorized	(0.00001)	(0.00001)	(0.011)	(0.00001)	(0.00001)
Constant	−2.561***	−2.541***	−2.536***	−2.552***	−2.529***
	(0.089)	(0.089)	(0.117)	(0.091)	(0.091)
Observations	109,647	109,647	109,647	109,647	109,647
R^2	0.172	0.172	0.172	0.172	0.172
Adjusted R^2	0.172	0.172	0.172	0.172	0.172

Note: *p<0.1; **p<0.05; ***p<0.01
Male, 1st semester students 2003 - 2012
Covariates: College Admission Average, Age when enrolled, Ethnicity, Crime

5 Conclusions

Our results show that the study performance of unauthorized immigrant students was negatively affected by SQF. Hence, the use of the police tactics known as terry stops may affect unauthorized immigrants in unintended ways. The fact that educational performance is affected is particularly troublesome, as it has implications for economic mobility for a group that is already marginalized. While the SQF program is still active in NYC, the number of police stops have declined rapidly from the peak in the early 2010s. However, Donald Trump has recently called for a nation-wide SQF policy (REF). In the light of our results, it's important to account for second order effects when evaluating the pros and cons of SQF programs.

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A Appendix

A.1 Data

The CUNY 2001-2015 data was made available by...

The NYPD SQF data 2003-2014 is publicly available at www1.nyc.gov/site/nypd/stats/reports-analysis/stopfrisk.page. For all stops where the location information only contains an address we search for the address in google maps to obtain the exact coordinates. In total we conducyed this search for X stops, and found the coordinates for X percent of the cases.

The NYPD crima data is available at www1.nyc.gov/site/nypd/stats/crime-statistics/historical.page.

A.2 Figures

Figure A1: NYPD UF 250 form