

## Police cooperation in internal enforcement of immigration control - Germany, United Kingdom and the United States of America

### Synopsis

The project compares the collaboration of immigration authorities and the police, notably the role of the police in the enforcement of immigration law in the interiors of three countries: Germany, the United Kingdom, and the United States of America.

Internal immigration enforcement is still mainly each individual state's concern though significant irregular migration and terrorist attacks lead to common trends towards more restrictive laws and enforcement. Both, however, still differ widely across the Atlantic, between European Union member states, and even within states between regions and cities. In certain cities and rural areas, the police are confronted with irregular migrants in their daily work. What happens if they come across an irregular migrant in the course of their crime-fighting mission, in traffic control, or as witnesses of a crime? So far, research has compared migration control regimes between countries but not enforcement agencies. This study addresses this gap and focuses on the role of police in immigration enforcement, particularly in the detection and arrest of irregular immigrants.

### Aims and objectives

The aims of this study were to examine, conceptualise and theorise the implications of different patterns of cooperation between immigration authorities and the police in the three countries. The focus was directed towards (1) police forces that are active at the local level in cities with a high level of immigration, (2) interactions of public service agencies, and (3) issues of implementation and policies outcomes. All three countries are similar in that they face high levels of immigration and have developed multiple and migration control policies. However, they differ regarding the roles of the police in immigration enforcement. Thus, the three cases provide a better understanding of the patterns of police-immigration authorities' cooperation.

### Methods

The study builds upon various research projects completed over the past decade. Further to this, considerable desk research on recent developments was conducted. Additionally, interviews were carried out and further information sought from police and immigration officers.

Data was analysed and compared according to three main dimensions and parameters.

- *hardware*: structural aspects of control, i.e. existence of organizations, their internal structure, and their tasks.

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- *software*: informational aspects of the enforcement process, i.e. how agencies' gain and exchange information about immigrants including the capacities for safe and fast identification of persons.
- *culture of police*: aspects of organizational culture and its changes over time that influence immigration control capacities.

### Key Findings

The UK and Germany have general police forces that have the right and duty to enforce immigration regulations. In the US, this task allocation is contested and applied in widely diverging ways in different regions. In all three countries, there is a trend towards more involvement of the local police in immigration law. Whilst the German police is already fully integrated in this task, in the UK and US institutional integration and formal institutional cooperation (US) are promoted although only partially and regionally established.

In the UK and the US, citizens are neither registered nor required to carry identification cards and identities are not easily verified, though in the UK this is about to change soon with the introduction of identity cards for foreign residents. In Germany, all residents have to be listed in the local registers and must possess and always carry identity cards, thus identity checks are straightforward. In the UK, data on foreigners who are in the country legally is stored by the Home Office, though information is not always well organized or readily accessible. In the United States, the police have access to the immigration status databases of the federal immigration authorities and the Federal Bureau of Investigation. However, the latter provides information only for a select subset of immigrants and has produced a high rate of false positives. In Germany, the police have efficient computerized means to identify irregular migrants at their disposal: the general residents register; the register of legal aliens, a database on persons who have received expulsion orders and on irregular entrants and asylum seekers; and a system to check people who entered Germany with a legal visa.

Thus, Germany has the most and the UK the least developed systems, though in the US and the UK, new trends toward more local police involvement could be found. This was aimed for on the bases of both institutional cooperation and by the development of better databases and documents for faster identification.

With regard to the culture of control, the USA and the UK are similar, whilst Germany represents a significantly different case. In all three countries there are legal prohibitions against discrimination based upon race or ethnicity. However, only in the UK and the USA are there long traditions of advocacy groups and the media that support such principles. Community relations are highly valued, racial profiling (suspicion based upon physical appearance) rejected and new, 'tougher' enforcement measures targeting immigrants are often controversial. In Germany priority is given to control strategies and comprehensive information systems that are geared up for rapidly determining the immigration status of 'suspects' and racial profiling seems widely accepted.

In sum, it may be that none of the three countries under study has so far developed ways of police involvement in immigration control that are fair to immigrants while at the same time adequate for the police crime-fighting mission. Instead, police officers in all three countries have been placed in dilemmas that they cannot solve.

For the full study see: Dita Vogel, William McDonald, Franck Düvell, Bill Jordan, Vesela Kovacheva, and Bastian Vollmer, *Police Cooperation in Internal Enforcement of Immigration Control: Learning from International Comparison*. In William McDonald (ed), *Immigration, Crime and Justice*. Sociology of Crime, Law and Deviance, vol 13, Emerald, 2009, 207-244.

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