



Reconsidering Immigrant Illegality: How Immigrants Perceive the Risk of Immigration Law and Enforcement

Citation

Asad, Asad L. 2017. Reconsidering Immigrant Illegality: How Immigrants Perceive the Risk of Immigration Law and Enforcement. Doctoral dissertation, Harvard University, Graduate School of Arts & Sciences.

Link

<http://nrs.harvard.edu/urn-3:HUL.InstRepos:41142048>

Terms of use

This article was downloaded from Harvard University's DASH repository, and is made available under the terms and conditions applicable to Other Posted Material (LAA), as set forth at

<https://harvardwiki.atlassian.net/wiki/external/NGY5NDE4ZjgzNTc5NDQzMGIzZWZhMGFIOWI2M2EwYTg>

Accessibility

<https://accessibility.huit.harvard.edu/digital-accessibility-policy>

Share Your Story

The Harvard community has made this article openly available.

Please share how this access benefits you. [Submit a story](#)

Reconsidering Immigrant Illegality:
How Immigrants Perceive the Risk of Immigration Law and Enforcement

A dissertation presented

by

Asad L. Asad

to

The Department of Sociology

in partial fulfillment of the requirements

for the degree of
Doctor of Philosophy
in the subject of

Sociology

Harvard University
Cambridge, Massachusetts

April 2017

© 2017 – Asad L. Asad
All rights reserved.

Reconsidering Immigrant Illegality:
How Immigrants Perceive the Risk of Immigration Law and Enforcement

Abstract

Over the past two decades, researchers have developed a shared understanding of how to study immigrants' everyday lives in an era of restrictive American immigration law and enforcement. This literature on immigrant "illegality" emphasizes the accounts of immigrants punished for violating sometimes-arcane immigration laws in order to foreground all noncitizens' vulnerability to the immigration enforcement system. Yet, this literature seldom considers how the majority of immigrants who lack punitive contact with this system perceive its risk to their lives. This dissertation draws on insights from the sociology of risk, which suggests how past experience shapes one's perceptions of potentially-perilous situations, to explore how a diverse sample of immigrants understands and responds to immigration law and enforcement. I draw primarily on ethnographic and interview data collected over three years with 59 respondents in 28 Latin American households in Dallas County, Texas, as well as supplementary ethnographic data collected at the County's immigration court and Immigration and Customs Enforcement field office. The findings underscore the importance of one's prior contact with immigration law and enforcement for structuring immigrants' risk perceptions of this system. Those with punitive contact generalize the fear stemming from this prior experience to all other domains of social life, regardless of legal status, and seek to evade institutions that may bring about future punishment. But, among those lacking punitive contact, I reveal how system embeddedness—whereby individuals included in the U.S. immigration bureaucracy's formal records exhibit a heightened sense of risk—emerges as one under-theorized dimension of social

control: The undocumented in this sample tend to downplay the risk that immigration law and enforcement pose to their lives because they are unknown to the U.S. immigration bureaucracy, whereas those with relatively-secure legal protections—e.g., discretionary or temporary visa holders, legal permanent residents, and even naturalized citizens under certain conditions—tend to report great risk for being embedded inside it. Finally, I examine the spillover consequences of immigration law and enforcement on U.S.-born Hispanics more broadly who, regardless of their legal status, nevertheless must confront this system by virtue of their social or spatial proximity to immigrant populations. I discuss the implications of my findings for broader sociological theories of surveillance, punishment, and inequality. In particular, I conclude by outlining the contemporary immigration system as a “total institution,” an all-encompassing social arrangement that not only sanctions immigrants who have violated immigration law through its enforcement arm but also instills a sense of risk among those known to its bureaucratic arm.

Table of Contents

Abstract	iii
Table of Contents	v
List of Tables and Figures.....	vi
Acknowledgements.....	vii
Chapter 1: Making Sense of Immigrant “Illegality”	1
Chapter 2: Complexity and Contradiction in Immigration Law and Enforcement	22
Chapter 3: From Immigrant Illegality to Immigrant Risk	47
Chapter 4: Punitive Contact, Fear, and Life in the Shadows	66
Chapter 5: Categorical Risk through System Embeddedness.....	84
Chapter 6: Racialized Legal Status and the Limits of Becoming American	100
Chapter 7: Immigration Law and Enforcement as a Total Institution	129
Appendix A: Reflections on the Long-term Study of Vulnerable Immigrant Populations	165
Appendix B: Interview Guides, 2013-2015	181
Appendix C: Tabular Decomposition of U.S. Hispanics’ Worries of Deportation	195
References.....	196

List of Tables and Figures

Tables

1-1	Demographic and Immigration Characteristics of 59 Respondents in 28 Immigrant Households in Dallas County, Texas.....	15
6-1	Proportion of U.S. Removals by Immigrants' Region of Origin, 2005-2014.....	106
A-1	Comparing Demographic and Immigration Characteristics for Respondents in Hispanic Immigrant Households to All Hispanic Immigrant Households in Dallas County, Texas.....	168
C-1	Percentages of All and Immigrant-only U.S. Hispanics Reporting that They, a Family Member, or a Close Friend Could be Removed, 2008-2017.....	195

Figures

2-1	Proportion of Criminal and Non-criminal Removals Completed by Immigration and Customs Enforcement, 2008-2015.....	35
3-1	Percentage of U.S. Hispanics Reporting Worries that They, a Family Member, or a Close Friend Could be Deported, 2008-2017.....	50
3-2	Percentage of U.S. Hispanic Immigrants by Legal Status Reporting Worries that They, a Family Member, or a Close Friend Could be Deported, 2008-2017.	51
3-3	Proposed Theoretical Model Explaining Immigrants' Heterogeneous Perceptions of, and Experiences with, Immigration Law and Enforcement.....	60
4-1	Apprehensions of Mexicans at U.S. Borders, 1960-2013.....	67
4-2	Returns or Removals from the United States (in thousands), 1960-2013.....	69
6-1	Proportion of Major Racial/Ethnic Groups in U.S. by Nativity and Immigration Status, 2010.....	103

Acknowledgements

Although one name is on the byline of this dissertation, I would not have been able to write it without the support of dozens of individuals. I will try my best to name them all here, attributing any errors of omission to limited brain capacity after having spent the last several months completing this dissertation.

The most obvious place to begin is with my dissertation committee. Mary C. Waters, as my chair, is owed a special debt of gratitude. She is everything that a devoted advisor should be: intelligent but not dogmatic; insightful but not obtuse; and attentive but not onerously so. When faced with what I believed to be pressing, insurmountable concerns about my dissertation research, Mary was quick to hone in on solutions elegant in their simplicity. She has a sharp perspective, knowing what I meant to say even when I hadn't quite said it. And, above all, she is living proof that one can be a productive scholar while maintaining some semblance of a normal life outside the academy. Her support throughout graduate school (and likely beyond) is an example of the type of mentorship I hope to do with my own students.

Filiz Garip also has been a steadfast advisor and mentor, even before I set foot on Harvard's campus. I first spoke with Filiz over the phone as part of an admissions interview for the sociology department in early 2011. My impressions of Filiz from that one phone call—of a clever scholar and a genuine, gracious person—were only magnified once I arrived in Cambridge. Filiz was the first person to write collaboratively with me, treating me every step of the way not as a student but as a colleague. More than just lines on a curriculum vitae, our collaboration gave me the confidence to trust my intuition and be courageous in my own scholarly pursuits. When Filiz moved to Cornell University, we kept in close contact while I navigated the academic job market and wrote the dissertation. Filiz provided me with a clear

perspective when I had lost my own and reminded me that it was OK to take time away from work for self-care during this hectic last year of graduate school.

Mario Luis Small came (back) to Harvard Sociology during my fourth year in the program. Over the last two years, his sharp mind and razor-sharp feedback have challenged me to improve the dissertation's argument. Mario commented on draft chapters—multiple times, in some cases—with remarkably fresh eyes, pushing me to be more forceful in my argument and more exact in my contributions. His suggestion to make better use of my vivid ethnographic and interview data also has improved the dissertation's readability.

Rounding out the dissertation committee was William Julius Wilson. I met Bill in my first year of graduate school while taking his course on race, urban poverty, and social policy. Bill would carefully read each student's weekly response memos and cite them over the course of our class discussion. Years later, as a member of my dissertation committee, Bill was every bit as faithful a reader. His comments demanded greater clarity in the language I used to discuss immigration law and enforcement, as well as critical reflection in how to link respondents' subjective understandings of this system to real-world policy implications.

A number of friends and colleagues provided me with a tremendous social community during my graduate school years. Matthew Clair has uplifted me—intellectually and personally—in ways I didn't think possible. Monica Bell has been a fierce advocate and dedicated friend since day one. Anthony Jack has reminded me of the importance of being earnest. Alix Winter has lent me a critical but nonjudgmental ear for all things academic and personal. I fear that my acknowledgments will exceed the length of my dissertation were I to continue this list, but I should also thank Natasha Anderson, Stefan Beljean, Rachel Bradshaw, Brianna Castro, Kelley Fong, Hope Harvey, Kelly Hennigan, Jackelyn Hwang, Eva Lam, Myra

Lam, Katherine Morris, Jessica Tollette, Sema Taheri, Clara Rose Tracey, Nathan Wilmers, Xiaolin Zhu, and Alba Villamil for their friendship, support, and/or positivity throughout my time in Cambridge. Within the sociology department's main offices, the fantastic logistical (and sometimes personal!) support I received from an unparalleled team over the years—Odette Binder, Nancy Branco, Genevieve Butler, Deb De Laurell, Dorothy Friendly, Jessica Gauchel, Gretchen Gingo, Kristen Halbert, Laura Kistler, Dotty Lucas, Kimberly Lyle, Jessica Matteson, Lisa McAllister, Suzanne Ogungbadero, and Laura Thomas—helped to make graduate school as stress-free as humanly possible.

The data on which the dissertation is based initially were collected as part of a study on how low-, middle-, and high-income black, white, and Hispanic families make residential decisions. This project, *How Parents House Kids*, is led by Kathryn Edin and Stefanie DeLuca of Johns Hopkins University and funded by the Annie E. Casey Foundation and the John D. and Catherine T. MacArthur Foundation. I joined the project in early 2013 at Kathy's suggestion that my Spanish-language skills could be valuable in Dallas. I could not have expected that we would find such a special sample of Hispanic-immigrant families on which to base my dissertation. I am especially grateful to Kathy and Stefanie for their support of my independent work on their larger research project. Jessie Albee, Megan Prior, and Terri Thomas at Johns Hopkins provided fantastic administrative support for the *How Parents House Kids* team.

A large group of fieldworkers was needed to carry out such an ambitious project. In addition to myself, Monica Bell, Melody Boyd, Brielle Bryan, Hilario Dominguez, Sophie Damas, Jennifer Darrah, Kaitin Edin-Nelson, Jennifer Ferentz, Kelley Fong, Philip Garboden, Meredith Greif, Hope Harvey, Barbara Kiviat, Holly Howell Koogler, Margot Moinester, Ann Owens, Kristin Perkins, Kathryn Reed, Anna Rhodes, Eva Rosen, Beth Scheueller, Angela

Simms, Elizabeth Talbert, Jessica Tollette, and Siri Warkentien shared in the joy of thousands of combined hours of driving around sprawling cities, knocking on hundreds of doors, conducting interviews, analyzing data, and critiquing one another's assumptions about the social processes identified over the course of the study. My ability to write this dissertation is in large part a testament to the team's tireless efforts before, during, and after the fieldwork process. I also thank Sara Asad-Innab for her expert research assistance during my third year of fieldwork.

Several people in addition to my dissertation committee members provided constructive feedback on the arguments presented throughout the dissertation. For this, I thank Monica Bell, Bart Bonikowski, Matthew Clair, Tiffany Joseph, Tamara Kay, Helen Marrow, Onoso Imoagene, Alba Villamil, and Alix S. Winter. Audiences at the Culture and Social Analysis Workshop, the Migration and Immigrant Incorporation Workshop, the Social Demography Seminar, and the Weatherhead Center for International Affairs at Harvard University, as well as at Rice University, the University of Michigan, the University of Pennsylvania, the University of Toronto, and the University of Wisconsin helped me to hone in on a larger theoretical argument.

Of course, no dissertation project based on observational data could be written without the consent of the study participants. I am particularly grateful to the 59 people in 28 Hispanic-immigrant households who agreed to be interviewed at least once over this three-year study. They did not have to trust me or my intentions when I came knocking on their doors, but I appreciate that they did. Immigration judges, attorneys, and police officers, as well as dozens of additional immigrants currently being processed through the immigration enforcement system, also allowed me access to their understandings of and experiences with immigration law.

I benefitted from a number of fellowships throughout my time at Harvard that either facilitated my independent data collection or allowed me the time and space to write. Funding

from the Beinecke Scholarship and the National Science Foundation Graduate Research Fellowship provided stipend support during my first five years at Harvard. The Center for American Political Studies and the Program on Criminal Justice equipped me with the start-up funds necessary to carry out an independent research agenda. The Multidisciplinary Program on Inequality and Social Policy—supported by the incomparable Pamela Metz—not only provided funding to support my research efforts but also granted me the opportunity to learn from a gifted set of peers with diverse viewpoints. The Weatherhead Center for International Affairs likewise provided research support and a stimulating intellectual and interdisciplinary environment; it was there that I outlined the beginnings of this dissertation project. I am especially grateful to Steve Bloomfield, Ted Gilman, and Clare Putnam for their support over my three years at the Weatherhead Center. Finally, I am grateful for the support of the Radcliffe Institute for Advanced Study, which provided me both a dissertation-completion fellowship and a comfortable office space in which to think about and write the bulk of my dissertation. Lizabeth Cohen, Judy Vichniac, Sharon Bromberg-Lim, Rebecca Haley, and Mervi Karttunen ran an impressive operation to ensure that the Radcliffe Fellows’ year ran as smoothly as possible. The 2016-2017 Radcliffe Fellows were an enviable group of scholars and artists whose devotion to their craft heightened my own. I especially would like to thank Steve Epstein, Aisha Khan, Kristen Schilt, and Hala Zreiqat for their warm encouragement throughout the year.

Last, but certainly not least, I would like to thank my family. My parents, Lugman and Naziha, emigrated from the West Bank to the U.S. decades ago. They left their homeland in search of a better life for themselves and the family members they left behind. Although neither graduated from college, they worked to ensure that their six children—Sara, Wisam, Samer, Amani, Amjad, and I—would have every educational opportunity they were never afforded. My

siblings, siblings-in-law Huda Asad and Karemih Asad, nephews and nieces Adam, Jenna, Amin, and Hadi, and I are different in many ways, but we share a love and appreciation for the sacrifices Baba and Mama made on our behalf. To my family, whose perpetual confidence that I could and would be the first in the family to earn a doctorate, thank you for standing behind me. I owe so much to each of them, but my greatest debt is to my twin brother, Amjad. It may sound trite, but he has been my best friend and loudest cheerleader (and critic) since pre-K. We continued to follow one another until college graduation. Although we have spent the last six years on separate coasts, Amjad reminds me daily to be my best and to do my best. Graduate school would have been impossible without him.

Chapter 1: Making Sense of Immigrant “Illegality”

The 2016 presidential election was a watershed moment in the study of migration and immigrant incorporation in the United States, particularly with respect to immigration law and enforcement. Though an unlikely candidate, billionaire-turned-politician Donald J. Trump thrust himself into the national spotlight in June 2015 with his comments about the caliber of immigrants entering the U.S., specifically those from Mexico. “When Mexico sends it people,” he asserted, “they’re not sending their best. [...] They’re sending people that have lots of problems.... They’re bringing drugs. They’re bringing crime. They’re rapists. And some, I assume, are good people.” In addition to promising the creation of a “deportation force” to locate, detain, and remove the 11.3 million undocumented immigrants living in the U.S.—only half of whom are Mexican—the then-candidate vowed to build a wall at the Mexico-U.S. border to keep out “undesirable” immigrants.

When Mr. Trump announced his candidacy for president, I was in Dallas County, Texas, carrying out a third round of fieldwork for my dissertation. I was interviewing Elizabet, a 38-year-old Mexican national and mother of four children. An undocumented immigrant since her arrival to the U.S. in 1999, I was curious as to her thoughts about Mr. Trump’s strong rhetoric. What she said surprised me: “Well, I would also be mad if someone went and made a scandal in Mexico, if they went to rape, to kill, to do all of that, in Mexico.” She explained that, although Mr. Trump made a rash generalization about an entire group of individuals, she is “100 percent in agreement with deporting the ones who misbehave because, sorry, they’re my fellow countrymen and everything, but why do they come here to do harm, right?” Elizabet was quick to point out, however, that she was not one of “those bad people,” and she rejected any notion that she would be among those rounded up by Mr. Trump’s “deportation force.”

Elizabeth's account might, to some readers, represent a psychological coping mechanism. Given Mr. Trump's depiction of Mexicans as a mixed bag of "good people" and "criminals," it is possible that Elizabeth downplayed the risk that she would be removed in order to prevent high levels of anxiety, fear, and stress from accumulating and affecting her daily routine. This certainly would be a reasonable hypothesis. As my fieldwork continued that summer, however, I realized that Elizabeth's was not simply a story unique to undocumented immigrants; even immigrants *with* legal standing validated Mr. Trump's rhetoric. For example, Alicia—a 45-year-old Mexican national, U.S. legal permanent resident, and mother of five children—defended Mr. Trump's controversial speech in an interview just three days after he gave it. She explained that Mr. Trump was describing "the few murderers, thieves, and drug dealers who are Mexican. We just got included along with them." She even reassured her adult son that Mr. Trump was accurate in his assessments: "We watched him speak, and I told my son, 'He's right to some extent because you can find good Mexicans, bad Mexicans, cheaters, and everything.'" Alicia believed that, so long as she avoided "criminal behavior and kept up my good behavior," she need not be too concerned with what a Trump presidency might entail for her own life.

What was clear in my conversations with Elizabeth, Alicia, and others was that they espoused diverse views about immigration law and enforcement. These views sometimes seemed incompatible with narratives of their "living in the shadows," or the idea that the threat of removal—commonly known as deportation—structured every aspect of immigrants' daily lives. The question for me was why were these respondents not more afraid, not of the candidate specifically but rather of the broader deportation threat dynamics his rise intimated?

Despite the strength of Mr. Trump's anti-immigrant rhetoric, it is worth noting that many of the dynamics he outlined had been a fixture in political discourse long before his own political

ascent. Although founded as a “nation of immigrants,” the U.S. maintains a complex and sometimes-contradictory history of welcoming its newcomers. In a 1980 debate for the Republican presidential nomination, for example, George H.W. Bush declared, “I’d like to see something done about the illegal alien problem...” in order to avoid “creating a whole society of really honorable, decent, family-loving people that are in violation of the law....” His opponent Ronald Reagan, who would win the nomination and later become president, agreed. In a 1984 speech, President Reagan advocated for comprehensive immigration reform as a necessity “for those who have put down roots and lived here” while also calling for increased border security because the U.S. had “lost control of our borders and no nation can do that and survive.” Later, and after accepting the 1988 presidential nomination from the Republican National Convention in New Orleans, George H.W. Bush anointed the U.S. “the enduring dream of every immigrant who ever set foot on these shores, and the millions still struggling to be free.” During the signing of the 1990 Immigration and Nationality Act, which would open “the ‘front door’ to increased legal immigration,” President Bush then assured the American public that the Act “also provides needed enforcement authority.... [that] provides for the expeditious deportation of aliens who, by their violent criminal acts, forfeit their right to remain in this country. These offenders...jeopardize the safety and well-being of every American resident.” This rhetoric crossed party lines as well, with President Bill Clinton affirming in his 1996 State of the Union address as he announced additional regulations that would deny federal contracts to businesses that hire undocumented immigrants: “Let me be very clear about this: We are still a nation of immigrants; we should be proud of it. We should honor every legal immigrant here, working hard to become a new citizen. But we are also a nation of laws.”

What stands out in these quotations is neither party nor politics but rather two important developments in the U.S. federal government’s approach to immigration, with Mr. Trump only the latest and most vocal manifestation of these dynamics. First is the federal government’s embrace of “legal,” “hardworking,” and “family-loving” immigrants on the one hand, and a rejection of “violent,” “criminal” aliens who do not respect our “nation of laws” on the other. The political demand for admitting “good,” and excluding “bad,” immigrants occurred as the Hispanic population in the U.S. expanded rapidly: Hispanics grew from about seven percent of the population in 1980 to 17 percent in 2015.¹ The undocumented population, too, grew during this same time period, from 21 percent of all U.S. immigrants in 1980 to 27 percent in 2015 (Krogstad et al., 2017).² Mexicans constitute the majority of all U.S. Hispanics (64 percent) in 2015, as well as the single largest group of undocumented immigrants in this country (52 percent). The increased prevalence of Hispanics—native and foreign born—throughout the second half of the twentieth century helped to spur heated debates laced with nativist meanings about who should be included—and who excluded—from American society.

Second is the entrenchment of a narrative that the U.S. immigrant population was something to be regulated, monitored, and sanctioned, especially for those who put the “safety” and “well-being” of other denizens at risk. A campaign by politicians, immigration officials, and the media framed immigration as a threat to national security and rallied public support for imposing stricter regulations on the immigrant population. Although the immigration enforcement system was initially intended to regulate the entry and exit of undocumented immigrants, restrictive legislation targeting all immigrants—the undocumented, temporary or discretionary status holders, legal permanent residents, and even naturalized citizens—soon

¹ Source: Author’s tabulations of 1980 U.S. Census and 2015 American Community Survey (five-year estimates).

² Source: Author’s tabulations of 1980 U.S. Census and 2015 American Community Survey (five-year estimates).

emerged in the 1990s. I review these important immigration laws in greater detail in Chapter 2, but the most critical changes they brought include the *de jure* distinction between (naturalized) citizens and “legal” and “illegal” noncitizens; a contraction in the number of categories of “legal” immigrants able to experience societal membership; and the blanket increase in all immigrants’ legal vulnerability to removal. The stage was set for a dramatic recasting of which legal categories of immigrants could become American, both in an objective, legal sense and a subjective, personal sense.

The Question

In this dissertation, I explore how U.S. immigrants holding a range of legal statuses understand and experience the contemporary system of immigration law and enforcement. I seek to characterize and explain their diverse perspectives and interactions with this system, which has expanded its focus to include the detection, apprehension, and removal of not just undocumented but also various stripes of documented immigrants, including naturalized citizens.

Much has been written about this topic, in multiple disciplines, and in a short time period. Over the past two decades, researchers have developed a shared and largely-homogeneous understanding of how to study immigrants’ everyday lives in an era of restrictive American immigration law and enforcement. This literature on immigrant “illegality” (see Menjívar & Kanstroom, 2013) examines how immigration law and enforcement implicate not only the undocumented but also documented immigrants who have been punished for violating sometimes-arcane immigration laws (De Genova, 2002; Eagly, 2010, 2013; Hagan et al., 2011; Kanstroom, 2007; Menjívar, 2006; Menjívar & Lakhani, 2016; Stumpf, 2006). Whether through detention, removal, or both, illegality studies foreground the accounts of immigrants subjected to enforcement actions to underscore all noncitizens’ “deportability and potential illegality”

(Golash-Boza, 2013: 203). This research also highlights the educational (Abrego, 2006; Gonzales, 2011), economic (Donato & Sisk, 2012; Hall et al., 2010), and residential (Hall & Greenman, 2013; McConnell, 2015) consequences of punishment on immigrants' daily lives.

Anthropologist Nicholas P. De Genova (2002) systematized the study of immigrant illegality as both a theoretical concept and empirical subject worthy of social-scientific scrutiny. To examine immigrant "illegality" is not simply to study undocumented persons. Immigrant illegality research instead foregrounds how the law "engender[s] the conditions of possibility for 'legal' as well as 'illegal' practices" (De Genova, 2002: 424) that govern individuals' everyday lives. Those who have engaged in "illegal" practices face detention and/or expulsion from the country. However, and as President George W. Bush noted in 2006, "It is neither wise nor realistic to round up millions of people, many with deep roots in the United States, and send them across the border." A key insight of the immigrant illegality perspective, then, is that illegality may be experienced "through a palpable sense of deportability, which is to say...the possibility of being removed from the space of the nation-state" (De Genova, 2002: 439). Thus, even absent punitive contact with the immigration system, immigrants across legal categories are thought to experience the possibility of their removal as an ongoing form of social control.

A nascent but rapidly-growing body of research on immigrant illegality generally has found support for De Genova's theoretical suppositions. Drawing on case studies of individuals confronting detention or removal, this work foregrounds how immigrants across legal categories perceive and respond to immigration law and enforcement in ways characteristic of the popular "living in the shadows" trope. For example, one study shows how recently-deported undocumented and documented immigrants are "afraid to leave home, drive their cars, or go out in public," lest immigration authorities detect, detain, and deport them once again (Hagan et al.,

2011: 1822-1823). Parallel findings have been presented in studies examining specific legal categories of immigrants, including the undocumented (Abrego, 2006; Aranda & Vaquera, 2015; Gonzales, 2015), those with temporary or discretionary statuses (Abrego, 2011; Gonzales et al., 2014; Menjívar, 2006), legal permanent residents (Golash-Boza, 2015; Kanstroom, 2007), and even naturalized or native-born U.S. citizens (Aranda et al., 2014; Stevens, 2011).

Yet, with its focus on immigrants who have experienced punitive system contact, illegality research seldom has considered how the majority of immigrants who lack such contact perceive and experience immigration law and enforcement. How does the threat of immigration law and enforcement shape these immigrants' daily lives? Existing research on this question is puzzling. Due to their overrepresentation in enforcement actions (Rosenblum & McCabe, 2014), most work focuses on the situation of U.S. Hispanics, majorities of whom report no contact with this system. For example, just 23 (28) percent of native- (foreign-) born Hispanics in the U.S. reported in a recent national survey that they “personally know someone who has been deported or detained by the federal government for immigration reasons” (M. H. López et al., 2013). Illegality studies would lead us to expect that just the threat of detention or removal is sufficient for contributing to these individuals' “lives in the shadows” (Chávez, 2012 [1992]; De Genova, 2004; Menjívar & Kanstroom, 2013). However, these same survey data suggest that 51 (41) percent of native- (foreign-) born Hispanics worry “not much” or “not at all” about removal. Although central to our understanding of how the enforcement system affects the minority of immigrants and their families it has punished, then, these considerations intimate that a framework focused primarily on “illegality” occludes not only a richer set of perspectives on the risks this system poses to immigrants but also the processes underlying their myriad assessments.

The Argument

Illegality studies have yielded critical insights into the lives of immigrants punished for violating immigration law. But a framework focused on the perspectives and experiences of immigrants who have violated immigration law risks co-optation in heated academic and policy debates about immigration law and enforcement (Menjívar & Kanstroom, 2013: 4-5). Alternative ways of conceptualizing how this system renders its subjects dominated while, at the same time, allowing for individual agency, are necessary if we are to understand the fuller range of effects immigration law and enforcement have on individuals' lives. This movement toward frameworks that balance social structure and individual agency reflects a broader consensus in socio-legal studies that foregrounding vulnerable populations' variegated experiences with institutions of legal control generates more complete insight into how the law's enforcement—and its subversion—reproduces systems of inequality in the United States (Stuart et al., 2015: 236).

The sociology of risk, which explores how individuals understand and respond to the same potentially-perilous situation differently, offers insights that may inform studies on how immigrants perceive the threat immigration law and enforcement pose to their everyday lives. The last several decades have evinced tremendous academic interest in understanding individuals' heterogeneous risk assessments, and from several disciplines (Johnson & Tversky, 1983; Slovic et al., 1980; Tversky & Kahneman, 1974; Vaughan & Seifert, 1992). In sociology, Ulrich Beck (1992: 21) advanced the study of a “risk society,” defined as “a systematic way of dealing with hazards and insecurities” brought about by modernization and its concomitant reliance on technology. These insights were later exported to extreme settings, such as studies of nuclear disaster (Adam et al., 2000) and environmental hazards (Fothergill & Peek, 2004).

At its core, the sociology of risk distinguishes analytically between *perceived risk*, *personal risk*, and *fear*. Perceived risk refers to a judgment-based, general concern about an

event's likelihood; personal risk to the perceived risk that the event occurs to oneself; and fear to a negative, emotional reaction to a specific, past event (Slovic et al., 1980). These analytical distinctions, enumerated here from most general to most specific, are important because they suggest the importance of personal experience in shaping individuals' risk assessments. A person may be aware that an event—such as detention or removal—is a possibility for all similarly-situated individuals, for example, but whether he or she believes the event will affect them directly varies by the nature of their prior experience with the same event.

This is the first and central thesis of the dissertation: U.S. immigrants—undocumented or otherwise—do not hold a single view of immigration law and enforcement. Consider, for example, the nationally-representative survey data described earlier. In comparing survey data from 2010 and 2013, it is clear that foreign-born Hispanics in the U.S. hold varied perspectives about immigration law and enforcement. Although it is certainly the case that substantial proportions of U.S. Hispanic immigrants worry “a lot” or “some” that they or a loved one could be removed—69 (59) percent in 2010 (2013)—what of the 31 (41) percent who worry “not much” or “not at all”? These survey data do not discount the potential for local-level variation in the degree to which foreign-born Hispanics perceive risk—particularly in locales such as Phoenix, Arizona, where “draconian laws are implemented with particular zeal” (Menjívar, 2013: 1098)—but they do suggest that a framework focused primarily on illegality overlooks a richer set of perspectives on the risks the enforcement system poses to U.S. Hispanics—native- or foreign-born—more broadly.

But immigration law and its enforcement are bound neither to a single setting nor to a single set of regulations. Not only does this system span both sides of the Mexico-U.S. border, but also the extent to which its regulations are enforced varies tremendously within the U.S.

Each decision an immigrant makes—the decision to cross, the choice of how to enter the U.S., and how to carry out their lives in order to avoid unwanted attention from law enforcement officials—occurs within a different socio-legal context, each posing its own set of risks for immigrants to weigh, strategize against, and confront as they go about their daily lives.

This is the second thesis of the dissertation: Just as U.S. immigrants hold different views regarding immigration law and enforcement, the sources of these diverse perspectives stem from the multiple and dynamic socio-legal contexts they inhabit. At the macro level, the United States federal government is responsible for determining the conditions of entry and exit into the country, including the legal basis for all immigrants' detention and removal. However, a federal gridlock on immigration reform since 1996 has led to a “new immigration federalism” in which states across the U.S. craft their own immigration laws and enforcement policies (Gulasekaram & Ramakrishnan, 2015). Some states, such as Arizona, are notoriously hostile to immigrants while others, such as California, are relatively welcoming. Between these policy extremes are mixed-policy contexts (Karoly & Perez-Arce, 2016), restrictive of immigrants in some domains of social life but unrestrictive in others. And, even within states, localities vary in the degree to which immigration law is enforced (Gulasekaram & Ramakrishnan, 2015). Immigrants' risk calculations thus depend not only on individual characteristics such as legal status but also on the socio-legal contexts they inhabit at various stages of the migration process, including when deciding to cross, when crossing, and when settling in the U.S.

Contemporary immigration theory—with its focus on immigrant illegality—has made great strides in establishing legal status as a new and dominant form of social stratification in the U.S. (Massey, 2007; Waters & Kasinitz, 2015), particularly for the minority of immigrants who have violated immigration law. In so doing, however, it has paid less attention to the perspectives

and experiences of the majority of immigrants who lack punitive contact with this system. As Gonzales (2015: 31) notes in his study of undocumented immigrants, “[t]here are dangers inherent in telling only one story about the lives of many people,” especially if doing so overlooks “the contextual forces that shape, constrain, and promote [immigrants’ sense of] inclusion.” An alternative way of conceptualizing the system of immigration law and enforcement that systematizes why immigrants hold the heterogeneous risk assessments that they do is necessary if we are to understand the full scope of consequences that this system has not only on the minority of individuals punished by its enforcement arm but also on the majority of individuals who lack such punitive contact.

This is the third thesis of the dissertation: Studying how U.S. immigrants understand and respond to risk broadens our understanding of the pernicious consequences of immigration law and enforcement on all U.S. immigrants who, despite having lived in the country for decades, understand their attachment to American society to be tenuous at best and—irrespective of whether they hold a secure legal status—have internalized the risk that they could be removed from the country as they go about their daily lives should they “misbehave.” These assessments of risk are multiple and their sources varied: Those with punitive system contact generalize the fear stemming from this prior experience to all other domains of social life, regardless of legal status, and seek to evade institutions that may bring about future punishment. This finding is consonant with recent research on urban crime and policing that describes a process of *system avoidance*, whereby individuals with criminal-justice contact avoid mainstream institutions in an attempt to evade future punishment (Brayne, 2014; A. Goffman, 2009). But, among those lacking punitive contact, I outline how categorical risk—concern about an event’s likelihood stemming from one’s real and perceived social position before the law—shapes immigrants’

assessments of risk. In particular, I find that the undocumented in my sample tend to downplay the personal risk immigration law and enforcement pose to their everyday lives because they are unknown to the U.S. immigration bureaucracy, whereas those with legal status tend to report great personal risk for being known to it. In this way, and enforcement contact aside, what I term *system embeddedness*—whereby individuals included in the U.S. immigration bureaucracy’s formal records exhibit a heightened sense of risk—emerges as an explanation for differences in respondents’ risk assessments across legal categories.

Taken together, these findings point to the fourth and final thesis of the dissertation: How the Latin American immigrants in this sample understand and respond to immigration law and enforcement suggest this system’s role as a “total institution” (E. Goffman, 1961), an all-encompassing social arrangement that not only sanctions immigrants who have violated immigration law through its enforcement arm but also instills a sense of risk among those known to its bureaucratic arm. This framework therefore helps us to more fully understand this system’s pernicious consequences on all U.S. immigrants who perceive themselves not just as “illegal” or “legal” but also as the targets of governmental surveillance that threatens to remove them from American society. I outline this theoretical perspective in the final chapter of the dissertation.

Research Design

This dissertation expands our understanding of the effects of immigration law and enforcement by studying how a legally-diverse sample of immigrants—not only the minority with punitive contact but also the majority lacking said contact—understand and experience this system. Informed by conceptual insights from the sociology of risk, which foregrounds how past experiences shape one’s perceptions of perilous situations, I advance immigrant risk as a theoretical tool for systematizing the heterogeneous ways immigrants perceive immigration law

and enforcement. This concept relates micro-level variations in perceptions of this system to individuals' ongoing and complex calculations of risk stemming not only from their personal characteristics but also from the broader socio-legal context within which they are embedded. Empirically, I focus on the experiences of Latin American immigrants holding different types of legal statuses as they navigate everyday life in Dallas County, Texas. Whereas illegality studies typically foreground the experiences of individuals from various national origin groups living in hostile local policy contexts (e.g., Menjívar, 2006; Menjívar & Abrego, 2012; Menjívar & Lakhani, 2016), I zoom in on the experiences of mostly-Mexican immigrants in a moderate policy setting in order to study a fuller range of individual experiences across legal categories.

My primary data source consists of ethnographic and in-depth interview data gathered over three years with 59 respondents in 28 Latin American immigrant households in Dallas County, Texas (hereafter "Dallas"). Families with at least one child between the ages of three and eight were recruited using a probability-based sampling strategy for a MacArthur Network study on how white, black, and Latino families make residential decisions.³ We selected households from a random sample of all addresses nested in a random sample of 18 census block groups stratified by income and racial composition. Although we did not sample by nativity, 78 percent of the Latino families interviewed contained at least one household head born outside the U.S. to noncitizen parents. These immigrant households are thought to be most vulnerable to immigration law and enforcement, according to most contemporary studies (see Donato & Armenta, 2011 for a review). Despite the proportion of immigrant households among Hispanic families in this sample reflecting Dallas more broadly (see Table A1 in Appendix), my goal is not to claim statistical representativeness. Such claims would discount the utility of qualitative

³ As with much of the literature on immigrant illegality, these data speak only to households with young children.

data for describing not the prevalence of different social processes in a population but rather what the various processes are (Weiss, 1995: 24; see also Lareau, 2012; Small, 2009).

This sample, whose characteristics are summarized in Table 1-1, offers a full range of experiences with immigration law and enforcement. Respondents are between the ages of 22 and 75, with a median age of 36. Thirty-four are female, likely the result of sampling households with young children. Most come from Mexico, although a handful of respondents is from Guatemala, Honduras, or El Salvador. Participants' year of first arrival in the U.S. ranges from 1969 to 2007, with most making a median of two trips before settling in the country in the median year of 2001. Thirty respondents are *undocumented*, lacking any legal standing at all; eight are of a *liminal status*, existing in legal limbo with a temporary visa or discretionary-based status (Menjívar, 2006); 11 are *legalized*, defined as being a legal permanent resident; and ten are *citizens*, naturalized or the U.S.-born spouse of an immigrant. Twenty respondents are in a mixed-status relationship, having a partner with a legal status distinct from his or her own. Fifteen respondents have ever been caught by immigration officials, usually as they attempted to enter the country from Mexico. Taken together, these data are ideal for assessing the multiple ways immigration law and enforcement affect immigrants because they contain information on individuals in comparable but distinct legal situations (see Weiss, 1995: 30), allowing me to triangulate the conditions producing immigrants' risk assessments within a single policy setting.

I conducted interviews over three years. Since this project began not as a study of immigration but of residential decisions, the initial interviews in 2013 asked for respondents'

Table 1-1. Demographic and Immigration Characteristics of 59 Respondents in 28 Immigrant Households in Dallas County, Texas

	Full Sample	Undocumented	Liminal	Legalized	Citizen
Number of Respondents	59	30	8	11	10
Number of Households	28	18	7	7	9
Demographic Characteristics					
<i>Age</i>					
Range	22-75	22-44	23-40	22-75	33-67
Median	36	35	35	45	38
<i>Sex</i>					
Female	34	17	5	4	8
Male	25	13	3	7	2
<i>Marital Status</i>					
Married	35	15	3	8	9
Unmarried Partner	16	11	4	0	1
No Romantic Partner	8	4	1	3	0
<i>Number of Children</i>					
Range	0-10	1-5	1-4	0-10	2-7
Median	3	3	2	5	3.5
<i>Employed</i>					
Employed	44	23	7	9	5
<i>Household Income (2015)</i>					
Mean	\$33,741	\$26,211	\$38,350	\$39,145	\$46,700
Median	\$30,000	\$28,560	\$39,000	\$31,200	\$38,000
<i>Receiving Public Assistance</i>					
Receiving Public Assistance	43	27	7	3	6
<i>Educational Attainment</i>					
Less than High School	35	19	3	8	5
High School Graduate	19	10	4	1	4
Some College	4	1	1	1	1
College Graduate	1	0	0	1	0
Immigration Characteristics					
<i>Year of First Migration</i>					
Range	1969-2007	1987-2007	1977-2005	1974-2000	1969-1996
Median	1996	1999	1999	1995	1992
<i>Year of Last Migration</i>					
Range	1969-2015	1992-2007	2000-2008	1976-2015	1969-2015
Median	2001	2001	2003	1999	1995
<i>Number of Trips to the U.S.</i>					
Range	1-20	1-6	1-11	1-20	1-20
Median	2	1	4	2	2
<i>Country of Origin</i>					
Mexico	50	29	6	10	5
Guatemala	2	0	1	1	0
Honduras	2	0	1	0	1
El Salvador	1	1	0	0	0
United States	4	0	0	0	4
<i>Mixed-Legal Status Relationships</i>					
Mixed-Legal Status Relationships	20	-	-	-	-
<i>Ever Subject to Enforcement Actions</i>					
Ever Subject to Enforcement Actions	15	8	2	4	1

Source: Author's tabulations of 2015 interview data. All values are counts unless otherwise indicated.

entire life history, focusing on their childhood memories and transition into adulthood, as well as their residential history and experiences with housing units, neighborhoods, and schools. A second round of interviews in 2014 added questions about respondents' experiences as immigrants—irrespective of legal status—in the realms of employment, neighborhoods, education, and more. Finally, a third wave of interviews in 2015 inquired about how legal status and contact with immigration law and enforcement structured respondents' everyday lives.⁴ Field notes written at the end of each interview, which averaged 2.5 hours, summarized emergent themes. Interviews were recorded, transcribed, and translated into English. I followed up with respondents via telephone between waves. I collected ethnographic data with selected participants—accompanying them to church, medical appointments, restaurants, and shopping malls—to inform the insights gleaned from the in-depth interviews.

I conducted most of the interviews with the immigrant households in Spanish during the first two waves of data collection.⁵ In the final wave, I re-interviewed 96 percent of these households.⁶ As the U.S.-born son of Middle Eastern immigrants who naturalized long ago, I might be considered what Chávez (2008: 475) calls a “partial insider,” sharing a small number of identities with my research subjects while also maintaining elements of separation from them. Yet, scholars of immigration suggest that, among hard-to-reach and vulnerable populations, undertaking intimate studies with a small number of respondents over an extended period of time helps to overcome barriers to trust that may plague point-in-time studies, thereby illuminating

⁴ The multi-year interviews are used here to contextualize respondents' understandings of immigration law and enforcement.

⁵ Two other researchers, one African-American female (2013) and one Mexican-American male (2014), conducted the other interviews. No differences in the data gleaned across interviewers are apparent.

⁶ The two-year response rate for the full study in 2013 and 2014 was 80 percent. This response rate reflects the number of interviews relative to the total number of interviews, refusals, and non-response, omitting addresses that were confirmed to be ineligible or vacant.

nuanced meanings and behaviors (Foner, 2003: 26-27; see also Gonzales, 2015: 30). Indeed, despite the potential difficulty in recruiting and retaining this sample of respondents (Jasso et al., 2000), all households in the study have a baseline and at least one follow-up interview.

Respondents were offered \$50 for each interview. All names are pseudonyms.

The ethnographic and in-depth interview data with Latin American immigrant households living in Dallas illuminate the perspectives of individuals legally vulnerable to immigration law and enforcement but who vary in their interactions with this system. In order to study immigration law and enforcement as a social process that entails the perspectives not only of the immigrants subject to this system but also of the officials whose job it is to enforce this system's rules (Asad, 2016), I also collected ethnographic data from two additional sites germane to the application of immigration law and enforcement: Dallas County's immigration court, as well as the County's Immigration and Customs Enforcement field office.

I spent approximately 200 hours in immigration court and, along the way, interacted with a number of officials, including judges, lawyers, interpreters, and marshals, as well as the family members of immigrants being processed through the court. At the time of the study, there were five sitting immigration judges, and I spent roughly equal amounts of time with each one. Since immigration court is generally open to the public, I initially spent several days observing proceedings with one judge. I did not take notes in the courtroom during this time, as my goal was to build rapport with one judge so that he saw me as a consistent presence in his courtroom. (I did, however, write field notes after court.) At the end of my second day of observations, the judge asked me about my interest in immigration court. I explained that I was a student at Harvard University and, instead of allowing me an opportunity to finish describing my interest with the court, my affiliation excited the judge. He introduced me to the courtroom's Spanish

interpreter, an alumna of Harvard College, and encouraged me to continue my observations. He also granted me permission to take notes during the proceedings occurring in his courtroom. My university affiliation would later similarly facilitate access to the other judges' courtrooms.

I produced over 150 single-spaced pages of field notes while observing immigration court. Each courtroom had a distinct set of cases with which a judge grappled, exposing me to a wide range of noncitizens with distinct legal predicaments. One judge focused primarily on unaccompanied minor cases, with many of the noncitizens passing through the courtroom coming from Central America. Another judge was primarily responsible for adjudicating cases involving the undocumented parents of U.S.-citizen children. A third oversaw asylum cases for noncitizens entering from Central America. The last two judges handled cases with noncitizens who were arrested by local police for a wide array of crimes—including driving while intoxicated, drug possession or distribution, and domestic violence—from two separate detention facilities. I witnessed court proceedings that ranged from initial master calendars (in which a noncitizen first appears in front of an immigration judge) to final individual hearings (in which a judge decides whether to issue a removal order or not). Although I was not able to formally interview the judges given Department of Homeland Security regulations, each allowed me the opportunity to ask them questions about my observations at the conclusion of each proceeding.

Observations at the Dallas County Immigration and Customs Enforcement field office allowed me to hone in on the perspectives of immigrants actively under immigration authorities' surveillance after having violated some aspect of immigration law. Department of Homeland Security regulations generally did not allow me inside the field office without official business, such as the payment of a bond for a detained noncitizen or a regular check-in for a noncitizen who was released from detention on bond. Indeed, I entered only once, serving as an interpreter

for a Mexican man who had arrived to pay a \$10,000 bond for his wife and child who were detained in a detention facility six hours from Dallas. I nevertheless spent 50 hours outside the building, sitting on a nearby bench where many other people would wait (sometimes for several hours) for their family members to come out. Since extreme temperatures in Dallas made sitting outside untenable for a long period of time, many people sought shelter in the comfort of their vehicles' air conditioning. When no one sat on the bench outside the office, I approached vehicles in the parking lot and spoke to their occupants. I identified myself as a student at Harvard University each time, offering business cards to verify my identity. This strategy proved effective, as no one turned me away. On the contrary, I was able to gather data on 25 people—including four in-depth interviews conducted at nearby fast-food restaurants—some of whom had official business with the ICE field office and some of whom had family members who did.

In analyzing the ethnographic and interview data, I followed the analytical strategy of grounded theory (Charmaz, 2014; Glaser & Strauss, 2009 [1967]). I sought to maintain an open mind about how immigrants understand and relate to immigration law and enforcement. First, I coded any mentions of immigration law and enforcement in my interview transcripts and field notes. I did not set out to analyze immigrants' varied risk assessments of this system. In fact, I originally sought to study how immigrants beyond the undocumented report similar perspectives on immigration law and enforcement. However, after noticing the high frequency with which some immigrants rejected the idea that they should be concerned about this system—most often in response to the question, “Tell me when you worry about being deported.”—I developed secondary codes to capture these unexpected perspectives. I created codes referring to (1) respondents' migration experiences, (2) their contact with immigration officials, and (3) their beliefs about their “illegality.” Following a similar procedure, I coded instances when

respondents' legal status influenced their perceptions on immigration law and enforcement. Next, I compared respondents' legal categories and other demographic characteristics with their perspectives on immigration law and enforcement to assess the conditions that account for their various beliefs of this system. I conducted all analyses with Atlas.ti software.

Road Map

I focus on the perspectives and experiences of immigrants holding a range of legal statuses. I use the term “undocumented” to refer to those immigrants who lack legal standing; “liminal” to refer to those immigrants existing in legal limbo with a temporary visa or discretionary-based status; “legalized” to refer to those immigrants who are legal permanent residents; and “citizen” to refer to naturalized immigrants or the U.S.-born spouse of an immigrant.⁷

In chapter 2, I introduce the contemporary system of immigration law and enforcement, focusing primarily on its evolution since 1942. I outline how its expansion has implicated not only the undocumented but also various categories of “legal” immigrants at the federal, state, and local levels. In Chapter 3, I develop the theoretical basis of my immigrant risk perspective, which is situated in sociological research on risk, urban crime and policing, and citizenship. The remainder of the dissertation is organized around immigrants' perceptions of and experiences with immigration law and enforcement as they go about their day-to-day lives in the U.S. The following two chapters trace the divergent pathways to social control that U.S.-bound immigrants face depending on their experiences entering the country. In Chapter 4, I describe how any one contact with the immigration enforcement system can implicate respondents' risk

⁷ Although I sidestep the debate here, legal categories of immigrants are socially constructed (Donato & Armenta, 2011). For those in the “illegal” category, I default to the term “undocumented,” which is synonymous with “unauthorized” or “irregular.” For those in the “legal” category, I default to the term “documented,” which is synonymous with “authorized” or “regular.”

perceptions as they navigate life in Dallas County, Texas. In Chapter 5, I consider how immigrants who lack such punitive contact make sense of immigration law and enforcement. I take a longer-term view of what immigration law and enforcement entail for immigrants' sense of inclusion in American society in Chapter 6, considering respondents' interpretations about what it means to be an immigrant and what it means to be an American in the U.S. today. In Chapter 7, I conclude by outlining the contemporary immigration system as a "total institution," an all-encompassing social arrangement that not only sanctions immigrants who have violated immigration law but also threatens to sanction those who have obeyed it.

I begin by orienting the reader to the contemporary system of U.S. immigration law and enforcement, illuminating not only its complexity and contradictions but also the multifaceted risk assessments among the U.S. Hispanic immigrant population to which it has given rise.

Chapter 2: Complexity and Contradiction in Immigration Law and Enforcement

“Our objective is only to establish a reasonable, fair, orderly, and secure system of immigration into this country and not to discriminate in any way against particular nations or people. [...] Future generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the value of one of the most sacred possessions of our people: American citizenship.” –President Ronald Reagan, 1986

There are few American institutions today that invoke the importance of law and order in quite the same way as immigration law and enforcement. Although founded as a “nation of immigrants,” with early settlers in essence arriving “undocumented” to the New World, the United States maintains a complex and sometimes-contradictory history in not only determining who should have access to its territory but also in facilitating the removal of immigrants found to be “undesirable.” Rules that govern entry and exit from a country are, as President Reagan decreed in 1986 while announcing a series of reforms to immigration law, critical for sovereign entities to preserve their nationhood. The reforms President Reagan announced, known as the Immigration Reform and Control Act (IRCA), were intended to grapple with what many saw as immigration’s growing threat to national security (Donato & Armenta, 2011).

Immigration’s perceived threat to national security stemmed from the changing demography of the U.S. population, as well as a concerted effort on the part of politicians, immigration officials, and the media that framed immigration generally—and Latin American immigration specifically—as detrimental to American economic and social development (Massey et al., 2016). In 1940, about three-tenths of one percent of individuals residing in the U.S. had been born in Mexico and approximately two percent had “Spanish origins,” an imperfect proxy for the predominantly-Mexican Hispanic population in the U.S. (Mora, 2014). By 1980, the situation had changed dramatically, with one percent of people—or 2.2 million individuals—having been born in Mexico and seven percent—or 14.7 million people—having

“Spanish origins.”⁸ President Reagan would later decry the need for reforming the immigration system in 1984, warning, “A nation that cannot control its borders is not a nation.” IRCA’s goal was to create a “fair, orderly, and secure” system of immigration law, one that simultaneously dissuaded additional undocumented inflows while also grappling with some of the approximately three million undocumented immigrants residing in the U.S.

This dual goal—altering the conditions of entry and exit on the one hand, and changing the rules governing the everyday lives of individuals living in the U.S. on the other—distinguishes “immigration law” from “alienage law” (Gulasekaram & Ramakrishnan, 2015). The former falls within the sole purview of the federal government, whereas the latter may be regulated at any level of government—national, state, or local. Although these laws can be identified separately, they have often overlapped in practice in an effort to increase the potential risk of immigrating to the U.S. without documentation. Take IRCA as an example: In terms of immigration law, it promoted the securitization of the Mexico-U.S. border, contributing billions of dollars in funding for Border Patrol agents and new technology that would make it more difficult—and dangerous—for immigrants to enter the U.S. without documents. In terms of alienage law, meanwhile, IRCA granted amnesty to 2.3 million undocumented Mexicans living in the U.S. and—in an attempt to limit prospective undocumented immigrants’ access to employment—fined employers who knowingly hired them.

IRCA was not the first, nor would it be the last, attempt at altering immigration and alienage laws in the U.S. It was, however, the first federal reform enacted to focus exclusively on the situation of undocumented immigrants. Additional federal reforms throughout the 1990s and 2000s would then begin the project of altering the conditions of entry and exit for all classes of immigrants, undocumented or otherwise. But these same immigration laws also changed the

⁸ Source: Author’s tabulations of 1940 and 1980 U.S. Census data.

rules that governed all immigrants' everyday lives, streamlining the process that could expel even an ostensibly-“legal” immigrant from the country. Contemporaneous with these federal changes was a “new immigration federalism” (Gulasekaram & Ramakrishnan, 2015), whereby U.S. states and localities crafted their own alienage laws in response to demographic and political pressures to regulate the immigrants on their home turf. As the federal government and its subnational units enacted multiple—and sometimes contradictory—alienage laws, these rules would ultimately converge to impact the individuals directly or indirectly implicated by them, including all legal categories of immigrants and their U.S. citizen family members.

This chapter sketches the system of immigration law and enforcement in the United States, illuminating its complexity and contradictions. In the quest to protect the U.S. from the potential threats immigration might pose to the country's safety, the immigration system evolved from one intended to limit undocumented entries to one that now structures all aspects of life for individuals—immigrant or otherwise—even-peripherally subject to its regulations. I first review immigration law from 1942 to 1986, a period that marks a series of federal regulations that most directly bear on contemporary flows from Mexico. I then review the development of alienage laws at the federal, state, and local levels, which range from 1996 to present day. Finally, I zoom in on the State of Texas, and Dallas County specifically, in order to contextualize the settings the respondents in this study—introduced in chapter 4—traverse on a daily basis.

Immigration Law, 1942-1996

A nation of immigrants, it is perhaps surprising that the United States maintains a long history of regulating the conditions of entry to and exit from its territory. At the close of the nineteenth century, however, the federal government prohibited the “admission of immoral persons” and provided for the removal of any individual residing in the country without legal

authorization. Increasingly-restrictive immigration policies were implemented between 1904 and 1942 to dissuade prospective undocumented immigrants from journeying to the U.S. by increasing the likelihood that they would be removed upon entry (see Jasso & Rosenzweig, 1990: 26-35). But a changing political landscape in 1942 brought with it the need for greater U.S. immigration, demarcating a new era in contemporary Mexico-U.S. migration flows (Massey et al., 2002: 34). I thus focus primarily on changes since 1942 in this chapter.

The United States' entry into World War II brought with it labor shortages for U.S.-based agriculturalists, particularly in California, Texas, and Arizona. These states lobbied the federal government for the recruitment of farm labor from Mexico, an arrangement formalized in a 1942 bi-national agreement that gave rise to the Bracero Program. Administered by the U.S. Departments of State, Labor, and Justice, the Program provided Mexicans short-term work visas to serve as farmhands in the U.S. The Department of Justice's Immigration and Naturalization Service (INS) oversaw workers' ingress and egress from the country (Massey et al., 2002: 35).

As a pathway to the U.S., the Bracero Program offered relatively-few risks and comparatively-rich rewards to the rural-origin Mexicans who took advantage of it. Subpar working conditions notwithstanding, Mexican laborers willing to work as farmhands were plentiful (Calavita, 1992). And, despite being initially conceived as a temporary arrangement between the U.S. and Mexico, California- and Texas-based agriculturalists successfully lobbied the American Congress to institutionalize the program as a semi-permanent pathway for Mexico-U.S. migration. Between 1942 and 1964, the Bracero Program recruited 4.6 million Mexicans to work on short-term visas. Demand for labor far exceeded the number of available visas, however, and U.S. agriculturalists encouraged their documented workers to recruit family members and friends looking for work to enter the country without documents throughout the

Bracero Program. An estimated 3 million Mexicans entered the U.S. without documents as a result (Passel & Woodrow, 1987).

The conditions for immigrants' entry to and exit from the U.S. would soon change, however, with the potential risks to Mexicans' undocumented immigration escalating throughout the 1950s. Even as U.S. agriculturalists sought additional Mexican labor—documented or otherwise—to tend to their lands, Calavita (1992: 110) describes how the American public implored federal authorities to “control the border.” In order to satisfy both sets of concerns, the INS launched Operation “Wetback” in 1954. To facilitate Mexican laborers' lawful entry to the U.S., the INS more than doubled the number of visas available under the Bracero Program. To grapple with the American public's perception that the Mexico-U.S. border was unregulated, the INS launched an unprecedented removal operation—with 750 immigration officials; 300 buses, cars, or jeeps; and seven airplanes, as well as a number of processing stations (Ngai, 2004: 154-156)—that helped to locate, apprehend, and remove more than one million undocumented immigrants. Aware of the risk that they, too, could be arrested and removed, a substantial number of undocumented immigrants “self-deported” and fled to Mexico; Ngai (2004: 156-157) notes that more than 500,000 undocumented immigrants in Texas alone did so. Operation “Wetback” was seen as an impressive and successful undertaking for the INS at the time, satisfying the seemingly-incompatible demands placed before it (Calavita, 1992: 117).

But public and agriculturalists' sentiment would soon turn against the INS. As Operation “Wetback” concluded its work, the Civil Rights Movement was gathering steam in the U.S. (see Massey et al., 2002: 39-41 for a full review). The public perceived the securitization of the Mexico-U.S. border unfavorably, particularly given growing evidence that the INS had apprehended and removed hundreds of U.S. citizens over the course of its operations in the

1950s (Hernández, 2006: 437-440), and viewed the Bracero Program as counter to the economic and social well-being of Mexicans living in the U.S. (Massey et al., 2002: 41). For their part, agriculturalists grew disillusioned with the INS bureaucracy managing the Bracero Program, preferring instead to hire undocumented workers directly (Calavita, 1992). After more than twenty years as a pathway for short-term, documented Mexican immigration to the U.S., the American Congress brought the Bracero Program to an abrupt end in 1964.

The end of the Bracero Program occurred at the same time as U.S.-bound Mexicans' options for lawful immigration became severely restricted. In 1965, the U.S. Congress amended the Immigration and Nationality Act of 1952 to impose severe restrictions on the number of visas available to immigrants from all countries. This policy change squeezed Mexico, in particular, as the decades-long Bracero Program had institutionalized U.S.-bound migration as a pathway to economic and social mobility (Durand and Massey 2003). With limited opportunity for a legal pathway to the U.S., 4.6 million Mexicans entered the country without documents between 1965 and 1986 (Durand et al., 2001; Passel & Woodrow, 1987).

As the conditions for Mexicans' entry to the U.S. became limited, the conditions for their exit expanded. These reforms exposed undocumented Mexicans to what De Genova (2002: 429) describes as an era of "enforced and protracted vulnerability." Single, poor, and Mexican males who circulated between Mexico and the U.S. for seasonal agricultural work were most affected (Espenshade, 1995), as they constituted the majority of U.S.-bound Mexican migrants at the time (Garip, 2012, 2016). Border Patrol officers in a major city near migrants' port of entry would apprehend them within days of their arrival (Espenshade, 1995: 157; 1990). In a game of cat and

mouse, they would be returned to Mexico, where they prepared for their next trip (Donato et al., 2008). Removals more than doubled between 1965 and 1986.⁹

The growth in the undocumented Mexican population prompted another swing in public opinion. Buoyed by a campaign from politicians, immigration officials, and the media that framed immigration as a threat to national security (see Massey et al., 2016; see also Chávez, 2012 [1992]), the American public's desire to regulate these flows surged. It was against this backdrop that IRCA, as introduced earlier in this chapter, became law in 1986.

IRCA is notable for a number of reasons, not the least of which is that it substantially altered the conditions of entry to the U.S. for undocumented immigrants. First, it granted amnesty to three million undocumented immigrants already in the country, which President Reagan argued would help “to improve the lives of a class of individuals who now must hide in the shadows.” Second, and “in order to prevent and deter the illegal entry of aliens into the United States,”¹⁰ IRCA strengthened border enforcement patrols and allocated additional funding to accomplish this work. Finally, in what is described as a symbolic gesture (Calavita, 1992; Donato & Carter, 1999), the Act fined employers who knowingly hired undocumented workers.

Symbolic or not, changing the conditions of entry altered how undocumented immigrants understood the risk the immigration system posed to their livelihoods. Not only did the undocumented extend the length of their stays in the U.S. as it became more difficult to enter the country (Espenshade et al., 1997; Massey et al., 2002), but IRCA legalizations also produced a wave of female-led immigration as wives reunited with their husbands (Dreby, 2012; Garip, 2012). Increased enforcement had thus backfired (Massey et al., 2016), with the undocumented

⁹ Source: Table 39, *Yearbook of Immigration Statistics*, Department of Homeland Security. Proportion of 1986 removals to 1965 removals.

¹⁰ See Immigration Reform and Control Act, 8 U.S.C. § 1101.

population growing by 17 percent in the four years between 1986 and 1990 (Passel et al., 2013; Woodrow & Passel, 1989).

A final attempt to reform the conditions of entry to the U.S. took place in 1990. Unlike its 1986 predecessor that focused exclusively on the undocumented, however, the Immigration Act of 1990 would also expand the conditions for all immigrants' exit from the country.

“Immigration reform began in 1986 with an effort to close the ‘back door’ on illegal immigration,” President George H.W. Bush noted when signing the Act, which sought to “open the front door to legal immigration.” It did so in a number of ways. First, given growing recognition that limited numbers of visas contributed to some proportion of undocumented immigration (Massey & Espinosa, 1997), the Act increased the number of available visas for immigrants desiring to enter the U.S. Second, and in an attempt to regulate the size of the rapidly-growing Mexican population in the U.S. (Dreby, 2010), the INS' long-standing family reunification priority now only applied to immediate—rather than extended—family members. Finally, the Act created the temporary protected status (TPS) visa, which is available to immigrants in the U.S. who cannot return safely to their home country because of ongoing armed conflict, an environment disaster, or another extraordinary and temporary condition (see Menjívar, 2006 for more information).

The revised conditions for the legal entry of immigrants were accompanied by expanded conditions that could bring about not only the removal of undocumented but also of documented immigrants from the country. President Bush noted how the 1990 Act “provides needed enforcement authority...for the expeditious deportation of aliens who, by their violent criminal acts, forfeit their right to remain in this country.” Of particular concern at the time were immigrants convicted of any drug crime, as they were seen as oppositional to the U.S.' ongoing

and military-led war on drugs (Dunn, 2001; see Donato & Armenta, 2011). The consequences of this policy shift would be felt most harshly after 1996, which I describe in the next section.

Meanwhile, public pressure on the federal government to limit the flow of undocumented immigrants entering the country mounted. The INS, in particular, responded by dramatically expanding the size of its operations, hiring more Border Patrol officers and utilizing modern technology—infrared night-vision scopes, seismic sensors, and modern computing technology—to aid in their mission to locate, apprehend, and remove undocumented immigrants (Donato & Armenta, 2011). The INS also focused its border enforcement efforts at highly visible points of entry. Operation “Hold the Line,” set in El Paso, Texas, and Operation “Gatekeeper,” set in San Diego, California, are two examples of these efforts.

Operations “Hold the Line” and “Gatekeeper” exemplify the elevated risks that U.S.-bound Mexicans confronted as they attempted to enter the country clandestinely. In 1993, the INS established Operation “Hold the Line,” concentrating personnel and technology as a “show of force” to prospective undocumented immigrants that entry into the U.S. would not be simple. The Operation was deemed a success at the time because apprehensions in the El Paso sector had fallen considerably (Ekstrand, 1995). In 1994, the noted success of Operation “Hold the Line” led the INS to undertake a similar effort in San Diego with Operation “Gatekeeper.” Similar reductions in apprehensions of undocumented border-crossers were noted, again taken as a sign of the effort’s success (Ekstrand, 1995).

Rather than curb migration flows, however, these changes served only to make U.S.-bound migration a riskier affair (Donato and Armenta 2011). Although declining rates of apprehension in El Paso and San Diego were taken as signs that undocumented immigration was slowing, research later showed that this was because immigrants altered their entry strategies by

attempting to cross into the country through more remote areas along the Mexico-U.S. border (Massey, Durand and Malone 2002). The higher costs they faced during the trip—including injury and death (Cornelius 2001)—extended the length of their stays in the U.S. and made return migration to Mexico less likely (Espenshade, Baraka and Huber 1997; Massey, Durand and Malone 2002). At the same time, increased levels of enforcement did not affect the probability of migrating from Mexico (Donato, Wagner and Patterson 2008; Massey and Riosmena 2010; Singer and Massey 1998), and undocumented flows to the U.S. continued. The undocumented population grew by 79% between 1990 and 1996 (Passel, Cohn and Gonzalez-Barrera 2013).

The immigration laws creating the contemporary U.S. immigration system emerged throughout the latter half of the twentieth century. Ongoing perceptions of immigration as a threat to national security not only led to restrictions in the number of visas available to Mexican nationals who had come to view the U.S. as a pathway to economic and social mobility but also securitized the Mexico-U.S. border. Heightened enforcement elevated the risks that the undocumented confronted as they attempted to cross into the U.S. clandestinely, while also increasing the risks for documented immigrants who might become swept up into the INS' enforcement operations. Although there would be additional immigration laws passed in the 1990s and 2000s, their primary function was to regulate the everyday lives of U.S. immigrants at the national, state, and local level. I turn to these alienage laws in the next section.

Alienage Laws, 1996-2014

Concern that immigration from Latin America represented a threat to the United States' national security produced expansive changes in the conditions regulating immigrants' entry to and exit from the country. But these changes to immigration enforcement had the unintended

consequence of “caging in” the previously-transient undocumented Mexican population (Massey & Pren, 2012), incentivizing these individuals to settle in the U.S. rather than return to Mexico once their seasonal work had been completed. After the Immigration Acts of 1986 and 1990, and coupled with a 79-percent increase in the size of the undocumented population between 1990 and 1996, public opposition to undocumented immigration grew. The Republican-controlled Congress and the Democrat-controlled White House cooperated to implement a series of reforms that would govern all immigrants’ daily lives in the U.S., undocumented or otherwise.

Prior to 1996, immigration law distinguished between two categories of noncitizens colloquially referred to as “illegal” and “legal.” The former included undocumented immigrants, who either entered the U.S. without appropriate documentation or who entered the country with documentation but ultimately fell out of status. The latter category comprised a diverse set of documented immigrants, including temporary visa holders, legal permanent residents, and naturalized citizens.¹¹ Research conducted up to this epoch agrees that, whereas immigration law and enforcement generally structured undocumented immigrants’ daily lives (see Chávez, 2012 [1992] for a review), they were less consequential for documented immigrants, whose access to mainstream, mobility-enhancing institutions facilitated their inclusion into American society (Waters & Pineau, 2015: 94; see also Alba & Nee, 2009: 53).

Although the immigration enforcement system was initially intended to regulate the undocumented population, restrictive legislation targeting all immigrants—borne out of a campaign by politicians, immigration officials, and the media that framed immigration as a threat to national security—emerged in 1996 (Flores-Yeffal et al., 2011; Chávez, 2013; Massey & Pren, 2012). In particular, three acts of Congress—the Illegal Immigration Reform and

¹¹ Too numerous to review here, Waters and Pineau (2015: 96-118) elaborate the myriad types of documentation that immigration law makes available to immigrants.

Immigrant Responsibility (IIRIRA), the Personal Responsibility and Work Opportunity Reconciliation (PRWORA), and the Anti-Terrorism and Effective Death Penalty (AEDPA) Acts—expanded the conditions under which undocumented and documented immigrants alike could face exclusion from American society (see Menjívar & Kanstroom, 2013: 14-20 for a full review). Three broad changes are notable for the present purposes. First, rather than divide immigrants into “legal” and “illegal” groupings, immigration law drew an additional bright line between citizens and “legal” and “illegal” noncitizens. This classification brings with it important implications for immigrants’ everyday lives (Bosniak, 2007): Whereas naturalized citizens are entitled to the same privileges as U.S.-born citizens (but see Stevens, 2011), noncitizens lack many civic and political rights and—importantly—share a legal vulnerability to removal (Eagly, 2010, 2013).

Second, the categories of immigrants able to experience full societal membership contracted. Within the “legal” grouping, dozens of new statuses were created, each with its own set of conditions governing access not only to social programs but also to a pathway to citizenship (see chapter 2 in Waters & Pineau, 2015). Furthermore, the boundary between “legal” and “illegal” immigrants became semi-permeable, with immigration law facilitating the shift from documented to undocumented but not the reverse (Menjívar, 2006). Within the “illegal” grouping, meanwhile, the conditions for immigrants’ exclusion expanded. Section 287(g) of IIRIRA allowed any willing state and local law enforcement agencies to enter into a Memorandum of Agreement with the federal government to perform immigration enforcement functions. Although the first of said memoranda would not be signed until 2006, Immigration and Customs Enforcement (ICE) would have agreements with sixty-nine law enforcement agencies in twenty-four states by 2011 (Menjívar & Kanstroom, 2013: 19). The agreements

expired at the end of 2012 and, reflective of the shift in ICE’s enforcement priorities toward the removal of “criminal aliens” since 2008 depicted in Figure 2-1, were supplanted first by Secure Communities in 2008 and then the Priority Enforcement Program in 2015.¹² These programs provided for the apprehension and removal of immigrants not simply at the Mexico-U.S. border but also from within the U.S. (Coleman, 2007); between 2008 and 2015, half of all ICE removals were of immigrants found inside the country.¹³ These initiatives thus gave rise to an enforcement system characterized by local, state, and federal partnerships that expanded the social control of immigrants (Kanstroom, 2007), undocumented and otherwise.

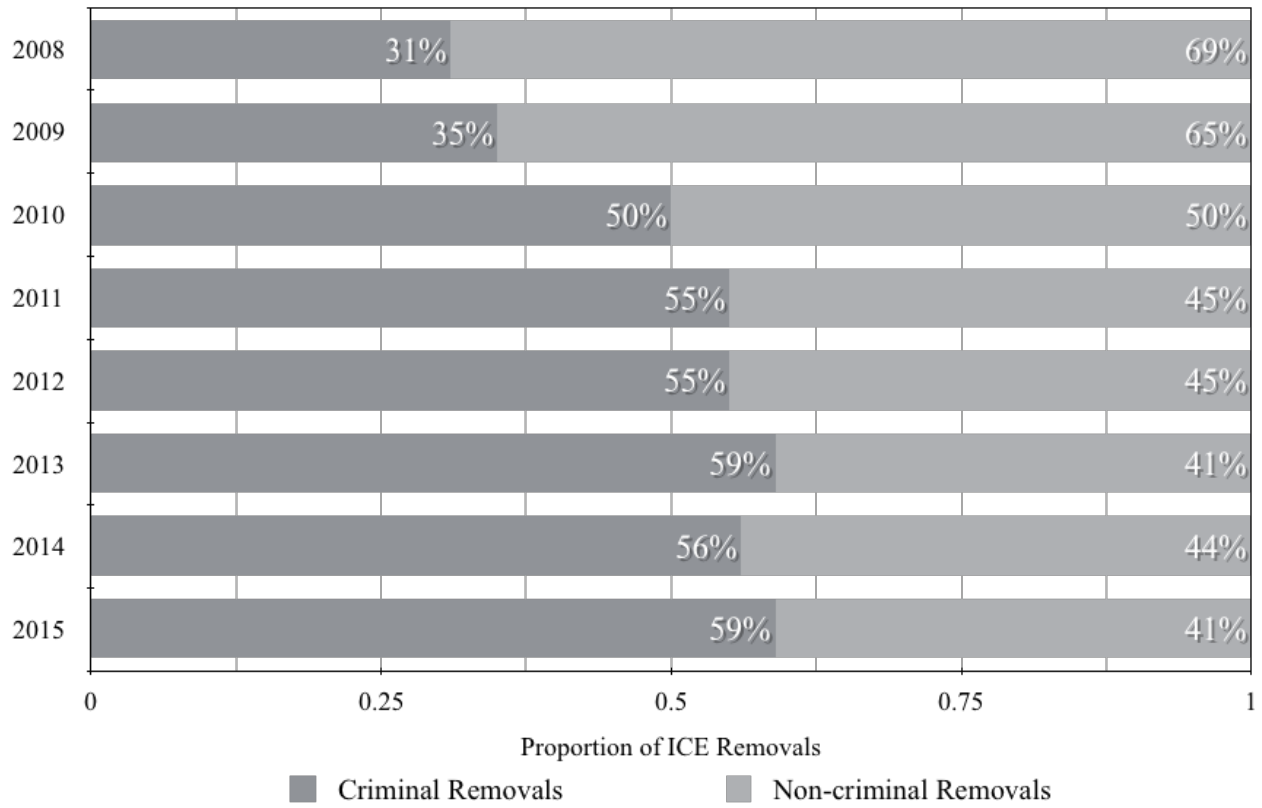
Finally, immigrants across the three categories could now be deported for any number of “aggravated felonies.” Although first codified in the 1988 Immigration and Nationality Act to include only murder and drug or firearms trafficking (Waters & Pineau, 2015: 72), AEDPA and IIRIRA expanded the category of aggravated felonies to include “any felony or misdemeanor where the person is sentenced to at least one year in prison, regardless of whether the sentence is served or suspended” (Golash-Boza, 2013: 206). But these include more than the typical felonies found in criminal law such as assault or homicide; legislative amendments to the Immigration and Nationality Act have made even small misdemeanors in criminal law—such as petty theft—“aggravated felonies” in immigration law.¹⁴ One seldom-considered characteristic of aggravated felonies is that they apply only to immigrants who entered the U.S. legally or, in the words of Customs and Border Patrol (CBP), “with inspection;” individuals who entered the U.S. without inspection may not be charged with an aggravated felony because, legally, they are not

¹² In this chapter, I review changes to immigration law and enforcement until 2015, as this was the final year in which I carried out my fieldwork. In the conclusion chapter, I extend this discussion and describe not only changes in immigration law and enforcement since 2015 but also how these changes may implicate the findings presented throughout this dissertation.

¹³ Source: *FY2015 ICE Immigration Removals*, Immigration and Customs Enforcement.

¹⁴ See Immigration and Nationality Act, 8 U.S.C. § 1101(a)(43).

Figure 2-1. Proportion of Criminal and Non-criminal Removals Completed by Immigration and Customs Enforcement, 2008-2015



Source: Immigration and Customs Enforcement “FY 2015 ICE Immigration Removals.”

considered immigrants but aliens.¹⁵ Immigrants convicted of an aggravated felony encounter severe obstacles to societal inclusion, including mandatory detention; removal without having their case evaluated by an immigration judge; and significant criminal penalties should they attempt to reenter the U.S. after removal. Importantly, after AEDPA, *retroactive removal* for aggravated felony convictions that occurred prior to these crimes' enumeration as aggravated felonies also became possible (Hagan et al., 2011; Morawetz, 1998). Although information regarding the total number of individuals removed for aggravated felonies remains limited, some data suggest that long-time residents of the U.S.—who have lived an average of 15 years in the country—are disproportionately affected.¹⁶

In the short run, broadening the legal categories of immigrants who could be caught up in immigration enforcement operations dramatically increased the number of removals from the United States. Removals grew 270 percent to 189,026 between 1996 and 2001.¹⁷ The terrorist attacks on September 11, 2001 prompted the U.S. to double down on its commitments to regulate the country's borders, particularly given that each of the nineteen hijackers on 9/11 had entered the U.S. as various stripes of "documented" immigrants—one on a student visa, fourteen on a six-month tourist visa, and four on business visas. Regulating not only whether immigrants were allowed into the country but also how they could lead their lives once inside it thus became a matter of national security. President George W. Bush signed the Homeland Security Act to establish the Department of Homeland Security (DHS) in 2002, which absorbed the functions of the INS into the newly-created Immigration and Customs Enforcement. As he signed the Act,

¹⁵ See Immigration and Nationality Act, 8 U.S.C. § 1101(a)(13).

¹⁶ Source: <http://trac.syr.edu/immigration/reports/158/>

¹⁷ Source: Table 39, *Yearbook of Immigration Statistics*, Department of Homeland Security. Proportion of 2001 removals to 1996 removals.

President Bush assured the American public that doing so would “secure the border so that we’re better able to protect our citizens and welcome our friends.”

In the long run, however, the expanded scope of American immigration enforcement increasingly has clashed with notions of who this system should target. Even as removals from the U.S. continued to proliferate throughout the 2000s—reaching a peak of 434,015 in 2013¹⁸—politicians and activists alike called for relief for some segments of the undocumented immigrant population (see Abrego, 2006; Enriquez & Saguy, 2016; Gonzales, 2011). Of particular concern was that removal operations were exerting a negative impact on “long-staying alien children...[who] are brought to the United States by adults and have no ability to make an independent decision about whether or not to migrate to the United States.”¹⁹ With upwards of 75,000 undocumented children graduating from American high schools each year (Gonzales, 2011), legislative action was necessary for these individuals “to continu[e] their education past high school, making it [more] likely that they will succeed in life.”²⁰

Perhaps the most widely-known result of this movement is the Development, Relief, and Education for Alien Minors Act, more commonly referred to as the DREAM Act. Although various iterations of the DREAM Act have been introduced in 2001, 2009, 2010, and 2011, they all share a common fate: none has ever been able to pass both chambers of Congress. The DREAM Act would have allowed undocumented young adults under 35 years of age to shift from an undocumented to permanent resident status provided that they met certain conditions, including having entered the U.S. before age 16, having lived in the U.S. for at least five years,

¹⁸ Source: Table 39, *Yearbook of Immigration Statistics*, Department of Homeland Security.

¹⁹ Source: Immigrant Children’s Educational Advancement and Dropout Prevention Act of 2001, H.R. 1582, 107th Congress (2001).

²⁰ Ibid.

having obtained a high school diploma or GED, and having spent at least two years in higher education or the military. Estimates suggest that at least two million undocumented youth would have benefited from the DREAM Act (Batalova & McHugh, 2010).

Faced with a recalcitrant U.S. Congress, President Barack Obama established the Deferred Action for Childhood Arrivals (DACA) via executive order in 2012. It is similar to the DREAM Act in many ways, granting undocumented immigrants brought to the U.S. as minors a renewable work permit and reprieve from removal. Like the DREAM Act, eligibility criteria for DACA include having been an undocumented immigrant who entered the U.S. before June 2007, prior to turning 16 years old, as well as educational training or military service.

Unlike the DREAM Act, however, DACA does not provide a legal status, nor does it provide a pathway to permanent residence. It simply places undocumented immigrants into a “low-priority” category for removal from the U.S. while also designating a set of conditions that may bring about these individuals’ removal as they go about daily life. So long as immigrants applying to or holding a DACA status are deemed to not “pose a threat to national security or public safety,” they remain eligible for the program. Unfortunately, and reflective of the post-1996 movement toward immigrant exclusion described earlier, who might pose a threat to national security or public safety is quite broad. Individuals charged with three misdemeanors—a crime for which the maximum term of imprisonment is one year but more than five days, such as petty theft, public intoxication, and vandalism—are excluded from the program. Those charged with at least one “significant misdemeanor” are also ineligible for DACA, regardless of the length of the imposed sentence. This criminal classification is unique to immigration law (Rathod, 2016), and it includes an offense of domestic violence; sexual abuse or exploitation; burglary; unlawful possession or use of a firearm; drug distribution or trafficking; and driving

under the influence. As of January 2017, more than 750,000 people have enrolled in DACA,²¹ representing an estimated 57 percent of the DACA-eligible population.²²

For their part, the U.S. Congress began debating a comprehensive immigration reform bill in April 2013. The Border Security, Economic Opportunity, and Immigration Modernization Act entailed a number of features that regulated both the conditions of entry and exit into the country, as well as the day-to-day lives of immigrants already in the U.S. Two aspects are important for the present purposes. First, the Act would have funded up to 40,000 additional Border Patrol agents to satisfy calls to safeguard the nation's borders. Second, the Act would have provided some undocumented immigrants a pathway to citizenship. Although the Act made it out of committee and passed a Senate vote with bipartisan support, it has since stalled in the House of Representatives. House Republicans penned a piece in the *New York Times* that outlined their "principles on immigration," which boiled down to recognizing the immigration system as an "enforcement-first" institution. Specifically, House Republicans argued that the "problems in our immigration system must be solved through a step-by-step, common-sense approach that starts with securing our country's borders, enforcing our laws, and implementing robust enforcement measures." The Act remains stalled in the House of Representatives at the time of this writing.

With the American Congress stalled, President Obama announced a follow-up program to DACA in November 2014. The Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) sought to extend the privileges afforded to undocumented

²¹ Source: U.S. Citizenship and Immigration Services, 2016. "Deferred Action for Childhood Arrivals Process (Through Fiscal Year 2016, 4th Qtr)." In: *Data Set: Form I-821D Deferred Action for Childhood Arrivals*. Accessed February 7, 2017.

²² Source: Migration Policy Institute, 2016. "Deferred Action for Childhood Arrivals (DACA) Data Tools." Proportion based on estimated total of individuals immediately eligible for DACA. Accessed February 7, 2017.

immigrant young adults and youth under DACA to the undocumented parents of U.S. citizen or lawful permanent resident children. Scholars and activists particularly welcomed this executive action given their long-standing recognition of the consequences of undocumented immigrants' removal for some of the five million children—four million of whom are U.S. citizens—in these individuals' households (Passel & Cohn, 2010; see also Baum, 2010; Dreby, 2015). Several states filed a lawsuit against the federal government in response to DAPA. A federal judge in Texas granted an injunction to the executive order in February 2015 and, upon appeal from the federal government, the U.S. Supreme Court upheld the injunction in June 2016.

In brief, federal alienage laws regulating the daily lives of U.S. immigrants—irrespective of legal status—emerged in 1996. The most critical changes these reforms brought include the *de jure* distinction between (naturalized) citizens and “legal” and “illegal” noncitizens; a contraction in the number of categories of “legal” immigrants able to experience societal membership; and the blanket increase in all immigrants' legal vulnerability to removal. Attempts at large-scale reformation of the immigration system stalled, replaced instead with piecemeal and discretionary statuses that provided only temporary reprieve from removal for the immigrants holding them. How immigrants across legal categories understood and responded to this contemporary system of immigration law and enforcement would become a fruitful area of scholarly research focused on immigrant illegality, which I turn to in the next chapter. Before doing so, I contextualize Dallas County, Texas as the setting in which I carried out my research.

Dallas County, Texas

A federal gridlock on immigration reform since 1996 has led to a “new immigration federalism” in which states across the U.S. craft their own immigration laws and enforcement policies (Gulasekaram & Ramakrishnan, 2015). Some states, such as Arizona, are notoriously

hostile to immigrants while others, such as California, are relatively welcoming. Although situating a study of immigration law and enforcement in a state corresponding to one of these policy extremes would likely reveal insights into the effects of a negative or positive legal context of reception on immigrants' risk assessments (see, e.g., Marrow, 2012; Menjívar, 2006), the contemporary immigration system is best characterized by contradiction (Waters & Pineau, 2015: 61): Even as national sentiment toward immigrants may be hostile, state policies differ and, within states, localities vary in the degree to which immigration law is enforced (Gulasekaram & Ramakrishnan, 2015). A study focused on a uniformly hostile or welcoming local context may thus present a limited range of understandings that individuals hold about this system.

Between these policy extremes are mixed-policy contexts (Karoly & Perez-Arce, 2016), restrictive of immigrants in some domains of social life but unrestrictive in others. Texas is one such setting. Home to more than 4.3 million immigrants, Texas exemplifies the complex and sometimes-contradictory system of contemporary American immigration law. Not only does 70 percent of its foreign-born population have origins in Latin America but also a large segment of Texas' immigrant population—38 percent—is undocumented (Singer, 2004). This set of circumstances is the result of a concerted effort on the part of Texas-based agriculturalists to recruit farm labor—documented and undocumented—from Mexico during the latter half of the twentieth century (Massey et al., 2002: 36). Between 1960 and 2010, well-established processes of chain migration (Massey, 1990; see also Garip & Asad, 2015; Garip & Asad, 2016) contributed to a 46-percent increase in the share of the state's foreign-born population and cemented Texas' place as a major immigrant destination.²³

²³ Source: Author's tabulations of 1960 U.S. Census and 2010 American Community Survey.

Texas was not always a popular immigrant destination for Mexicans. Even as Mexico and the U.S. agreed to form the Bracero Program in 1942, Mexico barred Texas' participation because of the state's history of abuse and discrimination against Mexican workers in the state (Calavita, 1992: 21). At the risk of losing valuable farm labor, Texas Governor Coke R. Stevenson adopted resolutions that affirmed the equal treatment of Mexicans (see Guglielmo, 2006). In order to assuage the lingering concerns of Mexican officials, Governor Stevenson also dispatched several of his own officials to Mexico for a "good will" tour. Finally, the governor convened a Good Neighbor Commission in 1943, which among other issues, emphasized immigrant workers' right to health care and quality housing (see Scruggs, 1961 for more information). In response, Mexico lifted the ban on Texas' participation in the Bracero Program in 1947.

With these policy changes, Texas would go on to become a top destination not only for contracted *braceros* but also for undocumented Mexican laborers. Taking advantage of what was called the Texas Proviso—which exempted growers who hired undocumented workers from legal prosecution (see Calavita, 1992: 66-70)—agriculturalists in the state recruited hundreds of thousands of contracted *braceros* and undocumented laborers between 1947 and 1964. Agriculturalists' efforts at clandestine recruitment would continue to fuel undocumented flows to the U.S. even as the Bracero Program ended in 1964 (Massey et al., 2002: 42). The ongoing recruitment of Mexican workers at the hands of Texas-based agriculturalists would carry substantial implications for the composition of the state's population. In 1960, less than seven percent of Texas' population came from Mexico. By 1980, the share of Mexicans in the state's population had nearly tripled to 19 percent.

More than just the importation of Mexican farmhands, Mexican immigration throughout the second half of the twentieth century brought with it challenges for these individuals' children. Although Texas agriculturalists had recruited Mexican workers, the state was unwilling to fund public education for these immigrants' children. Texas officials argued that undocumented immigrants "only are entitled to proper immigration procedures and 'due process to ensure that their lives, liberty and property are not unfairly taken.'"²⁴ The U.S. Supreme Court disagreed with this argument and, in 1982's *Plyler v. Doe*, granted undocumented children the right to free public education, up to the twelfth grade (see Gonzales, 2015). The *Plyler* decision coincided with many of the important changes to immigration law described previously. Shortly after *Plyler*, IRCA granted amnesty in 1986 to millions of Mexicans in the U.S., many of whom were based in Texas (see Hagan, 1994). By 1990, Mexicans constituted 91 percent of Texas' Hispanic population, and 23 percent of the state's overall population.²⁵

Texas began grappling in earnest with its growing immigrant population in 1996. Reflective of national trends, the state's approach to contemporary immigration law and enforcement has been complex and contradictory. Research immediately following IIRIRA's passage in 1996 found high levels of anxiety among all Hispanic immigrants in Texas, regardless of legal status (N. Rodriguez & Hagan, 2004). This state-level trend toward immigration enforcement would continue with Texas' eventual participation in the various programs facilitating cooperation between federal immigration authorities and state- and local-level law enforcement, including a 287(g) Memorandum of Agreement, Secure Communities, and most recently, the Priority Enforcement Program. Even as the state lacks omnibus legislation similar to Arizona's SB 1070 (see Michaud, 2010), its governor (Abbott, 2016: 62) and attorney general

²⁴ Source: Quoted in *The Telegraph*, December 1, 1981, p. 20.

²⁵ Source: Author's tabulations of 1990 U.S. Census data.

(Paxton, n.d.) are vocally hostile to immigrants, with the former working to outlaw sanctuary cities in Texas and the latter responsible for defeating President Barack Obama's executive action that would have granted the parents of U.S. citizens reprieve from removal. These dynamics make Texas home to among the busiest immigration court system nationwide, with nine percent of all removal orders between 1998 and 2014 issued in Texas.²⁶ (Additional changes to the application of immigration law in Texas since 2015 are discussed in the final chapter.)

Yet, Texas has also passed some laws about its immigrant population that some would view as unrestrictive, thereby potentially ameliorating some of the threat that immigration law and enforcement pose to immigrants' everyday lives. First, despite PRWORA excluding many immigrants—the undocumented, those with temporary or discretionary statuses, and some legal permanent residents—from federally-funded social programs, Texas has subsidized prenatal care for all expectant immigrant mothers since the early 2000s. Second, along with California, Texas was the first to extend in-state tuition rates to undocumented students in 2001, and it is the only Republican-controlled state where undocumented students are eligible for financial aid as well (Gulasekaram & Ramakrishnan, 2015: 142). Together, these policies facilitate a modicum of social and cultural belonging and political and legal inclusion to segments of the noncitizen population in critical moments along the life course, even as other dimensions of their lives may be characterized by feelings of alienation and exclusion (Gonzales, 2015).

This study focuses on Dallas County, which includes the City of Dallas and several surrounding suburban areas. There are several features of Dallas County that may limit the risk that immigrants and their families perceive from immigration law and enforcement. Similar to Texas as a whole, Dallas has experienced large inflows of immigrants, who were 11 percent of

²⁶ Between 1998 and 2014, immigration judges nationwide issued 2,616,494 orders of removal. 232,804 were in Texas, and 85,833 were in Dallas. Source: <http://trac.syr.edu/index.html>.

the population in 1990 but 23 percent of it in 2010.²⁷ About 61 percent of the county's immigrant population is Mexican. As inflows from Mexico continue, migration has contributed to the ethnic replenishment (see Tomás R. Jiménez, 2010) of Dallas' long-standing Hispanic population, which grew from 17 to 37 percent of the county's population between 1990 and 2010. The concentration of same-race group members, coupled with the group's ethnic diversity, may shield Hispanic-origin immigrants from some of the effects of the immigration system due to protective benefits conferred by a strong ethnic enclave (Portes & Rumbaut, 2006).

But even when immigrant-origin groups constitute a large proportion of a setting's population, they often lack the power to alter the dominant political structure (Waters et al., 2014: 378-379). Features unique to the enforcement of immigration law within Dallas may also contribute to immigrants' variegated risk perceptions. The enforcement of immigration law, for example, is concentrated at checkpoints located within 100 miles from the Mexico-U.S. border (Coleman, 2007). Not only does Dallas County fall far outside this jurisdiction but also its four-term sheriff is active in her opposition to state-level ordinances requiring her to detain immigrants accused of minor offenses (Grissom, 2015; see also Armenta, 2012). Even as the state leans negative as an immigrant-receiving context, then, individuals' more localized experiences in Dallas County may contribute to immigrants' sense of security from the enforcement system.

Taken together, Texas generally, and Dallas County specifically, represent a mixed-policy environment that has the potential to shape immigrants' risk perceptions in multiple ways. An in-depth qualitative study is well suited for exploring these dynamics and advancing research on the heterogeneous effects of immigration law and enforcement on U.S. immigrants.

²⁷All figures in this paragraph are author's calculations of either the 1990 U.S. Census or the 2010 American Community Survey.

Conclusion

The evolution of American immigration law and enforcement has been at once complex and contradictory. It is complex because a proliferation of regulations since 1942 has not only implicated the conditions governing immigrants' entry to and exit from the country but also their everyday conduct as they go about their lives. These regulations are not always clear to the immigrants who are subject to them. It is contradictory because the U.S. federal government decries the need for "legal" immigration but historically has incentivized "illegal" immigration. Even as the U.S. depended on (un)documented immigrant farm labor throughout the latter half of the twentieth century, politicians, immigration officials, and the media framed immigration as a threat to national security. In response, a series of reforms to immigration and alienage laws expanded the reach of the enforcement arm of the immigration system to include not just the immigrants these regulations implicated but also these individuals' U.S. citizen family members and larger communities. It is perhaps no surprise, then, that research on immigrant illegality has uncovered immigrants' seemingly-counterintuitive perspectives on the threat that this system poses to their everyday lives. I discuss this research in greater detail in the following chapter. Also in Chapter 3, I advance the theoretical basis of my immigrant risk perspective, which is situated in sociological research on risk, urban crime and policing, and citizenship.

Chapter 3: From Immigrant Illegality to Immigrant Risk

“As our nation debates the future of our immigration policies, we must remember...all who dream of contributing to this country’s future. It says something about our country that people around the world are willing to leave their homes and leave their families and risk everything to come to America.” –President George W. Bush, 2006

Three concurrent trends have served as the backdrop to academic and political conversations about immigration to the United States since 1965. First, never before has the Mexico-U.S. border been so securitized. Whether measured in terms of the number of officers patrolling the border, the number of hours these individuals have spent guarding the border, or the amount of money earmarked for the Border Patrol Enforcement budget,²⁸ the U.S. federal government’s financial and human capital investments in border security exceed those made to the FBI, Drug Enforcement Administration, Secret Service, U.S. Marshals Service, and the Bureau of Alcohol, Tobacco, Firearms, and Exclusives combined (Meissner et al., 2013). Second, the immigration enforcement system is no longer concentrated exclusively at the Mexico-U.S. border. Indeed, the enforcement of immigration laws in localities across the U.S.—border cities or otherwise—is a now-standard practice of the immigration enforcement system (Coleman, 2007). Finally, and despite recognition from even Republican politicians that immigrants “risk everything to come to America”—the risk stemming in part from ever-increasing security at and beyond the Mexico-U.S. border—the size of the Mexican-origin population in the U.S. has multiplied: A population of 8.7 million in 1980 has grown to 34.6 million in 2015.²⁹

Research on immigrant illegality, reviewed more fully in Chapter 2, describes how these changes to American immigration law and enforcement have expanded the scope of this system

²⁸ Author’s tabulations of Mexican Migration Project NATLYEAR and NATLHIST files.

²⁹ Source; Author’s tabulations of 1980 U.S. Census and 2015 American Community Survey (five-year estimates) data.

since 1996: Whereas two million removals were logged in the century preceding 1996, more than 4.6 million have been tallied since 1996 alone.³⁰ The ensuing twenty years of research have demonstrated how immigration law and enforcement structure the lives of all immigrants who have had punitive contact with the system—including the undocumented, temporary or discretionary visa holders, legal permanent residents, and naturalized citizens—as well as their U.S.-born family members and larger co-ethnic communities (Bean et al., 2015; Chávez, 2012 [1992]; De Genova, 2004; Dreby, 2015; Golash-Boza, 2015; Gonzales, 2015; Hagan et al., 2011; J. L. López, 2015; Menjívar & Kanstroom, 2013; Stevens, 2011; Suárez-Orozco et al., 2011; Waters & Kasinitz, 2015; Yoshikawa, 2011). In this dissertation, I nevertheless contend that extant literature understates this system's impact on immigrants' lives by foregrounding the experiences of those it has punished and discounting the risks internalized by those who lack such involvement.

Following the lead of illegality studies, one might assume that all immigrants experience the threat of immigration law and enforcement in the same way, living in fear of a system that threatens to eject them from the country at any moment (Chávez, 2012 [1992]; De Genova, 2004; Menjívar & Kanstroom, 2013). Of particular concern is the situation of Latin American immigrants, by far the largest category of immigrants—undocumented or otherwise—in the U.S. today. But a mounting body of evidence suggests that the complex arrangement of immigration laws and enforcement at the local, state, and federal levels described in Chapter 2 (see also Gulasekaram & Ramakrishnan, 2015; Newton & Adams, 2009) has given way to immigrants' sometimes-surprising perceptions of this system. For example, in their survey of recently-

³⁰ Source: Table 39, *FY2013 Yearbook of Immigration Statistics*, Department of Homeland Security.

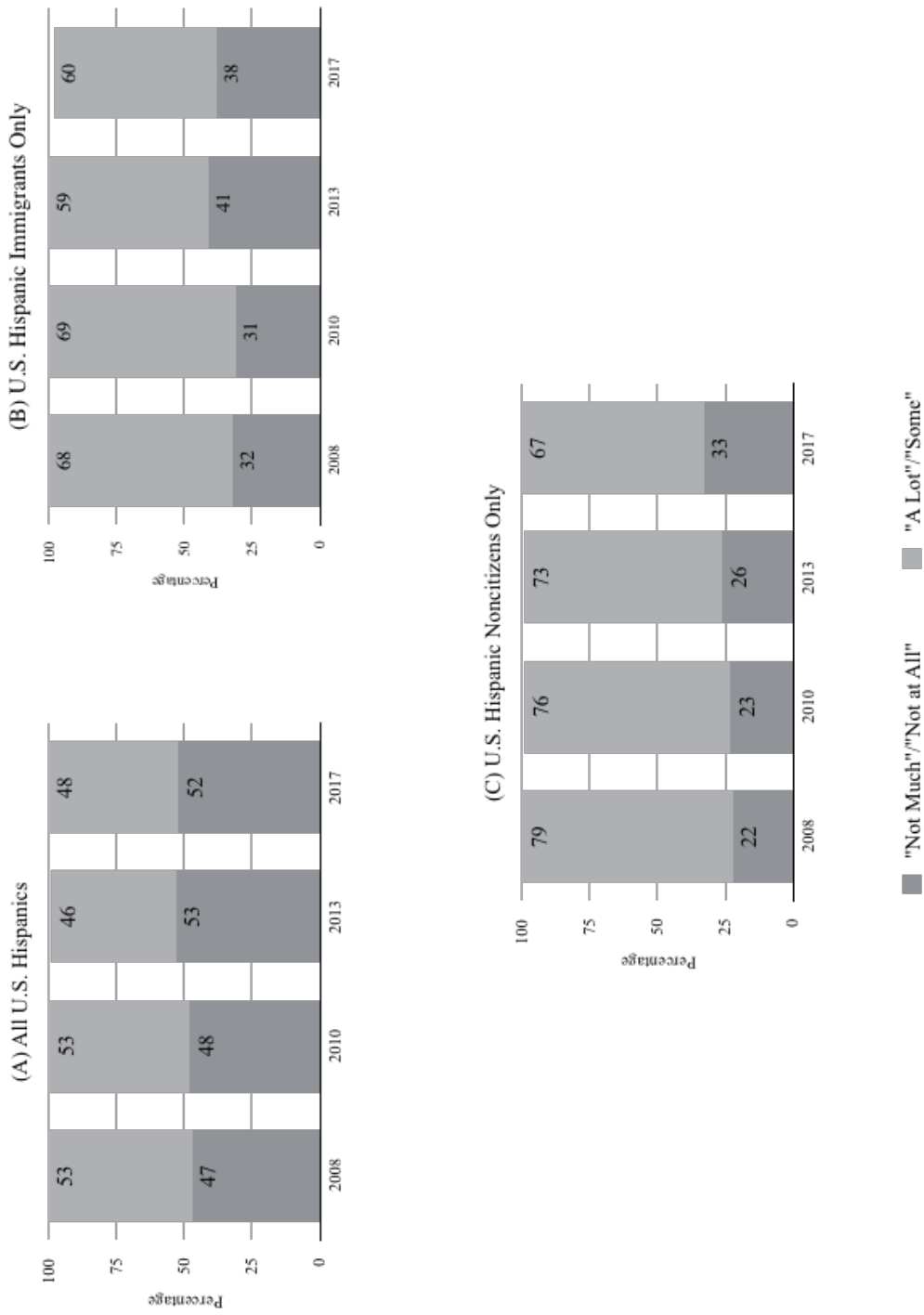
removed or –returned undocumented Mexicans,³¹ Amuedo-Dorantes et al. (2013) investigate whether punitive federal immigration policies affect immigrants’ experiences in the U.S. Their respondents express concern about having been removed, but the authors uncover no significant association between get-tough immigration policies and immigrants’ assessments of their stay in their U.S. localities prior to their removal. At least among these survey respondents, it appears that immigrants do not respond to the threat of immigration law and enforcement as we might expect given existing theories of immigrant illegality.

But such unexpected perceptions are not unique to samples of immigrants selected for their legal status or their punitive system contact. Nationally-representative survey data from 2008, 2010, 2013, and 2017 also suggest that U.S. Hispanics hold heterogeneous views about the potential that they or a loved one could be removed from the country. Figure 3-1 charts these data for (A) all U.S. Hispanics, (B) U.S. Hispanic immigrants, and (C) U.S. Hispanic noncitizens, and Figure 3-2 disaggregates these same data for immigrants who have (A) naturalized, (B) legalized, and (C) who are likely undocumented.³² (See Appendix C for a tabular decomposition of these data.) Several patterns are notable. First, U.S. Hispanics overall (Figure 3-1A) hold diverse viewpoints on how worried they are about deportation befalling them or a loved one. These heterogeneous perspectives remain even when focusing only those populations thought to be most vulnerable to immigration law and enforcement: U.S. Hispanic immigrants, including naturalized citizens (Figure 3-1B) and noncitizens (3-1C). Second, disaggregating the data by legal status (Figure 3-2) reveals a similar pattern. Among naturalized citizens (Figure 3-

³¹ The Department of Homeland Security defines a removal as the “compulsory and confirmed movement of an inadmissible or deportable alien out of the United States based on an order of removal.” By contrast, a return is the “confirmed departure of a removable noncitizen not based on an order of removal.”

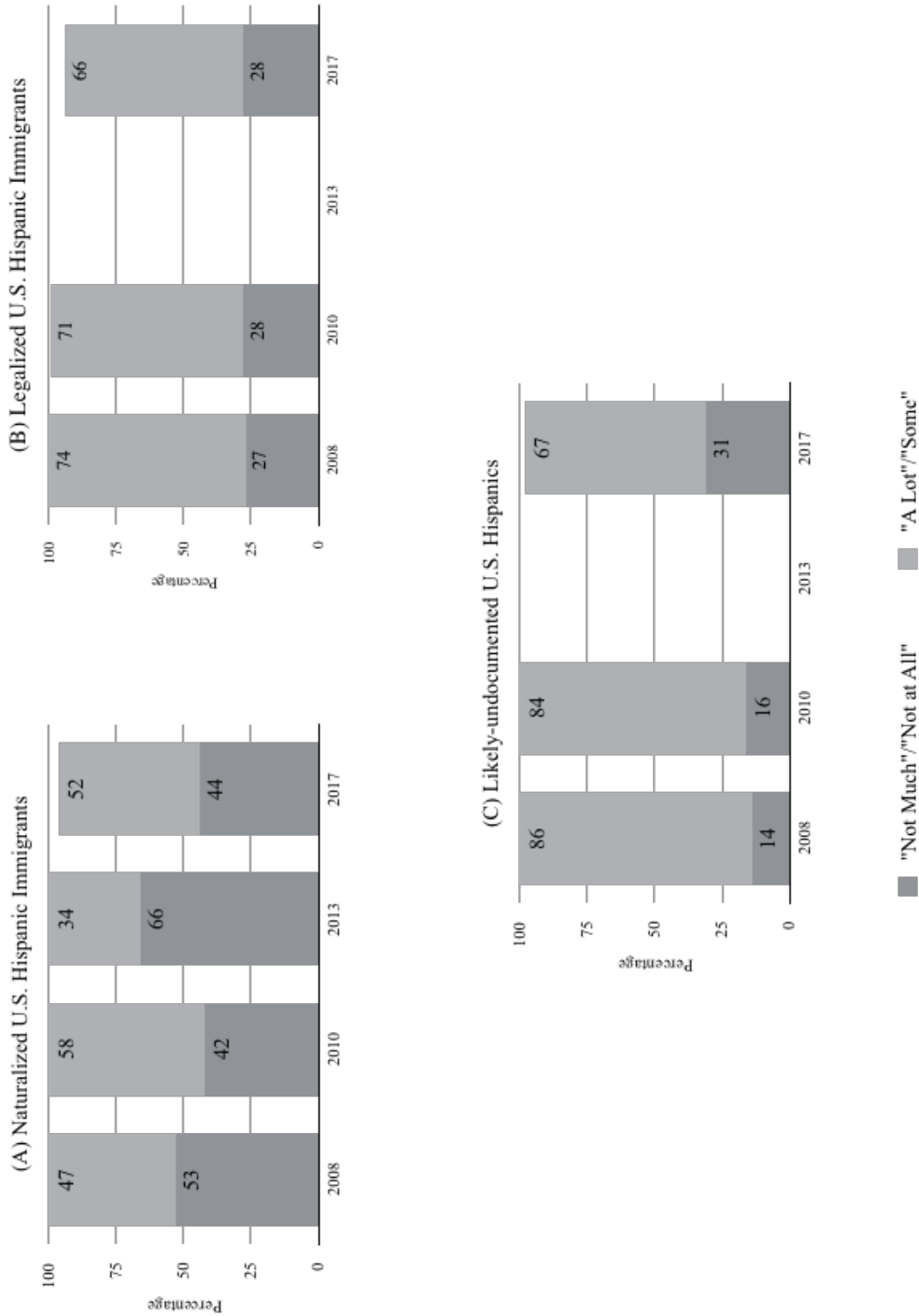
³² Likely-undocumented immigrants are defined as those immigrants who have not naturalized and who have not applied for or received their green cards.

Figure 3-1. Percentage of U.S. Hispanics Reporting Worries that They, a Family Member, or a Close Friend Could be Deported, 2008-2017



Source: Author's tabulations of 2008-2017 Pew Hispanic Center's National Surveys of Latinos.
 Note: Data are weighted. Columns may not sum to 100 due to rounding. "Missing" and "Don't Know" responses not shown.

Figure 3-2. Percentage of U.S. Hispanic Immigrants by Legal Status Reporting Worries that They, a Family Member, or a Close Friend Could be Deported, 2008-2017



Source: Author's tabulations of 2008-2017 Pew Hispanic Center's National Surveys of Latinos.
Note: Data are weighted. Data on legalized and likely-undocumented immigrants are unavailable in the 2013 surveys. Columns may not sum to 100 due to rounding. "Missing" and "Don't Know" responses not shown.

2A), whom we might expect not to worry at all about deportation given their formal status as U.S. citizens, substantial shares report worrying about this arm of immigration enforcement affecting them or a loved one. A similar story holds for legalized immigrants (Figure 3-2B). However, among likely-undocumented U.S. Hispanics, whom we would expect to be universally worried about deportation befalling them or a loved one (Figure 3-2C), a meaningful percentage reports worrying very little about this outcome. These survey findings do not discount the potential for local-level variation in the degree to which U.S. Hispanics perceive risk—especially in locales such as Phoenix, Arizona, where “draconian laws are implemented with particular zeal” (Menjívar, 2013: 1098)—but they do suggest that a framework focused primarily on the possibility of immigrants’ “illegality” occludes not only a richer set of perspectives on the risks the enforcement system poses to immigrants but also the processes underlying these myriad assessments. How do immigrants understand and experience the contemporary system of immigration law and enforcement, and what processes might account for these individuals’ heterogeneous risk assessments?

This chapter presents the theoretical basis of my “immigrant risk” perspective, which explores how individuals can experience the same potentially-perilous event differently. Situated in sociological research on risk, urban crime and policing, and citizenship, I show how the unexpected range of perspectives that immigrants report holding about this system are in fact reasonable in an “immigrant risk” framework. I begin this chapter by distinguishing between two types of risk. The first is “fear,” which risk scholars use to describe a person’s negative, emotional reaction to a specific, past event. Such fear is characteristic of studies of urban crime and policing, which calls attention to how people with prior criminal-justice contact are “on the run” from law enforcement officials and seek to avoid institutions that may bring about

additional punishment (Brayne, 2014; A. Goffman, 2009). The second is what I call “categorical risk,” or concern about an event’s likelihood stemming from one’s real and perceived social position before the law. These concerns may stem from a number of sources, including micro- (i.e., individual) and macro-level (i.e., contextual) considerations. After outlining these two distinct risk classifications, I reflect on how the study of immigrant risk—which broadens studies of immigrant illegality from a near-sole focus on fear to encompass immigrants’ categorical risk—suggests the larger consequences of immigration law and enforcement on immigrant assimilation.

Theorizing Immigrant Risk

Illegality studies have yielded critical insights into the lives of immigrants punished for violating immigration law. But a framework focused on the perspectives and experiences of immigrants who have violated immigration law risks co-optation in heated academic and policy debates about immigration law and enforcement (Menjívar & Kanstroom, 2013: 4-5). Alternative ways of conceptualizing how this system renders its subjects dominated while, at the same time, allowing for individual agency, are necessary if we are to understand the fuller range of effects immigration law and enforcement have on individuals’ lives. This movement toward frameworks that balance social structure and individual agency reflects a broader consensus in socio-legal studies that foregrounding vulnerable populations’ variegated experiences with institutions of legal control generates more complete insight into how the law’s enforcement—and its subversion—reproduces systems of inequality in the United States (Stuart et al., 2015: 236).

The sociology of risk, which explores how individuals understand and respond to the same potentially-perilous situations differently, offers insights that may inform studies on how immigrants perceive the threat that immigration law and enforcement in their everyday lives. The

last several decades have evinced tremendous academic interest in understanding individuals' heterogeneous risk assessments, and from several disciplines (Johnson & Tversky, 1983; Slovic et al., 1980; Tversky & Kahneman, 1974; Vaughan & Seifert, 1992). In sociology, Ulrich Beck (1992: 21) advanced the study of a "risk society," defined as "a systematic way of dealing with hazards and insecurities" brought about by modernization and its concomitant reliance on technology. These insights were later exported to extreme settings, such as studies of nuclear disaster (Adam et al., 2000) and environmental hazards (Fothergill & Peek, 2004).

At its core, the sociology of risk distinguishes analytically between *perceived risk*, *personal risk*, and *fear*. Perceived risk refers to a judgment-based, general concern about an event's likelihood; personal risk to the perceived risk that the event occurs to oneself; and fear to a negative, emotional reaction to a specific, past event (Slovic et al., 1980). These analytical distinctions, enumerated here from most general to most specific, are important because they suggest the importance of personal experience in shaping individuals' risk assessments. A person may be aware that an event—such as detention or removal—is a possibility for all similarly-situated individuals, for example, but whether he or she believes the event will affect them directly varies by the nature of their prior experience with the same event.

In order to relate risk assessments to dominant forms of social inequality, researchers increasingly have considered forms of risk thought to be more "everyday" than nuclear or environmental hazards. Studies of urban crime and policing, in particular, are suggestive of how contact with institutions of legal control shape individuals' risk assessments. Matsueda et al. (2006) show that youths' propensity to commit criminal acts varies by their estimates of whether they will be caught and punished. Recent work extends these findings by calling attention to how prior contact with criminal-justice institutions impacts individuals' day-to-day experiences. A.

Goffman (2009) demonstrates that fugitive men in Philadelphia limit contact with mainstream institutions such as hospitals because they are perceived as risky for people seeking to avoid additional punitive contact from law enforcement officials on the hunt for them. Brayne (2014) calls this process *system avoidance*, arguing that criminal-justice contact contributes to social stratification by severing already-marginalized populations from mainstream institutions and limiting their broader societal integration.

Like studies of urban crime and policing that foreground individuals' fears of additional contact with the criminal-justice system, illegality studies emphasize how the immigration system bears on the lives of the individuals, families, and communities implicated in its enforcement arm. This nascent body of work—replete with case studies of individuals who have confronted or are currently confronting detention or removal—reports a similar process of system avoidance for immigrants across legal categories as they strive to evade additional punitive contact. For example, one study shows how recently-deported undocumented and documented immigrants are “afraid to leave home, drive their cars, or go out in public,” lest immigration authorities detect, detain, and deport them once again (Hagan et al., 2011: 1822-1823). Parallel findings have been presented in studies examining specific legal categories of immigrants in multiple settings, including the undocumented (Abrego, 2006; Aranda & Vaquera, 2015; Gonzales, 2015), those with temporary or discretionary statuses (Abrego, 2011; Gonzales et al., 2014; Menjívar, 2006), legal permanent residents (Golash-Boza, 2015; Kanstroom, 2007), and even naturalized or native-born U.S. citizens (Aranda et al., 2014; Stevens, 2011).

Although research on immigrant illegality has informed our understanding of how the minority of immigrants with punitive contact with immigration law and enforcement relate to this system, it leaves unresolved the question of how individuals navigate potentially-precarious

situations such as detention and removal when they have never before encountered them. This question is particularly important in the context of immigration law and enforcement because “avoiding the system” may not be feasible for some immigrants involved with the bureaucratic arm of the American immigration system. Put simply, system avoidance is not possible for some immigrants because, by virtue of their semi-legal or legal status, these individuals are embedded squarely inside it. Absent personal experience, immigrants’ risk assessments may have to do more with what I call *categorical risk*, or concern about an event’s likelihood stemming from their real and perceived social position before the law.

An immigrant’s formal legal classification confers differential degrees of legal protection to those individuals who hold these statuses. These statuses, in turn, determine immigrants’ access to important political, labor market, and social opportunities in the U.S. (Bosniak, 2007). Perhaps the most obvious implication of an immigrant’s legal classification is his or her degree of vulnerability to immigration enforcement actions such as detention or deportation. Whereas immigrants with an undocumented status are estimated to be overrepresented in removals from the U.S., immigrants with a discretionary, temporary, or permanent status enjoy progressively more protections from removal and experience these punitive actions less frequently, on average, than their undocumented counterparts (Human Rights Watch, 2009). In addition, immigrants holding classifications that are more secure than an undocumented status enjoy greater access to public benefits and the possibility of socioeconomic mobility (Jones-Correa & de Graauw, 2013a).

Yet, even with protections that insulate them from enforcement actions to some extent, an immigrant’s subjective social position before the law may not align with his or her objective legal classification. This divergence in objective legal classification and subjective social

position may stem from a number of sources. First, an immigrant may perceive risk stemming from the legal classification they hold, even if it is a relatively-secure status. Figure 3-2 demonstrates how, on average, likely-undocumented, legalized, and naturalized-citizen U.S. Hispanics hold multiple viewpoints regarding the threat of immigration law and enforcement. Qualitative studies have hinted at these multiple and seemingly-contradictory perspectives as well, though seldom have they made these unexpected viewpoints the object of their analyses. For example, undocumented immigrants in inhospitable local contexts downplay the likelihood that they could be deported because they engage in strategies to deflect the attention of law enforcement officials as they go about their everyday routines (García, 2014: 1896). Studies of immigrants holding semi-legal or legal statuses, in contrast, describe the bureaucratic risk immigrants face as they navigate an increasingly-complex system of immigration laws. Central American immigrants with a “liminal”—temporary or discretionary—status in Phoenix, Arizona must pay attention to “multiple and confusing deadlines for applications and renewals of permits and convoluted application procedures” in order to avoid removal (Menjívar, 2006: 1000; see also Menjívar & Abrego, 2012). Even prospective and current legal permanent residents who lack punitive system contact are forced to realize profound personal transformations in personal and civic life in order to prove that they are “deserving of [American] membership” and, by extension, undeserving of expulsion from the country (Menjívar & Lakhani, 2016: 1823).

Second, regardless of one’s own legal status, there may be spillover effects associated with the enforcement of immigration law. One spillover effect results from the vicarious experiences of those with social proximity to immigrants. The Migration Policy Institute (2015) estimates that households with at least one immigrant parent contain 17.5 million U.S.-citizen and noncitizen children. When the immigration enforcement system targets an immigrant parent,

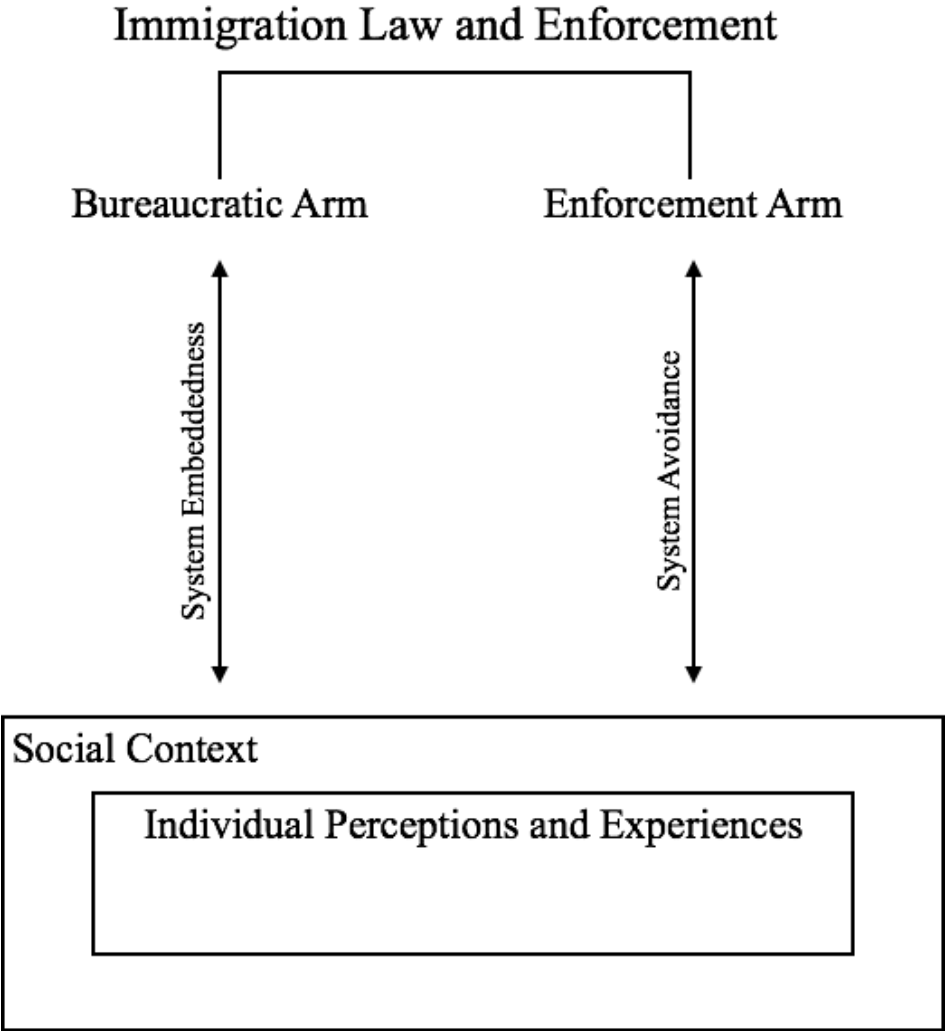
this individual's children are directly implicated (see Aranda & Vaquera, 2015; Brabeck & Xu, 2010; Enriquez, 2015; J. L. López, 2015; Yoshikawa, 2011). Another spillover effect results from the discredited meanings that legal classifications construct around particular racial/ethnic groups. Because U.S. Hispanics are overrepresented in both the U.S. immigrant population (Passel et al., 2014) and in the enforcement of immigration law (Rosenblum & McCabe, 2014), communities with large proportions of same-race U.S- and foreign-born group members may also internalize the risk of immigration law and enforcement (Asad & Clair, 2017; see also Viruell-Fuentes et al., 2012: 2102-2103; see also Hacker et al., 2011). This is likely to be the case particularly when individuals live in locales receiving new flows of same-race immigrants. Tomás R Jiménez (2008) shows how intergroup boundaries between Mexicans and non-Mexicans sharpen in contexts of heavy Mexican immigration, with U.S.-born Mexicans racialized as “foreign” or “illegal.” Getrich (2013) describes how such dynamics affect these U.S.-born American citizens in the immigration enforcement context, revealing how immigration officials at the Tijuana-San Diego border racialize and interrogate U.S.-citizen youth of Mexican descent as if they were undocumented immigrants (see also Armenta, 2017).

If the literature on urban crime and policing is any indication, it is likely that individuals who lack punitive system contact rely on both personal characteristics (i.e., legal status) and macro-level indicators (i.e., social context) to estimate their personal risk of confronting a perilous situation. These dynamics also reproduce social inequality. In the context of urban crime, potential homebuyers use the proportion of black residents in a neighborhood as a measure of disorder and avoid these areas because they believe residence there would expose them to crime (Harris, 1999), a behavior that contributes to racial residential segregation. Quillian and Pager (2010) likewise show that individuals overestimate their personal risk of

criminal victimization based on the racial composition of the neighborhood in which they live, a dynamic that contributes to persistent racial inequality. In the context of urban policing, Stewart et al. (2009) describe how black youths' perceptions of police-based racial discrimination vary according to the proportion of white residents in their neighborhood, particularly if the neighborhood recently has experienced black population growth. Immigrants may draw on similar assessments of their social environments—e.g., the perceived proportion of same-race group members or the perceived prevalence of police or immigration patrols in their neighborhood—as they think about the risk that detention or removal may befall them. Categorical risk as a concept thus foregrounds not only how personal characteristics and experiences but also how the broader socio-legal context within which immigrants are a part shape their perceptions about immigration law and enforcement.

Integrating the literature on immigrant illegality with theoretical insights from the sociology of risk, this dissertation lays the foundation for empirical research on how immigrants across legal categories and with unequal contact with immigration law and enforcement understand the risk this system poses to their daily lives. In particular, a framework centered on immigrant risk foregrounds not only how personal characteristics and experiences but also the broader socio-legal context within which immigrants are embedded shape their seemingly-aberrant or –idiosyncratic perceptions about this system. Moving beyond research that focuses on how punitive contact produces immigrants' system avoidance, I show in Chapters 4 and 5 how, when system avoidance is impossible, a process I term *system embeddedness*—whereby individuals included in the U.S. immigration bureaucracy's formal records exhibit a heightened sense of risk—emerges as an under-theorized form of social control for U.S. immigrants. Figure

Figure 3-3. Proposed Theoretical Model Explaining Immigrants' Heterogeneous Perceptions of, and Experiences with, Immigration Law and Enforcement



3-3 summarizes this argument. As I outline in the final chapter of the dissertation, these distinct but complementary pathways to social control—system avoidance via punishment and system embeddedness via legalization—support the idea that immigration law and enforcement constitute a “total institution” (E. Goffman, 1961), an all-encompassing social arrangement that structures the daily lives of all U.S. immigrants.

Categorical Risk and Immigrant Assimilation

Broadening research on immigrant illegality—and its associated focus on fear—to encompass the study of immigrants’ categorical risk allows scholars of immigration to assess the larger, sometimes-unanticipated consequences of immigration law and enforcement on immigrant assimilation. Traditional theories of assimilation point to the structural and subjective dimensions of assimilation. In other words, these theories view immigrants as having assimilated not only when their ethnic origins do not impede their socioeconomic mobility prospects but also when these individuals perceive themselves to be a part of American society. Both Gordon’s (1964) straight-line assimilation theory and Alba and Nee’s (2009) new assimilation theory view assimilation as inevitable as immigrants shed their ethnic distinctions and their corollary cultural and social differences. Although neither theory explicitly mentions legal status, it is implicit in their conceptualization: In the contemporary U.S., one’s legal status affords a range of civic, social, and political rights that allow immigrants to improve along objective measures of mobility (Bosniak, 2007), generally referred to as structural assimilation. Once complete, structural assimilation should lead immigrants to exhibit a shared sense of “peoplehood” with the native-born population (Gordon, 1964; Park & Burgess, 1925), if not within the immigrant generation then surely in that of their children, grandchildren, and beyond (Alba & Nee, 1997; Brubaker, 2001; Waters, 1990).

These assimilation theories have been foundational to the study of migration and immigrant incorporation. However, they were formulated based on the experiences of “white-by-law” European immigrants (Fox & Bloemraad, 2015) at the turn of the twentieth century. In this particular historical moment, immigrants were eligible to naturalize after two years of residence in the U.S., legally “becoming American” and ultimately experiencing the predicted declines in ethnic, social, and cultural difference with the “mainstream” population within one or two generations (but see Catron, 2016). As a result, these assimilation theories take as a starting point that immigrants arrive to the U.S. not only with a legal status but also with a white race in order to describe the conditions necessary for immigrants to become “full Americans.”

But today’s immigrants contrast with those of the past insofar as they are often identified by their ethnic and racial differences (Alba, 2005; Waters, 2009), as well as their precarious legal statuses (see Chapter 2; see also Waters & Pineau, 2015: 61). Among all immigrants living in the U.S. in 2015, approximately 45 percent identified as Hispanic—more than any other single racial or ethnic group in the country.³³ Furthermore, among the nearly 12 million undocumented immigrants in the U.S. in 2015, about two-thirds are estimated to be Hispanic (Krogstad et al., 2017) Accordingly, how race and legal status condition U.S. immigrants’ assimilation trajectories is an area that scholars have identified as important to understanding the situation of contemporary U.S. immigrant populations (Kasinitz, 2012; Menjívar, 2010).

The nascent but quickly-growing body of research that investigates how U.S. immigrants understand and experience immigration law and enforcement has tended to rely on Portes and his collaborators’ theory of segmented assimilation (Gonzales, 2015; Menjívar, 2006). Unlike the straight-line and new assimilation theories reviewed previously, segmented assimilation theory describes how economic hurdles and/or racial hierarchies implicate immigrants’ opportunities for

³³ Author’s tabulations of 2015 American Community Survey data (five-year estimates).

structural assimilation (Portes & Rumbaut, 2006; Portes & Zhou, 1993; Rumbaut & Portes, 2001). There is no one sequential nor inevitable path to assimilation; instead, political, economic, and social impediments to mobility will relegate some immigrant groups to second-class citizenship, even if they experience some intergenerational mobility (Portes & Rumbaut, 2006; Telles & Ortiz, 2008; but see Alba et al., 2011; Kasnitz et al., 2009) or are afforded civic, political, or social rights (Bauböck, 2005; Brysk & Shafir, 2004; Hondagneu-Sotelo, 1994; Ong, 1996).

Yet, despite recognizing that immigrant assimilation is not a uniform or unidirectional process, segmented assimilation theory downplays the importance of individual meanings to assimilation processes (Itzigsohn, 2000). It instead suggests that, once the structural conditions for immigrant assimilation are met—i.e., favorable political, economic, and social contexts—immigrants’ own perspectives on their place in American society will correspond to their objective legal classification (e.g., naturalized citizens will identify as American). This is an important oversight because today’s population of immigrants is characterized not only by racial but also by legal exclusion (Ngai, 2004; Schachter, 2016; Waters & Kasnitz, 2015). Research has tended to study these markers of stratification separately. Regarding racial hierarchies, Golash-Boza (2006: 28) notes how foreign- or U.S.-born Latinos perceive racial discrimination and, as a result, are unlikely to identify as American, even when their families have resided in the country for generations. Regarding legal status, Menjivar (2006) demonstrates how holding a precarious legal status shapes how Central American immigrants understand their relationship to American society (see also Menjivar & Abrego, 2012; Menjivar & Lakhani, 2016). Considered together, however, race and legal status may operate jointly to condition how some

populations—in this case, U.S. Hispanics who are foreign- or native-born—understand their place in American society.

Given the number of Hispanic immigrants in the U.S. today, many of whom hold a precarious legal status, considering how race and legal status work to condition these individuals' sense of belonging against the backdrop of immigration law and enforcement helps us to refine traditional theories of assimilation to be more in line with contemporary immigration dynamics. In particular, I suggest—and outline more fully in Chapter 6—that it is the confluence of race and legal status, what I call a *racialized legal status*, that may structure how immigrants, their families, and the larger communities of which they are a part understand their place in American society. Operating through ostensibly race-neutral legal classifications that disproportionately affect racial/ethnic minorities—in this case, U.S. Hispanics—I trace how racialized legal classifications implicate individuals' sense of belonging in the U.S. through two broad pathways: first, through the primary effects of those who hold a legal status; and second, through spillover effects on racial/ethnic in-group members, regardless of these individuals' own legal status.

Conclusion

Sociological research on how immigrants understand and experience immigration law and enforcement emphasizes the perspectives of those individuals with prior punitive contact with this system. Accordingly, much of the existing literature is consonant with studies on urban crime and policing, which shows how individuals with punitive legal contact seek to avoid institutions that could potentially bring about additional sanctions. When considered with sociological research on risk, however, this perspective on immigrant illegality appears incomplete. Past experiences may shape individuals' perceptions of potentially-perilous

situations, including with respect to the threat of immigrant detention or removal. The immigrant risk perspective introduced in this chapter accomplishes this task by relating micro-level variations in perceptions of immigration law and enforcement to individuals' ongoing and complex calculations of risk stemming not only from their personal characteristics but also from the broader socio-legal context within which they are embedded. These risk assessments implicate individuals' sense of belonging in the U.S. as well, a phenomenon that affects not only the immigrants I interviewed but also their U.S.-born family and community members. I trace these dynamics in the following three chapters, which focus on how mostly-Mexican immigrants understand and experience immigration law and enforcement in their daily lives in Dallas County, Texas.

Chapter 4: Punitive Contact, Fear, and Life in the Shadows

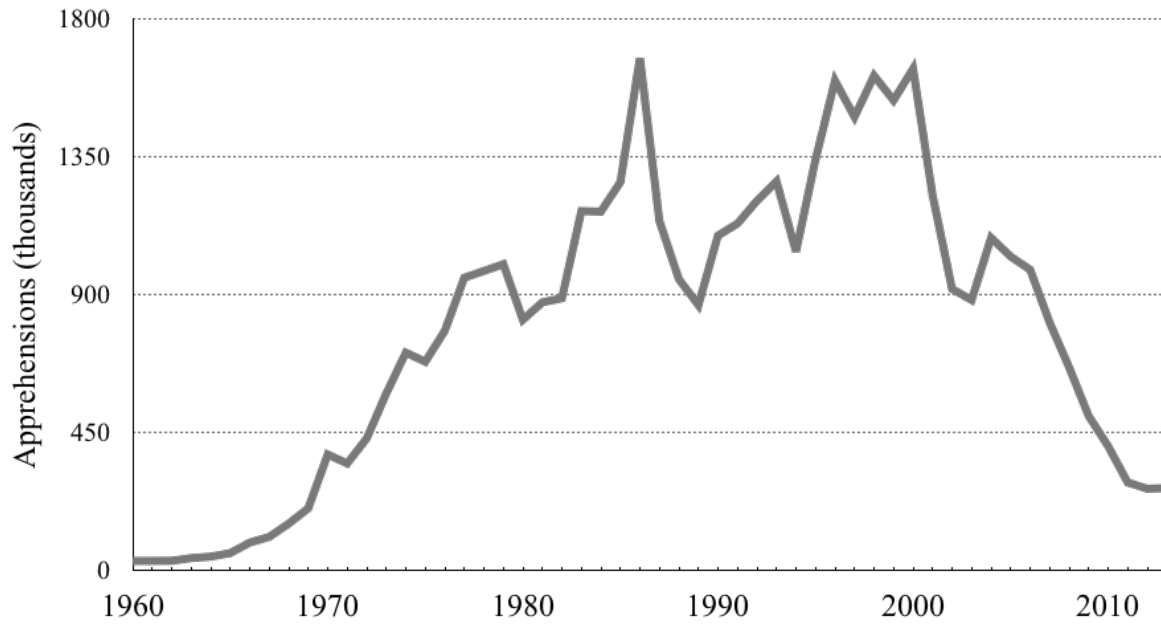
In 2008, then-Senator Barack Obama addressed the National Council of La Raza, a Latino nonprofit association advocacy association that lobbies in favor of a progressive agenda on immigration and immigration reform. Obama's comments before the Council stood out for his account of why the U.S.' system of immigration law and enforcement "just isn't working:"

The system isn't working when 12 million people live in hiding, and hundreds of thousands cross our borders illegally each year; [...] when communities are terrorized by ICE immigration raids—when nursing mothers are torn from their babies, when children come home from school to find their parents missing; when people are detained without access to legal counsel. When all that's happening, the system just isn't working.

The images Obama's rhetoric conjured—of millions of undocumented immigrants "hiding," of communities "terrorized" by immigration raids, of "torn apart" families—belied his desire for comprehensive immigration reform: "The 12 million people in the shadows, the communities taking immigration enforcement into their own hands, [and] the neighborhoods seeing rising tensions as citizens are pitted against new immigrants...[are] counting on us to...finally enact comprehensive immigration reform."

The trope of immigrants "hiding in the shadows" has been a fixture of contemporary research on immigration law and enforcement. The concept emerged at the close of the twentieth century to describe undocumented immigrants' vulnerability to enforcement actions. Drawing on a purposive sample of undocumented Mexicans living in San Diego, California in the 1980s, Chávez (2012 [1992]) argued that the threat of removal structured these individuals' daily lives. Given unprecedented attempts to regulate the size of the growing undocumented Mexican population entering and settling in the U.S. at the time (Massey et al., 2016), this conclusion seemed almost inevitable (Massey et al., 2002). One measure of the impact of immigration enforcement on undocumented immigrants during this time period is the number of

Figure 4-1. Apprehensions of Mexicans at U.S. Borders, 1960-2013



Note: Refers to apprehensions at all U.S. borders. Apprehensions data represent events, not individuals.

Source: U.S. Border Patrol apprehensions table, FY2000-2013; Immigration and Naturalization Service statistical yearbooks, FY1960-2000.

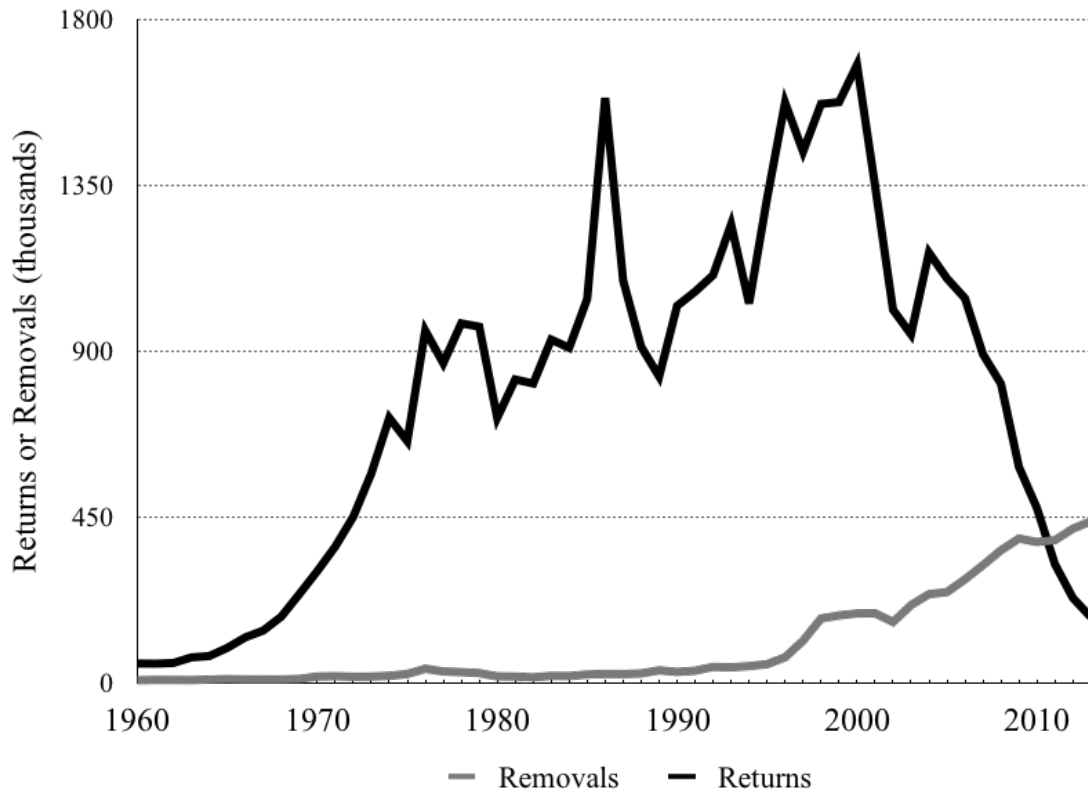
apprehensions that Customs and Border Patrol (CBP) carried out of Mexicans attempting to enter the U.S. (Espenshade, 1990, 1995). As Figure 4-1 shows, Mexican apprehensions grew exponentially between 1960 and 1980, reaching their peak in 1986.

But Mexican apprehensions at the border no longer constitute the primary arm of the immigration enforcement system (Eagly, 2010). Indeed, as Figure 4-1 makes clear, the number of apprehensions fell dramatically throughout the 2000s. This is in part the result of three related processes. First, apprehensions data tend to focus on well-guarded sectors of the Mexico-U.S. border. Even as millions of apprehensions were logged between 1980 and 2000, undocumented immigrants simply altered their entry strategies such that they crossed into the U.S. from less well-guarded areas of the border (Donato & Armenta, 2011). It was a question of when—not if—these individuals would make it inside the country (Donato et al., 2008).

Second, apprehensions data tell us nothing about the experiences of undocumented immigrants who have made it past CBP. This is an important oversight because, as we saw in Chapter 2, undocumented immigrants are likely to settle in the U.S. in order to avoid having to repeat their risky border-crossing experience (see also Massey et al., 2016). Passel et al. (2014) estimate that, while just 35 percent of the undocumented population in 1995 had been living in the U.S. for at least ten years, 66 percent had been doing so by 2014. Although aggregate inflows of undocumented Mexicans had fallen to zero throughout the same period (Passel et al., 2014), their long-term settlement in the U.S. required that the federal government turn to other mechanisms of immigration enforcement in order to regulate the now-settled undocumented population.

Finally, in their focus on clandestine border crossers, apprehension statistics overlook important changes in immigration law and enforcement since 1996. Chapter 2 described how the

Figure 4-2. Returns or Removals from the United States (in thousands), 1960-2013



Source: Author's tabulations of Table 39, Yearbook of Immigration Statistics.

immigration enforcement system's reach has expanded since 1996 to make all immigrants—not only the undocumented but also visa holders, legal permanent residents, and even naturalized citizens under certain conditions—vulnerable to this system (Eagly, 2010, 2013; Kanstroom, 2007). Because these various categories of “legal” immigrants generally have permission to enter the country, remaining in the country is paramount.

The contemporary American immigration enforcement system has expanded its efforts at regulating the immigrant population from border security to interior enforcement. At bottom, these efforts are a question of who is included—and who is excluded—from the country. Returns and removals, displayed as trend data in Figure 4-2, are now the most important enforcement actions that the federal government uses to carry out its enforcement priorities (see Eagly, 2010: 1281). The former entails a noncitizen leaving the country without a formal removal order, and the latter occurs when a formal removal order compels a noncitizen to leave. Immigrants who previously have been removed but have since reentered the country face severe legal consequences if detected, including criminal charges, detention, and up to a 20-year bar on accessing the documents required to immigrate lawfully to the U.S.; no comparable sanctions exist for those who have been returned several times. Data limitations make it difficult to know how many immigrants presently in the U.S. ever have been returned or removed, but nationally-representative survey data suggest that as many as 28 percent of all foreign-born Hispanics in the U.S. know someone personally who has been affected by these actions (M. H. López et al., 2013).

Illegality studies anticipate that just the threat of these enforcement actions is sufficient for contributing to immigrants' “lives in the shadows” (Chávez, 2012 [1992]; De Genova, 2004; Menjívar & Kanstroom, 2013). But immigrants' perceptions of this system do not always

correspond to this dominant narrative. Amuedo-Dorantes et al. (2013) show that recently-returned or –removed Mexicans report concern about having been removed, but these same individuals do not report having worried about immigration enforcement prior to their being compelled to leave the country. These unexpected perceptions are also reported in nationally-representative survey data, with U.S. Hispanics—native or foreign born, naturalized or noncitizen—reporting heterogeneous views about the potential that they or a loved one could be removed from the country (see Figures 3-1 and 3-2 in Chapter 3).

This chapter, together with the one that follows, offers one explanation to reconcile these seemingly-incompatible findings regarding immigrants’ perceptions of the enforcement system: personal experience. Recall that the sociology of risk foregrounds the importance of personal experience in explaining why some individuals understand and respond to the same potentially-perilous situation differently. In particular, having previously experienced a dangerous event has been shown to make individuals overstate the potential that they will experience it again (Ferraro, 1995, 1996; Ferraro & LaGrange, 1987; LaGrange et al., 1992; Rountree & Land, 1996). The resultant fear—a negative, emotional reaction to a specific, past situation—becomes all-consuming as these individuals go about their everyday lives. For the fifteen respondents in my sample who have ever experienced enforcement actions, negative, emotional reactions to the prospect of additional enforcement actions are commonplace given this prior punitive contact with the system. Whether returned as they attempted to enter the U.S. or removed after they already had settled in it, prior contacts with enforcement actions leads immigrants—regardless of legal status—to generalize their fear of the system to all other domains of social life (c.f. DiMaggio, 1997: 282).

“You’re Always Afraid”

In my sample, immigrants who have ever experienced an enforcement action tend to perceive immigration law and enforcement with fear given this prior experience. Esmeralda, a 27-year-old and undocumented mother of three, is one such respondent. Born and raised in Tiquicheo, Michoacán, Mexico, Esmeralda describes her childhood as having been “mostly happy” but lamented the destitute conditions in which she was born: “It was so beautiful there when I was growing up. But after I grew up, I just had to work and work and work. That’s how a person survives over there.”

Esmeralda decided to journey north in the hope of better supporting her parents: “The main reason I came is because there was nowhere to make money to help my parents in Mexico. I thought it would be better here [in the U.S.] than it was there.” Esmeralda was enticed by the potential economic opportunities awaiting her in the U.S., which she learned about from community members who had returned to Tiquicheo for a holiday visit: “I had heard all of these great things about the United States and how it was so beautiful. That is when I decided to come here.”

Having made the decision to cross into the U.S., Esmeralda began strategizing about how she would get there. She had heard from others who had returned to her hometown from the U.S. that the journey could be perilous: “There were people that would come back from the Rio Grande or from the border, or some would drown in the river, or some would just get killed on the way or whatever.” But Esmeralda discarded these stories, not allowing them to dissuade her from crossing into the U.S.: “When a person is young, they think they can do anything. I certainly thought I could do it. I said to myself, ‘Nothing ventured, nothing gained.’ So I left.”

Esmeralda would spend a month attempting to enter the U.S. in 2007. She admits that, in hindsight, “It was more difficult to get over here undocumented than I originally thought.” She

recounted to me her arduous journey through the desert, as well as her chance encounters with immigration agents, sometimes referred to as *La Migra*, along the way:

I spent fifteen days on the Mexican side and then fifteen days on the U.S. side. *La Migra* saw me three times, and each time I ran into the desert to hide. I didn't have any water. I was so thirsty. I was stranded there with another boy who was trying to cross. We spent the nights like that—just, lost. [...] We had no light. Everything was dark, and we were thinking we would die or that an animal would attack us.

Although she ultimately made it into the U.S., Esmeralda's negative experiences at the border—particularly given her three encounters with CBP officials that would delay her trip to the U.S.—helped to shape her evaluations of everyday life in the U.S.: “And, to think, I thought it would be better over here? Worth all that? What a joke that turned out to be.” I asked Esmeralda to clarify what she meant. She described herself as living in a constant state of fear, scared that she will have a chance encounter with *La Migra* and be removed to Mexico:

You can't go anywhere with confidence because you are always afraid that *La Migra* will catch you and try to deport you again. [...] [Y]ou can't go out wherever you want like those who have papers and a driver's license can. If you don't have a license, you are not going to have papers. If you get stopped and something happens, and you don't have a license, they will take you back to Mexico.

Despite her initial difficulty entering the U.S., Esmeralda has lived in Dallas for more than eight years without once seeing immigration agents. She attributes her lack of direct experience with *La Migra* since her entry to her living life “carefully,” a belief present in many accounts of undocumented immigrants in localities throughout the U.S. (Golash-Boza & Hondagneu-Sotelo, 2013; Hagan et al., 2011; Marrow, 2011). She further describes herself as “cautious” not to attract unwanted attention from the police: “I drive very carefully and don't drink while I am driving. [...] You don't want to be stopped and taken away.” This behavior is one of many strategies of self-presentation the undocumented adopt in order to avoid detection (see García, 2014).

Complex and Contradictory Ideas

Respondents with punitive contact hold complex and sometimes-contradictory ideas about immigration law and enforcement that stem from their prior experiences. Maritza, a 33-year-old mother of three who was returned several times as she attempted to enter the U.S. in 2001, exemplifies this dynamic. Hailing from Mexico City, Maritza was eight-months pregnant when her mother—who had entered the U.S. without documents several years prior—sent for her. Maritza’s mother paid \$1500 to a *coyote*, or smuggler, to facilitate her daughter’s clandestine border crossing, with the hope that Maritza would be able to provide a better life in the U.S. for her unborn daughter.

Given the level of security at the Mexico-U.S. border, migrating without documents is already an inherently-complicated task. To do so while eight-months pregnant is another feat entirely. The *coyote* reassured Maritza and her mother that they would attempt to enter the U.S. through “la línea,” interacting with CBP agents at a traditional point of entry with forged documents. Doing so proved complicated: “*La Migra* figured us out.... They grabbed a stick and started prodding my stomach, asking me if I had drugs. I told them, ‘How can I have drugs? I’m pregnant.’ They detained me and deported me the same day.”

Undeterred, Maritza and her *coyote* would make another attempt the following day. Maritza called her mother to let her know that crossing through la línea proved unfruitful. Her mother encouraged her to keep trying. Maritza informed her mother that they would try to cross through the Rio Grande: “A voice told me to go through the River. My mom didn’t want me to, but I told the *coyote* that’s what I wanted to do.” By mid-afternoon, Maritza and her *coyote* had made it to the River, joining another group of “noisy” undocumented immigrants who were

excited about having almost made it to the U.S. In their excitement, however, they had unintentionally alerted Customs and Border Patrol to their presence:

We got there by midday. Another group of people was there, but they were very noisy. They were happy, taking off their clothes, getting ready to cross. And, from the noise, they didn't hear when *La Migra* was coming. We [the *coyote* and I] ran to hide in the trees, and all the other people were still in the water. *La Migra* detained all of them. [...]

Worried that she would again be blocked from entering the U.S., Maritza began praying: “I prayed to God because I wanted to get there [to the U.S.] so that my [unborn] daughter could have a better life.... I asked God to blindfold *La Migra*, so that they wouldn't see us again and so that we could have a safe trip.” The immigration agents ultimately left—not seeing Maritza and her *coyote* in the nearby tree—and Maritza resumed her journey north the following morning:

We started crossing the next morning at 6AM. I was worried about having a cramp inside the river's cold water, but the water turned out to be pretty warm.... I think that was a sign from God, because it was a cold day, but the water was very, very warm. [...] I didn't think I would make it across the river—I almost couldn't keep up. But I was able to do it and made it into the U.S.

Once stateside, the *coyote* delivered Maritza to her mother in Dallas by placing her in the back of a U-Haul truck. Maritza would soon give birth to her first child in November 2001.

In some ways, given her prior experiences with *La Migra* as she crossed into the U.S., Maritza expresses fears of removal in her day-to-day life similar to Esmeralda: “*La Migra* can stop you whenever they want and take you to jail. Once you're in jail, they will send you back to Mexico.” These sentiments have encouraged Maritza to avoid “doing anything wrong so they have no reason to...do anything to me.” Reflective of this system's social control potential for even U.S. citizens noted elsewhere (Aranda et al., 2014), Maritza also teaches her American-born children to “be good citizens” and to “respect the law” as they go about their daily routines.

Yet, even with these fears, Maritza notes that a changing landscape of immigration law and enforcement has made it possible to live in the U.S. while undocumented. Part of this

knowledge stems from members of her social network. Maritza's mother, for example, described to her daughter a "pure lie," propagated by current and former U.S. immigrants, that *La Migra* actively searches for undocumented immigrants in Dallas, as Maritza recounted:

My mom had already lived in Dallas for three years before I came over from Mexico. She would say, "It's pure lies that people can't live here without papers if they're Mexican." It used to be true, around the 1970s or 1980s, which is why my husband's uncle got deported after *La Migra* stopped him and his brother while they were shopping at a store. His brother already had his papers because he had married someone from here, but my husband's uncle didn't, so he started running. That's why I tell you that this kind of thing happened, but it was years ago.

It is true that immigration law and enforcement have changed since the mid-1980s. While the system concentrated on apprehending and returning undocumented immigrants at or near their points of U.S. entry until the late 1980s (Espenshade, 1990), the contemporary system stands out for its local-level variation in enforcement (Gulasekaram & Ramakrishnan, 2015). Although the number of removals from the U.S. has proliferated since the 1990s, Maritza does not perceive these aggregate trends in her local context because her mother instilled in her the idea that such practices are outmoded. Accordingly, even as Maritza is fearful that she may be removed at any moment, she seeks to avoid future interactions with this system with "good behavior." This finding is consonant with research on the disciplinary potential of immigration law for immigrants in tenuous legal categories (see Menjivar & Abrego, 2012).

DAPA: Better than Nothing?

Fear of removal not only structures respondents' daily routines but also informs their perspectives on opportunities for "coming out of the shadows" and adopting a semi-legal or legal status. In November 2014, President Barack Obama issued an executive order establishing Deferred Action for Parents of Americans (DAPA), which would have granted removal protections to the undocumented parents of U.S.-citizen or legal permanent resident-children.

But a federal judge in Texas blocked DAPA's implementation in February 2015, and the United States Supreme Court upheld this decision in June 2016. This political back-and-forth makes undocumented immigrants like Maritza wary of legalization programs that fall short of a permanent pathway to citizenship:

Maritza: I would not sign up for DAPA because it's only a permit for so many years and, if the government no longer decides to renew it, you have to leave the country. They would deport you. It's better to wait for your kids to turn 21 and get your residency or citizenship because that's more secure and, with DAPA, it's only a permit.

Asad: But isn't it better to have a permit than to have nothing?

Maritza: Not for me. If it's just a permit and you know later that they won't want to give it to you, then what happens? *La Migra* will already have your information and the day they don't want to give it to you, they'll already know where you are. The law keeps changing and everything, so I will wait until [my kids] can arrange the papers for me.

In this way, then, policies such as DAPA that are intended to alleviate some of the fear associated with lacking documentation may lead some potential beneficiaries to avoid the system altogether because they view it as a tool for governmental surveillance given their prior punitive contact with the contemporary immigration system (see Brayne, 2014).

Undocumented and Unafraid

The fears described above are not simply the result of respondents' undocumented status; similar fears are present among immigrants in this sample holding less-tenuous statuses who have had prior enforcement experience, including legalized immigrants (i.e., legal permanent residents). For example, Javier is a 47-year-old legalized immigrant from Mexico. He first entered the U.S. without documents in the 1980. After several years, the IRCA legalizations in 1986 allowed him to regularize his status and become a legal permanent resident. He lived for more than two decades in the country without incident. All that changed suddenly in 2008.

After completing work at a construction site, Javier and several of his friends went to a park in his majority-Latino neighborhood to celebrate with some beer. Unfortunately, Javier did not realize that public drinking is a misdemeanor offense in Texas: “I was in a park with some friends, and I guess a park is a public place. Nowadays, the laws are tough and you think that nothing will happen. But they arrested me.” Javier was charged with a Class-C Misdemeanor, ordered to pay a \$500 fine, and given three years’ probation for his offense.

Three years later, having completed his probation in July 2011, Javier was relieved to have served out his sentence. But no sooner had he completed his probation did ICE agents pick him up at his home to detain him for the immigration-related consequences of the same criminal misdemeanor charge for which he had just completed probation. As his wife recounted to me:

ICE came over at 6AM. [Simulates pounding on the front door.] “Javier Santos!” “May I help you?” “Can you call him? “He’s in the bathroom.” I was going to take him to work, and they asked for his residency. They said it was because it was a[n aggravated] felony he had to pay for his crime. “You paid for your crime with the police, but Immigration is next.”

What followed was a chain of events that conjure images of immigrants’ shadowed lives (see Chávez, 2012 [1992]). Javier asked his wife to find an attorney, who assured Javier’s family that he would not be removed from the country: “The lawyer said they’ll grant me a pardon, but that Immigration would investigate everything about me first. And they did investigate everything—they had lots of questions.” Reassurance could not pay the household bills, however, and Javier relied on extended family members to support his family while he was detained for three months in a facility six hours away from Dallas. Given the distance, Javier’s family was only able to visit him once, at which time Javier explained why he was detained: “Your dad is locked up for the consequences of vice. It’s fine. The law is the law and, without laws, where would we be?”

Javier attributed his detention to individual failings rather than the convergence of criminal and immigration law that led to his double punishment (Stumpf, 2006). He nevertheless sought a pardon from the immigration judge so that he would not be removed to Mexico. One important question that was to be determined while in immigration court was whether Javier's public intoxication offense was a one-time lapse in judgment. In immigration law, this consideration speaks to whether Javier exhibits "good moral character."³⁴ The Immigration and National Act defines good moral character as "character which measures up to the standards of average citizens of the community in which the applicant resides." Reflective of the potential spill-over effects of immigration enforcement operations on even U.S. citizens (Aranda et al., 2014; Bean et al., 2015; Fix et al., 2001), Javier's family mobilized to prove as best they could that Javier was a "good person:"

My kids wrote a letter [to the immigration judge] and explained who I was. They said that I've been a good person, that I've never hit my wife, and that I've always worked to provide for my family. [...] My oldest son also wrote a letter. [...] All the teachers from my kids' high school also went to court.

The outpouring of support from Javier's family, friends, and acquaintances assured the immigration judge that Javier was an upstanding person. He reported that the judge told him, "It looks like a lot of people support you and care about you. I think that means you're a good person." Javier promised the judge that he would not drink in public going forward. The judge took Javier at his word and granted Javier a pardon but assured him that, next time, Javier would not have such a lenient outcome: "I'll grant you a pardon, but just this once. I'm doing this for your kids and your wife. They depend on you. Don't let them down."

This experience with immigration enforcement lingers with Javier. Despite having been eligible for naturalization at the time of his arrest, Javier reports that the lawyer fees he and his

³⁴ See 8 CFR 316.10(a)(2).

family incurred throughout the ordeal have hindered his ability to become a citizen: “The judge said I should have become a citizen, but now I can’t. This whole thing really has held us back. The lawyer charged us \$8000 for all this.” Javier now describes himself as fearing removal during his daily routine: “Things like this make people react, make them cautious to obey the law. I don’t want to be deported.” His wife reports that this experience has even brought about long-lasting changes in her husband’s drinking behavior (see also Menjivar & Lakhani, 2016): “He doesn’t go out at all anymore. He still drinks, but he does it only at home and then he’s off to bed.”

“Why Didn’t You Naturalize?”

The consequences of violating immigration law can be detrimental for all noncitizens, but they stand out as particularly severe for legal permanent residents who are eligible for naturalization and, by extension, immunity from enforcement actions. In observations of immigration court, I often noted instances when long-term legal permanent residents unwittingly violated immigration law—sometimes for possessing small amounts of marijuana for recreational use—and, despite having been eligible to naturalize years ago, are no longer able to do so because drug possession is an aggravated felony under immigration law. Moreover, and given AEDPA’s 1996 changes to immigration law, drug possession is an offense for which a noncitizen must be removed without judicial review.

I walked into immigration court one morning in July 2015 just as the Department of Homeland Security’s attorney started to introduce José’s very-complicated case to the presiding judge. José is a 24-year-old Mexican national who became a legal permanent resident at the age of thirteen. In June 2009, José was accused of stealing a car and, in March 2010, he was convicted. Although he was given a deferred sentence of community service for 360 days, the

conviction counts as a removable offense for immigration purposes—José stole the car in Oklahoma, and Oklahoma criminal statute dictates that potential jail time for grand theft auto is anywhere between three and seven years. Moreover, because this crime was committed within five years of his becoming a legal permanent resident—he was four months shy of his five-year mark—José was removable. Nor could José be pardoned for his crime because, when arrested, he was carrying small amounts of marijuana, an aggravated felony under immigration law.

The judge took a deep breath: “Whoa!” He then turned to José: “Do you understand what’s going on?” The judge paused and, before José could answer, continued: “Probably not.” He explained José’s predicament and, while doing so, tried to find an analogy that would resonate with José and facilitate his comprehension:

Judge: Do you have a driver’s license?

José: No.

Judge: Did you graduate from high school?

José: No. I only finished up to the ninth grade because I had to take care of my nephew.

Judge: I was trying to give you an analogy! Let’s see. You have to meet certain conditions to get a driver’s license—like be 16 years old, take a driver’s education course, pass a written test, and then take a road test. I can’t pardon your crime because you need five years of lawful admission after becoming a legal permanent resident to qualify for one. You were convicted in March 2010 of having committed a crime in June 2009. Under a “stop time” rule, immigration law says you can’t gain any additional immigration benefits after the crime has been committed.

“Why didn’t you naturalize,” the judge finally asked José. “My mistake,” José responded, head hanging low. The judge retorted:

Yes, your mistake. You only had to wait five years after becoming a legal permanent resident to naturalize. You wouldn’t be here if you had naturalized. I’m not condoning your criminal activity, but you wouldn’t have these immigration problems had you naturalized. I only have authority over noncitizens.

José was ordered removed to Mexico, stripped of his permanent resident status, and warned that, should he reenter the U.S. before twenty years had elapsed, he would serve time in federal prison. As the courtroom interpreter explained the judge's orders to José's naturalized-citizen mother, she became distraught, holding onto her son tightly as DHS officers handcuffed and escorted him out of the courtroom for processing and removal.

After José was taken out of the courtroom, I remained behind to discuss the case with the immigration judge. I commented that it was an interesting case to observe. The judge replied, "Yes, and I think this needs to be a lesson for the broader [immigrant] community that they should naturalize if they are eligible. He didn't need to be deported, but he didn't naturalize." The judge assured me that he had tried every possible pathway to avoid José's removal, but that his "hands were tied." I asked if the outcome would have been different if José would have had any U.S.-born children, or a U.S.-citizen spouse: "No, because the drug crimes prevent him from being in the U.S. if he is not a citizen. There's no flexibility there." In the end, the judge concluded as he gathered his belongings and prepared to exit his chambers, "This is all a question of personal responsibility. Had he not committed a crime, had he filed for naturalization, had he changed his life, the law could've helped him. It's unfortunate he had to be deported because he probably doesn't know anyone in Mexico since he came to the U.S. while he was so young."

Conclusion

Strong, negative reactions to immigration law and enforcement are commonplace among respondents in this sample who ever have experienced an enforcement action. Given these prior experiences, respondents generalize their fears of another enforcement action across multiple domains of social life. This finding is consonant with research on urban crime and policing,

which suggests how contact with institutions of legal control shape individuals' risk assessments. The findings here build on this past work. I show how the desire to avoid the system stems from individuals' prior punitive experiences with it. Regardless of respondents' own legal status, having a prior punitive contact with the immigration enforcement system leads these individuals to fear another punitive contact as they go about their daily lives. In addition to personal experience, network contacts and media reports inform immigrants' perspectives as well. Immigrants' fears of future punitive contact reflect immigration law's potential to discipline all immigrants with prior punitive contact into "moral" and "law-abiding" individuals (c.f. Menjivar & Abrego, 2012). But how do immigrants without prior punitive contact understand and respond to immigration law and enforcement? I take up this question in the next chapter.

Chapter 5: Categorical Risk through System Embeddedness

The notion that immigrants should respect and conform to a society's established rules has origins in the founding of the United States. Thomas Jefferson, writing from Washington, D.C. to the immigrant population of Beaver County, Pennsylvania in May 1801, noted how immigrants were free to join American society so long as they conformed to its rules:

Born in other countries, yet believing you could be happy in this, our laws acknowledge, as they should do, your right to join us in society, conforming, as I doubt not you will do, to our established rules. That these rules shall be as equal as prudential considerations will admit, will certainly be the aim of our legislatures, general and particular.

More than simply admonishing immigrants to conform to the rules and regulations of a new country, Jefferson also reassured “the aliens of Beaver County” that these rules would be “equal”—applied to native- and foreign-born citizens—and “prudential”—commonsensical so as to not to create confusion in their scope or enforcement.

Two centuries later, rules and regulations governing U.S. immigrants' conditions of entry and exit, as well as the conduct of their everyday lives, have come to typify the contemporary system of immigration law and enforcement. Chapter 2 focused on this system's evolution since 1942, describing the complex and sometimes-contradictory laws structuring all aspects of life for U.S. immigrants, particularly those from Latin America, regardless of whether these individuals are aware of this dynamic as they go about their daily routines.

Recall that a critical insight from the sociology of risk is that the degree to which risk is internalized depends primarily on one's prior experience with a perilous situation. Indeed, as demonstrated in Chapter 4, fears of immigration law and enforcement are characteristic of immigrants who have ever experienced enforcement actions. But how do the 44 immigrants in my sample who lack said experience understand the risk that this system poses to their everyday lives?

This chapter considers how immigrants who lack punitive contact with immigration law and enforcement understand and experience this system. In contrast to studies of immigrant illegality, which prioritize the perspectives of immigrants with punitive contact, the sociology of risk allows for the study of “personal risk”—given no prior punitive contact, the perceived risk of immigration law and enforcement for oneself—to explore how individuals think about situations they have yet to confront directly (see Douglas & Wildavsky, 1983; Savelsberg, 1994; Vaughan & Seifert, 1992). Absent prior punitive contact, I outline how categorical risk—concern about an event’s likelihood stemming from one’s real and perceived social position before the law—shapes immigrants’ assessments of risk. In particular, I find that the undocumented in my sample tend to downplay the personal risk immigration law and enforcement pose to their everyday lives because they are unknown to the U.S. immigration bureaucracy, whereas those with legal status tend to report great personal risk for being known to it. In this way, and enforcement contact aside, what I term *system embeddedness*—whereby individuals included in the U.S. immigration bureaucracy’s formal records exhibit a heightened sense of risk—emerges as an explanation for differences in respondents’ risk assessments across legal categories.

Undocumented, Undetected, and Unconcerned

Writing about undocumented immigrants navigating daily life in the United Kingdom, Bloch et al. (2014: 32) note, “[T]he lack of documents pervades all aspects of a migrant’s life and decision-making,” including their worries about societal exclusion stemming from detention and removal (see Gonzales, 2015 for a similar account in the U.S.). Illegality studies have observed a consequent “fetishism of papers” among the undocumented (Chauvin & Garcés-Mascreñas, 2012: 249), who actively maintain a paper trail to document their positive societal contributions should an opportunity for legalization emerge (see also Hagan, 1994). But for the

22 undocumented immigrants in my sample without punitive contact, such legal consciousness is lacking because they are not always aware of what immigration law might require to legalize (c.f. Coutin, 2003). Instead, and in the context of an enforcement-first system of immigration law (Aranda et al., 2014), undocumented immigrants in this sample who lack punitive contact tend to downplay the personal risk this system poses because they exist outside the U.S. immigration bureaucracy and, therefore, believe themselves insulated from the threat of enforcement actions.

In this sample, undocumented immigrants with no prior punitive contact tend to downplay the risk immigration law and enforcement pose to their daily lives because they lack direct experience with this system. A 34-year-old mother of four children named Selena, for example, laughed at a question about whether she worries about her removal, quipping: “The truth is I haven’t worried.” Since she lacks first-hand experience with this system, Selena reasoned, she need not fret about removal:

Selena: The truth is I have never seen *La Migra*.

Asad: No?

Selena: No. Perhaps that’s why I don’t think about that because I haven’t seen them. Like, there’re people who say they’ve gone to their place of work and they get them there and take them, or from stores they take them. It hasn’t happened to me. Perhaps that’s why it doesn’t cross my mind since I haven’t had to escape and run.

Selena’s reaction is best understood in the context of her migration history. Hailing from Oaxaca, Mexico, she first came to the U.S. in 2003. She paid \$2000 to a *coyote* or smuggler to facilitate her clandestine border crossing, never once being returned to Mexico. Selena has not left the U.S. since she entered, settling in a Latino neighborhood in southern Dallas that feels like home:

I can say it’s as if I’m living in Mexico because I haven’t worried about [removal] or about speaking English. Perhaps that’s why.... Because you pass through here, and everyone speaks Spanish—they speak Spanish everywhere. Or, if someone doesn’t speak

Spanish [somewhere], they give them an interpreter. So, like I tell my husband, it's like we're in Mexico. The only difference is that we're here without a good social [security number; i.e., undocumented].

Given her limited exposure to the enforcement system, as well as the strong co-ethnic community of which she is a part, Selena believes there is little reason for her to worry about the threat that immigration law and enforcement represent to her everyday life.

Despite downplaying the personal risk she feels regarding immigration law and enforcement, Selena believes that undocumented immigrants more broadly must “take care” to “do everything correctly” to avoid attracting the attention of immigration officials. In particular, she notes the importance of “respecting the [country’s] laws,” or risking the consequences of the enforcement system that threatens to eject “lawbreakers” from the country: “More than anything, they [i.e., the undocumented] have to respect the laws that are here. They have to always follow the rules, or they will catch them and take them out of here.” In this way, Selena decouples the personal risk she feels about immigration law and enforcement from that of the more abstract perceived risk she sees for other undocumented immigrants in a similar position.

The decoupling of perceived from personal risk is not unique to Selena. Indeed, a 34-year-old undocumented immigrant named Alejandra expresses similar sentiments, laughing when asked whether she worries about removal: “I really don’t think they [*La Migra*] can find me.” Alejandra entered the U.S. undetected with the assistance of a *coyote* in 1999. Having settled in a majority-Hispanic trailer park in rural Dallas, she balks at the idea that she could be removed from the country, despite her undocumented status: “No! I say no. If I, or anyone, could be deported just like that, no one would be here. The country would be empty. They say there’s millions of us and there wouldn’t be anyone here if we could all be deported.” Alejandra is

correct in this assessment: the Department of Homeland Security lacks the resources required to remove all 11.3 million undocumented immigrants in the U.S. (Golash-Boza, 2015).

A defining feature of immigrant illegality studies is that illegality is experienced through “a palpable sense of deportability, which is to say, the possibility of deportation” (De Genova, 2002: 439). But if palpability is necessary for an immigrant to experience her illegality, then Alejandra does not conform to this expectation. As we have seen, prior punitive contact is the primary dimension that structures immigrants’ risk assessments, producing fear of additional punitive contact. Although Alejandra recognizes that the undocumented are removable, she describes how her lack of said contact limits the personal risk she internalizes from this system:

People who’ve been deported think differently. [...] They have been captured before and have lived bad experiences. I think that, if they capture me and they do something to me, perhaps then I will be scared. But since I haven’t had those experiences...[h]ow am I going to live that way?

Undocumented immigrants are disproportionately vulnerable to removal from the U.S. Although complete information on the share of the undocumented represented among all immigrant removals is unavailable, estimates suggest that at least 65 percent of all “criminal” removals between 1997 and 2007 were of undocumented immigrants (Human Rights Watch, 2009). Selena and Alejandra’s perceptions nevertheless reflect what social psychologists term a false-consensus bias, which occurs when people “see their own...judgments as relatively common and appropriate to existing circumstances while viewing alternative responses as uncommon, deviant, or inappropriate” (Ross et al., 1977: 280). Yet, undocumented immigrants in this sample who lack punitive contact believe themselves insulated from the system because they are unknown to it. Until such a time that they become embroiled in it, respondents such as Selena and Alejandra reject the idea that they should be afraid because they “respect rules” and “don’t break the law.” These unexpected personal risk assessments structure how undocumented

immigrants in the sample navigate daily life in their local context, particularly as they seek to remain unknown to a system that threatens to eject people like them from the U.S.

Out of the Shadows, into the Spotlight

There has been a proliferation in the number of temporary and discretionary statuses available to U.S. immigrants since 1996 (see chapter 2 in Waters & Pineau, 2015 for a review). Although these statuses each offer varying degrees of legal protection to the immigrants who hold them, they all confer an experience of “liminal legality” (Menjívar, 2006), life in a legal gray zone that is neither “documented” nor “undocumented.” For the six liminal immigrants in my sample who lack punitive contact, this classification entails great personal risk: Although liminal respondents understand that they are generally less vulnerable to enforcement actions as they go about their day-to-day lives than they otherwise would be if they were undocumented, they nevertheless report personal risk stemming from their being known to the U.S. immigration bureaucracy, a system to which they were previously invisible.

The Deferred Action for Childhood Arrivals (DACA) is one example of a liminal status. President Barack Obama established this discretionary status via Executive Order in 2012 to allow undocumented immigrants brought to the U.S. as minors to receive a renewable work permit and reprieve from removal (Gonzales et al., 2014); importantly, DACA does not provide a pathway to legalization.³⁵ There are an estimated 1.9 million DACA-eligible undocumented immigrants in the U.S. and, as of June 2016, U.S. Citizenship and Immigration Services had received applications from about 66 percent of the eligible population.³⁶ In Texas, which trails

³⁵ Eligibility criteria for DACA include having been an undocumented immigrant who entered the U.S. before June 2007, prior to turning 16 years old. Additional requirements include educational training or military service, as well as the absence of a felony or serious misdemeanors on one’s criminal record.

³⁶ Source: U.S. Citizenship and Immigration Services. 2016. “Number of I-821D, Consideration of Deferred Action for Childhood Arrivals by Fiscal Year, Quarter, Intake, Biometrics, and Case Status, 2012-2016.”

only California in the number of DACA-eligible immigrants, only about 51 percent of the eligible population has applied.³⁷ As others have noted (Gonzales et al., 2014), educational and financial barriers explain some of this limited uptake. One additional explanation only seldom considered in the literature is that, for some DACA-eligible immigrants, the status carries with it great personal risk that stems from the unpredictable nature of the U.S. immigration bureaucracy.

Respondents in this sample describe the complex risk calculation that opting into a liminal status entails. On the one hand, holding a status like DACA is positively associated with outcomes such as employment, income, and college attendance (Wong et al., 2013). On the other hand, to enroll in DACA means to enter a system of immigration law and enforcement from which one was previously hidden. Marina, a 25-year-old mother of three who left Mexico for the U.S. in 2005, exemplifies this dynamic. She lived without documentation for several years upon her arrival and was “indifferent about whether I would apply” to DACA. After her parents insisted that she do so, Marina received a DACA permit in 2013. Although this status allowed Marina the opportunity to work at several fast-food establishments for what she describes as “good pay,” she reports having felt more secure without DACA protections than with them. She associates her liminal status with great personal risk given the political whims that threaten to strip her of her newfound legal protection: “This is something temporary. You never know, they may take it back, and then you’ll go back to being just like the other millions of [undocumented] people.” Being aware of how to navigate everyday life while avoiding run-ins with the law is thus critical for Marina, who previously existed outside the U.S. immigration bureaucracy but whose DACA enrollment has embedded her squarely inside it:

You have to live cautiously. Whatever mistake you make you end up tagged in the system. If you’re driving and you get a ticket you have to pay it. If you don’t pay, you could then get arrested. That could lead to deportation. [...] One way or another they are

³⁷ Source: Migration Policy Institute. 2016. “Deferred Action for Childhood Arrivals (DACA) Data Tools.”

going to try and find a way to get rid of us. You always need to be aware of what you do and any infractions that may happen. My only advice would be to live cautiously.

Undocumented immigrants considering a liminal status face a difficult decision about whether to trust an American immigration system that they have attempted to evade since they first entered the country. Araceli, a 29-year-old mother of two young daughters from Zacatecas, Mexico, illustrates this tension when describing her thoughts on whether to apply to DACA:

As a Mexican, you feel more suspicious about everything. Maybe because that has been our fate in this life. I don't know. At least that's my opinion—I feel suspicious about everything. I was not going to...go to the Immigration office and say, "Hey, I'm here!" [...] I didn't want to send all my information to the Immigration office and [have them] find a mistake or something and then I would be deported because of that mistake and that's it.

It is unlikely that Araceli would have been removed to Mexico should she have made a mistake on her DACA application. The agency tasked with reviewing applications—U.S. Citizenship and Immigration Services—generally does not refer declined applications to ICE for purposes of removal proceeds, except in cases where “a criminal offense, fraud, or a threat to national security or public safety” is involved.³⁸ Nevertheless, and on the advice of a friend, Araceli sought counsel from an attorney, who asked that Araceli “tell the whole truth and nothing but the truth” about her time in the U.S. Similar to previous research describing the role of attorneys in educating immigrants on legalization procedures (Coutin, 2003), Araceli gathered multiple documents speaking to her “good moral character,” including an affidavit certifying that she lacks a criminal record and letters from the family physician speaking to her regularly caring for her children’s health and well being. The attorney ultimately encouraged Araceli to submit her DACA application, and Araceli was approved for a permit in 2013. But reprieve from removal and a work permit have not alleviated Araceli’s “suspensions” about the U.S.

³⁸ Source: U.S. Citizenship and Immigration Services. 2016. “Consideration of Deferred Action for Childhood Arrivals (DACA).” Accessed online February 16, 2017.

immigration bureaucracy. As she explains, she “felt odd when I first got DACA” because of the “mixed feelings” associated with “being in the system:”

I have a lot of mixed feelings. I can't be 100 percent happy. Thank God I have it. To some extent, I'm calm. [...] But you must behave and avoid getting into trouble. Avoid drunk driving. Make sure that the stickers on your van haven't expired. Be good. Behave. Work. Make things right, and that's it. [...] That's the way we have to live every day or they'll know and take us away.

Observations of immigration court reveal just how prescient Marina and Araceli's observations are. Reflective of the convergence of criminal and immigration law (Stumpf, 2006), I witnessed several instances over the course of my fieldwork in which DACA recipients—by virtue of their being known to the U.S. immigration bureaucracy—were stripped of their status as soon as a criminal conviction appeared on their record and a “notice to appear” in immigration court had been issued. Ángel, for example, is a 26-year-old Mexican national who entered the U.S. in 1999 at the age of ten. After first being pulled over in June 2015 for having a broken taillight, Ángel was later arrested for driving while intoxicated (DWI), much to the chagrin of the presiding immigration judge: “Sir, how does a 26-year-old man get a DWI conviction?” Ángel explained how it was simply a lapse of judgment on his part and implored the judge not to take away his “legal status.” The judge was quick to correct Ángel, reminding him of his precarious legal situation: “You understand that's not a legal status? DACA is not a legal status.” Whether Ángel would face removal to Mexico would be decided at a subsequent court hearing, but the judge issued Ángel a solemn warning: “You know you're in a bad situation, right?”

In contrast to undocumented immigrants in this sample who lack punitive contact with immigration law and enforcement and believe themselves invisible to this system, respondents holding a liminal status report great personal risk for being embedded inside it. More than just stresses from paying attention to deadlines associated with applying to and renewing a temporary

or discretionary status (Menjívar, 2006; Menjívar & Abrego, 2012), respondents describe how system embeddedness—and its concomitant governmental surveillance that monitors their every movement—makes removal likely should they have one lapse in judgment.

Legal Permanent (Non)citizens

Much immigration research carries with it an assumption that “illegality [is] the most salient feature of day-to-day life” (Gonzales, 2015: 180) for the undocumented and for any immigrant who has violated immigration law (see Golash-Boza, 2015). In contrast, those lacking punitive contact and who hold more “permanent” statuses are thought to experience limited personal risk from this system. As Chauvin and Garcés-Mascreñas (2012: 254) note, this reasoning stems from immigrants’ membership in the “concrete, legal, bureaucratically[-]existing population[, where they] more successfully and more legitimately claim a space among the [mainstream population].” As we have seen, however, policy changes since 1996 have made all U.S. immigrants vulnerable to enforcement actions under certain conditions, and this vulnerability affects even U.S. citizens if they have noncitizen family members (Fix et al., 2001: 400; see also Bean et al., 2015). For the seven legalized immigrants in my sample who lack prior enforcement contact, occupying space in the legally-existing population represents a source of personal risk insofar as the U.S. immigration bureaucracy is perceived as a tool of surveillance that threatens to eject them from the country. Naturalized citizens in the sample, too, view this system as a source of personal risk if their relationship partner lacks citizenship. Among all respondents, it is only in households in which all members are citizens—and thus immune to immigration law and enforcement—that immigrants’ reports of personal risk are minimal.

For legalized immigrants in this sample, the personal risk associated with immigration law and enforcement stems from their participation in the U.S. immigration bureaucracy.

Humberto, a legal permanent resident, exemplifies this dynamic. Although he legalized through his naturalized-citizen wife in 1982, Humberto has yet to naturalize due to his limited English-language abilities. In response to a question about whether the undocumented are vulnerable to removal, Humberto was incredulous: “What do they have to worry about? If they wanted to hide, they should have stayed home in Mexico.” Now 61 years old, Humberto believes legalized immigrants such as himself face greater personal risk from immigration law and enforcement than do his undocumented peers precisely because he is known to the U.S. immigration bureaucracy: “I’m a resident, and if you do anything wrong, they can take the residency away from you and send you back to Mexico, to your country. And they can find you easily because you gave them all your information already.” Such a finding underscores how even ostensibly permanent categories of immigrants may actually be temporary.

One potential explanation for the unexpected risk assessments that Humberto and other legalized immigrants in the sample report is that they are more risk averse than the undocumented. In this scenario, these findings may be the result of risk-averse immigrants selecting into a legalized status rather than a result of legalization itself. For this alternative explanation to be plausible, immigrants in the sample who have traversed several legal status categories should report increasingly-less personal risk about the immigration system as they move from undocumented to legalized. Foregrounding one such respondent’s experiences elucidates how risk aversion is an unlikely explanation for the findings presented here.

I first met Yajaira, a 43-year-old legalized immigrant, in 2013. As we sat down for our interview at the dining room table of her trailer home, Yajaira was keen to share the details of her journey from her hometown in Zacatecas, Mexico to her majority-Latino neighborhood in Dallas, Texas. Hers was a common migration story (see chapter 4 in Garip, 2016): Her husband

had spent several years working in agricultural and construction jobs and, after benefitting from an amnesty in 1986, he legalized. Lacking the time and resources to legalize Yajaira—she was five-months pregnant in Mexico with the couple’s first child—he paid for a *coyote* to bring Yajaira to the U.S. without documents in 1990. After several unsuccessful attempts to enter the U.S. through the Rio Grande, Yajaira decided, “That’s it! I’m having my baby here in Mexico.” It would take another year—and eight more attempts to enter the U.S.—before their one-year-old son would be reunited with his father, and Yajaira with her husband.

Once inside the U.S., Yajaira and her son would wait 14 years before becoming legal permanent residents. Although she was undocumented for more than a decade, Yajaira reflects on her experiences and concludes that she led a more “peaceful” life while undocumented than she currently does as a legalized immigrant. In particular, she notes the personal risk she faces as a legalized immigrant embedded in the U.S. immigration bureaucracy:

I didn’t feel I was so worried before getting my residency. It was normal. I see that [the undocumented] live more peaceful lives than me. [T]hey have more advantages than me, a resident, because I take a minute and think, “If I try to cheat, it’ll appear in the system and *La Migra* will take my residency away.” [...] But they don’t think about it. They can do whatever. Why? Because they don’t care, they can’t be investigated—they have no social security number.

Yajaira goes on to describe how some legalized immigrants, such as her cousin, have even let their residency permits expire in order to “opt out” of the enforcement system: “My cousin tells me it’s good not to have your residency because *La Migra* won’t investigate you since you don’t have a social security number.” The downside to this approach, Yajaira notes, is that “we wouldn’t be able to travel to Mexico since we’re not residents.” While recognizing that they are allowed to circulate between Mexico and the U.S., unlike their “caged in” undocumented counterparts (Massey et al., 2014), legalized immigrants believe this comes at the cost of constant surveillance from the U.S. immigration bureaucracy (see Aptekar, 2015).

Naturalized citizens also report personal risk stemming from immigration law and enforcement, particularly when their relationship partner lacks citizenship. Although only 18 percent of naturalized Hispanics nationwide worry that they or a loved one will be removed,³⁹ the personal risk they exhibit is significant conceptually (see Weiss, 1995: 31) because it speaks to larger questions about citizenship and belonging. Consider the case of Teresa, a 30-year-old naturalized citizen from Mexico, and her husband, Gerardo. When I met them, they had recently submitted Gerardo's application for permanent residence. The process began with Teresa naturalizing, which she accomplished with the help of her mother, who is married to a U.S. citizen. Teresa then encouraged Gerardo, undocumented at the time, to fix his status:

When I became a citizen, because I was only a resident before, I told him that we needed to do his papers. I was legal here, but he could be legal here too. That way, we wouldn't have to worry in case something happened and he got deported.

These worries emerged even though neither respondent has ever had contact with the enforcement arms of the U.S. immigration system. The couple's disparate legal statuses had highlighted their shared personal risk by illuminating Gerardo's vulnerability to immigration law and enforcement, as Gerardo and Teresa explain:

Gerardo: I used to think [before I legalized], "What if I get pulled over and they check my legal status and send me to *La Migra*? I'll have to leave the country."

Teresa: I was pregnant at the time, and I had a small child. That was really hard and it made me worry. But now he can go out. He feels comfortable where he's not worried about it so much. He doesn't have to worry about getting deported, or things like that.

Asad: Where does that worry come from?

Gerardo: A lot of people experience it. You hear things on TV, on the news. Families got separated because a parent got deported, and things like that.

Although Gerardo is now legalized, both partners continue to report personal risk stemming from Gerardo's status as a noncitizen, especially when compared with his citizen wife.

³⁹ Author's tabulations of the Pew Research Center's 2013 Survey of Hispanics.

Gerardo explains why, when a friend asked to use his social security number to get a job, he refused:

Before they even finished, I just stopped them. It's not worth it. [...] I would get caught, and I would lose all my privileges [as a resident]. I think if you share with somebody, then you never know who they're going to share it with. It's now just shared everywhere, and it can get me in trouble. You're going to have to pay all these fines and probably get deported, take all your papers away. It's not worth it. I wouldn't even consider doing it—not even for family members. I wouldn't consider it. It sounds kind of mean, but it's the truth.

The case of Teresa and Gerardo suggests that even naturalized immigrants internalize personal risk about immigration law and enforcement, particularly if their partner is a noncitizen. Another couple, Rosario and Arturo, reaffirms this finding and points to the importance of naturalization for promoting immigrant households' stability in the U.S. Rosario, 33, began her legalization process in the same way as Gerardo: Her U.S. citizen husband, Arturo, encouraged her to legalize, even though Rosario "never thought having documents was indispensable:"

After I married Arturo, he told me, "I think it's high time you got your documents, because I am afraid. Things are becoming more difficult and maybe one day you will want to go to Mexico and you won't be able to; you'll want to get a job and you'll have to fight for it. Immigration officers may raid your work and take you." Many things could happen, which is why he convinced me to fill the application and submit it.

After a short but stressful three-month wait for a consular appointment in Mexico, Rosario received her residency permit in 2008. Unfortunately, as Rosario explains, she overlooked important renewal procedures and later received a removal order:

I didn't notice that my residency permit had an expiration date. It was about to expire and, by that time, we were moving and we were working. I received a letter from *La Migra*, which said that I had to renew my residency. I lost that letter because I thought I would receive a second notice and never did, so I received a deportation order. I thought I would be a resident for ten years, which is the term they normally give you. I had to submit an appeal and I did that because they had no reason to terminate my green card. It is perhaps ironic that, while undocumented, Rosario lived under the radar of

immigration law and enforcement, convinced that she will never be removed from the U.S. After

legalizing, however, a bureaucratic oversight led to her having a removal order issued. This dynamic is the hallmark of “legal violence” (Menjívar & Abrego, 2012). Arturo and Rosario quickly hired a lawyer to rectify the situation, and Rosario naturalized as soon as she was able. Although naturalized citizens are vulnerable to removal under very specific conditions,⁴⁰ Rosario’s offers that “being a citizen is different. I can’t be deported now.”

Respondents holding a legalized status perceive great personal risk from immigration law and enforcement. Absent punitive contact, legalized immigrants in this sample believe that ongoing governmental supervision—facilitated by their embeddedness in the U.S. immigration bureaucracy—will bring about their eventual removal if they have a momentary lapse in judgment. Naturalized citizens report a similar dynamic if their relationship partner is a noncitizen. Together, these findings extend prior scholarship on the spillover consequences of immigration law on “permanent” categories of immigrants (c.f. Fix et al., 2001; J. L. López, 2015; C. Rodriguez, 2016; Schueths, 2015) by highlighting how even legalized or naturalized immigrants lacking punitive contact view themselves at risk from this system for being embedded inside it.

Conclusion

The respondents profiled in the previous chapter all shared at least one prior punitive contact with the immigration enforcement system. This past experience underlay their fears about confronting another enforcement action in the future as they went about their everyday routines. In contrast, the respondents described in this chapter have never had a punitive contact with the enforcement system. Studying their perspectives on immigration law and enforcement reveals why and how these individuals internalize the risk that this system poses to their daily

⁴⁰ In addition to misrepresenting oneself at the time of the naturalization application, naturalized citizens may be removed for: refusing to testify before Congress within ten years of naturalization; membership in subversive groups within five years of naturalization; or dishonorable military discharge within five years of naturalization.

lives to different degrees. Although all respondents without a prior punitive contact understood that they were legally vulnerable to the enforcement system under certain conditions, how these individuals understood and responded to this risk varied according to their real and perceived social position before the law—what I called categorical risk. For the undocumented in my sample who lacked prior punitive contact, they tended to downplay the personal risk immigration law and enforcement pose to their everyday lives because they are unknown to the U.S. immigration bureaucracy. They thus believed themselves to be insulated from the threat of enforcement actions. For their part, respondents with legal status who lack prior punitive contact tended to report great personal risk for being known to the U.S. immigration bureaucracy. Liminal immigrants, particularly those with DACA, reported personal risk stemming from their being known to the bureaucratic arm of a system to which they were previously invisible. Legalized immigrants viewed their permanent-resident status as a source of personal risk because they perceive the U.S. immigration bureaucracy as a tool of governmental surveillance that threatens to eject them from the country should they have one lapse in judgment. Naturalized citizens in the sample, too, viewed this system as a source of personal risk if their relationship partner lacked citizenship. Among all respondents, it was only in households in which all members were U.S. citizens—and thus immune to immigration law and enforcement—that immigrants’ reports of personal risk were minimal. Taken together, and enforcement contact aside, what I term *system embeddedness*—whereby individuals included in the U.S. immigration bureaucracy’s formal records exhibit a heightened sense of risk—represents an unexpected explanation for differences in respondents’ risk assessments across legal categories.

Chapter 6: Racialized Legal Status and the Limits of Becoming American ⁴¹

“The legalization provisions in this act will go far to improve the lives of a class of individuals who now must hide in the shadows, without access to many of the benefits of a free and open society. Very soon many of these men and women will be able to step into the sunlight and, ultimately, if they choose, they may become Americans.” –President Ronald Reagan, 1986

It has been more than twenty-five years since the passage of the Immigration Reform and Control Act (IRCA), the last large-scale opportunity for undocumented immigrants to step “out of the shadows” and “into the light” of American society. By providing a pathway to permanent residence and, ultimately, citizenship for more than 2.3 million undocumented immigrants living in the U.S. at the time, IRCA was believed to address many of the mostly-negative economic, political, and social consequences of holding an undocumented status (see Jones-Correa & De Graauw, 2013b for a review). President Reagan noted the potential for legalization to improve the lives of an entire “class” of people, who might otherwise be relegated to “second-class citizenship” (Bloemraad et al., 2008; Massey, 2007).

But, as we saw in Chapter 2, IRCA backfired in a number of ways: In addition to the legalization provision, the Act implemented increasingly-stringent border security measures that transformed a formerly-circular flow of undocumented Mexico-U.S. migrants into a settled population of approximately six million immigrants (Massey et al., 2016; Passel et al., 2014). The ensuing reforms to alienage laws in 1996 expanded the everyday social control that all immigrants experienced, not just the undocumented but also visa holders, legal permanent residents, and even U.S. citizens under certain conditions. Chapters 3, 4, and 5 highlighted the different ways my sample of mostly-Mexican immigrants understand and respond to the risk of

⁴¹ Parts of this chapter come from joint theoretical work with Matthew Clair. I am grateful to him for his permission to reproduce parts of the original article here. See: Asad, Asad L., and Matthew Clair. 2017. “Racialized Legal Status as a Social Determinant of Health.” *Social Science & Medicine*.

punishment, given all immigrants' legal vulnerability to the immigration enforcement system under certain conditions.

One important implication of the expanded scope of immigration law and enforcement since 1996 to be considered relates to immigrants' relationship to the American society. To paraphrase the words of Marshall (1992 [1950]: 8), what categories of immigrants might be accepted as full societal members, given an all-encompassing system of immigration law and enforcement? Compatible with traditional viewpoints on citizenship found in political sociology (e.g., Marshall, 1992 [1950]), sociologists of immigration see the undocumented as excluded from the material and symbolic resources necessary to "become American;" those with legal status generally and citizenship rights specifically are mostly thought to be included in society (Aranda et al., 2014; Dreby, 2015; Gonzales, 2015; but see Aptekar, 2015; Golash-Boza, 2013).

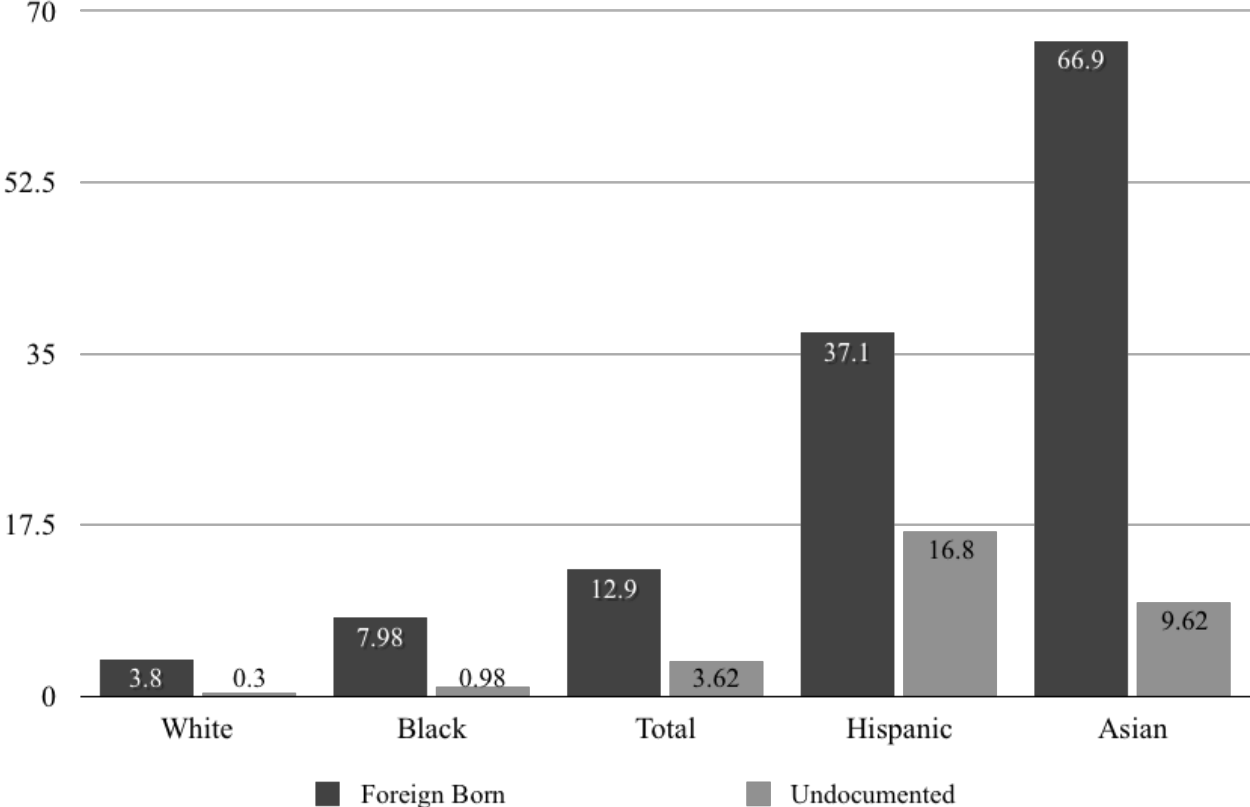
The notion that civic and political rights should precede societal inclusion is implicit in many theories of immigrant assimilation. Assimilation—"the decline of an ethnic distinction and its corollary cultural and social differences" (Alba & Nee, 2009: 10)—is viewed as an inevitable process for most immigration scholars. Gordon's (1964) theory of straight-line assimilation posits that immigrants' structural assimilation—which he defined as objective, measurable gains in socioeconomic mobility relative to the native-born population—facilitates their social and symbolic access to American society. Likewise, Alba and Nee's (2009: 12) new assimilation theory views assimilation as complete when immigrants' origins have at most minor impacts on their access to the American mainstream. Although generally pessimistic about the mobility trajectories of immigrants and their children, Portes and collaborators' (Portes & Rumbaut, 2006; Portes & Zhou, 1993; Rumbaut & Portes, 2001; Zhou, 1997) segmented assimilation theory

similarly intimates that assimilation into American society is possible for immigrants under favorable political, economic, and social conditions.

Yet, recent work has challenged the idea of immigrants' inevitable assimilation into mainstream American society. Two factors, in particular, complicate this inevitability: race/ethnicity and legal status. First, and in contrast to research on the experiences of Southern and Eastern European immigrants (Alba & Nee, 2009; Gans, 1979; Waters, 1990), contemporary immigration flows contain mostly non-white individuals. As a result, Golash-Boza (2006) argues, *racialized assimilation* may be occurring, whereby immigrants' experiences of racial/ethnic discrimination affect notions of societal belonging. Second, legal status has become an increasingly-important determinant of immigrants' life chances (Bean et al., 2015; Waters & Kasinitz, 2015), with the undocumented excluded materially, socially, and symbolically from American society (Gonzales, 2015; Massey, 2007; Menjívar, 2006). Together, this research implies that race/ethnicity and legal status are separately associated with immigrants' sense of belonging in American society, their structural assimilation notwithstanding.

I would argue, however, that race/ethnicity and legal status are inseparable when considering not only immigrants' structural mobility but also their more symbolic sense of belonging in American society. As outlined in Chapter 2, the evolution of immigration law and enforcement occurred in response to the growth of a Latino threat narrative (Chávez, 2013), with U.S. immigrants from Mexico specifically seen as "invading" the country without legal authorization (Massey et al., 2016). Even as sizable proportions of undocumented immigrants are prevalent across the four principal racial/ethnic groups in the U.S. (see Figure 6-1), academic and policy debates regarding immigration law and enforcement explicitly or implicitly foreground the experiences of Latin American, mostly-Mexican immigrants (Donato & Armenta, 2011).

Figure 6-1. Proportion of Major Racial/Ethnic Groups in U.S. by Nativity and Immigration Status, 2010



Source: Foreign-born estimates are based on authors' calculation of 2010 U.S. Census data provided by IPUMS, augmented with undocumented estimates from Passel et al. (2011).

Survey research suggests that Mexican relative to non-Mexican Hispanic immigrants in the U.S. who have naturalized are 2.67 times less likely to report having done so out of an appreciation for American identity (M. H. López et al., 2013). In addition, tabulations of these same data suggest that two-thirds of Mexican immigrants in the U.S. think it is more important that undocumented immigrants have an opportunity to “live and work in the U.S. legally without the threat of being deported” than it is to establish “a pathway to citizenship for those who meet certain requirements.” Perhaps to the surprise of many observers, then, American citizenship may not represent U.S. immigrants’ ultimate goal. Why might this be the case?

In this chapter, I suggest how U.S. immigrants’ *racialized legal status* operates through the law as a mechanism of social stratification with material and symbolic consequences that likely implicate these individuals’ assimilation trajectories. Legal status—or, one’s social position in relation to a society’s rights and obligations as codified by the prevailing system of laws and techniques that govern different groups and social contexts (Stuart et al., 2015: 236; Uggen et al., 2006: 301-2)—has been understood to undergird processes of social inclusion primarily for the undocumented but seldom has it been conceptualized as implicating the experiences of the various categories of “legal” immigrants (but see Menjívar & Lakhani, 2016). This oversight is unfortunate, as immigrants’ legal statuses are not randomly distributed in the general population. Rather, certain legal statuses in the U.S. are racialized over time (Agadjanian et al., forthcoming; Asad & Hwang, 2016; Massey, 2007; Waters & Kasnitz, 2015). I take *racialized* legal statuses to mean those social positions based on ostensibly race-neutral legal classifications that disproportionately impact racial/ethnic minorities. These racialized legal classifications constitute a contemporary dimension of stratification, reproducing racial

hierarchies that govern access to the material and symbolic resources necessary for immigrants' assimilation—structural, social, and symbolic—to occur.

In the contemporary U.S., legal classifications by race/ethnicity are held to a standard of strict scrutiny under the equal protection clause of the U.S. Constitution; yet, some forms of differential treatment are permissible. For example, affirmative action constructs racial legal categories in order to meet a compelling state interest in promoting racial justice and, most recently, achieving racial diversity (see Waters et al., 2014: 382-384). Legal classifications—like other classificatory processes—can have heterogeneous effects on social inequality (Lamont et al., 2014). However, racialized legal statuses describe those classifications that exert a disproportionate burden on racial/ethnic minorities not only through the restriction of social and political rights but also through stigmatization processes that marginalize individuals who hold the discredited statuses.

Reasons for the disproportionate presence of racial/ethnic minorities among discredited immigration statuses are many. They include not only a history of legal and extralegal discrimination against these groups (Fox & Bloemraad, 2015) but also the differential enforcement and disparate impact of purportedly race-neutral laws on racial/ethnic minorities (Golash-Boza & Hondagneu-Sotelo, 2013). Seemingly race-neutral causes in one domain can be attributed to race-linked causes in another (Reskin, 2012). For example, the contemporary system of immigration law and enforcement emerged in response to a moral panic that politicians, bureaucrats, and the media constructed that framed Latin American immigration as a threat to national security (Chapter 2; see also Massey et al., 2016). It is perhaps unsurprising, then, that Hispanic immigrants are overrepresented in removals from the U.S. (Table 6-1; see also Rosenblum & McCabe, 2014).

Table 6-1. Proportion of U.S. Removals by Immigrants' Region of Origin, 2005-2014

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Latin America	92.5	94.0	94.2	95.0	95.3	95.6	96.1	97.0	97.8	98.0
Caribbean	1.7	1.2	1.2	1.2	0.8	0.7	0.8	0.6	0.5	0.4
Sub-Saharan Africa	1.0	0.7	0.7	0.6	0.5	0.5	0.4	0.3	0.3	0.3
Asia	1.7	1.6	1.8	1.2	1.1	1.2	1.1	0.8	0.6	0.5
All Other Countries	3.1	2.5	2.1	2.1	2.2	2.0	1.6	1.2	0.9	0.8

Source: Authors' tabulation of Table 41, *2014 Yearbook of Immigration Statistics*, Department of Homeland Security.

Note: Cells may not sum to 100 due to rounding.

However, studying racialized legal status focuses not only on the intersection of race and ethnicity as traditional markers of stratification but also advances legal status as an under-theorized and increasingly-important dimension of inequality (see also Waters & Kasinitz, 2015). In addition, the concept foregrounds the group-level spillover effects of discredited legal classification among members of racial/ethnic groups who do not hold the legal status. When legal categories—such as being an immigrant or being undocumented—are racialized, so too are the social statuses constructed around them. A racialized legal status thus results in individuals' dual and recursive exclusion from society, entailing both material and symbolic harms for individuals and their legally-unmarked but same-race group members. For example, policies aimed at curbing undocumented immigration depress Medicaid uptake for long-term Mexican legal permanent residents in the U.S. more than they do for those from other countries (Watson, 2014: 329). This negative impact on healthcare acquisition may stem from Mexican legal permanent residents' fears that they will be misrecognized as, and punished for being, undocumented (Derose et al., 2007).

My primary contribution in this chapter is to suggest that the contemporary system of immigration law and enforcement has obscured the potential material, social, and symbolic gains that holding a legal status affords to U.S. immigrants. I reveal two broad pathways through which a racialized legal status operates via immigration law and enforcement to shape my mostly-Mexican respondents' perspectives on their relationship to American society. First, I identify the primary effects of racialized legal classifications on immigrants in my sample who, regardless of their own legal status, perceive exclusion by virtue of being a foreign-born Hispanic. Primary effects of racialized legal status operate by marking these individuals for material and symbolic exclusion. Second, I discuss the spillover effects of racialized legal status

on racial/ethnic in-group members—specifically, family and community members—regardless of these individuals’ own legal status. Spillover effects result from the vicarious experiences of those with social proximity to marked individuals, as well as the discredited meanings that racialized legal classifications construct around all racial/ethnic group members.

“We’re Nobody:” Direct Effects of Racialized Legal Status on Immigrants’ Sense of Belonging

An immigrant’s legal classification—undocumented, liminal, legalized, or citizen—confers differential degrees of protection before the law and determines this individual’s access to important political, labor market, and social opportunities in the U.S. (Bosniak, 2007). Perhaps the most obvious implication of an immigrant’s legal classification is his or her degree of vulnerability to the immigration enforcement system. This system has disproportionately impacted U.S. immigrants from Latin America since at least 2005 (Table 6-1; see also Rosenblum & McCabe, 2014). Moreover, estimates suggest that Hispanic immigrants are more likely to be undocumented than are any other racial category of immigrants (Figure 6-1).

Respondents in this sample are aware that Hispanic-origin immigrants are targeted in immigrant enforcement operations. As a result, they tend to view themselves as marked as “foreign” or “illegal” as they go about their lives by virtue of their racial background. Importantly, however, their sense of exclusion from American society does not stem only from their racial background. Rather, what it means to be Hispanic in the U.S.—at least within the context of Dallas County, Texas—is intimately linked to notions of illegality, whatever one’s own legal classification. Even when a respondent is eligible for full material and symbolic inclusion in American society, then, feelings of exclusion remain because of the racialized legal status my respondents perceive themselves as holding.

Undocumented immigrants nationwide face material and symbolic exclusion as they go about their lives. Existing research on the burdens of immigration status tends to focus on the experiences of Latinos, given this racial/ethnic group's overrepresentation in the U.S. immigrant population (Passel et al., 2014). Lacking documents can result not only in employment (Donato & Sisk, 2012) and housing discrimination (Hall & Greenman, 2013; McConnell, 2015) but also in the sorting of immigrants into racially-segregated neighborhoods (Hall & Stringfield, 2014). The undocumented may face additional obstacles to socioeconomic mobility in some states due to restrictions on college attendance and financial aid (Abrego, 2006). For those who have been caught twice while attempting to enter the U.S. without documents, jail time and up to a twenty-year bar on future admission to the country is possible if detected (Stumpf, 2011).

The undocumented Latin American immigrants in this sample likewise perceive material and symbolic exclusion along these and other structural dimensions. Eduardo, for example, is a 41-year-old undocumented immigrant from Mexico. He shares a small, two-bedroom apartment in a majority-Hispanic apartment complex in Northeast Dallas with his girlfriend of three years and her three sons. Hailing from Mexico City, he paid \$2000 to a *coyote* to enter the U.S. for the first time in 1995. He returned to Mexico after three years in the U.S. to visit his mother. On his way back to the U.S., Eduardo was caught several times at the Mexico-U.S. border because he had not anticipated how the post-1996 surge in border enforcement would complicate his reentry. Although he ultimately made it back into the U.S., Eduardo decided to settle in the country so as to avoid making another perilous journey.

Having lived in the U.S. for almost 20 years at the time of our 2015 interview, Eduardo has spent his entire adult life in this country. Yet, he views himself as “on the fringes” of American society in part because of his undocumented status, which denies him basic civic,

political, and social rights afforded to some legal permanent residents and all naturalized citizens:

What does it mean to be an immigrant? It means that we're undocumented. That we don't have papers. We don't have rights. We don't have socials [social security numbers]. We don't have public benefits like Medicare. But, of course, when they pay us, they take away some of our money for Medicare. They take away taxes for social security. When some of us do our taxes, the government keeps it. And, well, that's who we are as immigrants: They take our money but don't give us benefits.

That he lacks civic, political, and social rights—even as he fulfills his “contractual” obligations to American society (Janoski, 1998)—looms large over Eduardo. He identifies this lack of rights as “the main problem for the [undocumented] immigrant. Everyone sees us like weird insects, like ugly insects, who don't belong.”

However, Eduardo attributes his sense of exclusion not simply to his legal status or race. Rather, he identifies the compounded effect of being an undocumented Mexican as underlying his societal exclusion. Asked to clarify his statement about “ugly insects,” Eduardo linked his lack of civic, political, and social rights stemming from his undocumented status to his racial origin: “I'm always going to be Mexican to these people. A wetback. That's the reality. Even if the law changes and I become a citizen, I'll never be American to them. They will always call us illegals.”

Eduardo is not alone in linking his racialized legal status to broader processes of material and symbolic exclusion. The experiences of two undocumented sisters, Felicidad and Caridad, demonstrate how some undocumented immigrants internalize their societal exclusion. Felicidad is a 39-year-old mother of one son, and she lives with Caridad, 41, as well as Caridad's husband and their five children. Both entered the country clandestinely with the assistance of a *coyote*, Felicidad in 1998 and Caridad in 2002. Neither has not left the country since she entered.

I asked Felicidad and Caridad to explain to me what being an immigrant in the U.S. entails. Felicidad's response was telling: "We're nobody. We're not from here." Caridad elaborated this idea, suggesting that their undocumented status makes their connection to American society precarious at best, subject to the whim of an American citizen who "wants to throw us away:"

We are nobody. We can't vote. We have no rights. The moment the Americans want to throw us away, they will. They don't even have to say why they're doing it. They will just do it: "I'm going to report you to the police," or, "I'm going to call *La Migra*."

Like Eduardo, Caridad and Felicidad perceive material and symbolic exclusion by virtue of holding an undocumented status. Caridad reiterated the point to herself as the interview continued: "We are nobody. We are nobody here. What can we do about it? Nothing."

I asked Felicidad and Caridad whether their thoughts would change were they to legalize and become American citizens. Both responded, without the slightest hesitation, "No." Caridad explained how, even as citizens, they would be racialized as "foreign" or "illegal" because of their Hispanic origin:

Even if you are a resident or a citizen, you will never be a white person. You will never be one. In a way, you are just a person who has arranged her papers. [...] In this country, nobody likes Hispanics. Nobody likes us. We will never be able to compete with a white person because we are nothing here. Whether I have papers or not, they look at us all the same way, as if we don't have papers.

For Felicidad and Caridad, to be Hispanic connotes non-whiteness, foreignness, and illegality. Felicidad described "the look" that white Americans give them as they go about their everyday lives. She recounted first noticing "the look" while at a shopping mall several years ago: "It's when white people look at you different, like you don't belong there with them. They judge you, or they just ignore you." At the end of the day, Caridad summarized, this racialized legal status is why even citizenship would not make them feel as if they belonged in American society: "Do

you think that someone is going to change suddenly and look different, just because they got citizenship? No way. We'll never be considered American.”

Eduardo, Felicidad, and Caridad are part of a growing undocumented immigrant population nationwide that has lived in the U.S. for at least a decade (Passel et al., 2014). Yet, the tension between their long-time physical presence in the country and their sense of exclusion from the country reflects these individuals' precarious societal position—physically in the country but unable to access many of the material and symbolic resources necessary for political or socioeconomic advancement (Gonzales, 2015; Jones-Correa, 1998). As another undocumented respondent named Josefina aptly summarized, “I'm an immigrant because I'm in a country where I wasn't born, but I have lived here for ten years. Maybe I am no longer an immigrant because I haven't left since I got here? They should have a clause somewhere that says, 'You are no longer an immigrant if you haven't moved after a certain amount of time.' But who knows?”

Whereas immigrants with an undocumented status enjoy few civil and labor protections, immigrants with a liminal or legalized statuses enjoy progressively-more protections, access to public benefits, and labor mobility (Jones-Correa & de Graauw, 2013a). But these individuals may not perceive such access in their everyday lives. For example, we first met Marina, a 25-year-old Mexican mother of three who holds a DACA permit, in Chapter 5. She explained how DACA protections do not make her feel any more secure in the U.S., particularly when compared with her formerly-undocumented status, since her permit can be “taken back” at any moment. Marina nevertheless recognizes that her DACA permit provides important access to employment opportunities that she otherwise would not have, as well as reprieve from removal.

Even with this greater access to different American institutions that stem from her DACA permit, Marina still does not view herself as “anywhere close” to being a part of American society. Much of this sense of exclusion, Marina explains, comes from how she—as a foreign-born Hispanic—is perceived in the U.S.:

They call us all “illegal” immigrants here. They do it just to identify those of us who were not born here because it’s really unnecessary to use it [the word “illegal”]. We try our best to adapt, to respect the laws, to learn a new language. But they still use the term illegal to describe those of us who are not from here.

Marina’s sense of societal exclusion is not merely based on her race or legal status. Rather, she attributes her lack of belonging to the racialized legal status that constructs discredited meanings around her as “foreign” or “illegal.” Like the undocumented immigrants in the sample before her, Marina thus predicts, “I don’t think I’ll ever identify as American. I still am, and always will be, who I am to them, and that’s Mexican. So what’s the point?”

In this sample, legalized immigrants—sometimes assumed by extant literature to be “secure” and “stable” in their physical presence in the U.S. (Gonzales, 2015)—report similar perceptions of exclusion as undocumented or liminal respondents. These sentiments stem from many of the same dynamics described previously: Permanent residents, virtually identical to naturalized citizens in formal legal rights prior to 1996, have internalized their vulnerability to the immigration enforcement system and view themselves as impermanent members of society.

One example of this dynamic is Luisa, 56, a legalized immigrant from Mexico. She first came to the U.S. in 1996 with a residency permit that her husband had secured for the family in 1986. She has lived in the U.S. for several decades and has held no other status but her legalized one. Yet, she has internalized many of the same perspectives about “respecting the law” and “not getting into trouble” that were common to legalized immigrants in the previous chapter. When asked about whether the immigration enforcement system only targeted undocumented

immigrants, Luisa was quick to correct me: “No, absolutely not. I could be detained, too, if I did something wrong. But I am working, I am paying my taxes, and I am doing everything else I am supposed to do.” In Luisa’s view, fulfilling her end of Janoski’s (1998) citizenship contract shields her from the immigration enforcement system because she is not a “criminal:” “If you are a criminal, they take your papers away and they deport you.”

Despite working, paying her taxes, and living “almost like the Americans do” for approximately two decades, Luisa is careful to point out that she will always view herself as an immigrant in the U.S.: “I’ll always be an immigrant—someone who left their home country to go somewhere else looking for opportunities.” Extending Eduardo’s insect metaphor, she compares her migration journey to that of the monarch butterflies in her home state of Michoacán, who journey from Canada to Central-Western Mexico every year: “You leave a place where you are well to go to another place where you can be well, just like animals do in certain seasons. Just like the monarchs [butterfly] that come from North America [Canada and the U.S.] to Michoacán.”

I asked Luisa to explain why she does not anticipate ever identifying as American. Like the respondents holding less-secure legal statuses, Luisa reports the compounded effect of race and legality as impeding her societal inclusion. In particular, she describes how perceived exclusion on the basis of her non-white physical appearance—as well as the “illegal” status that her non-whiteness connotes—is all but inevitable in the U.S.: “I think I’ll always be an immigrant, and they’ll always see me as one, even if I became a citizen. If I used blue contacts, or even if I dyed my hair lighter, I will always be who I am—you can’t change that or how they see you.”

Luisa's sentiments are consonant with a burgeoning literature on how immigration law and enforcement implicates immigrant assimilation. Arbona et al. (2010: 364) use a convenience sample of documented and undocumented Latino immigrants in Texas to show that both groups reported similar fears of removal, which predicted acculturative stress, or "the level of psychosocial strain experienced...in response to the immigration-related challenges (stressors) that they encounter as they adapt to life in a new country." Ethnographic studies lend further credence to the acculturative stress hypothesis, particularly as Hispanic immigrants are careful to navigate a complex and contradictory set of laws in order to avoid triggering their detention and removal (Menjívar & Abrego, 2012).

Naturalized citizens in the sample—equal to native-born Americans in their formal legal rights—nevertheless report a similar sense of societal exclusion as undocumented, liminal, and legalized immigrants. For example, Lucero, 67, secured permanent residence through her mother in 1969. When she first entered the U.S. later that year, she joined her family in an impoverished, majority-African American neighborhood in South Dallas. She has remained there her entire life.

To be a citizen implies nothing more than holding a piece of paper for Lucero: "It's just a title," she reminded me, "especially for us Hispanics." Lucero explained that, although she had heard that naturalized citizens are entitled to the same political, civic, and social rights as native-born citizens, she's "not sure because they [the U.S. federal government] don't tell us what citizenship gets us." Lucero criticized the American government for creating classes of American citizens—many of whom are of Hispanic origin—in name only: "They just put us on the streets as citizens, but we don't have any information about our rights. We don't evolve as a people because we are blind. We need someone to teach us our rights." Lucero continued:

I'm not a born citizen but a naturalized citizen. If they told me, "You have to go to a certain place so you can learn the benefits you can have as a citizen," then I would. Even

if I am a naturalized citizen, they are giving me almost the same benefits as a born citizen. But people like me wonder whether we actually have these rights or not. People only hear things from others, not from the government, about what you can do as a citizen. And I think the government of the United States doesn't benefit by making this information public because we are already drowned with Hispanics from different countries and what they want is to get rid of us.

In linking her racial background to her citizenship status, Lucero suggests that naturalized citizens—particularly those of Hispanic descent—experience blocked pathways not only to structural assimilation but also to symbolic belonging. This “second-class citizenship,” a label generally reserved for undocumented immigrants (Gonzales, 2015; Massey, 2007), reflects Lucero's view that American society has no vested interest in ensuring that its naturalized citizens from Mexico understand their rights:

There are a lot of Mexicans in the Dallas area—with papers and without them—but we all are living similar lives. Because of that, we can't really open our eyes that much about what our rights are, or what is possible for us. I don't think the government wants to change that either.

The lack of understanding about the material and symbolic value of American citizenship pervades this sample of Latin American immigrants. Indeed, some respondents report examples of family members who have even given up their legalized status—one of a limited number of pathways to American citizenship—because “they didn't need to be residents anymore.” For example, Alicia's cousin, who was mentioned briefly in Chapter 5, became a permanent resident and held onto that status for ten years. When it came time to renew, the cousin let her residency permit expire because she preferred living in Mexico. Alicia's undocumented mother complained to her daughter about this turn of events:

My mom was so mad. She told me, “Look at your cousin. She's a resident but doesn't want to come over here [to the U.S.]. She didn't even renew her status.” My mother was upset because she wants residency but can't get it, and my cousin let it expire. My mom even asked my cousin why she did it, and she said, “What do I need it for?” I'm telling you, we think backwards. Just like the old saying goes, “Nobody knows what he has until he loses it.”

Although there are only two cases of someone giving up their residency permit in the sample, the lack of understanding of the benefits citizenship provides may help to explain why some of the 2.7 million Mexican-origin immigrants currently eligible to naturalize have not yet done so (Warren & Kerwin, 2015): The dual exclusion that Hispanic immigrants in this sample perceive—not only by virtue of their race but also by virtue of their perceived status as “illegal,” whatever their actual legal status—further marginalizes them from American society, denying even those entitled to formal legal rights substantive rights.

“I’m Supposed to Leave, Not Them.” The Spillover Effects of Racialized Legal Status on Families

Although individual immigrants may hold a discredited immigration status, the effects of this racialized legal status spill over to affect their U.S.-citizen and noncitizen family members (see Aranda & Vaquera, 2015; Enriquez, 2015; J. L. López, 2015; C. Rodriguez, 2016). The Migration Policy Institute (2015) estimates that households with at least one immigrant parent contain 17.5 million children. Despite being American citizens by birth, and thus entitled to full societal membership, these family members face material and symbolic exclusion from American society because of the constraints their parents face as they navigate everyday life in the U.S.

When a parent is undocumented, and a child a U.S. citizen, household members legally have different formal rights in the country. Mónica, a 35-year-old undocumented mother of three U.S.-citizen children, understands this situation well. As we sat at her kitchen table in 2015, she explained to me the different limited formal rights available to her as an undocumented immigrant, even if she “remains well behaved” as she goes about her life in this country:

An immigrant without documents that confirm his or her nationality can't ever be a real part of this country. If you don't have documents, it wouldn't matter if you paid everything on time—your taxes, your tickets, or whatever—because you don't have a document that says, "You belong here." The government and the law have not granted you the right to be a part of this country. So that piece of paper is very important, your documents.

I asked Mónica to compare her relationship to the U.S. with that of her children. Her answer foregrounds her legal vulnerability to immigration law and enforcement relative to her children's legal stability:

I don't know how it works, but I'm the one who's supposed to leave the country if *La Migra* finds me. I don't have my papers, so I'm not supposed to be here. Let's suppose this: Somebody comes over and they just ask for my documents. Let's suppose you are one of those guys, and you say, "Let me see your documents." I'd say that I didn't have any. Then you'd ask me about my kids' documents. Well, I have those.

Estimates of the number of individuals who experience a loved one's removal are sparse. One estimate based on noncitizens removed from the U.S. for criminal offenses between 1997 and 2007 places the figure at 962,000 family members (Human Rights Watch, 2009). Prevalence aside, Mónica suggests that even when parents and children hold unequal formal rights, in practice, they hold the same substantive rights before the law. Mónica continued: "You would end up deporting me when you find out I don't have documents, but what would happen to my kids? Just imagine! They'd deport them too. This country has deported [U.S.-citizen] children only because their parents are Mexican." Young children, even when American citizens, thus share in the formal and substantive rights available to the individual holding the least-secure legal status in the household—in this case, their parent as their primary caregiver.

The consequences of a parent holding a discredited legal status can entail a range of negative effects on children's cognitive development and emotional well being (Brabeck & Xu, 2010; Yoshikawa, 2011). Mónica, despite being married to a U.S. citizen for more than ten years, has not legalized because "the opportunity never presented itself." Her children, aware of

the legal risks of living without documents in the U.S. from media reports and friends, internalize their mother's vulnerability. Mónica explains:

The older kid and the other one know that if you are here in this country, you're supposed to have a signed document by the government saying that you're allowed to be here. They asked us one day whether I had documents. I told them I didn't. They then asked, "If you don't have documents, can somebody take you back to your country?" "Yes," I said. They turned to their dad and said, "You have to do her paperwork because they'll [*La Migra*] take her away if you don't."

With their mother holding a discredited immigration status, Mónica's three children recognize that she faces material and symbolic exclusion from the country. But, as Mónica notes, they also worry about their own place in American society should they lose their mother to removal:

Mónica: They know that you must have a document that identifies you as legally able to live in this country, an I.D. that proves that you live here and you are from here. That document is proof that you belong to this country. My kids are aware of that.

Asad: How do you know that?

Mónica: My kids tell me they worry about it because, someday when they get older and they need something from me, I might not be here. Their mom might not be here. And it's only because I don't have documents. What good is it to take a mother away from her kids?

The spillover consequences of holding a racialized legal status are not unique to undocumented immigrants in this sample. Indeed, even immigrants with some formal legal protections—such as liminal respondents—understand that their individual access to some segments of American society does not guarantee their families' full membership in the polity. As we saw with Mónica, liminal respondents' recognition that unequal legal protections within the household make the entire family unit vulnerable to the immigration enforcement system underlies this dynamic.

We first met Araceli, a 29-year-old mother of two young daughters from Zacatecas, Mexico, in Chapter 5. She had initially hesitated to apply for a DACA permit because she was

“suspicious” about the process, particularly since submitting an application would entail making herself known to a system to which she was previously invisible. After consulting a lawyer, however, Araceli applied for and received a DACA permit, which has granted her work authorization in the U.S. and reprieve from removal.

Araceli described “mixed feelings” about her newfound status in Chapter 5. Part of these feelings emanated from her being in the system, worried that any one lapse in judgment could result in her removal. Another source of these mixed feelings is in the limited reach of her newfound status to facilitate full societal membership for her entire family, including her undocumented husband and her two U.S.-citizen daughters: “I’m not 100 percent happy with DACA because my husband still doesn’t have documents. I can’t imagine what would happen if they deport him and I stay here with my girls.”

Araceli’s husband does not meet the age criteria for DACA and is thus ineligible for this discretionary status. Nevertheless, Araceli recounted how her family was initially “very happy when we heard about Obama’s other policy [for the parents of U.S. citizens]—the DAPA.” She saw this executive action as one of the only pathways for her family to exist stably in the country, alleviated somewhat from the risk of removal. Araceli texturized what stability would imply for her and her family by describing how legal stability would allow them to fulfill her daughter’s dream of going to Disneyland with her mom, dad, and newborn sister:

My daughter wants to go to Disneyland, in California, but she wants her dad to go with. We can’t. There are many things that the people in charge don’t understand. They have our future in their hands and they don’t think about that. They don’t see that. They don’t see that we could be kicked out of this country just because someone makes a racist comment. My daughter’s future depends on us being here. Her sister’s future depends on us being here. My future. Our stability as a family. If he goes, if my husband is deported, how are we going to stay here? If we are a family, we’re supposed to be together as a family. So the DAPA would have been something, but maybe my daughter’s dream of going to Disneyland with her parents at least would have been possible. But since the judge in Texas stopped it, my daughter’s dream is not possible now.

The precarious legal situation of Araceli's family bears on how they evaluate their place in American society. Although Araceli has achieved access to key resources necessary for socioeconomic mobility in the U.S.—namely, work authorization and temporary relief from deportation—unequal legal statuses within her household obstruct any sense of societal membership that she might otherwise have given that she has spent more than a decade here:

Immigrants are people who live here, not because they want to do anything wrong, because they want to support their family. At this point, I would say we're half-immigrant and half-not. We have made a life here. My family on the other side of the border does not depend on us. I see this country as our own land. It is a very sad thing to say...sad, sad, sad, sad, sad. But I feel we belong more here, more than there [in Mexico]. Even if this country doesn't give us the place we deserve. Because the people in charge do not want to recognize you with legal status after spending so long here. And you are not doing anything wrong.

The spillover consequences of holding a racialized legal status are not limited to undocumented or liminal respondents in the sample. There are also cases in the sample where the removal of one legalized immigrant impacted even U.S.-born citizens due to misunderstandings about their rights before immigration law. Such was the case for one undocumented respondent's mother, Dorothy. Dorothy brought her two-year-old daughter, Rocío, to the U.S. in 1992. Both entered the country without documentation as they reunited with Alejandra's husband and Rocío's father. Initially settling in Los Angeles, Dorothy ultimately divorced her husband. Rocío left Los Angeles for Dallas shortly thereafter, leaving her mother behind in Los Angeles. Dorothy would soon have a serendipitous reconnection with her very first boyfriend from Mexico. Her mother and her new, old boyfriend had a whirlwind romance and ultimately wed.

The new couple spent several years in Los Angeles. Dorothy's new husband happened to be a legal permanent resident, and the couple was able to secure a green card for Dorothy as well. The pair decided to move from Los Angeles to Raleigh, North Carolina in search of new

work opportunities. They decided to drive the distance, stopping along the way in Dallas, Texas to visit Rocío. As Rocío recounted, however, her mother never made it to Dallas:

My mother got married to the love of her life—like, her very first boyfriend from Mexico. [...] They were going to stop by here as they drove to North Carolina. I haven't seen my mother in five years, so they were going to stop by to see me. Unfortunately, they got stopped near the border by McAllen, Texas. *La Migra* ran her fingerprints, and it turned out that, when she first tried coming over from Mexico in 1992, she was sent back. They took her prints, so it stayed in the system. My mother did serve that ten-year sentence that they get as a punishment for coming in without papers. But I guess she thought it was all cleared out, but unfortunately, it wasn't. She was really nervous as the agents were talking to her. So she signed the deportation papers, and they deported her. It never crossed her mind that, since she was a permanent resident and on her way to becoming a citizen, that could probably help. It completely threw four years of her being in the process of getting citizenship in the trash.

Rocío learned about her mother's deportation from her younger sister, who was born in the U.S. one year after the family's arrival. As a U.S.-born citizen, Rocío's sister is legally immune to the consequences of immigration law and enforcement. In practice, however, formal equality before the law does not translate into substantive equality for the family members of individuals who hold a discredited immigration status. Rocío continues:

Rocío: They were very close to me, and I was very excited too. I was going to see my mother. The next thing I know, my sister's calling me, like, "We're at the border, and there's people being pulled out." I was like, "No. It's fine." The next thing I know, she's like, "Mom's getting pulled out." And I was like, "What?" She's like, "Yeah. Mom is in custody." I was like, "What? What's going on?" Then, suddenly, nobody's answering their phones. Nobody's answering texts. Then my mom's husband calls me, and he's like, "They deported her." I was like, "What?" He's like, "Yeah. Your sister went with her too." He didn't want to leave her alone. I was like, "What happened?" He's like, "I don't know. Her fingerprints were in the system, and even though she already did her time as punishment, she's still in the system. She hasn't been removed from the system." My mother's a very nervous person. She freaks out really fast, and she signed [the deportation] papers, and they deported her. "She's already getting on the plane." This happened around 12:00 at night. By 4:00 AM, she was in Mexico.

Asad: Your sister is a U.S. citizen?

Rocío: Yeah. She left. Self-deported herself. We talked on Tango [a social media platform for making free international calls] and I was like, "What the hell?" I was like, "Did you really just do that?" She's like, "Yeah." I was like, "Did they say anything?"

She's like, "No." I was like, "How could you do that? You're a citizen. You just graduated [from high school]. You were in Texas. Now you're in Mexico."

For his part, Dorothy's permanent-resident husband was unable to lobby on behalf of his wife because, according to Rocío, "since he's a resident, he doesn't have those legal rights or anything like that to help her. She got a 20-year punishment and he can't help her with that." As of the 2015 interview, Rocío and her family were working to bring Dorothy back into the U.S. with the help of a *coyote*. They pooled \$10,000 in payment for the *coyote*'s services and were awaiting news on whether the smuggler had been successful.

The effects of holding a discredited legal status are not limited to the individuals holding it. Family members—including those made up primarily of U.S. citizens—are also negatively affected. Even when these family members have formal legal rights, they are substantively unable to exercise them because of the shared material and symbolic exclusion they face from American society. Such exclusion denies the possibility of full societal membership for even U.S. citizens, alienating even this country's own people if they are connected to an immigrant.

"They Think We're All Criminals:" The Vicarious Effects of Racialized Legal Status on Communities

Communities with large proportions of same-race U.S- and foreign-born group members also experience the deleterious consequences of a racialized legal status (Asad & Clair, 2017; see also Viruell-Fuentes et al., 2012: 2102-2103; see also Hacker et al., 2011), particularly if they live in locales receiving new flows of same-race immigrants. For example, Tomás R Jiménez (2008) shows how intergroup boundaries between Mexicans and non-Mexicans sharpen in contexts of heavy Mexican immigration, with U.S.-born Mexicans racialized as "foreign" or "illegal" by their white, native-born American neighbors. Getrich (2013) describes such dynamics in the immigration enforcement context, revealing how immigration officials at the

Tijuana-San Diego border racialize and interrogate U.S.-citizen youth of Mexican descent as if they were undocumented immigrants.

Respondents in this sample likewise perceive externalities associated with living in a context rich in immigration flows from Latin America. Regardless of legal status or their prior personal experience with the immigration enforcement system, immigrants in this study internalize the vicarious effects of discredited legal classifications. In so doing, their perceived alienation from American society renders even those respondents immune to immigration law and enforcement as materially, socially, and symbolically excluded from American society.

As we have seen, undocumented respondents understand that their lack of legal status in the U.S. renders them ineligible for most political, civic, and social benefits afforded to American citizens. Yet, even those undocumented immigrants who have never interacted with this system internalize its effects by noting how their same-race immigrant counterparts confront it. Alejandra, for instance, is a 34-year-old mother of two from San Luis Potosí, Mexico. Having entered the U.S. undetected in 1999, she has settled in Dallas County since then with her husband and two U.S.-born children. Alejandra nevertheless views herself as “100 percent Hispanic,” claiming that there is no future in which the U.S. would ever view her as belonging to American society: “No, no, no. I’m 100 percent Hispanic. How would anyone ever believe that I’m American and that I belong here? Americans are the ones who live here and are from here.”

Like many respondents before her, Alejandra links her race to her legal status and her sense of belonging in the U.S. When asked to clarify her statement further, Alejandra explained how she believes that Hispanic communities—including those composed of U.S.-born children such as hers—are forever excluded from the symbolic value of American citizenship by virtue of their being racialized as holding a discredited legal status:

Alejandra: Like my kids, they are from Texas, but I tell them, “Yes, you were born here, but whose kid are you? A Hispanic’s kid.” I tell them, “Where do your parents come from?” “Well, from Mexico. But I was born here.” I tell them, “What does it matter that you were born here?” That’s what my son and I fight about all the time. “It’s because I was born here.” I tell him, “Yes, you were born here. But what about your parents?” He says, “Well, they’re Hispanics, Mexicans.” I tell them, “Good. Don’t forget that.”

Asad: So Hispanics can’t be American?

Alejandra: It sounds ugly, but yes. A white man can say, “I feel 100% American,” but a Hispanic can’t say that. We shouldn’t feel like Americans here. Even people who are permanent residents shouldn’t—where do their roots come from? [...] You can’t change your features, and you can’t change how they look at you, so you can’t just be American.

The perception that even U.S.-born Hispanics cannot achieve a full sense of belonging in the U.S. is pervasive in this sample. Much of this sentiment stems from respondents’ observations of political and media accounts that construct Latin American immigrants generally, and Mexican immigrants specifically, as “illegal” or “criminal.” A 38-year-old undocumented mother of four children from Guanajuato, Mexico, Elizabet, explains how even Hispanics who fulfill their part of Janoski’s citizenship contract are demonized in the U.S.:

They call us criminals, but I haven’t killed anyone. My only crime is not having papers. Outside of that, I pay my taxes. I haven’t done anything wrong. I think that I haven’t done anything wrong. And, well, I bet you whatever you want that right now that everyone sees me as a criminal.

At the time of Elizabet’s 2015 interview, then-presidential candidate Donald Trump had recently given his now-infamous speech labeling Mexicans as criminals. Elizabet mentioned Mr. Trump’s comments when explaining how his rhetoric about immigrants will likely exacerbate the racialized legal status imposed upon all Hispanics in the U.S.:

To these politicians, and to Americans generally, I am a criminal. Why? Because of what Donald Trump said; that we were criminals and I don’t know what. Where he messed up was that he generalized his statement to all Hispanics. Everyone. [...] You have to be careful what you say, and he doesn’t get it. He overdoes it and now everyone will be labeled that way.

This generalization implicates how Elizabet, and in her estimation, other Hispanics in her community view themselves in relation to American society. There is value in American citizenship but only insofar as it shields immigrants from removal, the ultimate form of exclusion they could face from American society: “I pray to God a lot. For Him to open these politicians’ hearts because there are a lot of separated families, kids separated from their parents. It’s very ugly. The politicians don’t feel that, what we see every day.”

Even U.S. citizens by birth experience the vicarious effects of a racialized legal status, which stems from the dynamics linking race to nativity outlined earlier. Tina, a 37-year-old mother of six, was born to a white American father and a Mexican mother. Raised by her mother’s side of the family, “many of them being illegals,” Tina identifies as Mexican. Like her undocumented counterparts, Tina understands that Hispanics in the U.S.—regardless of their nativity or legal status—are racialized as undocumented or criminal by virtue of their race:

To me, being an immigrant just means that someone is from another country. It doesn’t mean that they’re a disease, illegal, or criminal. But I know that for a lot of other people in this area, it does mean that. It doesn’t seem like that big of a deal to me [if people are undocumented] because a lot of my family is also illegal.

Despite being a U.S.-born citizen, Tina has internalized the linkages between race, nativity, and legal status that the immigrant respondents in this sample have. Tina described to me how important it is to remember that, no matter where one is born, they are immigrants:

Tina: I can’t say that I see immigrants as different [from Hispanics born in the U.S.]. I just see them as people. We’re all Hispanic. As far as other people from other countries, I feel like it’s no big deal. The ladies that are all covered [wearing hijab or a burqa], I see them as so pretty. But some people are like, “Oh, they’re here. These foreigners are here to blow us up.” It’s like, come on! You know what I’m saying? There’s a lot of them that are from here. There was a show that came on TV, and the people on it were saying that they were born here, but they were those Muslims.

Asad: Oh. *All American Muslim*? That one?

Tina: There you go. I love that show because it was so true. Even though they're dark as hell and they look different, but they're from here. This is their home. They were born here. [...] But...it doesn't matter if you're from here. If you look like a Mexican, then you're a wetback in their [Americans'] eyes.

Tina concluded that one's race, legal status, and nativity ultimately determines the social spheres of American society in which people belong:

If you look like you're white, you are a honkey cracker, and you do not belong here [in this majority-black neighborhood] if you're not known. And, just like if a black person goes into a white neighborhood, they're going to be like, "You're not supposed to be here. What are you doing? What are you stealing? What are you getting into?" So, when they see Mexicans, they always say, "He's illegal."

More than just affecting individuals holding a discredited legal status or their families, the effects of racialized legal statuses also entail consequences for same-race in-group members who are associated with the discredited status. Formal and substantive rights notwithstanding, these individuals view themselves as symbolically excluded from American society because they are thought to be criminal or undocumented by virtue of their racial background.

Conclusion

Research on migration and immigrant incorporation suggests that, as immigrants gain in legal status and ultimately achieve citizenship, they should experience full material, social, and symbolic access to American society. However, in this chapter, I demonstrate how access does not guarantee inclusion. In particular, I suggest that race/ethnicity and legal status have become inseparable dimensions of stratification that condition not only immigrants' material and social access to American society but also their sense of belonging. Outlining the concept of *racialized legal status* as a social position based on ostensibly race-neutral legal classifications that disproportionately impact racial/ethnic minorities, I argue that racialized legal classifications reproduce racial hierarchies that govern access to the resources necessary for immigrants' assimilation—structural, social, and symbolic—to occur. The interviews make clear three

pathways through which racialized legal status bears on immigrants' sense of belonging. First, a racialized legal status entails mostly-negative consequences for the individuals who hold it. This primary pathway operates in much the same way as other dimensions of stratification—that is, by limiting individuals' access to the economic, social, and cultural resources necessary for promoting material and social inclusion. A second pathway is through spillover effects on legally-unmarked racial/ethnic in-group members with social proximity to an individual holding a discredited legal status. This pathway works by restricting family members of those marked by the discredited status from the material, social, and symbolic resources to which they are formally entitled. The third pathway also operates through a spillover effect, but it impacts racial/ethnic group members who are misrecognized as holding a discredited legal status.

Chapter 7: Immigration Law and Enforcement as a Total Institution

Fernando and Angélica

Fernando, 38, grew up in a village of approximately 1,000 residents in Jalisco, Mexico. In his childhood home, Fernando was the eldest of his six siblings. Together with a handful of aunts, uncles, and cousins, Fernando lived in an *adobe* house constructed of mudbrick, which his grandparents originally owned. The home lacked electricity, but Fernando explains that such a luxury was unnecessary when he grew up: “The house was on a plot of land, and my parents raised animals and crops. When we became old enough, we would help them with farming the land and taking care of the animals. That’s the only way we were able to eat. We were poor, but we had a nice life growing up there [in my village].”

Like electricity, education was a luxury that many in Fernando’s hometown could not afford. The nearest school was a half-hour bicycle ride away, and no alternative medium of transportation was available for his commute. His parents did not have the resources to buy him the required textbooks for school, but Fernando was able to complete the eighth grade with the pen and paper that his parents could supply him. School, however, began to conflict with Fernando’s responsibilities to his family as the eldest son: “I would go to school and didn’t have all the supplies I needed. Sometimes my siblings and I didn’t have any money for lunch, so we’d just drink water to make it through the day. It was hard to continue living like this. Since I was the oldest, I had to work and help my younger brothers and sisters.”

Work characterizes much of the rest of Fernando’s adolescence. At the age of thirteen, Fernando quit school and began working with his father in the fields. After three years, Fernando’s uncle recruited him to the bustling and economically-vibrant city of Aguascalientes, where Fernando would work in construction. The little money he earned he sent to his siblings so

they could continue their schooling. Fernando spent two years in Aguascalientes before returning to Jalisco for a very specific purpose—to ask his father for permission to migrate to the U.S.:

A lot of people were coming here [to the U.S.]. I would see that those who would come here [to the U.S.] were doing a little better. You could see that their families had a little more than the ones who remained in Mexico. They could fix their houses or they'd receive clothes in the mail. The little that they received showed that they were doing better. So I made the decision to return to Jalisco and asked my dad for permission to go to the U.S. so that I could help him. He gave me permission, and I left with some friends.

In recounting his migration story, Fernando emphasizes that his only option was to cross without documents. After having observed some of his friends and others in his origin community making the trip undocumented, Fernando had no doubt that he could do it as well:

“There were already many people who had come to the U.S. in the same way, so we knew it was hard but that it could be done. My cousins and other family members who had already come here illegally told me to come, that they would help me, and that it is possible.” Fernando paid \$2,500 to a *coyote* and set off for the U.S.

The journey from Mexico to the U.S. was more difficult than Fernando had anticipated. “It was a very hard and sad experience,” he reflected solemnly at the dining room table of his two-bedroom apartment in Dallas. “It was much harder than I thought it would be.” Fernando described his perilous journey from Mexico to the United States:

I jumped onto a train that was coming to the U.S. It was moving. You risk your life even just trying to get on it. People you know or people who came with you have lost their lives doing this because they fall underneath the train. It was worse on the train. I was suffocating inside. It was so hot inside. A lot of the people who came with me fainted because they were dehydrated. We didn't have enough water. It was a miracle we made it here. It took us a month to get here because we came slowly. We took the train part of the way and then we would walk for twelve hours through the desert and then rest a little. That is how we got here to the United States. It's very hard when you come here illegally in search of a better life. You know it's illegal but you have no other option because things are harder in your own country. You risk your own life in order to be able to search for a better future.

Fernando was able to enter the U.S. without detection on his first trip: “[*La Migra*] never caught me, so they didn’t have the opportunity to treat me badly. I couldn’t speak badly about them because I never had to deal with them.”

Fernando was single at the time of his first trip to the U.S. in 1994. He returned to Mexico in 2001 to visit his family but ended up staying more than a year. During this time, he met, courted, and married his now-wife, Angélica, who is 32 years old. Herself an active Mexico-U.S. migrant from Jalisco, Mexico, Angélica was on an extended visit home to Mexico when she met Fernando. Like Fernando, Angélica completed her first undocumented trip to the U.S. in 1999 without coming into contact with *La Migra*. This lack of contact reassured her that it would be possible to enter the U.S., even if the trip would be somewhat taxing physically: “The first time I came here to the U.S., it was pretty easy. It was not a battle to me the same way it is for some others. So I told myself that I could go back to Mexico for a bit and come back to the U.S. in the same way I did before—walking across the unguarded parts of the border.”

Fernando and Angélica would return to the U.S. in 2003. But the situation at the Mexico-U.S. border had changed dramatically after the terrorist attacks on September 11, 2001. In an attempt to forego some of the physical risks associated with crossing the remote areas of the Mexico-U.S. border, the couple would use border-crossing documents that the *coyote* they hired gave them. In separate interactions with Customs and Border Patrol, Angélica entered the U.S. “without problems,” while Fernando was “thrown back to Mexico.” Fernando explained that CBP officials closely scrutinized his documents and realized that the photo on the document, though he resembled Fernando, was in fact not Fernando:

I was caught when I came in with her. I was caught crossing the bridge, because the *coyote* who crossed me gave me a [border-crossing] card. It was a valid card, but it belonged to another person, right? He looked like me, so the *coyote* told me that I could pass with it. I initially passed fine, but *La Migra* checked the document thoroughly. They

realized I wasn't him, and that's it. They take you into the office, they take your fingerprints and all your data to confirm that you are that person, right? So, I was caught. They threw me back to Mexico but didn't put me in jail or anything. I crossed the next day at another checkpoint with the same document.

The couple has lived in the U.S. since they last entered the country clandestinely in 2003.

Neither has had a punitive encounter with the immigration enforcement system since their settlement. They nevertheless hold different perspectives on the threat of immigration enforcement. For example, although both are undocumented, Fernando's fingerprints and personal information were logged into U.S. immigration databases as a clandestine border crosser. As a result, Fernando describes the constant fear he experiences as he goes about his daily routine in Dallas, Texas:

You can't go out to the street being completely confident, right? You go out, but you are always alert. You can't feel safe inside this country. You don't have any documents, nothing to assure you that you are safe anywhere you go. Because, wherever you go, you are at risk of *La Migra* catching you.

Interviewed alongside her husband, Angélica vehemently disagreed with Fernando's assessment. She explains how she understands and responds to the perceived threat of immigration law and enforcement as she goes about daily life:

You can't live with all that fear. If you're so scared you don't leave the house, why did you even come to this country? You go on with life, entrusting yourself to God. You go to work, come back home, and all that like life is normal. You can't live with fear, or always be afraid. We go out, and thank God, we have always been fine. We still are.

Despite their divergent perspectives on how the threat of immigration law and enforcement shapes their everyday activities, Fernando and Angélica agree that avoiding punishment is paramount. Fernando details the rules that he believes undocumented immigrants should follow should they want to avoid punitive contact with the immigration system: "You have to try to live correctly, try to work, and to stay out of trouble."

Staying out of trouble is particularly important because Fernando and Angélica understand their place in American society to be precarious. Angélica explains how, even if she does not live with a constant fear of the immigration enforcement system, she recognizes that her lack of documents structures many of the rights and privileges to which she is entitled in the U.S.: “I’m here, I’m alive, eating, and working. But it does not mean that papers don’t matter. They do matter. [...] But you have to go on with what you’ve got.” Fernando and Angélica go on to explain that their undocumented status denies them the right to vote, health insurance, and social security benefits. Even if they were to legalize, the thirteen years they have already worked in the U.S. would not count toward their social security benefits.

Beyond their individual access to political, economic, and social rights, Angélica and Fernando report another potential consequence of immigration law and enforcement that they internalize: this system’s effects on their three U.S.-born children. Although their children are too young to understand the specifics of their parents’ undocumented status, the couple reports that the children know their parents are restricted in ways that they are not. These restrictions are most evident in the children’s desire to see their grandparents in Mexico: “They know we don’t have papers because they want to go to Mexico to visit their grandparents. But they know that we can’t. They can come and go [with their American passports], but we’re not able to.” Fernando and Angélica limit explaining additional details about their precarious legal situation to their children because they do not want to worry them: “We don’t even talk with them about anything else because they may feel bad or something.... We don’t want it to affect their studies, especially if they start to think about the possibility that their parents may be taken away.”

Fernando and Angélica also note the potential spillover effects of an undocumented status racial/ethnic in-group members, regardless of these individuals’ own legal status. In particular,

they note how in a context like Dallas, Texas—marked by substantial and constant in-flows of Hispanic immigrants—what it means to be Hispanic has come to be linked to notions of illegality in the eyes of the enforcers of immigration law. Fernando shared a story about how a friend was on his way to work when, suddenly, a police officer pulled him over on the interstate:

Fernando: A friend of mine was arrested when going to work. He was going to work but stopped on the freeway. He was arrested, they found out he was illegal, and they deported him back to Mexico.

Asad: Why was he stopped?

Fernando: Well, they simply look at a person's profile and they see they are Hispanic. They already know that there are a lot of Hispanic people without papers, so they pull us over to check. It is not like they know, "Ah, that Hispanic has documents but that one doesn't." They just stop all Hispanics and ask for their documents and that's it. When they see someone who doesn't have them, they take them away. [...] They simply stop a Hispanic, and when stopping him, they will ask for his documents, and that's when it happens: those who don't have documents are arrested and sent to Mexico.

That the prospect of immigration law and enforcement affects Fernando and Angélica's everyday lives is not lost on them. They describe themselves as mindful of the precarious situation, "hoping and praying that things will change one day." Until then, the couple notes, "We will continue to live in this country as long as we are able."

Rosario and Arturo

Rosario, 33, grew up in a small town of about 5,000 residents in Guanajuato, Mexico. The small town felt like a close-knit community to Rosario: "Everybody knows you there and takes care of you. I had a beautiful life there." Indeed, Rosario's father was a mechanic who owned his own repair shop. Given that theirs was a small town that lacked paved roads at the time, her father "always had customers who needed his help. We didn't grow up poor like others in the town."

Rosario describes her childhood as one of adventure. At the age of thirteen, Rosario was in middle school when she decided that she had to go to the U.S. Her rationale was not economic, Rosario explains, “because we were in a good economic condition. My dad had his own repair shop and there weren’t many mechanics at the time. There wasn’t much competition.” Instead, Rosario’s desire to move north stemmed from wanting to break up with her then-boyfriend:

I no longer wanted to be in Mexico because, when you are a teenager, sometimes you go through a lot of things. And I was very inclined to fall in love. When I was thirteen, I thought I had fallen in love with a guy, and I wasn’t ready for commitment. So I told my parents I didn’t want to be in Mexico anymore because in our small town, wherever I went, I would come across him. I told my mom I was going to leave, and she said she would go with me. She tells me to this day that it’s my fault we’re in the U.S. because we didn’t need to come here economically. It was just my life’s adventure.

Rosario and her mother would set off for the U.S. in 1996. They phoned Rosario’s brother-in-law, Alfonso, who had been granted U.S. permanent residence via the 1986 amnesty. After Rosario’s mother informed Alfonso that they would be coming to the U.S., he agreed to meet them at the border with his wife and daughter’s documents. Rosario’s mother would pass with her sister’s permit, and Rosario would pass with her cousin’s. The pair set out from Guanajuato with Rosario’s grandfather, who drove them 16 hours to the Mexico-U.S. border.

Once at the border, Rosario and her mother connected with Alfonso. “He picked us up at the border and then we crossed as if we were legal,” Rosario remembers. “I never experienced the suffering of getting to this country.” Rosario attributes her pain-free border-crossing experience to good timing. Six months later, her older sister came to the U.S. and “she did suffer a lot. The *coyotes* robbed them. They had to deal with immigration officers. They came six months after me. They suffered, but I didn’t.”

Rosario and her mother arrived in Dallas shortly after crossing the border. They would live with some of their extended family members in the area for several years. Rosario did not attend school in the U.S.; instead, she cared for family members' children as the other adults in the household worked to support themselves in the U.S. and their families in Mexico. Three years later, when Rosario was 16, a neighbor introduced her to another neighbor, Arturo. They began dating in 1999 when Rosario was nineteen and Arturo was twenty-eight. They had a civil union in 2006 and wed in 2014. They share five U.S.-born children.

At the time of their civil union, Rosario had lived for more than two decades in the U.S. while undocumented. She never thought to look for a pathway to legalization during that time because she never thought having documents was "indispensable." "I didn't think that having documents was indispensable because I was working, even if I didn't get paid that much." But Arturo changed Rosario's mind. Worried that Rosario would be detained and deported for being undocumented, her U.S.-born husband worried that their five U.S.-born children would be taken to Mexico with their mother: "If *La Migra* comes here, they will find you, and they will take away my children when they send you back to Mexico." That's when Arturo told Rosario that it was time for her to legalize. Rosario recounted her legalization process during our interview:

After I married Arturo, he told me, "I think it's high time you got your documents, because I am afraid. Things are becoming more difficult and maybe one day you will want to go to Mexico and you won't be able to; you'll want to get a job and you'll have to fight for it. Immigration officers may raid your work and take you." Many things could happen, which is why he convinced me to fill the application and submit it.

From start to finish, Rosario's legalization process lasted eighteen months.

Undocumented immigrants are generally not allowed to regularize their status from within the U.S.; they must return to Mexico for a consular appointment before being granted a residency permit. Rosario spent forty days with her U.S.-citizen children in Juarez, Mexico as she awaited

her appointment. Her five children were too young at the time to understand the legal procedure but were old enough to know that they were separated from their father during this time period:

My kids were very young when I became a citizen.... [...] For them, the 40 days were difficult because they didn't have their father with them. He was working here [in Dallas]. [...] I had to tell them that their father had to work and that *La Migra* wouldn't give me the residency permit because I was Mexican.

When Rosario was granted legal permanent residence, she felt relieved; her children could now be reunited with their father. She vowed to spend the next several years “avoiding problems” so “*La Migra* didn't take the permit away from me.” She suggested that all immigrants should strive to “be good” as they navigate daily life in the U.S.: “If you don't want to have problems, you shouldn't drive if you are drunk, you shouldn't be a violent person, and you should avoid the police no matter what.”

Unfortunately, and despite “obeying the law” while a permanent resident, Rosario would receive a removal order two years after legalizing. When many permanent residents legalize, they are initially granted *conditional* permanent residence, which is valid for two years. In order to remain a permanent resident, a conditional permanent resident must file a petition to remove the condition at least 90 days before the green card expires. Rosario was unaware of this policy, believing that she had been granted a residency permit valid for ten years:

I didn't notice that my residency permit had an expiration date. It was about to expire and, by that time, we were moving and we were working. I received a letter from *La Migra*, which said that I had to renew my residency. I lost that letter because I thought I would receive a second notice and never did, so I received a deportation order. I thought I would be a resident for ten years, which is the term they normally give you. I had to submit an appeal and I did that because they had no reason to terminate my green card.

Arturo and Rosario quickly hired a lawyer to rectify the situation, and Rosario naturalized as soon as she was able. “I can't be deported now,” Rosario told me with a sense of pride.

Now in a household in which all members are U.S. citizens—all but Rosario by birth—Rosario, Arturo, and their family are immune to immigration law and enforcement. They nevertheless continue to perceive themselves on the periphery of American society by virtue of their Hispanic origins. Arturo, in particular, notes how the comments that Mr. Trump made during his campaign are emblematic of a larger problem in American politics that views Hispanics as un-American:

There are millions and millions of Latinos, Mexicans, Hispanics, and whatever else everywhere. Mexicans aren't the only immigrants. But he [Trump] wants to keep a certain kind of people outside the United States...and focuses just on one race. [...] He is talking about me, you, all of us. Every minority that is not white, Caucasian, in the United States because the United States is a white country, you know what I am saying? It doesn't matter what your status is. It's a white government, you know? And whether Obama's here or not, it's still a white government. It's always gonna be like that, always. The United States was founded by and for white people.

Against this backdrop of a government that they believe was not created for them, the couple hopes to continue leading “healthy lives as good citizens as much as possible.”

Rethinking Immigrant “Illegality”

Academic and policy discussions on immigration law and enforcement tend to focus on the situation of the approximately 11.3 million undocumented immigrants living in the U.S., half of whom are Mexican. Even when these discussions broaden to encompass the perspectives and experiences of various categories of “legal” immigrants, they foreground how immigration law and enforcement implicate the daily lives of the immigrants this system has punished. In so doing, much of this research coalesces around the idea that immigrants—undocumented or otherwise—are living lives like fugitives, “on the run” from authorities actively seeking to deport them. But the accounts of Fernando and Angélica and Rosario and Arturo presented above

represent the diverse, dynamic, and sometimes-contradictory viewpoints that immigrants and their U.S.-born family members may hold about immigration law and enforcement.

Fernando and Alejandra are, in many ways, emblematic of the stories present in much research on immigrant illegality. Their reasons for U.S. immigration notwithstanding, Fernando and Angélica circled back and forth between Mexico and the U.S. for several years before they met one another. When the pair wed on a return trip to Mexico, they decided to reenter the U.S. But it was then when their experiences at the border, and their perspectives on immigration law and enforcement, began to diverge: Fernando was caught and returned to Mexico; Angélica was not. Although Fernando would ultimately enter the U.S. the following day, his and Angélica's different experiences at the border would continue to inform their divergent perspectives on immigration law and enforcement years after their settlement in the country. Fernando expressed the all-consuming fear he experiences as he goes about his daily routine; Angélica rejected this narrative and downplayed the worries she internalized.

Rosario and Arturo's understandings of immigration law and enforcement are perhaps less considered in immigrant illegality studies. Rosario crossed into the U.S. undetected with relative ease; in her words, she "never suffered." Undocumented for several years, Rosario never believed it necessary to legalize, rejecting the possibility that she could be removed. It was not until her U.S.-born husband Arturo compelled her to legalize that Rosario did so, less for her own sake but more for Arturo's. Once she secured her permanent residence, Rosario understood the importance of "following the law," lest she be deported for one lapse in judgment. In the end, however, despite her good behavior throughout her daily routine, Rosario received a removal order because she failed to renew her residency permit. It was not until she naturalized that she and Arturo would feel secure in Rosario's physical presence in the U.S.

This is the main premise of the dissertation: U.S. immigrants—undocumented or otherwise—do not hold a single view of immigration law and enforcement. Paying attention to the complexities and contradictions inherent in immigration law and enforcement allows us to systematize the different ways immigrants and their families perceive the risk this system poses.

Complexity and Contradiction

By examining how immigration law and enforcement implicate not only the undocumented but also documented immigrants who have been punished for violating immigration law, immigrant illegality research foregrounds the perspectives and experiences of a minority of immigrants who this system has punished. Nevertheless, scholars have overlooked how the majority of immigrants who lacking such contact relate to immigration law and enforcement.

A number of changes to immigration law and enforcement since 1996 suggest the possibility for the expanded reach of this system on the daily lives of immigrants and their families. As a result of a campaign led by politicians, immigration officials, and the media that framed immigration as a threat to national security, immigration law and enforcement shifted from a system primarily focused on locating, apprehending, detaining, and removing undocumented immigrants to one that targeted all immigrants (Flores-Yeffal et al., 2011; Chávez, 2013; Massey & Pren, 2012). Perhaps the most important change was the sharpening of legal boundaries between U.S. citizens and “legal” and “illegal” noncitizens. U.S. citizens—naturalized or otherwise—would have access to all political, economic, and social rights available in the country, while noncitizens—documented or otherwise—would be excluded and share a legal vulnerability to removal (Eagly, 2010, 2013).

The 1996 changes to immigration law and enforcement also multiplied the number of legal statuses available to immigrants, even as it limited the rights and privileges associated with each (see chapter 2 in Waters & Pineau, 2015). For their part, any immigrant found to have violated criminal and/or immigration law grappled with a greater number of conditions governing their exclusion. Immigration enforcement operations broadened their focus not only to include border operations but also apprehension, detention, and removal from within the U.S. The cooperation of federal, state, and local law enforcement officials in jurisdictions nationwide facilitated the social control of immigrants (Kanstroom, 2007), undocumented and otherwise.

A third change to immigration law and enforcement was the creation and expansion of the “aggravated felony” category. Codified first in the 1988 Immigration and Nationality Act, the behaviors that constitute an aggravated felony broadened in 1996 to include “any felony or misdemeanor where the person is sentenced to at least one year in prison, regardless of whether the sentence is served or suspended” (Golash-Boza, 2013: 206). An immigrant who is convicted of an aggravated felony faces mandatory detention; removal without having their case evaluated by an immigration judge; and significant criminal penalties should they attempt to reenter the U.S. after their removal. Aggravated felonies disproportionately have targeted immigrants who have lived in the U.S. for an average of 15 years.⁴²

To be sure, these changes to immigration law and enforcement have had important consequences on individual immigrants, their families, and their communities. Latin American immigrants, in particular, bear the brunt of these consequences because they are disproportionately targeted in immigration enforcement actions (Rosenblum & McCabe, 2014). Illegality studies have demonstrated the educational (Abrego, 2006; Gonzales, 2011), economic

⁴² Source: <http://trac.syr.edu/immigration/reports/158/>

(Donato & Sisk, 2012; Hall et al., 2010), and residential (Hall & Greenman, 2013; McConnell, 2015) consequences of punishment on immigrants' daily lives.

Even with these changes, the group most affected by immigration law and enforcement reports complex ideas about this system. For example, most U.S. Hispanics report no contact at all with immigration law and enforcement; just one quarter reports “personally know[ing] someone who has been deported or detained by the federal government for immigration reasons” (M. H. López et al., 2013). Although illegality studies intimate that even the possibility of punishment is a form of social control (Chávez, 2012 [1992]; De Genova, 2004; Menjívar & Kanstroom, 2013), sizable shares of native- (51 percent) and foreign-born (41 percent) Hispanics report seldom worrying about deportation (M. H. López et al., 2013). These considerations suggest that a framework focused primarily on “illegality” is hard pressed to explain whether and why there exists a richer set of perspectives on the risks the enforcement system poses to immigrants.

Immigrant Risk

Over the last two decades, illegality studies have demonstrated how immigration law punishes those immigrants who violate its sometimes-unknowable rules and regulations. Immigration scholars have criticized the focus on immigrant “illegality” because it risks being misunderstood in heated debates about immigration law and enforcement (Menjívar & Kanstroom, 2013: 4-5). Despite noted desires to conceptualize immigration law and enforcement as a system that renders its subjects dominated while, at the same time, allowing for individual agency (Menjívar, 2010), few theoretical alternatives have emerged that allow us to understand the fuller range of effects immigration law and enforcement have on individuals' lives.

In this dissertation, I relied on insights from the sociology of risk to explore how individuals understand and respond to the same potentially-perilous situation differently. A core tenet of the sociology of risk is the analytical decoupling of *perceived risk*, *personal risk*, and *fear*. Perceived risk describes a judgment-based, general concern about an event's likelihood; personal risk to the perceived risk that the event occurs to oneself; and fear to a negative, emotional reaction to a specific, past event (Slovic et al., 1980). These analytical distinctions point to the importance of personal experience in shaping individuals' risk assessments. For example, a person may be aware that an event is a possibility for all individuals who share key individual characteristics (e.g., legal status), but whether this person believes that the event will affect them varies by the nature of their prior experience with the same event.

Research on urban crime and policing suggests that a framework focused on individuals' past experiences with institutions of legal control yields valuable insights into how they evaluate risk. For example, studies have described how youths' propensity to carry out criminal acts varied by their estimates of whether they would be caught and/or punished (Matsueda et al., 2006). Recent ethnographic work lends additional credence to this finding, demonstrating how young men with active warrants out for their arrest will limit contact with institutions that they perceive cooperate with law enforcement officials seeking to arrest them (A. Goffman, 2009). Sociologist Sarah Brayne (2014) calls this process *system avoidance*, arguing that criminal-justice contact contributes to social stratification by severing already-marginalized populations from mainstream institutions and limiting their broader societal integration.

Illegality studies, in their focus on immigrants who have been punished by this system, have reached similar conclusions. This rapidly-growing body of work has relied on case studies of individuals who have confronted or are currently confronting detention or removal to describe

how system avoidance operates among multiple legal categories of immigrants. In one study, for example, recently-deported undocumented and documented immigrants retroactively reported fears of leaving their homes, driving their cars, or going out in public (Hagan et al., 2011: 1822-1823). Other studies examining specific legal categories of immigrants, including the undocumented (Abrego, 2006; Aranda & Vaquera, 2015; Gonzales, 2015), those with temporary or discretionary statuses (Abrego, 2011; Gonzales et al., 2014; Menjivar, 2006), legal permanent residents (Golash-Boza, 2015; Kanstroom, 2007), and even naturalized or native-born U.S. citizens (Aranda et al., 2014; Stevens, 2011) have reached parallel conclusions.

But how individuals navigate potentially-precarious situations such as detention and removal when they have never before encountered them requires greater systematization. As we have seen, for many immigrants holding semi-legal or legal statuses, avoiding the system is not always possible. To account for these individuals' perspectives, I introduced the concept of *categorical risk*, or concern about an event's likelihood stemming from their real and perceived social position before the law. This concept allows for the possibility that, even with legal protections that insulate semi-legalized or legalized immigrants from enforcement actions to some extent, an immigrant's subjective social position before the law may not align with his or her objective legal classification. The mismatch between objective and subjective social position may stem from a number of sources, including one's own legal status; one's vicarious experiences with immigration law and enforcement, regardless of one's own legal status; and contextual cues such as the proportion of same-race group members in their neighborhood environments or the prevalence of immigration officers patrolling their city.

Taken together, although research on immigrant illegality has coalesced around the idea that immigrants experience immigration law and enforcement in similar ways, research in the

sociology of risk suggests that this may not necessarily be the case. The four respondents discussed at the beginning of this chapter—Fernando and Angélica, Rosario and Arturo—each reported divergent perspectives on the threat this system posed to their daily lives. Fernando and Angélica, despite both holding an undocumented status and living in the same household, describe remarkably distinct understandings of this system. Similarly, Rosario, who entered the U.S. without documents, worried less about immigration law and enforcement than did her U.S.-born husband Arturo. Are these beliefs simply idiosyncratic beliefs about immigration law and enforcement, or are they suggestive of meaningful social processes that give rise to divergent perceptions of immigration law and enforcement among not only immigrants—undocumented or otherwise—but also U.S. citizens?

Data and Analytic Strategy

To study how immigrants understand and respond to immigration law and enforcement, I relied on qualitative data collected in Dallas County, Texas. My primary source of data consisted of ethnographic observations and interviews with 59 respondents in 28 Latin American households. These households were recruited as part of a MacArthur Network study evaluating how white, black, and Latino families with young children make residential decisions. Interested in how residential decisions varied by race, the research team did not purposefully seek out immigrant households for inclusion in the study. However, when it was discovered that more than three-quarters of the Latino families interviewed contained at least one household head born outside the U.S. to noncitizen parents, I conducted my own study of these households to pursue independent research questions.

The respondents who form the basis of this study are diverse in their legal status and experiences with immigration law and enforcement. Of the 59 informants I interviewed, 30 were

undocumented, lacking any legal standing at all; eight were of a liminal status, holding a temporary visa or discretionary-based status; 11 were legalized, defined as being a legal permanent resident; and six were American citizens, either naturalized or the U.S.-born spouse of an immigrant. Fifteen reported ever experiencing punitive contact with the immigration system. This broad range of legal statuses and experiences with immigration law and enforcement setting facilitated a single study of immigrants with and without punitive system contact.

The ethnographic and interview data with the Latin American immigrant households provide insight into immigrants' varied experiences with immigration law and enforcement. For immigrants with punitive system contact, these data are nevertheless retroactive in nature; almost a decade had passed since most respondents' last punitive encounter. To better understand how immigrants currently navigating immigration law and enforcement understand and respond to this system, I collected additional ethnographic data from Dallas County's immigration court and the County's Immigration and Customs Enforcement field office. Observations at both institutions allowed me to hone in not only on the perspectives of immigrants actively under immigration authorities' surveillance after having violated some aspect of immigration law but also on the individuals—judges, lawyers, and police officers—who enforce these laws.

The ethnographic and interview data described above have their strengths, but it is important to note that they are but the first steps in illuminating the range of risk assessments that immigrants with and without enforcement contact hold about the system. Several limitations should be noted. First, qualitative data are not well suited for reporting the prevalence of any identified processes within or across any subgroup of the immigrants studied. Furthermore, the scope of these findings is limited to Hispanic families with young children, one particularly-vulnerable subgroup of the larger immigrant population. It is not clear whether single, childless,

or non-Hispanic immigrants would understand immigration law and enforcement similarly. I have nevertheless sought to identify a range of perspectives that Latin American immigrant families with young children hold about this system, not to identify a “representative” account of their risk assessments (see Small, 2009). Second, as described in Chapter 2, since Dallas County, Texas represents a policy context that is hostile toward immigrants in some ways and welcoming of them in others, my findings may not hold in places that fall at either of these policy extremes. Future research that interrogates whether these findings would vary depending on an immigrant’s local policy context would be a fruitful line of inquiry.

System Avoidance

Prior research, in foregrounding the perceptions and experiences of the minority of immigrants with punitive system contact, has not fully illuminated the risk that the majority of immigrants who lack such contact internalize. I find that prior punitive contact is the primary dimension structuring immigrants’ risk assessments. Reflective of studies of urban crime and policing, fear of additional punitive contact pervades the lives of immigrants in the sample who have previously experienced one, irrespective of legal status. Although this enforcement contact often occurred when respondents first immigrated to the U.S. approximately ten years ago, they internalize the experience and generalize it to all other domains of social life. In so doing, they adopt strategies of self-preservation such as leading a “cautious” lifestyle to avoid the watchful gaze of seemingly-omnipresent immigration agents, who—despite never having seen them in their local context—they believe actively seek to detect, detain, and deport them.

System Embeddedness

But for those immigrants lacking punitive encounters with the enforcement arm of this system, I outline how categorical risk—concern about an event’s likelihood stemming from

one's real and perceived social position before the law—shapes immigrants' assessments of risk. The undocumented in my sample tend to downplay the personal risk immigration law and enforcement pose to their everyday lives because they are unknown to the U.S. immigration bureaucracy, whereas those with legal status tend to report great personal risk for being known to it. In this way, and enforcement contact aside, what I term *system embeddedness*—whereby individuals included in the U.S. immigration bureaucracy's formal records exhibit a heightened sense of risk—emerges as an explanation for differences in respondents' risk assessments across legal categories. A complex web of immigration laws, coupled with insights from personal experience, social networks, or media reports, has contributed to immigrants' misunderstandings about how the system works. Undocumented respondents view themselves as insulated from the system because they are unknown to it, whereas those with legal protections perceive ongoing surveillance and the possibility of removal by virtue of being known to it.

Racialized Legal Status

Finally, and regardless of an individual's punitive contact with the immigration system, I suggest that immigration law and enforcement constitute one sphere of social life in which race/ethnicity and legal status operate as inseparable dimensions of inequality. Outlining the concept of racialized legal status—race-neutral legal classifications that disproportionately affect racial/ethnic minorities—I show how the enforcement of immigration law regulates not only immigrants' material and social access to American society but also their sense of belonging. These dynamics likely implicate long-term immigrant assimilation trajectories. The interviews make clear three pathways through which racialized legal status bears on immigrants' sense of belonging. First, a racialized legal status entails mostly-negative consequences for the individuals who hold it. This primary pathway operates in much the same way as other

dimensions of stratification—that is, by limiting individuals’ access to the economic, social, and cultural resources necessary for promoting material and social inclusion. A second pathway is through spillover effects on legally-unmarked racial/ethnic in-group members with social proximity to an individual holding a discredited legal status. This pathway works by restricting family members of those marked by the discredited status from the material, social, and symbolic resources to which they are formally entitled. The third pathway also operates through a spillover effect, but it impacts racial/ethnic group members who are misrecognized as holding a discredited legal status.

Immigration Law and Enforcement as a Total Institution

Contemporary immigration theory—with its focus on immigrant “illegality”—has made great strides in establishing legal status as a new and dominant form of social stratification in the U.S. (Massey, 2007; Waters & Kasinitz, 2015), particularly for the minority of immigrants who have violated immigration law. In so doing, however, it has paid less attention to the perspectives and experiences of the majority of immigrants—undocumented or otherwise—lacking punitive contact. As Gonzales (2015: 31) notes in his study of undocumented immigrants, “[t]here are dangers inherent in telling only one story about the lives of many people,” especially if doing so overlooks “the contextual forces that shape, constrain, and promote [immigrants’ sense of] inclusion.” The findings presented here confirm these important insights, but my fieldwork also suggests the pernicious consequences of immigration law and enforcement on U.S. immigrants and their U.S.-citizen family members: Despite having lived in the country for decades, respondents understand their attachment to American society to be tenuous at best and—whether they hold a precarious legal status or not—have internalized the risk that they could be excluded from the country as they go about their daily lives should they “misbehave.”

Studying how U.S. immigrants understand and respond to risk speaks to larger sociological questions about punishment and surveillance. The findings point to the consequences of immigration law and enforcement for U.S. immigrants and their U.S.-citizen family members. The distinct but complementary pathways to social control identified—*system avoidance* for the minority of immigrants with punitive contact and *system embeddedness* for the majority of immigrants without punitive contact—suggest the all-encompassing nature of immigration law and enforcement for immigrants’ everyday lives. As we saw in Chapter 6, some U.S.-born Hispanics are also implicated in this system, given their racialization as either an “immigrant” or an “illegal” in the immigrant-heavy context of Dallas County, Texas. In this way, it may be useful to compare immigration law and enforcement to other systems in which individuals’ day-to-day routines are subject to such regulation. Erving Goffman’s theory of total institutions, outlined in *Asylums*, serves as a fruitful starting point.

Erving Goffman (1961: 4-5) defines a total institution as a social establishment that “is organized to protect the community against what are felt to be intentional dangers to it, with the welfare of the persons thus sequestered not the immediate issue.” He situates his own study of total institutions in a mental health hospital but suggests that jails, penitentiaries, prisoner-of-war campus, and concentration camps operate in a similarly-totalistic fashion. An institution is “totalistic,” Goffman (1961: 6) argues, when social life is regulated by a single authority in one physical space; when similarly-situated others carry out similar routines; and when these routines are the result of a plan the institution has designed to fulfill its official aims. Individuals seldom voluntarily participate in total institutions, and their confinement to a total institution makes surveillance—“a seeing to it that everyone does what he has been clearly told is required of him, under conditions where one person’s infraction is likely to stand out in relief against the visible,

constantly examined compliance of the others” (7)—likely. Those confined to the institution are known as “inmates,” whereas those who supervise them are known as “staff.”

At first blush, Goffman’s theory of total institutions overlaps nicely with how the immigrants I studied in Dallas County understand and experience immigration law and enforcement. Politicians, immigration officials, and the media historically have framed immigration as a threat to national security and designed the contemporary immigration system to keep out “criminal” immigrants (Massey et al., 2016; Menjívar & Kanstroom, 2013). This system’s staff—including but not limited to federal authorities such as CBP and ICE, as well as local and state law enforcement officials—has the power to discipline its immigrant inmates should they misbehave. In this way, this system prioritizes the well-being of American citizens and is less concerned with the welfare of the noncitizens tangled in its enforcement arm (Eagly, 2013). But, importantly, how “totalistic” respondents believed this system to be depended on a number of factors, particularly the nature of their prior contact with it. This system controls its inmates in two ways, each with implications for their daily lives.

Goffman (1961) suggests that inmates in the mental hospital he studied acquiesce to the regulations governing their lives “on the inside,” with the hope of one day being “on the outside” of the institution. But for U.S. immigrants housed within a detention facility or embroiled in court proceedings, it is unlikely that any amount of “good behavior” on the inside will bring about one’s liberation to the outside. “Bad behavior,” by contrast, is likely to be met with a number of punitive sanctions, including detention, removal, and bars on future lawful admission to the U.S. Misdeeds are not always clearly defined in the law either, making it especially difficult for an immigrant to anticipate what may or may not constitute a removable offense. José, for example, was stripped of his permanent resident status for carrying a small amount of

recreational marijuana, an aggravated felony according to the Immigration and Nationality Act. Illegality studies abound with additional examples, as in the case of a permanent resident who urinated outdoors at his construction worksite that lacked a proper restroom but who was then removed for “indecent exposure,” an aggravated felony (see Golash-Boza, 2015: 105).

However, and unlike asylums, jails, or penitentiaries, there is no one physical space within which immigration law and enforcement operate. Indeed, and despite the federal purview of immigration law, states and localities have established their own immigration laws and enforcement policies (Gulasekaram & Ramakrishnan, 2015). The proliferation of rules and regulations at multiple levels of government has entailed this system’s creep into the spaces that immigrants inhabit not only as they enter but also as they settle in the country. For those caught and turned back at the Mexico-U.S. border, this initial punitive contact structures their everyday activities as they seek to avoid behaviors that would draw attention to themselves for fear that another punitive contact will lead to their detention and expulsion from American society. This point is consonant with studies of fugitives who are “on the run” (A. Goffman, 2009: 355; see also Brayne, 2014; Waters & Kasinitz, 2015).

Although punitive contact with immigration law and enforcement is the primary dimension that structures U.S. immigrants’ everyday experiences, the majority lack such contact. In the case of Erving Goffman’s mental health hospital, members of the community outside the institution are “protected” from the goings-on inside it by virtue of their physical separation. But many U.S. immigrants who lack punitive contact are neither protected from immigration law and enforcement, nor are they outside this system; they are simply involved in a different aspect of it. The U.S. immigration bureaucracy maintains records of all immigrants who hold temporary, discretionary, or permanent resident statuses. Attached to these records are any criminal

infractions—no matter how small—that an immigrant may have committed. Immigrants with legal status thus express a desire to “stay out of trouble,” describing themselves as cautious to avoid “criminal” behavior that might be flagged in a database and facilitate their removal process. In this way, becoming “legal” has unintended consequences for one’s sense of stability in the U.S.: system embeddedness heightens the personal risk that these immigrants internalize given the potential to fall out of status should they “get into trouble.” Studying those “on the outside,” then, is fundamentally a study of those “on the inside” of the immigration system.

For their part, the undocumented who lack punitive contact are the only category of immigrants in this study who for all intents and purposes are “outside” the system. It is for this reason that these respondents tended to downplay the personal risk they internalized from it. Although recent work suggests that the federal purview of immigration law may encourage “those immigrants who can [to] adjust their legal status or naturalize” in order to “demonstrate their deservingness and pursue whatever forms of membership they” (Menjívar & Lakhani, 2016: 1848), this study finds that legalization itself is as an unexpected source of risk. The undocumented believe that their invisibility to the U.S. immigration bureaucracy shields them from its sanctions and as a result, avoid opportunities for legalization that fall short of a pathway to citizenship in an attempt to maintain this cloak. Even some legal permanent residents who were formerly undocumented—such as Yajaira’s cousin—prefer the invisibility of living “outside the system” to the heightened risk associated with living inside it. Although doing so promotes immigrants’ subjective sense of stability, it may add up to leave large swathes of them—whose only recourse for meaningful immigration reform may be through formal political institutions (Waters et al., 2014: 378)—excluded from civic and political life.

It is certainly the case that the social control of U.S. immigrants is, as Alice Goffman (2009: 355) describes in her study of fugitive Americans, “occasional” and “incomplete” (c.f. Garland, 2012). Nevertheless, immigration law and enforcement constitute a totalistic system not because all its subjects have violated the law but because the potential consequences of violating the law are so severe for even those who abide by it that they structure many aspects of everyday life. To be sure, legal status is a dominant form of stratification (Massey, 2007; Waters & Kasnitz, 2015), with the undocumented materially subordinated to those holding any type of legal status. But such assessments understate the potential consequences of immigration law and enforcement on all U.S. immigrants, 55 percent of whom are noncitizens and subject to this system.⁴³ U.S.-born and naturalized citizens, too, may be indirectly implicated in it if a household member is a noncitizen. Exploring diversity in these individuals’ perspectives of this system allows a fuller consideration of its impact on the social control of all U.S. immigrants, including the minority who has violated immigration law, and the majority who has not.

Policy Implications

Considering how immigration law and enforcement implicate the lives of immigrants, their families, and communities is a question of theoretical and empirical import. Even as others have criticized this system as “symbolic”—insofar as politicians recognize that immigration flows ebb and flow in spite of, not because of, policy regulations (see Chapter 2)—the findings presented in this dissertation suggest that this symbolism has far-reaching consequences for how immigrants understand and relate to a system whose stated goal is to maintain “law and order.”

At a high level, the complex and contradictory immigration and alienage laws reviewed in Chapter 2 have signaled to immigrants in this sample that it is in their interest to distrust the system, particularly if they have ever had punitive contact with it. For those without such

⁴³ Author’s tabulations of 2009-2014 American Community Survey.

punitive contact, whether they are known to the system by virtue of their legal status—what I called system embeddedness—may bring about one’s exclusion from American society after one election cycle changes the political winds that govern their physical presence in the U.S. As has been precedent, immigrants removed from the country will be marked as having been a threat to American national security and, thus, “deserving” of their expulsion. To be sure, policy changes since 1996 have magnified the possibility that any immigrant—legal or otherwise—may be removed from the U.S. The expanded definition of what misdemeanor or felonious behaviors in criminal law constitute an aggravated felony in immigration law may obscure the degree to which immigrants internalize this possibility.

The consequences of capricious immigration policies for the 11.3 million undocumented people in the U.S. (Passel et al., 2014) are troubling as well. Despite heated political debates about a pathway to legalization for undocumented immigrants, there has been little movement toward a feasible, permanent political solution. Even with President Barack Obama’s attempts to shape immigration policy via executive order, this is but a short-term fix. For some immigrants in my study, these Band-Aid policies are treated with suspicion given that they may be dismantled at a moment’s notice. Although work authorization and reprieve from removal is positively associated with a number of outcomes pertinent to the study of social inequality (Wong et al., 2013), an enforcement-first immigration policy obscures these potential benefits in the eyes of some immigrants. Why come out of the shadows, these individuals may wonder, if the permit granting them physical presence can be revoked at any moment?

Short of naturalization, all immigrants in the U.S. are vulnerable to removal. But immigration law and enforcement may have obscured the importance of naturalization for the populations it disproportionately targets. The proliferation of distinct legal classifications of

immigrants—each conferring differential degrees of rights and privileges in American society—has only contributed to this confusion among many U.S. immigrants. Fewer legal classifications with clearly-delineated rights and responsibilities associated with each may help to overcome some of the misinformation that many of my respondents have internalized.

But a streamlined immigration system means nothing if it simply reproduces the vulnerabilities to detention and removal that characterize the current system. The progressive intersection of the criminal and immigration systems (Stumpf, 2006) in the U.S. has created an enforcement-first immigration system that alienates millions of would-be denizens from societal institutions (Aranda et al., 2014). Moving toward a system of immigration law that promotes these individuals' access to and inclusion in American society is necessary.

Changes in Immigration Law and Enforcement since 2015

At the time of this writing, almost two years have passed since I last interviewed the Latin American immigrant households on which this study is based. Much has changed in terms of the country's political landscape, which likely bears on the dynamics outlined throughout the dissertation. Here I outline these changes and discuss their potential implications for the argument set forth in the preceding pages: Immigration law entails risk not only for those its enforcement arm has punished but also for those known to the system who internalize the possibility that they, too, could be detained and deported should they have one lapse in judgment.

Perhaps the most important shift in the political landscape since summer 2015 is the election of Donald J. Trump as president of the United States. As the anecdotes described in the introductory chapter make clear, the interviews capture the impact of some of Mr. Trump's statements while running for office. Nevertheless, the interviews do not capture respondents' assessments of Mr. Trump's statements since his election or since he assumed office. Indeed, a

number of policy changes since the president's inauguration on January 20, 2017 likely implicate how immigrants understand and respond to the threat of immigration law and enforcement.

Reflective of the recent trend toward executive actions described in Chapter 2, much of the shift in immigration law and enforcement stems from a number of executive orders that Mr. Trump has issued in the weeks since assuming office. Six of these executive actions are important for the present discussion. The first, titled "Enhancing Public Safety in the Interior of the United States," was issued five days after Mr. Trump's inauguration. Predicated on the belief that "[m]any aliens who illegally enter the United States and those who overstay or otherwise violate the terms of their visas present a significant threat to national security and public safety," this executive action targets so-called "sanctuary cities" that do not enforce federal immigration laws using municipal funds or resources. Specifically, the executive action threatens to strip sanctuary cities of federal funding should they not facilitate the removal of immigrants using a broad set of guidelines pertaining to criminal conduct. These guidelines include the removal of any immigrant who has been convicted or charged with any criminal offense, as well as the removal of any immigrant who has "committed acts that constitute a chargeable criminal offense," even absent a charge or conviction. The executive order also calls for the hiring of 10,000 additional immigration officers to carry out the enforcement of immigration law in localities across the U.S.

A second executive action was released alongside the first. Called "Executive Order: Border Security and Immigration Enforcement Improvement," this decree begins the project of one of Mr. Trump's central campaign promises of building a wall at the Mexico-U.S. border. Despite net undocumented immigration from Mexico to the U.S. declining since 2007 (Passel et al., 2014), the executive action justifies the wall by citing "[t]he recent surge of illegal

immigration at the southern border with Mexico” as having “placed a significant strain on Federal resources and overwhelmed agencies charged with border security and immigration enforcement, as well as the local communities into which many of the aliens are placed.” The order goes on to describe how drug- and human-trafficking networks are intimately connected with undocumented immigration, reinforcing the Latino threat narrative described previously (Chávez, 2008; Massey et al., 2016). In addition, the executive action tasks the Commissioner of U.S. Customs and Border Protection to hire an additional 5,000 Border Patrol agents “as soon as is practicable” in order to regulate the flow of undocumented or otherwise law-breaking immigrants entering the U.S.

In perhaps Mr. Trump’s most controversial executive action to date, “Protecting the Nation From Foreign Terrorist Entry into the United States,” immigrants from six majority-Muslim countries—Iran, Iraq, Libya, Somalia, Sudan, and Yemen—were barred from entering the U.S. for 90 days, and Syrian immigrants were banned indefinitely. Refugee admissions from all countries were also suspended for 120 days. This immigration ban stands out not only for its targeting of undocumented immigrants but also of visa and other “legal” categories of immigrants. The executive order outlines the logic for this immigration ban by linking international migration to questions of national security:

The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered

through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

The executive order was issued on January 27, 2017, and the Ninth Circuit Court of Appeals struck down the order on February 9, 2017. Rather than challenge the court's decision, the Trump administration issued a new executive action on March 6, 2017. The new order bans the immigration of individuals from Iran, Libya, Somalia, Sudan, Syria, and Yemen for 90 days, and barred all refugee admissions for 120 days, beginning March 16. A memo was issued alongside this revised immigration ban to instruct the State Department, the Justice Department, and the Department of Homeland Security how to implement the new travel ban. On March 15, 2017, a federal district court in Hawaii issued an injunction to the new immigration order. In his decision, the federal judge condemned the executive branch's position that to exclude all Muslims from these six countries is the only pathway to assure American safety: "The illogic of the Government's contentions is palpable. The notion that one can demonstrate animus toward any group of people only by targeting all of them is fundamentally flawed."

Two final executive actions—"Presidential Executive Order on a Task Force on Crime Reduction and Public Safety" and "Presidential Executive Order on Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking"—warrant mentioning. Both were released on February 9, 2017 and have an express goal of "reduc[ing] crime in America." According to the executive orders, the sources of this crime are many and include "illegal immigration, drug trafficking, and violent crime." The first executive order asks the Department of Justice to assemble a Task Force aimed at exchanging information and developing strategies to reduce crime. The second is intended to "thwart" criminal

organizations, including “criminal gangs, cartels, racketeering organizations, and other groups engaged in illicit activities.” Specifically, it directs law enforcement officials to “apprehend and prosecute citizens, and deport non-citizens involved in criminal activities.”

Of course, not all of these six executive orders implicate Latin American immigrants specifically. Their rhetoric about securing the United States’ borders—particularly its southern border shared with Mexico—nevertheless conjures notions of the Latino threat, even when not expressly stated. In addition, these executive actions send a strong signal from the most visible public office in the U.S. about the direction of immigration law and enforcement to come. What might these executive orders, and a Trump administration more broadly, entail for immigrants’ risk perceptions of immigration law and enforcement? My sense is that the dynamics presented throughout the dissertation will likely become further entrenched.

Throughout the presidential campaign and since Mr. Trump’s inauguration, there has been a reification of a trope distinguishing between “deserving” and “undeserving” immigrants. As outlined in the introduction and Chapter 2, this categorization of immigrants is a well-documented phenomenon that Republican and Democratic lawmakers alike have invoked to justify their immigration policies. “Deserving” immigrants are those individuals with a legal status and who obey the law in their everyday lives. By contrast, “undeserving” immigrants are broadly seen as criminals, be it for their undocumented status or for having violated sometimes-unpredictable criminal and/or immigration laws. As the interview data presented throughout the dissertation reveal, the immigrants in this study already have internalized these sentiments. Mr. Trump’s extension of this trope will likely encourage respondents to hold onto these beliefs and magnify these individuals’ perceived risk of the potential consequences associated with violating immigration law as they go about their daily routines.

There is some indication that, at the very least, Mr. Trump's election has not yet substantially altered how U.S. Hispanics—immigrant or otherwise—perceive the threat of immigration law and enforcement. The Pew Research Center surveyed U.S. Hispanic adults between December 7, 2016 and January 15, 2017 in order to evaluate how these individuals perceived the then-incoming Trump administration. Originally presented in Figures 3-1 and 3-2 of the dissertation (see also Appendix C), these findings bear further mention. In spite of strong, anti-immigrant rhetoric, heterogeneity in U.S. Hispanics' perceptions of the threat of this system continues to predominate. Among all U.S. Hispanics surveyed, 47 percent worry “a lot” or “some” that they or a loved one could be removed from the country; among foreign-born naturalized citizens, legal permanent residents, and likely-undocumented immigrants, these percentages are 52, 66, and 67, respectively. Importantly, however, there are strong minorities of immigrants in each of these legal groupings—44 percent, 34 percent, and 31 percent, respectively—that worry “not much” or “not at all,” even when confronted with the reality of an impending Trump administration intent on fulfilling the anti-immigrant pledges made throughout the presidential campaign. Such heterogeneous perspectives are likely to characterize the U.S. Hispanic population—immigrant or otherwise—for some time. The diversity in these perspectives requires systematization in order to understand the full range of effects of immigration law and enforcement on the contemporary population of U.S. immigrants.

Among the immigrant population, naturalized or otherwise, it is certainly plausible that the two processes identified in the dissertation—system avoidance for those who have had contact with the immigration enforcement system and system embeddedness for those who lack punitive contact but who are known to the bureaucratic arms of the immigration system—will become even more relevant as time goes on. It is important to note that the overarching system of

immigration law and enforcement has not changed radically since Trump has assumed the Oval Office. To be sure, the number of removals and returns of immigrants from the U.S. has increased steadily under Presidents Bill Clinton, George W. Bush, and Barack Obama. What is different is the seeming intensity with which the immigration enforcement system has moved to eject noncitizens from the country. Media reports abound of Immigration and Customs Enforcement carrying out raids across the country. Although the Trump administration maintains that it will continue the Obama administration's focus on the apprehension and removal of "criminal aliens," collateral arrests of other immigrants not originally targeted in an ICE raid—but who happened to be in the same place as the planned raid—also have been reported since Mr. Trump has assumed office.⁴⁴ Immigrants legally shielded from removal due to their liminal⁴⁵ or legalized⁴⁶ status have been arrested in these enforcement operations as well, even when no known criminal charge or conviction had been noted.

Just as system avoidance will continue to represent a pathway for the social control of immigrants in the U.S., so too will system embeddedness. In September 2017, ICE will launch a new information technology system known as Investigative Case Management (ICM).⁴⁷ This system will consolidate intelligence databases maintained by the Drug Enforcement Administration; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Federal Bureau of Investigation; and a number of other federal and private law enforcement bodies. The ICM

⁴⁴ Domonoske, Camila. 2017. "75 Percent Of Immigration Raid Arrests Were for Criminal Convictions, DHS Says." *NPR The Two-Way*. <http://n.pr/2kMld2a>. Accessed online March 15, 2017.

⁴⁵ Hersher, Rebecca. 2017. "DACA Recipient Sues U.S. Government After He Is Detained By Immigration Authorities." *NPR The Two-Way*. Accessed online March 15, 2017. <http://n.pr/2lQ0cSr>. See also: Schmidt, Samanta. 2017. "ICE nabs young 'dreamer' applicant after she speaks out at a news conference." *Washington Post*. Accessed online March 15, 2017. <http://wapo.st/2noZnUY>.

⁴⁶ Wang, Hansi Lo, and Parker Yesko. 2017. "Green Card Holders Worry About Trump's Efforts to Curtail Immigration." Accessed online March 15, 2017. <http://n.pr/2mhIXJa>.

⁴⁷ See U.S. Department of Homeland Security. 2016. "Privacy Impact Assessment for Investigative Case Management." Accessed online March 15, 2017. <http://bit.ly/2mueGYs>.

will facilitate provide ICE officials with information on an immigrant’s home and work addresses; schooling; employment background; phone records; biometric traits; immigration history; criminal records; family relationships; and personal connections. The consolidation of this information into a central database is likely to reaffirm the sense of risk that immigrants who lack punitive system contact, but who are nevertheless known to this system, as they navigate everyday life in their local contexts.

U.S. Hispanics more broadly will likely continue to grapple with a racialized legal status that implicates not only the foreign born but also U.S.-born citizens. Much of the Trump administration’s discourse against immigrants has centered on those from Latin America or majority-Muslim countries. The Pew Research Center’s survey data discussed earlier suggest that, since Mr. Trump’s election, 38 (45) percent of U.S.- (foreign-) born Hispanics have “serious concerns” about their place in the country. Among U.S. Hispanic immigrants only, 34 percent of U.S. citizens, 49 percent of legal permanent residents, and 55 percent of likely-undocumented immigrants report similarly “serious concerns.” Media and activist organizations that have tallied hate crimes in the U.S. since Mr. Trump’s election suggest that reports of hate crimes are on the rise.⁴⁸ The most conservative estimates, originally tracked by *ThinkProgress* but now hosted by ProPublica,⁴⁹ suggest that 26 acts of hate were reported against U.S. Hispanics between November 9, 2016 and February 9, 2017.

Finally, many of the national-level dynamics described above are likely to be felt in Texas as well. Local media outlets in Texas depict an uptick in hate crimes in the state that

⁴⁸ Jenkins, Jack. 2017. “ThinkProgress has been tracking hate since Trump’s election. Here’s what we found.” *Think Progress*. Accessed online March 15, 2017. <http://bit.ly/2n1hNtZ>. See also: Southern Poverty Law Center. 2016. “Ten Days After: Harassment and Intimidation in the Aftermath of the Election.” Accessed online March 15, 2017. <http://bit.ly/2mKoxdC>.

⁴⁹ ProPublica. 2017. “Documenting Hate.” Accessed online March 15, 2017. <http://bit.ly/2IVZOIQ>.

served as home to this study.⁵⁰ Furthermore, shortly before this dissertation was submitted, the Texas state legislature passed, and its Republican governor signed, State Bill 4 (SB4), which outlaws sanctuary cities within the state. Specifically, the bill authorizes state and local police officers in Texas to ask during routine stops whether an individual is in the U.S. with valid documents; local sheriffs who refuse to cooperate with this law will be fined and/or sent to jail.⁵¹ Although no city in Texas is formally a sanctuary for immigrants, this (symbolic) change in policy will likely entrench even further the already-existing sense of risk among U.S. Hispanics living in Texas.

All this is to suggest that, even several months into a Trump administration, it is too early to know precisely how the immigrants in this study will respond to an unsettled political climate. Immigration law and enforcement will surely change in the years to come, but what is certain is that how immigrants understand and respond to these changes will vary tremendously. Systematizing how and why these individuals understand and respond to immigration law and enforcement is the challenge that lies before us as scholarly research on this topic continues.

⁵⁰ Texas Observer. 2017. "We're Tracking Post-Election Acts of Hate in Texas." <http://bit.ly/2jV6kH2>.

⁵¹ Weber, Paul. 2017. "Texas governor signs ban on so-called 'sanctuary cities.'" *Associated Press*. Accessed online May 8, 2017. <http://apne.ws/2phLXeQ>.

Appendix A: Reflections on the Long-term Study of Vulnerable Immigrant Populations

The preceding analysis was not intended to be my dissertation. Following the reported surge of unaccompanied Latin American immigrant youth entering the United States from the Mexico since approximately 2013, I initially had planned to study how these youths navigated the American immigration enforcement system once they had become known to it. In fact, I had already begun fieldwork at a Boston-area nonprofit that advocates on behalf of unaccompanied immigrant youth with the expectation of using this organization as a springboard for recruiting respondents and their families. Fieldwork was proceeding as well as could have been hoped, and a dissertation was beginning to take shape.

At roughly the same time, I began work on a large-team research project. Spearheaded by Professors Kathryn Edin (then at Harvard University, now at Johns Hopkins University) and Stefanie DeLuca (Johns Hopkins University), the study sought to understand how parents with young children in two American cities make residential decisions. Cleveland, Ohio and Dallas, Texas were selected as the research sites, and financial support for the project had been secured from the Annie E. Casey Foundation and the John D. and Catherine T. MacArthur Foundation. At Kathy's invitation, I joined the fieldwork team based in Dallas because my Spanish-language skills could be most valuable there.

The purpose of this methodological appendix is to narrate more fully the process through which I arrived at this dissertation. I begin by describing the evolution of this project with regard to its sampling design and the questions asked. Given the unexpected legal vulnerability of some of the participants, I then turn to outlining how I secured respondents' participation in the study—and when I could not—and how I maintained these individuals' participation across time.

Sampling and Interview Protocol

The *How Parents House Kids* project is, above all, a study of how low-, middle-, and high-income black, white, and Hispanic families make residential decisions. A large team of researchers with many intersecting and diverging interests could impede a project of this scale, but Kathy and Stefanie were adept at compiling a set of questions the team suggested that spoke to the study's main goals. Given the team's interest in understanding differences along racial and class dimensions, neither the larger team nor I anticipated that nativity and legal status would represent meaningful analytical dimensions. Indeed, the questionnaire for the first year of interviews (Appendix B) included no questions that directly assessed immigration status.

The study's sampling followed a probability-based strategy. Census block groups, stratified by race and class, were randomly selected. Within each block group, addresses were selected at random from a list of all addresses in that block group. Fieldworkers would then screen the randomly-selected households by knocking on their doors. Interviews were scheduled with eligible households, which one or two fieldworkers would later perform.

One complication that emerged throughout the initial round of fieldwork was language. In most of the majority-Hispanic block groups, as well as a handful of the majority-white or – black block groups, potential respondents would open their doors and find themselves unable to communicate with many of the team's researchers who spoke rudimentary or no Spanish. Early in the fieldwork process, when I was not present at a door knock that included a Spanish-speaking prospective respondent, a fieldworker would call me and I would communicate with the individual over the phone to determine eligibility and schedule an interview. Shortly thereafter, I was assigned all majority-Hispanic block groups in order to streamline the process. In block groups where another racial group was the majority and a Spanish-speaking potential respondent

was found, I would either communicate with this individual via phone or return to determine eligibility with the individual at a later date if the original fieldworker was unable to do so.

At the conclusion of the primary round of fieldwork, I discovered that 28 of 36 Latino households interviewed in Dallas County contained at least one household head born outside the United States to noncitizen parents. An analysis of the five-year estimates of the 2014 American Community Survey later confirmed that this proportion was unusually reflective of Latino households with young children in the County (see Table A-1). Although it would be incorrect to say that the resultant sample is representative of Latino households with young children in Dallas County, it occurred to me that the sample contains a diverse group of immigrants that would be useful for studying immigration law and enforcement. I thus sought permission from Kathy and Stefanie to pursue an independent line of research using this sample as I continued my work with the project, and they graciously agreed to this request.

After the first round of fieldwork, I followed up twice with the immigrant-headed households in order to probe more specifically about their experiences as immigrants and their contact with immigration law and enforcement. The 2014 questionnaire (Appendix B) focused on the former. I had developed rapport with the immigrant-headed households in the 2013 interviews, which they would recall as a conversation about residential choice. Since immigration status emerged only incidentally during those interviews, I did not want to risk alienating respondents by suddenly asking potentially-invasive questions regarding their contact with immigration law and enforcement. By asking respondents to compare their everyday lives as immigrants with those of U.S.-born citizens, however, I was able to uncover how these individuals viewed their social positions as immigrants relative to “mainstream” American

Table A-1. Comparing Demographic and Immigration Characteristics for Respondents in Hispanic Immigrant Households to All Hispanic Immigrant Households in Dallas County, Texas

	Qualitative Sample	Dallas County, Texas
Percent Hispanic Immigrant Households with Young Children	77.7	76.5
Demographic Characteristics		
<i>Marital Status</i>		
Cohabiting Partner	86.4	81.6
No Romantic Partner	13.6	14.8
<i>Number of Children</i>		
Range	0-10	1-8
Median	3	2
<i>Percent Employed</i>	75.0	68.6
<i>Household Income (2015)</i>		
Median	\$30,000	\$36,250
<i>Educational Attainment</i>		
Less than High School	59.3	59.7
High School Graduate	32.2	23.7
Some College	6.80	8.76
College Graduate	1.70	7.81
Immigration Characteristics		
<i>Years in USA (Since Last Migration)</i>		
Median	14	14
<i>Legal Status</i> ^a		
Native-born or Naturalized Citizen	17.0	16.9
Noncitizen	83.0	83.1
<i>Country of Origin</i>		
Mexico	84.7	80.1
Guatemala	3.39	1.06
Honduras	3.39	2.53
El Salvador	1.70	7.33
United States	6.78	5.50

^a ACS data only distinguish between (naturalized) citizens and noncitizens.

Source: Author's tabulations of 2015 interview data and 2009-2014 American Community Survey.

populations. When immigration law and enforcement came up in the discussion, it was because the respondent volunteered the information and not because I probed directly for it.

With two years' worth of interviews, I returned to the field a third time in 2015 in order to inquire about respondents' contact with immigration law and enforcement. I felt comfortable asking respondents about these topics directly in this questionnaire (Appendix B) because we had touched on some of the themes organically in the previous interviews and, one year later, respondents understood that they had not suffered any negative consequences for having participated in the study. All but one immigrant household participated in this third round of interviews, with this one refusal discussed in the final section of this appendix.

From Knocked Door to Interview

Although we underestimated the extent to which immigrants would constitute a meaningful portion of our sample, it became clear early on in the fieldwork process that some households contained heads that are Spanish speakers only. Even without knowing their legal status for certain, I was aware that such Spanish-only household heads were likely to hold a precarious immigration status, undocumented or otherwise. Given this, I followed a number of steps as I went about knocking on prospective respondents' doors in order to not only determine their eligibility for the study but also to secure their participation.

The first step occurred before I left my apartment each morning. How I dressed would surely serve as a formative indicator for prospective respondents about my intentions while knocking on their front door. By dressing too formally, I feared that potential respondents would mistake me for an agent of the law and be reluctant to speak with me. By dressing too informally, I feared that prospective informants would perceive me as leading them into a trap of some kind, perhaps to burglarize their homes. I thus decided to forego pants in favor of shorts

each morning while also wearing a polo shirt in order to convey a sense of professionalism that a tee shirt may not have. At the same time, I decided to leave all markers of over-professionalization (e.g., clipboard) in my vehicle, which I parked one block away from each house I visited. Any documentation about the study I carried would remain folded in my back pocket and not on display as I knocked on the door. All but one respondent seemed satisfied by these choices, with many commenting outside the interview setting that they felt they could trust me because I “looked like a student.” The one exception was Josefina, who wondered aloud why I had not knocked on her door while wearing a full suit in 2014:

Josefina: I almost didn’t schedule an interview with you last year. You didn’t come in a suit so I didn’t think that you were actually doing interviews.

Asad: Well, it’s one hundred degrees outside. You think I want to walk around in a suit?
[Laughter from both.]

Josefina: No, but I just thought for a second that maybe you weren’t telling me the truth because you weren’t wearing a suit.

A second step was to start by addressing each respondent in English. I used English-language proficiency as a very-rough proxy for nativity. When a respondent was unable to respond in English, I offered Spanish as an option. My intuition here was that by demonstrating fluency in both English and Spanish, respondents would come to view me as somewhat educated. To be sure, bilingualism itself is not a marker of education. Rather, having studied in both Mexico and Spain, I wagered that the mostly-Mexican households in Dallas County would likely interpret my English language abilities and *mexicano-madrileño* Spanish accent as either a sign of education or mixed parentage. This is why Josefina reportedly agreed to an interview, remarking that I “seemed too smart to be up to mischief because you speak *castellano* [Spanish from La Castilla, a region in Spain that includes Madrid].” Although impossible to know with

certainty, my sense is that following these steps contributed to the overall study's healthy 80 percent response rate.⁵²

Even as most eligible households were willing to participate in the study, there were nevertheless two rejections from immigrant-headed Latino households that warrant mention. Neither household expressed worries that the larger project or I were affiliated with immigration law and enforcement because the study began as one of residential choice. Instead, each refused to participate for separate but related reasons. The first, whom I will call Belinda, declined because she worried that the study was a cover for burglarizing her home. After several attempts at finding Belinda at home during working hours yielded no answer, I tried knocking early in the evening. When she opened the door, she was wearing a hospital mask, an ice pack around her arm, and a uniform from the nearby supermarket where she worked. I explained the study to her and she listened intently. Once I finished describing the interview process, Belinda stated that she would be unable to participate. "I think you're a good person," she said, "but too much bad stuff has happened to me in the past and I can't take the risk." "What kinds of things," I asked for clarification. "People robbed me before saying that they wanted to ask me questions for a school project," Belinda explained. She suggested that she was particularly suspicious about the study because we had not selected anyone else in her apartment building to interview. I reassured her that this was a product of the sampling strategy utilized, but Belinda remained apologetic and formally declined an interview. A cursory examination of crime and local news reports from around the same time period suggests that Belinda's worries were based in fact.

The second rejection stemmed from time constraints. Given that this was a project whose primary interviews were conducted in the summer months, the research team had a limited

⁵² This response rate reflects the number of interviews relative to the total number of interviews, refusals, and non-response, omitting addresses that were confirmed to be ineligible or vacant.

amount of time in which to carry out all interviews with eligible households. In some cases, we knocked on doors multiple times and at different times of day in order to ensure that someone was home to determine eligibility. When eligibility was confirmed but a respondent had not yet sat for an interview, our strategy was to send them friendly reminders approximately once a week reminding them of the study. In most cases, this process worked without incident. In one case, however, the reminders alienated a respondent, who found it odd that we were so interested in speaking with her to learn about her life story. She refused participation in the study via text message, saying that she would have contacted the team herself to schedule the interview.

That the two rejections received from Latino immigrant-headed households did not relate to immigration law and enforcement is reassuring because it suggests that worries about this system did not influence respondents' participation in the study. However, this does not mean that these worries were absent altogether throughout the door-knocking process; they were simply more exceptional than normal. Only one household exhibited characteristically "fearful" behavior throughout the door-knocking process. As I later learned by interviewing Esmeralda and her family, these fears aligned with the household heads' prior experiences with immigration law and enforcement. I present a full account of this dynamic here in the hopes that other researchers who encounter a similar situation might find it instructive.

I arrived at Esmeralda's door shortly after lunch on a hot summer day in July 2013. She was not the primary householder but lived in the apartment with her sister-in-law; Esmeralda was simply babysitting the children while her brother and sister-in-law were out for a few hours. I explained the study to her, gave her my phone number, and asked that she let her sister-in-law call me. I left the apartment to continue knocking on doors and would return several hours later. I knocked on the door again and one of the respondent's sons came outside, closing the door

behind him. He told me he was nine years old and asked what I was looking for. I explained the study to him in Spanish and asked to speak with his parents. He told me they were not home and that I would have to come back later. I clarified that it would be helpful for his parents to give me a yes or no answer so that I no longer had to interrupt their afternoons with my knocking. The child went back inside to ask his parents about the study, even though he had initially said they were not home. When he came back outside, he was very quiet. I kneeled down and asked the child what his parents had said. He began crying, covering his face with his right arm. I told him that it would be OK, that my parents were also immigrants, and that I would never do anything to jeopardize his family. He calmed down. To reassure him further that I was not an agent of the law, I showed him my scholarly webpage. I told him that I write uninteresting articles in glorified newspapers that no one ever reads. Ever the astute child, he asked me why I write the articles if no one reads them. I had no response.

As I began explaining to the child how his parents were selected for the study (i.e., “Think of it like winning the lottery! It doesn’t happen to everyone, but when it does, it’s a really good thing.”), Esmeralda rounded the corner carrying four fashion magazines. I asked her if she and her sister-in-law could spare 30 minutes to speak with me. She replied that she would see what she could do, disappearing into the apartment. Esmeralda emerged from the apartment and said that I could have a five-minute interview. I agreed, ran to the car to grab my interview materials, and returned to the apartment at the same time as Esmeralda’s fifteen-year-old nephew, who had been playing basketball with some friends. When I entered the apartment into the living room, the fifteen-year-old and his friends were watching me intently, as if bodyguards protecting their family members from a strange situation. From the time the child answered the

door to the time I sat down to conduct what would later be a thirty-minute interview, three hours had elapsed.

Retention across Time

One advantage that longitudinal qualitative studies have over their point-in-time counterparts is the opportunity to cultivate deep rapport with one's informants. Such a relationship is particularly important when interviewing populations vulnerable by their race, class, sex, and/or legal position. But the *How Parents House Kids* study on which this dissertation is based is not only longitudinal but also collaborative. The team-based nature of the work involved in recruiting and retaining vulnerable populations across time came with its own set of interrelated opportunities and challenges.

Perhaps the clearest benefit of longitudinal qualitative studies is the researcher's ability to cultivate a certain level of trust with his or her respondents. This dynamic was certainly my experience, although I did not secure the full trust of all my respondents. Despite the noted complications associated with recruiting Esmeralda and her family for a first-round interview, it was far less taxing to schedule the second interview one year later. After just one knock on the family's door, and a quick ten-minute conversation, I was able to schedule an interview. The family nevertheless still seemed suspicious about my intentions. As in the first interview, the now-sixteen-year-old was silent but present throughout the entire conversation. At the conclusion of the interview, I asked him why he and the family seemed so averse to participating in the research study. "We're not scared or anything," he said, "but the idea that someone would come knocking on our door, offer us money to talk about our lives, and keep coming back is something that we've never heard of before." Persistence in both recruitment and retention, as it turned out,

represented a double-edged sword for some families who could not fathom why any “educated person” would want to interview them not only one but also multiple times.

Although generally an asset, persistence coupled with a multi-member team complicated efforts at retaining some of the immigrant households. Norma, for example, was eager to participate in the study in 2013, agreeing to an interview almost immediately after I had explained its purpose to her. I returned two days after having scheduled the interview, conducted a two-and-a-half-hour interview, and bade Norma farewell until the next summer. Over the course of several follow-up phone calls throughout the ensuing school year, she remained an active participant in the study and seemed eager to participate in a second-round interview in the summer months of fieldwork to come.

In preparation for the second round of fieldwork, Kathy and Stefanie found a talented Johns Hopkins undergraduate named Hilario Dominguez to assist me with interviews. The son of Mexican immigrants, we also expected that Hilario would help us to assuage some respondents of any lingering doubts associated with the study. Hilario would not conduct interviews without me present except in the event that I was occupied with another interview; in this scenario, a more experienced fieldworker with Spanish-language proficiency would accompany him to the interview. However, Hilario was allowed to door knock known Spanish-language households in order to facilitate the process of scheduling follow-up interviews.

One respondent I assigned to Hilario was Norma. Given the relative ease with which I had scheduled her for her previous interview, I believed that a follow-up interview would be inevitable in the second year of the study. With her contact information in hand, Hilario called Norma, who remembered the study but seemed put off by not knowing who Hilario was: “Yes, I remember the study, but I don’t know who you are,” she told him. Unsure about agreeing to an

interview with a new stranger, Norma offered her sister as an alternative. I was unable to speak with Norma myself because I was conducting another interview at the time. When I heard about the situation, and still occupied with other interviews, I suggested that Hilario go knocking on Norma's door to reassure her in person that the study was as legitimate as it was the year prior. Two home-visits later, Norma declined to participate in the study for that year. We did not contact her again that summer.

Several months later, as I prepared to return to the field alone for a third round of interviews, I contacted all respondents for whom I had a phone number. Norma was among them. Answering the phone after three rings, I introduced myself again and asked her if she remembered the study. She said, "Of course! Do you want to do another interview?" I was surprised by her question but responded affirmatively. I explained that I would be back in Dallas for the summer and that I wanted to see what she had been up to since we last spoke in 2013. She said I was more than welcome to interview her in her apartment.

I would arrive to Norma's apartment in June 2015. She had recently moved from a one-bedroom unit in her apartment complex to a two-bedroom unit in the same complex. We sat in the living room on a large sofa that was right by the entrance of the apartment. I went through the consent forms for the study and, once finished, asked Norma if she had any questions before we began. She said she did, asking, "Why is it that you guys want to talk to me? What is it that I can tell you that you need to know?" Her questions were less accusatory and more incredulous; she seemed perplexed that she—an undocumented immigrant who completed a high school education in Mexico—could have knowledge that we as university researchers would care about knowing that we did not already know. I explained that I was simply interested in gauging her perspective on a variety of issues, which meant that there were no correct or incorrect answers.

Norma then asked why the team was so insistent on speaking with her last year (as opposed to any other household in the complex), and why I had not come to interview her myself. To answer the first question, I recounted Norma a now well-rehearsed explanation that participation in the study was “random, kind of like winning the lottery. It doesn’t happen to everyone and only those who win the lottery benefit from it.” To answer the second, I apologized to Norma for not having come myself but that there were many more Spanish-speaking households than Spanish-speaking researchers; given the short timeframe for collecting follow-up interviews, it was necessary to split up the task of interviewing as many families as possible. Norma said she understood, signed the consent forms, and we conducted the interview.

Norma’s case signaled to me how persistence and large-team research project, coupled with vulnerable respondents’ misunderstandings about sample selection, coalesced to make some respondents wary of participating in the study. Even when I served as the only researcher that an informant had met over two years, however, it was possible that misunderstandings about the research project would complicate retention efforts. This turned out to be the situation for one respondent named Natalia, who participated in the study in 2013 and 2014 but not in 2015. After contacting Natalia via telephone for a third-round interview in mid-June 2015, she said she was interested in participating but that she would have to call me back and schedule the interview for a later date when her busy work schedule cleaning houses had settled a bit. I understood and proceeded to contact other respondents for the next six weeks. With two weeks left in Dallas, I reached out to Natalia again to see if perhaps we could fit in an interview before I returned to Boston. She did not answer, but I left a voice message. One week later, I again attempted to contact Natalia but was confronted by a seemingly-angry and –suspicious male voice on the other line. It turned out to be Natalia’s husband, whom I had never met.

My goal on the phone with Natalia's husband, whom I will call Roberto, was two-fold. First, I sought to reassure Roberto that nothing out of sorts had transpired between Natalia and myself, which seemed to be his primary concern. Second, I hoped to secure his family's participation in the research study for a third time. Although I accomplished the former, I could not follow through on the latter. I explained to Roberto that I was a part of a research study on how parents make residential decisions and that many people in his neighborhood already had participated in the project. They were my last family to interview, I told him. Roberto responded that the study seemed interesting, but that he was no longer interested in having his family participate if it was not mandatory like the Mexican Census ("La INEGI," as Roberto astutely recalled.). Over the course of a 30-minute phone call, I asked Roberto why he did not want to participate, to which he responded: "It's just not something we want to do. We're not worried about it or anything, but it doesn't do anything for our lives." This refusal was the only one of the immigrant families that summer.

Conclusion

The foregoing reflections entail a number of lessons for me as I continue working on questions of immigration law and enforcement. These lessons might be broadly divided into three camps: one related to study design, one related to trust, and a third related to multi-member research projects.

With respect to study design, one moral of this dissertation's data collection strategy is to keep an open mind about what a research project might tell us. Qualitatively-minded researchers would perhaps balk at this suggestion because, for many, this insight is foundational to inductive work. However, inductive analysis is only part of what I mean; I would also encourage researchers to think about whether their data speak (even serendipitously) to unanticipated

questions or debates elsewhere in sociology. In my experience, participating in a study about residential choice provided a rare opportunity for me to study how a diverse sample of immigrant families understood and responded to immigration law and enforcement.

A second lesson concerns trust but may also be labeled “interviewer effects.” It is often the case that when a researcher studies a population that is not his or her own—either by virtue of race, class, gender, nativity, or legal status—that others begin to wonder whether the researcher has received a full accounting of the dilemmas their informants face on a daily basis. Various-vulnerable populations, in particular, have a number of reasons to obfuscate their life stories in the presence of a stranger. As discussed earlier, multi-year interviews have helped me to alleviate some of these concerns in two ways. First, the iterative qualitative methodology I adopted—asking initially about residential choice but then broadening to encompass questions related to nativity and then legal status—meant that respondents and I could develop a trusting relationship over the years that made the disclosure of such sensitive information less worrisome. Second, had I only had one year to conduct this study, I firmly believe that my informants would have been every bit as open as they were by the end of the third year. The stories I gleaned from the year-to-year interviews were very similar. This suggests to me that, for studies based on interview data, researchers tend to overstate how much informants might exaggerate or lie. More often than not, people want to share their stories and, in the case of vulnerable populations, may have never had an opportunity to do so in such an intimate space prior to the interview.

Finally, I would be remiss if I did not end this methodological appendix with a discussion of the opportunities and challenges that team projects represent. Graduate students may be especially interested in knowing how I evaluated the potential tradeoff of carrying out an independent rather than collaborative research project as a dissertation. On balance, I would

argue for multi-member research projects, particularly if one is able to carve out an interest that is aligned with his or her own research agenda and over which one has relative autonomy.

Collaborative fieldwork proved beneficial for the larger *How Parents House Kids* project not only because the team was able to follow a probability-based sampling strategy but also because we could keep one another abreast of the range of challenges we faced as we interacted with a diverse set of respondents in a limited time period. It was through this collaborative fieldwork that I was able to (unwittingly) generate a sample of immigrant-headed Latino households in a relatively short period of time. In addition, the value of the collaboration has continued well beyond the fieldwork process. Having collected the data with a number of other sociologists means that one's colleagues are fully aware of the lives depicted in these pages. It is true that sociologists will inevitably interpret a respondent's life story in different ways, but I rest assured knowing that the perspectives detailed in this dissertation have survived the scrutiny of my sharp-minded colleagues. For a graduate student writing his or her first book-length project, having a community of peers to rely on as a sounding board is undoubtedly beneficial. Challenges will undoubtedly arise, as they did for this research project and as they will for any research project, but the opportunity to confront those challenges with others who are interested in advancing the study is a rare gift for a researcher.

Appendix B: Interview Guides, 2013-2015

2013 Interview Guide

I. Warm-Up, Background, Family Roster and Dynamics

Tell me the story of your life. You know, where you grew up, with whom, and how you got to where you are today.

Parents

Life at home

Relationships with family members.

School

Neighborhood you grew up in

II. Residential Mobility and Neighborhoods

Think back to the very first house/apartment you got on your own once you were old enough and on your own. Tell me a little about that place.

What was the address (or intersection)?

Tell me the whole story of how you ended up there.

What was the main reason you moved to that place?

Who lived with you there?

Tell me the whole story of how you left that place.

What was the main reason you left that place?

Tell me about each place you've lived since then.

What was the address?

Tell me the whole story of how you ended up there.

What was the main reason you moved to that place?

Who lived with you there?

Tell me the whole story of how you left that place.

What was the main reason you left that place?

What about the place you are living right now? Tell me the whole story of how you ended up here. What was the main reason you ended up here?

(IF HOMEOWNER): Take us through the financial process of buying a home

Tell me about all of the other places you thought about living, but didn't work out for one reason or another.

What about places you considered but decided against?

What about places you wanted to live at but couldn't for some reason?

Some people say that certain aspects of their personal situations really limit the kinds of places they can live—large families, for example, families in which someone has a criminal record, families with bad credit, families who have been evicted, or families who have to live close to a sick relative, work, a particular bus line....things like that. How about for you? TMMAT.

Some people say they limit their searches to particular neighborhoods. How about for you?

Others say they're open to almost any neighborhood, but there are a few they would NOT want to live in. How about for you?

When you were making your last move, which neighborhoods did you consider? Which did you outright reject? In your mind, what was attractive about the neighborhoods you were considering? What about those you weren't; what was unattractive about them? TMMAT.

Did anyone help you make this decision? Family? Friends? TMMAT.

Let's talk about everyone who lives here right now [get each person].

Tell me about the people who stay here but don't live here.

(FOR EACH "STAYER")

When was the last time X stayed here?

For about how long?

What about the time before that?

What about you, do you stay other places from time to time? (IF YES) Tell me about the last time that happened. What about the time before that?

What about your kids, do they stay other places from time to time?

(FOR EACH KID THEY SAY "YES" TO). Tell me about the last time that happened. What about the time before that?

I'm interested in your ideas about what aspects of this apartment/home work well for your family and which don't work so well. TMMAT.

Ideally, what kind of apartment/home do you think would be best for your kids? What specific features should an apartment/home have? Have you ever lived in a place like that? TMMAT.

(RENTERS ONLY) Tell me all about your current landlord/property manager. What's the best aspect of dealing with him/her? Tell me a story about that. [Probe for whether landlord has offered incentives to stay in the unit.]

(RENTERS ONLY) What's the worst? Tell me a story about that. [Probe for whether landlord has attempted to get the family out of the unit, whether actively or passively. You will ask this directly later in the interview.]

(RENTERS ONLY) Sometimes people have a lot of contact with their landlord/property manager. Sometimes they have very little contact. How about for you? Tell me the whole story of the last time you had any contact with your landlord/property manager? What about the time before that? What about the time before that?

(RENTERS ONLY) Who do you talk to if there is a problem with the unit? Tell me all about the last time that happened. What about the time before that? What kinds of requests get a quick response? Which don't?

All kinds of things happen to people with their housing, foreclosure, eviction. Have anything like this ever happened to you? In the past? How about here? Tell me the whole story of that from start to finish.

Let's talk a little about your current neighborhood. Tell me about your neighborhood.

How would you describe it to someone who had never been here?

What do you like best about living here?

What do you like the least? TMMAT.

Where do you go in the neighborhood?

Where do you walk to (groceries, errands, shopping, restaurants , visiting friends, etc.)?

Tell us a little about the neighborhood you were in before this one. What did you like the best about that neighborhood? What did you like the least? Compare that neighborhood to the one you are living in now.

Some people say they live on a quiet block. Others say they live on a block where there is a lot of drama. How about for you? What blocks in this area are quiet and what blocks have drama? How does this affect where you go and what you do in the neighborhood? How does this affect where your kids can go and what they can do in the neighborhood?

Some people say their neighborhood is safe. Others say their neighborhood is not very safe. How about for you? What aspects of the neighborhood make it safe? What aspects of the neighborhood make it unsafe? Tell me about the last time you felt unsafe in your neighborhood. TMMAT. What about your kids; when was the last time one of your kids felt unsafe in your neighborhood? TMMAT

Sometimes people develop strategies for staying safe in their neighborhood. How about for you? TMMAT

Tell me about your immediate neighbors—the people living on either side of you.

Tell me all about your relationship with X.

Tell me about the last time you interacted with X. What about the time before that?

Tell me all about your relationship with Y.

Tell me about the last time you interacted with Y. What about the time before that?

What about your kids, how do they interact with the neighbors?

What about the other people on the block; what are they like?

Tell me about other people who come on this block but don't live here.

Some neighborhoods have all kinds of different people in them, and some are not that diverse. What about this one? Specifically what's the mix in this neighborhood? What kinds of people live here?

What mix of folks tends to make you feel the most comfortable? What mix of folks tends to make you feel a little less comfortable? If you could choose the mix of folks you wanted to live in your neighborhood, what would that look like? TMMAT

Sometimes when people move to a new neighborhood they experience a very different mix of people. Tell me a story about that happening to you.

Sometimes people stay in the same neighborhood, but the neighborhood changes, bringing in a new mix of people. How about for you? Tell me a story about that.
[Probe for voucher holders].

Let's talk a little more about this home. We just want to clarify—whose name is officially on the lease/who holds the mortgage for this place? TMMAT.

What does it cost to live here each month? Rent/Mortgage? Utilities? Do other household members contribute to the rent? (IF RECEIVING A SUBSIDY): What portion of the rent do you pay and what portion does the government pay?

How do you manage to make the rent each month? Tell me about the last time you were short. TMMAT. What about the time before that? TMMAT. What was your monthly rent/mortgage payment when you first started living here? What about now?

Let's say you suddenly learned that you were going to have to move—you couldn't stay here any more. You have only 2 months—60 days—to move. What is the first thing you are going to do? What are you going to do next? What about after that?

Money doesn't grow on trees, we know housing is expensive, and we all have to make choices. What if money wasn't an issue with regard to housing. What would you do?
Probe: With the extra money? Would you move? Where?

Let's say you suddenly got a special sort of housing voucher—every month, you were going to get a check in the mail for \$700, but you could only spend the money on housing. What would you do?

Has something like this ever actually happened—you got a housing voucher? Tell me the whole story of how you responded when you learned you were getting a voucher.

Have you ever applied for any kind of housing assistance program? Tell us all about that program. How exactly does it work? Tell us the whole story of how you ended up signing up for at program? Let's start at the beginning—how did you first learn about the program? What happened then? What about after that? TMMAT

If you had to do it over again, would you have chosen this unit [“house” or “apartment”]? Tell me what you wish you had known about this house/unit before you moved in.

If you had to do it over again, would you have chosen this neighborhood? Tell me what you wish you had known about this neighborhood before moving in.

What about the schools? If you had to do it over again, would you have chosen to put your kids in the schools they are now in? Tell me what you wish you had known about the schools before they enrolled?

When making a decision about where to live, what’s most important to you: the unit itself, the area that the unit is located in, or the schools? TMMAT.

Have you taken any steps to leave this place? TMMAT. Tell me about any plans for future moves. What places do you have in mind? How did you get information about them? TMMAT.

III. Children’s Schooling

Tell me about each of your children. Let’s start with their names and ages. Okay, now tell me what their personalities are like (social, quiet, do they act out, play sports, like music). [Note: Prioritize and ask for every kid in the house 3-8. No need to follow up about other kids who don’t live there. Understanding how parents make trade-offs for kids of any age is important to understand].

(FOR EACH CHILD) Tell me about X’s strengths. What about weakness? What do you worry most about with X?

(FOR EACH CHILD) Tell me about X’s friends. (Get respondent to list friends.) In what ways are they a good influence on X? In what ways are they a bad influence on X. Tell me all about how and when X spends time with his/her friends?

What about kids who may not be living here right now? (repeat questions above).

(FOR EACH CHILD) Where does X go to school? TMMAT. Tell me the whole story of how X ended up at this school. What other schools did you consider or try to get into. Tell me all about those schools. Where would you like X to be going to school? TMMAT.

(FOR EACH CHILD)

What’s it like for X at this school? Tell me about how X is doing?

Tell me about X’s teachers?

Tell me the whole story of the last time you had contact with one of X’s teachers?

How about the time before that?

In general, what have your experiences been with X’s teachers?

(FOR EACH CHILD)

How often do you go to X’s school? Any other ways that you’re involved? TMMAT.

Some kids have special needs or abilities that have to be addressed at school. How about for your kids? (Probe for IEP/gifted children and how school is addressing their needs/abilities). Tell me all about how the school responds to those needs and abilities.

Some kids have problems at school. How about for your kids? (Probe for behavioral problems in particular). Tell me all about how the school is responding to those problems?

Sometimes kids go to schools that are calm and peaceful. Other kids go to schools where there is a lot of fighting or competition—things like that. How about for your kids?

(FOR EACH CHILD) When there are problems with fighting or hazing at X's school:
How does X respond? Tell me a recent story about that.
How does the school respond? Tell me a recent story about that.

Sometimes there are racial problems at school. How about for your kids?
(FOR EACH CHILD) When there are racial problems:
How does X respond? Tell me a recent story about that.
How does the school respond? Tell me a recent story about that.

(FOR EACH CHILD) Tell me about the last time X had to change schools. Tell me the whole story about how that ended up happening.
What was the best part of changing schools for X?
What was the worst part?
Tell me all about how X reacted to the change.

Sometimes parents have a chance to send their kid to a new school but choose to keep them in their old school. Has this happened with any of your kids? Tell me the whole story from start to finish.

(FOR EACH CHILD)
Where do you think X will go to middle school? How about high school? TMMAT.

Describe the schools in this area. What are good schools? How do you tell if a school is good? What are the bad schools? How do you tell if a school is bad? If you were recommending a school to a parent who just moved to this area, what schools would you tell them to send their kids too? Which schools would you tell them to avoid? Tell me how school vouchers work around here.

Now I want to know about the adults other than you who play a role on your kids' lives.
(FOR SINGLE AND NON-NUCLEAR HOUSEHOLDS)
Let's start with their dads/moms (depending on gender of respondent).
Tell me about each of the dads/moms of your kids?
What is their relationship like with your kids?

(FOR EACH DAD/MOM)
Tell me the whole story of how X interacts with your kids from start to finish.

Sometimes dads/moms would like to be more involved, but there are things standing in the way. How about for your kids' dad(s)/mom(s)? TMMAT. Does staying connected to your kids' dad(s)/mom(s) factor in when you think about where to live? TMMAT

What about other adults—step-parents, a mom's or dad's boyfriend or girlfriend, people like that.

What about other relatives? Uncles, aunts, grandparents?

What about other adults who may act as mentors to your children or look out for them (Probe for relationships with clergy, community leaders, volunteers or staff at nonprofits, etc.)?

Tell me a recent story about the role X plays in your kids' lives.

Sometimes other adults would like to be more involved, but there are things standing in the way. How about for the other adults in your kids' lives? TMMAT Does staying connected to these other adults factor in when you think about where to live? TMMAT

IV. Employment and Education

Tell me about how far you got in school.

Probe:

High School completion? GED?

Training programs?

College classes?

Tell me about any jobs you have right now / Tell me about your last job?

[Note: including informal jobs].

Probe:

Pay, hours per week?

Length of employment?

Duties/responsibilities? Job skills needed?

Relationship of job to career goals?

Location, distance, transportation?

Child care arrangements (if applicable)?

Making ends meet in today's economy can be really tough, how do you manage to do it? Do you receive any kind of assistance (Food Stamps, SSI, WIC, other, etc.)? Help from family members? Friends?

Last month, how much money did you bring you home? What about your partner?

How typical was that? How much money is left after the basic bills are paid? [However they define this]. What was your family income last year? [They can check a box if they prefer].

- | | |
|--|--|
| <input type="checkbox"/> \$0 - \$10,000 | <input type="checkbox"/> \$60,000 - \$70,000 |
| <input type="checkbox"/> \$10,000 - \$20,000 | <input type="checkbox"/> \$70,000 - \$80,000 |
| <input type="checkbox"/> \$20,000 - \$30,000 | <input type="checkbox"/> \$80,000 - \$90,000 |
| <input type="checkbox"/> \$30,000 - \$40,000 | <input type="checkbox"/> \$90,000 - 100,000 |
| <input type="checkbox"/> \$40,000 - \$50,000 | <input type="checkbox"/> More than \$100,000 |
| <input type="checkbox"/> \$50,000 - \$60,000 | |

Are there things you wish you could do that you can't because of money?
(Probe: kids, education, housing)

V. Health

We know that health care can be really expensive for families. In this section we are going to talk a bit about your health and health care.

Tell me about your health in general, how are you doing?

Probe:

If you had to rate your health on a scale of one to ten, what would you say?

Tell me about any specific health problems that you have.

Since moving to this area, have you or your kids had any changes in your health?

How about your kids? How would you rate their health on a scale of one to ten?.

Tell me about any medications you take. How about your kids?

Tell me about how you get health care now.

Probe:

Location and transportation

See a regular provider or not

Transportation to and from provider

Length of time visiting this specific service provider

Frequency of seeking care

Feelings of connection to the provider

Cost of health care, how to pay

Tell me about any time in the past year that you didn't have enough food to last through the month. Tell me all about how that happened? How did you cope?

How easy is it for you to get walk around / do other active things around here? TMMAT?

Probe:

What about your kids?

How often do you walk around the neighborhood? Where do you go?

How easy is it for your kids to get exercise around here? TMMAT.

In the last week, how much exercise have you and your kids managed to get?

Sometimes people say they'd like to be more active, but there are things standing in the way.

How about for you? Your kids?

What kind of things get you down? Tell me about the most recent time when you were down for a while. What did that feel like?

Probe:

How did it affect daily routine?

Coping strategies (How did you get through that time?)

What kind of things stress you out? Tell me about the most recent time when you were down for a while. What did that feel like?

Probe:

How affected daily routine

Coping strategies (How did you get through that time?)

Sometimes people would like to change their situation, but they just can't seem to find the time or energy to do it. How about for you? TMMAT.

Sometimes where we live really affects how we feel on a daily basis. Does living around here ever get you down? TMMAT. (Probe: stress, traffic, safety, amenities, home problems, etc.). Are there things about living around here that cheer you up?

Ok, we're almost at the end, let me check if I forgot anything. Oh! I forgot to ask about your love life. Are you together with anyone now? Tell me the whole story of that relationship from start to finish.

How do you see the future of that relationship?

In what ways is this relationship a source of support for you? TMMAT.

All relationships are stressful at times. How about for you? TMMAT.

[Note: Modify as needed depending on what has already been discussed, etc.].

VI. Future

As we close, I'd like to hear about your hopes and dreams for the future. Tell me what you'd like to see happen for yourself.

What are your hopes for your children's futures? What do want them to do, to be, or to avoid along the way?

Is there anything else you'd like to tell me before we end. Anything that you think I've missed or that I should know?

Is there anything I should I have asked that I didn't?

2014 Interview Guide

Note: The following questions were asked of immigrant households as part of a larger follow-up questionnaire that closely resembled the 2013 interview guide.

Tell me the story of how you moved to Texas.
What other states did you consider living in?
What are the main reasons you chose to live in Texas?
What makes Texas better than other states? Worse?
Are there any other states you have thought about moving to?
Any states you would never move to? TMMAT.

Tell me the story of how you moved to the city of Dallas.
What other cities did you consider living in?
What makes Dallas a good place to live?
What do you not like about Dallas?
Tell me how Dallas compares to cities in [Mexico/or country of origin]?

We have talked to some families that have a lot of Latino neighbors, and others who live in neighborhoods without many Latino families. Tell me about the Latinos in your neighborhood; your apartment complex. Tell me the main reasons Latinos [live/don't live - depending on response] in this neighborhood; this apartment complex. Tell me about the advantages of having lots of Latino neighbors. What are the disadvantages?

How important is it to live in a neighborhood with other Latino families? When you moved to this neighborhood what did you know about the race/ethnicity of the neighbors? How does the number of Latino neighbors affect a neighborhood?

Tell me about whom you trust most.
Probe: friends, family members, neighbors, coworkers, employers, government officials.
What makes someone trustworthy?
What makes you distrust someone?
How do you act differently around people you do not trust?

Tell me what you worry about most in your neighborhood, in Dallas, in Texas.
Tell me how your concerns about the city and the neighborhood are the same as your neighbors.
Tell me how they are different.

Tell me about what things are harder for immigrant families.
Tell me a story about the last time something was hard for your family.
Tell me about anything that is easier for immigrant families.
What are the benefits of immigrating to the US?
What are the biggest challenges?
Probe: renting an apartment, buying a home, moving to certain neighborhoods, dealing with government agencies.

2015 Interview Guide

I. Warm Up

Tell me about some of the biggest changes that have occurred for you and your family since the last time I saw you.

PROBE FOR:

employment

residential moves

family members (partners, children)

household residents

children's school attendance

childcare arrangements

immigration status

Tell me more about what life was like in your country of origin.

What was your childhood like?

What was a typical day like?

Tell me about your happiest memory from your time in your country of origin.

Tell me about your saddest memory from your time in your country of origin.

Tell me the whole story of why you came to the United States.

When did you know that you would leave for the United States?

Why didn't you go sooner? Why not leave later?

How did your family react to your migration?

Was there anything you were worried about before migrating? Why didn't that stop you?

Did you have friends or relatives who wanted to migrate but didn't? Why didn't they?

What would prevent a person from migrating from Mexico to the U.S.? What would have prevented you from migrating?

How did you get to the United States? Tell me the whole story.

II. Immigration

Tell me what an immigrant is. Do you consider yourself an immigrant? TMMAT.

Do you consider yourself to be an American? TMMAT.

Why do people migrate? Probe for benefits and challenges.

Describe what it's like for immigrant families living in the United States. How do you think their lives compare to people who are not migrants who live here?

When are things harder for immigrant families? Tell me a story about the last time something was harder for you because you're an immigrant.

When are things easier for immigrant families? Tell me a story about the last time something was easier for you because you're an immigrant.

Tell me about what it means to be an immigrant in Dallas. Does it mean something different to be an immigrant in a place like New York? Why?

PROBE: does this apply to all immigrants from every country? Certain kinds of immigrants? Only you and your family? Why?

Tell me what your children know about immigrants. How do you know they know that?

One of the things I want to understand is how people manage to live in the United States even without legal status.

If a relative of yours wanted to cross the border from Mexico into the United States right now, would you tell them to come? TMMAT.

What kind of advice would you give this relative about:

How to find a place to live?

How to find a job?

How to live?

How not to live?

How many times have you been caught while crossing the border into the United States? What happened? TMMAT.

(If they are caught twice, this means that they are barred from coming to the U.S. legally for at least 10 years.)

Tell me about when you worry about not having papers. TMMAT. What do you worry about? TMMAT.

Some people say undocumented immigrants are always worried about being caught and deported. How about for you? TMMAT.

Do you see a difference between the police and La Migra? What is it? How do you know that?

Do you know anyone who has ever been caught by La Migra? How were they caught? What happened to them?

Have you ever heard about anybody being turned into La Migra? How did that happen? TMMAT.

Some people believe that undocumented immigrants spend their days at home hiding from La Migra. How about for you? What things can you do every day and not worry about being deported? What things can't you do because they risk capture?

I am going to give you a list of activities and I want you to tell me how risky, if at all, you think they are for you. TMMAT for each one.

- Going to your kid's school?
- Riding the bus?
- Driving? Where do you go? Where do you not go?
- Going to the emergency room?
- Applying for a place to live?
- Getting food stamps for your kids?
- Applying for a job?
- Going to the zoo?
- Going to McDonald's?
- Going to church?
- Going to the library?
- Going to the bar?

III. Dallas-specific Policies

I'd like to end this interview getting a sense of your knowledge of national and local politics.

What national events have you been following? TMMAT.

[IF NONE] Have you heard about Obama's recent policy to help immigrant families?

What do you know about it?

How did you learn about it?

What experience do you or your family have with it?

[IF THEY DON'T RECOGNIZE IT] This policy makes it so that some parents and children who came into the U.S. without papers won't be deported. Los programas se llaman DACA (Acción diferida para los llegados en la infancia) y DAPA (Acción diferida para los padres de ciudadanos y residents permanentes legales). Does they sound familiar?

What do you know about these policies?

Tell me what you think about these policies.

Do these policies affect you or your family? How? How did you find out?

What local news have you been following? TMMAT.

[IF NONE] Have you heard about the law that some neighborhoods don't allow people to rent apartments if they don't have a social security number?

What do you know about it?

How did you learn about it?

What experience do you or your family have with it?

[IF THEY DON'T RECOGNIZE IT] This policy is based in Farmers Branch and makes it so that some people who came into the U.S. without papers won't be able to get an apartment. Does that sound familiar?

Tell me what you think about this policy.
Does this policy affect you or your family? How?

IV. FUTURE

I'd like to hear about your hopes and dreams for the future. Tell me what you'd like to see happen for yourself. Are there any limitations to your future? What are they? How do you know about them? What can you do to overcome them?

What are your hopes for your children's futures? What do you want them to do, to be, or to avoid along the way?

V. CLOSING

Is there anything else you'd like to tell me before we end? Anything that you think I've missed or that I should know?

Is there anything I should I have asked that I didn't?

Thank you for talking so freely about your life and your experiences.

Appendix C: Tabular Decomposition of U.S. Hispanics' Worries of Deportation

Table C-1. Percentages of All and Immigrant-only U.S. Hispanics Reporting that They, a Family Member, or a Close Friend Could be Removed, 2008-2017

A. All U.S. Hispanics				
	2008	2010	2013	2017
“A Lot”	36	35	25	29
“Some”	17	18	21	18
“Not much”	13	10	11	12
“Not at all”	34	38	42	40

B. U.S. Hispanic Immigrants Only				
	2008	2010	2013	2017
“A Lot”	51	47	34	40
“Some”	17	22	25	20
“Not much”	11	9	12	13
“Not at all”	21	22	29	25

C. U.S. Hispanic Immigrants Only, by Naturalization Status								
	Naturalized				Noncitizen			
	2008	2010	2013	2017	2008	2010	2013	2017
“A Lot”	29	35	18	33	63	55	43	46
“Some”	18	23	16	19	16	21	30	21
“Not much”	17	11	13	13	9	7	11	12
“Not at all”	36	31	53	32	13	16	15	21

D. U.S. Hispanic Immigrants Only, by Legal Status												
	Naturalized				Legalized				Likely-undocumented			
	2008	2010	2013	2017	2008	2010	2013	2017	2008	2010	2013	2017
“A Lot”	29	35	18	33	55	51	-	47	72	62	-	45
“Some”	18	23	16	19	19	20	-	19	14	22	-	22
“Not much”	17	11	13	13	11	8	-	15	5	6	-	9
“Not at all”	36	31	53	32	16	20	-	19	9	10	-	22

Note: Proportions are weighted. Margin of error, at the 95% confidence level, for 2008 (2010) [2013] {2017} samples is ± 2.8 (± 3.3) [± 4.4] { ± 3.6 } for the full-Hispanic and ± 3.4 (± 4.2) [± 6.8] { ± 5.3 } for the immigrant-only samples. Columns may not sum to 100 due to rounding. Legal status information unavailable in 2013 for “Legalized” and “Not Naturalized or Legalized” categories. “Missing” and “Don’t Know” responses not shown.

Source: Author’s tabulations of Pew Research Center’s 2008, 2010, 2013, and 2017 National Surveys of Latinos. Respondents answered the following question: “Regardless of your own immigration or citizenship status, how much, if at all, do you worry that you, a family member, or a close friend could be deported? Would you say that you worry a lot, some, not much, or not at all?”

References

- Abbott, G. (2016). Restoring the Rule of Law with States Leading the Way. In G.o. Texas (Ed.). Austin, TX.
- Abrego, L.J. (2006). "I can't go to college because I don't have papers": Incorporation patterns of Latino undocumented youth. *Latino Studies*, 4, 212-231.
- Abrego, L.J. (2011). Legal consciousness of undocumented Latinos: Fear and stigma as barriers to claims-making for first-and 1.5-generation immigrants. *Law & Society Review*, 45, 337-370.
- Adam, B., Beck, U., & Van Loon, J. (2000). *The risk society and beyond: critical issues for social theory*: Sage.
- Agadjanian, V., Menjivar, C., & Zotova, N. (forthcoming). Legality, Racialization, and Immigrants' Experience of Ethnoracial Harassment in Russia. *Social problems*.
- Alba, R. (2005). Bright vs. blurred boundaries: Second-generation assimilation and exclusion in France, Germany, and the United States. *Ethnic and racial studies*, 28, 20-49.
- Alba, R., Kasinitz, P., & Waters, M.C. (2011). The kids are (mostly) alright: Second-generation assimilation: Comments on Haller, Portes and Lynch. *Social Forces*, 89, 763-773.
- Alba, R., & Nee, V. (1997). Rethinking assimilation theory for a new era of immigration. *International Migration Review*, 826-874.
- Alba, R., & Nee, V. (2009). *Remaking the American mainstream: Assimilation and contemporary immigration*: Harvard University Press.
- Amuedo-Dorantes, C., Puttitanun, T., & Martinez-Donate, A.P. (2013). How do tougher immigration measures affect unauthorized immigrants? *Demography*, 50, 1067-1091.
- Aptekar, S. (2015). *The road to citizenship: what naturalization means for immigrants and the United States*: Rutgers University Press.
- Aranda, E., Menjivar, C., & Donato, K.M. (2014). The spillover consequences of an enforcement-first US immigration regime. *American Behavioral Scientist*, 58, 1687-1695.
- Aranda, E., & Vaquera, E. (2015). Racism, the immigration enforcement regime, and the implications for racial inequality in the lives of undocumented young adults. *Sociology of race and ethnicity*, 1, 88-104.
- Arbona, C., Olvera, N., Rodriguez, N., Hagan, J., Linares, A., & Wiesner, M. (2010). Acculturative stress among documented and undocumented Latino immigrants in the United States. *Hispanic Journal of Behavioral Sciences*, 32, 362-384.

- Armenta, A. (2012). From sheriff's deputies to immigration officers: Screening immigrant status in a Tennessee jail. *Law & Policy*, 34, 191-210.
- Armenta, A. (2017). Racializing Crimmigration: Structural Racism, Colorblindness, and the Institutional Production of Immigrant Criminality. *Sociology of race and ethnicity*, 3, 82-95.
- Asad, A.L. (2016). Border Lives: Fronterizos, Transnational Migrants, and Commuters in Tijuana. *Social Forces*, sow062, 1-3.
- Asad, A.L., & Clair, M. (2017). Racialized Legal Status as a Social Determinant of Health. *Social Science & Medicine*.
- Asad, A.L., & Hwang, J. (2016). Stratification in Indigenous Places: Determinants of Undocumented and Documented Mexican Migration to the United States. *Working Paper: Department of Sociology, Harvard University*.
- Batalova, J., & McHugh, M. (2010). *DREAM vs. reality: An analysis of potential DREAM Act beneficiaries*: Migration Policy Institute, National Center on Immigrant Integration Policy.
- Bauböck, R. (2005). Expansive citizenship—voting beyond territory and membership. *Political Science and Politics*, 38, 683-687.
- Baum, J. (2010). *In the Child's Best Interest?: The Consequences of Losing a Lawful Immigrant Parent to Deportation*: DIANE Publishing.
- Bean, F.D., Brown, S.K., & Bachmeier, J.D. (2015). *Parents without papers: The progress and pitfalls of Mexican American integration*: Russell Sage Foundation.
- Beck, U. (1992). *Risk society: Towards a new modernity*: Sage.
- Bloch, A., Sigona, N., & Zetter, R. (2014). *Sans papiers: the social and economic lives of young undocumented migrants*. London: Pluto Press.
- Bloemraad, I., Korteweg, A., & Yurdakul, G. (2008). Citizenship and immigration: Multiculturalism, assimilation, and challenges to the nation-state. *Annu. Rev. Sociol.*, 34, 153-179.
- Bosniak, L. (2007). Being here: ethical territoriality and the rights of immigrants. *Theoretical inquiries in law*, 8, 389-410.
- Brabeck, K., & Xu, Q. (2010). The impact of detention and deportation on Latino immigrant children and families: A quantitative exploration. *Hispanic Journal of Behavioral Sciences*, 32, 341-361.

- Brayne, S. (2014). Surveillance and System Avoidance Criminal Justice Contact and Institutional Attachment. *American Sociological Review*, 0003122414530398.
- Brubaker, R. (2001). The return of assimilation? Changing perspectives on immigration and its sequels in France, Germany, and the United States. *Ethnic and racial studies*, 24, 531-548.
- Brysk, A., & Shafir, G. (2004). *People out of place: globalization, human rights and the citizenship gap*. Routledge.
- Calavita, K. (1992). *Inside the state: The Bracero Program, immigration, and the INS: Quid Pro Books*.
- Catron, P. (2016). Made in America? Immigrant Occupational Mobility in the First Half of the Twentieth Century. *American journal of sociology*, 122, 325-378.
- Charmaz, K. (2014). *Constructing grounded theory*: Sage.
- Chauvin, S., & Garcés-Mascreñas, B. (2012). Beyond Informal Citizenship: The New Moral Economy of Migrant Illegality. *International Political Sociology*, 6, 241-259.
- Chávez, L.R. (2008). The Latino Threat: Constructing Immigrants. *Citizens, and the Nation*.
- Chávez, L.R. (2012 [1992]). *Shadowed lives: Undocumented immigrants in American society*: Cengage Learning.
- Chávez, L.R. (2013). *The Latino threat: Constructing immigrants, citizens, and the nation*: Stanford University Press.
- Coleman, M. (2007). Immigration geopolitics beyond the Mexico–US border. *Antipode*, 39, 54-76.
- Coutin, S.B. (2003). *Legalizing moves: Salvadoran immigrants' struggle for US residency*: University of Michigan Press.
- De Genova, N.P. (2004). The legal production of Mexican/migrant 'illegality'. *Latino Studies*, 2, 160-185.
- De Genova, N.P. (2002). Migrant 'illegality' and deportability in everyday life. *Annual review of anthropology*, 419-447.
- Derosé, K.P., Escarce, J.J., & Lurie, N. (2007). Immigrants and health care: sources of vulnerability. *Health affairs*, 26, 1258-1268.
- DiMaggio, P. (1997). Culture and cognition. *Annual Review of Sociology*, 263-287.

- Donato, K.M., & Armenta, A. (2011). What we know about unauthorized migration. *Annual Review of Sociology*, 37, 529-543.
- Donato, K.M., & Carter, R.S. (1999). Mexico and US policy on illegal immigration: a fifty-year retrospective. *Illegal Immigration in America*, 112-129.
- Donato, K.M., & Sisk, B. (2012). Shifts in the employment outcomes among Mexican migrants to the United States, 1976–2009. *Research in Social Stratification and Mobility*, 30, 63-77.
- Donato, K.M., Wagner, B., & Patterson, E. (2008). The Cat and Mouse Game at the Mexico-US Border: Gendered Patterns and Recent Shifts. *International Migration Review*, 42, 330-359.
- Douglas, M., & Wildavsky, A. (1983). *Risk and culture: An essay on the selection of technological and environmental dangers*: Univ of California Press.
- Dreby, J. (2010). *Divided by borders: Mexican migrants and their children*: Univ of California Press.
- Dreby, J. (2012). The burden of deportation on children in Mexican immigrant families. *Journal of Marriage and Family*, 74, 829-845.
- Dreby, J. (2015). *Everyday Illegal: When Policies Undermine Immigrant Families*: Univ of California Press.
- Dunn, T.J. (2001). Border militarization via drug and immigration enforcement: human rights implications. *Social Justice*, 28, 7-30.
- Durand, J., Massey, D.S., & Zenteno, R.M. (2001). Mexican immigration to the United States: Continuities and changes. *Latin American research review*, 107-127.
- Eagly, I.V. (2010). Prosecuting Immigration, 104 Nw. *UL Rev*, 1281, 1281.
- Eagly, I.V. (2013). Criminal justice for noncitizens: an analysis of variation in local enforcement. *NYUL Rev.*, 88, 1126.
- Ekstrand, L.E. (1995). Border Control: Revised Strategy Showing Some Positive Results. In G.A. Office (Ed.). Washington, D.C.
- Enriquez, L.E. (2015). Multigenerational Punishment: Shared Experiences of Undocumented Immigration Status Within Mixed-Status Families. *Journal of Marriage and Family*, 77, 939-953.

- Enriquez, L.E., & Saguy, A.C. (2016). Coming out of the shadows: Harnessing a cultural schema to advance the undocumented immigrant youth movement. *American Journal of Cultural Sociology*, 4, 107-130.
- Espenshade, T.J. (1990). Undocumented migration to the United States: Evidence from a repeated trials model. *Undocumented Migration to the United States: IRCA and the Experience of the 1980s*, 159-181.
- Espenshade, T.J. (1995). Unauthorized immigration to the United States. *Annual Review of Sociology*, 195-216.
- Espenshade, T.J., Baraka, J.L., & Huber, G.A. (1997). Implications of the 1996 welfare and immigration reform acts for US immigration. *Population and Development Review*, 769-801.
- Ferraro, K.F. (1995). *Fear of crime: Interpreting victimization risk*: SUNY press.
- Ferraro, K.F. (1996). Women's fear of victimization: Shadow of sexual assault? *Social Forces*, 75, 667-690.
- Ferraro, K.F., & LaGrange, R.L. (1987). The measurement of fear of crime. *Sociological inquiry*, 57, 70-97.
- Fix, M., Zimmermann, W., & Passel, J.S. (2001). The Integration of Immigrant Families in the United States.
- Flores-Yeffal, N.Y., Vidales, G., & Plemons, A. (2011). The Latino cyber-moral panic process in the United States. *Information, Communication & Society*, 14, 568-589.
- Foner, N. (2003). *American arrivals: Anthropology engages the new immigration*: James Currey Publishers.
- Fothergill, A., & Peek, L.A. (2004). Poverty and disasters in the United States: A review of recent sociological findings. *Natural hazards*, 32, 89-110.
- Fox, C., & Bloemraad, I. (2015). Beyond "White by Law": Explaining the Gulf in Citizenship Acquisition between Mexican and European Immigrants, 1930. *Social Forces*, 94, 181-207.
- Gans, H.J. (1979). Symbolic ethnicity: The future of ethnic groups and cultures in America. *Ethnic and racial studies*, 2, 1-20.
- García, A.S. (2014). Hidden in Plain Sight: How Unauthorised Migrants Strategically Assimilate in Restrictive Localities in California. *Journal of Ethnic and Migration Studies*, 40, 1895-1914.

- Garip, F. (2012). Discovering diverse mechanisms of migration: The Mexico–US stream 1970–2000. *Population and Development Review*, 38, 393-433.
- Garip, F. (2016). *On the Move: The Changing Dynamics of Mexico-U.S. Migration*. Princeton, NJ: Princeton University Press.
- Garip, F., & Asad, A.L. (2015). Migrant Networks. In R. Scott, & S. Kosslyn (Eds.), pp. 1-13): Wiley.
- Garip, F., & Asad, A.L. (2016). Network Effects in Mexico-U.S. Migration: Disentangling the Underlying Social Mechanisms. *American Behavioral Scientist*, 60, 1168-1193.
- Garland, D. (2012). *Punishment and modern society: A study in social theory*: University of Chicago Press.
- Getrich, C.M. (2013). “Too Bad I’m Not an Obvious Citizen”: The effects of racialized US immigration enforcement practices on second-generation Mexican youth. *Latino Studies*, 11, 462-482.
- Glaser, B.G., & Strauss, A.L. (2009 [1967]). *The discovery of grounded theory: Strategies for qualitative research*: Transaction Books.
- Goffman, A. (2009). On the run: Wanted men in a Philadelphia ghetto. *American Sociological Review*, 74, 339-357.
- Goffman, E. (1961). On the characteristics of total institutions. Symposium on preventive and social psychiatry pp. 43-84).
- Golash-Boza, T. (2006). Dropping the Hyphen-Becoming Latino (a)-American through Racialized Assimilation. *Soc. F.*, 85, 27.
- Golash-Boza, T. (2013). From Legal to 'Illegal': The Deportation of Legal Permanent Residents from the United States. In C. Menjivar, & D. Kanstroom (Eds.), *Constructing Immigrant 'Illegality': Critiques, Experiences, and Responses* pp. 203-222). Cambridge: Cambridge University Press.
- Golash-Boza, T. (2015). *Immigration nation: Raids, detentions, and deportations in post-9/11 America*: Routledge.
- Golash-Boza, T., & Hondagneu-Sotelo, P. (2013). Latino immigrant men and the deportation crisis: A gendered racial removal program. *Latino Studies*, 11, 271-292.
- Gonzales, R.G. (2011). Learning to be illegal undocumented youth and shifting legal contexts in the transition to adulthood. *American Sociological Review*, 76, 602-619.

- Gonzales, R.G. (2015). *Lives in limbo: Undocumented and coming of age in America*: Univ of California Press.
- Gonzales, R.G., Terriquez, V., & Ruszczyk, S.P. (2014). Becoming DACAmented Assessing the Short-Term Benefits of Deferred Action for Childhood Arrivals (DACA). *American Behavioral Scientist*, 58, 1852-1872.
- Gordon, M.M. (1964). *Assimilation in American life: The role of race, religion, and national origins*: Oxford University Press.
- Grissom, B. (2015). Dallas sheriff responds to Texas governor: All ICE detainees honored this year. Dallas Morning News. Dallas, TX.
- Guglielmo, T.A. (2006). Fighting for Caucasian Rights: Mexicans, Mexican Americans, and the Transnational Struggle for Civil Rights in World War II Texas. *The Journal of American History*, 92, 1212-1237.
- Gulasekaram, P., & Ramakrishnan, S.K. (2015). *The New Immigration Federalism*: Cambridge University Press.
- Hacker, K., Chu, J., Leung, C., Marra, R., Pirie, A., Brahim, M., et al. (2011). The impact of immigration and customs enforcement on immigrant health: perceptions of immigrants in Everett, Massachusetts, USA. *Social science & medicine*, 73, 586-594.
- Hagan, J., Rodriguez, N., & Castro, B. (2011). Social effects of mass deportations by the United States government, 2000–10. *Ethnic and racial studies*, 34, 1374-1391.
- Hagan, J.M. (1994). *Deciding to be legal: A Maya community in Houston*: Temple University Press.
- Hall, M., & Greenman, E. (2013). Housing and neighborhood quality among undocumented Mexican and Central American immigrants. *Social science research*, 42, 1712-1725.
- Hall, M., Greenman, E., & Farkas, G. (2010). Legal status and wage disparities for Mexican immigrants. *Social Forces*, 89, 491-513.
- Hall, M., & Stringfield, J. (2014). Undocumented migration and the residential segregation of Mexicans in new destinations. *Social Science Research*, 47, 61-78.
- Harris, D.R. (1999). " Property values drop when blacks move in, because...": racial and socioeconomic determinants of neighborhood desirability. *American Sociological Review*, 461-479.
- Hernández, K.L. (2006). The crimes and consequences of illegal immigration: A cross-border examination of Operation Wetback, 1943 to 1954. *Western Historical Quarterly*, 37, 421-444.

- Hondagneu-Sotelo, P. (1994). *Gendered transitions: Mexican experiences of immigration*: Univ of California Press.
- Institute, M.P. (2015). *Children in U.S. Immigrant Families*. Washington, D.C.: Migration Policy Institutes.
- Itzigsohn, J. (2000). Immigration and the boundaries of citizenship: the institutions of immigrants' political transnationalism. *International Migration Review*, 1126-1154.
- Janoski, T. (1998). *Citizenship and civil society: A framework of rights and obligations in liberal, traditional, and social democratic regimes*: Cambridge University Press.
- Jasso, G., Massey, D.S., Rosenzweig, M.R., & Smith, J.P. (2000). The New Immigrant Survey Pilot (NIS-P): Overview and new findings about US legal immigrants at admission. *Demography*, 37, 127-138.
- Jasso, G., & Rosenzweig, M.R. (1990). *The new chosen people: Immigrants in the United States*: Russell Sage Foundation.
- Jiménez, T.R. (2008). Mexican immigrant replenishment and the continuing significance of ethnicity and race. *American journal of sociology*, 113, 1527-1567.
- Jiménez, T.R. (2010). *Replenished ethnicity: Mexican Americans, immigration, and identity*. Univ of California Press.
- Johnson, E.J., & Tversky, A. (1983). Affect, generalization, and the perception of risk. *Journal of personality and social psychology*, 45, 20.
- Jones-Correa, M. (1998). *Between two nations: The political predicament of Latinos in New York City*: Cornell University Press.
- Jones-Correa, M., & de Graauw, E. (2013a). The Illegality Trap: The Politics of Immigration & the Lens of Illegality. *Daedalus*, 142, 185-198.
- Jones-Correa, M., & De Graauw, E. (2013b). Looking back to see ahead: unanticipated changes in immigration from 1986 to the present and their implications for American politics today. *Annual Review of Political Science*, 16, 209-230.
- Kanstroom, D. (2007). *Deportation nation: Outsiders in American history*: Harvard University Press.
- Karoly, L.A., & Perez-Arce, F. (2016). A Cost-Benefit Framework for Analyzing the Economic and Fiscal Impacts of State-Level Immigration Policies.

- Kasinitz, P. (2012). The Sociology of International Migration: Where We Have Been; Where Do We Go from Here? *Sociological Forum* pp. 579-590): Wiley Online Library.
- Kasnitz, P., Mollenkopf, J.H., Waters, M.C., & Holdaway, J. (2009). *Inheriting the city: The children of immigrants come of age*: Russell Sage Foundation.
- Krogstad, J.M., Passel, J.S., & Cohn, D.V. (2017). "5 facts about illegal immigration in the U.S." Washington, DC: Pew Research Center.
- LaGrange, R.L., Ferraro, K.F., & Supancic, M. (1992). Perceived risk and fear of crime: Role of social and physical incivilities. *Journal of research in crime and delinquency*, 29, 311-334.
- Lamont, M., Beljean, S., & Clair, M. (2014). What is missing? Cultural processes and causal pathways to inequality. *Socio-Economic Review*, 12, 573-608.
- Lareau, A. (2012). Using the terms hypothesis and variable for qualitative work: A critical reflection. *Journal of Marriage and Family*, 74, 671-677.
- López, J.L. (2015). "Impossible Families": Mixed-Citizenship Status Couples and the Law. *Law & Policy*, 37, 93-118.
- López, M.H., Taylor, P., Funk, C., & Gonzalez-Barrera, A. (2013). On immigration policy, deportation relief seen as more important than citizenship. Washington, D.C.: Pew Research Center.
- Marrow, H.B. (2011). *New destination dreaming: Immigration, race, and legal status in the rural American South*: Stanford University Press.
- Marrow, H.B. (2012). Deserving to a point: unauthorized immigrants in San Francisco's universal access healthcare model. *Social Science & Medicine*, 74, 846-854.
- Marshall, T.H. (1992 [1950]). *Citizenship and social class*: Pluto Press London.
- Massey, D.S. (1990). Social structure, household strategies, and the cumulative causation of migration. *Population Index*, 3-26.
- Massey, D.S. (2007). *Categorically unequal: The American stratification system*: Russell Sage Foundation.
- Massey, D.S., Durand, J., & Malone, N.J. (2002). *Beyond smoke and mirrors: Mexican immigration in an era of economic integration*: Russell Sage Foundation.
- Massey, D.S., Durand, J., & Pren, K.A. (2014). Border Enforcement and Return Migration by Documented and Undocumented Mexicans. *Journal of Ethnic and Migration Studies*, 1-26.

- Massey, D.S., Durand, J., & Pren, K.A. (2016). Why Border Enforcement Backfired. *American journal of sociology*, 121, 1557-1600.
- Massey, D.S., & Espinosa, K.E. (1997). What's driving Mexico-US migration? A theoretical, empirical, and policy analysis. *American journal of sociology*, 939-999.
- Massey, D.S., & Pren, K.A. (2012). Unintended consequences of US immigration policy: explaining the post-1965 surge from Latin America. *Population and Development Review*, 38, 1-29.
- Matsueda, R.L., Kreager, D.A., & Huizinga, D. (2006). Deterring delinquents: A rational choice model of theft and violence. *American Sociological Review*, 71, 95-122.
- McConnell, E.D. (2015). Restricted Movement: Nativity, Citizenship, Legal Status, and the Residential Crowding of Latinos in Los Angeles. *Social problems*, spu007.
- Meissner, D., Kerwin, D.M., Chishti, M., & Bergeron, C. (2013). Immigration enforcement in the United States: The rise of a formidable machinery. *Washington, DC: Migration Policy Institute*.
- Menjívar, C. (2006). Liminal Legality: Salvadoran and Guatemalan Immigrants' Lives in the United States. *American journal of sociology*, 111, 999-1037.
- Menjívar, C. (2010). Immigrants, Immigration, and Sociology: Reflecting on the State of the Discipline. *Sociological inquiry*, 80, 3-27.
- Menjívar, C. (2013). When immigration policies affect immigrants' lives: commentary. *Demography*, 50, 1097-1099.
- Menjívar, C., & Abrego, L. (2012). Legal Violence: Immigration Law and the Lives of Central American Immigrants. *American journal of sociology*, 117, 1380-1421.
- Menjívar, C., & Kanstroom, D. (2013). *Constructing Immigrant 'Illegality': Critiques, Experiences, and Responses*: Cambridge University Press.
- Menjívar, C., & Lakhani, S.M. (2016). Transformative Effects of Immigration Law: Immigrants' Personal and Social Metamorphoses through Regularization 1. *American journal of sociology*, 121, 1818-1855.
- Michaud, N.D. (2010). From 287 (g) to SB1070: The decline of the federal immigration partnership and the rise of state-level immigration enforcement. *Ariz. L. Rev.*, 52, 1083.
- Mora, G.C. (2014). *Making Hispanics: How activists, bureaucrats, and media constructed a new American*: University of Chicago Press.

- Morawetz, N. (1998). Rethinking retroactive deportation laws and the due process clause. *NYUL Rev.*, 73, 97.
- Newton, L., & Adams, B.E. (2009). State immigration policies: Innovation, cooperation or conflict? *Publius: The Journal of Federalism*, 39, 408-431.
- Ngai, M.M. (2004). *Impossible Subjects: Illegal Aliens and the Making of Modern America: Illegal Aliens and the Making of Modern America*: Princeton University Press.
- Ong, A. (1996). Strategic sisterhood or sisters in solidarity? Questions of communitarianism and citizenship in Asia. *Indiana Journal of Global Legal Studies*, 107-135.
- Park, R.E., & Burgess, E.W. (1925). *The City*: University of Chicago Press.
- Passel, J.S., Cohn, D.V., & Lopez, M.H. (2011). Hispanics account for more than half of nation's growth in past decade. *Washington, DC: Pew Hispanic Center*.
- Passel, J.S., & Cohn, D.V. (2010). US unauthorized immigration flows are down sharply since mid-decade. *Washington, DC: Pew Hispanic Center*.
- Passel, J.S., Cohn, D.V., & Gonzalez-Barrera, A. (2013). Population decline of unauthorized immigrants stalls, may have reversed. Washington, DC: Pew Hispanic Center.
- Passel, J.S., Krogstad, J.M., & Gonzalez-Barrera, A. (2014). As growth stalls, unauthorized immigrant population becomes more settled. Pew Research Center's Hispanic Trends Project. Washington, DC.
- Passel, J.S., & Woodrow, K.A. (1987). Change in the undocumented alien population in the United States, 1979-1983. *International Migration Review*, 1304-1334.
- Paxton, K. (n.d.). Immigration. Austin, TX.
- Portes, A., & Rumbaut, R.G. (2006). *Immigrant America: a portrait*: Univ of California Press.
- Portes, A., & Zhou, M. (1993). The new second generation: Segmented assimilation and its variants. *The Annals of the American Academy of Political and Social Science*, 530, 74-96.
- Quillian, L., & Pager, D. (2010). Estimating risk stereotype amplification and the perceived risk of criminal victimization. *Social Psychology Quarterly*, 73, 79-104.
- Rathod, J. (2016). Crimmigration Creep: Reframing Executive Action on Immigration.
- Reskin, B. (2012). The race discrimination system. *Annual Review of Sociology*, 38, 17-35.

- Rodriguez, C. (2016). Experiencing 'Illegality' as a Family? Immigration Enforcement, Social Policies, and Discourses Targeting Mexican Mixed-Status Families. *Sociology Compass*, 10, 706-717.
- Rodriguez, N., & Hagan, J.M. (2004). Fractured families and communities: effects of immigration reform in Texas, Mexico, and El Salvador. *Latino Studies*, 2, 328-351.
- Rosenblum, M.R., & McCabe, K. (2014). Deportation and discretion: Reviewing the record and options for change. *Washington, DC: Migration Policy Institute*.
- Ross, L., Greene, D., & House, P. (1977). The "false consensus effect": An egocentric bias in social perception and attribution processes. *Journal of experimental social psychology*, 13, 279-301.
- Rountree, P.W., & Land, K.C. (1996). Perceived risk versus fear of crime: Empirical evidence of conceptually distinct reactions in survey data. *Social Forces*, 74, 1353-1376.
- Rumbaut, R.G., & Portes, A. (2001). *Ethnicities: Children of immigrants in America*: Univ of California Press.
- Savelsberg, J.J. (1994). Knowledge, domination, and criminal punishment. *American journal of sociology*, 911-943.
- Schachter, A. (2016). From "Different" to "Similar" An Experimental Approach to Understanding Assimilation. *American Sociological Review*, 0003122416659248.
- Schueths, A.M. (2015). Barriers to interracial marriage? Examining policy issues concerning US citizens married to undocumented Latino/a immigrants. *Journal of Social Issues*, 71, 804-820.
- Scruggs, O.M. (1961). The United States, Mexico, and the Wetbacks, 1942-1947. *Pacific Historical Review*, 30, 149-164.
- Singer, A. (2004). The rise of new immigrant gateways. *Brookings Institution, February*.
- Slovic, P., Fischhoff, B., & Lichtenstein, S. (1980). Facts and fears: Understanding perceived risk. *Societal risk assessment* pp. 181-216): Springer.
- Small, M.L. (2009). How many cases do I need? On science and the logic of case selection in field-based research. *Ethnography*, 10, 5-38.
- Stevens, J. (2011). US government unlawfully detaining and deporting US citizens as aliens. *Virginia Journal of Social Policy and the Law*, 18, 606.

- Stewart, E.A., Baumer, E.P., Brunson, R.K., & Simons, R.L. (2009). Neighborhood racial context and perceptions of police-based racial discrimination among black youth. *Criminology*, 47, 847-887.
- Stuart, F., Armenta, A., & Osborne, M. (2015). Legal Control of Marginal Groups. *Annual Review of Law and Social Science*, 11.
- Stumpf, J.P. (2006). The crimmigration crisis: Immigrants, crime, and sovereign power. *American University Law Review*, 56, 367.
- Stumpf, J.P. (2011). Doing time: Crimmigration law and the perils of haste. *UCLA Law Review*, 58.
- Suárez-Orozco, C., Yoshikawa, H., Teranishi, R., & Suárez-Orozco, M. (2011). Growing up in the shadows: The developmental implications of unauthorized status. *Harvard Educational Review*, 81, 438-473.
- Telles, E.M., & Ortiz, V. (2008). *Generations of exclusion: Mexican-Americans, assimilation, and race*: Russell Sage Foundation.
- Tversky, A., & Kahneman, D. (1974). Judgment under uncertainty: Heuristics and biases. *Science*, 185, 1124-1131.
- Uggen, C., Manza, J., & Thompson, M. (2006). Citizenship, democracy, and the civic reintegration of criminal offenders. *The Annals of the American Academy of Political and Social Science*, 605, 281-310.
- Vaughan, E., & Seifert, M. (1992). Variability in the framing of risk issues. *Journal of Social Issues*, 48, 119-135.
- Viruell-Fuentes, E.A., Miranda, P.Y., & Abdulrahim, S. (2012). More than culture: structural racism, intersectionality theory, and immigrant health. *Social Science & Medicine*, 75, 2099-2106.
- Warren, R., & Kerwin, D. (2015). The US eligible-to-naturalize population: detailed social and economic characteristics. *J. on Migration & Hum. Sec.*, 3, 306.
- Watch, H.R. (2009). *Forced Apart (By the Numbers): Non-Citizens Deported Mostly for Nonviolent Offenses*. New York, NY: Human Rights Watch.
- Waters, M.C. (1990). *Ethnic options: Choosing identities in America*: Univ of California Press.
- Waters, M.C. (2009). *Black identities*: Harvard University Press.
- Waters, M.C., & Kasinitz, P. (2015). The War on Crime and the War on Immigrants: Racial and Legal Exclusion in the Twenty-First-Century United States. In N. Foner, & P. Simon

- (Eds.), *Fear, Anxiety, and National Identity: Immigration and Belonging in North America and Western Europe* pp. 115-142). New York: Russell Sage Foundation.
- Waters, M.C., Kasinitz, P., & Asad, A.L. (2014). Immigrants and African Americans. *Annual Review of Sociology*, 40.
- Waters, M.C., & Pineau, M.G. (2015). The Integration of Immigrants into American Society. Panel on the Integration of Immigrants into American Society. Cambridge, MA: National Academies of Sciences, Engineering, and Medicine.
- Watson, T. (2014). Inside the Refrigerator: Immigration Enforcement and Chilling Effects in Medicaid Participation. *American Economic Journal: Economic Policy*, 6, 313-338.
- Weiss, R.S. (1995). *Learning from strangers: The art and method of qualitative interview studies*: Simon and Schuster.
- Wong, T.K., García, A.S., Abrajano, M., FitzGerald, D., Ramakrishnan, K., & Le, S. (2013). Undocumented no more: A nationwide analysis of Deferred Action for Childhood Arrivals, or DACA. *Center for American Progress*.
- Woodrow, K.A., & Passel, J.S. (1989). *Post-IRCA undocumented immigration to the United States: An assessment based on the June 1988 CPS*: Urban Institute.
- Yoshikawa, H. (2011). *Immigrants raising citizens: Undocumented parents and their young children*: New York, NY: Russell Sage Foundation.
- Zhou, M. (1997). Segmented assimilation: Issues, controversies, and recent research on the new second generation. *International Migration Review*, 975-1008.