



THE AS DOCUMENTED RESEARCHERS REX ARBOGAST

Life as an Undocumented Immigrant

How Restrictive Local Immigration Policies Affect Daily Life

Angela S. García and David G. Keyes March 2012



Life as an Undocumented Immigrant

How Restrictive Local Immigration Policies Affect Daily Life

Angela S. García and David G. Keyes March 2012

Documenting the Undocumented Series

This report is the second in a Center for American Progress series that looks at the daily lives, struggles, and strategies of undocumented immigrants who must live through the assault of harsh laws designed to make their lives unbearable. Throughout 2012 we will release reports that lift the veil on our nation's undocumented, providing a window into the lives of the 11 million who live in the United States without papers and how our nation's immigration policies impact us all—documented or not.

Contents

- 1 Introduction and summary**
- 6 Strict immigration enforcement in San Diego's North County**
- 11 How immigrants react to restrictive immigration policies**
- 14 Balancing civic duty with self-preservation**
- 22 Conclusion and policy recommendations**
- 25 About the authors and acknowledgments**
- 26 Endnotes**

Introduction and summary

What happens to undocumented immigrants after the passage of anti-immigrant state laws such as Arizona’s S.B. 1070 and Alabama’s H.B. 56 or restrictive local ordinances such as those in Prince William County, Virginia, or Fremont, Nebraska? What is life like for unauthorized immigrants in these areas, and how do they mitigate the harshness of these ordinances? On the flip side, what happens to the larger communities—documented and not, immigrant and not—and how do these laws impact the ability of law enforcement professionals to keep our communities safe?

Many studies have focused on the fiscal and economic ramifications of anti-immigrant legislation,¹ but little work has been done on the harmful effects these laws have on everyday life in our communities.² That is the focus of this report.

This report presents one of the first studies of immigrants’ responses to local restrictions and enforcement. We demonstrate that exclusionary policies and ramped-up federal enforcement inhibit immigrant incorporation into their communities. Immigrants react to legal threats and hostile reception by going underground: They hold negative perceptions of local law enforcement, associate routine activities such as driving and walking with anxiety and the risk of deportation, and develop strategies of avoidance and fitting in to mitigate the discovery of their unauthorized status.

These avoidance strategies can lead to several problems for larger communities:

- Immigrants who do not interact with police limit the efficacy of policing measures.
- Immigrants who are reluctant to accompany their children to school are a barrier to effective education.
- Immigrants who are afraid to leave their houses foster less vibrant and civically unengaged neighborhoods for immigrants and nonimmigrants alike.

These anxieties affect documented and undocumented immigrants alike. According to a 2009 Pew Hispanic Center report, 53 percent of undocumented immigrants live in mixed-status families, where one or more family member is undocumented.³ Because

authorized immigrants fear that their friends and loved ones could be deported when in contact with officials, many ultimately use the same strategies of avoidance.

Compounding state and local action is a perception among immigrants that local law enforcement is working hand-in-hand with immigration officials. Over the past decade, the increase in enforcement at the federal level has meant that local police and the immigration bureaucracy are closer than ever before. Some of these collaborations—such as the agreement between Immigration and Customs Enforcement and the City of Escondido,⁴ or the Border Patrol mandate allowing action up to 100 miles into the country, which enables agents to conduct routine searches for unauthorized migrants in the area without probable cause or warrants⁵—bring a physical presence of immigration agents onto the streets in places like North County near San Diego, California.

Other forms of immigration enforcement—particularly the Secure Communities program—do not explicitly put immigration officers into local communities but nevertheless complicate the everyday lives of undocumented immigrants and make them equally fearful about interacting with local police.

The Secure Communities program checks the immigration status of immigrants booked into county jails in participating jurisdictions. The government justifies Secure Communities as a way of ensuring that dangerous criminals are prioritized for removal from the country.⁶ In May 2009 San Diego County became the first jurisdiction in the state of California to join the Secure Communities program.⁷

In theory, since the program checks anyone who is booked in a participating county jail, it should not allow for discrimination based on race or racial profiling. But in practice, Secure Communities can become a vehicle for pretextual arrest, whereby people who look “foreign” are detained for minor traffic violations, charged, and run through the Secure Communities databases. Recent studies find that the majority of people Secure Communities catches in studied jurisdictions are young male Hispanics, and more often than not, they were picked up for only minor traffic offenses such as driving without a taillight.⁸

Immigrants understand the dangers associated with federal enforcement programs, as with restrictive local ordinances. If not reformed, these programs threaten to drive a wedge between community members and the police, undermining the intergroup trust critical to community safety. While the government has announced that they will be exercising wider prosecutorial discretion to

Compounding state and local action is a perception among immigrants that local law enforcement is working hand-in-hand with immigration officials.

ensure that low-priority cases—such as individuals with American family members or people who have been in the country for a long time—are not targeted for removal, it has also stated that it will deploy Secure Communities in every police jurisdiction across the country by 2013.⁹

Drawing on empirical interview data from the Mexican Migration Field Research Project, or MMFRP, from the Center for Comparative Immigration Studies at the University of California, San Diego, this study examines life for undocumented immigrants in North County, California, near San Diego. Since 2005 MMFRP has worked with three immigrant-sending communities in Mexico, tracking the migrants as they leave Mexico and come to the United States. The study's long-term nature, as well as its independence from government authorities, gives it a distinct advantage in receiving robust responses from migrants, particularly from the unauthorized.

This advantage is particularly useful for researchers in places like San Diego's North County, where anti-immigrant measures have been building for the past few years. Starting in 2004 cities within the county began instituting a series of measures targeting immigrants, from driver's license checks at roadblocks and ordinances that prohibit landlords from renting to undocumented immigrants, to anti-day-labor policies and E-Verify requirements.¹⁰

The everyday lives of undocumented immigrants in North County are filled with anxieties and contradictions. On the one hand, most of the surveyed migrants feared interactions with the police and felt unduly persecuted. On the other hand, they view actions such as reporting crimes as a responsibility of community members, as most Americans do—even if it means having to contact law enforcement officials. Immigrants in North County go to great lengths to avoid contact with officials, including:

- **Altering their appearance:** Immigrants recounted their attempts to blend in as much as possible by, for example, changing into clean clothes at the end of the day in order not to call attention to themselves.
- **Using surrogates:** Survey respondents spoke of their inclination to ask a documented friend or family member to report a crime on their behalf, to pick up their children, or to buy groceries—all to cope with the need to stay anonymous while still being responsible citizens.
- **Changing their behavior:** Immigrants in the survey felt anxious even about walking in public places or taking their children to school, fearing contact with

The everyday lives of undocumented immigrants in North County are filled with anxieties and contradictions.

the authorities. These immigrants reported, for example, changing their body language to appear calm and less anxious to avoid drawing suspicion.

Debating whether to contact the police or to have a friend contact the police instead pervade the everyday lives of North County’s immigrant residents.

While groups pushing for a strategy of “attrition through enforcement”—whereby legislators make life as difficult and miserable as possible in an effort to make unauthorized immigrants self-deport from the country—might approve of these findings, when unauthorized immigrants fear interacting with law enforcement, it makes us all less safe—whether we are documented or not.

Law enforcement groups in particular such as the Police Foundation and Police Executive Research Forum have argued that, in the words of Hubert Williams, president of the Police Foundation, “The effectiveness of local police is heavily dependent upon the nature of the relationship they have with the general public and the degree to which the police and community are able to work collaboratively to resolve crime problems.” Driving a portion of the population underground only breaks this collaboration apart.¹¹

We make four recommendations in this paper to help ensure public safety and to work to integrate rather than alienate all members of American society regardless of their legal status:

- On the local level, law enforcement should do more to reach out to immigrants and educate them about their role in community safety. It is important that local police departments make their interactions with immigration officials transparent to both immigrants and the general public.
- Local leaders and elected officials should reject the passage of restrictive laws and instead try to integrate immigrants into their communities.
- On the federal level, Congress must pass comprehensive immigration reform that will couple stricter border controls with a pathway to legalization to bring all undocumented immigrants out of the shadows.
- The federal government can do more to delineate the proper usage of the Secure Communities program and to implement prosecutorial discretion. Focusing the government’s resources on the worst of the worst, rather than on family members, parents, and DREAM Act-eligible students, is sound fiscal and moral policy.¹²

Debating whether to contact the police or to have a friend contact the police instead pervade the everyday lives of North County’s immigrant residents.

Methodology and project background

MMFRP researchers traveled to San Miguel Tlacotepec, an immigrant-sending village in the Mixteca region of the state of Oaxaca, Mexico, in January 2011. Tlacotepec is a rural municipality of approximately 3,000 inhabitants, and it has sent migrants to the United States since the 1970s. Surveying occurred during Tlacotepec's annual festivities, a time when many migrants return home.

To capture the immigration experiences of migrants in the United States, researchers also identified migrant respondents in major U.S. destinations through snowball sampling with multiple points of entry.¹³ This approach to data collection works to capture the immigration experiences of the entire adult populations of these sending communities. There is no sampling and no sampling error.¹⁴

Researchers collected a broad range of survey data—from migration histories and remittance behavior to perceptions of local U.S. law enforcement and experiences with interior enforcement actions. Researchers administered a total of 851 surveys with Tlacotepenses, 319 of which were with people who either currently lived in or had previously migrated to the United States.

The fieldwork also included in-depth qualitative interviews to complement and expand upon the data collected in surveys. Researchers recorded more than 30 interviews with migrants exclusively on the topic of restrictions in their U.S. receiving communities. The majority of Tlacotepenses settle within the cities of Escondido, Vista, and Oceanside in San Diego's North County. These locales, home to 63 percent of the immigrant sample (202 individuals), have enacted a series of restrictive immigration ordinances. As more recent arrivals, Tlacotepenses are mostly unauthorized and therefore are more vulnerable to restrictionist initiatives and federal interior enforcement in their immediate receiving locales. Sixty-eight percent of immigrants in the North County sample are unauthorized.

Strict immigration enforcement in San Diego's North County

Federal interior enforcement actions combine with restrictive local-level policies to shape a hostile receiving environment for immigrants in North County.

Local ordinances

State and local immigrant legislation has grown exponentially in the past few years. Between 2005 and 2010 the total number of immigration bills introduced in state legislatures across the country quadrupled, while the number of bills enacted increased tenfold. In the first quarter of 2011 alone, more than 1,500 laws were introduced in all 50 states as well as Puerto Rico.¹⁵

Some states and localities passed accommodating measures such as extending in-state college tuition to unauthorized students and prohibiting police from inquiring about local residents' immigration status. But subnational anti-immigrant activism has of late taken a markedly restrictive turn, with a series of bills that pursue a strategy of attrition through enforcement—making life as difficult as possible for unauthorized immigrants to force self-deportation from the United States or relocation to more accommodating destination locales.

San Diego's North County pursues such a strategy. The county is made up of nine incorporated cities and includes affluent locales such as Del Mar and Carlsbad, as well as more middle-class communities such as Escondido and San Marcos. Immigrants in the county are subject to the restrictive measures that several municipalities proposed and enacted. (see Figure 1)

In October 2006, for example, the Escondido City Council passed an ordinance that prohibited landlords from renting housing to unauthorized immigrants.¹⁶ Due to a lawsuit and temporary injunction by a federal judge, the city rescinded the ordinance in December 2006.¹⁷ Escondido then turned to driver's license check-points first established by the police department in 2004 as an alternative tool to

restrict unauthorized immigration.¹⁸ Civil rights groups argue that these checkpoints, which are now coupled with DUI and sobriety checks, subject unlicensed immigrants to automobile impoundment as well as potential deportation.¹⁹

A recent study by KPBS Public Broadcasting in San Diego also found that the city of Escondido made millions of dollars in the past eight years as a result of the checkpoints, largely through the towing and impounding of the cars of unauthorized immigrants and from federal funding available for DUI checks.²⁰

Further, the Escondido Police Department runs a pilot program that stations Immigration and Customs Enforcement, or ICE, officers—those charged with apprehending and deporting unauthorized immigrants—in their headquarters.²¹ The program, initiated in May 2010, allows ICE agents to respond to events in Escondido as varied as traffic stops and gang activity.²²

The ICE-Escondido Police Department collaboration

Escondido's controversial joint police department-ICE pilot program, which places ICE officers within the Escondido police department headquarters, began in May 2010. The program, dubbed Operation Joint Effort, began when police Chief Jim Maher reached a partnership agreement with Robin Baker, the field director for the San Diego regional office of ICE. Notably, this collaboration began without public disclosure and without a written memorandum of agreement.²³

Chief Maher and spokespersons for ICE claim the collaboration ensures community safety by targeting unauthorized immigrants with criminal records. As Maher told the Los Angeles Times in February 2011, "We're here to protect everybody regardless of what their [immigration] status is, but if they're criminals then we make every effort to get them out of Escondido."²⁴

Critics contend that the presence of ICE officers in the city spreads fear throughout Escondido's immigrant community and deters crime reporting among immigrant communities.²⁵ As Victor Torres, spokesperson for El Grupo, an organization advocating for immigrants in the San Diego area, told the North County Times, "What about the cost to the community of all the crimes that haven't been reported because they are afraid of being turned over to ICE?"

Torres's quote speaks to fears that these types of collaboration make it far less likely that unauthorized immigrants will contact the police out of fear for their own safety.²⁶

A September 2010 North County Times examination of five cases of individuals arrested and held for deportation as a result of the Escondido-ICE program indicates mixed results in this regard: Though some arrestees had criminal histories and standing deportation orders, others had never been deported and were accused of only low-level misdemeanors or of nothing at all.²⁷

Statistics from Operation Joint Effort's first year tell a similar story. Of the 477 individuals arrested through the program, more than half were charged only with minor crimes such as possession of false documents and traffic violations.²⁸

Ultimately, Operation Joint Effort suffers from the same problems as Secure Communities: It fails to distinguish criminals from other immigrants while creating an atmosphere of mistrust in the wider immigrant community.

The latest move toward restriction in Escondido came in March 2011 when the City Council approved a resolution requiring the city to use E-Verify, a system run by the U.S. Department of Homeland Security that electronically compares information from employment forms with government records to determine U.S. work eligibility. The resolution also encouraged businesses to use the tool.²⁹

Escondido’s activism in immigration policy and enforcement forged a restrictionist path that neighboring cities in North County followed. For instance, in April 2011 the Oceanside City Council supported the drafting of a resolution requiring all contractors with the city to use E-Verify.³⁰

The City of Vista’s legislature also approved an ordinance targeting day laborers, many of whom are Mexican immigrants, in June 2006. With this measure city leaders sought to reduce or eliminate the congregation of day laborers in Vista by requiring employers to register with the city before hiring short-term workers.³¹ In the months prior to the passage of the ordinance, a local chapter of the Minutemen—an activist organization that monitors Mexico’s flow of unauthorized immigrants—frequently protested at a day labor hiring site in Vista, pressuring the City Council to act.³² Although Vista’s day laborer measure faced criticism for intimidating unauthorized immigrants and serving as a pretense for detaining them, the city settled legal challenges and the measure remains on the books.³³

FIGURE 1
Self-deportation strategies in action
 Selected restrictive policies in San Diego’s North County cities

Escondido	Vista	Oceanside
2004 Police department: Driver’s license and DUI checkpoints begin	2006 City Council: Anti-day-labor ordinance passed in June	2011 City Council: Approves drafting an E-Verify resolution for city employees and contractors in April
2006 City Council: Rental housing ordinance passed in October (rescinded in December 2011)		
2010 Police department: Immigration and Customs Enforcement pilot program initiated in May		
2011 City Council: E-Verify resolution for city employees and contractors passed in March (revised in November)		

Federal programs

Over the past few years, federal interior immigration enforcement has been ramped up. ICE set a record for overall removal of unauthorized immigrants in fiscal year 2010, with almost 400,000 deportations nationwide of which 73 percent were Mexican nationals. This unprecedented rate reflects an increase of more than 23,000 removals compared to the 2008 fiscal year, the last equivalent period entirely under the Bush administration.³⁴

In San Diego's North County, immigrants are subject to the federal government's broader interior enforcement. San Diego County, for example, participates in Secure Communities, a federal ICE initiative that checks the fingerprints of jail detainees against immigration databases. In May 2009 the San Diego jurisdiction became the first in California to join the program and facilitate the identification of unauthorized immigrants detained in area jails.³⁵

The federal government justifies Secure Communities as an enforcement tool that helps law enforcement prioritize the most dangerous criminal removals. It claims that Secure Communities is a nondiscriminatory system that only checks the status of someone once they are booked into a county jail.³⁶

In practice, however, Secure Communities has failed to focus on serious criminals. The majority of individuals identified for deportation through the program have in fact only been charged with minor traffic offenses. Recent reports by organizations such as the Warren Institute find that of the people caught under Secure Communities, 93 percent are Latino—even though Latinos comprise only 77 percent of all undocumented immigrants.³⁷

These statistics point to significant law enforcement profiling at the point of arrest. Indeed, a number of states and localities have attempted to opt out of the program in response to concerns about focusing on nonpriority removals under Secure Communities.³⁸ The Department of Homeland Security has rejected these attempts, and stated that the program is mandatory and will be operational in every jurisdiction across the country by 2013.³⁹

In addition to Secure Communities, the Border Patrol maintains a significant presence in North County. A federal mandate allows the Border Patrol to conduct its searches 100 miles into the interior of the country, so its agents do not need a warrant or probable cause to conduct a routine search for unauthorized migrants in the area.⁴⁰

ICE set a record for overall removal of unauthorized immigrants in fiscal year 2010, with almost 400,000 deportations nationwide of which 73 percent were Mexican nationals.

Overall, as the Police Executive Research Forum points out, the increasing role of local police in immigration enforcement “creates a number of challenges” for localities, especially “working to develop trust and cooperation with undocumented immigrants who are victims of or witnesses to crime.” Regardless of national immigration enforcement priorities, the forum points out in its recommendations that local law enforcement “must protect crime victims and witnesses regardless of their immigration status,” while fostering a climate where all people come forward to report crimes rather than hide for fear that they may be deported.⁴¹

Likewise, the Police Foundation in its report, “The Role of Local Police: Striking A Balance Between Immigration Enforcement and Civil Liberties,” argues that police are only effective if there is a strong relationship with the community they serve. Hubert Williams, president of the foundation, put the problem succinctly in April 2009 congressional testimony, stating that “In communities where people fear the police, very little information is shared with officers, undermining the police capacity for crime control.”⁴²

By breaking down the trust between the community and the police, these enforcement measures endanger all members of a community—documented or not, immigrant or native-born.

How immigrants react to restrictive immigration policies

So what is life like for undocumented immigrants in North County under these local restrictive immigration measures and federal enforcement actions? How do they go about their daily life, and what effects do these laws have on community relations as a whole?

In this section we examine three issues: the complicated relationship between immigrants and the police in North County; the everyday anxieties of undocumented immigrants; and the strategies immigrants in North County use to avoid interaction with officials and the police and to survive everyday life.

The immigrant-police relationship

During MMFRP field interviews many immigrants explained that they felt targeted by police because of their ethnicity—especially after numerous experiences of being pulled over for broken tail lights, cracked windshields, or the vague claim of “suspicious driving.” Many questioned where the line was between police work and immigration enforcement. In fact 43 percent of immigrants in the study reported feeling negatively about the way police officers treated them. By contrast, a CBS News poll from July 2009 found that only 8 percent of white respondents felt that they had ever been discriminated against because of their race or ethnicity.⁴³

Pablo, for example, an unauthorized immigrant who lived in Escondido for several years, believes he was a victim of the heightened pursuit of immigrants in his city. Escondido police arrested him for riding his bike on the sidewalk, and he was later questioned by ICE and deported.⁴⁴

Indeed, when immigrants were asked what occurred as a result of the most recent time within the past five years that they were stopped by the police in North County, the consequences were often quite serious. (see Figure 2) Nearly one-quarter reported being deported as a result of a police stop, and more than one-third were

detained. These negative consequences are no secret within the immigrant community, and as such they only reinforce the feelings of persecution and anxiety—for both undocumented and documented immigrants—surrounding any police contact.

FIGURE 2
Feeling targeted

Consequence of immigrants' last police stop in North County

Consequence	Percent in North County survey	Percent of all police stops nationally (2008)
Received ticket	48.9	55.4
Detained	38.6	2.6
Car impounded	31.1*	No data available*
Received warning only	27.9	26.7
Reported to ICE	23.3	N/A
Deported	23.3	N/A

N=202

* While national statistics are difficult to come by, a report by the Center for Investigative Reporting's California Watch found that in 2010 unauthorized immigrants comprised up to 70 percent of the cars impounded in the state. See Ryan Gabrielson, "Year of the checkpoint" delivered thousands of impounds," *California Watch*, March 28, 2011, available at <http://californiawatch.org/dailyreport/year-checkpoint-delivered-thousands-impounds-9482>.

Source: MMFRP 2011; Christine Eith and Matthew R. Durose, "Contacts between Police and the Public, 2008" (Washington: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2011).

This anxiety has serious consequences for everyday life in North County beyond just the lives of undocumented immigrants. Immigrants in the MMFRP sample are reluctant to contact police to report a crime or a concern about suspicious activities in their neighborhoods due to concern about interacting with local police.

Respondents in the MMFRP survey were asked whether they had been a witness or victim of a crime and, if they answered yes, whether they spoke to police. Of the entire North County sample, only 18 immigrants—less than 1 percent—said they were either a witness or victim of a crime. This finding is surprising given recent research that indicates that Latinos and immigrants are exposed to high levels of criminal victimization.⁴⁵ Nevertheless, only three (one authorized, two unauthorized) immigrants out of the MMFRP sample of 18 reported the crime to the police.

While the survey sample size is small—more importantly, in interview after interview—immigrants in North County confirmed the hesitancy of immigrants to

contact police. In fact, hesitancy to contact the police is one of the most reoccurring themes from the MMFRP interviews in North County.

Diego, an unauthorized 30-year-old immigrant who has lived in Vista for five years, connected his apprehension of reporting crime to a news story he saw about a woman who faced deportation after calling the police during a domestic dispute. After that, he said, “I don’t feel safe going to the police or the courthouse. It’s hard. But you can’t trust that nothing will happen.”⁴⁶

From domestic violence to deportation

When 36-year-old Elena called the Escondido Police Department seeking help, her immigration status was the furthest thing from her mind. She called after an incident of domestic violence that left her with bruises and a bloody lip.

But instead of receiving help, Elena was also detained, as many police jurisdictions have a policy of arresting both parties on the spot.⁴⁷ She was sent to a local jail, and had her immigration status checked while there as part of Secure Communities. Flagged as being in the country without documents, Elena spent five days in jail, fearful that she would be deported to Mexico. Ultimately her status as a victim of domestic violence won her release from prison.⁴⁸

For Elena and those in similar situations, the implications of this incident are potentially catastrophic. Rather than focusing on her status as a victim of domestic violence, officials focused instead on Elena’s immigration status.

With the possibility of detention or deportation just by being the victim of domestic dispute, Elena and people who hear her case will likely think twice in the future before calling the police, meaning that similar cases of domestic violence and other crimes may go unreported.

As local retired Assistant Sheriff Bill Flores told the North County Times, “Everybody in that neighborhood found out what happened. She was a victim of domestic violence, she was taken to jail and she ended up getting turned over to ICE. All because she sought help from the Escondido Police Department.”⁴⁹

With cases such as this one, the degree of cooperation between immigrants and the Escondido police will almost certainly suffer, as even victims of crimes are afraid to come forward for fear of having their immigration status exposed.

Balancing civic duty with self-preservation

Despite the fear associated with contacting the police, in qualitative interviews immigrants expressed reporting crime in positive terms. Similar to most Americans, they view it as an action taken by responsible community members. “Of course, we also want to live in a safe neighborhood,” Yolanda, an immigrant in Vista, explained.⁵⁰

Other immigrants emphasized their desire to follow the law as much as possible. “The police are the authority. It’s best to do what they say,” explained Carlos, who lives in Escondido.⁵¹

The anxiety many immigrants feel about interacting with law enforcement is counterbalanced by their sense of responsibility in reporting crime and their attempt to be law-abiding members of their receiving communities.

So how do undocumented immigrants balance their need to stay anonymous with community responsibilities? Qualitative interviews reveal an innovative approach that allows immigrants to report crime while keeping the danger of deportation at bay. Rather than personally speaking with police, migrants explained that they would ask a documented friend or family member to make the report on their behalf.

“I would ask my aunt to do it,” Roberto—who was recently deported from North County after a traffic stop—said when asked about reporting crime. “She has papers, so it wouldn’t be a big deal.”⁵²

Similarly, Alicia, a 27-year-old who recently arrived in Vista, explained that it would be better for her documented friends to contact the police for her because she fears being asked to show identification.⁵³ Carmen, a documented immigrant living in Escondido with her unauthorized husband—a mixed-status family, as were many others in the study—also stressed the importance of reporting anonymously. “If I could do it without giving my name or address then I would call 911

if something happened,” she said. “But I wouldn’t want them coming to my house because they could take my husband.”⁵⁴

Immigrants’ strategic collaboration with North County local law enforcement is particularly notable given their description of anxieties in everyday life.

From streets to sidewalks: Anxiety in everyday life

At the root of most immigrants’ concerns in North County is deportation. Many mundane details of daily life such as driving are complicated by illegal status and are also a source of anxiety.

During the three-year period when Armando was unauthorized in Vista, for example, he was often concerned about “la migra,” or immigration officials, and the police. “I remember when I didn’t have papers, I felt anxious all the time,” he stated. “Going out to work and getting on the freeway and going to the store. It was stressful and became a part of everything else. A constant worry.”⁵⁵

Several unauthorized mothers of children born in the United States recounted their anxiety about driving with their children. When Lidia, who lives in Vista, moved within walking distance of her American-born daughter’s elementary school, she was relieved to avoid the risk of her previously twice-daily drive between school and home.⁵⁶

It is important to note that even immigrants with legal documentation expressed similar fears about interactions with officials and deportations due to the many unauthorized family members and friends in their social networks. According to the Pew Hispanic Center, 53 percent of undocumented immigrants live in mixed-status families, with 4.5 million American-born children having at least one unauthorized parent, and 16.6 million total people living in families with at least one unauthorized immigrant—meaning that the issue of unauthorized immigration is not simply documented versus not but is far more difficult to untangle.⁵⁷

Even immigrants with legal documentation expressed similar fears about interactions with officials and deportations due to the many unauthorized family members and friends in their social networks.

Mixed-status families: Marta’s story

Marta, an immigrant from Tlacotepec now living in Escondido, legalized her immigration status as an adolescent through her father, who benefited from the legalization provisions of the 1986 Immigration Reform and Control Act. As a legal permanent resident, Marta is married to an unauthorized immigrant with whom she has two small children, both of whom are U.S. citizens.⁵⁸

This mixed-status family depends entirely on the income of Marta’s husband, who is employed as a landscaper. So the politicization of immigration in Escondido weighs heavily on Marta, who constantly worries that her husband may be deported. “There are many families that I know of and many people who tell me that their husbands were just deported, or their brothers, dads, and sons,” she said.⁵⁹

After discussing the city’s checkpoints and the Escondido ICE-police collaboration, the couple decided that extra precautionary measures were necessary to keep the family safe. In addition to driving as little as possible, Marta’s husband now changes his clothes before coming home in the evening, dressing in khakis and a dress shirt rather than in his dirty landscaper uniform. This altered appearance, the couple thinks, will help him “pass” as a nonsuspect white-collar worker.⁶⁰

Such measures are indicative of the threat immigrants feel in cities that have taken a restrictive approach to immigration, especially those in which local police work closely with immigration officials. They also serve as a reminder of the wider ripple effects of subnational restrictions for the many mixed-status families across the United States.

These fears and anxieties were evident when immigrants were asked to rank the activities of most concern in everyday life in North County communities. Figure 3 below indicates that driving is the top worry for immigrants in the study sample, with more than three-quarters of those sampled expressing reservations about it. This is likely because unauthorized migrants without licenses who are pulled over or subject to a police checkpoint can wind up in the custody of ICE—either through the Secure Communities program, Escondido’s ICE-police collaboration, or with Border Patrol intervention—and face deportation.⁶¹

FIGURE 3
Everyday anxieties

Sources of concern for North County immigrants

Concern	Percent
Driving a car	67.4
Walking in public	64.3
Going to the hospital	37.1
Taking public transit	36.2
Going to work	33.5

N=202

Source: MMFRP 2011

Being stopped while driving is one of the most common ways immigrants come into contact with local police and thus one of the activities most fraught with difficulty. Juan, who migrated illegally to Escondido in 1988 and lived there for nearly 20 years before being deported, said, “You know that driving a car without documents is a risk. At any moment you could be pulled over by the police.” Indeed, Juan was pulled over in 2008, and when his unauthorized status was discovered he was ultimately deported.⁶²

But while driving is an action that in theory requires a legal license, the fact that walking in public emerged as the second-most prevalent concern—and one that came through in almost two-thirds of interviews—suggests that all undocumented immigrants live in fear and vulnerability of being stopped by law enforcement regardless of their actions.

Felipe, who migrated to California when he was 13 years old, spoke of the looming presence of law enforcement in Vista. “My father was in Vista ... from 2000 to 2003, and he said that he couldn’t go out to the store, he couldn’t walk outside, because you would be stopped if they saw you walking.” As a result of his father’s experiences Felipe migrated to the city of Madera in the Central Valley instead, where he reported the law enforcement presence is much lower.⁶³

How do undocumented immigrants in North County cope with everyday life when even walking in public is such a source of anxiety?

Keeping the curtains closed: Strategies of avoidance

Immigrants living throughout North County have developed strategies to avoid law enforcement and other authorities they fear could report their legal status or that of a family member. As migrants recounted in qualitative interviews, these strategies take two general forms:

- They avoid public places associated with enforcement as much as possible.
- When being in public is unavoidable, immigrants attempt to blend in, presenting themselves to wider society in a manner that does not target them as unauthorized immigrants.

Many immigrants curtail their daily activities to limit public exposure. Jorge, who migrated to Vista in 2008 when he was 18, explained how he reacted when

The fact that walking in public emerged as the second-most prevalent concern—and one that came through in almost two-thirds of interviews—suggests that all undocumented immigrants live in fear and vulnerability of being stopped by law enforcement regardless of their actions.

he first arrived. “In the beginning, on the first day, I closed everything up, the whole apartment, the curtains—everything,” he said. “I didn’t know what was going on. There would be noise from a car or something and I didn’t even want to look outside.” Even with encouragement from his sister, who had more experience in the United States, it took Jorge several months to become comfortable enough to go out on the street on his own.⁶⁴

Similarly, Lorena spoke about a close encounter with the Border Patrol in her Vista neighborhood that left her shaken. “When I was taking my daughter to school, there was *migra* parked there on the corner. I went back home, and then I couldn’t take her to school. Afterwards I didn’t want to go around her school anymore ... I stopped walking my daughter to school because I was afraid.”⁶⁵

Fear at Miramonte

The consequences of a lack of trust between police and immigrants came to light recently at Miramonte Elementary School in Los Angeles. Two teachers have been charged with multiple felony counts of sexually abusing children, and it is unclear how long the alleged abuse went on.

A teacher who worked at Miramonte for more than 30 years was arrested on 23 felony molestation charges after police found hundreds of inappropriate photographs of children in his possession.⁶⁶ A second teacher is alleged to have fondled several students in a classroom at the school.⁶⁷

Since the allegations first became public, Miramonte Elementary has been completely restaffed, and social workers were placed in every classroom—reflecting the seriousness and severity of the charges amid public concern that the school district had not previously done enough to protect the students.

Families living under the toxic effects of Secure Communities and other ICE-police collaborations fear interactions with public officials. Nowhere is the problem with such a system more clear than at Miramonte, where 98 percent of the students are Latino. Spanish-

language media reported that as many as eight families of children who were allegedly abused were reluctant to speak with authorities out of fear of deportation.⁶⁸

One father, who only identified himself using his first name, told *USA Today*, “I was scared. Whenever the police are involved, no one who is here illegally will come forward.”

The Miramonte Elementary case is particularly heartbreaking given the nature of the crimes and the age of the alleged victims. Instances such as this—where undocumented individuals are reluctant to report crimes they witnessed or were victims of—are not only detrimental to the lives of those directly affected. This case highlights both how an individual’s status can make them vulnerable to the predatory actions of criminals, and how fear of interacting with law enforcement can make entire communities less safe. Sexual predators are more likely to target children they perceive as vulnerable in some way, and perpetrators go to great lengths to avoid detection.⁶⁹ Knowing that undocumented families are afraid of reporting crimes to law enforcement may place both children and adults at a greater risk of victimization for a variety of violent offences, including but not limited to sexual abuse.⁷⁰

In another instance, immigrants began to avoid North County Wal-Marts after rumors of ICE raids at the stores ran through the immigrant community in spring 2010.⁷¹ For Marco, an immigrant with legal documents in Escondido but with an unauthorized wife, the text message he got about the store raids was enough to keep him and his family away.

“It’s not worth it—we’ll never shop there again,” he said. “My wife could be sent away.”⁷²

Marco’s experience illustrates that the tight social networks enjoyed by many immigrants allow for the rapid flow of information about potential interior enforcement activity in the North County area. Word quickly passes through the migrant community when immigration authorities are present or a checkpoint is set up. While direct communication of this information is common, cell phones are playing an increasingly important role.

“Now, when there’s a checkpoint set up here in Escondido, I get a text from my mom, my uncle, and all my friends,” recounted Marta, the authorized immigrant in Escondido who is married to an unauthorized immigrant. “I always forward those texts to my husband and everyone else I know, too.”⁷³

Just as increased technology benefits ICE and the Border Patrol, it also aids the strategies of avoidance developed by fearful immigrants.

Surviving everyday life

Of course, immigrants who limit the time they spend in public places still must meet the basic needs of their households. Enlisting the help of a documented friend or family member becomes a critical survival strategy for these migrants. Several adult immigrants remarked that their American-citizen children take care of many essential errands for their families.

“I used to send my son—he was 17—to the store, or to pick up his sister at school. I wanted to do these things myself, but [it] was less risky for him,” commented Ana, a mother who lived without status in Vista until 2009.⁷⁴

In another circumstance, an immigrant housewife residing in Vista without documentation lived with a debilitating fear of “la migra.” Without a license, she refused

to drive to the grocery store, and her husband worked long hours. She relied on an authorized friend to buy her weekly groceries and deliver them to her home.⁷⁵

While North County’s limited public transportation infrastructure makes cars a necessity, immigrants seeking to avoid the risks of police stops and checkpoints rely on friends, family, and co-workers for rides. Adan, a 76-year-old unauthorized immigrant who has lived in Vista for more than 30 years, said that he does not drive in the United States. “I have never driven. I always looked for rides to get to work from friends,” he explained.⁷⁶

When immigrants do spend time in public places they take conscious steps to fit in, both in terms of their dress and their demeanor. Luis, who migrated to Oxnard, California, and lived there for eight years, said:

More than anything, I think, you need to look presentable and well-dressed, so they don’t see you as someone who is looking for work ... If immigration or the police see you looking somewhat dirty, they will pick you up. But if they see you looking nice going to the store, with clean shoes and everything, they will say ‘Ok, maybe this guy lives here.’⁷⁷

Some immigrants go beyond changing their outward appearances in order to blend in. Migrants make a special effort to remain calm in public to mask their unauthorized status or that of their family members.

Alejandro, who migrated to San Diego in 1998, worked to alter his very body language to avoid calling attention to his foreign roots. “Being [in the United States] you must get rid of the way you walk [in Tlacotepec] ... You have to be fearless, walking around the streets as if you were from there.”⁷⁸

Armando, an unauthorized immigrant in Vista, concurred. “When you’re on the street,” he said, “you must carry yourself differently.”⁷⁹

Body language that projects anxiety can be interpreted by law enforcement as suspicious and draw their attention.

“The biggest fear is immigration agents,” explained Rolando. “If one of them thinks that you’re illegal, what [migrants] do is run, it’s what a lot of people do—run. I walk like it’s no big deal, but many people run. If you’re calm, they think maybe this guy has papers.”⁸⁰

When immigrants do spend time in public places they take conscious steps to fit in, both in terms of their dress and their demeanor.

Jose, an authorized migrant who lived in Vista through 2010, remembered well the day he was detained at the San Clemente Border Patrol checkpoint. “My friend was driving, and he didn’t have papers either,” he said. “As the migra came up to our car, I told him, ‘It’s okay, take it easy, relax.’ But he was so nervous he started to shake. They knew right away we were illegal.”⁸¹

Through these strategies to avoid detection, immigrants go to great lengths to minimize encounters with authorities by remaining in the shadows of North County.

Conclusion and policy recommendations

The lives of Mexican immigrants in North County are filled with anxiety, particularly any interactions with law enforcement. The immigrants in this study have crafted unique strategies to avoid putting themselves in situations where their unauthorized status or that of friends and family may be discovered.

But this closing of the curtains comes at a cost. Immigrants unwilling to interact with police are a serious impediment to ongoing trust between community members and law enforcement, and this may limit the efficacy of policing measures. Immigrants reluctant to accompany their children to school harm effective education, and immigrants afraid to leave their houses create less vibrant and civically unengaged neighborhoods for immigrants and nonimmigrants alike.

Further, as a previous report by Leah Muse-Orlinoff for the Center for American Progress found, restrictive immigration ordinances on the state and local level do not drive unauthorized immigrants from the country. At best these laws push immigrants from one harsh locale to a more welcoming one, though at worst they force these immigrants further underground. These laws do not control undocumented immigration and, as this report found, they severely damage the fabric of our communities and our public safety.⁸²

How, then, can we create better policies that enhance our public safety while also helping to ensure that all immigrants integrate into American life? We offer the following recommendations:

- **Local officials must do more to educate the population about their rights.** Indeed, a previous study carried out as part of MMFRP showed that Mexican immigrants in Oklahoma City were willing to cooperate with police in spite of restrictive state level measures because local law enforcement had made an effort to reach out to the immigrant community. The Oklahoma City Police Department began an aggressive outreach campaign—in communities, in Spanish-language media, and so forth—to clarify what the state's immigration

bill, H.B. 1804 of 2007, meant for them, and to ensure that they understood the police were neutral arbiters of the law.⁸³ Measures such as these can mitigate the potential impact of restrictive laws and ordinances, improving cooperation between law enforcement and immigrants.

- **States and localities should foster integration, not exclusion.** On the state and local levels, legislators should reject the impulse to pass short-sighted restrictive immigration laws and instead look to foster the integration of their immigrant populations. In the long term this will help their states both economically—by ensuring that resources that will otherwise be spent training law enforcement and defending the new laws can be used for more pressing concerns—and in terms of security—by ensuring that all community members, documented or otherwise, feel safe to contact the police and report crimes.

One contrast to the stance of North County is the example of Lewiston, Maine. Beginning around the turn of the new millennium, Lewiston—a town that had historically been largely white—received a significant contingent of Somali immigrants. Instead of passing restrictive immigration laws, Lewiston promoted integration efforts such as English language and job training and educational development. The new immigrants revitalized Lewiston’s downtown business district and became a significant group of consumers and business owners in the city. Instead of driving its immigrants underground, Lewiston made sure they could take a prominent place—both socially and economically—in making the city great.⁸⁴

- **Congressional action can solve the problem.** On the national level, Congress must come together to pass comprehensive immigration reform that includes a tough but fair process by which undocumented immigrants can gain legal status while also strengthening border security and enforcement. Once all members of society are on the path to full incorporation into the nation, the fear in everyday life is taken away. Instead of being reticent to contact the police, take their children to school, or be seen in public places, a pathway to citizenship would ensure that all members of American society are able to participate fully and equally.
- **Administrative reforms could offer significant relief.** The federal government must also provide clearer guidelines for the usage and implementation of federal enforcement programs such as Secure Communities program and must fully implement its stated policy of prosecutorial discretion. The Department of Homeland Security Advisory Council’s Task Force on Secure Communities urged

On the state level, legislators should reject the impulse to pass short-sighted anti-immigrant laws and instead look to foster the integration of their immigrant populations.

DHS to make the Secure Communities program more transparent and to focus on serious offenders rather than those charged with minor offenses. The report also called upon DHS to fully implement its program of prosecutorial discretion.

We believe—as Retired Sacramento Chief of Police and Task Force Member Arturo Venegas, Jr. wrote in his letter announcing his resignation from the task force—that DHS can and should go even further than the task force recommendations, ensuring that minor offenders are not put through the Secure Communities system in the first place. In this way, DHS can focus its enforcement on the worst of the worst, rather than on family members and members of the community who have been in the United States for years without committing a crime.⁸⁵

About the authors

Angela S. García is a doctoral candidate in sociology at the University of California, San Diego, and a researcher at the Center for Comparative Immigration Studies. She also has a master's in Latin American studies from the University of California, San Diego. Angela conducts research on state and local immigration-orientated policies in the United States and in Spain. Her work focuses on how these policies vary across time and place and investigates how immigrant actors on the ground experience these policies.

David Keyes is a doctoral candidate in the department of anthropology at the University of California, San Diego, and a researcher at the Center for Comparative Immigration Studies. He is the field research coordinator for the Mexican Migration Field Research Program. His own research examines the assimilation of Mexican immigrants in southern California.

Acknowledgments

The authors would like to acknowledge the generous assistance of students from UCSD and the Universidad Autónoma Benito Juárez de Oaxaca who carried out the MMFRP research on which this report draws heavily. Particular thanks also to David FitzGerald, Gloria Molina-Estolano, Mohammad Omar Qureshi, Fernando Riedel, Rafael Solis, and Estefanía Castillo Balderas, as well as to all the migrants who generously agreed to be interviewed for this research.

Endnotes

- 1 See Marshall Fitz and Angela Maria Kelley, "Stop the Conference: The Economic and Fiscal Consequences of Conference Cancellations Due to Arizona's S.B. 1070" (Washington: Center for American Progress, 2010); Tom Baxter, "How Georgia's Anti-Immigration Law Could Hurt the State's (and the Nation's) Economy" (Washington: Center for American Progress, 2011); Magnus Lofstrom, Sarah Bohn, and Steven Raphael, "Lessons from the 2007 Legal Arizona Workers Act" (San Francisco: Public Policy Institute of California, 2011).
- 2 The few studies that do discuss the potential outcomes of exclusionary subnational policy on individual immigrants often rely on anecdotal evidence and media reports to explain how immigrants react to restrictions in their receiving communities. See Linda Allegro, "Latino Migrations to the U.S. Heartland: 'Illegality,' State Controls, and Implications for Transborder Rights," *Latin American Perspectives*, 37 (1) (2010): 180–181; Roxanne Doty, *Anti-Immigrantism in Western Democracies—Statecraft, Desire, and the Politics of Exclusion* (New York: Routledge, 2003); Benjamin Fleury-Steiner and Jamie Longazel, "Neoliberalism, Community Development, and Anti-Immigrant Backlash in Hazleton, Pennsylvania." In Monica W. Varsanyi, ed., *Taking Local Control: Immigration Policy Activism in U.S. Cities and States* (Stanford: Stanford University Press, 2010). Other studies draw from Census Bureau data or other government data sources such as public school enrollment and birth statistics, which are limited because no governmental statistical source identifies unauthorized immigrants—the group particularly targeted by subnational restrictions—precisely as an identifiable category of persons. See Steven Camarota and Karen Jensenius, "Homeward Bound: Recent Immigrant Enforcement and the Decline in the Illegal Alien Population" (Washington: Center for Immigration Studies, 2008); Juan Pedroza, "Mass Exodus from Oklahoma? Immigrants and Latinos Stay and Weather a State of Capture," *Journal of Latino/Latin American Studies*, 4 (1) (2011).
- 3 Jeffrey S. Passel and D'Vera Cohn, "A Portrait of Unauthorized Immigrants in the United States" (Washington: Pew Hispanic Center, 2009).
- 4 Sarah Gordon, "ESCONDIDO: ICE extends partnership with police," *North County Times*, September 16, 2010, available at http://www.nctimes.com/news/local/escondido/article_6c19771e-cc34-550f-bdff-692124a556b6.html.
- 5 Federal regulations designate Border Patrol agents as immigration officers and define these agents' jurisdictions as within the "reasonable distance" of 100 miles from the border. See: 8 C.F.R. § 287.1 (2002). Because North County is within this range, Border Patrol agents may operate freely in the area.
- 6 "Secure Communities," available at http://www.ice.gov/secure_communities/ (last accessed March 20, 2012).
- 7 Immigration and Customs Enforcement, *Activated Jurisdictions* (U.S. Department of Homeland Security, 2012), available at <http://www.ice.gov/doclib/secure-communities/pdf/sc-activated.pdf>.
- 8 On the prevalence of traffic stops in Secure Communities actions, see Immigration and Customs Enforcement, *Secure Communities: IDENT/IAFIS Interoperability, Monthly Statistics through February 28, 2011* (U.S. Department of Homeland Security, 2011), available at http://uncoverthetruth.org/wp-content/uploads/nationwide_interoperability_stats-fy2011-feb28-1.pdf. The Warren Institute, for example, found that Latinos comprise 93 percent of all individuals arrested through Secure Communities, even though they are only 77 percent of the undocumented population. Aarti Kohli, Peter L. Markowitz, and Lisa Chavez, "Secure Communities By The Numbers: An Analysis of Demographics and Due Process" (Berkeley: The Chief Justice Earl Warren Institute on Law and Social Policy, 2011).
- 9 John Morton, "Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens," Immigration and Customs Enforcement memo, June 17, 2011, available at <http://www.ice.gov/doclib/secure-communities/pdf/prosecutorial-discretion-memo.pdf>. On Secure Communities, see "Secure Communities," available at http://www.ice.gov/secure_communities/.
- 10 E-Verify is the federal government's internet-based work eligibility verification system.
- 11 Hubert Williams, Testimony before the House Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, April 2, 2009, available at <http://judiciary.house.gov/hearings/pdf/Williams090402.pdf>; Debra A. Hoffmaster and others, "Police and Immigration: How Chiefs Are Leading their Communities through the Challenges" (Washington: Police Executive Research Forum, 2011).
- 12 The DREAM Act would provide legal status to undocumented immigrants who came to the United States as children provided they meet certain strict conditions. See Marshall Fitz and Ann Garcia, "The DREAM Act by the Numbers" (Washington: Center for American Progress, 2010), available at http://www.americanprogress.org/issues/2010/12/dream_numbers.html.
- 13 Wayne, Cornelius, "Interviewing Undocumented Immigrants: Methodological Reflections," *International Migration Review* 16 (2) (1982): 378–411.
- 14 In snowball sampling the interviewer begins with one person and then spirals outward with people they know. MMFRP used multiple "first" interviewers to ensure a representative sample.
- 15 National Conference of State Legislatures, "State Laws Related to Immigration and Immigrants," available at <http://www.ncsl.org/default.aspx?tabid=19897>.
- 16 *Ordinance of the City of Escondido, California Establishing Penalties for the Harboring of Illegal Aliens in the City of Escondido*, Ordinance No. 2006-38 R, available at http://www.aclu.org/files/pdfs/immigrants/escondido_ordinance.pdf.
- 17 See *Garrett v Escondido*, available at http://www.fairhousingrights.org/Resources/Educational_Materials/FHRC/Anti-Immigrant_Ordinances/Escondido/Escondido_Lawsuit.pdf; Amy Isackson, "Judge Halts Escondido Landlord Ordinance," *KPBS Public Broadcasting*, November 17, 2006, available at <http://www.kpbs.org/news/2006/nov/17/judge-halts-escondido-landlord-ordinance/>; Amy Isackson, "Escondido Landlord Ordinance Is Dead," *KPBS Public Broadcasting*, December 13, 2006, available at <http://www.kpbs.org/news/2006/dec/13/escondido-landlord-ordinance-is-dead/>. In 2007 the state of California passed Assembly Bill 976, which prohibited local governments from requiring landlords to check renters' immigration status. See *Assembly Bill No. 976* (October 10, 2007), available at http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_0951-1000/ab_976_bill_20071010_chaptered.pdf.
- 18 Michelle Breier, "Checkpoint Debate Continues in Escondido," *San Diego Union-Tribune*, August 20, 2011, available at <http://www.signonsandiego.com/news/2011/aug/20/checkpoint-debate-continues-escondido/>; Ruxandra Guidi, "DUI Checkpoints in California May Soon Be Regulated," *KPBS Public Broadcasting*, September 1, 2011, available at <http://www.kpbs.org/news/2011/sep/01/dui-checkpoint-regulated-driver-license-immigrant/>.
- 19 In response to a threatened lawsuit, in 2010 the Escondido Police Department began checking for registration and insurance, in addition to driver's licenses. Currently, the department runs what it calls "sobriety/drivers license checkpoints." See Escondido Police Department, "Sobriety Enforcement Planned," press release, February 9, 2012, available at <http://police.escondido.org/sobriety-enforcement-planned-2.aspx>. In terms of the potential for an unauthorized immigrant to be deported due to a checkpoint stop, see Escondido Police Department, "Results of Sobriety/DL checkpoint," press release, July 3, 2011, available at <http://police.escondido.org/results-of-sobriety-dl-checkpoint.aspx>. In October 2011 California Gov. Jerry Brown signed Assembly Bill 353, which allows nonlicensed, sober drivers stopped in checkpoints to have another person with a license pick up the car to avoid the costly impounding process. See *Assembly Bill 353* (October 2011), available at http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0351-0400/ab_353_bill_20110908_enrolled.html.

- 20 John Carlos Frey, "Escondido Police Under Fire," *KPBS Public Broadcasting*, March 12, 2012, available at <http://www.kpbs.org/news/2012/mar/12/escondido-police-under-fire/>.
- 21 While the Escondido pilot program is not a traditional 287(g) program per se, in practice ICE agents are stationed at the Escondido Police Department and have at times accompanied its officers on some patrols.
- 22 Because the program developed behind closed doors and without a formal agreement, the precise extent to which federal immigration enforcement agents are involved in local Escondido police operations is unclear. See "Immigration agents accompany police on some calls," *San Diego Union Tribune*, June 27, 2010, available at <http://www.signonsandiego.com/news/2010/jun/27/immigration-agents-accompany-local-police-some-cal/>; Richard Marosi, "Escondido's city-federal effort to oust illegal immigrants draws praise, criticism," *Los Angeles Times*, February 4, 2011, available at <http://articles.latimes.com/2011/feb/04/local/la-me-adv-immigrant-crackdown-20110206>.
- 23 Gordon, "ESCONDIDO: ICE extends partnership with police."
- 24 Marosi, "Escondido's city-federal effort to oust illegal immigrants."
- 25 Gordon, "ESCONDIDO: ICE extends partnership."
- 26 Edward Sifuentes, "ESCONDIDO: Police, ICE partnership credited with 477 arrests in its first year," *North County Times*, May 25, 2011, available at http://www.nctimes.com/news/local/escondido/article_c1a6f2c2-5b5c-5fc1-99d4-a8bcee239b1e.html.
- 27 Gordon, "ESCONDIDO: ICE extends partnership."
- 28 Sifuentes, "ESCONDIDO: Police, ICE partnership credited with 477 arrests."
- 29 *Resolution of the City Council of the City of Escondido, California, Adopting the United States Department of Homeland Security's Image Program and Use of the E-Verify System to Ensure Compliance with Federal Immigration Law in the City's Hiring Practices*, No. 2011-44, 2011, (March 23, 2011), available at http://www.escondido.org/ccagendas/MG143533/AS143549/AS143559/AI143715/DO143912/DO_143912.pdf. In October 2011 California Gov. Brown signed Assembly Bill 1236, which ensures that city, county, and state government cannot mandate the use of E-Verify on private business owners. The bill also affirms that E-Verify is an optional program of the federal government. See Assembly Bill No. 1236 (October 9, 2011), available at http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1201-1250/ab_1236_bill_20111009_chaptered.pdf. In response to AB 1236, the Escondido City Council changed the language present in city contracts so that businesses are "strongly encouraged" rather than required to use the E-Verify system. See "Council Reluctantly Backs Away from E-Verify Requirement," *North County Times*, November 9, 2011, available at http://www.nctimes.com/news/local/escondido/escondido-council-reluctantly-backs-away-from-e-verify-requirement/article_d00b42f-2c91-5cb0-a8c1-c516cc54ff33.html.
- 30 City of Oceanside, "City Council Minutes," meeting on April 6 2011, available at <http://www.ci.oceanside.ca.us/civica/filebank/blobdownload.asp?blobid=26201>. As of publication time, Oceanside had yet to pass its E-Verify resolution. At the state level in California, Assembly Bill 26, which included a provision requiring all employers to use E-Verify, was defeated in May 2011. At the federal level, E-Verify is currently mandatory for business contracting with the federal government. The Legal Workforce Act, or H.R. 2885, introduced in the U.S. House of Representatives in June 2011, would mandate the use of E-Verify for all employers in the nation. See Philip E. Wolgin, "Seen and (Mostly) Unseen: The True Costs of E-Verify" (Washington: Center for American Progress, 2011).
- 31 *An Ordinance of the City Council of the city of Vista, California, Adding Chapter 5.90 to the Vista Municipal Code Relating to Day Labor Employment*, Ordinance No. 2006-8, available at <http://www.cityofvista.com/WebLink8/0/doc/524359/Page1.aspx>; Matthew Rodriguez and Elena Gaona, "Labor Law is Likely to Pass in Vista," *San Diego Union-Tribune*, June 25, 2006, available at <http://legacy.signonsandiego.com/news/northcounty/20060625-9999-1mi25curb.html>.
- 32 Monica Varsanyi, "Immigration Policing Through the Backdoor: City Ordinances, the 'Right to the City,' and the Exclusion of Undocumented Day Laborers," *Urban Geography* 29 (1) (2008): 36.
- 33 Amy Isackson, "Vista Settles ACLU Suit Alleging Day Laborer Hiring Discrimination," *KPBS Public Broadcasting*, June 26, 2007, available at <http://www.kpbs.org/news/2007/jun/26/vista-settles-aclu-suit-alleging-day-laborer/>.
- 34 U.S. Department of Homeland Security, "Secretary Napolitano Announces Record-Breaking Immigration Enforcement Statistics Achieved Under Obama Administration," press release, October 6, 2010, available at http://www.dhs.gov/ynews/releases/pr_1286389936778.shtm; U.S. Department of Homeland Security, *Immigration Enforcement Actions 2010* (U.S. Department of Homeland Security, 2011), available at <http://www.dhs.gov/xlibrary/assets/statistics/publications/enforcement-ar-2010.pdf>.
- 35 Immigration and Customs Enforcement, *Secure Communities Activated Jurisdictions* (U.S. Department of Homeland Security, 2011), available at <http://www.ice.gov/doclib/secure-communities/pdf/sc-activated.pdf>. In August 2011 the Department of Homeland Security announced the termination of Secure Communities Memorandums of Agreement with state and local governments. DHS initially entered into these agreements as a way to encourage voluntary participation in the initiative. The announcement followed attempts by the governors of Massachusetts, New York, and Illinois to terminate their agreements because of concern that the program fails to target serious unauthorized immigrant criminals. DHS now argues that the agreements are not necessary to operate Secure Communities in subnational jurisdictions. The agency plans to have the program active in every state by 2013. See Kirk Semple and Julia Preston, "Deal to Share Fingerprints is Dropped, But Not Program," *New York Times*, August 6, 2011, available at <http://www.nytimes.com/2011/08/06/us/06immig.html>.
- 36 "Secure Communities," available at http://www.ice.gov/secure_communities/.
- 37 Immigration and Customs Enforcement, *Secure Communities: IDENT/IAFIS Interoperability, Monthly Statistics through February 28, 2011*.
- 38 8 C.F.R. § 287.1.
- 39 Semple and Preston, "Deal to Share fingerprints."
- 40 Immigration and Customs Enforcement, *Activated Jurisdictions*.
- 41 Debra A. Hoffmaster and others, "Police and Immigration: How Chiefs Are Leading their Communities."
- 42 Mary Malina, ed., "The Role of Local Police: Striking a Balance Between Immigration Enforcement and Civil Liberties" (Washington: Police Foundation, 2009), available at <http://policefoundation.org/indexStriking.html>; Hubert Williams, Testimony before the House Committee on the Judiciary.
- 43 The survey does not disaggregate blacks and nonwhite Hispanics but finds that 52 percent of this group had felt discriminated against because of their race or ethnicity. Brian Montopoli, "Poll: Many Blacks Say Police Treat Them Unfairly," *CBS News*, July 29, 2009, available at http://www.cbsnews.com/8301-503544_162-5196554-503544.html.
- 44 Pablo, interview with author, Tlacoatepec, Mexico, January 5, 2011.
- 45 Hugo Lopez, Mark Livingston, and Gretchen Livingston, "Hispanics and the Criminal Justice System: Low Confidence, High Exposure" (Washington: Pew Hispanic Center, 2009); Jacob Butcher, Michelle Manasee, and Beth Tarasaw, "Undocumented Victims: An Examination of Crimes Against Undocumented Male Migrant Workers," *Southwest Journal of Criminal Justice*, 7 (2) (2010): 159-179.
- 46 Diego, interview with author, Vista, California, February 6, 2011.
- 47 Letter from Advocates for Human Rights and others to Elton Gallegly and Zoe Lofgren, Subcommittee on Immigration Policy and Enforcement, House of Representatives Judiciary Committee, November 30, 2011, available at [http://casadeesperanza.org/pdfs/JudiciaryHearingSCMmgeneral/sign-onletter\(3\).pdf](http://casadeesperanza.org/pdfs/JudiciaryHearingSCMmgeneral/sign-onletter(3).pdf).
- 48 Edward Sifuentes, "EXCLUSIVE: Escondido woman turned over to immigration after domestic violence incident," *North County Times*, October 19, 2011, available at http://www.nctimes.com/news/local/sdcounty/article_47f1a656-a55f-5206-9684-8f156115d9d7.html#ixzz1nn56hvm8.

- 49 Ibid.
- 50 Yolanda, interview with author, Vista, California, February 19, 2011.
- 51 Carlos, interview with author, Escondido, California, February 6, 2011.
- 52 Roberto, interview with author, Tlacotepec, Mexico January 3, 2011.
- 53 Alicia, interview with author, Vista, California, February 10, 2011.
- 54 Carmen, interview with author, Escondido, California, February 5, 2011.
- 55 Armando, interview with author, Vista, California, February 12, 2011.
- 56 Lidia, interview with author, Vista, California, January 3, 2011.
- 57 Passel and Cohn, "A Portrait of Unauthorized Immigrants." Paul Taylor and others, "Unauthorized Immigrants: Length of Residency, Patterns of Parenthood" (Washington: Pew Hispanic Center, 2011); Jeffrey Passel and D'Vera Cohn, "Unauthorized Immigrant Population: National and State Trends, 2010" (Washington: Pew Hispanic Center, 2011).
- 58 Marta, interview with author, Escondido, California, February 8, 2011.
- 59 Ibid.
- 60 Ibid.
- 61 Unauthorized immigrants residing in California were eligible for driver's licenses until 1993, when the state legislature passed Senate Bill 976. The law required applicants to provide a Social Security Number and prove that their presence in California was authorized under federal law. Despite various legislative efforts to revisit the issue from 2001 to 2005, unauthorized immigrants in California are still prohibited from legally obtaining driver's licenses.
- 62 Juan, interview with author, Tlacotepec, Mexico, January 8, 2011.
- 63 Felipe, interview with author, Tlacotepec, Mexico, January 3, 2011. Going to the hospital was the third-highest concern, though at 37 percent, it was a source of considerably less anxiety than driving (67 percent) and walking in public (64 percent). Berk and Schur argue that the fear associated with the lack of legal documentation can deter immigrants from seeking medical attention. It follows that the heightened climate of anxiety in restrictive destinations may also influence immigrants in the study sample to avoid hospitals. Marc L. Berk and Claudia L. Schur, "The Effect of Fear on Access to Care Among Unauthorized Latino Immigrants," *Journal of Immigrant Health*, 3 (3) (2008): 151–156.
- 64 Jorge, interview with author, Tlacotepec, Mexico, January 7, 2011.
- 65 Lorena, interview with author, Vista, California, February 11, 2011.
- 66 Jonathan Lloyd and Gordon Tokumatsu, "Photos Lead to Former South LA Teacher's Arrest on Molestation Charges," *NBC Southern California*, February 8, 2012, available at <http://www.nbclosangeles.com/news/local/Former-Teacher-Arrested-Classroom-Photos-138404744.html>.
- 67 Olsen Ebright and Jesse Gary, "2nd Miramonte Teacher Charged With Lewd Acts on Child," *NBC Southern California*, February 8, 2012, available at <http://www.nbclosangeles.com/news/local/Miramonte-Elementary-Martin-Springer-138886329.html>.
- 68 Yurina Melara Valiulis, "Al descubierto más abberaciones," *La Opinion*, February 9, 2012, available at <http://www.laopinion.com/article/20120210/LOCALES11/302109853>.
- 69 David Finkelhor and Nancy L. Asdigian, "Risk Factors for Youth Victimization: Beyond a Lifestyles/Routine Activities Theory Approach," *Violence and Victims*, 11 (1) (1996), available at <http://unhinfo.unh.edu/ccrc/pdf/CV13.pdf>.
- 70 Anita Raj and Jay Silverman, "Violence Against Immigrant Women: The Role of culture, Content, and Legal Immigrant Status on Intimate Partner Violence," *Violence Against Women*, 8 (3) (2002).
- 71 It appears that the accounts of ICE raids at Wal-Marts in North County were unsubstantiated, as several immigrant rights organizations as well as local media sources were unable to document them. San Diego Immigrant Rights Consortium, "Wal-Mart Raids Unconfirmed" (2010), available at <http://immigrantsandiego.org/2010/03/08/wal-mart-raids-unconfirmed/>; Edward Sifuentes, "Latino immigrants in a 'panic' over rumored raids," *North County Times*, March 18 2010, available at http://www.nctimes.com/news/local/escondido/article_ae44858a-1ee9-544c-b3aa-56a33cf30653.html?mode=story.
- 72 Marco, interview with author, Escondido, California, February 10, 2011.
- 73 Ibid.
- 74 Ana, interview with author, Tlacotepec, Mexico, January 4, 2011.
- 75 Personal interview with author Julia, Vista, California, February 8, 2011.
- 76 Adan, interview with author, Vista, California, February 12, 2011.
- 77 Luis, interview with author, Tlacotepec, Mexico, January 5, 2011.
- 78 Alejandro, interview with author, Tlacotepec, Mexico, January 5, 2011.
- 79 Armando, interview with author, Vista, California, February 19, 2011.
- 80 Rolando, interview with author, Tlacotepec, Mexico, February 18, 2011.
- 81 Jose, interview with author, Tlacotepec, Mexico, January 10, 2011.
- 82 Leah Muse-Orlinoff, "Staying Put but Still in the Shadows" (Washington: Center for American Progress, 2012).
- 83 Angela García et al, "Pressure from the Inside: The Subnational Politics of Immigration." In David Scott Fitzgerald, Rafael Alarcon, and Leah Muse-Orlinoff, eds., *Recession Without Borders* (Boulder: Lynne Reiner Publishers, 2010).
- 84 On Lewiston's example as a positive immigration role model, see Michael Jones-Correa, "All Immigration is Local: Receiving Communities and Their Role in Successful Immigrant Integration" (Washington: Center for American Progress, 2011).
- 85 Homeland Security Advisory Council, *Task Force on Secure Communities: Findings and Recommendations* (U.S. Department of Homeland Security, 2011), available at <http://www.dhs.gov/xlibrary/assets/hsc-task-force-on-secure-communities-findings-and-recommendations-report.pdf>; Letter from Arturo Venegas, Jr. to Chuck Wexler, September 14, 2011, available at <http://big.assets.huffingtonpost.com/VenegasLetter.pdf>.

The Center for American Progress is a nonpartisan research and educational institute dedicated to promoting a strong, just, and free America that ensures opportunity for all. We believe that Americans are bound together by a common commitment to these values and we aspire to ensure that our national policies reflect these values. We work to find progressive and pragmatic solutions to significant domestic and international problems and develop policy proposals that foster a government that is “of the people, by the people, and for the people.”

