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Illegal Lives:
How Local Immigration Law Shapes Everyday Life for Undocumented Immigrants

A dissertation submitted in partial satisfaction of the
requirements for the degree Doctor of Philosophy

in

Sociology

by

Angela S. García

Committee in charge:

Professor David FitzGerald, Chair
Professor David Gutiérrez
Professor Isaac Martin
Professor Karthick Ramakrishnan
Professor John Skrentny

2015

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The Dissertation of Angela S. García is approved, and it is acceptable in quality and form for publication on microfilm and electronically:

Chair

University of California, San Diego

2015

DEDICATION

I dedicate this dissertation to all immigrants who have made the journey.

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Chapter 2, in part, is a reprint of material as it appeared in *Ethnic and Racial Studies* 2013. The dissertation author was the sole author of this paper.

Chapter 3, in part, is a reprint of material as it appeared in the *Journal of Ethnic Migration Studies* 2014. The dissertation author was the sole author of this paper.

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ABSTRACT OF THE DISSERTATION

Illegal Lives:

How Local Immigration Law Shapes Everyday Life for Undocumented Immigrants

by

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Doctor of Philosophy in Sociology

University of California, San Diego, 2015

Professor David FitzGerald, Chair

Cities across the U.S. increasingly respond to undocumented immigrants through local law. These locales set parameters of inclusion and exclusion through accommodating measures intended to integrate newcomers and restrictive policies meant to marginalize them. How do the varying legal contexts of receiving locales shape these immigrants' everyday lives and future prospects? In the first comparative study of the outcomes of local immigration law, my dissertation explores the

incorporation effects of accommodating and restrictive socio-legal contexts, and it does so from the perspective of undocumented Mexicans. Drawing on multi-sited and mixed methods research, I counter scholars who argue that restrictive policy environments uniformly force immigrants to margins of society. My dissertation demonstrates the unintended social consequences of legal restrictions, wherein aspects of immigrants' settlement, cultural incorporation, and political socialization flourish in response to the very laws that seek to exclude them.

The first empirical chapter asks whether restrictive laws work to push undocumented immigrants out of hostile destinations. To gain leverage on this question, I focus on the relationship between settlement behavior and “attrition through enforcement” policy. Formed to trigger the voluntary exit of undesired immigrants, these laws aim to make their lives exceedingly difficult. With a twofold comparison of undocumented immigrants in three cities and two states, I use original bi-national survey data to demonstrate that such measures do not have a significant effect on the amount of time spent in restrictive locales or changes in place of residency. I draw from interview data collected from undocumented immigrants to argue that economic, social, and life course factors more prominently shape settlement decisions.

Within the second chapter, I explore undocumented immigrants' navigation of daily life in cities with hostile socio-legal environments. How do every day events, like going to work and taking children to school, unfold for undocumented immigrants living legally restrictive cities, and how does this relate to incorporation trajectories? Drawing on observations and interviews, I find that undocumented Mexicans in restrictive destinations attempt legal passing, or the public embodiment of the culture of

the dominant core population, a behavior not present in accommodating locales. Purposive and strategic, this daily effort to pass is primarily a protective strategy, yet over time it becomes internalized and contributes to incremental cultural incorporation.

The final empirical chapter focuses on political engagement in restrictive and accommodating receiving locales. With observational and interview data from undocumented immigrants, I demonstrate that restrictive laws—while clearly contributing to social suffering—also trigger political socialization. Seeking to understand the implications of legal restrictions, immigrants forge closer ties with neighbors, sympathetic allies, and advocacy organizations and, in doing so, they develop political knowledge. Nevertheless, the oppressive nature of restrictive socio-legal contexts dampens political efficacy and limits political participation to the realm of local immigration policy. Conversely, accommodating laws make the everyday activities of undocumented immigrants far more secure and stable. Freed from the daily burden of restrictive immigration policy, immigrants in accommodating destinations become more broadly socialized in the local politics, have a higher sense of political efficacy, and participate in a wider range of political issues.

The determinants of local immigration laws have been studied, but we know little about their social effects. With fieldwork in multiple sites chosen for their theoretical variation, my dissertation is the first comparative study of the outcomes of local immigration measures for undocumented immigrants themselves. By bringing immigrants into the analysis, I highlight the deep yet often counterintuitive influence of divergent socio-legal contexts. In doing so, the dissertation expands standard explanations of incorporation to include illegality and the socio-legal environments of

immigrant destinations as key variables driving the adaptation process. My data also have implications for our understanding of inequality, as local immigration laws create a new axis of stratification that shapes immigrants' everyday lives and future prospects.

Chapter 1.

Local Immigration Law and Undocumented Immigrants:

A Project Overview

Introduction

A wave of studies from law and society scholars has demonstrated how law shapes the everyday lives of ordinary people (Ewick and Silbey 1998; Sarat and Kearns 1995; White 1990; Campbell 2005; Nielsen 2000; Calavita 2005; Dreby 2015). The literature on U.S. immigration law, however, is paradoxical in this regard. While this domain comes under the federal government's authority, states and localities are increasingly enacting laws that target immigrant residents, particularly those who are unauthorized. These communities set parameters of inclusion and exclusion through accommodating measures to integrate newcomers and restrictive policies to marginalize them. Yet because scholars have focused on subnational immigration laws on the books, the effects of these measures on the ground have been lost in the shuffle. As a result, we have little understanding of how state and local immigration laws influence the lives and trajectories of undocumented immigrants. This dissertation aims at going past the normative debates and formal policy analysis that has been the focus of much of the literature on subnational immigration laws to take an in-depth, comparative look at immigrants living within politicized receiving locales.

How do the varying legal contexts of immigrants' immediate destinations shape their lives? In the first comparative study of the outcomes of local immigration measures to my knowledge, this dissertation explores the settlement and incorporation

effects of accommodating and restrictive laws, and it does so from the perspective of undocumented Mexicans. Drawing from original bi-national survey data, in-depth qualitative interviews, and two years of multi-sited ethnographic research, I counter the assumption that restrictive policy environments uniformly force immigrants to margins of society. My dissertation demonstrates the unintended and unexpected social consequences of legal restrictions, wherein aspects of immigrants' settlement, cultural assimilation, and political engagement flourish in response to the very laws that seek to exclude them.

This dissertation is located within the broad tradition of research on law in action (Trubek 1984; Gordon 1984; Sarat and Kearns 1995; Ewick and Silbey 1998; Calavita 2005, 2010). With my focus on undocumented immigrants and subnational immigration law, I address a central question that animates much of the scholarship in the field of law and society: when and how does law matter? With this approach, my concern is not “with what the law *is*—the concern of legal elites—but with what the law *does*—a concern of users and receivers of law” (Silbey 1989: 21, italics in original; see also Trubek 1984). I understand the law sociologically, as a social institution created from patterns of human interaction (Ewick and Silbey 1998; White 1990; Sarat and Kearns 1995; Nielsen 2000). Centering on the social impact of law, I study how immigrants are incorporated into or excluded from society in accommodating and restrictive receiving destinations, and to what ends.

A major theoretical contribution of this dissertation is an argument for re-envisioning the scale with which we think about immigrant incorporation. Scholars too often place the burden of adaptation exclusively with immigrants themselves by

focusing on individual or group characteristics (Huntington 2004, 2009; Borjas 1985, 1987; Farley 1996). Another danger is the imposition of analytic frameworks that take the nation-state as the unquestioned natural unit of analysis in studies of incorporation (see FitzGerald 2012; Wimmer and Glick Schiller 2002). Both of these issues narrow the universe of incorporation to the extent that we miss structural patterns located within destination communities, those that, because of their proximity to immigrants, are likely to affect them in sustained and significant ways. In contrast, my focus on the effects of accommodating and restrictive locales draws attention to the fact that immigrants do not come to an undifferentiated United States, but rather to places like Marshalltown, Iowa and Watsonville, California—specific locations with distinct political, social, and legal dynamics (Foner 2005). As Portes (1999: 27) notes, “one hundred thousand Mexican immigrants trying to learn English and find jobs in Houston, Texas, will have a very different impact there than the same number doing this in Boston, Massachusetts or Charlotte, North Carolina.” This project challenges sociologists of immigration to take seriously the question of local contexts, studying settlement and incorporation as intimately connected to subnational law. As FitzGerald (2012) and Favell (2008) suggest, local contexts within destination countries may matter as much as or more than the national context within the realm of incorporation.

My study also highlights the emerging role of states and localities as U.S. immigration policy moves down the geographic scale due to devolution, technological data-sharing advances, and subnational legislative activism. In doing so, I link macro-level processes of immigration policymaking with their articulation in immigrants’ local practices, yielding a deeper understanding of everyday forms of inclusion and

exclusion. The dissertation findings emphasize the legal hegemony of subnational immigration laws for undocumented immigrant communities, as they become fused into the social organization of their ordinary lives and incorporation trajectories. In this sense, the study as a whole contributes a different theoretical lens through which to view social inequality, given that subnational immigration laws contribute to a “new axis of stratification” that shapes the life chances and future prospects of undocumented immigrants (Menjívar 2006; Menjívar and Abrego 2012).

Developing an understanding of the effects of subnational immigration law across different contexts is also important in terms of applied social policy implications. While my focus is on settlement, cultural incorporation, and political engagement, what happens in localities may have other significant human impacts on undocumented immigrants, such as their conditions of employment, housing, education, and health. In these ways and others, local laws are also consequential for the 1.5 and second generation, which includes U.S.-born children.¹ For instance, several studies argue that stress and fear experienced by the children of undocumented immigrants are correlated to delayed cognitive development (Ortega et al. 2009; Yoshikawa and Kalil 2011), obstacles to educational attainment (Bean et al. 2011; Brabeck and Xu 2010), and low psychological and emotional wellbeing (Dreby 2012). This anxiety is likely exacerbated in restrictive receiving locales (see this dissertation’s second and third empirical chapters). Local political histories will also likely affect how future legalization programs within comprehensive immigration reform develop. Precedent

¹Foreign-born adult immigrants are considered the first generation. Children born abroad who migrate at a young age are termed the 1.5 generation (Rumbaut and Irma 1988). The second generation refers to children born in the U.S. of immigrant parents.

studies on the 1986 Immigration Reform and Control Act (IRCA), for example, indicate that local political contexts shaped the ways immigrants took advantage of amnesty policies (González Baker 1997). Similarly, a study of the contextual determinants of applying for Deferred Action for Childhood Arrivals (DACA) demonstrates that the structural opportunities and barriers present in receiving locales shape undocumented youths' decisions to regularize their immigration status (Wong and García 2015).² Understanding the effects of subnational immigration policy on the ground for immigrants themselves is critical, then, not only for the empirical and theoretical advances it promises but also for its significant social policy implications.

Research Questions and Hypotheses

Throughout the dissertation, I use contrasts in state and local immigration measures between different immigrant receiving locales (my primary independent variable) to understand the factors that influence undocumented immigrants' settlement, cultural incorporation, and political engagement (my dependent variables of interest). In this comparative study, I focus on restrictive destinations, using accommodating receiving locales as a check on my findings. I ask the following set of research questions, each of which corresponds to an empirical chapter of the dissertation:

² Announced in June 2012, the Deferred Action for Childhood Arrivals (DACA) program – an executive order issued by the Obama administration – provides temporary relief from deportation and legal work authorization for eligible undocumented immigrant youth in the U.S. For full details on the program, see U.S. Citizenship and Immigration Services, “Consideration of Deferred Action for Childhood Arrivals Process,” available at <http://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-process>.

1. Do subnational attrition through enforcement laws push undesirable immigrants out of restrictive destinations? If not, what forces counter these legal restrictions and enable settlement behaviors to continue?
2. How do undocumented immigrants living in restrictive destinations navigate their everyday lives? What is the connection between this navigation and incorporation? Does the basic contention of assimilation theory apply to this group, or are they marginalized to the sidelines of the receiving society?
3. How do local restrictions influence undocumented immigrants' political engagement in their receiving locales? Do these hostile socio-legal environments hinder political engagement or motivate it?

To extend a core argument of my dissertation—that the socio-legal environments of entry points have differential effects on undocumented immigrants' lives—I test three competing hypotheses related to these research questions. As I began to develop this project, I envisioned that accommodating local laws would facilitate undocumented immigrants' everyday lives, advancing their settlement and incorporation, while restrictive measures would obstruct these variables. This common-sense hypothesis assumes that laws work as intended, integrating immigrants within receiving locales on the one hand and isolating and excluding them from wider community life on the other. As became immersed into fieldwork, however, I began to hypothesize somewhat the reverse. I began to note that because local legislation formed

to accommodate immigrants makes their everyday activities less burdensome, it may also neutralize the need to engage in politics, for instance. Conversely, the conspicuous limitations and control that immigrants in restrictive locales face may shape everyday life in a way that develops into deeper incorporation. In these receiving locales, the process of incorporation can be counterintuitively activated by exclusionary policy, political threat, and immigrant resistance. Lastly, I considered it feasible (though unlikely) that subnational immigration laws have very little impact on immigrants' lives and future trajectories, serving instead as symbolic reminders of a city's inclination towards the immigration issue. This possibility is the null hypothesis of my project.

Subnational Immigration Law

Historical Evolution

For approximately the first hundred years of American history, states and localities largely formulated their own immigration policy. These subnational policies were often ethnically selective by design, intended to recruit preferred immigrants, such as northwestern Europeans. At the same time, this legislation also functioned with the logic of attrition through enforcement, seeking to keep less desirable immigrants—like Asians—outside of state and local jurisdictions (Zolberg 2006; FitzGerald and Cook-Martín 2014). Control of immigration policy-making did not shift from the subnational level to the federal government until a series of Supreme Court rulings in the late nineteenth century articulated the plenary power doctrine, declaring the regulation of

immigration a federal competency (Motomura 1990).³ Ever since, states, counties, and municipalities have taken advantage of openings within the federal system that allow for different levels of government to respond to immigration (Filindra 2009).⁴

A jurisdictional division of competence controls the broad realm of immigration policy today. The federal government exercises its plenary power to develop national *immigration* policy that regulates who enters and exits the country, as well as the terms under which they may stay (Hammar 1989). Also falling under the federal domain is the enforcement of *civil* aspects of immigration law, such as entry without inspection, overstaying visas, and the formidable task of apprehending and deporting unauthorized immigrants (Fix and Passel 1994: 3-4). Federal plenary power does not entirely exclude states and localities from the issue of immigration, however. Subnational jurisdictions can form *immigrant* policy, typically understood as incorporation measures aimed at the social integration of immigrants within their receiving communities (Hammar 1989). In terms of enforcement, state and local authorities may control some *criminal* violations of federal immigration law. For example, if state law permits, a charge of human smuggling is within the enforcement domain of subnational governments (Seghetti et al. 2009).

Although the distribution of immigration-related tasks between federal and subnational jurisdictions appears tidy, it has never been static (Filindra 2009). Three

³The Supreme Court first articulated the plenary power doctrine in *Chae Chan Ping v. United States* (1889) and *Fong Yue Ting v. United States* (1893). Later rulings, such as *Hines v. Davidowitz* (1941), and *LULAC v. Wilson* (1995) upheld it by limiting subnational governments' involvement in immigration policy.

⁴For example, in *De Canas v. Bica* (1976) the Supreme Court determined that federal immigration laws do not prohibit states from enforcing policies embodied by federal immigration policy. The court argued that states possess broad authority under their police powers to enact legislation to address essentially local problems.

recent developments have complicated it further, blurring the difference between immigration and immigrant laws. The first revolves around the federal government's partial devolution of its immigration enforcement authority toward lower levels of governance. Section 287(g) of the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) authorizes select state and local officers to perform the functions of federal immigration agents through memoranda of agreement, creating a legal framework for subnational jurisdictions to take an active role in the enforcement of federal civil immigration law (ICE 2011a; Varsanyi 2008: 881). A second shift revolves around Secure Communities, a federal initiative formed in 2008 to detect unauthorized immigrants detained in state and local jails. Rather than devolution, it represents a powerful new administrative mechanism based on automated data sharing, extending reach of federal immigration authority by linking databases. Under Secure Communities, the Federal Bureau of Investigation (FBI) is an intermediary: it sends fingerprints received from jails for criminal records checks to ICE officials, who use their databases to identify immigrants subject to deportation (ICE 2011b).

While both devolution via 287(g) and technological advances via Secure Communities represent significant shifts regarding the division of immigration responsibilities, this dissertation focuses especially on the third development— an increasing number of subnational governments that propose, approve, and enforce laws directed towards immigrants, especially the undocumented. As I detail in Chapter 2, school boards and police departments have also entered the fray, creating policies of their own to address immigrant residents and adding yet another layer to the complex web of legislation governing immigrants' lives. Even if analysis is limited to only *state*

level laws, the years between 2005 and 2013 saw over a tenfold increase in the enactment of this type of immigration legislation (see Figure 1.1 below).⁵ There is no comprehensive database of contemporary *local* level immigration laws, but estimates suggest U.S. towns and counties actively considered 118 immigration enforcement proposals between July 2006 and July 2007. Moreover, between 2000 and 2010, 107 U.S. towns, cities, and counties approved restrictive immigration enforcement measures (Chishti and Bergeron 2014).

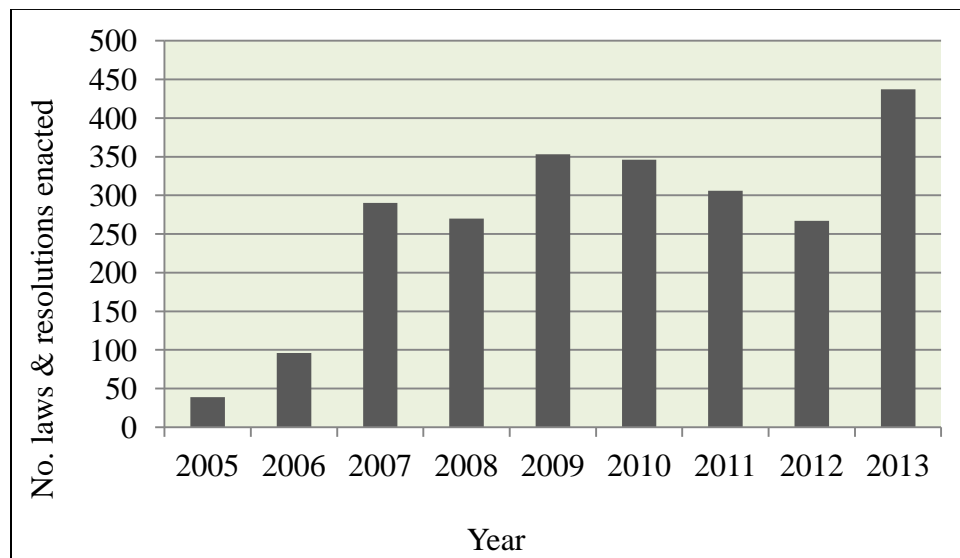


Figure 1.1 Enacted Immigration Legislation in the States
Source: National Council on State Legislatures (NCSL) 2013

I categorize state and local immigration measures as restrictive or accommodating. Jurisdictions that develop their own restrictive immigration laws do so to reduce the rights and benefits available to targeted immigrant populations and make

⁵ There is no similarly comprehensive resource that tracks local-level immigration laws, an effort made exceedingly difficult by rapid change over time and the large number of cities and counties within the U.S. from where subnational immigration policy may originate.

their lives increasingly difficult, often with the goal of attrition, or pushing them out. States and cities with accommodating immigration measures, on the other hand, intend to expand rights and benefits to immigrants—including the undocumented—with the goal of further integrating them into the social fabric. Not surprisingly, these laws create dramatically distinct socio-legal contexts of reception. Because many that fall on the restrictive side of the policy spectrum come close to mimicking national immigration law in their efforts to control immigrants' entrance and exit into their communities, I refer to all subnational legislation that targets immigrants as immigration measures throughout the dissertation.

Contemporary state and local immigration restrictions emerged in force after the federal Immigration Reform and Control Act (IRCA) of 1986, as jurisdictions mostly along the southwest border of the U.S. reacted to the perceived failure of IRCA to halt undocumented immigration into their communities.⁶ For example, California's Proposition 187 of 1994 curtailed unauthorized immigrants' access to a variety of publically-funded social services. Although almost none of it was enacted, Prop 187 set the tone for many initiatives that followed (Varsanyi 2010: 1-2).⁷ Today's restrictive subnational initiatives focus on undocumented immigrants, curtailing their access to employment, housing, education, identification/driver's licenses, or social services. Some measures also attempt to carve out a role for police departments in the

⁶ Some contemporary subnational restrictions predate IRCA of 1986, however. The state of Texas, for example, passed revisions to education laws in 1975 that withheld state funds from local school districts that educate undocumented immigrant children. In 1982, the Supreme Court ruled against the statute in *Plyler v. Doe*, arguing that it violated the Equal Protection Clause of the Fourteenth Amendment. See <https://www.law.cornell.edu/supremecourt/text/457/202> for the Supreme Court opinion.

⁷ Legal challenges citing violation of federal plenary power successfully blocked most of Proposition 187. The case was under litigation until 1999, when the state halted its appeal (Wroe 2008: 101-104).

enforcement of federal immigration law. A sub-set of these laws includes “immigration policing through the backdoor,” or the intentional restriction of unauthorized immigrants in an indirect manner (Varsanyi 2008). Jurisdictions might deploy public space ordinances to intimidate day laborers, for example, or develop anti-crowding measures to constrain undocumented immigrants’ housing options. Restrictive immigration laws implicitly target the despised immigrant groups of this century—Latinos generally, and Mexican-origin migrants in particular (Chavez 2008). Legal scholar Sofia Martos calls these policies “coded codes” to capture the intent of facially neutral measures that, in practice, are intended for immigrants of particular ethnicity and national origin (2010). A revival of past U.S. policy that explicitly discriminates by race, ethnicity, and national origins is unlikely (FitzGerald and Cook-Martín 2014), but the abundance of covertly restrictive efforts at the subnational level amounts to discrimination by subterfuge.⁸

While contemporary restrictive state and local immigration laws have received most media and scholarly attention, some subnational jurisdictions legislate in a far more accommodating manner. These recent laws, which welcome immigrants regardless of documentation status, are rooted in the sanctuary movement of the 1980s (Ridgley 2008; Freeland 2010). Formed during the military conflicts in Central America, U.S. religious organizations declared themselves sanctuaries during this period to provide safe haven for immigrant refugees fleeing from violence and civil war

⁸ In both citizenship and immigration law, the U.S. government explicitly discriminated for and against particular ethnic, racial, and national-origins groups from at least 1790, when the nation’s first citizenship law allowed only free whites to naturalize, through 1965, when the restrictive national-origins quotas dating back to 1921 were dismantled (FitzGerald and Cook-Martín 2014).

in Guatemala and El Salvador (Cunningham 1995; Golden and McConnell 1986). The indirect impact of the sanctuary movement of the 1980's is apparent in accommodating efforts of states and cities today, some of which have declared themselves "sanctuaries" for undocumented residents by limiting the use of local police or resources in enforcing federal immigration law (Ridgley 2008).

Like restrictive subnational immigration law, the legal accommodations put into place by states and localities include a range of measures (Mitnik et al. 2008). Common instances of accommodating legislation include extending in-state college tuition, official identification, and drivers' licenses to the undocumented, subsidizing health care, banning discrimination based on immigration status, limiting the use of E-Verify, and creating government offices to coordinate integration efforts. Some measures also involve local law enforcement by prohibiting inquiries into immigration status, for example, or curbing collaboration with federal agencies responsible for deportation. As with subnational restrictions, state and local accommodating laws implicitly target Latinos—and Mexicans in particular—in their attempts to establish themselves as welcoming destinations for immigrant residents.

Though I characterize contemporary immigration measures formed by states and localities as restrictive or accommodating, they are quite dynamic, with jurisdictions continually debating, enacting, reforming, and repealing laws targeting immigrant residents. The National Council on State Legislators, for instance, has tracked state-level immigration laws since 2005, and its reports document not only the steady growth in this legislation (as reflected in Figure 1.1 above) but also the fluctuation in targeted policy areas, from education, health, and benefits to law enforcement, employment, and

driver's licenses, as well as in the restrictive or accommodating intent of such laws.⁹ With activity as the constant behind today's state and local immigration measures, scholars argue that the United States represents a "multi-jurisdictional patchwork" in which the laws governing the lives of immigrants, and especially the undocumented, change dramatically depending on state, city, and county lines (Varsanyi et al. 2012).

As I discuss below, the substantial rise of subnational immigration law has not gone unnoticed by scholars. Thus far, however, analyses of these measures mainly coalesce around normative debates about whether and how states and localities should be formally involved in immigration policy-making. Scholars also analyze why some jurisdictions pass restrictive measures while others focus on accommodating laws, or none at all. While this scholarship is valuable, my concern is not with what the law *is* but rather with what the law *does* (Silbey 1989: 21; see also Trubek 1984). Very little work addresses the outcomes of subnational immigration laws on the ground, especially in a comparative fashion that contrasts the effects of restrictive and accommodating measures. Curiously, then, the experiences of undocumented immigrants—the intended targets of this legislation—are largely left unexplored in the literature.

Normative Debates

Much of the literature on subnational immigration law centers on normative debates over the appropriate role of these jurisdictions within this policy realm. Proponents of state and local immigration measures argue that the federal government's plenary power over immigration does not preempt all state and local level activity

⁹ See <http://www.ncsl.org/research/immigration/state-laws-related-to-immigration-and-immigrants.aspx>.

affecting immigrants. These scholars hold that sub-national authorities have an inherent authority as sovereigns to enforce all laws—including those that address immigration and immigrants (Skerry 1995; Kobach 2004 and 2006). Moreover, they argue that allowing state and local officials to enact and enforce their own immigration laws facilitates the arrest and deportation of potential terrorists and criminals illegally present in the country, ultimately providing a higher level of national security and public safety (Kobach 2004; Sessions and Hayden 2005; Vaughan and Edwards 2009). Collaboration between federal, state, and local authorities is seen as a “force multiplier” that increases the overall number of undocumented migrants who are detained and deported (Kobach 2006; Vaughan and Edwards 2009).

The overarching objection to state and local immigration laws is that they violate constitutional principles of federalism by allowing subnational jurisdictions to assume distinctly federal roles (Wishnie 2001; Pham 2004; Olivas 2007). These scholars argue that the inherent authority position “creat[es] a thousand borders” within the United States, with potential conflicts between local, state, and federal immigration laws (Pham 2004: 1003). In addition, they contend that restrictive subnational laws in particular weaken public safety by eroding trust between immigrant communities and the police agencies that serve them (Chishti 2002: 373-374). The charge is that outsourcing of immigrant enforcement leads to racial profiling, with Latinos targeted by police officers who believe these minority groups are more likely to be in the country illegally (Seghetti et al. 2006; Pham 2006; Romero 2006; Arnold 2007). This makes immigrants and especially the undocumented reluctant to report crime and cooperate in curbing criminal activity (Kittrie 2006).

Policy Motivations

Outside of socio-legal normative debates, scholars center on explanations for why states and localities become involved in immigration law. The literature broadly agrees that ineffective or absent federal immigration policies influence subnational authorities to develop their own legislation (Cornelius 2010: vii). As noted above, the current growth of state and local immigration laws is linked to the perceived failures of IRCA, a major federal immigration reform measure passed in 1986, and continued flows of undocumented immigration in succeeding decades. While insightful, this account nevertheless struggles to explain why certain jurisdictions pass restrictive rather than accommodating legislation, while others choose not to enter this policy realm altogether.

To remedy this question, the literature is increasingly investigating variables associated with politicized immigrant receiving locales. For instance, Latino and foreign-born growth is common in many restrictionist destinations, leading scholars to conclude that such demographic change drives hostile immigration laws (Furuseth and Smith 2010). Other studies argue that partisanship within receiving locales is a stronger determinant of subnational immigration measures that are restrictive in nature (Ramakrishnan and Wong 2010; Chavez and Provine 2009; Hopkins 2010). Scholars also identify elected officials who act as policy entrepreneurs, building their political careers on often symbolic measures that blame immigrants for various social problems (Doty 2003).

Law on the Ground

Normative debates around subnational immigration law and the literature on the policy motivations behind it offer valuable insights to this relatively new and rapidly developing issue. Nonetheless, such exclusive focus on the law itself diverts attention away from the effects of these measures on the ground, an area ripe for empirical observations and theoretical contributions. Sociologists of law distinguish between two methods to understanding the relationship between law and society: “law-on-the-books” or “law-in-action” (Calavita 2010: 94; Cartwright and Schwartz 1973: 340).¹⁰ In the first approach, sociologists study legal processes, such as the social origins of legal variation across time and place, or the development of a particular body of law.¹¹ The second approach addresses the impact of law on individuals subject to it. Here, scholars inquire about what the law does, focusing on the relationship between community and law, or how people use legal resources, for example. For the purposes of this dissertation, I focus on the people affected by subnational immigration law as the dependent variable to be explained, bracketing off other important questions about the law on the books to analyze how law contributes to the ordering of social life for undocumented immigrants.

Other scholars share my concern for what subnational immigration law does on the ground. This emerging literature falls broadly within two groups: the users of these

¹⁰Roscoe Pound first elaborated this distinction with the terminology of “law in books” and “law in action” (1910). The second phrase is also referred to in the wider literature as “law on the ground” and “law in practice.”

¹¹ The “law-on-the-books” approach is traditionally founded in natural law theories that understand law as universal and ahistorical (Strauss 1953), or in a normative concern with legal doctrine and law-internal theory (Dworkin 1982). However, most contemporary studies within this framework understand law as a social institution created by patterns of human interaction in their analyses of formally enacted bodies of law.

laws, and the receivers of them.¹² Studies within the former category focus on the role that non-immigrant actors play in receiving locales politicized around the immigration issue. Much of this work centers on the police. For instance, Armenta (2012) uses ethnography to show how police officers deputized to enforce immigration law act as extensions of the federal government, whereas Varsanyi et al. (2012) draw from surveys of city police chiefs and county sheriffs to document the varying and overlapping ways in which law enforcement officials handle immigrant residents. Other scholars explore social service workers and bureaucrats within this realm. Bhuyan (2012) relies on observations and interviews in Canadian domestic violence shelters to argue that service providers, working amidst federal, provincial, and local immigration policies, determine immigrants' worthiness of social membership. Marrow (2009) comes to a similar conclusion in her qualitative work on new American destinations with subnational immigration measures, contending that immigrants' interactions with public service workers contribute to bureaucratic incorporation. Grouped together, these studies demonstrate the impact of subnational immigration laws on the ground, the ripple effects of which reach non-immigrants working under these measures in their professional lives.

Of course, immigrants—and more specifically, undocumented immigrants—are the primary receivers of contemporary state and local immigration laws. This social group confronts the importance of their illegality daily, and scholars are increasingly

¹² For more on the conceptualization of users and receivers of law, see Trubek, David. 1984. "Where the Action Is: Critical Legal Studies and Empiricism," *Stanford Law Review*. 36(57): 575-622 and Silbey, Susan. 1989. "A Sociological Interpretation of the Relationship Between Law and Society" in Jon Neuhaus (ed.), *Law and the Ordering of Our Life Together*, Grand Rapids, Michigan: Erdmanns Press. p.1-27.

focusing on their experiences. Studies within this realm center on restrictive destinations, where legal status is likely to be a particularly salient. Taken collectively, these studies advance a similar argument: restrictive subnational laws are forms of exclusion that constrain daily life, cause social suffering, and block incorporation trajectories. Massey and Sanchez (2010), for instance, draw on in-depth interviews to argue that anti-immigrant environments push Latino immigrants to embrace a reactive identity, putting them in danger of becoming part of an underclass. In a similar vein, Menjívar and Abrego (2012) draw from ethnography and interviews of undocumented Central Americans to conclude that criminalization at the federal, state, and local levels generates violent effects in everyday life and disrupts long-term incorporation processes. These contributions attest to the power of subnational laws on the ground, showing how illegality—exacerbated by local restrictions—detrimentally suffuses the social organization of immigrants' everyday lives.

Emerging work on the effects of subnational immigration laws for the undocumented suffers from two critical shortcomings, however. First, they overwhelmingly select on the dependent variable by looking for social suffering within undocumented communities in hostile destinations and then, unsurprisingly, finding it (see Geddes 1990). As I argue throughout the dissertation, the effects of state and local immigration measures are far more complex, but such nuances are particularly difficult to detect within studies focused only on restrictive receiving locales. A comparison between two communities or groups, on the other hand, goes much further towards establishing compelling conclusions, as evidenced by Lareau's focus on working class and middle class families (2011), Goffman's conceptualization of young African

American men as “clean” and “dirty” based on their status with the police (2015), and Anderson’s work on “street” and “decent” identity orientations in inner-city black communities (1999).

Second, studies of undocumented immigrants in restrictive destinations rely on the assumption that the failure to facilitate access to benefits, rights, and resources to these residents must necessarily and uniformly obstruct their incorporation. Discussing exclusionary immigration laws, for instance, Menjivar and Abrego (2012: 1414) write that they are “likely to have far-reaching and persistent effects because immigrants spend increasingly lengthy periods of time in these legal locations. In this way, immigration laws that seek to criminalize immigrants and their behaviors thwart the immigrants’ integration and can hinder upward mobility in multiple ways.” The actual incorporation processes in these locales, however, is left unexplored. While my work captures the social suffering of undocumented immigrants (in both restrictive and accommodating locales), I go beyond documenting fear and anxiety to look directly at the relationship between local immigration law and incorporation. The comparative data I collect cast doubt on the broadly accepted narrative of “living in the shadows,” showing how legal restrictions can counterintuitively motivate aspects of settlement, cultural incorporation, and political socialization.

Study Design

Field Sites

My dissertation draws from original, bi-national survey data and qualitative interviews collected across nine field sites chosen due to their variation in migration history (for the Mexican sending villages) and subnational immigration laws (for the U.S. receiving locales). My selection of these sites is not atheoretical. Rather, this contrast-orientated comparison allows me to explore my a priori theories about the relationship between state and local immigration measures, on the one hand, and immigrant settlement, cultural incorporation, and political engagement, on the other. I make use of the comparisons to bring out the unique features of each particular case—described in depth within the empirical chapters of the dissertation—in order to show how they affect the working out of these social processes (see Skocpol and Somers 1980). As Foner (2005) argues, contrasts between different destinations provide critical insight into the forces that shape immigrants' incorporation.

The first empirical chapter on immigrant settlement draws from original, bi-national survey data and qualitative interviews collected in Mexican sending communities and major destinations in the United States. I use data collected in Tunkás, a rural, ethnically Mayan village in the state of Yucatán, because it is a new sending community within its first generation of northward migration. As recent arrivals, immigrants from Tunkás are mostly unauthorized and have less developed networks in their destinations, making them more vulnerable to restrictive local measures. Most immigrants from this village live in the Southern Californian cities of Anaheim (in Orange County), Inglewood (in Los Angeles County), and Los Angeles proper. These locales' approaches to immigration range from restrictive to accommodating in terms city government, police departments, and school board

policies. More specifically, Anaheim practices attrition through enforcement, Inglewood takes a neutral stance, and Los Angeles has an accommodating position, as I discuss in depth within the chapter. If the attrition through enforcement approach works to push immigrants out of certain receiving communities, its influence should be apparent within the case of Tunkaseño migrants.

I complement the Tunkás data, with which I compare the local-level settlement behavior of immigrants from a new sending community, with additional data that I use to analyze the state-level residency experiences of immigrants from a traditional Mexican sending region. This second dataset is composed of surveys and interviews of migrants from Tlacuitapa, Jalisco—a rural and mestizo village with at least four generations of northward migration. These immigrants live in Oklahoma, particularly in Oklahoma City, within a restrictive subnational immigration environment, and in California, mostly in the San Francisco Bay Area, under a far more accommodating immigration policy regime, as I detail within the chapter. As an established immigrant flow—with high levels of regularized immigration and more extensive networks to attach them to their adopted communities—Tlacuitapenses should be less likely to be influenced by state subnational attrition through enforcement policy.

The second and third empirical chapters draw from qualitative interviews and ethnographic observations collected in a geographically close pair of Southern California localities that also vary in terms of local level immigration policy. As I explain within this chapter, I characterize Escondido (San Diego County) as my restrictive site and, functioning as a contrast case, my accommodating site is Santa Ana (Orange County). Given the complexities of the multi-layered U.S. immigration regime

(Menjívar 2011; Varsanyi et al. 2012), comparing two cities with contrasting approaches to immigration law within the same state helps to tease out the effects of locality. I hold state-level policy constant by picking cities within California, and I account for county policy by choosing immigrant destinations with similar county-level immigration measures, as described below. This approach also eschews the problem of viewing the nation-state as the natural unit of analysis for studies of immigration law and incorporation (see FitzGerald 2012; FitzGerald and Cook-Martín 2014).

In addition to the starkly contrasting legal variation between Escondido and Santa Ana, which are only 70 miles apart, these cities' location within California makes them analytically interesting. California has experienced high immigration levels since its formation in 1850, when almost a quarter of its population was foreign born (Gibson and Jung 2006). While scholars are turning to the contemporary dispersal of immigrants to “new destinations” in the South and Midwest (Marrow 2011; Massey 2008; Zúñiga and Hernández-León 2005), there are approximately 2.7 million unauthorized immigrants in California—more than in any other state (Passel and Cohn 2009: 3).¹³ As in the past, Mexican immigrants remain the majority of this population, making up between 73 and 89 percent of all unauthorized immigrants in California (Passel and Cohn 2009: 32). Beyond a significant and enduring immigrant presence, California has also hosted scores of prominent state and local immigrant initiatives throughout its history (Almaguer 2008, Hosang 2010). I therefore frame my study of

¹³ The spread of unauthorized immigrants to destinations outside of California is nonetheless evident. According to Passel and Cohn (2009: 3), the state houses a smaller proportion of this population in 2008 (22 percent) than it did in 1990 (42 percent).

local immigration laws within these two chapters in California, a strategic research site through which to analyze the issue.¹⁴

Variables and Research Subjects

My primary independent variable is state and local immigration law, which I understand as a form of power that is both institutional and embedded in daily social practices (Deflem 2008; Lukes and Skull 1983; Calavita 2005). Although in the dissertation's empirical chapters I also explore variation within my findings by identifying other potential independent variables, such as age, life course, and change in immigration status, my primary focus is on explaining the effects of subnational immigration measures for the undocumented immigrant communities they target. Coded as accommodating or restrictive per my discussion above, I primarily focus on formal laws as proposed, enacted, or rescinded by elected officials. Also included within this variable are adopted programs, such as Escondido's collaboration with Immigration and Customs Enforcement, or ICE, as described in the dissertation's second empirical chapter. My dependent variables of interest lie within the lives of undocumented Mexicans. They are settlement, which I treat in the first empirical chapter, cultural incorporation, studied in the second empirical chapter, and political engagement, analyzed in the third empirical chapter.

¹⁴ I borrow the term "strategic research site" from Robert Merton, who used it to refer to a research site that exhibits the nature of the phenomena to be explained or interpreted in an advantageous and accessible form (1973: 383-412; 1959: 17-42).

As discussed above, I hypothesize three different relationships between subnational immigration policy, the principle independent variable, and settlement, cultural incorporation, and political engagement, my dependent variables. These are:

H1: Accommodating laws contribute to settlement, cultural incorporation, and political engagement, whereas restrictive laws hamper these variables.

H2: Accommodating laws foster settlement but neutralize cultural incorporation and political engagement, whereas restrictive measures deter settlement but unintentionally advance cultural incorporation and political engagement of those who remain.

H3: Subnational immigration law is unrelated to the processes of settlement, cultural incorporation, and political engagement (null hypothesis).

Though I focus on undocumented immigrants as the subjects of my study, I do not employ a random sample of respondents. I have three main sample-selection criteria. Most importantly, I sought out unauthorized, first generation adult Mexican immigrants.¹⁵ To be sure, immigrant illegality is legally constructed rather than intrinsic to individuals (De Genova 2005; Ngai 2007; Menjivar and Abrego 2012). Nevertheless, this group is directly pursued by restrictive local law, and is also included in the larger immigrant population targeted by many accommodating measures (Martos

¹⁵ I define the universe of immigrant adults as those between the ages of 18 and 65.

2010; Varsanyi 2010). Revisionist post-1965 assimilation theories have made significant advances in predicting inter-generational progress (e.g. Portes and Zhou 1993; Gans 1992). By paying less attention to the experiences of immigrants themselves, however, these frameworks fail to uncover key mechanisms that influence the trajectories of today's newcomers (Portes and Fernandez –Kelly 2008; Gonzales 2011).

I also selected a sample of immigrants who are Mexican. Clearly, there are significant numbers of non-Mexican, non-Latino unauthorized immigrants in the United States (Passel and Cohen 2009). Nevertheless, the politics of restrictive local immigration laws almost uniformly point to Mexico as the source of all unauthorized immigration (Chavez 2008), despite reliable reports estimating that 48 percent of the approximately 11.3 million undocumented immigrants in the U.S. hail from other lands (Krogstad and Passel 2014). While European immigrants who overstay their visas or even high-powered German and Japanese auto executives could theoretically feel the effects of restrictive subnational immigration laws, these measures are mostly developed in response to undocumented Mexican populations.¹⁶

Finally, I selected only immigrants who were currently living in my field sites at the time of study. In addition, to parse out whether and how the differences I expect to find in my dependent variables are indeed related to subnational immigration law rather than differences in average length of residence, I select immigrants who lived in the

¹⁶ Alabama's restrictive HB 56 of 2011 requires police to verify the legal status of individuals they suspect are in the U.S. illegally during routine traffic stops. Under this policy, police officers in the state first arrested a German auto executive for failure to carry a driver's license during a traffic stop, and then fined a Japanese auto manager for showing an international drivers license at a checkpoint (Campo-Flores and Jordan 2011).

case field sites for no less than one year. To further isolate the effect of local policy as much as possible, for my qualitative interviews I selected similar subjects across all sites, with attention to socio-economic status, gender, and age.

Methods

I use mixed methods throughout the dissertation, drawing from original survey data along with in-depth interviews of undocumented immigrants and observational data. The individual empirical chapters of the dissertation address the methods used within them in depth, as well as the field sites from which they are drawn. Here, I offer a brief overview of the methods used throughout the dissertation.

The survey data, a key component of the first empirical chapter on settlement, comes from information collected by myself and other researchers affiliated with the Mexican Migration Field Research Program (MMFRP) in 2009 and 2010 (Cornelius et al. 2010; FitzGerald et al. 2011).¹⁷ As noted above, the 2009 dataset includes immigrant respondents from a relatively new Mexican sending community who live in Anaheim, Inglewood, and Los Angeles, all Southern Californian cities with contrasting immigration measures (N=151). The 2010 dataset is comprised of immigrants from a traditional sending community who live in Oklahoma and California, destinations with differing state-level approaches to immigration (N=263). Surveying occurred during the sending communities' annual festivities, a time when many migrants return to their home villages in Mexico. Researchers also identified migrant respondents in major

¹⁷ The MMFRP is an initiative of the University of California San Diego's Center for Comparative Immigration Studies.

U.S. destinations through snowball sampling with multiple points of entry (see Cornelius 1982). This approach to data collection works to capture the immigration experiences of the entire adult populations of sending communities, therefore there is no sampling and no sampling error.

I rely on in-depth, qualitative interviews with undocumented Mexican residents of my selected field sites across the dissertation, but they serve as the main data source for the second and third empirical chapters. In all sites, I generated purposive snowball samples of interview respondents that met the selection criteria outlined above, relying on multiple networks to develop my samples in order to avoid selecting individuals with very similar experiences (see chapters for details). In all, I collected 113 in-depth, semi-structured interviews (22 from Oklahoma and 91 from fieldsites in Southern California). I stopped interviewing when I reached saturation, or the point when I did not continue to observe new themes in the data.¹⁸ All interviews were conducted in person and in Spanish. Although most immigrants gave me consent to tape record our interviews, 17 requested that I take notes instead. Most interviews were completed in immigrants' homes, though I also conducted interviews in public spaces (coffee shops, libraries, churches, parks) as well as at immigrants' places of work and in my car. The mean interview length was approximately 1.5 hours, but several interviews were far longer. The primary goal of these interviews was to understand whether and how local immigration law influences the everyday lives, activities, and behaviors of undocumented residents in order to draw broader inferences about their settlement,

¹⁸ See Guest, Bunce, and Johnson (2006) and Mason (2010) on sample size and data saturation in qualitative research.

cultural incorporation, and political engagement (see chapters for details). Viewed collectively, these interviews produced deep descriptive accounts of undocumented immigrant life in cities politicized around the issue of immigration.

During the data analysis phase of the study, I read through the interview transcriptions individually, matching them with the field notes I took after concluding the interviews. Then with AtlasTI, a qualitative data analysis software package, I used an inductive analytical approach to look for recurrent themes across interviews (see Dreby 2012, Gonzales 2011, Menjívar and Abrego 2012). I coded interviews individually to start, and then I compared my findings across interviews to identify common trends. I coded each interview at least three times during this process as I refined my interpretations of the results. As I draw from this interview data in the dissertation, I use pseudonyms for all immigrant respondents. In several instances, I also judged it necessary to change other potentially identifiable information about the immigrants involved in this study (a place of work in the U.S., for instance) to protect their confidentiality.

In addition to qualitative interviewing, I engaged in ethnographic observations from which I draw as data points for the second and third empirical chapters. In the chapter dedicated to cultural incorporation, I use shadowing observation, a research tool focused on understanding the lived experience of research subjects (Negron 2014). During these observations, I followed a select group of undocumented immigrants that I had previously interviewed during everyday life throughout the course of a day. This included home-based activities such as cooking, home maintenance, and playing with children, as well as public events, like traveling to work, dropping children off at

school, walking to the park, and going grocery shopping. These shadowing days served as a check of the self reports presented in interviews because they allowed for direct observation of undocumented immigrants' behaviors in action, as their navigation of everyday life in restrictive and accommodating locales unfolded before me. Meaning and action are clearly context-dependent, and these observations allowed me to connect immigrants' interview reports of what they do to their lived experience as they move through daily life in Escondido and Santa Ana (see Jerolmack and Khan 2014). This ethnographic portion of the study thus complements the more individual-focused methods I use in the qualitative interviews. In all, I conducted 19 daylong shadowing observations, each of which serves as a representation of the daily life of a unique undocumented immigrant.

In the final empirical chapter focused on political engagement, I use observations of public meetings and protests in restrictive and accommodating immigrant destinations to inform my analysis of political socialization. These ethnographic observations of town hall meeting and city hall demonstrations, for example, are based on events that served as a window into immigrants' participation. These observations paint a broader and more dynamic picture of the ways in which undocumented Mexicans participate in the politics of restrictive and accommodating destinations. Overall, I engaged in 34 of these observations. As with the interviews, I use pseudonyms for all immigrants involved in both the shadowing and event-based ethnographic observations.

My approach to data collection during both shadowing observations and events-based observations was two-fold: I jotted notes to myself during the observation and,

during breaks, I flushed out these notes with more details of the encounter. After completing a shadowing day, I compiled my field notes into a more detailed and lengthy document. I then compared and triangulated these field notes with the corresponding immigrants' interview data during the project's analysis phase.

Overview of Dissertation Chapters

The first empirical chapter of the dissertation asks whether restrictive state and local laws work as intended to push undesired immigrants out of hostile destinations. To gain leverage on this question, I focus on the relationship between immigrant settlement behavior and “attrition through enforcement” measures. Formed to trigger the voluntary exit of undesirable immigrants, these laws aim to make life in receiving locales exceedingly difficult. The few studies that focus on the settlement outcomes of such laws are weakened by a substantial reliance on anecdotal evidence and media reports (Doty 2003: 89; Fleury-Steiner and Longazel 2010: 160; Allegro 2010: 180-181). Journalistic accounts of the effects of attrition through enforcement laws, however, are clearly limited: they do not comprise a purposively constructed or representative sample, they capture only small chunks of individuals' experiences without the deeper context provided by rigorous and thoughtful qualitative interviewing, and their accounts are likely to be framed in a way that reflects the political inclinations of the media outlet itself (Gitlin 1980). Other analyses that draw from government data, like the census, public school enrollment, and birth statistics, are also limited (Camarota and Jensenius 2008; Lofstrom et al. 2011; Capps et al. 2011; Pedroza 2011; Koralek et al. 2010). No governmental statistical source isolates

unauthorized immigrants precisely as an identifiable category of persons, and thus scholars' estimations of this population are necessarily uncertain. In addition, immigrants who fear deportation are likely disinclined to participate in population surveys.¹⁹

This chapter presents the first comparative study of which I am aware of subnational attrition through enforcement measures' settlement outcomes for undocumented Mexican immigrants. I use mixed methods and multi-sited fieldwork, drawing from unique survey data and qualitative interviews with undocumented Mexicans in restrictive destinations. First, I draw from surveys of immigrants from two Mexican sending communities that include direct variables on authorization status to answer the question of whether attrition through enforcement effectively pushes targeted immigrant groups out. I construct a two-fold comparison of settlement and residency in destinations that represent contrasting approaches to immigration policy-making: three cities in Southern California (Anaheim, Inglewood, and Los Angeles) and two states (Oklahoma and California). My quantitative analysis demonstrates that immigrants—both legal and unauthorized—do not settle for shorter durations or change their place of residence within the U.S. due to attrition through enforcement measures. Second, I draw from qualitative interviews of undocumented immigrants in restrictive destinations in Oklahoma and Southern California to explore why attrition through enforcement laws fail to significantly influence settlement. Despite legal threats and

¹⁹ Such undercounting is probable even for legal immigrants, given the prevalence of “mixed status” immigrant families, or those that are composed of members with different immigration statuses. Fix and Zimmermann (2006) estimate that nearly one family in ten is of mixed status, whereas Passell and Cohen (2009) estimate that 53 percent of unauthorized immigrants live in mixed-status families.

hostile reception, my qualitative analysis indicates that undocumented immigrants' settlement and residency behaviors are most fundamentally driven by economic and social processes rather than restrictive subnational legislation.

These findings have direct implications for the literature on immigrant settlement. Contexts of reception within immigrants' receiving communities influence many areas of immigrant life (Portes and Rumbaut 2006; Portes and Borocz 1989; Portes and Zhou 1993; Menjívar 2000;). Therefore, it is reasonable to expect that subnational attrition through enforcement laws may have an effect on immigrants' settlement behaviors. On the other hand, the literature on immigrant settlement contends that economic and social processes are the primary forces underpinning the length of time immigrants spend in receiving locales. My work draws from these studies to show that while restrictive subnational laws shape undocumented immigrant life, they are not successful in reversing the processes of immigrant settlement. If the attrition through enforcement measures discussed here are not effective in pushing targeted immigrants out, however, how might they affect the everyday lives and incorporation trajectories of those who remain in restrictive destinations? I take up these questions in the following empirical chapters of the dissertation.

The second empirical chapter argues that the contemporary growth in subnational immigration measures makes attending to the milieus of immigrant destinations within assimilation theory particularly relevant. Social scientists have long relied on theories of assimilation to explain the process by which immigrants adapt to new environments and become more like the natives of the destination society. Despite deliberation on how best to theorize the process and outcomes of assimilation (Brubaker

2001; Glazer 1993; Alba and Nee 2003; Rumbaut 1997), the contention remains that, over time, immigrants exchange their ethnic and cultural behaviors for the practices of the receiving society (Alba and Nee 2003; Bean and Stevens 2003; Waters and Jiménez 2005). Nonetheless, because the immediate legal contexts in which immigrants live are largely ignored within this framework, the applicability of assimilation theory for immigrants residing in restrictive localities is an open question.

The data informing this analysis come from 91 qualitative interviews along with ethnographic observation collected over two years from unauthorized Mexican residents of Escondido and Santa Ana. These major immigrant destinations in Southern California have starkly different approaches to local immigration law, as described above. I develop a multi-sited and contrast-orientated comparison of undocumented immigrant communities in these cities, using data from the accommodating locale to check my findings on the effects of local restrictions, which is my principal outcome of interest in this chapter.

Building upon Goffman's concept of presentation of self (1959, 1963), I find that undocumented immigrants, under pressure from hostile localities, navigate the necessities of everyday life through legal passing, whereby they take on the characteristics associated with the dominant core society in order to mask the invisible stigma of illegality. Legal passing for these immigrants involves elaborate behavioral, material, and mental adaptations taken on to present themselves to the outside world as non-suspect Americans, efforts that are not prevalent amongst their undocumented counterparts in more accommodating destinations. Over time, I demonstrate that these adjustments become habituated over time. Legal passing, then, has an unintentional and

cumulative incorporation effect, serving as a driver of undocumented immigrants' cultural adaptation in restrictive locales. Immigrants engage in legal passing to avoid deportation rather than to gain entry into the American mainstream, I argue, but the behaviors they adopt to do so incrementally bind them closer to the host society.

These findings are consequential to the literature on immigrant assimilation. Most broadly, they show how place matters for social practice (Gieryn 2000): although assimilation is conceptualized largely at the group or individual level, my focus on these cities' laws demonstrates that adaptation is shaped by the legal reception receiving locales give to immigrants (see Bloemraad 2006). With increasing levels of subnational immigration law, scholars' contention that assimilation remains the dominant empirical pattern amongst immigrant groups (Alba and Nee 2003; Waters and Jiménez 2005) may not hold. Indeed, other studies claim that restrictive local laws are likely to obstruct incorporation trajectories (Massey and Sanchez 2010; Mejívar and Abrego 2012). This chapter resolves the tension between these two assertions by comparatively analyzing the relationship between the socio-legal environments of undocumented immigrants' destinations and incorporation, using the literature on passing and presentation of self as a useful bridge. Restrictive local laws, I conclude, do not necessarily and completely obstruct the incorporation process for undocumented immigrants. Rather, the cumulative effect of legal passing can lead to unforeseen cultural adaptation. It is essential to note, however, that this cultural change occurs under threat. As a side effect of a system of exclusion that distances immigrants from their ethnic identity, it perpetuates the exclusionary logics behind restrictive local immigration laws: if

undocumented Mexicans do not leave on their own under difficult socio-legal conditions, the next best outcome is coercive Americanization.

In the dissertation's third empirical chapter, I again draw on a contrast-based comparison of undocumented Mexicans in legally restrictive Escondido and accommodating Santa Ana to reconcile a debate in the emerging literature on subnational immigration law. As noted above, some scholars argue that restrictive laws (both national and local) hinder undocumented immigrants' incorporation trajectories (Menjívar and Abrego 2012; Massey and Sanchez 2010). Others note the ways in which harsh legislative action, like California's Proposition 187 of 1994, can motivate the political engagement of targeted groups (Ramakrishnan and Espenshade 2001; Barreto and Woods 2005; Monroy 1999). My comparative work, which draws from qualitative interviews of undocumented immigrants and ethnographic observation of public meetings and demonstrations in both locales, advances a middle ground between these two positions. I argue that local immigration measures differentially affect these immigrants' knowledge of local politics; their sense of political efficacy; and their actual political participation within receiving communities.

More specifically, I find that restrictive measures trigger political socialization, prompting undocumented Mexicans to develop localized political knowledge to sort out the implications of such laws. At the same time, the restrictions' oppressive nature dampens these immigrants' sense of political efficacy and confines their participation to the issue of immigration. Undocumented immigrants' political engagement in restrictive destinations, then, is mostly invisible, with documentation status remaining concealed. Conversely, accommodating laws stimulate far less political socialization

around the issue of local immigration. Because these measures extend rather than curtail rights and benefits, they do not provoke intense discussion and debate within the undocumented community. Nevertheless, the security and stability provided by legal accommodations allows for broader political socialization, including around subjects not immediately related to immigration, and a stronger sense of political efficacy. These translate into more expansive political engagement, where undocumented Mexicans are a visible presence, with their documentation status often disclosed as a political tool.

This chapter's findings are consequential for the broad literature on immigrants' political incorporation. I demonstrate the utility of considering local immigration laws as critical independent variables driving the political socialization, efficacy, and participation of undocumented residents, those who are mostly overlooked within studies focused on formal political engagement. Of course, a lack of citizenship makes exercising political voice through the ballot box impossible. In shedding light on how undocumented Mexicans make their voices heard in other ways, this chapter demonstrates that local immigration laws intensify and weaken some of the harshest negative consequences of federal illegality, differentially activating the political agency of these immigrants and contributing to the nature of democratic participation.

Taken as a whole, the empirical chapters of this dissertation demonstrate the often unexpected consequences of socio-legal inclusion and exclusion for marginalized immigrant groups within liberal democracies. I turn to the lived experiences of undocumented Latinos in the analysis that follows, charting how settlement behavior, incorporation, and political socialization are shaped by the legal contexts in which these

immigrants reside. Though my findings vary, a constant theme throughout this work is that subnational immigration laws entrench themselves into daily life, particularly in receiving locales that form restrictive immigration laws, producing often counterintuitive effects on the ground.

Chapter 2.

Return to Sender?: The Relationship between

Attrition through Enforcement Laws and Undocumented Immigrant Settlement

Introduction

States and cities across the United States have long responded to undesirable immigrants in their midst with laws intended to garner their voluntary exit. This approach, dubbed “attrition through enforcement” by contemporary policy makers, circumvents forced removal with laws designed to push undesirable immigrants out of particular destinations (Vaughan 2006). From California’s 1862 Chinese Police Tax that aimed to “discourage the immigration of the Chinese into the State” to Arizona’s 2010 Senate Bill 1070 that sought to “discourage and deter the unlawful entry and presence of aliens,” attrition through enforcement measures litter public records past and present (California 1862; Arizona 2010). Today such laws focus on authorization status, targeting immigrants who are undocumented. In practice, however, scholars agree they are directed towards Latinos generally, and Mexicans in particular (Martos 2010; Johnson 2012; Chavez 2008).

While the growth in attrition through enforcement legislation has prompted scholarly attention, most current attempts to understand it focus on normative and legalistic analysis. Such subnational measures come quite close to regulating exit and entry, a power that—according to Supreme Court rulings and many legal scholars—belongs exclusively to the federal government (Motomura 2014). Therefore, the literature focuses primarily on whether states and localities have the legal right to

attempt to expel undesirable immigrants through subnational law (Motomura 2014; Spiro 1994; Skerry 1995; Olivas 2007). These normative debates, while informative, do little to advance our understanding of how such laws work on the ground, particularly for the immigrant groups they target. Indeed, very few studies explore the empirical effects of attrition through enforcement law on immigrant settlement, the very issue that such measures seek to influence (Rocha et al. 2014).

The emerging scholarship that does take on the issue of immigrant settlement in restrictive receiving contexts frequently suffers from methodological or data problems. Some approaches draw entirely from anecdotal evidence collected from journalistic accounts of the aftermath of attrition through enforcement measures (Doty 2003; Fleury-Steiner and Longazel 2010; Allegro 2010). Others base their analyses on data from government-produced surveys (Camarota and Jensenius 2008; Lofstrom et al. 2011). Such studies are problematic because the surveys they are based upon lack variables directly reflecting immigrants' legal status, forcing scholars to rely on estimates, and because it is likely that undocumented immigrants in restrictive destinations are not inclined to participate in government data collection efforts. Due to these shortcomings, the fundamental question of whether subnational attrition through enforcement measures influence undocumented immigrants' decisions about where to live remains unclear.

This chapter presents the first comparative study of which I am aware of the settlement outcomes of subnational attrition through enforcement legislation in the U.S. for undocumented Mexicans. I use mixed methods and multi-sited fieldwork, drawing from unique survey data and qualitative interviews with undocumented Mexicans in

restrictive destinations to explore this issue. First, I employ quantitative analysis to answer the question of whether attrition through enforcement effectively pushes targeted immigrant groups out. My principal data source is surveys of immigrants from two Mexican sending communities that include direct variables on authorization status (N= 151 and N=263). With these datasets, I construct a two-fold comparison of settlement and residency in destinations that represent contrasting approaches to immigration policy-making: three cities in Southern California (Anaheim, Inglewood, and Los Angeles) and two states (Oklahoma and California). My analysis demonstrates that these immigrants do not settle for shorter durations or change their place of residence within the U.S. due to attrition through enforcement measures.

Second, I draw from qualitative interviews of undocumented Mexicans in restrictive destinations in Oklahoma (N=22) and Southern California (N=63) to explore why attrition through enforcement laws fail to significantly influence settlement. Undocumented immigrants are uniquely vulnerable because their agency and rights are limited (Cook 2013; Gonzales 2011; De Genova 2005). Why, then, do these immigrants remain in cities and states that actively harness the power of law to reject them? Despite legal threats and hostile reception, my qualitative analysis indicates that undocumented immigrants' settlement and residency behaviors are most fundamentally driven by economic and social processes rather than restrictive subnational legislation.

These findings also have direct implications for the literature on immigrant settlement. Theories of settlement along with empirical studies have traditionally ignored the influence of law and policy on immigrants' settlement behaviors. When these variables are considered, scholars focus on the national level, contributing to the

problem of “methodological nationalism,” or viewing the nation-state as the natural unit of analysis for immigration studies (FitzGerald 2012). Contexts of reception within immigrants’ receiving communities influence many areas of immigrant life (Portes and Rumbaut 2006; Portes and Borocz 1989; Portes and Zhou 1993; Menjívar 2000; Menjívar 1995). Therefore, it is reasonable to expect that subnational attrition through enforcement laws may have an effect on immigrants’ settlement behaviors. On the other hand, the literature on immigrant settlement contends that economic and social processes are the primary forces underpinning the length of time immigrants spend in receiving locales. My work draws from these studies to show that while restrictive subnational laws shape undocumented immigrant life, they are not successful in reversing the processes of immigrant settlement.

Finally, this analysis is consequential to the broad literature on immigrant incorporation. If the attrition through enforcement measures discussed here are not effective in pushing targeted immigrants out, how might they still affect the everyday lives of those who remain in restrictive destinations? How do undocumented immigrants go about daily life in locales hostile to their presence, where the law (and law enforcement) activity seek them out, and how might these strategies influence their incorporation? Given the political underpinnings of legal approaches to immigration, in addition, how do unwelcoming destinations shape undocumented immigrants’ political socialization? I take up these questions in the next two empirical chapters of the dissertation.

Subnational Attrition through Enforcement

Comprehensive immigration reform in the United States is commonly framed as a “grand bargain”: in exchange for a general amnesty, more effort and funding are dedicated to controlling the U.S.-Mexico border as well as interior enforcement and employer sanctions (Papademetriou 2002). Indeed, the 1986 Immigration Reform and Control Act (IRCA) followed precisely this formula, as have most successive failed attempts to transform the immigration system in 2006, 2007, and 2013. The restrictive ideology behind subnational attrition through enforcement law proposes a “third way” to contract the population of undocumented immigrants within the United States without massive deportation campaigns or broad legalization programs (Krikorian 2005; Kobach 2008; Vaughan 2006). By applying pressure from the inside, with tough measures formed in and enforced by state legislatures, state agencies, county supervisors, city councils, school boards and police departments, the costs and risks of staying in the United States increase substantially for undocumented immigrants. Rather than face capture and detention, “rational” undocumented immigrants will self deport, or “give up and deport themselves” (Krikorian 2005).²⁰ The intent of attrition through enforcement law is captured by author and journalist Alex Kotlowitz, who notes that it is “aimed at making life miserable for illegal immigrants in the hope that they’ll have no choice but to return to their countries of origin” (2007). At the very least, the attrition through enforcement approach intends for undocumented immigrants to vote with their feet by leaving hostile destinations within the U.S. for others more

²⁰ The term “self-deportation” is attributed to two Latino comedians reacting to California’s restrictionist Proposition 187 of 1994, posing as conservative supporters of the law. See “The Deep Comic Roots of ‘Self-Deportation,’” Robert Mackey, *The New York Times* (2012).

welcoming or neutral. While self-deportation differs from pushing immigrants out of unwelcoming jurisdictions, the intent behind both approaches is to reduce the number of undocumented residents within a particular jurisdiction.

A particularly prominent promoter of attrition through enforcement is Kris Kobach, an attorney, former U.S. Department of Justice official, and Kansas Secretary of State as of 2011. Kobach helped author Arizona's SB 1070 legislation, and later helped the state in its defense of that law. He has defended attrition through enforcement legislation in the cities of Hazleton, Pennsylvania, Farmers Branch, Texas, and Fremont, Nebraska, amongst others.²¹ The tactic of attrition through enforcement has also emerged at the national level in the contemporary United States. In fact, Kobach served as an adviser to and vocal supporter of Republican challenger Mitt Romney during the 2012 presidential election (Sargent 2012), during which Romney argued in favor of self-deportation policies in a debate with Democratic incumbent Barack Obama (Madison 2012). In practice, however, recent attrition through enforcement law is enacted more frequently at the state and local levels, often with support from political groups, think tanks, and other organizations seeking to reduce levels of immigration generally, and unauthorized immigration in particular (Varsanyi 2010).

²¹ See <http://www.kansansforkobach.com> for more on Kobach's support of attrition through enforcement legislation.

Normative Debates

As outlined in the dissertation's introduction, since the late nineteenth century the regulation of immigration policy—laws governing who enters and exits the country, as well as the terms under which they stay—has been interpreted by Supreme Court rulings as a federal competency (Motomura 1990; Martin and Schuck 2005). Scholars consider this power over immigration policy a “founding prerogative of the modern nation-state” (Guiraudon 2001: 31). As sociologist John Torpey (2000) observes, it also aligns with modern states' monopolization of the legitimate means of international movement. Yet given that subnational attrition through enforcement laws seek to bring about the voluntary exit of targeted immigrant populations, they come very close to mimicking federal plenary power over immigration.

In reaction to this blurring of boundaries, the bulk of scholarly analysis is normative, with major debates focused on how far subnational jurisdictions can (and should) go in terms of seeking to influence the exit of select immigrant groups. The overarching objection to subnational attrition through enforcement legislation is that it violates federal plenary power over immigration by allowing state and local officials to assume distinctly federal roles (Wishnie 2001; Pham 2004; Olivas 2007). The result “creat[es] a thousand borders”: while local authorities are allowed “to decide for themselves whether to enforce immigration laws,” they are also “bound by different state laws that affect their enforcement authority” (Pham 2004: 1003). Other scholars counter that the federal government's plenary power over immigration does not preempt all state and local level activity affecting immigrants. The argument here is that subnational authorities have an “inherent authority” as sovereigns to enforce all laws—

including those that address immigration and immigrants (Skerry 1995; Kobach 2004 and 2006). Despite these lively normative debates, scholars have yet to systematically elaborate the link between restrictive subnational policy regimes and immigrants' decision-making behavior to stay in the host community or go.

Effects on Immigrant Settlement

Do attrition through enforcement measures influence where undocumented immigrants—the targeted population—choose to live and how long they stay? Some emerging studies do focus on the settlement outcomes of such laws, but they suffer from serious flaws in methodology and data sources. First, those approaching the question qualitatively mostly rely on anecdotal evidence presented via media reports. For example, in 2006, the city of Hazelton, Pennsylvania passed the Illegal Immigration Relief Act, a measure that applied the attrition through enforcement approach by curtailing the employment and rental housing options of unauthorized immigrants.²² Promptly afterwards, the media widely reported an exodus of immigrants from the municipality. Despite a lack of empirical data, scholars cite these journalistic accounts and claims from Hazelton's mayor, the mastermind of the ordinance, as evidence of the policy's settlement effects (Doty 2003: 89; Fleury-Steiner and Longazel 2010: 160).²³ Assessing the population consequences of House Bill 1804, a restrictive state-level policy passed in 2007 in Oklahoma, Allegro also relies on media reports (2010: 180-

²² Ordinance 2006-18, Illegal Immigration Relief Act Ordinance. See <https://www.aclu.org/immigrants-rights/hazleton-pa-ordinance-no-2006-18> for the full text of the ordinance.

²³ Rene Flores (2014) offers a more careful analysis of the social consequences in Hazelton after the IIRA was passed, but he does not address settlement effects.

181). Capturing the complexities of immigrant settlement clearly demands more rigorous methodology and analysis, as well as empirical data. Journalistic accounts of the effects of attrition through enforcement laws are limited: they do not comprise a purposively constructed or representative sample, they capture only small chunks of individuals' experiences without the deeper context provided by rigorous and thoughtful qualitative interviewing, and their accounts are likely to be framed in a way that reflects the political inclinations of the media outlet itself (Gitlin 1980).

Alternatively, other studies draw from data collected by the Census Bureau—mainly the Current Population Survey (CPS), the American Community Survey (ACS), and the Decennial Census—to analyze the settlement effects of attrition through enforcement. Many of these analyses argue that unauthorized immigrants in restrictive destinations return to their native countries or move to more accommodating locales in the U.S. (Camarota and Jensenius 2008; Lofstrom et al. 2011). Attempting a more complex methodological approach, other scholars include additional government-based data points, like public school enrollment, birth statistics, and human services program participation rates (Capps et al. 2011; Pedroza 2011; Parrado 2012). Regardless, these studies come to inconsistent conclusions about whether such laws lead to immigrant attrition: Camarota and Jensenius (2008) attribute a decline in the U.S. Latino immigrant population overall to subnational immigration enforcement, and Lofstrom et al. (2012) argue that a dip in Arizona's unauthorized population is due to restrictive state-level laws. The work of Capps et al. (2011) also finds a drop in the Latino populations of some of the restrictive counties studied, but their data indicate that it was

short-term. Pedroza (2011) and Parrado (2012), on the other hand, both conclude that restrictive immigration laws in states and localities do not push immigrant residents out.

Though these data sources provide an array of valuable information, their utility for contemporary studies of the consequences of attrition through enforcement policies is limited. No governmental statistical source identifies unauthorized immigrants precisely as an identifiable category of persons, and thus scholars' estimations of this population are necessarily uncertain. An additional complication with government data is that immigrants who fear deportation are likely disinclined to participate in population surveys like the census, and they may also avoid government-affiliated social service agencies. The estimated proxy of the unauthorized immigrant population that scholars drawn from these data sources—especially for areas with restrictive policies—is susceptible to undercounting.

In sum, the bulk of the scholarly literature on subnational attrition through enforcement focuses on normative debates, overlooking the immigrants targeted by these policies. Those analyses that do attempt to address the settlement consequences of such restrictive legislation are hampered by their reliance on speculative media claims and limited governmental data. Unlike these works, I employ a comparative and mixed methods approach to assess the settlement effects of attrition through enforcement measures, drawing from unique survey data that includes a measure of immigrants' authorization status and qualitative interviews with undocumented Mexicans. I also center the chapter in the literature on immigrant settlement, giving my findings both theoretical and empirical import.

Theories and Drivers of Immigrant Settlement

Reliance on journalistic reports and limited government data may explain scholars' conflicting findings regarding the effects of restrictive subnational policy. Perhaps more importantly, however, these studies also fail to engage the literature on immigrant settlement. As an alternative, this chapter is motivated by theories and empirical studies that help explain the drivers of immigrant settlement behavior. The scholarship on immigrant settlement typically focuses on labor markets and social networks, emphasizing the economic and social processes at work within settlement behavior. While considering these variables, my work also raises the question of whether and how the socio-legal context of immigrants' immediate destinations influences immigrant settlement.

As the literature on the determinants of international immigration make clear, the economic pull of receiving states is a critical driver of immigration flows (Massey et al. 1998; Cornelius 1992). Similarly, theories of immigrant settlement also emphasize the role of the economic advantages available to immigrants in their destinations, using participation in the labor market as force that positively contributes to settlement. As a part of a larger migration systems approach, Piore's theory of dual labor markets argues that immigration and subsequent settlement stem from advanced industrial societies' structurally-embedded demand for labor in dirty, difficult and dangerous jobs (1979; see also Cornelius 1998). This theory is supported by empirical studies. Mexican migrant settlement in California is significantly influenced by the demand for labor in that state, for example (Marcelli and Cornelius 2001). As far as subnational attrition through enforcement measures are concerned, then, the logical corollary is that as long as

demand continues to drive immigration, employment will shape settlement behavior more than restrictive subnational laws.

Piore also theorizes the transition from immigrant sojourner, or target earner, to settler, or one who intends to stay in the destination country (1979: 52-68). While the distinction is neither static nor absolute, settlement typically occurs as a stable migrant community begins to form in the destination. This position is taken up by network theorists who conceptualize migration as an additive process that facilitates the departure and settlement of newcomers (Massey et al. 1987). Each act of migration makes future border crossing more likely, because early pioneers lower the costs and risks for others. Immigrants obtain housing, work, and support through their social ties. Over time, expanding networks bind immigrants more closely to settled life, as seen by family reunification and formation in the destination locale (Massey 1986). Empirical work supports this theory, showing that as Mexican immigrants move from temporary, recurrent, and settled migration patterns, the number of their social ties in the United States increases (Massey et al. 1987). The experiences of undocumented immigrants in restrictive locales should follow this same logic. Indeed, the very threat of exclusionary policy likely pushes them to rely even more on social networks, further conditioning settlement and residency.

To the extent that law and policy are considered within the context of immigrant settlement, the focus is primarily at the national level. For instance, scholars trace the beginning of significant settlement of undocumented Mexicans in the U.S. to the mid-1960s, when changes to immigration policy ended the Bracero Program—a temporary worker program—and imposed the first numerical limitations on legal immigration

from the Western Hemisphere (Massey and Pren 2012). While the opportunity for legal entry was narrowed considerably, the networks of Mexican immigrants established through the Bracero Program remained strong, linking residents of sending communities throughout Mexico with family, friends, and jobs throughout the United States (Massey, Durand, and Malone 2002). Northward Mexican migration continued in a circular fashion, though the number of clandestine crossings increased (Massey and Singer 1995). In 1986 Congress passed the Immigration Reform and Control Act (IRCA), which focused on legalizing undocumented immigrants, increasing border enforcement, and criminalizing the employment of the undocumented. Post-IRCA, various scholars convincingly demonstrate that an increasingly militarized U.S.-Mexico border has led to higher levels of undocumented Mexican settlement within the United States (Cornelius 2005; Massey, Durand, and Malone 2002). With circular migration effectively cut off due to heavy border surveillance, many undocumented immigrants choose to settle in the U.S. permanently, a phenomenon dubbed the “bottleneck effect” (Cornelius 2005). While this work helps illuminate how national law and policy interact with settlement behavior, it does little to explain the role of subnational socio-legal contexts in immigrants’ immediate destinations.

Methodology and Cases

My research design is comparative, multi-sited, and mixed method, an approach especially suited to studying the dynamics of unauthorized migration (Massey, Durand, and Pren 2014) because it works to capture experiences in both sending and receiving communities, as well as in-depth information on residency within the United States and

the decision-making processes behind settlement behaviors. I first draw on two datasets collected by myself and other researchers affiliated with the Mexican Migration Field Research Program (MMFRP) in 2009 and 2010 (Cornelius et al. 2010; FitzGerald et al. 2011).²⁴ The 2009 dataset includes immigrant respondents, both authorized and unauthorized, from a relatively new Mexican sending community who live in Anaheim, Inglewood, and Los Angeles, all Southern Californian cities with contrasting immigration measures (N=151). The 2010 dataset is comprised of immigrants, authorized and unauthorized, from a traditional sending community who live in Oklahoma and California, destinations with differing state-level approaches to immigration (N=263). Surveying occurred in Mexico during the sending communities' annual festivities, a time when many migrants return home. Researchers also identified migrant respondents in major U.S. destinations through snowball sampling with multiple points of entry (see Cornelius 1982). This approach to data collection works to capture the immigration experiences of the entire adult populations of sending communities; therefore there is no sampling and no sampling error.²⁵ Table 1 below summarizes the survey data sources used in this chapter.

²⁴ The MMFRP is an initiative of the University of California San Diego's Center for Comparative Immigration Studies.

²⁵ The refusal rate for the 2009 survey was 4 percent; for the 2010 survey it was 12 percent. The snowball sampling method employed in the USA for both years makes it impossible to give a precise refusal rate for those surveys.

Table 2.1 Selected Survey Cases

Sending Community	# Generations outmigration	Destination law	Analysis level	Dependent variable
Tunkás, Yucatán N=151	1	Restrictive: Anaheim, CA Neutral: Inglewood, CA Accommodating: Los Angeles, CA	City	Length of settlement
Tlacuitapa, Jalisco N=263	4	Restrictive: Oklahoma Accommodating: California	State	State of residency

Next, I draw from in-depth qualitative interviews from two purposive samples of undocumented Mexican immigrants. The first sample comes from immigrants in Oklahoma, directly mapping on to the state-focused dataset mentioned above (N=22). These qualitative interviews were collected between myself and three additional researchers affiliated with the MMFRP. I lack qualitative interviews focused on settlement from the Southern California city-focused dataset. However, I use a sample of undocumented immigrants living in Escondido, California, another city within Southern California with an attrition through enforcement approach, to further understand the decision to remain in hostile destinations (N=63). Chapter 3 of the dissertation describes Escondido's immigration measures in detail; more on the specifics of qualitative data collection and analysis is below.

City-Level Dataset: From Tunkás to Anaheim, Inglewood, and Los Angeles

The 2009 dataset is composed of surveys of adult migrants (ages fifteen to sixty-five) from Tunkás, an ethnically Mayan village in the state of Yucatán. Like many Yucatecan towns, Tunkás—a rural municipality of approximately 2,800 inhabitants—is a new sending community within its first generation of northward migration (INEGI 2010). Tunkaseño migrants are ideal subjects through which to observe the outcomes of subnational policy: as recent arrivals they are mostly unauthorized and have less developed networks in their destinations, making them more vulnerable to exclusionary initiatives in their immediate receiving locales. If the attrition through enforcement approach works to push immigrants out of certain receiving communities, its influence should be apparent within the case of Tunkaseño migrants.

With the Tunkaseño dataset, I compare immigrants' settlement behavior in each of their three major destinations in order to capture the effects of local restrictions. Most Tunkaseño immigrants live within Southern California in the cities of Anaheim (in Orange County), Inglewood (in Los Angeles County), and Los Angeles proper. These locales' approaches to immigration range from restrictive to accommodating in terms city government, police departments, and school board policies. Anaheim is the most restrictive. Since the mid-1990s, the city has demanded the presence of federal immigration officers in its jail to identify unauthorized detainees. Following the shooting of an Anaheim police officer by an unauthorized immigrant, in September 1995 the city council unanimously approved a resolution, forwarded by the police officers' union, calling for the Immigration and Naturalization Service (INS) agents. In March 1996 the INS, convinced by statistics the city presented on its high levels of

unauthorized detainees, began a temporary pilot program in the jail to screen for immigration status.²⁶ Meanwhile, Anaheim councilmen lobbied in Washington for continued federal support.²⁷ Both Senator Dianne Feinstein (D-CA) and Representative Christopher Cox (R-CA) sponsored successful amendments to IIRIRA, the 1996 federal immigration reform, which required the INS in Anaheim's jail.²⁸ In 1997, Anaheim made its way into federal law yet again when President Clinton signed HR 1493, which not only solidified funding for the city's INS agents but also expanded the program to other jails. As of March 2011, immigration officers continue to check the status of detainees in Anaheim.²⁹

Anaheim's attrition through enforcement toolbox grew as the Anaheim Union High School District (AUHSD) embraced immigration policy activism. In 1995 the board considered a resolution to identify unauthorized Mexican students and charge Mexico for the cost of their education. Despite broad support, it was voted down for its national origin discrimination (Delson and Mehta 2007). In 1999 the board endorsed a similar measure, though the final version sought reimbursement from the federal government and called on the INS to check all pupils' immigration status.³⁰ Next, the board considered an ultimately unsuccessful proposal in 2001 to require students to produce proof of U.S. citizenship or be turned over to immigration officials (Sacchetti

²⁶ Council minutes (19 November 1995); Everly 1996.

²⁷ Council minutes (3 October 1995; 7 November 1995).

²⁸ 104 Cong. Rec. H2378 (Daily ed. 19 March 1996); 104 Cong. Rec. S4017 (Daily ed. 24 April 1996).

²⁹ The immigration officers currently in Anaheim's city jail are with ICE, which replaced the INS in 2003. These officers are present on a part-time basis (Anaheim Public Information Officer, personal interview, 21 March 2011).

³⁰ AUHSD Resolution No. 1999/2000-BOT-01.

2001). At the local level, AUHSD's initiatives contribute to Anaheim's restrictive approach by focusing on immigrant youth.

For Tunkaseños in Inglewood, just a thirty minute drive away, the city's marked neutrality in matters of immigration stands in sharp contrast to Anaheim's activism. The Inglewood City Council has not waded into the contemporary waters of local immigration policy, neither in restrictive nor expansive measures. Inglewood's Police Department (IPD) has followed the city council's lead³¹. For example, in its 2008 request that the council authorize an Inglewood detective to an ICE money laundering collaboration, IPD emphasized that "the task force targets narcotics offenders and organizations, and is NOT involved in the enforcement of immigration related matters. The Police Department is acutely aware of the sensitive nature of immigration issues and is committed to only participating in this task force" (IPD 2008, emphasis in original). Members of the Inglewood Unified School District School Board have also avoided a strong stance on immigration. The board's most political position in this regard is a statement responding to Proposition 187 of 1994: "We do not report the legal status of any student or families to government agencies," it declared (Richardson 1994). While geographically close, in terms of approaches to immigration Inglewood's neutrality contrasts with Anaheim's restrictions.

The city of Los Angeles offers the most accommodating policy climate for Tunkaseños. Its leaders—in the city council, police department and school board—have long supported expansive measures aimed at integrating and welcoming immigrants. The city's Board of Education quickly voted to join legal action against Proposition

³¹ Inglewood Public Information Officer, personal interview, 9 February 2011.

187, for example, and directed its employees to continue providing services to all immigrants (Feldman 1995). The city council also filed a lawsuit questioning the Proposition's constitutionality (Feldman and Connell 1994), and has actively participated in additional expansive measures. In 2000, for instance, the council asked the Board of Police Commissioners to bar INS and Border Patrol agents from Los Angeles Police Department (LAPD) facilities (Keller 2000). One year later, council members ordered a toughening of procedures to protect the rights of unauthorized immigrant crime victims. In 2008, the council unanimously approved an ordinance requiring home improvement stores to provide spaces for day laborers seeking work (Gorman 2008).

The LAPD has also developed accommodating policies for immigrants. Special Order 40, in place since 1979, prohibits police officers from “initiat[ing] police action with the objective of discovering the alien status of a person” (Office of the Chief of Police 1979). Under the order, officers are not permitted to ask about immigration status in the course of interviewing victims, witnesses, or suspects of crimes, and they are banned from arresting individuals for being in the country illegally. Adopted as a way to encourage immigrants to cooperate with LAPD, Special Order 40 has received enduring support from Los Angeles's police chiefs, mayors, and city council members.³² The policy has also successfully weathered several legal challenges, most recently in 2009.³³

³² Council Resolution 12 June 2007.

³³ *Sturgeon v. Bratton*.

At the opposite end of the policy spectrum from restrictive Anaheim, Los Angeles's laws towards immigrants are overwhelmingly inclusive. Such measures call into question Light's argument that Los Angeles' city leaders seek to "deflect" immigrants to other cities and regions, particularly by focusing on the enforcement of housing and industrial regulations. Rather, the city's approach to immigration—and especially undocumented immigration—is welcoming, particularly relative to some of its far more hostile neighboring cities.

Tunkaseños' destinations in the U.S. exemplify contrasting city-level approaches to immigration enforcement, from attrition through enforcement in Anaheim to Inglewood's neutral stance and Los Angeles' accommodating position. These differences are amplified by the standard applicability of California's state-level policies of immigration, the activation of the federal Secure Communities program across the entire state, as well as the relatively similar approach taken by Orange and Los Angeles counties, both of which have 287(g) programs that screen for immigration status in county detention centers (ICE 2011b; 2011a).³⁴ The uniformity of state and county level tacks on immigration make the differences among the cities of Anaheim, Inglewood, and Los Angeles even starker.

State-Level Dataset: From Tlacuitapa to Oklahoma and California

While with the 2009 Tunkás dataset I compare the local-level settlement behavior of immigrants from a new sending community, I use the 2010 dataset to

³⁴At the Orange County detention center, immigration status is screened prior to arraignment. The LA County Police Department's 287(g) program screens inmates only after conviction of a criminal offense (Capps et al. 2011, pp. 20).

analyze the state-level residency experiences of immigrants from a traditional Mexican sending region. This dataset is composed of surveys of migrants from Tlacuitapa, Jalisco—a rural village with approximately 1,200 inhabitants (INEGI 2010). Four generations of northward migration has allowed many Tlacuitapenses to regularize their immigration status. These immigrants live in Oklahoma, particularly in Oklahoma City, and in California, mostly within the San Francisco Bay Area. As an established immigrant flow—with high levels of regularized immigration and more extensive networks to attach them to their adopted communities—Tlacuitapenses should be less likely to be influenced by state subnational attrition through enforcement policy.

The primary receiving states for Tlacuitapenses take contrasting approaches to immigration. In Oklahoma, a series of local exclusionary efforts culminated in the 2007 Oklahoma Taxpayer and Citizen Protection Act (HB 1804). Passed by a majority of the legislature, the bill was signed into law by a Democratic governor in November 2007. The omnibus legislation sought unauthorized immigrant attrition by limiting access to higher education, government identification, public benefits, and employment.³⁵ It also encouraged collaboration between local police departments and federal immigration authorities. In addition, the law declared harboring, transporting, concealing, or sheltering unauthorized immigrants a felony, which criminalized giving rides or rental housing to illegal migrants. HB 1804 was followed by several additional state-level restrictions from 2007-2010.

³⁵ The restrictive employment provisions came under preliminary injunction in 2008; two of the three were ruled against in 2010 (Boczkiewicz 2010).

Oklahoma's immigration measures contrasts with recent legislation passed in California, the other primary receiving state for Tlacuitapenses. Several high-profile bills in the 1990s painted California as severely anti-immigrant. In addition to Proposition 187 of 1994 (noted above), in 1996 Proposition 209 eliminated affirmative action and prohibited public institutions from considering race, sex, or ethnicity in admissions processes. Two years later, Proposition 227 banned bilingual education programs in the public school system of California.

During the decade of 2000-2010, however, California's legislation moved towards accommodating unauthorized immigrant residents. In 2001, Assembly Bill 54 increased unauthorized students' access to higher education by allowing them to pay in-state college tuition. Senate Bill 1534 of 2006 extended health care services to many noncitizens that were declared ineligible for federal public assistance by the 1996 welfare reform. In 2007, Assembly Bill 976 prohibited local governments from requiring landlords to inquire into renters' immigration status. Because California offers Tlacuitapenses a more inclusive policy approach than Oklahoma, it serves as a contrast case.

These bi-national datasets offer significant advantages to the study of subnational immigration policies. In addition to reporting immigrants' documentation status, they allow me to hold constant the sending community and the receiving locale, both in terms of city and state. The datasets thus serve my evaluation of whether restrictive policy approaches to immigration produce the expected outcome of immigrant attrition. Nevertheless, the chapter's focus on a pair of Mexican sending communities presents some limitations. Most importantly, the survey data presented

here are not statistically representative of larger universes of Mexican migrants within the United States. However, if attrition through enforcement policies have no effect on Tunkaseños' settlement, those highly susceptible to subnational restriction, it is unlikely that other Mexican immigrant groups would register this result. Likewise, if exclusionary policy is found to affect Tlacuitapense residency, immigrants who are less vulnerable to restriction, a similar outcome would be expected for Mexican immigrant groups generally. Finally, survey data in general do a poor job of explaining social processes in depth. Given that my datasets are limited in this regard, I draw from qualitative interviews of undocumented immigrants residing in locales with attrition through enforcement measures to understand how they make the decision to remain in restrictive destinations. I analyze the repercussions of these decisions on everyday life and incorporation in Chapters 3 and 4.

Qualitative Interviews: Undocumented Residents of Oklahoma and Southern California

Through in-depth, semi-structured interviews, the qualitative portion of this study explores the experiences of undocumented Mexican immigrants who remain in U.S. destinations with attrition through enforcement measures. This aspect of the study complements and rounds out my analysis of the survey data described above. Whereas the survey data evaluates the determinants of undocumented immigrant settlement in cities and states with divergent immigration measures, these interviews allow me to more deeply explore immigrants' experiences within restrictive destinations. Here, I ask not just whether attrition through enforcement influences settlement behaviors, but

also the processes that contribute to decisions to remain in place despite attrition through enforcement laws.

I generated a purposive snowball sample of participants with a two-pronged approach. First, for interviewees in Oklahoma, I identified those with experiences in attrition through enforcement locales through their responses to relevant items in the survey questionnaire. Many of these interviewees recommended other potential interview candidates. Second, for interviewees in Escondido, I began with personal contacts and social networks along with recruitment through local churches and immigrant advocacy groups. Given the lack of survey data from Escondido, this approach was necessary to begin snowball sampling. Many of the Escondido respondents also recommended others for interviews. Interviews were open to undocumented Mexican adults living in either Oklahoma or Escondido during the time of study with an eye towards parity in terms of gender, educational attainment, and socio-economic status. All those interviewed were working class, and most did not complete high school. All interviews were conducted in person and in Spanish. The Oklahoma sample consists of 22 interviews collected in 2010 from undocumented Mexicans, of which I personally interviewed six. The Escondido sample contains 63 undocumented Mexicans, all of whom I interviewed in person between 2012 and 2014. Most interviews were done in immigrants' homes, though several were completed in public spaces (coffee shops, libraries, and church settings).

The goals of these interviews were to identify the dynamics of undocumented immigrant life in restrictive destinations, and the role of immigration law in immigrants' settlement behaviors. Participants were asked a range of questions

regarding their migration histories, their families, employment, and daily routines, their perceptions of the locales in which they live and the local-level immigration laws in place, and their notions of belonging. These interviews produced a variety of descriptive accounts of the experience of living without papers under an attrition through enforcement legal regime. Following the work of other qualitative migration scholars (Dreby 2012, Gonzales 2012, Menjívar and Abrego 2012), I used an inductive analytical strategy to look for recurrent themes across interviews: I coded interviews individually, cross-comparing my findings to identify common trends, and then recoded to confirm my findings. The quotes shown below were chosen because they represented common views across my interviews. These shared experiences pointed to the reasons why undocumented immigrants do not, en masse, vote with their feet to abandon destinations with attrition through enforcement measures. These findings are discussed in the following section, just after the survey data analysis.

Analysis and Findings

City-Level Dataset: Tunkaseño Settlement in Anaheim, Inglewood, and Los Angeles

Some Tunkaseño migrants are targeted by restrictive immigration measures in their destination cities. However, because theories of settlement emphasize the role of economic and social variables, I hypothesize that Tunkaseños in Anaheim will not demonstrate shortened settlement behavior in comparison to their counterparts in the neutral or immigrant friendly destinations of Inglewood and Los Angeles. I perform standard multivariate regression, controlling throughout for restrictive destinations, to

test this hypothesis. A finding that indicates that the duration of Tunkaseños' trips to restrictive Anaheim is not longer than those of their counterparts in accommodating Los Angeles or neutral Inglewood will support the hypothesis, suggesting that settlement is constitutive of processes that have little to do with subnational attrition through enforcement laws.

The descriptive statistics for this sample below in Table 2.2 indicate that Tunkaseños across the three destinations are quite similar.³⁶ The dependent variable of this analysis is settlement, measured by the duration of immigrants' last trip to the United States. The primary independent variable of interest is U.S. destination. I construct a linear scale for this variable, with restrictive Anaheim coded as 2, neutral Inglewood as 1, and accommodating Los Angeles as 0. Of course, linear measures imply some sort of continuum, such as age or weight, with clearly functioning distances between ordered categories. By applying this form of measurement to restrictive receiving locales, I force qualitative variations into a linear scale (see Thurstone and Chave 1929). Nevertheless, the requirements for objective measurement in the social sciences are predicated on the identification of qualitative differences between individuals—or, in this analysis, immigrant receiving communities—and evaluating how to best quantify these differences (Cavanaugh 2007). I demonstrate above that the variations of formal restriction are distinct and unambiguous across Tunkaseños'

³⁶ The Tunkás sample is time restricted to reflect only respondents whose last trip north was in 1995 (the year Anaheim's restrictions began) or later. To exclusively capture settlement in Anaheim, Inglewood, or Los Angeles, it is also restricted to reflect only those immigrants who remained in these destinations during their last trip.

destinations and are indeed ordered in terms of the level of restrictive legislation present in these locales.

In addition to standard demographic measures and immigrants' documentation status, labor market and economic considerations are included in the analysis with wage and U.S. debt variables. The former reflects Tunkaseños' weekly wages in U.S. dollars, while the latter captures the extent to which migrants owe formal debt in the United States—such as a mortgage on a home, car financing, or credit card debt. The debt variable is measured linearly: its absence is scored as 0, whereas one loan is scored as 1 and two loans are scored as 2.³⁷ The analysis also controls for networks with a variable that captures the number of relatives (spouse, children, siblings, parents, and grandparents) Tunkaseños have in the U.S. Finally, the “migration need” variable reflects perceptions of the necessity to migrate to north in order to progress economically. It tests whether positive perceptions of the economic advantage of the U.S. influence settlement. Responses that migration is needed are coded as 1.

³⁷ The survey did not inquire about the amount of debt incurred in the U.S. but rather 1) whether respondents had an existing mortgage; 2) whether they had an additional bank loan. Only formal debt was recorded.

Table 2.2 Descriptive Statistics for Tunkaseños, by City of Residency

Variable	Anaheim (N=57)	Inglewood (N=57)	Los Angeles (N=37)
Unauthorized	82%	91%	86%
Male	53%	67%	68%
Need migration	25%	30%	30%
U.S. debt	1 loan: 11% 2 loans: 5%	1 loan: 7% 2 loans: 5%	1 loan: 8% 2 loans: 3%
	Mean		
Age (yr)	37	36	37
Edu (yr)	8	8	8
# U.S. family	4	3	2
Wage (\$ p/wk)	294	291	286
Duration last trip (yr)	6	6	4

N=151

Source: MMFRP

As expected, in each of the five regression models below in Table 2.3, the restrictive destination variable is not significantly related to length of residence for Tunkaseño migrants, indicating that local attrition through enforcement measures do not drive the duration of immigrant settlement.³⁸ Models 2 through 5 demonstrate that living in a restrictive receiving community remains an insignificant predictor of settlement when controlling for standard demographic variables (gender, age, education). Immigration status also fails to predict the duration of time Tunkaseños' spend in their U.S. destinations, indicating that unauthorized immigrants do not settle for shorter periods than their documented counterparts. This finding is supported by the

³⁸ Rather than the restrictive variable, I also ran the regression with two dichotomous variables representing Anaheim and Inglewood, leaving Los Angeles as the reference category. The results are remarkably similar to those reported in Figure 4: across all five models, neither the Anaheim nor the Inglewood variable is significant, indicating again that restrictive measures do not curtail immigrant settlement.

assessment that tough border enforcement policies have ironically bottled up unauthorized migrants in the U.S., making them likely to stay for longer periods of time than before to avoid the physical risks and increasing cost of crossings (Cornelius 2005).

Model 3 introduces the number of family members in the U.S.—the network variable— into the regression. While it is not significant paired with demographic variables, when controlling for economic measures (wage and debt) as in Model 4, the variable has a significant and positive relationship with settlement. It remains significant in Model 5, which includes a control for the necessity of migration. The more family members Tunkaseño migrants have in the U.S., then, the longer the settlement. In this sense, it is possible that the greater level of whole family settlement in Anaheim (shown in Table 2.2 in the sex ratio and number of family in the U.S.) offsets the potential attrition effect of an exclusionary political environment. The theoretical literature on networks reviewed above reinforces this finding of the social processes in settlement.

Models 4 and 5 explore the economic drivers of settlement. Here, weekly wages have a negative relationship with settlement. In other words, lower income is significantly related to longer trips. This is not altogether surprising: as members of a relatively new migration flow, many Tunkaseño migrants may be “target earners” who chose not to return home until they have saved a certain amount of money. Given the high cost of living in southern California, reaching these goals may take quite some time. Indeed, Piore (1979: 61) argues that the effect of rising incomes for target earners is an increase in return migration. The positive significance of the education variable

can also be understood through employment. Though Tunkaseños, like many new Mexican migrants, have relatively low levels of education overall, proficiency in basic skills helps immigrants find work (Wortham et al. 2002). Finally, settlement is significantly related to debt and the perception that migration is necessary to advance economically, two variables that indicate increased rootedness in the receiving community. Overall, these findings demonstrate the importance of economic and social factors as articulated in the literature on immigrant settlement, while indicating that local restrictive policy does not significantly disrupt the settlement process.

Table 2.3 Coefficients for Regression of the Length of Tunkaseño Settlement

	Model 1	Model 2	Model 3	Model 4	Model 5
Restrictive	9.292 (5.921)	7.725 (5.735)	5.496 (5.724)	5.453 (5.623)	6.461 (5.413)
Unauthorized		-6.360 (13.978)	1.179 (14.126)	2.472 (13.968)	-.690 (13.458)
Female		-2.986 (9.182)	-2.891 (9.040)	-2.082 (8.885)	-2.046 (8.542)
Age		.485 (.380)	.365 (.378)	.347 (.372)	.447 (.359)
Yrs education		3.891 *** (.975)	3.413 *** (.981)	3.450 *** (.966)	3.527 *** (.929)
# U.S. Family			2.901 (1.227)	2.376 * (1.259)	2.628 * (1.213)
Wage (\$ p/wk)				-.035 * (.018)	-.040 * (0.18)
U.S. debt				16.782 (9.401)	18.874 ** (9.056)
Mig need					32.425 *** (9.116)
Constant	54.186 *** (8.134)	14.086 (26.235)	8.774 (25.926)	16.616 (25.929)	4.266 (25.167)
Adjusted R2	.010	.092	.120	.151	.215
F	2.463	4.045 **	4.409 ***	4.334 ***	5.575 ***

*p<0.05; **p<0.01; ***p<0.001

Standard errors are shown in parentheses

N=151

Source: MMFRP

Turning to the state-level comparison between Oklahoma's restrictive immigration policy and California's more expansive approach, I analyze the 2010 dataset of Tlacuitapense migrants. The descriptive statistics reported in Table 2.4 below demonstrate migrants' similarity across destination states. The exception is the higher rate of unauthorized Tlacuitapense residence in Oklahoma, though this suits the purposes of the analysis. The key dependent variable here is the state of immigrant residence (particularly Oklahoma or California, the two major destinations for this

migrant group). While this is slightly different than that used for the Tunkaseño dataset due to changes in the survey instrument, it provides a reliable measure of whether attrition through enforcement policy affects immigrants' residency behavior.

I do not directly test theories of settlement with this dataset, though given their emphasis on economic and social processes I hypothesize that restrictive state-level policy will not drive Tlacuitapense residency. Migrants' residency in Oklahoma will show no significant drop after the passage of HB 1804, the attrition through enforcement bill; likewise, residency in California and/or other states will not register an increase. To evaluate these hypotheses, I comparatively measure Tlacuitapenses' state of residence from the beginning of 2007, the year Oklahoma's legislation went into effect, through the end of 2009, when the surveys were conducted. A finding of a similar (or larger) number of Tlacuitapenses in Oklahoma post-HB 1804 in comparison to California and other states will support these hypotheses, indicating that while Oklahoma's political efforts at state-level attrition through enforcement garner attention, they have little effect on migrants' residency.

Table 2.4 Descriptive Statistics for Tlacuitapenses, by State of Residency

Variable	Oklahoma (N=114)	California (N=100)	Other state (N=49)
Unauthorized	19%	7%	2%
Male	53%	52%	63%
Need migration	82%	76%	69%
	Mean		
Age (yr)	36	40	39
Edu (yr)	12	10	10
# U.S. family	8	9	9
Wage (\$ p/wk)	294	326	235

N=263

Source: MMFRP

The analysis summarized in Figure 2.1 below demonstrates that, in the years immediately after HB 1804 went into effect, the Tlacuitapense population in Oklahoma—both legal and unauthorized—actually experienced growth, rather than reduction. This is precisely the opposite finding expected if attrition through enforcement worked to push immigrants out. The increase in this Oklahoma-based immigrant community was slight: in 2007, 17 unauthorized Tlacuitapenses lived in Oklahoma, whereas in 2008 this number rose to 20 and in 2009 to 22. For immigrants with regularized status, 84 resided in Oklahoma in 2007, while in 2009 the count rose to 90 and in 2009 to 92. During the same time period, however, the overall number of Tlacuitapense inhabitants in California, the immigrant-friendly comparison destination, held constant. In 2007 just eight unauthorized Tlacuitapenses lived on the west coast and in 2008 and 2009, there were seven. Documented California-based Tlacuitapenses numbered 92 in 2007 and 93 in both 2008 and 2009.

This analysis strongly indicates that the state's heavy-handed legislation did not influence the choices Tlacuitapenses made about their places of residence, nor did it push them toward California, a state with more permissive immigration laws and a large Tlacuitapense community. The economic crisis starting in 2007 hit California particularly hard, however, and immigrants in the state already suffered from saturated labor markets and a high cost of living (Passel and Zimmermann 2001, pp. 16-20). Given these factors, if there were a push effect out of Oklahoma, Tlacuitapenses would likely avoid the west coast. It is particularly notable, therefore, that they also did not move to other states. From 2007 through 2009, only one unauthorized respondent lived outside Oklahoma and California (it is possible, however, that this is an artifact of the snowball methodology used in U.S. data collection). While there were a total of 51 Tlacuitapenses living in other states in 2007, this population dropped slightly to 47 in 2008 and 49 in 2009.

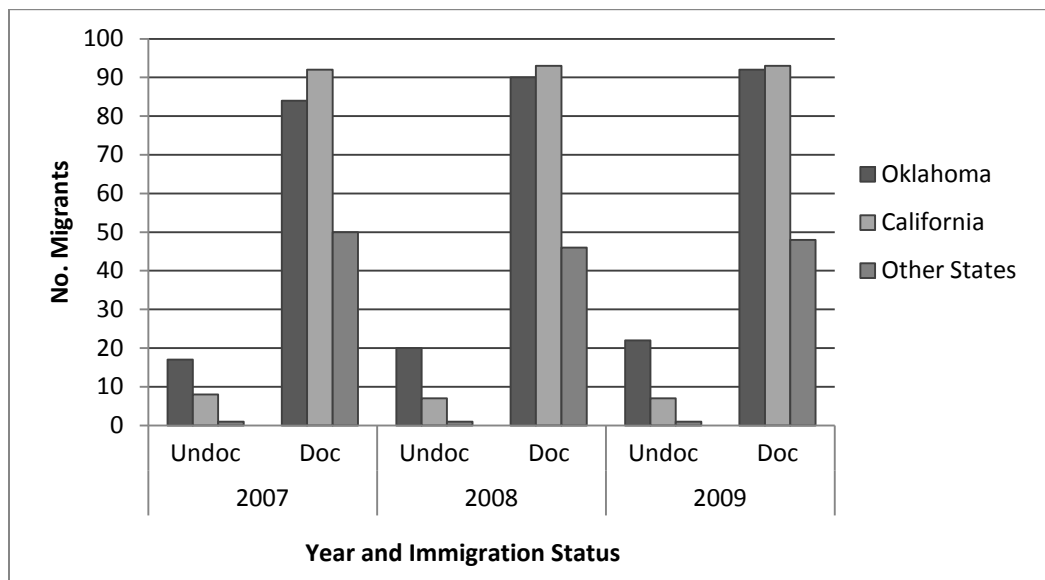


Figure 2.1 Number of Tlacuitapenses, by State and Immigration Status, 2007–2009
Source: MMFRP

This finding of an overall lack of attrition is reinforced by a report that the Latino student population in public schools in Oklahoma City and Tulsa rose from 2005 through 2009 (Koralek et al. 2010). A study of Oklahoma’s population based on census data also indicates most Latinos and immigrants have remained in the state despite restrictions, with overall numbers ticking upwards (Pedroza 2011). In accordance with labor market and network theories of settlement, continued immigrant residence in Oklahoma is likely driven by employment and social ties.

Without disregarding accounts of fear in Oklahoma’s immigrant communities due to HB 1804, the state’s restrictive policy ultimately did not persuade Tlacuitapenses to reside elsewhere. And although Anaheim’s attrition through enforcement initiatives may cause alarm in the Tunkaseño immigrant population, they too have failed to curtail settlement rates. These state-level findings, coupled with the local-level results, indicate that restrictive subnational policy does not achieve the self-deportation of

undocumented immigrants. Overall, this analysis demonstrates a profound disconnect between the manifest functions, or “conscious motivations,” of local attrition through enforcement initiatives and actual immigrant settlement behavior on the ground (see Merton 1949).

Why Stay? The Decision to Remain Settled in Restrictive Destinations

The scholarship on settlement contends that economic and social processes drive immigrants’ length of stay in their destinations (Durand, Massey and Zenteno 2001; Lindstrom 1996). Nevertheless, local-level immigration laws and undocumented status have yet to be fully examined as central determinants of immigrant settlement in the U.S. Light’s work does tackle this question by arguing that Los Angeles “deflects” immigrants out by enforcing housing and industrial regulations, but as I demonstrate above his analysis overlooks the city’s substantial efforts to accommodate undocumented residents with local immigration law (2006). Moreover, comparative studies of this issue are especially scarce. It is thus unclear whether the same economic and social motivations operate to advance the settlement of undocumented immigrants in communities marked by restrictive, attrition through enforcement measures. The analysis above shows that undocumented Mexican immigrants do not uniformly vote with their feet when the states and cities they live in implement laws targeting them. Why, then, do they choose to remain in such difficult climates, risking interception, detention, and ultimately deportation?

Drawing from two samples of qualitative interviews with undocumented immigrants in a restrictive state (Oklahoma) and city (Escondido, California), I argue

that immigrants become rooted in attrition through enforcement destinations due to what management scholars term “escalating commitment” (Brockner 1992; Staw 1981; Kelly and Milkman 2013). Here, immigrants hold steadfast to the course of action started upon—migration and settlement—even if it means taking on additional risk, like detention and deportation. Their motivations to do so are complex, but revolve around seeking to minimize losses related to their migration experiences (Filindra 2012). The majority of undocumented immigrants have deep roots in the United States: In 2010, nearly two-thirds had lived in the U.S. for at least a decade (Taylor et al. 2011). With these roots come substantial economic, social, and psychological investments that are difficult to leave behind, despite legally restrictive contexts of reception.

As I detail below, undocumented Mexicans pondering a move towards more welcoming destinations within the U.S. or a return to Mexico stand to lose material things bought in the receiving locale—homes, appliances, and furnishings, for instance—as well as well as the economic and psychological investment in clandestine migration itself. Leaving restrictive destinations also implies changes in employment, with uncertain labor market opportunities in other areas of the U.S. and very difficult circumstances in most Mexican sending communities. In addition to these more economic concerns, moving away from a restrictive destination is likely to entail ruptured social and familial networks along with instability for immigrants’ children. The rooting force of these potential losses supports earlier research on immigrant settlement: even for undocumented immigrants facing attrition through enforcement measures, economic and social factors drive the settlement process.

While undocumented Mexicans' decision to remain in restrictive destinations largely mimics the broader settlement processes of immigrants generally, a third factor is at play. As the primary targets of attrition through enforcement, these immigrants quickly develop a legal consciousness, or commonsense understanding of the law (Merry 1990), that is finely attuned to the intricacies of local-level immigration measures. Due to broad media coverage, religious and community-based organizations' advocacy, and social networks, the immigrants in my qualitative sample were highly informed about the restrictive laws in their destinations and knowledgeable about the legal challenges that they would inevitably face (see Chapter 3). With economic motivations and family and social ties already weighing towards continued settlement, undocumented immigrants interpreted their decisions to stay or go through this lens of legal consciousness. Ultimately, a common determination was that it was better to wait for the outcome of litigation rather than depart restrictive destinations prematurely. Because legal challenges to attrition through enforcement laws can take years to conclude, undocumented immigrants continued to settle as they took this "wait and see" approach.

In the analysis below, I group undocumented immigrants' motivations to remain in restrictive destinations into three interrelated categories: economic rationales, including cost of moving or return, material losses, and labor market considerations; social rationales, including children, family, friends, and community belonging; and, finally, the driver of legal consciousness.

Economic Motivations

At the subnational level, the attrition through enforcement approach is intended to persuade undocumented immigrants to self-deport to their countries of origin or, at the very least, to relocate to other destinations within the U.S. Both of these propositions entail significant losses in terms of the time, money, and efforts—physical and psychological—invested in crossing the border without authorization or attaining and overstaying a visa. For instance, undocumented Mexicans paid close to \$2000 to cross the border illegally on foot in 2007 (Roberts et al. 2010), and cost increases significantly to cross at a legal point of entry with false papers or hidden in a vehicle (FitzGerald et al. 2011). This cost often requires a would-be migrant to borrow money from friends and family (Spener 2009). Because undocumented Mexicans struggle to cross the border and thus understand what it takes to repeat a trip northward, they are reluctant to return home even when restrictive socio-legal contexts complicate their lives. This point is explained by Ruben, a 37 year old construction worker who has lived without authorization in Oklahoma City since 2007, arriving there just before HB 1804 was passed. Originally from Tlaquitapa, Mexico, Ruben migrated to Oklahoma City, following his older brother's footsteps:

R: My brother was already here [in Oklahoma] and he told me that I needed around \$3,000 to cross the border with a coyote he knew.

Interviewer: That's a lot of money. How did you get it?

R: I borrowed money from everyone. My parents, they sold some land and gave me the money. My brother sent me money from Oklahoma. My aunts and uncles lent me some money, and my godparents. I tried three

times to get across but I didn't make it until the fourth time. It was very difficult...But now I'm here.

Interviewer: What was life like when you got to Oklahoma?

R: It was difficult...I was living with my brother and his family. They helped me a lot, but I didn't want to take away from them and their children. I was worried about finding work because of that law [HB 1804]. Yes, that had me worried because I wanted to pay everyone back. But thanks to God I found a good job. It was difficult but I couldn't just leave. It took me too much to get here.

A similar unwillingness to walk away from the economic investment necessary to migrate to the United States without papers was expressed by Paco, a 27 year old undocumented immigrant from the same village as Ruben. Paco migrated to Oklahoma City in 2004 and found work through friends as a prep cook in a steak house. I met him in Tlaquitapa, where he was living after his 2009 deportation due to an ICE action in a local park that presumably targeted undocumented gang members. Simply in the wrong place at the wrong time, Paco ran when he saw the enforcement officers and then admitted to them that he was undocumented, which put him into deportation proceedings. Echoing scholarship on the growing risks and costs associated with crossing the U.S.-Mexico border illegally (Cornelius 2001), Paco says that prior to his deportation he had decided not to leave Oklahoma because of the difficulty he faced during his trip north:

I would have never left Oklahoma on my own. It's true that sometimes I wanted to come back here, but not that much. It was uncomfortable living in Oklahoma with that anti-immigrant law. Very, very uncomfortable. But look, once you leave the United States it's hard to get back. They don't cross you [over the U.S.-Mexico border] for free, right? And it's dangerous to cross through the desert as I did. People

die, you know? I want to go back to Oklahoma, but now I don't have the money. There aren't any jobs in this town. It will take me a long time to save up enough to go back, but that is my goal.

In addition to losing the investment immigrants make to cross the border, moving away from restrictive destinations can entail leaving behind material possessions acquired in the United States, particularly those that are difficult or impossible to move. The purchase of a washing machine may seem inconsequential within the decision to stay or go in the face of attrition through enforcement efforts, but research shows that immigrant settlement often happens as the unintended consequence of a series of both mundane and serious decisions (García and Barreno 2007). This is illustrated by the case of Maribel, a 41 year old single mother of two U.S. born children. After divorcing, Maribel struggled to find a decent apartment she could afford to rent in Escondido. Eventually, she made a deal with a landlord who was an acquaintance of her cousin: she would fix up a dingy, aging guest house on his property in exchange for low rent. She has lived in that guest house since 2002, incrementally investing in remodeling, small construction projects, and decorating to make it a warm, livable space for her family. Though these improvements ultimately belong to the landlord, the affordable rent and comfortable home she has established make Maribel reluctant to leave Escondido, despite the city's many attempts to push undocumented immigrants out:

Things are bad here. And they've gotten worse over the years...For a while, I thought about leaving Escondido to be with my brother in Oregon. He works on a farm there and his family lives well. But I've worked hard to make this place [the house she rents] nice. My friend in

construction came to help me, and he taught me how to do some of the remodeling myself. Oh, the times I messed projects up and had to start all over! But if I leave Escondido, all of this hard work stays right here. I lose a home that I really like to go to a place where I don't have a job. No, for now we're going to stay in Escondido.

As evident in the interview excerpts above, employment emerged as a key factor rooting undocumented immigrants in restrictive receiving locales. In fact, while these destinations' attrition through enforcement measures attempt to close the labor market off to undocumented immigrants, none of those interviewed lost a job or was directly threatened with job loss due to such legislation.³⁹ Marco, a respondent who has lived in Escondido for over 12 years, explains that his boss, the owner of a large yard care company, knows he is undocumented and is aware that the Social Security number he used to secure employment was false. When the city passed its E-Verify law (see Chapter 3 for details), he simply moved Marco "off the books" and began paying him the same wage—minus tax withholdings—in cash. As Marco explains:

For me, it's a good arrangement. On the one hand, it was good to have the pay check stubs. I've saved them all in case there's an immigration reform, to show that I've worked hard here and paid taxes. But now the city doesn't want me here. Okay, but my boss does! So now he pays me in cash. All of us [the undocumented workers] he pays in cash. So I earn the same wage but now it's more because they don't take out taxes. If it has to be this way, for me it's fine. I'll stay here as long as I have a job.

The interviews also point to the relationship between undocumented immigrants' labor market motivations to remain in restrictive destinations and the social

³⁹ Drawn out legal challenges to the employment provisions in Oklahoma's HB 1804 and Escondido's E-Verify law have succeeded in modifying aspects of these measures.

ties they hold in these locales. Scholars of immigrant networks have demonstrated the key role that social ties play in facilitating job opportunities for immigrants (Menjívar 2000; Massey et al. 1987; Bailey and Waldinger 1991). Echoing the findings of these studies, my interview respondents consistently describe how friends and family within Oklahoma and Escondido helped them find employment, and explain that these social ties deter them from moving out of these restrictive locales. Jorge first migrated to Oklahoma when he was 20 years old, following three older brothers' footsteps. Now 31 and a new father, Jorge recounts how his siblings helped him become established in the niche of high-end home remodeling, a career he doubts he could successfully create elsewhere:

Interviewer: You said you do home remodeling. How did you get started in that?

Jorge: I have always been good with my hands. My uncle was a carpenter, and he taught me how to make things and how to fix things. I'm used to doing it the old way, without a lot of fancy tools. But when I arrived in Oklahoma, my brothers were working in construction. Mostly roofing, but also some dry wall. I went to work with them, and they taught me how to use tools that I wasn't familiar with. I learned fast. They recommended me to the bosses and to some homeowners who were looking for someone to do custom jobs.

Interviewer: So your brothers got you involved in construction and taught you how to use some new tools...

Jorge: Without their help, I wouldn't be running my own remodeling business...I couldn't do this in another place [in the U.S.]. Everyone I know is here in Oklahoma. It would be like starting all over again.

As Jorge's experience makes clear, relocation within the United States is fraught with uncertainty in terms of employment, particularly for immigrants whose principle

social networks are close by, in the restrictive destinations in which they already live. In many ways, then, the jobs they hold are irreplaceable: a lack of social ties makes finding work in other areas of the U.S. difficult, and Mexico's lack of labor market opportunities pushed many to migrate in the first place. Even if the employment provisions of state and local immigration measures did not face legal challenges, curtailing the employment of undocumented immigrants would remain a difficult feat, especially without the kind of heavy workplace enforcement that subnational jurisdictions would struggle to put into place. As long as jobs remain available, the analysis here makes it clear that attrition through enforcement efforts are unlikely to push undocumented immigrants out.

Family and Social Ties

As circular migration between Mexico and the United States dwindles due to the end of the Bracero Program, immigration reform, and the militarization of the U.S.-Mexico border, family migration has taken its place (Massey and Pren 2014). In 2010, almost half of all unauthorized immigrant adults in the U.S. had minor children in their households (Taylor et al. 2011). Across both qualitative samples in this study, the majority of immigrants also had children in the United States at the time they were interviewed (13 out of 22 in Oklahoma and 42 out of 63 in Escondido). Research points to the ways in which children influence immigrant families' settlement decisions (Dreby 2010) and, for the parents in this study, the ability to provide opportunities for their children was an important reason why they chose to remain in restrictive destinations. Like most parents, these immigrants hold high hopes for their children and

remain very optimistic about their future success. Those with U.S.-born children who have access to government resources, such as health care and federal financial aid for college, consider that such opportunities outweigh the burden of living in a hostile socio-legal context. Even parents who brought their children across the border illegally are firm in their belief that they have far more prospects—despite restrictive U.S. locales—than in Mexico.

In particular, undocumented parents remain rooted in Oklahoma and Escondido because they view the educational opportunities within these destinations positively in comparison to those available in their Mexican home communities. Using what labor economist Michael Piore terms a “dual frame of reference” (1979), these immigrants evaluate their current experiences and their views of societal institutions with standards from the sending locale rather than the receiving locale (Suarez-Orozco 1990). This point is illustrated by the case of Claudia, a 36 year old married mother of three girls. She has lived in Escondido since 1999, when she left San Miguel, a small village outside the Mexican city of Oaxaca. Claudia’s two youngest children were born in the U.S., while the eldest, a junior in high school, is undocumented:

AG: What is life like in Escondido if you’re undocumented?

C: We [Claudia and husband] are upset about how this city treats immigrants. We feel terrible, like we are criminals or even animals. We only want to make a better life for our family like everyone else. But we won’t leave Escondido now.

AG: Why not? What’s keeping you here?

C: Our children are in school here and they are doing very well. Their teachers are very good. Any time there is a problem, they call me. In

my [eldest] daughter's high school, we went to a meeting with the counselor about college. She says that my daughter is very smart and that there are options... You know, I want my children to do better than me in life. In my village [in Oaxaca], there is no high school. If you want to go to high school you have to go to a different town on your own. There are not resources, good teachers, and professionals like there are here in Escondido.

While undocumented immigrant parents could likely find comparable educational opportunities for their children outside of Oklahoma and Escondido, connections to family, friends, and social resources also weigh heavily against leaving these locales. Most undocumented immigrants have deep roots in the United States. In 2013, according to the Pew Research Center, unauthorized immigrant adults had been in the U.S. for a median time of nearly 13 years. A decade earlier, in 2003, the median for adults was less than eight years (Passel et al. 2014). Similarly, the median length of time spent in the U.S. for immigrants included in the qualitative portion of this study is 10 years. This time has allowed immigrants in the sample to develop ties in their receiving locales that reach beyond children and other immediate family members. These ties include extended family, friends, neighbors, and co-workers along with contacts in church parishes, parent-teacher groups, and community organizations.

Scholars demonstrate that undocumented immigrants who feel connected in their host community are more likely to remain there permanently (Wampler, Chávez and Pedraza 2009; Chavez 1994), likely because these ties facilitate access to resources, opportunities, and emotional support (Valdez, Lewis Valentine and Perez 2013). My findings confirm that strong social networks are critical to undocumented Mexicans' decisions to remain in restrictive destinations. Across all interviews, immigrants

express that their community connections are important aspects of their lives that they would miss in other receiving locales. This sentiment is strongest amongst those with children and those who had spent a great deal of time in their destinations, though it is also present amongst those without immediate families and relatively newer arrivals.

The experience of Rosalba and Carlos serves as a representative example of the anchoring effect of broad social ties for undocumented immigrants in hostile receiving locales. Indeed, their account points to the ways in which restrictive local laws can spark social connection within an undocumented community targeted by attrition through enforcement legislation, an argument I develop in Chapter 4. Rosalba is from Puebla, Mexico. Frustrated with the limited labor market opportunities she faced at home, where she worked intermittently as a secretary, Rosalba migrated to Escondido in 2000, following extended family members who arrived in the city several years earlier. She lived with her aunt for several years, working as a babysitter and taking English classes at a local Catholic church, where she also attended mass and a women's prayer group. It was at the church that Rosalba met and married Carlos, an undocumented immigrant from the border town of Tecate, who worked in construction.

After she married, Rosalba found work in a local restaurant. She quickly moved up the ranks to a daytime manager position. The restaurant's owner, aware of Rosalba's documentation status, was nevertheless eager to have a reliable worker who could communicate with the kitchen staff, who were all Spanish speakers. After two years in the manager position, Rosalba became pregnant with her son. As luck would have it, the owner's wife, Kathy, who worked on payroll at the restaurant during the day, became pregnant around the same time. The two women formed a common bond over

their pregnancies and became very friendly. “That was a very happy time for me,” Rosalba remembers. “I had a really good job, and I was looking forward to my baby. I had friendships with people at work and at church, and I felt very positive about my life.”

Once Rosalba’s son was born in 2005, her happy life began to fall apart. She stopped working to care for her baby, leaving the couple stretched very thin financially. “Once we paid the rent we had very little money left over for other bills and groceries. My son suffered from reflux and food allergies, and we also had many doctors’ bills to pay. It was very stressful, figuring out how to get to the end of the month,” she explains. Rosalba and her husband began to bicker about their finances, and the arguments hung heavy over their relationship. To make matters worse, the city of Escondido passed a housing ordinance the following year, in 2006, which promised to make apartment rentals very difficult for undocumented immigrants. Rosalba’s unscrupulous landlord, who suspected that the couple was undocumented, took advantage of the ordinance to issue them a threatening ultimatum: either pay \$100 more per month in rent, or move out. Unsure of what to do, Rosalba approached the parish priest after mass and, through her tears, asked him to pray for her family. Several members of her women’s prayer group saw the encounter and asked the priest whether they could help. “They did a collection for us,” Rosalba said. “The group put the word out, and the next Sunday at mass the priest passed around the collection basket a second time, saying that it was for a special cause. I never knew a thing. I even put in an extra dollar to help! But that money was for us. The women organized it, and the father gave

his approval.” With the extra funds, Rosalba and Carlos remained in their apartment and re-evaluated their situation.

“We did think seriously about going back to Mexico,” Rosalba remembers. “Things were just so difficult for us. But I felt so filled with love and faith in God when the church supported us like that. I didn’t want to leave my parish and my friends here. How was going back to Mexico going to make it better? What kind of a life could we give our son there? We decided to stay, but that I would have to go back to work.” The couple soon enrolled their son in a local Head Start program, and Rosalba began looking for a job. She started by reaching out to the wife of her former restaurant boss, Kathy. There wasn’t an open position at the restaurant, but Kathy offered Rosalba work in her home as a nanny and housekeeper. “It was perfect,” Rosalba recalls. “I dropped my son off at Head Start in the morning, went to work, and then picked him up in the early afternoon. Sometimes we would go back to Kathy’s afterwards and the children would play together and we would talk and have coffee. Kathy has been very good to me.” With the added income from Rosalba’s job, the family moved away from the abusive landlord’s apartment but chose to stay in Escondido. Towards the end of our interview, I ask Rosalba why she didn’t leave Escondido, which has only increased its efforts at attrition through enforcement after the 2006 rental housing ordinance:

AG: Why did you decide to stay in Escondido after you left that apartment? Why not go somewhere else?

R: You know, this city is home for us now. The people in the city council passing these laws, and the ones like our old landlord, they are only part of the story. They are the bad part. The good part is that we have family here, and friends who are almost like family. Our son is in

elementary school now and he loves his teacher. We have jobs here. Life is hard, but we are happy... So yes, we decided to stay. This is our home, too.

The details of Rosalba's experience in Escondido are unique, but her family and social ties within the city, as well as her emphasis on employment, are similar to those expressed across the qualitative sample. In this regard, there are not sharp differences between immigrants interviewed in Escondido and those interviewed in Oklahoma. Much like the process described in earlier literature on settlement, undocumented immigrants in restrictive destinations become rooted in their communities due to economic motivations and networks. Also emerging from these interviews, however, is the relationship between undocumented immigrants' legal consciousness and settlement, an unexplored area in immigration scholarship.

Legal Consciousness

Can undocumented immigrants' understanding of the law affect their decision to remain in restrictive receiving locales? For scholars of law and society, the law is connected to and embedded in the social world, along with its normative systems and social institutions (Calavita 2010; Ewick and Silby 1998; Suchman and Edelman 1996). This perspective on the law relates to the theoretical concept of legal consciousness, or "the way people think about law and legality" (Merry 1990: 2), including how understandings of legal institutions and rules affect daily life and decisions (Ewick and Silby 1998; Neilson 2000). To date, few scholars have considered the legal consciousness of undocumented immigrants. Ryo's work approaches this issue, but her

focus is on pre-migration and the ways in which potential migrants' normative values contribute to the decision to migrate illegally (2013). Other studies of the legal consciousness of undocumented immigrants mostly focus on undocumented youth (Abrego 2011; Gonzales 2011; Gonzales and Chavez 2012), leaving undocumented adults' thoughts about the law scarcely explored (Abrego and Menjivar 2012; Menjivar and Bejarano 2004). Yet it is precisely this population that is squarely in the crosshairs of attrition through enforcement measures, which makes understanding their legal consciousness particularly significant.

As Ryo notes, undocumented immigrants' legal consciousness within the U.S. arguably begins with illicit border crossing, when they are, quite literally, evading the law (2013). Legal consciousness continues to develop within destination locales as undocumented immigrants become acquainted with the role of the law in their lives (Menjívar and Salcido 2002; Abrego 2011; Gonzales and Chavez 2012). This can include somewhat trivial considerations, such as jaywalking laws, to ones of more consequence, such as the right of undocumented children to K-12 public education and, more to the issue at hand, attrition through enforcement measures within immigrants' destinations. In a similar fashion, Nicollet argues that as immigrant women spend more time in France, they have a greater understanding of the law and their rights in instances of domestic violence (1998). In Chapter 4 I detail in-depth the ways in which undocumented immigrants become aware of the local-level immigration measures in their cities, and how such measures contribute to political socialization. Below, I focus the analytical lens on the relationship between legal consciousness and undocumented immigrant settlement in restrictive receiving locales.

Throughout the qualitative interviews informing this section of the dissertation, respondents expressed knowledge about the attrition through enforcement measures in place within their destinations, much of it detailed and deep. In addition to understanding the implications of the laws on their daily lives, immigrants had a strong grasp of the evolution of these measures, including the politicians, community organizations, and political groups that supported and opposed them. Most importantly for the analysis at hand, however, is undocumented immigrants' understanding of the legally contentious nature of attrition through enforcement measures. In this regard, the interviews reveal an awareness of the litigation that typically ensues after states and localities pass restrictive immigration laws, and the ways in which such litigation can delay, alter, or even void the implementation of such measures. With the knowledge that an attrition through enforcement bill passed does not necessarily lead to the immediate enforcement of that law, many undocumented immigrants take a "wait and see" approach to making settlement decisions in restrictive destinations.

Eduardo, a 43 year old migrant from Jalisco, Mexico, who has lived in Oklahoma since 1998, illustrates this point. He was interviewed in Oklahoma in 2010, when parts of HB 1804, the state's omnibus attrition through enforcement bill of 2007, were still being litigated in the courts. "Once they passed 1804, we were all waiting—like, okay, now what's going to happen? Because everyone said the law would be challenged. So we waited to see who would try to stop it."

Indeed, HB 1804 faced a legal minefield after it was signed into law by a Democratic governor (Mauch 2012). In 2008, Chambers of Commerce, with support from labor unions, immigration advocates, and civil rights groups, brought suit to the

U.S. District Court for the Western District of Oklahoma regarding two sections of the omnibus bill that dealt with electronically verifying employees' work validation and fines for retaining unauthorized workers while discharging legal employees. In response, the district court enjoined these sections.⁴⁰ Oklahoma's Attorney General and others then appealed the court's order to the Tenth Circuit Court of Appeals. By 2010, the Court of Appeals had affirmed the order enjoining two of the sections, but reversed the order with respect to a third.⁴¹ In 2011, a citizen of Oklahoma also entered the fray, arguing to the Tulsa County District Court that HB 1804 violated the state's constitution. The trial judge agreed with him only with regards to one portion of the law regarding resident tuition for post-secondary institutions.⁴² Not satisfied, the citizen appealed to the Supreme Court of Oklahoma. In 2011, the Supreme Court of Oklahoma heard the case, and affirmed the earlier ruling of the district court regarding the unconstitutionality of one section of HB 1804. The remaining challenged provisions were upheld as constitutional, leaving the majority of the law intact.⁴³ Nonetheless, these initial challenges took over four years to resolve, and were accompanied by many other efforts that were eventually dismissed due to lack of legal standing.

Undocumented immigrants interviewed in Oklahoma were highly aware of this legal wrangling, with varying degrees of in-depth knowledge and detail on the challenges. Lucia is a stay-at-home mother of two who has lived in Oklahoma for over

⁴⁰ *Chamber of Commerce v. Henry*, No. 08-109 (W.D. Okla. 2008).

⁴¹ *Chamber of Commerce v. Edmondson*, 594 F.3d 742 (10th Cir. 2010)

⁴² This was a portion of Section 13, which denied resident tuition to those passing a GED examination. *Thomas v. Henry*, 2011 OK 53, 260 P.3d 1251.

⁴³ *Thomas v. Henry*, 2011 OK 53, 260 P.3d 1251.

seven years. When asked about why she remained in the state after the passage of HB 1804 she explains:

We hoped and prayed that the courts would rule against [HB 1804]. Or at least some parts of it! Because you can't just pass that kind of thing and not expect people to get involved and say that it's not right. I know business groups have said it's bad, and different immigrant organizations... Figuring out what's legal and what's not takes time. Lots of time. There are many different courts and judges. It's been over three years and they're still fighting that law! So why decide right away to leave Oklahoma? That's what we thought. It's better to wait and see what happens.

This perspective is echoed by Marco, a single 28 year old restaurant worker in Oklahoma. In describing his decision to continue on in Oklahoma after HB 1804, he focuses on how legal challenges to the bill shaped how he thought about both settlement and the law itself:

At church they said that groups would fight against this law. That made me think that they can't just do whatever they want. There are certain things that they can't take away from us, even if we are undocumented. In a way it made me feel good to know that there are people who understand this is unjust and will defend people like me, even if they don't know me. But it is complicated, this fight against the law. It will go back and forth for a long time... I think maybe they will get rid of the whole law, so it doesn't make sense for me to leave now.

Importantly, Lucia and Marco's comments link undocumented immigrants' legal consciousness—in particular, their awareness of the challenges to restrictive laws—to settlement decisions. During this process of “wait and see,” immigrants continue with daily life in their destinations, further ingraining the settlement process.

As they go to work, send their children to school, and grocery shop, these immigrants stay abreast of changes in local immigration laws while maintaining their normal activities. Indeed, many begin to adapt their routines to the new reality of everyday attrition through enforcement, as I detail in the following chapter. The threat of restrictive laws remains for undocumented immigrants in these locales, but as they see quotidian life continue to unfold, the idea of leaving—either for another more welcoming U.S. destination or for Mexico—becomes less and less viable. At the same time, the legal challenges to restrictive immigration measures send a strong signal to targeted undocumented communities: they show the limits of attrition through enforcement measures in altering the due process and legal rights that even undocumented immigrants are entitled to within the United States (see Liebman 1992).

In addition to its empirical value, my findings contribute to our theoretical understanding of legal consciousness. Typically, these studies analyze how legal knowledge translates into actions and decisions by focusing on groups of U.S. citizens, such as working class Americans, victims of discrimination, and working women struggling for equal pay (Merry 1990, Ewick and Silby 1998; Bumiller 1988; McCann 1994). Indeed, Merry emphasizes that legal consciousness includes how people “see the court as an institution which has a responsibility to protect their fundamental rights to property and safety, as rights they acquire as members of American society” (1990: 4). But what of the legal consciousness of undocumented immigrants, those defined by law as outside the boundaries of the nation-state? By highlighting how undocumented immigrants’ understanding of the legally contentious nature of attrition through enforcement measures contributes to their settlement in restrictive destinations, I

demonstrate the utility of extending the concept of legal consciousness include non-citizen groups.

Conclusion

The tendency for the undocumented to reside in the United States for longer periods of time due to the growth in border enforcement is well-documented (Reyes 2004; Passel et al. 2014; Cornelius 1992). At the same time, states and localities are increasingly passing restrictive legislation intended to push undocumented immigrants out (NCSL 2014; Varsanyi 2010). Are these subnational efforts successful in reducing undocumented immigrant populations? The decision of these immigrants to remain in the U.S. permanently, despite legal restrictions in their immediate destinations, has broad implications for interethnic relations, trust, immigrant incorporation patterns, and U.S. social policy.

This chapter comparatively evaluates settlement behavior in cities and states with different legal approaches to immigration. Using unique survey data, I show that undocumented immigrants in locales with attrition through enforcement measures remained in place, despite predictions of exodus from media outlets, political entrepreneurs, and some scholars. In a second step, I draw from in-depth qualitative interviews with undocumented immigrants to show that alternatives to staying these locales—either returning to Mexico or moving to other areas of the U.S.—were also understood as risky and uncertain. Similar to previous literature on settlement, my analysis indicates economic forces and social and familial networks drive undocumented immigrants' settlement in these restrictive destinations. I also argue that

a developing legal consciousness serves to root immigrants in attrition through enforcement locales. As they become aware of lengthy legal challenges to these restrictive measures, many undocumented immigrants choose to “wait and see” how the laws eventually unfold rather than immediately vote with their feet by relocating.

The results detailed here are robust, and are supported by recent studies that draw from similar, non-government data sources (Rocha et al. 2014). Nevertheless, some limitations apply to the analysis. Most importantly, the findings described in this chapter may not necessarily apply in other contexts. That is to say, some attrition through enforcement policy approaches may be more successful than others in influencing immigrants to leave. Furthermore, the variables that explain immigrant settlement behavior may also vary depending on the life course as well as the particular socio-legal contexts in which immigrants find themselves. For instance, both my survey and qualitative samples were made up of undocumented adults, most of whom were parents. It is possible that economic motivations weigh more heavily for the settlement of single migrants, while family and social network considerations are more influential for immigrant parents. It is also likely that threats to undocumented immigrant children’s schooling, such as that included in a 2011 attrition through enforcement bill in Alabama, would be more consequential for immigrant parents (Preston 2011). Future research can fruitfully focus on the extent to which different variables serve as countervailing pressures against relocation or return migration for different groups of undocumented immigrants.

These analyses make several key contributions. In terms of empirical advances, the literature on undocumented immigrants and “illegality” is still developing. Despite

growth in state and local immigration law making, very few studies explore the direct effects of restrictive measures on undocumented immigrants (Varsanyi 2010; Rocha et al. 2014). This chapter presents the first comparative study of the settlement outcomes of subnational attrition through enforcement legislation. In doing so, I demonstrate a profound disconnect between the manifest functions, or “conscious motivations,” of attrition through enforcement policy and actual immigrant behavior (Merton 1949). In terms of theoretical contributions, this chapter advances theories of immigrant settlement in two ways. First, I provide an important check to earlier literature by testing whether economic and social network variables that predicted immigrant settlement behavior hold in restrictive receiving communities. Second, I demonstrate the utility of considering immigrants’ legal consciousness as an important independent variable within the settlement process.

These findings are also consequential to theoretical and empirical work on immigrant incorporation. What are the broader implications of subnational initiatives that seek immigrant attrition, particularly if they do not have policymakers’ intended effect on immigrants’ settlement and residency? It is possible that these laws simply have very little impact within immigrant communities, serving instead as symbolic reminders of a state or locality’s inclination towards the immigration issue.

Alternatively, restrictive measures, while falling short on producing immigrant attrition, may cut off mechanisms of integration, leaving immigrants isolated within the receiving environment. A third possibility is that immigrants within hostile locales incorporate in ways unique to the socio-legal context in which they live. Answering this question requires more ethnographically-inspired approaches that elaborate the link between

subnational policy structures and immigrants' everyday thoughts and activities, those that combine to influence their retreat from or engagement with the wider receiving community. I turn to this issue in the following two chapters of the dissertation.

Chapter 2, in part, is a reprint of material as it appeared in *Ethnic and Racial Studies* 2013. The dissertation author was the sole author of this paper.

Chapter 3.

Legal Passing:

How Local Immigration Law Drives Cultural Incorporation

Introduction

Social scientists have long relied on theories of assimilation to explain the process by which immigrants adapt to new environments and become more like the natives of the destination society. Aspects of these theories have come under criticism for their normative and nativist assumptions, giving rise to both rejection and reformulations of the concept (Brubaker 2001; Glazer 1993; Alba and Nee 2003; Rumbaut 1997). In the United States, scholars also debate the extent to which contemporary immigrants—especially Mexicans and their descendants—incorporate on an upwards or downwards trajectory (Portes and Zhou 1993; Gans 1992; Jiménez and FitzGerald 2007). Despite deliberation on how best to theorize the process and outcomes of assimilation, the contention remains that, over time, immigrants exchange their ethnic and cultural behaviors for the practices of the receiving society. As immigrants interact with groups in the host polity, these distinctions slowly fade, and newcomers become similar to natives (Alba and Nee 2003; Bean and Stevens 2003; Waters and Jiménez 2005).

As noted at the start of the dissertation, subnational laws that seek to restrict immigrants—particularly the unauthorized—have grown at a rapid clip since the mid 1990s. In Chapter Two I argue that this contemporary resurgence does not push undocumented immigrants out of unwelcoming locales. Attending to the milieus of

immigrant destinations within assimilation theory is therefore particularly relevant, but the immediate legal contexts in which immigrants live are largely ignored within this framework. The applicability of assimilation theory for immigrants residing in restrictive localities, then, is an open question. With a comparative focus on place, law, and immigrants themselves, this chapter investigates the social consequences of local policy for undocumented Mexicans as they settle into unwelcoming destinations. Does the basic contention of assimilation theory regarding behavioral change hold for this population?

Building upon the literature on passing and Goffman's concept of presentation of self (1959, 1963), I find that undocumented immigrants, under pressure from hostile localities, navigate the necessities of everyday life by attempting to pass as American. These efforts constitute what I term legal passing, whereby undocumented immigrants take on the characteristics associated with the dominant core society—from confidence and gait to clothing and speech—in order to mask the invisible stigma of illegality and evade detection. Over time, this legal passing becomes internalized and habituated, contributing to undocumented immigrants' cultural adaptation. Immigrants engage in legal passing to avoid deportation rather than to gain entry into the American mainstream, I argue, but the behaviors they adopt to do so incrementally bind them closer to the host society.

The data informing this analysis come from 91 qualitative interviews along with ethnographic observation collected over two years from unauthorized Mexican residents of Escondido and Santa Ana, major immigrant destinations in Southern California with starkly different approaches to local immigration law. Escondido has experienced quick

growth of its Latino and foreign born population, and has strong Republican partisan affiliations serving as a backdrop to its restrictive immigration policy activism. Santa Ana, on the other hand, is a Democratic stronghold with a large, stable Latino and foreign born population. I develop a multi-sited and contrast-orientated comparison of undocumented immigrant communities in these cities, using data from the accommodating locale to check my findings on the effects of local restrictions, which is my principal outcome of interest. Given the complexities of the multi-layered U.S. immigration regime (Menjívar 2011; Varsanyi et al. 2012), comparing two cities with contrasting approaches to immigration law within the same state helps to tease out the effects of locality. Importantly, it also shows how place matters for social practice (Gieryn 2000): although assimilation is conceptualized largely at the group or even individual level, my focus on these cities' laws demonstrates that adaptation is shaped by the reception receiving locales give to immigrants (see Bloemraad 2006).

I begin the chapter by bridging the literature on subnational immigration law, assimilation theory, and presentation of self. Then I turn to methodology and the legal contexts of Escondido and Santa Ana, a section that I also draw from in Chapter 4. In the analysis that follows, I demonstrate that undocumented Mexicans adapt to legal restrictions in their communities by attempting to pass as American, a behavior not prevalent amongst their undocumented counterparts in more accommodating locales. Here I detail behavioral, material, and mental adaptations, showing that legal passing becomes habituated over time. I argue in the following section that legal passing has an unintentional and cumulative incorporation effect, serving as a driver of undocumented immigrants' cultural adaptation. Finally, I conclude with a reflection on the

implications of this analysis. Restrictive local laws, I contend, do not necessarily and completely obstruct the incorporation process for undocumented immigrants. Rather, the cumulative effect of legal passing can lead to unforeseen adaptation, while, at the same time, distancing immigrants from their ethnic identity and perpetuating the exclusionary logics behind hostile local immigration laws.

Legal Restrictions and Incorporation

Contemporary state and local immigrant legislation has grown exponentially since California's passage of Proposition 187 in 1994, which sought to curtail unauthorized immigrants' access to publically-funded basic services, including healthcare and education.⁴⁴ 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 (National Conference for State Legislatures 2012). Some states and localities adopt accommodating measures, such as extending in-state college tuition to unauthorized students and prohibiting police from inquiring about immigration status. But subnational immigration activism is often markedly restrictive, especially with laws that aim to expel unauthorized immigrants by making life as difficult as possible.

Despite an uptick in localities with restrictive immigration-related policies since the end of the twentieth century, very little research focuses on the empirical effects of such measures for unauthorized immigrants (García 2013; García 2014). As I detailed

⁴⁴ Legal challenges citing violation of federal plenary power successfully blocked most of the proposition, and the state halted its appeals in 1999 (Wroe 2008: 101-104).

in the previous chapter, much of the scholarship has to do with normative debates focused on whether measures focused on immigrants rightfully lie in federal or subnational policy territory (Spiro 1994; Kobach 2006; Olivas 2007). Given that undocumented immigrants in restrictive locales do not generally vote with their feet by relocating (see Chapter 2), how do they experience everyday life in hostile locales? What connection, if any, is there between undocumented immigrants' navigation of restrictive socio-legal contexts and their incorporation trajectories?

To answer these questions, it is necessary to shift from studies of what the law *is* (or should be) to what the law *does* (see Trubek 1984). Within this realm of law on the ground, some scholars study the role that non-immigrant actors play in jurisdictions with politicized legislation, focusing on police officers, bureaucrats, and social service providers who come into contact with immigrant communities while on the job (Armenta 2012; Varsanyi et al. 2012; Bhuyan 2012; Marrow 2009). My focus, however, is on the receivers of law: undocumented immigrants themselves. This group confronts the importance of their illegality daily, in activities both mundane, like driving to work, and more unusual, like being stopped by the police.

The emerging scholarship on undocumented immigrants' lived experiences emphasizes that restrictive subnational laws are forms of legal violence and exclusion that constrain daily life and cause social suffering (Menjívar and Abrego 2012). Willen (2007) links a deportation campaign in Tel Aviv with a spike in tension and anxiety for unauthorized immigrants during daily life, for example. Likewise, Menjívar connects the heightened threat of deportation in Phoenix with a "hyper awareness" of the law, a condition in which immigrants "think of the law, what the government does, and their

legal status before engaging in even routine activities” (2011: 387). Extending these conclusions, scholars argue that restrictive local legislative contexts are likely to be insurmountable obstacles to immigrant incorporation. Massey and Sanchez, for instance, document the effects of anti-immigrant environments on the identities of Latin American immigrants (2010). They claim that this legislative context, along with difficult economic factors and social context of reception by the native born, has yielded immigrants who embrace a panethnic Latino identity more strongly than an American identity. This reactive identity, they conclude, puts Latin American immigrants today in danger of becoming part of an underclass. Similarly, Menjívar and Abrego argue that the federal, state, and local criminalization of immigrants constitutes “legal violence,” disrupting the everyday lives of Central American immigrants in tenuous legal statuses and derailing their long-term incorporation (2012). While these scholars’ claims are logical, their work does little to actually study whether and how state and local restrictions work to obstruct incorporation.

This literature has begun to shape a research agenda on subnational immigration law that focuses on immigrants on the ground. At the same time, the many implications of this work for theory have yet to be untangled. This chapter contributes both to the growing body of empirical data documenting the effects of restrictions on immigrants and to the theoretical underpinnings of the sociology of immigration. Using the literature on passing and the presentation of self as a bridge, I connect observations of immigrants’ navigation of hostile receiving locales with assimilation theory. My findings demonstrate that legal restrictions can counterintuitively motivate forms of incorporation by prompting undocumented immigrants to pass as American.

The classic model of immigrant assimilation proposes straight line, inevitable convergence. Immigrants become more similar to the native born incrementally as they lose cultural characteristics and behaviors, and they blend into the dominant core population over time (Thomas and Znaniecki 1995 [1919]; Park 1928; Warner and Srole 1945; Gordon 1964). Despite its prominence, classic assimilation theory has fallen into disregard due to the normative, ethnocentric emphasis on Anglo-conformity found in some foundational writings (Glazer 1993; Kazal 1995; Portes 1997). Nevertheless, many scholars have reappraised the theory to grapple with the incorporation trajectories of post-1965 migration flows. Such re-examinations make a critical observation: straight line assimilation into the mainstream is not the universal outcome of immigrant life in multiethnic America (Gans 1992; Kazal 1995; Waters 1990). The ethnic disadvantage model of assimilation, for example, argues that the disadvantages of immigrants with little human capital are reproduced rather than diminished (Glazer and Moynihan 1963; Portes and Rumbaut 2001). Segmented assimilation theory holds that racial discrimination, the receiving co-ethnic community, and inner-city residence shape prospects for downward, stagnant, or upward mobility (Portes and Zhou 1993; Zhou 1997).

Efforts to rework assimilation theory have also led to a blossoming of terms to express the concept of immigrants becoming more like the natives of the receiving society, including integration, incorporation, acculturation and adaptation. The details of how these terms are applied vary at the national level. Europeans prefer integration, for instance, because it is less associated with the U.S. immigrant experience and European histories of coercive assimilation (Favell 2001; FitzGerald and Cook-Martin 2014).

Terms also vary according to political leanings. In the U.S. case, those who oppose immigration—usually Republicans—champion assimilation, whereas those who support it—usually Democrats—favor integration. While I recognize differences in the usage and application of these terms, I use them interchangeably in this chapter.

Despite important divergences between classic assimilation theory and revisionist approaches, the frameworks share the contention that cultural adaptation occurs over time as immigrants deeply absorb and influence the norms of the majority society. The debate here revolves more around whether and how such adjustments lead to full structural assimilation into the mainstream rather than whether or not cultural changes actually occur. This logic, however, does not account for the immediate influence of receiving locales' legal contexts on the assimilation process. The applicability of assimilation theory writ large to the incorporation of immigrants living in restrictive destinations—those that actively seek to exclude rather than include newcomers—is unclear. On the one hand, scholars report that assimilation remains the dominant empirical pattern amongst immigrant groups (Alba and Nee 2003; Waters and Jiménez 2005), but on the other, scholars claim that restrictive local laws are likely to obstruct incorporation trajectories (Massey and Sanchez 2010; Mejívar and Abrego 2012). This chapter resolves the tension between these two assertions by comparatively analyzing the relationship between the socio-legal environments of undocumented immigrants' destinations and incorporation, using the literature on passing and presentation of self as a useful bridge.

Stigma and Passing

Goffman's *Stigma* (1963: 4-5) identified three core categories of stigma. Character stigma encompasses achieved characteristics based on behavior—like dishonesty and intoxication—and beliefs—such as communism and atheism, which are inferred from known records of imprisonment and unemployment, for instance. Physical stigma refers to ascribed bodily traits, primarily deformities of the body, which are visually evident to outside observers. This type of stigma is typically understood as physical disabilities, although it also encompasses body type and size (obese or underweight). Stigma of group identity refers to racial, ethnic, national, and religious belongings that are, typically, transmitted through lineage. Like physical stigma, it is also ascribed and typically inferred through outsiders' visual evaluation.

Scholars of passing contend that when a minority group is oppressed or subject to discrimination due to such stigmas, some members may react by attempting to lose their identity with the minority in order to become absorbed into the powerful majority (Hobbs 2014; Dawkins 2012; Kroeger 2004). This behavior is strategically undertaken to guard against uncomfortable, hostile, or even dangerous everyday interactions. Passing is achieved by carefully attending to presentation of outer self via “impression management” in everyday interactions (Goffman 1963, 1959, 1969). As Goffman contends, “just as it can be assumed that it is in the interests of the observer to acquire information from a subject, so it is in the interests of the subject to appreciate that this is occurring and to control and manage the information the observer obtains” (1969: 10). Passing, however, hinges on whether the offending stigma is evident on the spot, what Goffman terms the plight of the “discredited,” or not immediately perceivable, what

Goffman calls the “discreditable” (1963). In order to pass, then, those with stigma select tactics accordingly from a continuum that ranges from fabrication, concealment, and discretion (Clair et al. 2005; Herek 1996).

Since Goffman initially coined passing as a sociological concept, using the term to describe situations in which individuals proactively cross the boundaries of highly stigmatized identities (1963), it has been applied and extended by scholars to a wide range of stigmatized groups, from racial and ethnic minorities to the working poor and homeless.⁴⁵ This work shows passing in the context of interactions between the stigmatized and the dominant majority, while emphasizing the distinct settings in which it occurs, from private to public. Undoubtedly, the concept of passing is most commonly linked to racial passing; more specifically, it is understood as African Americans passing as white (Hobbs 2014; Khanna and Johnson 2010; Burma 1946). As Hobbs (2014) recounts, Blacks who passed as white in the antebellum period escaped slavery, but did so at huge risk—violence and death, if caught—and loss— isolation, separation from families, and an absent racial identity. As a kind of exile, passing as white implied much of that same risk and loss for racially ambiguous Blacks after emancipation. By the twenty-first century, with the rise of civil rights legislation, pride movements, and racial hybridity, racial passing has mostly “passed out,” however (Hobbs 2014: 278). For those identifying as LGBTQ and disabled, two other groups facing stigma, passing has likely followed a similar trajectory: new legislative reforms, pride movements, and heightened social acceptance has made passing less necessary,

⁴⁵ Georg Simmel (1921) and Charles Horton Cooley (1902), both early pioneers of symbolic interaction, made similar observations regarding self image and the imaginary perspective of others.

which implies that those who continue to pass fail to embrace hard-fought rights and identities (see Johnson 2002; Flowers and Buston 2001; Meyers 2014).

These studies of passing as white, straight, and physically able inform my conceptualization of unauthorized Mexican's legal passing. Much like sexual orientation, legal status is, of course, an invisible trait. Although the stigma of immigrant illegality is not immediately perceivable, legal status is intimately connected to questions of race, ethnicity and physical appearance. Indeed, particular appearances are associated with undocumented legal status both in the public eye (Chavez 2001) and according to the law. In 1975, the United States Supreme Court decided the case of *U.S. v. Brignoni-Ponce*, which looked at what criteria Border Patrol agents can use in making decisions about vehicle inspections for undocumented immigrants. The ruling allows agents to use "Mexican appearance," including "mode of dress and haircut" when they decide whom to pull over.⁴⁶ Congressman Brian Bilbray (R-CA) advances a similar argument, arguing that undocumented immigrants can be identified by "the kind of dress you wear, there's different type of attire, there's different type of...right down to the shoes, right down to the clothes."⁴⁷ Thus the stigma carried by undocumented Mexicans in restrictive destinations is complex: illegality is hidden, while ethnicity and physical appearance is evident on the spot. In addition, while passing has come to seem illegitimate for many African American and LGBTQ individuals, I show it as a

⁴⁶ *United States v. Brignoni-Ponce*, 422 U.S. 873 (1975).

⁴⁷ Bilbray made these statements in 2010 on the MSNBC's "Hardball" television show in defense of Arizona's SB 1070, a restrictive bill that involved local police in immigration enforcement. The video clip is available at <http://thinkprogress.org/politics/2010/04/22/93046/brian-bilbray-immigration/>

common and accepted practice amongst undocumented Mexicans in restrictive destinations.

Passing as adopted by immigrants, particularly the unauthorized, has been explored somewhat in the literature. Focusing on U.S. Chinese exclusion, Calavita (2000) demonstrates how prohibited “coolie” laborers adopted physical markers to pass as admissible upper-class Chinese merchants. Rouse, writing on the disciplining powers of capitalism, shows that unauthorized Mexicans in Northern California adorned themselves with expensive wardrobes and cars to avoid detection in the early 1990s (1992: 35-37). Outside the U.S. context, Willen documents attempts by unauthorized sub-Saharan Africans in Tel Aviv to cover up their skin color with hats and clothing amidst a deportation campaign (2007: 18-19); Killian and Johnson show how North African women in France manage their appearance to avoid racism (2006); and Van der Leun explains that undocumented Moroccans assume an Algerian identity in Belgium because they understand that a lack of cooperation from Algerian authorities makes Algerian nationals more difficult to deport (2003).

Though these works illuminate what Goffman calls the “general human capacity...to acquire, reveal, and conceal information,” they leave the link between passing and assimilation unexplored (1969: 4). Making this connection explicit, I argue that for immigrants targeted by restrictive local laws, passing via strategic presentation of self works in a cumulative manner to advance adaptation, encouraging them to unconsciously internalize dominant norms and, ultimately, advancing cultural incorporation.

Methodology

This chapter draws on 91 qualitative interviews and ethnographic observations of undocumented Mexicans between 2012 and 2014 in Escondido, a city with a restrictive approach to immigration, and Santa Ana, a locale with accommodating immigration laws. While comparative and multi-sited, I spent more time collecting interview and ethnographic data in Escondido, the restrictive site, as my research question for this chapter centers on how undocumented immigrants' everyday lives and incorporation trajectories (dependent variables) are shaped by restrictive legal contexts (independent variable). I use data from the accommodating city of Santa Ana as a check to my findings on the effects of restrictions by studying a similar group of undocumented Mexicans in a different legal environment. My discussion of Escondido and Santa Ana below establishes the socio-legal context of reception in these cities, which is critical to the analysis of this chapter and chapter four on political socialization. In a methods paper separate from the dissertation, I plan to share insights culled in the field on strategies for researching undocumented immigrants in locales politicized around the issue of immigration.

Qualitative Interviews

There were several sample-selection criteria for interview participants. Most importantly, I sought out undocumented, first generation Mexican adults. This group is directly pursued by the restrictive local policy in place in Escondido, and it is also

targeted by most accommodating measures in Santa Ana.⁴⁸ I define the universe of immigrant adults as those between the ages of 20 and 50. This age span allows me to capture the experiences of immigrants who are most likely to be actively working and raising families, therefore engaging in activities of daily life that require engagement in receiving locales outside of home life. Another important selection criterion revolved around the length of time immigrants had spent in my research sites. I included only immigrants who lived in Escondido and Santa Ana during 2000-2014, the legislative period I analyze, for no less than one year. This time allows for sufficient exposure to and experiences with legal restrictions and accommodations in these receiving locales.

Additional demographic selection criteria served two purposes. First, I sought to parse out whether the differences I expected to find in my dependent variables were indeed related to local laws, rather than differences within the study sample. In this regard, I selected similar subjects across both sites in terms of gender, ethnicity, socioeconomic status, and educational attainment. Second, I selected respondents typical of Mexican unauthorized immigrants. While I cannot make generalizable conclusions with snowball samples, this approach makes it reasonable that my findings would be present within other undocumented communities experiencing local restrictions and accommodations.

More specifically, then, the immigrants included as interview respondents follow the trends of the Mexican undocumented population in the U.S. in terms of

⁴⁸ In the dissertation's introductory chapter, I discuss other scholars' research on the other groups affected by state and local immigration law, such as the children and families of immigrants, non-Latino immigrants, and native Latinos, as well as the effects of these laws on ethnic boundaries between natives and immigrants.

gender (Hoefler et al. 2012), with slightly more than half of the sample being male (54 percent, or 51 of 94 total interviews). Regarding ethnicity, I selected Mexicans that self-identified as mestizo, or non-indigenous. Flows from Mexico to the U.S increasingly include indigenous migrants, and this is reflected throughout California (Fox and Rivera-Salgado 2004; Stephan 2007). Nevertheless, the majority of undocumented Mexicans across the U.S. (and in both field sites) are not indigenous. To mirror the broader population of undocumented Mexicans, I also those who were working class and, in terms of educational attainment, those who ranged between several years of primary schooling to completion of post-secondary certificate programs (Passel and Cohn 2009). The majority of immigrants in the interview sample (65 percent) had, at minimum, completed primary school.

In both sites, I generated purposive snowball samples of interview respondents that met the selection criteria outlined above. To begin my sample in Escondido, I began with personal contacts in the city. I also worked with leaders of two community based organizations to identify potential participants. One of the organizations focused on immigrants' rights as a part of a larger emphasis on civil liberties. The other, much smaller and more grassroots, centered exclusively on undocumented immigrants and restrictive laws within Escondido. During my time in Escondido, these groups often held community meetings focused on issues related to immigration in the city (for instance, driver's license checkpoints and the ICE-police relationship). I participated most frequently as an observer, and eleven times as interpreter, facilitator, and/or presenter. During each of these sessions, which also served as data points for the following chapter on political socialization, I met and recruited immigrants eligible for

interviews into this portion of the study. I also worked with the leaders of two churches (one Catholic, one Evangelical) with heavy Latino membership in Escondido to identify potential interviewees. After interviews, I asked respondents to recommend others to participate in the study.

I collected interviews in Santa Ana with a similar snowball sampling approach. Because I lacked personal contacts in that city, I relied more heavily on outside organizations to help me identify potential participants. I worked with three community based organizations focused on immigrants: one was large and well established in the city, whereas the other two were relatively new, small, and more grassroots in nature. I also attended community meetings held by these groups related to immigration issues in Santa Ana, like sanctuary city policies, ending a space rental relationship between ICE and the city jail, and increasing bike lanes (an effort spearheaded by undocumented immigrants who were being ticketed for riding bicycles on sidewalks). I participated most often as an observer, though I facilitated and presented at five of these meetings. Though the meetings served primarily as data points for the following chapter on political socialization, I used the opportunity to recruit immigrants for interviews. I also collaborated with pastors of churches popular with the Latino immigrant community in Santa Ana—two Catholic priests, and one Evangelical minister—to build my snowball sample.

By relying on multiple networks to develop my samples in both Escondido and Santa Ana, I avoided the risk of selecting individuals with very similar experiences. In all, I collected 91 in-depth, semi-structured interviews (63 in Escondido and 31 in Santa Ana). I stopped interviewing when I reached saturation, or the point when I did not

continue to observe new themes in the data.⁴⁹ All interviews were conducted in person and in Spanish. Although most immigrants gave me consent to tape record our interviews, 17 requested that I take notes instead. In addition to the audio recordings and interview notes, I reserved time after each interview to write up field notes that reflected on information gained during the exchange. Most interviews were completed in immigrants' homes, though I also conducted interviews in public spaces (coffee shops, libraries, churches, parks) as well as at immigrants' places of work and in my car. The mean interview length was approximately 1.5 hours, but several interviews were far longer.

The primary goal of these interviews was to understand whether and how local immigration law influences the everyday lives, activities, and behaviors of undocumented residents in order to draw broader inferences about their incorporation trajectories. (I also used these interviews as data points for the following chapter on political socialization). To avoid leading respondents and/or shaping the tone of the interview, I waited for participants to bring up local immigration laws on their own during our exchange. Inevitably, this occurred when, towards the start of each interview, I asked participants about their perceptions of the cities in which they live. I relied on retrospective questioning about laws proposed before I began fieldwork, but I was also fortunate to be in the field collecting interview data when immigration proposals were being debated in each city. In addition to questions about daily routines, I asked about immigration histories, social networks within these locales, employment,

⁴⁹ See Guest, Bunce, and Johnson (2006) and Mason (2010) on sample size and data saturation in qualitative research.

local politics, community involvement, identity, and experiences with crime, police, and native residents. Viewed collectively, these interviews produced deep descriptive accounts of undocumented immigrant life in cities politicized around the issue of immigration.

During the data analysis phase of the study, I first read through the transcriptions individually, matching them with the field notes I took after concluding the interviews. Then with AtlasTI, a qualitative data analysis software package, I used an inductive analytical approach to look for recurrent themes across interviews (see Dreby 2012, Gonzales 2012, Menjívar and Abrego 2012). I coded interviews individually to start, and then I compared my findings across interviews to identify common trends. I coded each interview at least three times during this process as I refined my interpretations of the results. The quotes included in the analysis section of this chapter below represent the view most respondents. Of course, there is also variation across these cases. I dedicate a section of the analysis to this variation, examining the experiences of women and young people in particular.

Ethnographic Observations

In addition to qualitative interviewing, I engaged in ethnographic shadowing observations, a dynamic research approach focused on understanding the lived experience of research participants (Negron 2014). During these observations, I followed a select group of undocumented immigrants that I had previously interviewed during everyday life throughout the course of a day. This included home-based activities such as cooking, home maintenance, and playing with children, as well as

public events, like traveling to work, dropping children off at school, walking to the park, and going grocery shopping. These shadowing days served as a check of the self reports presented in interviews because they allowed for direct observation of undocumented immigrants' behaviors in action, as their navigation of everyday life in restrictive and accommodating locales unfolded before me. Meaning and action are clearly context-dependent, and these observations allowed me to connect immigrants' interview reports of what they do to their lived experience as they move through daily life in Escondido and Santa Ana (see Jerolmack and Khan 2014). This ethnographic portion of the study thus complements the more individual-focused methods I use in the qualitative interviews.

The selection criteria for these shadowing observations were somewhat looser than those I used for the interviews described above. In part, this is because all of the shadowing observations I conducted were with immigrants who had already participated in interviews; that is to say, they had already met the selection criteria in place for that portion of the study. Thus I selected immigrants for shadowing observations based on two criteria, one substantive and one practical. In terms of the former, I sought to shadow immigrants who shared particularly detailed and interesting "passing" strategies for going about daily life undetected in restrictive Escondido undetected. In accommodating Santa Ana, where such strategies were far less detailed and involved, I selected immigrants who mentioned any effort to adapt behaviorally, materially, or mentally in order to avoid detection. Regarding the latter, more practical criteria, I selected immigrants that I thought would be available and open to me shadowing them for an entire day. Most of the immigrants I interviewed in Escondido

and Santa Ana were quite busy, juggling employment (and often more than one job) with social and family obligations, particularly child rearing. Thus I approached immigrants judiciously in terms of my request to shadow them during an entire day, with an eye towards both capturing behavior in action as well as avoiding a major inconvenience or disruption of everyday life. In practical terms, this criterion meant that I did not, for the most part, observe undocumented immigrants in their places of employment. This may have affected my findings in terms of legal passing if their presentation of self differed at the workplace as opposed to other public spaces, but probing this question in interviews did not yield distinctions in this regard.

In all, I conducted 19 daylong shadowing observations, each of which serves as a representation of the daily life of a unique undocumented immigrant. Of these observations, 13 were conducted in Escondido and six in Santa Ana. During the observations, I arrived at the immigrant's home early in the morning, typically around 8:00am. Most immigrants preferred to do the observations during the weekends (or, alternatively, during a week day off of work) because of expected concerns from their employers. I accompanied only two immigrants to work during these observations—a housecleaner and a gardener. Nonetheless, these observations of undocumented immigrants were illuminating in terms of understanding efforts to pass in restrictive locales. My approach to data collection during shadowing observations was two-fold: I jotted notes to myself during the observation and, during breaks, I flushed out these notes with more details of the encounter. After completing a shadowing day, I compiled my field notes into a more detailed and lengthy document. I then compared

these field notes with the corresponding immigrants' interview data during the projects analysis phase.

Site Selection

California

California represents a strategic research site through which to study the effects of subnational immigration policy for undocumented immigrants.⁵⁰ Since its formation in 1850, it has experienced both high levels of immigration and a long series of state and local immigration laws. Almost a quarter of California's population was foreign born when the former Mexican territory became a U.S. state (Gibson and Jung 2006). While scholars now turn to the contemporary dispersal of Latino immigrants to "new destinations" in the South and Midwest (Marrow 2011; Massey 2008; Zúñiga and Hernández-León 2005), the largest unauthorized group of immigrants in the United States still resides in California. The state is home to 2.5 million immigrants without legal status, almost double the number in 1990 (Passel and Cohn 2014: 3).⁵¹ As in the past, Mexican immigrants remain the majority of this population, making up an estimated 73 to 89 percent of all unauthorized immigrants in California (Passel and Cohn 2009: 32). To study the outcomes of local immigration laws, California is

⁵⁰ I borrow the concept "strategic research site" from Robert Merton, who used it to refer to a research site that exhibits the nature of the phenomena to be explained or interpreted in an advantageous and accessible form (1973: 383-412; 1959: 17-42).

⁵¹ The spread of unauthorized immigrants to destinations outside of California is nonetheless evident. According to Passel and Cohn (2009: 3), the state houses a smaller proportion of this population in 2008 (22 percent) than it did in 1990 (42 percent).

advantageous as a site because it is home to the largest group of those targeted by these measures—undocumented immigrants.

Just as California has long attracted Mexican migration, it has also long sought to deflect it. The 1855 “Greaser Law,” passed just five years after California became a state, targeted Mexicans by mandating the arrest of those of “Spanish and Indian blood” who had “no visible means of living.”⁵² State and city officials also played an active role in the Mexican repatriation campaigns of the 1930s (Hoffman 1974; Balderrama and Rodríguez 2006). California established employer sanctions penalizing the employment of unauthorized labor in 1971 (Calavita 1983), and ballot measures in the 1990s aimed to limit unauthorized immigrants’ access to benefits and education, to eliminate affirmative action, and to ban bilingual education programs.⁵³ These more contemporary restrictions have ostensibly focused on unauthorized immigrants and as such are facially neutral, though political debates about them have centered squarely on controlling unauthorized Mexicans (Chavez 2008; Martos 2010).

Despite such exclusions, since the turn of the century California has enacted more welcoming legislation, passing laws that envision unauthorized immigrants as members of society rather than despised outsiders. These bills have made college more accessible for unauthorized students, extended healthcare services to non-citizens, and clamped down on restrictive local-level policies, like mandated immigration status checks by landlords and E-Verify usage by employers.⁵⁴ While California now extends

⁵² See 1855 Cal. Stat. ch 165 § 1.

⁵³ See Propositions 187 (1994), 209 (1996), and 227 (1998).

⁵⁴ See Assembly Bills 540 (2001), 130 (2011), 976 (2007), 131 (2011), and Senate Bill 1534 (2006). E-Verify is a system run by the Department of Homeland Security that electronically compares information

more accommodating laws towards immigrant newcomers, its cities have moved in different, often opposing directions. San Francisco and Los Angeles have sanctuary policies on the books, for instance.⁵⁵ Costa Mesa and San Bernardino, on the other hand, have dedicated resources towards increasing immigration enforcement in their jurisdictions.⁵⁶ California is advantageous as a study site not only because it is home to the largest group of undocumented immigrants in the nation but also because it has hosted scores of divergent immigration initiatives.

Within California, I develop a multi-sited and contrast-orientated comparison of undocumented immigrant communities in cities with restrictive and accommodating immigration law. I hold state-level policy constant by selecting locales within California. I account for county policy by choosing cities with similar county-level approaches to immigration, as described below. Importantly, this approach works to tease out the effects of locality. In so doing, it eschews the problem of viewing the nation-state as the natural unit of analysis for studies of immigration (FitzGerald 2012). My findings demonstrate that local contexts within destination countries may matter to immigrants' lives and trajectories as much as or more than the national context (see FitzGerald 2012 and Favell 2008).

from employment forms with government records to determine U.S. work eligibility. The California TRUST Act, Assembly Bill 4, went into effect on January 1, 2014, towards the end of fieldwork collection. The TRUST Act offers protections to undocumented immigrants without serious criminal records who are arrested in the state. Assembly Bill 60 allows the state to issue driver's licenses to undocumented immigrants beginning in January 2015. This was just after I completed fieldwork collection.

⁵⁵ San Francisco's policy began in 1989, whereas Los Angeles's Special Order 40 dates to 1979.

⁵⁶ On Costa Mesa, see <http://articles.latimes.com/2010/jun/05/local/la-me-0605-costa-mesa-immigration-20100605>; on San Bernardino, see <http://www.sfgate.com/news/article/San-Bernardino-seeking-relief-Struggling-2517530.php>

Escondido, in San Diego County, serves as my restrictive site. Functioning as a contrast case, my accommodating site is Santa Ana, in Orange County. These cities are geographically quite close, with only 70 miles between them. Both are working class, inland communities within Southern California that are near major cities (Escondido is close to San Diego, and Santa Ana is adjacent to Los Angeles). Both are also, on average, poorer and more racially and ethnically diverse than the affluent coastal cities they neighbor. Despite these similarities, the cities look very different demographically, politically, and in terms of their legal approach to immigrant residents.

While single case cannot, strictly speaking, be representative, the cities of Escondido and Santa Ana share fundamental commonalities with a larger universe of cases that have been shown to be causally related to the degree of restrictiveness and accommodation. Features common in restrictive cities include rapid demographic change in terms of the size and growth of foreign-born populations (Furuseth and Smith 2010). In Escondido, the Latino population has risen steadily, more than doubling in size from 1990, when it accounted for 23 percent of residents, to 2010, when 49 percent of the city was Latino (see Table 3.1). Between 2006 and 2010, approximately 29 percent of residents in Escondido were foreign born, of which 73 percent were not U.S. citizens. Second, locales with restrictive immigration laws are in firmly Republican-majority areas (Ramakrishnan and Wong 2010). Registered Republican voters have consistently and significantly outnumbered registered Democrats in Escondido for over a decade. For the 2000, 2004, 2008, and 2012 general elections, Republicans accounted for between 44-48 percent of all registered voters, whereas registered Democrats made up

between 27-29 percent.⁵⁷ Third, in terms of actual legislation considered by restrictive cities, measures typically focus on decreasing undocumented immigrants' access to the labor market, housing, and social services while increasing local immigration enforcement (Varsanyi 2010). Escondido has distinguished itself nationally by consistently legislation on immigration along these restrictive lines.

Scholars have also identified variables associated with accommodating immigration law within cities (Varsanyi 2010).⁵⁸ First, such locales commonly have significant Latino and foreign-born populations, but they tend to be more settled and, demographically, their increase is better characterized as steady rather than “hyper-growth.” In contrast with Escondido’s quick upward tick in Latino population, for example, Santa Ana’s Latino population hovered between 76 percent in 2000 and 78 percent in 2010 (see Table 3.1). Its foreign born population was estimated at 49 percent between 2006 and 2010, of which 70 percent were not U.S. citizens. Second, accommodating locales are typically much more strongly Democratic than restrictive destinations. In Santa Ana, registered Democrats have continuously outnumbered registered Republican voters since at least 2000. During the last four general elections (2000, 2004, 2008, and 2012), Democrats made up between 48 and 51 percent of all registered voters. Republicans only accounted for between 25 and 32 percent during these election years.⁵⁹ Finally, the kinds of immigration laws advanced by accommodating cities focuses on increasing undocumented immigrants’ access to social

⁵⁷ See <http://www.sos.ca.gov/elections/voter-registration/voter-registration-statistics>

⁵⁸ Accommodating immigration laws are also present in small, rural towns that seek to attract population growth by presenting themselves as open to and welcoming of immigrant newcomers (García 2009).

⁵⁹ See <http://www.sos.ca.gov/elections/voter-registration/voter-registration-statistics>

services and legal protections while decreasing immigration enforcement efforts within their jurisdictions. Such initiatives are similar to those advanced in Santa Ana, as discussed below.

Table 3.1 Demographic Background of Selected Study Sites

	Escondido		Santa Ana		California	
	2000	2010	2000	2010	2000	2010
Total population	133,559	143,911	337,977	324,528	33,871,648	37,253,956
% White	51.9	40.4	12.4	9.2	46.7	40.1
% Latino/Hispanic ^a	38.7	48.9	76.1	78.2	32.4	37.6
% Asian	4.5	6.1	8.8	10.5	10.9	13.0
% Black	2.3	2.5	1.7	1.5	6.7	6.2
% 2+ races	4.8	4.4	4.6	3.6	4.7	4.9
	<hr/>		<hr/>		<hr/>	
	2006-2010		2006-2010		2006-2010	
% Foreign born	28.8		49.4		27.2	
Not US citizen	73.2		70.9		55.1	
Entered US 2000 or later	25.2		13.8		23.9	
Entered US before 2000	74.8		86.2		76.1	
L. American birthplace	77.8		83.9		54.5	
% Non-English in home	47.1		82.6		43	
% Spanish in home	40.3		72.2		28.5	
% High school grad or +	75		51.4		80.7	
% Bachelors degree or +	22.1		12		30.1	
Mean household size	3.1		4.3		2.9	
Mean household income (\$)	70,077		67,887		83,483	

Source: U.S. Census Bureau

^a Respondents classified as Latino/Hispanic may be of any race

Restrictions in Escondido

Within the last decade, Escondido has taken a strikingly restrictive policy approach immigration regulation. The city began to develop its contemporary reputation for restriction in 2005, when a majority of the city council voted to support a state ballot initiative seeking to amend the California Constitution to create a new law

enforcement agency—the “California Border Police” (Fried 2005a).⁶⁰ Escondido was the first local government within the state to officially endorse the initiative (Gaona and Lee 2005), a symbolic gesture that set the stage for later exclusionary policy.

The city is most well known in the subnational immigration policy literature for passing a measure to ban renting property to unauthorized immigrants.⁶¹ Members of the Escondido City Council first voted to draft this legislation on August 16, 2006 (Fried 2006). A report by City Attorney Jeffrey Epp, which cited the presence of unauthorized immigrants as contributing to the deterioration of the “overall appearance and living conditions in neighborhoods” of the city, provided the basis for the restrictive measure.⁶² On October 4, 2006, the Council passed Ordinance No. 2006-38R, “An Ordinance of the City of Escondido, California, Establishing Penalties For the Harboring of Illegal Aliens in Escondido.”⁶³

The ordinance began by declaring that “the harboring of illegal aliens in dwelling units in the City and crime committed by illegal aliens harm the health, safety and welfare of legal residents in the City.”⁶⁴ It continued by establishing substantive amendments to the municipal code. Persons and businesses that owned homes and

⁶⁰ The California Border Patrol Initiative was introduced by Assemblyman Ray Haynes, R-Temecula. Support for it in the Escondido City Council was initiated by Councilwoman Marie Waldron (Gaona and Lee 2005). The initiative ultimately failed to collect enough signatures to make it on the 2006 state ballot. For the complete text of the proposed initiative, see the California Attorney General’s website: <http://www.caag.state.ca.us/initiatives/pdf/SA2005RF0079.pdf>

⁶¹ This ordinance was modeled after similar legislation in Hazleton, Pennsylvania. The minutes of the October 4, 2006 Escondido City Council meeting state: “The Ordinance proposed has been modeled after portions of a similar ordinance from Hazelton, Pennsylvania based on Council policy direction at the City Council meeting of August 16, 2006.” See p. 7-8:

http://www.cooley.com/files/tbl_s5SiteRepository/FileUpload21/915/V.Calderon%20Decl.Part%201.pdf

⁶² The text of Epp’s letter is available at the San Diego Union Tribune, <http://legacy.utsandiego.com/news/northcounty/images/060929esconreport.pdf>

⁶³ For the full text of the Escondido rental ordinance, see http://www.cooley.com/files/tbl_s5SiteRepository/FileUpload21/925/Escondido%20Ordinance.pdf

⁶⁴ Ibid.

apartments were prohibited from “harboring an illegal alien in the dwelling unit,” which included renting to the undocumented.⁶⁵ Officials, businesses, and individuals were empowered to enforce the ordinance by filing a written complaint describing the perceived violation to the measure. After verifying that such a complaint was valid, the city then would check the renter’s immigration status with federal authorities, submitting identity documents provided by the property owner.⁶⁶

On the heels of a similar measure passed in Hazleton, Pennsylvania, Escondido’s ordinance promptly incited a legal dispute. Its challengers argued that the ordinance was unconstitutional due to its preemption of the Supremacy Clause, its violation of due process, and the property, fair housing, and contract rights of landlords and tenants.⁶⁷ A federal judge granted a temporary restraining order twenty hours before the ordinance was to go into effect.⁶⁸ This ruling, in addition to mounting legal costs, forced the city to rescind the ordinance just two months after it was passed and to pay a settlement (Isackson 2006a, 2006b).⁶⁹ Undaunted, Escondido city leaders then turned to more subtle tools with which to restrict unauthorized immigrants (Martos 2010).

⁶⁵ Ibid.

⁶⁶ In cases of renters found to be unauthorized, the property owner would receive a written notice of the violation and would have ten business days to evict the renters. Failure to do so would result in the suspension of the property owner’s business license as well as significant fines. See the text of the ordinance, noted in footnote 59 above.

⁶⁷ See *Garrett v Escondido*, available at http://www.fairhousingrights.org/Resources/Educational_Materials/FHRC/Anti-Immigrant_Ordinances/Escondido/Escondido_Lawsuit.pdf.

⁶⁸ See *Garret v. City of Escondido Order re Stipulated Final Judgment and Permanent Injunction*, available at http://www.aclu.org/files/images/asset_upload_file115_27770.pdf.

⁶⁹ In 2007, the state of California passed Assembly Bill 976, which prohibited local governments from requiring landlords to check renters’ immigration status. See http://www.leginfo.ca.gov/pub/07-08/bill/asm_ab_0951-1000/ab_976_bill_20071010_chaptered.pdf

First, the city's police department began a vigorous implementation of driver's license checkpoints—originally established in the city in 2004—as an alternative method of restricting unauthorized immigration (Breier 2010; Guidi 2011).⁷⁰ Conducted during day-time hours and positioned on main thoroughfares to screen for valid driver's licenses and small infractions, the checkpoints were strongly criticized by civil rights groups who argued that they subjected unlicensed immigrants to automobile impoundment as well as potential deportation (Marosi 2011). 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,” which generally begin at 6pm and end at 12am.⁷¹ A March 2012 investigative report found that the city of Escondido made millions of dollars over 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.⁷² As a result, the city is facing calls for an

⁷⁰ However, in 2004 the Escondido Police Department also began accepting the “matricula consular” as a form of identification (Bennett 2005). See the discussion of this form of identification issued by Mexican consulates in the section on National City below. Two members of the Escondido City Council forcefully opposed the presence of a mobile unit of the Mexican Consulate that issued the matrículas during a community event in May 2005 (Fried 2005b).

⁷¹ See Escondido Police Department, “Sobriety Enforcement Planned,” February 9, 2012, <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,” July 3, 2011, <http://police.escondido.org/results-of-sobrietydl-checkpoint.aspx>. In October 2011, California Governor Jerry Brown signed Assembly Bill 353, which allows non-licensed, sober drivers stopped in checkpoints to have another person with a license pick up the car, to avoid the costly impounding process. See http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0351-0400/ab_353_bill_20110908_enrolled.html.

⁷² See Frey, John Carlos. “Escondido Police Under Fire,” *KPBS*, March 12, 2012, available at: <http://www.kpbs.org/news/2012/mar/12/escondido-police-under-fire/>.

independent audit of its checkpoint and towing financial records from the American Civil Liberties Union (ACLU).⁷³

Second, the city council city leaders turned to quality of life ordinances, or those justified as necessary to enhance citizen satisfaction with residential locations, in order to deal with immigration. As Martos argues, these kinds of measures seek to address the perceived symptoms of immigration without a direct reference to race, ethnicity, or immigrants themselves (2010: 2100). Escondido banned front-yard parking in 2008, for example (Lau 2008) and has, since 2007, pondered restrictions on the number of cars individual households could park overnight on city streets in areas home to many immigrants (Eakins 2007; Lau 2008). These thinly-veiled attempts to target low income immigrants, those who often live together to reduce housing costs, were followed by the city council's exploration of banning or otherwise restricting day laborers within the locale (Garrick 2007).

Third, in May 2010 Escondido's Police Department adopted a pilot policing-immigration enforcement program, "Operation Joint Effort," in collaboration with Immigration and Customs Enforcement (ICE). The initiative stations federal immigration agents—those charged with apprehending and deporting unauthorized immigrants—in the Escondido Police Department. Developed behind closed doors and without a written memorandum of agreement or public disclosure, this program allows ICE agents to accompany police as they respond to events in Escondido as varied as

⁷³ See ACLU press releases from March 15, 2012 at <http://www.aclusandiego.org/breaking-news/aclu-to-escondido-show-us-your-papers/> and March 30, 2012 at <http://www.aclusandiego.org/breaking-news/escondido%E2%80%99s-self-audit-raises-more-serious-concerns-of-transparency-and-accountability/>

traffic stops and gang sweeps (Gordon 2010; Marosi 2011).⁷⁴ The program began when police Chief Jim Maher and Robin Baker, the field director for the San Diego regional office of ICE, reached an agreement to partner together. A 2010 examination of five cases of individuals arrested and held for deportation as a result of the Escondido-ICE program indicates that, although some arrestees had criminal histories and standing deportation orders, others had never been deported, and were accused of only low-level misdemeanors or nothing at all (Gordon 2010). 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 (Sifuentes 2011a). By formalizing the relationship between local police and federal immigration officials, the program creates a higher level of restriction throughout the city.

The next move toward restriction in Escondido came in March 2011. With Resolution No. 2011-44, the city council approved a measure that required the city to use E-Verify, a system run by the Department of Homeland Security that electronically compares information from employment forms with government records to determine U.S. work eligibility. The resolution mandated the use of E-Verify for city employees and contractors with Escondido. It also recommended that private businesses use the tool.⁷⁵ However, just seven months later, California Governor Jerry Brown signed

⁷⁴ Because the program operates without a formal agreement and was developed outside of the public eye, 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.

⁷⁵ The text of Resolution No. 2011-44, 2011 is available at http://www.escondido.org/ccagendas/MG143533/AS143549/AS143559/AI143715/DO143912/DO_143912.pdf

Assembly Bill 1236. This October 2011 bill prohibits city, county and state governments from mandating the use of E-Verify for private business owners.⁷⁶ In response to AB 1236, the Escondido City Council was forced to change the language present in its city contracts so that businesses are only “strongly encouraged” rather than required to use the E-Verify system (Garrick 2011a).

In the summer of 2014 Escondido emerged in the media limelight again. As the nation sat transfixed by the unprecedented number of Central Americans crossing the U.S.-Mexico border, many of whom were women and unaccompanied minors, federal officials scrambled to find sites for shelters to process and house them (Preston 2014). Southwest Key Properties, a nonprofit group contracting with the U.S. Department of Health and Human Services, approached the city of Escondido with a plan to open a 96-bed shelter in the city to serve the unaccompanied minors. The plan first went to the Escondido Planning Commission, who was charged with considering local land use issues in deciding whether a former nursing home, which stood abandoned, was appropriate for the center (Jones 2014a). I was present at the commission’s meeting, and the atmosphere was contentious. Attended by hundreds of people, most blamed the Obama administration for prompting the Central American immigration crisis and decried the plan to open the shelter in Escondido. The debate over the Escondido facility was fueled in days prior to the commission meeting by local radio talk show

⁷⁶ AB 1236 also affirms that E-Verify is an optional program of the federal government. See the text of the bill at http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1201-1250/ab_1236_bill_20111009_chaptered.pdf.

hosts⁷⁷ and Congressman Duncan Hunter, an immigration restrictionist who represents Escondido as part of California's 50th District in Washington DC.⁷⁸ On June 24, 2014, the commission voted unanimously against the project. With legal representation from the ACLU, Southwest Key Properties appealed the decision to Escondido's city council, arguing that the Planning Commission's decision was rooted in the city's history of discrimination against immigrants (Jones 2014b). The atmosphere at the city council appeal deliberations on October 14, 2014 was equally charged, with most speakers during the hearing speaking forcibly against the shelter. In the end, the council voted 4-1 against the shelter, with the Olga Diaz—council's lone woman, Latina, and Democrat—the only member supporting the proposal (Jones 2014b).

Accommodations in Santa Ana

Santa Ana's approach to immigration diverges significantly from Escondido's actions as detailed above. The Orange County city has implemented a series of accommodating measures on a wide range of topics. In terms of integration, since at least 1996 the city has followed a bilingual policy, mandating that all city workers (including police officers) must be fluent in English in addition to another language (Reza 1996; Carter 2001). This policy was followed by a 4.5 million dollar initiative of the Santa Ana Chamber of Commerce to offer free English as a Second Language

⁷⁷ See, for example, the broadcast of AM 760's Mike Slater on June 23, 2014: <http://www.760kfmb.com/story/25847134/the-government-sending-unaccompanied-minors-to-escondido-shelter?clienttype=generic&mobilecbypass>

⁷⁸ Hunter wrote two letters to the city of Escondido expressing his strong opposition to the shelter for unaccompanied minors. See <http://hunter.house.gov/press-release/hunter-escondido-reject-hhs-lease-application-unaccounted-minor-facility>

classes to immigrant adults, which was supported by the city's application for federal funding (Associated Press 2007).

Within the realm of youth and families, in 2009 the city council showed their support of unauthorized youth by voting unanimously to urge federal lawmakers to pass the Dream Act, legislation that would give these students a path to U.S. legal residency (Irving 2009). In 2013, the council addressed federal immigration reform with Resolution No. 2013-023, urging the government to adopt a comprehensive measure. As the council discussed the resolution, they agreed on the need for legal relief for undocumented immigrants and the importance of providing opportunities for education, driver's licenses, and economic participation. Resolution No. 2013-023, which passed unanimously, specifically recognized the contributions immigrants bring to Santa Ana.⁷⁹ Finally, in February 2014, Santa Ana's city council voted unanimously to draft a letter to President Obama asking that he stop deportations that separate families and expand the DACA program to cover more undocumented immigrants (Molina 2014).

Regarding enforcement, a Santa Ana city council vote in 2010 approved a resolution condemning Arizona's Senate Bill 1070 for its violation of federal plenary power over immigration and its encouragement of racial profiling.⁸⁰ Unlike the neighboring city of Costa Mesa, which expressed its support of Arizona's policy

⁷⁹ See Santa Ana City council meeting minutes from May 20, 2013, available at www.ci.santa-ana.ca.us/coc/.../cc_minutes_20130520.pdf

⁸⁰For public comment on the resolution and the city council vote, see page 13 of Santa Ana city council meeting minutes from May 3, 2010, available at http://www.ci.santa-ana.ca.us/coc/documents/cc_minutes_20100503.pdf For the full text of the measure, titled "Resolution No. 2010-019, A Resolution of the City Council of the City of Santa Ana Opposing State of Arizona SB 1070 and Urging the President and the Congress of the United States to Work on Comprehensive Immigration Reform," see page 20-22 of a memorandum San Jose memorandum on SB 1070, available at http://www.sanjoseca.gov/clerk/Agenda/20100608/20100608_0302att.pdf

through its “rule of law” resolution, Santa Ana was the first and only city within Orange County to take a stance against SB 1070 (Shadia 2010; Irving 2010).⁸¹ The city council sent notice of its opposition to Congress, the White House, and Arizona’s governor. An additional enforcement-related effort occurred in 2007-2008, when local civil rights groups began pressuring Santa Ana’s city council to develop a sanctuary city policy by adding language to its municipal code stating that local police will not stop or arrest those they suspect of unauthorized status (Delson 2007). While this first effort was defeated, the issue continues to be debated (Coker 2010).⁸²

In terms of policing, Santa Ana’s Police Department accepts the “matrícula consular” as a form of identification, and has done so since at least 2004 (Kaye 2004). In addition, the Santa Ana Police Department initiated a new department policy in September 2011 per the recommendation of the city council’s public safety committee. Rather than impound the cars of unlicensed drivers stopped by police in routine traffic stops—many of whom are unauthorized immigrants who are hit particularly hard by high impound fees—the policy requires officers to allow at least 20 minutes for the registered owner or a licensed driver to arrive on the scene and take control of the vehicle (Galvin 2011).⁸³ This policy goes beyond that mandated by California

⁸¹ For the full text of the Costa Mesa resolution, titled Resolution No. 10-27 “A Resolution of the City Council of the City of Costa Mesa, Proclaiming the City of Costa Mesa as a ‘Rule of Law’ City,” see the May 18, 2010 council agenda report, available at http://www.ci.costa-mesa.ca.us/council/agenda/2010-05-18/AR-M355N_20071209_214829.pdf

⁸² For video of Santa Ana residents asking the city council to approve sanctuary status in a May, 2011 meeting, see http://www.youtube.com/watch?v=EmB1R_dNo8M

⁸³ Immigrant advocates and immigrants, several of whom openly admit their unauthorized immigration status, promoted this policy and sanctuary city status for Santa Ana during a May 2011 city council meeting. See http://www.youtube.com/watch?v=EmB1R_dNo8M.

Assembly Bill 353 of 2011, which only allows non-licensed drivers stopped at checkpoints to have another person pick up the car to avoid impounding.⁸⁴

County-Level Policy and Border Patrol Purview

Escondido and Santa Ana are in adjacent yet different counties, making the issue of immigration policy at the county level significant to my study. As I detail here, however, relevant legislation passed in San Diego County, where Escondido is located, and Orange County, home to Santa Ana, is fairly similar. Both are enrolled in Secure Communities, as is every jurisdiction within California (and, as of writing, all jurisdictions across the U.S.).⁸⁵ This federal program detects unauthorized immigrant detainees in jails through automated data sharing. Orange County also has a 287(g) program in its county jails through which officers check the immigration status of detainees, though the Department of Homeland Security plans to eventually shut that initiative down in order to focus on Secure Communities (Gomez 2012).⁸⁶ San Diego County does not have a 287(g) program, but in September 2011 its Board of Supervisors unanimously adopted an E-Verify policy, mandating that employees pass the electronic immigration check before being hired (Sifuentes 2011b and 2011c).⁸⁷

⁸⁴ For the text of AB 353, see http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0351-0400/ab_353_bill_20110908_enrolled.html

⁸⁵ On May 26, 2009 San Diego became the first county activated in Secure Communities; Orange County followed on March 16, 2010. As of April 17, 2012, 86 percent of jurisdictions were activated. This number went to 100 percent by January 22, 2013. See *ICE: Secure Communities Activated Jurisdictions*, <http://www.ice.gov/secure-communities>

⁸⁶ The Orange County 287(g) has been in place since 2006. See *ICE: Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act*, <http://www.ice.gov/news/library/factsheets/287g.htm>

⁸⁷ For a review of the E-Verify program, see the discussion of Escondido's policy on page 22 of the prospectus. San Diego County Chairman Bill Horn and Supervisor Dianne Jacob proposed the E-Verify measure. See <http://www.diannejacob.com/legislation/general/leg110628a/> and

Finally, though not within the purview of county officials, Border Patrol agents can conduct routine searches for unauthorized immigrants within 100 miles of the interior of the country without probable cause or warrants, bringing a physical presence of enforcement into San Diego County.⁸⁸ While there are differences in the immigration policies of San Diego and Orange Counties, both are more restrictive than accommodating. The contrasting city-level approaches to immigration in Escondido and Santa Ana, therefore, are amplified by the standard applicability of California's state policies of immigration as well as the relatively comparable stance taken by San Diego and Orange Counties.

Analysis

In the section below I turn to my findings. I take an interpretative approach to this analysis, giving attention to the meanings that people live by and how they define their own situations.⁸⁹ I begin with a focus on how local restrictions and accommodations shape undocumented immigrants' daily lives. I then connect these effects to incorporation processes. In sum, I show that undocumented immigrants attempt to pass as native-born American via strategic presentation of self in restrictive Escondido. Over time and practice, passing behaviors become internalized by these

<http://www.diannejacob.com/journal/2011/county-now-using-e-verify>. The San Diego County measure is not affected by Assembly Bill 1236, signed by Governor Brown in October 2011, because does not order private business owners to employ the verification system.

⁸⁸ 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 (8 CFR 287.1).

⁸⁹ Following Mahmood (2001: 209), I emphasize that the language used by the "ordinary people" of my study should not be understood as a poor approximation of their reality. I report what my informants told me; I did not fact check their sources, because my goal is to understand and analyze the experiences and narratives of my subjects.

immigrants, acquiring the status of “embodied habits” and contributing to their cultural adaptation (Mahmood 2001). In contrast, fieldwork in accommodating Santa Ana reveals a different approach to navigating daily life: undocumented immigrants focus on presenting themselves as law abiding rather than attempting to pass as documented or native born. While accommodating locales do not push undocumented immigrants towards cultural incorporation like restrictive destinations, they do provide broader opportunities for political socialization, an issue I take up in Chapter Four of the dissertation.

Legal Passing in Restrictive Destinations

Undocumented immigrants in hostile receiving locales are constantly cognizant of their legality, even when they engage in simple, routine activities (Menjívar 2011; 2012). This “hyper awareness” of the law emerged as a clear and consistent pattern within the interview and observational data I collected in Escondido amongst undocumented Mexicans (Menjívar 2011). Of most concern were everyday activities outside the home that increased potential exposure to legal authorities and unwelcoming local residents. In interviews, respondents explained that driving a car, taking public transportation, and walking on the street—the very actions necessary to do most anything outside of the home—caused anxiety. The socio-legal context of Escondido itself produces much of this worry. Undocumented immigrants without licenses who are pulled over or who are 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.⁹⁰ Their cars can also be impounded, and getting them out of the lot is costly, sometimes amounting to more than the cost of the vehicle itself (Cavanaugh, Lane and Frey 2012). Taking public transport (the bus or the local commuter train), is also problematic, especially because of the Border Patrol presence at Escondido’s main transit center station. Even walking on public streets creates a sense of being vulnerable to enforcement actions. As seen in Table 3.1 below, the anxiety described in my interviews is also mirrored in the findings of an MMFRP survey of immigrants from Tlacotepec, Oaxaca who live in Escondido and Vista, a city adjacent to Escondido that has also taken a restrictive approach to immigration.

Table 3.2 Principal Sources of Concern for Tlacotepense Immigrants in Escondido and Vista

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
Going to or taking kids to school	20.8

N=202

Source: MMFRP 2011

⁹⁰ California’s TRUST Act (Assembly Bill 4), which went into effect on January 1, 2014, offers protections to undocumented immigrants without serious criminal records who are arrested in the state. Escondido’s Operation Joint Effort circumvents these protections, however, by facilitating communication between the city’s police officers in the field and the ICE agents housed in the department’s head quarters. In practice, this means that police officers can call ICE agents to the scene of a police stop before putting an undocumented immigrant under arrest.

Undocumented immigrants' awareness of the law pairs with concrete and frequently negative experiences with local authorities. In qualitative interviews, immigrants in Escondido recounted being stopped by the police for common infractions—speeding or not using turn signals—as well as more serious violations, such as driving under the influence of alcohol. In addition to these instances were numerous accounts of police stops due to broken tail lights, cracked windshields, unspecified charges of suspicious driving, riding bicycles on the sidewalk, jaywalking, littering, and looking like a wanted criminal suspect—circumstances in which immigrants felt targeted because of their ethnicity and, in turn, their authorization status. Gonzalo's close call with a police officer in Escondido exemplifies this sense of profiling. An undocumented immigrant from the Mexican state of Nayarit, Gonzalo has lived in Escondido since 2004, when he first arrived to the U.S. at the age of 26. Now a married father of three children, he was pulled over as he traveled home from his job at a nearby construction site. His stroke of luck came as the police officer, who claimed Gonzalo was driving erratically, was radioed to a call he deemed more important, allowing Gonzalo to continue on his way with a warning:

AG: What were you thinking when the police pulled you over?

G: I was praying. I asked God to bless me, to keep me safe, and to get me home to my family. I knew what could happen and, at the same time, I knew I didn't do anything wrong. I knew he was pulling me over because I'm Mexican. A million times I have heard this same story from friends and family. What other reason could there be? I was driving the speed limit, and I always respect the traffic laws. I always check my truck in the morning before leaving for work—the brake lights, the turn lights, and all that to make sure there's no reason they should stop me...

Despite the anxiety that accompanies moving about restrictive cities like Escondido, some aspects of everyday life are unavoidable. At a bare minimum, immigrants must get to and from work, transport children to school, and buy groceries and personal care items. Going to the doctor, attending church services, and visiting with family and friends may be somewhat less immediately essential, yet they remain important activities. Several immigrants in my Escondido sample did disengage from the outside community altogether in the face of legal restrictions, and I discuss that variation at the end of this section. The far more common trend, however, was for undocumented immigrants to carry on with quotidian activities strategically. In essence, they engaged in what I call *legal passing*: a presentation of self to the outside world that takes on characteristics identified as stereotypically American in order to mask illegality.⁹¹

Efforts to pass by undocumented immigrants during everyday life are best understood as a protective reaction to the dangers presented in restrictive Escondido. Immigrants literally embody the knowledge they accumulate about the natives in their destinations on the “front stage” of their public personas (Goffman 1959), from the clothing they wear and the gait with which they walk to the language they use and the music they play in their cars. In this sense, they rely on what Goffman (1963) terms “disidentifiers” to distance themselves from traits that are stereotypically associated with immigrants, Mexicans, and being undocumented. The ways in which the

⁹¹ There is a broad literature within immigration scholarship that details how immigrants assume alternate identities in order to access employment and social services within receiving countries, often with identity documents that are falsified, borrowed, or bought (Sadiq 2009; Broders and Engbersen 2004). While related, my work takes on presentation of self during everyday life for unauthorized immigrants.

unauthorized adopt the culture of the dominant population in Escondido fall into three primary clusters: behavioral adaptation, through body language and language use; material adaptation, with dress and vehicles serving key functions in the presentation of self; and mental adaptation, when passing becomes commonplace, normalized, and even familiar. I separate these clusters for analytical purposes below although, in reality, they are intertwined.

Behavioral Adaptation

For Goffman, “manner” refers to the way in which individuals play roles on the front stage of everyday life, performing and adhering to socially accepted norms and conventions (1959). Remaining calm to avoid a nervous presentation of self in restrictive locales is a particularly important and common strategy of manner for undocumented immigrants. Here, in terms of behavioral adaptation, these immigrants adjust their body language in public in an attempt to blend in. “When you’re out you have to take care to make sure the *migra* or the police don’t get you,” Ramón, a 32 year old immigrant in Escondido explained. “If I pull up to a traffic light and it turns out I have a police car next to me, I don’t look over at them. I don’t move my hands a lot, or my eyes. I can’t look nervous because they’ll come after me. It’s the nervousness that they notice in people and that’s why you get stopped.” Roberto, a young man referred to me by Ramón, also emphasized the importance of being calm, especially when encountering the police or immigration enforcement (ICE or the Border Patrol) on the street. “The most important thing is to act calm and natural. You definitely shouldn’t start to run! Or even turn around and go the other way,” he explained. “Because then

you look like you're hiding something and they'll come after you.”

I also explored this point with Rosa, who migrated to Escondido in 2008 in her early thirties, following a series of family members who had established themselves in the city. When I met her, Rosa was residing with her long-term partner, Luis, and their two young daughters in her sister's home. The couple had fallen on hard economic times and, in an effort to make ends meet, they sold Rosa's car. This left her to walk to pick her girls up from school in the afternoon as well as to her part-time job at a cafe, where she worked mornings starting at 6am. During our interview, Rosa emphasized her efforts to look and feel calm—despite her anxiety—as she moved through the city on foot:

AG: When you're getting ready to leave the house, how do you feel?

R: I get nervous. I breathe heavier; I feel my heart beat fast... But what I have to do is calm myself. I take a deep breath and I try to relax. I say the Hail Mary and I entrust myself to God.

AG: How do you stay calm when you're out walking somewhere?

R: It's more when I'm waiting outside. Like many times I get to work a little before the manager, and I have to wait for him to open up. I'm just standing there on the corner waiting, and it makes me nervous to be like that. So I started listening to music. I borrow my sister's ipod and I listen to music, which makes me feel calm and I also think it makes me look more normal, standing there waiting for my manager.

AG: What do you mean, that it makes you look more normal?

R: Well that's what everyone does these days—walk around with the little earphones in their ears.

While these excerpts show how and why undocumented immigrants maintain a

calm demeanor outside the home in Escondido, adjustment of body language goes far beyond this composed presentation of self. A consistent theme across qualitative interviews had to do with walking—not the activity itself, but emulating how Americans compose themselves as they move through the city. In particular, immigrants contrasted their gaits in their Mexican sending communities with those in their U.S. destinations. This was a point illustrated by Jaime, who migrated to Escondido in 2003, when he was 29 years old:

[Back home] maybe you're just taking a stroll, walking without any necessary purpose. Or you're going to get something at the store and end up chatting with someone in the plaza. But in the U.S. people always have a reason for where they're going and they want to get there fast. You can't just wander about in Escondido. It makes you look suspicious...Here you have to walk as if nothing was up. Don't act nervous, just busy.

Pablo, who has lived unauthorized in Escondido for over 7 years, reiterated this effort to pass via posture and way of walking. I had interviewed him a week prior and, interested in learning more about his efforts to "*hacerme pasar por güero*," or to try to pass for a white guy, I asked whether I could shadow him for a day. He agreed, and after we met up at his apartment one Saturday morning we set off on foot to a local park, where he was going to play a pick up soccer game. I was fumbling for my notebook in my bag and lagging a bit behind, but I had already begun to ask Pablo to revisit how he adjusts his behavior to look calm when he is out in Escondido. "You have to act fearless, act American, and walk around the streets as if you were from here," he explained. "Acting fearless and American? What do you mean?" I asked, as I

continued to dig through my bag. “Look at me,” he responded. “This is how I walk on the street here.” As I turned my gaze to Pablo I immediately understood what he meant: he had a strong, confident, but relaxed gait; he was looking straight ahead; his shoulders were back and his head was high. The impression he was giving off was that he had every right in the world to be walking down the street towards the park, that this was a very normal activity, and that he had nothing to hide. On the face of it, Pablo’s presentation of self was much more effective at blending in than mine that morning, as I wandered behind him, struggling to find my notebook and looking around for the park.

The ways in which undocumented immigrants attempt to pass as native born extends to the realm of language use as well. Scholars of assimilation often rely on immigrants’ use of English as a marker of incorporation (Bean and Stevens 2003: 143-171; Alba et al. 2002), and most empirical research supports the view that Latino immigrants in the U.S. are assimilating linguistically across generations (Rumbaut, Massey, Bean 2006). I find that in restrictive destinations, speaking the language also serves as a purposive strategy used to avoid attention. Carmen has lived without papers in Escondido for around ten years. She has held a string of child care positions with local families in town, all of whom only spoke English. “I had to learn quickly,” she recounted to me, “in order to understand what they were saying and how they wanted me to take care of the children... And it has served me well. When I’m out doing errands or whatever, now I use English.” As we talked, Carmen told me about a difficult experience she had before her English was very good. She was in a local clothing store with her eight year old son, looking for pants that would meet his elementary school’s uniform requirement. Carmen approached an employee to ask

where the changing rooms were, but she faltered, unsure of the right words. Resorting to gestures to express her intent, Carmen was ashamed when the employee began to laugh at her. “I couldn’t understand everything she was saying but I heard the words ‘dirty’ and ‘Mexican’... My son told me later that she thought I wanted him to try on the pants there in the middle of the store.” Now much more nimble with the English language, Carmen told me this experience convinced her that “it’s better to use English to not call attention to yourself.”

Of course, not all the immigrants in my sample speak English fluently enough to fully engage in this passing tactic. Those without strong English skills expressed a degree of anxiety about their public lives in Escondido that I did not perceive in their more fluent counterparts, perhaps because they were at a serious disadvantage in terms of passing as American if pushed to engage with others verbally. Similarly, Walker (1997) found that monolingual Spanish-speaking Latino immigrants were more fearful of the police than other groups, including those immigrants fluent in English.

Passing strategies for immigrants with limited English in Escondido were twofold: first, like many immigrants struggling with a new language, they relied on their children to translate, as demonstrated in the case of Carmen above. Often far more proficient in English than their parents, these immigrants’ children serve as “brokers” of language and, often, of culture (Katz 2014). Second, undocumented immigrants in Escondido minimized the Spanish they speak in public. Marissa, who has been in Escondido just three years, explained that she relied on her husband, who has lived in the U.S. far longer, to navigate public settings in English, as she preferred not to use Spanish. “I don’t want to call attention to us,” she said. “If I’m out alone

without anyone who can speak English for me, I just don't talk very much." Indeed, I spent a somewhat quiet afternoon out and about in Escondido when I shadowed Marissa during a day-long observation. I accompanied her during two errands she needed to complete in town on a Tuesday after lunch—buying stamps and picking up fabric for a cape she promised to make her son for Halloween. At the post office, she chose to buy stamps from the automated self-service machine (which had a purchase option in Spanish) rather than to approach an employee, even though the wait for the machine was several people longer. And, at the fabric store, Marissa made a beeline for the pre-cut bolts in order to avoid asking an employee to custom cut the fabric she needed for the superman cape.

Material Adaptation

Material adaptations, such as dress, are also key components of passing behaviors. Estefania came to Escondido in 2008 when she was 21, following her older sister, Carolina, who worked as a housekeeper in a local hotel. Estefania crossed the U.S.-Mexico border undetected in a trunk of a car that passed through the point of entry in Tijuana. With only the clothes on her back, she borrowed clothing from her sister at first. "I noticed right away that my sister's clothes here were different than those she wore at home [in Mexico]," Estefania said. "They were new, and stylish, and looked very nice. At home we didn't have much money, and our clothes were much more worn." I asked Estefania whether her sister had nicer clothes in the U.S. because she had money here from her housekeeping job. "Yes, of course, that's part of it. But she also told me when I first arrived here that you have to look presentable and well dressed

in Escondido. That people treat you better and the police will leave you alone.” I scanned Estefania, trying to assess whether her clothes reflected that she was following her sister’s advice: she was wearing a soft turquoise v-neck sweater, dark blue jeans in a fashionable slim-fit cut, and nude color patent leather flats. She wore light makeup and her long, dark hair was swept up into a top knot. Now age 25, she looked indistinguishable from many of the undergraduates I see daily on my university campus in San Diego.

Later in our conversation, the topic of clothing came up again. Estefania was recounting a time when, as she was waiting for a bus at Escondido’s transit center, two Border Patrol cars pulled up. Nervous but aware that she would look suspicious if she immediately left, Estefania busied herself with a local newspaper she had picked up earlier to fan away the heat. As luck would have it, her bus arrived in several minutes, and Estefania joined others forming a line to board. “There was one woman, *una mexicana*, just in front of me. I couldn’t believe how she was dressed! I thought for sure the *migra* would come for her... A stained t-shirt, dirty shorts, and *huaraches* [Mexican sandals] and her hair was not well combed. But nothing happened. When I sat down on the bus I kept looking at her and thinking, ‘maybe she doesn’t know that she’s putting herself at risk looking like that?’”

Lorena provided a different perspective on presentation of self through clothing, showing the ripple effects of restrictive immigration laws on those not even directly targeted. Having legalized her status after the 1986 IRCA immigration reform, Lorena is now a legal permanent resident. She lived with her husband in Los Angeles, but when she divorced she decided to start over in Escondido, where she had extended

family. After many years as a single woman, Lorena met and married Pancho, an undocumented immigrant originally from Aguascalientes, in 2010. Pancho got work as a landscaper in Escondido just after their marriage, and Lorena worried constantly about his appearance on his drive home. “He spends all day outside in the sun blowing leaves and cutting grass. Of course he’s dirty and sweaty at the end of the day. But he could get pulled over for just that, for looking like a *mojado* [wetback].” Despite Pancho’s repeated promises to drive carefully and obey the speed limit, Lorena remained anxious. Eventually, she hit upon a plan: every morning she packs him khakis and a dress shirt to wear on his commute home in the evening—the white collar standard for men—rather than his dirty landscaping uniform. Reflecting on this, Lorena said “maybe it means nothing. But I think that he calls less attention to himself with the clean clothes...It makes him look like he’s from here.”

Immigrant men’s perspectives on passing via dress were somewhat different than women’s. Both genders worked to minimize aspects of their clothing that they associated with Mexico or undocumented status, seeking to emulate the ways in which Americans—and oftentimes working professionals—dressed. Men, however, also discussed the importance of signaling through their dress a lack of gang affiliation. This was a comment I heard most from younger male interviewees, from age 18 through early 30’s. “If you’re Mexican like me, the quickest way to get into trouble is to walk around looking like a *pandillero* [gang member],” Jorge told me. Newly arrived from the state of Guerrero, Jorge had been living in Escondido for just over a year when I met him in 2013. A 20 year old construction worker, he remembered how he spent part of his first earnings in the U.S.:

Jorge: My brother took me to the mall because I told him I needed some new clothes. I bought the big baggy pants, the jeans, you know? And I took them home and tried them on, and my brother was so mad. I didn't really understand why! He said that the police would stop me and the real *cholos* [gang members] would come after me...I got mad, honestly.

AG: So what did you do? Did you ever wear the jeans?

Jorge: You know, no. Because my brother has been here in Escondido a long time. He knew better than I did. And I didn't want to disrespect him in his house.

AG: Do you think your brother was right about what he said?

Jorge: Yes. Now yes. Because I see who dresses like that and I know what they're up to.

AG: So how do you dress, then?

Jorge: Just like a normal working guy from here. Not like some guy who just crossed the border, not like a delinquent.

Another material adaptation involves immigrants' vehicles. Because being stopped by the police while driving is a particularly high stakes experience in Escondido, the unauthorized take care to avoid raising suspicion by paying attention to their cars. Those in my sample uniformly did not have the economic means to buy very expensive automobiles. Nevertheless, their efforts centered on maintaining the older model vehicles they could afford, keeping them in as good shape as possible. Fixing obvious body damage was key. "I have an old car," Vicente recounted. "But I keep it clean and I repair it as often as necessary... I don't want it to look like I'm this poor immigrant driving a bad car." Amalia agreed with this sentiment. A housekeeper who travels up and down San Diego County to clean clients' homes, she relies on her red

Geo Metro for her livelihood. “It’s a priority for me to keep this car running and looking decent. If I get a dent, if my windshield cracks, or whatever, I don’t wait. I take it straight to get fixed. It’s bad enough that my car is old, but if it’s in bad condition on top of that, it’s asking for problems,” she said. When I asked Amalia what kind of problems she was referring to, she elaborated, saying “If you’re Mexican and you’re driving around in a car that’s falling apart, it’s like telling the world that you’re undocumented.”

Immigrants who were able to buy newer vehicles or somewhat more expensive models cited passing as a non-suspect native as a key motivation. Daniel, who has lived over 15 years in Escondido without authorization, explained that he recently bought a newer Honda Accord. “Since I’ve had that better car, I haven’t been stopped by the police once,” he said. “My car, it was very old, a real clunker. It made me look suspicious, but with the Honda I don’t call so much attention to myself.” Leticia and her husband, who have long lived undocumented in Escondido, saved for years for a car and, when they finally had the money, they choose to buy a used Mini Cooper. Leticia showed me the car as we wound up our interview, and said “It’s nice, right? And Mexicans never drive this kind of car. That’s one of the reasons we got it, because it will keep us safe.”

Both those with older and newer automobiles also avoid any kind of adornment that could allude to their immigrant status, such as bumper stickers of the Virgin of Guadalupe, a revered Mexican religious and cultural image, or of popular U.S. Spanish-language radio shows. As Martin, who has resided in Escondido for 7 years, asked, “why would I make it so obvious that I’m an immigrant? No, much better to try to

blend in with those that are from here.” From dress to cars, material adaptations are a critical means of presentation of self for undocumented immigrants, furthering their efforts to legally pass.

Mental Adaptation

For undocumented immigrants, legal passing hinges on a careful presentation of self that is created, maintained, and embodied in legally restrictive destinations everyday and over time. Thus it is not surprising that the sustained behavioral and material adaptations described above lead to mental shifts. In this sense, seeking to pass as American—along with all its implied behaviors—begins to feel normal, routine, and even accepted. This process occurs as immigrants internalize the ways they present themselves to the outside world in order to navigate local restrictions. Below, I offer evidence of the mental adaptations that undocumented Mexicans undergo within restrictive socio-legal destinations as a result of legal passing. I focus especially on immigrants who have resided for longer periods (at least 3 years) in Escondido, as it is with them that such internalization emerged in interviews and observations.

Alhondra is a married mother of two who has lived in Escondido since 2006. Originally from Chihuahua, she migrated to the U.S. to reunite with her husband, Marco, who arrived in Escondido in several years earlier. Her eldest child, Luisa, was born in Mexico and crossed the border illegally with Alhondra, using borrowed papers at the Tijuana port of entry. Her youngest son, Alejandro, was born in Escondido. Having arrived in Escondido at the height of controversy around the city’s housing ordinance, which would have barred undocumented immigrants from renting housing

within city limits, Alhondra was immersed in local restrictions from her first days in the U.S. “I became aware, quickly aware, that Escondido didn’t want us here,” Alhondra recounted. “My husband told me what was happening with the ordinance and that we might lose our apartment. And he told me I had to take steps to hide the fact that I am undocumented.” During our interview, Alhondra told me about her efforts to legally pass, focusing especially on the way she dresses and carries herself. I asked her to reflect on the meaning of these behaviors for her. During this exchange, Alhondra revealed—in a particularly clear way—that passing has come to be a seemingly normal and routine part of her everyday life:

AG: How do you feel about dressing this way and acting this way...What does acting American mean to you?

A: It’s like putting on a seatbelt when you get into the car. I don’t think about it that much anymore. I just do it, you know?

AG: So when you were telling me about this...

A: It was funny telling you, because I’ve gotten so used to doing these things that I don’t think about them.

AG: You don’t think about them?

A: It’s that this acting American has become part of who I am.

Other respondents mirrored Alhondra’s expression of having internalized the passing behaviors they adopted to navigate everyday life in Escondido. Pancho, for instance, is the husband of Lorena, the green card holder described above who packs a change of clothes for him to wear home from his landscaping job. He has lived in undocumented in Escondido since 2009, just a year before he and Lorena got married.

When I heard Lorena's story, I knew I wanted to interview her husband to get his perspective on this very literal presentation of self as a white collar worker. She had warned me that Pancho would be reluctant to give me an interview, however, because he is naturally timid and especially guarded about his immigration status. Luckily, I was interviewing Lorena in the couple's apartment in the late afternoon, not far from the time Pancho normally came home from work. As we sat over coffee in the kitchen, Lorena welcomed me to wait there for him. After around an hour, we heard Pancho coming in the front door. He rounded the corner and entered the kitchen: a medium build man, Pancho was indeed dressed in tan khaki pants and a white long sleeve, button down shirt. He carried a small cooler in one hand and a brown grocery bag in the other, which I later gathered contained his landscaper uniform. Lorena facilitated introductions, kindly explaining my research in Escondido and assuring her husband that I was "*de confianza*" (trustworthy). Pancho glanced between me and Lorena and, with a sigh, sat down at the kitchen table. I assured him that our interview would be quick, and we focused mainly on his changing clothes to commute home.

AG: When Lorena had the idea of you wearing different clothes to drive home, what did you think?

P: I thought she was worrying too much.

AG: But you do it anyway...

P: Yes. Every day, for over five years now. And she's right in a way. Things are bad in Escondido if you're undocumented like me.

A bit later in the interview, I asked Pancho to explain to me how the exchange of clothes he undertakes with his wife unfolds in the morning. He responded first by talking about the efficacy of his daily change of clothing and then, quietly holding hands with Lorena, he reflected on the meaning of the practice. In this excerpt it became clear that Pancho had accepted his legal passing as a part of his routine. Even more so, I understood as he spoke that the exchange of clothes represented and a comfortable, almost tender daily moment between him and his wife:

P: I don't know if it works. Does dressing this way keep the police from stopping me? I don't know. But I feel more comfortable, more confident driving home in these clothes. Because I look more like someone from here. And I'm used to it now. It's become part of our routine.

AG: Part of your routine with your wife.

P: Yes. Because in a way it reminds me... It helps me know every morning that she loves me and wants to keep me safe.

These examples demonstrate an internalization of the adaptations immigrants make to navigate the legal restrictions in place in Escondido. In this sense, I contend that the mental adaptations I detail above represent more than an additional strategy in a cat and mouse game between restrictionists and law enforcement, on the one hand, and undocumented immigrants, on the other. While behavioral and material adaptations serve as a means of strategic presentation of self, the internalization of legal passing, as seen in mental adaptations, has at least two unintended and cumulative consequences: it contributes incrementally to cultural incorporation and, at the same time, it distances undocumented Mexicans from their ethnic identity, thus perpetuating the exclusionary

logics behind hostile local immigration laws. Before I develop these ideas in the concluding discussion of this chapter, I turn to findings from Santa Ana, my accommodating fieldwork site, as a check to the results I have presented for restrictive Escondido.

Everyday Life in Accommodating Locales

I engaged in the same data collection activities in Santa Ana as in Escondido—interviews with undocumented immigrants who met the selection criteria detailed above, and daylong shadowing observations with a subsample of these same immigrants. The logic behind comparing everyday life for undocumented immigrants between these two destinations is that if legal passing in Escondido and its related behavioral, material, and mental adaptations is prompted by the restrictive legal context in place there, navigation of daily life in accommodating Santa Ana should appear different. This hypothesis is supported by emergent studies of undocumented immigrants in inclusive local policy environments which indicate that city-level accommodations contribute to symbolic and instrumental incorporation, along with bureaucratic membership (Marrow 2012; de Graauw forthcoming; de Graauw 2014).

Looking more closely at undocumented immigrants' daily experiences within Santa Ana, I find that presentation of self is certainly active within this population. This is not surprising, given everyone within society presents themselves to the outside world in various ways. Of course, the accommodations put into place in Santa Ana cannot fully counter the broader weight of federal policies and practices that prioritize immigration enforcement. In contrast to Escondido, however, presentation of self in

Santa Ana stopped far short of efforts to legally pass as native-born American. The behavioral and material adaptations I observed there were primarily motivated by the desire to avoid fines associated with legal infractions rather than, as in Escondido, a fear of deportation. Some of those in my sample also used presentation of self as a tool to disassociate themselves from local gangs. Unlike immigrants in Escondido, however, those in Santa Ana avoided gang-associated images because of fear of street violence and retaliation rather than the deportation-related consequences of coming into contact with law enforcement. I attribute these differences in presentation of self to the more inclusive policy environment in Santa Ana and, in a related fashion, to the lack of restrictive immigration laws in this receiving community. At the same time, the analysis below points to other differences between the two cities—mainly, levels of gang activity—as causing variation in how everyday undocumented life unfolds. These neighborhood effects shape the ways undocumented immigrants perceive Escondido and Santa Ana and, in a related manner, how they act there (see Sampson and Raudenbush 2004).

Behavioral Adaptation

Undocumented immigrants in Santa Ana strived to manage their images to present themselves to the outside world as lawful. Many of the behavioral adaptations they made in this regard were similar to those I observed with undocumented immigrants in Escondido: remaining calm, and avoiding nervousness, jitteriness, or suspect behavior. This type of body language was primarily motivated by a desire to avoid costly fines and court dates that result from being cited by the police for driving

without a license.⁹² The examples offered by immigrants in Santa Ana during interviews and observations in this regard were centered on experiences driving cars. Whereas in Escondido immigrants explained that a calm presentation of self was necessary even while walking or taking public transportation, the more welcoming socio-legal context of Santa Ana did not make behavioral adaptations necessary for these activities.

The case of Javier illustrates some of the differences between presentation of self between the two cities. Javier is 30 years old, and has lived in Santa Ana for close to seven years. Originally from Michoacán, Mexico, he crossed the border to better support his wife and children, who remain in his hometown. When I interviewed Javier, he was working as part of a janitorial team, cleaning large office buildings late into the night. He relied on his car to transport his supplies between job sites, but he was well aware that being stopped while driving without a license would result in a ticket. In our exchange below, it became evident that avoidance of this kind of fine was the primary motivation for Javier's efforts to present himself in a calm, relaxed manner while driving:

AG: Do you need your car for work?

⁹² California Vehicle Code 12500 a vc prohibits people from driving in California without a valid driver's license and, at the time of data collection, drivers licenses were not issued to unauthorized immigrants in the state. Depending on the circumstances, those charged for driving without a license receive either a misdemeanor or as a non-criminal infraction. A misdemeanor carries with it a maximum \$1,000 fine, and the fine for an infraction is a maximum of \$250. See California Vehicle Code 40000.11 and California Penal Code 19 and 19.8. California's approach to offering driver's licenses to undocumented immigrants has shifted several times since the 1990s. The most recent change as of writing was Assembly Bill 60, which allowed the state to issue driver's licenses to undocumented immigrants in January 2015.

J: Yes, it would be difficult without a car. Because I have a lot of cleaning supplies to take with me, and I work late hours. The busses don't run that late.

AG: But you don't have a driver's license...

J: No. I wish I did! But I have never been stopped.

AG: Why do you think that is?

J: I'm not sure, but I act very calm—not nervous—when I'm driving. The police [in Santa Ana] don't give us many problems. But I don't have the money to pay for tickets. And if you're undocumented like me and you get stopped by the police, they'll surely give you a ticket.

AG: Are there other times when you have to act very calm?

J: Really, just when I'm driving. I know then that I am breaking the law by driving without a license.

AG: What if you're out walking or taking the bus?

J: No, that's not necessary. Not necessary because I don't feel nervous because I'm not doing anything wrong. And police don't stop you just for walking.

The more accommodating context of Santa Ana also emerged in my interview with Raquel, a single mother who has worked in a warehouse in the city for four years. I asked her what daily life is like for undocumented immigrants in Santa Ana. In response, Raquel said “I have families in other cities where yes, they don't speak Spanish on the street and they dress a certain way. But here there's no need for that. It's more relaxed here. The most you do is drive the speed limit and stay calm.” This kind of behavioral adaptation is prompted by the kinds of obstacles that undocumented immigrants confront across the United States—only 10 states (along with Washington DC) allow them to obtain drivers licenses (NILC 2015). Adjustment of body language

in Santa Ana, then, centers on a composed presentation of self while driving. Unlike the case of undocumented immigrants in Escondido, it does not extend to image management while walking or taking public transport, nor does it entail physical changes in how one walks or avoiding the use of Spanish in public.

Material Adaptations

While the bulk of image management in Santa Ana was concentrated in the kinds of behavioral adaptations described above, it was also common for young men in my sample to address altering their clothing to avoid the appearance of gang affiliation. Here the fear was less of attracting the attention of law enforcement, as in Escondido, and far more based in the reality of gang activity and violence within Santa Ana. During my fieldwork in Santa Ana, several high profile gang-related shootings occurred. The violence resulted in a gang injunction for a heavily Latino immigrant neighborhood (Molina and Emery 2015) and a high level of concern from non-gang affiliated residents. This worry over gang violence was frequently the first issue mentioned to me at the start of interviews with immigrants in Santa Ana in response to the question of what undocumented immigrant life is like in that city. Pati, a 45 year old wife, mother, and part time restaurant employee, called the gang members in her neighborhood “*los muchachos*,” or “the boys.” I asked her to explain the role gangs play in the area:

P: The boys are always in the alley or on the corner. They know who I am and I know who they are. I know who their mothers are! We say hello and that’s it. They show me respect. And for long periods of time

it seems fine and quiet, but then something happens between all them and right away it gets tense. It gets dangerous. I have heard gunshots at night many times.

AG: Do you call the police?

P: No, no. I don't want to get involved. I'm not worried about myself but about my son. I don't want him to have problems with *los muchachos*.

A couple of weeks later, I interviewed Pati's son, Esteban. At 22 years old, he was attending an English as a Second Language class at a local community college and working long hours with his father in construction. Esteban has lived in Santa Ana since he was 17, when his parents, having saved enough money to rent a two bedroom apartment, sent for him. He crossed the border illegally in Arizona with an uncle experienced in illicit migration, and then rode in a car until he reached his parents in Santa Ana. It had been five long years since he had last seen them in person. During our conversation, it became evident that Esteban struggled with the gang presence in the neighborhood, and adjusted his way of dressing to disassociate himself from it. This material adaptation, similar to those undertaken by undocumented young men in Escondido, was directed image management for gang members themselves, rather than the police or immigration enforcement, as in my restrictionist field site. When I asked Esteban about the future, he emphasized his goal of moving to safer area of the city:

AG: What plans do you have for the future?

E: I'd like to start making more money so that I can find a place of my own to live, maybe in a different neighborhood.

AG: Why a different neighborhood?

E: There are so many gang members hanging out around here. On this street! They don't bother me, we're fine. But I have to make it obvious that I'm not part of one [gang] or the other. That I'm dedicated to my work and my studies.

AG: How do you do that—make it obvious?

E: I don't wear certain colors. I don't wear those pants, the loose ones. I can't shave my head. That whole *cholito* [gang member] style, anything close to it, I can't do that.

AG: How did you figure out that you needed to do this?

E: My parents, first my parents talked to me about who these guys are and that I shouldn't get mixed up with them. Then my cousins, they live here too, they told me what I should wear and who to watch out for.

AG: It's just the gang members that you have to watch out for?

E: Yes. I guess the police too, but they don't hassle you too much as long as you're not up to anything. I've never had any problems. What I'm worried about is the guys on the street.

Despite to the good intentions of policymakers in Santa Ana, the city operates within a larger legal environment. At the state level, driving without a license is criminalized. At the federal level, the risk of deportation has steadily ticked upward, while the opportunity for Mexicans to legally migrate has diminished. Attending to presentation of self in regards to documentation status is still necessary in Santa Ana, but the mitigating effects of the city's welcoming legal approach to undocumented residents is evident: Presentation of self is limited to small behavioral adaptations in the city that are indicative of attempts to protect oneself against the economic hit of a traffic citation. Clearly, it is not only city-level immigration policy but also general community safety—and especially gang activity—that contribute to how undocumented immigrants

in Santa Ana manage their images while engaging in the activities inherent to everyday life. The limited material adaptations that undocumented immigrants recounted making were centered on avoiding the appearance of gang affiliation in a city that increasingly struggles with gang violence. Presentation of self, then, is distinct in Santa Ana. Undocumented immigrants there do not seek to pass as American, as in restrictive Escondido, but rather to present themselves to the outside world as law abiding residents.

Legal Passing as Vehicle of Cultural Incorporation

The analysis thus far has demonstrated that undocumented immigrants, under pressure in restrictive socio-legal contexts of reception, strategically present themselves to pass as natives and avoid deportation. The same kinds of passing behaviors are not present in legally accommodating destinations, where presentation of self centers on the creation of a law abiding image for the outside world to avoid citations and gang issues. What lessons does the passing behavior evident in restrictive Escondido offer for scholars of immigrant incorporation?

It is possible to conclude that passing is not, as assimilation theory would have it, a full incorporation of the dominant culture into the inner self. Recent research on stigma and passing has begun to recognize membership within multiple identity groups, wherein individuals selectively identify with one group or another according to the situation at hand (Brewer 2000; Rockquemore and Brunsma 2002; Renfrow 2004).

An argument could be made that the passing I describe here is more akin to this approach, which is similar to Barth's situational model of ethnicity (1969; see also

Banton 1983; Okamura 1981). Here, ethnicity is understood as interactional rather than an unwavering, fixed trait that emerges during unofficial, informal, and everyday classification practices. In this sense, undocumented immigrants in restrictive locales may turn their ethnic and immigrant traits on and off, displaying or concealing them depending on their perception of their relevancy in a given social context.

Situational ethnicity is indeed a useful lens for understanding undocumented immigrants' passing behavior during its beginning stages, when they are making calculated moves based on their clear awareness of a goal: to avoid detection. In this sense, undocumented immigrants are the strategic actors envisioned by Weber in his conceptualization of rational social action (1991). Yet the mental adaptations I describe in Escondido for long-term undocumented residents show that passing as an intensive, ongoing and repeated bodily act. Necessarily focused on particular and specific situations, the concept of situational ethnicity falls short in terms of characterizing temporal processes (Solomos and Back 2001:347). Understanding how the cultural expression of ethnicity changes over time is critical to understanding legal passing, as immigrants actively synchronize outward behavior and inward motives. I demonstrate that as legal passing is maintained over days and years, it becomes commonplace and normalized, driving undocumented immigrants to accept and internalize the front stage of their public personas.⁹³ At this stage, legal passing looks more like Weber's traditional social action (1991), as undocumented immigrants shift to acting American

⁹³ Psychologists understand internalization as bringing one's private concept of self into line with their public behavior (Tice 1992; Festinger and Carlsmith 1959). Sociologists approach internalization somewhat differently, emphasizing the manner in which individuals accept and conform to broad social norms and values within society (Mead 1934; Scott 1971). I see draw on both approaches in my understanding of the internalization of legal passing for undocumented immigrants because I see them as complementary of each other, reflecting individual and society-level perspectives.

out of habit. This internalization, I argue, represents the incorporation of the culture of the dominant aspects of the receiving society into the inner self.

In making this claim about incorporation, I draw from the broad literature on practice leading to belief. Saba Mahmood advances this argument in her work on women in Egypt's mosque movement, contending that the repeated performance of acts, such as veiling, produces an ethic of piety and shapes concepts of self and body (2005; 2001). Also focusing on women, Judith Butler similarly argues that enacting gender conventions or "gender acts" leads to material changes to individuals' existence as well as to their bodies (1990). Jennifer Carlson's work on gun carriers in the U.S. makes a comparable contribution with a quite different population: she argues that the practice of carrying a gun engenders the belief of being a good citizen against the contemporary backdrop of economic insecurity and social instability (2015). Research on practice leading to belief focuses not only on groups of people but also states. Risse (1999) argues that international norms are often taken up by domestic actors and converted into policies and institutions involuntarily, or with cynical compliance by rights-violating regimes. Nevertheless, he concludes that these repeated uptake processes can produce genuine moral learning (Risse 1999). These studies, while topically varied, each advance the formula for belief adopted by the seventeenth-century French philosopher Pascal: that acting as if one believes can cure one of disbelief (1910: 49).

At the same time as I root my analysis in these works of habituated and embodied learning, I recognize that my cross-sectional data is limited in terms of advancing my argument on incorporation, which is by definition a process that unfolds

over time. I understand the individuals in my samples people in my data as representing varying points in a common process which most undocumented immigrants in restrictive destinations experience—the cultural adaptation that results from their efforts to avoid detention and deportation via legal passing. While I cannot point to conclusive data on the point about incorporation, I advance the argument in three ways. First, as noted above in the section on mental adaptations, I compare undocumented immigrants in my Escondido sample by length of time spent in that restrictive locale. In doing this, I find that the internalization of passing as American is, logically, far more pronounced amongst those who have lived there longer. Second and third, as I describe below, I analyze whether passing behaviors are evident outside of restrictive destinations and for immigrants who have recently regularized their immigration status. As I demonstrate below, these checks point to the internalization of legal passing, which indicates incorporation.

Passing Outside Escondido

As a first check to the argument that passing advances cultural adaptation, I ask whether this behavior continues when undocumented immigrants venture outside of my restrictive fieldsite, Escondido. The immigrants in my sample frequently left the city for a variety of reasons: for work purposes, to shop or eat at a particular establishment, for recreation at the nearby beach, to visit family and friends elsewhere, and to ferry children to and from sports' practices and matches. The logic behind looking at behavior outside of Escondido is that if passing is only immediately related to the restrictive environment of that city, presentation of self is likely to change once

undocumented immigrants are out of harm's way, outside of city limits. The interview data I collected on this question, however, indicates that passing is an ingrained, internalized behavior that carries over city lines. Below I offer representative examples of this point from undocumented immigrants residing in Escondido.

Julia, 34, is a single mother of one. She has lived in Escondido for eight years, but as a domestic worker, Julia spends much of her time outside the city. When I interviewed her, for example, she cleaned six homes on a weekly basis: two of these were within Escondido, while the other four were in different coastal cities. Julia also cared for twin girls over the weekends in the city of San Diego. After talking at length about Julia's passing behaviors—the clothes she wears, her hairstyle, the confident way she carries herself—I asked her whether her presentation of self shifts when she finds herself outside of Escondido. “It doesn't matter if I'm cleaning houses in Del Mar [a nearby affluent coastal city] or buying groceries at the Walmart in Escondido. I still fit in and look like I'm from here. I've become really used to not drawing attention to myself,” she explained. While the stakes are much less high for undocumented immigrants outside of Escondido than inside of it, Julia's case demonstrates that the passing behaviors learned in that restrictive locale carry over to other jurisdictions.

I met Maribel in the middle of an interview with another immigrant. An energetic woman of 29, she had dropped by her neighbor's apartment to gripe about their landlord, who was once again threatening a rent increase. Interested in my research, Maribel agreed to interview with me the following morning. As I pulled up to her apartment building, I found Maribel outside unloading groceries from the back of her late model Ford Focus. We started talking as we toted brown paper bags up the

stairs towards her home. As I suspected from the uniform she wore the day before, Maribel worked in food preparation at a local quick serve restaurant. She arrived in Escondido in 2003 at the age of 18, following her older sister who helped her find work cleaning houses. Maribel married several years later and quickly had two children, who are now school aged. As we discussed how she navigated daily life as an undocumented immigrant in Escondido, Maribel touched on her way of dressing, something I had immediately noticed when I saw her outside just returning from the grocery store. “This is my California style,” she said, gesturing first downwards to her clothing—a brightly colored t-shirt, short shorts, and flip flops—and then upwards to the big sunglasses propped up on her long, wavy hair. “I noticed that the girls dressed like this when I first got here, so I copied it to blend in, to not call attention to myself. I was trying to seem like I was from here.” Following up, I asked Maribel if she limited her “California style” to her time in Escondido. “It doesn’t matter where I am, inside or outside of Escondido,” she responded. “I always dress this way. It’s comfortable to me now. It’s become part of my style.” This exchange is oddly similar to an example of a “mutually constitutive relationship between body learning and body sense” offered in Mahmood’s work on women who veil in Egypt: one of her respondents expressed that her body literally would feel uncomfortable if she were *not* to veil (2001: 214, emphasis in the original). While legal passing is prompted by the restrictive environment in Escondido, its related behaviors have come to be embodied as dispositions—adaptations to the culture of the dominant majority.

Passing After DACA

In a second check to the argument that legal passing shapes cultural adaptation, I ask whether passing behaviors continue when undocumented immigrants in restrictive locales are able to regularize their immigration status. Here, the logic is that if passing is only due to restrictive local law, presentation of self would be likely to change once immigration status is regularized. I use a subset of my Escondido sample who received deferred action through DACA, the Deferred Action for Childhood Arrivals program, to test this hypothesis. DACA was announced in June 2012 as an executive action advanced by the Obama administration. It offered, in its original iteration, a two year grant of reprieve from deportation and work authorization for eligible undocumented immigrants who were brought to the U.S. at a young age (see Wong and García 2015).⁹⁴ I was already collecting interview and observational data in Escondido when news of the program emerged, and it seemed to me that 11 of the immigrants I had included in my sample there would qualify. I contacted these individuals and, after learning that they were planning to apply to DACA, I arranged to re-interview them after they received DACA status (everyone included in the subsample did indeed apply for and receive DACA). This second round of interviews set up a kind of natural experiment through which I could determine whether a positive change in immigration status would prompt a different approach to presentation of self.

My DACA subsample is admittedly small (n=11), and the program is a temporary rather than a permanent immigration regularization. Nevertheless, in

⁹⁴ DACA was expanded in November 2014 when Obama announced another executive action designed to give relief to undocumented immigrant parents of U.S. children. In its new expanded form, work authorization and reprieve from deportation will last three years (rather than two) and there is no upper age limit for eligibility. See <http://www.nilc.org/dapa&daca.html>

analyzing the second round of interviews with DACA recipients, it became clear that the behaviors associated with legal passing do not disappear quickly. The excerpts below are representative of the experiences I collected across this subsample which, because of my study's focus on undocumented adults, skews towards the upper limits of eligible age (31 years old) as established by the program's initial criteria.

David, a 27 year old single construction worker, was living with extended family in Escondido when I met him. Having arrived to the U.S. in 2006, his uncles first taught him how to drywall before helping David find work in construction, an industry in which they also labored. When I re-interviewed David, he was thrilled with the possibilities DACA could offer him, including advancement in his job. Nevertheless, he was very hesitant to let his guard down or openly identify as an undocumented immigrant despite the change in status DACA awarded him. Recalling our initial interview, I asked David whether the passing behaviors he had earlier recounted to me were still necessary for him:

AG: So, do you still try to pass as American, even though you have DACA now?

D: I'm very glad to have DACA. But I still take precautions with how I act and talk on the street here. With that, nothing's changed. It's just become part of what I do.

David's comments clearly expressed that his passing behaviors, adopted when he first arrived in Escondido, have become engrained and habituated over time. While he can rest assured that he will not be deported for at least the next two years, he continues to modify his appearance through behavioral and material adaptations. His

response was similar to that of Marta who, despite also qualifying for DACA, led a very different life than David in Escondido. Marta is 29 years old and a single mother of two small U.S.-born children. She worried throughout our first interview about the possibility of her being deported and, as a consequence, separated from her children. After she received DACA, her outlook had improved quite a bit. Nevertheless, she expressed reluctance in our second interview to let go of her passing practices, as she viewed them as both part of her and part of a safety net she had manufactured for her small family: “DACA is a blessing,” Marta said. “I feel like a big weight was taken from me. But there are still problems here in Escondido for Mexicans like me. The police, the *migra*...I know I have DACA now and they can’t just deport me. But I still blend in, I still act like I’m from here. It’s become part of who I am.”

Discussion and Conclusion

Scholars have long contended that assimilation proceeds incrementally, stemming from purposive action and, even more commonly, the unintended consequences of everyday decisions. As Alba and Nee note, “assimilation...is something that frequently enough happens to people while they are making other plans” (2003: 282). This chapter charts how undocumented Mexican immigrants in hostile receiving locales navigate the necessities of everyday life by attempting to pass as American, a behavior not prevalent amongst their undocumented counterparts in more accommodating destinations. Through behavioral and material adaptations, these immigrants present the culture of the dominant core society on their outside selves, embodying Americans in an effort to evade local police, immigration law enforcement,

and restrictions on where they live and work. I show that this legal passing becomes internalized and habituated over time and, drawing from a broad literature on the ways in which practice becomes belief, I argue that it thus contributes to undocumented immigrants' cultural adaptation. I explore this argument with my interview and observational data, demonstrating that the internalization of legal passing is more pronounced amongst undocumented immigrants who have lived in restrictive destinations for longer periods of time, and that legal passing continues outside of restrictive locales and remains present even with immigrants who recently regularized their immigration status. These findings support my argument that legal passing has an unintentional and cumulative incorporation effect, serving as a driver of undocumented immigrants' cultural adaptation.

Developing generalizable conclusions is a difficulty of comparative and multi-sited work, especially with studies that focus on groups, such as undocumented immigrants, who strive to remain undetected. The analysis in this chapter offers close empirical observation, but it is not statistically representative. Following Burawoy (1991), I emphasize societal rather than statistical significance, in which I develop ideas of theoretical and practical import to those studying immigrants and law. I also draw on other studies to support the social significance of my work on legal passing and establish some degree of typicality (see FitzGerald 2012). As noted earlier in the chapter, scholars have demonstrated passing behaviors by a broad range of unauthorized, prohibited, or stigmatized immigrant groups within a variety of restrictive contexts, both local and national: Chinese "coolie" laborers in U.S. ports of entry (Calavita 2000), undocumented Mexicans in Northern California (Rouse 1992), sub-

Saharan Africans in Tel Aviv (Willen 2007), North African women in France (Killian and Johnson 2006), and undocumented Moroccans in Belgium (Van der Leun 2003). This work supports my findings in terms of legal passing, making the notion that undocumented immigrants living in other restrictive destinations throughout the United States and indeed the world more logical. At the same time, my connection of this passing to incorporation remains a unique contribution to the literature.

The issue of ethnic diversity within restrictive receiving locales serves as another generalizability check to my findings. In California, the high percentage of Latinos—both native and foreign born—within the state clearly offers cover for unauthorized Mexicans seeking to pass as natives. These immigrants embody the local native-born Latino community along with the white population in their presentation of self, suggesting that the reference point for cultural assimilation is not exclusively the dominant white majority (see also Alba and Nee 2003). In this sense, legal passing is different from racial passing, especially in communities throughout Southern California with large Latino populations of both natives and immigrants, documented and undocumented. In contrast, Schmalzbauer's work on undocumented Mexicans in Montana emphasizes the "impossibility of anonymity in one of the 'whitest' states in the country" (2014). In that case, these immigrants' status as outsiders is immediately evident on their bodies. Nonetheless, Schmalzbauer demonstrates passing behavior even in Montana, as undocumented women alter their dark hair color, for example, and attempt to master the local accent when speaking English (2014).

In addition to generalizability, it is also important to address the question of variation within my work. As I indicated above, legal passing was the dominant pattern

within the interview and observational data I collected in restrictive Escondido. There were, nonetheless, undocumented immigrants who did not fall within this model of navigation of daily life. Several women I met in Escondido choose to disengage from the outside community altogether in the face of that city's legal restrictions, opting instead to rely on family and social networks to provide for their needs, such as delivering them foodstuffs and ferrying children to school. Other scholars discuss similar findings within undocumented communities on the heels of local-level restrictions (Hagan et al. 2011), though I show how this kind of isolationist response can endure over time. It is likely that immigrant women are more inclined to demonstrate this kind of retreat into the shadows because of they are, overall, less involved in the labor market and frequently more dependent on male partners (Hondagneu-Sotelo 1992).

Another important variation within my sample centers on young undocumented immigrants. While the study did not focus on youth, during my interviews and observations with undocumented parents their children were frequently present. Some intervened in our conversations when their parents detailed their efforts to pass as American, voicing their disapproval of their parents' attempts in this regard. Given the growing mobilization of undocumented youth around the DREAM Act as well as DACA (Wong et al. forthcoming), their resistance to local restrictions is not surprising. Indeed, Abrego notes differences between the legal consciousness across generations of undocumented immigrants, finding that while fear predominates within the first generation, the 1.5 generation are more likely to claim rights (2008 and 2011). While these variations are interesting and indicative of areas for future research around

immigrants' lived experiences of law, the overriding pattern for undocumented Mexican adults in the restrictive locale was legal passing.

While behavioral and material adaptations serve as a means of strategic presentation of self in restrictive destinations, the internalization of legal passing, as seen in mental adaptations, contributes incrementally to cultural incorporation. At the same time, it distances undocumented Mexicans from their ethnic identity, thus perpetuating the exclusionary logics behind hostile local immigration laws. In the end, the message of rejection conveyed through hostile destinations ironically results in more similarity between unauthorized immigrants and natives. In contrast, undocumented immigrants in accommodating locales navigate daily life with a different approach: they focus on presenting themselves as law abiding rather than attempting to pass as documented or native born. Although local accommodating laws do not push undocumented immigrants towards cultural incorporation like restrictive measures, they do foster broader opportunities for political engagement, an issue I take up in Chapter Four of the dissertation.

Chapter 3, in part, is a reprint of material as it appeared in the *Journal of Ethnic Migration Studies* 2014. The dissertation author was the sole author of this paper.

Chapter 4.

Undocumented Immigrants' Political Engagement: The Role of Local Immigration Laws

Introduction

Undocumented Mexican immigrants are unlikely participants in U.S. politics. Without full political rights, they are unable to participate in the formal political processes, such as naturalization and voting, that dominate studies of immigrant political incorporation (Albarracin and Valeva 2011; Barreto et al. 2009; Ramakrishnan and Espenshade 2001; Wong et al. forthcoming). Moreover, formal political participation is driven by immigrants' socio-economic status, along with their age, English language ability, and organizational membership (Arvizu and Garcia 1996; Rosenstone and Hansen 1993; Ramakrishnan 2005; Wong 2006; Anderson 2008). This establishes an expectation for low levels of political engagement amongst undocumented Mexicans, who have limited earnings, educational attainment, and English skills overall (MPI 2015). Likewise, they face serious obstacles in terms of employment, housing, and access to health care (Menjívar and Abrego 2012), along with a rise of restrictive laws within receiving locales, as I detail throughout the dissertation. Vulnerability in all of these areas is likely to work against the political participation of undocumented Mexicans.

Despite these limitations, the undocumented are clearly not dispossessed of political agency. Recent research shows that they engage in various forms of purposive action in the political sphere, including participating in protests, encouraging others to

vote, contacting public officials, and working with campaigns (Jensen 2008; Marrow 2005; Ramakrishnan and Bloemraad 2008; Perez et al. 2010; Eisema et al. 2014; Terriquez and Patler 2012). This engagement emerged in the public eye most recently in 2006, when undocumented immigrants joined millions in the streets to protest H.R. 4437, a bill that would have criminalized undocumented communities and those that aid them (Voss and Bloemraad 2011). Though it is debatable how far the pendulum has swung, efforts such as these indicate the need to consider how and why undocumented immigrants—the majority of whom are Mexican nationals—participate in politics within the U.S., and to what ends.⁹⁵

The literature on immigrants' political incorporation is rich, but it is limited in terms of its ability to explain the ways in which the undocumented overcome obstacles to political engagement. Most significantly, it overwhelmingly focuses on formal forms of participation inaccessible to undocumented immigrants (Wong et al. forthcoming). Studies of immigrants' political incorporation also often ignore the antecedent factors that motivate engagement in receiving locales' politics, such as their political socialization (Kaufmann and Rodriguez 2010) and sense of political efficacy. Finally, much of this scholarship deterministically favors individual variables over contexts of reception in its analysis. Insights from the law and society literature go further in explaining the relationship between immigration laws and undocumented immigrants' political engagement. These scholars argue that laws are critical to setting the stage for

⁹⁵ According to February 2015 Migration Policy Institute (MPI) estimates, about 6.6 million (or 58 percent of the total unauthorized population of 11.4 million) of unauthorized immigrants in the 2008-12 period were born in Mexico. See Zong and Batalova, "Frequently Requested Statistics on Immigrants and Immigration in the United States," <http://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#Unauthorized%20Immigration>

the political participation of marginalized groups (Engle and Munger 2003; Abrego 2008; Campbell 2005). Legal measures that extend and retract rights, benefits, and protections differentially shape recipients' identities and legal consciousness, which in turn impact their political engagement. In this sense, public policy and political participation are recursive because they powerfully reinforce each other (Engle and Munger 2003; Campbell 2005). It follows that immigration measures passed locally, within immigrant receiving locales, are likely to have an effect on the political socialization and the resulting political engagement of undocumented residents.

I show in Chapter Three that restrictive local immigration laws shape undocumented Mexicans' cultural assimilation, pushing them to legally pass. In this chapter, I draw on a contrast-based comparison of legally restrictive and accommodating immigrant destinations to reconcile a debate in the emerging literature on subnational immigration law. While some scholars argue that restrictive laws (both national and local) obstruct undocumented immigrants' incorporation trajectories (Menjívar and Abrego 2012; Massey and Sanchez 2010), others note the ways in which harsh legislative action, like California's Proposition 187 of 1994, can motivate the political engagement of targeted groups (Ramakrishnan and Espenshade 2001). My comparative work advances a middle ground between these two positions, wherein I argue that local immigration measures differentially affect these immigrants' knowledge of local politics; their sense of political efficacy; and their actual political participation within receiving communities. I find that restrictive measures trigger political socialization, prompting undocumented Mexicans to develop deeply localized political knowledge as they sort out the implications of such laws. At the same time,

the oppressive nature of restrictive laws dampens their sense of political efficacy and confines their participation to the issue of immigration, where engagement is mostly invisible and documentation status concealed. Conversely, accommodating laws prompt far less political socialization around the issue of local immigration. Good news diffuses more slowly than bad news (Naveed et al. 2011), and these laws' extension of rights and benefits prompts less discussion and debate. Nevertheless, the security and stability provided by legal accommodations allows for broader political socialization, including around subjects not immediately related to immigration, and a stronger sense of political efficacy. These translate into more expansive political engagement in which undocumented Mexicans are a visible presence, with their documentation status often disclosed as a political tool.

The data informing this analysis come from over two years of fieldwork in Escondido and Santa Ana, major immigrant receiving locales in Southern California with divergent legal approaches to undocumented immigrant residents, as detailed in Chapter 3. I use data from Escondido, the restrictive locale, to check my findings on the effects of legal accommodations in Santa Ana, the welcoming receiving community. More specifically, I draw from 91 qualitative interviews with undocumented Mexican immigrants and observations of public meetings and demonstrations focused on immigration-related issues across both field sites. I also attended meetings in which immigration was not on the agenda to assess the ways in which immigrants are involved in other common topics of concern. I supplement the observational data with transcripts and video footage of key meetings that occurred before I was in the field, such as city

council debates over Escondido's 2006 rental ordinance, which barred undocumented residents from renting housing in the city.

I begin the chapter by bridging the literatures on immigrants' political incorporation with law and society scholarship focused on rights-granting laws. Here I show how some of the limitations of work on immigrants' political incorporation can be addressed by a law and society perspective that begins with the premise that legal measures targeting marginalized groups influence recipients' political engagement. Because I detail the legal contexts of Escondido and Santa Ana in Chapter 3 along with the background on my qualitative interviews and observational data, I omit a separate methodology section here. Rather, I include relevant methodological information within the analysis that follows, which highlights the dynamic relationship between local immigration laws and undocumented immigrants' political engagement. I conclude with the implications of this analysis. A lack of citizenship makes exercising political voice through the ballot box impossible. In shedding light on how undocumented Mexicans make their voices heard in other ways, this chapter demonstrates that local immigration laws intensify and weaken some of the harshest negative consequences of federal illegality, differentially activating the political agency of these immigrants. The design of local immigration laws, then, profoundly shapes the nature of democratic participation.

Political Participation of Undocumented Immigrants

What is the relationship between local immigration law and undocumented immigrants' political participation? The emerging literature on subnational

immigration laws highlights the central role of politics in these measures. In an attempt to parse out why some cities and states pass immigration restrictions while others develop more accommodating laws, scholars initially focused on demographic change, in particular rapid increase in the size and growth of Latino and foreign born populations (Furuseth and Smith 2010). Subsequent studies, however, demonstrate that partisanship within receiving locales is a stronger determinant of subnational immigration measures that are restrictive in nature (Ramakrishnan and Wong 2010; Chavez and Provine 2009; Hopkins 2010). Scholars also identify elected officials who act as policy entrepreneurs to drive subnational immigration measures forward, with a particular focus on restrictionists who build their political careers on laws that blame immigrants for a variety of social problems (Doty 2003; Calavita 1996). While this work advances an understanding of how politics shapes the direction of subnational immigration law, politics' influence on the participation of the undocumented immigrants targeted by these measures remains unclear.

A Political Incorporation Perspective

The broader literature on immigrants' political incorporation also provides a limited understanding of how local immigration law might shape undocumented immigrants' engagement. Traditionally, this scholarship centers on the relationship between individual-level variables and the determinants of formal political participation, such as naturalization (Portes and Mozo 1985; Bloemraad 2006) and voting behaviors, including party registration and participation in elections (Ramakrishnan and Espenshade 2001; Alvarez and Garcia Bedolla 2003). This work

demonstrates that Latinos with higher levels of income and education are more likely to naturalize and become politically active, for example (Arvizu and Garcia 1996; Rosenstone and Hansen 1993). Age is also positively related to formal political participation (Rosenstone and Hansen 1993), as is settlement (Ramakrishnan 2005). These factors, amongst others, drive immigrants' naturalization, partisanship, and voting. Yet because these formal forms of involvement are out of reach for immigrants who lack authorization status, such studies necessarily focus on legally present immigrants and subsequent generations of U.S.-born ethnic groups (Barreto and Muñoz 2003).⁹⁶

The omission of undocumented immigrants within the broader scholarship on political incorporation is problematic on at least two accounts. First, in leaving this sizeable gap in the literature, it automatically positions undocumented immigrants as less politically minded members of society (Ebert and Okomoto 2013). At the same time, recent empirical work indicates that undocumented immigrants are, in fact, engaging in politics. Since 2001, for instance, they have been heavily involved in efforts to support the DREAM Act, legislation that would provide undocumented youth a pathway to citizenship (Seif 2004; Nicholls 2013; Galindo 2012). In 2006, undocumented immigrants joined millions of others to renounce H.R. 4437, a bill that would have criminalized undocumented communities and those that aid them (Voss and

⁹⁶ Until the early twentieth century, non-citizen voting was widespread in the United States, where 22 states and federal territories allowed this population to vote in local, state, and even federal elections (Hayduk and Wucker 2004). The issue emerged again in locales like New Haven, Connecticut and Portland, Maine in 2010 and 2011 (Bailey 2011; Huang 2010), and in Washington DC in 2015 (Burgess 2015). As of January 2015, half a dozen towns or jurisdictions in Maryland allow the practice, while Chicago allows all residents to vote in school board elections (Burgess 2015). Outside the U.S., over 20 countries allow some form of non-citizen suffrage at the national level (Hayduk and Wucker 2004).

Bloemraad 2011). At the subnational level, unauthorized immigrants have mobilized for access to drivers licenses in states like California and Colorado (NILC 2015) and identification cards in cities such as New York and San Francisco (Flegenheimer 2015) while joining protests against restrictive attrition through enforcement legislation in states like Arizona and Alabama. These examples make clear that undocumented immigrants do participate publically, and often in conjunction with laws and policies. Nevertheless, the traditional literature on immigrant political incorporation does little to advance our understanding of this kind of engagement.

Emerging studies from scholars of “illegality,” on the other hand, argue that legal status defines *how* undocumented immigrants can participate in the politics of their receiving communities rather than a priori precluding that participation (Wong et al. forthcoming). Opening up analysis to include informal forms of participation reveals a range of mechanisms undocumented immigrants use to engage in politics. Undocumented immigrants push for change through mobilization, attending public protests, demonstrations or even engaging in civil disobedience. They also volunteer time, skills, and/or money to political campaigns, contact public officials, attend political meetings, and encourage those eligible to vote (Voss and Bloemraad 2011; Marrow 2005; Ramakrishnan and Bloemraad 2008; Nicholls 2013; Terriquez and Pater 2012). While limited, these informal tools of political participation are available to undocumented immigrants. As I demonstrate in the analysis below, however, the context of reception within receiving locales influences how undocumented Mexicans exercise them.

The bulk of the traditional literature on immigrants' political incorporation also focuses on individual-level characteristics, like age and socio-economic status, as determinants of political engagement. By positioning individual attributes as key independent variables of interest, these works pay insufficient attention to the differential effects that entry points have on immigrants' propensity to engage in political life. Scholars of subnational immigration activism rightfully relate the contemporary landscape of immigration law in the United States to a "multi-jurisdictional patchwork," wherein the laws governing immigrants' access to rights and benefits vary tremendously across state, city, and county boundaries (Varsanyi et al. 2012). Given that politics drives the increasing involvement of states and localities in immigration law (Ramakrishnan and Wong 2010; Chavez and Provine 2009; Hopkins 2010), it follows that the immediate contexts in which immigrants live are relevant to their political engagement. A focus on contexts of reception, then, allows for scholars to investigate *why* undocumented immigrants become involved in politics beyond individual-level characteristics.

A Law and Society Approach

There are theoretically important reasons to believe that local immigration laws—both accommodating and restrictive—influence the political engagement of undocumented immigrants. Scholars working from a law and society framework note that legal measures are critical to setting the stage for the political participation of marginalized groups (Skrentny 2002; Engle and Munger 2003; Campbell 2005). In addition to extending or restricting concrete rights and benefits to disadvantaged

populations, these laws produce more abstract effects that, in turn, drive the political participation of beneficiaries.

In terms of rights-granting laws, Engle and Munger's work on the Americans with Disabilities Act shows that the law's protections influence positive changes in beneficiaries' identity, fostering improved self-esteem and higher aspirations (2003). These new rights, along with related identity shifts, positively influence beneficiaries' political engagement (Engle and Munger 2003). Similarly, laws that make higher education more accessible for undocumented students help relieve the stigma of their immigration status and provide a socially acceptable identity. This, in turn, inspires greater political engagement among undocumented students (Abrego 2008). Rights-granting measures can also serve as precursors to organizational membership, which propels political activity. The Social Security program provides a sense of stake in the system for senior citizens, for example, and becomes a mobilizing variable for organizations like the American Association of Retired Persons (Campbell 2005). In his study of the civil rights movement, Skrentny shows that rights-granting laws extending to one group can also diffuse outwards to include other marginalized groups within newly established models of legal rights (2002). This broad literature on the effects of rights-granting laws sets the expectation that accommodating local immigration laws foster the political engagement of undocumented immigrant residents.

Scholarship on laws that restrict rights and benefits is more squarely centered on the issue of immigrants, yet the effects of these measures on political engagement are less clear. On the one hand, scholars note that U.S. settlement and diversity policies at the national level negatively shape immigrants' perceptions of their ability to integrate

(Bloemraad 2006). The contemporary rise in deportations in the U.S., coupled with undocumented immigrants' limited agency and rights, also renders this population uniquely vulnerable (Cook 2013; Menjívar and Kanstroom 2013). Moreover, as I argue in Chapters Two and Three of the dissertation, the rise of restrictive laws within immigrant-receiving locales across the country contributes to fear and anxiety in undocumented immigrants' daily lives. Previous work makes clear that the social and physical isolation of Latino immigrants is negatively related to their participatory behavior (Hagan 1998; Rocha and Espino 2010). Likewise, a lack of exposure to civic, labor, and advocacy organizations within receiving communities decreases the participatory incorporation of immigrants (Ramakrishnan and Espenshade 2001; Marrow 2005; DeSipio 2011). It is reasonable to expect that undocumented immigrants in restrictive destinations experience exclusion and have little opportunity for informal participatory membership, which thus obstructs their incorporation. Indeed, some scholars have drawn precisely this conclusion (Menjívar and Abrego 2012; Massey and Sanchez 2010). The collective implication of this literature, then, points towards restrictive local immigration laws curtailing not only undocumented immigrants' rights and benefits but also their political engagement.

On the other hand, the literature also offers compelling evidence that rights-reducing laws motivate the political participation of those with low agency and marginalized social identities (Ramakrishnan and Espenshade 2001). Political engagement amongst immigrants often occurs during or after polarizing anti-immigrant laws. One often overlooked effect of the repatriation campaign of the 1930s, for instance, was that those Mexicans (and Mexican Americans) who remained in the U.S.

demonstrated participatory behavior by demanding recognition and rights (Monroy 1999; Rodriguez and Balderrama 1995; Sanchez 1993). Similarly, with California's Proposition 187 of 1994 threatening to deny an array of public benefits to unauthorized immigrants, by 1996 first and second generation immigrants in the state were much more likely to have voted than their peers elsewhere (Ramakrishnan and Espenshade 2001: 892-893). Scholarship on the most recent wave of local restrictions often comes to similar conclusions. Focusing on Johnson County, North Carolina, Hagan et al. (2011) argue that a tough socio-legal context for undocumented immigrants there led to increased political participation for many: Latino immigrants formed alliances and coalitions, and the local Catholic church spearheaded political socialization by disseminating information about immigrant rights. Similarly, in their work on undocumented 1.5 generation Latinos, Gonzales and Chavez (2012) argue that while some are immobilized by their illegality, others react by engaging politically to shift the conditions under which they live (see also Wong et al. forthcoming). Despite the difficulties of residing in unwelcoming receiving locales, these studies indicate that undocumented immigrants' political engagement may flourish in contexts of restrictionist policy.

A law and society approach to the political engagement of undocumented immigrants in restrictive and accommodating receiving locales centers on the ways in which laws themselves can motivate political behaviors among marginalized and disadvantaged groups. Precedent studies of non-immigrants, such as the disabled or senior citizens, show that rights-granting laws motivate the political participation of beneficiaries. Work more directly centered on immigrants, however, comes to

conflicting conclusions regarding the effects of rights-restricting immigration laws targeting the undocumented. Some analyses show that these kinds of legally hostile contexts obstruct undocumented immigrants' incorporation, while others indicate that restrictive local laws counterintuitively motivate their political engagement. In the analysis below, I use a comparative research design to directly test the implications of these previous studies in restrictive and accommodating immigrant destinations. I focus on the effects of rights-giving and rights-reducing laws on undocumented Mexican recipients' knowledge of local politics; their sense of political efficacy; and their actual political participation within the community.

Undocumented Immigrants' Political Engagement: A Contextual Approach

In the analysis that follows, I demonstrate the utility of a contextual approach to studies of undocumented immigrants' political participation, wherein local immigration laws are understood as a critical independent variable. To be clear, I do not argue that using local immigration laws as a macro-level constant is the only appropriate way to understand the micro-level effect of undocumented immigrants' political engagement. Individual-level determinants, such as education level, years in the United States, and organizational membership, are important drivers of immigrants' formal political participation (Portes and Mozo 1985; Bloemraad 2006; Ramakrishnan and Espenshade 2001; Alvarez and Garcia Bedolla 2003). Thus there is good reason to believe that these variables contribute to the broader picture of political engagement of the

undocumented.⁹⁷ Nevertheless, increases in socio-economic status variables do not drive the political participation of immigrant minority communities alone (Tam Cho 1999). My point of departure for this analysis is that broader contextual factors are also at play, especially given the evidence that laws themselves influence the political participation of marginalized groups (Skrentny 2002; Engle and Munger 2003; Campbell 2005).

In the analysis below, I draw from interview and observational data collected in Escondido, the restrictive field site, and Santa Ana, the accommodating receiving locale, to ask three questions: whether and how local immigration laws affect undocumented Mexicans' political socialization, their sense of political efficacy, and their actual participation within the realm of politics within these destinations. I dedicate a section to each of these questions, beginning with a definition of terms, the ways in which I use my data sources to answer the queries I pose, and my findings. I close with reflections on variations within this analysis, and the ways in which individual-level determinants and contextual factors, such as local laws, are likely to interact to influence undocumented immigrants' political participation.

Political Socialization

Political socialization refers to the inculcation of beliefs about the democratic process (Riker and Ordeshook 1968; Tullock 1967), along with the development of concrete knowledge about political issues. It is the process of becoming politically

⁹⁷ Indeed, in a forthcoming publication with Tom Wong and Carolina Valdivia, I argue that organizational membership is a critical determinant of political agency among undocumented youth in the U.S. (Wong et al. forthcoming).

aware that precedes becoming politically active. Drawing from the argument that political socialization is not uniform within a society but rather varies across communities (Gimpel and Lay 2008), I anticipate that local laws targeting undocumented residents influence their political socialization in divergent ways. I argue that restrictive measures force undocumented Mexicans towards politically aware social networks, thereby increasing their political socialization within the immigration issue. In accommodating destinations, on the other hand, the stability and safety provided by immigration laws generally neutralizes the need for political socialization around immigration matters.

I analyze the political socialization of undocumented Mexicans with two forms of data collected in restrictive Escondido and accommodating Santa Ana. First, during in-depth interviews with undocumented immigrants in both locales, I asked a series of questions designed to gauge political knowledge. My objective was to avoid priming respondents to discuss local immigration measures in their destinations. Rather, I sought to shape interviews so that the topic of these laws could emerge more spontaneously. In this way, I assessed how close local immigration measures were to the forefront of immigrants' conceptualizations of their receiving locales. The first question I asked in each interview was, "How would you describe this city to someone who doesn't know it?" Subsequent questions directly probed the depth and breadth of respondents' political knowledge. If they did not emerge unprompted in the interview, I directly asked about the cities' laws and policies that targeted immigrant communities, requesting respondents to tell me whether and to what extent they were familiar with the measures, and their reactions to them. I also followed up on any other areas of local

political knowledge that respondents mentioned in the interview. Finally, I inquired how respondents learned about the issues we discussed, and the people with whom they typically spoke about local politics.

Second, I use observations of public meetings and protests in Escondido and Santa Ana to inform my analysis of political socialization. Queries made during community forums, small group discussions during “know your rights” sessions, and conversations during protests revealed political knowledge. While I cannot be sure of the immigration status of all those I observed and interacted with, I was often in situations in which I was observing immigrants familiar to me—either because I had interviewed them previously, or because they were friends or family members of those I had already interviewed, or because they shared their documentation status publically during the event. These observations serve to paint a broader picture of immigrants’ political socialization in restrictive and accommodating receiving locales.

Escondido

In restrictive immigrant receiving locales like Escondido, I find that local immigration laws trigger political socialization for the undocumented Mexicans they target. Responding to immediate threat, immigrants seek information to sort out the implications of these laws for themselves and their families. In doing so, they forge closer ties with neighbors, co-workers, sympathetic natives, and advocacy organizations, a consequence of local restrictions also documented by Hagan et al. (2011) in North Carolina and Valdez et al. (2014) in Arizona. This effort broadens and strengthens undocumented immigrants’ social networks beyond immediate friends and

family, while inculcating political knowledge. Rather than uniformly isolating undocumented Mexicans from society, then, restrictive local laws have the counterintuitive effect of further embedding them in hostile destinations.

The experience of Guadalupe captures this point well. A 40 year old mother of two, Guadalupe arrived to Escondido in 2004 from Puebla, Mexico to reunite with her husband. Two short years after her arrival, city leaders began to debate Ordinance No. 2006-38R to ban the renting of property to undocumented immigrants.⁹⁸ “This was the first time I really thought about politics in Escondido,” Guadalupe recalled. “My family was renting an apartment! What would happen to us, if this law passed? I didn’t know many people in Escondido, but I needed to find out more to understand what was happening.” I asked Guadalupe how she went about this, and her response puts social connections at the center of her efforts:

This rental law did not come from nowhere. There were politicians behind it, of course. Who were these politicians? What were their intentions? My neighbor, Doña Sofia, has been in Escondido forever and she watches the news constantly... I knew she would have information on what was happening and what this law would mean for all of us. Doña Sofia talked to me about this Waldron [the council member who originally proposed the housing ordinance].⁹⁹ And she told me about a meeting at the church. Now, I felt a little bad going to that meeting because I hadn’t been to mass since I arrived in Escondido. But I went anyway and asked Jesus to forgive me for neglecting him... At the meeting I met several people from the church and from the community. It helped me a lot...I understood about the city council, that

⁹⁸ For more details on this ordinance, titled “An Ordinance of the City of Escondido, California, Establishing Penalties For the Harboring of Illegal Aliens in Escondido,” see the previous chapter.

⁹⁹ Marie Waldron, then a sitting council member of Escondido, first proposed the rental ordinance in July 2006. See http://www.utsandiego.com/uniontrib/20060712/news_1mi12illegal.html. Waldron left the city council in 2012 after being elected to California’s State Assembly to represent the 75th district. One of the principle themes of her campaign was the restriction of undocumented immigrants. See the “Issues” section of joinwaldron.com.

they would vote on this law, and also that we could fight it. It made me feel good to meet new people who were knowledgeable about politics in this city.

Guadalupe's efforts exemplify a pattern I found across interviews, wherein undocumented Mexicans broaden and deepen their social ties as they seek information about how restrictive measures will affect them. Raul, for instance, has lived in Escondido since 2008, having relocated there after spending one year in Los Angeles, his first U.S. destination. Like many immigrants, Raul works long hours, holding down two construction jobs while living with his uncle's family. He became aware of Escondido's restrictive approach to undocumented immigrants when he first arrived to town, but, as Raul recounts, he "never thought much about who was in power, who the politicians were and why things were the way they were." This changed after Raul heard about the start of Operation Joint Effort in Escondido, a program established in 2010 to forge a relationship between the city's police officers and Immigration and Customs Enforcement (ICE) officers.¹⁰⁰ "I heard about it [Operation Joint Effort] on the TV, on local news," he said. "And I thought, well how can they do that? My uncle didn't really know either. So I started asking around." The foreman at one of Raul's construction jobs, Patrick, had been born and raised in Escondido, and Raul thought of him as kind and fair to his employees. "He knows that I am undocumented," Raul said, "but he still values me as a good worker. He doesn't treat me badly. He is a good man." Raul turned to him for guidance to understand the implications of Operation Joint Effort. "Patrick told me about the politics in this town, and how it's a Republican

¹⁰⁰ See the previous chapter for more details on Operation Joint Effort.

place and that they don't like immigrants like me. Then I began to understand why they would bring the *migra* here." I asked Raul whether his relationship with his boss changed after they discussed local immigration politics, a significant shift in their usual conversations about construction projects at hand. "Yes, it's changed some," he responded. "Now that he knows that I'm interested, sometimes we talk politics. And if I need to know about what's happening I ask him directly. He stays up to date on these things." Unlike Guadalupe, Raul did not meet new people in his attempts to understand Operation Joint Effort, but in reaching out to his foreman their relationship deepened at the same time as it provided Raul with concrete political knowledge.

About a year after I first met and interviewed Raul, I bumped into him at a meeting in a local church in Escondido. The meeting was called by immigrant rights advocates to question the legality of Operation Joint Effort given California's TRUST Act, which went into effect in January 2014 to limit the state's cooperation with Secure Communities, a federal program that allows the Department of Homeland Security to access fingerprints taken by local police to screen detainees for immigration status.¹⁰¹ The church's large multipurpose room was almost at capacity, filled with immigrant residents of Escondido and a sprinkling of organizers and advocacy workers from local community-based organizations. The only open seats were conspicuously close to the area that police department representatives and city officials had claimed for

¹⁰¹ During the first several months after the TRUST Act went into effect in California, the number of people held for deportation dropped significantly. See <http://sanfrancisco.cbslocal.com/2014/04/06/immigration-deportation-trust-act/> Though no judge has ruled on the legality of Escondido's Operation Joint Effort, the police department representatives at this meeting indicated that the program does not violate the TRUST Act because ICE officers check for immigration status and prior records in the field, prior to arrest and booking.

themselves, making it clear that immigrants preferred to stand rather than come into close physical proximity with promoters of Operation Joint Effort.

After several speakers from community-based organizations, the mayor of Escondido, Sam Abed, took the stage. Abed has a long history of promoting restrictinist immigration measures during election campaigns and during city council meetings. He supported the housing ordinance, for instance, and has consistently backed Operation Joint Effort (CITES), facts that did not escape the meetings' attendees. As Abed spoke, claiming that only dangerous criminal aliens were targeted by the program, the crowd became restless. The people around me began shifting in their seats, shaking their heads, and muttering between themselves about this positive portrayal of Joint Effort. Then, a man in the middle of the room stood up. Shaking his fist, he said in a loud yet trembling voice, "*¡No señor alcalde! Lo que usted dice no es cierto.*" [No Mr. mayor! What you're saying is not true]. His action was the tipping point. As the mayor lost the crowd to boos and jeers, I turned my attention to those around me. Raul was speaking with a middle-aged woman, explaining his take on Abed and Joint Effort as she leaned closer to him and nodded earnestly. Later, as the crowd trickled out of the church, I asked Raul about that conversation. Did he know this woman? "No, I hadn't met her before. But she said this was the first time she came to a meeting like this, and that a group of friends was waiting to hear what she found out. I wanted to tell her everything I've learned." Here again, restrictive local immigration laws prompted the extension of social ties, an exchange of information, and the development of political knowledge, attitudes, and perspectives on particular elected officials and parties.

The undocumented immigrants I interviewed are not simply aware of local immigration measures in Escondido. Rather, they hold deep knowledge of these laws and the political motivations behind them. At the same time, the oppressive nature of restrictive immigration laws leaves little space for political socialization outside the immediate realm of immigration. A directly threatening aspect of everyday life for undocumented residents, these legal measures occupy most all the energy immigrants have for local politics. Despite my initial attempts to avoid leading respondents to the topic of local immigration laws while discussing aspects of political socialization, in Escondido they dominated our conversations. Indeed, because I noted this during interviews, I tried to probe other areas of potential political knowledge—in community safety, for example, or school board politics and changes to electoral districts. While many were interested such issues, the hostile context in which respondents live consumes most of their attention and efforts to better understand local politics. Escondido's restrictive immigration measures, while fostering social ties and political socialization, inform undocumented Mexicans' legal consciousness in a manner that sustains these laws' hegemonic power and exclusionary logics. Such a finding does not hold in Santa Ana, my accommodating receiving locale.

Santa Ana

Relative to Escondido's restrictions, the accommodating laws of Santa Ana prompt far less political socialization around the local immigration issue. Because these measures seek to include rather than exclude, they do not create the urgency of restrictive local immigration laws that galvanizes undocumented immigrants to seek

information and, in the process of doing so, to become politically socialized. Indeed, I observed a lower level of awareness of and familiarity with accommodating laws overall amongst respondents in Santa Ana. Although rights-granting laws in this destination do not drive the political socialization of undocumented Mexicans, Santa Ana's accommodating approach does create a palatable sense of security and stability within the immigrant community. In turn, this welcoming socio-legal environment provides undocumented immigrants the space to develop political knowledge about issues not immediately related to immigration, an opportunity that, in Escondido, is hampered by restrictive local immigration laws. In this sense, legal accommodations achieve the goal of facilitating undocumented residents' ability to integrate into their receiving locales.

As I note above, the first question I asked in interviews was, "How would you describe this city to someone who doesn't know it?" In restrictive Escondido, almost every respondent (59 of 63 total interviews) referred to local immigration laws in depth to answer this question. In accommodating Santa Ana, however, far fewer immigrants (9 of 31 total interviews) directly referenced these laws in response to this query. This is indicative of the more direct socializing power of restrictive immigration measures as opposed to accommodating approaches. In Santa Ana, the issue of local immigration law is clearly not at the center of undocumented immigrants' perceptions of their receiving locale. When I inquired more specifically about the city's immigration measures, information offered by respondents in Santa Ana was far more general and basic relative to interviews in Escondido, which revealed deep and detailed knowledge

about local restrictions. Undocumented immigrants in Santa Ana are, overall, not strongly familiar with the city's various accommodating laws.

Elena, for instance, migrated from the outskirts of Mexico City to Santa Ana approximately five years ago. She works part time as a house keeper, but dedicates most of her time towards being a wife and mother of two U.S. born children. Elena is very involved in her church, a Catholic congregation active in the push for immigration reform, and she frequently socializes with friends, family members, and neighbors. I expected that, as in Escondido, such contact with the community would serve as a conduit for information sharing about local immigration laws, but Elena had little concrete knowledge on the subject. "I don't have papers, I'm a *mojado* [wetback] as they say. But I don't feel that anyone cares about whether I'm undocumented here in Santa Ana. It's a calm and stable life... Things are pretty good here," she said. Roberto, a 31 year old who migrated to Santa Ana eight years ago to join his two brothers, shared Elena's vagueness about local immigration laws. Because he uses his truck a great deal for his work as a gardener, I focused on the city's policy to reduce towing the cars of unlicensed drivers.¹⁰² "Yes, I heard about that, I think," Roberto responded. After I pressed for specifics, he added, "I don't remember all that well. I think that the police said something about not towing so much, and I heard the city council supported that... That makes me feel good, like the city is watching out for us. But the details I'm not so sure about." This lack of detailed knowledge about Santa Ana's measures indicates that local immigration accommodations directly influence political socialization far less than local restrictions. Good news diffuses more slowly than bad news (Naveed et al. 2011),

¹⁰² See Chapter 3 for background on this towing measure in Santa Ana.

even for immigrants with extensive social contacts. The extension of rights and benefits is clearly experienced as less urgent to undocumented Mexicans in comparison to the imposition of threatening restrictions.

While Santa Ana's accommodating measures do not drive the political socialization of undocumented residents, respondents indicated that they experience the city as hospitable and welcoming. The security and stability provided by the socio-legal context in place in Santa Ana, I argue, open up the opportunity for broader political socialization outside of the immediate realm of immigration issues. Although authorization status plays a large role in the lives of the undocumented, these immigrants have other important aspects of their identities: they are parents, neighbors, and friends, for instance, as well as employees, commuters, and customers. Accommodating local immigration laws allow undocumented immigrants the space necessary to explore other political issues in their destinations that are directly relevant to them.

My interview with Diego illustrates this ability to become more broadly knowledgeable about local politics, a common pattern that emerged across the conversations I had with undocumented Mexicans in Santa Ana. A 48 year old from Sonora, Diego works as a line cook in a local chain restaurant. He first migrated to the United States in 1999, arriving to Los Angeles where he found work at a car wash. By 2003 he had met his wife, Rosa, through mutual friends, and the couple settled in Santa Ana, where Rosa had a large extended family. Diego was animated as we started our interview in the comfortable living room of his family's small apartment. I sat in a worn love seat, beneath a poster of the Virgin of Guadalupe flanked by framed photographs

of family members as Diego, across the room, pulled up a kitchen chair for himself. As we were talking, Diego mentioned his three children repeatedly, highlighting his and Rosa's desire to be involved in their schooling and to keep them involved in safe after-school activities. While he did not know much about local immigration measures, I learned that Diego held a wealth of information on efforts to increase parks and recreational facilities in his densely populated neighborhood, which has minimal open green spaces¹⁰³:

D: The way the city handles immigration—that I don't understand very well. Or rather I haven't followed it closely. But you have to live somewhere if you're undocumented, and Santa Ana treats us pretty well.

AG: So you don't follow local politics around immigration...

D: You know, where I have learned a lot about how the city functions is by this work to get more parks around the neighborhood. It's true, we have no places for the children to play outside. My kids are always playing soccer in the alley, but that's not a safe place... There are cars, and then there are the gangs. Sometimes they play in a little space in front of their school's gate, which is better, but it's very small and the street is right there.

AG: It sounds like this is worrisome for you.

D: Yes. My wife and I don't want to keep them only in the house, but there is no good place to play for them around here. Of course, I'm not the only one who recognizes this is a problem. There are many other parents and families here. And there are organizations working on this problem too. They held meetings to talk about this and how we can fix it. I went to one, my wife went to another, and our neighbor downstairs has been very involved... I know now that the city can give money to these efforts if we push them to do so, to include it in the budget... We have to show them [the city leaders] our need for parks.

¹⁰³ See Tracy Wood, "OC Park History is a Tale of Two Counties," for details on the lack of parks in Santa Ana and organizations involved in increasing green space there. Available at <http://voiceofoc.org/2011/06/oc-park-history-is-a-tale-of-two-counties/>

Diego's knowledge of efforts to increase park space in his neighborhood was not unique in terms of undocumented Mexican immigrants' political socialization around non-immigration related issues in Santa Ana. Others I interviewed were knowledgeable about local school reform efforts, official neighborhood associations, and, most prevalently, a push to increase bicycle lanes throughout the city. For instance, I met Marisol through a non-profit in Santa Ana where her youngest child is enrolled in an after-school group. A married mother of three, Marisol has lived undocumented in Santa Ana for seven years. She does piece work at home for a nearby garment manufacturer, while her husband, Esteban, rides his bicycle to his job in maintenance at a nearby hotel. I interviewed them both in their Santa Ana home, a small but comfortable house with a well kept yard full of bougainvillea and rose bushes. As we spoke, the couple mentioned their knowledge of the bike lane effort, explaining that their eldest son, a U.S. born college student, was involved a program to help the city survey its streets and identify problem areas for bikers.¹⁰⁴ "This is an issue important to us *indocumentados*," said Esteban. "Many of us ride bicycles rather than drive because we don't have licenses or can't afford insurance. But it is dangerous on the street, and when you ride on the sidewalk you can get a ticket. I got one a few months ago myself! So yes, we are learning more about how we can ask the city to add more bike lanes, and thinking about where they would be most useful." I asked Esteban whether he thought the city would be receptive to the argument that bike lanes would make undocumented immigrants safer. He paused, and then replied, "It would be a great improvement for

¹⁰⁴ See <http://www.ci.santa-ana.ca.us/completestreets/>

us...it doesn't matter if we don't have papers. We live here, we work here, and we send our kids to school here. I think that the city recognizes that and wants to help us." By providing a safe and stable context of reception, Santa Ana's accommodating immigration measures allow undocumented Mexicans to develop knowledge about other relevant community issues. As I demonstrate below, these laws also foment a strong sense of political efficacy and create points of interaction between immigrants and government offices, public officials, and community institutions during instances of political engagement.

Political Efficacy

To analyze undocumented immigrants' political efficacy, I draw from Campbell et al.'s definition of the concept as a sense that "individual political action does have, or can have, an impact on the political process" (1954: 187). The literature on political efficacy amongst Latinos points to the importance of context and experience (Wallace et al. 2014). For instance, studies indicate a correlation between foreign born Latinos' sense of political efficacy and their perceptions of discrimination (Michelson 2001 and 2003). This work supports my argument below that restrictive destinations breed a lower sense of political efficacy amongst undocumented residents relative to accommodating locales.

I base my analysis of undocumented immigrants' sense of political efficacy on interview data. I asked three questions designed to gauge this efficacy, adapting standard political efficacy survey items to make them suitable for qualitative interviews

of undocumented respondents.¹⁰⁵ First, I asked for reactions to the statement, “I can influence decisions that affect immigrants by working together with my community.” This question is intended to capture respondents’ personal understanding of their political competence, or internal efficacy. Second, as a follow up regarding internal efficacy, I asked “What can you do to improve the environment for undocumented immigrants in this city?” Finally, I asked for responses to the statement, “Local politicians are not interested in what people like me think” to assess perspectives on government responsiveness, or external efficacy. I probed for further explanatory information after immigrants’ responded to each of these questions, seeking to better understand their sense of political efficacy through concrete examples from their experiences in restrictive and accommodating locales. Given that my observational data is based on events, such as town hall meetings and city hall demonstrations, it does not give a strong window into immigrants’ perceptions of political efficacy. My analysis is therefore more squarely centered on interview data.

Escondido

Not surprisingly, the oppressive nature of restrictive immigration laws in Escondido dampens undocumented residents’ sense of political efficacy, both internally and externally. In all but four of my interviews there, respondents agreed that there was little they could do to influence decisions affecting immigrants in the city. When asked what they could do to improve the environment for undocumented immigrants in Escondido, respondents overwhelmingly discussed mutual assistance efforts within the

¹⁰⁵ See the American National Election Study (ANES).

undocumented community—sharing information about checkpoints on local roads, for instance, or supporting the families of deported immigrants. There was no mention of working through formal institutional channels to push for change, apart from urging documented and U.S. born family members to vote in local elections. Responses to my questions about whether local politicians are interested in what undocumented immigrants think were also uniform in their negative replies.

My interview with Mario, a 34 year old undocumented construction worker from Durango, is reflective of most respondents' sense of political efficacy in Escondido. We spoke under a shaded bench outside Escondido's public library but, when a police cruiser parked nearby, we decamped to my car to finish the interview. "I know a lot about the immigration laws they have done in this place," Mario said. "I have to know—it's better to understand what I face, you know? But you asked whether I think that I can affect what they do in city hall to immigrants. And the answer is no. I'm the one they want to kick out, to deport! Why would they listen to me?" Ricardo, who at 51 years old has lived in Escondido for over a decade without authorization, scoffed in response my question about how to improve the city's environment for undocumented immigrants. "The only thing we can do is help each other," he said, detailing his efforts to text friends and family with news about ICE and checkpoint sightings in town. When I asked Leticia, who is 42 and has lived in Escondido for six years, whether local politicians care about what people like her think, she became visibly angry, her voice rising and her cheeks turning slightly red. "They [city leaders] don't care about us at all," she exclaimed. "We are nobody, nothings to them except when they need a gardener, or a housecleaner, or a nanny..." This weak sense of

political efficacy amongst undocumented immigrants in Escondido was a prominent and strong pattern throughout the interview data, as respondents felt shut out of the formal political process in this restrictionist city.

Santa Ana

The political efficacy of undocumented Mexicans in Santa Ana is nearly opposite that of their counterparts in Escondido. While unaware of many of the details of Santa Ana's legal accommodations for undocumented immigrants, respondents' general sense of the city as accommodating and welcoming fosters their sense of political efficacy, both internally and externally. During the majority of my interviews in this city, respondents expressed the ability to influence decisions affecting immigrants in Santa Ana, even pointing to examples of undocumented immigrants in local leadership positions. Reflecting on what they could do improve the city for undocumented immigrants, respondents focused on varying aspects of life in Santa Ana, reaching beyond mutual assistance within the community to the use of formal institutional channels to create desirable change. This finding is in line with the broader political socialization of undocumented Mexicans in this locale, as discussed above. Regarding whether local politicians are interested in what undocumented immigrants think, the majority of respondents were affirmative, with immigrants stressing that the

city council—which has remained majority Latino since 2000 (Rodriguez 2007: 91)—understands and relates to the issues faced by undocumented residents.¹⁰⁶

My conversation with Josefina, a 47 year old church janitor from Guerrero, Mexico, captures the general trend of strong political efficacy that I noted during interviews in Santa Ana. Josefina has lived in Santa Ana for 12 years, having crossed the border illegally with her two children to reunite with her husband. I asked whether she can influence local decisions that affect undocumented immigrants like her:

J: I think so, yes. Because Santa Ana is open to helping us. It is not a punitive place, not an Arizona looking to punish undocumented immigrants. It's a place where you could make change.

AG: Can you think of an example that makes you think that you can influence local decisions?

J: I myself have not been very involved in politics here, beyond participating in my neighborhood association. I go to every meeting of that group with my sister... But actually yes, this is a good example because [the person] that runs this group is undocumented, and [he/she] has coordinated with the city to make decisions to spend money to paint over graffiti and do neighborhood cleanups right on my block.

In discussing what they could do improve the city for undocumented immigrants, respondents commented on assisting others affected by deportation, detention, and other problems falling on the undocumented, similar to responses in Escondido. But they also focused on aspects of life in the city that were not directly

¹⁰⁶ The Santa Ana city council members in power as of writing include two Mexican-born immigrants and several second generation children of Mexican immigrants. See http://www.ci.santa-ana.ca.us/elected_officials/ Rodriguez (2007: 91) also notes that the school board of the Santa Ana Unified School district became majority Latino in 1996.

related to immigration. For instance, Flora is a single mother of two who has lived in Santa Ana for four years. She has become very involved in her young children's school, volunteering in their classrooms and participating in a program to watch students walking home from school. When I asked Flora what she could do to improve the city for the undocumented, she centered on increasing communication between schools and parents. "I have become a part of my children's school, and I think this is a blessing for my family. Other families like ours would benefit from being more involved. I would support very much a program that would help parents and schools come together." Other immigrants discussed the availability of more formal channels, such as attending city council meetings to speak directly to city leaders during public comment and participating in neighborhood association groups. Within these interviews, immigrants revealed a strong sense of external political efficacy, wherein they felt that government officials would be responsive to their concerns. My conversation with Raul, a 29 year old hotel service worker and occasional day laborer, reflects this. Raul has followed the push for more bike lanes in Santa Ana closely, as he rides his battered blue Schwinn to and from work every day. "The city listens," he said, discussing public workshops held by city officials during which several undocumented immigrants advocated for extended bike lanes. "They hear us saying that this is a problem, especially for those of us who can't legally drive. They're [the city council members] Mexicans too—they understand." Ultimately, the security and stability provided by legal accommodations in Santa Ana fosters and facilitates a broad sense of political efficacy amongst undocumented Mexicans, which translates into political participation in similarly broad areas.

Political Participation

For the purposes of the analysis here, my use of the term political participation necessarily does not include formal mechanisms, such as voting, that are unavailable to the undocumented Mexicans at the center of this study. Rather, I draw from work that illustrates avenues for immigrants' informal political participation (Voss and Bloemraad 2011; Marrow 2005; Ramakrishnan and Bloemraad 2008; Nicholls 2013; Terriquez and Pater 2012) to define the term as informal actions that influence or involve the political sphere, understood as governmental authorities, laws and policies, and institutions. In the analysis below, I categorize these actions into three groups: In resistive participation, undocumented immigrants push for change through mobilization, attending public protests and demonstrations or even engaging in civil disobedience. In collaborative participation, they work within established channels of engagement by volunteering time, skills, and/or money to political campaigns, contacting public officials, and attending political meetings. Finally, in surrogate participation, undocumented immigrants encourage citizen family members and friends to use their political voice on their behalf, voting for and against politicians based on positions of interest.

Political participation is, not surprisingly, linked to a strong sense of political efficacy (Hetherington 1999; Plane and Gershtenson 2004; Campbell et al. 1960). It would be reasonable to expect, then, that undocumented immigrants in restrictive locales like Escondido, who have low levels of internal and external political efficacy, are not politically active in any of the three groups of informal activity described above.

Indeed, some scholars argue that undocumented immigrants in hostile destinations retreat from wider society altogether (Menjívar and Abrego 2012; Massey and Sanchez 2010). Nevertheless, other studies demonstrate that rights-reducing laws spark political participation, motivating targeted groups, like undocumented immigrants, to resist and push for change (Ramakrishnan and Espenshade 2001; Monroy 1999; Hagan et al. 2011; Gonzales and Chavez 2012). My argument forges out a middle ground between these two perspectives. As I detail below, hostile legal measures do not entirely obstruct undocumented Mexicans' political participation, but they hamper the already limited informal actions these immigrants can use to engage in political arena, an effect not present in accommodating locales.

I mainly draw upon interview data in the following analysis. To broach the subject of political engagement, without deterministically prompting responses about local immigration laws, I first asked, "Have you ever tried to get government officials to pay attention to something that concerned you?" I followed up with more specific questions regarding avenues of informal political participation. In each instance in which immigrants' recounted an instance of political participation, I sought contextual details (what, where, when, and why) as well as experiential details (how did it feel to march to the police department in protest, for instance). Finally, I inquired how respondents learned about the issues we discussed, and the people with whom they typically spoke about local politics. I also use observational data in my analysis. Primarily, my observations allowed me to witness firsthand the ways in which these immigrants engage with the politics of their receiving locales. Observations of public protests and demonstrations served as a window into resistive participation, for

instance, whereas my attendance at public meetings provided a sense of collaborative participation. These observations paint a broader and more dynamic picture of the ways in which undocumented Mexicans participate in the politics of restrictive and accommodating destinations.

Escondido

As discussed above, undocumented Mexicans in restrictive Escondido demonstrate high levels of political socialization around local immigration issues but a low sense of political efficacy. Nonetheless, I noted no difference in level of informal political participation amongst respondents in Escondido relative to their counterparts in Santa Ana. In both field sites, approximately half of the undocumented immigrants I interviewed reported some form of informal political involvement within the previous year, and almost all reported at least one instance of such engagement during their residency in these cities. In Escondido, five respondents were currently highly active, defined as self-reporting some form of political participation at least once a week, whereas four were currently highly active in Santa Ana. My samples in these cities are not representative, and therefore the inferences drawn from these comparisons are limited. Nevertheless, it is notable that the restrictive socio-legal environment in Escondido does not markedly dampen political engagement in comparison with a far more accommodating receiving locale such as Santa Ana. This comparability is supported by previous studies that conclude that hostile laws that reduce rights can mobilize targeted groups (Ramakrishnan and Espenshade 2001; Monroy 1999; Hagan et al. 2011; Gonzales and Chavez 2012).

While I do not find a discernible difference in the level of political participation of undocumented Mexicans between field sites, the type of engagement in each city is distinctive. In Escondido, my interview data principally reflect surrogate participation around the issue of immigration. During my field work in the city, for instance, I participated in a “get out the vote” campaign targeting Latino voters for the 2012 national and local elections, following a handful of undocumented Mexicans as they canvassed door to door, encouraging their legal counterparts to exercise political voice at the ballot box. One of the immigrants I spent time with walking the neighborhood was Leticia, a 45 year old mother of two originally from the outskirts of Mexico City. It was a hot Saturday morning, and as we walked Leticia and I sought the shadiest path down the block of a Latino neighborhood. I asked her why she was involved in this effort. “I cannot vote here,” she said. “God knows I have decided exactly who I would vote for. But I am not permitted to vote. This is okay—this is fair because it is the law here. So what I can I do? Tell everyone else who can vote that they must do so for me, and for their parents, and for all of us *indocumentados* who cannot.” Indeed, this was the message I saw Leticia convincingly deliver. When eligible voters were not immediately available, she spoke to parents, turning on her charm at the threshold to encourage them to make sure their children voted “for the good of the community,” as Leticia put it. In addition to a month’s of prescient walking, Leticia also worked phone banks and helped organize voter information meetings.

This intensive effort at surrogate participation was not the norm, however. Much more common amongst my Escondido respondents were more routine and constant nudges to encourage eligible children and family members to vote during

election season. I interviewed Rolando, a 56 year old food service worker, in early fall 2014, just as Escondido was preparing for its first district elections. Mandated by a settlement between the city and several local residents, which argued that the previous at-large election process discriminated against Latino voters, the new map included a prominently Latino district.¹⁰⁷ This raised the stakes of the elections for Rolando, who was eager to have a district council member receptive to the needs of the community or, as he put it, “at least not anti-immigrant.” Rolando has three grown U.S. born children, whom he fears are not sufficiently interested in politics. “Yes,” he said, “they understand the basics. But their worries are with their jobs, their friends and families, and not with voting. But they see how this city [Escondido] treats their parents, how we are punished for not having papers. When I point this out to them, as I do over and over again, they understand why they need to vote.” This kind of surrogate participation, where undocumented immigrants lean on eligible voters to be their voices at the polls, was a prominent pattern throughout my interviews in Escondido. Also present within this category of political engagement were efforts from undocumented immigrants to have citizen or legalized friends and family attend city council meetings, town halls, and other political gatherings with elected officials and law enforcement on their behalf. This kind of surrogate participation allows them access to the immigration-related information provided at such meetings without “having to be face to face with the supporters of these anti-immigrant laws,” as Sandra, a 34 year old mother of two, put it.

¹⁰⁷ See Jones, J. Harry. November 7, 2014. “Escondido’s District Election Surprise.” San Diego: *U-T San Diego*. Online: <http://www.utsandiego.com/news/2014/nov/07/escondido-district-election-abad-gallo-martinez/>

Collaborative political participation also emerged as a pattern within my Escondido data, though it was mostly confined to attendance at political meetings that directly dealt with local immigration issues. It was very common for those I interviewed to attend these kinds of meetings, which typically are held by small, grassroots advocacy organizations, and often serve various purposes. For example, at one meeting I attended focused on Escondido's drivers' license check points, the information provided ranged from how to avoid them, to their legality, to city council members' perspectives on this policing tactic. I categorize this kind of meeting as political because it dealt with laws and legislators, yet it was quite different in form and content than a traditional political rally for a candidate, for example.

The least common form of political participation for undocumented Mexicans in Escondido was resistive engagement. Here there was notable variation based on age and life course, wherein most older respondents (over approximately 40 years old) had not participated in public protests or demonstrations centering on immigration, although they sympathized with such mobilizations. Younger respondents, and especially those without children of their own, were more likely to report attending such events, although they were also more likely to express higher levels of political efficacy, a probable effect of the mobilization of the DREAMers (Nicholls 2013; Perez et al. 2010; Eisema et al. 2014; Abrego 2008; Terriquez and Patler 2012). My own experience attending several immigration marches in Escondido focused around ending Operation Joint Effort, the city's police-ICE collaboration, confirm the larger presence of young people, but also the broader support—though hesitancy to participate—of immigrant families. During a march from Escondido's city hall to the police department

headquarters in April 2012, for example, I joined approximately two hundred people. Invariably, those carrying signs reading “Undocumented and Unafraid” were young people, and chatting with them in between the group chants I learned that they were mostly associated with local DREAMer groups. At one point we stopped at a traffic light and waited to cross the street. We were directly in front of a large, aging apartment complex home to many immigrant families (and where I had already completed several interviews). Many curious faces appeared in apartment windows and children began popping out of doors to see the commotion of the protest. An organizer began to shout, “*¡únete gente, únete gente!*,” urging the onlookers to join the mobilization. The protesters erupted with joyous whistles when one young man emerged from his home, threw on a t-shirt, and took his place amongst the group. Many others applauded and shouted out support from their doorsteps, but the reluctance on their faces was evident. The light changed to green, and the march continued forward just one person stronger.

Santa Ana

Relative to Escondido, the political participation of undocumented Mexicans in Santa Ana is not only more highly concentrated in collaborative engagement, but it is also far broader in its focus, with respondents active in issues outside the realm of immigration. As I argue in regards to political socialization and political efficacy, this is an outcome of the city’s more accommodating approach to undocumented residents, wherein these immigrants enjoy more freedom to pursue their political interests. Many of the instances of collaborative participation I gathered during my time in Santa Ana

clustered around the push for additional bicycle lanes, for example, as discussed above. When Raul, the immigrant bike commuter discussed in the political efficacy section, mentioned acquaintances who attended public workshops on extending bike lanes, I asked him to introduce me to them. It was through that connection that I met Hugo, a 32 year old day laborer who resides in Santa Ana and bikes to a nearby construction big box store to look for work. Hugo had become an ambassador of sorts for the many other day laborers at this local pick-up spot around the bike lane issue. Bicycles are a common form of transportation for day laborers who often cannot afford a vehicle or who face difficulties parking all day in the commercial lots in which they are picked up by employers for work. Because Hugo has solid English skills and is very personable, the other day laborers pushed him to attend several public workshops held by the city in 2013 around its strategic plan, which included the topic of transportation and transit.¹⁰⁸ “The idea was that I would speak for all of us,” Hugo recounted during our conversation in a local park. “We ride on the sidewalks a lot of time because of the danger of the cars. But on the sidewalks we can get ticketed, and it’s not safe for those who are walking either. Our message to the city leaders was bike lanes are a safety issue for everyone, and that money should be spent on them.” Working through established channels of engagement, Hugo relayed his message to public officials during these workshops. The process of this collaborative political participation provided points of interaction between him—and by proxy the other day laborers—and government offices and civil society organizations working on the bicycle infrastructure issue.

¹⁰⁸ See <http://www.ci.santa-ana.ca.us/strategic-planning/>

I saw similar acts of collaborative participation while viewing city council meeting proceedings in Santa Ana. For example, in 2011 officials were debating a policy that would alleviate towing and impounding the vehicles of unlicensed drivers, many of whom are undocumented immigrants.¹⁰⁹ Pushed forward by several non-profit organizations, including the Orange County Congregation Community Organization, the Orange County May Day Coalition, and Building Health Communities, undocumented immigrants themselves were fundamental to the effort.¹¹⁰ While I was not in the field during this period, recordings of city council meetings—especially the period of public comment—capture the collaborative participation of residents, including several undocumented immigrants who publically disclosed their status during their comments. One middle aged woman who spoke at a May 2011 city council meeting, for instance, openly identified herself as undocumented as she recounted having been charged several thousand dollars for tow and impound fees, and the resulting struggles of taking her children to school, attending her English as a Second Language class, and getting groceries without her car.¹¹¹ This kind of collaborative participation is quite different in this sense from that of Escondido, in which attendance at political meetings often centered on gaining information about immigration laws rather than working to influence or change such measures. In this instance amongst others in Santa Ana, undocumented Mexicans are a visible presence as they engage

¹⁰⁹ See Chapter Three for further details on this policy.

¹¹⁰ A short documentary, made by Building Healthy Communities, gives a brief history of the effort to change the city's impounding policy and practice and undocumented immigrants' involvement. See <https://www.youtube.com/watch?v=88dYQaCBnuw>

¹¹¹ See http://www.youtube.com/watch?v=EmB1R_dNo8M for video of this city council meeting's public comments.

civically, standing at the front of the scene and using their documentation status as a tool that furthers their cause.

My data also reflect experiences with resistive and surrogate political participation in Santa Ana, although at lower levels and frequencies than the collaborative engagement I detail above. As in Escondido, resistive participation, as far as my data indicates, is more prevalent amongst younger undocumented Mexicans within Santa Ana. This is also a probable effect of the mobilization of the DREAMers (Nicholls 2013; Perez et al. 2010; Eisema et al. 2014; Abrego 2008; Terriquez and Patler 2012). The protests and marches respondents reported having been involved in revolved around national level immigration matters, including the detention of undocumented immigrants within the Santa Ana city jail, which contracts out space to Immigration and Customs Enforcement.¹¹² Several older respondents recalled marching in response to California's Proposition 187 of 1994, as well. Overall, this kind of resistive participation was sparse amongst the experiences I collected within interview data. Surrogate political participation was somewhat more prevalent, and, similar to Escondido, it most often revolved around undocumented immigrants urging their documented counterparts to use their political voice during national and local elections.

¹¹² See Kopetman, Roxanne. May 1, 2014. "Deportation Protesters March for End to Santa Ana's ICE Contract." Orange County Register. Online: <http://www.ocregister.com/articles/day-612351-santa-ice.html>

Discussion and Conclusion

This chapter argues that the sharp uptick in subnational involvement in immigration law makes analytical attention to undocumented immigrants' immediate destinations increasingly important. The traditional literature on immigrant political participation does not sufficiently consider law as a driver of engagement in political life, however. Drawing instead from the law and society literature, I compare undocumented Mexican residents in two locales—Escondido, which has restrictive immigration laws and Santa Ana, which has accommodating measures—to evaluate how socio-legal contexts of destination influence these immigrants' political socialization, efficacy, and participation. My findings contribute to an understanding of the puzzle of undocumented immigrants' political participation.

The restrictive immigration measures targeting undocumented immigrants in Escondido do not, as some scholars predict, entirely obstruct their engagement with politics in their destinations (Menjivar and Abrego 2014; Massey and Sanchez 2010). While instances of undocumented immigrant mobilization in situations of restrictive or repressive laws are convincingly argued by other scholars (Ramakrishnan and Espenshade 2001; Monroy 1999; Hagan et al. 2011; Gonzales and Chavez 2012), my data suggest that today's subnational restrictions are more nuanced in terms of their effects on undocumented immigrants' political behavior. More specifically, drawing from my fieldwork in Escondido I argue that hostile local laws counterintuitively spark the political socialization of undocumented Mexicans, who extend their social networks as they search to understand the implications of these legal restrictions. At the same time, these immigrants' knowledge of local politics is narrow in that it revolves around

the omnipresent immigration issue. Despite a low sense of political efficacy, many undocumented Mexicans in restrictive locales still participate politically, though this engagement is primarily via surrogates or, to a somewhat lesser extent, via attendance at political meetings. These findings indicate a distinct sense of legal hegemony, in which the overarching institutional power of the law is unshaken despite challenges from non-traditional channels of dispute. While this dissertation's data is not longitudinal, if this pattern continues it is likely that undocumented immigrants in this restrictive environment—similar to that others across the country—will face limitations to their political incorporation.

The legal accommodations extended to undocumented immigrants in Santa Ana, on the other hand, allows for the broad political socialization, a high sense of political efficacy, and the collaborative political participation I document here. Moreover, this kind of political participation fosters interaction between undocumented immigrants and government offices, advocacy and non-profit organizations, and religious and community institutions. I suggest two likely outcomes of local accommodating measures within the realm of politics. First, in the short to intermediate term, they mitigate some of the harsh consequences of federal immigration status by creating relatively safe spaces within undocumented immigrants' immediate destinations (see Suro 2015). Second, more in the long term, by forging such interactions between immigrants and broader society, these accommodations are likely to contribute to forms of incorporation—political, bureaucratic, and otherwise—in the future. In a related way, they are also helping undocumented immigrants to form allegiances with political parties—and Democrats in particular, who are seen as more supportive to immigrants—

that may carry forward in the case of a change in immigration law that allows them to legalize, naturalize, and vote.

Chapter 5.

Subnational Immigration Law:

Lessons Learned, Social Policy Implications, and Future Studies

Introduction

This dissertation begins to answer a question posed by sociologist Irene Bloemraad, who notes that “we hear little about how immigrants negotiate policy constraints of their receiving communities... what are the mechanisms through which host societies shape immigrants’ lives?” (2006: 676). With mixed method, bi-national, and comparative data, I study the effects of subnational immigration laws on undocumented immigrants themselves. In doing so, I shift the focus from what the law *is*—where the bulk of the emerging literature lies—to what the law *does* (Silbey 1989: 21 italics in original; see also Trubek 1984). Drawing from the work Foucault (1982) and de Certeau (1984), which suggest that studies of the law’s power are most revealing at the level of lived experience, I find that restrictive and accommodating state and immigration laws critically shape undocumented immigrants’ everyday lives and incorporation processes. In particular, I argue that restrictive subnational measures do not uniformly force undocumented immigrants to the margins of society, an assumption frequently made by scholars and the media. Rather, I demonstrate the unintended and unexpected social consequences of legal restrictions, wherein aspects of immigrants’ settlement, cultural assimilation, and political engagement flourish in response to the very laws that seek to exclude them.

Regarding settlement, I ask in the first empirical chapter whether restrictive laws work as intended to push undocumented immigrants out of hostile destinations. I focus on “attrition through enforcement” measures, which are formed to trigger the voluntary exit of undesirable immigrants by making their lives exceedingly difficult. With a twofold comparison of immigrants in three cities and two states with varying immigration measures, I demonstrate that restrictive laws fail to push these immigrants to vote with their feet. Rather, economic and social factors more prominently shape settlement. Building on this finding, the following chapter explores undocumented immigrants’ navigation of daily life in destinations with active subnational immigration laws. I find that in restrictive locales, unlike accommodating destinations, undocumented Mexicans adopt a strategy of “legal passing,” wherein they embody the culture of the dominant core population through their public presentation of self. This daily effort to pass is a purposive and strategic attempt for undocumented immigrants to go unnoticed in a coercive and threatening socio-legal environment. Yet it has an unintended assimilatory effect, as its consequences incrementally contribute to cultural adaptation. The dissertation’s final empirical chapter turns to the question of the political engagement of undocumented immigrants in restrictive and accommodating receiving locales. While restrictive measures trigger political socialization, their oppressive nature dampens immigrants’ sense of political efficacy and confines their political participation to the issue of immigration. Conversely, accommodating laws stimulate far less political socialization around local immigration laws, but the security and stability they provide allows for broader political socialization, a stronger sense of political efficacy, and more expansive political engagement.

In addition to these empirical contributions, the study's focus on the impacts of socio-legal inclusion and exclusion highlights the influence of law in undocumented immigrants' lives. It adds to the theoretical literature on law and society by developing the concept of legal consciousness to include undocumented immigrants. By linking macro-level processes of immigration policymaking with their articulation in immigrants' local practices, I also develop a deeper understanding of everyday forms of inclusion and exclusion. In this sense, the study contributes an alternative theoretical lens through which to view social inequality by arguing subnational immigration laws contribute to a "new axis of stratification" that shapes the life chances and future prospects of undocumented immigrants (Menjívar 2006; Menjívar and Abrego 2012). Finally, the dissertation contributes to theories of international migration and incorporation in two ways: first, it focuses squarely on undocumented immigrants, serving as a corrective in a broad literature that too often ignores immigration status or centers on the experiences of the children of immigrants. Second, it identifies subnational law as an important independent variable that promotes and inhibits different forms of adaptation. In arguing that local contexts within destination countries may matter as much as or more than the national context for undocumented immigrants' everyday lives and future trajectories, I avoid the "faulty assumption" that a nation-state contains a society so prevalent in the international migration scholarship (FitzGerald 2012). In addition to these empirical and theoretical contributions, there are many avenues for emerging research on subnational immigration law that can make additional strides to the literature, as discussed below in the final section of this concluding chapter.

Lessons Learned

I learned a number of lessons during the process of researching and writing this dissertation. In comparative studies such as mine, for example, the assumption that a particular difference between two or more field sites causes the variation of interest may be problematic (see FitzGerald 2012). This is relevant in terms of my specification of the relationship between local immigration measures, my primary independent variables, and immigrants' settlement, everyday lives, cultural incorporation, and political engagement, my dependent variables of interest. To address this issue, I selected similar immigrant respondents across all sites to the best of my ability. In addition, for the comparative work within California, I choose two cities, Escondido and Santa Ana, which are geographically close and fairly similar in terms of immigrant labor markets, which primarily revolve around construction and service work, including employment in hotels and restaurants along with landscaping, housekeeping, and elderly and childcare. Nonetheless, as I learned during fieldwork, undocumented immigrants are a hard to reach population (I discuss this at the end of the chapter), and any comparison between unique cities in will not be a direct, apples-to-apples analysis.

Developing generalizable conclusions is another obstacle faced by the type of research I pursue in the dissertation. Although this mixed methods study relies primarily on qualitative data, representative surveys of undocumented immigrants in the U.S. also remain elusive. While my dissertation data offer close empirical observation, the study is not statistically representative. I do not assume that the experiences of immigrants I include in this dissertation necessarily represent the national whole.

Rather, I emphasize social rather than statistical significance (Burawoy 1991), in which I develop ideas of theoretical and practical import. Of course, some degree of typicality helps boost understanding of the social significance of work such as mine (FitzGerald 2012). Wherever possible within the dissertation's empirical chapters, I have drawn from other studies to assess the representativeness of my findings. It is likely that similar groups of immigrants living in other restrictive and accommodating areas would also register the results I report throughout the dissertation, and additional research can fruitfully pursue this question. I take up this possibility at the end of the chapter in my discussion of future studies.

It is also true that while I do not have longitudinal data, I make claims throughout the dissertation about incorporation, a process that unfolds over time. I understand people in my cross-sectional data as representing varying points in a common process which most undocumented immigrants seem to experience—for example, as in Chapter 3, engaging in legal passing because they are attempting to avoid being harassed, detained, or deported. Although I cannot directly point to longitudinal data regarding my arguments about cultural incorporation and political engagement, I take steps to strengthen and broaden my findings. For instance, in Chapter 3 I show that undocumented immigrants engage in passing even outside of restrictive jurisdictions, which indicates the internalization of these behaviors. This point is reinforced by my analysis of undocumented immigrants in the sample that regularized their immigration status via DACA, yet continued to engage in passing behaviors.

Finally, this dissertation attends more to the law in action rather than the law on the books. For pragmatic reasons, I could not explore all the details of the formal law across nine field sites and over a decade. For instance, while in Chapter 2 I discuss in depth Oklahoma's House Bill 1804, that state's restrictive omnibus bill of 2007, I do not include information on the legislative debates behind the measure and the organizations that supported and opposed it. Nevertheless, the empirical chapters document the immigration laws in place in the states and localities I study to the extent that I am confident in my categorization of them as restrictive, accommodating, or neutral. Moreover, as I argue throughout the dissertation, the emerging literature on subnational immigration law lacks analysis on the effects of these measures. To my knowledge, this is the first comparative study of how state and local immigration laws work on the ground for the undocumented immigrants they target.

Social Policy Implications

Understanding the effects of subnational immigration law for immigrants themselves is critical not only for its potential to make empirical and theoretical advances but also for its social policy implications. It is reasonable to expect that state and local immigration measures impact undocumented immigrants in areas beyond the scope of this dissertation, for example in health, housing, and education. For the most part, undocumented immigrants in the U.S. are not isolated, solitary individuals. The immigrant landscape across the United States today includes far more families and settlement than single men and circular migration. Thus subnational immigration laws can also affect the 1.5 and second generations, including children born in the United

States.¹¹³ As this dissertation has demonstrated, the outcomes of law on the ground are often unpredictable and counterintuitive, with restrictive immigration laws in immigrant receiving locales triggering some forms of incorporation. Scholars interested in pursuing the ripple effects of subnational immigration measures in other areas or for the children of undocumented immigrants should therefore avoid approaching the field with analytic frameworks with rigid expectations for their findings. Had I only focused my data collection on the obstacles produced by restrictive laws, for instance, my findings regarding legal passing, cultural incorporation, and the political socialization of undocumented Mexicans would have remained buried.

There are also significant implications around subnational immigration law for shifts federal immigration policy that may lie ahead. The socio-legal contexts of immigrants' immediate destinations are also likely to affect how future legalization programs within comprehensive immigration reform develop. Studies of the 1986 Immigration Reform and Control Act (IRCA), for example, indicate that local political contexts shaped the ways immigrants took advantage of amnesty policies (González Baker 1997). Similarly, a study of the contextual determinants of applying for Deferred Action for Childhood Arrivals (DACA), a federal executive action first announced in 2012 to offer administrative relief from deportation for undocumented youth, demonstrates that the structural opportunities and barriers present in receiving locales shape decisions to regularize immigration status (Wong and García 2015). These findings are likely to hold for the Deferred Action for Parents of Americans and Lawful

¹¹³Foreign-born adult immigrants are considered the first generation. Children born abroad who migrate at a young age are termed the 1.5 generation (Rumbaut and Irma 1988). The second generation refers to children born in the U.S. of immigrant parents.

Permanent Residents (DAPA) program, an executive action announced in 2014 to provide relief for some undocumented adults, although the initiative, at the time of writing, remains blocked by a federal district court in Texas.¹¹⁴ Subnational immigration laws and their effects on undocumented immigrants, then, can be brought to bear on major concerns within social policy and immigration reform.

Future Studies

This dissertation lays the groundwork for future research around the issue of subnational immigration law and illegality. For instance, future studies can take up the challenge of expanding the geographic scope of the dissertation in several ways. First, remaining rooted in the United States, scholars can test the findings I develop throughout these chapters in other restrictive and accommodating states and localities throughout the country, and introduce jurisdictions with a more neutral approach to immigration (or none at all) into the analysis. Interesting variation can also be explored into such expansions of this dissertation by developing comparisons between my work in Southern California and data collected in more rural and less ethnically diverse destinations. For instance, in a forthcoming collaboration with Leah Smaltzbauer, who studies undocumented Mexicans in Montana, the whitest state in the U.S., I compare the relationship between the ethnic composition of immigrants' immediate destinations and strategies used by immigrants to avoid detection in restrictive destinations.

¹¹⁴ See *Texas, et al. v. United States, et al.*, No. 14-cv-254 (S.D. Tex.), available at <http://dockets.justia.com/docket/texas/txsdce/1:2014cv00254/1225586>

The dissertation's geographic scope can also be expanded outside of the United States to explore the effects of socio-legal inclusion and exclusion in other immigrant receiving locales across the globe. For instance Spain, which emerged as an immigrant destination in the 1980s, contains a group of depopulating villages with accommodating immigration measures that incentivize the migration of co-ethnics abroad (García 2007) as well as several larger cities with restrictive initiatives intended to deflect Muslim immigrants (Astor 2014). Mexico, a newly emerging immigrant destination, has also seen receiving locales along its southern border implement immigration measures targeting Central American migrants (Hoyo and Barrena forthcoming). In a future research project, I plan to develop a cross-national comparison of receiving locales in the U.S., Spanish, and Mexican cases to further elaborate my model of the effects of subnational immigration law for targeted immigrant groups. This work will extend current research on state and local immigration law, which is primarily based on the United States, to examine these outcomes in European and Latin American settings.

Other fruitful explorations of my study lie in extending its time frame. Whereas I focus on the contemporary period in the U.S., other scholars may examine the on the ground effects of subnational immigration measures enacted in the nineteenth and twentieth-centuries. Calavita, for instance, has researched the experiences of Chinese labor migrants seeking to enter the United States via California during the period of the national Chinese Exclusion Act and several restrictive laws in the state and its localities (2000). Ngai (2003) and Salyer (1995) also study Asians targeted by restrictive state and local immigration law early periods of American history. Understanding the historical outcomes of such subnational immigration measures for immigrants

themselves presents a data challenge, given the impossibility of interviews and observation. Yet these scholars' archival work points to comparative-historical methods that can trace the ways in which such laws permeated immigrant life.

Clearly, work that extends the time frame of this dissertation study also inherently shifts the analytical focus of the immigrant group in the crosshairs of subnational immigration measures. Throughout the U.S., Asians were particularly targeted for restrictions in previous centuries, although Southern and Eastern European groups, along with the Irish, also faced challenges (Ngai 2004; Salyer 1995; FitzGerald and Cook 2014). Yet Latinos—and Mexicans in particular—are today's most despised immigrants (Chavez 2008; Martos 2010). My dissertation thus centers on the experiences of these immigrants, but its findings could be fruitfully tested with other non-Latino undocumented immigrants, such as Asians or Europeans. Especially interesting would be a comparison of the ways in which these groups of undocumented immigrants experience restrictive subnational immigration measures relative to undocumented Mexicans (see Sadowski-Smith and Li 2014). Supporters of state and local restrictions argue that these laws target immigrants based on authorization status rather than race, ethnicity, or national origins, concluding that they are neutral and non-discriminatory. There is good reason to expect that this is not the case (Martos 2010), and a study of this nature could significantly contribute to this debate. Another direction to follow along these lines is a comparative look at contemporary passing between undocumented Mexicans and marginalized, non-immigrant groups, such as gays and lesbians or those with invisible disabilities, who share stigmatized statuses that are not immediately written on their bodies. Here, analysis could center on whether

passing occurs amongst these other groups and, if so, whether it is situational in nature (Barth 1969; see also Banton 1983; Okamura 1981) or, as in the case of undocumented Mexicans, more intensive, daily, and ongoing, with findings also drawn from the impacts of the lives of those who seek to pass.

Finally and more broadly, extensions of this dissertation can strengthen the qualitative techniques used by social scientists to study undocumented populations. The process of data collection for this project drove home several lessons about the practicalities behind contemporary studies of undocumented populations in the U.S. I plan to develop these insights in a methods piece that will update Cornelius's 1982 article on interviewing undocumented immigrants in the field, a work highly cited amongst immigration scholars. First, as I note above, undocumented immigrants are generally a difficult population to research. It is logical to assume that this is particularly the case in restrictive receiving locales, as threatening socio-legal contexts likely complicate outsiders' entrée into an undocumented community. Yet as I spent more time in the field, particularly in Escondido and Santa, the cities I studied most thoroughly, I realized that my predictions for where I might encounter difficulty in extending my snowball samples or struggles in explaining my work to potential respondents were somewhat reverse. Data collection was surprisingly smooth in restrictive Escondido. There, the immigrants I worked with grasped my research aims more quickly and seemed far more eager to participate in interviews and shadowing observations than their counterparts in accommodating Santa Ana. I attribute this difference to the higher levels of political socialization around local immigration issues in restrictive destinations, a finding I develop in Chapter 4 of the dissertation.

Immigration scholars, then, must not be overly wary of engaging in research with undocumented residents of restrictive destinations due to concerns about reluctance amongst immigrant respondents. Extending this conclusion forward, I found several techniques particularly effective for entering the lives of others and establishing rapport, including self-disclosure (immigrants were curious about my ethnic background, status as a student and mother, and plans for the future), giving back (I spent time translating letters to contest deportation proceedings, babysitting, giving rides, and compiling lists of reputable immigration attorneys), and staying in touch (I used texting, email, and Facebook to periodically check in with immigrants in the study, and this served me well when I choose to use the announcement of DACA to explore how a change in immigration status might affect navigation of restrictive destinations). While this article will focus on qualitative methods, I expect that some of its lessons will prove useful for quantitative researchers working with undocumented populations as well.

Conclusion

With comprehensive immigration reform uncertain, states and localities are likely to forge ahead with immigration policies of their own. While the Supreme Court's ruling on Arizona's Senate Bill 1070 of 2010 narrowed the window of opportunity for subnational jurisdictions to restrict undocumented immigrants' rights and benefits (Motomura 2014), room remains for the implementation of innovative measures hostile to this group, including quality of life ordinances, such as maximum occupancy, parking, and nuisance regulations, that hide discriminatory intent under the

guise of facial neutrality (Martos 2010). What are the implications of my dissertation findings for states and localities considering immigration legislation?

My work shows that restrictive immigration laws in immigrant receiving locales trigger some forms of incorporation. Yet I do not argue that the answer for states and localities eager to enact immigration measures is to restrict undocumented immigrants in order to motivate such adaptation. Carrying the lessons of this dissertation forward, I contend that a critical first step for subnational lawmakers is the recognition that attrition through enforcement approach does not function as a silver bullet, driving undocumented immigrants and the perceived social problems associated with them out of hostile destinations. As I demonstrate in the dissertation, immigrant residents do not leave legally restrictive locales but rather learn to navigate within them by legally passing. While it is important not to romanticize more accommodating immigrant destinations, this legal approach provides undocumented immigrants the capacity to be a fuller part of society as they are, without the coercive threat found in restrictive destinations. Around the issue of political engagement, for example, I show that welcoming measures provide security and stability for undocumented residents, which translate into a strong sense of political efficacy and expansive political engagement. Thus while both restrictions and accommodations motivate some forms of incorporation, this study indicates that accommodating laws are more suited towards building communities that include both citizens and non-citizens as valuable members.

References

- Abrego, Leisy. 2008. "Legitimacy, Social Identity, and the Mobilization of Law: The Effects of Assembly Bill 540 on Undocumented Students in California." *Law & Social Inquiry*. 33(3): 709–734.
- Abrego, Leisy. 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(2): 337–370.
- Alba, Richard and Victor Nee. 2003. *Remaking the American Mainstream: Assimilation and Contemporary Immigration*. Boston: Harvard University Press.
- Alba, Richard, Logan John, Lutz Amy, Stults Brian. 2002. "Only English by the Third Generation? Loss and Preservation of the Mother Tongue Among the Grandchildren of Contemporary Immigrants." *Demography*. 39(3): 467–484.
- Albarracin, Julia and Anna Valeva. 2011. "Political Participation and Social Capital Among Mexicans and Mexican Americans in Central Illinois." *Hispanic Journal of Behavioral Sciences* 33(4):507-523.
- Alexander, Michael. 2007. *Cities and Labour Immigration: Comparing Policy Responses in Amsterdam, Paris, Rome and Tel Aviv*, Burlington, UK: Ashgate.
- Allegro, Linda. 2010. "Latino Migrations to the U.S. Heartland: Illegality, State Controls, and Implications for Transborder Rights," *Latin American Perspectives*. 37(1): 172-84.
- Almaguer, Tomás. 2008. *Racial Fault Lines: The Historical Origins of White Supremacy in California*. Los Angeles: University of California Press.
- Álvarez, R. Michael and Lisa García Bedolla. 2003. "The Foundations of Latino Voter Partisanship: Evidence from the 2000 election." *Journal of Politics* 65(1): 31-49.
- Anaheim Public Information Officer, personal interview, 21 March 2011.
- Anaheim Union High School District. 1999. "Resolution No. 1999/20000-Bot-01."
- Anaheim, City Of. 1995. "Council Minutes," 19 September.
- Anaheim, City Of. 1995. "Council Minutes," 3 October.
- Anaheim, City Of. 1995. "Council Minutes," 7 November.

Andersen, Kristi. 2008. "Parties, Organizations, and Political Incorporation: Immigrants in Six U.S. Cities," in Karthick Ramakrishnan and Irene Bloemraad, eds. *Civic Hopes and Political Realities: Immigrants, Community Organizations, and Political Engagement*. New York: Russell Sage Foundation.

Anderson, Elijah. 1999. *Code of the Street: Decency, Violence, and the Moral Life of the Inner City*. New York: W.W. Norton.

Arizona, State of. 2010. "Senate Bill 1070."

Armenta, Amada. 2012. "From Sheriff's Deputies to Immigration Officers: Screening Immigrant Status in a Tennessee Jail." *Law & Policy*. 34(2): 191–210.

Arnold, Carrie. 2007. "Racial Profiling in Immigration Enforcement: State and Local Agreements to Enforce Federal Immigration Law." *Arizona Law Review*. 49: 112-142.

Arvizu, John and F. Chris Garcia. 1996. "Latino Voting Participation: Explaining and Differentiating Latino Voting Turnout." *Hispanic Journal of Behavioral Sciences*. 18(2): 104-128.

Arvizu, John and F. Chris Garcia. 1996. "Latino Voting Participation: Explaining and Differentiating Latino Voting Turnout." *Hispanic Journal of Behavioral Sciences*. 18(2): 104-128.

Associated Press. 2007. "Santa Ana Chamber Launches 4.5 Million Language Learning Effort." April 10, 2007. Online: http://www.nctimes.com/news/state-and-regional/article_a5cfb9df-51b2-5830-8b51-387116cb4201.html

Astor, Avi. Forthcoming. "Social Position and Place-Protective Action in a New Immigration Context: Understanding Anti-Mosque Campaigns in Catalonia." *International Migration Review*.

Bailey, Thomas and Roger Waldinger. 1991. "Primary, Secondary, and Enclave Labor Markets: A Training Systems Approach." *American Sociological Review*. 56(4):432-445.

Balderrama, Francisco E. and Raymond Rodriguez. 1995. *Decade of Betrayal: Mexican Repatriation in the 1930s*. Albuquerque: University of New Mexico Press.

Balderrama, Francisco E. and Raymond Rodríguez. 2006. *Decade of Betrayal: Mexican Repatriation in the 1930s*. Albuquerque: University of New Mexico Press.

Banton, Michael. 1983. *Racial and Ethnic Competition*. New York: Cambridge University Press.

- Barreto, Matt A. and José A. Muñoz. 2003. "Reexamining the Politics of In-between": Political Participation among Mexican Immigrants in the United States." *Hispanic Journal of Behavioral Sciences* 25(4):427-447.
- Barreto, Matt A. and Nathan D. Woods. 2000. "Voting Patterns and the Dramatic Growth of the Latino Electorate in Los Angeles County, 1994-1998." Claremont, CA: Tomás Rivera Policy Institute.
- Barreto, Matt A. Sylvia Manzano, Ricardo Ramirez, and Kathy Rim. 2009. "Mobilization, Participation, and Solidaridad: Latino Participation in the 2006 Immigration Protest Rallies." *Urban Affairs Review* 44(5):736-764.
- Barth, Fredrik. 1969. "Introduction." Pp. 9-38 in Fredrik Barth, editor, *Ethnic Groups and Boundaries: The Social Organization of Cultural Difference*. London: Allen & Unwin.
- Bean Frank D. and Gillian Stevens. 2003. *America's Newcomers and the Dynamics of Diversity*. New York: Russell Sage Foundation.
- Bean, Frank, Susan Brown, March Leach, James Bachmeier, and John Hipp. 2011. "The Educational Legacy of Unauthorized Migration: Comparisons Across U.S. Immigrant Groups in How Parents' Status Affects Their Offspring." *International Migration Review*. 45(2): 352-389.
- Bhuyan, Rupaleem. 2012. "Negotiating Citizenship on the Frontlines: How the Devolution of Canadian Immigration Policy Shapes Service Delivery to Women Fleeing Abuse." *Law & Policy*. 34(2): 211-236.
- Bloch, Alice and Liza Schuster. 2005. "At The Extremes Of Exclusion: Deportation, Detention and Dispersal," *Ethnic And Racial Studies*. 28(3): 491-512.
- Bloemraad, Irene. 2006. *Becoming a Citizen: Incorporating Immigrants and Refugees in the United States and Canada*. Berkeley: University of California Press.
- Boczkiewicz, Robert. 2010. "HB 1804 Appeal Denied In Part," *Tulsa World*, 3 February.
- Borjas, George. 1985. "Changes in Cohort Quality, and the Earnings of Immigrants." *Journal of Labor Economics*. 3(4): 463-489.
- Borjas, George. 1987. "Self-Selection and the Earnings of Immigrants." *The American Economic Review*. 77(4): 531-553.

- Brabeck, Kalina and Qingwen Xu. 2010. "The Impact of Detention and Deportation on Latino Immigrant Children and Families: A Quantitative Exploration." *Hispanic Journal of Behavioral Sciences*. 32(3): 341-361.
- Breier, Michelle. 2010. "Checkpoint Debate Continues in Escondido." *The San Diego Union-Tribune*. Online:
<http://www.signonsandiego.com/news/2011/aug/20/checkpoint-debate-continues-escondido/>
- Brewer, Marilyn. 2000. "Reducing Prejudice through Crosscategorization: Effects of Multiple Social Identities." In S. Oskamp (Ed.), *Claremont Symposium on Applied Social Psychology: Reducing Prejudice and Discrimination* (pp. 165-183). Thousand Oaks, CA: Sage.
- Brockner, Joel. 1992. "The Escalation of Commitment to a Failing Course of Action: Towards Theoretical Progress." *The Academy of Management Review*. 17(1): 39-61.
- Brubaker, Rogers. 2001. "The Return of Assimilation? Changing Perspectives on Immigration and its Sequels in France, Germany and the United States." *Ethnic and Racial Studies*. 24(4): 531-48.
- Bumiller, Kristin. 1988. *The Civil Rights Society: The Social Construction of Victims*. Baltimore, Md.: The Johns Hopkins University Press.
- Burawoy, Michael. 1991. *Ethnography Unbound: Power and Resistance in the Modern Metropolis*. Berkeley: University of California Press.
- Burma, John H. 1946. "The Measurement of Negro "Passing."" *American Journal of Sociology*. 52(1): 18-22.
- Butler, Judith. 1990. "Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory." *Performing Feminisms: Feminist Critical Theory and Theatre*. Ed. Sue-Ellen Case. Baltimore: Johns Hopkins University Press.
- Calavita, Kitty .1996 "The New Politics of Immigration: Balanced-Budget Conservatism and The Symbolism Of Proposition 187." *Social Problems*. 43(3): 284-305.
- Calavita, Kitty. 1983. "California's 'Employer Sanctions' Legislation: Now You See It, Now You Don't." *Politics & Society*. 12(2): 205-230.
- Calavita, Kitty. 2000. "The Paradoxes of Race, Class, Identity and "Passing": Enforcing the Chinese Exclusion Acts, 1882-1910." *Law and Social Inquiry*. 25(1): 1-40.

Calavita, Kitty. 2005. *Immigrants at the Margins: Law, Race, and Exclusion in Southern Europe*. Cambridge: Cambridge University Press.

Calavita, Kitty. 2010. *Invitation to Law and Society: An Introduction to the Study of Real Law*. Chicago: The University of Chicago Press.

California Secretary of State. "Voter Registration Statistics." Sacramento, CA. Online: http://www.sos.ca.gov/elections/elections_u.htm

California, State of. 1862. "Chinese Police Tax."

California, State of. 2001. "Assembly Bill 540."

California, State of. 2006. "Senate Bill 1534."

California, State of. 2007. "Assembly Bill 976."

Camarota, Steven and Karen Jensenius. 2008. "Homeward Bound: Recent Immigrant Enforcement And The Decline In The Illegal Alien Population," Washington, Dc: Center For Immigration Studies.

Campbell, Andrea. 2005. *How Policies Make Citizens: Senior Political Activism and the American Welfare State*. Princeton: Princeton University Press.

Campbell, Angus, Gerald Gurin, and Warren Miller. 1954. *The Voter Decides*. Evanston, IL: Row, Peterson and Company.

Campbell, Angus, Philip E. Converse, Warren E. Miller, and Donald E. Stokes. 1960. *The American Voter*. Ann Arbor: University of Michigan Press.

Capps, Randy, Marc Rosenblum, Cristina Rodríguez, And Muzaffar Chishti 2011 "Delegation And Divergence: A Study Of 287(G) State And Local Immigration Enforcement," Washington Dc: Migration Policy Institute.

Carlson, Jennifer. 2015. *Citizen-Protectors: The Everyday Politics of Guns in an Age of Decline*. Oxford: Oxford University Press.

Carter, Chelsea. 2001. "Orange County City Leads the Nation with Non-English Speakers." *Associated Press*, November 22, 2001. Online: <http://news.google.com/newspapers?nid=2245&dat=20011123&id=cBQ0AAAIBAJ&sjid=KiEGAAAIBAJ&pg=7235,2551265>

Cartwright, B.C. and R.D. Schwartz. 1973. "The Invocation of Legal Norms: An Empirical Investigation of Durkheim and Weber." *American Sociological Review*. 38(3): 340-354.

Cavanagh, Robert. 2007. "Measurement Issues in the Use of Rating Scale Instruments in Learning Environment Research." *Australian Association For Research In Education*. 15(6): 1-9.

Cavanaugh, Maureen, Patty Lane, and John Carolos Frey. March 14, 2012. "Escondido Police Under Fire: Many More Undocumented Latinos Nabbed Than Drunks at DUI Checkpoints. San Diego, CA: KPBS News.

Cavanaugh, Robert. 2007. "Measurement Issues in the Use of Rating Scale Instruments in Learning Environment Research." *Australian Association for Research in Education*. Online: <http://www.aare.edu.au/07pap/cav07156.pdf>

Chavez, Jorge and Doris Marie Provine. 2009. "Race and the Response of State Legislatures to Unauthorized Immigrants." *Annals of the American Academy of Political and Social Science*. 623(1): 78-92.

Chavez, Leo R. 2008. *The Latino Threat: Constructing Immigrants, Citizens, and the Nation*. Stanford: Stanford University Press.

Chavez, Leo. 2001. *Covering Immigration: Popular Images and the Politics of the Nation*. Berkeley: University of California Press.

Chavez, Leo. 1994. "The power of the imagined community: The settlement of Undocumented Mexicans and Central Americans in the United States." *American Anthropologist*. 96(1): 52-73.

Chiamaka Nwosu, Jeanne Batalova, and Gregory Auclair. 2014. "Frequently Requested Statistics on Immigrants and Immigration in the United States." Washington DC: Migration Policy Institute. Online: <http://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states>

Chishti, Muzaffar and Claire Bergeron. March 28, 2014. "Hazleton Immigration Ordinance That Began With a Bang Goes Out With a Whimper." Washington DC: Migration Policy Institute. Online: <http://www.migrationpolicy.org/article/hazleton-immigration-ordinance-began-bang-goes-out-whimper>

Chishti, Muzaffar. 2002. "The Role of States in U.S. Immigration Policy", *New York University Annual Survey of American Law*. Vol. 58:37. Online. [http://www1.law.nyu.edu/pubs/annualsurvey/documents/58%20N.Y.U.%20Ann.%20Su rv.%20Am.%20L.%20371%20\(2002\).pdf](http://www1.law.nyu.edu/pubs/annualsurvey/documents/58%20N.Y.U.%20Ann.%20Surv.%20Am.%20L.%20371%20(2002).pdf)

Clair, Judith, Joy Beatty, and Tammy Maclean. 2005. "Out of Sight But Not Out of Mind: Managing Invisible Social Identities in the Workplace." *Academy of Management Review*. 30(1): 78-95.

Coker, Matt. 2010. "Will 'Rule of Law' Costa Mesa Soon Border 'Sanctuary City' Santa Ana?" *Orange County Weekly*, May 10 2010. Online: http://blogs.ocweekly.com/navelgazing/2010/05/santa_ana_sanctuary_city_manso.php

Coleman, Matthew. 2007. "Immigration Geopolitics Beyond The Mexico-U.S. Border," *Antipode*. 39(1): 54-76.

Congressional Record. 1996. 142-H2378 (Daily Edition, 19 March 1996).

Congressional Record. 1996. 142-S4017 (Daily Edition, 24 April 1996).

Cook, Maria Lorena. 2013. "Is Incorporation of Unauthorized Immigrants Possible? Inclusion and Contingency for Nonstatus Migrants and Legal Immigrants." In *Outsiders No More? Models of Immigrant Political Incorporation*, edited by Jennifer Hochschild, Jacqueline Chattopadhyay, Claudine Gay, and Michael Jones-Correa. Oxford: Oxford University Press.

Corenlius, Wayne. 1998. "The Structural Embeddedness of Demand For Mexican Immigrant Labor: New Evidence From California," pp. 113-144 in Marcelo Suárez-Orozco (Ed), *Crossings: Mexican Immigration In Interdisciplinary Perspectives*, Cambridge, Ma: Harvard University Press.

Cornelius, Wayne, David Fitzgerald, Pedro Lewin Fischer and Leah Muse-Orlinoff (Eds). 2010. *Mexican Migration And The U.S. Economic Crisis*, La Jolla, CA and Boulder, Co: CCIS and Lynne Rienner Publishers.

Cornelius, Wayne, Takeyuki Tsuda, Philip Martin, And James Hollifield (Eds) 2004 *Controlling Immigration: A Global Perspective*, Stanford: Stanford University Press.

Cornelius, Wayne. 1982. "Interviewing Undocumented Immigrants: Methodological Reflections." *International Migration Review*. 16(2): 378-411.

Cornelius, Wayne. 1992 "From Sojourners to Settlers: The Changing Profile of Mexican Immigration to the United States," pp. 155-195 in *U.S.-Mexico Relations: Labor Market Interdependence*, edited by Jorge A. Bustamante, Clark W. Reynolds, and Raúl Hinojosa. Stanford: Stanford University press.

Cornelius, Wayne. 1998. "The Structural Embeddedness of Demand for Mexican Immigrant Labor: New Evidence from California," in *Crossings: Mexican Immigration in Interdisciplinary Perspectives*, edited by Marcelo Suárez-Orozco, pp. 113-144. Cambridge, MA: Harvard University Press.

Cornelius, Wayne. 2001. "Death at the Border: Unintended Consequences of US Immigration Control Policy." *Population and Development Review*. 27(4): 661-685.

Cornelius, Wayne. 2005. "Controlling "Unwanted" Immigration: Lessons from the United States, 1993-2004." *Journal of Ethnic and Migration Studies*. 31(4): 775-94.

Cornelius, Wayne. 2010. "Preface," pp. vii-ix in Monica Varsanyi (Ed), *Taking Local Control: Immigration Policy Activism In U.S. Cities And States*, Stanford: Stanford University Press.

Cunningham, Hilary. 1995. *God and Caesar at the Rio Grande: Sanctuary and the Politics of Religion*. Minneapolis: University of Minnesota Press.

Dawkins, Marcia A. 2012. *Clearly Invisible: Racial Passing and the Colour of Cultural Identity*. Waco: Baylor University Press.

De Certeau, Michel. 1984. *The Practice of Everyday Life*. Berkeley: University of California Press.

De Genova, Nicholas. 2005. *Working the Boundaries: Race, Space, and "Illegality" in Mexican Chicago*. Durham, NC: Duke University Press.

de Graauw, Els. Forthcoming. *Making Immigrant Rights Real: Nonprofit Advocacy and Immigrant Integration in San Francisco*. Ithaca: Cornell University Press.

de Graauw, Els. 2014. "Municipal ID Cards for Undocumented Immigrants: Local Bureaucratic Membership in a Federal System." *Politics & Society*. 42(3): 309-330.

Deflem, Mathieu. 2008. *Sociology of Law: Visions of a Scholarly Tradition*. New York: Cambridge University Press.

Delson, Jennifer and Seema Mehta. 2007. "Anaheim Schools Trustee Is A Target Of Left And Right," *The Los Angeles Times*. Online: <http://articles.latimes.com/2007/aug/03/local/me-martin3>

Delson, Jennifer. 2007. "Sanctuary Status is Urged for Santa Ana." *Los Angeles Times*, July 6 2007. Online: <http://articles.latimes.com/2007/jul/06/local/me-sanctuary6>

DeSipio, Louis. 2011. "Immigrant Incorporation in an Era of Weak Civic Institutions: Immigrant Civic and Political Participation in the United States." *American Behavioral Scientist* 55(9): 1189-1213.

Doty, Roxanne. 2003. *Anti-Immigrantism in Western Democracies—Statecraft, Desire, and The Politics Of Exclusion*, New York: Routledge.

Dreby, Joanna. 2012. "The Burden of Deportation on Children in Mexican Immigrant Families." *Journal of Marriage and Family*. 74(4): 829-845.

- Dreby, Joanna. 2015. *Everyday Illegal: When Policies Undermine Immigrant Families*. Berkeley: University of California Press.
- Durand, Jorge, Douglas S. Massey, and René M. Zenteno. 2001. "Mexican Immigration to the United States: Continuities and Changes." *Latin American Research Review* 36: 107–27.
- Eakins, Paul. 2007. "Escondido Council Supports Residential Parking Restrictions." North County Times. Online: http://www.nctimes.com/news/local/escondido/article_75fc96f8-552f-5975-9746-49fbe12234be.html
- Ebert, Kim and Dina Okamoto. 2013. "Social Citizenship, Integration, and Collective Action: Immigrant Civic Engagement in the United States." *Social Forces*. 91 (4): 1267-1292.
- Eisema, Dirk, Tara Fiorito and Martha Montero-Sieburth. 2014. "Beating the Odds: the Undocumented Youth Movement of Latinos as a Vehicle for Upward Social Mobility." *New Diversities*. (16)1: 23-39.
- Engle, David and Frank Munger. 2003. *Rights of Inclusion: Law and Identity in the Life Stories of Americans with Disabilities*. Chicago: University of Chicago Press.
- Escondido, City of. 2006. Ordinance No. 2006-38 R. Online: http://www.aclu.org/files/pdfs/immigrants/escondido_ordinance.pdf
- Escondido, City of. 2011. Resolution No. 2011-44.
- Everly, Alan 1996. "Jail Project Targets Illegal Immigrants." *The Los Angeles Times*. Online: http://articles.latimes.com/1996-03-26/local/me-51566_1_illegal-immigrants
- Ewick, Patricia and Susan S. Sibey. 1998. *The Common Place of Law: Stories from Everyday Life*. Chicago: University of Chicago Press.
- Farley, Reynolds. 1996. *The New American Reality: Who We Are, How We Got Here, Where Are We Going*. New York: Russell Sage Foundation.
- Favell, Adrian. 2008. *Eurostars and Eurocities: Free Movement and Mobility in an Integrating Europe*. Malden, MA: Blackwell.
- Favell, Adrian. 2001. "Integration Policy and Integration Research in Europe: A Review and Critique." In *Citizenship Today: Global Perspectives and Practices*, ed. T. Alexander Aleinikoff and Doug Klusmeyer. Washington, DC: Brookings.

Feldman, Paul and Rich Connell. 1994. "Wilson Acts To Enforce Parts Of Prop. 187" *The Los Angeles Times*. Online: http://articles.latimes.com/1994-11-10/news/mn-60895_1_illegal-immigrants

Feldman, Paul. 1995. "Judge Urged To Bar Public Funds From Prop 187 Fight." *The Los Angeles Times*. Online: http://articles.latimes.com/1995-02-17/local/me-33065_1_1-a-unified-school-district

Filindra, Alexandra, Cynthia Garcia Coll, and David Blanding. 2011. "The Power of Context: State-Level Immigration Policy and Differences in the Educational Performance of The Children Of Immigrants," *Harvard Educational Review*. 81(3): 407-438

Filindra, Alexandra. 2009. "E Pluribus Unum? Federalism, Immigration and The Role Of States," Phd Dissertation, Department Of Political Science, Rutgers University, New Brunswick, NJ

Filindra, Alexandra. 2012. *The Myth of Self-Deportation*. Washington, DC: Immigration Policy Center. Online: http://www.immigrationpolicy.org/sites/default/files/docs/filindra_-_self-deportation_042912.pdf

FitzGerald, David and David-Cook Martín. 2014. *Culling the Masses: The Democratic Origins of Racist Immigration Policy in the Americas*. Cambridge: Harvard University Press.

Fitzgerald, David, Rafael Alarcón Acosta, and Leah Muse-Orlinoff (Eds). 2011. *Recession Without Borders: Mexican Migrants Confront the Economic Downturn*. La Jolla, CA And Boulder, CO: CCIS and Lynne Rienner Publishers

FitzGerald, David. 2012. "A Comparativist Manifesto for International Migration Studies." *Ethnic and Racial Studies*. 35(10): 1725–40.

Fix, Michael and Jeffrey Passel. 1994. "Immigration and Immigrants: Setting The Record Straight." Washington D.C.: The Urban Institute.

Flegenheimer, Matt. January 11, 2015. "New York City to Formally Start Its Municipal ID Card Program." *The New York Times*. Online: http://www.nytimes.com/2015/01/12/nyregion/new-york-city-to-formally-start-its-municipal-id-card-program.html?_r=0

Fleury-Steiner, Benjamin and Jamie Longazel. 2010. "Neoliberalism, Community Development, and Anti-Immigrant Backlash In Hazleton, Pennsylvania." In Monica Varsanyi (ed), *Taking Local Control: Immigration Policy Activism in U.S. Cities and States*. Stanford: Stanford University Press.

Flores, René D. 2014. "Living in the Eye of the Storm: How did Hazleton's Restrictive Immigration Ordinance Affect Local Interethnic Relations?" *American Behavioral Scientist*. 58(13): 1743-1763.

Flowers Paul and Katie Buston. 2001. "I was terrified of being different": Exploring gay men's accounts of growing-up in a heterosexist society." *Journal of Adolescence*. 24(1): 51-65.

Foner, Nancy. 2005. *In a New Land: A Comparative View of Immigration*. New York: New York University Press.

Foucault, Michel. 1982. "Afterword: The Subject and Power." In *Michel Foucault: Beyond Structuralism and Hermeneutics*, ed. Hubert L. Dreyfus and Paul Rabinow. Chicago: University of Chicago Press.

Fox, Jonathan and Gaspar Rivera-Salgado, eds., 2004. *Indigenous Mexican Migrants in United States*. La Jolla: UC San Diego, Center for Comparative Immigration Studies.

Freeland, Gregory. 2010. "Negotiating Place, Space and Borders: The New Sanctuary Movement." *Latino Studies*. 4: 485-508.

Fried, David. 2005a. "Escondido Council Votes to Support Border Initiative." *North County Times*. Online: http://www.nctimes.com/news/local/escondido-council-votes-to-support-border-initiative/article_c4f73fc5-a6d3-54c4-ae1f-0b13ba54d207.html

Fried, David. 2005b. "Two Escondido Officials Angry About Mexican Consulate's Presence at Fair." *North County Times*. Online: http://www.nctimes.com/news/local/two-escondido-officials-angry-about-mexican-consulate-s-presence-at/article_b2046075-85b7-551c-b9d8-1509d907c63d.html

Furuseth, Owen and Heather Smith. 2010. "Localized Immigration Policy: The View from Charlotte, North Carolina, A New Immigrant Gateway." Pp. 193-216 in Monica Varsanyi (ed), *Taking Local Control: Immigration Policy Activism in U.S. Cities and States*. Stanford: Stanford University Press.

Galindo, Rene. 2012. "Undocumented & Unafraid: The DREAM Act 5 and the Public Disclosure of Undocumented Status as a Political Act." *Urban Review*. 44:589-611.

Galvin, Alan. 2011. "Police Make Changes to Reduce Vehicle Impounds." *The Santa Ana Register*, September 28, 2011. Online: <http://santaana.ocregister.com/2011/09/28/police-make-changes-to-reduce-vehicle-impounds/>

- Gans, Herbert. 1992. "Second Generation Decline: Scenarios for the Economic and Ethnic Futures of the Post-1965 American Immigrants." *Ethnic and Racial Studies*. 15(2): 173-192.
- Gaona, Elena and Booyeon Lee. 2005. "Escondido council's border vote protested." *San Diego Union Tribune*. Online: http://www.signonsandiego.com/uniontrib/20051021/news_1mc21eral.html
- García, Angela S. 2007. "Internalizing Immigration Policy Within the Nation-State: The Local Initiative of Aguaviva Spain," Working Paper 151, San Diego: Center For Comparative Immigration Studies .
- García, Angela S. 2014. "Hidden in Plain Sight: How Unauthorized Migrants Strategically Assimilate in Restrictive Localities." *Journal of Ethnic and Migration Studies*. 40(12): 1895-1914.
- García, Angela S. 2013. "Return to sender? A Comparative Analysis of Immigrant Communities in "Attrition Through Enforcement" Destinations." *Ethnic and Racial Studies*. 36 (11): 1849-1870.
- García, Angela S. and Alex Barreno. 2007. "Tunkaseño Settlement in the United States." In *Mayan Journeys: The New Migration from Yucatán to the United States*, ed. Wayne Cornelius, David FitzGerald, and Pedro Lewin Fischer. Boulder, CO: Lynne Rienner Publishers.
- Garrick, David. 2007. "Escondido Exploring New Restrictions on Day Laborers." December 7, 2007. *North County Times*. Online: http://www.nctimes.com/news/local/article_6de5a28f-c3d9-5270-b6f1-3ea631323260.html
- Garrick, David. 2012. "Escondido Council Rejects Proposal to Require ID to Vote." *North County Times*. Online: <http://www.utsandiego.com/news/2012/apr/18/escondido-council-rejects-proposal-to-require-id/?page=1#article-copy>
- Geddes, Barbara. 1990. "How the Cases You Choose Affect the Answers You Get: Selection Bias in Comparative Politics." *Political Analysis*. 2(1): 131-150.
- Gibson, Campbell and Kay Jung. 2006. "Historical Census Statistics on the Foreign Born Population of the United States: 1850 to 2000." U.S. Census Bureau, Population Division, Working Paper No. 81. Online: <http://www.census.gov/population/www/documentation/twps0081/twps0081.html>
- Gieryn, Thomas. 2000. "A Space for Place in Sociology." *Annual Review of Sociology*. 26: 463-496.

Gitlin, Todd. 1980. *The Whole World Is Watching: Mass Media in the Making and Unmaking of the New Left*. Berkeley: University of California Press.

Glazer, Nathan and Daniel Patrick Moynihan. 1963. *Beyond the Melting Pot: The Negroes, Puerto Ricans, Jews, Italians and Irish of New York City*. Cambridge: MIT Press.

Glazer, Nathan. 1993. "Is Assimilation Dead?" *Annals of the American Academy of Political and Social Science*. 530: 122-136.

Goffman, Alice. 2015. *On the Run: Fugitive Life in an American City*. Chicago: University of Chicago Press.

Goffman, Erving. 1959. *The Presentation of Self in Everyday Life*. New York: Doubleday Anchor.

Goffman, Erving. 1963. *Stigma: Notes on the Management of Spoiled Identity*. New York, NY: Simon and Schuster.

Goffman, Erving. 1969. *Strategic Interaction*. Philadelphia: University of Pennsylvania Press.

Golden, Renny and Michael McConnel. 1986. *Sanctuary: The New Underground Railroad*. Mary Knoll, NY: Orbis Books.

Gomez, Alan. 2012. "Immigration Enforcement Program to be Shut Down." *USA Today*, February 17, 2012. Online: <http://www.usatoday.com/news/nation/story/2012-02-17/immigration-enforcement-program/53134284/1>

Gonzales, Roberto and Leo Chavez. 2012. "Awakening to a Nightmare: Abjectivity and Illegality in the Lives of Undocumented 1.5-Generation Latino Immigrants in the United States." *Current Anthropology*. 53(3): 255-281.

Gonzales, Roberto. 2011. "Learning to Be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood." *American Sociological Review*, 76(4): 602-619.

Gonzalez Baker, Susan. 1997. "The 'Amnesty' Aftermath: Current Policy Issues Stemming from the Legalization Programs of the 1986 Immigration Reform and Control Act." *International Migration Review*. 31(1):5-27.

Gordon, Milton. 1964. *Assimilation in American Life*. New York: Oxford University Press.

Gordon, Robert W. 1984. "Critical Legal Histories." *Faculty Scholarship Series*. Paper 1368. Online: http://digitalcommons.law.yale.edu/fss_papers/1368

Gordon, Sarah. 2010. "ICE extends partnership with police." *North County Times*. Online: http://www.nctimes.com/news/local/escondido/article_6c19771e-cc34-550f-bdfd-692124a556b6.html

Gorman, Anna 2008 "Day Labor Laws Okd," *The Los Angeles Times*, 14 August

Guidi, Ruxandra. 2011. "DUI Checkpoints in California May Soon Be Regulated." KPBS Public Broadcasting, 1 September 2011. Online: <http://www.kpbs.org/news/2011/sep/01/dui-checkpoint-regulated-driver-license-immigrant/>

Guiraudon, Virginie. 2001. "De-Nationalizing Control: Analyzing State Responses to Constraints on Migration Control." Pp 31-64 in *Controlling a New Migration World*, edited by Virginie Guiraudon and Christian Joppke. New York: Routledge.

Hagan, Jacqueline Maria, Nestor Rodriguez and Brianna Castro. 2011. Social Effects of Mass Deportations by the United States Government, 2000-10. *Ethnic and Racial Studies*. 34(8): 1374-1391.

Hagan, Jacqueline. 1998. "Social Networks, Gender and Immigrant Settlement: Resource and Constraint." *American Sociological Review*. 63 (1): 55-67.

Hammar, Tomas. 1989. "State, Nation, and Dual Citizenship," in Rogers Brubaker, ed., *Immigration and the Politics of Citizenship in Europe and North America*. Lanham; London: German Marshall Fund of the US.

Herek, Gregory. 1996. "Why tell if you're not asked? Self-disclosure, intergroup contact, and heterosexuals' attitudes toward lesbians and gay men. In G.M. Herek, J. Jobe, & R. Carney (Eds.), *Out in force: Sexual orientation and the military* (pp. 197–225). Chicago: University of Chicago Press.

Hernández-León, Rubén. 2008. *Metropolitan Migrants: The Migration of Urban Mexicans to The United States*. Berkeley: University of California Press.

Hetherington, Marc J. 1999. "The Effect of Political Trust on the Presidential Vote, 1968-1996. *The American Political Science Review*. 93(2): 311-326.

Hobbs, Allyson. 2014. *A Chosen Exile: A History of Racial Passing in American Life*. Cambridge, MA: Harvard University Press.

Hoefler, Michael, Nancy Rytina and Bryan C. Baker. 2012. "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2011." Washington DC: Office of Immigration Statistics, Policy Directorate, U.S. Department of Homeland Security. Online:
http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2011.pdf

Hoffman, Abraham. 1974. *Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939*. Tucson: University of Arizona Press.

Hondagneu-Sotelo, Pierrette. 1992. "Overcoming Patriarchal Constraints: The Reconstruction of Gender Relations Among Mexican Immigrant Women and Men." *Gender & Society*. 6(3): 393-415.

Hopkins, Daniel. 2010. "Politicized Places: Explaining Where and When Immigrants Provoke Local Opposition." *American Political Science Review*. 104(1):40-60.

HoSang, Daniel Martinez. 2010. *Racial Propositions: Ballot Initiatives and the Making of Postwar California*. Berkeley: University of California Press.

House of Representatives. 1997. "House Report 105-338," 23 October. Online:
http://www.escondido.org/ccagendas/MG143533/AS143549/AS143559/AI143715/DO143912/DO_143912.pdf

Huntington, Samuel P. 2004. *Who Are We? The Challenge to America's National Identity*. New York: Simon and Schuster.

Huntington, Samuel P. 2009. "The Hispanic Challenge." *Foreign Policy*. 141: 30-45.

Immigration and Customs Enforcement. 2011a. "Delegation of Immigration Authority Section 287(G) Immigration And Nationality Act." Online:
[Www.Ice.Gov/News/Library/Factsheets/287g.Htm](http://www.ice.gov/news/library/factsheets/287g.htm)

Immigration and Customs Enforcement. 2011b. "Secure Communities Activated Jurisdictions." Online: [www.Ice.Gov/Doclib/Secure-Communities/Pdf/Sc-Activated.Pdf](http://www.ice.gov/doclib/secure-communities/pdf/sc-activated.pdf)

INEGI (Instituto Nacional de Estadística y Geografía). 2010. "Censo de Población y Vivienda." Online: <http://www3.inegi.org.mx/sistemas/mexicocifras/>

Inglewood Police Department. 2008. "Approval of Agreement With the United States Department of Homeland Security Immigration and Customs Enforcement Agency for Reimbursement of Police Overtime Expenses." Online:
[Www.Cityofinglewood.Org/Agendastaffreports/01-15-08/4.Pdf](http://www.cityofinglewood.org/agendastaffreports/01-15-08/4.pdf)

Inglewood Public Information Officer, Personal Interview, 9 February 2011.

- Irving, Doug. 2009. "Santa Ana Backs Bill to Help Illegal-Immigrant Students." *The Orange County Register*, July 21 2009. Online: <http://www.ocregister.com/news/city-168397-act-santa.html>
- Irving, Doug. 2010. "Santa Ana Opposes Arizona Immigration Law." *The Orange County Register*, May 3 2010. Online: <http://www.ocregister.com/news/law-247063-arizona-city.html>
- Isackson, Amy. 2006a. "Judge Halts Escondido Landlord Ordinance," *KPBS Public Broadcasting*. Online: <http://www.kpbs.org/news/2006/nov/17/judge-halts-escondido-landlord-ordinance/>
- Isackson, Amy. 2006b. "Escondido Landlord Ordinance Is Dead," *KPBS Public Broadcasting*. Online: <http://www.kpbs.org/news/2006/dec/13/escondido-landlord-ordinance-is-dead/>
- Isackson, Amy. 2007. "Vista Settles ACLU Suit Alleging Day Labourer Hiring Discrimination." *KPBS Public Broadcasting*. Online: <http://www.kpbs.org/news/2007/jun/26/vista-settles-aclusuit-alleging-day-laborer/>
- Jensen, Lene Arnett. 2008. "Immigrants' Cultural Identities as Sources of Civic Engagement." *Applied Developmental Science*. 12: 74-83.
- Jerolmack, Colin and Shamus Khan. 2014. "Talk is Cheap: Ethnography and the Attitudinal Fallacy." *Sociological Methods and Research* 43(2): 178-209.
- Jiménez, Tomás and David FitzGerald. 2007. "Mexican Assimilation: A Temporal and Spatial Reorientation." *Du Bois Review*. 4(2): 337-354.
- Johnson, Carol. 2002. "Heteronormative Citizenship and the Politics of Passing." *Sexualities*. 5(3): 317-336.
- Johnson, Kevin R. 2012. "A Case Study of Color-Blindness: The Racially Disparate Impacts of Arizona's S.B. 1070 and the Failure of Comprehensive Immigration Reform." *UC Irvine Law Review*. 2: 313-358.
- Jones, Harry. June 24, 2014a. "Escondido panel rejects center for minors: Hundreds of residents flood meeting to oppose project." San Diego: *UT-San Diego*. Online: <http://www.utsandiego.com/news/2014/jun/24/escondido-panel-rejects-center-for-unaccompanied/>

Jones, Harry. October 15, 2014b. "Immigrant shelter rejected by Escondido: City Council denies appeal of earlier decision banning shelter for children in the country illegally." San Diego: *UT-San Diego*. Online:
<http://www.utsandiego.com/news/2014/oct/15/escondido-immigrant-council-child-shelter/>

Katz, Vicky. 2014. *Kids in the middle: How children of immigrants negotiate community interactions for their families*. New Brunswick, NJ: Rutgers University Press.

Kauffman, Bruce. 2006. "Day Labor and the Law." *San Diego Reader*. Online:
<http://www.sandiegoreader.com/news/2006/dec/21/day-labor-and-law/>

Kaufmann, Karen and Antonio Rodriguez. 2010. "Local Context and Latino Political Socialization: Why Immigrant Destinations Matter." University of Maryland, Department of Government and Politics, AP Workshop. Online:
<http://www.bsos.umd.edu/gvpt/apworkshop/kaufmann2010.pdf>

Kaye, Jeffery. 2004. "Crucial Card." *PBS Newshour*, January 6, 2004. Online:
http://www.pbs.org/newshour/bb/law/jan-june04/card_1-6.html

Kazal, Russell A. 1995. "Revisiting Assimilation: The Rise, Fall and Reappraisal of a Concept in American Ethnic History." *American Historical Review*. 100(2): 437-471.

Keller, Loren. 2000. "New Coalition Calls For Repeal Of Special Order 40." *City News Service*.

Kelly, Theresa F. and Katherine L. Milkman. 2013. "Escalation of Commitment." In Eric Kessler (Editor), *Encyclopedia of Management Theory*. Pp 257-260. Thousand Oaks, CA: SAGE Publications.

Khanna, Nikki and Cathryn Johnson. 2010. "Passing as Black: Racial Identity Work Among Biracial Americans." *Social Psychology Quarterly*. 73(4):380-397.

Killian, Caitlin and Cathryn Johnson. 2006. "'I'm Not An Immigrant!': Resistance, Redefinition, and the Role of Resources in Identity Work." *Social Psychology Quarterly*. 69(1): 60-80.

Kittrie, Orde. 2006. "Federalism, Deportation, and Crime Victims Afraid to Call the Police." *Iowa Law Review*. 91: 1449-1508.

Klawoon, Adam. 2006. "Minutemen Event Expected to Draw Counterprotest." *San Diego Union Tribune*. Online:
http://www.utsandiego.com/uniontrib/20060204/news_1mi4protest.html

Kobach, Kris. 2004. "State and Local Authority to Enforce Immigration Law: A Unified Approach for Stopping Terrorists." Washington D.C.: Center for Immigration Studies. Online: <http://www.cis.org/articles/2004/back604.pdf>

Kobach, Kris. 2006. "The Quintessential Force Multiplier: The Inherent Authority of Local Police to Make Immigration Arrests." *Albany Law Review*, 69:179-235.

Kobach, Kris. 2008. "Attrition Through Enforcement: A Rational Approach to Illegal Immigration." *Tulsa Journal of Comparative and International Law*. 15: 153-161
Online. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1157057

Koopmans, Ruud. 2004. "Migrant Mobilisation and Political Opportunities: Variation Among German Cities and a Comparison with the United Kingdom and the Netherlands." *Journal Of Ethnic Migration Studies*. 30(3): 449-470.

Koralek, Robin, Juan Pedroza, and Randy Capps. 2010. "Untangling the Oklahoma Taxpayer and Citizen Protection Act: Consequences For Children and Families," Washington D.C.: Urban Institute.

Kotlowitz, Alex. 2007. "Our Town." *New York Times Magazine*. Online. <http://www.nytimes.com/2007/08/05/magazine/05Immigration-t.html>

Krikorian, Mark. 2005. "Downsizing Illegal Immigration: A Strategy of Attrition Through Enforcement." Washington D.C.: Center For Immigration Studies

Kroeger, Brooke. 2004. *Passing: When People Can't Be Who They Are*. New York: Public Affairs.

Krogstad, Jens Manuel and Jeffrey Passel. November 18, 2014. "Five Facts about Illegal Immigration in the U.S." Washington DC: Pew Research Center. Online: <http://www.pewresearch.org/fact-tank/2014/11/18/5-facts-about-illegal-immigration-in-the-u-s/>

Lareau, Annette. 2011. *Unequal Childhoods: Class, Race, and Family Life, With an Update a Decade Later*. Oakland: University of California Press.

Lassek, PJ. 2010. "Tulsa Councilor Proposes Immigration Ordinance," *Tulsa World*, 23 May.

Lau, Angela. 2008. "Council OKs Drafting Overnight Parking Ban." *San Diego Union Tribune*. Online: http://www.signonsandiego.com/uniontrib/20080411/news_1mc11parking.html

Lay, Celeste and James Gimpel. 2008. "Political Socialization and Reactions to Immigration-Related Diversity in Rural America." *Rural Sociology*. 73(2): 180-204.

Liebman, Lance. 1992. "Immigration status and American law: The several versions of antidiscrimination doctrine." Pp. 368-90 in D. L. Horowitz and G. Noiriel (eds.), *Immigrants in Two Democracies: French and American Experience*. New York: New York University Press.

Light, Ivan. 2006. *Deflecting Migration: Networks, Markets and Regulation in Los Angeles*. New York: Russell Sage Foundation.

Lindstrom, David P. 1996. "Economic Opportunity in Mexico and Return Migration from the United States." *Demography* 33(3):357-374.

Lofstrom, Magnus, Sarah Bonn, and Steven Raphael. 2011. "Lessons From The 2007 Arizona Workers Act," San Francisco: Public Policy Institute Of California.

Los Angeles, City Council of. 2007. "12 June 2007 Resolution."

Lukes, Steven and Andres Skull, editors. 1983. *Durkheim and the Law*. New York: St. Martin's Press.

Madison, Lucy. January 24, 2012. "Romney on Immigration: 'I'm for Self-Deportation.'" *CBS News*. Online: <http://www.cbsnews.com/news/romney-on-immigration-im-for-self-deportation/>

Mahmood, Saba. 2001. "Feminist Theory, Embodiment, and the Docile Agent: Some Reflections on the Egyptian Islamic Revival," *Cultural Anthropology*, 6(2):202-236.

Mahmood, Saba. 2005. *Politics of Piety: The Islamic Revival and the Feminist Subject*. New Jersey: Princeton University Press.

Marcelli, Enrico and Wayne Cornelius. 2001. "The Changing Profile of Mexican Migrants to the United States: New Evidence from California and Mexico," *Latin American Research Review*. 36(3): 105-131

Marosi, Richard. 2011. "Escondido's City-Federal Effort to Oust Illegal Immigrants Draws Praise, Criticism." *The Los Angeles Times*. Online: <http://articles.latimes.com/2011/feb/04/local/la-me-adv-immigrant-crackdown-20110206>

Marrow, Helen B. 2005. "New Destinations and Immigrant Incorporation." *Perspectives on Politics* 3(4): 781-99.

Marrow, Helen B. 2009. "Immigrant Bureaucratic Incorporation: The Dual Roles of Professional Missions and Government Policies." *American Sociological Review*. 74(5): 756-76.

Marrow, Helen B. 2011. *New Destination Dreaming: Immigration, Race, and Legal Status in the Rural American South*. Stanford, CA: Stanford University Press.

Marrow, Helen B. 2012. "Deserving to a Point: Unauthorized Immigrants in San Francisco's Universal Access Healthcare Model." *Social Science & Medicine* 74(6): 846-54.

Martin, David and Peter Schuck, editors. 2005. *Immigration Stories*. New York: Foundation Press.

Martos, Sofia. 2010. "Coded Codes: Discriminatory Intent, Modern Political Mobilization, and Local Immigration Ordinances." *New York University Law Review*. 85: 2099-2137.

Massey, Douglas and Audrey Singer. 1995. "New Estimates of Undocumented Mexican Migration and the Probability of Apprehension." *Demography*. 32: 203-213.

Massey, Douglas and Karen Pren. 2012. "Unintended Consequences of US Immigration Policy: Explaining the Post-1965 Surge from Latin America." *Population and Development Review*. 38(1): 1-29.

Massey, Douglas S. and Sanchez R., Magaly. 2010. *Brokered Boundaries: Immigrant Identity in Anti-Immigrant Times*. New York: Russell Sage Foundation.

Massey, Douglas S., Jorge Durand, and Nolan J. Malone. 2002. *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration*. New York: Russell Sage.

Massey, Douglas, Joaquin Arango, Ali Koucouci, Adela Pellegrino, And J. Edward Taylor. 1998. *Worlds In Motion: Understanding International Migration At The End Of The Millennium*, Oxford: Oxford University Press

Massey, Douglas, Jorge Durand and Karen Pren. 2014. "Explaining Undocumented Migration to the U.S." *International Migration Review*. 48(4): 1028-1061.

Massey, Douglas, Rafael Alarcon, Jorge Durand, and Humberto Gonzalez. 1987. *Return to Aztlan: The Social Process of International Migration from Western Mexico*. Berkeley: University of California Press.

Massey, Douglas. 2008. *New Faces in New Places: The Changing Geography of American Immigration*. New York: Russell Sage Foundation.

Massey, Douglas. 1986. "The Settlement Process Among Mexican Migrants to The United States." *American Sociological Review*. 51: 670-684.

- Mauch, Angela D. 2012. "HB 1804: Where Are We Now? Oklahoma's Landmark Immigration Legislation Five Years Later." *Oklahoma Bar Journal*. 83(29).
- McCann, Michael W. 1994. *Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization*. Chicago: University of Chicago Press.
- Mead, George. 1934. *Mind, Self, and Society*. Chicago: University of Chicago Press.
- Menjívar, Cecilia and Cindy Bejarano. 2004. "Latino Immigrants' Perceptions of Crime and of Police Authorities: A Case Study From the Phoenix Metropolitan Area." *Ethnic and Racial Studies*, 27(1): 120-148.
- Menjívar, Cecilia and Daniel Kanstroom. 2013. *Constructing Immigrant "Illegality": Critiques, Experiences, and Resistance*. Cambridge: Cambridge University Press.
- Menjívar, Cecilia and Leisy Abrego. 2012. "Legal Violence: Immigration Law and the Lives of Central American Immigrants." *American Journal of Sociology*. 117(5): 1380-1421.
- Menjívar, Cecilia and Olivia Salcido. 2002. "Immigrant Women and Domestic Violence: Common Experiences in Different Countries." *Gender and Society*. 16(6): 898-920.
- Menjívar, Cecilia. 1995. "Kinship Networks Among Immigrants: Lessons From a Qualitative Comparative Approach." *International Journal of Comparative Sociology*. 36(3): 219-232.
- Menjívar, Cecilia. 2000. *Fragmented Ties: Salvadoran Immigrant Networks in America*. Berkeley: University of California Press.
- Menjívar, Cecilia. 2006. "Liminal Legality: Salvadoran and Guatemalan Immigrants' lives in the United States." *American Journal of Sociology*. 111(4): 999-1037.
- Menjívar, Cecilia. 2011. "The power of the law: Central Americans' legality and everyday life in Phoenix, Arizona." *Latino Studies*. 9(4): 377-395.
- Merry, Sally Engle. 1990. *Getting Justice and Getting Even: Legal Consciousness Among Working Class Americans*. Chicago: University of Chicago Press.
- Merton, Robert 1949 *Social Theory And Social Structure*, Chicago: Free Press
- Meyers, Stephan. 2014. "The Social Model of Disability Under the Shadow of the Revolution: Ex-combatants Negotiating Identity in Nicaragua." *Qualitative Sociology*. 37(4): 403-424.

- Michelson, Melissa R. 2001. "Political Trust Among Chicago Latinos." *Journal of Urban Affairs* 23(3/4): 323-334.
- Michelson, Melissa R. 2003. "Political Efficacy Among California Latinos." *Latino(a) Research Review* 5(2-3): 5-15.
- MMFRP (Mexican Migration Field Research Project). 2011. La Jolla: Centre for Comparative Immigration Studies, University of California San Diego.
- Molina, Alejandra and Sean Emery. February 1, 2015. "Why Now?: Santa Ana Community Split on Gang Injunction." Santa Ana: *OC Register*. Online: <http://www.ocregister.com/articles/gang-649900-injunction-neighborhood.html>
- Molina, Alejandra. 2014. "Santa Ana council to consider urging Obama stop deportations." *OC Register*. Online: <http://www.ocregister.com/articles/obama-600521-council-president.html>
- Monroy, Douglas. 1999. *Rebirth: Mexican Los Angeles from the Great Migration to the Great Depression*. Berkeley: University of California Press.
- Motamura, Hiroshi. 1990. "Immigration Law After a Century of Plenary Power." *Yale Law Journal*. 100(3): 545-613.
- Motomura, Hiroshi. 2014. *Immigration Outside the Law*. Oxford: Oxford University Press.
- National Conference of State Legislatures (NCSL). 2014. "State Laws Related to Immigration And Immigrants." Washington DC. Online: <http://www.ncsl.org/research/immigration.aspx>
- National Immigration Law Center (NILC). January 2015. "State Laws and Policies on Driver's Licenses for Immigrants." Washington DC. Online: <http://www.nilc.org/driverlicenseemap.html>
- Naveed, Nasir, Thomas Gottron, Jérôme Kunegis, and Arifah Che Alhadi. 2011. "Bad News Travels Fast: A Content-based Analysis of Interestingness on Twitter." *Proceedings of the ACM Web Science Conference*. Online: http://www.websci11.org/fileadmin/websci/papers/50_paper.pdf.
- Negron, Rosalyn. 2014. "Observer on the Move: Shadowing Ethnography of Ethnic Flexibility in NYC." Max Planck Institute for the Study of Religious and Ethnic Diversity, Working Paper Series. Online: http://www.mmg.mpg.de/fileadmin/user_upload/documents/wp/WP_14-04_Negron%20Observer%20on%20the%20Move.pdf

- Neilsen, Laura Beth. 2000. "Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens about Law and Street Harassment." *Law & Society Review*. 34(4): 1055-1090.
- Ngai, Mae. 2003. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton: Princeton University Press.
- Nicholls, Walter J. 2013. *The Dreamers: How the Undocumented Youth Movement Transformed the Immigrant Rights Debate*. Stanford, CA: Stanford University Press.
- Nicollet, Albert. 1998. Femmes d' Afrique noire sur les chemins d' Europe. *Cahiers-de-Sociologie Economique et Culturelle Ethnopsychologie* 29:81-99.
- Nielsen, Laura Beth. 2000. "Situating Legal Consciousness: Experiences and Attitudes of Ordinary Citizens about Law and Street Harassment." *Law & Society Review*. 34(4): 1055-1090.
- of undocumented Mexicans and Central Americans in the United States." *American Anthropologist*. 96: 52-73.
- Office Of The Los Angeles Chief Of Police. 1979. "Special Order 40."
- Okamura, Jonathan Y. 1981. "Situational Ethnicity." *Ethnic and Racial Studies*. 4(454): 452-465.
- Oklahoma Political News Service. 2006. "Oolagah Passes Tough Immigration Ordinance," 3 October.
- Oklahoma, State of. 2007. "House Bill 1804."
- Olivas, Michael. 2007. "Immigration-Related State and Local Ordinances: Preemption, Prejudice and the Proper Role for Enforcement." *University of Chicago Legal Forum*, 27: 27-56. Online. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1069121
- Papademetriou, Demetrios. 2002. "A Grand Bargain: Balancing the National Security, Economic, and Immigration Interests of the U.S. and Mexico." Washington D.C.: Migration Policy Institute. Online. <http://www.migrationpolicy.org/files/bargain.pdf>
- Park, Robert. 1928. "Human Migration and the Marginal Man." *The American Journal of Sociology*. 33(6): 881-893.
- Parrado, Emilio. 2012. "Immigration Enforcement Policies, the Economic Recession, and the Size of Local Mexican Immigrant Populations." *The ANNALS of the American Academy of Political and Social Science*. 641(1): 16-37.
- Pascal, Blaise. 1910. *Pensées*. London: Dent Press.

Passel, Jeffrey and D'Vera Cohen. 2014. "Unauthorized Immigrant Totals Rise in 7 States, Fall in 14." Washington DC: Pew Hispanic Center. Online: <http://www.pewhispanic.org/2014/11/18/unauthorized-immigrant-totals-rise-in-7-states-fall-in-14/>

Passel, Jeffrey and D'Vera Cohn. 2009. "A Portrait of the Unauthorized Migrants in the United States." Washington, DC: Pew Hispanic Center. Online: <http://pewhispanic.org/files/reports/107.pdf>

Passel, Jeffrey and Wendy Zimmermann. 2001. "Are Immigrants Leaving California? Settlement Patterns of Immigrants in the Late 1990s," Washington D.C.: The Urban Institute.

Passel, Jeffrey, D'Vera Cohn, Jens Manuel Krogstad, and Ana Gonzalez-Barrera. 2014. "As Growth Stalls, Unauthorized Immigrant Population Becomes More Settled." Washington DC: Pew Research Center. Online: <http://www.pewhispanic.org/2014/09/03/as-growth-stalls-unauthorized-immigrant-population-becomes-more-settled/>

Pedroza, Juan. 2011. "Mass exodus from Oklahoma? Immigrants and Latinos Stay and Weather a State of Capture." *Journal of Latino/Latin American Studies*. 4(1): 1-15.

Penninx, Rinus, Karen Kraal, Marco Martiniello, and Steven Vertovec (eds). 2004. *Citizenship In European Cities: Immigrants, Local Politics And Integration Policies*, Aldershot, Uk: Ashgate.

Perez, William, Roberta Espinoza, Karina Ramos, Heidi Coronado, and Richard Cortes. 2010. "Civic Engagement Patterns of Undocumented Mexican Students." *Journal of Hispanic Higher Education* 9(3):245-265.

Pham, Huyen. 2004. The Inherent Flaws in the Inherent Authority Position: Why Inviting Local Enforcement of Immigration Laws Violates the Constitution. *Florida State University Law Review*. 31(965): 965-1003.

Pham, Huyen. 2006. "The Constitutional Right Not to Cooperate? Local Sovereignty and the Federal Immigration Power." *University of Cincinnati Law Review*. 74(1373): 1400-01.

Piore, Michael. 1979. *Birds Of Passage: Migrant Labor and Industrial Societies*. Cambridge, Uk: Cambridge University Press.

Plane, Dennis and Joseph Gershtenson. 2004. "Candidates' Ideological Locations, Abstention, and Turnout in U.S. Midterm Senate Elections." *Political Behavior*. 26 (1): 69-93.

- Portes, Alejandro and Jozef Borocz. 1989. "Contemporary immigration: Theoretical perspectives on its determinants and modes of incorporation." *International Migration Review*. 23: 606-630.
- Portes, Alejandro and Min Zhou. 1993. "The New Second Generation: Segmented Assimilation and Its Variants." *Annals of the American Academy of Political and Social Sciences*. 530(1):74-96.
- Portes, Alejandro and Patricia Fernandez-Kelly. 2008. "No Margin for Error: Educational and Occupational Achievement among Disadvantaged Children of Immigrants." *ANNALS of the American Academy of Political and Social Science*, 620:12-36.
- Portes, Alejandro and R. Mozo. 1985. "The Political Adaptation Process of Cubans and Other Ethnic Minorities in the United States: A Preliminary Analysis." *International Migration Review*. 19(1): 35-63.
- Portes, Alejandro and Rubén G. Rumbaut. 2001. *Legacies: The Story of the Immigrant Second Generation*. Los Angeles: University of California Press.
- Portes, Alejandro and Ruben Rumbaut. 2006. *Immigrant America: A Portrait* (3rd editon). Berkeley, California: University of California Press.
- Portes, Alejandro. 1997. "Immigration Theory for a New Century: Some Problems and Opportunities." *International Migration Review*, 31(4): 799-825.
- Portes, Alejandro. 1999. "Immigration Theory for a New Century: Some Problems and Opportunities." Pp. 11-21 in *The Handbook of International Migration: The American Experience*. Charles Hirschman, Philip Kasinitz, and Josh DeWind. New York: Russell Sage Foundation.
- Preston, Julia. June 2, 2014. "New U.S. Effort to Aid Unaccompanied Child Migrants." New York: *New York Times*. Online: http://www.nytimes.com/2014/06/03/us/politics/new-us-effort-to-aid-unaccompanied-child-migrants.html?_r=0
- Preston, Julia. June 3, 2011. "In Alabama, a Harsh Bill for Residents Here Illegally." *The New York Times*. Online: http://www.nytimes.com/2011/06/04/us/04immig.html?_r=0
- Ramakrishnan, Karthic and Tom Wong. 2010. "Partisanship, Not Spanish: Explaining Municipal Ordinances Affecting Undocumented Immigrants," Pp. 73-96 in *Taking Local Control: Immigration Policy Activism in U.S. Cities and States*, edited by Monica Varsanyi. Stanford: Stanford University Press.

Ramakrishnan, Karthick and Thomas Espenshade. 2001. "Immigrant Incorporation and Political Participation in the United States." *International Migration Review*, 35(3):870-909.

Ramakrishnan, Karthick. 2005. *Democracy in Immigrant America: Changing Demographics and Political Participation*. Palo Alto: Stanford University Press.

Ramakrishnan, S. Karthick and Irene Bloemraad. 2008. *Civic Hopes and Political Realities: Immigrants, Community Organizations, and Political Engagement*. New York, NY: Russell Sage Foundation.

Renfrow, Daniel. 2004. "A Cartography of Passing in Everyday Life." *Symbolic Interaction*. 27(4): 485-506.

Reyes, Belinda. (2004) "U.S. Immigration Policy and the Duration of Undocumented Trips," in Jorge Durand and Douglas S. Massey, eds., *Crossing the Border: Research from the Mexican Migration Project*. New York: Russell Sage Foundation, 299-320.

Reza, H.G. 1996. "Police Bilingual Efforts Fall Short, Latinos Say." *Los Angeles Times*, January 28, 1996. Online: http://articles.latimes.com/1996-01-28/local/me-29630_1_police-department

Richardson, Lisa. 1994. "Prop. 187 Battle Has Spurred Teenagers to Activism." *The Los Angeles Times*, 24 November.

Ridgley, Jennifer. 2008. "Cities of Refuge: Immigration Enforcement, Police and the Insurgent Genealogies of Citizenship in U.S. Sanctuary Cities." *Urban Geography*. 28(1).

Riker, William and Peter Ordeshook. 1968. "A Theory of the Calculus of Voting." *American Political Science Review* 62(1): 25-42.

Risse, Thomas. 1999. "International Norms and Domestic Change: Arguing and Communicative Behavior in the Human Rights Area." *Politics and Society*. 27(4): 529-559.

Roberts, Bryan, Hanson, Gordon, Cornwell, Derekh, and Borger, Scott. 2010. "An Analysis of Migrant Smuggling Costs along the Southwest Border." Washington, DC: U.S. Department of Homeland Security. Online: <http://www.dhs.gov/xlibrary/assets/statistics/publications/ois-smuggling-wp.pdf>

Robinson, Amy. 1994. "It Takes One to Know One: Passing and Communities of Common Interest." *Critical Inquiry*. 20:715-36.

- Rocha, Rene and Rodolfo Espino. 2010. "Segregation, Immigration, and Latino Participation in Ethnic Politics." *American Politics Research* 38(4): 614-635.
- Rocha, Rene R., Daniel P. Hawes, Alisa Hicklin Fryar, and Robert D. Wrinkle. 2014. "Policy Climates, Enforcement Rates, and Migrant Behavior: Is Self-Deportation a Viable Immigration Policy?" *Policy Studies Journal*. 42(1): 79-100.
- Rockquemore, Kerry Ann and David Brunnsma. 2002. "Socially Embedded Identities: Theories, Typologies, and Processes of Racial Identity among Black/White Biracials." *The Sociological Quarterly*. 43(3): 335-356.
- Rodriguez, Rigoberto. 2007. "Enterprising Citizenship: Mexican Immigrant Empowerment and Public-Private Partnerships in Santa Ana, California." Unpublished PhD dissertation. University of Southern California.
- Romero, Mary. 2006. "Racial Profiling and Immigration Law Enforcement: Rounding Up of Usual Suspects in the Latino Community." *Critical Sociology*. 32(2-3): 447-473.
- Rosenstone and Hansen. 1993. *Mobilization, Participation, and American Democracy*. New York: Macmillian Publishing Company.
- Rouse, Roger. 1992. "Making Sense of Settlement: Class Transformation, Cultural Struggle, and Transnationalism among Mexican Migrants in the United States." *Annals of the New York Academy of Sciences*. 645: 25-52.
- Rumbaut, Ruben G. 1997. "Assimilation and Its Discontents: Between Rhetoric and Reality." *International Migration Review*. 31(4): 923-960.
- Rumbaut, Ruben, Douglas Massey, and Frank Bean. 2006. "Linguistic Life Expectancies: Immigrant Language Retention in Southern California." *Population and Development Review*. 32(3): 447-460.
- Ryo, Emily. 2013. "Deciding to Cross: The Norms and Economics of Unauthorized Migration." *American Sociological Review* 78:574-603.
- Sacchetti, Maria. 2001. "Trustee Wants To Tell INS on Students," *The Orange County Register*, 24 October.
- Sadowski-Smith, Claudia and Wei Li. Forthcoming. "The Racialization of Highly-Skilled BRIC Migrants in the Mexico-US Borderlands." *Population, Space and Place*.
- Salyer, Lucy. 1995. *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law*. Chapel Hill: University of North Carolina Press

Sampson, Robert and Stephen Raudenbush. 2004. "Seeing Disorder: Neighborhood Stigma and the Social Construction of 'Broken Windows.'" *Social Psychology Quarterly*. 67(4): 319-342.

Sanchez, George. 1993. *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945*. Oxford: Oxford University Press.

Sarat, Austin and Thomas Kearns (eds). 1995. *Law in Everyday Life*. Ann Arbor: University of Michigan Press.

Sargent, Greg. April 18, 2012. "Romney adviser Kris Kobach: No legal status of any kind for the undocumented." *The Washington Post*. Online: http://www.washingtonpost.com/blogs/plum-line/post/mitt-romneys-choice-marco-rubio-or-kris-kobach/2012/04/20/gIQAPRacVT_blog.html

Schmalzbauer, Leah. 2009. "Gender on a New Frontier: Mexican Migration in the Rural Mountain West." *Gender & Society*. 23(6): 747-767.

Schmalzbauer, Leah. 2014. *The Last Best Place?: Gender, Family and Migration in the New West*. Stanford: Stanford University Press.

Scott, John. 1971. *Internalization of Norms: A sociological Theory of Moral Commitment*. Prentice Hall.

Seghetti, Lisa, Karma Ester, and Michael John García. 2009. "Enforcing Immigration Law: The Role of State and Local Law Enforcement." Washington D.C.: Congressional Research Service Report for Congress.

Seif, Hinda. 2004. "'Wise Up!' Undocumented Latino Youth, Mexican-American Legislators and the Struggle for Higher Education Access." *Latino Studies*, 2(2): 210-230.

Sessions, Jeff and Cynthia Hayden. 2005. "The Growing Role for State and Local Enforcement in the Realm of Immigration Law." *Stanford Law and Policy Review*. 16(323): 327-29.

Shadia, Mona. 2010. "Costa Mesa Declares Itself a 'Rule of Law' Community." *Los Angeles Times*, May 10, 2010. Online: <http://articles.latimes.com/2010/may/20/local/la-me-0520-costa-mesa-immigration-20100520>

Sifuentes, Edward. 2011a. "Police, ICE Partnership Credited with 477 Arrests in its First Year." *North County Times*, May 25, 2011. Online: http://www.nctimes.com/news/local/escondido/article_c1a6f2c2-5b5c-5fc1-99d4-a8bcee239b1e.html.

Sifuentes, Edward. 2011b. "County to Explore Using E-Verify for Job Candidates." *North County Times*, June 28, 2011. Online: http://www.nctimes.com/news/local/sdcounty/article_c48d5d49-d32d-5db5-abee-4cc71104cdf8.html

Sifuentes, Edward. 2011c. "County Adopts Federal Program to Verify New Employees' Legal Status." *North County Times*, September 13, 2011. Online: http://www.nctimes.com/news/local/sdcounty/article_85a7a51d-9d3d-5ada-9317-c53a4c58876c.html

Silbey, Susan. 1989. "A Sociological Interpretation of the Relationship Between Law and Society," pp. 1-27 in Jon Neuhaus (ed.), *Law and the Ordering of Our Life Together*, Grand Rapids, Michigan: Erdmanns Press.

Skerry, Peter. 1995. "Many Borders To Cross: Is Immigration The Exclusive Responsibility Of The Federal Government?," *Publius*. 25(3): 71-85.

Skocpol, Theda and Margaret Somers. 1980. "The Uses of Comparative History in Macrosocial Inquiry." *Comparative Studies in Society and History*. 22(2): 174-197.

Skrentny, John D. 2002. *The Minority Rights Revolution*. Cambridge, MA: The Belknap Press of Harvard University Press.

Spiro, Peter. 1994. "The States and Immigration in an Era of Demi-Sovereignities." *Virginia Journal of International Law*. 35:121-78.

Staw, Berry. 1981. The Escalation of Commitment to a Course of Action. *Academy of Management Review*. 6(4): 577-587.

Stephen, Lynn. 2007. *Transborder Lives: Indigenous Oaxacans in Mexico, California, and Oregon*. Durham, NC: Duke University Press.

Sturgeon V. Bratton. 2009. 174 Cal.App.4th 1407.

Suarez-Orozco, Marcelo. 1990. "Migration and Education: United States–Europe Comparison", in George A. De Vos and Marcelo Suarez-Orozco (eds), *Status Inequality: The Self in Culture*, pp. 265–87, Sage Publications.

Suchman, Mark and Lauren Edelman. 1996. "Legal Rational Myths: The New Institutionalism and the Law and Society Tradition." *Law & Social Inquiry*. 21(4): 903-941.

Taylor, Paul, Mark Hugo Lopez, Jeffrey S. Passel and Seth Motel. 2011. "Unauthorized Immigrants: Length of Residency, Patterns of Parenthood." Washington, DC: Pew Hispanic Center.

Terriquez, Veronica and Caitlin Patler. 2012. "Aspiring Americans: Undocumented Youth Leaders in California" *Center for the Study of Immigrant Integration*. Online: http://csii.usc.edu/documents/AspiringAmericans_web.pdf.

Thomas, William and Florian Znaniecki. 1995 [1919]. Edited by Eli Zaretsky. *The Polish Peasant in Europe and America: A Classic Work in Immigration History*. Chicago: University of Illinois Press.

Thurstone, Louis and Chave, Earnest. 1929. *The Measurement of Attitude*, Chicago: University Of Chicago Press.

Tilly, Charles. 1990. "Transplanted networks," pp. 79-95 in Virginia Yans-MacLoughlin (ed), *Immigration Reconsidered*, New York: Oxford University Press.

Torpey, John. 2000. *The Invention of the Passport: Surveillance, Citizenship and the State*. Cambridge: Cambridge University Press.

Trubek, David. 1984. "Where the Action Is: Critical Legal Studies and Empiricism," *Stanford Law Review*. 36(57): 575-622.

Tsuda, Takeyuki (ed). 2006. *Local Citizenship in Recent Countries of Immigration: Japan in Comparative Perspective*, Lanham, Md: Lexington Books.

Tullock, Gordon. 1967. *Toward a Mathematics of Politics*. Ann Arbor: University of Michigan Press.

United States Census Bureau. 1990 and 2010. *Census of Population and Housing*. Washington, DC: Bureau of the Census.

Valdez, Carmen R., Jessa Lewis Valentine, and Brian Padilla. 2013. "'Why We Stay': Immigrants' Motivations for Remaining in Communities Impacted by Anti-Immigration Policy." *Cultural Diversity and Ethnic Minority Psychology*. 19 (3): 279–287.

Van der Leun, Joanne. 2003. *Looking for Loopholes: Processes of Incorporation of Illegal Immigrants in the Netherlands*. Chicago: University of Chicago Press.

Varsanyi, Monica. 2008. "Immigration Policing Through the Backdoor: City Ordinances, the "Right to the City," and the Exclusion of Undocumented Day Labourers." *Urban Geography*, 29(1): 29-52.

Varsanyi, Monica. 2010. *Taking Local Control: Immigration Policy Activism in U.S. Cities and States*. Stanford: Stanford University Press.

Varsanyi, Monica. 2010. "Immigration Policy Activism In U.S. States And Cities: Interdisciplinary Perspectives," pp. 1-11 in Monica Varsanyi (Ed), *Taking Local Control: Immigration Policy Activism In U.S. Cities And States*, Stanford: Stanford University Press.

Varsanyi, Monica; Paul Lewis; Marie Provine; and Scott Decker. 2012. "A Multilayered Jurisdictional Patchwork: Immigration Federalism in the United States." *Law and Policy*. 34(2): 138-158.

Vaughan, Jessica and James R. Edwards Jr. 2009. "The 287(g) Program: Protecting Home Towns and Homeland". Washington D.C., Center for Immigration Studies. Online: <http://cis.org/287greport>

Vaughan, Jessica. 2006. "Attrition Through Enforcement: A Cost-Effective Strategy To Shrink The Illegal Population," Washington D.C.: Center For Immigration Studies.

Voss, Kim and Irene Bloemraad. 2011. *Rallying for Immigrant Rights*. Berkeley, CA: University of California Press.

Walker, Samuel. 1997. "Complaints Against the Police: A Focus Group Study of Citizen Perceptions, Goals, and Expectations." *Criminal Justice Review*. 22(2): 207-226.

Wallace, Sophia, Chris Zepeda-Millan, and Michael Jones-Correa. 2014. Spatial and Temporal Proximity: Examining the Effects of Protests on Political Attitudes. *American Journal of Political Science*. 58(2): 433-448.

Wampler, Brian, Maria Chávez, and Francisco I. Pedraza. 2009. "Should I Stay or Should I Go? Explaining Why Most Mexican Immigrants are Choosing to Remain Permanently in the United States" *Latino Studies* 7(1): 83-104.

Warner, Lloyd and Leo Srole. 1945. *The Social Systems of American Ethnic Groups*. New Haven, CT: Yale University Press.

Waters, Mary and Tomás Jiménez. 2005. "Assessing Immigrant Assimilation: New Empirical and Theoretical Challenges." *Annual Review of Sociology*. 31(105): 105-125.

Waters, Mary. 1990. *Ethnic Options: Choosing Identities in America*. Berkeley: University of California Press.

Weber, Max. 1991. "The Nature of Social Action." in Runciman, W.G. *Weber: Selections in Translation*. Cambridge: Cambridge University Press.

- White, Rob. 1990. *No Space of Their Own: Young People and Social Control in Australia*. Cambridge: Cambridge University Press.
- Willen, Sara. 2007. "Toward a critical phenomenology of "illegality": state power, criminality and abjectivity among undocumented migrant workers in Tel Aviv, Israel." *International Migration*. 45(3): 8–38.
- Wimmer, Andreas and Nina Glick Schiller. 2002. "Methodological Nationalism and Beyond: Nation–State Building, Migration and the Social Sciences." *Global Networks*. 2(4): 301-334.
- Wishnie, Michael. 2001. "Laboratories of Bigotry?: Devolution of the Immigration Power, Equal Protection, and Federalism." *New York University Law Review*. 76: 493-569.
- Wong, Janelle S. 2006. *Democracy's Promise: Immigrants and American Civic Institutions*. Ann Arbor, MI: University of Michigan Press.
- Wong, Tom and Angela S. García. 2015. Does Where I Live Affect Whether I Apply? The Contextual Determinants of Applying for Deferred Action for Childhood Arrivals. *International Migration Review*. DOI: 10.1111/imre.12166
- Wong, Tom, Carolina Valdivia, and Angela S. García. Forthcoming. *The Political Incorporation of Undocumented Youth*.
- Worthham, Stanton, Enrique Murillo Jr, and Edmund Hamann (eds). 2002. *Education In The New Latino Diaspora: Policy And The Politics Of Identity*, Westport, Ct: Ablex Publishing.
- Wroe, Andrew. 2008. *The Republican Party and Immigration Politics: From Proposition 187 to George W. Bush*. New York: Palgrave Macmillan.
- Yoshikawa, Hirokazu and Ariel Kalil. 2011. "The Effects of Parental Undocumented States on the Developmental Contexts of Young Children in Immigrant Families." *Child Development Perspectives*. 5(4): 291-297.
- Zhou, Min. 1997. "Segmented Assimilation: Issues, Controversies, and Recent Research on the New Second Generation." *International Migration Review*. 31(4): 975-1008.
- Zolberg, Aristide. 2006. *A Nation By Design: Immigration Policy In The Fashioning Of America*. New York: Russell Sage Foundation.

Zong, Jie and Jeanne Batalova, February 26, 2015. "Frequently Requested Statistics on Immigrants and Immigration in the United States." Washington DC: Migration Policy Institute. Online: <http://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#Unauthorized%20Immigration>

Zúñiga, Victor and Rubén Hernández-León, eds. 2005. *New Destinations: Mexican Immigration in the United States*. New York: Russell Sage Foundation.