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# Introduction

“I DON’T THINK I’m hiding in any shadows,” Alma told me as she sat in front of a large window, framed by two neatly tied cream curtains.<sup>1</sup> I had asked the thirty-year-old undocumented immigrant from Mexico about the narrative so many of us take for granted: that undocumented immigrants fearful of detection live a life on the run, on the margins of society, where they can dodge the immigration officials who stand ready to deport them to their birth country.<sup>2</sup> Alma paused for several moments, thinking earnestly about the contours of her life in the country since she arrived in the mid-2000s. She turned her face to catch more sunlight before turning back and looking straight at me: “I’m comfortable with the sun being right there.”

When I met Alma in 2013, it had been eight years since she and her three sisters journeyed eight hundred miles north from their hometown of Tampico, in the Tamaulipas state of Mexico, to reunite with their parents in Dallas, Texas. The sisters would risk crossing the border illegally because, two years prior, their parents had done the same; after such a prolonged separation, the family was ready to reunite. A *coyote* (a hired smuggler) would help them do so. The plan felt simple enough to Alma. Her younger sisters would enter the country using visas that belonged to same-aged cousins who resembled them, but Alma, the eldest cousin by several years, would have to cross on her own, through a remote region along the Mexico-U.S. border. “I never thought about any of this as illegal or wrong or dangerous,” Alma insisted. “I was young and wanted to see my parents.”<sup>3</sup> The trip would take three days. The danger of the desert’s harrowing heat was second only to the immigration officials Alma feared would capture her and prolong her family’s separation. The *coyote* eventually led Alma to a small boat that shuttled her across the Rio Grande. Awaiting her were her sisters. Together, they boarded a pick-up truck

to Houston and, ultimately, to their parents in Dallas. Alma said she never saw immigration officials and, more important, immigration officials never saw her. There would be no record that she had entered the United States.

Alma may have eluded a record of her clandestine border crossing, but once inside the country, other kinds of records seemed to follow her everywhere. Her priority was to find a job to help with the family's expenses. As an undocumented immigrant, Alma lacked both a green card and access to a social security number, which meant she could not verify to potential employers that she was authorized to work in the United States.<sup>4</sup> She asked her parents where she might find *papeles chuecos*, or false identity documents (usually both a green card and social security card), that would help her job search. Her parents condemned that strategy, telling Alma that she needed to be more cautious. Possession of *papeles chuecos* is a crime; if police officers found Alma with them, she would likely face jail time and, possibly, deportation. They instead encouraged her to find work cleaning houses, for which employers don't usually require *papeles chuecos*.<sup>5</sup> But Alma, who had completed over a year of college in Mexico, had aspirations beyond housecleaning. Against her parents' wishes, she purchased a fraudulent green card that displayed her real name and photograph, as well as a social security card, and used them to apply for a job at a local fast-food restaurant.<sup>6</sup> Her parents, frustrated, implored Alma to apply for an Individual Tax Identification Number (ITIN), a nine-digit code for filing taxes that the Internal Revenue Service (IRS) issues to anyone ineligible for a social security number. Unlike the green card–social security card combination, an ITIN does not constitute work authorization. But, as Alma's parents explained to her, an ITIN could serve as a form of counterevidence to her *papeles chuecos*: by reporting her income to the IRS, Alma could demonstrate to the federal government that compliance with the law was foundational to her daily life as an undocumented immigrant.<sup>7</sup>

The records cataloging Alma's life extend much further than the workplace. Although she entered the country as a single and childless nineteen-year-old, by the time I met her, Alma had started her own family. Together with Carlos, also undocumented and from Mexico, Alma was the mother of two citizen children under the age of six. Caring for two young children—daunting for any parent—entails another set of challenges when both parents are undocumented.<sup>8</sup> The couple's combined pretax income was about \$35,000, enough to cover the rent on their cramped one-bedroom apartment, to pay their utility bills, and to purchase the children's school supplies. Neither of their employers offered them employee benefits,

and what little money they had left at the end of the month, enough for a family meal at the neighborhood Burger King, would not stretch to pay for private health insurance. Theirs was hardly a life of excess.

Still, Alma explained that public assistance helped them make ends meet despite the overlapping legal, material, and social hardships to her family's life. During both her pregnancies, Alma received support from the Special Supplemental Nutrition Program for Women, Infants, and Children. The program, commonly known as WIC, provides access to nutritious foods for pregnant people of any legal status and low-income families (including fathers) with children under five. Applying for WIC is itself a feat. Screening appointments are done in person with a government worker, requiring identification, proof of residence, and proof of income for all family members seeking the support, as well as a probe into the pregnant parent's health. In addition to WIC, Alma sought coverage during both pregnancies from the Children's Health Insurance Program (CHIP), which has its own cumbersome application procedures and requirements. Under what is known as the "unborn child option," pregnant parents of any legal status are eligible for up to twenty prenatal doctors' visits and support toward labor and delivery charges. Alma's children, once born, would continue to receive public health insurance, but Alma's coverage would lapse after two postnatal visits.

The abundance of the institutional encounters in Alma's life astounded me. Although she took care to avoid a record of her clandestine border crossing in 2005, her time in the country since then seemed to embrace formal records. Alma must have heard the surprise in my voice when I asked whether, given her legal status, it worried her to engage with the various institutions producing these records. She sat up straight, looked me in the eye, and shook her head: "No." First, Alma described her ITIN as one way to stand out as a moral person who just happens to be undocumented. Second, she emphasized that the public assistance she received on behalf of her citizen children was legally permissible, materially necessary, and socially prudent:

They [Texas Health and Human Services (HHS)] would have denied me benefits if I were applying for myself since I'm not from here. But the kids were born here, I applied for them, and they [HHS] said yes. Besides, with how little we make, we wouldn't be able to pay for food or doctors' visits for the kids. If the kids went hungry or missed a doctor's appointment, they might take the kids away from us and send us back to Mexico.

Alma believed that institutional authorities held people like her, undocumented immigrants who are also parents to citizen children, to expectations that sometimes conflicted. But she was confident that she could manage these dueling expectations every day to maintain her and her family's precarious position in the country. At the same time, Alma recognized that the records cataloging this institutional engagement might one day help her demonstrate to immigration officials that she deserves to become a permanent member of U.S. society:

There was something a few years back that would have been like DACA [Deferred Action for Childhood Arrivals] but for the parents of kids who were born in the U.S. I don't even remember its name [DAPA, or Deferred Action for the Parents of U.S. Citizens or Lawful Permanent Residents].<sup>9</sup> I'm very bad at remembering things like that, but I remember what I would have needed to do to get it. We needed to gather proof that we had been in this country for a certain number of years, and proof of everything we've done since we've been here. Proof that we paid taxes. Proof that the kids were born here. Proof that the kids were in school. Proof of where we live. We also would have had to pay a fee. I have a bag with all these documents in the back [of the apartment] that would prove all this.

She paused as she considered whether she had any additional thoughts about engaging with the institutions that document her presence in the country as an undocumented immigrant. "If you're not doing illegal things—and we're not—then you should be OK."



This book examines whether and how undocumented immigrants with young children, immigrants like Alma, engage with the various institutions that surveil them as they enter and make a life in the United States. I pay close attention to how undocumented immigrants make sense of the different forms of institutional surveillance they engage with or evade, and how their efforts to manage surveillance are rooted in the overlapping legal, material, and social hardships that characterize their daily lives as undocumented immigrants raising U.S.-citizen children. I also consider if the records that undocumented immigrants do—or do not—accrue as they manage their institutional engagement matter for their short- and long-term prospects for societal membership. This account combines interviews I conducted with Latino immigrant families in Dallas County, Texas,

ethnographic observations of immigration officials in Dallas Immigration Court, and my analyses of national survey data that measure where Latinos (immigrants and not, families and not) spend their time. Through these multiple vantage points, I reveal how surveillance is as much about the fear of societal exclusion as the hope for societal inclusion.

To understand how undocumented immigrants engage with the different institutions that monitor them, a growing literature takes theoretical inspiration from scholarship on surveillance and punishment more broadly.<sup>10</sup> A dominant account offers that people worried about punishment from state authorities like the police—such as those with outstanding arrest warrants—are less likely to engage with institutions, including hospitals, banks, the workplace, and schools, whose records can be used to track them.<sup>11</sup> Even when they might personally benefit from the resources of these so-called surveilling institutions, they view the authorities staffing them as capable of facilitating their transfer into police custody. As people with a sanctionable status, one that marks them as “wanted” by the state, their fear of arrest demands their institutional evasion. And, because policing is unequal by race and class in this country, surveillance exacerbates inequality through the threat of punishment: already subordinated people become further alienated from institutions that might otherwise improve their life chances and promote their societal inclusion.<sup>12</sup> Such consequences reach their children, too.<sup>13</sup> It’s easy to see how this process might apply to undocumented immigrants, especially when politicians seem eager, and immigration officers able, to detain and deport hundreds of thousands of them each year.<sup>14</sup> But the most basic contours of Alma’s story make clear that our typical understanding of surveillance is incomplete.

Surveillance is so endemic to modern life that many people do not realize that they leave breadcrumbs of their behaviors, interactions, and transactions with institutional authorities almost everywhere they go.<sup>15</sup> Each doctor’s office visited or paycheck deposited or apartment lease signed or utility bill paid or report card received (and on and on) catalogs our routine engagement with surveilling institutions. The same goes for people with a sanctionable status, including undocumented immigrants like Alma. Many will live in the United States for a long time and, even if they do not want to, will accumulate a record of their engagement with surveilling institutions along the way.<sup>16</sup> Alma’s story shows how undocumented immigrants manage surveillance by selectively engaging with, rather than altogether avoiding, the institutions that monitor them. This selective engagement is necessitated by hardship, which is both signaled by their

legal status and compounded by its constraints.<sup>17</sup> As we know, Alma is one of 10.5 million undocumented immigrants in the country, most of whom are Latino.<sup>18</sup> Her legal status hints at the dangers she endured to enter the country undetected, the difficulties she encountered finding a job, and the material scarcity she and Carlos still face when providing for their family. But these hardships also seep into the decisions that she makes every day. Alma, like anyone, must meet the many demands that characterize her daily life. She must be a good person, a good worker, a good partner, a good mother, and so on. Sometimes her legal status dominates her preoccupations, especially when the associated risk of detention or deportation feels acute.<sup>19</sup> More often, though, the demands of daily life overlap or even conflict with those of her legal status, requiring that Alma venture far outside the proverbial shadows to engage with multiple kinds of institutions.<sup>20</sup> Managing surveillance, even as punishment remains a threat each day, emerges as a prudent strategy.

Undocumented immigrants' efforts reflect the double-edged nature of institutional surveillance in the United States.<sup>21</sup> Institutional surveillance can certainly threaten undocumented immigrants' societal exclusion, just as dominant accounts would suggest. But it can also maintain and even promote undocumented immigrants' societal inclusion in insidious ways. I learned that undocumented immigrants are aware of this twin dynamic and behave accordingly. They do so in a way that corresponds to the concept of role alignment: people worried about state punishment strive to harmonize their institutional engagement with the sometimes competing expectations they believe authorities in these spaces hold them to, given their multiple social roles and responsibilities.<sup>22</sup> As an undocumented immigrant, Alma worries that surveillance can facilitate her societal exclusion via deportation. Yet Alma is not just an undocumented immigrant; she is also a daughter, a partner, a parent, and a worker. These additional social roles entail responsibilities that can supersede, overlap with, or be sidelined by those her legal status imposes; they, in turn, facilitate a coercive form of societal inclusion via institutional engagement. Alma recognizes that the authorities she could have encountered while entering the United States, and those she has encountered throughout her life here, concern themselves with the hardships that inhere into each of her social roles. For example, as we will see in chapter 1, Alma did not believe that immigration officials would approve her for a visa at the time of her migration because she was a broke college student whose parents were living without authorization in the United States. Although Alma was able to avoid immigration officials on her way in, such avoidance is not always

practical or advisable once settled in the country. As someone who lives and works without authorization in the United States, Alma expects that her ITIN can convey to the institutional authorities she is likely to encounter more regularly—such as police officers or employers or tax officials—her deference to and respect for the law. And, as an undocumented parent, Alma understands that other institutional authorities—like doctors, nurses, teachers, or social workers—monitor whether the hardships that weigh on her impact her citizen children. By pegging her institutional engagement to these different authorities' perceived expectations, which can shift over time and place, Alma receives not only necessary material resources (e.g., income and public assistance) to make ends meet but also important symbolic ones (e.g., records documenting her morality and good parenting) to avoid more coercive interventions from these same authorities. Role alignment occurs first and foremost in response to the correlated hardships that undocumented immigrants confront each day. This role alignment is, in turn, situated within a context of diffuse surveillance that threatens to punish them for these same hardships. Alma nonetheless hopes that the records of her institutional engagement can, in the long term, constitute proof for immigration officials that she deserves formal societal membership. Thus, undocumented immigrants' selective institutional engagement reveals how surveillance entails both punishment and reward, the stakes of which vary situationally for their societal exclusion and inclusion.

Before we go any further, I want to offer basic definitions of the loaded but consequential terms used throughout the book.<sup>23</sup> An immigrant is anyone born outside the United States to foreign-born parents. Immigrants are a diverse group, with various kinds of legal statuses. For this book, the divide between immigrants who are citizens and those who are noncitizens is crucial.<sup>24</sup> Immigrants who have acquired U.S. citizenship are known as naturalized citizens and are mostly immune to deportation.<sup>25</sup> Those who lack U.S. citizenship—whether someone who entered clandestinely yesterday or a decades-long green card holder—are called noncitizens. All noncitizens are vulnerable to deportation. Yet, some categories of noncitizens are more vulnerable than others: the “undocumented” are those who lack authorization or permission from the federal government to live in the country; the “documented” are those who hold a valid permit, visa, or green card from the federal government that allows or authorizes their presence. The undocumented are statistically more likely than the documented to experience a deportation. Still, the boundary between undocumented and documented is blurry. Some noncitizens hold a “semi-legal” status such as Deferred Action for Childhood Arrivals or Temporary



Protected Status that is neither undocumented nor documented but may share characteristics of both.<sup>26</sup> The boundary between undocumented and documented is also porous. Someone may initially be undocumented but later become documented, and someone may initially be documented but later become undocumented.<sup>27</sup> Most immigrants I interviewed for this book live in mixed-status families in which at least two members of the household have different legal statuses.<sup>28</sup>

These legal status categories offer a lens through which to evaluate immigrants' engagement with surveilling institutions, an umbrella term that refers to institutions that keep formal records as a matter of law. I further distinguish between surveilling institutions that are *regulatory* (meaning they are concerned with the administration or enforcement of law, such as lower courts and immigration, police, and tax agencies) and *service oriented* (meaning they provide public goods, such as hospitals, schools, and public assistance).<sup>29</sup> Most people can frequent most of these institutions, but as we will see, these institutions' surveillance feels especially fraught for undocumented immigrants. For regulatory institutions, that feeling revolves around engagement that can promote or indict undocumented immigrants' morality as people living and working without permission in the country; for service institutions, that feeling revolves around engagement that can promote or indict both undocumented immigrants' morality as individuals and their capacity as parents to raise citizen children. Underlying these feelings are formal records, a phrase that itself belies their ordinariness. Records can include government documents (e.g., passports, visas, vehicle registrations), travel records (e.g., visas or plane tickets), medical records, financial records (e.g., bank statements or money order receipts), employment records (e.g., pay stubs, W-2 forms), school records (e.g., transcripts or report cards), residential records (e.g., rent receipts, utility bills), and military records, among others that catalog our behaviors, interactions, and transactions with surveilling institutions.

People construct meanings about surveillance in relation to their multiple social roles, "the parts played by individuals in . . . [an] interaction which makes up some sort of social whole," and their multiple responsibilities, "those [norm-dependent] behaviors characteristic of one or more persons in a context."<sup>30</sup> Most of the people profiled here are undocumented immigrants, a marker of structural forms of inequality that circumscribes many aspects of their routines.<sup>31</sup> Whatever their legal status, immigrants—like anyone—have multiple social roles that require that they juggle multiple responsibilities.<sup>32</sup> Someone's social roles can vary across time and space; everyone in this book is also a parent of a U.S. citizen child, with

most becoming a parent years after their arrival. The stakes of fulfilling their myriad responsibilities can vary depending on their other social positions (e.g., country of origin, race, class, gender, etc.).<sup>33</sup> For example, the immigrants profiled in the book are Latino, a group disproportionately targeted for deportation.<sup>34</sup> Many come from Mexico, though some hail from Central America. Latino men who are undocumented are deported more than their Latina women counterparts.<sup>35</sup> The stories here thus represent some of the people most concerned about institutional surveillance.

### *Surveilling Immigrants*

When scholars or journalists think about how the United States surveils and punishes its undocumented population today, we often jump back to the mid-1980s, a time when different laws and policies started to give rise to our current era of “mass deportation.”<sup>36</sup> If deportation refers to a country’s forced removal of undocumented immigrants, then mass deportation refers to the unprecedented scale of these actions. The statistics support this characterization. While about 1.5 million deportations occurred between 1900 and 1985, another 6.5 million occurred between 1986 and 2018; in other words, four times as many deportations occurred in roughly half the time.<sup>37</sup> With greater frequency in the 1980s, the federal government turned to deportation in an attempt to control the growing number of undocumented immigrants from Mexico and Central America in the country.<sup>38</sup> Deportation rates started climbing in the 1990s, proliferated throughout the 2000s, and peaked at a rate of 3,914 per 100,000 undocumented immigrants in 2013. As figure 1 shows, deportation rates have more or less stabilized near that peak since at least 2010.<sup>39</sup>

These jarring numbers sketch deportation in its most basic form. But, looking more closely, we see an even more complex portrait. The most important complexity is this: undocumented immigrants may be deported when apprehended at the border, or they can be deported after being apprehended inside the country. Since 2012, most deportations have been concentrated at the border. At the height of the Obama administration’s deportation efforts in 2013, for example, the overall deportation rate was 3,914 for every 100,000 undocumented immigrants. In that same year, the border deportation rate was 2,705 for every 100,000 undocumented immigrants, and the interior rate was 1,209 per 100,000 undocumented immigrants.<sup>40</sup> Put differently, for every two deportations at the border, one occurred from within the United States. This same pattern holds today. From these numbers, we learn that deportations are a persistent

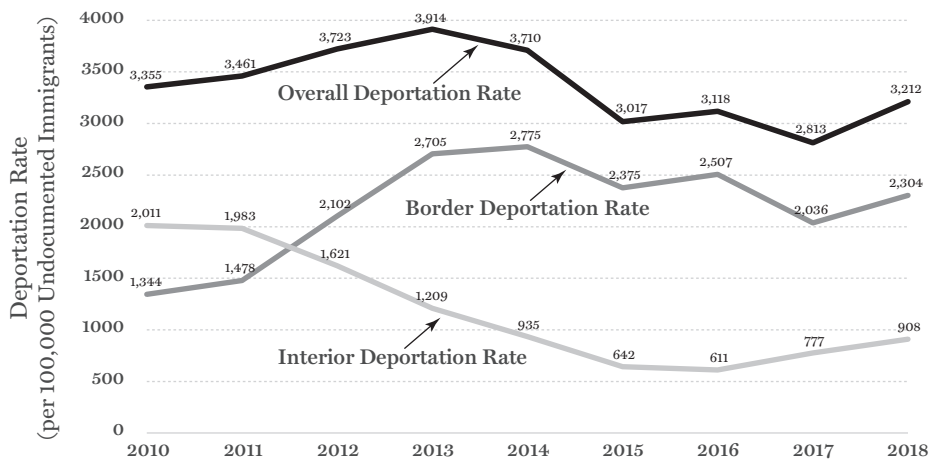


FIGURE 1. Overall, Border, and Interior Deportation Rate (per 100,000 Undocumented Immigrants), 2010–2018

and prevalent phenomenon. But these numbers also tell us that undocumented immigrants who settle in the country are less likely to experience a deportation than are those seeking to enter it. To be sure, two-thirds of undocumented adults have lived in the country for over ten years.<sup>41</sup> Deportation is the exception for undocumented immigrants inside the country, and deportability—the threat of deportation—is the norm.<sup>42</sup>

The statistical rarity of deportation, however, doesn't diminish the widespread impact of its possibility. As we have seen, the undocumented population numbered 10.5 million in 2018, or 3 percent of the U.S. population.<sup>43</sup> Undocumented immigrants are the most likely among non-citizens to experience a deportation, representing more than 80 percent of all deportations from the country.<sup>44</sup> But undocumented immigrants don't live in isolation from citizens.<sup>45</sup> About nine million citizens have family members who are undocumented immigrants, and though citizens are all but immune to deportation, they fear the havoc deportation can wreak on their family.<sup>46</sup> Almost twenty million people overall, citizens and undocumented immigrants alike—who make up 6 percent of the country's population—therefore have reason to fear the possibility of deportation.<sup>47</sup> This mass deportability informs these families' fears of surveillance in daily life—even those who have never, and may never, experience deportation.<sup>48</sup>

Although undocumented immigrants of all national backgrounds are deportable, enforcement is unequal. Mexicans and Central Americans make up 57 percent of all noncitizens in the United States but 65 percent

of all undocumented immigrants and more than 90 percent of all deportations.<sup>49</sup> This group's exposure to the possibility of deportation is also unrivaled. Of the forty-three million Latinos living in the United States, about fourteen million—or one in four Latinos—are noncitizens from Mexico and Central America.<sup>50</sup> These noncitizens are split between permanent residents (46 percent) and undocumented immigrants (56 percent). Simply put, there is no other group whose members' lives are so threatened by the possibility of deportation.<sup>51</sup>

This era of mass deportability offers a starting point for examining how undocumented immigrants make sense of a diffuse context of institutional surveillance as they carve out a life for themselves in the United States. Much of this surveillance carries with it a threat of punishment, a fundamental feature of undocumented immigrants' experiences entering and settling in this country. Yet I want to round out this viewpoint by considering how punishment is one element of surveillance that exists alongside reward. This duality makes room for the contradictions that different laws, regulations, and policies impose on undocumented immigrants each day: as people who are not here and here; who are ineligible and eligible; who are excluded and included; and so on.<sup>52</sup> It poses questions asking how undocumented immigrants manage institutional surveillance as they grapple with overlapping hardships, how they balance the threat of punishment emanating from this surveillance alongside its possible rewards, and how they understand this surveillance to matter for their short- and long-term societal membership.

A growing scholarship teaches us that undocumented immigrants are both aware of institutional surveillance and attempt to avert (or avoid or evade) it as an agentic strategy of self-preservation. But we know less about whether, how, and why undocumented immigrants seek out institutional surveillance. When someone enters or lives in the United States without permission, the federal government often defines that person by what they are not: they are not U.S. citizens, they are not permanent residents, they are not visa holders, and they are not supposed to be here. Colloquially, these individuals are called undocumented immigrants, a category that does not technically exist in the country's immigration laws but that nonetheless circumscribes their lives.<sup>53</sup> This category has powerful social meaning. Undocumented immigrants are depicted as on the run from both immigration officers and other state authorities who can turn them over to immigration officers—like the police.<sup>54</sup> Undocumented immigrants adopt several strategies to avoid this fate. They are said to keep to themselves, seldom venturing out of their homes except for

absolute necessities.<sup>55</sup> When they do need to go out, they do so early in the day or late at night when they believe these authorities are less active.<sup>56</sup> At other times of day, they ask friends who are documented immigrants or U.S. citizens to drive them just in case one of these authorities pulls them over.<sup>57</sup> If these friends are not available, undocumented immigrants are careful to style their hair and clothing in a way that “looks American” to avoid attracting officers’ attention while they drive without a license that many states deny them.<sup>58</sup> The insights emanating from these different accounts are as compelling as they are true. They nonetheless represent just one lens into the complex dynamics of surveillance and punishment.

This book offers a complementary account of how undocumented immigrants manage surveillance, one that views institutional engagement and evasion as twin strategies of self-preservation and as inevitable features of societal presence. Spotlighting the contradictions that define their daily lives, I examine how undocumented immigrants make sense of institutional surveillance considering the multiple social roles and responsibilities they hold across their journey to and time in the United States. I do not begin from the premise that avoiding surveillance is a preferred or even prudent strategy. Rather, I understand institutional surveillance as pervasive for all people, with higher stakes for some depending on the social roles that characterize their daily lives and the institutional and interactional contexts in which these social roles become more or less salient. Undocumented immigrants carry with them the opportunities and constraints that they recognize as intrinsic to their legal status, including those that delimit which types of institutional surveillance are to be pursued and which are to be avoided. But their responsibilities as undocumented immigrants do not always render those of other social roles obsolete. Like other populations worried about surveillance and punishment, undocumented immigrants sometimes see the responsibilities of their other social roles as superseding, overlapping with, or sidelined by those of their legal status.<sup>59</sup> I examine how these dynamics unfold in the context of undocumented immigrants’ institutional engagement, interactions fraught with surveillance as authorities decide whether to punish them or offer them important material and symbolic resources. By paying attention to how undocumented immigrants manage this surveillance, we learn the sometimes surprising ways institutional engagement helps them avoid punishment in their daily lives—by meeting the perceived expectations of state authorities they encounter regularly—and its possible long-run implications for their formal societal membership. More broadly, we see how

surveillance is as ubiquitous as it is inescapable, dangling the threat of societal exclusion alongside the promise of inclusion.

A dizzying array of laws, regulations, and policies have created the surveillance that undergirds our current era of mass deportability.<sup>60</sup> We will review many of them in great detail throughout the book. But the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) are pivotal and bear mentioning here.<sup>61</sup> Both reflect long-time efforts from politicians, immigration officials, and the media to frame undocumented immigrants from Mexico and Central America as “criminal” for their legal status and as “public charges” (i.e., dependent on government assistance) for their limited use of public benefits.<sup>62</sup> IIRIRA laid the groundwork for multiple partnerships between immigration officers and local police to detain undocumented immigrants in their local communities nationwide; these efforts intensified following the terrorist attacks of September 11, 2001.<sup>63</sup> PRWORA, meanwhile, excluded undocumented and many documented immigrants—but not their citizen children—from federally funded cash and food assistance and health insurance except in the case of limited emergency health care.<sup>64</sup>

The consequences of these and other laws, regulations, and policies for how undocumented immigrants understand institutional surveillance are mixed. On the one hand, most scholars’ conclusions have remained consistent since the earliest studies were published in the 1980s: undocumented immigrants, fearing that institutional surveillance will bring about their punishment, “avoid any kind of action which brings them into direct contact with public authorities.”<sup>65</sup> Evidence supports this claim in a variety of institutions, particularly in times and in places where the threat of deportation is most salient.<sup>66</sup> A fear of institutional surveillance keeps some undocumented immigrants from calling the police.<sup>67</sup> It contributes to undocumented immigrants’ unease at the workplace, where they believe they will be found out and punished for working with *papeles chuecos*.<sup>68</sup> It prevents many from seeking health care because they worry about receptionists, nurses, and doctors identifying them as undocumented.<sup>69</sup> And it discourages undocumented immigrants from applying for public assistance, “even when this means denying children the social, medical, and educational services they need,” because they fear detection and deportation, as sociologists Cecilia Menjívar and Leisy Abrego show us.<sup>70</sup> In brief, undocumented immigrants’ legal status becomes a “master status,” a phrase used by sociologist Everett Hughes to indicate a characteristic that

“tends to overpower, in most crucial situations, any other characteristics which might run counter to it.”<sup>71</sup>

On the other hand, some scholars conclude that undocumented immigrants not only engage with these various institutions but also actively keep records of their engagement. Anthropologist Susan Bibler Coutin sees this dynamic as a form of agency that emerges from the vulnerabilities connoted by undocumented immigrants’ legal status. In this line of work, institutional engagement offers undocumented immigrants a way of living a “double life,” “carry[ing] out daily activities while considering how their lives look to an imagined external gaze.”<sup>72</sup> Specifically, Coutin outlines how one Los Angeles-based nonprofit instructed their undocumented clients who were pursuing concrete legalization opportunities to “not only live their lives but also [to] produce a documentary record that they can submit to U.S. immigration authorities.”<sup>73</sup> Anthropologists Sarah Horton and Josiah Heyman show how wide-ranging the records are that undocumented immigrants keep to meet requirements for these exceedingly rare legalization opportunities: identification cards (e.g., birth certificates, driver’s licenses, or student IDs); medical records; and employment and financial records (e.g., check stubs, bank statements, or tax records).<sup>74</sup> These records establish undocumented immigrants’ identity and family relationships; length of residence in the country; and how well their attitudes and behaviors align with immigration officials’ expectations.<sup>75</sup> And, once an undocumented immigrant has submitted a legalization application and been approved for a green card, they continue to experience personal and social changes that distance them from anti-immigrant stereotypes.<sup>76</sup> Such changes are reflected in their institutional engagement, like having a legal (rather than religious) marriage, joining the military, or volunteering regularly, in ways not expected of most undocumented immigrants who lack immediate or long-term legalization prospects.<sup>77</sup>

I build on both sets of research to offer unique contributions to the study of how undocumented immigrants manage institutional surveillance in this era of mass deportability. First, I offer a coherent theoretical framework for reconciling undocumented immigrants’ simultaneous engagement with and evasion of institutional surveillance. This framework pays attention to both the type of institutional surveillance encountered (e.g., regulatory or service) and the social roles and responsibilities that are most salient to someone in that context (e.g., as migrants, workers, or parents). Second, through analyses of in-depth interviews and national surveys, I consider how undocumented immigrants recruited from their residential environments (rather than immigrant-serving

nonprofits) manage institutional surveillance out of prudence—rather than instrumentality, duplicity, or performativity, as other scholars have often characterized their strategies.<sup>78</sup> This mode of recruitment permits a direct examination of what institutional surveillance means to everyday undocumented immigrants: those going about daily life without a legalization opportunity on the horizon. Although immigration officials will want to see evidence of their eligibility if one emerges, many undocumented immigrants have passed decades without such an opportunity and may wait several years more before they ever encounter immigration officials.<sup>79</sup> By contrast, undocumented immigrants regularly encounter other institutional authorities—police officers, doctors, nurses, teachers, social workers, and so on—who threaten to punish them and their families for the overlapping legal, material, and social hardships that characterize their daily life. Finally, through the in-depth interviews and an ethnography of immigration court, I reveal whether and under what conditions undocumented immigrants' records of institutional engagement matter for their formal societal membership.

### *Managing Surveillance*

Although institutional surveillance can feel like an abstract concept, it becomes more tractable if we distinguish between two broad types of institutional surveillance that undocumented immigrants must manage: immigration surveillance and everyday surveillance.<sup>80</sup> As we will see more fully momentarily, undocumented immigrants' efforts depend on the type of surveillance and the social roles and responsibilities most salient to them in that interactional context.

Many laws, regulations, and policies give rise to what we might call *immigration surveillance*; these exist at federal, state, and local levels of government to circumscribe the conditions under which immigrants may enter and remain in the country, as well as the opportunities and constraints of their legal status.<sup>81</sup> Perhaps the federal ones are the most obvious, the presidential executive actions or the congressional bills or resolutions that dominate media coverage. Many of us are no doubt familiar with the executive actions that enacted DACA or that banned immigration from Muslim-majority countries. Some of us are probably less familiar with the Immigration and Nationality Act (INA), which lays out the key provisions of the contemporary immigration system. The INA, which Congress has amended several times since its passage in 1952, delineates the conditions under which an immigrant can enter the country and the conditions



under which they can remain. Federal regulations, policies, and guidance specify how relevant executive agencies understand and implement a law, such as when U.S. Immigration and Customs Enforcement (ICE) explains that it tends to avoid enforcement actions in “sensitive locations” like schools and churches.<sup>82</sup> States have their own laws, regulations, and policies that delimit the opportunities and constraints of an immigrant’s legal status, such as those that determine whether state police collaborate with immigration officers, whether undocumented immigrants may be issued a driver’s license, or that outline immigrants’ eligibility for public assistance. Counties and municipalities can enact immigration surveillance, too, so long as their laws, regulations, and policies do not contradict the state’s.

Beyond immigration surveillance, there is a host of other laws, regulations, and policies that contour what we might call *everyday surveillance*. Though it parameterizes daily life for everyone in the country, regardless of legal status, everyday surveillance is often weightier for people like undocumented immigrants who grapple with overlapping forms of legal, material, and social hardship. We can think about the federal requirements that govern who can start a business, that mandate minimum workplace health and safety standards, that protect us from workplace discrimination, and that compel us to file income taxes. Or about the state requirements on similar topics that, sometimes, contradict those set by the federal government (e.g., marijuana use remains illegal under federal law but is legal in some states). States can also differ from one another in how they implement different federal requirements. For example, everyone in the country is entitled to a public education through high school, but states have wide latitude in determining what public education looks like. Counties and municipalities have their own laws, regulations, and policies, and these can cover a range of topics pertaining to local businesses, policing, municipal courts, behaviors (e.g., loitering), and, as we have seen throughout the COVID-19 pandemic, even wearing a face mask.

Categorization, the process of assigning people to two or more groups with differential rights and privileges, informs the stakes of both immigration surveillance and everyday surveillance. As sociologist Charles Tilly noted, paired categories—such as immigrant and nonimmigrant or undocumented and U.S. citizen—denote social groups with unequal access to the material and symbolic resources that societal institutions confer.<sup>83</sup> For example, nonimmigrants can serve as president of the United States but immigrants cannot, and U.S. citizens can secure driver’s licenses

that comply with federal standards but undocumented immigrants cannot. Yet no single category defines the totality of any one person's life or reflects the entirety of their institutional access.<sup>84</sup> To be sure, people may occupy multiple social groups that themselves imply situations of institutional exclusion based on one category and situations of inclusion based on others. These social groups, in turn, have their own social roles and responsibilities. Federal law denies undocumented immigrants work authorization, for instance, but does not prohibit them from working as independent contractors who are responsible for paying their own taxes, health insurance costs, and retirement benefits. Such inclusion is situational, allowed by the laws, regulations, and policies of particular institutions in a particular context and need not have benevolent origins. Rather, institutional inclusion can stem from more coercive processes that reflect tensions between a person's social groups and their associated social roles and responsibilities. Extending the previous example, undocumented immigrants may not be "breaking the law" by working as independent contractors, but this form of institutional inclusion can (and does) allow their employers to exploit them in the workplace.<sup>85</sup>

Perhaps no social role exposes how undocumented immigrants' multiple group memberships can at times entail their institutional exclusion and at times entail their inclusion better than parenthood. And, though it certainly matters for immigration surveillance (e.g., access to visas at the time of migration and green cards), parenthood's stakes are more apparent for everyday surveillance. Every state enshrines, in its legal code, parents' rights and responsibilities.<sup>86</sup> These rights and responsibilities apply to all parents, but their import for undocumented parents experiencing overlapping hardships is clear. In Texas, parents have a "duty of care, control, protection, and reasonable discipline of the child," which includes "providing the child with clothing, food, shelter, medical and dental care, and education" and "to hold or disburse funds for the benefit of the child."<sup>87</sup> Undocumented immigrants are themselves excluded from much public assistance and denied access to jobs that offer living or even minimum wages, not to mention employer-sponsored benefits. As a result, many experience food, health, and/or housing insecurity.<sup>88</sup> But, as forms of insecurity that contravene the responsibilities the state expects parents to fulfill on behalf of their children, they can lead to undesirable forms of state intervention—whether policing, a Child Protective Services investigation, the termination of parental rights, or even deportation.<sup>89</sup> In brief, undocumented immigrants may experience a coercive form of inclusion in

some institutions as they attempt to prevent the effects of the hardships imposed on them from passing to their children.

Neither immigration surveillance nor everyday surveillance happens on its own. Rather, both occur in consequential moments of interaction with empowered institutional authorities who enforce government laws, regulations, and policies. Political scientist Michael Lipsky calls these authorities street-level bureaucrats.<sup>90</sup> And, given this current era of mass deportability, everyday surveillance tends to arise more regularly than immigration surveillance (though they certainly interrelate). For many people, most of these encounters can seem routine, such as a visit to the emergency room after falling off a bike, a meeting with someone in human resources to correct employment paperwork, or even walking by a police officer with crying children in tow. For undocumented immigrants, though, they reflect fraught moments of everyday surveillance. Most interactions do not result in punishment, but each gives institutional authorities an opportunity to evaluate how well undocumented immigrants square with the laws, regulations, or policies of the city or state or country they call home. Are they compliant with the law? Are they taking proper care of their children? Are they productive members of their communities? The answers to these questions are not decided in neutral or equitable ways; they vary by additional social positions such as race, class, and gender.<sup>91</sup> Whatever the answer, authorities catalog the result of the interaction in their institution's records, which live on and grow in subsequent interactions with the person. Records beget more records, and an extensive paper or digital trail forms.<sup>92</sup>

Surveillance is nonetheless mutual. Authorities surveil undocumented immigrants and, though relatively disempowered, undocumented immigrants surveil the laws, regulations, and policies that these authorities enforce. Aware that their attitudes, behaviors, and transactions are on full display in these encounters, undocumented immigrants recognize that mundane interactions can quickly become very meaningful—depending on where they are being watched, who is watching them, and what is at stake. An unpaid traffic ticket from last year can become cause for arrest if a police officer pulls them over for another infraction, for example, or last month's paystubs can demonstrate to a case worker that their children are eligible for public food assistance and allay a teacher's concerns of food insecurity at home. Undocumented immigrants understand that authorities lack the resources to evaluate them as whole people in any one interaction; they, therefore, strive to minimize negative interactions (that might lead authorities to mark them for investigation, arrest, or more) and maximize positive interactions (that might reassure authorities of their

morality or good parenting), given the responsibilities of the social role on display in an interaction. These various interactions with institutional authorities generate formal records. Sometimes undocumented immigrants pursue these records because they believe themselves eligible for a concrete legalization opportunity, as existing research suggests.<sup>93</sup> But the records more often reflect everyday forms of surveillance that threaten to penalize undocumented immigrants for the overlapping hardships imposed on them and their families.

A focus on interactions, and the formal records they produce, is key to understanding whether, why, and with what consequences undocumented immigrants engage with the various institutions that surveil them as they enter and make a life in the United States. Scholarship on this topic is proliferating and, with it, seemingly incompatible conclusions about undocumented immigrants' institutional engagement. Much of this work examines differences between undocumented immigrants and U.S.-born citizens, using either quantitative or qualitative data, in a single interactional and institutional context. It shows that undocumented immigrants both trust and distrust the police, whom they call at similar rates to U.S. citizens.<sup>94</sup> Undocumented immigrants both regularly seek, and regularly avoid, medical care.<sup>95</sup> Their personal use of public assistance is lower than that of U.S.-born citizens, a reflection of undocumented immigrants' exclusion from many of these programs; still, that on behalf of their children approaches that of U.S.-born citizens.<sup>96</sup> These findings are all the more puzzling when considering rates of immigration enforcement across states and counties. Although we might expect undocumented immigrants to evade institutions that surveil them in places where immigration enforcement is most active or visible, they sometimes increase it.<sup>97</sup> All of this work provides important lenses into dynamics of surveillance and punishment. They nonetheless tend to see institutional engagement and evasion as all-or-nothing processes, complicating efforts to explain the mixed evidence of these dynamics that scholars observe in our empirical data.

Institutional surveillance matters, in different ways, for the undocumented immigrants I came to know as they made a life for themselves and their families in the United States. Their legal status represented a category that signaled one set of responsibilities governing their social role as immigrants, which was sometimes reflected in their institutional evasion. But, for the same reason, they sometimes saw institutional engagement as more prudent. At the same time, their parenthood represented another social role with a different set of responsibilities that often necessitated their institutional engagement, even when this conflicted with the

perceived responsibilities of their legal status. They seldom explained their institutional engagement or evasion in relation to a legalization opportunity they were pursuing or would soon pursue; many had spent large fractions of their lives in the United States without authorization and did not expect that to change soon. Instead, they referred to their interactions with the institutional authorities they encountered as a necessary part of their ordinary routines—and how they believed those authorities expected them to behave, given their multiple social roles and responsibilities, even if they felt those behaviors would jeopardize their eligibility for a green card. Scholars studying policing and immigration enforcement have considered some of these dynamics among undocumented immigrants, but fewer have examined them as part of a larger constellation of institutional interactions that undocumented immigrants manage each day.<sup>98</sup> In many ways, it is impossible to understand one form of institutional engagement without reference to others. Making multiple forms of institutional engagement the focus of our study allows us to see more fully what is at stake for undocumented immigrants and their families as they interact with institutional authorities; how they weigh the perceived costs and benefits of institutional engagement alongside those of evasion; and how their multiple social roles and responsibilities factored into this calculation. Moreover, the consequences of this engagement or evasion—both outside and inside the context of legalization opportunities—become clearer.

We learn something different from Alma's story at the start of this chapter by examining her institutional interactions in light of her multiple social roles and responsibilities rather than her legal status alone. Specifically, it illuminates how interactions with diffuse forms of institutional surveillance are a feature of Alma's daily life. Alma exhibits a *selective engagement* with the institutions that surveil her, sometimes interacting with them and sometimes avoiding them depending on the type of institutional surveillance encountered and the social roles and responsibilities most salient in an encounter. Underlying this selective engagement are her understandings of what authorities in these spaces expect of her during these interactions; in other words, she aligns her institutional engagement or evasion with the responsibilities of the social role most relevant in a given interaction. Sometimes this alignment manifests as evasion. From the moment Alma understood she would leave Mexico, institutional interactions were a primary concern. Most salient were her possible interactions with regulatory institutions governing immigration surveillance. A smuggler would help Alma navigate the tumultuous journey into the United States, but a key question that Alma could not answer

was whether immigration officers patrolling the border would capture her along the way. The answer to this question was important. If captured, she would almost certainly be deported—but likely not before her fingerprints were taken and stored in immigration databases. She would inevitably try to reenter the country, but if captured once more, she would likely not be deported right away; she might first face time in prison, because immigration officers would have a record of their prior interactions. Alma was risking not just being caught, but also what the record of her interactions with immigration officers would mean to future attempts to enter the country.<sup>99</sup>

Once inside the United States, though, Alma's efforts at role alignment more often reflected a selective set of interactions with institutional authorities than outright evasion. We see this in Alma's engagement with other regulatory institutions, especially those bearing on more everyday surveillance in the domains of policing, employment, and taxation. Despite her legal status and its associated vulnerabilities, Alma was not content to hide in the shadows as an undocumented immigrant newly settled in Dallas. She started searching for ways to lead what she saw as a full life—and prioritized institutional interactions that would allow her to do so in as lawful a manner as possible. Sometimes the constraints of her legal status got in her way, such as when Alma purchased *papeles chuecos* to land a job because the federal government denies undocumented immigrants work authorization. But, aware of the illegality of this purchase, Alma used her real name and other personal information to apply for an Individual Tax Identification Number from the IRS so that she could pay income tax. She also extolled her lack of negative police interactions, as evidenced by her “clean” criminal record. Alma described this balance of institutional interactions as a recipe for undocumented immigrants like her to make it through each day without experiencing punishment from the authorities they encounter regularly.

The stakes of this role alignment increase when the responsibilities of multiple social roles conflict; in other words, when one social role suggests avoiding institutional interactions but another suggests seeking them out.<sup>100</sup> Service institutions, in which authorities distribute public goods such as health care, education, and public assistance, exemplify this tension for undocumented parents because they are spaces where immigration surveillance and everyday surveillance interrelate. And, as with regulatory institutions, a selective engagement takes hold. Alma's legal status means that she is all but excluded from public health insurance. Her employer does not provide her insurance coverage, nor does her employer

pay enough to allow her to afford private coverage. Yet her legal status did not disqualify her from the limited but important pre- and postnatal care and resources she received from CHIP and WIC during and after each of her two pregnancies. Her children continued to receive these services once her own coverage lapsed, enabling Alma to shepherd them to regular doctors' visits. Alma's oldest child is enrolled in public school, and she told me that she plans to do the same once her second reaches school age. For Alma, the overlapping hardships imposed by her legal status necessitated these various institutional interactions on behalf of her children. She didn't feel that she could or should avoid them either; doing so might have given institutional authorities a reason to intervene in her and her children's lives in potentially destabilizing ways.

Interactionist theory helps explain whether, how, and why undocumented immigrants worried about surveillance nonetheless engage with institutions that surveil them. According to interactionist theorists, people orient their behavior in relation to the expectations they believe other people have of them in a given interaction. But interactions often happen in a specific context, implying that the meanings someone assigns to their own actions, and their beliefs about how others interpret their actions, are situational.<sup>101</sup> As sociologist George Herbert Mead summarizes, a person "selects, checks, suspends, regroupes, and transforms the meanings in light of the situation in which [they are] placed."<sup>102</sup> Social roles inform whether and how people seek out and experience interactions in a specific context, such as when a worker asks their employer for a raise on the basis of their performance or when a parent demands that a teacher offer their child accommodations for a missed assignment.<sup>103</sup> Often, though, more than one social role is relevant in a given interaction and situation, such as if that same worker is also an immigrant or if that same parent is a school board member. Sociologist Erving Goffman famously theorized that people who share a social role (e.g., as worker or parent or immigrant) do not experience the stakes of an interaction in similar ways; rather, within social roles, the stakes increase for people in social positions (e.g., race, class, gender, legal status) that society devalues.<sup>104</sup> For instance, the stakes are higher when a house cleaner asks for a raise than when a professor does. The stakes are even higher when women (rather than men) ask for a raise, and they are higher still for Black women (rather than White women), as intersectionality theory reminds us.<sup>105</sup> In other words, social roles unfold in interaction and in context to shape people's unequal access to resources.<sup>106</sup> For undocumented immigrants managing institutional surveillance, then, interactionist theory urges an investigation of

whether, how, and why undocumented immigrants fulfill the responsibilities of their multiple social roles in different interactional contexts of surveillance. Such an approach brings us closer to a fuller understanding of their selective engagement with surveilling institutions.<sup>107</sup>

An emphasis on interactions in context uncovers the complex ways categorization relates to the institutional reproduction of inequality. To be sure, some categories may be so powerful that they come to represent a social role of their own and dominate all others in institutional interactions, as some criminologists studying surveillance and system avoidance have suggested. For example, even when a criminal record does not prevent someone from accessing an institution (e.g., a hospital or school), research shows that people with a criminal record fear interacting with institutional authorities.<sup>108</sup> A person's criminal record, their sanctionable status, becomes their orienting social role, underlying their institutional evasion because they expect authorities to punish them.<sup>109</sup> They reimagine seemingly mundane institutions, whether hospitals, banks, the workplace, or schools, as risky sites because law enforcement may use the records resulting from their interactions to track, arrest, and punish them. Such evasion occurs even when it entails material or symbolic costs for themselves or their loved ones.<sup>110</sup> Criminologists analyzing ethnographic data or in-depth interviews uncover the meanings of institutional evasion for people with a sanctionable status and those separately analyzing large-scale administrative or survey data show statistical support for this idea, on average, for particular types of institutional interactions (e.g., emergency room visits or having a checking account or formal employment or school enrollment).<sup>111</sup> But, in emphasizing interactions avoided, we learn less about the interactions that do occur and what they mean to the people who have them.

Surveillance entails elements of punishment and reward, meaning that both risk and gain are at stake, in ways that can make necessary people's institutional interactions despite—or because of—their fears of sanction. Michel Foucault argued that institutional surveillance was one way for governments to discipline the general public by normalizing the punishment of people who do not comply with its rules and the reward (or, at least, nonpunishment) of people who do.<sup>112</sup> Discipline operates both through direct interactions with authorities in surveilling institutions, such as when someone is a student in a teacher's classroom, and indirect ones, such as when someone's parenting skills are called into question through a teacher's observation of their child in the classroom. Every time authorities deem someone noncompliant with a rule, they can document that noncompliance in an ever-accumulating set of records. Compliance,



too, can be recorded. Whether revealing compliance or noncompliance, these records are powerful; they allow authorities to both evaluate a single person and compare that person against the behavior of others they have interacted with. If authorities judge someone to meet their expectations, they can reward them materially (e.g., income or public assistance) or symbolically (e.g., a record of good parenting); otherwise, they can punish the person (or refer them to others for punishment).

This idea has been influential, particularly in studies of poverty governance. Research in this area teaches us that institutional authorities pervade the lives of low-income families and that they are disproportionately menacing to families of color.<sup>113</sup> Most of the families studied are U.S. citizens. Whether in their engagement with hospitals, schools, or welfare agencies, scholars describe how parents cannot evade institutional authorities but rather withhold information from them to guard against sanction, to maintain public assistance receipt, or both.<sup>114</sup> Sociologist Kelley Fong calls this “selective visibility,” whereby low-income parents conceal personal details or behaviors as they interact with institutional authorities.<sup>115</sup> For example, a parent may not admit to food or housing insecurity, even if it means forgoing public assistance, lest a doctor or teacher refer them to Child Protective Services. There are nonetheless limitations to selective visibility, as sociologist Cayce Hughes uncovers in a study of low-income Black mothers living in public housing. He finds that concealment is not always feasible, particularly in contexts where institutional authorities are regularly present, routinely monitor a person’s compliance with opaque rules, and constantly threaten to punish them.<sup>116</sup> In revealing that surveillance is unavoidable for some American families, this scholarship teaches us that institutional interactions can mean the difference between punishment and survival.

I complement these conclusions with several additional contributions to the literatures on surveillance and social control. First, I show how the exclusionary or inclusionary effects of institutional surveillance for people worried about punishment depend on their multiple social roles and responsibilities, which themselves vary situationally. Although people with criminal records often evade the institutions that surveil them, undocumented immigrants do not always behave similarly, as scholars of surveillance and system avoidance expect. Put simply: undocumented immigrants do not evade institutions wholesale; rather, they avoid specific institutional interactions. Such selective engagement is conditioned by the real or perceived responsibilities of undocumented immigrants’ multiple social roles—as immigrants, as workers, as parents,

as community members, and so on—that are themselves circumscribed in myriad laws, regulations, and policies that differ across institutional type (i.e., regulatory or service institutions). For example, police officers may actively search for someone with an outstanding arrest warrant, but such active pursuit is less typical in the case of policing and immigration enforcement, given policies at the federal, state, and/or local level that circumscribe them. Likewise, undocumented immigrants are excluded from many service institutions, especially those related to public assistance, but their citizen children are not. Undocumented immigrants, therefore, may at times evade and at times seek out institutional interactions, depending on the perceived benefits and costs of interaction in a given situation. In this way, their daily lives may more closely resemble those of other people grappling with overlapping hardships in contexts of diffuse surveillance—whether street vendors, unhoused people, or low-income parents—than people with criminal records retreating from public life as they flee from the police.<sup>117</sup>

Second, in taking seriously that surveillance entails elements of both punishment and reward, I demonstrate how institutional inclusion can itself reflect inequality, even absent evidence of higher rates of evasion among people worried about punishment. For scholars analyzing administrative or survey data, these unequal rates constitute evidence of system avoidance, as we have seen. But I argue that the absence of difference in such outcomes does not imply the absence of other forms of inequality; rather, it points to more insidious forms of inequality reproduced in institutional interactions that vary situationally.<sup>118</sup> In addition to sanctions, institutional authorities distribute important material and symbolic resources—including to people worried about punishment. Some undocumented immigrants like Alma work with *papeles chuecos*, for example, and seek to counterbalance that criminalized offense in the eyes of institutional authorities by paying income taxes through an Individual Tax Identification Number. Others secure public assistance on behalf of their citizen children because they worry that the overlapping legal, material, and social hardships that weigh on their families will lead their children's doctors or teachers to refer them to the police or Child Protective Services. In other words, their interactions align with the perceived expectations they believe powerful institutional authorities hold them to, given the responsibilities of their multiple social roles. These expectations are themselves rooted in inequalities built into the laws, regulations, and policies that deny undocumented immigrants the rights to work authorization and public assistance, among others. In

that sense, they underpin a more coercive form of institutional inclusion: undocumented immigrants recognize that institutional authorities might punish them for the constraints of their legal status but value those whose constellation of institutional interactions shows them to be moral people, responsible taxpayers, hard workers, and doting parents. A focus on interactions, therefore, illuminates how the meanings of surveillance for institutional exclusion and inclusion are situational. Attention to these meanings will become more important as states and localities become increasingly differentiated by the character of immigration surveillance and everyday surveillance.

### *Data and Methods*

This book is based primarily on interviews and ethnographic observations collected in Dallas County, Texas, in the summer months between June 2013 and August 2018, alongside original analyses of national survey data that bolster some of the key findings from the interviews. A detailed description of all aspects of data collection and analysis is available in the book's two appendices. Below, I summarize the research that informs this book and report on Dallas County as a site for studying how Latino immigrant families manage surveillance.

I interviewed and observed Latino immigrant families in the Dallas area. Most interviews were conducted in Spanish and took place in these families' homes, a reassuring sign that they trusted me enough to let me into their most intimate spaces. A handful of interviews took place in fast-food establishments, such as McDonald's or Burger King, largely to distract study participants' young children with ice cream, fries, and playrooms as we talked. The sixty adults who came to participate in the study represent twenty-eight Latino immigrant families. To enroll in the study, they had to identify as Latino and have young children in the household. Legal status was not a criterion for recruitment, but study participants included thirty-five undocumented immigrants, four semi-legal immigrants, twelve permanent residents, four naturalized citizens, and five U.S.-born citizens. Most of the immigrant adults were born in Mexico, though two came from El Salvador, two from Guatemala, and one from Honduras. Sixteen reported having experienced a deportation, usually as they entered the country; the other thirty-nine told me they had never been deported. The median year of arrival for immigrant study participants was 1996. The families lived throughout Dallas, in

White-, Black-, and Latino-majority neighborhoods whose residents have average incomes that range from low (<\$25,000) to mid (between \$25,000 and \$75,000) to high (above \$75,000); this ensures that the study's findings do not reflect dynamics unique to any one neighborhood type.

In-depth interviews are a powerful tool for showing how and why undocumented immigrants manage surveillance as they go about their ordinary routines. And conducting those interviews in a single place allows for a richer analysis of the local-level contexts that enable or constrain their institutional engagement.<sup>119</sup> It is nonetheless useful to know whether and how findings in Dallas manifest nationwide so that we—whether we are scholars, policymakers, activists, or interested people—can have productive conversations about patterns of surveillance and punishment outside Dallas.<sup>120</sup> To examine national patterns of institutional engagement among Latinos, I turned to the American Time Use Survey (ATUS), a long-running survey administered by the federal government that measures how people living in the United States spend their time on a typical day. Importantly for our purposes, the ATUS takes extra care to survey large numbers of Latino households with and without young children so that reliable estimates for these groups can be produced. I use these data in several ways. One is to contextualize some of the correlated hardships that burden Latino noncitizens relative to naturalized citizens (chapter 1). Another is to bolster the book's argument that Latino immigrants circumscribe their daily lives first and foremost in relation to regulatory, rather than service, institutions (chapter 2). Finally, I rely on the ATUS data to statistically evaluate a core idea that emerged from the in-depth interviews: that undocumented immigrants exhibit a selective engagement with institutions that surveil them, which varies based on their multiple social roles and responsibilities (chapter 3). I discuss only the substantive results of the survey analyses in the main text of the book; appendix B offers a full explication for interested readers.

A final source of data consists of ethnographic observations in Dallas Immigration Court. While interviews with families and statistical analyses offered me an astounding amount of information, I still wasn't sure if study participants' efforts to manage surveillance made a difference to immigration officials who make consequential decisions bearing on undocumented immigrants' formal societal membership. I gained leverage on this question in the summer months of 2015. As I continued to

interview the families I had met in prior years, I started to observe Dallas Immigration Court—visiting the five courtrooms operating at that time. Over three months, I spent about fifteen hours per week sitting in court and interacting with courtroom interpreters, federal police and prosecutors, immigration attorneys, and five immigration judges. I did not formally interview any of these officials, though all allowed me the opportunity to ask them informal questions about my observations over the course of the ethnography.<sup>121</sup> These data helped me to round out the insights emerging from the in-depth interviews—confirming many of the core ideas on display throughout the book and refining several others.

Dallas County (hereafter, Dallas) offers several analytical payoffs to a study interested in how Latino immigrant families manage surveillance.<sup>122</sup> With a population of about 2.6 million, Dallas ranks in the top ten most populated counties nationwide and, behind Houston's Harris County, the second most populated county in Texas.<sup>123</sup> About 40 percent of Dallas residents are Latino, totaling 1.04 million people; more than 450,000 (about 44 percent) are immigrants. Among these immigrants, 51 percent are undocumented, 29 percent are permanent residents, and the remainder are naturalized citizens. This means that, among the Latino immigrants in Dallas, four out of five are vulnerable to deportation; of these, two out of three are undocumented. Most come from Mexico, with much of the remainder from Central America. Sixty-five percent of all Latino citizen children in the county—over 215,000 kids—live with either a parent or relative who is vulnerable to deportation. These present-day demographics reflect Dallas' status as an established destination for Mexican and, increasingly, Central American immigrants.

Like Arizona and California, Texas has received immigrants from Mexico and Central America for well over a century. But various changes to U.S. immigration law and policy beginning in the 1940s all but guaranteed a steady stream of undocumented immigration to these states.<sup>124</sup> By the 1980s, politicians, immigration officials, and the media stepped up their efforts to depict undocumented immigrants from Mexico and Central America as a danger to society.<sup>125</sup> The result was the 1986 Immigration Reform and Control Act (IRCA), which we will revisit in chapter 1. Among other changes, the act fortified the United States' southern border ostensibly to deter immigration. But it backfired. Rather than prevent people from entering the country, the added security simply dissuaded them from

leaving. As a result, IRCA transformed what had been a circular flow of temporary labor immigrants in three states into a settled population of immigrants who, over time, went on to have families.<sup>126</sup> Dallas today exemplifies this history.

Dallas (and Texas more broadly) represents a site of “deportable inclusion,” making it a revealing context to study institutional surveillance. Public health scholars Maria-Elena De Trinidad Young and Steven P. Wallace define sites of deportable inclusion as those where “[n]oncitizens are subject to enforcement and surveillance while possessing rights and protections in other areas of their lives.”<sup>127</sup> In other words, federal, state, and local laws, regulations, and policies make deportation a very real threat for undocumented immigrants, but they also offer spaces for undocumented immigrants to access institutions that might improve their life chances. Reviewing these different laws, regulations, and policies can cause whiplash. Texas has participated in several programs that facilitate cooperation between immigration officers and state and local police, which we will explore in greater detail in chapter 2. But, over the course of research for this book, Dallas County Sheriff Lupe Valdez, and her successor Marian Brown, opposed this collaboration.<sup>128</sup> Texas led national efforts to undermine federal programs (i.e., DACA and DAPA) intended to shield some undocumented immigrants, including the parents of U.S. citizens, from deportation. Yet, as we will see in chapter 3, the state and Dallas County extend some rights and protections to these very groups in the domains of health, education, labor, and other sectors.<sup>129</sup> Accordingly, Dallas occupies a middle space with respect to the threat that undocumented immigrants may perceive from institutional surveillance. This threat is likely higher where state laws actively exclude them (e.g., Alabama, Georgia, Kansas, North Carolina, Pennsylvania, and Tennessee); comparable in places whose patchwork of laws is similar to Texas (e.g., Florida, Massachusetts, New York, Oklahoma, and Wisconsin); and lower in places that are more proactive in their inclusion of immigrants (e.g., California, Colorado, Illinois, Rhode Island, and Washington State). But variation exists within states, meaning that local context matters, too.<sup>130</sup> One county may have policies in place that exclude undocumented immigrants from daily life even as a neighboring county has inclusionary policies in place. Readers should understand the evidence here not as an account of how all Latino immigrant families manage surveillance nationwide but as an in-depth look into the complex ways institutional surveillance can matter to these families’ daily lives and ordinary routines.

### *Preview*

Throughout this book I present the stories of real people who are also undocumented immigrants and parents to citizen children. I explore whether, how, and why they engage with various institutions that surveil them as they attempt to meet the many demands of daily life.

Each chapter centers on a particular social role, as well as the institutions that the people I spoke with engaged or evaded to meet the responsibilities they associate with that role. Chapter 1 examines study participants as *prospective migrants*, focusing on the regulatory institutions governing immigration surveillance that they considered or encountered before they even set foot in the United States. For them, the path toward becoming a migrant was rooted in deprivation, a feeling of lacking or missing something at home, which motivated their desire to leave their lives behind in their country of origin and start anew. But what they lacked mattered for the type of migrant they would eventually become. To secure visas or other travel documents requires proofs of income or wealth, or of an immediate family member with permanent residence or citizenship, among other proofs. For the few with access to these resources, crossing with a visa felt routine; for the remainder, crossing without one was accepted as inevitable. How they migrated delimited the scope, quality, and consequence of their interactions with immigration surveillance on their journey into the country—and the stakes of managing the everyday surveillance that they would soon encounter.

The next two chapters examine study participants as *immigrants* who have established lives in the United States, but with slightly different emphases. Chapter 2 focuses on *immigrants as individuals*, who must learn to navigate the everyday forms of institutional surveillance they encounter as part of their ordinary routines. Many laws, regulations, and policies threaten undocumented immigrants' presence in the country—especially those concerned with policing, employment, and taxation. Yet, for the people I interviewed, the threats these regulatory institutions posed were not only identifiable but also controllable. Whether based on their own perceptions or experiences, or those of loved ones, they sought to manage their institutional interactions. This strategy entailed limiting negative, and maximizing positive, interactions with authorities in one or more regulatory institutions. For example, undocumented immigrants talked about moderating personal behaviors that they believe to be “criminal” or “suspicious” (such as driving with any alcohol in their system or spending time

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