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**Original Article**

# **Latino immigrant men and the deportation crisis: A gendered racial removal program**

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**Abstract** This article reviews how US deportations ballooned between 1997 and 2012, and underscores how these deportations disproportionately targeted Latino working class men. Building on Mae Ngai's (2004) concept of racial removal, we describe this recent mass deportation as a gendered racial removal program. Drawing from secondary sources, surveys conducted in Mexico, the U.S. Department of Homeland Security published statistics, and interviews with deportees conducted by the first author in Guatemala, the Dominican Republic, Brazil and Jamaica, we argue that: (1) deportations have taken on a new course in the aftermath of 9/11 and in the wake of the global economic crisis – involving a shift towards interior enforcement; (2) deportation has become a gendered and racial removal project of the state; and (3) deportations will have lasting consequences with gendered and raced effects here in the United States. We begin by examining the mechanisms of the new deportation regime, showing how it functions, and then examine the legislation and administrative decisions that make it possible. Next, we show the concentration of deportations by nation and gender. Finally, we discuss the causes of this gendered racial removal program, which include the male joblessness crisis since the Great Recession, the War on Terror, and the continued criminalization of Black and Latino men by police authorities.

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**Keywords:** deportation; gender; immigration; great recession; war on terror; criminalized masculinity

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Between 1997 and 2012, the US government carried out 4.2 million deportations. This figure amounts to more than twice the sum total of *every deportation* before 1997 (1.9 million people). Nearly all of these recent deportees have been Latino men, creating a crisis in Latino families and communities. We suggest this constitutes a *gendered racial removal program*, and argue that changes in immigration law, the War on Terror, the law enforcement racial profiling and criminalization of Latino men, and the male joblessness crisis in the United States have produced this deportation crisis. We conclude by offering some questions, analyses and implications for both research and action.

Many scholars working from diverse disciplines have analyzed the soaring number of deportations (Coutin, 2000; Hing, 2003; Ngai, 2004; Hernandez, 2008; Brotherton and Barrios, 2011; Golash-Boza, 2012; Kanstroom, 2012; King *et al.*, 2012; Kretsedemas, 2012), and the increase in police/Immigration and Customs Enforcement (ICE) cooperation (Zilberg, 2004; Stumpf, 2006; Donato and Armenta, 2011; Armenta, 2012; Coleman, 2012), yet these studies have not explicitly considered the intersectionality of gender, class and race in these removals. In this article, we review how US deportations ballooned between 1997 and 2012, and we underscore how these deportations disproportionately targeted Latino working class men. Building on Mae Ngai's (2004) concept of racial removal, we refer to this recent mass deportation as a gendered racial removal program. We explain the legal and administrative mechanisms supporting this process, and we indicate how structural factors in the economy and the politics of race, criminalization and immigration have prompted these changes. Methodologically, we draw on secondary sources, surveys conducted in Mexico, the U.S. Department of Homeland Security (DHS) published statistics, and interviews with deportees conducted by the first author in Guatemala, the Dominican Republic, Brazil and Jamaica.<sup>1</sup> We begin by examining the mechanisms of the new deportation regime, showing how it functions, and then examine the legislation and administrative decisions that make it possible. Next, we show the concentration of deportations by nation and gender. Finally, we discuss the causes of this gendered racial removal program, which include the male joblessness crisis since the Great Recession, the War on Terror, and the continued criminalization of Black and Latino men by police authorities.

1 In 2009 and 2010, the first author conducted 150 semi-structured interviews with deportees in Jamaica, the Dominican Republic, Guatemala and Brazil, in addition to participant observation at airports where deportees arrive and interviews with government officials and NGOs in the four countries. Those

## Gender and Immigration Control

Starting with the Page Law of 1875 and continuing through the mid-twentieth century with the Bracero Program (1942–1964), the United States actively recruited immigrant men from Asia and Latin America to fill expanding labor needs in the west, while only tenuously admitting Asian and Latina immigrant women into the nation. Throughout the first half of the twentieth century,



non-white women were particularly vulnerable to deportation and exclusion, as immigration inspectors regarded women as drains on social welfare resources and as probable public charges (Moloney, 2012). Keeping the Asian and Latina women out or restricted in number was a strategy aimed at deterring the demographic reproduction and permanent settlement of Asian and Latino families and communities in the United States (Glenn, 1986; Chan, 1991; Hondagneu-Sotelo, 1994, 1995; Chavez, 2008). To be sure, men were deported in round-ups and incarcerated in prisons, detention centers and internment camps, but as recently as the fiscal crisis of the state in the 1990s, exclusionary policies such as California's Proposition 187 and the 1996 immigration and welfare reform acts targeted women (Hondagneu-Sotelo, 1995; Marchevsky and Theoharis, 2006; Chavez, 2008; Fujiwara, 2008; Park, 2011; Moloney, 2012).

We suggest that the current targeting of men for deportation signals a rupture with previous restrictionist immigration regime policies that had focused on excluding women (from reproduction) and including men for labor (production). Although no explicitly gendered legislation codifies this new turn, changes in administrative policies and practices have created a situation where the vast majority of deportees are working class men from Latin America and the Caribbean. We contend that the institutionalized criminalization and surveillance of men of color in urban streets (Young, 1999; Zilberg, 2004; Wacquant, 2009; Ramirez and Flores, 2011; Rios, 2011) – heightened in the post-9/11 climate of Islamaphobia and male joblessness exacerbated by global financial crisis and economic restructuring – have created the context for this shift. This became evident in both practice and discourse, as police surveillance, detention and deportation targeted Latin American immigrant men (Dowling and Inda, 2012). A labor market that increasingly relies on service jobs and offers diminishing numbers of construction and manufacturing jobs deems these men disposable and redundant.

During the 1990s, political campaigns in the United States constructed the “immigrant danger” as a feminine reproductive threat (Hondagneu-Sotelo, 1995; Chavez, 2004, 2008; Gutierrez, 2008). Lawmakers and voters targeted the bodies of immigrant women – namely poor immigrant women, women of color and especially Mexican women – as pregnant breeders, a danger to society and the nation. The reproductive capacity of Latina immigrant women was constructed as a threat that might disrupt demographic homogeneity, drain resources at public schools and hospitals, and reproduce even larger Latino communities. The 1996 federal reforms to welfare and immigration legislation passed in this context rendered many immigrant women ineligible for government benefits. The safety net for immigrant women shrunk, the service sector jobs that traditionally employ women increased, and the perception of immigrant women as threats to the nation has become muted in recent years.

In this context, the gendered construction of immigrant danger has shifted. The new danger is masculine, one personified by terrorist men and “criminal aliens.” The DHS, the cabinet department created after the September 11 attacks, which

interviews were part of a larger project focusing on the consequences of mass deportation.



replaced the old Immigration and Naturalization Service (INS), has framed its efforts in a discourse of national security. Mass deportation emerged as a primary strategy for protecting the nation from the gendered and racial threats of criminal and fugitive aliens and terrorists.

## **Twenty-first Century Deportations: Gendered Racial Removal**

Along with this shift in discourse towards a focus on criminal aliens, the comingling of national security and immigration policy has produced unprecedented numbers of deportations. In 2011, the DHS deported 392,000 foreign nationals, and returned an additional 324,000 to their home countries without a removal order. At least since the early 1990s, Latino and Caribbean men have been the targets of deportation policy. However, as criminal deportations have risen both proportionally and in absolute numbers, these trends have affected some national origin groups more than others. Between 1993 and 2011, deportations increased ninefold. This increase is due almost exclusively to increases in the numbers of Mexican and Central American deportees. There was a 10-fold increase in the number of Mexican deportees, and a 12-fold increase in the number of Central American deportees. In contrast, European and Asian deportations quadrupled, and African and Caribbean deportations doubled. By 2011, 97 per cent of deportees were from the Americas – only 5060 people were deported to Asia; 3131 to Europe; and 1602 to Africa (Table 41, *DHS Yearbook of Immigration Statistics*).

DHS has not released publically available data on the gender of deportees since 1997. According to the 1997 *Yearbook of Immigration Statistics*, there was an increase in the number of female deportees post-1996. Between 1992 and 1995, only about 6 per cent of deportees were women. In 1996, the proportion rose to 12 per cent and increased to almost 16 per cent in 1997. This increase in the deportation of women in the mid-1990s happened at the same time that pundits constructed Latinas as breeders and drains on the welfare state.

More recent individual country studies show that the vast majority of deportees continue to be men, and that many have close ties to the United States. Hagan *et al* (2008) found that, in El Salvador, 95 per cent of deportees are men, three quarters were undocumented in the United States, nearly 79 per cent have family members in the United States, and their median stay in the United States had been 8 years. The study by Headley *et al* (2005) of Jamaican criminal deportees revealed that 28 per cent had arrived in the United States before age 16, 98.5 per cent were men, and the average time in the United States had been 12 years. Nina Siulc (2009) found that about three-quarters of Dominicans deported on criminal grounds were legal permanent residents of the United States, and about 80 per cent of them had spent over 5 years in the United States before their



first arrest. In this article, we look at deportees more globally, and find similar trends – nearly all deportees are men, and many had strong ties to the United States before being deported.

Other scholars have focused on the legal and social implications of deportation (Kanstroom, 2012), trends in immigration enforcement (Kretsedemas, 2012) and the consequences of deportation (Brotherton and Barrios, 2011). However, few analysts have considered why deportations are escalating in this particular historical moment, and, more importantly for our analysis, why the vast majority of deportees are Black and Latino working class men. Drawing on work that examines gender, immigration and exclusion, we argue that: (1) deportations have taken on a new course in the aftermath of 9/11 and in the wake of the global economic crisis – involving a shift towards interior enforcement; (2) deportation has become a gendered and racial removal project of the state; and (3) deportations will have lasting consequences with gendered and raced effects here in the United States.

## Mechanisms of the New Deportation Regime

Deportations have increased since the mid-1990s, facilitated by the passage of an arsenal of new laws, including the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), the 1996 Anti-terrorism and Effective Death Penalty Act (AEDPA) and the 2001 USA PATRIOT Act. As Hagan *et al* (2008, 66) indicate, removals averaged about 20,000 annually from 1900 to 1990,<sup>2</sup> but began escalating in the 1990s. Deportations then ballooned to over 208,000 removals in 2005. By 2012, that figure had nearly doubled to 409,849 removals.<sup>3</sup>

Scholars generally recognize the 1996 IIRIRA as the principal legislation facilitating the removal of hundreds of thousands of immigrants. The 2003 creation of the DHS and ICE replaced the INS and serves as the new institutional apparatus conducting these deportations. The 1996 legislation facilitated deportations by expanding the grounds on which non-citizens could be deported, eliminating most grounds for appeal, and implementing an expedited removal process. Thus, as Figure 1 shows, deportations rose sharply beginning in 1996. However, deportations leveled off, and even declined in 2002, only to rise precipitously with the creation of DHS and ICE in 2003.

The laws regarding deportation have not changed substantially since 1996. Instead, Congress has appropriated increasing amounts of money for immigration law enforcement, in line with DHS's annual budget requests. The Fiscal Year (FY) 2011 budget for DHS was \$56 billion, 30 per cent of which was directed at immigration law enforcement through ICE and Customs and Border Patrol (CBP). Another 18 per cent of the total went to the US Coast Guard and 5 per cent to US Citizenship & Immigration Services – meaning over half of the DHS

2 The average number of “removals” between 1900 and 1990 was about 18,000. These figures did not include the hundreds of thousands of Mexicans who were repatriated in the 1930s, nor the million Mexicans who were returned during “Operation Wetback” in 1954. The reason for this is that, in the 1930s, hundreds of

thousands of Mexicans departed "voluntarily" and thus were not recorded as removals. In 1954, the Border Patrol recorded 1 million "returns" as Operation Wetback was concentrated along border towns. See Lytle Hernandez (2010) for a discussion of Operation Wetback and Balderrama (1982) for a discussion of the mass repatriation of Mexicans and their children in the 1930s.

3 As of 1 April 1997, the government reclassified all exclusion and deportations procedures as "Removal proceedings," but in this paper we use the terms deportation and removal interchangeably. 2012 figure from: [www.ice.gov/removal-statistics/](http://www.ice.gov/removal-statistics/).

4 FY 2011 Budget Summary and Background Information. Department of Education. [www2.ed.gov/about/overview/budget/budget11/](http://www2.ed.gov/about/overview/budget/budget11/)

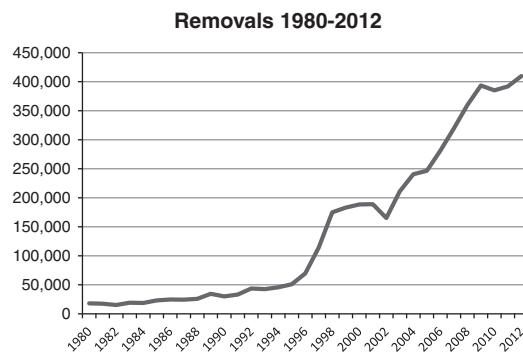


Figure 1: Removals: 1980–2012.

Note: Data for 1980–2011 from Table 39 DHS/OIS: <http://www.dhs.gov/files/statistics/publications/YrBk10En.shtml>, accessed 4 April 2013. Data for 2012 from: <http://www.ice.gov/removal-statistics/>, accessed 4 April 2013.

budget is directed at border security and immigration law enforcement (U.S. Department of Homeland Security (DHS), 2012). To put this \$56 billion in perspective, the Department of Education FY 2011 budget was \$77.8 billion, and the Department of Justice \$29.2 billion.<sup>4</sup> The rise in deportations over the past decade primarily stems from Executive Branch decisions to expand immigration law enforcement, as part of the broader project of the War on Terror.

### From border to interior enforcement

The criminalization of immigrants constitutes a new form of legal violence in Latino communities, legally sanctioned social suffering resulting from the convergence of immigration law and criminal law (Menjivar and Abrego, 2012). While entire families and communities suffer this violence, the removals and deportations have targeted Latino men. Mass deportation began with President Bush, but under the Obama administration, deportations have continued to rise, and the focus now centers on criminal aliens – non-US citizens who have been convicted of crimes.<sup>5</sup> During this same period, emphasis has shifted from border enforcement to interior enforcement. The ratio of returns to removals reflects this shift – as returns are primarily a border enforcement mechanism.<sup>6</sup> "Returns" occur when a Border Patrol agent denies entry, whereas a "removal" involves a non-citizen attending an immigration hearing or waiving the right to a hearing – as in an expedited removal. In 1996, there were 22 times as many returns as removals. This ratio has dropped continuously, and in 2011, for the first time since 1941, the United States removed more people than it returned. We can only crudely measure the weight of interior versus border enforcement by this shift, as some people apprehended at the border can be processed through a removal procedure. Nevertheless, the trend is striking (Figure 2).

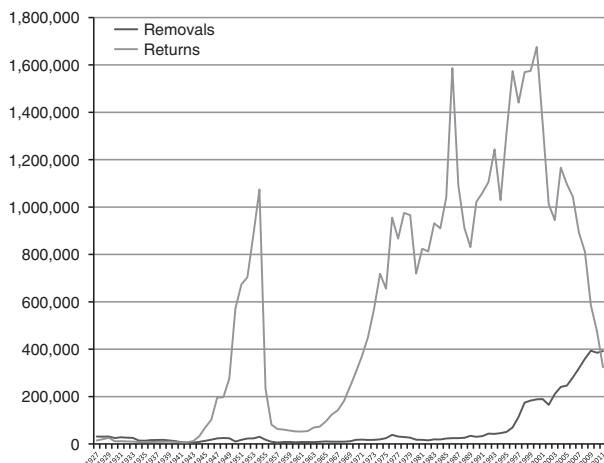


Figure 2: Removals and Returns: 1927–2011.

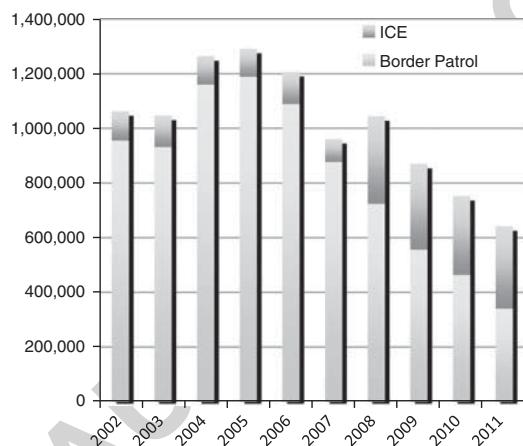


Figure 3: ICE and border patrol apprehensions 2002–2011.

Source: Table 35 DHS “Aliens Apprehended by Program and Border Patrol Section and Investigations Special Agent in Charge (SAC) Jurisdiction”: FY 2002–2011.

The distribution of apprehensions of non-citizens among law enforcement agencies also indicates a shift towards interior enforcement. Immigration law enforcement officers who work in two branches of the DHS carry out deportations: CBP and ICE. CBP is only authorized to work up to 100 air miles from the border; most interior enforcement falls to ICE. Over the past decade, we have witnessed a shift towards ICE apprehensions. In 2002, interior apprehensions accounted for 10 per cent of all DHS apprehensions. By 2011, that figure was nearly 50 per cent. Figure 3 displays these trends.

This shift towards interior enforcement has gendered implications – deported men leave behind women and children. Long-term residents of the United States are

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February 2012.

5 The Bush administration also conducted several highly visible immigration raids. These immigration raids generated more fear than actual immigration enforcement, as they accounted for a very small percentage of actual deportations – less than 1 per cent. See Golash-Boza (2012) for an analysis of these raids.

6 DHS defines returns in the following manner: “In some cases, apprehended aliens may be offered the opportunity to return to their home countries without being placed in immigration proceedings. This procedure is common with non-criminal aliens who are apprehended at the border. Aliens

agree that their entry was illegal, waive their right to a hearing, remain in custody and are returned under supervision. Return is also available for non-criminal aliens who are deemed inadmissible at ports of entry. In addition, some aliens apprehended within the United States agree to voluntarily depart and pay the expense of departing. These departures may be granted by an immigration judge or, in some circumstances, by a Detention and Removal Operations field office director. In certain instances, aliens who have agreed to a return may be legally admitted in the future without penalty." [www.dhs.gov/xlibrary/assets/statistics/publications/enforcement\\_ar\\_2009.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/enforcement_ar_2009.pdf).

<sup>7</sup> In the Child's Best Interest? The consequences of losing a lawful immigrant parent to deportation [www.law.berkeley.edu/files/](http://www.law.berkeley.edu/files/)

much more likely to have children and families in the United States than migrants who have been in the United States for shorter periods of time. According to a 2012 ICE report, ICE removed 46,486 non-citizens who reported having at least one U.S. citizen child between 1 January and 30 June 2011 (US Department of Homeland Security, 2012). A previous report found that DHS deported about 100,000 legal permanent residents who had US citizen children in the 10 years spanning 1997 and 2007.<sup>7</sup> Since nearly all of these deportees are men, we can surmise that women left behind provide children with primary support and caregiving. Deportations also leave children orphaned and relegated to the foster care system.

### **How interior enforcement works: Targeting criminal aliens**

In FY 2010, immigration law enforcement agents apprehended over half a million non-citizens. Border Patrol apprehended the vast majority – 463,382 non-citizens. ICE encountered the remaining 288,947, usually within the interior of the United States, in cities such as Chicago, Atlanta and San Francisco. As ICE lacks the power to patrol the streets of US cities and demand proof of US citizenship, and has only 20,000 employees overall, ICE depends on criminal law enforcement agencies to locate people eligible for deportation. ICE has only about 5000 officers engaged in raiding homes and worksites (Rosenblum and Kandel, 2012); it lacks the staff or resources to patrol the country. The massive raids ICE conducted during the Bush administration, for example, took months of planning, and the largest of these led to no more than a few hundred arrests. President Obama's focus has been not only on deporting more people, but deporting more immigrants convicted of crimes. There are four programs designed to locate criminal aliens: The Criminal Alien Program (CAP), Secure Communities, 287(g) and the National Fugitive Operations Program (NFOP). Congress appropriated \$690 million for the four programs in 2011 – up from \$23 million in 2004. This funding led to an increase in annual arrests through these programs from 11,000 to 289,000 during that time.<sup>8</sup> The shift towards criminal aliens has thus involved a discursive shift as well as large-scale funding of these initiatives.

287(g) came about through the IIRIRA, a complex, far-reaching, multi-faceted and draconian restrictionist legislation, prompted nationally by California's vote in favor of Proposition 187 (which proved un-Constitutional at the state level). Section 287(g) of the Immigration and Nationality Act allows ICE to enter cooperation agreements with state and local law enforcement, and even to deputize officers for immigration enforcement after 4-week training sessions from ICE. The first Memorandum of Agreement, which enabled this cross-deputization was signed in 2002; by 2005, only three localities had signed agreements between local police and immigration authorities. In early 2005, federal funding for the program increased, and more localities signed on. By 2010, 71 agreements were in effect (Quereshi, 2010). These agreements enable police officers to enforce



federal immigration laws even when stopping people for minor traffic violations. Since 2006, 287(g) officers have identified over 126,453 non-citizens eligible for deportation.

Much of the public controversy and scholarship centered on the 287(g) program has focused on racial profiling (Arnold, 2007; Lacayo, 2010; Coleman, 2012). A substantial body of research and legal cases concludes that police racially profile people who “drive while Brown” (or Black) (Johnson, 2003). Cooperation between criminal law enforcement and immigration law enforcement increases the impact of racial profiling, because even routine traffic stops can lead to deportations. Latino immigrant men in public spaces are most likely to be targeted. Critics have pointed out that the vast majority (87 per cent) of jurisdictions that have implemented 287(g) programs have high immigrant growth rates, indicating that nativist fears drive these programs (Lacayo, 2010). In addition, evidence suggests that these programs disproportionately target Latinos – a study in Davidson County, Tennessee, revealed that officers in this county apprehended 5333 immigrants through this program, and all but 102 were from Latin America (Lacayo, 2010). In September 2012, the Justice Department released a report, subtitled, “Findings Show Pattern or Practice of Discriminatory Policing against Latinos.” This report found that deputies in Alamance County, North Carolina, stopped Latinos at least four times as often as non-Latino drivers, consistently stopped Latinos at checkpoints, and arrested Latinos for minor traffic violations while issuing citations or warnings to non-Latinos for the same violations. (Arresting Latinos enabled officers to process them in the county jail and, in doing so, check their immigration status). During the period under study, Alamance County participated in both the 287(g) program as well as Secure Communities. Immediately after the release of the report, DHS rescinded the 287(g) agreement and restricted access to Secure Communities (WFMY News, 2012). Racial profiling is a major concern in matters of Police/ICE Cooperation.

Although scholars and policy analysts have argued that racial profiling is a concern in the 287(g) program, there has been less focus on another obvious fact – police officers are more likely to stop men than women (Lundman and Kaufman, 2003). This means that there are important gendered implications of the program – men get arrested, and women and children get left behind. Although the 287(g) program deports few women, mounting evidence suggests that the program has pernicious effects on women. One example is domestic violence: a recent study found that only about half of all battered women report perpetrators to authorities. Immigrant women with stable status report at a rate of 43 per cent, and undocumented women at a rate of 19 per cent (Qureshi, 2010). Police cooperation with immigration authorities threatens to depress low reporting rates even further because women have good reason to fear deportation when the police cooperate with ICE.

ICE’s cooperation with local law enforcement directly feeds the deportation crisis. In 2008, 287(g) officers identified 33,831 foreign nationals who were

Human\_Rights\_report.pdf p. 4, accessed 1 February 2013.

8 The Criminal Alien Program is the largest of the four programs. In FY 2011, ICE issued 212,744 charging documents for deportation through the CAP. In that same year, 78,246 people were removed through Secure Communities, a program where the FBI automatically sends the fingerprints of people arrested to DHS to check against its immigration databases. 287(g) allows state and local law enforcement agencies to act as immigration law enforcement agents within their jurisdictions. In 2010, 26,871 people were removed through 287(g). Only about 1500 were removed through NFOP. Much of the attention on Police/ICE cooperation has been on Secure Communities and 287(g), yet the vast majority of removals are

occurring through the Criminal Alien Program. (Rosenblum and Kandel, 2012).

eventually deported (Lacayo, 2010) – these arrests accounted for over a third of deportations from the interior of the United States. The majority of those detained under this program were apprehended for minor violations such as driving with a broken taillight (Lacayo, 2010). In a case study of Wake County, North Carolina, Matthew Coleman (2012) found that, in 2009, 80 per cent of those held through 287(g) detainees had only misdemeanor charges, and fully 50 per cent were arrested for traffic-related violations.

<sup>9</sup> “Walter” is a pseudonym. His story, like the other stories related in this article, comes from research the first author conducted with people who have been deported from the United States. The first author interviewed 150 deportees between May 2009 and August 2010 in Guatemala, the Dominican Republic, Brazil and Jamaica.

Walter,<sup>9</sup> a citizen of the Dominican Republic, exemplifies the trend of minor violations leading to deportation. Walter was deported after living in the United States for over a decade, and left two children behind. He was a legal permanent resident because of his marriage to a US citizen. Police officers stopped Walter for a traffic violation in 2004, and the immigration check on Walter’s driver’s license revealed an immigration hold. Walter had failed to mention on his application for legalization that he had unsuccessfully attempted to enter Puerto Rico when he was 15, and had been returned by the US Coast Guard. When DHS discovered this omission, they issued a Notice to Appear to Walter for immigration fraud. This Notice came up when the police officer ran Walter’s license on the highway. The officer arrested Walter, turned him in to immigration authorities, and then placed him in immigration detention. Walter’s legal residency was rescinded owing to the charge of immigration fraud. He argued for his right to remain in the country for 4 years, in a series of court cases. In 2008 the United States deported him to the Dominican Republic as a “criminal alien.” His crime: immigration fraud, caused by the omission on his visa application that he had been caught attempting to enter the United States illegally as a teenager.

ICE’s stated mission is to find and deport “criminal aliens” like Walter (U.S. Department of Homeland Security, 2009). Who are these “criminal aliens?” According to ICE, 35.9 per cent of criminal deportees in FY 2008 were deported for drug offenses and 18.1 per cent for immigration offenses. Overall, less than 15 per cent were deported for violent crimes – 7.7 per cent for assault, 3.2 per cent for robbery and 3 per cent for sexual assault (U.S. Department of Homeland Security, 2009). Very few of the deported “criminal aliens” present any real danger to society. Yet these deportations have damaging consequences for the family members left behind in the United States.

A DHS program called, without irony, “Secure Communities,” also expands ICE’s reach. This technological tool allows participating jails to submit arrestees’ fingerprints not only to criminal databases, like those maintained by the FBI, but also to immigration databases maintained by ICE. Secure Communities enables ICE to have a technological presence in jails and prisons. ICE launched this program in 2008, and as of September 2011, over 11 million fingerprint submissions allowed ICE to remove more than 142,000 people. Although Homeland Security claims Secure Communities will find deportees with criminal records, 26 per cent of people deported in FY 2011 through Secure Communities had no criminal convictions (only immigration violations) and 29 per cent were



individuals convicted of level three crimes, which carry sentences of less than 1 year (Immigration Policy Center, 2011).

The case of Emerson, a Guatemalan teenager, illustrates how deportation works through Secure Communities. As a child, he came with his mother to the United States on a tourist visa and he never legalized his status. After finishing high school, Emerson married a legal permanent resident of the United States and lived with her in Los Angeles. One day, Emerson's friend asked him for a ride across town. When his friend got out of the car, he allegedly tried to steal a car. Emerson left the scene, but police arrested him and charged him as an accomplice. The charges were dropped, but his arrest led to a police check on his immigration status. When they discovered he had overstayed his visa, he was deported. Emerson was never convicted of a crime, and he qualified to apply for legal permanent residency through his spouse, but he was deported before he could finish the legalization process.

Secure Communities and the 287(g) programs merge immigration law enforcement with criminal law enforcement, creating a situation where law enforcement may check the immigration status of any non-citizen for eligibility to remain in the country. These programs allow police and sheriff officers to do routine immigration checks while writing a speeding ticket. If the driver has a deportation order, a routine traffic stop will result in the deportation of a "fugitive alien." If the driver has a prior conviction for possession of marijuana, then this stop may result in the deportation of a "criminal alien." If the driver overstayed his tourist visa, he faces deportation as an "illegal alien."

ICE reports and budgetary requests rely on these dehumanizing labels (for example, criminal, fugitive and illegal aliens) to argue that the removal of these non-citizens makes America safer. But over 80 per cent of all criminal deportees are deported for non-violent crimes (Immigration Policy Center, 2011). The term "fugitive aliens" sounds ominous, conjuring images of armed bank robbers, but it refers to people who were released from ICE custody and failed to report for their immigration hearings, and people who have been ordered deported yet have not left the country. The United States often hails itself as a nation of immigrants – indicating the positive association with the label "immigrant." In contrast, the labels "fugitive alien" and "criminal alien" point to a population the country would do well to expel. And "criminal" and "fugitive" alien are labels that are gendered male, in contrast to "illegal alien," which at times has referred to women, and at other times to men.

### **Consequences of the New Deportation Regime: Gendered Racial Removal**

Despite its enormous budget, the DHS lacks the resources to find and deport the estimated 11 million undocumented migrants in the United States. Thus,

**Table 1:** DHS OIS Table 38: Aliens removed by country of nationality, FY 2010<sup>a</sup>

Mexico	282,003
Guatemala	29,378
Honduras	24,611
El Salvador	19,809
Dominican Republic	3309
Brazil	3190
Ecuador	2321
Colombia	2267
Nicaragua	1847
Jamaica	1475
All other countries	17,032
Total	387,242

<sup>a</sup>Immigration Enforcement Actions: 2010.

immigration law enforcement must be selective. Overwhelming and conclusively, selective law enforcement has selected Latino and Black Caribbean working class men. Table 1 shows the top 10 receiving countries of deportees in 2010 – these 10 countries accounted for 96 per cent of deportees in 2010.

Of course, undocumented immigrants from China, the United Kingdom, Canada and other nations live and work in the United States. In the 1990s, demographers Fix and Passel (1994) estimated that Asians and people of European background make up 24 per cent of undocumented immigrants in the United States. Yet popular opinion in the United States associates “Mexicanness” with illegality (Golash-Boza, 2012). Consequently, racial profiling targets Mexicans (or Latin Americans appearing to be Mexican) instead of immigrants of European or Asian backgrounds.

The Border Patrol’s focus on Mexicans has a long historical legacy (Ngai, 2004; Hernandez, 2010). During the Great Depression, the United States repatriated as many as half a million people of Mexican origin – some of them US-born, US citizens – to Mexico. This massive project of coercion required the participation of not only US federal agents, but also local sheriffs, schools, social workers and the Mexican consulates (Hoffman, 1974; Balderrama, 1982). By 1940, the Mexican population in the United States had declined to about half of its size in 1930 (Gonzalez, 1983), resulting from what historian Mae Ngai (2004) has called a “racial removal program.” Racism against Latinos persists today; Figure 4 illustrates the enduring emphasis, as well as the emphasis on Caribbean nationals. As you can see in the placement of the darker shades, immigrants from Mexico, Central America and the Caribbean are disproportionately more likely than immigrants from the rest of the world to face deportation.

Although others have drawn attention to the racialized deportation crisis and the concentration of Latinos targeted (Lacayo, 2010; Coleman, 2012; Golash-Boza, 2012), we underscore that immigrant detainees and deportees are overwhelmingly male. In the Jamaican case, 96 per cent of criminal deportees are men

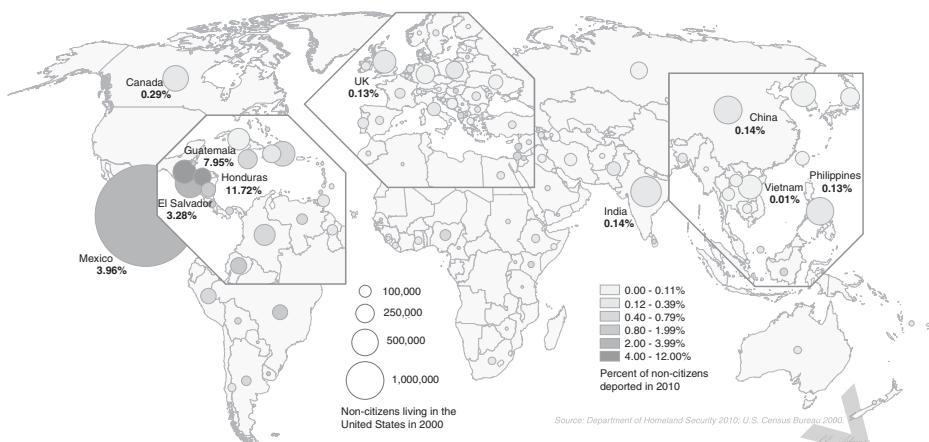


Figure 4: Map displaying number of non-citizens and number of deportees.

(Headley *et al*, 2005). A study of Dominican deportees by Brotherton and Barrios (2011) relied on a purposive sample that was 84 per cent male. The DHS does not make publicly available much of the data it collects on deportees. Thus, we do not have reliable universal data on the gender, age or familial status of deportees. We have been able to piece together data from a variety of sources and can conclude that as many as 90 per cent, and at least 85 per cent, of deportees are men. For example, we know that, of the 32,000 immigrants in ICE custody on 25 January 2009, 91 per cent were male and 9 per cent were female (Kerwin and Lin, 2009). Several studies of deportees based in receiving countries also permit us to make estimates of the overall deportee population.<sup>10</sup>

Mexico receives by far the largest number of deportees. According to data provided by the DHS Office of Immigration Statistics, in FY 2010, the United States formally deported 282,003 Mexicans and returned 354,982 Mexicans. The *Colegio de la Frontera Norte* (COLEF), the premier research institute on migration and borderlands in Mexico, has been collecting data on Mexicans who are sent back to Mexico since 2004 – the EMIF Norte Study.<sup>11</sup> EMIF data collected during 2010 reflected that fully 89 per cent of Mexicans who were repatriated were men.<sup>12</sup> Their data include Mexicans deported via airplane from the interior of the United States as well as those returned via land at the border. The EMIF data seem to include more returnees than deportees – only 27 per cent of those repatriated had been in the United States for more than a year before being returned to Mexico, and the vast majority reported that Mexico was their place of residence – but their statistics line up with other signals of deportation as a gendered practice.

The EMIF study also includes interviews at the airport in Guatemala City where deportees arrive from the United States. The data from 2006 indicate that 15 per cent of deportees arriving in Guatemala City were women. The first author

<sup>10</sup> Most receiving countries do not distinguish removals from returns, which affects this estimate. A non-citizen who attempts to enter the United States or is found within the United States can either be (1) returned without a hearing; (2) subject to expedited removal; or (3) formally deported. The DHS distinguishes between these



three types of removal, but receiving countries often do not. In DHS reports, only those subjected to expedited removal or formal removal count as deportees. DHS designates the remaining as “aliens returned.” The estimates from Mexico include repatriates formally removed and those returned without a formal order of removal.

11 EMIF refers to the *Encuesta Sobre Migraciones en las Fronteras Norte y Sur de México*.

12 La situación demográfica de México. Consejo Nacional de Población. <http://www.conapo.gob.mx/publicaciones/sdm/sdm2011/SDM2011.pdf>, p. 234, accessed 6 February 2012.

had the opportunity to observe over 1000 deportees arriving into Guatemala City on airplanes, and can confirm that the vast majority were men. In addition, those planes that arrive from the interior of the United States, from Georgia, for example, tend to have even higher numbers of men than those airplanes arriving from border cities. In 2010, 75,645 Guatemalans, Hondurans, Salvadorans and Nicaraguans were deported. Together with Mexico, these countries accounted for 92.3 per cent of all people deported in FY 2010.

On the basis of these facts, we conclude that at least 85 per cent of all people deported from the United States in recent years have been men. Of the 387,242 deportees in FY 2010, only 2.2 per cent were from Africa, Asia, Europe and Oceania. The evidence is overwhelming that Latin American and Caribbean men are the targets of the current US deportation regime.

## Consequences and Context

Below we sketch some of the multiple consequences of the massive deportation of Latino immigrant men. We begin by locating the current gendered racial removal program in the context of economic restructuring, the Great Recession and the joblessness crisis. Next we examine what this means both for Latino families and communities. We conclude with the possible ramifications for scholarship in Latino Studies and the sociology of international migration.

### The great recession and disappearing men's jobs

A gendered division of labor still prevails in the US economy, and beginning in 2007, the United States entered the worst economic crisis since the Great Depression, a crisis particularly marked by high rates of joblessness among men without college degrees, and among Black and Latino working class men. Globalization has now brought the United States three decades of deindustrialization, the erosion of union jobs and the manufacturing sector, and the normalization of off-shore production and consumer purchases of imports. In recent decades, Latino immigrant male labor has clustered in industries such as the construction and building trades, sectors that experienced extreme contraction due to the real estate bust during the recession. Signs of economic and employment recovery surfaced in 2012, but the big picture of predicted trends in employment growth suggest these traditionally male job sectors will not recover to pre-2007 levels. While no one can precisely predict long-term structural changes in the economy, indicators suggest concentrated job growth will continue in services. According to the US Department of Labor Bureau of Labor Statistics, service-providing industries will add approximately 14.5 million new jobs and projections for 2008–2018 list “healthcare and social assistance” as the dominant



sector of projected service job growth (Bureau of Labor Statistics). While predictions for job growth in construction lag, there is anticipated growth in the near future in healthcare, childcare and eldercare, cleaning jobs of all sorts, educational services, and hotel and food services. Women dominate these low-wage occupational sectors, including many Latina and Caribbean immigrant women.

The confluence of high unemployment and deportation among Latino immigrant men prompts us to ask: have Latino men and their jobs been declared disposable? We urge scholars, particularly labor economists and sociologists, to conduct sectoral and regional research to explore possible linkages between the current wave of deportations and local labor markets for Latino immigrant men. There are plenty of historical precedents of mass deportations following on the heels of major economic downturns (for example, the “Repatriation” programs of the 1930s, and Operation Wetback during the post-Korean War economic slump). The legal mechanisms for deportation have changed, but the outcomes seem eerily similar, with a key difference. Now, immigrant women’s employment has expanded and they have been under-represented in deportation.

In an earlier era, women’s bodies were coded as reproductive and men’s bodies as productive and this scheme served as justification for the recruitment of Asian and Mexican immigrant male workers and the exclusion of Asian and Mexican women. Now, that equation has been reversed. In the current post-industrial economic context of globalization and high-tech, there is shrinking labor demand for men who lack higher education and advanced technology skill sets. Meanwhile, in the United States and in all post-industrial nations around the globe, demand for immigrant women in caregiving, cleaning and nursing sectors has increased. All indicators suggest that this labor demand will only continue to increase in relation to aging baby boomer populations.

### **The impact on Latino families and communities**

The deportation crisis affects the families of Latino immigrant men. Left behind in the United States, these families include US citizens and legal residents with many years in the United States who experience adverse economic, social and psychological effects (Hagan *et al*, 2011; Dreby, 2012). Detention and deportation often remove critical sources of already meager male breadwinner income from Latino working families. Family members try to scrape together thousands of dollars in legal and immigration fees to avoid detention and deportation, and they may subsequently be unable to cover rent and other living expenses. Economic hardship pushes women who once relied on their partner’s income into working two or three jobs, or generating informal sector income, and this results in a greater care squeeze for the very young and the infirm. Wide networks of relatives may be called upon for financial help. In some instances, family



members living in Mexico are now asked to send financial support, reversing a long-term historical trend of US migrants sending remittances back to their country. In the United States, many of the remaining families seek inadequate government-provided support. Many of the deportees interviewed by the first author reported that their partners had sought food stamps, subsidized housing and state-funded childcare following deportation.

Deportation also causes emotional and psychological trauma and family dissolution. It affects not only the deportees and their family members, but others in the community who, because they fear a similar fate, deter their health or protective services-seeking behavior. Adults and children share in psychological stress. Joanna Dreby's (2012) research based on interviews with 91 parents and 110 children in 80 households reveals that regardless of legal status, children in Mexican immigrant families now express fear and anxiety about potential family separations, leading her to suggest that children disproportionately shoulder the burden of deportation. The consequences of today's deportation crisis continue to unfold, and raise a number of urgent research questions: What are the consequences for Latina women and other family members affected by deportations? How does this affect not only employment, but also caregiving, stress, health and well-being, mobility, and gender relations in families? What are the outcomes for Latino families and communities deprived of not only male breadwinners, but also caregiving fathers, partners and male mentors?

In many instances, the deportation crisis deprives Latino families of face-to-face fatherhood. This return to institutionalized transnational fatherhood harks back to the Bracero Program – a guest-worker program put into place after World War II – which separated families and caused despair and hardship for Mexican women, children and entire communities (Rosas, 2011). Now, the United States removes fathers back to their countries of origin while their spouses and children remain here, but the effects are similar.

The deportation crisis sometimes prompts the de facto deportation of US citizen children. More often the children stay in the United States, but their daily care may change: they might stay with one parent, or with relatives. Some of the children end up in foster care, and the "Shattered Families" report by the Applied Research Center conservatively estimates that "there are at least 5100 children currently living in foster care whose parents have been either detained<sup>13</sup> or deported" (Applied Research Center, 2011, 3). This raises a number of questions regarding family civil rights, and mental health trauma suffered by children and parents alike. The situation requires urgent attention from not only advocates, legal defenders and clinical psychologists, but also legal scholars, psychologists and social welfare analysts. What are the short- and long-term consequences for Latino children and youth? And how do those effects reverberate in the deportation crisis' regional hotspots? How does the deportation regime era stunt the kind of optimism and outstanding second-generation achievements reported

13 Detention refers to immigration detention – where immigrants await immigration hearings and deportation. Many more children are in foster care



in studies such as the highly acclaimed book *Inheriting the City* (Kasinitz *et al.*, 2008)? Even the children of legal permanent residents now witness the removal and deportations of their fathers and male relatives. The optimistic outlooks for immigrant integration, immigrant incorporation and second-generation mobility are difficult to sustain in the absence of major immigration legislative reform.

because their parents are in prison on criminal charges.

## **Latino Studies and immigration studies**

Latino immigrant communities in the United States have faced a siege of civil rights violations, and even if comprehensive immigration reform occurs, the repercussions of massive deportation remain and Latino Studies and immigration studies will need to contend with these. Scholars in Latino Studies who are considering topics as diverse as social movements, cultural and artistic life, and psychological well-being will need to contend with a decade and a half when deportations and forced removals swept through Latino communities. As the enforcement focus has shifted to criminal aliens, Latino Studies scholars must unpack the label “criminal alien” just as we have done with “illegal alien.” Latino Studies scholars have made it clear that illegality is socially constructed, that illegality, deportability (De Genova, 2002) and policeability (Rosas, 2006) serve to control Latino labor and lives, and that “illegal” is a dehumanizing label. What about “criminal alien?” Many scholars and activists are willing to stand up for undocumented migrants and insist that they are not criminals, just hardworking folks who came to this country for a better life. However, there are fewer people who advocate for *organizing a social movement or legislative change to challenge the demonization of “criminal aliens.”*

The deportation crisis also raises a number of new empirical questions for the study of international migration. Sociology has developed a long trajectory of research on immigration, and much of American sociology is rooted in paradigms of assimilation, segmented assimilation and transnationalism. These paradigms rely on notions of the interplay between structure and human agency, but the deportation crisis compromises this scheme. The recent deportations have created a new dynamic in transnational migrant circuits. We normally think of forced migration as refugee movements responding to war, famine or natural disaster in faraway continents, but the United States now sponsors a major coerced migration that outstrips the dimensions of prior deportation regimes and that calls into question our taken-for-granted paradigms. The US deportees returning to Latin America constitute a new group of forced return migrants. How are they adapting to life in their home countries, and reshaping national culture and development trajectories? How does deportation affect the dynamics of immigrant incorporation and integration in the United States, and the life chances and trajectories of their family members? Immigration incorporation, assimilation and integration are important topics of study, especially now as the looming

retirement of white baby boomers nears. While some scholars of international migration predict optimistic scenarios where the immigrant second generation will assume these vacated positions, the analysis must also grapple with the outcomes of the current gendered racial removal program. Neither Latino Studies nor the sociology of immigration can afford to ignore mass deportations – or their gendered and racial consequences.

### **Looking Forward**

As of this writing in June 2013, Congress is in the midst of an extended debate on immigration reform. President Obama has expressed a commitment to immigration reform, promising a path to citizenship to those on the right side of the law. Regardless of the outcome of this push towards comprehensive immigration reform, the interior enforcement and gendered racial removal of hundreds of thousands of Latino working class men will have enduring effects. Mass deportation has torn apart US Latino families in unprecedented numbers. The long-term consequences of this shift are staggering. The first decade of the twenty-first century is already marked as a period when hundreds of thousands of Latino men were sent to their countries of birth while their children and partners struggled to remain in the United States. These children will grow up knowing that the US government is responsible for their father's exile, and this raises a number of questions for future notions of nation and belonging.

These findings point to the importance of more cross-disciplinary conversations between immigration scholars, Latino Studies scholars and scholars of criminal justice. The collateral consequences of mass deportation will be similar to those of mass incarceration. Latino Studies as a field provides a space for the development of these critical conversations.

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