INMIGRACIÓN, SEGURIDAD, y COMUNIDAD

(Immigration, Security, and Community)

The Effect of Secure Communities on Latinos and Local Law Enforcement in Eastern Washington State

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"How can anything be so 'secure' when it's hurting the people?" ~ Gloria

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DEFINITIONS

287g: A program created in IIRIRA[1] that gives state, county, and city police the authority to "arrest and detain aliens for federal authorities as well as investigate immigration cases for prosecution in the courts," (Coleman, 2009, p. 907).

ACCESS: "Agreements of Cooperation in Communities to Enhance Safety and Security," an ICE initiative to promote the cooperation of local law enforcement with federal immigration enforcement. ACCESS includes (among many other programs) CAP, 287(g), and Secure Communities.

AEDPA[2]: "Anti-Terrorism and Effective Death Penalty Act," 1996, removed an immigrant's assurance of judicial review and allowed a detained immigrant to be excused from deportation only if deportation would cause the individual's U.S. family member "exceptional and extremely unusual hardship" (Hagan et. al., 2008, p.87).

Agency: "the capacity, condition, or state of acting or of exerting power" (Merriam-Webster Dictionary). For the purposes of this report, agency is used to describe an individual's ability (whether perceived or actual) to determine the outcome of an event or interaction. We use this term in the context of Latinos' interactions with law enforcement.

CAP: Criminal Alien Program, first implemented in 1986, the foundation of federal immigration enforcement's involvement in local jails (Guttin, 2010). Under CAP, ICE agents screen inmate information for deportable immigrants in local, state, and federal jails and prisons.

Criminal alien: a term used by ICE, Secure Communities, and law enforcement to describe an immigrant (whether documented or undocumented) who commits a crime. We do not use this term in our report. This term has been used to de-humanize and de-personalize discussions of immigration enforcement and has otherized immigrant communities. "*Criminal* alien" labels individuals, rather than their actions, as irrevocably criminal. A "criminal alien" could refer to a wide and abstract range of activities and persons, from someone who has committed multiple violent felonies to someone who was arrested for driving without a valid license. In this way, the term criminalizes immigrants who are arrested and allows for any incarcerated undocumented individual to be treated as a serious criminal.

Criminalization: in which an activity is made a crime, and thus behaviors associated with the activity are "criminal." Criminalization often includes stigmatization of people who engage in the criminalized activity and has been used as a tool to respond to perceived social problems, such as sex work, gang violence, and drug use. Those who participate in activities associated with the criminal act are often viewed and treated as criminals, whether or not they actually have committed a crime.

DHS: Department of Homeland Security

[1] See next page for IIRIRA's definition.
[2] See Scholarly Literature Review for a more detailed discussion

Documented: is "a legalized individual who has acquired permission from the federal government to reside in the United States. This includes a person who has permanent resident status or becomes naturalized through a federally approved process" (Ruiz, 2009, p. 3).

ICE: Immigration and Customs Services, a subdivision of the Department of Homeland Security that oversees immigration enforcement

IIRIRA[3]: "Illegal Immigration Reform and Immigrant Responsibility Act," passed in 1996. Allowed the "expedited removals" of apprehended unauthorized immigrants at a port of entry without the right to a hearing, and broadened the offences for which a "legal alien" can be removed from the United States (Hagan et. al., 2008). IIRIRA re-defined aggravated felonies and misdemeanors.

Illegal immigrant: "Illegal" immigrant is used to indicate someone born outside of the United States who immigrates to the U.S. without permission of the federal government. The term "illegal" has been used to criminalize immigrants and, as such we reject this term (see *Undocumented*).

Latino vs. Hispanic: For the purposes of this report, we choose to use the term "Latino" instead of "Hispanic." Although many people identify with both or either of these terms, we find "Latino" to be more inclusive. "Hispanic" connotes to Spanish heritage and colonialism in Latin America, and overlooks indigenous ancestry. Furthermore, the term "Hispanic" emphasizes the history of Spanish. "Hispanic" may be more appropriate for referring to someone from Spain. "Latino," however, simply refers to an individual's Latin-American descent and does not imply race, ethnicity, or nationality.

S-Comm: Abbreviation for Secure Communities

Unauthorized: A more formal legal term for someone who has entered the United States without permission of the federal government (also, see *Undocumented*).

Undocumented[4]: an individual born outside of the United States who lives here without the permission of the federal government. The term "illegal" is also used to describe an undocumented person, but we choose not to use this term as it criminalizes undocumented immigrants by labeling a person, and not an action, as "illegal."

Undocumented resident: Many of our interviewees were immigrants, and some were undocumented. Nearly all described Central and Eastern Washington as their home, where they have established families and contributed their talents and labor to the community. For this reason, we use the term "undocumented resident" to reflect that undocumented immigrants are members of the community, not "illegal immigrants" who are to be rejected and excluded.

[3] See Scholarly Literature Review for a more detailed discussion.
[4] For a more thorough discussion of "undocumented" in lieu of "illegal," see: Rubio, A. (2011, December 30). Undocumented, Not Illegal: Beyond the Rhetoric of Immigration Coverage. *North American Congress on Latin America*. Retrieved February 5, 2012, from http://nacla.org/news/2011/12/30/undocumented-not-illegal-beyond-rhetoric-immigration-coverage.

INTRODUCTION

Secure Communities is a federal immigration enforcement program that operates in local jails. Immigration and Customs Enforcement (ICE) established the program in 2008 (Waslin, 2011). Since then, it has grown to encompass over 2,027 jurisdictions, and is set to become mandatory in every state by 2013 (U.S. Immigrations and Customs Enforcement [ICE], 2011). At the directive of the Department of Homeland Security (DHS), Secure Communities' goal is to prioritize "the removal of criminal aliens, those who pose a threat to public safety, and repeat immigration violators" (Secure Communities, n.d.). From its inception until the end of 2011, the program resulted in the deportation of 162,940 "criminal aliens" from the United States (ICE, 2011).

In all jails nation-wide, with or without Secure Communities, the fingerprints of all arrested individuals are sent to the national FBI fingerprint database to screen for previous charges or criminal offences. Secure Communities operates by sending all arrested individuals' fingerprints from the local jail to ICE's computerized fingerprint databases[5] as well, where the fingerprints are screened to identify immigrants who may be deportable[6] (Secure Communities, n.d.). If an individual is identified through Secure Communities, ICE agents can then decide to issue a "detainer,"[7] which is a formal request for a local jail to hold an inmate until ICE can interview the inmate and decide whether or not to take the individual into custody, at which point they would initiate deportation proceedings (Secure Communities, n.d.). Legally, ICE must respond to the local jail within 48 hours of placing a detainer, after which the detainer is void.[8]

OneAmerica, a Washington State immigrant rights group, and other organizations nationwide have contended that the program will result in abuse, racial profiling, and family separation, as has been seen with 287(g) and anti-immigrant laws in Arizona and Alabama. Arturo Venegas Jr., a retired Sacramento Chief of Police and former Secure Communities Task Force member, shared testimony on unjust deportations that result from Secure Communities:

> "…near my home of Sacramento, a woman called the police for assistance in stopping her brother-in-law from assaulting her sister. In defending herself, the woman's sister left visible marks on her attacker, which led to her being arrested in addition to her attacker. Through Secure Communities both were processed and identified as undocumented. Within days, with no criminal cases filed or prosecuted, they were both deported and their two infant American citizen children were separated from their parents. ... These cases send waves of fear through immigrant communities, making the job of crime fighting in those same communities much more difficult."[9]

The federal mandate that all counties will be required to adopt Secure Communities by 2013, as well as growing evidence that Secure Communities does not fulfill its mandate, has intensified concerns that the program will violate immigrant and Latino rights and will erode communities'

[5] The two databases are "the U.S. Visitor and Immigrant Status Indicator Technology Program (US-VISIT) and the Automated Biometric Identification System (IDENT)" (Waslin, 2011).
[6] Deportable, i.e. the individual may be undocumented or may be a documented immigrant who has committed a crime that would make them eligible for deportation
[7] Also, "Immigration hold" or "ICE detainer"
[8] However, local jails are never obligated to honor an ICE detainer in the first place. (This fact is often overlooked by jurisdictions with Secure Communities).
[9] Venegas, A. from (United States 112th Congress, 2012) .

trust of their local law enforcement agencies (Secure Communities, n.d; Babwin, 2011; Dolnick, 2011). Counties throughout the United States have begun to reject Secure Communities and refuse to honor ICE detainers in their local jails. In October 2011, the Board of Commissioners in Cook County, IL declared that their county will not participate in the program[10] (Babwin, 2011). New York, NY and Santa Clara, CA have passed similar ordinances (Dolnick, 2011; Esquivel, 2011).

In 2010 Washington State Patrol (WSP) stated it will not sign any agreement associated with Secure Communities, and that other Washington state and county law enforcement agencies must make a request to the Chief of WSP if they wish to implement the program in their jurisdiction.[11] The Pew Hispanic Center (2009) reports that Washington state is home to approximately 150,000 undocumented residents, the 15th largest undocumented population by state in the nation (as cited by Ruiz, 2009, p. 4). Secure Communities was adopted in Eastern Washington's Yakima, Benton, Franklin, and Walla Walla Counties in the summer of 2011 (Faulk, 2011a; Pihl, 2011; Turner, 2011). This was not without controversy, as local Latino community leaders and OneAmerica lobbied against its implementation with little success (Faulk, 2011b). The Sheriffs of each county endorsed the program and encouraged local county commissioners and jail directors to join the program (Faulk, 2011b). To date, the program has resulted in the deportation of over 200 people from these counties[12] (ICE, 2011).

There has been some quantitative research on Secure Communities that investigates the demographics and rates of deportations that result from the program (Kohli, 2011). As of yet no research group has conducted a qualitative case study on Secure Communities' effects and its reception by community members and law enforcement officers in jurisdictions where it exists. Our research fills this gap and presents the voices of Latino community members and immigrants.[13]

Prompted by OneAmerica's concerns and by prior research[14], we asked the following research questions: 1) *How has Secure Communities impacted Latino communities in Eastern Washington*? and 2) *How has Secure Communities affected the relationship between the Latino community and local law enforcement*? To answer these questions, this study primarily used qualitative interviews and supplemented this research with data from local county jails and public offices. Our Community partners, Jazmin Santacruz and Toby Guevin of OneAmerica, helped us make contacts with Latino community members for interviews and request public documents in Walla Walla, the Tri-Cities, and Yakima.

Through 40 interviews across our counties, we found that Latinos and local law enforcement had a poor understanding of Secure Communities and its limitations. We also found that Secure Communities and other immigration enforcement policies deterred undocumented

[10] Not participating in the program, in this case, means not honoring an ICE detainer and denying ICE from interrogating and taking custody of the individual identified for a detainer.
[11] RE: Secure Communities MOA [E-mail]. (2010, May 17).
[12] Figure determined from 31 December 2011 Nationwide Secure Communities interoptability statistics. This figure does not include the month of January 2012 or Walla Walla county deportations, which are not listed in the national data. 100 people have been deported following identification and detention under Secure Communities in Yakima County, 79 have been deported from Franklin County, and 25 from Benton County. These numbers do not include those who have been deported through CAP or other immigration enforcement actions.
[13] In this study, we did not investigate the impacts of immigration enforcement on non-Latino communities in our respective counties. Thus our research cannot speak directly for other immigrant, racial, or ethnic groups' experiences.
[14] See Scholarly Literature Review.

victims from reporting abuse or crime because of their increased fear of deportation. Furthermore, interviewees were concerned that Secure Communities is a stepping-stone for future anti-immigrant law like Arizona's HB 1070 and Alabama's HB 56. Latino interviewees reported that increased immigration enforcement and anticipation of racial profiling or deportation limited their inclusion in public and civic life.

In light of these findings, we recommend that:

- Law enforcement and local government should conduct public outreach efforts in collaboration with local immigrant rights organizations to provide public information about Secure Communities and their role in immigration enforcement.

- Local jails and regional ICE representatives should only honor detainers for aggravated felons with violent charges such as murder, rape, aggravated assault, domestic abuse and child molestation.

- Washington State should continue to allow residents without social security numbers or proof of legal residence to apply for drivers' licenses.

- Washington State should fund local law enforcement's prevention and community outreach programs.

- Washington State should fully fund naturalization programs.

- The United States Congress should pass comprehensive immigration reform.[15]

[15] See Recommendations

SCHOLARLY LITERATURE REVIEW

Secure Communities: Origins and Ideologies

In their foundational text on racial formation in the 20th century, Omi and Winant write, "The social structures [racial projects] uphold or attack, and the representations of race they articulate, are never invented out of the air, but exist in a definite historical context, having descended from previous conflicts. This contestation appears to be permanent in respect to race" (Omi and Winant, 1994, p. 58). For nearly two centuries, the parameters of U.S. citizenship excluded people of color and denied them their civil rights and political agency (Provine and Doty, 2011). Accordingly, immigration policy in the United States is a product of essentialist claims about race and labor, ethnic quotas in immigration law, and the national idealization of racial purity. This history resonates in today's social and legal treatment of immigrants. As such, we must understand Secure Communities within the context of United States immigration history and the factors that have influenced the treatment of Latin American immigrants in the United States.

Secure Communities is both a product of and a departure from United States historical immigration policy; as an automated fingerprinting system, Secure Communities is touted as objective, impersonal, and non-racial. However, it acts within an immigration system that has discriminated against Latino immigrants for decades. Although modern immigration policies are presented in color-blind rhetoric, they disproportionately impact Latino communities and allow for racial profiling of those who "look" undocumented (Quereshi, 2010). Popular discussions of immigration often avoid any mention of race in immigration policy and deny claims of institutional racism; this avoidance only perpetuates racial inequalities. Provine and Doty (2011) argue that contemporary immigration policy is a "racial project"[16] as defined by Omi and Winant (1994), and preface their argument by describing the subtlety of contemporary racism.

> "Contemporary racism, however, manifests itself most often not as overtly race-based hostility but as unease with the erosion of traditional racial hierarchies and as indifference to groups adversely affected by harsh policies of criminalization, confinement, and denial of basic services. … Even in the absence of overt racism, the combination of increased surveillance and sanctions, agency hype, and everyday practice together produce an immigrant "other" whose continued presence is increasingly perceived to be dangerous for the security and integrity of the nation" (Provine and Doty, 2011, p 264).

Provine and Doty (2011) also argue that, although racial profiling and/or racial selectivity are unlawful in contemporary "colorblind" immigration policy, United States immigration law paradoxically enforces policies and practices that racialize immigrants. Furthermore, immigration policy's framing of undocumented immigrants as a "problem" and the language of "illegality" criminalize immigrant populations and disregard the United States' role in exacerbating extralegal immigration patterns. In the past 50 years, national policy and practice have increased the undocumented population in the United States through three main avenues: *1)*

[16] Omi and Winant define a racial project as "*simultaneously an interpretation, representation, or explanation of racial dynamics, and an effort to reorganize and redistribute resources along particular racial lines*" (Omi and Winant, 1994, p. 56).

limiting the legal means of entry from Latin America into the United States, *2)* periodically encouraging extralegal immigration before and during the Bracero Program to serve United States economic or political interests (and thus establishing routes and practices of undocumented immigration), and *3)* enforcing foreign trade policies (i.e. NAFTA) that have resulted in steep unemployment among the rural poor in Mexico and Central America and forced people to move north in search of work (Fernández and Massey, 2007).

Our review of immigration policy begins with the ethnic quota laws of the 1920s and the coining of the term "illegal immigrant." We then move to the Bracero Program, a work-permit program from the mid-1900s that managed the movement of laborers from Mexico into the United States. The Bracero Program represented an attempt by the United States to control immigrant populations for agricultural labor demands through legal (and extralegal) means and established immigration patterns from Latin America that reverberate in today's immigrant populations. We then discuss factors that lead to a steady increase of undocumented immigration from Latin America after the end of the Bracero Program, the simultaneous liberalization and regulation of immigration in the civil rights era, and the militarization of the border in the 1990s in response to growing undocumented immigrant populations. This historical narrative leads up to the events of September 11th and the radical transformation of immigration policy in the post-9/11 era, of which Secure Communities is a product.

Quotas and categories, 1924-1930: The birth of the "illegal alien"

The term illegal alien derives much of its connotation in our society from our fear of outsiders. In a journal article that examines connections between immigration crime control and national security, Chacon notes that the notion of the outsider as a threat is as old as human history and it transcends national boundaries (Chacon, 2007, p. 1835). Anti-immigrant sentiment is not new. Nativist movements have been a recurring presence throughout United States history, often emerging during periods of social, political or economic upheaval (Lizza, 2007). Interestingly, even though anti foreign sentiment has been prevalent throughout United States history, from 1776 to 1924 the United States did little to regulate migration into the United States (Chacon, 2007, pp. 1835-36). Quota laws during the 1920s began to establish the language of lawful immigrants and desirable immigrants. The quotas systems established in 1924 favored northern Europeans, limited entry opportunities for Southern and Eastern Europeans and aimed to halt Asian migration altogether. The act also distinguished the "white" race from "colored" races regardless of country of origin. Immigration law became a tool for controlling the racial makeup of the country. Following the introduction of the quota system the government passed new laws to reinforce the quota acts. In 1929 laws were passed that criminalized illegal entry for the first time and Congress made it a misdemeanor to enter at a point not designated or approved by the United States government and reentry of a previously deported alien became a felony. In order to enforce these new restrictions the federal government created the Border Patrol and removed the statute of limitations on most forms of unlawful entry. This meant that foreigners who overstayed their visas or entered without authorization could be legally removed at any time (Chacon, 2007, p. 1837).

Accompanying these laws came the use of the term "irregular migrants". Until the 1930's immigrants were categorized in national discourse as either "legitimate" or "illegitimate"/"ineligible" immigrants. Because of the laws that congress had enacted these terms were gradually replaced with the term "illegal alien". By the 1950s the phrases "illegal

immigrant" and "illegal alien" had become part of the popular lexicon (Chacon, 2007, 1838).

The Bracero Program, 1942-1964: The Mexican laborer

The Bracero Program was an intergovernmental contract-labor system between the United States and Mexico from 1942 to 1964. Under the Bracero Program, Mexican citizens were screened by the Mexican government and the U.S. Department of Labor, fingerprinted, given documents, and transported to contracting centers at the Mexico side of the border, where U.S. employers hired seasonal workers (García y Griego, 1996). The program monitored the movement of people North across the U.S./Mexico border and enforced labor rights for seasonal workers from Mexico. The beginning of the Bracero Program represented a joint effort to manage the movement of Mexican workers between Mexico and the United States in which Mexico held greater bargaining power (García y Griego, 1996).

The number of contracted bracero workers rapidly increased in the first decade of the program, and more than doubled from 1954 to 1964 (Garcia y Griego, 1996). There were two main factors that caused this increase: 1) the United States favored the admission of immigrants with special job skills and 2) excluded the Western Hemisphere (and thus Mexico and Central and South America) from nationality quotas for immigrant admission in the 1952 McCarran-Walter Act (Ueda, 1994). Latin American immigrants were considered categorically different from European immigrants, who were granted limited entrance to the United States according to their nationality. Latin American (i.e. "Western Hemisphere") immigrants were exempt from these quotas, as they were regarded as a labor resource and were allowed entry depending on the perceived need for agricultural (and industrial) laborers. After WWII, the United States cut back on its efforts to regulate immigration. In practice, U.S. immigration enforcement decreased deportations and turned a blind eye to unauthorized immigration when it fulfilled the needs of Southwest employers (García y Griego, 1996). In response to the increase in migrant workers (documented and undocumented), growers purported that bracero labor harmed the domestic labor force. As anti-immigrant sentiment developed among U.S. employers and white citizens, the Mexican government became increasingly concerned about violations of migrant workers' rights (García y Griego, 1996). As the program progressed, tensions surfaced between the two nations in several "open border" incidents in 1943, 1948, and 1954 when the United States broke with their agreement and ushered in hundreds of Mexican workers to fill perceived labor shortages in the U.S. border-states (García y Griego, 1996). These incidents demonstrate U.S. efforts to gain political dominance over the control of immigration to the north.

After WWII, Mexico tried to maintain control over worker migration and enforce labor laws while the United States employed efforts to control the movement of people across the border. The United States undermined and minimized Mexico's power in the program by moving contracting centers further into the United States (thus farther from Mexico) and sporadically encouraging unauthorized immigration. The Bracero Program represented a twenty-year period of steadily increasing and established legal and extralegal immigration into the United States. By the end of the Bracero Program the social infrastructure for unauthorized entry into the United States and the employment of migrant laborers for manual labor had been established over the course of decades (Ueda, 1994, p. 46). Garcia y Griego (1996) argues that the program had functioned as a substitute for undocumented immigration, and its abrupt termination in 1964 resulted in an increase of seasonal workers and undocumented immigration across the border.

From LBJ to Clinton: The value of the immigrant family and civil rights in immigration law

Immigration policy in 1965 represents a drastic change in the immigration system, from restrictions based on immigrant ethnicity and race to selectivity based on familial ties and job skills (Ueda, 1994). The year after the end of the Bracero Program, Congress passed the Immigration and Naturalization Act of 1965[17]. Under the 1965 act (amended in 1976) immigration from Western Hemisphere countries into the United States was subjected to immigration quotas, and, for the first time in U.S. policy, relatives of citizens and permanent residents were given a greater consideration for admittance than those with "special job skills," (Ueda, 1994). Entry numbers were restricted by nation as opposed to race and ethnicity, and family members were prioritized over labor applicants. Ueda (1994) describes the pro-immigrant act as one of several efforts to end racial and ethnic discrimination in U.S. law, in dialogue with the Civil Rights Act and Voting Rights Act of the mid 1960s.

The act's impact on Latin-American immigration was unprecedented. Because of the quotas imposed on Western Hemisphere countries and the prioritization of family members over guest workers, those who wanted to enter the United States for temporary work now had to apply for a visa (Ueda, 1994). Many applicants from Mexico and Central America entered the United States without authorization instead of counting on their chances of obtaining a visa, for which slots were limited (Ueda, 1994). Ueda (1994) argues that, without the Bracero Program and under tightened regulation of the 1965 Immigration and Naturalization Act, those who would have come to the United States as braceros entered the United States illegally.

As numbers of undocumented immigrants in the United States continued to rise in the following decades, so did the rate of deportation of Mexican low-wage workers. In 1986 Congress passed the Immigration Reform and Control Act (IRCA) in response to undocumented immigration (Ueda, 1994). Instead of resorting to mass-deportation, as previous programs had done in response to large undocumented Mexican immigrant populations, the IRCA granted amnesty, a one-time legalization, to all undocumented immigrants that had been in the country since January 1, 1982. However, the new respect for immigrant family unity and the gesture of amnesty were conflicted with tightened restrictions on migrant labor. The IRCA also created harsher penalties for employers who knowingly employed undocumented immigrants and increased funding for border patrol agents along the U.S./Mexico border (Hagan and Phillips, 2008). Although the status of undocumented people currently in the United States was legalized, the United States, paradoxically, began to penalize employment of undocumented laborers more heavily and enhanced measures to prevent extralegal immigration. The political objective after amnesty was not to increase legal routes for immigration to the United States, but to limit the undocumented population and control the entry and employment of immigrants from Latin America. As Hagan and Phillips (2008) explain, these measures of legalization and increased enforcement are reflective of the tension between inclusionary and exclusionary United States immigration politics in the late 1980s and the over-all objective of controlling undocumented immigration from the U.S./Mexico border. In the following years, immigration policy continued to turn from the inclusionary to the exclusionary; Secure Communities and other ACCESS programs result from this trend.

[17] also the "Hart-Celler Act"

From Clinton (1993) to Bush (2001): From inclusion to exclusion and enforcement

In the 1990s, immigration policy focused on U.S./Mexico border enforcement, increased militarization, and exclusionary politics. When the enforcement measures of IRCA proved ineffective in preventing unauthorized immigration, the Clinton administration introduced the "Prevention through Deterrence" campaign in 1993, a campaign that is still active today (Hagan and Phillips, 2008). The policy includes border security programs by the names Operation "Gatekeeper," Operation "Hold-the-Line," Operation "Safeguard," and Operation "Rio Grande" (Hagan et. al, 2008). The language of these titles reflects anti-immigrant sentiment and likens people South of the border to a flood, virus, or enemy. Under the campaign, increased militarization of the U.S./Mexico border wall funnels unauthorized immigration away from historical urban migration routes and through rural desert areas (Hagan and Phillips, 2008). These rural areas present extreme environmental hazards that the Clinton administration hoped would deter migrant peoples from crossing and give U.S. border enforcement the advantage in apprehending immigrants. However, as Hagan argues, despite the rising death toll and financial cost of a *coyote*[18] resultant from the campaign, there is no evidence that Prevention through Deterrence has decreased the influx of unauthorized immigrants. Rather, the severe financial and human cost of crossing encourages immigrants to stay in the United States for longer periods of time after their journey. Ironically, Prevention through Deterrence has transformed the temporary, cyclical migrant labor-force into a population of settled undocumented residents (Hagan and Phillips, 2008).

On January 1st, 1994, shortly after the start of Prevention through Deterrence, the United States, Canada, and Mexico entered the North Atlantic Free Trade Agreement (NAFTA). NAFTA was designed to open markets between the three countries and to increase and secure North American investments in Mexico (Fernández-Kelly and Massey, 2011). Under NAFTA (and economic reforms mandated by the World Bank and the International Monetary Fund [IMF] in the 1980s) Mexico's collective agricultural land was privatized and agricultural subsidies for rural poor were eliminated (Fernández-Kelly et al., 2011). This, Fernández-Kelly and Massey (2011) write, "increased the number of displaced peasants seeking economic opportunities elsewhere" as they could no longer afford to farm their land (p. 99). NAFTA increased the flow of capital from Mexico to the United States but caused unemployment of rural poor. Furthermore, the agreement restricted the movement of workers between nations by opening free trade while closing the labor market across national boundaries (Fernández-Kelly and Massey, 2011, p. 99). In other words, NAFTA induced the free and increased movement of money from Mexico to the United States but blocked displaced Mexican workers from following that flow of capital from their country to the United States. Unemployment in Mexico caused by NAFTA increased pressure along the U.S./Mexico border while the United States increased its funding for border enforcement under Prevention through Deterrence. Fernández-Kelly and Massey (2011) point to the irrationality of contemporary border enforcement, highlighting "the contradiction involved in the growing militarization of a border separating the United States from a country that poses no strategic threat and is, in fact, and ally and a major trading partner" (p. 109). Ironically, NAFTA's neglect of worker mobility and its impact on rural Mexican economies have *intensified* "illegal" immigration into the United States.

[18] *Coyote* refers to someone who specializes in smuggling people into the U.S. across the U.S./Mexico border. *Coyotes* often charge a high price and their services are known through word-of-mouth. The cost and risks associated with hiring a coyote have increased as the U.S./Mexico border has become increasingly militarized.

The trend towards enhanced immigration enforcement continued through the 1990s. In 1996 Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), or the "Mexican Exclusion Act," which allowed the "expedited removals" of apprehended unauthorized immigrants at a port of entry without the right to a hearing, and broadened the offences for which a "legal alien" can be removed from the United States.[19] These offenses include "drug addiction, minor drug offenses, constitutionally protected associational conduct, and failures to comply with technical special registration provisions" (Chacon, 2007). Under the IIRIRA the term "aggravated felony," which historically included crimes such as murder, rape, and drug trafficking, was retroactively redefined to include any "crime of violence" or misdemeanor that includes a prison sentence of one or more years (Hagan and Phillips, 2008). Guttin (2010) explains that a noncitizen that is arrested after the passage of IIRIRA can be deported for a crime the individual had committed before IIRIRA, even if that act would not have warranted deportation at the time it was committed. In conjunction with the Anti-Terrorism and Effective Death Penalty Act (AEDPA), IIRIRA and AEDPA removed an immigrant's assurance of judicial review and mandates that an individual may be excused from deportation only if it would cause the individual's U.S.–citizen family member "exceptional and extremely unusual hardship" (Hagan and Phillips, 2008, p.87). In a review of IIRIRA and the redefinition of immigrant criminality, Hines describes a hostile political climate of the mid-1990s: "Get tough on immigrants, stop illegal immigration, and blame immigrants for criminal and welfare problems" (Hines, 2006, p.11).

IIRIRA and AEDPA, as Hagan and Phillips (2008) note, mark a major shift of immigration policy away from the United States' previous respect for immigrant family unity to a focus on enforcement, gate-keeping, and removal of documented and undocumented immigrants (Hagan and Phillips 2008). Furthermore, the IIRIRA included the 287(g) program, which gave state, county, and city police the authority to "arrest and detain aliens for federal authorities as well as investigate immigration cases for prosecution in the courts" (Coleman, 2009, p. 907). Partnerships between local and federal enforcement agencies have been promoted as tools to combat "serious crime." However, the majority of communities that accept 287(g) and similar programs do not have outstanding crime rates but *do* have growing populations of recent immigrants, suggesting that such partnerships are more often used to arrest and deport immigrants than prevent violent crime (Provine and Doty, 2011, p. 269). The provision for the 287(g) program laid the groundwork for local cooperation in federal immigration policy that was later given teeth by the reconstruction of federal immigration enforcement after the events of 9/11.

11th September 2001 and beyond: The immigrant as a threat to national security

Ismaili (2010) argues that growing anti-immigrant policies and marginalization of non-citizens of the 1990s had set the stage for immigration policy following 11 September 2001. In the weeks following the 9/11 attacks Congress passed the USA Patriot Act, which gave the Attorney General the power to indefinitely detain non-citizens who were suspected of posing a threat to national security and denied non-citizens certain protections of the First Amendment. In a political and social climate that actively and violently discriminated against Arab and Muslim people, post-9/11 policies reintroduced the explicit discussion of immigrant people's ethnicity. Hines (2006) notes that in the months following 9/11, over 1,200 Arab and Muslim immigrants

[19] IIRIRA is still an active policy

were arrested, yet only two of those taken in were convicted for criminal terrorism. During this time period, perceived threats to national security justified the violation of detained Arab and Muslim immigrants' rights to due process (Hines, 2006).

Whereas immigrants to the United States were once considered a positive influx of labor and cultural value, after 9/11 immigrants were construed as a criminal threat with a foreign terrorist agenda by means of a series of quickly deployed policies and transitions in departmental structures. In the year following 9/11, the 2002 Homeland Security Act created the Department of Homeland Security (DHS). The new department united federal forces to prevent and eradicate terrorism and respond to threats to national security. DHS' fundamental objectives, Ismaili explains, are to "prioritize security, investigation and enforcement over all other possible goals," (Ismaili, 2010, p. 77). Thus, other potential priorities such as immigrant security, health, and safety; privacy of U.S. residents and citizens; and the protection of immigrants' rights can be compromised for the sake of ensuring "security, investigation, and enforcement" as determined by DHS. The largest branch of DHS, U.S. Immigration and Customs Enforcement (ICE), became the new department to regulate and enforce immigration (in place of Immigration and Nationalization Services). Ismaili (2010) notes that ICE's explicit mission is to enforce immigration law and prevent terrorist attacks "by targeting illegal immigrants: the people, money and materials that support terrorism and other criminal activities" (US Immigration and Customs Enforcement, 2007a, as cited by Ismaili, 2010). The mission of ICE thus links unauthorized immigration to terrorism and crime, likening undocumented immigrants to those who committed the attacks of 9/11. The reframing of immigration in terms of national security has not only transformed the treatment of immigrants in enforcement and political spheres but has also resulted in social exclusion, or "hyper-marginalization," of non-citizens, especially people of color (Ismaili, 2010, p. 79).

Before 9/11, state and local law enforcement were authorized to enforce only criminal immigration violations such as re-entry after former deportation.[20] Federal enforcement was solely responsible for civil immigration violations.[21] This division of immigration enforcement responsibility had historically enabled local law enforcement to "build trust with immigrant communities" because undocumented immigrants could interact with local law enforcement without fear of deportation (Ismaili, 2010). After 9/11, local law enforcement was given the power to enforce *civil* immigration violations in addition to *criminal* violations (Ismaili, 2010, p. 77). Many scholars, Ismaili (2010) writes, have concluded that this blurring of the line between local and federal authority in immigration enforcement undermines the ability of local law enforcement to develop trust in immigrant communities and increases the potential for racial profiling.

Participation in 287(g), a local immigration policing program, was nearly non-existent before 9/11, but from 2005 to 2008 the number of agencies operating under the program grew from 3 to 67 operating agencies (Quereshi, 2010). Similar to Secure Communities, the publicly promoted intent of 287(g) is to detain and deport violent felons. However, most available data indicates that the majority of noncitizens deported under 287(g) were arrested for traffic offenses or misdemeanors (Quereshi, 2010). A dramatic increase in "Driving Without a License" arrests of Hispanic community members occurred in 287(g) jurisdictions, which indicates that the

[20] "Criminal violations" include re-entry after former deportation, illegal entry, and a "failure to depart" after the issue of a formal removal order (Ismaili, 2010). This would be enforced through CAP, a program from the 1986 IRCA.

[21] "Civil violations" include illegal presence in the United States and overstay of a temporary visa (Ismaili, 2010).

program often leads to racial profiling (Quereshi, 2010). The 287(g) program requires local law enforcement to fill conflicting roles that undermine their ability to build trust with Latino communities; they are required to enforce federal immigration law in their community, thus presenting the threat of deportation to the same immigrant community members they are responsible for establishing a trusting relationship with and protecting (Quereshi, 2010).

The 287(g) program is one of several jail-based enforcement program's in ICE Agreements of Cooperation in Communities to Enhance Security and Safety (ACCESS) initiative, an umbrella that includes 287(g), Secure Communities, and the oft-forgotten Criminal Alien Program (CAP). CAP was first implemented in 1986 and is the foundation of federal immigration enforcement's involvement in local jails (Guttin, 2010)[22]. Under CAP, ICE agents screen inmate information for deportable immigrants in local, state, and federal jails and prisons. CAP is one of the major contributing factors to the increase in deportation rates in recent years – in FY 2009, nearly half of all deportable immigrants identified by ICE were found through CAP (Guttin, 2010). The program was rapidly and widely adopted after 9/11, and is currently "active in all state and federal prisons" and a majority of local jails (Guttin, 2010). In a study of over 300,000 inmate booking arrest records from 2001 through 2008 in Travis County, Texas, Guttin (2010) found that the majority of "criminals" detained through CAP were arrested for misdemeanors instead of the "serious criminals" that ICE claims to target. Similarly, the Warren Institue found that after CAP's implementation in Irving, Texas, only 2% of ICE detainees had been charged with a felony, and the rest had been charged with misdemeanors (Kholi and Gardner, 2009). Immigrants who pose no threat to their community were disproportionately targeted by local-federal immigration enforcement partnerships.

The localization of immigration enforcement has increasingly criminalized immigrants of color. Surveillance and policing tactics by federal and local law enforcement publicly and visually segregate people of color by heavily patrolling low-income, racially-segregated areas and using "Brown skin as a proxy for illegality and criminality" (Wonders and McDowell, 2011, p. 59). Wonders and McDowell (2011) argue that contemporary immigration policy has developed a mobile, performative border that extends enforcement practices of the U.S./Mexico border to communities throughout the United States through immigration raids and collaborations between local and federal law enforcement. This confluence of criminality, race, and immigration is reflected in deportation demographics. Data on immigration detention and deportation indicate that Latinos are more heavily impacted by ICE policy than other racial or ethnic immigrant minorities. The Human Rights Watch (2009) reported that, over a 10-year period, Mexican-origin residents made up 78.2% of total deportees but represent only 27.9% of foreign-born residents in the United States. In light of ICE policy and practice, Provine and Doty argue that "treating unauthorized immigrants as quasi-criminals stigmatizes not only them, but all immigrants who 'look Mexican,'" (Provine and Doty, 2011).

Secure Communities is a product of post-9/11 immigration politics, which denied immigrants' civil rights, rejected previous policy's esteem for immigrant family unity, and conflated terrorism with immigration. As previously mentioned, decades of enhanced border enforcement have failed to limit extralegal immigration patterns. Instead, border policy has resulted in inflamed violence and mortality along the U.S./Mexico border and a transformation of the pattern of immigration from Latin America. Whereas before the 1990s most immigrants

[22] The program was designed to identify non-citizen inmates *before* their conviction and sentencing. In the early 2000's ACAP merged with a program to expedite noncitizen inmates' deportation process, the Institutional Removal Program (IRP), to form CAP (Guttin, 2010).

came to the United States for seasonal, migratory, and temporary labor, the increased risk and difficulty of crossing the border has resulted in more settled communities of undocumented residents. It is these populations that Secure Communities most heavily impacts.

Criminalization of Immigrants

Our study aims to understand how Secure Communities has affected the relationship between Latino communities and local law enforcement. In order to do this it is necessary to examine scholarship that focuses on the way that immigrants are publicly perceived and the increasing overlap between the immigration and criminal justice systems. Ever more frequently immigrants are being represented in both policy and media as criminals. The process of portraying and treating immigrants as criminals is known as "criminalization"[23]. Criminalization of immigrants has emerged from three main areas: representations of immigrants as dangerous and harmful to society; explicitly created social and legal categories; and the implementation of policies that emphasize enforcement. These categories are inexorably linked and mutually reinforcing.

Perception of immigrant criminality versus actual immigrant criminality

The terms "illegal alien" and "criminal alien" have embedded themselves in our day to day language. People's basic perceptions of immigrants have been colored by associations between immigrants and criminality. For example, in 2000, the General Social Survey interviewed a nationally representative sample of adults to measure attitudes and perceptions toward immigration. "Asked whether 'more immigrants cause higher crime rates,' 25 percent said this was 'very likely' and an additional 48 percent said this was 'somewhat likely' . . . that is, about three-fourths (73 percent) [of polled adults] believed that immigration was causally related to more crime" (Rumbaut, Gonzales, Komaie, and Morgan, 2006). This is most likely due to a psychological tendency known as the availability heuristic (Meyers, 2010). Due to constant coverage of ethnic gang violence in the media, people can more readily recall vivid media coverage of a foreign national committing a crime but don't make the connection that most police blotters in local newspapers have long lists of crimes committed every week by United States citizens.

Although some might posit that there are demographic reasons such as the fact that most immigrant populations are generally younger, more male and less educated then native-born Americans (all of which generally have positive correlations with crime), this is actually not the case (Martinez and Lee, 2000, p. 486). Martinez and Lee's (2000) study examines first and second generation young immigrant men and find that even with crime predicators such as poverty, youth and heterogeneous ethnic neighborhoods, it is clear that crime rates of first generation immigrants have in fact been consistently *lower* then their native born counterparts (as cited by Legomsky 2007). In fact Rumbaut et al. (2006) found that amongst the cohort with the highest crime perpetration rate males aged 18-39, that native born citizens were almost four times as likely to be incarcerated in federal or state prisons and local jails. These lower then

[23] To criminalize is defined by the Oxford English Dictionary as. To turn (a person) into a criminal, esp. by making his or her activities illegal. See definitions p. 2 for further reference

average incarceration rates hold true for all young male immigrants regardless of ethnic group. The fact that immigrants represent such a small fraction of jail occupants in the United States and commit less crimes calls into question the effectiveness of programs such as Secure Communities and CAP which rest on the premise that deportation of criminal immigrants is an effective method for combating crime.

Increased enforcement without legal protections

Over the course of its lifetime immigration enforcement has shifted from civil agency, to law administrative agency, to law enforcement. Responsibility for immigration control has been transferred from the Department of Commerce and Labor to the Department of Justice in 1940 and ultimately to the Department of Homeland Security in 2002 (Stumpf, 2006, p. 387). These structural changes reflect the shift in the United States from viewing immigration as matter commerce to an issue of national security. Over the course of this evolution criminal justice and immigration control have ideologically and structurally converged.

Legomsky (2007) observes that immigration control and criminal justice increasingly intersect at multiple points. Specifically, immigration control has begun to asymmetrically incorporate a criminal justice model of regulation rather then a civil regulatory model. Legomsky (2007) characterizes a criminal justice model as a system in which greater emphasis is placed on retribution, deterrence, and incapacitation and less focused less on rehabilitation and redemption. The criminal justice model generally prioritizes longer incarceration, apprehension, arrest and preventative detention; while the civil regulatory model instead relies on fines and other economic sanctions that more commonly characterize civil penalties (Legomsky, 2007, p. 474).

Immigration control has directly borrowed strategies from criminal justice enforcement such as preemptive and indefinite detention. It has also created the single largest law enforcement agency in the country in the form of the Border Patrol who are empowered to conduct surveillance, pursue suspected undocumented aliens, and effectuate arrests (Stumpf, 2006, p. 388). The adoption of criminal justice tactics and policies is especially disturbing when we view in light of what Legomsky (2007) refers to as immigration control's asymmetric incorporation of the criminal justice model (p. 473). While tactics and enforcement strategies have been incorporated into immigration control legal protections have been explicitly left out.

Under the Supreme Court 's 1896 decision *Wong Wing* non-citizens are entitled to the same procedural rights as citizens where the imposition of "infamous" punishment is concerned. As such, non-citizens are entitled to the Fifth Amendment protection against self incrimination and double jeopardy as well as the right to due process of law in criminal hearings. The Court has also found that non-citizens accused in criminal proceedings are entitled to a right to a trial by jury and a right to a counsel in those proceedings under the Sixth Amendment (Chacon, 2007, p. 1869). While all of these rights apply to criminal proceedings, they do not apply to removal proceedings. This is mainly due to the fact the Supreme Court does not classify deportation as punishment. This distinction was made in the Supreme Courts landmark 1893 decision *Fong Yue Ting v. United States* and has remained the standard principle for evaluating deportation proceedings (Legomsky, 2007, p. 511). As such, deportation has been labeled a "civil" issue, but such arguments appear especially weak now in light of deportation programs such as Secure Communities that explicitly target dangerous criminals and use deportation as an alternative to classic forms of punishment such as incarceration.

Because deportation is not classified as punishment the charges immigrants face are often twofold. Without the constitutional bar on double jeopardy the federal government is in no way checked from bringing deportation proceedings against someone who has served his or her criminal sentence. This means that in addition to their criminal sentence a criminal conviction might add prison time, strip a person of otherwise available discretionary relief from deportation, result in further detention in ICE custody and require the person to remain outside of the United States for a longer period of time (Legomsky, 2007, p. 481).

Legomsky (2007) argues that although deportation is not legally considered a punishment that there is both a historical and functional case for classifying it as such. Legomsky substantiates the case for deportation on historical grounds by pointing to the fact that "from Rome to eighteenth and nineteenth century Britain, France and Russia, common forms of criminal punishment included exile, banishment, and transportation" (p. 513). Legomsky (2007) further substantiates that theories of deportation overlapped substantially albeit incompletely with theories of punishment. Specifically Legomsky (2007) argues that many of the leading theories of criminal punishment such as incapacitation[24], both specific and general deterrence and retribution might all apply to deportation in certain instances. He finds that deportation is used to deter reentry and effectively incapacitates deportees by separating them from the American public (p. 515). Finally, Legomsky (2007) argues that deportations based on post entry criminal conduct should be viewed as forms of punishment and treated accordingly (p. 514).

Legomsky (2007) argues that the consequence of focusing on enforcement without adjudication leads to an inevitable unhealthy skewing of national priorities. Legomsky (2007) substantiates this by stating that we should be devoting as much attention to whom we want to welcome and how to facilitate their admission and integration as we do deciding whom we want to exclude or deport (p. 523). Legomsky (2007) also notes at the micro level, they have been so preoccupied with enhancing penalties and closing loopholes that the penalties are too often cruelly disproportionate to the transgressions. Combined with the courts' rejection of the criminal adjudication model and its procedural safeguards, the single-minded focus on enforcement has also left noncitizens in deportation proceedings exposed to large risks of error when the personal stakes are high (Legomsky, 2007, p. 528). Therefore, order to make the most productive use of our national immigration resources and devise a balanced, moderate, fair, and humane immigration policy, Legomsky (2007) argues for a return to the civil regulatory immigration model rather than a criminal justice model.

Immigration Enforcement's Effects on Latinos and their Perceptions of Law Enforcement

As discussed above, the Secure Communities program falls in the trajectory of United States immigration policies that enlist local law enforcement to identify and deport undocumented immigrants. While the effects of Secure Communities on Latino perceptions of law enforcement are not yet well documented, other examples of ICE-police cooperation have been studied by a variety of researchers. These examples can be used to explore some of Secure Communities' potential effects on Latinos and on Latino perceptions of law enforcement. The effects of ICE cooperation with local law enforcement in turn have larger implications for local cities and counties. We first examine the literature on local immigration enforcement's various effects on Latinos and Latino immigrants. Then we describe the different factors that influence

[24] the isolation of the undesirable offender from society

Latinos' perceptions and trust of local law enforcement in light of federal immigration and local law enforcement collaboration.

Where immigration enforcement in local communities exists, immigrants experience fear and stress from the threat of deportation. In their survey of Latino immigrants, Arbona and Olvera (2010) find that both undocumented and documented Latino immigrants fear deportation, and that this fear leads to significant stress both inside and outside of the family environment. Similarly, Hacker et al.'s (2011) immigrant focus groups in Massachusetts confirm that the fear of deportation causes significant stress for immigrants. This particular study explores the impact of this stress on immigrant health. Among Hacker et al.'s (2011) research participants, both documented and undocumented participants were less willing to give out personal information to access health insurance or visit doctors out of fear of detection, and many reported experiencing hypertension, depression, anxiety, headaches, and hair loss due to stress associated with the threat of deportation.

In addition to health effects, researchers have shown that immigration enforcement in local communities negatively impact immigrant children. Latino parents in Brabeck and Xu's (2010) survey that felt vulnerable to deportation reported that deportation policies, like Secure Communities, negatively affected their children's academic progress. Androff et al. (2011) confirm this harmful effect of immigration enforcement on children's education, and note that the deportation of parents breaks up families and imposes significant stress and trauma on the children of immigrants. In light of Hacker et al.'s (2011) study, children experiencing this stress are more likely to experience health problems in addition to other effects that stem from deportation of parents. Suárez-Orozco Todorova and Louie (2002) found that children separated from immigrant parents report frequent sadness and loneliness, as well as higher rates of depression symptoms. Baum, Jones, and Barry (2010) compare deportation and separation of families to Kampfner (1995) analysis of children separated from incarcerated mothers, in which she concludes that such children are at a higher risk of low academic performance, delinquency, incarceration and emotional withdrawal. In all, this research shows how children separated from their families by immigration enforcement not only suffer from depression or anxiety, but also may experience psychological trauma, poor school performance, and an increased risk of delinquency. This suggests that communities where many immigrant parents are deported and their children left behind, children develop problems that may have detrimental effects on a community through poor school performance, depression, and increased youth involvement in crime.

Immigration enforcement policy has also been shown to negatively impact domestic abuse survivors. Quereshi (2010) notes that undocumented victims of domestic violence do not often seek assistance from police forces participating in 287(g). Similarly, Ammar, Orloff, Dutton, and Aguilar-Hass' (2005) study of 230 immigrant Latina domestic abuse victims shows that undocumented immigrant women are half as likely to report their abuse to the police than documented immigrant women. A previous State of the State report by Walker (2005) supports Ammar et al.'s (2005) findings – in Eastern Washington State, abusers often use the threat of deportation and consequent separation from children to prevent their victims from reporting their abuse (Walker, 2005). This particular threat is exacerbated by ICE's presence in local communities and the deportations that result from their partnership with local authorities.

A broader effect of immigration enforcement in local communities has been to limit the mobility and space in which Latinos feel safe and comfortable. Wonders and McDowell (2010) document how collaboration of police and immigration enforcement in Arizona significantly

affected Latinos' use of public space (spaces shared by people in a community) – most of their undocumented participants spent the majority of their time in safe places such as their homes, churches and schools (Wonders and McDowell, 2010). The authors contend that this restriction of mobility is due to the effects of immigration enforcement by Sheriff Arpaio and police agencies, and partly to the "self-discipline" of immigrants who voluntarily limit their mobility in response to the Sheriff and law enforcement agencies (Wonders and McDowell, 2010). These authors use the term "internalize" to describe how their participants integrated this limitation of mobility into their own self-directed behavior and movement, and note that this phenomenon only reinforces the limitation of space for Latino immigrants.

Immigration enforcement in local communities has also affected Latino immigrant participation in social and civic life. Coleman and Koch (2011) argue that enforcement outcomes of 287(g) create an environment of fear and "precarity" that causes "the disappearance of immigrant people from the public sphere" (Coleman and Koch, 2011). In other words, the authors contend that the immigrants who self-regulate according to local immigration enforcement make themselves invisible to the public, preventing their full inclusion in and contribution to civic life. Abrego (2011) investigates Latino immigrants' access to civic and political space in interviews with first, second and third generation Latinos, and finds that the threat of deportation and a lack of legal status greatly discourage first-generation undocumented immigrants from entering the public view, asserting legal rights, and pursuing legal change that would benefit them and their families.

These studies offer strong evidence that collaboration between ICE and local law enforcement in programs like Secure Communities limits immigrants' use of public space and deters immigrants from participating in civic life. This collaboration and the "immigrant insecurity" that results heightens immigrants' fear of deportation and exacerbates their self-regulated and reclusive behavior. Not only does this exclude immigrants from the democratic civic process, it also makes immigrants distrust local community institutions. Hacker et al. reach this conclusion when they show how immigrants often did not access healthcare because they believed that all those in authority "had the power to interact with ICE and initiate the deportation process" (Hacker et al., 2011).

This distrust, as seen in victims of domestic abuse, also applies to immigrants' trust of police. This trust is significant not only because it may limit Latino inclusion into communities, but also for reasons of personal and public safety. The lack of trust between communities and police, Tyler and Huo (2002) argue, hinders police ability to combat crime by making the community less willing to report crime or provide information to police (Tyler and Huo, 2002, p. 201-202). From this, Tyler (2004) argues, the community is less likely to cooperate with police, who as a result become less effective as they stretch their limited resources to combat crime.

Trust in local law enforcement is significant for these reasons and in addition to the threat of deportation, researchers have documented multiple factors that influence Latinos' trust in and perceptions of local law enforcement. Among other factors, Ammar et al.'s (2005) study of battered Latina immigrant women concludes that women are more likely to call the police for assistance the longer they have lived in the United States. A survey by Thomas and Burns (2005) shows that among Latinos, community policing and increased police presence in neighborhoods fosters positive perceptions of police, while Latinos' negative views of police are affected more by physical disorder (graffiti, trash, poor street lighting, unkempt properties, etc.) than by social disorder (public drinking, urination, drug dealing, panhandling, solicitation of prostitution, etc.). The authors recommend that police address physical disorder, rather than social disorder, in

order to create positive impressions of their work in Latinos communities. Furthermore, Dowler and Sparks (2008) conclude from their 14,000 response telephone survey that a high neighborhood quality of life and old age most strongly correlate with positive police perceptions for Latinos and all other racial groups. Studies that explore Latino perceptions of police on the basis of race do not show distinct trends. For example, Dowler and Sparks' (2008) data showed that Latinos and African Americans are more dissatisfied with the police than are whites. Yet Cheurprakobkit's (2000) separate telephone survey concluded that Latinos who spoke Spanish only were more satisfied with the police than African Americans in the survey's sample.

More significantly than the factors above, scholars have determined that Latinos' perceptions of police are most reliably established by personal encounters with police (Cheurprakobkit, 2000; Thomas and Burns, 2005). Consistent with Scaglion and Condon's (1980) survey in Pittsburgh, Cheurprakobkit's (2000) survey concludes that the nature of personal encounters with the police is the most powerful predictor of Latino attitudes toward law enforcement. More specifically, Skogan's (2005) survey study found that the politeness and helpfulness of the police and their attentiveness to residents' concerns and questions were the major determinant of positive police attitudes. Likewise, Menjívar and Bejarano (2004) find that personal contact with immigration or police officials strongly influences the way in which Latino immigrants view crime and police.

Sunshine and Tyler (2003) argue that the major predictor of a Latino's positive encounter with the police is their perception of the officer's "procedural fairness," or the perception of unbiased and respectful treatment from others. In the analysis of their survey, the authors show that perceptions of procedural fairness is the variable that is most strongly correlated to deference and obedience to police authority (also called "police legitimacy"[25]). In other words, Sunshine and Tyler (2003) find that in personal encounters, the most poignant predictor and determinant of positive police attitudes is how unbiased and respectful police are in the encounter. This framework is consistent with Skogan (2005) and the other aforementioned examples of positive encounters with police.

The framework of procedural fairness has significant implications for immigration enforcement in local communities and is a useful framework for analyzing race in the police-Latino relationship, a variable present in places where immigration enforcement occurs. Gardner and Kholi's (2009) analysis of arrest data in Irving, Texas after the city's implementation of CAP showed that racial profiling of Latinos increased exponentially as more Latinos were issued ICE detainers. Similarly, focus groups in Hacker et al.'s (2011) study reported that ICE-police collaboration lead police to unfairly target immigrants for possible deportation, accompanied by a corresponding rise of fear and anxiety in immigrant communities. It follows, then, that immigration enforcement in local communities creates mistrust of police because immigration enforcement in these studies and others violates Sunshine and Tyler's (2003) "perception of procedural fairness," where Latinos and Latino immigrants feel threatened when police intentionally target them, often on the basis of race.

What may be individual perceptions of procedural fairness, according to researchers, have a significant influence on community beliefs. Among others, Menjívar and Bejarrano (2004) conclude that Latino immigrants' views of law enforcement are significantly affected by stories and information shared in immigrant social networks. Tyler and Huo (2002) reach this conclusion as well, and explain that information and stories about police shared among friends,

[25] Sunshine and Tyler (2003) define "legitimacy" as the "property of an authority or institution that leads people to feel that that authority or institution is entitled to be deferred to and obeyed" (p. 514).

family, neighbors and media influences one's satisfaction of police and opinions of police effectiveness. A relevant example of the media's impact on Latino views of police is the Vasquez-Flores incident, a widely publicized video recording of police officers beating two undocumented immigrants in 1996 Los Angeles. Weitzer (2002) uses survey data to show how media coverage of the beating caused local Latino's approval of police to decline for several years following the incident. Warren (2006) supports these authors by using interview research to demonstrate how both well-publicized incidents (like Vasquez-Flores beating) and interpersonal stories (as in Menjivar and Bejarano's research) can foster a "culture of distrust" of law enforcement in African American communities.

A relevant case study by Vidales, Day, & Powe (2009) from Costa Mesa, CA effectively synthesizes the previous scholars' findings. The researchers conducted a telephone survey in 2001-2002 in response to Costa Mesa Latino community members' claims that local police were "not responsive to the Latino Community" (Vidales, Day & Powe p. 635). They found that though Latinos would often avoid contact with the police, most believed that the Costa Mesa police were "responsive, fair, concerned," and cooperated with Latinos to address community problems (Vidales et al, 2009, p. 635). However, tensions between the Costa Mesa city government and the Latino community became inflamed when the city government authorized plans to place ICE agents in local jails to review local jails' booking lists. The mayor who supported this policy "maintained that the policies were intended to improve neighborhoods and to make Costa Mesa safer by removing serious criminal offenders" (Vidales et al., 2009, p. 636). After this was implemented, community members and Latinos demonstrated against the new policy by holding protests, boycotting anti-immigrant businesses and engaging in civil disobedience. The media covered the controversy extensively, and the American Civil Liberties Union reported that immigrants in jails were transferred to ICE custody for minor offenses like "bicycling on the wrong side of the road" (Vidales et al., 2009, p. 636). In response to the public protest of immigration enforcement, Vidales, Day, and Powe (2007) conducted another survey in 2007 to gauge how Latino perceptions of the police had changed after this new policy. When they compared the "before" and "after" surveys, the researchers found that after ICE began to operate in Costa Mesa's jails: 1) a greater number of Latinos reported being stopped by the police; 2) Latinos were "less likely to report all but the most serious incidents to the police;" 3) Latino parents were "less likely to want their children to speak Spanish;" and 4) Latinos felt less accepted in the Costa Mesa community (Vidales et al., 2009, p.647).

Immigration enforcement in local communities, where it exists, significantly impacts Latinos and Latino immigrants' wellbeing. While these effects are varied and complex, many local-federal partnerships to enforce legal immigration make Latinos mistrust law enforcement and restrict their mobility in and access to public space. This ultimately impedes Latinos' and Latino immigrants' full inclusion into local communities.

Summary of Scholarly Literature Review

Current immigration enforcement policies and practices are built upon historical legacies of racism in U.S. immigration policy. The language of "illegal immigrants," a rhetorical product of this history, obscures decades of racism and contemporary racial structures by making immigration seem to be an objectively "legal" (and non-racial) issue. In contrast to immigration legislation of the 1960s and 1980s that supported immigrant family unity, the 1990s produced

immigration policies that focused heavily on enforcement of immigration law. These policies included the initiation of the "Prevention through Deterrence" campaign and AEDPA, which exponentially increased the risks and costs of crossing the border. As migrating from Mexico into the United States without legal documentation became more and more dangerous and expensive, the traditional migration patterns of seasonal and temporary laborers from Latin America transformed into more permanently-settled communities of undocumented people who immigrated to the United States and stayed. Furthermore, NAFTA (which, ironically, aimed to *prevent* the movement of people from Mexico into the United States) increased extralegal immigration into the United States and intensified the poverty that Latin American immigrants experience in their origin countries by displacing Mexican farm-workers from their land.

The political response to September 11th exacerbated the marginalization and criminalization of immigrants by effectively making immigration a topic of national security and implicating immigrants as "terrorist threats." Post-9/11 immigration enforcement has become increasingly similar to the criminal justice system. Since deportation is not included in U.S. definitions of "criminal punishment," immigrants facing deportation charges are not allowed the same rights and protections (provided by the 5th amendment) that are granted to those facing criminal charges. The institutionalized criminalization of immigrants post-9/11 was intensified by the increased support and utilization of ICE ACCESS programs, like CAP and 287(g), which has in turn led to the development of Secure Communities. These programs have negatively impacted children of immigrants and undocumented victims of domestic abuse, have heightened immigrants' fear of deportation, and have increased immigrants' mistrust of law enforcement. In addition, these programs have limited the public and civic space in which immigrants can safely and comfortably operate, thus excluding Latinos and Latino immigrants from full participation in civic and community life. We use this prior research to justify our research questions and inform our interview questions in each of our four counties.

FIELD RESEARCH METHODS

We conducted qualitative interviews and collected qualitative and quantitative data from Walla Walla, Benton, Franklin, and Yakima Counties to best understand Secure Communities, the factors involved in its implementation, and the potential impact of immigration policy on the Latino communities in each county. We used qualitative interview data to investigate Latino perspectives of law enforcement in light of Secure Communities, as well as law enforcement perspectives on Secure Communities. We used quantitative data to determine the number of individuals detained for ICE in all four counties in the past three years as well as the types of charges under which they were arrested. We obtained this particular data from public records requests (PRR) made of each county. These public records consisted mainly of emails between county departments and ICE and county jail records of detainers issued for inmates.

Interviews

We developed research questions that focused on if and how participants' perceptions of the relationship between law enforcement and Latinos had changed due to Secure Communities. We determined that interviews would allow us to identify the potentially complex changes in this relationship, and to account for the many expected and unexpected variables that influence

perceptions of immigration enforcement. In our case studies, we interviewed three main groups: Latino community members, immigration lawyers, and local law enforcement officials.

We conducted a total of 40 interviews, which yielded over 38 hours of recorded material. Thirty-two interviews were conducted with Latino community members, one was conducted with a social services provider (who is Latina), three interviews were conducted with local sheriffs, one interview was conducted with a local police chief, one interview was conducted with a police captain, and three interviews were conducted with immigration lawyers. Interview times ranged from thirty minutes to three hours, and the average interview time was between one and two hours. To ensure that our interviews ran smoothly, we conducted interviews in either English or Spanish based on our participants' preferences. We held interviews in the locations of the participants' choice, which were mainly participants' offices and homes.[26]

Sampling Method

We recruited participants based on initial lists of contacts given to us by our community partner OneAmerica. We used a nonprobability chain-referral purposive sampling technique, as described by deVaus and by Mc Nabb (as cited in Velazquez, 2010), in which initial respondents identified likely candidates who met selection criteria. This technique is commonly referred to as the "snowball sampling method." Snowball sampling is especially useful when reaching populations that are inaccessible or hard to find. Since snowball sampling relies on individual relationships and social networks, we determined this would be the most appropriate method of contacting at-risk populations, namely undocumented Latino immigrants, for interviews. This decision was informed by Vasquez and Kempf-Leonard's (2010) use of the snowball method, in which they interviewed Mexican immigrants about their experiences coming to the United States and adjusting to their new life.

Precautions

Before each interview, we gave consent forms to our interview subjects to acquire permission to record the interview and in order to earn their trust. The consent forms informed them of their rights as a research participant and assured that we would protect our interviewees' identity; we also verbally told them their rights and the confirmed the confidentiality of their names.[27] Each interviewee had the choice to keep their comments anonymous; in that way we protected the identities of our subjects, particularly our undocumented informants. Knowing that documentation status is a sensitive issue and highly personal information, we did not ask participants about their documentation status. In anticipation of this sensitivity, we used methods similar to Menjívar and Bejarano, who obtained contacts through trusted community members and organizations that provided aid to migrant residents and conducted interviews in a location of their choice. In our study, interviewees were informed of their right to refuse to answer any questions and to stop the interview any time. We informed all Latino interview participants that their identifying information and anything they said regarding their legal status would remain absolutely private and confidential unless they requested otherwise. Ultimately, Latino interview participants often voluntarily implied or disclosed their status. In this paper and in discussion of our research, pseudonyms were used for all Latino interviewees.

[26] See Appendix A for interview technical features
[27] See Appendix G for interview consent and release forms

Interview Demographics

We sought to interview 1st, 2nd, and 3rd generation Latino community members and to collect documented and undocumented perspectives. We wanted to examine how immigration policy affected different Latino groups within the community and identify commonalities and distinctions between their experiences. Our focus on Latinos was also informed by the UC Berkeley report "Secure Communities by the Numbers," which found that Secure Communities primarily affects immigrants from Latin America and Mexico (Kohli, 2011). We wanted to verify these findings and add qualitative research to this area of study.

To answer our research questions and form a more comprehensive understanding of the impacts of Secure Communities, we also sought to interview local law enforcement.[28] We wanted to understand how local law enforcement viewed their agencies' relationships with the Latino community. We also wanted to discover what kinds of policing practices were being used in our counties and how this might affect Latino's perceptions of the police. We requested interviews with county Sheriffs in order to find out their reasons for implementing Secure Communities and their assessment of the program. We requested interviews the local police chiefs and captains in order to get their perspectives on the impact of immigration policy on their policing and gather law enforcement's perspective on the relationship between law officials and the Latino community. We wanted to see if findings about the negative effects of immigration enforcement on police-Latino relationships documented by Hacker et al. (2011), Vidales et al. (2009), and Ammar et al. (2005) held true for our counties.

Interview Questions

We did not ask the same set of questions to community members, lawyers and local law enforcement. We instead composed parallel sets of interview questions beginning with personal information and background questions (such as occupation, family, home-town, and early experiences with police), and then moving to perspectives on local law enforcement and immigration-related issues. We designed our interview questions after Apostolidis' (2010) interview protocol, which aimed to make interviews "loosely structured discussions rather then tightly controlled questionnaires" (p. 235). Since participants' experiences were varied, not all questions were discussed in depth by all interviewees, but all interviewees completed the same general "formal protocol of questions" in order to guide discussion and ensure comparability.

In these interviews, we asked Latino participants about their personal background; where they grew up and the experiences they had with police in places they had lived previously; perceived safety of their neighborhood; problems facing their community; positive and negative experiences with local law enforcement; their general attitudes towards police; and the impact of immigration enforcement on their community. We also asked Latinos specific questions[29] about their perspectives on Secure Communities, specifically: 1) If and how they had heard of Secure Communities, 2) What they knew about the program, and 3) what they thought of the program.

[28] We were unable to interview police officers and jail employees. As such, we cannot speak for their experiences with immigration enforcement or their perception of their agency's relationship with the Latino community. This was a limitation in our research and recommend that future research be conducted in this area.

[29] We developed these questions in collaboration with our community partner, OneAmerica. OneAmerica wanted to find out if Latinos in Eastern Washington knew about Secure Communities and, if they did, how their knowledge of Secure Communities did (or did not) affect their attitudes towards law enforcement.

These questions were developed to address our community partner's initial inquiry about the effects of Secure Communities on individuals.[30]

In order to get informed perspectives on the legal process of deportation in our counties, we decided to consult local immigration lawyers. We acquired contact information for local lawyers through attorney listings. We asked the attorney participants about the cases they work with, the Latino community in their region, interactions between Latino community members and local law enforcement, and the specifics of federal immigration law and its impact on the local community.

We concluded all our interviews with Latinos by asking if they had any suggestions for law enforcement, state legislators and national leaders in light of Secure Communities and other related immigration policies. We did this for two reasons: 1) to allow our participants to analyze their experiences with Secure Communities and immigration-related issues and provide their own solutions, and 2) to ensure that our policy recommendations would be informed by our interviewees. This decision was inspired by Disch (2009) who argues that the public will and a stronger democracy are constructed through dialogue between public officials and their constituents.

To better understand law enforcement's involvement with immigration and law enforcement officers' perspectives on the character of the relationships between law enforcement and the Latino community, we requested interviews with Sheriffs and local police chiefs. In these interviews, we asked law enforcement about their personal background in law enforcement; the major issues facing their community; their department's relationship with the community at large and the Latino community; what they do to build community relationships; their department's relationship with federal immigration agencies (ICE and DHS); their rationale for adopting Secure Communities and anticipated impact of the program; and perspectives on federal immigration enforcement. We wanted to obtain perspectives from law enforcement to compare their views of public safety and the relationship between Latinos and police with Latino perspectives, and to note where their responses converged with or differed from Latinos' accounts.[31]

Interview Analysis

For each interview, we used Apostolidis' (2010) narrative analysis framework to interpret our interviews and the prevailing themes in each of our case studies. We also followed Velazquez and Kempf's (2010) basic method for examining our interviews. We screened our qualitative interview transcripts for common phrases and issues related to each of the general topical categories in our interview questions. We identified themes and patterns across respondents grouped similarly themed passages together. "The goal was to be comprehensive; no topics were dismissed and efforts were made to consider all comments as data" (Velazquez and Kemf, 2010, p. 136)

[30] See Appendix C for Latino interview questions in English or D for Spanish
[31] See Appendix E for law enforcement interview questions

Public Records and County Data

Because our partner OneAmerica originally wanted to assess the financial impacts and rationale for implementing Secure Communities in Eastern Washington, we filed public document's requests with our Counties' public information offices.[32] Our records requests asked for, quantitative data organized by year documenting the number of individuals that had passed through local jails, their charges, duration of incarceration, and whether they were detained by ICE and transferred to another facility. We also requested financial statements of reimbursement from ICE and other agencies and as well as communication between public officials on the subject of Secure Communities, CAP and coordination between immigration services and local law enforcement. Our community partner, OneAmerica, had previously made a public records request in Yakima County. In Walla Walla and the Tri-Cities, Merritt and Peterson filed separate documents requests. Data from these new requests arrived on a bi-monthly basis between September 2011 and January 2012. County records clerks assisted by sorting county data prior to 2010-11 year into the desired categories. We received data and documents by either e-mail in excel or .pdf format, or we retrieved hard copies from county offices.

Data Organization and Presentation

We compiled county jail data of the charges of arrestees placed on detainers in Walla Walla County, Benton County, and Yakima County. We obtained this data for similar time-frames: we received data from January 2008 to March 2010 from Walla Walla County Jail, from January 2008 to October 2011 from Benton County, and from January 2008 to summer of 2011 for Yakima County. We did not include contract inmates in our data, as we did not have information on their charges and they were not arrested in our respective counties. In Benton County, 1,033 of inmates (out of 2,619 inmates on Immigration Holds) were contract inmates.

We counted all charges[33] of all detainees and then grouped these charges into the following categories:

- DUI
- Lack of Proper ID/Driver's License or False ID/Driver's License
    - all charges related to ID *not* related to a DUI, including: Forgery, False Identification, Identity Theft, No Valid Oper License
- Revoked Driver's License
    - This charge implies a DUI, and thus we chose to keep it separate from other ID charges.
- Other Driving-Related Offenses
    - includes "Reckless Driving," "Negligent Driving," and "Hit and Run"
- Theft/ Burglary
    - includes all crimes of theft, including "Possession Stolen Property,"
- Evade Justice/ Noncompliance
    - includes "Noncompliance w/ conditions of sentence," "Obstructing a public officer," "False reporting,"
- Drug Posession, Use, or Distribition; Alcohol-related

[32] See Appendix H for public documents requests

[33] In Yakima County, we chose not to represent the six "Kidnapping" charges in the county data in the pie graph as the number of charges was insignificant in the overall data analysis.

    - included possession, manufacturing, and distribution of marijuana, methamphetamine, and cocaine, and "Minor possess / consume / acquire liquor"
- Domestic Violence (DV)
    - Included cases of assault related to DV, "DV court order violation," and "Harassment felony DV"
- Misconduct in Public
    - included "Indecent Exposure," "Voyeurism," "Prostitution,"
- Assault/Harassment
    - Included
- Property Damage and Trespassing
    - included 1st and 2nd degree "Criminal Trespassing," "Property Damage," "Arson," and "Malicious Mischief"
- Child Abuse – molestation and rape
    - "Rape of a child" and 1st, 2nd, and 3rd degree "Child molestation"
- Fire-Arm Related
    - included "Alien carry/possess firearm w/o a license," "Drive-by shooting," "Unlawful Possession"
- Rape
- Miscellaneous
    - included "Animal Cruelty" and "Unlawful Recreational Fishing"

We chose not to separate the charges into levels (i.e. 2nd degree Assault vs. 3rd degree Assault) in an attempt to represent the data in a more accessible and visual manner. Furthermore, we separated charges into these categories to present a picture of the severity of crimes that detainees were charged for. We condensed the charges into more basic categories also to compare our county data on the proportion of immigrants deported on DUI's and other minor charges with both official ICE data and other studies such as Kohli et al.'s 2011 study, as well as to provide a basic visual representation of the number of people detained in our counties for specific charges.[34]

Walla Walla Case Study

In Walla Walla, Merritt interviewed eight individuals. Seven were Latino community members and one was an immigration attorney. All interviewees signed a consent form, giving Merritt permission to record their statements and publish their remarks. Merritt recorded all interviews and took notes, transcribing all interviews afterward and translating those in Spanish into English.

Out of the eight interviewees five were men and three were women. All interviewees had lived in Walla Walla for over 10 years. Among the Latino residents interviewed two were undocumented; the other five were either citizens or legal residents. Out of these participants all were first generation immigrants and all but one of the Latino community members were originally form Mexico. Interviews with Latino community members lasted from 30 minutes to an hour and 15 minutes, and were conducted in interviewees' homes, public schools, meeting rooms at Whitman College and local businesses.

[34] See Appendix F for data tables

Merritt collected interview contacts through recommendations of local Walla Walla residents who attend Whitman College and contact suggestions made by community partner OneAmerica. Like Menjívar and Bejarano's (2009) study which made contacts through trusted organizations that aid migrants, Merritt also chose to use the OneAmerica Walla Walla base group meetings to contact potential interviewees. Merritt used this initial set of contacts as part of a snowball method and following each interview asked interviewees for contact recommendations. Merritt also attempted to schedule an interview with Walla Walla County Sheriff John Turner. Sheriff Turner refused to be formally interviewed. Unfortunately, due to time constraints and communication difficulties, Merritt was unable to interview local police or jail employees. In light of this gap, we recommend that future research be conducted in Walla Walla County on the perspectives of local police and officials at the county jail on immigration issues.

Merritt filed a public documents request with Walla Walla county requesting County Jail records, and e-mail correspondence related to Secure Communities to supplement his interview research. The County Jail records contained the names and charges for inmates affected by ICE detainers by year since 2008. The records were used to identify the kinds of charges associated with ICE holds in jails and the number of people detained as well as understand more of the reasoning behind Secure Community's implementation in Walla Walla.

Tri-Cities Case Study

In the primary research conducted in the Tri-Cities, Peterson interviewed 15 individuals total. Of these 15 interviews, 10 were Latino community members; and of these, one Latino individual was second generation Mexican-American, one was third generation Mexican-American, and eight individuals were immigrants to the United States. Latino community members' time of residence in the Tri-Cities varied from several months to over 20 years. Of the remaining five interviewees, three were law enforcement officials, one was an attorney, and one was a Latina social service provider.

To make contacts for the Latino community member interviews, Peterson attended OneAmerica base group meetings, where she presented her research goals and asked members if they or a friend or acquaintance would be willing to participate in the interview research. Similar to Menjivar and Bejarano's study which made contacts through trusted organizations that aid migrants, she chose to use the OneAmerica Tri-Cities base group meetings to contact potential interviewees. As a local immigrant rights group, Tri-Cities OneAmerica is well connected to the immigrant Latino community of the Tri-Cities and trusted by immigrant residents. Peterson used these initial contacts to initiate a snowball method as these first contacts provided several others; however, Peterson met over half of the Tri-Cities Latino participants (six interviewees) at the base group meetings.

For law enforcement participants, Peterson contacted Sheriff Keane and Sheriff Lathim of Benton and Franklin Counties, who granted her permission to interview them both. She also contacted the police chiefs of Kennewick, Richland, and Pasco, and was granted an interview with Kennewick Police Department Captain Craig Littrell, who offered to participate.

Peterson also contacted the Domestic Violence Services of Benton and Franklin County to develop an understanding of domestic violence issues facing undocumented Latina residents without interviewing women who they themselves had been abused. Peterson was referred to Maria Martínez, who has worked with Latina women in domestic violence cases for the past three years. She asked Martínez about the clients she works with, difficulties specific to her

Latina clients and undocumented immigrant women victims, her clients' reported interactions with law enforcement, and the impact of immigration policy on Latina women.

Peterson encountered limited success in the collection of public records requests (PRR). Due to malfunctions of county departments' search engines, incapabilites of county search methods, or lack of staffing to complete the PRR, not all public records were produced in time for Peterson to analyze in the research. However, booking records of inmates placed on Immigration Holds in the Benton County Jail since January of 2008 were produced by Benton County Corrections, which have been very useful in understanding the demographics of those who are identified by ICE for deportation proceedings in Benton County.

Yakima County Case Study

In the primary research conducted in Yakima County, May conducted 17 interviews. Of these 17 interviews, 13 were held in the city of Yakima, three in Sunnyside, WA and one was conducted in Granger, WA. All interviewees signed a consent form, giving May the permission to record their statements and publish their remarks in this report. May recorded all interviews and took notes, transcribing all interviews afterward and translating those in Spanish into English.

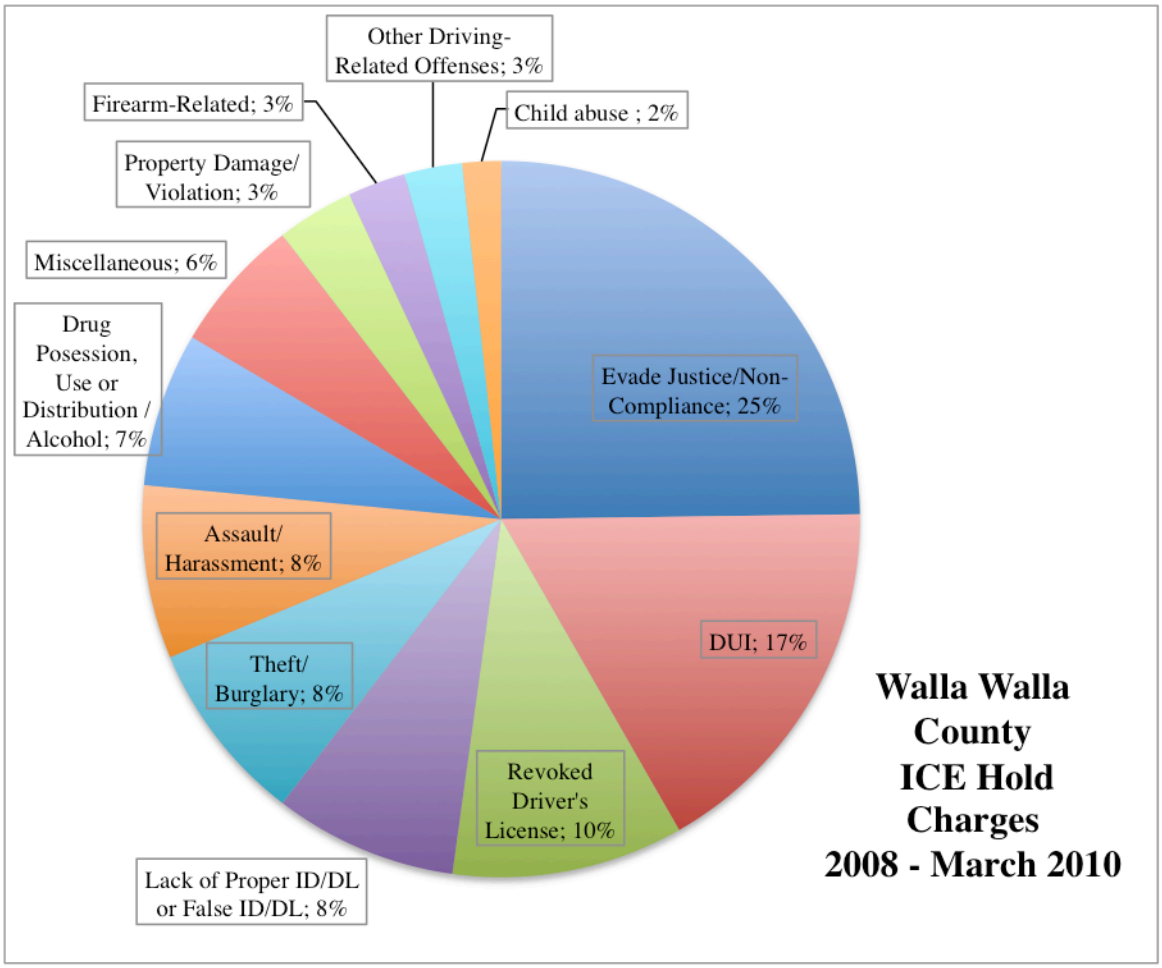
Of the fourteen interviews with Latino Community members, all but one were first-generation immigrants from Mexico, and all but two had lived in Yakima County for more than 10 years. May recruited participants using the snowball method, securing an initial interview through our partner OneAmerica and then securing other interviews through the initial interviewee. Out of these Latino community members, four were men, ten were women, one was undocumented and the others were either citizens or legal residents. Four interviews were conducted with others present, and they too signed a consent form. Of these joint interviews, two had minors present and parents signed consent forms allowing May to use these minors' contributions in this report. Interviews with Latino community members lasted from 30 minutes to three hours, and were mostly conducted in interviewee's homes, with one held in an office and one in a public convention center.

Additionally, May interviewed Yakima Sheriff Ken Irwin and Interim Yakima Chief of Police Greg Copeland, securing interviews by contacting them personally. As Secure Communities in Yakima County operates through the Yakima County Jail, May also requested an interview with the Director of Yakima Department of Corrections, Ed Campbell, who declined to be interviewed for this report. Furthermore, May interviewed a private immigration attorney who assisted this project with anonymous stories about his clients and with descriptions of more technical legal measures surrounding civil immigration cases.

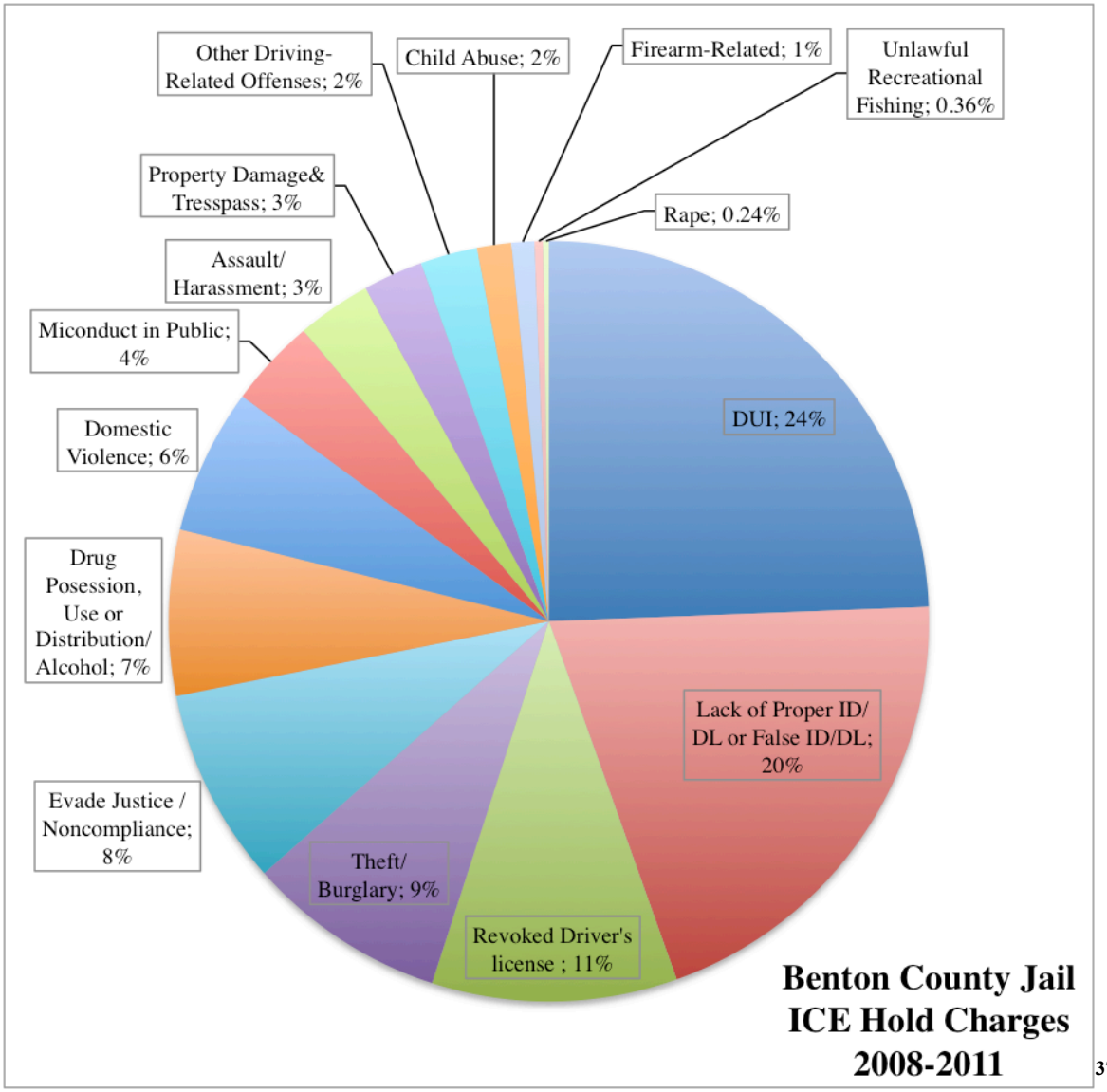
With assistance from OneAmerica and a public records request, May additionally accessed email records from Yakima County officials along with County Jail records to supplement his interview research. The County Jail records contained the names and charges for inmates affected by ICE detainers by year since 2008. The records were used to identify the kinds of charges associated with ICE holds in jails and to understand more of the reasoning behind Secure Communities' implementation in Yakima and the events that have transpired since.

BRIEF QUANTITATIVE DATA ANALYSIS

These data reflect the charges associated with ICE holds in Walla Walla[35], Benton, and Yakima County jails from 2008 to 2011. From these data we have excluded contract inmates and those who were transfers from another jail.[36] The data represented here may reflect ICE detainers that result from Secure Communities, but these data mostly represent nearly three years of ICE detainers issued under CAP and other existing immigration enforcement policies in our Counties.

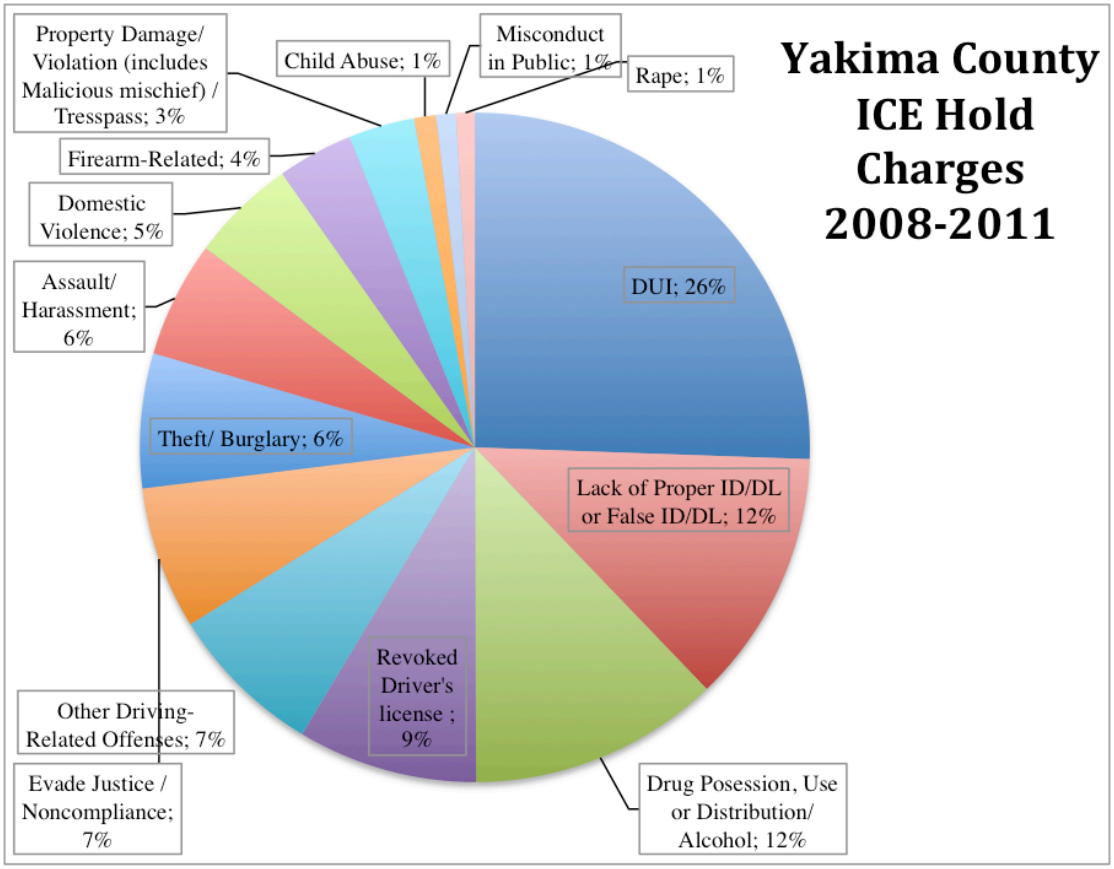


[35] Walla Walla County data are from January 2008 to March 2010.
[36] We were not provided data of charges nor previous jail for these inmates.

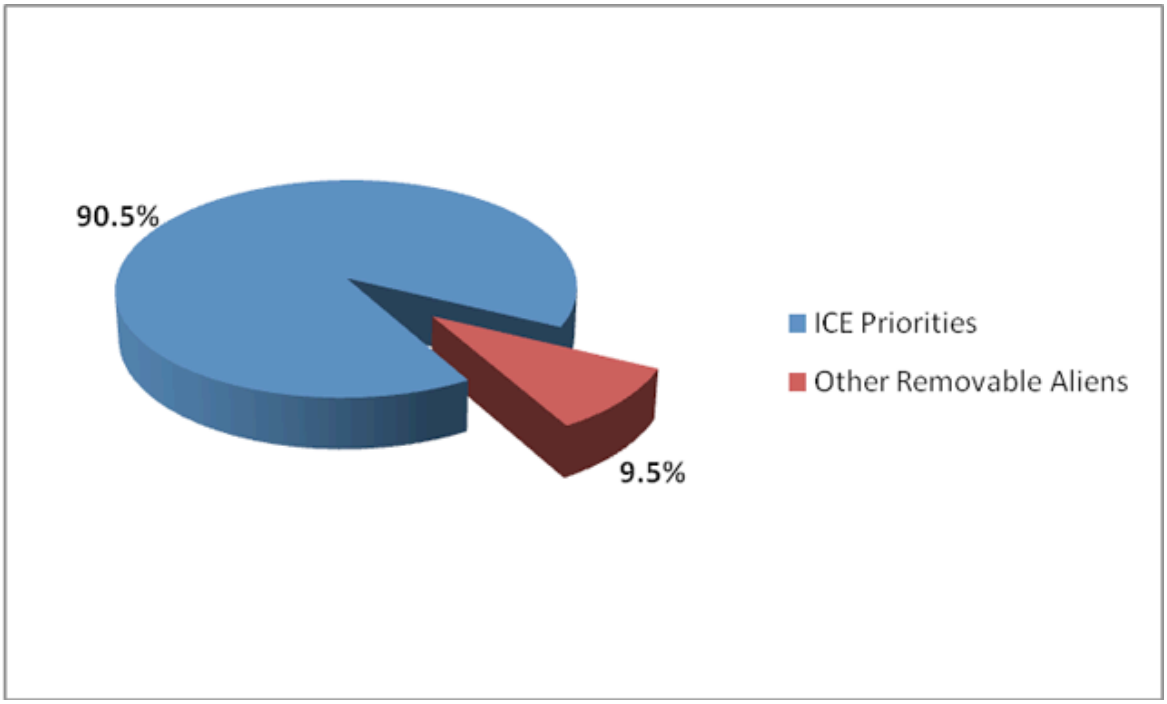


[37]

[37] We were unable to acquire and organize data for Franklin County prior to publication of this report


Yakima County ICE Hold Charges 2008-2011
Property Damage/ Violation (includes Malicious mischief) / Tresspass; 3%
Child Abuse; 1%
Misconduct in Public; 1%
Rape; 1%
Firearm-Related; 4%
Domestic Violence; 5%
Assault/ Harassment; 6%
DUI; 26%
Theft/ Burglary; 6%
Lack of Proper ID/DL or False ID/DL; 12%
Revoked Driver's license ; 9%
Other Driving-Related Offenses; 7%
Evade Justice / Noncompliance; 7%
Drug Posession, Use or Distribution/ Alcohol; 12%

ICE General Removal Statistics Chart[38]



Discussion of Graphs

The limitations in our data and our analytical methods do not allow us to draw the kind of conclusions that Kholi et al. (2011) make in their analysis of Secure Communities. At the same time, the scope and specificity of these data allow us to make general observations on detainer patterns in our counties. Specifically, these data illustrate the expansive list of charges that can classify an immigrant as a "criminal alien."

These data reflect all ICE holds issued in these jails, not just those issued due to Secure Communities. Therefore, these data offer a more comprehensive picture of the types of charges filed against immigrants who are detained and removed[39] than given by ICE's general removal statistic chart (see graph above). While ICE groups immigrant data into the two basic categories, priorities and non-priorities, we have broken down proportions of detainers by type of crime committed. Overall, these data show that the majority of people affected by immigration enforcement in local jails since 2008 fall into the category of "Level 2" or "Level 3" criminals by ICE's Secure Communities standard (ICE 2010). Most of the individuals detained in our counties did not commit acts of violent crime. By combining charges in each of the three counties, we found that DUIs account for the greatest proportion (24.4%) ICE holds. The second most common charge category is "Lack of proper ID or False ID", which either indicated that an undocumented resident was charged with driving without a license or with a false ID. Drug offenses, theft, assault and domestic violence were the most prevalent Level 1 charges in our counties and they each account for less than 10% of the total number of charges. Furthermore, these Level 1 charges *also* include Level 2 and 3 charges, skewing these percentages. Only one

[38] Retrieved February 3, 2012, http://www.ice.gov/removal-statistics/

[39] According to immigration lawyers we interviewed in all three case studies, nearly all detainers result in deportation; rarely does a detainer not result in removal.

ICE detainer for a murder-related charge[40] was issued between all three county jails during this three-year period. Furthermore, between Benton Jail and Yakima County there were four ICE detainers issued for "unlawful recreational fishing." The number of "unlawful recreational fishing"[41] charges was four times the amount of murder-related charges; according to immigration lawyers we interviewed, ICE detainers generally result in deportation proceedings regardless of the charge severity, and it is likely that the four individuals charged with this minor offence were deported.

Although simple, our data analysis strongly suggests that the deportation experiences our interviewees described (community members deported for minor traffic violations or misdemeanors) are not isolated incidents, and that people who are being classified as "criminal aliens" can be detained for charges as inconsequential as not having proper identification or fishing without a license. This data should serve three purposes: 1) to further substantiate our interviewees' claims of immigration enforcement and local jails' lack of discretion, 2) to encourage authorities to review immigration enforcement patterns and practices in their jurisdictions and refine criteria for priority removals, and 3) to encourage other researchers collect more specific quantitative data on ICE detainers and conduct more rigorous analyses of immigration enforcement data from these counties.

Top Ten "ICE Hold" charges for all Counties

Charge	Percentage of total
DUI	24.4%
Lack of Proper ID/DL or False ID/DL	14.2%
Drug Possession, Use or Distribution / Alcohol	10.2%
Revoked Driver's license	9.3%
Evade Justice / Noncompliance	8.7%
Theft/ Burglary	7.2%
Other Driving-Related Offenses	5.6%
Assault/Harassment	5.0%
Domestic Violence	5.0%
Property Damage/Violation & Trespass	3.0%

[40] Charge was from Yakima County jail

[41] Washington State Legislature RCW 77.15.380 define 2nd degree "unlawful recreational fishing as:
"(1) A person is guilty of unlawful recreational fishing in the second degree if the person fishes for, takes, possesses, or harvests fish or shellfish and:

(a) The person does not have and possess the license or the catch record card required by chapter 77.32 RCW for such activity; or

b) The action violates any rule of the commission or the director regarding seasons, bag or possession limits but less than two times the bag or possession limit, closed areas, closed times, or any other rule addressing the manner or method of fishing or possession of fish, except for use of a net to take fish as provided for in RCW 77.15.580 and the unlawful use of shellfish gear for personal use as provided in RCW 77.15.382"

[Washington State Legislature. (n.d.). RCW 77.15.380: Unlawful recreational fishing in the second degree - Penalty. *Washington State Legislature*. Retrieved February 7, 2012, from http://apps.leg.wa.gov/rcw/default.aspx?cite=77.15.380]

CASE STUDIES

CASE STUDY: WALLA WALLA

This section examines the perspectives and stories of Latinos in Walla Walla, WA. Walla Walla County is located near the Oregon border in Southeast Washington. Like many counties in Eastern Washington, Walla Walla has a rich agricultural heritage and is built upon robust wheat and wine industries. Out of a population of 58,000, around 11,000 (or approximately 19%) are Latino (US census, 2010) The following are excerpts of interviews from members of Walla Walla's Latino community. Our interview analysis highlights important issues related to immigration in Walla Walla and addresses different aspects of our main research questions: *How has Secure Communities impacted Latino communities in Eastern Washington? How has Secure Communities affected the relationship between the Latino community and local law enforcement?*

Overall, in Walla Walla County we found that Secure Communities and immigration enforcement has negatively impacted trust between the Latino community and law enforcement. In addition, we found that Secure Communities hinders Latinos' full inclusion into Walla Walla County civic life.

More specifically, our primary research in Walla Walla County supports the following findings, presented here in the order that they are discussed:

- Latino research participants saw themselves as "*la gente trabajadora*" (hardworking people). They used this character type to challenge immigrant stereotypes and assert their right to live and work in Walla Walla.
- Undocumented status has significant impact on Latino's willingness and ability to utilize public services because they fear excessive public exposure might lead to deportation.
- Participants generally felt safe in Walla Walla because of their relationships in the community. However, in terms of public safety, participants were particularly concerned about gang violence and immigration enforcement.
- Latinos generally have a positive perception of the local law enforcement in Walla Walla but hesitate to call the police because they anticipate difficulties with language, discrimination, and for undocumented Latinos, detention and deportation.
- There is a shortage of information about Secure Communities; even activists were only somewhat informed. Although interviewees may have had some idea of what the program is, they were fearful that Secure Communities might lead to further attacks on immigrants like in Alabama and Arizona.

I. "*La gente trabajadora*": Responding to immigrant stereotypes

In our examination of prior literature, we focused on how non-Latino groups, anti-immigrant groups, and immigration enforcement agencies portray the Latino community. One recurring image is that of the "illegal" or "criminal alien." In order to get a complete picture of the effects of Secure Communities, we thought it was fitting to contrast such outside perceptions with the opinions of Latinos themselves.

One recurring character type brought up by participants is that of "*la gente trabjadora,*" the hardworking people. Members of the Latino community interviewed in Walla Walla did not perceive most immigrants as criminals. Instead, they felt that people come here to work, to gain independence, to provide for their families, and to contribute to their local communities.

> **Carmen:** "The thing that most compelled me to come [to the United States] was the way of life in Mexico. It's not an easy way of life, especially for the children. [In Mexico], there isn't medical security that you can easily see a doctor. Poverty - more then anything poverty - there aren't many options for work. Most of the work is pure work for men. [In Mexico] women are always dedicating themselves to the house, making food, cleaning. It wasn't easy. One of the other things that made me immigrate is that in Mexico it's not as easy for a women to work … I heard that the women (in America) are independent and they can maintain themselves alone, I said, wow, that's what I've been looking for!"[42]

> **Lluvia:** "If I come from Mexico I have to integrate myself into this community. I need to be like the good people. I always look for good examples of people and try and be more like them. In that area, the people I disagree with are those that come from Mexico and only come to be lazy or supported by the government… To the contrary, you need to be working to fight to lift this country up so it doesn't fall - right?"[43]

These stories stand in direct opposition to historical narratives and stereotypes that portray Latino immigrants as desiring to be apart or incapable of assimilating. Carmen was pulled by the cultural acceptance of women in the workplace in the United States, and Lluvia clearly embraced integration. These are the voices of people who believe in the value of hard work and following good examples. The stories collected during these interviews emphasized self-sufficiency rather then dependence and a desire to work rather than to cause harm.

Participants did not characterize immigrants as "legal" and "illegal." Instead, participants framed divisions within the Latino community as differences in work ethic or differences between generations. The terms most frequently used by interviewees to describe Latino immigrants were: honest, hardworking, mother and father. Whenever interviewees had to justify their stories before figures of authority, they made a point of emphasizing the fact that they didn't harm their communities but helped them.

Gregorio's wife was detained by the border patrol while she was entering the United States. She injured her leg, was held in a hospital, and was eventually deported. In an attempt to be reunited with his wife, Gregorio talked with an immigration detective. Gregorio explained his situation to the detective to persuade him to let his wife back into the country.

> **Gregorio:** I have children, I have family, I have never done anything illegal. The most illegal thing I've done is jaywalk. I don't sell drugs, I don't sell weapons, I don't violate, I don't rob, I don't kill – nothing like that. I just try and give a better life for my kids.[44]

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[42] Carmen, interview by Daniel Merritt, Walla Walla, WA, November 2, 2011. All further references to Carmen in this report derive from this interview.

[43] Lluvia, interview by Daniel Merritt, Walla Walla, WA, November 4, 2011. All further references to Lluvia in this report derive from this interview.

[44] Gregorio, interview by Daniel Merritt, Walla Walla, WA, November 5, 2011. All further references to Gregorio in this report derive from this interview.

Gregorio described himself as a hardworking person and actively asserted that he has done nothing criminal by stating that "he doesn't rob, sell weapons, or drugs." Because Gregorio actively asserted that he did not harm his community, the immigration detective permitted Gregorio and his wife to enter the country without documentation. The immigration detective let them in with the disclaimer that he would be unable to offer assistance if Gregorio were to ever find himself in trouble with immigration services or the law.

Interview participants emphasized the concrete contributions of immigrants to society and the local community within "*la gente trabajadora*" character type by contrasting it with stereotypes of the "criminal alien" and "lazy" Mexican. They used their own experiences as immigrants to deconstruct and defy these stereotypes. Upon coming to the United States, Carmen and Lluvia, started working in the fields. Carmen made her start in Walla Walla by cutting asparagus, Lluvia by picking onions. Both eventually moved on to packing positions in local canneries. Lluvia and Carmen each attested that it is common for people to begin working in agriculture. They described it as "dignified work" and took pride in their struggles to provide for their families.

Manuel also emphasized immigrants' contributions as essential to the strength of Washington's economy.

> **Manuel:** Monetarily, what would Walla Walla do without the immigrants? We are an agricultural community. The onions, the asparagus, the cherries the apples, my goodness! I mean if it wasn't for these immigrants, (and most of them are undocumented) where would the economy be in Walla Walla? ...People don't stop to think of those things. … Every time the citizens of Walla Walla buy an apple, an immigrant had something to do with that, but they don't stop to think that - they just see the negative. "Oh they take from the community they never contribute." but they do - immigrants contribute in a big way. So it just drives me crazy! It makes me angry, you know, that people are really unfair. They don't know, I guess … they've been brainwashed by all these negative stereotypes that they adopt programs like this one, Secure Communities, and they make it the cool thing to do because they're uneducated… they don't appreciate the immigrants really. It's bad, all bad to them. It's so unfortunate.[45]

Manuel described immigrants as integral members of the community, not only as residents, but as substantial contributors to the local economy. Manuel believed that the adoption of programs that target immigrants is a product of ignorance. He implied that the Latino community has the knowledge and therefore the power to correct these misconceptions by making people stop and consider the concrete contributions of immigrants, especially in agriculture.

The importance of family was another consistent theme in all the interviews conducted in Walla Walla. Carmen and Lluvia are first generation immigrants from small towns in Oaxaca. Carmen has one daughter and works as a caregiver for the elderly. Lluvia has three daughters she is putting through college; she works as a custodial assistant.

> **Lluvia:** [Language]… is my major problem but seeing as I am the mother of my household I always have dedicated myself to my daughters. I've always put them before

[45] Manuel, interview by Daniel Merritt, Walla Walla, WA, October 12, 2011. All further references to Manuel in this report derive from this interview.

> me. My daughters come first. As such I don't go to school because I need to support them. In each event that comes in school it's them, them. I'm proud that I have acted like this. But now I've enrolled in school because my main barrier is language."

Lluvia placed her own mastery of English and education after that of her daughters. Other parents cited similar sacrifices, deemphasizing personal goals in favor of providing for their families. Most participants talked about creating a future for their children and families as being one of their major motivations for living and working in the United States. Participants' perspectives on their immigration experiences and subsequent encounters with law enforcement and immigration services were also often framed by how they affected families.

The construction and use of the character type of "*la gente trabajadora*" demonstrates an active effort by the Latino community to break down the public's pre-existing negative conceptions about immigrants. It is an active effort to assert their own identity as opposed to accept labels that are thrust upon them by outside forces. Throughout my interviews in Walla Walla, people made a point of using the character type of the hardworking immigrant to empower themselves and others and justify their right to live and work in Walla Walla.

II. *Enfrentando barreras*: Barriers faced by the Latino community

Efforts to combat stereotypes of the Latino community through "*la gente trabajadora*" show promise, but other concrete barriers create significant difficulties for the Latino residents in Walla Walla. According to our interview participants, immigrants face a wide variety of hardships and difficulties in Eastern Washington. In Walla Walla, the top difficulties that people named were language, discrimination, and documentation status.

All first generation participants named language as a barrier they had to overcome when they first arrived in the United States. Those that didn't cite language as a major concern generally had either come to the United States when they were younger, or had learned English as their first language. Carmen adds a layer of complexity to this divide between good command of English and a poor command of English by discussing indigenous languages.

> **Carmen:** I think that members of the community here in Walla Walla think that people who do not speak English haven't made the effort to learn the language. … in Mexico there are many languages. … Sometimes Spanish is a second language. In my case, I grew up with Mixteco. … Mixteco is my first language. I know how to speak it, but no one showed me how write it in school … but I do speak it perfectly. … what happens with the other people who speak Mixteco, Zapoteco, Mihuatl and Nahuatl – they speak other languages - indigenous languages. When they arrive in the United States, first they have to come to terms with Spanish and then with English. It is very difficult.

Carmen debunked the idea that the process of learning English is the same for everyone. Carmen introduces a new challenge; English may be a third language for people of indigenous descent coming to the United States. They have to learn Spanish first, and then English. Carmen explained that language is a barrier that appears many aspects of daily life. Many things are contingent on having a command of the English language. She noted that basic tasks such as getting change or retuning items at a department store are very difficult without a grasp of the

language and that without a good command of English the prospect of meaningfully communicating with figures of authority such as a police officer can be daunting.

Gregorio is an undocumented immigrant who has lived in Walla Walla for 15 years. For Gregorio discrimination has been a constant concern. After arriving in the United States, Gregorio worked various jobs to provide for his two daughters and his son. His fourth job after coming to the United States was at a Schmitt cannery plant. Gregorio worked packing and sealing boxes. In order to pass the time he would sing to himself. One day Gregorio's supervisor heard him singing. She promptly brought him into the office and asked if he was under the influence of any drugs. He replied no.

> **Gregorio:** At the restaurant I worked for about a year and a half until one day the owner of the store was fighting with another person, another cook, and he began to say "fucking Mexicans", "stupid." I didn't know much English, but that was easily understood. And I understood that he called us illegals; he said that if he fired us we'd die of hunger that we were there because he let us be there. … He began to yell at the other person who was also Mexican so I left. … During that whole year and a half that I was working for that man I went to yard sales - I bought a screwdriver for ten cents, a hammer for twenty cents. Whatever tools I found I bought until I had a little box of tools… In Mexico I studied mechanics, so I got my license to work and have now worked six years as a mechanic. Now I don't work for anybody, I don't allow anyone to yell at me I don't have a fixed salary. Sometimes I make a lot, sometimes I make a little and that's how I carry on, but I feel more comfortable for the facilities it gives my family.

Gregorio's stories speak to another painful aspect of the undocumented experience: social stigma. Undocumented immigrants have to deal with assumptions that they are lazy or with drugs and gang violence. In Gregorio's case his first employer thought he was on drugs. In the case of his second employer, his boss saw his chefs as helpless, dependent "illegals." In response to these stereotypes Gregorio chose to assert himself to his employers and sought work where he would be treated with respect. Gregorio created his own safety net by gradually buying tools in order to ensure that one day he could return to his trade as a mechanic and go into business for himself. He literally assembled a toolkit to build a future that was free of discrimination. Gregorio chose to give up the economic security of a fixed salary in order to escape an environment in which he was discriminated against. Although Gregorio's story is a compelling tale of self-empowerment, Gregorio later observed that the reality for many Latinos in his situation is that they cannot afford to leave jobs in which they are discriminated against or treated poorly. This implies that in many instances Latinos' agency is limited by the basic need to provide economic security for their families.

It is important take into account the barriers the Latino community face because issues such as language and fear of discrimination impact the extent to Latinos feel they can connect with figures of authority. These barriers often exacerbate problems members of the Latino community face**.**

III. *Sin Documentos*: Legal status and the figure of the "hardworking immigrant"

The factor that most affects the experience of Latino community in Walla Walla is immigration status. Both documented and undocumented community members were familiar with the topic and each spoke strongly about how it impacts the community. Many of the difficulties people felt they had to face were either related to, or amplified by, documentation status.

One of the largest differences our participants noted between documented and undocumented community members was in their varying feelings of security. Manuel grew up in the United States without documentation; he received his papers before entering college and now works in Walla Walla as an educator. Manuel described how not having documents affects people's perspective.

> **Manuel:** ...if they're driving down the street and they don't have a license, there's a chance they're going to get stopped and they think they're going to get deported… all these thoughts go through their mind - what about my kids? What's going to happen here? So it's like terror really, it's terror. Once you get your papers I think that worry goes away because you're secure that the worst thing that could happen is you get a ticket - right?

Manuel conveyed that not having papers contributes to a constant sense of insecurity and fear – strong enough to characterize it as "terror." He illustrates how, for undocumented community members, day-to-day activities have an element of peril that doesn't exist for documented residents. While a documented resident caught driving without a license might only have to worry about getting a ticket or fine an undocumented resident caught in the same situation might be arrested, detained, and eventually deported.

Every person interviewed in Walla Walla said that deportation was a constant threat to undocumented members of the community. Several subjects stated that because of the threat of deportation, undocumented Latinos are hesitant to seek basic public services or even expose themselves to the public. Ernesto recounts a story of an undocumented mother who had these exact fears.

> **Ernesto**: One parent told me, "We are invisible people and I like to keep it that way. We don't want people or law enforcement or immigration to know where we are. We have our little jobs, we have to work really hard to survive in the United States but we have less in Mexico, so we just try to survive and live here …We go out, harvest the crops, and go home and stay quiet. We don't cause any trouble, don't cause any problems and just, you know, just be invisible." … I said, "Are you working on getting your stuff done? I mean are you getting your documentation in order - have you started the process?" and she said, "We can't afford it; there's no way we can afford it." They're just scared to do anything."
>
> People are avoiding public services or asking for any kind of help because they don't want to show that they're plugging into anything: they just want to remain invisible. That's some people, not all people. Some other people just go for it, man. They get

> whatever they can get. They'll just go for it and abuse it if they can, but the majority of people that I deal with and the parents that I deal with - the adults that I deal with, hardworking people that just kind of want to stay out of trouble and just be invisible just go to work and come home - that's it.[46]

The idea of "invisible people" brought up by Ernesto's quote speaks to the limiting of public spaces in which immigrants feel safe and comfortable. The mother in Ernesto's story chose to restrict her visibility in public space because she feared exposing herself to situations in which she might run the risk of getting deported. Ernesto's description of "invisible people" who simply go to work and come home fits with Wonder and McDowell's (2011) findings in Arizona that many undocumented immigrants spend the majority of their time in safe places, such as their homes, churches and schools. In Walla Walla, many undocumented members of the community are unable to comfortably access basic goods and services. As Ernesto mentions, this voluntary limitation of mobility in order to avoid deportation leads people to avoid seeking basic services and assistance. In this way, being undocumented has a silencing effect. Because of fear, some members of the undocumented community intentionally remove themselves from civic life in order to protect themselves and their loved ones.

Participants noted that aside from limiting physical mobility and access to services, documentation status also limits employment opportunities and upward mobility. Antonio is a legalized immigrant from Chile who grew up in Walla Walla. Antonio described his parents' background to illustrate how employment opportunities for those who are trained as professionals in their country of origin are socially and economically limited by their immigration status.

> **Antonio:** My parents, when they came from Chile, had an education so it was a little easier for them in that sense. The vision, or at least what people think of the community, is that most everyone that comes from Mexico, and especially if they come undocumented, have very little education and that's not the case. There are folks here who were doctors and teachers and so on from Mexico and undocumented right now living in Walla Walla but they have to go out and work in order to support their families in agricultural work so there all sorts of dynamics at work in that sense."[47]

Antonio's story challenges the common assumption that all immigrants are uneducated. He explained that, because most employers demand proof of legal documentation status, many people turn to menial labor when they first arrive in the United States. Many desire to return to the professions they held in their country of origin, but are unable because of their documentation status.

Those who pursue some kind of certification or license to improve their employment options can also be limited by immigration status.

> **Lluvia:** People that I know have paid with their own money to go to college here at Walla Walla CC. They graduated as nurses, and they can't practice their work as nurses

[46] Ernesto, interview by Daniel Merritt, Walla Walla, WA, October 20, 2011. All further references to Ernesto in this report derive from this interview.

[47] Antonio, interview by Daniel Merritt, Walla Walla, WA, November 1, 2011. All further references to Antonio in this report derive from this interview.

> because they don't have papers. But they are nurses, and they are honest. They went to school, they paid the money out of their own wallets. I think those people should be given the work, because it wasn't through anyone's help but their own. Laws that stop people from working like that don't seem just to me when people have come here to contribute to the country - not rob from it.

Lluvia's story shows another way in which "*la gente trabajadora*" (hardworking people) are victims of what Lluvia characterized as "unjust" laws. Hard work, effort and investment are ignored because employment eligibility for certain jobs requires documentation.

Lluvia and Antonio's stories illustrate how undocumented status traps people. Employment options are limited even for those with proper education and training. Family needs and other concerns necessitate that these individuals work – most often they find work in the field or other menial labor, regardless of their skills, educational background, or aspirations.

Amongst his students, Manuel sees the difference between documented and undocumented students as a difference in involvement.

> **Manuel:** The kids that I work with I know that a certain number of them that are undocumented. They don't tell me that, but I know they are. Well, sometimes they tell me that - not everybody tells me. I know they are [undocumented] because when there's a rally, something going on in the community, I see them with their parents there being very vocal, very involved in immigrant issues. The kids who do have the documents and were born here, they don't really care. That's unfortunate but it's the truth. So I'm assuming that those kids have either themselves or their parents, that somebody in their family is facing an issue with immigration. So they're there to be supportive. Like for the Dream Act, when we had our rallies there were just so many of my students that would go to that. We would discuss what the Dream Act was in class so everybody was paying attention. At the rally I would see so many faces from my classes. So that tells me something, that tells me that they're interested and want it to pass because it probably affects them.

As Manuel observed, the experiences of documented and undocumented students are so opposite that students pursue different interests and goals. Documented students who are generally secure do not necessarily have the same personal stake in political change that undocumented students do. Activism amongst the undocumented community in Walla Walla is a positive finding that differs somewhat from findings in Yakima and the Tri-Cities. Researchers like Abrego (2011) discussed in the literature review, suggest immigrants generally want to avoid the public sphere. Although people are afraid in Walla Walla, the local undocumented community has a strong history of actively trying to assert its rights. Many undocumented Latinos have been involved in rallies that support immigrant rights, including the May 5th immigration reform rallies in Seattle and OneAmerica's lobby day in Olympia. This activism is in large part due to community solidarity.

> **Carmen:** What is going on right now is that people have begun to unite themselves more, they have begun to wake up. They have begun to act, people have begun to take note how the police are changing the community. Whether they like it or not, this country forces people to wake up quickly.

Carmen asserted that people have begun to come together. Her observation that "people have begun to take note how the police are changing the community" referred to the importance of immigration issues for politically active Latinos in Walla Walla, particularly in local immigrant rights organizations like El Proyecto Voz Latina and OneAmerica. Carmen also thought that Latino parents had begun to participate more in their children's education. Carmen's observations seem to show that this group solidarity, facilitated by community organizations, has helped mitigate some of the undocumented community's fear of exposure in public space.

Ultimately, immigration status limits the agency of undocumented residents. It curbs personal freedom to work in certain professions even for qualified candidates and those that have acquired proper certification. A lack of documentation also limits people's ability to engage with their communities. Every decision that involves some kind of public exposure, be it accessing social services or being politically outspoken, is weighed against individual security concerns caused by the threat of deportation. As a result, many individuals intentionally restrict their public exposure. Although these concerns weigh heavily on individuals, in Walla Walla, participants felt reassured by the support of community organizations. Community solidarity and support has helped reassure many undocumented residents and has allowed them to engage political issues and assert themselves in the community.

IV. *Una comunidad segura* - Community safety and community policing

When asked how safe they felt in Walla Walla, most Latino community members in Walla Walla said that they felt positively about their community's safety. Manuel described himself as "comfortable in College Place and in Walla Walla." Jonas, a maintenance worker, described Eastern Washington and Walla as "very peaceful." Most participants attributed this sense of safety to the small town size and the relationships they had in their neighborhoods. Ernesto observed an environment of "neighbor watching neighbor" and a "strong sense of community." Generally, documented interviewees reported greater feelings of safety in their communities. Manuel, Antonio, and Ernesto all made note of the fact that they lived in stable, higher income neighborhoods with lower rates of crime.

> **Ernesto:** One of the reasons why I stayed here was because I felt safe here in the area. And we do have issues with some of these youngsters and what they're doing and with the gangs and the drugs that are going on but it's still a pretty safe town.

As Ernesto noted, although Walla Walla is perceived as peaceful, there are concerns that residents have regarding threats to community safety. Among these concerns are gang activity and drugs.

Participants' discussion about gangs mainly focused on the causes and effects of gang violence in Latino youth. As an educator, Manuel has taught students who have become involved with gangs.

> **Manuel:** This student was undocumented and he was very bright … he would do so well on the state exams, always one of the top, but I suspected he didn't have papers because he would not try in my class and he was receiving an F. … I think his spirit was broken,

> just like I was when I was in school. I didn't have papers, I didn't see a future after high school. I think that the same thing happened with this kid. He had just so much talent but he doesn't have documents, so he probably just said why bother? … After high school I'm assuming he didn't have anything else to do, he didn't go to college. I don't know if he works or not but he probably just decided it would be easier to join a gang and be part of something.

The student in Manuel's story ended up turning to gangs due to a lack of options. Because of his documentation status, Manuel's student perceived that he had nowhere else to go. The "broken spirit" Manuel referred to clearly conveys a sense of powerlessness and desperation that comes from being undocumented. Although many people felt empowered by what they had achieved through hard work, several participants conveyed that being undocumented presents structural barriers that are out of one's control. This tension, between self-assertion (expressed through the narrative of the hardworking immigrant) and helplessness (in the face of outside forces), also came up when participants discussed their relationship with law enforcement and immigration. Lluvia believed that combating gang involvement starts in the home. She said that she could not understand parents who do not dedicate themselves to their children and, by their neglect, allow their kids to become involved with gangs.

> **Lluvia:** It is our job as parents to take care of our children so that they don't fall to gangs. We leave the police or government to face it. But I say that first [facing] it begins with oneself. So in that, I am not in agreement with my compatriots who say that the government should maintain them [their children]. I say that we, as Latinos, if we come to this country because we want a better life, should fight for it.

Lluvia framed the issue of gang violence as a community issue by explaining that the power to fix the gang problem is not only in the hands of authority figures and enforcement. In Lluvia's opinion, parents who neglect their responsibilities to their children and do not keep their children from going astray actively contribute to the gang problems in Walla Walla; were they to be more engaged, active caregivers in their children's lives, they could prevent their children from participating in gang violence. Lluvia expressed that building a safe community is something that *everyone* must contribute to, not just the police. Lluvia described that Latino parents have not only the power, but also the responsibility to promote public safety and combat gang violence by taking care of their children and preventing their kids from becoming involved in gangs.

The interviews we collected suggested that community safety is built by a variety of factors. Many people attributed part of their sense of safety to local law enforcement, but in general our interview subjects felt safe because of their relationships in the community. People perceived that they lived in good parts of town and that neighbors would generally look out for one another. This can be characterized as community policing. Lluvia's story demonstrated her belief that community safety is facilitated by individual responsibility and by having a stake in addressing community problems. She believed that the way in which the community can contribute most to community safety is through prevention, working with the youth of Walla Walla, and making sure that they do not join gangs in the first place. Just as people were empowered by community organizations and group relationships that supported their political agency, participants felt safe mainly because of their social networks. Neighborhood

relationships and good relationships with the police created a sense of safety and, as Lluvia observed, helped create actual safety by facilitating prevention.

The exception to this prevailing sense of safety is the insecurity created by forces that operate outside of the personal relationships of community, such as immigration enforcement. Because immigration is generally enforced by federal agencies, most participants conveyed a sense of powerlessness and uncertainty when dealing with immigration issues. Interview participants felt that, as immigration issues become associated with local law enforcement issues, law enforcement has become less attached to their social network of community. As a result, they felt less safe around local law enforcement officers.

V. Willingness to report crime

Participants' perception of the police influenced their willingness to report crime. Most participants said they would be willing to call the police to report serious crimes. They also reported that they would call the police if they were victims of a crime.

> **Lluvia:** I would call for someone breaking in and entering or if someone was hurt near my house.

> **Carmen:** If I am witness to an abuse of a child, I'd call the police. If an individual or someone is abused or something is happening in the street, I would also call the police.

> **Gregorio:** I would say, yes [to calling the police], independently of the situation. If a person is threatening you, or if they robbed your house or robbed your car, if someone messes with my business, I think it would be the thing to do; call the police, explain what has happened, and try to have them search for a solution.

Participants mainly had reservations about contacting the police unnecessarily. Participants were hesitant to call the police if they were unclear on police procedure or would have to further involve themselves with court proceedings.

> **Carmen:** I wouldn't call the police if I wasn't sure of something. … If it's something that could be resolved without the police, I also wouldn't call them. Right now, with the situation with Secure Communities, it's very difficult.

> **Lluvia:** I'm unclear when I should call the police and when I shouldn't. I once called the police when my neighbor's tree fell on my car. They weren't able to help me get compensation. If I'm unsure if the police can help me I don't call the police.

> **Gregorio:** If I was a witness to a crime – I think the first problem the majority of the Hispanic people have is [that] we do not want to involve ourselves in something that doesn't pertain [to us]. If I were witness to an accident of a truck, I would act like any other person and call 911 to call an ambulance. But I wouldn't want to testify and say someone had the blame. It would be better not to have that contact with the police. You have a bit of fear having to testify to the situation of another person and you might be

> running into legal problems. In that case I think it's better to keep oneself a bit to the margin.

Gregorio and Carmen's reservations about calling the police are part of a larger pattern. Most interview participants seemed apprehensive about interacting with local law enforcement. Carmen's quote suggested that this is, in part, because people believe that the police cooperate with immigration. People do not necessarily fear the police directly, but as Gregorio's testament suggested, people fear arrest and the potential legal repercussions that can come from a bad encounter with the police. The fact that police are seen as immigration gatekeepers only exacerbates people's existing reservations about contacting law enforcement because of language issues. Lluvia demonstrated how people might not feel comfortable calling the police if they are ignorant about the role of the police or "unsure" about police procedures. Because of an instance in which she was not able to get the help she needed, Lluvia had reservations about calling the police unless she was absolutely certain that they could help her.

Although Carmen specifically stated she would call in the police in cases of abuse, she brought up the fact that she knew several people who had been afraid to call the police in cases of abuse because of documentation status.

> **Carmen:** One young woman I know… told me about a case in which she did not want to report a domestic abuse. I suggested that she talk to the police that if she tried establishing a relation with the police they might be able to help her. She was afraid they'd ask for papers – she didn't call. That's the kind of thing I've heard from the people who have spoken with me.

Carmen's story illustrates the conflict that is created between personal security and fear of deportation. Domestic abuse in particular was a serious crime that Carmen and Manuel felt people were hesitant to report. This finding was consistent with Ammar et al.'s (2005) findings and with our other case studies in Yakima and the Tri-Cities as well.

As mentioned earlier, Latino community members named language as a significant barrier for new immigrants. People who are able to speak English are more willing to call the police. When asked about a positive experience with law enforcement in Walla Walla, Carmen acknowledged misgivings about calling the police due to language barriers.

> **Carmen:** I have called the police once before in my house. I found a young man, an Anglo boy sitting in the living room of my house. I don't know how he got there - I now live in my own proper house. It was Christmas and there we saw him, a young man sitting in the living room on a chair asleep. I don't know if he was drunk or not. For me, it was very difficult because I was afraid [to call the police]. I was afraid that the police wouldn't understand what I wanted to tell them. I took note of the fact that I called them at 10:11 at night. I told them that somebody was in the house. I don't know how the police understood me, but the police came immediately to collect the young man and they took him away. They told me he was from the state of Oregon. [Calling the police is] one of those things you doubt a lot; you think a lot about calling the police when there is a problem and you don't know how to speak the language.

For Carmen, the inability to speak the language acted as a deterrent to calling the police in potentially dangerous situation. Her poor command of English decreased her control over the situation. Carmen's decision to call the police was an assertion of her own agency. Because the situation posed an immediate threat to her family, she decided that it was worth the risk, even if her action might expose her family to unwelcome scrutiny from immigration. This is consistent with the earlier finding that people are generally willing to call the police for serious crime. By selectively calling the police, interviewees hoped to decrease the chance of facing legal repercussions and avoid situations in which they would be ill equipped to defend themselves.

Although most Latino interviewees reported that they were not afraid of local police officers, almost all participants showed extreme hesitation when calling the police for all but the most serious of crimes. Many participants, especially those with undocumented status, reported actively avoiding law enforcement whenever possible. This is largely due to fear of interactions with the police rather then fear of the police themselves. Participants' main fears when interacting with the police were potential for miscommunication, arrest, and deportation. Language barriers and lack of knowledge about police procedure further enhanced Latino participants' hesitation to interact with police.

VI. Latino Perception of local law enforcement

Police Visibility

One factor that improved perceptions of the police was police visibility. Most people reported a fairly regular police presence where they lived and the places they worked, and they viewed this presence favorably. Interviewees reported that they valued police presence near schools and immediate access to the police near their homes. Manuel said, "They have a presence here in the community. You see them all the time, it's nice." Gregorio recalled seeing police at 3 a.m. while working on repairing cars in his home business and feeling reassured. Lluvia stated, "My husband says he sees the police going around the block and I like that. I like that they're right there, that you can be sure that any moment that you call them they will be right there." Ernesto also positively reflected on seeing local police regularly in his community.

> **Ernesto:** I see them every morning cruising through our neighborhood … they're visible… It's nice to see that as a resident and homeowner…you're being watched out for. That's a really good feeling. … I love to drive down the streets in the morning and see police officers parked a block or so away from schools and keeping an eye on schools and make sure that kids are getting to schools safely.

These testimonies are consistent with findings in the literature by Thomas and Burns (2005) that suggest that increased police presence in neighborhoods through community policing or other strategies fosters positive perceptions of police.

Regular police presence not only contributes to a visual sense of safety, but also provides opportunity for community members to form personal relationships with the police. Both Ernesto and Gregorio stated that they have friends on the police force. They both stated that this made

them feel more comfortable working with the College Place and Walla Walla police departments respectively.

Previous Experience with Police

Another factor that people brought up when discussing the police was their contact with police in their country of origin. Most interviewees used this comparison to reflect positively on police in the United States. Jonas and Antonio in particular observed that "In places like Mexico the police will stop you for nothing and have you pay a bribe [*multa*]." This is generally consistent with findings of Menjivar and Bejarano (2004), who found that Latinos generally have positive perceptions of the police in the United States because they compare the legitimacy of U.S. police to corrupt police in their country of origin. Other participants in our study, such as Lluvia and Carmen, had had almost no police presence in the small towns where they grew up in Mexico and appreciated the presence of local police in Walla Walla.

Personal Experience

Most people's perceptions of police came from personal experiences and stories told via word of mouth between friends and family. The nature of our interview subjects' personal encounters with the police significantly affected their perception of officers of the law. We found that they had the most favorable opinions of the police if they previously had substantive personal interactions with the police in which they were treated with respect and felt that they had influence on the situation. This is consistent with various scholars mentioned in the literature review who conclude that the nature of personal encounters with the police is the most powerful predictor of Latino attitudes toward law enforcement.

While discussing his childhood in Salmon, Idaho, Manuel described how important a positive experience with the police was for impressions his family had of law enforcement.

> **Manuel: [**My parents] were driving without drivers' licenses…they were both terrified of the police. … [My mom] needed to drive to get to her jobs. … Every time she would see a cop and she would panic. She would pray while she was driving. She was terrified of the police. One time the police stopped her without a license … She was crying and crying. The police took her, they gave her a date at the court house. ... She thought she was going to get thrown in jail for driving without a license … In the town everybody knows everybody so, I guess the cops… knew who she was and the judge he knew who she was also. And so she was telling them, "You know I have to drive, I need to feed my kids. I have to go to the job to feed my kids." She was in tears … [so] the judge gave her an opportunity. He gave her the booklet to study to get her license and all the information she needed and told her to study and to come back I think two weeks later to take the test and she did and she passed - she got her license… After that it was better…we didn't have papers but she had her driver's license and she was able to drive around without being afraid; that was a big step for her… the police were nice. So after that … she wasn't afraid of the police. She saw them as good people.

Manuel's story of his mother demonstrates the power of personal experience to radically shift an individual's perception of law enforcement. Manuel described that, like many undocumented immigrants, his mother was afraid of the police. The reassurance that Manuel's mother received that the police were there to serve and help members of the community regardless of documentation status was pivotal in influencing future interactions with the police. The experience helped Manuel's mother perceive the police as people as well as officials and go out into the community with a greater level of comfort and confidence. Another aspect of Manuel's story that is important to examine is the fact that the police personally knew Manuel's mother, as did the judge. This relates to the finding that people's general perceptions of safety were heavily influenced by community relationships. Like Manuel's mother, interview subjects felt safest about figures of authority when they felt that their situations were understood and their input was taken into account.

Although overall impressions of the police were positive, not all participants' perceptions of the police were as positive as Manuel's. Most interviewees described various instances in which they had had negative experiences with the police and most had misgivings about calling the police.

Jonas was undocumented until recently. He works in maintenance and has lived in Walla Walla for over 20 years. Jonas has had several encounters with the police in which the police have not arrived in a timely manner. On one occasion three men were fighting outside of his house. Jonas stated that it was drug related violence. Jonas recalled, "I called the police and they came when everything had already happened – like always, late." He attributed this tardiness to unequal treatment based on race. When asked if he had had any good experiences, Jonas responded that he "hadn't really had any good experiences with the police." In all of Jonas's stories the police they were either belligerent or hostile, or simply did not offer him any real help. Naturally, Jonas's opinion of the police has come to reflect those negative interactions.

In another instance, Jonas was driving to work at a local ranch when a police officer pulled him over. The officer gave Jonas a ticket because one of his taillights was out. The next day Jonas carpooled with an American coworker to avoid further trouble with the police - his coworker also had a taillight missing. That morning as they were driving to work, they were both pulled over by the same officer that had given Jonas the ticket. The officer only gave Jonas' coworker a verbal warning.

> **Jonas:** One time I was driving during the night and I had a taillight out and the policeman stopped me and gave me a ticket. The next day I didn't take my car. I got a ride from an American and he drove me. He also was missing a taillight and the same policeman that stopped me stopped him the next day. He stopped him and didn't give him a ticket. I was there … when he said that I will give you a verbal warning go get your light fixed … I told him "yesterday you stopped me and you gave me a ticket for not having a taillight. Why don't you give him a ticket? [is it because] he's white?" The policeman said, "No…these are different situations." I said, "What's the different situation?" Yesterday you stopped me and you gave me a ticket … for not having a light. That's why I asked a ride for right now - because my taillight was out." So again I asked him, "Why did you give me a ticket and you aren't giving him a ticket?" He said, "No, no, it's not racism," and I said, "How is not? What do you call it?"[48]

[48] Jonas, interview by Daniel Merritt, Walla Walla, WA, November 10, 2011. All further references to Jonas in this report derive from this interview.

In this instance Jonas asserted his own agency by challenging what he viewed to be an unfair citation. Although the officer probably acted using his best judgment, Jonas perceived this incident as a discriminatory act. For him this incident was proof of claims he had made earlier in the interview that officers have the tendency to give preference to their own race. For him these two instances were the exact same "situation" but only he received punishment. He did not perceive this officer's conduct as fair. Jonas's anger over the differentiated treatment exemplifies Sunshine and Tyler's (2003) concept of procedural fairness, the unbiased and equal treatment of all groups within a community by figures of authority. Because Jonas perceived that the police would treat him differently then other members of the community, he believed that the police could offer him any real assistance.

Gregorio also had a negative encounter with the police in College Place. A few years ago Gregorio left his house in a rush without his driver's license. Later that day he was pulled over in College Place for speeding. Under Washington State law driving without a license counts as a misdemeanor. Gregorio was incarcerated until his wife could come to the station to pick him up and pay the $250 fine.

> **Gregorio:** I think with new anti-immigration measures they've become a bit stricter, like in College Place they detained me. He [the officer] didn't really give me the opportunity to talk to him to tell them that I didn't have my license at the time because I had left the house in a hurry.

Gregorio emphasized the fact that he didn't get to properly explain himself as the most negative aspect of this experience with the police. Although Gregorio was bailed out by his wife and didn't suffer any repercussions from immigration, he still sees this as one of the most negative experiences he has had with the police. To this day Gregorio avoids driving in College Place unless he has to. Because Gregorio perceived that his voice was not heard when interacting with the College Place police, he has actively chosen to not drive in college place. Gregorio's case exemplifies the kind of incident that leads undocumented residents restrict their movements in certain physical spaces. Reflecting on the whole experience Gregorio stated, "It's a good thing I was arrested then and not now. With the way the laws work nowadays I might have left without my license that day and never seen my family again."

The desire to be understood when interacting with the police relates directly to another general finding. Most participants had very positive views of the Walla Walla police department. Participants viewed the inclusion of bilingual Hispanic officers on the force very favorably.

> **Antonio:** My sense … is that they [the Latino Community] see[s] at least some Latino officers in the city and, therefore, their trust is a little greater of the Walla Walla Police department. They have very little trust of the College Place police department and less contact with the Sheriff's office, unless they live out towards the labor camp, but I know families that avoid driving through College Place because they feel that they're being profiled in College Place. You don't see any Hispanic officers in College Place. You see Hispanic officers in Walla Walla but you don't see them in the Sheriff's department.

Antonio conveyed that having Latino representation on the police force decreases some of the fear of being misunderstood. Three other participants[49] reported feeling uncomfortable going to College Place because they felt that they were unwelcome and that if the police detained them, there would not be someone who could clearly understand them.

> **Gregorio:** [The police] show interest in working with the Hispanic people because they have Hispanic officials. And that is something very important because there are many [people] that don't have the ability to understand another language... What the police department has done, that it has contracted bilingual people, well, it speaks highly of them - doesn't it? It brings the police closer to the community and the community, with more confidence, can become closer with the police. Because [members of the Latino community] know that they will be understood perfectly. I still have a little bit of fear when I'm detained by an American official because of the language, I know my English isn't perfect and that there are things where I struggle a little bit to express myself. So I always prefer if a policeman detains me, for whatever reason, I'd like to know there is a Hispanic or someone on force able to understand me, so I am able to defend myself or explain my situation.

Gregorio approved of the Walla Walla police department's decision to hire Hispanic and bilingual officers. He viewed the inclusion of Hispanic officers as a trust-building gesture that brought the police closer to Latinos and showed a commitment to working with the Latino community in the long term. Gregorio attested that knowing that there are Latino's and bilingual officers on the force eased his fears of being misunderstood. For Gregorio, the knowledge that individuals that he identifies with and can communicate with are on the police force increased his personal confidence when interacting police in Walla Walla because he felt that he would be "able to defend himself."

Overall, Latinos in Walla Walla generally had positive impressions of the police that were based on approval of police visibility, positive personal interactions and increased trust with the department because of the inclusion of Latino officers on the force. Negative perceptions of the police in Walla Walla were formed in situations where Latinos felt that they didn't have a voice and were unable to defend themselves when interacting with an officer, as well as situations in which police officers acted in a manner that appeared procedurally unfair.

VII. Immigration Control Policies in Walla Walla

While perceptions of police varied based on personal experience, perceptions surrounding immigration enforcement were much more unified. As mentioned earlier, the largest perceived threat to the safety of the Latino community was deportation. All participants had a story to tell about someone they knew who was deported. In Walla Walla, between 2008 and 2010 two hundred and eighty people were detained and moved to ICE custody on charges ranging from aggravated assault to driving without a license.[50]

Participants reflected that the threat of deportation is not new in Walla Walla. Interview subjects recalled various incidents in which they had to confront the threat of deportation, even

[49] Jonas, Carmen, Gregorio
[50] See Appendix F

in their own homes. Participants told stories about friends and family who had set down their roots in Walla Walla and lived there for over 15 years but still faced the threat deportation on a daily basis. Carmen and Gregorio both reported incidents of federal immigration agents who came to people's houses asking for previous residents and then detained the people who answered the door, even though they were not the people whom the agents were seeking.

> **Gregorio:** … Immigration arrived, they knocked at [Pablo's] house asking for another person - not for him. He opened the door and said, "They don't live here; they live in another house over there." They detained him. Even though he tried to help them, it finished with them detaining him and not the other person. … In the years that I've known [Pablo], he doesn't drink, he's hardworking, father of a family. I think it was a very tough situation because they separated the family. His children are now suffering - his children were born here. When all the children are Mexican and they separate the father or they take away the mother, well, it's very easy to reclaim the children and reunite them, but when the children are from here they have a major problem. That's the main situation I know of that has impacted me. He was deported for answering the door. Nothing more.

Gregorio's story is one of several from Walla Walla interviewees in which immigration services have indiscriminately detained people who were not targets of their initial investigation. Gregorio uses the narrative of the hardworking immigrant to express his distress about Pablo's deportation. Later in the interview Gregorio stated that "[immigration services] should have used better criteria when deciding to deport Pablo." In Gregorio's opinion, whether or not someone is deported should be determined by their contributions to the community, and immigration enforcement should not act indiscriminately against hardworking people.

Carmen reported a similar incident where immigration officers came to her house looking for the previous owner. Like Gregorio, Carmen asserted that immigration services should follow proper procedure and not attempt to deport people for whom they lack a warrant. Gregorio, Carmen and Lluvia felt that the tactics used by immigration were underhanded[51] and often resulted in wrongful deportations of hardworking people who had resided in Walla Walla for years. Another immigration enforcement tactic Carmen discussed was the use of voluntary deportation slips.

> **Carmen:** …my brother and some of my cousins had gone to go pick apples … there were five people in the car. ... The police stopped them and, seeing as they hardly spoke English, they didn't really understand what the police were telling them. The police just directed them to sign a paper and like that they restrained their hands and left the car. They called a tow truck so that they could take the car and left the rest of them here in Walla Walla. The person who was driving, he signed for his own voluntary deportation. He didn't know what he was signing. That has happened with many of the people that I know. That was the local police. I'm not sure where they were from - maybe Walla Walla - but possibly Prescott. I think it was the police form Prescott because it was on that side of the county where they picked them up. … Many people without knowing it are signing

[51] Carmen felt that the fact that ICE officers vests also say POLICE on them in bold was an underhanded tactic. Carmen stated that this often causes confusion amongst undocumented residents who interact with ICE agents because they are unsure if they are police or immigration services.

> their own removal voluntarily without realizing what it is. And many don't ask – there aren't interpreters and they sign right there. They give them a pencil and without knowing it, because of fear, they sign.

In Carmen's story, language barriers contributed to her cousins' voluntary deportation. Both Carmen and Gregorio's stories illustrated that many undocumented community members who actually want to comply with figures of authority can be at greater risk then those who try to avoid encounters with law enforcement. In Pablo's case his cooperation and honesty allowed immigration services to deport him. In the case of Carmen's brother and cousins, ignorance about their rights and the desire to comply with authorities led some of them to unknowingly sign off on their own deportation.

Because of these stories where ICE present themselves as police and where police facilitate immigration enforcement, undocumented residents and immigrants become uncertain whether police will offer them aid or put them into the first steps of deportation proceedings. When police assume a role that facilitates deportation, immigrants naturally begin to mistrust the police. This creates a conflict between undocumented individuals' fear of deportation and their desire to comply with figures of authority and obey the law. Stories like these exacerbate undocumented community members' apprehensions about contact with the police.

When discussing deportation, participants emphasized the various harms of deportation. Interview participants felt strongly that deportation was a destructive force in their communities and emphasized that deportation separates families. Manuel told the story of the deportation of his student's father, who was put into deportation proceedings following his arrest for driving under the influence. The deportation had devastating effects on the family.

> **Manuel:** The mother had to stay here with the three other kids that they had. ... All three kids were born in the US, so the mom wanted to stay here to continue to support them so they could go to school and be successful. But she couldn't do it without the support of the father… She stayed here for a year, but she couldn't do it anymore so she left the oldest son here. She pretty much gave him up for adoption. She found a couple here that would take him in and would raise him as their own so he could go on to school. He was a sophomore when this happened so he had two years living with an Anglo couple here that the mom found through the church. And her and the other two kids, they went back to Mexico to be with the husband. ... The mom - she did what she had to do for her oldest son to be successful.

Like Gregorio's story about Pablo, Manuel's story about his student's father demonstrated that deportation has severe ramifications for families of mixed status. Parents are torn between keeping their families intact and providing a better life for their children. Options for these families are severely limited and costly; they can attempt to pay for a deported family member's reentry, uproot themselves and move elsewhere, or, as in the case of the mother and father in Manuel's story, give their child up for foster care. Lluvia observed that, aside from damaging the integrity of families, the cost of deportation is further shouldered by the government and charitable organizations. Lluvia emphasized that single parents are often unable to fully provide for their households and must rely on outside support while families that are intact are generally able to make ends meet.

Participants also discussed the impact of deportation on the economy:

> **Carmen:** A deportation is not the solution. It doesn't replace thinking about how to reform immigration … if they dedicate themselves to deporting people, in two or three years of deporting people the economy of the United States is going to be bankrupt because the United States relies heavily on agriculture. … There are many things cultivated in agriculture that not a single American would do the work for. ...The apple will be lost; it will freeze if there aren't people to pick those apples. The grapes will also be lost. What they should do is think about how to legalize the hardworking people, not deport them.

Carmen went on to emphasize that this is something that *everyone* should be concerned about – without workers, agriculture in Washington State and the rest of the United States would grind to a halt. Like Carmen, all interview participants supported the idea of immigration reform with a viable path to citizenship and less of an emphasis on enforcement.

In order to get a better procedural understanding of deportation in Walla Walla, we interviewed Hernandez, a local immigration lawyer. Hernandez described the process in a typical deportation case in Walla Walla. Hernandez has found that most immigration cases are young males convicted of minor crimes. The example Hernandez gave was that of a DUI. After being arrested, detainees are held in a local jail while the criminal case is resolved. ICE usually collects detainees quickly to prevent the detainee from being bonded out of the local jail. Under federal immigration law, when ICE issues a detainer (an order to hold someone in local prison because of an immigration status issue), it explicitly states that a detainee can only be kept 48 hours after they're released by the criminal authorities, Hernandez observed that this is does not always occur in Walla Walla.

> **Hernandez:** Our jail just hangs onto them until whenever it's convenient for ICE. So this is actually a violation of civil rights. They can be sued, but what happens is the family pays an attorney to sue, and this has not happened in Walla Walla, to my knowledge. I've offered, but it doesn't make sense. The client pays you to sue and the jail calls ICE and says - look, they're going to sue, and so ICE comes and gets them. So they're not supposed to keep them more then 48 hours. But the reality is, there's no way to go into that jail and pull that person out of there.[52]

What Hernandez's testimony made clear is that even when official procedure is violated and there is a legal rationale for suspending deportation proceedings, detainees still have virtually no way to escape ICE custody. Hernandez also pointed out that because ICE is a federal agency, once a detainee passes into ICE custody they no longer can seek local legal aid and need to find a lawyer with federal qualifications. Even when ICE and local jails do not adhere to their own official policies, there is little that can be done to remedy the situation. After they are held in the local jail, detainees are moved to either Yakima or Benton or Franklin county jails. Hernandez noted that Walla Walla has a contract with the Yakima County jail. When space opens up, detainees are transferred from Yakima to the ICE detention center in Tacoma. At this point

[52] Wendy Hernandez, interview by Daniel Merritt, Walla Walla WA, October 19, 2011. All further references to Hernandez in this report derive from this interview.

families have the opportunity to pay a bail bond, which may or may not result in the release of the detainee. Hernandez recently had a case that did not follow this script.

> **Hernandez:** I did have not too long ago a young person who actually owns an eating establishment in Walla Walla who had a blood level below .08. Below .08 won't put you in jail, but in this case they put him in jail and ICE got him… One of the police officers called me and said we need help here. This guy got in jail and now ICE has got him. The police officer was irate that he got placed in jail, but a fellow officer made that decision. Now that's not the decision that was made according to law because that's not what the law says … somewhere in that process we convinced the ICE director in Yakima … that they should not be holding that kid. And they actually let him go. That happens once in a blue moon, but it doesn't happen for a DUI typically. I think the fact that the police department was on board saying this guy shouldn't have been arrested is what convinced them.

Because of the efforts of both Hernandez and the local police, Hernandez's client did not endure months of detention for having a blood alcohol level that did not even meet the legal limit. Hernandez's story shows that cooperation between local law enforcement and community members can have a significant affect on the detention proceedings of undocumented residents. In this case, a local law enforcement officer actually challenged immigration enforcement proceedings; the officer had a moral objection to deporting the young man for an unwarranted arrest and spoke on his behalf. Though local law enforcement often feel obligated to defer to federal enforcement in all cases, this officer demonstrated that local law enforcement *can* address injustices in immigration enforcement by exercising their own authority.

Although Hernandez's client was released, Hernandez made clear was that his saga was in no way over.

> **Hernandez:** He's still in deportation proceedings so he has hearings … his case isn't resolved yet. The court system is so backlogged that his hearings can be six to twelve months apart. And at a hearing all we may be doing is setting the calendar for when we'll actually have the next hearing, so this case gets strung out over a couple of years. He is claiming he needs to stay here because he's been here more then ten years, because he has US citizen immediate family members ... We don't know what will happen in his case. It may be approved; it may not.

As Hernandez described it, even the process for undocumented residents who are caught by ICE and then released is not an easy one. They are stuck in legal limbo.

The information that Hernandez presented shows that many undocumented residents have very little legal recourse to avoid or contest deportation. She explained that if they are deported, undocumented residents must remain outside of the country for at least ten years. If they reenter the country they are automatically considered felons under criminal and immigration law and are subject to even harsher sanctions.[53]

[53] Illegal reentry into the country is classified as an aggravated felony and punishable with fines and/or 2-10 years in prison depending on other offences committed. http://immigration.findlaw.com/immigration/immigration-deportation/immigration-deportation-illegal-reentry.html

In Walla Walla, Latino interviewees viewed deportation as a threat. Our participants were particularly disturbed by ICE tactics that resulted in their friends' and family members' deportations after they were arrested for minor traffic violations and misdemeanors. This is largely due to the fact that at present, due to the way CAP and Secure Communities are being implemented, most detainers are being processed automatically. Participants did not distinguish between punishments given by the criminal justice system and immigration enforcement. Deportation was viewed as an additional punishment. Participants largely viewed this twofold punishment as disproportionate to the transgressions committed. The gravity of these consequences undermines Latinos' perception of police legitimacy because Latinos are unsure of interacting with the police is worth the risk of deportation. In a community like Walla Walla where the relationship between the Latino community and law enforcement is strong and built on mutual trust, this is detrimental.

VIII. Secure Communities

Perhaps the most striking finding about Secure Communities was the general lack of knowledge people had about the program. Ernesto, who has lived in Walla Walla the longest of all our interviewees[54] and deals with undocumented families regularly, reported that he had never heard of the program. He also said that none of his students' families had heard anything about Secure Communities or any kind of collaboration between local law enforcement and federal immigration authorities. Out of the eight participants, only the five who were involved with immigrant rights organizations, such as El Proyecto Voz Latina and OneAmerica, had heard of Secure Communities. Even those who had heard of the program had limited knowledge about Secure Communities.

> **Manuel:** I don't know exactly what it is, but I hear what they say in the news and the rumors, but I've never seen an official document of what exactly it is that they're trying to do.
>
> **Carmen:** Speaking of Secure Communities, if I wasn't part of the *El Proyecto Voz Latina*, a nonprofit organization, I wouldn't understand what [Secure Communities] is. ... If they read what Secure Communities wants, they would discover that it is not a good law for Latinos. Imagine if Latinos who are as involved as we are hardly understand what Secure communities consists of, imagine how many Latinos don't know what Secure communities is right now. Many people, the majority of the people, do not know what this law consists of.

When asked what the Secure Communities program does, Lluvia immediately responded, " It separates families." While Lluvia and other participants did not know what Secure Communities itself entailed, they made their own connections to current immigration control policies in Walla Walla. Rumor and speculation based on legislation in other states played a large part in how participants viewed Secure Communities and its potential impact on the community.

[54] Ernesto has lived in Walla Walla for over 35 years.

> **Manuel:** [Latinos] see the news about what's going on in other states like Arizona, Alabama, Georgia and Oklahoma. They see it on Univision all the time, and they hear that the Sheriff here is adopting something similar. Then, of course, they think that ... the same thing that is happening in those states is going to happen in Walla Walla. And if the police don't do anything to clarify the issue, the rumors are just going to spread… People are going to fear the police and stuff is going to happen. If there's a crime, they aren't going to want to report the crime ... they are going to think that they might get deported - even though the police may not have any authority to do that. ... They are going to be assume that [the police] can [deport them] because of what they hear in the news. So (the police) need to be clear on the things they're doing. They need to be speaking with the Latino community and mingling with them. Let [the community] get to know the police.

Manuel expressed a general concern that most participants[55] had, namely that Secure Communities might be only the beginning of a series of harsher anti-immigrant measures that might resemble anti-immigrant laws in other states. Manuel also suggested that a lack of information about Secure Communities fuels associations that already exist in the community between local law enforcement and immigration. Manuel felt that this increases fear of the police and decreases the likelihood that Latino community members will report a crime.

Participants also linked the fear created by more stringent immigration laws to labor shortages in Eastern Washington. Antonio, Gregorio and Carmen all reported that migrant workers have begun avoiding Eastern Washington during the harvest season.

> **Carmen:** They go deporting and deporting and deporting people, so right now, no one comes here, because they have heard that the laws are changing. They only know that the laws are changing but they don't know exactly what is happening They don't know in what form the laws are changing, only that if the police pick you up and take you to jail and automatically take your fingerprints, automatically you now are in hands of immigration. Sometimes there isn't a way to pay bail - it is now automatic deportation. Right now apples framers have found themselves without workers, and why? Because of deportation. There have been many immigrant people who year after year came to the State of Washington to pick apples and now there aren't (enough) apple pickers.

This finding demonstrates that migrant workers have no idea what to expect from new immigration laws. For Carmen, the inability to pay bail or escape immigration proceedings because of "automatic deportation" facilitated by Secure Communities, leaves immigrants with only two real options: stay and risk deportation, or leave town. Carmen showed that just as people practice self-policing in local public spaces, they have begun to self-police at a statewide level. Some undocumented immigrants have actively begun to avoid states that they perceive to have harsh anti-immigrant laws. Carmen posited that many undocumented workers would rather pass up work than risk deportation and separation from their families. Our research in Yakima and the Tri-Cities also revealed migrant agricultural labor shortages in those communities.

Participants' confusion and apprehension surrounding general tends in state and national immigration policy was further amplified by specific worries about Secure Communities target priorities. Participants in Walla Walla were concerned that hard-working people who have committed minor crimes are the actual targets of Secure Communities.

[55] See our interviews with Manuel, Carmen, Lluvia, Jonas, and Gregorio.

> **Lluvia:** I say that it's good that they deport criminals. Maybe that sounds bad, but if they are doing harm like drug dealers, it's fine if they deport those people, because they are poisoning our kids and other people. But aside from that I think they shouldn't deport hard-working people. I know lots of people who do not have papers, … they work hard to not be maintained by the government, and almost everyone has their own house.

Lluvia defined criminals in contrast to "*la gente trabajadora*." Criminals were described as people who had committed acts of violence, sold drugs, or harmed the community while hardworking immigrants were described as established residents and helpful to the community. All Latino participants supported the idea of deporting dangerous criminals, but were unclear as to who a "dangerous criminal" is under current immigration policy. In particular, Lluvia was concerned that immigration policies might accidentally target people who have lived for many years in Walla Walla. This kind of concern was voiced in every interview. Manuel raised specific concerns about who actually qualifies as a criminal and what the real intentions of immigration enforcement are.

> **Manuel:** I think they're trying to keep the community safe according to their mind so they want to deport all of the criminals... But who do you consider a criminal? Is a criminal somebody that gets a DUI? Are they going to report that person, deport that person, or send them to the ICE services? Or is a criminal somebody who breaks the speed limit? I really don't know who they are they targeting. Are they targeting rapists? Murderers? ... Because there is a big difference between somebody getting a speeding ticket and somebody who is a murderer. So who are they targeting with this program or are they targeting everybody? … I think that's what a lot of Latinos are thinking when you hear this term [criminal] you really don't know. Everybody assumes that they're just going to deport anybody who doesn't have papers.

Manuel was concerned that the ambiguity surrounding what constitutes deportable criminal behavior leaves the decision of who gets deported to the discretion of ICE and local law enforcement. Manuel observed that the term "dangerous criminal" is undefined. He also noted that, in order to be safe and avoid deportation, undocumented Latino community members will assume the worst. Both Carmen and Lluvia voiced similar concerns. Even though the Obama administration has issued orders to prioritize the removal of dangerous criminals over minor offenders immigration, lawyer Hernandez noted that she has not seen any real change in who gets picked up or in the way her clients are processed through the legal system. She stated that these policies "haven't really made it to the ground level."

Because local law enforcement have made minimal efforts to present information about Secure Communities to the general public, Secure Communities has and continues to exacerbate Latino fears about immigration enforcement in Walla Walla. Latino Community members voiced concerns that Secure Communities will facilitate increased deportations of people that they know who have only committed minor infractions. Latino residents' fears about Secure Communities have been fueled by news coverage of anti-immigrant laws in other states. Because the consequences of deportation are so dire and information about Secure Communities is scarce, undocumented Latinos have assumed the worst and taken measures to ensure their personal

security. Participants reported that migrant farm workers have left the state because they perceive that laws in Washington are becoming increasingly anti-immigrant.

A Call For Community Outreach

When asked what kind of information people needed about Secure Communities, participants responded in a variety of ways. Many called for media outreach, and all interviewees said that they would be reassured by some kind of public disclosure from law enforcement. Many said they would like the Sheriff and local police to discuss Secure Communities in a public forum.

> **Manuel:** Well, I think the police just need to do a better job of communicating their policies. Whenever they adopt a new policy, just make it clear what they're going to do and what they're not going to do; what they can do; what kind of laws they're following. Just make everything clear so the citizens are aware of it, so that there are no misconceptions and no rumors going around.

> **Carmen:** That Sheriff Turner himself explains what it is. That, face to face, he tells the community - be they Latino or Anglo - how Secure Communities came to this town … that he explains it. ... A public announcement at a public forum.

Carmen's position echoed a general call for transparency about Secure Communities in all interviews conducted in Walla Walla. All interviewees thought the most important thing law enforcement could improve on was communication. Four interviewees made specific reference to the August 31, 2011 community meeting organized by OneAmerica and how law enforcement did not attend. The meeting was a public forum to discuss the Secure Communities and its effects on Walla Walla. The community invited Sheriff John Turner, Chief of Police Chuck Fulton, and other law enforcement representatives. They were unable to attend the meeting due to other obligations, but did not fully explain these obligations to the public or make a concentrated effort to reschedule. A public forum about Secure Communities in which community members and law enforcement are both in attendance has still not occurred. Several interviewees involved with OneAmerica were dissatisfied with a meeting they had with Sheriff John Turner prior to the implementation of Secure Communities. They felt that the concerns they brought before him were dismissed.

> **Carmen:** … Secure Communities was going arrive on the first of July. So in June we asked to speak with [the Sheriff] He said that he was elected by the people and that he had a charge … and that he could do what he desired.

Carmen's main concern was that the Sheriff Turner did not consult the community before implementing Secure Communities in Walla Walla County and assumed their consent. Later in the interview, Carmen asserted that the Latino Community's concerns were not being taken into account by the Sheriff's office.

> **Carmen:** I think [coming together with the community] would be easy. We invited [John Turner] to a public forum here in Jefferson Park so that he could come and explain to the

> people about Secure Communities, and he declined - he didn't want to come. So right now what I'm seeing is that the police do not want to do their part [in reaching out]. It's not the Latino community. The Latino community came. Many people in the Latino community are open to resolving problems in the community, but up till now John Turner has not come together with the community. He has not said "okay I will go with you and I would like that you help me." He has not made a gesture like that. However, the Latino community already had a meeting in his office. ...He was very negative, very defensive, and up till now we have not arranged another meeting. There has been nothing.

Carmen made clear that the Latino community has been actively trying to reach out to law enforcement when it comes to Secure Communities, but that law enforcement, particularly the Sherriff's office, have not reciprocated these efforts. She also emphasized that there are already existing community organizations such as El Proyecto Voz Latina that would be glad to collaborate with the police on community outreach and other projects. This supports earlier findings that, although the Latino community feels threatened by immigration policy, they have and continue to step into the public sphere to try and ensure the safety of their families and the general community.

> **Carmen:** So that there is [a sense of security], the police need to also get closer to the Hispanic community, to the Latino community. The police up till now haven't been ready to collaborate with the Hispanic people… We do want the police working with our youth in the schools, make fliers, talk with the community. We want that, but the police didn't respond.

Interviewees in Walla Walla expressed that if law enforcement took steps to consult with the community, most people would be willing to help. Carmen and others also expressed that they would like work together with the police

> **Gregorio:** First, I think the department of the local police - not the Sheriff or the state police should turn out a bulletin to the people…. They could announce that independently of the laws and other regulations that have occurred in other states, including the law that arrived here, Secure Communities, that the police want to continue working with the community. That would restore confidence to the people … Lack of communication generates doubt in people. The talk about anti-immigrant measures and with anti-immigrant measures, creates fear. So if the police don't try and do something … I think many people will feel marginalized by the police. They won't be able to interact with them. …. One anti-immigrant measure can break trust with the police. Unfortunately it's something that is happening. Many people will now not get close to the police, many people are afraid, and that will hurt the trust that they have built. So if the police try and come together with the community that will be very good.

Gregorio stated that local police should take an active stance in distinguishing their policies and position on immigration issues from national policies and those of other agencies. In this way, law enforcement would reaffirm their commitment to working with the Latino community. Gregorio affirmed that for Latino residents, a lack of communication and anti-immigrant dialogue "creates fear" and that "one anti-immigrant measure can break trust with the police."

He also implied that such a breach in trust has occurred in response to Secure Communities. Participants generally agreed with Gregorio that public officials should take responsibility for informing the public about Secure Communities and other immigration enforcement policies. The overriding concern that most[56] interviewees had was that, without an improvement in communication, the divide between Latinos and law enforcement will continue to widen as people draw their own conclusions about the intentions and responsibilities of local law enforcement from national news and speculation.

IX. Summary

In Walla Walla County, Latino interviewees reported that they generally felt safe and had positive impressions of law enforcement; they felt reassured by the fact that the Walla Walla police department had made an effort to recruit Latino and bilingual officers and they spoke highly of these efforts. However, most Latino participants had reservations about initiating unecessary contact with law enforcement. Undocumented residents especially feared that interacting with police could result in miscommunication, arrest, and deportation. Latinos' willingness to contact law enforcement was diminished by language issues, fear of discrimination, and documentation status.

Latino interviewees either had never heard of Secure Communities or were uncertain as to how the program operated; even Latino immigrant rights activists were only somewhat informed. Generally, participants agreed with Secure Communities' stated goal to deport dangerous criminals, but questioned who qualified as a dangerous criminal in the eyes of the program. Most Latinos were very concerned that under Secure Communities no real effort is made to distinguish "*la gente trabajadora"* (hardworking Latino immigrants) from dangerous criminals (namely, murderers, rapists, and drug dealers). Latino participants revealed worries that Secure Communities might be a precursor to attacks on immigrants, like those occurring in Alabama and Arizona.

Latino members perceived a lack of law enforcement effort to clarify their role in immigration enforcement and engage in dialogue with the Latino community. Many thought that increased dialogue between local law enforcement and the Latino Community would be a substantive step to address Latinos' fears and a general lack of public knowledge about Secure Communities. Latino interviewees felt that Sheriff Turner had not listened to their concerns about Secure Communities before he decided to adopt the program in Walla Walla (*against* the Latino community's will). Most felt that there were many ways in which law enforcement could come together with the community and they requested specific forms of public outreach from law enforcement.

[56] See our interviews with Manuel, Carmen, Jonas, Gregorio and Lluvia.

CASE STUDY: TRI-CITIES

Kennewick, Richland, and Pasco comprise the Tri-Cities in Eastern Washington. The Tri-Cities are part of both Benton County and Franklin County, which are nestled in between Walla Walla County and Yakima County. The Tri-Cities are home to 181,756 residents, a third of whom identify as Hispanic or Latino (see below: Table of Tri-Cities 2010 Demographic Data). This statistic reflects the significant growth of the Tri-Cities' Latino population in the past decades. Although Mexican braceros[57] were occasionally employed in Eastern Washington in the first half of the 20th century, Mexican-Americans began to move to the Tri-Cities after 1950 in much larger numbers seeking work; Latinos replaced much of a large Black population that had migrated from the South to the Tri-Cities in the early 1940s (Bauman, 2005). The interactions between Black and White communities established the racial dynamics in the Tri-Cities. The distribution of Black residents set the stage for Latinos to move into the low-income neighborhoods where the Black population had once been segregated (Bauman, 2005).

During World War II (1939-1945), millions of Blacks left the South for war-industry employment in the American West (Bauman, 2005). Bauman (2005) reports that from 1943 to 1945 approximately 15,000 Blacks moved to the Tri-Cities for work in the rapid construction of the Hanford Engineer Works[58]. In Pasco, Bauman (2005) writes, the Black population "rose from 27 in 1940 to just under 1,000 in 1950" (p. 124). The Black migrant workers were severely segregated and discriminated against in the Tri-Cities. Although many had hoped to escape the racial violence of the South, at work they were supervised by White foremen from the South who "brought their prejudices and Jim Crow ideas with them" (Bauman, 2005, p. 125). Blacks were given the most menial, lowest-wage jobs and were subjected to segregated busing. They were denied access to medical care and city services. The Pasco Police Department created a new crime, an "investigation" that "allowed police to arrest blacks without charging them with a more specific infraction," (Bauman, 2005, p. 127). Blacks were banned from living in Kennewick and Richland, and were allowed to reside only on the east side of the railroad tracks in Pasco (Bauman, 2005).

Today, Pasco is often called "Little Mexico" by locals for its large population of Mexican and Mexican-American residents. Yet East Pasco is still referred to as the "Barrio de los Negros" ("Barrio of the Blacks") in recognition of its racial history and high proportion of non-white residents, even though less than 2% of Pasco residents are African Americans (U.S. Census Bureau, 2011). The forms of discrimination that Black residents endured from the 1940s to the 1960s echoed in our interviewees' contemporary reports of discrimination against Latinos and Latino immigrants in the Tri-Cities. Inadequate housing, one of Blacks' major concerns in 1940s, is one of the major challenges[59] for low-income Latino immigrant families in the Tri-Cities today.

Tri-Cities' population demographics reflect this racial history. In Pasco, which was once the only town where Blacks were allowed to live, over half of the population is Latino; only a quarter of residents are Latino in Kennewick, once called "The Birmingham of Washington,"[60] where the Blue Bridge leading into the city sported a warning sign that read, "Nigger, don't let

[57] Mexican contract agricultural laborers employed through the Bracero Program (1942-1964). See Scholarly Literature Review, p. 7

[58] the facility that produced plutonium for "Fat Man," the plutonium bomb dropped on Nagasaki, Japan in WWII

[59] source: Maria Martinez, Personal Interview, 28 October 2011, Kennewick WA

[60] Tanner, Jack. *The Tri-City Herald* (Pasco, WA). May 24, 1963.

the sun set on you in Kennewick"[61] until the late 1960s; and, finally, there is less than one Latino resident for every 13 white residents in Richland, the city that once maintained the strictest housing laws in the Tri-Cities against Blacks (Bauman, 2005; U.S. Census Bureau, 2011).

Tri-Cities 2010 Demographic Data[62]

	Total Population	**Hispanic**	**Non-Hispanic**	White	African-American
Kennewick	73,917	**24.23%**	**75.77%**	78.54%	1.71%
Pasco	59,781	**55.73%**	**44.57%**	55.79%	1.87%
Richland	48,058	**7.76%**	**92.24%**	87.05%	1.40%
Tri-Cities total	181,756	30.23%	69.87%	73.31%	1.68%

Interviewees reported that the Latino resident population has grown rapidly as migrant labor families have settled down in the Tri-Cities in recent decades. Much of the Tri-Cities' agricultural economy is based on apples, asparagus, wheat, grapes, and potatoes[63]. Generations of Latino families in the Tri-Cities have worked picking apples and cutting asparagus and, as our interviewees described, they take great pride in their labor and their contribution to the community.

I. *La gente trabajadora* and Latino identity in the Tri-Cities

All of our Tri-Cities interviewees identified and described the "hardworking immigrants," or "*la gente trabajadora*"[64] as the majority of the Latino community. Interview participants characterized the hard-working immigrant population as:

- people who have immigrated to the United States solely to work and support their family (whether their family is in the United States or in their origin country)
- a work-force that supports the American economy and agricultural production
- hard-working, humble, law-abiding people who are not "causing trouble"
- largely under-appreciated and/or under-represented

Javier immigrated to the United States from El Salvador in the 1970s and has worked in the fields in California and Washington for decades. He spoke of the dignity and history of the Latino immigrant worker.

> **Javier[65]:** When all our American soldiers were sent to Europe to fight, the people who pick the crop, people who make the farm be alive, were the Hispanic people. … and then

[61] source: anecdotal, from community partner Jazmin Santacruz
[62] The U.S. Census Bureau does not recognize Latino or Hispanic as a race (as it does Black, Asian, Pacific Islander, etc.) but as an ethnicity, and thus individuals counted as Hispanic may also be counted as White
[63] Javier, Personal Interviews, 11 October 2011 and 19 October 2011, Kennewick WA
[64] literally "the working people" or "the people who are workers"

> we don't want that this be recognized, but at least they can [take into] consideration that we [have] been fighting shoulder-to-shoulder, picking cherries, picking asparagus, shoulder-to-shoulder, picking this apple shoulder-to-shoulder fighting for the freedom.

By relating the immigrant to the American soldier, Javier invoked patriotism, honor, loyalty and dignity in the agricultural labor of migrant laborers to challenged the constructions of immigrants as lazy, criminal, or passive. He used this analogy defy these stereotypes and to relate Latino immigrants' experience to traditional American values. Javier also identified the worker as one who fights to protect a people or a cause yet fights in a collective front and takes orders from authority figures. This deference to authority is echoed in other interviewees'[66] characterizations of law enforcement. Javier pointed out that migrant farm workers responded to labor shortages and needs of the American labor economy and have largely gone unrecognized for their historical contribution. Javier identified himself and his community as humble people who don't require formal "recognition." However, he asked that "they" (possibly the federal government or society at large) "consider" the contributions to U.S. agriculture by Latino immigrants to be necessary and significant in the building and maintenance of this country. Javier held these facets of his identity as a hard-working Latino immigrant in tension; he identified his community as humble people who stoically and silently accept hardships, yet he also implied that they deserve to be represented in the United States' cultural history of freedom and national struggle. He indicated that the contributions of migrant workers have not been considered, that they have instead been disregarded and obscured.

The hardworking immigrant identity, or "*la gente trabajadora*" narrative, is shaped from Latinos' personal and widely-shared experiences of working in farm labor upon arriving in the US. Most Latino immigrants in the Tri-Cities work in the fields – apple, asparagus, potatoes, grapes – or in construction. Lela, a 1.5 generation[67] Mexican-American who lives in Kennewick, grew up working in the fields alongside her mother. She described the physical difficulties of working in the fields:

> **Lela[68]:** I would cry. Every single day, pretty much. …The heat would kill you more than the actual work because you're moving up and down ladders, 12 foot ladders, you'd have to carry and a bucket of whatever you're doing, or tearing down trees or fixing pipes or picking cherries and apple. It was really hard, really, really hard. It was painful, you'd be really sore, your back would hurt, you would have no sleep, you'd have to be up at like 3 in the morning to go to work. And that was all my day, because after I'd get home from work at 2, 3, or 4, you'd be too tired to do anything else.

In field labor, Lela described, you must sacrifice your physical comfort and personal safety, as well as the freedom to engage in activities outside of work. The majority of one's day is characterized by physical pain. Lela's mother, though, has supported their family by working in

[65] Javier, interview by Madelyn Peterson, Kennewick, WA, October 19, 2011. All further references to Javier in this report derive from this interview.
[66] Luis, Carlos, Lela, Jaime, Hector
[67] "1.5 generation" refers to an individual who was born in a country other than the one they grew up in – i.e., Lela was born in Mexico but grew up in the United States.
[68] Lela, interview by Madelyn Peterson, Kennewick, WA, November 6, 2011. All further references to Lela in this report derive from this interview.

the fields since they came to the US when Lela was 5 years old. Lela spoke with great respect for the sacrifices, physical and material, her mother has made for Lela and her siblings and her mother's determination to provide for her family, even when it damaged her health.

Immigrant field workers often suffer work-related injuries from the strenuous activities involved in farm labor, and they are often afraid of being fired or deported if they report work-related injuries and seek healthcare. Lela's mother suffered multiple accidents falling off ladders while working in the apple orchards, and her back still causes her trouble.

> **MP:** Has she ever gotten medical care?
>
> **Lela:** She did, and they ended up firing her from that job. I know it's because she actually said something. They had to pay all her bills. They did [pay her bills], but it bothered them. Because usually when there's an accident, nobody says anything – because they don't want to get fired. They [undocumented migrant laborers] don't even go to the doctor because they don't want to lose their job. They're that scared that they don't want to get in trouble, because they always think, "What if? What if? I don't know if [the doctors are] just asking for papers."

Lela's mother asserted herself to her employer and demanded compensation for physical harm she suffered because of her work conditions. She exercised power in the employer-employee relationship by standing up for herself and demanding care. Yet her even though her employer responded to her demand, the employer ultimately controlled the relationship and disempowered her by firing her, removing her from the situation and removing her voice from the dialogue. This event, being disempowered by an authority figure by means of removal following the assertion of one's agency, rights, or voice when one is harmed or treated unfairly, resembles many undocumented people's fear of deportation. When an undocumented person suffers an injustice or is in need of social or legal services, she is loath to expose herself by voicing her needs and demanding justice or care, thus asserting power in her relationship with authorities, because of her vulnerability to deportation – an ultimate denial of individual agency and control over one's physical body and freedom of movement. Much of the hardworking immigrant narrative is colored by a fear of unemployment and deportation. Lela explained that, for someone who is undocumented, if you are fired you have no safety net. Losing one's job has severe consequences as, unlike their citizen counterparts, undocumented immigrants are ineligible for unemployment and welfare.

The stoicism, humility, family-values, and social marginalization of *la gente trabajadora* are themes that were repeated throughout all Latino participants' interviews. Those who identify with "*la gente trabajadora"* recognized migrant labor as the backbone of the United States' agricultural economy and expressed that their work is disturbingly undervalued and exploited.

II. Political agency and the limitation of public space

Documentation status was identified as a major physical, external barrier to accessing to health-care, social services, and education. Furthermore, several interviewees identified divisions within the Latino community and the anxiety caused by the threat of deportation as significant interpersonal and emotional barriers to political influence and social mobility. Nearly all Tri-

Cities Latino interviewees expressed frustration with what they perceived to be Latinos' lack of political agency and voice. They reported that Latinos of all different generations and backgrounds are, at best, too insecure or, at worst, too afraid to be involved in politics and civic life and to speak up for their rights and needs. Interviewees[69] pointed to a variety of causes of this "culture of hiding" or "culture of silence." Several indicated that its roots are in a fear of deportation that many immigrant Latinos experience, and that the fear of being exposed to immigration enforcement – and thus being publically "visible" – is passed on from immigrant parents to their children. Another interviewee indicated the abuses that 1st generation Latinos could have suffered for getting involved in politics in their home countries was a cause of "hiding". Others pointed to racial marginalization in the United States and lack of political representation.

In immigrant communities, an ever-present feeling of insecurity exacerbates the barriers to social inclusion. Lela, an undocumented Latina, described the threat of deportation she experienced when working in the fields:

> **Lela:** You'd notice right away [when people had been deported] because at work they'll separate you with your groups … and 10 of them are gone and it's like, what happened? Oh, they got caught, got deported. And it would scare some. There was not one day where you [would not] be scared, like, [if] the immigration decides to show up, we're all gone. Including me. It sucks to live your life like that. You're too scared to do anything, you're hiding from the world because you don't want to get caught. And what's going to happen with your family? That's the first thing that they all worry about. "My kids." Obviously. They can't be deported, because where are the kids going to go?

Lela identified the fears of family separation, loss of employment, and deportation that she experienced while working in the fields. These fears limited her public engagement and her access to social services, as she and her co-workers avoided activities that would make them more publically visible and thus more vulnerable to deportation. Lela characterizes immigrant workers as people whom immigration enforcement can act upon and remove from their society at any time. She exemplifies the limiting of public space and self-policing by immigration enforcement that Wonders and McDowell (2010) explain. Lela described feeling "stuck" and in "hiding" as a result of these constant fears and anxieties.

Miguel, a second generation Latino from Seattle, responded to a perceived culture of self-policing and "hiding" with frustration. He expressed his past concerns with an immigrant rights group in the Tri-Cities that does know-your-rights advocacy in Latino communities. Initially, Miguel felt that they were telling immigrants to "lay low" and avoid interactions with law enforcement:

> **Miguel[70]:** You're telling them it's okay to hide in their houses, but how are you ever going to really defeat this [negative] perception of Hispanics when they're too afraid to say anything? And they pass it off [to their kids]. And their kids are going to be afraid to

[69] Of note: The majority of Tri-Cities Latino interviewees were 1st generation Latinos (many of whom were undocumented). Thus themes of hiding and invisibility were perhaps more pronounced in this case study than in Walla Walla and Yakima.

[70] Miguel, interview by Madelyn Peterson, Kennewick, WA, October 15, 2011. All further references to Miguel in this report derive from this interview.

> say anything. … I just never really understood, why do Latinos hide? Why do they, why are they so meek? Why are they so afraid?

Miguel explained his view that the fear of speaking up and interacting in the public sphere can pass from generation to generation. Fear that initially forms in response to valid threats to personal safety becomes a cultural, learned fear as undocumented parents pass along stories and behaviors to their children.

Miguel contrasted the silence he perceived from the Latino community in the face of discrimination to NAACP's power of organizing and protesting civil rights issues in Black communities, describing self-policing as a phenomenon specific to Latinos. Miguel advocated that Latino communities must publically voice their needs and assert political agency to break down negative stereotypes of Latinos.

> **Miguel:** [If you hide] you're never going to get rid of that perception [of Latinos], and so you make yourself loud, you make yourself heard, and you show society you're *not* afraid.

In addition to the causes cited by Lela and Miguel, Javier indicated Latino immigrants' experiences with politics in their countries of origin as the source of their unwillingness to exert political power and voice concerns in the public sphere. Just as Menjívar and Bejarano (2004) showed that negative experiences with corrupt law enforcement in an immigrant's country of origin correlate with fear of law enforcement in the United States, Javier suggested that immigrants who feared persecution or assassination for speaking against a corrupt government in their origin country are afraid of political engagement in the United States.

> **Javier**: Over there in our countries if you get involved with politics, … that's it, you['re a] dead man, you're dead meat. …Because we, in our countries, we hear the words "democracy" and the way they implemented democracy on us, the way we see what democracy is [to] them, we don't believe in democracy. And then that's why, when we see these activities against the Hispanic community all over the US right now, we don't believe in politics.

Javier gave a disturbing explanation for the political "silence" in the Latino community. He describes a society in which speaking up against law enforcement or government for one's rights is not merely futile, but fatal. "Democracy," as Javier and other immigrants have experienced it, is a tool for violence and political control. In this vision, democracy is not an activity in which all members of society can participate in – it is a guise for brutal force that is acted *on* or *against* the public. Javier describes that Latinos (immigrant Latinos in particular) have no agency in the political process – rather, they are actively and deliberately harmed by the government's application of "democracy."

Luis, who came to the United States from Mexico over 10 years ago, said he felt racially targeted not by individuals, but by the United States government. He attributed the silencing of Latinos not to cultural and social phenomena, but rather to the deliberate actions of public officials.

> **Luis[71]:** Any politician who wants to be someone begins to dismiss the Latinos. …Simply, the only thing they are doing is they put the noose around your neck and they hang you. They politically hang you. It's like now they've put a noose around my neck and twenty people are pulling there, because automatically if they put [Latinos] in their campaign no one will vote for them.

Luis described a haunting metaphorical execution of Latinos. He paralleled Javier's comment that a person who got involved in politics in a Latino immigrant's "home country" would pay the price with their life, (or, in Javier's blunt terms, would become "dead meat"). According to Luis, Latinos are politically strangled and silenced by politicians who seek to gain power by dissociating from and disempowering Latinos. Javier and Luis imply that, for many immigrants, becoming politically involved would be not only foolish, but also potentially fatal (whether literally or figuratively), and that it is near-impossible for Latinos to assert any significant political power.

Vulnerability, fear of public exposure, and unwillingness (or inability) to exert political influence not only limit Latinos' feelings of political agency but their physical and geographic mobility as well. Multiple interviewees[72] expressed that they felt uncomfortable and unwelcome in certain areas of the Tri-Cities, namely Richland. Miguel described his feelings of discomfort as a result of how few Latinos live in Richland:

> **Miguel:** I don't think the cops here in Tri-Cities are discriminating too much. … I've heard rumors that [in Richland] they tend to go after minorities more – but that community tends to have a reputation for being a bit on the racist side. … I've gone out a few times, like if I'm just going out with friends to grab a drink or whatever maybe, and I don't feel comfortable being in a tavern or whatever it may be in downtown Richland, I don't. I don't feel comfortable being there, because, like I say, you never see any minorities there.

Miguel spoke haltingly about his discomfort in Richland, as if uncomfortable with the topic altogether. He was reluctant to state directly that Richland is "racist," but he does identify that the lack of minorities in Richland and its racist reputation are sources of his discomfort and feeling of non-belonging.

Lela, in contrast, indicated drug use and fear of violence or conflict as the main detractors from the public space in which she feels safe.

> **Lela:** In Kennewick, Hood and Tweet street, it's all drug addicts mostly and crazy people. My sister used to live there and walking down you can't even be out there in the night, that's how bad it is. In the east side, too. You just don't go outside. If you don't need to be out there, then don't. You're just gonna cause problems.

As in previous examples, Lela exhibits self-policing by confining herself to private, safe places away from the dangers of public space. Interacting in this unstable public space would invite unwanted confrontation, over which one would have no control. Instead of reaching out to law

[71] Luis, interview by Madelyn Peterson, Walla Walla, WA, October 14, 2011. All further references to Luis in this report derive from this interview.
[72] See our interviews with Gloria, Lela, and Miguel.

enforcement when she feels threatened or sees an issue of public safety, Lela simply avoids criminal or otherwise dangerous activity and does not depend on the police to ensure public safety.

Lela and Miguel identified places in the Tri-Cities where they feel insecure and responded to those feelings of insecurity by avoiding those areas, or "hiding," as Miguel previously described in his frustrations with the Latino community. They described themselves as victims of the social environment. In Miguel's case, the presence of police contributed to his feelings of discomfort, whereas, in Lela's case, law enforcement was strangely absent from her description of un-safe spaces. Both cases characterize the police in a negative manner – to Miguel, they are antagonists with questionable intentions, and to Lela they are neglectful of a public safety issue.

In their discussions of Latinos' political agency and access to public space, an unsettlingly small proportion of Latino interviewees described themselves as individuals with agency to affect political and/or social change in their communities. Although most interviewees felt frustrated and restrained by the "silence" and "hiding" they recognized in the Latino community, few offered definite ways to combat this silence (apart from to "be louder" and "stop hiding").[73]

III. Community and Public Safety – law enforcement perspectives

Public safety and policing activities were at the core of many interviewees' descriptions of the security, acceptance, and political agency – or lack thereof – they felt in public spaces. We spoke with local law enforcement to compare their views of public safety and issues of importance to the Latino community with the views of our Latino interviewees. The three Tri-Cities law enforcement officers we spoke with – Sheriff Keane of Benton County, Sheriff Lathim of Franklin County, and Captain Littrell of the Kennewick Police Department – described a positive relationship with the Latino community and denied having any interest in acting as immigration enforcement. Their strong belief in the necessity of trusting relationships with their communities, however, occasionally came into conflict with the imposition of federal immigration enforcement, whether actual or potential, on their local enforcement actions.

The majority of Latino interviewees had reported living in low-income neighborhoods, which most described as peaceful, despite substance abuse or drug dealing. When asked about the biggest public safety concern that faced the Latino community, most participants responded with gang violence, followed by drug use. Similarly, law enforcement officers Sheriff Keane of Benton County, Sheriff Lathim of Franklin County, and Captain Craig Littrell of the Kennewick Police Department (KPD) all identified gang violence as a pressing public safety issue facing the Latino community and the community at large, as most gangs in the Tri-Cities are Latino gangs.

The Tri-Cities operates under the Metro drug task force, which is a joint effort between law enforcement agencies to combat drug-related violence. There are also school resources officers in Tri-Cities public schools who build relationships with students. Sheriff Lathim mentioned a Tri-Cities traffic safety coalition, which was created to inform the Spanish-speaking community about traffic laws in response to a disproportionately high rate of fatal accidents and

[73] Unlike our case studies in Yakima and Walla Walla, the majority of our Latino participants in the Tri-Cities were undocumented – eight out of ten Latino interviewees were undocumented residents. This may account for the emphasis on a culture of "hiding" and political silence that interviewees presented in this case.

"non-compliance with seat-belt usage" in Latino communities. Benton County recently started a new Gang Task Force, which is a comprehensive approach towards ending gang violence. The Task Force, which was approved in June 2011, focuses on intervention, prevention, suppression, and re-entry efforts; although law enforcement, by definition, mainly executes suppression efforts as Sheriff Keane described, Benton County law enforcement is partnered with other county organizations that run mentoring and prevention programs for at-risk youth and families. Benton County also hires preferentially for bilingual Spanish-English enforcement officers and makes an effort to have Spanish-language resources available and accessible.

Captain Littrell of the KPD also spoke of the D.A.R.E. (Drug Abuse Resistance Education) program and the family-focused "GREAT" program, which works with at-risk families on issues such as gang violence prevention. Littrell also noted that the KPD employs a "crime resistant community living officer" whose main responsibility is to develop community relationships and help apartment-complex managers deal with crime prevention and evictions. Littrell noted that the KPD encourages officers to develop relationships with community members and supports as many community programs as it can with limited resources. Examples of community programs include community presentations on gang violence and neighborhood meetings in public parks – these meetings are often in high-crime areas and, Littrell reported, a Spanish-speaking officer is always present at the meetings. For prevention and aid services that the department is unable to provide, the KPD trains their officers in resources available to the community such as Child Protection Services and Domestic Violence Services

Captain Littrell listed reoccurring crime, such as domestic violence and criminal gang activity, shopping fraud, and safety as the major focus areas of the KPD. Littrell emphasized their focus on cyclical crime:

> **Littrell[74]:** I've been in the business long enough that I see the children of the people I arrested being arrested now. And for the same type of crimes. And so, if that cycle isn't changed, or their behavior isn't changed, their skills, or new skills provided, it just continues.

Combating reoccurring crime involves multiple approaches: as Sheriff Keane states, the Benton County Gang Task Force involves "prevention, intervention, suppression, and re-entry."[75] However, law enforcement focuses on suppression and depends on other departments to fill other needs. Sheriffs Keane and Lathim also expressed that they are heavily emphasizing prevention in the hopes of halting gang violence in Benton and Franklin counties before it reaches the level of violence seen in Yakima:

> **Lathim[76]:** The pressing issue [in our community] is gang violence. And we're only 90 miles, you drive on the freeway, 75 minutes away from Yakima. If you watch the morning news, usually every morning or every other morning there's a shooting or there's

[74] Captain Craig Littrell, interview by Madelyn Peterson, Kennewick, WA, November 2, 2011. All further references to Capt. Littrell in this report derive from this interview.
[75] Sheriff Keane, interview by Madelyn Peterson, Kennewick, WA, September 29, 2011. All further references to Keane in this report derive from this interview.
[76] Sheriff Richard Lathim, interview by Madelyn Peterson, Pasco, WA, October 20, 2011. All further references to Sheriff Lathim in this report derive from this interview.

> a stabbing, there's some type of problem in Yakima County. And we're just so close, we have concerns that that's going to continue to grow and press this way.

When asked why youth get involved in gangs, Capt. Littrell offered,

> **Littrell:** I don't think it's necessarily parents that don't care, I think it's parents that don't understand our culture sometimes and what's going on… Both parents are working, they're both working in the fields, they're leaving their kids unattended a lot, and a lot of those young kids the family become the other gang members. And we've seen a lot of times where they are illegal, or it's almost a denial.

Capt. Littrell described that, very often, immigrant Latino parents don't realize that their child may be involved in a gang; they may not know what to look for or who to turn to for help. Littrell attributes Latino gang involvement to immigrant Latino parents' inability to assimilate and the long hours they have to spend in the fields away from their children. In line with their emphasis on prevention of recurring crimes, the KPD works with at-risk families through different after-hours programs, such as the DARE program and their new GREAT program at East Gate Elementary School.

Sheriff Keane also identified a void of activities available to youth, and focused on prevention and providing opportunities for at-risk youth. He explained that they can often stop youth from becoming more involved in gang activity if they can reach the kids that are new to the gang and haven't yet committed violent crimes, connect them to some sort of after-school program, and work with their parents before they're entrenched in the gang.

For gang-prevention programs to succeed in Latino communities, law enforcement must be able to communicate well with families with mixed documentation statuses that are affected by gang violence and maintain a strong, trusting relationship with the Latino community. The Kennewick Police Depart fully came to this realization after a Latino gang riot in a Target shopping center in 1995; Littrell said the department recognized that they needed to turn to the Latino community for help to combat the growing gang problem.

> **Littrell:** All of a sudden we realized we've got a problem. And so, we got aggressive. We started going into the neighborhoods where we could, we knew there was a lot of gang activity, a lot of problems, either by graffiti, drive-by shootings, whatever. And that's where we went in and started using all the resources we have to talk to the Hispanic community and basically ask for their help. And in some cases you still have the families that they're not going to call you, but we've had a lot of feedback and input and phone calls and cooperation when we went and asked for it. And, again, you can't be afraid to ask for it, and you have to ask for it. If you empower them to get a hold of you, they will.

By asking the community for help, rather than demanding cooperation, Littrell established a more reciprocal relationship in which the experiences of the Latino community are not only valued, but also crucial. Littrell recognizes that Latino community members may be unwilling to contact the police because they feel they have no control over the interaction; by asking for their cooperation and allowing them to choose whether or not to engage in the relationship with the police, the KPD granted agency and voice to the Latino community in a joint effort to combat gang violence. Implicit in the idea of "empowering" the Hispanic community to contact the

police is that law enforcement officers have more power in the officer–constituent relationship, and can choose whether or not to relinquish some of that power to their constituents to encourage dialogue. This distribution of power is inherent in law enforcement's role in suppressing crime in that police officers decide whether or not to make an arrest and act upon their judgment of "criminality" without the input of their constituents or the individuals impacted by such an interaction. Furthermore, this model of law enforcement's ability to empower their constituents to come to the table does not recognize the possibility of Latinos empowering *themselves* to engage with law enforcement, demand measures to ensure the safety of their communities, and be involved in decisions of how to ensure community safety through law enforcement or other means.

When asked to characterize his department's relationship with the Latino community, Sheriff Lathim of Franklin County reported that the Latino community does not seem reluctant to call the police. He told of a relationship the department has with an undocumented woman who calls the department regularly:

> **Lathim:** There's one lady that we know is an illegal alien, but she doesn't hesitate to call us when her daughter runs away. …There's no fear in calling us. I mean, obviously, if she gets arrested and in jail, she may have a problem, but I think we've demonstrated that we're not immigration officers and we don't turn a blind eye to those federal laws, but that's the hard job and it's in our authority to take care of that, so we just deal with our issues and I think that's, I think that's pretty well understood. Maybe that's an assumption on my part, but it doesn't seem like there's a problem of people calling and reporting crimes. Or being a witness.

Sheriff Lathim believed that a trusting and coopertive relationship existed between his department and undocumented immigrants. In his analysis of the relationship with this woman, he introduced the tension that local law officers may experience when interacting with undocumented individuals. They are not immigration officers and thus do not treat undocumented community members any differently than they would a legal resident or a citizen; however, if they arrest an undocumented individual, she may be turned over to federal immigration proceedings. Within the same sentence Lathim states that they don't intend to act as immigration officers, yet will not "turn a blind eye" to federal law, implying that the department will honor immigration law and thus facilitate immigration enforcement. Acting otherwise would be neglectful and irresponsible; Lathim vaguely refers to their own "authority" or agency to perhaps facilitate immigration enforcement while refraining from acting directly as immigration officers. Although local law officers are responsible for the safety and well being of their constituents, they defer to federal agencies. The responsibilities of Tri-Cities law enforcement that Lathim describes – developing trust with the community (by not acting as immigration enforcement) and respecting federal immigration law – are in tension with one another. This tension is apparent in the language Lathim, Keane, and Littrell use to describe their interactions with and attitudes towards immigration enforcement.

Benton County's Sheriff Keane also described a positive relationship between his department and the Latino community, but recognized that Latinos may not call police because of what he perceived as a cultural fear of law enforcement. Keane pointed to the department's relationship with the Latino community through their Gang Team. The Gang Team works with parents and schools to teach them how to look for signs of gang affiliation, and develops

community relationships over long periods of time that can break down barriers to trust. Sheriff Keane emphasized that what matters most in developing the community relationships is frequent, positive, individual interactions that build trust over a long period of time. Keane noted that this is true of law enforcement's actions in any community, regardless of race. He later described how law enforcement officers ought to interact with the Latino community, especially in light of current national immigration policy:

> **Keane:** When it comes to Latino community, I think that these [immigration] programs that come up could create divisions, but I think that any law enforcement professional… needs to establish those relationships every day. They need to be working in the community and developing their trust, working with the farmers, doing kind of what we're doing with the gang teams. We're out there and we're talking to family members. We're not going and asking them for papers or things like that, we're actually trying to develop those relationships. And I think that if you do that over time and you develop that trust, then when things like this [Secure Communities] come up, you're going to have a bit more trust from these people, even if it's a little bit controversial.

Sheriff Keane recognized the impact that immigration policy has the potential to affect on their relationship with the Latino community. He explained that the best way to prepare for such changes is to develop a resilient, trusting relationship with the community through daily interactions over a long period of time.

When asked how the KPD builds trust with the community, Captain Littrell responded that they build trust by being transparent and keeping in dialogue with the media and the public. Capt. Littrell also confirmed many of the barriers to Latinos' trust of law enforcement that Latino interviewees had also identified.

> **Littrell:** When you have that language barrier, and you have the culture barrier, and you have people that are very possibly illegal in the United States. They don't want to call the police, they're afraid of us, both because they're afraid of the police where they came from, literally afraid of the police, but now they're in the country illegally, so they're afraid of us and our focus – when we arrest somebody for a criminal violation and they go to jail, they're always checked at the jail. ICE comes in, they run a roster every day, they're looking for who is illegal, and the federal agencies deal with those people. … On the street, when we're dealing with a domestic violence situation or a crime, we're looking at the crime. We're looking at it no different than we would for anybody else. We have a victim, we have family victims, and so we're looking at that point of the problem, and not focusing on who cares about the problem because they're illegal. I mean it's, you still got those, those things you have to do, in my opinion, ethically and morally, to deal with the situation and make sure that people are okay. So that's the way we approach the community, and I think that that helps the trust, we could always improve.

Capt. Littrell and his department work with an awareness of major barriers that prevent Latinos from reaching out to the police – language, culture, and documentation status. Littrell emphasized that the police department's responsibility is to protect the rights and safety of *all* the members of their community, and that documentation status does not influence local law enforcement's interactions with the Latino community. Whereas Lathim had described his

department as equally responsible to building relationships with the Latino community and to deferring to federal immigration enforcement – responsibilities he recognized in tension with one another – Littrell more heavily emphasized his department's responsibility to protecting *all* its residents, including undocumented residents.

Littrell emphasized that the KPD will respond to crime in the same way for all its constituents, regardless of the documentation status of the victims or perpetrators. This stance works in two directions: 1) undocumented immigrants will not be discriminated against or treated differently because of their documentation status, and 2) no special consideration will be made for undocumented residents who are subject to arrest. Although this position treats residents similarly and equally, Littrell's reasoning does not take into account the disparity in consequences of the arrest of a documented person and an undocumented person.[77] Whereas a citizen or resident with papers may face several weeks in jail for a minor charge, an undocumented resident may wait in jail for months or years before, ultimately, he or she is deported. Furthermore, Littrell takes no responsibility for this reality that undocumented immigrants in the Tri-Cities face, nor do Lathim or Keane. Currently there are no protections or review processes in place in the Tri-Cities that give local officials (and/or community members) the power to selectively honor immigration holds placed on undocumented individuals who are arrested locally. In other words, local departments take no control over whether or not an undocumented person in the local jail is turned into ICE, and any undocumented residents who are arrested are vulnerable to deportation (regardless of their charges or their innocence). It is this vulnerability that many Latino interviewees identified as the source of their discomfort in interacting with law enforcement.

Littrell and Keane identified two main means of developing trust with the Latino community: 1) regular daily interactions with the sole purpose of building relationships (as opposed to enforcement), and 2) stating (during the interview) they do *not* intend to operate as immigration enforcement and do *not* ask people for papers. This kind of trusting relationship is crucial to interacting with vulnerable populations that are unwilling to contact law enforcement. Along with gang violence, domestic violence (DV) is another concern in the Latino community that is exacerbated by documentation status. Littrell noted that breaking the cycle of domestic violence is a priority to the KPD. However, preventative programs require time, patience, support, and funding. Over the past five years the department's tight budget has forced them to cut all the "fluff," such as community outreach programs and non-vital positions, from their administration to save cutting officers on the street and programs such as DARE and crime prevention. Yet these essential positions and programs, Littrell worried, may now be in jeopardy in the upcoming budget cuts. Littrell also pointed out that while the population of Kennewick has risen by 10-15,000 people, the number of police officers on the street has remained the same; the department has worked to become as "effective and efficient" as possible, but can only do so much with limited resources and a growing population.

Littrell, Lathim, and Keane identified a positive, trusting relationship between local law enforcement and their constituents as a key to effective crime prevention and suppression. They generally characterized their relationships with the Latino community as such, despite public concerns that the national political climate surrounding immigration policy and the Tri-Cities' recent adoption of Secure Communities may erode Latinos' trust of law enforcement. The three officers emphasized that their main role, as law enforcement, is suppression, and essential prevention and education programs are often run by other county agencies (which their

[77] See discussion of Legomsky (2007) in Scholarly Literature Review

departments are in dialogue with). They also emphasized that they confront crime without discrimination or special consideration based in an individual's documentation status, and they are uninvolved with immigration proceedings, even though they defer to federal immigration authorities.

IV. Community, public safety, and local law enforcement – Latino community perspectives

Most Latino community members reported positive or at least indifferent attitudes towards local law enforcement in the Tri-Cities. Some community members expressed minor frustrations with the police department and perceived a disproportionate focus on "petty" or minor crimes such as traffic violations over more violent or dangerous crimes such as gang activity or drug dealing – this may or may not be reflective of actual enforcement practices, but indicates a lack of knowledge of police operations. Although most of the interview participants who identified themselves as undocumented stated they were not afraid of local police officers, they reported avoiding interactions with law enforcement officers whenever possible. Their vigilant avoidance of law enforcement contradicts their reported lack of fear of police officers – the interviewees revealed that it was not individual officers they were afraid of, but rather the interaction with police and the potential for miscommunication, arrest, and deportation. In the following section, we discuss how personal experiences inform individual's views of law enforcement, Latino interviewee's characterization of the relationship between the Latino community and local law enforcement, and participants willingness to report crimes to the police.

Lela, who is undocumented, described two positive, trusting relationships she has developed with local police officers over the past few years.

> **Lela:** The one [officer] from Pasco I met him from middle school, and I used to get in trouble all the time. It was bad. And he just loved me, he's like, "You're the smartest person ever, your test scores and the grades that you'll get – you just love getting in trouble, Lela." After that, just seeing him all the time, and we'd talk all the time, and I'd catch him places, he'll catch me places, and he'll just stop and talk to me… A lot of them just knew me by my name... And the one I met here in Kennewick is because of some trouble that happened and from then on we kept really close friends. So he's really, really cool, I see him all the time.

Lela added that these officers know she doesn't have papers, and she trusts them with that information. They have been supportive of her through school and difficult periods and she values their friendship. Yet even though she has a strong relationship with individual officers, she still feels fear when she is near a police officer and will leave an area where there are police present.

> **Lela:** When they're just even behind you when you're driving, you're just super, like, "Please don't pull me over, please don't pull me over, please God." Just anything, any little thing they could just pull you over for. Anywhere you see them, we [immigrants] freeze and tense. People that are like 'ah, cops,' they don't care, but then you see those Latinos [who] are from Mexico or something, they're all freaking out.

Lela indicated that not all Latinos, and not all nationalities of Latinos, are anxious to the same degree about police interactions. According to Lela, Mexican immigrant Latinos are most fearful (among Latinos) of interacting with the police. Lela's fear of interacting with the police starkly contrasts with the comfort she described in her relationship with the two officers. It seems that she is not afraid of an individual officer; rather, she fears the threat of arrest posed by the *interaction* with a law officer. This theme was repeated throughout interviews with other undocumented immigrants. Most immigrants did not feel strongly about the police, yet avoided interacting with them because of police officers' power to arrest people (which can lead to deportation).

Immigrants with a wide range of experiences with police in their country of origin reported similar comfort levels with the local police in the Tri-Cities. Luis grew up in a small town in Mexico, where there were no police. The community policed itself; during community gatherings such as parties and wedding the larger, older men in the town would keep watch to make sure that no fights broke out. If you were caught fighting, Luis said,

> **Luis:** …they took you to the jail and they locked us in. And a few days passed until our parents took us out… They put you there to think about why you fought over insignificant things.

For Luis, there were no formal officers in his community and law enforcement was an informal activity that mostly served to police small fights. David[78], in contrast, grew up in a state with a highly corrupt police force. David lived in Mexico City, where he said his family often had to pay off the police when they were pulled over.

David described one occurrence in which their car went missing; the police arrived at their home several days later telling the family they had found their car, and the family had to pay the police to get their car back from a lot. Both David and Luis, despite the radical differences in their early experience with police, stated that they trusted police in Kennewick. Javier, who was once mugged by several police officers in a public space in El Salvador, described the process of learning to trust the police in the United States:

> **Javier:** When I came here, I see … that law enforcement officer[s] here were different. But the people from my country, they don't have any good communication [or] relation[ship] at all with the police over there… Because all the time in the countryside [in El Salvador] when you see a two or four officers, you don't wait for them. You run away from them. Even when you [are] supposed to be protected [by] them, because …their job is to protect the people, [but] you run away because if you wait for them, they feel that you are challeng[ing] them.

Javier and several others explained that it just takes time to adjust to the US, and that most immigrants learn that US police are much more trustworthy than law enforcement from their origin countries. Javier has lived in the Tri-Cities for nearly 40 years, and has experienced the changes in the Latino community's relationship with the police over the past several decades. When asked about the relationship between police and Latinos, however, he reported that "the

[78] David, interview by Madelyn Peterson, Pasco, WA, November 17, 2011. All further references to David in this report derive from this interview.

police don't know who the Hispanic population is." This acquiescence is in tension with his characterization that police officers in the United States are trustworthy, as he implies the police do not have a relationship with the Latino community.

> **MP:** So there used to be a better relationship with the police and the Hispanic population?
>
> **Javier:** Yes, because the community was small. Because there was more better communication. … But now the situation is different, crime is different, and you [didn't] hear about drugs, but not like the way you hear now. Yes, you heard about fight[ing], but not like the fight that now was going on with that gangs rivals, shooting one to another … The environment in the community change[d], and then the police maybe they, they didn't go far enough to make those change[s], knowing more the community or getting involved more with the community. That's one thing that I think, but doesn't mean that [the police] haven't done nothing, doesn't mean that they haven't tried."

Javier has seen that violence has increased and the strength of communication between the community and the police in Kennewick has worsened with an increase in population. He recognized that this is not necessarily the fault of the police – as Capt. Littrell indicated, the number of police officers on the street has remained constant while the city's population has grown, which stretches the responsibility and availability of each officer.

When Javier described the deterioration of the relationship between police and the Latino community, he characterized the police as the "relationship-makers," or those with agency to initiate communication with Latinos, and the Latino community as a passive entity that law enforcement is responsible for engaging with. In this description, Latinos are not responsible for initiating communication with the police, nor do they have the agency to build a relationship with police if law enforcement is not already engaged in their community.

When asked if they would call the police if they were witness to or victim of a crime, most interviewees responded that they would not call for most things; however, all interviewees, even those who felt most vulnerable in the presence of police, reported they would call the police if someone's personal safety was in danger. Miguel, a second-generation Mexican-American, was uncomfortable contacting the police because he is uncomfortable with the information that police officers may demand and feels as if those who report crimes are unfairly targeted by police:

> **Miguel:** *I* don't want to call the Kennewick Police Department right now, if I know something's going on at my neighbor's house. 'Cause I don't know what they're going ask. For all I know, they might ask for a thumbprint, and "well, we're going do a background check on you." "Why on me? I'm the one that's reporting it, why should I get the background check?" And I think a lot of people *do* feel that way. They're afraid that if they give them [the police] a call, they're going to try and nail you too, or say you're part of it. I think that's, that's my whole thing with the Kennewick Police Department.

Miguel's comments reflect a lack of understanding of police protocol and his own rights when interacting with the police. Miguel later substantiated his reluctance to call the police:

Miguel: If I saw somebody getting their butts kicked or something, if a wife or a spouse was getting beat, I'd report it. I'd report it, but I would definitely do it from a pay-phone, and I'd call it in anonymous.

Other interviewees shared Miguel's discomfort with or fear of police demanding information of them, running a background check, or taking them into jail if they call to report a crime. Lela responded that she'd once felt more comfortable calling the police, but now – in light of immigration policy – she felt conflicted:

Lela: After all this [Secure Communities], if it got worse, I don't think I would call the police or anything. Just to have them around it kind of freaks people out. I haven't called the police in a very long time. I don't actually, maybe years. It just, it doesn't feel the same when you're older. I think Latinos are known just to let it go if it's not your problem, then they don't want to get involved. The law is, it's hard because you don't know what you'll be stuck in, or what problems you'll get into just because you have the police there, you're the one to call them. And it's like, and it depends too, if somebody finds out you snitched on them, you don't want to go there. It's not very safe. So I haven't called the police in a *long* time. And it's always in the back of your mind.

To Lela, calling the police and invoking law enforcement is a dangerous act for Latinos, especially undocumented immigrants. By contacting law enforcement one relinquishes control over the situation, and even more unnerving, control over one's fate (if the interaction results in one's arrest). Simply stated, calling the police is just "not very safe" if you are Latino – a bold and disturbing statement coming from an individual who has positive, trusting relationships with local police officers. The realistic approach to most crime, Lela posed, is that Latinos don't respond to crime if they are not personally affected ("let it go if it's not your problem") for fear of exacerbating the problem, being harmed by the perpetrator of the crime, or being targeted by the police. Crime, then, is something that is dealt with on a personal level. Law enforcement officers are only involved in the case of an emergency that cannot be managed by those who are immediately affected. In this way, Latinos *do* have a certain control over responding to crime by selectively reporting criminal activity and dealing with more minor criminal issues on their own as they arise. However, this control is much less of a form of community policing or community empowerment than it is a defense in fear of law enforcement and criminal actors.

When asked if there are certain crimes she *would* call the police for, Lela answered:

Lela: …if I see somebody being hurt or something like that, yeah, obviously I'd call the cops because, like I said, safety, that's a big thing for me. But, just from any little thing, something small or it's none-of-my-business type thing, I really wouldn't. But if it had to do with somebody's safety, ya I would."

Lela and other interviewees qualified what kinds of crime they *would* call the police for only after they were prompted – her initial reaction was to avoid calling the police in any instance. Police are viewed not as individuals one can interact with on a regular basis, but as a last resort when an individual's personal safety is in danger.

As an undocumented Latina, Lela faces multiple barriers to communicating with the police about issues of public safety. Maria Martinez, a Domestic Violence Services advocate in

the Kennewick, addressed populations of undocumented immigrants who face even more barriers to engaging with law enforcement when in need. Although law enforcement responds to domestic violence cases in the whole of Tri-Cities, undocumented immigrant Latinas face legal and cultural barriers (such as documentation status and Latino/a gender roles) that make them more vulnerable than others in abusive relationships, less willing to interact with law enforcement, and less able to leave their abusers. Martinez explained some of the difficulties abused immigrant Latinas face:

> **Martinez[79]:** They're afraid to call the police; either they can't communicate, they are hysterical... they don't know whether to expect to be deported or not, they're afraid, …law enforcement can't do anything to help them in their country [of origin], so they're afraid here to call the police. … Another thing, a big, big issue that I hear a lot in the Hispanic [community], is that in Mexico there's some type of law that says if the woman abandons the home she loses her kids. It's called "abandono de hogar," and then here [in the U.S.], they say 'how can I leave? I'll lose my kids.' … [We] explain to them – in this country, it's not against the law for you to leave an abusive home or for you to leave your husband. Here you can file a divorce if your marriage is broken.

Martinez demonstrated how cultural and language barriers can compound the fears and abuses that undocumented Latinas suffer in cases of domestic violence. Also, Martinez pointed out, the abuser in a relationship may speak more English than the victim and will threaten to tell the police that she hit him first if the victim tries to call for help. He also may have control over her papers or her application for legal residence if she is undocumented. On top of the fear and trauma associated with domestic violence, Latina immigrants are afraid of deportation and losing their children and are less willing than non-immigrants to report to the police and seek resources.

Several interviewees voiced that there is no safe space to interact with the police and develop positive relationships. They said they don't know how to communicate with law enforcement officers to express their concerns in a way that they feel they are not making themselves vulnerable to interrogation and/or arrest.

Miguel described a case from his neighborhood in which he and others in his apartment building knew about a methamphetamine lab next door. Miguel was frustrated that even though it was obvious to him and his neighbors that the individual was dealing drugs, the police seemed unaware of the situation. Miguel said that the police regularly patrol through his neighborhood, but it took six months before they arrested the neighbor with the methamphetamine lab.

> **MP:** Did anyone ever call the police?
>
> **Miguel:** I don't know if anyone ever called the police, but I know he got busted, because I was on my way out to work early in the morning, and there were a bunch of under cover DA agents. … I'd never really heard what happened to the guy. I think he got away or just wasn't there. They finally shut it down, and to me it just seems ridiculous. Everybody seems to know this, but, you didn't? You were here three times a day and you don't know it?

[79] Maria Martinez, interview by Madelyn Peterson, Kennewick, WA, October 28, 2011. All further references to Martinez in this report derive from this interview.

Miguel was upset that the police didn't seem to know about a pressing public safety concern; however, he did not recognize himself as someone with agency or responsibility to contact the police. There was little to no communication in either direction; Miguel did not express public safety concern to the police, and the police officers did not explain the situation to the community that was affected by the methamphetamine lab.

Lela described that the only place she's really felt safe interacting with the police was at school and that, apart from public schools, Latinos have no venue in which they can develop relationships with the police.

> **Lela:** I don't know anywhere else I can just go and sit down and talk to a cop. Cops just scare people. I think that's [school is] the only place. …

Javier suggested several formats for encouraging a stronger relationship between law enforcement and the Latino community:

> **Javier:** They need to go back to the simple things, look for the intercommunication with not only with the civil leaders, but …go to the Parents Advisory Committee, their meetings, then go to the school, go to the churches. …They need our help, that's no question about it. But without any trust, there's no communication… For you to receive the help from the Hispanic community, you have to inform them, you have to advise them, you have to acknowledge [to] them that you are not working against the community. …Use the media, make the city sheriff to come forward, the police officer captain or chief come forward, and say hey, we need your help. ... I know that [if] they come forward like that, they [are] going to receive the support of the community. But the way how they [have] been acting, there's no way. They [are] going to scare the community.

Javier recommended that the police must come to the Latino community's public spaces in which Latinos feel safe, such as churches and schools.[80] He suggested that law enforcement must not only demonstrate a desire to work with the community, but also demonstrate a respect for the knowledge (and, thus, power) that the Latino community holds in regards to issues of public safety. To access the Latino community's knowledge, which Javier viewed as crucial to addressing public safety in the Tri-Cities, law enforcement must first (re-)gain the communities trust through more effective and informative communication. He implied that local law enforcement have not been making use of media that caters to the Latino community, which they ought to do in order to inform Latinos and earn their trust. Javier described Latinos as community members who have a large stake in public safety, yet have been undervalued and disregarded in more recent law enforcement activities that require community involvement to succeed.

Latino interviewees reported that there is an overwhelming lack of public spaces and modes of communication in which they feel able to safely interact with law enforcement. Although interviewees reported they are unafraid of individual officers, many Latino participants – especially undocumented residents – avoid interacting with the police for fear of arrest, deportation, and/or racial profiling. Although they would contact the police if an individual's

[80] See Scholarly Literature Review, discussion of policing tactics, immigration enforcement, and public space (Wonders and McDowell, 2010).

personal safety were in danger, most interviewees initially reported that they would *not* contact the police if a crime occurred. Cultural, language, and documentation-status barriers exaggerated Latino participants' unwillingness to interact with the police. Disturbingly, Latino participants tended to characterize themselves and their community as passive actors in the Latino–Police relationship (or lack thereof) whom law enforcement officers act upon.

V. Local Law Enforcement Perspectives on Secure Communities and Immigration Policy

Local law enforcement tended to hold conflicting views about the impact of immigration policy in their counties and public safety – an unsurprising, considering the mixed messages and vague definitions that characterize Secure Communities (Secure Communities). In the following section, we address a brief history of immigration enforcement in the Tri-Cities, local law enforcement officers' understanding of Secure Communities and its anticipated effects on their community, and the officers' characterization of their own role and agency (or lack thereof) in the relationship between local and federal law enforcement in undocumented immigrant communities.

Although Secure Communities was implemented only this year, Tri-Cities local law enforcement has collaborated with ICE and DHS for decades. Historically, the Tri-Cities has partnered with ICE and DHS to respond to high crime rates and utilize federal resources to combat local violent crime. Sheriff Lathim has been sheriff of Franklin County for the past 25 years and reported that he has seen a dramatic drop in crime rates since the 1980s. Sheriff Lathim reported that Franklin County had "the fifth highest crime rate on the West coast back in the early 80s and mid-80s," and attributed a majority of crime rates to undocumented immigrants.

> **Lathim:** A lot of the people involved in all that activity were illegal aliens or aliens with work visas or whatever. But the alien population had a significant role in those activities. And same with the victims, especially the violent crimes.

Not only were "illegal aliens" a major cause of increased crime, Lathim stated, but they were also the victims of crime whom law enforcement are obligated to protect. Thus, their partnerships with ICE were made not only to suppress the criminal activity by undocumented or non-citizen residents, but also to protect the immigrant victims. In light of an increase in violent crime and drug trafficking in the 1980s the police department, the sheriff's office, the schools, and the mayor formed a coalition and applied for federal immigration enforcement's support to combat crime "because a lot of our problems were with illegal aliens here in the community."

> **Lathim:** 'Round about 1990 the Border Patrol stationed four border patrol agents here in the Tri-Cities. And most of what their job was to come in to Benton County Jail and the Franklin County Jail on a daily basis and check who had been booked into jail, if they had any questions about their citizenship or immigration status. And it didn't always involve illegal aliens. Sometimes people that are here with work visas or some other type of visa may have committed some crimes and so then they would look at [that] from a federal standpoint.

The jail-booking program Sheriff Lathim described is the Criminal Alien Program (CAP). Under CAP, the booking information from the last 24 hours is sent to a locally stationed ICE officer every morning. If the ICE officer identifies people of concern, the officer drives over to the jail and asks to interview them. After the interview, he or she will review their cases, decide whether or not to put an immigration hold on them, and initiate federal deportation proceedings.

When Sheriff Lathim heard first heard of Secure Communities, he thought of it as a small enhancement to CAP and an "extra tool" to crosscheck the identities of people booked into the jail. Lathim explained, "Anybody [that] has a visa or a school deal or whatever, they're in that database [that Secure Communities checks against], and so it's a way of verifying who they are." If your fingerprints are not in DHS' database, Lathim continued, you would not be identified by Secure Communities, and would be checked through CAP instead, a process that has existed in the jail for the past 21 years. Furthermore, Lathim noted that in standard jail procedure (with or without Secure Communities), "if you're an illegal alien, or an alien, that's committed a crime, [or committed] a crime and [been] deported, you're in the FBI base, too," thus, your record and immigration status would be identified even without Secure Communities. All in all, Lathim expressed that he doesn't expect Secure Communities to have any significant impact.

> **Lathim:** If you've never been fingerprinted by ICE, Secure Communities doesn't do a thing for us, doesn't tell us anything. It just says there's no record there or anywhere. … Probably the biggest impact it's going to make is if there's somebody that's really dangerous that's in that [immigration] system and we get them on a drunk driving charge that normally would be released before we would get that ICE officer in here [before he would be screened by CAP]. …As far as all these other concerns, I think what we're doing with ICE, and been doing for 21 years, is probably just as good or better than what the Secure Communities does.

Lathim shared that, after several weeks of Secure Communities' operation, six people had been identified with Secure Communities, but the local ICE officer who works with the jail "had already identified them as being aliens or whatever of interest before they got the hit back from the computer." In this case Secure Communities was redundant and less effective than the system that has been in place for the last two decades.

Embedded in Lathim's depiction of Secure Communities is his assumption that only those who have previously committed serious, threatening crimes will be deported under Secure Communities. Lathim does not hold his department accountable to their lack of discretion in honoring detainers under CAP and Secure Communities and the impact on his constituents if an individual who is *not* a threat to public safety is deported through Secure Communities. Currently, local jails in Benton and Franklin do not influence whom ICE takes; ICE drops detainers on those identified as a concern through Secure Communities and local jails honor those detainers. These jails do not employ safeguards to prevent the deportation of those who have not been convicted of a crime or who are charged with minor, non-violent offences. Furthermore, the terms "serious" crime and "criminal alien", which Secure Communities uses to describe the individuals the program will target, are never defined within the Secure Communities document. Previous research has demonstrated that over half of the people that have been deported by Secure Communities either had no criminal charges or were charged for misdemeanors such as minor traffic infractions (Kohli, 2011). Only 8% of deportees through Secure Communities in Kohli's (2011) study were charged with an aggravated felony. Data

analysis from Benton County Jail records suggests that Benton County's use of CAP has had similar results in the past three years. Of 1,311 charges for immigration detainers, 24% of charges were for DUIs and 20% of charges were for a lack of proper ID/Driver's License or a false ID[81].

Sheriff Keane of Benton County also shared his initial understanding of Secure Communities, and explained that he had found little information regarding the technical details of the program and its impact on local operations before implementing Secure Communities in Benton County. He heard of Secure Communities at a Washington State Police Chiefs and Sheriffs Conference, where there was a brief presentation on the program.

> **Keane:** I don't know what their [federal immigration enforcement's] exact process is, to be honest with you. I really don't. All I know is they check our logs and if that person, obviously, is here illegally and had committed a serious crime then they could do their process, whatever that is.
>
> **MP:** How did you come to the final decision to bring in the program [Secure Communities]? Was it an easy process?
>
> **Keane:** No, it wasn't easy. To be honest with you, I didn't know about some of the controversial things that [were] going on. You know, obviously, when somebody comes in, they present a program to you, you have five minutes to listen to their spiel and then you get on their website and look at what they posted on their website, but there weren't people breaking down the doors trying to convince me not to do that at the time.

Keane expressed that he was not aware of any conflict of interest or controversy surrounding Secure Communities when he signed up for the program. He distinctly dissociated his department's actions from deportation proceedings and trusted that federal immigration enforcement would practice discretion when identifying arrestees for deportation. Keane was presented with scarce information from ICE which, he admitted, was likely presented to promote the program and may not have provided a full picture of the program's impact. Research on Secure Communities was not available at the time that Keane chose to implement the program (and thus he could not refer to non-federal studies to inform his decision). However, he also had an extremely limited understanding of Secure Communities' operation and he accepted the program without seeking opposing viewpoints and considering the potential negative effects of heightened immigration enforcement and deportation on his constituents. He later stated that he would be hesitant to pass any further judgment on Secure Communities or consider arguments against the program until he had seen research on its actual impact on local communities.

Sheriff Keane's first impression of Secure Communities was similar to that of Sheriff Lathim:

> **Keane:** It sounded like something that would be good for our community…the way that it was presented to me was that basically our operations would be exactly the same and everybody that's booked into our jail is fingerprinted regardless of color. … if that person was identified as someone that was here illegally and had committed a serious crime that they would put a detainer on that person and go through the deportation process. … It

[81] See Appendix F for Benton County Jail data analysis

> wasn't adding anything, it didn't cost us anything… If it was determined that that person was wanted for an aggravated assault, then, to me, it prevented that person from doing that to somebody else in our community and it's worth it.

Keane described Secure Communities as a benefit to public safety. He presented the program as an unobtrusive addition to their local agency's operations that could allow them to identify someone who had previously committed an aggressive crime and prevent that person from harming someone in their community. However, as previously mentioned, "serious criminal" could encompass any range of criminal activity. Sheriff Keane emphasized that race is not a factor in the fingerprinting process, as Secure Communities operates in a colorblind fashion, and expressed that Secure Communities is compatible with his department's intolerance of racial profiling. However, even if Secure Communities is applied universally, it has much greater consequences and presents dire risks for a non-citizen than it does for a citizen. Seeing as the majority of undocumented residents of the Tri-Cities are Latino and live in Latino communities, Secure Communities will impact Latinos much more heavily than it will White residents. Furthermore, in a 2011 study on Secure Communities, Kohli (2011) found that Latinos are disproportionately affected by Secure Communities; 93% of people deported through Secure Communities are from Latin American countries, yet only 77% of undocumented immigrants in the US are from Latin America (Kohli et al., 2011). In other words, Latino immigrants are being booked into jails that operate under Secure Communities in much greater numbers than other ethnic or racial immigrant populations, which may indicate racial profiling.

The study also suggests that Secure Communities can mask practices of racial profiling *because* it screens people checked into the jail universally; Kohli et al. (2011) note that jurisdictions with Secure Communities can target Latinos for minor offences and conduct questionable or excessive arrests of Latinos with "the actual goal of initiating immigration checks through the Secure Communities system" (Kohli et al., 2011, p. 6). This practice may account for the unusually large proportion of Latinos deported through the program. This is not to say that Sheriffs Keane and Lathim intend for Secure Communities to have this effect; on the contrary, this study is an advisory warning against the racial profiling and the lack of discretion that Secure Communities may facilitate.

Keane and Lathim expressed that they had initially faced no opposition when they proposed adopting Secure Communities, and were un-aware of any controversy surrounding the program. Sheriff Keane responded to those who oppose Secure Communities by describing the kinds of crime believed the program will target and prevent:

> **Keane:** As the sheriff my primary responsibility is to do everything I can to keep our community safe. ... And I know that there are offenders out on our street all the time that are released that go back and commit serious crimes, and people are in uproar over how many times that somebody had been released that's a sex offender and they go out and then they sexually abuse a small child or they kill a small child, and then everybody wants the laws to be changed.

As a law enforcement officer, Keane's duty is to protect his community and ensure community safety. Law enforcement's role is to ensure public safety through suppression and prevention of criminal activity. In a department with limited resources and under public pressure to respond to violent crime, Keane explained that he uses the tools that are available to his department to target

criminal activity. Support and involvement of federal immigration enforcement is one tool available to the department to target crime that is supposedly perpetrated by immigrants (and that most heavily affects the immigrant community). When undocumented people who have committed violent felonies that put the community at risk are arrested and identified by ICE, they can be deported, thus they are removed from the community.

As Lathim described in recounting the department's crack-down on gangs with Border Patrol in 1990, "there was kind of a calm for about eight years, and then in the late 90s [gang violence] came back up 'cause a lot of those people started getting out of prison, coming back and trying to re-energize their gangs… There's a lull for a while and it comes back." In the eyes of law enforcement, deportation of a "violent criminal," especially one involved in gang violence, prevents the individual from re-entering the community after their sentence and perpetuating the cycle of gang violence. Keane and Lathim perceived Secure Communities as a tool to combat reoccurring, or cyclical, crime in Latino communities. However, Secure Communities does not target solely the "serious criminals" that Keane was concerned about.

Keane expressed that he did not implement Secure Communities to identify and deport undocumented immigrants – he had accepted the program as a means to confront violent criminal activity. The crimes he mentioned above – child murder and sexual abuse – are the kinds of cases that informed his decision to implement Secure Communities and the crimes he hoped to prevent through the program. Sheriff Lathim also shared cases he has worked with in the past that have motivated his decisions to cooperate with ICE. He recalled a recent case of an immigrant from Mexico who has committed crimes and served jail time in several different states:

> **Lathim:** I've got one guy in jail who was sentenced. … He was formerly deported out of Tacoma through the Immigration Center, sent back to Mexico. Two weeks later [after he had been deported], we get a 911 call two blocks from here, this Mexican citizen is stabbed in the throat. [He] killed the mother of his child, and now he's sitting over here in jail. … I understand that there's people that come here, just trying to make a better life for their family and work and they don't cause us any problems, but, along with that comes anybody that wants to come along with them.

Lathim described an archetype of an undocumented immigrant who is detained and held for deportation proceedings in a Tri-Cities jail for a criminal act. His construction of the need for immigration enforcement in the Tri-Cities is based on this archetype. In his telling the detained immigrant's story, he defined the kind of criminal actor who is being detained through Secure Communities, how Latino families are hurt by the individual, and identified different Latino immigrant identities – the criminal who arrives in the community from the border (following immigrants who contribute positively to the community), and the hardworking immigrant dedicated to his or her family. In another case, Lathim described two brothers, both undocumented immigrants, who killed their cousin, shot his wife, and were going to kill their three little girls, but were prevented from doing so when police arrived on the scene. In both cases, Lathim described the detainee as the cause of horrific, violent crimes and severe family trauma. In his example, law enforcement has the agency and responsibility to prevent violence against families. In these cases, the crime-causing immigrant victimized the Latino community, and Lathim expressed the urgent need for law enforcement to exercise whatever power is

available to them to prevent similar crimes from (re)occurring. He identified Secure Communities as a means of such prevention.

Sheriff Keane, too, addressed a differentiation between undocumented Latino immigrants who are hardworking contributors to society and immigrants who commit serious crimes:

> **Keane**: People here illegally, some of them are hard working people and they are productive members here. They help our farmers out, there's a lot of things that they do that people understand and support. But there's other aspects of them being here, committing crimes and serious felonies that I won't tolerate… My job is to keep the community safe, and if you're here illegally and you're a dangerous criminal and you get arrested and they find that out, then the process is the process. We're not out there looking for people that are driving while suspended, even though they're here illegally.

In his depiction of undocumented Latino residents, Keane accounted for both hardworking non-criminals and those who cause serious harm to the community (and are the intended focus of Secure Communities). In their depictions of immigrant criminality, neither Keane nor Lathim accounted for those who identify with "*la gente trabajadora*" and commit minor crimes or misdemeanors such as traffic violations. This is likely because they are not the intended "targets" of Secure Communities. In the above quote, Keane states that for a "dangerous" criminal who is here "illegally" and is arrested, "the process is the process" – meaning, if you are undocumented and have committed crimes that could threaten public safety, you are subject to deportation and we will turn you over to ICE (through Secure Communities) without remorse. Keane qualifies this in the following sentence, though; he claims that the department does *not* intend to subject undocumented residents to deportation for minor infractions such as driving without a license. (Keane's understanding of Secure Communities is that it is designed to target only "serious criminals," but in practice, Secure Communities deports far more individuals who have committed low-level crimes than those who have committed violent felonies). Yet – under Secure Communities in the Tri-Cities – local law enforcement and jail operations simply do not use this discretion. Local law enforcement officers and officials take no control over who is deported and who is not; ICE detainers are honored without question. Everyone screened through Secure Communities – including those arrested for a suspended license or charged for crimes they did not commit – is subject to ICE intervention and ICE's decision whether or not to initiate deportation proceedings.

Keane described his role as a protector of his community; his department's responsibility is to identify and arrest "dangerous criminals," not to confront undocumented residents who are not a threat to community safety (i.e. driving with a suspended license). However, once ICE takes their information, he stated, his department is uninvolved in the deportation process, and is not responsible for who is taken into custody by Immigration. Keane claimed he had no influence over ICE's actions in his county, and denied any responsibility for the impact of immigration enforcement on his constituents. Captain Littrell, a long-time officer of the Kennewick Police Department, echoed Keane's sentiments. Littrell emphasized that the Kennewick PD does not stand for racial profiling and does not ask people about their documentation status. However, Littrell qualified, the department will seek out and arrests criminals without any consideration of documentation status, "And then if they're illegal they're going to suffer those consequences that come with being in the country illegally and committing the crime."

Although Keane made clear that his department was uninvolved with Immigration procedures, he did acknowledge concerns that Secure Communities could have adverse affects.

> **Keane:** I do have concerns if Secure Communities is not working the way that they said it was going to work and they're targeting people who have a suspended driver's license and things. If that's what immigration wants to do, then that's their business, but I didn't sign up for Secure Communities so that we could target people who have suspended driver's license … whether or not that would keep somebody from the Latino community because we've signed up for this program reporting, I couldn't answer that question. I would like to say no. I think if you're a victim of a crime and you live in this country, you should have enough faith in the criminal justice system that, you know, the right process is going to be done.

Littrell and Lathim echoed Keane's lack of authority and control in immigration proceedings, expressing that the process of deportation that occurs after ICE identifies one of their inmates is entirely separate from their local procedures. This highlights two tensions in which local law enforcement exists. Firstly, they defined involvement with ICE as actively enforcing immigration law in police–constituent interactions and asking for people's papers, like the 287(g) program. Their definition of involvement or cooperation with ICE excluded programs like CAP and Secure Communities, which facilitate ICE's intervention in local law enforcement proceedings and grant ICE regular access to information from local jails. Secondly, they expressed a tension between their obligation to protect all the members of their community and their deference to federal law. Should federal policy, i.e. Secure Communities, prove to harm the Latino residents in the community, they expressed that they do not have the power to challenge those policies or intervene in deportation proceedings on behalf of their constituents. This tension was further demonstrated in their descriptions of national immigration policy, which they identified as the root of several problems they had experienced with the Latino community. When asked what he may recommend to state legislators to respond to the needs of the Latino community and law enforcement, Lathim responded, "From a policy standpoint, I think a lot of this is a federal issue. It just happens to affect us locally." Lathim suggested a policy modeled after the Bracero Program to respond to local farmers' labor shortages and allow temporary work permits for Latino immigrants. Keane recognized the difficulty of obtaining legal papers to come to the US, and invoked American values to express the need for a change in policy.

> **Keane:** We've all immigrated here from somewhere. That's what the United States is all about. I think that the process needs to be changed where people that want to come here legally can be here legally. If it takes years and years and years, all it does is kind of exacerbate the problem. People are coming here illegally to work to try to provide for their families. That's the process that I think needs to be changed, to make it an incentive to want to be here legally so that they can be a productive member [of society], they don't have to worry about law enforcement targeting them if that's their concern, I don't know that that happens.

Keane was sympathetic to Latino families struggling to support themselves while working in the US, and described undocumented Latino residents as sharing in a common American heritage of immigrating to this country for a better life. Although he did not want to

state whether or not Latino immigrants are fearful of the police, he acknowledged that documentation status could be the cause of that fear. He noted that increased opportunity to obtain legal status would improve immigrants' relationship with the police and their ability to more fully integrate and interact in their community. Keane also acknowledged that, while cooperating with immigration enforcement can help local law enforcement to target dangerous criminals, the current immigration system is flawed and the intervention of ICE in the local level has the potential to harm the police's relationship with the community.

Keane, Lathim, and Littrell held their commitments to their community's safety and security and their faith in federal immigration enforcement policy in constant tension throughout their interviews. They denied any agency in their relationship with ICE and any ability to monitor the deportations of their constituents, deferring to federal authority (even though they admitted flaws in federal immigration enforcement policy). These law enforcement officers sincerely had their constituents' safety and best interest in mind. However, they maintained conflicted views of ICE's potential impact on their constituents and they failed to take responsibility for immigration enforcement's action within their counties as a result of their partnerships with ICE (i.e. CAP and Secure Communities).

VI. Latino Community Perspectives on Secure Communities and Immigration Policy

Tri-Cities Latino perspectives on Secure Communities in many ways sharply contrasts the expectations of law enforcement described in the previous section. Although many interviewees had faith in local law enforcement's good intention, they reported that Secure Communities implementation made them *more* uncomfortable interacting with the police and fearful of future local immigration enforcement actions. Latino interviewees shared their insecurities about the program, their fears about future immigration policies, their personal experiences with deportation and immigration policies that inform their understanding of immigration enforcement, the *gente trabajadora*'s vulnerability to deportation, and ways in which immigration policy and social divisions make them feel criminalized and excluded from public space.

Jaime is an undocumented immigrant who is originally from El Salvador but has lived in the US for several years. He moved to the Tri-Cities this year, fleeing anti-immigrant sentiment in Virginia. Jaime reported that he feels safer in Washington than he did in Virgina and he is more able to maintain a sustainable income. He was concerned about Secure Communities, but trusted the intent behind the program.

> **Jaime[82]:** I think that, with this law, the government is trying to make the community more secure with this program. But this same law affects the Latino community because they are supposedly looking for people with [a record of] serious crimes, and in doing this, sometimes, they affect people that haven't done anything and they fall[83] that way. They [law enforcement] take them. So, in this way, it affects the community. People who have done bad things [and are deported] – I agree with that. But I don't agree when, sometimes, this happens to people who haven't committed serious crimes.

[82] Jaime and Hector, interview by Madelyn Peterson, Kennewick, WA, October 11, 2011. All further references to Jaime in this report derive from this interview.
[83] *"se caen"*

Jaime's values related to the deportation of people who commit crimes paralleled those of Sheriff Keane – he claimed that people who have harmed the community and threaten public safety ought to be deported, but people who haven't committed serious crimes should not. Jaime gave credit to the U.S. government and trusted the political motivations of Secure Communities. He described the people who are detained through Secure Communities that have not committed violent crimes as unintended casualties who "fall" by way of the program. Jaime implied that the federal government has taken responsibility for community security with Secure Communities, but has failed the Latino community in its implementation of the program.

Gloria, a third-generation Mexican-American and long-time activist for Latino and immigrant rights, discussed why Latino community members are mislead or ill-informed about Secure Communities:

> **Gloria[84]:** All we're doing is giving out false information. Because the people are saying one thing, and our culture hears "secure" and they feel safe. Secure Communities, to them, is a safety net, supposedly. Well, it's caused a lot of heartaches, it's caused a lot of separation in families, it's just damaging. Not only financially, emotionally, but – how can anything be so "secure" when it's hurting the people?

She expressed that the language of Secure Communities is deceptive; the public presentation of Secure Communities is in conflict with its impacts on the Latino community, which are the affects of deportation on the family. She later described Secure Communities as a barrier to immigrant integration into the United States:

> **Gloria:** It means that these poor people aren't even given a chance to know the law or anything because if they're caught, they're already out. Their rights are already being taken away. They have no rights at all. And are we, are we so scared? Is the public so scared of Mexicans? Come on, are we gonna overrun you guys with beans, or what? [laughter]. "Oh god! Beans and tortillas are coming! Beans!"

In this passage, Gloria used the word "we" to identify herself with non-immigrant Americans as well as Mexican immigrants directly affected by Secure Communities. She defined Mexicans and "the public" as two distinct social groups and identified fluidly with both groups, indicating that she is fully integrated in both socio-cultural groups. She explained the implementation of Secure Communities and heightened immigration policy as an expression of the "public's," or U.S. hegemonic society's, fear of the influx of Mexicans. She defined Mexican immigrants as a non-threat that non-immigrant and non-Mexican society ascribes undefined and false power to, and ridicules those who feel threatened by Latino immigration. In reality, she indicated, undocumented Latino immigrants have no control over their interactions with law enforcement; they are deported before they have the chance to integrate into U.S. society and learn their rights and the laws they are expected to follow.

The fear of being "caught," and subsequently removed from one's community in the United States through deportation, is an urgent fear in the Latino immigrant community. Whereas some interviewees expressed faith in the intent of Secure Communities, others felt

[84] Gloria, interview by Madelyn Peterson, Kennewick, WA, November 6, 2011. All further references to Gloria in this report derive from this interview.

incriminated by the program. Lela was one of several interviewees who anticipated an increase in federal immigration enforcement's cooperation resulting from Secure Communities.

> **Lela:** ICE, if it gets to that point, people will be scared to even be out, to even work, maybe. I know I would, if it got to that point where it's that bad, and I hope it really doesn't get like that. Because a lot of people will be probably leaving… they say they try to catch the bad guys. But I really don't think so. I think they just want immigrants out of here. I think that's what they have in mind, and maybe they're just trying to use the excuse. Obviously, you do want bad guys out but I don't think it's necessary to take the rest of the load just because they're not born here.

Previously in the interview, Lela had accurately explained the function of Secure Communities and understood its current limitations. Here she described Secure Communities as a policy that facilitates the targeting of Latino immigrants, yet she did not define whether she expected local law enforcement or ICE agents to carry out this increase in enforcement, thus blurring the distinction between federal and local enforcement. She agreed with Secure Communities' premise, to target violent crime (as did most Latino interviewees), but was opposed to its impact on immigrants whom she did not identify as "bad guys." Lela predicted that, should law enforcement increase its support of immigration enforcement, she would be vulnerable to Immigration at her workplace, and that Latinos would flee the state, just as Latinos have fled immigration policies and practices in Arizona and Alabama. Lela constructed herself and fellow Latinos as victims of local law enforcement. She "hopes" that what she described will not occur, but did not offer her own ability or the agency of the Latino community to prevent or protest such actions. She expected that if this does occur, she would be afraid to "be out" in public, and that other immigrants would leave the county. Immigrants would be entirely excluded from public space by policing tactics and rendered powerless to change the situation, and would subsequently have to flee to avoid persecution.

Gloria described a kindred fear of increased immigration enforcement in daily activities, based in her earlier experiences in farm labor in California. She characterized Secure Communities as a "gateway" program for other policies that check documentation status:

> **Gloria:** I've had to prove that I was a U.S. Citizen at a checkpoint in California. I've had to prove that I was legal at a work camp. … What I'm afraid what would happen here, with this Secure Communities, is that in California in the sixties they had what they called checkpoints at certain streets or certain counties or everything. And usually [they] would be right after the people were coming out of the work, out of the fields and everything, and they would stop the cars randomly to check and see if you had your license or your US card. … I keep thinking Secure Communities, what if they extend that to that?

Gloria is a native-born U.S. citizen, but has had to prove her citizenship throughout her life because she is Latina and is assumed to be an immigrant. In her experience, increased immigration enforcement has correlated with racial profiling and harassment. Although she is not susceptible to deportation, as are her immigrant compañeros, she said she was afraid of the racial profiling she and others may experience and the heightened level of policing that could be imposed upon the Latino community by policies that she believed might follow Secure

Communities. According to Gloria and Lela, Secure Communities is indicative of a law enforcement mentality that favors local law enforcement's power to enforce federal immigration law over the rights and security of their community's Latino population.

The majority of the Tri-Cities Latino participants we interviewed understood the basic premise of Secure Communities, but was uncertain of what the program's limits were and whether or not it granted immigration-policing power to local police. All interviewees who were affiliated with OneAmerica knew *of* Secure Communities, but many were misinformed about its limits and how it is implemented. Those who knew about Secure Communities reported that most of the Latino community does not know about Secure Communities, and the two Latino interviewees who had no connection to OneAmerica said they had never heard of Secure Communities. Even the immigration attorney we spoke with was unsure exactly what Secure Communities was and how it operated. Many Latino interviewees equated Secure Communities with local police having the power to ask for your papers.

Javier suggested that programs like Secure Communities could facilitate police's profiling of Latino immigrant workers, whether or not individual police consciously intend to target immigrant Latinos. He described a traffic-policing phenomenon that is similar to the "checkpoints" that Gloria described.

> **Javier:** When [police] stop somebody with a no light or one headlight off, or with a one brake light off at five o' clock or six o' clock in the morning, they know that that was a farm-worker. … The illegal population in Eltopia is only about 200 people. They work in the orchards. If they need to come to town for any business for anything, it's going to be at 4 o' clock in the morning [or] four o 'clock in the afternoon. ... And [the police are] hiding [by the road] to catch people. They know for sure, consciously or unconsciously, they know who they're going to nail.

Although he did not believe that police intend to profile immigrant workers, Javier described how easily he believed police may target immigrant workers and cite them for minor traffic violations, making them vulnerable to arrest and identification by ICE at the local jail. An activity as regular as traffic policing, then, can become an indirect vehicle for immigration enforcement, and the line between local police and immigration enforcement is obscured. As mentioned in the previous section, Secure Communities and other immigration enforcement programs can facilitate racial profiling and discriminatory policing, *whether or not* officers consciously intend to discriminate against Latinos and/or immigrant workers.

Javier told another story of a friend who had been arrested in their own home by an officer who had come to their house looking for someone else. Javier was not clear as to whether this officer was a local law officer or a federal ICE agent, indicating his perception of the ambiguity of local law enforcement's role in immigration. Tom Roach, and immigration lawyer in Pasco, independently described the same sort of event. One of Roach's clients was detained after ICE agents had come to his client's home looking for the previous resident. When the previous resident whom the agent was searching for wasn't there, the agent asked Roach's client for his papers and arrested him when he couldn't provide them.

> **Javier:** That happens all the time. They [ICE officers] go on as [if] they're looking for specific people for specific reasons, because that's one of the things that the Obama administration has said. They're looking for "immigration absconders," people who were

> either in the deportation process and didn't show up in Seattle, but they have they're address and they're looking for them, or people that were deported and they for some reason think have returned. …So [ICE is] looking for one guy and they pick up another guy. They're like, "What the hell, we gotta do something, we gotta justify our existence." It happens all the time, all over the country.

Several interviewees in Yakima and Walla Walla county also shared stories of friends or neighbors who had been deported through this same process, but few of them were aware that federal, not local, agents were making these arrests.

With the exception of one participant, none of the Tri-Cities interviewees reported any experiences with immigration enforcement; however, many shared stories of friends or co-workers that had been deported or impacted by immigration enforcement in some way. In most accounts of deportation shared by Latino interviewees, the person deported was portrayed as a victim of foul play or a parent simply trying to provide for their family who was caught for a minor infraction or misunderstanding. This portrayal stands in sharp contrast to law enforcement's presentation of deportees that had caused severe harm (murder or rape) to the Latino community. Gloria told of someone she'd known who was deported several years ago:

> **Gloria:** She was reported because she apparently – she was working, and then getting money under the table and getting welfare for her kids. Because her kids were on welfare, and she was working to make extra money because you don't get enough money on welfare. They caught her and the kids were left here. … They fought, and they fought, and they fought. The kids went with their grandmother, and she did have to go back [to Mexico].

Gloria emphasized that the woman deported had been working for the survival of her family, and later clarified that she had been caught because she was receiving welfare for her children. She was working to make ends meet in any way possible. Trying to access resources for her children made her vulnerable to detection and she was separated from her family. Gloria did not portray this woman or the family as static victims. They fought to keep the family together. However, they did not have the power to prevent her deportation. Here, Gloria told a story of disillusionment and the inability to realize an "American dream" – even though the mother was working hard and seeking out opportunities, it was not enough to provide for her children; even though the family fought, they were unable to stay together.

Maria Martinez[85] shared another case in which the undocumented woman facing deportation was a victim of domestic violence.

> **Martinez:** I just had one client, she got arrested I think in July, and [her partner] was very verbally abusive. He threatened her with a gun, and finally... she moved to Pasco [from Kennewick, where the police officers knew her case]. She calls the police, trying to defend herself from being abused because he was trying to hit her, and she scratched him. She's the one that got arrested.

The woman Martinez described was likely arrested because of a miscommunication or a misinterpretation by the police who responded at the scene. Martinez said she's never heard of a

[85] a legal advocate and social worker for the Domestic Violence Services of Benton and Franklin County

police officer asking a victim if they are undocumented or not, yet an arrest by a police officer can lead to immigration enforcement action. Without Secure Communities, someone who was mistakenly arrested could be discharged from the jail before ICE checked the jail's booking record for the day. However, with Secure Communities, if an arrested victim is undocumented, her fingerprints are taken at the jail and screened through Secure Communities. She could be identified for her documentation status and detained by ICE. She faces the threat of deportation because she was wrongfully arrested. Martinez described how ICE involvement in local enforcement activity can make the community's most vulnerable populations, such as undocumented Latina immigrant victims of domestic violence, victims of deportation. In this case a victim of abuse reached out for help from law enforcement and, instead of receiving support, was subjected to immigration proceedings.

Roach, who was sympathetic to cases like the one Martinez described, expressed the absurdity of non-selective deportation of undocumented immigrants who are screened at the local jails. When asked what the largest issues are facing the Latino community, he responded with Secure Communities and similar cooperation[86] with ICE.

> **Roach[87]:** I mean, a guy burps and he gets thrown out of the country! We had a case here not to long ago where somebody didn't pay a traffic fine. They thought they'd paid it. They didn't pay it all, five years ago, so there's a warrant for their arrest. So they get pulled over for a traffic fine or for speeding 5 miles over, they [police] run their driver's license, and they find out that they got a warrant for their arrest. So they throw them in jail and five minutes later they're in the deportation process. That's how easy it is to get deported.

Roach continued to tell of another case he encountered of an undocumented mother who was deported and had to leave behind her three children, ages two, five, and seven, who are American citizens. The cases described by Roach, Martinez, and Latino community members are contrary to the publically stated goal of Secure Communities and the hopes expressed by Sheriffs Keane and Lathim – that is, to deport violent criminals as a means of protecting the community. Benton County Jail data (of all immigration detainers from January 2008 to October 2011) indicate that

Although ICE's memorandum on prosecutorial discretion in immigration policy has indicated a move toward selective deportation, the policy has not yet trickled down to the local level.

> **Roach:** From the practical point of view from where I sit, it's gone nowhere because the government says, "We're still reviewing the cases. For god's sake, we just started this like a month or two ago, there's 300,000 cases." …In Seattle, in the deportation court, they're saying, "We don't have any guidance, so we're treating these people like we always did. If you're in deportation and you don't have a right to be in the United States we're throwing you out of the country. We don't give a shit if you've got six kids, we don't give a shit if you've got picked up because they were looking for somebody else. Tell somebody who cares…. We haven't been told out in the field we're supposed to care yet

[86] such as e-Verify, which screens workers for documentation status

[87] Tom Roach, interview by Madelyn Peterson, Pasco, WA, November 3, 2011. All further references to Roach in this report derive from this interview.

Roach has seen that prosecutorial discretion is not being practiced in Washington due to a lack of follow-through from federal to state and local levels. Family separation and innocence are not (yet) considered in one's deportation proceedings.

The Latino participants we spoke with had experienced or heard of the deportations of friends, family members, and neighbors who were originally arrested for minor infractions. Community members perceived that hardworking immigrant laborers and non-violent community members – people they identified with – are serving jail time and facing consequences (detention and deportation) that are vastly disproportionate to the crimes they were charged with.[88] Whether or not this is the actual majority of deportations in the Tri-Cities, this is the perceived majority by community members. As such, interviewees expressed that their Latino community, and thus they themselves, are perceived and treated like criminals (i.e., are "criminalized"). Roach pointed to the myriad of activities for which an individual can be labeled "criminal:"

> **Roach:** What do you mean by "criminals?" A misdemeanor is a crime. A misdemeanor is negligent driving. A misdemeanor is having the wrong hook on your fishing pole! …Felonies, okay, I'm with that. But some of these people that you're sweeping up with Secure Communities have a negligent driving or a DUI or shoplifting from 10 years ago.

Although Roach's comments may seem exaggerated, his description of detainee's misdemeanor charges is not too far off the mark. In Benton County Jail, between 2008 and 2010[89] three undocumented people were put on immigration holds[90] after being charged for "Unlawful Recreational Fishing."[91]

Lela, a 1.5 generation Latina, understood criminalization as a factor of gang violence and racial stereotypes in the Tri-Cities:

> **Lela:** They see like a group of gangsters, [and think] all Mexicans are gangsters. No we're not. Or, "they're all criminals," or "all immigrants are illegal," and it's not true. ... We're not all bad people. Obviously there's bad ones, but I think that's, that just goes to every other type of person I guess. There's always the good and the bad. We're just being picked on.

Lela felt that Latinos are being victimized by essentialist claims about Latinos and Latino immigrants. She acknowledged an existing division between "good" and "bad" people but refuted the idea that these divisions can be determined based on race or immigration status.

Javier acknowledges a similar division, and felt that Latinos have been wrongfully associated with "bad" people.

> **Javier:** We come here suffering all kind of stuff on the border, but we come here to work, to make this community to be what it is now. Then why is there that hatred against us? Why? Why? It doesn't make any sense! [There's been] more emphasis after 9/11, but

[88] See Appendix F for Benton County Jail Detainer data

[89] This data is from *before* Benton County Jail implemented Secure Communities (in July of 2011); thus, most detentions up to 2011 are made through CAP

[90] also, "detainer"

[91] See Appendix F on Benton County Jail Detainer data.

> you have to consider that those people who came here to make those crimes, those people enter[ed] the United States legally! With passport! They don't cross the Mexican/U.S. border... They don't use our country to jump to here. There's no proof that any illegal Hispanic was involved in any of those crimes. Why is [it] that now everything's against the Hispanic?

Javier, who has lived in the United States for over thirty years and experienced changes in public sentiment towards Latinos, pointed to the United States' political response to 9/11 for the increasing perception of Latino criminality. He expressed that Latinos are treated not only as criminals, but as terrorist threats to national security by U.S. anti-terrorist efforts. He uses his community's identity as *la gente trabajadora* to refute those cultural labels of criminality. Javier argued that immigrants' work-ethic, contribution to their communities, and willingness to suffer to reach the United States to work are proof of immigrant loyalty to the United States and contradict the equation of Latino immigrants to terrorists.

Even those who are second or third generation Latino experience similar effects of criminalization. Whereas Lela had explained criminalization on a local scale through gang violence and inaccurate depictions of immigrants, Gloria described this type-casting as a federally-created phenomenon.

> **Gloria:** Our government isn't going to distinguish – we don't have a tag, we don't have those codes that say documented/undocumented U.S. citizen. To them, they're just seeing a color and they're just seeing we're all Latinos. Not all of us have had to cross the border.

Gloria indicated that U.S. federal policy affects all Latinos regardless of documentation status or generation because it allows the use of racial indicators to question immigration status. Although several interviewees shared accounts of racism in personal interactions, most attributed the essentializing of Latinos to national immigration policy. Gloria experienced years of racial profiling and segregation condoned by state policy in California. She describes state and federal government as the cause of racial discrimination and harm to Latino communities, not local law enforcement. In fact, every Tri-Cities interviewee – Latino community members, law enforcement, and service providers alike – indicated federal immigration policy as the cause of difficulties facing the Latino community.

Most Latino interviewees described themselves and their community as victims of immigration policy and enforcement. It's not that they viewed themselves as passive actors; Gloria shared accounts of friends trying to fight their deportation cases and she called for solidarity among Latinos to confront immigration policy, and multiple participants defied the stereotypes and definitions that they felt were imposed upon them. Rather, they described how immigration policy and policing tactics render them powerless in their interactions with law enforcement despite their attempts to assert control over their fate.

VII. Summary

To summarize the results of this case study, Latino interviewees revealed that they generally trust the intentions of individual police officers. However, they are wary of contacting the police because interaction with law enforcement is associated with the risk of their own or a

loved one's deportation, and/or racial profiling by police officers. Many interviewees did not fear individual police officers, but were afraid of the *interaction* with police, which made them feel vulnerable and powerless. Many believed that Secure Communities was adopted with the good intention of making a safer community, but that its implementation creates the opposite effect by deporting *la gente trabajadora* (hardworking Latino immigrants) who support, rather than harm, the community. Many anticipated that Secure Communities will cause sharper divisions between Latinos and police and that Secure Communities is an indicator that the Tri-Cities law enforcement will increasingly act as immigration enforcement officers; several interviewees shared fears that their community will be subject to Arizona- or Alabama-style laws that target Latinos and separate families without any consideration for an individual's innocence or their contribution to the community.

Latino interviewees did not describe themselves as passive actors; rather, they described events in which Latinos' active efforts to assert their own agency in their interactions with law enforcement were ineffective and law enforcement denied the value of their input. Their stories included documented or non-immigrant Latinos who had been confronted and racially profiled by police and undocumented Latinos who struggled to be pardoned from deportation but were deported. Latino interviewees felt silenced and ignored by local and federal officials. Many then interpreted Secure Communities as another instance of the denial of Latino voices in community decisions and the value of Latinos' contribution to their communities. In contrast, Sheriffs Keane and Lathim viewed Secure Communities as a program to *enhance* and protect public safety and denied any claims of the program's negative impacts. Local law enforcement entirely dissociated their department's involvement in the program from the harmful effects that deportation can have on their community and denied local law enforcement's involvement in federal immigration enforcement, even though local jails collaborate with ICE to identify people for deportation.

Undocumented status, recent immigration, previous negative experiences with law enforcement or immigration enforcement, and difficulty conversing in English were factors that amplified Latinos' discomfort contacting the police. Although law enforcement officers have done outreach and made public statements about Secure Communities, none of the Latino interviewees had heard of the program through public media, and many were unable to fully define Secure Communities. Our interviews with law enforcement suggest that this is not due to lack of concern on their part, but is likely because they have not made the effort to reach out to public media that caters to Latinos and the Spanish-speaking community. Although Benton and Franklin County Sheriff's Offices and the Kennewick Police Department strive to maintain their prevention and community outreach programs, they suggested that limited funding diminishes their capacity to build trusting relationships with their community. Furthermore, few Latino interviewees were aware of public community meetings with law enforcement or other forums where they could engage with police in a safe environment. Law enforcement in the Tri-Cities ought to make a more concerted effort to engage and learn from their Spanish-speaking and Latino immigrant constituents, and Latino community leaders ought to initiate dialogue with local law enforcement on issues of public safety and seek common ground. A stronger, more active relationship between Latinos and law enforcement – in which undocumented residents can engage with police without fear of arrest – would enhance public safety for all of Tri-Cities' residents and empower Latino community members to engage more fully in public life.

YAKIMA COUNTY CASE STUDY

I. Yakima county profile:

Yakima County, located in Central Washington State, is heavily agricultural and its labor opportunities have drawn many Latino immigrants to work in fruit orchards, packing plants[92] and other seasonal and year-round jobs (Gregory 2009). Since the 1980s, Latinos have become more established as a demographic group in the valley; the 2010 U.S. Census reported that Yakima County's Latino population was 45% of the county's population[93] (US Census Bureau). In the cities where our interviewees lived –Yakima, Sunnyside and Granger—Latinos comprise 41%, 82% and 88% of the population respectively (US Census Bureau, Census 2010-Washington-Granger).

Traditionally, Yakima County has been a hub for Latino political activism; Washington's Chicano and Farm Labor movements of the 1960s both started in Yakima before spreading to other parts of the state (Castañeda 2009). However, Latinos in Yakima County have historically been affected by problems like political underrepresentation and racial discrimination[94] that have continued into the present (Duffy 2009, Ehlert 1969).

The Criminal Alien Program has operated in Yakima local jails for twenty years, and was supplemented by Secure Communities in June of 2011 (Faulk 2011a). Yakima was the first county in Washington State to implement Secure Communities and according to ICE statistics, it has resulted in the deportation of 100 people to date (ICE, 2011). This number does not accurately reflect the scope of immigration enforcement in Yakima, as data obtained from Yakima County shows that since 2008, nearly 1800 people in jails have been issued an ICE detainer for charges ranging from DUI's to unlawful fishing[95]. Those with ICE detainers, regardless of their charges, are generally transferred to ICE custody and the Tacoma Northwest Detention Center, or are entered into the complex immigration court system[96].

II. Case Study Introduction:

Throughout our interviews with Yakima County residents, we sought to let our interviewees describe and interpret themselves, Secure Communities, immigration enforcement, law enforcement, and their community[97]. The trends we describe and analyze thus are firmly based on our interviewees' views and experiences. Our limited time and resources do not allow us to report every noteworthy detail and theme raised by our interviewees in Yakima County.

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[92] Isabel, interview with Spencer May, Yakima, WA, Oct 9, 2011. All further references to Isabel in this report derive from this interview.

[93] In the whole of Washington State, Latinos make up 11% of the population (US Census Bureau 2011).

[94] Enrique, interview with Spencer May, Yakima, WA, Oct 1, 2011. All further references to Enrique in this report derive from this interview.

[95] See Data Analysis Section and Appendix F.

[96] Felipe, interview with Spencer May, Yakima, WA, Nov 7, 2011. All further references to Felipe in this report derive from this interview.

[97] Apostolidis (2011) similarly sought to elicit Latinos' own analyses and reflections on power and community, as their voices are often suppressed or not heard by those in power (p. 22).

Rather, we explain and interpret the most prevalent themes that answer our main research questions: How has Secure Communities impacted Latino communities in Eastern Washington? How has Secure Communities affected the relationship between the Latino community and local law enforcement?

Overall, in Yakima County we find that Secure Communities has negatively impacted children and domestic violence victims, while contributing to the perception that law enforcement are ICE collaborating agencies. In addition, we find that Secure Communities hinders Latinos' full inclusion into Yakima County civic life.

More specifically, our primary research in Yakima County supports the following findings, presented here in the order that they are discussed:

- Latino research participants saw themselves as part of the hardworking immigrant narrative – this narrative is an important analytical framework for understanding Latino responses to Secure Communities.
- Latino research participants' encounters with law enforcement ranged from cooperative to resistant, but their encounters all exemplified a sense of community membership and personal agency.
- Secure Communities and its predecessors have blurred the lines between law enforcement and immigration enforcement while harming Latina victims of domestic abuse and children.
- For some local law enforcement leaders, Secure Communities is a tool to combat crime in the midst of disempowering circumstances. Law enforcement also expressed views that erode the legitimacy of our participants' voices and interpretations of Secure Communities.
- Latino participants' responses to Secure Communities reflected the extent to which Latinos and Latino immigrants are misunderstood by local authorities and excluded from Yakima County civic life. Our participants offered possible steps for future Latino community mobilization and empowerment.

III. The hardworking immigrant narrative

When our interviewees spoke about themselves and their community, they did so in ways that invoked the figure of "the hardworking immigrant." Often referring to themselves, our Latino participants told a common story, a narrative, about how they and other immigrants had come to the United States to work and to improve the lives of their families. As immigrants, however, many of our interviewees suffered significant physical injury and other hardships. We begin our discussion of this common story, the "hardworking immigrant narrative,[98]" with Isabel, who describes her arduous work at an apple packing plant and its detrimental effects on her health:

> **Isabel**: Every day at three-thirty in the morning I get up, I bathe, I make my lunch and I leave here at five or fifteen before five in the morning. I go to my job and arrive at six in

[98] We use the term "hardworking immigrant narrative" as opposed to "*la gente trabajadora*" because that term, used by Walla Walla and Tri-Cities interviewees, was not used by our Yakima County interviewees.

> the morning…I get back at four, five in the afternoon. When we work ten hour days, I don't get out until five, six in the afternoon… We work very hard, so much that we get hurt – I ripped tendons in my arm lifting boxes of rotten fruit from last year… They operated on me…but it [my arm] is still no good [*ya no quede bien*]. I hurt my other arm too, and that [injury] gave me arthritis. I have painful arthritis in this arm, but we haven't stopped working. We work hard – at my job, during the cherry and during the picking seasons, we are 2000 people at my job…. We are all immigrants… we are all *Hispanos*, and we do hard work.

In this account, Isabel described her own self-respect and dignity of labor; the time she wakes and the hours and difficulty of her work underscored her self-discipline and commitment to a job that has caused her significant and possibly debilitating physical injury. While it is ironic that Isabel's injuries now limit her use of her hands and arms (symbolic agents of her own self-empowerment), Isabel stated, "We haven't stopped working." Not only is defying risk by persevering in work brave and courageous, but in her use of "we," Isabel extended this bravery and self-discipline to each of her 2,000 coworkers. Her "*Hispano"* coworkers *all* do hard work, and the difficulty of their labor and their courage in the face of bodily harm is a great source of pride and self-respect for Isabel's community. Isabel's and others' narratives, in this way, destroy the notion of the "lazy Mexican" – slow and docile– and builds instead a courageous, enduring and strong immigrant identity[99].

Providing for one's family, especially for men in our interviews, was a key motivator for the perseverance and courage Isabel describes[100]. Roberto, trained as an architect in Mexico, tapped into the narrative of the hardworking immigrant when he described the risks he faced while working as a pizza delivery boy in Los Angeles[101]. He was assaulted and robbed many times during his deliveries, but decided to remain in the United States and endure hardships for his family's future benefit:

> **Roberto**: It was probably good for me to stay in this country, because my family members won't have the problems I had in the past because I didn't have my good papers, my green card… If I suffer any kind of discrimination for my language, for my color, for anything that identifies me as a Latino, probably they won't. So, they will take advantage of having good papers since they were born here, even the two girls that were born in Mexico, because they are going to have the chance to become citizens, and they are going to grow up here… [studying] here in the United States, the language, and also being bilingual… [will] be an advantage for them … [I felt that] probably at the beginning it was the wrong decision to stay here, but for them, probably it will be a good decision. So I said, "Well, I'm going to suffer all the consequences, but I'm going to do this for my family." And in… [that] way, I sacrificed myself, suffering any kind of situation.

For Roberto, the great risks he faced in his first job in the US were for the benefit of his family, what he called the "cell" of any society. His use of the word "suffer" reflected the severity of his hardships, yet he interpreted his suffering as a "sacrifice" by which his citizen-children would be

[99] See Garcia and Griego (1996).
[100] See interviews with José, Roberto, Mateo, Silvia, Monica and Ana.
[101] Roberto, interview with Spencer May, Sunnyside, WA, Nov 6, 2011. All further references to Roberto in this report derive from this interview.

able to pursue an education and become bilingual students and workers. In addition to severe risks in Los Angeles, Roberto also identified documentation status and discrimination by race and language as other sources of hardship[102]. His commitment to his family, however, empowered him to persevere and endure discrimination and suffering for his children's future benefit.

Rather than feeling victimized, Isabel and Roberto saw their hardships as part of the courageous hardworking immigrant narrative. A commitment to this community ideal empowered Roberto to respond to criticism by pointing at his actions and intentions:

> **Roberto**: All the time, I tried to do very good service [as a pizza delivery boy], because I have in my mind my family, ideas: any job you do, try to do the best. So I tried to do [it that way] all the time – very polite with people and nice with all people, so I don't want this country to tell me, "Juan, you are a bad person." No. Nobody can say that for me, because I tried to be a good citizen and… contribute to this society, giving back.

In addition to supporting one's family, Roberto's hardworking immigrant narrative included the philosophy that one should give one's best effort, no matter the occupation. But here he identified another feature of the hardworking immigrant: hardworking immigrants contribute to society and "give back" with their labor and, as Roberto mentioned later on, with the children they raise. His contributions gave him grounds to answer his potential critics, consistent with the way that interviewees often used the hardworking immigrant narrative to argue against anti-immigrant views.

In response to what she called "racist" anti-immigrant laws in Alabama, Ana added economic and labor contributions to the hardworking immigrant narrative in Yakima Valley[103]:

> **Ana:** The people who are citizens here, I'll tell you, and I'm being frank … normally do not go to pick. They are people that don't want to work in the field… We know that there is a lot of unemployment, but these people do not look for work in the field. This is important— if you go right now to a field… what you will see are only Mexicans, only Hispanic people working there. There are no American people working there… There are some Hispanic people that have become citizens, and people without documents work there. But they are people who are migrants, who have come from Mexico, so people here that don't have jobs don't look for those jobs [in the field]. So no one takes these jobs away from them [American citizens] [*Entonces nadie les quita esos trabajos*].

According to Ana, Latinos are the only people who are willing to work in the fields, making them crucial to the Yakima economy[104]. Ana also noted the irony of how unemployed citizens do not seek to work in agriculture because fieldwork is a job only done by hard-working migrant Latinos mostly from Mexico. In this way, Ana explicitly rebuts the claim that undocumented residents "take away jobs," because citizens don't seek the jobs that these Latinos perform.

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[102] Enrique, José and Silvia also identify skin color, documentation status and English-language ability as sources of discrimination against Latinos.

[103] Ana, interview with Spencer May, Granger, WA, Oct 15, 2011. All further references to Ana in this report derive from this interview.

[104] Mateo, interview with Spencer May, Yakima, WA, Nov 5, 2011. José, interview with Spencer May, Yakima, WA, Oct 14, 2011. All further references to Mateo or José in this report derive from these interviews.

While Ana did not offer reasons why citizens do not work in the field, some might look to race, class and documentation status to explain this disparity. Alternatively, American citizens may not be willing to work in the fields because Americans don't have a comparable cultural ideology that motivates them to work for low pay in physically arduous conditions.

Whatever its cause, this division of labor prompted Ana, Felipe and others to emphasize Latino immigrants' essential role in the Yakima economy. In a response to a woman who wanted to drive out undocumented immigrants from Yakima by denying them food stamps, Felipe explained what would result if all undocumented residents in Yakima left the region:

> **Felipe:** You deny them benefits, they all go hungry, and then they go back or they move to another state. So what's going to happen to industry here, to the agriculture industry? It's not that hard to see, it's happening in Alabama, other places, Georgia – they have harsh immigration laws, and they've got tomatoes rotting on the vine because they don't have anyone to pick them… What would happen, really? It would be a disaster, of epic proportions…People don't want those jobs… I hear on the radio here that they're having a great year, they need more people to go pick, and people don't do it, because it's hard, and it sucks and it doesn't pay that well... The logical result of her desired policy, it would be a disaster for everybody - the immigrants, the state, for local farmers and what, like to prove a point? Basically... to teach a lesson.

Like Ana, Felipe used the same appeal to Latino immigrants' economic contributions and emphasized that those who would remove all undocumented residents from Yakima would be damaging themselves and Yakima's economy while doing nothing more than teaching a futile lesson. In this way, Felipe criticized those who attack the backbone of Yakima's economy by appealing to Latino immigrants' crucial economic role in the valley, a key element of the hardworking immigrant narrative[105].

To summarize, our interviewees consistently used elements of the hardworking immigrant narrative to describe themselves and their Latino immigrant community. Based on our Yakima County interviews, hardworking immigrants:

- Are disciplined, law-abiding[106], and have a strong work ethic,
- Perform risky, strenuous and low wage jobs that are crucial in the local and national economy,
- Are courageous and endure hardship,
- Focus on supporting their families.

These values represent the best of the Latino community – they are honorable characteristics that interviewees alluded to throughout our interviews. The hardworking immigrant narrative's universality in our interviews reflects a tradition and culture that idealizes these values, but it may also be prevalent because of rhetoric and policies that question these

[105] Other interviewees also spoke about the recent agricultural labor shortage that Felipe describes. Some speculated that this shortage came about from Secure Communities' implementation, and Silvia claimed to know a family who left Yakima for this reason.

[106] Lourdes, interview with Spencer May, Yakima, WA, Nov 13, 2011. All further references to Lourdes in this report derive from this interview. See also interviews with Enrique, Roberto, Mateo and José.

values' significance. In other words, immigrants may tap into this narrative because they feel that Latino immigrants are criticized, or their contributions are underappreciated. This is likely the case with the economic feature of the hardworking immigrant narrative. The economic argument for Latinos' contributions is sound and used frequently, but our participants rarely if at all used their moral or cultural contributions to argue for Latinos' importance in Yakima. We believe that this is because our participants, in many cases, used economic arguments in response to criticism of Yakima Latino immigrants, and economic arguments are often thought to be more objective and valid than more subjective culturally or morally-based contribution arguments. If using economic and "factual" arguments can more effectively address criticisms against Latinos, the prevalence of the hardworking immigrant narrative and this rhetoric may reflect the degree to which Latinos feel underappreciated or even excluded by their community.

Because of the hardworking immigrant narrative's prevalence throughout our Yakima interviews, we contend that the hardworking immigrant narrative is one of the most important frameworks for understanding the Latino community and their responses to Secure Communities. We recognize that to some, the hardworking immigrant narrative is familiar and overused, but our interviewees demonstrate that it is no less important and its dismissal holds serious consequences for policymakers, leaders and community members alike.

In contrast to the hardworking immigrant narrative in our other interviews, Lourdes (an undocumented immigrant) described her field labor in terms of disempowerment and victimization. Lourdes' description of her job as a laborer in an apple orchard below is consistent with the hardworking immigrant's risky job conditions. Yet unlike Roberto's commitment to family or Isabel's courage amidst hardship, Lourdes' narrative emphasized powerlessness and immobility:

> **Lourdes:** If you put the ladder up improperly… you'll fall and you could break an arm, or a leg… There are many people that have had back injuries and have broken a disc … It's hard to work in the field because it is very risky, most of all when we climb up on ladders.
> …I have the habit of grabbing a tree branch so if the ladder falls, I can hold on to the branch. So then the ladder did fall once, but I grabbed onto the branch with two hands, and the tree was full of apples. So there I was hanging… I yelled and they put the ladder back up… But then you could slip on the apples on the ground…
> But to fall from a ladder, you could be…I don't know – I don't think about that, not any more. And oh God, take care of me so that I don't fall from the ladder, and that's all that I ask of you. It's very hard to be up on the ladders.

Lourdes' focus on the ever-present threat of serious injury, along with a precarious experience and requests for God to protect her, made her seem a fearful and submissive person who depends on God or fate rather than on herself for protection. Later, she described how these dangers are unavoidable for undocumented laborers who wish to support themselves.

> **Lourdes:** But there's no other work here, or there is work but if you don't have papers, they won't give you jobs. They ask for papers. Like at the stores… at all the stores, you need to have good documents and we don't have them. For that reason, there is only the field and that is where we work. Then in the winter sometimes… I go to sell tamales,

atole and tortas… I make the effort to sell something [*hago la lucha de vender algo*].

Lourdes' perspective on the limited kinds of work available to undocumented residents broadens the metaphorical significance of hanging from an apple tree. Hanging onto nearly the only source of work and sustenance available to her, Lourdes is unable to advance herself towards the tree's fruit through formal employment in stores. At the same time, she is unable to let go without inevitably suffering an injury. This account then metaphorically describes how immigrants without papers work hard and experience great risk, but have few opportunities to advance themselves through normal employment due to the lack of proper documentation.

This account differed from previous accounts of the hardworking immigrant narrative in the way it visualized an undocumented laborer's precarious position in Yakima Valley. In a larger sense, Lourdes' narrative demonstrated how two narratives –the hardworking immigrant narrative and a disempowered and immobile immigrant narrative – simultaneously affect the Latino community's everyday experience. At the same time that Latinos find a fundamental sense of identity in their work ethic, courage and families, a significant number of Latinos are immobilized and marginalized by documentation status.

IV. Latino perceptions of law enforcement

Our research participants' encounters with and perceptions of law enforcement were either notably positive or significantly negative. Interviewees with positive views of law enforcement saw them as reliable, visible, friendly, helpful, and effective in combating crime. For Anamaria, her positive views of the Sunnyside police were based on their reliability[107]:

> **Anamaria:** I have never had problems with the police. Sometimes I see kids on the street, they're fighting or something and I call the police and the police come. I am satisfied with the police in Sunnyside, because when I call, they come. I have no complaints… I've heard other people comment that they're racist with those people, that they arrest them for no reason, that they're not fair with them, but I can't comment on this because this hasn't happened in my experience … I have nothing [bad] to say about the police because that hasn't happened to me.

Anamaria trusted the police because they fulfilled her expectations: when she called, they came and they came "within ten minutes." Her role in these situations is to take initiative and alert the police, who then come to address the situation. But even though she held the police in high esteem, she reported how others in her community had less favorable views and experiences. Her fellow community members may claim that they had been arrested for arbitrary and racist reasons, but she recognized that her own personal experience could not confirm those claims. In that way, she distanced herself from that narrative of police-community interactions while still acknowledging other Latinos' views.

For Lourdes, her positive impression of police came from seeing the police on patrol as they responded to gang activity near her home:

[107] Anamaria, interview with Spencer May, Sunnyside, WA, Oct 14, 2011. All further references to Anamaria in this report derive from this interview.

> **Lourdes:** I think that the police worked hard on it [gang activity]. Yes because before there were gunshots and they [gang members] shouted. It was a disaster – they were running and shooting bullets in the alley, but now it's been a long time, a long time since I've heard any of it...There are many police patrolling around here ... and keeping watch. Yes, they are keeping watch because, before it was rare to see a police in this area, now I see the patrol cars here at the corner, there at the other corner, and the other side [of the street] over there … Now there isn't as much of that [gang activity] ... I'm satisfied because it has been good to talk to the police who are patrol around here… Before, even to go outside the house… made me afraid… But now, this area is peaceful. Out there, who knows.

Thomas and Burns (2004) describe how increased police visibility fosters positive perceptions of law enforcement among Latinos, and Lourdes' case explains a potential reason behind this finding. In Lourdes' experience, the police's increased visibility correlated with the decrease in gang activity in the alley behind her house, which increased her sense of security and consequently improved her view of the police. Her positive impressions of law enforcement were also based on how "it has been good to talk to the police," consistent with Skogan's (2005) conclusion that police attentiveness to community members improves Latino's view of law enforcement. Later, she defines community and police roles by saying that the police and the community are "in union" when the community sees trouble and calls the police.

Ana's thoughts after encountering a police officer inform a similar approach to community-police relations. Here she described her reaction when a police officer, newly assigned to patrol her neighborhood at night, politely introduced himself to her and told her to call him for any reason:

> **Ana:** How wonderful of him to introduce himself … And I think that… I am going to work with him, I was just thinking of that last night. I'm going to find him and tell him that I'd like to organize meetings with him to talk to the community so that they know that you are here and that people shouldn't be afraid of you, but that you are someone we can trust, that we can work with. And I think it would be good to start working with them – if we have a problem in the community, well we should talk to them, and not keep it to ourselves.

The police officer's initiative in introducing himself prompted Ana to consider ways in which she could work with him. By including Ana in his work, the officer earned her trust and prompted her to show others in the community that he could be trusted. Ana later described how this kind of encounter could prevent gang activity in its early stages if she had thought to call him when garbage bins on her street were tagged with graffiti. This case especially was evidence that police community outreach has significant and positive impacts in promoting police-community trust and cooperation. Similar to Lourdes' and Anamaria's interpretation of police-community roles, Ana said that the community's job is to report crime, alerting the police to problems that police officers then address.

Anamaria, Lourdes and Ana's cooperation with the police indicates that each felt that they belonged in the community. They asserted that they have a responsibility to ensure public safety when they call or, in Ana's case, actively cooperate with the police. At the same time, each expected the police to protect them and their neighborhood when they alert the police to problems in the community. Being "in union" with the police, then, is a way that these Latinas exerted their own agency to protect their families and the community, showing that they felt that

they belong in Yakima County and have a stake in ensuring its public safety.

While Anamaria, Lourdes, Ana and others reported positive perceptions of our police, not all our interviewees reported similar attitudes. Here, Edith explained how her efforts to protect her grandchild made her distrust the police[108]:

> **Edith:** The police don't help and I'll tell you why. At the time that my daughter was with those [gang members], she had a baby... It made me sad to leave my granddaughter, my first granddaughter there with her friends; they smoked marijuana in the house where they were at. One day, I went to take my granddaughter [from them]. You know what the police said? I told the police, "This is my granddaughter. Look, these girls are drinking and smoking, and my grandbaby should not be here. I want to take her so that my daughter can have her fun." Well no – they took me to jail! ... Because I wanted to take the girl "by force" and the girl wasn't "mine," she was my daughter's. They took me to jail – do you really think that the police help you?

While the police may have acted with their best judgment, Edith saw their actions as misinformed and against the best interests of her granddaughter. She interpreted her experience as a case where the police did not take her reasoning and intentions into account and believed that she was taking the child "by force." Edith's trust in the police was thus eroded when she was punished for her efforts to protect her granddaughter. Edith saw herself as innocent because of her good intentions, and consequently believed that the police were not procedurally fair, Sunshine and Tyler's (2003) term for unbiased and respectful treatment from the others. In Edith's experience, procedurally unfair police who don't listen to community members and who incarcerate innocent people cannot be trusted. In this way, Edith's encounter with the police starkly contrasted with Ana's police encounter. The police earned Ana's trust when they were procedurally fair and sought to include Ana's voice. Edith's very different experience with procedurally unfair police made her believe that the police "don't help" and don't work in the the community's best interest.

The following three police encounters are very similar, but have slightly different emphases. Like in Edith's experience, however, law enforcement violates Sunshine and Tyler's concept of procedural fairness through racialized and intimidating requests. After mentioning how the police had helped her when she was abused by her partner, Monica told this account of being stopped by a police officer[109]:

> **Monica:** One time I had a bad experience; it wasn't really bad it was a weird experience… One time I got pulled over, and the officer came to my window and he asked for my I.D., my insurance… I gave it to him and then he asked me for my social security number. And I looked at him and I said, "Why do you want my social?" And he said, "Why can't you give it to me?" And I said, "Well I can but I really don't think I have to." And I said, "If I don't have one are you going to take me?" And he said, "Oh, I'm not going to argue with you,"

[108] Edith and Tina, interview with Spencer May, Yakima, WA, Oct 16, 2011. All further references to Edith and Tina in this report derive from this interview.
[109] Monica, interview with Spencer May, Yakima, WA. Oct 9 2011. All further references to Monica in this report derive from this interview.

and he just walked away. That was the only bad experience that I've had [with the police]…

SM: Why was that weird for you? What did he do to make you feel strange?

Monica: I don't think he should have asked me for my social security number. I really don't understand why he did that. And it wasn't now, it had to be like, maybe eight, nine years ago…. Right now I'd probably be like, ok…the immigration issues are going on – they probably are racial profiling me or something like that but back then I never heard of officers asking people for their social security numbers, so I felt really uncomfortable that he asked me.

In this situation, the officer's request made Monica uncomfortable and suspicious. While recognizing a limited awareness about immigration issues at the time, Monica used the term "racially profiling" to explain why the officer asked for her social security number[110]. Monica linked her use of the term "racial profiling" to immigrants, and in doing so claimed that the officer thought she was undocumented because of her race, consistent with Chacón's (2007) argument that Latinos have become the racial "face" of the illegal immigrant. That "immigration issues" precede "racial profiling" suggests that Monica saw racial profiling as a direct and unavoidable outcome of heightened immigration awareness in the community. By saying, "officers asking people" in the plural, Monica also implied that this experience is not unique and had occurred to other Latinas and Latinos. However, this fatalistic posture towards racial profiling did not stop Monica from exercising personal agency and resisting the officer's questioning.

Enrique's experience with a police officer in a different city occurred more recently but was strikingly similar to Monica's experience in Yakima:

Enrique: And [the police] could be doing more work [to build] more trust with the community to help reduce crime. About three months ago I got pulled over coming from Toppenish. I was about, close to 5 miles over the [speed] limit. [The sign] was saying 40, but when I turned into another street it went to 25. And I didn't notice that so I got pulled over by a city police… He asked me for my driver's license, my social security card – that was crazy. I asked him why he needed my social security card. He goes, "Do you have it?" [I said,] "Well, yes." And I didn't give him my social security card, just gave him my driver's license and proof of insurance and he let me go but I mean, there are some officers - I don't know why they do that I mean, they want to intimidate people? Or - and that shouldn't be happening.

Like Monica, Enrique asserted his rights and refused to give the officer his social security card, expressing his surprised and indignant reaction with the words, "That was crazy." While Monica used the words "racial profiling" to explain her police encounter, Enrique used of the

[110] Interim Chief Greg Copeland, interview with Spencer May, Yakima, WA, Nov 15 2011. All further references to Chief Copeland in this report derive from this interview. We note that Monica's encounter occurred at a time that, according to Interim Chief Greg Copeland, the Yakima Police Department was accused of racial profiling of Latinos– the city of Yakima responded by installing microphones and video cameras in all patrol cars.

word "intimidate" to interpret this encounter as an instance where the police meant to harass and subjugate him and other "people." When Enrique referred to "people," however, he referred to those like him who, with certain a skin color and accent, may be suspected of being undocumented. A significant result of this encounter was to make Enrique distrust the police; Enrique's first sentence explained that police should build trust with their constituents, and his last sentence indicated that police break that trust by violating Sunshine and Tyler's (2003) procedural fairness and asking Latinos for social security cards.

In her interview, Silvia recounted a case where her neighbor, a citizen, was also stopped by the police and asked for her papers. Her account of and reactions to another's police-encounter particularly reminds us of research that shows how stories and information shared in community networks influence Latinos' perception of law enforcement (Menjívar and Bejarano 2004, Warren 2006, Weitzer 2002). Silvia's neighbor had been driving on the highway to pick up her husband, and was stopped by a police officer[111]:

> **Silvia:** She [my neighbor] said "The police stopped me for no reason… and instead of asking for my license, he asked me to show him my documents…I hadn't committed any infraction, but he had no right to ask me for those. If I had committed a crime… or something else, then he would have that right… I told him that I would not show him my papers… and then he became angry, he was angry, and I became angry too… I did not tell him I was a citizen, but he was demanding my papers, but I hadn't committed any infraction, he just stopped me... If that was a different person who was maybe afraid of legal issues, maybe he would have taken them."…. I asked her "So what happened with the police?" And she said "Nothing, he let me go… because he knew that I hadn't committed any infractions...It may have been my appearance or, I don't know, but he asked for my papers instead of my license"… I said "Maybe it was because you look Hispanic." That's what I thought.

Silvia's neighbor's anger at the officer reflected the degree to which she asserted her rights and resisted the officer's attempt to intimidate her, justifying her response and her anger by appealing to her own innocence (the police stopped her "for no reason"). Furthermore, that she had committed no "infraction" fueled her suspicion that it was her "appearance" that precipitated the confrontation. In this way, both the neighbor and Silvia suggested, like Monica and Enrique, that the police asked for her papers because of her race. The neighbor also predicted that someone in her position who was "afraid of legal issues" would have fared poorly and been taken into custody. Those who are not afraid of legal issues are like the neighbor, Enrique and Monica: citizens who know how to exercise their rights and who feel that they are a part of the community.

However, Silvia's neighbor additionally mentioned that, if she really did commit an infraction, that the officer would have the right to ask for her papers. This claim grants to the police powers they do not hold, but it implies one of two possibilities. First, the neighbor could believe that undocumented residents who commit infractions or crimes may be punished for entering the country without documents. Alternatively, the neighbor (like other interviewees) sees ICE and law enforcement as cooperating agencies with shared powers[112]. It is very possible

[111] Silvia, interview with Spencer May, Sunnyside, WA, Oct 14, 2011. All further references to Silvia in this report derive from this interview.
[112] This is discussed in detail in the next section.

that Silvia's neighbor believes a combination of the two.

In sum, those with the most positive impressions of law enforcement used their own experiences to show that the police are reliable, trustworthy, ready to help and able to protect the community from criminals. Yet others used their own police encounters to say that the police do not listen to community members and engage in racial profiling. We interpret these negative encounters as instances where the police were procedurally unfair to our interviewees by communicating disrespect and racial bias. Yakima law enforcement in Yakima, based on these Latino perspectives, have made both positive and negative impressions on the Latino community. While some saw law enforcement as helpful and effective, these narratives offer evidence that law enforcement in Yakima have racially profiled Latinos as undocumented and reinforced the image of Latinos as "illegal" and illegitimate residents.

In each encounter, our interviewees' sense of community-belonging led them to exert their own personal agency, but their agency took very different forms. Anamaria, Lourdes and Ana contacted law enforcement to promote public safety for as community members, they had a stake in ensuring their and others' safety. The officers in these encounters responded in a procedurally fair way that affirmed that Anamaria, Lourdes and Ana belonged in the community. Monica, Enrique and Silvia's neighbor also felt that they belonged in the community but instead the police implied that they were "illegal" because of their race. By their actions, the police implied that these interviewees did not belong in the community, making some lose their trust in law enforcement. A sense of community-membership and their knowledge of civil rights prompted Monica, Enrique and Silvia's neighbor to assert themselves and exert agency in resisting the officers' intimidation. In doing so, they affirmed that they belonged in the community and that law enforcement was wrong to question it.

V. Immigration enforcement in Yakima's Latino community

Few of our interview participants in Yakima could clearly explain Secure Communities' features. Many did not know what it was or mistook it for something else[113]. This shows how Yakima Latinos lack information about Secure Communities and its goals, but it also illustrates the way that our interviewees understood immigration enforcement in Yakima County. Interviewees repeatedly saw Secure Communities as a continuation of long-standing immigration enforcement policy in Yakima (like raids and CAP), and thus often spoke of Secure Communities as if it were just more of the same. In this section, we note those specific instances that were most likely associated with Secure Communities, while interpreting other cases as examples of immigration enforcement's larger effects in Yakima County.

Even if they were unsure of Secure Communities' specifics, our interviewees told stories of community experiences to describe immigration enforcement and its effects. Like in Menjívar and Bejarano's (2004) study, these stories had a significant influence on how our interviewees' perceived Secure Communities. Furthermore, that twelve of seventeen interviewees had friends or family deported under Yakima immigration enforcement policies reflects not only the extent to which these stories are shared among social networks, but also immigration enforcement's far-

[113] Jazmín, interview with Spencer May, Yakima, WA, Nov 14 2011. Esperanza, interview with Spencer May, Sunnyside, WA, Oct 14 2011. All further references to Jazmín or Esperanza in this report derive from these interviews. See also our interviews with Roberto, Lourdes, Edith, Silvia, Anamaria, and Monica.

reaching impact on Yakima's Latino Community[114]. Most notably, Secure Communities and immigration enforcement in Yakima County have 1) spread a perception that law enforcement and ICE actively cooperate, 2) deported domestic violence victims and deterred them from reporting their abuse, and 3) harmed children's psychological wellbeing.

Blurring the lines between law enforcement and immigration enforcement

Enrique had learned about the details of Secure Communities through his active involvement in local politics. The woman he described here, however, was concerned about Secure Communities because of powers she thought it would have:

> **Enrique:** When Secure Communities was implemented - some lady said that… someone was looking for her son, and it was a police and ... he said something in Spanish about her son... and she didn't feel comfortable. She [said] "What if Secure Communities will pass, things will get worse because my son didn't commit any crimes and Secure Communities would give them [the ability] to just go to any homes and [use] excuses to arrest him."

First, the police encounter made the woman uncomfortable because she believed that the police were unfairly seeking out her law-abiding son[115]. In addition, her belief that Secure Communities would give a police officer the power to enter a home and make an arbitrary arrest only made her more uneasy. While law enforcement does not hold these powers, she worried that Secure Communities would ultimately result in such an incident for her innocent son.

But as Felipe indicated in the following stories, Enrique's acquaintance has good grounds for her apprehensions. The police that this woman encountered may have been ICE agents who, according to Felipe, use an array of "tricks" to detain undocumented residents. Felipe reported several stories of clients who subject to such "tricks:"

> **Felipe:** It started with them pulling over the dad of the family, asking ... if he had papers. They asked him if they knew this guy, on a piece of paper. He's like, "I've never seen that person before," and they were saying, "He lives at your house." "No, that person doesn't live at my house." So they take him to the house, and then, this is according to people inside the house at this point, officers start like, running around the house, acting like something really dangerous is going on. They pound on the door… really hard, it's really early in the morning, everyone is still sleeping, somebody opens the door, and there' s just sort of, chaos, and in the chaos, they just come in the house... They left one of the brothers to take care of the sister, but everybody else got arrested and taken to detention. There's some pretty clear constitutional rights were violated in that case.

ICE's tactics to detain the majority of this family were underhanded and deceptive, so much so that Felipe questioned their constitutionality. The most important features of this incident, namely the unrecognizable photo and the interruption of a peaceful morning with noise and chaos, underscore the way in which detainment by ICE is unpredictable, unsettling and

[114] This widespread effect is further supported by our data on ICE detainers in Yakima County; see the Data Analysis section or Appendix F.

[115] Abiding by the law (i.e., criminal law) was another tenet of the hardworking immigrant narrative. In this way, the woman used the hardworking immigrant narrative to make an innocent image of her son.

seemingly arbitrary to Latino immigrants.

Felipe knew of another family who were also affected by ICE officers, and recounted the experience of a woman whose husband was arrested by ICE officers at their home:

> **Felipe:** The front of their shirts say "police" – their vests, right? And on the back it says "ICE" because they're "ICE police," or whatever. So they came to the door, and they said, "Is that your car in the front?" She said, "Yes." "Are you the only person who drives it?" "No." They said, "Does Fernando drive it?" (or whatever her husband's name was). "Yeah he drives it sometimes." So she's thinking there's something wrong with the car, something's going on. "Well, can we talk to him, we need to talk to him for a second." "Ok," so he comes downstairs, and they're kind of acting like they need him to come outside to talk about this car, so he goes outside and they arrest him, because he's undocumented, and they couldn't arrest him inside the house, they had to get him outside of the house, and so they do this sort of, whatever - they know generally what they can and can't do.

These ICE officers were deceptive in several ways. First, they wore uniforms that advertised them as police officers, not as immigration agents. The woman who saw these uniforms may have believed them to be local police, whose authority she would readily respect. Second, they used a distracting topic, the car, to begin their interaction with the woman, making her believe that the car was the source of their visit, not her husband's immigration status. The word "acting" highlighted how the ICE officers maintained their deceptive pretense about the car in order to persuade the man to leave his home, where they could then legally arrest him for being undocumented. In both these cases, ICE officers went to a home with seemingly arbitrary "excuses" to make an arrest. These cases, both of which occurred in Yakima, provide the grounds for Enrique's acquaintance's fears.

Alternatively, Enrique's acquaintance's discomfort may have been prompted not by ICE agents, but by a real encounter with the police. Rather than clearly separating ICE agents from police officers, our interviewees consistently saw their roles as blurred and undefined. These perceptions were, in most cases, based on evidence of a collaborative partnership between ICE and the local police. Like the ICE arrests previously described, these cases involved deception on the part of local police and a subsequent arrest by an ICE officer. In her interview, Ana described a woman whose son was arrested for marijuana possession at his school. After taking the son into custody, the police had called the woman and asked her to pick up her son at the police station. The boy's grandmother, the woman's mother, decided to accompany her frightened and anxious daughter:

> **Ana:** She [the woman] was scared... But when she went, her mother told her "I'm going with you - wait, I'm going with you... to see what happened with my grandson" and they went. Immigration was waiting for them at the police department. They released her son... but they took them, their names, their fingerprints.... She said "I don't have to tell you anything," but they gave her a notice to appear in court in Seattle. She had to get a lawyer, her mother had to get a lawyer. They told her mother that she did not have a justification for being here [ella no tiene caso aqui]. She will have to go to Mexico... and [her mother's] only error was to accompany her daughter who was looking for her son.

Like in Felipe's story of ICE agents and the car, the authorities used the woman's son to distract the woman and her mother, who where unprepared to encounter ICE agents at the police station. The authorities' deception demonstrated how immigration and law enforcement are thought cooperate and identify and detain undocumented residents together. The woman's attempt to exert her own agency and assert her rights was not effective, and she and her mother were thrust into the complicated and expensive civil immigration court system[116]. Ana emphasized the injustice of the authorities' deception by describing how the grandmother, here for more than twenty years, only wanted to support her daughter. That the grandmother "did not have a justification for being here" illustrates how, like in the previous section, "illegality" makes one ineligible for community membership, no matter how long one has lived in Yakima County.

While Mateo does not specify exactly why his friend was arrested, the story of his detained friend supports Ana's and the community perception that immigration and police are collaborative partners:

> **Mateo:** Well, he [my friend] was a worker, a worker all his life. They brought him here when he was eight years old, and he did all his schooling here...And that day, well, he was "having fun" and all of that, and they arrested him and let him go with that thing that they put on them [an ankle tracking device]... They didn't tell him that they were with immigration, just that he was going to be in rehabilitation [*recapacitación*]. One day they called him and told him, "Your apparatus isn't working well, can you come?" "Well yes" he said…But it wasn't that - it was because immigration was waiting for him, and that is why I tell you that they say that they are not together, but what more [proof] do you need? [*¿pues qué mas?*]

While we can only speculate that Mateo's friend was arrested for a DUI, Mateo was clear on how his friends' experience, and consequent deportation, came about from the police's collaboration with immigration officers. Like the previous stories, an apparently dysfunctional ankle monitor was the "diversion" used to bring Mateo's friend to the jail where, like in Ana's story, "immigration was waiting" for him. Mateo was clear that the police were intentionally deceptive and that even though the police claim that they and ICE "are not together," his friend's experience concretely renders that claim false for Mateo and other members of the Latino Community.

In Yakima, we find that ICE's presence in local communities has made many Latino community members perceive law enforcement and ICE to be actively cooperating agencies that use deceit, trickery and distraction to detain and deport undocumented residents. These encounters support both Latinos' perception of this partnership, but also that in select cases, this partnership is real and has serious consequences for even those who have lived in the Yakima Valley for decades. While local law enforcement does not intend to be seen this way[117], these

[116] Felipe described the immigration court system in detail – we will not describe it extensively here, but to illustrate the complexity and inefficiency of the system, Felipe told us of a man who has been in deportation proceedings since 2008 and has had preliminary court hearings delayed until 2014.

[117] Sheriff Ken Irwin, interview with Spencer May, Yakima, WA, Nov 7 2011. All further references to Sheriff in this report derive from this interview. See also interview with Chief Copeland.

incidents have communicated their apparent partnership with ICE to the Latino community. We see in the next section this partnership's grave impact on undocumented Latina domestic violence victims.

Domestic violence victims and immigration enforcement

Ana is a member of the community organization called Amigas Unidas, a group of domestic abuse survivors that support and advocate for Latina victims of domestic abuse. In her interview, she described how her undocumented clients do not call the police out of fear of deportation:

> **Ana:** And the person who doesn't have papers, that person suffers, because if she is the victim of domestic violence, she will not want to report it to the police. They go about, being beaten... because they know that [immigration] will probably take them.

Undocumented domestic violence victims "go about being beaten," in other words, because as the previous section demonstrates, law enforcement are seen as gatekeepers to deportation. Like in Arbona et al.'s (2010) study, this belief keeps victims in Yakima in situations where their abuse can continue, but this fear also keeps undocumented residents from reporting other kinds of abuse. Silvia, another member of Amigas Unidas, described how the perceived law enforcement-immigration partnership deterred a woman from turning in her abusive husband:

> **Silvia:** A month ago, a woman spoke with me by phone... and she told me "You know what, he just beat my daughter." She said, "My husband just finished beating my daughter." I told her, "Call the police" and she said, "No - I'm afraid because if he asks for papers, my daughter and I both don't have them." And I told her, "Call the police," and she said "no" because she was afraid because that law was passed. And she didn't call.

This woman, like domestic violence victims, believed that the outcome of an encounter with the police would result in her and her daughter's deportation, even if it were to stop her husband's violence. The fear of their mutual deportation was enough to prevent her from calling for help, but the woman believed that this would come about through a new law that presumably allowed the police to ask for documents. Given the timing of this incident, the law in question may be Secure Communities, but "that law" could be laws implemented in other counties, other states or even in Yakima's past. Thinking of her and her daughter's future, this undocumented domestic violence victim did not seek police help even when encouraged to do so out of a fear that the police could deport her and her daughter.

Like Enrique's acquaintances' fear, this woman's fear of deportation is justified by cases where domestic violence victims have been deported after contacting law enforcement for help. After we described to Roberto how Secure Communities works, he told the story of a woman in Sunnyside, WA who was affected by both domestic violence and Secure Communities:

> **Roberto:** The other day, a couple of weeks ago, one of my wife's aunts told us about a lady that was suffering violence in her house, and she has evidence of that, but she never told the police about it. Later, she did, but... they stopped her, and did all the steps you told

> me with her, and finally, they sent her to Mexico – they sent her to Mexico. … She proved to the police he was [hitting] her, but they never gave her...the chance to stay here, even when her kids were born here … They [my aunt's family] tried to help her but they are not sure if they will be able to get a visa for her.

The fears of the woman who called Silvia were realized here when this woman, seeking assistance from the police and with evidence of her abuse, was detained, identified by Secure Communities, deported and separated from her children. In his account, Roberto did not describe any sort of court procedures, but instead portrayed the woman's deportation as a direct sequence of arrest, fingerprinting and deportation. Indicating that "*they* sent her to Mexico" and how "*they* never gave her the chance to stay here," Roberto's highlighted the powers "*they*" (law enforcement and immigration officials) exercise over undocumented residents, including victims of domestic abuse. Roberto's story is not unique; our research uncovered other cases where domestic violence victims, and occasionally their partners, were deported after contacting law enforcement for help (Silvia, Isabel, Ana).

Even when undocumented domestic violence victims are not detained or deported after reporting their abuse, they are still uncertain and fearful about future and their children, as Ana explained here:

> **Ana:** I have a client who was almost killed... The man came back [after being deported] to finish what he had started... Luckily, they caught him at the border and put him in jail. We put another order of protection and sent the papers to California and the whole process, but it's a simple paper! .. Imagine that woman, if they were to deport her to Mexico, what would happen? The aggressor is in Mexico - what will happen to her? Her children are citizens, and while she's biting her fingernails hoping that she won't get a ticket or that he won't come back, or if that they send us to Mexico, that everything here will end ... And you say, "What will I do? How will I do it if I have my whole life here?" And these are things that I think make people suffer more.

Border security, in this case, stopped a man intent on killing his partner from entering in the United States. But Ana recognized that current methods to keep a deported person away from his victim, orders of protection and border control, are not foolproof. Ana's undocumented client feared his return, but was also still vulnerable to deportation as an undocumented resident. Were she to be deported, her citizen-children's future would be uncertain, "the aggressor" in Mexico might try to "finish what he had started," and the life that she had built into the United States would be uprooted. These uncertainties made her deeply insecure, "biting her fingernails" and living in an anxious and precarious mindset. That she had no control over her future and her vulnerable condition is the root of her insecure state of mind that, in Ana's view, "make people suffer more" than the actual deportation process.

These accounts of domestic violence demonstrate the extent to which undocumented Latina domestic abuse survivors have been affected by Secure Communities and its antecedents. Stories where domestic violence victims were ultimately placed into deportation proceedings after contacting the police justify other victims' fear of contacting the police for assistance. In these cases, domestic violence victims believe immigration agents and police officers to be cooperating agencies with the power to summarily deport those who contact them. Even in a case

where only the abuser was deported, the undocumented victim was still fearful of how her own potential deportation would affect her safety, her children's well being and her family's established life in Yakima County. We thus find that in Yakima County, the perceived cooperation of police and immigration enforcers, justified by personal and community experiences, deters domestic violence victims from contacting the police for assistance, and that those who do may be detained and deported through Secure Communities

In the previous section on Latino perceptions of law enforcement, feeling that one belonged in the community made one call the police and exert one's agency. Here, domestic violence victims' vulnerability to deportation made them unwilling to call the police. It follows, then, that undocumented domestic violence victims are not fully included into the community if they cannot trust law enforcement, a community institution, to protect them. Hacker et al. (2011) reach similar conclusions, and in Yakima we trace this fear, vulnerability and non-inclusion to Secure Communities and other immigration enforcement policy.

Effect of immigration enforcement on children

Secure Communities' and past immigration enforcement's effects are not limited to domestic abuse victims. In Yakima, our interviewees offered strong evidence that children suffer psychological trauma from detentions, deportations and the separation of families. As a result, Rosana reported that she and other Sunday School teachers at her Latino-majority church take precautions with their language[118]:

> **Rosana:** They [the teachers] have to be more sensitive about when they say "your family" or "your parents" because there's a reality now that some [children] don't have both parents.

In her classes, Rosana cannot refer to families or parents without making a student remember their own parents and the events that brought about their family's separation. When Mateo's undocumented brother was detained for using a false name in the Spring of 2011, he was entered into deportation proceedings and his young children were deeply affected by the kind of family separation Rosana is sensitive to:

> **Mateo:** They [his children] still ask for him... Something psychological is going to stay and will hurt you [the child] for nearly the rest of your life, because you will be thinking all the time about negative things. You don't know what is going to happen if you make a mistake, "Maybe it [deportation] will happen to me," because you will be going about with that fear that, "they took Dad away."... The worst effect on children is when their parents are taken. Psychologically, they're depressed, they don't know what to do. It's a dilemma ... it really affects them, really affects them, in school, with their behavior... When you're depressed, it isn't easy to compose yourself, because you could get depression and all of that, and a curable depression? No, it's not easy [to be cured].

Knowing of their father's detention and his absence, according to Mateo, had a significant psychological toll on these children. These children were traumatized by considering the

[118] Rosana, interview with Spencer May, Yakima, WA, Nov 14, 2011. All further references to Rosana in this report derive from this interview.

possibility that they might be deported for making a mistake, and by being separated from a parent. Mateo called this separation the "worst effect on children," and like Suaréz-Orozco et al. (2002), identified depression and poor school behavior as two effects of this separation. Along with Rosana's precautions in teaching, Mateo's account reflected the deep psychological wound that Secure Communities and past immigration enforcement has inflicted on children of deported parents in Yakima.

While some deported parents left their children in the United States, others brought them to their home country. In these cases, participants described how children were uprooted from their homes in the Yakima Valley and were not immune to the psychological toll described above[119]. Silvia's response to such a case speak to these effects on children; she knew of a family who followed their deported husband and father to Mexico with a truckful of belongings. When they reached Mexico, everything they had was robbed. Silvia has since lost contact with them, but she emphasized how this kind of journey affects the children's psychological well-being:

> **Silvia:** They are maybe sending them [citizens] to their death because they are killing many people in Mexico…And there are children that suffer because of this, they cry because they are afraid. I asked a boy why he didn't want to go [to Mexico]: "On TV, they kill, they kill many people." So it is difficult to hear that, but you hear it more in the United States than before. Before, one felt protected in the United States, that the United States gave you, well not everything, but you felt safe and now we don't. Now we don't feel safe.

Similarly to Mateo's nieces and nephews, this boy and other children carry a heavy psychological load when they fear their potential (and unpredictable) deportation. Silvia emphasized, however, that the possibility of death should they return to Mexico is prominent in these children's minds, making them "suffer" and live in fear. Silvia described how children's fear of deportation is more common than before, and that with current immigration enforcement policy and Mexico's unsafety, "now we don't feel safe." In that way, Secure Communities makes these children feel unsafe in the way it can deport undocumented parents and their children to a violent and dangerous place.

If children remain in the United States, their parents' deportation has no less of an effect on their wellbeing. In her interview, Rosana explained more Mateo's description of the long-lasting effects of separation from a parent by recounting her own father, who left her family in Mexico to work in Washington State for seven years before bringing them to Yakima County:

> **Rosana:** It was hard, it was hard growing up without a father...One of my younger brothers that [came] after me, he didn't get to meet my Dad until he was seven years old, and so, there's a broken relationship there, there's not a close relationship, to this day that was difficult...I wish [immigration reform] would be [done] quick, especially for those families that have to be apart from each other, because that's not, that's not humane. And is not healthy for society.

Immigration policy's transformation away from family-unity and towards enforcement, Hagan et

[119] See interviews with Isabel, Ana, Silvia, and José.

al. (2008) write, is a trend that started with IIRIRA and AEDPA and has only increased since September 11, 2001[120]. Yakima has not escaped these effects, according to Rosana, who has seen first-hand the pain caused by family separation and broken relationships between children and parents. Rosana recognized that broken families have a wider effect on society[121], but she also saw family separation as morally wrong and "inhumane." The implication is that Secure Communities' effect on families renders the program inhumane, prompting Rosana to call for more humane immigration law and policy.

Family separation's effects on children may very well have larger impacts on schools, gangs and crime, but in his interview, José described an additional effect. Secure Communities, according to José, will have not only long-term psychological implications on immigrant children, but also political ramifications for the current government:

> **José:** You can take away the father and the grandfather, but four, five, six children will be left. What will happen when these children are grown and have the power to vote, and hear of the stories of their parents and grandparents that tell how the government removed us… What will happen with those children who are citizens of the United States? They will have a big and bitter grudge against the government [*van a tener un rancor muy grande con el gobierno*].

The specific results of such a grudge are unclear, but José implied nonetheless that Secure Communities and immigration enforcement policy in Yakima will create from the children of deported parents and grandparents a group of citizens and voters who remember the government's "inhumane" immigration policy. José thus anticipated that current government decisions would have serious implications for Latinos' civic participation in the future. At this time, however, our interviewees report that Secure Communities and immigration enforcement traumatizes the children upon whose shoulders Yakima's future rests; in that way Secure Communities ultimately hinders Latinos' political and civic inclusion.

To summarize, Secure Communities and its predecessors in Yakima have 1) created the impression that law enforcement and ICE are active partners, 2) deterred domestic violence victims from calling for help, 3) Deported domestic violence victims who call for help and 4) inflicted significant psychological trauma on children of undocumented parents. As discussed above, Secure Communities' harmful impacts on these people work to exclude Latino immigrants from belonging in the Yakima Community. Secure Communities and its predecessors have harmed some of the most vulnerable people in Yakima while spreading the perception that law enforcement cooperate with ICE to identify and deport undocumented residents.

[120] See Scholarly Literature Review

[121] See Suárez Orozco et al. (2002), Brabeck and Xu (2010), Androff et al. (2011), Baum, Jones and Barry (2010) and Kampf (1995) in the Scholarly Literature Review

VI. Law enforcement perceptions of Secure Communities

In light of ways that immigration enforcement has impacted vulnerable Latino immigrants and their impressions of law enforcement, we sought law enforcement's perspectives and views on Secure Communities, their relationship to the Latino community and on their own work. For this report, we were able to interview Sheriff Ken Irwin of Yakima County and Chief Greg Copeland, Yakima's Interim Chief of Police.

It was clear that these law enforcement leaders were well-intentioned and dedicated to improving their communities. Despite this, reports and media representations of law enforcement often make them out to be, in Sheriff Irwin's words, "the enemy" in any dispute involving topics as contentious as immigration enforcement. We do not wish vilify law enforcement, as that would jeopardize our report's message and purpose. At the same time, tensions prevalent in these interviews expose rhetoric and assumptions that are at odds with the voices of our Latino participants, whose perspectives are historically undervalued in local and public discourse[122].

With this in mind, we analyze these interviews to ensure that our interviewees are heard and to encourage Latino immigrants and law enforcement to build a more cooperative relationship.

Both Chief Copeland and Sheriff Irwin stated that law enforcement's duty is to make the community safe; Chief Copeland framed this duty as a responsibility to the public, while Sheriff Irwin saw safety as a prerequisite to making the community, "a better place to live that's prosperous, that you would want to raise a family... [and] work in." Both leaders have used an array of suppression and intervention methods to reach this goal, focusing resources mostly on gang and drug issues. Examples of these methods include Chief Copeland's "Gang Free Initiative," and Sheriff Irwin's "Citizens for a Safe Community" among his other anti-gang community outreach[123].

One law enforcement tool that Chief Copeland sought to use more was "intelligence-led policing," a systematic approach to policing that uses data, computer software and crime analyst officers to determine where law enforcement could direct their resources to be most effective. Developing this policing capacity, said Chief Copeland, is one of his department's long-term goals and would help the department "make the community as safe as we can, given the fact that we have limited resources." Those "limited resources," however, have become even more scarce, especially during the current recession. Consequently, Chief Copeland saw his department's greatest challenge as a constantly-shrinking budget that would likely cut six officers from Yakima's police force. These financial troubles might also eliminate the currently vacant crime analyst position, making it more difficult for the Yakima police to meet its long term goals of using intelligence-led policing to target crime more effectively.

For Chief Copeland, the budget was a variable beyond his control that limited his department's progress toward its goals. For Sheriff Irwin, that variable was immigration, which in his view, helped contribute to problems in healthcare, education, poverty and crime:

[122] Despite opposition from outspoken Latinos and OneAmerica, the Yakima County Commissioners, with the support of Sheriff Irwin and the County Director of Jails, Ed Campbell, approved Secure Communities' implementation. In Rand Elliot's words, "The fact that a bunch of people show up at a meeting, it doesn't mean we're going to change our decision" (Faulk 2009 b)

[123] "Stand Up for Outlook to meet over potluck," Yakima Herald-Republic (2011)

> **Sheriff Irwin:** The influx that has happened with the illegal immigration has rolled over so many communities in the United States. And to a certain extent it's done it here with the healthcare system, with the education system, the poverty, the crime that occurs in connection with not only the gangs but then on the other side you have victims that can't let themselves be protected because they want little or no contact with law enforcement. So who knows how many other crimes have been going on out there in the Hispanic community because it's usually, usually the Hispanics prey on the Hispanics, I mean, they do. And we're not able to be a part of that except when somebody gets shot or there's something big that goes on, but how many other home invasions have there been and such have gone on?

Sheriff Irwin did not explicitly state that undocumented residents cause crime - he later explained that the "vast majority" of undocumented residents are "nice people" and do not cause problems. Here, he suggested instead that greater immigration to Yakima resulted in a higher rate of crime in two ways. First, it increased gang crime[124] and second, it brought people to Yakima who feel that they cannot report crime and allow law enforcement to protect them. In this way, Sheriff Irwin recognized a barrier between his department and the Latino immigrant community. Chief Copeland explained that this barrier comes from the fear that interacting with law enforcement will result in one's deportation, but Sheriff Irwin made no similar explanations. Instead, Sheriff Irwin emphasized how his department's anti-gang outreach in Outlook, WA, and Buena, WA, works with both documented and undocumented residents, and that law enforcement do not consider documentation status in their daily work. Sheriff Irwin alluded to this when he described what policing work was like before Secure Communities was implemented:

> **Sheriff Irwin:** [Before Secure Communities,] you have a call for service, as some crime has happened, or there's some disturbance, and you go and you talk to the people and you find out what happened and determine if there was a crime committed. And if there was, you either cite or book someone into jail. We haven't asked [for]… any citizenship papers or whether they're here legally or illegally that, that hasn't ever mattered.

Documentation status, in Sheriff Irwin's words, "hasn't ever mattered" when law enforcement are doing their job. Copeland was more forceful when he said: "We are not looking under every rock, stone and behind every closed door thinking there's an immigration violation - we have enough to do of our own types of crime to mess with that." Yet this neutrality was in tension with other elements in Sheriff Irwin's interview. This neutrality was in tension with the above quote, where Sheriff Irwin did not explain why undocumented victims fear calling law enforcement for help. Tension also was present between this neutrality and the sentiment that immigration had "rolled over" American communities. Furthermore, this neutrality was in tension with the way that Sheriff Irwin advocated for Secure Communities and for taking

[124] Sheriff Irwin, at another point in the interview, explained how immigrants' inability to successfully assimilate has made their children more apt to join gangs. While we will not delve into a discussion assimilation theory, there are studies that support and contend Sheriff Irwin's assertion. Portes and Zhou's 1993 article, *The New Second Generation: Segmented Assimilation and its Variants,* and Mary Waters's 1999 book *Black Identities: West Indian immigrant dreams and American realities* are the strongest critique of the "straight-line" assimilation theory that Sheriff Irwin alludes to.

"action" on individuals' documentation status[125]:

> **Sheriff Irwin:** So if we are able to use technology to see who is in jail, to determine their status, legal citizen or not, and take action on that, I don't have a problem with that, because we've been rolled over and it has been too much too fast, and like I say, they've had to live under the radar, they haven't been able to assimilate in, and we need that to slow down, to stop.

Sheriff Irwin here appeared to claim that Secure Communities would alleviate some of the problems that, in his view, had come from increased immigration to Yakima. In other words, Secure Communities for Sheriff Irwin may be a way to regain control over immigration and the effects of un-assimilated people living "under the radar." Yet "taking action" on an inmates' legal status[126] seems to contradict the ways in which law enforcement is, in Chief Copeland's words, "tasked" with being neutral towards documentation status.

The tensions identified above are difficult to analyze, but they came into focus when Sheriff Irwin described what he had heard of Secure Communities' negative effects:

> **Sheriff Irwin:** Just anecdotally from people that are quoted in the newspaper, about you know, "I've been living here, I've been adding to the economy, I'm providing, I'm working jobs that the other people in this society don't want, and yet you want to kick me out and I have a family here and what's going to happen with them if I'm deported. Well then, what about that? And things are dangerous down in many parts of Mexico with drug trade and all that's going on." And I feel - I feel bad for those people, but at the same time, there here illegally, and they need to go through a legal process.

Sheriff Irwin reflected these same views when he said, "Look, you're illegal - illegal is illegal, and until this is figured out you need go back to wherever it is you live." Overall, this perspective preferentially emphasizes legality and obedience to immigration law over the wellbeing of people who are "illegal." Furthermore, it treats the hardworking immigrant narrative as a simple and hypothetical "anecdote," making documentation status and the "illegal immigration problem" more important than hardworking immigrants' contributions to Yakima. In short, Sheriff Irwin nullified the power, significance and moral value of our interviewees and their hardworking immigrant narrative by emphasizing the importance of the law, one's "illegal" documentation status and the way that the "illegal immigration problem" had "rolled over" Yakima County. This rhetoric and mindset prohibits undocumented residents from fully joining the Yakima community, and is in tension with the way that Sheriff Irwin's anti-gang outreach includes undocumented residents in rural communities.

We believe that these tensions can exist for Sheriff Irwin because Secure Communities is not directly controlled by law enforcement. Secure Communities and immigration enforcement in jails are a kind of crime prevention that, unlike intelligence-led policing, is not controlled by law enforcement[127]. If immigration enforcement is operated by jail officials, law enforcement

[125] This quote directly followed the previous quote that finished with the words "and such have gone on?"
[126] Though we do not discuss this at length in this case study, Sheriff Irwin "taking action" on documentation status reflects the ways that law enforcement and immigration enforcement responsibilities have become blurred in Yakima County.
[127] This may explain why neither Chief Copeland nor Sheriff Irwin could describe Secure Communities' exact details or its impact on the Latino community.

can continue to be fair and neutral towards documentation status, even if Secure Communities negatively impacts the people that law enforcement is tasked to protect. However, law enforcement structurally participates in the Secure Communities process by arresting people and booking them into jails. This too is another tension, and exists in the way that law enforcement participates in the immigration enforcement process, yet claims no responsibility for Secure Communities' operation or its effects[128].

Sheriff Irwin advocated for Secure Communities' implementation and characterized the program as something that will "get rid" of "that small percentage [of undocumented residents] that are criminal and will cause problems." However, our data from the Yakima County Jail indicate that ICE detainers in Yakima have not meaningfully affected these "criminal" people. This and the tensions in Sheriff Irwin's interview reflect the way in which Sheriff Irwin and perhaps those who support Secure Communities do not recognize the program's impact on the Latino community, on law enforcement's community-image and on law enforcement's efforts to create a community that is "secure" for all people.

We present this analysis not to unduly criticize leaders who have been steadfast and well-intentioned in their service to Yakima County, but to address views not unique to these leaders that surround immigration enforcement in Yakima and in Eastern Washington. However, we anticipate that the tensions that we analyze and our report itself will be contended by authorities, like Sheriff Irwin, who advocated for Secure Communities and other forms of immigration enforcement. Chief Copeland here provided an insight as to why this will happen when he described the reason why many in the community do not know what Secure Communities is:

> **Chief Copeland:** There were a couple of meetings that were held by some out-of-towners…and the reason I think there's some misinformation because some of the organizers…were saying things that were disputed by the people at the Yakima County Jail…People at the Yakima County Jail were saying what these people are saying is not what Secure Communities is about or what it does… Chances are, what they [people in the community] know of it was what someone else told them rather than reading the official definition of Secure Communities somewhere, so that's what I'm saying: as you talk to people, try and gage what their understanding of it is, and keep an eye on what it really is.

Copeland's language here suggested that the government and the County Jail officials have the final say in defining what Secure Communities is and what it does. This perspective reflects how in Yakima and elsewhere, authorities claim the power to define what Secure Communities is and the power to disregard competing claims. That those competing claims come from our interviewees means that this power can devalue and delegitimize the views and experiences of those whose voices are not often heard. In the interest of allowing Latino community members to exert agency in interpreting Secure Communities, we analyze this rhetoric used by local authorities and point to its disempowering impact on the validity of Latino voices.

[128] See the Walla Walla case study for cases where law enforcement and justice officials used their authority to advocate for residents who had been unjustly affected by immigration enforcement.

VII. Latino views of Secure Communities

Misunderstanding the hardworking immigrant narrative

While many disapproved of Secure Communities, most participants supported Secure Community's publicly-stated goal to identify and deport undocumented residents who commit serious crimes. Our interviewees defined "serious crime" as robberies, murders, sex crimes and drug offenses; they also included gang activity in this definition and in most cases, advocated for these kinds of offenders to be deported.

What followed these ideas of "criminal" was often a description of non-criminals. When contrasting the two, many participants used the hardworking immigrant narrative as a moral and responsible example of non-criminals and of those unjustly affected by Secure Communities and other immigration enforcement practices. Silvia here described her interpretation of a woman, previously described by Ana, who was apprehended by ICE while picking up her son from the police station:

> **Silvia:** So then to me it's an injustice because we are people that came to work…They had never given her a ticket, she was always working... It is better here, we can give the best to our children, and unfortunately this happened to her - She didn't even do anything... She's been here for about seventeen years, and has never had a bad record.

Here, Silvia used the hardworking immigrant narrative to justify this woman's innocence. That the woman was undocumented, to Silvia and our other interviewees, was less important than her work ethic, her clean criminal record and length of time she had lived in the United States. Morally upright and responsible, this woman suffered an "injustice" because her detention resulted out of trickery and punished[129] an exemplary hardworking Latina immigrant.

Currently, ICE, DHS, and the Obama administration are making changes to policies and procedures in order to lessen Secure Communities' impact on the kinds of people Silvia and others describe[130]. Among these changes are new practices that direct ICE agents to exercise discretion and choose to not target non-serious offenders or those with no prior criminal record[131] (ICE.gov). From the stories of deportations in our interview sample and Felipe's knowledge of ICE in Yakima, it is clear that at the time of this study, ICE followed no such discretionary policy in Yakima. For example, ICE in Yakima did not offer relief to a father who was arrested after trying to break up a fight between his sons[132]. Similarly, ICE in Yakima set an immigration bail for a long-term resident charged with reckless driving much higher than any immigration bail set by the Tacoma detention center. "In my experience," Felipe said, "they [ICE in Yakima] have never exercised any kind of discretion or relief."

To our interviewees, a government that implemented a policy that unduly punishes the hardworking immigrant is unknowledgeable about Latinos and about the hardworking immigrant narrative. Isabel concisely articulated this sentiment when she said: "Maybe what the government doesn't know is that it characterizes us by a small group that does wrong… We are

[129] See Legomsky (2007) in the Scholarly Literature Review for an analysis on how deportation is effectively (though not legally) a punishment.
[130] See interviews with Mateo, José and Isabel.
[131] See interview with Felipe.
[132] See interview with Felipe.

not a problem, because we are significantly contributing to this country's economy." For Isabel, Yakima's adoption of Secure Communities communicated to her that the government sees undocumented Latino immigrants as criminals and as a problem to be solved[133], rather than hardworking immigrants that contribute to the county, state and country. Isabel, José and others consistently responded to this apparent message by appealing to the hardworking immigrant narrative:

> **José:** We don't know what they think of us, nor do they know what they think of us. If they knew that us, Hispanics, the only thing we want to do is work, have a family, and live an honest life. That is our principal, our principal ideal here in the United States. We didn't come to compete nor to take away… We have a culture of work. Us Hispanics have a culture in which we are always dedicated to our work, and we live that [way] not only here in the United States, but also in our countries.

Here, José repeated the merits of the hardworking immigrant narrative in terms of culture and continued to counter the negative connotations of "illegal" that come with the racialized image of Latinos. But to José and other interviewees, it is clear that Secure Communities' implementation means that those in power do not understand or fully appreciate the hardworking immigrant narrative or that it is lived out by "the highest percentage that you can imagine" of undocumented Latinos.

In response to this perceived misunderstanding of the hardworking immigrant narrative, Mateo used a metaphorical analogy that described what Jose, Isabel and other interviewees expressed: it is imperative for the authorities to understand those who come to live in Yakima, described as a "house" in this analogy:

> **Mateo:** This is a free country and all, but if I go to your house, you need to know who I am, right? You won't just let me be there. Maybe you'll let me in, but you'll say "And who are you?" to start, right? It's the same here. I'd say that… you need to know who lives here. But if you don't do anything wrong, and keep working or if you're doing a job for me, you are helping me and I leave you alone. If you come and you are doing wrong to me, well ok, maybe not you [*sabes, tu no*]. But pay attention, investigate who he is and don't just [say], "Ok, they committed an error, here they are. Alright, let's go outside [*vámonos por afuera*]" without knowing if they were good or bad.

This metaphor's call to action is clear: "You need to know who lives here." In this way, Mateo called Yakima authorities to "pay attention" and "investigate" who immigrants are so that no quick and uninformed decisions could deport someone who helps the community, commits no serious crimes and contributes to Yakima County's prosperity. Knowing who Latino immigrants are means evaluating their lawful behavior and service to the community, removing those that truly do "wrong" and not those who are good. Knowing the difference means judging undocumented residents by the cultural and moral standard of the hardworking immigrant narrative.

But a great deal of knowing "who lives here" has to do with another question in this analogy: "And who are you?" Though the government is portrayed as a homeowner, Mateo said that they have the responsibility to ask this question and judge those who come into their house

[133] Sheriff Irwin reflected this rhetoric when he used the term "illegal immigrant problem" during his interview.

by their actions. This analogy, however, can extend beyond the scope Mateo intended it. Using Mateo's analogy, the way in which the United State caused the "illegal immigration" problem and made Latino immigrants "undesirable" came about because the United States never asked immigrants who they were, instead using historical Latino images like "dirty," "alien," "illegal," and "criminal" to justify immigration enforcement programs in Yakima and elsewhere[134]. This question, then, reforms the discussion to one where Latinos and authorities are in dialogue and where Latino immigrants contribute to and participate in Yakima's civic discourse. This question reframes the way communication works between law enforcement, local government and Latinos and gives Latino immigrants a political voice, empowering them to define themselves and be heard by local authorities.

To continue this analogy, flawed historical characterizations of undocumented residents result in government policies that criminalize and target Latino immigrants in Washington State and elsewhere. Some interviewees like José spoke of how government efforts to prevent undocumented immigrants to apply for drivers' licenses were misinformed and would undoubtedly criminalize undocumented residents:

> **Jose:** The government is making us criminals from the moment that they remove or take away from us basic necessities, like a driver's license. We are millions of undocumented people, and we came to work … the highest percentage that you can imagine of those twelve million are people that go to work, in factories, in the field, in a restaurant, hotels, construction - millions. These millions need to go to go to work with dignity. But what happens when we take their licenses, how are we going to go to our jobs? What will we do? And not only do they deprive us this necessity, but they make us criminals.... And we are not doing this because we want to be a bad part of society, but because it is a necessity.

According to José and using Mateo's framework, legislation can criminalize undocumented residents if the government misunderstands them. A government that acts without understanding these immigrant necessities, in other words, creates criminals by forcing undocumented residents to break the law to support themselves, their family and be exemplary hardworking immigrants.

Recent anti-immigrant legislation in Alabama, Arizona and Georgia can also be interpreted through the mischaracterization framework Mateo presented[135]. Like others, Ana believed that Alabama's anti-immigrant legislation might result in similar legislation in Washington State:

> **Ana:** Right now we have Secure Communities. Now my worry is that there will be other laws that they want to pass... We don't know what those laws are yet, but you see racist laws passing in other places... For example, people [Latinos] in Alabama can't rent homes, and they are losing their harvests because they want people who have documents to work in the fields.

In other words, Ana saw Secure Communities as a stepping-stone to future anti-immigrant legislation. Enrique saw Secure Communities instead as a stepping-stone to more racial profiling by law enforcement. He justified this view with his experiences as a Latino truck driver in Texas:

[134] See Garcia and Griego (1996).
[135] See interviews with José, Isabel, Silvia, Rosana, Felipe and Jazmín.

> **Enrique:** And when I was working [as a truck driver] in Texas, it was just me. There were other drivers, but I spent more time with [immigration], answering questions or, people [would] just show their drivers' licenses, and I had to show my passport. And I think that that will be happening here in Yakima more. There are some other states that are doing it [Secure Communities], and they said that they wouldn't do it [discriminate] but who knows. There are some officers that abuse their power... just because they're police officers. There were some that they were asking for social securities numbers, like the one in Union Gap, and I don't think that they should be doing that. And racial profiling might increase due to that.

Enrique's encounters with the racial discrimination made him anticipate that Secure Communities will do similar things in Yakima. Already he had experienced racial profiling from a police officer, and he used that experience to anticipate that those police officers who "abuse their power" in Yakima may take advantage of Secure Communities and racially target Latinos. His predictions are supported by studies by Gardner and Kohli (2009) and Hacker et al. (2011) in Texas and Massachusetts, where CAP and immigration enforcement by local police resulted in racial profiling of Latinos for detention and deportation.

Ultimately, Secure Communities and other immigration enforcement laws based on misperceptions of the Latino Community have made Latino immigrants feel unwelcome and excluded to the point that, while discussing Arizona and Alabama anti-immigrant legislation, Jazmín joked:

> **Jazmín**: There are those laws [against immigrants] in different places. I think that here ... they've already noticed [the other states]! That's why my husband tells me that I should become a citizen, because he says that probably they'll make a law that says that we can no longer become citizens!

Even joking about losing the opportunity to become a citizen reflects the extent to which Secure Communities and immigration enforcement have made our interviewees feel like subordinate residents who don't deserve rights reserved for "true" community members. In this way, Secure Communities in Yakima perpetuates a national and local trend that excludes Latino immigrants from fully participating in civic life and inhibits their claim to true citizenship and belonging in Yakima County.

Latino community empowerment

In this case study, we find that Secure Communities and immigration enforcement in Yakima have made Latinos feel excluded from the community and from civic life. Vidales, Day & Powe's (2009) California study substantiates this finding, and prompts us to anticipate that immigration enforcement and Latino exclusion in Yakima will continue to harm undocumented domestic violence victims, the children of deported parents, and immigrant families. Latinos' exclusion from Yakima's civic life will also make it difficult for Latinos to lobby for and against current and future policies and laws (like Secure Communities) that affect them and their loved ones. Most importantly, this exclusion prevents hardworking immigrants from fully contributing their values, talents and abilities to the community.

Latino exclusion through immigration enforcement is also significant because it is

associated with distrust of law enforcement and other community institutions[136]. In light of this, we anticipate that Secure Communities in Yakima will continue to deter undocumented crime victims and other Latinos from reporting crime. This, and the perceived ICE-police relationship, inhibits trusting relationships between the Latino Community and law enforcement, hindering law enforcement's efforts to address the crime that Secure Communities claims to reduce.

For these reasons, we find it imperative that Latinos and undocumented residents become more involved and more included in Yakima County civic life and government. This inclusion would increase communication and collaboration between the Latino community, local law enforcement and local government on issues of concern to Latinos. Local authorities would better understand who lives in Yakima's "house," and by including Latinos in local government[137], increase Latinos' trust in community institutions like local law enforcement. Increased trust between law enforcement and the Latino community would enhance Yakima's gang prevention, suppression and intervention efforts while helping law enforcement better serve Latino crime victims. Most importantly, Latinos would be able to exert agency to improve their community and determine their future; more Latinos would feel that they belong to a community where they have lived and worked for decades[138].

At the same time that our interviewees describe barriers to Latino civic inclusion, their narratives suggest steps that could be taken to move in that direction. First, the harmful effects of Secure Communities and immigration enforcement in Yakima are not common knowledge – more awareness of Secure Communities' impact in Yakima County will prompt authorities to take Latino voices into account and ensure that injustices reported by our interview participants will not occur. A second barrier is the rhetoric that we deconstruct in law enforcement's words[139] – if the Latino voice is to be taken seriously and have an impact, then the notions held by law enforcement (and perhaps other local government leaders) must be reformed to support Latino political agency.

One concrete way to address these two barriers would be to include the Latino voice more prominently in Yakima's ongoing discussion on the causes of and solutions to gang violence. This would be a path towards more Latino input on an issue that affects Latinos and the rest of Yakima County. Here, Tina and Edith gave their own interpretation of how gangs became a large problem in Yakima:

> **Tina:** We brought our children – on Saturdays and Sundays, we could take them to work when they were still small. But then a law was passed…so that children could not… come and work.
>
> **Edith:** The government didn't want children working, so… the parents worked and the kids [were] in the street being vagrants [haciendo puros vagrancias], robbing cars…gangs, marijuana, drugs. But before … I took my children with me. I took them to the field with me and we worked together… I took them to pick [fruit] but after that, no. They signed that

[136] Hacker et al. (2011) conclude that immigration enforcement by local police makes immigrants mistrust community institutions, like health clinics or law enforcement. Vidales, Day & Powe (2009) also make similar conclusions.
[137] Skogan (2005) and Hacker et al. (2011)
[138] All but two Yakima interviewees had lived in the valley for ten or more years.
[139] This rhetoric delegitimized Latinos' voices by making documentation status and "official" government definitions more important than Latinos' contributions to the community and Latinos' interpretations of Secure Communities.

law and made it so that we couldn't bring kids to the fields, that they couldn't work.

This was one of the more unique explanations of gang violence among our participants, but its implications are numerous. Bringing one's children to work in the fields provides an opportunity for parents to supervise their children and model the best of the hardworking immigrant narrative. Taking children to work, in other words, used to be a way for immigrant parents to parent their children and instill their rich and meaningful cultural and moral values. But the law that disallowed this opportunity put children outside of their parents' influence where, with less parental direction, they became "vagrants," committed crimes and joined gangs. This law, though most likely well-intentioned by those who promoted it, misunderstood Latinos by limiting the ways in which working Latino parents could exert a positive influence on their children.

Enrique's explanation of gang activity (and its possible solution) was more prevalent among our interviewees. Enrique and others explained how the lack of a space for youth to gather and engage in constructive activities contributed to the increase in Yakima gangs:

> **Enrique:** I know it [gang violence] has increased lately… Our city council members need to involve the community, not just being tough and in part it's their fault, I think, because they just keep closing places where kids can have activities, and we don't have many of those. Sometimes they don't have a place to practice sports, and they just go out with their friends and probably decided to join gangs, and I think we need to create more, or the city council needs to create more things that, you know, where they can do some activities – and involve the community, not just being tough.

In this interpretation, youth join gangs when they have no accessible and constructive public space[140]. This public space, according to Enrique, has been limited by the discontinuation of youth activities. Other interviewees describe how this space is limited by cost – opportunities exist, but their expense makes them inaccessible to low-income Latino families[141]. The solution to gangs, in Enrique's interpretation, derives from its cause: Enrique calls the local government to create more places for male youth to play sports and interact in groups in a constructive way[142]. However, we note how Enrique assigned this responsibility to the city council instead of to the Latino community itself. This reasoning may seem initially problematic due to the way Enrique does not call upon Latinos' agency and power. However, his demand is in line with the government's responsibility to maintain public spaces that are accessible to their entire community, though budget cuts amidst the current recession makes these necessary investments difficult.

Even if the Latino community contributed their voice to the gang discussion, barriers to political activism and mobilization would still exist. A barrier that our interviewees described in detail was political "apathy" in the Latino community. Even as Mateo insisted on Latinos' essential contributions to Yakima, he described here the nature of political apathy in the Latino community:

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[140] See interviews with Ana, Mateo, Jazmín and Isabel.

[141] See interviews with Ana and Monica.

[142] Our interviewees did not include girls when they spoke of creating parks, fields and sports opportunities for youth. We believe this is because gangs are seen as more of a teenage boy problem, even though girls can be involved in gangs.

> **Mateo:** The city or others will have their forums, their meetings and all, and we don't go there… We go along until we have to throw water on the fire… This is something bad about us – we feel the hurt, then we have to go.

In other words, Latinos wait until a problem affecting them gets large before getting involved. Ana described the same pattern with an account of the difficulties she faced in mobilizing the Latino community when medical coupons for children were eliminated by the state:

> **Ana:** We collected signatures to say that we are worried about this… Sometimes they [Latinos] told us "There's another signature, what difference does it make?" For our meetings, we reserved this large room here, but only four or five people came. It was very sad for us, very sad. When [the law] passed, and [the government] started to send letters that said that you could no longer get medical coupons, then people wanted to come to the meetings, but it was too late – they had already passed the law

Ana's account builds on Miguel's "problem" by agreeing that Latinos in their community do not proactively advocate against changes in public policy that will harm them, and by explaining a possible reason behind this dynamic. She explained that the Latinos she worked with believed that one signature would make little difference in influencing the outcome of this harmful cut to social services.

Enrique met other Latinos with similar views, but in contrast to Ana and Mateo, he attributed this attitude to the behaviors of established political powers:

> **Enrique:** They [the Anglo city council] haven't done anything to make them [Latinos] feel part of our community…Some of them decided, "Why vote if change will not happen?" … [They think that] nothing will change even if they vote.

According to Enrique, Latinos may be disengaged, but ultimately through no fault of their own. He described the people he spoke with as isolated and not included into the community, all due to the behaviors and actions of the current city council. The result is a Latino community who feels disempowered in their perceived inability to induce significant change in political leadership. His experience with the Latino community correlates with Ana's efforts to get signatures for a petition and offers evidence of a Latino community perception that participating in the political process will not favorably influence political outcomes.

These accounts thus reflect two alternative explanations of Latino political "apathy." Mateo and Ana blamed Latinos themselves for their own lack of political participation, but Enrique viewed it instead as an issue of Latinos' exclusion by local government. Regardless, Latinos recognize these barriers to mobilization in part because they feel that their contribution will not make a difference. This may be because local authorities have not included Latinos fully into Yakima civic life, or that Latinos have yet to see positive results when they do participate. The implementation of Secure Communities amidst opposition from the Latino community might be one example of this dynamic.

Based on these accounts of political "apathy" and disempowerment, we suggest that that political empowerment for Latinos in Yakima must include both outreach from local authorities and law enforcement as well as increased mobilization within the Latino Community. Our report's overall recommendations suggest ways for authorities to begin this outreach, but our

interviews in Yakima suggest that the Latino community should pursue projects and campaigns where Latinos' contributions make a difference and create positive and meaningful change. Ana provided a possible way to mobilize the Latino community when she told the story of how she helped a group of parents in Mabton, WA raise money for a youth football team:

> **Ana:** In Mabton last year, we started a sports team…. A football team for kids, for kids in kindergarten… We had to buy everything from the shirts, to the helmets, the shoes, everything. We did a carwash, we did food sales… We sold sodas, we sold doughnuts… We brought them to earn money so we could have money for them [the sports team]. Can you imagine how proud and happy I felt to have been able to participate with them, to be able to buy those uniforms through a lot of work, I tell you! … But we involved ourselves as a group. And you know, they were amazed! "Wow! We didn't know that you did so much! We didn't know that it would take that much work!"

Ana's leadership and organizing ability helped this group of parents have a significant fundraising success, an experience that was rewarding and eye-opening for those involved. This success suggests that one way for the Latino community to become more politically mobilized would be to engage in similar fundraising and organizing campaigns for children. The hardworking immigrant narrative's dedication to children and families might be an issue around which Latino leaders like Ana could empower the Latino community to make a difference for themselves and their families amidst dwindling access to and opportunities for youth activities.

Lastly, Latino political inclusion must become institutionalized for it to be effective and meaningful in the long term. For Latino inclusion to become institutionalized, Latino organizations and local government must establish patterns of communication and cooperation that become habitual over time. This process could be started by establishing formal partnerships between law enforcement, local government and existing Latino organizations. These partnerships would allow the Latino community to more effectively work with government and public safety institutions and promote community-wide communication and collaboration on issues like immigration enforcement, gangs and domestic violence. Our interviewees were members of organizations like Amigas Unidas, local Catholic churches, and OneAmerica –these organizations could be the first to start these partnerships[143]. We identify the Hispanic Chamber of Commerce, the Washington State Commission on Hispanic Affairs, the Latina/o Bar Association of Washington, Radio KDNA in Granger, WA, and the Yakima Valley Farmworker's Clinic as other organizations that could serve in the same capacity.

Even if the Latino community has the capacity for political mobilization, avenues to increased Latino empowerment are impeded by Secure Communities, immigration enforcement and by local authorities' rhetoric in Yakima. Our Yakima interviewees have interpreted Secure Communities as a program that victimizes vulnerable immigrants, but they also indicate that the program reflects the ways that hardworking immigrants, the model members of the Latino Community, are mischaracterized and excluded from Yakima civic life.

What is at stake with Secure Communities in Yakima? Ultimately, Secure Communities in Yakima is about Latino inclusion and empowerment - until Secure Communities and immigration enforcement are significantly reformed, Latinos will be excluded from being "true" residents and members of Yakima County.

[143] See interviews with Isabel, José, Lourdes, Rosana, Ana, Silvia and Roberto.

VIII. Yakima case study findings

In sum, our research in Yakima supports the following conclusions (from this case study's introduction):

- Latino research participants saw themselves as part of the hardworking immigrant narrative – this narrative is an important analytical framework for understanding Latino responses to Secure Communities.
- Latino research participants' encounters with law enforcement ranged from cooperative to resistant, but their encounters all exemplified a sense of community membership and personal agency.
- Secure Communities and its predecessors have blurred the lines between law enforcement and immigration enforcement while harming Latina victims of domestic abuse and children.
- For some local law enforcement leaders, Secure Communities is a tool to combat crime in the midst of disempowering circumstances. Law enforcement also expressed views that erode the legitimacy of our participants' voices and interpretations of Secure Communities.
- Latino participants' responses to Secure Communities reflect the extent to which Latinos and Latino immigrants are misunderstood by local authorities and excluded from Yakima County civic life. Our participants offered possible steps for future Latino community mobilization and empowerment.

THE STORY OF CARLOS – Tri-Cities

In our three case studies, many Latino participants expressed concern that increased immigration enforcement will increase the potential for racial profiling. They expressed anxiety that Secure Communities may be the beginning of further heightened immigration enforcement. They spoke of family and friends who had been deported and the impact those deportations had on their communities. Near the end of our field-research, I interviewed a young man who had recently experienced instances of discrimination and powerlessness that caused many of our Latino participants great concern. Late on a Saturday night, I received an urgent call from Javier, a Latino community leader in the Tri-Cities whom I'd spoken with earlier in the fall. He told me I needed to come to the Tri-Cities right away to interview a friend of his, Carlos, who had been recently released from the jail after being arrested on false grounds. This friend was in deportation proceedings because of the arrest.

The next morning Javier and I arrived and Carlos's house, and he and his wife, Julieta, welcomed us into their home. We sat together in the living room, which confessed little more than a couch, a television, and a portrait of La Virgen de Guadalupe on the wall. Carlos and Julieta generously allowed me to record the interview. Their three-year-old daughter made several cameo appearances to show us her toys or color with me while I interviewed her parents. Carlos and Julieta masked their nervous anxiety with sweetness and hospitality, laughing nervously when they described their feelings of insecurity and fear.

In honor of the family's trust in us as well as the disturbing content of Carlos's story, I quote from this interview at greater length than has been our practice with other interviews above. I also provide a somewhat more limited interpretation of Carlos's comments, drawing selected connections to themes we have addressed in earlier sections but also providing more space to let Carlos's words speak for themselves.

- Madelyn Peterson

Carlos is a soft-spoken man, with a wide smile and well-calloused hands from years of construction work. Julieta, his wife, is a bright-eyed young woman who speaks economically and laughs easily, despite the hardships she and her husband are struggling to shoulder. Carlos and Julieta are undocumented residents of the Tri-Cities, where they and their three-year-old daughter have lived for the past several years. The couple is from the same pueblo in Oaxaca, Mexico; Carlos moved to the United States six years ago and his wife arrived two years after him. Carlos left Mexico in search of work with six other men from his town.

> **Carlos[144]:** We had [work in Mexico] but we didn't make enough to survive… First we had said we would look for work… in other states [in Central America] where there would be work, but they pay the people very little money, and all in all, it wasn't enough. For the better, we decided to travel to the United States, to see how the work was here, if it paid well or not, and so we crossed the desert as illegals. …We walked three days and three nights and a little in the day to arrive in Phoenix, Arizona, and there we got a car to come here.

[144] Carlos and Julieta, interview by Madelyn Peterson, Kennewick, WA, November 27, 2011. All further references to Carlos and Julieta in this report derive from this interview.

For Carlos, coming to the United States was a last resort and an alternative only to his family's starvation.

In the Tri-Cities, Carlos works in construction and regularly returns to the construction site after work (with permission from his employer) to recycle leftover materials and trash. One evening a neighbor followed Carlos and his family while they were on their way to recycle at Carlos's worksite and called the police when the family was at the construction site. The officer accused Carlos of trespassing on private property, recycling without a city permit, dealing drugs, and theft. Carlos speaks little English and asked the officer for translation, which the officer refused to provide.

> **Carlos:** The police officer asked me, "Are you here legally?" and "No," I said. "Oh, okay. Get in the back of the car." And I said, "Why?" "No, get in," he said. I said, "Okay, fine." He put me in the back of the car there, it was when he arrested me handcuffed me … [my wife] stayed in my car because she was there with my daughter. She stayed in the car and the police started to ask her questions, and they left me far away from where she was.

Carlos described the scene of the arrest - he was locked in the back of a police car, handcuffed by an officer who did not explain the charge against him, while this same officer interrogated his wife and daughter in his own car several feet away. Carlos reported that not only did the police officer violate his rights by inquiring about his documentation status, but also denied him translation services (which could have been provided through the Language Line, a mediated translation service). Julieta reported that the officer questioned her, as well, about her documentation status. Carlos didn't understand why he was being arrested and was not given adequate information nor told his rights. He tried to question the officer but was ultimately denied, and Carlos did not resist.

When Carlos arrived at the jail, he was again refused translation:

> **Carlos:** The officer that was taking notes asked me some things and I told him, "I don't understand English well, is there someone that speaks Spanish?" He told me, "No, I'm going to continue." "I don't understand English," I told him, and he told me "It's not a problem, I'm going to tell you a little now," but he told me everything in English, … I answered him, but there were some things I didn't understand and I asked him "What is that? I don't know what that is," and he marked in his sheet and passed to the next question.

Shortly after being questioned in English, another officer asked Carlos about his documentation status when he was booked into the jail. Carlos answered him honestly, and said that the officer told him, "Oh, this is the problem with the illegals – they always end up in jail." Three guards present in the jail, who had overheard the exchange, began to harass him. I asked Carlos what they had said, but he told me he couldn't understand their English.

> **Carlos:** They were laughing at me, saying things about me, pointing at me and everything. And they were laughing, they were doing it for about five minutes.

During our interview, Carlos described this event several times and emphasized the humiliation and criminalization he felt because of their harassment.

While in jail, Carlos was never offered translation, nor was he told his rights in a language he could understand. Yet even though Carlos experienced discrimination, he spent little time describing his fear for his personal safety; instead, Carlos always brought his concerns back to his family. Although he wasn't ever actively denied a phone call, he was given an inactive phone-card to use and none of the officers at the jail responded to his requests for a new card to call his family.

> **Carlos:** The biggest problem that I had [while in jail] was that I was preoccupied thinking about my family because the police didn't inform me what happened to her, if my wife was arrested too or they let her go free, I didn't know. I asked them but they said, "I don't know, I wasn't the police that was there with you." I was preoccupied with trying to call on the phone many times, but it said that the number they gave me wasn't authorized and I wasn't able to talk with [my family].

Carlos often described the futility of voicing his needs or asking questions of the law enforcement officers he encountered. Carlos made multiple efforts to call his family, to request translation, and to request information. The law enforcement officers Carlos interacted with on the street and in the jail consistently denied his requests.

The next day Carlos was taken to trial, where he was finally given a translator. The translator read him his charges (entering private property and theft), and treated him with suspicion when he told her he hadn't been stealing.

> **Carlos:** "What was I stealing? I didn't have anything in my hand when they took me," I told her. She says, "No, well you were stealing." "Okay, fine. Then what more does it say on the paper you have in your hand?" I said. "It says, it's asking here on the paper if you're here legally, if you have papers." "No, I don't have them."

Carlos described that he was surprised by his interaction with the translator – the translator was Latina, and he did not expect her to ask him about his papers. The translator continued to ask him about his nationality:

> **Carlos:** She said, "Are you Mexican?" and I said "Yes." "This is the problem with Mexicans when they come here," she said. "Oh, yes?" I asked her. "Yes, there are always problems," she told me, "they always have this type of problems when they come here."
>
> **Julieta:** Like saying that we are always problematic[145], more or less.

Carlos's interaction with the translator is strikingly similar to the interaction he described with the guards at the jail – he was questioned about his papers and told that Mexicans "cause problems."

Carlos reported that both of his charges were dropped for lack of evidence. He was let go, but was waiting for a trial date for a deportation hearing at the time of our interview (as his information was given to ICE). An attorney advised him and told him she would not be able to

[145] *"problemáticos"*

get him a work permit, but she would try to help him fight a deportation order. If Carlos could not avoid deportation, she told him she would try to help him get a voluntary deportation. Carlos said that she charges $5,000 for her legal services and he cannot afford the fees. He was looking for a pro bono attorney, but did not know where to go for help.

Carlos was initially hesitant to speculate what would happen to his family if he were deported, but he eventually described how his family near and far would be impacted by his deportation.

> **Carlos:** All my family is there [in Mexico]. Most of the time they depend on us here [in the United States] to survive. … We strive to come here to fight for the whole family. … Where I'm from there's not much work. The people survive with what they grow. There, now my parents partly depend on me, so does my brother. Because now my parents don't have money for my brother's studies, so I'm responsible for that. But with what's happening, I no longer know if things are secure for me, for my family. … they're going to lose the harvest because of the rain… When everything rots, they depend on us, like my family depends on me to survive there. …In almost every family [from my town] there's one or two people that are here, and the rest stay there [in Mexico]. But, we work to stay together.

Carlos identifies strongly with *la gente trabajadora* that many of our interviewees described. He explained that he is responsible for not only the survival of his immediate family in the US, but also his family still living in Mexico. Carlos's deportation would have a grave economic impact across the United States/Mexico divide. Carlos also mentioned that his wife is ill; she is not supposed to work in the heat or lose much sleep. As such, she is often unable to work and Carlos is the main bread-winner for his family.

Later on in the interview, I asked Carlos what his dreams were for living in the United States, to which he responded:

> **Carlos:** Oh, well, the dream is nothing more than to have work to support my family, to live together always. This is the only dream.

After his arrest, Carlos view of law enforcement changed radically. Carlos's description of this change directly reflects the concerns that many interviewees have expressed about immigration policy and the Latino community's trust of local police.

> **Carlos:** When I came here -- one thinks that the police are here to protect the people, … to care for the people. But hearing some cases, where they say the police treated people badly, that they detain people that haven't done anything, or they detain for whatever little thing, … it doesn't even out because the police are for the city, to care for the people. But now, with what happened there, one is very uncertain whether to trust in the police. I think that sometimes its *more* dangerous to tell the police there's a criminal in the street ...If you are in the street and something happens, you'll feel unsafe talking to the police because the first thing the are going to ask when they arrive is 'Do you have papers?' It's not safe to talk to the police because of what happens. It's not safe anymore.

Carlos said he used to doubt other stories of negative experiences with the police because they were in conflict with his positive understanding of law enforcement officers, whom he sees as guardians or protectors of the public. After his experience, his view of the police has entirely inverted – whereas he once viewed them as protectors from harm, he now views them as a cause of harm and insecurity.

> **MP**: Are there places that you don't feel safe now?
>
> **Carlos:** Honestly, now, here, we no longer feel safe. … at any time the police can come to ask anything, or Immigration is going to come. For me, the truth is we aren't safe here.
>
> **MP:** Is there any place where you feel safe?
>
> **Carlos and Julieta:** [nervous laugh]
>
> **Carlos:** Honestly, no. No.
>
> **Julieta:** Because in this case, we were in the street ... It's no longer safe to be in any place, then.

Just as Wonders and McDowell (2010) described, Carlos and Julieta's access to public space was dramatically limited by enforcement practices. In our interviews with both law enforcement and Latino residents, participants commonly used "the street" as the term for the most public, common space. Whereas law enforcement often described taking criminals off the streets and putting more officers on the streets (i.e., monitoring and policing the public space), Latino residents described their comfort or discomfort with being out in the street (i.e., exposed in the public space).

In light of his experience, I asked Carlos what he – and the Latino community – needs from law enforcement and the state to feel safe in public. Carlos pointed to a need for proper documentation and police respect for immigrant privacy.

> **Carlos:** What [the Latino immigrant community] needs, honestly, to feel at peace, I think, is an immigration reform or a work permit they can get so everyone is content, they can be go down street without having problems to buy the things they need. That the police don't try to ask for your papers when there's an emergency because, here in the city, there are emergencies every day. But the people are afraid to talk to the police about it [emergencies] because they don't feel safe. We need the police to try to not ask about your immigration status when they arrive, because with my experience, the truth is if I had an emergency, I no longer would call the police. It's better that I'll try to leave the place where I am.

Carlos indicated that insecurity and fear in immigrant communities undermines personal and public safety – if others shared Carlos's fear of interacting with the police, they would not report emergencies and they or those around them could be seriously harmed.

Secure Communities and related programs do not necessarily increase the *occurrence* of racial profiling and discriminatory policing. Rather, they dramatically increase the severity of consequences of unwarranted arrests for undocumented residents. Without Secure Communities, a case like Carlos's would result in a dismissal and, perhaps, an apology. Yet in jurisdictions with Secure Communities, a miscommunication between a police officer and an undocumented resident can – and does – result in dire, even life-threatening consequences: detention, deportation, and family trauma.

DISCUSSION

This study has extensively explored the effects of immigration policy on Latinos in Eastern Washington. In review, our study aimed to answer the following questions:

1. *How has Secure Communities affected Latinos in Eastern Washington?*
2. *How has Secure Communities affected the relationship between local law enforcement and the Latino community?*

We found, as Vidales, Day, and Powe (2009) concluded, that Secure Communities has continued in the trend of other immigration enforcement policies and has negatively affected Latinos' perception of the police. Between our three case studies we identify twelve critical findings, listed below.

- All participants had a limited understanding of what Secure Communities is and how it works (except for immigration lawyers in Walla Walla and Yakima).

- Most Latino interviewees supported the publicly stated goals of Secure Communities, but thought that its implementation was hurting the community. They fundamentally disagreed with the deportation of hardworking immigrants and felt that current immigration enforcement practices, including the application of Secure Communities, are unjust.

- Deportations resulting from Secure Communities and immigration enforcement separate Latino immigrant families.

- Secure Communities, and other immigration enforcement practices, deter undocumented domestic violence victims from reporting their abuse by increasing victims' fear of deportation.

- In light of their county officials' implementation of Secure Communities, interviewees were concerned that their counties will adopt anti-immigrant laws like Arizona's HB 1070 and Alabama's HB 56. They worried that Secure Communities is a stepping-stone for further immigration enforcement. These expressed fear and a lack of trust in public officials, and anticipated racial profiling by police.

- Secure Communities and immigration enforcement inhibit Latinos' inclusion in public and civic life by creating an environment in which Latinos are afraid that they or their loved ones might be deported.

- Latino participants acknowledged that Secure Communities contributes to immigrant criminalization, and reported experiencing criminalization's effects. They resented being treated as criminals by immigration enforcement, and they actively rejected the "illegal immigrant" and "criminal alien" stereotypes by emphasizing immigrants' work ethic, discipline, sacrifices, and contributions to society.

- Latino participants' perceptions of the police and immigration were primarily influenced by personal experience. Their perceptions were also strongly informed by stories they heard from the community.

- In the Tri-Cities and Walla Walla undocumented residents reported they would not call the police unless someone's personal safety were in danger. Participants did not fear police officers individually, but rather, they feared the potential repercussions of interacting with the police, such as miscommunication, arrest and deportation.

- Law enforcement are dedicated to preserving the safety of all people in their jurisdictions.

- Law enforcement claim to lack the resources needed to develop relationships with the Latino community and to fully implement crime prevention and intervention programs.

- Law enforcement officers disassociate themselves from immigration enforcement's consequences on immigrants.

Overall, our interviews revealed an underlying mistrust of police, fueled by developments in immigration policy in Eastern Washington. Lack of information about Secure Communities and an uncertainty of local law enforcement's role in immigration enforcement create a space where Latinos feel afraid and vulnerable. Our study affirms Wonders and McDowell's (2010) findings on Latinos' internalized policing; we assert that Latinos in our study limit their use of both physical and civic public spaces by avoiding places where they anticipate racial profiling or avoiding public visibility by choosing not engage in civic life. Our study adds to the growing body of literature that suggests that the intersection of immigration law and local policing undermines law enforcement effectiveness (Stumpf, 2007; Chacon, 2007; Wonders and McDowell, 2010; Provine and Doty 2011). Our study also contributes to the dialogue on immigrant criminality that has permeated national news outlets by allowing Latinos – and more importantly, undocumented Latinos – to directly respond to these stereotypes and assert their identity through personal stories. In many ways this qualitative study compliments Rumbaut et al.'s (2006) quantitative conclusions that disprove the common assumption that immigrants commit more crime than the general public.

Although our findings indicate tension between Latinos and police, this does not mean that Latinos disrespect law enforcement, nor that there are not amiable, functional relationships between the Latinos and police. What our study shows is that immigration law creates conflicts of interest for both law enforcement and undocumented Latinos. Law enforcement officials

struggle with how to create safer public spaces for their constituents with limited resources and a poor understanding of immigration enforcement's effects. Law enforcement feel conflicted between their duty to protect the undocumented residents of their community and their obligation to comply with federal law. When faced with crime, undocumented Latinos must weigh immediate public safety concerns against their fear of interacting with the police and the risk of misunderstanding, arrest, or deportation. In light of these tensions we offer the following policy recommendations at the local, state, and national level.

RECOMMENDATIONS

Based in our primary findings and secondary research, this study offers concrete policy recommendations at the local, state, and federal levels.

Local level

Local jails and regional ICE representatives should only honor detainers for aggravated felons with violent charges such as murder, rape, aggravated assault, domestic abuse and child molestation. Not honoring detainers for misdemeanors and traffic violations and other minor crimes would ensure that actual criminals are deported and halt the separation of families. Deporting people for misdemeanors undermines the perceived procedural fairness of law enforcement. We found that many Latino community members are afraid that they, their loved ones, neighbors, or co-workers could be deported for driving without a license, a past DUI, having a taillight out, and other minor infractions or misunderstandings. County data suggests[146] that the majority of detainers are placed on individuals with these kinds of misdemeanors and minor crimes. Honoring detainers only for those arrested who are under serious suspicion of having committed a violent crime would reduce tensions in local communities between police in Latinos and do a better job of accomplishing Secure Communities priorities (Legomsky, 2007; Sunshine and Taylor, 2010).

With help from local non-profits, law enforcement and local government should conduct public outreach efforts that provide information about Secure Communities and their stance on immigration enforcement. This outreach should utilize a wide variety of media outlets and make a point of using Spanish-language media (radio and TV and newspapers) as well as live events such as public forums. Many of our participants asked for outreach efforts and public disclosure about Secure Communities and law enforcement's public stance on immigration issues. OneAmerica, Citizens for a Safe Community, Amigas Unidas, Radio KDNA, el Proyecto Voz Latina and other community groups could help facilitate this outreach in light of law enforcements limited financial and technical resources. The involvement of these and/or other trusted community organizations would also help repair damaged relations of trust between members of Latino communities and law enforcement agencies (i.e. Police Departments and Sheriff's Offices). Outreach efforts would allow law enforcement to clarify that they are not involved with immigration enforcement, engage in dialogue with the Latino community and promote greater social inclusion for Latinos. This outreach should be consistent and endure over

[146] See Brief Quantitative Data Analysis

time.

OneAmerica and law enforcement should coordinate and host joint "know-your-rights" and civic engagement campaigns for Latinos. Our research demonstrated that many of our Latino participants had limited knowledge of police procedure when interacting with law enforcement. Public campaigns aimed at teaching people their rights in their interactions with police would facilitate better relationships between law enforcement institutions and Latino communities. OneAmerica already conducts "know-your-rights" and voter registration campaigns, and could encourage trust of law enforcement in the Latino and immigrant community by working collaboratively with local police departments in these campaigns. This would allow OneAmerica to open constructive dialogue and establish a reciprocal relationship with law enforcement. Furthermore, Latino interviewees pointed to a lack of public spaces in which they can comfortably interact with police as a cause of their discomfort with law enforcement; this outreach would improve Latino perceptions of the police by creating a space in which Latino community members and police could have substantive positive interactions with one another.

State Level

Washington State should continue to allow residents without social security numbers or proof of legal residence to apply for drivers' licenses. Our research suggests that even a basic form of documentation helps mitigate some of the fears that undocumented residents have about accessing public spaces and contacting local law enforcement. Continuing this practice would help to facilitate Latino civic inclusion, which would allow undocumented residents to continue living and contributing to their communities in relative security.

Washington State should fully fund naturalization programs. At the state level, the best way to decrease immigrant insecurity is to offer a viable path to citizenship. Washington State can help facilitate this process by fully funding naturalization programs that allow long undocumented Washington residents and immigrants to become citizens. Our undocumented interviewees reported that their undocumented status was a major barrier to accessing social services and education, obtaining steady employment with adequate wages, social integration, and communicating with the police. Were they able to become naturalized, they would not fear deportation when interacting with law enforcement and would thus be more willing to call the police; also, they would be able to apply for jobs with better wages and more opportunity for growth, and would thus could better evade poverty and integrate into the community at large.

Washington State lawmakers should keep eVerify voluntary. Workplace screening for documentation status sharply limits undocumented immigrants' ability to find work and their social mobility. Agriculture in Eastern Washington has depended almost entirely on the work of immigrants, documented and undocumented, for decades.

Washington State should publicly denounce anti-immigrant laws in other states. Our research demonstrated that many immigrants fear that Secure Communities is a precursor to anti-immigrant legislation in Washington State. Latino interviewees in all counties drew parallels

between the implementation of Secure Communities or other immigration enforcement actions in their own counties and the intensification of local- or state-level anti-immigrant legislation and enforcement programs that have denied Latino and immigrant rights, such as Arizona's SB 1070 and Alabama's HB 56. Several interviewees expressed they wanted reassurance from Washington legislators that the state would protect their rights and their families and would not pass legislation that would allow local police to demand proof of legal residence. Washington State legislators should publicly denounce these anti-immigrant measures to reassure members of the Latino community that legislators in Washington are committed to pursuing reasonable, pragmatic immigration policy and do not condone discriminatory anti-immigrant action.

Washington State should fund local law enforcement's prevention and community outreach programs. Law enforcement participants in this study expressed they lack adequate funding for robust prevention and community outreach programs. In one instance, Capt. Littrell indicated that a tighter budget may force them to get rid of community outreach positions and take police officers "off the streets" (i.e. decrease the number of officers actively patrolling); he proposed this would weaken their relationship with the community as their on-duty officers would have to cover more areas with less resources, and thus would be less able build relationships with the neighborhood communities they patrol over long periods of time. State funds for law enforcement should be prioritized to focus on programs that emphasize prevention and community policing, as well as on the hiring of patrol officers and officer positions dedicated to developing relationships. These programs would help improve law enforcement's community relations with all constituents. As our participants explained, a stronger relationship with the community helps law enforcement agencies to address issues such as gang violence and other recurring crime in the long term.

National level[147]

Our research findings support the federal government's issuance of prosecutorial guidance as a substantive step towards improving legal protections for undocumented individuals facing deportation proceedings. Our interviews with immigration attorneys revealed that prosecutorial discretion is not currently being enforced in detention and deportation centers; the same problem has been confirmed by the Secure Communities Task Force 2011 Report[148]. We also concur with retired Sacramento Chief of Police and former Secure Communities Task Force member Arturo Venegas Jr.'s assertion[149] that **prosecutorial discretion alone is not enough to protect the immigrant community. When someone is detained after being arrested for a minor infraction, police convey that they are acting as immigration agents, which causes**

[147] Given the constant flux of federal discussion of immigration policy, these recommendations are based on the latest developments surrounding Secure Communities as of Febuary 4, 2012 and the Secure Communities Task Force report (United States 112th Congress, 2012)

[148] Source: Ibid.

[149] "As important as I think prosecutorial discretion is as a law enforcement tool, it won't fix the problems inherent in Secure Communities. Discretion is only triggered once an individual is put into the system, but after the point that someone is arrested for a minor violation and detained because of their immigration status, the message has already been sent to the immigrant community that police are to be feared. Immigrants need to know that local police are there to help them, not deport them. Discretion only helps people on the back end, but successful community policing requires changes to the front end as well" (United States 112th Congress, 2012, p. 15)

fear in immigrant and Latino communities. Our study documents the accounts of many Latino residents who fear interacting with the police because their family members or friends were deported after being arrested for a minor infraction or on false charges. **As such, measures must be taken to ensure discretion in local community policing as well.**

Our findings also support the decision by ICE and the DHS Office for Civil Rights and Civil Liberties (CRCL) to release training and awareness materials for state and local enforcement agencies that will provide clear information about how Secure Communities works and how it relates to laws governing civil rights. Law enforcement and Latino community focus groups will be included in the creation of these materials. Additionally, **we recommend that informational materials be created for the general public**. These materials should be **released in different languages and available through law enforcement agencies, media outlets, and immigrant rights organizations**. As seen in Carlos's story[150], Carlos did not know what his rights were – let alone how to assert them – when he was interrogated, arrested, and detained. Had the officers who denied him translation been better trained in civil rights, they may have protected his civil rights and inform him of his rights in a language he could understand.

Our findings support ICE and CRCL's decision to conduct ongoing statistical review of Secure Communities in order to monitor the program's effectiveness and to discover any improper use of its provisions. In addition to releasing technical papers on the statistical analysis, we recommend the data used for statistical review be made publicly available to ensure transparency and accountability. In our own research we encountered great difficulties obtaining public documents on immigration holds in local jails. Difficulty in accessing data and information was also an issue faced by the University of California, Berkeley, law school and the Benjamin N. Cardozo School of Law in New York, while composing their report *Secure Communities by the Numbers* (Kohli et al., 2011). Kohli et al. had to file a lawsuit under the Freedom of Information Act in order to acquire this data (Preston, 2011). **Making the data for statistical review publicly available would facilitate quantitative academic research, which could then be further used to assess the effectiveness and implementation of the program.**

Our findings also support the National Latino Peace Officers Association's (NLPO) three main recommendations for change to Secure Communities as substantive measures that, if adopted, would ensure that Secure Communities lived up to its stated goals. The NLPO recommendations are:

1. "***Tailor the program to focus only on individuals convicted of serious crimes.*** Civil immigration enforcement against non-criminals should be the job of federal immigration agents and not state and local police.

2. ***Clarify the limits of police authority to enforce civil immigration laws.*** The immigrant community needs to know that they can work with state and local police to put criminals behind bars and not risk their own deportation.

3. ***Create accountability mechanisms so these changes aren't merely voluntary.*** The

[150] See The Story of Carlos – Tri-Cities

> limits on police roles and authority must be strictly respected and enforced by federal, state, and local law enforcement. This is the only way we can credibly repair the damage done to community policing."[151]

Nearly all interviewees in our study – including Latinos *and* law enforcement – reported uncertainty as to the limits of law enforcement's responsibility and authority to uphold immigration law. This has resulted in mistrust and miscommunication between Latinos and local law enforcement. Furthermore, law enforcement officers reported they were uninvolved with immigration hold procedures in their local jails and, thus, were unaccountable for the impact of immigration enforcement through their jails in their own counties; as far as we have determined, there is no current mechanism in our counties to hold local jails or police officers accountable to respecting undocumented residents' privacy and right to safety and mitigating the harmful effects of immigration enforcement on the Latino community.

We also support ICE and CRCL's decision to develop a policy to protect victims of domestic violence and other crimes and ensure these crimes are reported and prosecuted. We found from interviews with Latinos and service providers who have supported victims of domestic violence that undocumented victims of domestic abuse are highly unlikely to call the police for help or to report any crime out of fear of deportation, intensified abuse, separation from their children, or the deportation of their children or partner. Several undocumented interviewees[152] indicated they may not call the police if they were victims of a crime. As such, we support the policy's goal to "direct ICE officers to exercise appropriate discretion to ensure victims and witnesses to crimes are not penalized by removal" (United States 112th Congress, 2012, p. 16).

We endorse ICE and CRCL's plan to issue a revised detainer policy, which would require local law enforcement to provide arrestees with a copy of the detainer form "which includes information on how to file a complaint if an individual believes their civil rights have been violated" (United States 112th Congress, 2012,p. 16). If a Spanish-language detainer form and a means of filing a complaint had been made available to Carlos[153] while he was in jail, he would have had a way to advocate for his own case and report his mistreatment. We **strongly recommend that these forms be translated into multiple languages and made available to all participating jails.**

The United States Congress should pass comprehensive immigration reform that meets the criteria outlined by community partner One America's "Principles and Components of Comprehensive Immigration Reform."[154] In light of our interviews, we view comprehensive immigration reform as the single most import step in addressing Latino insecurity in local communities in the long term. Latinos of all generations, law enforcement, service providers, and immigration attorneys all expressed that they themselves, their community, their state, and the nation would reap great benefits from national immigration reform. Providing a viable legal path to citizenship would balance the asymmetrical construction of our immigration system, which

[151] United States 112th Congress, 2012, p.15
[152] Lela, Personal Interview, 6 November 2011, Kennewick WA; Carlos, Personal Interview, 27 November 2011, Kennewick WA
[153] See The Story of Carlos – Tri-Cities
[154] OneAmerica. (n.d.).

currently places undue emphasis on immigration *enforcement*. From our interviewees' recommendations[155] and our review of immigration history, this suggest that this reform would include:

- Seasonal work permits for those who wish to maintain residence in their country of origin
- Work permits with a path to citizenship
- Amnesty for undocumented residents currently residing in the United States
- Passage of the DREAM Act

Recommendations for Future Research

Our research highlighted knowledge gaps and areas of study that are of importance to public safety and Latino communities. We suggest research in the following areas:

- To identify and analyze local law enforcement perceptions of race, and to assess the effectiveness of trainings geared toward preventing racial profiling.

- To identify and analyze Latino representation in local law enforcement in Eastern and Central Washington.

- To conduct a comprehensive quantitative study on immigration enforcement using surveys and public county data, to better determine both the financial costs[156] of immigration enforcement and the extent to which undocumented persons in Washington State are being detained and deported through Secure Communities.

- To perform qualitative research on gang issues in Eastern Washington by interviewing present and former gang members and their family members as well as law enforcement officials and other informed groups, such as teachers, counselors, and social workers.

[155] Many undocumented residents who worked in agriculture and construction experienced heightened insecurity because of their documentation status. They expressed that they wanted nothing more than to feel safe, to work, and be able to provide for their family. A reformed guest-worker program with a path to citizenship would benefit these individuals and would benefit employers of undocumented workers. Amnesty would protect the security and family unity of undocumented residents who have lived in their communities for many years and have established the United States as their home country. Several undocumented interviewees (Lela, Hector, and Jaime) described their struggles to access education and hoped that the passage of the DREAM Act would allow them to apply for and afford a college education.

[156] Cost analysis in future research should be extensive enough to include law enforcement, jails and ICE budgets, a significant element to understanding immigration enforcement not addressed by this report.

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APPENDICES

APPENDIX A1: Interview Technical Features Walla Walla

Date	Person (Pseudonym)	Location(in Walla Walla)	Language Used	Interview Duration
Oct 12, 2011	Manuel	Public School	English	51m
Oct 19, 2011	Wendy Hernandez*	Law Firm	English	42m
Oct 20, 2011	Ernesto	Public School	English	41m
Nov 1, 2011	Antonio	Public School	English	33m
Nov 2, 2011	Carmen	Local Business	Spanish	55m
Nov 4, 2011	Lluvia	Whitman College	Spanish	55m
Nov 5, 2011	Gregorio	Home	Spanish	1h 15m
Nov 10, 2011	Jonas	Whitman College	Spanish	38m

* Merritt took notes during all interviews, in addition to audio recording each interview
* With the exception of Wendy Hernandez, the names of all interview participants have been changed

APPENDIX A2: Interview Technical Features Tri-Cities

Date	Person (Pseudonym)	Location (WA)	Language Used	Interview Duration
Sep 29, 2011	Sheriff Steven Keane**	Kennewick	English	36m
Oct11, 2011	Jaime and Hector	Kennewick	Spanish	49m
Oct 11, 2011 and Oct 19, 2011	Javier	Kennewick	Spanish and English	25m 1h 33m
Oct 14, 2011	Luis	Walla Walla	Spanish	1h 4m
Oct 15, 2011	Miguel	Kennewick	English	59m
Oct 20, 2011	Sheriff Richard Lathim**	Pasco	English	42m
Oct 28, 2011	Maria Martínez**	Kennewick	English	58m
Nov 2, 2011	Capt. Craig Littrel**	Kennewick	English	47m
Nov 3, 2011	Tom Roach**	Pasco	English	1h 34m
Nov 6, 2011	Gloria	Kennewick	English	41m
Nov 6, 2011	Lela	Kennewick	English	56m
Nov 17, 2011	David	Pasco	English	1h 19m
Nov 27, 2011	Carlos and Julieta	Kennewick	Spanish	1h 16m

* Peterson took notes during all interviews, in addition to audio recording each interview

** With the exception of these people, all the names of all interview participants have been changed

APPENDIX A3: Interview Technical Features Yakima

Date	Person (Pseudonym)	Location (cities in Yakima County, WA)	Language used	Interview Duration (In Minutes)
Oct 1, 2011	Enrique	Yakima	English	1h 11m
Oct 9, 2011	Monica	Yakima	English	1h 18m
Oct 9, 2011	Isabel	Yakima	Spanish	2h 20m
Oct 14, 2011	José	Yakima	Spanish	1h 6m
Oct 14, 2011	Silvia and Ariana	Sunnyside	Spanish	1h 45m
Oct 14, 2011	Anamaria	Sunnyside	Spanish	30m
Oct 14, 2011	Esperanza and Michael	Sunnyside	English	48m
Oct 15, 2011	Ana	Granger	Spanish	1h 40m
Oct 16, 2011	Edith and Tina	Yakima	Spanish	2h 12m
Nov 5, 2011	Mateo	Yakima	Spanish	1h 4m
Nov 6, 2011	Roberto	Sunnyside	English	2h 52m
Nov 7, 2011	Sheriff Ken Irwin	Yakima	English	45m
Nov 7, 2011	Filipe	Yakima	English	1h 48m
Nov 13,	Lourdes	Yakima	Spanish	53m

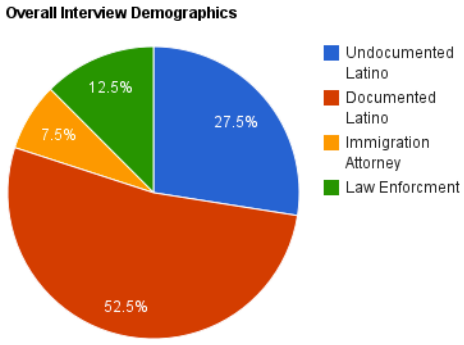
2011				
Nov 14, 2011	Jasmín and Edgar	Yakima	Spanish	54m
Nov 14, 2011	Rosana	Yakima	English	1h 30m
Nov 15, 2011	Chief Greg Copeland*	Yakima	English	35m

* May took notes during all interviews, in addition to audio recording each interview
* With the exception of Chief Copeland and Sheriff Irwin, the names of all interview participants have been changed.

APPENDIX B: Interview Demographics

Overall Interview Demographics

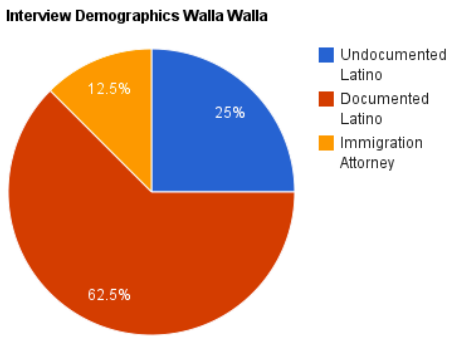
	Men	Women	TOTAL
Undocumented Latino	8	3	11
Documented Latino[157]	8	13	21
Immigration Attorney	2	1	3
Law enforcement	5	0	5
TOTAL	23	17	40



[157] Includes documented immigrant Latinos, 2nd generation, and 3rd generation Latinos

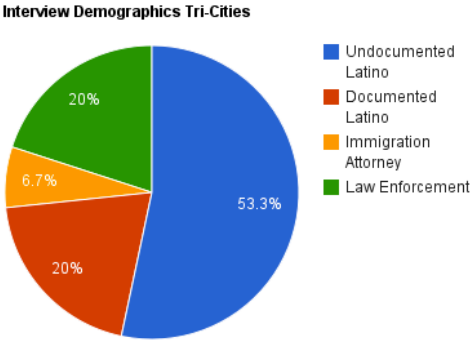
Interview Demographics Walla Walla

	Men	Women	TOTAL
Undocumented Latino	2	0	2
Documented Latino	3	2	5
Immigration Attorney	0	1	1
Law enforcement	0	0	0
TOTAL	5	3	8



Interview Demographics Tri-Cities

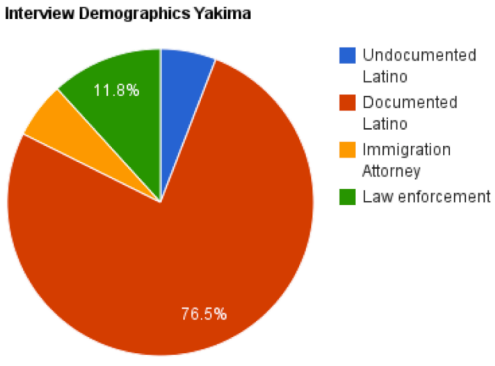
	Men	Women	TOTAL
Undocumented Latino	6	2	8
Documented Latino	1	2*	3
Immigration Attorney	1	0	1
Law enforcement	3	0	3
TOTAL	11	4	5



*note: Martinez, a domestic violence services provider, is included in documented Latina

Interview Demographics Yakima

	Men	Women	TOTAL
Undocumented Latino	0	1	1
Documented Latino	4	9	13
Immigration Attorney	1	0	1
Law enforcement	2	0	2
TOTAL	7	10	17



APPENDIX C1: Walla Walla Latino Interview Questions in English

Introduction:

This interview is confidential. I will not use your real name for any purpose, and you will be referred to by a pseudonym in the final report. Your personal or contact information will not be shared with anyone, and I will not share any information you may choose to give concerning your or another's documentation status. You may refuse to answer any questions I ask, and you may stop the interview at any time. Feel free to ask me any questions you may have about the interview process or my research at any point during our conversation.

I am doing this research in partnership with OneAmerica, an organization that works for immigrant rights. I want to find out how Secure Communities, an ICE policy, is affecting the Latino community in Walla Walla. I'd like to learn what your experience as a [Latino/Latina/faith leader/activist/service provider/law enforcement officer] has been with the Latino community and local law enforcement. I am doing this for two main reasons: to develop a report on the effects of immigration policy and the needs of Walla Walla Latinos that can be used by and for the community, and two, for my Academic work as a student at Whitman College.

In the spring, I will present the findings of our research to the community. I will be speaking with Walla Walla county officials, community leaders and Washington State legislators and policy-makers about our research to make policy recommendations for improving political and social conditions for Washington Latinos. [You might add, especially with public officials: "And it's our belief that increasing equality will make things better for all people who live in this state."]

If it's okay with you I am going to record our conversation. The recording will make it much easier to make sure your story is recorded accurately. I also will be taking notes. If you want to say something without being recorded on audio, I can turn of the recorder.

Do you have any questions about the research or the interview?

Start with a test question to make sure the device is working, i.e. "What did you have for breakfast?" [158]

A. *If I may, I'd like to ask you a few questions about yourself; what you do, how you came here, personal information. Learning more about your story will help me to better understand the needs of the community*.

1) Can you please tell me about the place where you grew up?
   i. What was it like? What things do you remember most?
   ii. What did your parents do?
   iii. What do you remember about the police where you grew up?

iv. How long did you live there before coming to the U.S. [if the individual is U.S.-born, before coming to Walla Walla, Skip if not applicable]
v. Why did you decide to leave?[Skip if N/A]
vi. Do you (still)have family or friends in [Nation or place of Origin][Insert still if not US born]? How often do you get to see them, or talk to them?
vii. (Optional) You don't have to respond, but I'd like to ask: what was your journey like across the U.S.-Mexico border? (Tell them I understand that there is much suffering along the border and this may be painful to talk about, and they do not have to tell me how they crossed the border.)
viii. Did you encounter Border Patrol or any other law officials? If yes, what happened?

2) Have you lived in any other places other then Walla Walla? What were your experiences like there? What kinds of work did you do?
i. Did you have any other encounters or impressions of immigration services or law enforcement in the other places you lived?

3) What do you do for work? How long have you worked there? What is it like?

4) Does your family live here with you? How many people live in your home? Is anyone else in your immediate family from Mexico?

5) [If the individual is an immigrant] What are some difficulties you face as an immigrant in Washington?
i. How well do you speak, read, and understand English? Is your English-ability a barrier to you? Can you tell me about a time when language problems made you more wary of interacting with the police, or asking for their help? Do language problems, in general, make it harder for you to seek help from the police or others?

B. *Can you please tell us a bit about your personal experiences with local law enforcement***?**

1) Have you ever called the police?
i. If so, what for?
ii. Would you call the police if you were a victim of a crime? For what crimes would you call?
iii. Would you call the police if you witnessed a crime? For what crimes would you call?
iv. Would you ever be afraid to call the police? Why?

2) Tell us about a time that you had a good experience with the police.
Why do you think they treated you well?

4) Please tell us about a time you had a bad experience with the police. Why do you think they treated you badly?
a. In either of these experiences did the officer ask you about your immigration status?(If yes- Why?)

5) What do you think about the Police's treatment of Latino community members here in Walla Walla, in general?
    i. How have the community's interactions with the police changed over the years, if at all? Why?
    ii. ¿ Has the community's relationship with the police changed at all over this past year? How so, and why?
6) How comfortable do you feel cooperating with the police?
7) How often do you see the police in your neighborhood? Has this changed in the past few months?
8) What do people in your community think of the police? (only ask this if answer hasn't come up in previous questions.)
9) What help and support do you think the immigrant community needs from law enforcement to feel safe and able to report crimes?
10) What do you think the role of local law enforcement should be in the community?
    i. What steps could the police take any steps to improve relations with the community?
11) (Optional if unclear) Do you think you or anyone you know has been a victim of racial profiling?
12) Does your community or your neighborhood feel safe or dangerous? Please explain, and feel free to tell of any experiences you've had that made your community feel more or less safe.
13) How common are your experiences (or thoughts about the police) among other Latinos in the local community?

A. *What kinds of experiences have you had with immigration Services or authorities* (This question gauges previous attitudes regarding immigration authorities, as well as any experience with detention. Partner preference)
    1) Can you please tell me about a time when you or someone you know was detained by the immigration authorities?
    2) How were the local police involved, if at all?
    3) Were you/they deported? What was that like?
    4) How did this whole experience affect you/them? What happened to your/their family?
    5) How did this experience make you feel?
    6) Apart from this incident, can you tell me about other times when you have dealt with immigration (ICE or DHS) officers, or the Border Patrol?
    7) How afraid are you, or your family, neighbors, or friends, of deportation or of immigration officials? Why?
    8) Is deportation a threat to your community?

B. *As we mentioned earlier our research is dealing with immigration law enforcement and their affects on the community. We'd like to ask you what kinds of things related to immigration are happening in Walla Walla, what you think of the local police and immigration services, questions like that.*

1) **¿** Do you know what the Secure Communities program is? If yes, how did you hear about it? Have you heard of any programs of local law enforcement working with federal immigration officials?

If yes-

a. How does the Secure Communities program make you feel? Do you feel safer or less safe with the program in place? Why?
b. What additional kinds of information do you think people need about Secure Communities?
c. Do you think the program has helped decrease crime in Walla Walla?
   i. ¿ What kinds of crime? And why do you think it has worked??
d. Why do you think Secure Communities was adopted in Walla Walla? Do you think there was a good reason? Why, or why not?

If no –

a. Have you heard of any collaboration between local police and immigration authorities?
b. How have operations been conducted by immigration authorities and local law enforcement in Walla Walla? Has this changed recently?
c. ¿ What do you think about this kind of collaboration between la policía and la migra?

2) If you could speak with the county sheriff or your local police officers, what would you want to tell them?

Conclusion/Wrap up

Is there anything I have forgotten to ask that you would like to share?

Thank you so much for taking the time to speak with me and share your stories. Your name and information will remain confidential and anonymous, and your participation will help to improve the well-being of the community. I'll let you know when the report is available to the public. Feel free to contact me any time if you want to add anything or you have any more questions for me.

APPENDIX C2: Tri-Cities Latino Interview Questions in English

For Latinos:

I'm working with OneAmerica to investigate the relationships between local law enforcement and the Latino communities in the Tri-Cities. We want know how a federal immigration program, "Secure Communities," may affect the Latino community of Tri-Cities and Latinos' attitudes towards the local police. We also want to know what your experience as a Latino and an has been with local law enforcement. I am doing this research so the community has better

information about how immigration enforcement is affecting the people who live here. That way, if there are problems that need to be solved, the community will know what to do. This research is also part of my academic work at Whitman College ("la Universidad de Whitman College") in Walla Walla.

We will finish the investigation in December, and in the spring we will publicize our conclusions and use the research to give recommendations to Washington legislators to improve the state for Latinos.

Everything you share will be completely anonymous (unless you request otherwise). You don't have to tell me anything you don't want to share. I, and no one else, will have your personal information (name, etc.) and I will not share this information with anyone. In the final report, I will use false name for you to protect your identity.

If you have any questions about my research or the interview, feel free to ask at any time during our conversation.

Recording the interview will make it easier for me to accurately remember what you tell me and make a valid report. May I record this interview? It is possible that parts of our conversation may be quoted in my final report. I will be recording our conversation, and will be taking notes. You can refuse to answer any of my questions and you can stop the interview at any time. If you would like the recording device to be turned off at any point, let me know and I will turn it off so you can speak without a record. Feel free to ask me any questions you have about the process or my research at any point.

Do you have any questions before we start?

Give them permission form

I'd like to start off with a simple question just to test the recording – What did you have for breakfast today?

<u>Personal History</u>

1. Where do you live? Could you describe your neighborhood to me?
2. How long have you lived in the Tri-Cities?
3. What is your family like? Does all your family live here?

If I may, I'd like to ask you a few questions about yourself; what you do, how you came here, etc. Again, everything you say is completely anonymous. You don't have to answer any of my questions if you are uncomfortable and you can stop the interview any time. Learning more about your story will help me to better understand the needs of the community and explain to people outside of the Latino community here what your experience is in the Tri-Cities/U.S.

4. Can you tell me about the place where you grew up?
    a. What was it like growing up there?
    b. What was the racial/ethnic composition of your neighborhood?

5. What did/do your parents do?
6. Do you speak any languages other than Spanish or English (i.e. Maya, Quechua, etc.)?
7. What do you remember about the police where you grew up? What were you taught about the police as a child?
8. How long did you live there before coming to the U.S. [if the individual is U.S.-born, before coming to the Tri-Cities]? [or ask about where their parents came from?]
    a. How did you decide to leave?
    b. Do you have family or friends in [Mexico/Honduras/El Salvador/etc.]?
    c. Have you gone back to Mexico since the first time you crossed, or have you been here since your first journey?
    d. [If not U.S.-born] You don't have to respond, but I'd like to ask: what was your journey like across the U.S.-Mexico border? (Tell them I understand that there is much suffering along the border and this may be painful to talk about, and they do not have to tell me how they crossed the border).
        - Did you encounter Border Patrol or any other law officials? If yes, what happened?

<u>Tri-Cities Community</u>

1. How did you come to the Tri-Cities?
2. Do you work? What do you do? For how long have you been working in that position? How did you get that job?
3. Could you tell me about some things you like about your job? What don't you like about your job?
4. What groups or organizations, such as OneAmerica or a church, are you involved in? Are these Latino groups?
5. Could you describe to me what the Latino community is like in the Tri-Cities, or in Pasco/Kennewick/Richland?
6. Can you tell me about the people you think of as your community?
7. How do see yourself (and your family) in that (Latino) community?
8. Do you think there are major differences between first, second, and/or third generation Latinos in your community? How so?
9. What are some problems your community faces? How are they being addressed?
10. Is gang violence a problem in your community?
11. What are the causes of these problems?

<u>Community Safety and Police</u>

1. Does your community feel safe or dangerous to you? Could you tell me about an experience you had that made you feel that way?
2. How do you think the police are keeping people safe? Are or are they not doing a good job?
3. What do most people in your neighborhood or community think of the police?
4. How often do you see the police in your neighborhood? Has this changed in the past few months?
5. Have you ever interacted directly with local police? Can you tell me about a time when a police officer treated you (or a friend/family member) well? Could you tell me about a time when a police officer treated you poorly?

    a. Did the officer ask you about your immigration status? (If yes, why?)
    b. How did you feel when you were speaking with the police?
6. In general, how do local police treat the Latino community? Do they treat Latinos differently than non-Latinos?
7. What do you think law enforcement's job is in your community? What should they do?
8. Have you ever called the police? (follow-up)
9. Would you call the police if you were a victim of a crime? (give examples or ask for specific cases)
10. Would you ever be hesitant or afraid to call the police? Why?

Federal Immigration

1. Now, I'd like to ask you about immigration policy in Washington State and a program called "Secure Communities."
2. Have you heard of any programs of local law enforcement working with federal immigration officals / *la migra*?
3. Have you heard about Secure Communities? How did you hear about it?
4. *if not*: S-Comm is a federal immigration program that was adopted in the Tri-Cities this July. Without Secure Communities, if you are taken to jail your fingerprints are taken and sent to an FBI database, which checks to see if the you have a criminal background. This happens in every jail. With Secure Communities, when you are taken into the jail and they take your fingerprints, they send your fingerprints to the FBI *and* to ICE, Immigration, to see if you have an expired visa or any history with immigration. If you do, ICE is notified, ICE interviews you, and if they think you are deportable, you are sent to the deportation center in Yakima and turned into federal custody.
    a. [What affect do you think this might have on the Latino community? How do you think it could help or hurt the Tri-Cities?]
5. What do you think of Secure Communities?
6. Has Secure Communities impacted the community? Has it changed the way you view the police? How so?
7. Why was the program adopted in the Tri-Cities?
8. Have you heard of, or experienced, any other programs involving federal immigration officials in the Tri-Cities?

Detention and Race/Immigration

Before I ask these next I want to remind you that this interview is completely anonymous, and you can choose not to answer my questions.

1. Can you please tell me about a time when you or someone you know has been detained by the local police because of something to do with their immigration status?
2. How were you/they picked up by the police?
3. Were they deported?
4. How did that impact their family? Their community?
5. Could you tell me about peoples' experiences with deportation in your community?
6. (for non-immigrants) How does immigration policy impact non-immigrant Latinos?
7. What specific difficulties do Washington Latinos face? Latino immigrants face?
8. Have you ever felt like you were targeted for your race? Please tell me about a time when you felt racially profiled.

9. [How well do you speak, read, and understand English? Is your English-ability a barrier to you?
    - Do language problems make you more wary of interacting with the police? Do language problems prevent you from seeking legal help?]

Is there anything I have forgotten to ask that you would like to share? Is there anything you would like policy-makers and leaders in Washington to know about your community or law enforcement in the Tri-Cities?

APPENDIX C3: Yakima Latino Interview Questions In English

1. "I'd like to start by hearing about where you grew up and what your life was like then."
    a. Where did you grow up?
    b. What kind of work did your parents do?
    c. What did you do while your parents worked?
    d. What was school like where you grew up? Did you attend at all?
    e. What do you remember about the police in [Mexico or US if born here] from when you were young?
    f. Can you tell me about a time when you interacted with the police when you were young?
        i. What happened?
        ii. Why did it happen that way?
        iii. How did it make you feel?
    g. How did your feelings about the police change as you grew older?
        i. If no change, what made you keep your views the same?
2. Now, could you tell me how you came to be in Yakima?
    a. If you were born in another country:
        i. How old were you when you first came to the US?
        ii. Would you be willing to tell me the story about how you traveled to the US? If so:
            1. "Can you tell me about any bad experiences you had with la policía or la migra while you were crossing the border, or after you arrived?"
            2. "How about any good or positive experiences?"
        iii. How do you think the police in Mexico and the police in the US are the same or different?
3. Now, I'd like to ask you questions about your family, and your life here in Yakima County. Could you please tell me about the people in your family who live here in Yakima?
    a. Do you also have family in Mexico?
        i. How often do you get to see them?
        ii. What is it like for you, to be far away from these people?
    b. Now, can you please tell me about your job? (where/what/best/not so good)

c. Where have you met your friends in Yakima?
d. Which groups and organizations are you a part of in Yakima?
e. How do the groups that you are in help your community?
f. Could you tell me about the groups and organizations that you were a part of while growing up in Yakima?
    i. What sorts of activities did you do in this group? [activism in past?]
g. When you hear the word "community," who do you think about? Who are the different people and groups that are a part of your community?
h. What do you appreciate most about your community?
i. Can you tell me about one problem in your community that affects you?
j. How long has this problem been present in your community?
k. How does that problem affect your leadership in your organization?

4. I'd like to hear more about your role as a leader in the community -
    a. How did you come to be a leader in the community?
    b. What do you think about when you hear the word "community?" Who is in the community?
    c. What are some of your goals and aims as a leader in the community?
    d. What have you done to reach those goals?
    e. Could you describe to me what you think your main role is as a leader in the community?
    f. What special difficulties do you face as a community leader?
    g. Can you describe the relationship between you and Yakima City and county gov?

5. Now I'd like to hear what you think about law enforcement and community safety in Yakima.
    a. Can you tell me about a time that you or someone you know had a good experience with the police in Yakima?
    b. Can you tell me about a time that you or someone else you know had a negative experience with the police in Yakima?
    c. What did the police do or say to make you feel that way?
    d. What do other Latinos in your community think about Yakima police?
    e. Have you had any interactions with Spanish-Speaking policemen? Did you feel the same or different towards them than to English-speaking policemen?
    f. Could you tell me about some things that affect your community's safety?
    g. I'd like to hear more about the impact of gangs on public safety, and on the young people of the community. Can you please tell me about a time when you were affected by gangs in Yakima?
        i. How do you think gangs affect your community?
        ii. Why do you think kids join gangs?
        iii. What do your friends and neighbors think about gangs?
        iv. What do the police do to address this problem? How effective are their actions?
        v. Can you tell me about the relationship of Latino immigrants to gangs in Yakima?

6. OK, now I'd like to talk to you about a program called "Secure Communities." Have you heard of the program called "Secure Communities?"
    a. Can you tell me what Secure Communities does?
    b. How did you learn about Secure Communities?
    c. How do Latinos in Yakima normally find out about immigration issues?
    d. "Secure Communities is a program where if the local police arrest a person who commits a crime, then the local police sends a copy of their fingerprints to the immigration authorities. If the officials see that this person is undocumented, they tell the local police to keep the person in custody until immigration officials can come and take that person to a detention center. That person then enters deportation procedures."
    e. Can you please tell me about anyone you know, including maybe yourself, that this has happened to? Please tell me about what that was like for them (or for you).
    f. How did this incident affect that person's (or your) family? How did it affect the other parts of his or her (or your) life?
    g. Can you tell me a reason why Secure Communities would be bad for your community?
        i. Decrease poltical and civic participation? Effects on kids? Effects on the family and implications for Latino community stability? – cite justification
    h. Can you tell me a reason why Secure Communities would be good for your community?
    i. What is life like for most immigrants in Yakima county?
    j. How do you think that SComm would affect Latino Immigrants differently or similarly to other Latinos in Yakima?
    k. What can you tell me about the relationship of Latino immigrants and other Latinos in Yakima?
    l. How do you think that Secure Communities could affect what [insert community group] and you do in the community?
    m. How do you think that Secure Communities has affected the way that the Yakima police do their job?
    n. In your opinion, what is the distinction between la migra and the police?
7. Can you tell me, from your own experience, what it means to have a safe community?
    a. Can you tell me, from your own experience, what it means to have effective law enforcement in the community?
    b. What do you think Yakima police should be doing to make your community safer?
    c.
    d. How do you think Latinos should work with the Yakima police to make their community safer?
8. I will be using what you've told me to write a report that will recommend specific policies to government officials in Yakima County and in Olympia. If the Sheriff of Yakima County was here in this room, what would you tell him?
    a. What other ideas do you have for making your community safer and healthier for Latinos and latino immigrants?

APPENDIX D1: Walla Walla Latino Interview Questions in Spanish

Introducción:

Esta entrevista es confidencial. No usaré su nombre verdadero para ningún propósito, y me referiré a usted usando un seudonimito en el reporte final. Su información o la de sus contactos no será compartido con nadie, y no compartiré cualquier información sobre el estado de su documentación legal que decida usted darme respecto su o la de alguna otra persona. Usted puede rehusar contestar cualquier pregunta que haga, y puede poner un alto a la entrevista en cualquier momento. Puede hacerme las preguntas que desea hacer sobre el proceso de la entrevista o de mis estudios de investigación en cualquier punto de nuestra conversación.

Estoy haciendo una investigación en asociación con "UnAmerica", una organización que trabaja para apoyar los derechos de inmigrantes. Quiero averiguar como "Comunidades Seguras", una ley del Departamento de Inmigración, esta afectando a la comunidad latina en Walla Walla. También quisiera saber como su experiencia como: latino, latina, líder de un ministerio religioso, activista social, proveedor de servicios públicos, u oficial de la policial ha sido con la comunidad latina y los oficiales locales de la policía. Hay dos razones principales por el cual estoy llevando a cabo esta estudio: para crear un reporte sobre los efectos de la política de inmigración y las necesidades de los latinos de Walla Walla que pueda ser usada por y para la comunidad, y para acrecentar mi trabajo académico como estudiante en el Colegio de Whitman con experiencia real.

En la primavera, presentare los resultados de nuestros estudios a la comunidad. Yo estaré hablando con oficiales del Condado de Walla Walla, líderes de la comunidad, legisladores del Estado de Walla Walla, e individuos responsables de formular política sobre nuestras investigaciones para hacer recomendaciones de política para mejorar las condiciones políticas y sociales para los latinos del Estado de Washington. (Se puede agregar, especialmente con oficiales públicos: "Es nuestra convicción que aumentando igualdad mejorará la situación para todas las personas que viven en este estado.")

Si esta usted de acuerdo, yo voy a grabar nuestra conversación. La grabación hará que sea mas fácil asegurar que su relato sea anotado con exactitud. También estaré tomando notas. Si desea decir algo sin que sea grabado en audio, puedo apagar la grabadora.

¿Tiene alguna pregunta sobre la investigación o la entrevista?

Start with a test question to make sure the device is working, i.e. "¿Qué tuvo usted para el desayuno?" 1

A. *Si me permite, quisiera hacerle unas cuantas preguntas sobre usted; su trabajo, como llego aquí, información personal. Conociendo mas de su historia me ayudara entender mejor las necesidades de la comunidad.*

1) Por favor platícame sobre el lugar donde se crió.
   i. ¿Cómo era? ¿Qué cosas te impresionaron más?
   ii. ¿A que se dedicaban sus padres?
   iii. ¿De qué te acuerdas de la policía donde usted se crió?
   iv. ¿Cuánto tiempo vivió allí antes de venir a Los Estados Unidos de America? (if the individual is U.S. –born, befote coming to Walla Walla, skip)?
   v. ¿Por qué decidió dejar su tierra natal? (Skip if N/A)
   vi. ¿Aún tiene familia o amistades en su nación o lugar de origen (Insert still if no U.S. born)? ¿Qué tan seguido los visita o les habla?
   vii. (Optional) No tiene que contestar, pero quisiera preguntarle: ¿Cómo fue su viaje a través de la frontera de Los Estados Unidos de America con Méjico? (Tell them: Yo entendiendo que hay mucho sufrimiento a lo largo de la frontera y esto puede ser un tema demasiado doloroso para platicar. No me tiene que decir como cruzó la frontera.)
   viii. ¿Tuvo algún encuentro con La Patrulla de la Frontera (Migra) u otros oficiales de la ley? Si la tuvo, ¿qué pasó?

2) ¿Ha vivido en otros lugares además de la Ciudad de Walla Walla? ¿Cómo fueron sus experiencias en aquellos lugares? ¿Qué clase de trabajos tuvo?
   i. ¿Tuvo algunos encuentros o impresiones de servicios de inmigración o de oficiales de la policía en los otros lugares donde vivió?

3) ¿En que trabaja? ¿Cuánto tiempo ha trabajado allí? ¿Cómo es el trabajo?

4) ¿Vive su familia aquí con usted? ¿Cuántas personas viven en su hogar? ¿Hay alguna otra persona de su familia inmediata de Méjico?

6) (If the individual is an immigrant) ¿Cuáles son algunas dificultades que usted tiene que enfrentar siendo un inmigrante en el Estado de Washington?
   ii. ¿Qué tan bien puede hablar, leer, y entender el inglés? ¿Crea barreras su habilidad limitada para comunicarse en inglés? ¿Puede acordarse de alguna ocasión en que los problemas con el lenguaje del inglés hizo que fuera mas cauteloso en lidiar con la policía, o pedirles ayuda? ¿Las limitaciones que tiene con el inglés, hace que sea más difícil para usted pida ayuda a la policía o a otras personas/agencias?

B**.** ¿Puede platicarnos un poco de sus experiencias con oficiales de la policia local?

1) ¿Alguna vez ha llamado a la policía?
   i. Si sí los ha llamado, ¿cuál fue la razón?
   ii. ¿Llamaría a la policía si fuera una victima de un crimen?
   iii. ¿Llamaría a la policía si hubiera sido testigo de un crimen? ¿Para que tipo de crímenes los llamaría?
   iv. ¿Tendría miedo de llamar a la policía? ¿Por qué?

2) Platícanos de una ocasión en que tuvo una buena experiencia con la

policía. ¿Por qué cree que le trataron tan bien?

4) Por favor háblenos de una ocasión en que tuvo una mala experiencia con la policía.
5) ¿Qué opina del tratamiento que reciben los miembros de la comunidad latina de la policía aquí en la Ciudad de Walla Walla, y en otras partes?
    iii. ¿Cómo han cambiado las interacciones de la comunidad latina a través de los años, si fuera el caso? ¿Por qué?
    iv. ¿Ha cambiado la relación entre la comunidad y la policía en alguna manera durante este año pasado? ¿Cómo y por que?
6) ¿Qué tan cómodo se siente usted cooperando con la policía?
7) ¿Con que frecuencia ve a la policía en su vecindad? ¿Ha cambiado en estos últimos meses?
8) ¿Qué piensan las personas en su comunidad de la policia? (Only ask this if answer hasn't come up in previous questions.)
9) ¿Qué ayuda y apoyo necesita proveer los oficiales de la policía para que la comunidad inmigrante se sienta segura y pueda reportar crímenes?
10) ¿Cuál es el papel que debe desempeñar la policía local en la comunidad?
    ii. ¿Qué pasos puede tomar la policía para mejorar las relaciones con la comunidad?
11) (Optional if unclear) ¿Cree usted, o alguna persona que conoce, que ha sido victima de discriminación racial?
12) ¿Cómo le parece su comunidad, seguro o peligroso? Por favor explique y cuente las experiencias que ha tenido en su comunidad que le hacen sentir más o menos seguro.

C. *¿Qué tipos de experiencias ha tenido con los Servicios de Inmigración o las autoridades?* (This question gauges previous attitudes regarding immigration authorities, as well as any experience with detention. Partner preference)
    9) ¿Me puede contar de alguna ocasión en que usted o alguien a quien conoce fue detenido por las autoridades de inmigración?
    10) ¿Cómo fueron involucrados las policías locales, si es que estuvieron involucrados?
    11) ¿Fue usted o fue la persona conocida deportado? ¿Cómo fue esta experiencia?
    12) ¿Cómo le afecto a usted o a la persona conocida la experiencia completa? ¿Qué le paso a su familia o a la familia del conocido?
    13) ¿Cómo le hizo sentir esta experiencia?
    14) ¿Aparte de este incidente, me puede contar de otras ocasiones cuando ha tenido que lidiar con oficiales de inmigración (ICE o DHS), o con la Patrulla de la Frontera?
    15) ¿Cuánto miedo le tienen usted, su familia, sus vecinos, o sus amistades de la deportación o a los agentes de inmigración? ¿Por qué?
    16) ¿Considera la deportación una amenaza inminente a su comunidad?

D. *Como mencionamos anteriormente, nuestra investigación estudia la implementación de las leyes de inmigración y sus efectos en la comunidad. Quisiéramos preguntarle ¿que*

tipos de cosas, relacionados a la inmigración, están ocurriendo en Walla Walla? ¿Qué opina de la policía local y de los servicios de inmigración, y cuestiones de este tipo?

2) ¿Sabe que es el programa de Comunidades Seguras? Si sabe, ¿cómo oyó del programa? ¿Ha oído de algunos programas en que policías locales están trabajando con oficiales federales de inmigración?

If yes-

e. ¿Cómo le hace sentir el programa de Comunidades Seguras? ¿Se siente más seguro o menos seguro con un programa de este tipo en operación? ¿Por qué?
f. ¿Qué otros tipos de información adicionales cree usted que necesita la gente sobre el programa llamado Comunidades Seguras?
g. ¿Piensa usted que este programa ha disminuido el crimen en Walla Walla?
   j. ¿Qué tipos de crímenes? ¿Y por qué piensa que ha funcionado?
h. ¿Por qué cree que el programa de Comunidades Seguras fue adoptada por la Ciudad de Walla Walla? ¿Cree que hubo una buena razón? ¿Por qué o por qué no?

If no –

d. ¿Ha oído de alguna colaboración entre la policía local y las autoridades de inmigración?
e. ¿Cómo han sido estas operaciones manejadas por las autoridades de inmigración y la policía local en Walla Walla? ¿Cómo ha cambiado recientemente?

c. ¿Qué piensa de esta clase de colaboración entre la policía y la migra?

Si usted pudiera hablar con el "sheriff", el oficial de la justicia del condado, o con los policías locales, que les quisiera decir?

Conclusion/Fin de la entrevista

¿Hay alguna cosa que he olvidado preguntarle que le gustaría compartir con nosotros?

Muchísimas gracias por compartir su tiempo para hablar conmigo y compartir sus historias. Su nombre y su información serán confidenciales y anónimos. Su participación ayudará a mejorar el bien estar de la comunidad. Yo le dejaré saber cuando el reporte será completado y disponible al público. Llámeme con confianza para ponerse en contacto conmigo para agregar más información o si tiene algunas preguntas para mi.

APPENDIX D2: Tri-Cities Interview Questions in Spanish

Para Latinos, entrevista

Estoy trabajando con OneAmerica para investigar la relación entre las agentes locales del orden y la comunidad latina. Queremos saber cómo un programa federal de inmigración, "Secure Communities" o "Comunidades seguros," pueda afectar a la comunidad latina de los Tri-Cities y las actitudes de los latinos sobre la policía. Queremos saber que es su experiencia aquí como

Latino y activista con la agencia del orden. Hago esta investigación para que la comunidad tiene más información de las programas de inmigración y cómo impactan a la gente.

Acabamos la investigación en diciembre, y en la primavera vamos a publicitar nuestras conclusiones y usar la investigación para dar recomendaciones a las legisladores de Washington para mejorar el estado para Latinos.

Todo que usted comparte será completamente anónimo, (menos que pide otro). No tiene que contarme nada que no quiere compartir. Yo, y ninguna otra persona, tendrá su información personal (nombre, etcétera) y no lo compartiré con nadie. En el informe último usaré un nombre falso para usted para proteger a su identidad.

Si tiene alguna pregunta de mis investigaciones o la entrevista, por favor pregúntamelo a cualquier momento en nuestra conversación.

Grabar la entrevista lo hará más fácil recordar con exactitud lo que me cuenta y hacer una investigación válida. ¿Me permite grabar esta entrevista?

Hay posible que partes de nuestra conversación sean citadas en el informe último. Voy a recordar nuestra conversación y tomar apuntes. Se puede negar de contestar cualquiera de mis preguntas y se puede parar la entrevista en cualquier momento. Si quiere que apago la grabadora en cualquier momento, dímelo y lo voy a apagarlo así se puede hablar sin archivo.

¿Tiene Ud. preguntas antes de empezar?

Dales la forma de permisión

Quiero empezar con una pregunta sencilla para probar la grabadora. ¿Qué comía para el desayuno hoy?

<u>Historia personal</u>

1. ¿Dónde vives? ¿Pueda describir el vecindario en que vive Ud.?
2. ¿Para cuántos años ha vivido en los Tri-Cities?
3. ¿Cómo es su familia? Vive toda su familia aquí?

Si me permite, quiero preguntarle un poco de si mismo/a; que hace en el trabajo, cómo llego a vivir en los Tri-Cities. Todo que dice es anónimo y no tiene que contestar ni una pregunta si le pone inquieta. Se puede parar la entrevista en cualquier momento. Por aprender mas de su cuenta, puedo entender más las necesidades de su comunidad para explicar a gente afuera que es su experiencia en los Tri-Cities.

4. Por favor, pueda describir el lugar en que creció?
    a. Como fue al crecer allí?
    b. Qué fue la composición étnica o de raza un la vecindario en que crecía?
5. En que trabajaban los padres?
6. Habla otros lenguajes, aparte de español o inglés (como Maya, Náhuatl,, Quichua, etc.)?

7. Qué recuerda de la policía en el lugar en que crecía? Qué fue enseñado sobre la policía cuando era niño/a?
8. (*si inmigrante*) Para cuántos años vivió allá antes de salir para los EE.UU./los Tri-Cities?
    a. Cómo decidió salir?
    b. Ahora ya tiene familia o amigos en [Mex/Hond/Guat/etc.]?
    c. No ha regresado a México [u otro parte] desde la primera vez que cruzó, o ha estado aquí desde su primer viaje?
    d. Entiendo que ha mucho sufrimiento en la frontera, y pueda ser difícil o doloroso contar, y no tiene que contarme como cruzó la frontera. No tiene que responder, pero quiero preguntar – puede describir su experiencia de viajar por la frontera?
    e. Encontró Border Patrol o la Inmigración? Qué pasó?

<u>La comunidad de los Tri-Cities</u>

1. Porqué/cómo llegó a los Tri-Cities?
2. Trabaja? En que trabaja? Cómo obtuvo esta posición/trabajo?
3. Pueda contar me lo que le gusta de su trabajo? Lo que no le gusta?
4. En cuales grupos u organizaciones, como OneAmerica o la iglesia, está involucrado?
5. Por favor, pueda describir la comunidad Latina de los Tri-Cities, o de Pasco/Kennewick/Richland?
6. Quienes son las personas que considera su comunidad?
7. Como encaja usted (o su familia) en esa comunidad o la comunidad latina?
8. Piensa que hay diferencias significantes entre Latinos de primera, segunda, y tercera generación en la comunidad? Por qué?/ejemplos
9. Cuáles son algunos problemas que están frente de la comunidad? Cómo se atiende a esos problemas?
10. Es la violencia de pandillas (grupos, bandas) un problema en su comunidad?

<u>Seguridad de la comunidad y Policía</u>

1. Sienta segura o peligrosa su comunidad o vecindario a usted? Puede contarme de una experiencia que tuvo que le puso sentir así?
2. En su opinión o experiencia, cómo aseguran la policía local que la gente está salva? Piensa que la policía lo hace bien o peor?
3. Qué piensa la mayoría de la gente en su vecindario o comunidad de la policía?
4. Cómo frecuentemente ve la policía en su vecindario? Ha cambiado esto en las meses recientes?
5. Nunca has interactuado directamente con la policía local? Puede contarme de una ocasión en que un agente de policía le trató bien? Una ocasión en que un agente le trató mal?
    a. Preguntó el agente de su estatus de inmigración? (*si* – por qué?)
    b. Como sintió usted cuando fue hablando con la policía?
6. Por lo general, cómo tratan la policía a la comunidad latina? Tratan a los latinos en un modo diferente que tratan a los que no son latinos?
7. Qué piensa es el rol de las agentes del orden en su comunidad? Que deben hacer?
8. Nunca ha llamado Ud. a la policía? (*follow-up*)
9. Llamaría Ud. a la policía si fue una victima de un crimen? Qué tipo de crimen? Si fue un testigo?

10. Tendría miedo en cualquiera situación llamar la policía? Porqué?

Inmigración federal

Ahora, quisiera preguntarle de las políticas de inmigración en el estado de Washington y una programa que se llama "Secure Communities"

1. Ha Ud. aprendido de un programa en que las agencias locales del orden trabajan con las agencias federales de inmigración o la migra?
2. Ha escuchado/oído de Secure Communities? Cómo aprendió de este programa?
3. *si **no** – S-Comm es un programa federal de inmigración que fue adoptado en los Tri-Cities este Julio. **Sin** S-Comm, si alguien está llevado al cárcel, toman sus huellas. Las huellas están enviado a una base de datos de la FBI para checar si la persona tiene antecedentes penales – este proceso es lo normal y ocurre en cada cárcel en los EE.UU. **Con** S-Comm, cuando se lleva alguien al cárcel, envian sus huellas no solo a FBI, pero también a un base de datos de Inmigración, para ver si tiene una visa expirada, una historia con ICE, etcétera. Si tiene antecedentes con ICE/Inmigración, inmigración está notificado y hace una entrevista con esta persona. Si ICE piensa que se puedan deportar a esta persona, le envian al centro de detención/deportación (en Yakima) y dado a la custodia federal.*
    a. [Que impacto pueda tener en la comunidad latina? Como pueda que S-Comm ayudaría o doler a los Tri-Cities?]
4. Que piensa de Secure Communities?
5. Ha afectado S-Comm la comunidad? Ha cambiado como ve a la policía la programa? ¿Cómo?
6. Por qué fue adaptado este programa en los Tri-Cities?

Detención y Raza/Inmigración

Bueno. Ahorita, quisiera preguntarle un poco de deportación en la comunidad latina. Antes de continuar con las últimas preguntas, quiero recordarle que esta entrevista es completamente anónima y opcional, y se puede eligir no responder a ninguna pregunta.

1. Por favor, puedes contarme sobre una vez en que (usted o) alguien que conoce ha estado detenido por la policía local porqué de algo que perteneció a su estatus de inmigración?
    a. Por qué fue tomado por la policía?
    b. Fue el/ella deportado?
    c. Cómo afecto su deportación/detención a su familia? Su comunidad?
2. Pueda describir a mi algunas experiencias de deportación de personas de la comunidad latina aquí?
3. Cuáles problemas específicos están frente de inmigrantes latinos de Washington?
4. Nunca ha pensado que usted fue el blanco [target] del perfil étnico o racial por un agente del orden? (Que pasó?)
5. Cómo es su habilidad de hablar, leer, y entender ingles? Es su habilidad un muro/barrera para usted?
    a. Le ponen las dificultades con lenguaje más tímido o renuente [reluctante] interactuar con la policía? Se los impide problemas con el lenguaje de buscar ayuda legal?

Hay algo que he olvidado que quisiera compartir?
Hay algo que quisiera los legisladores y líderes de Washington saber de su comunidad o las agencias del orden en los Tri-Cities?

APPENDIX D3: Yakima Interview Questions in Spanish

1. A empezar, podrías contarme donde creciste y como fue tu vida durante este tiempo?
    a. Que tipo de trabajo hicieron tus padres?
    b. Que hiciste mientras tus padres trabajaron?
    c. Como fue la escuela donde creciste? Que recuerdas?
    d. Que recuerdas de la policía en Mexico/US durante su niñez?
    e. Puedes contarme sobre un tiempo cuando interactuó con la policía cuando eras niña?
        i. Que paso?
        ii. Por que paso así?
        iii. Como sentiste durante y después?
    f. Como cambio sus sentimientos sobre la policía cuando estabas mas mayor?
        i. Por que? Y si no cambio sus sentimientos, por que?
2. ¿Podrías contarme cómo llegaste a vivir en Yakima?
    a. Si naciste en otro país,
        i. Cuantos años tenías cuando llegaste al Estados Unidos?
        ii. Estás dispuesto a contarme cómo viajaste al Estados Unidos?...
            1. Puedes contarme de interacciones negativas que tuviste con la policía o la migra mientras estabas cruzando la frontera o después que llegaste a los Estados Unidos?
            2. Tuviste interacciones positivas también con la policía/migra?
        iii. En tu opinión, cual es la diferencia entre la policía y la migra?
        iv. En tu opinión, cómo piensas que la policía en los Estados Unidos y la policía en México son los mismos o diferentes?
            1. O – Cuales son los diferencias y los similaridades de la policía en México y en los estados unidos?
3. Ahora, quiero preguntarte de tu familia y tu vida en Yakima. Podrías contarme de los miembros de tu familia que viven aquí en Yakima?
    a. Tienes familia en México también?
        i. Viajes para visitarlas?
    b. Como sienta a tener familia tan lejos de ti?
    c. Ahora, puedes contarme de tu trabajo? (Donde, que haces, lo mejor y la negativa)
    d. Donde has conocido amigos en Yakima?
    e. Cuales son los grupos y organizaciones en cual eres un participante o líder?
    f. Podría decirme como estas organizaciones ayudan tu comunidad?
    g. Cuales son los características o cosas de tu comunidad que te gustan?

h. Podría decirme sobre unas problemas en tu comunidad que te afecta?
i. Como eres afectada por ésta problema?
j. Como es la comunidad afectada por ésta problema?
k. Podrías describir tu relación con el gobierno de Yakima, de la ciudad y de la condado?

4. Ahora quiero escuchar sobre sus opiniones de la policía y del seguridad de la comunidad en Yakima
    a. Podrías contarme de un tiempo cuando tu o alguíen quien conoces tuvo un buen experiencia con la policía en Yakima?
    b. Podrías contarme de un tiempo cuando tu o alguien quien conoces tuvo una mala (negativa?) experiencia con la policía en Yakima?
    c. Que hizo la policía a causarte sentir estas emociones?
    d. Que piensan otros Latinos en la comunidad sobre la policía en Yakima?
    e. Has interactuado con policía que hablan español? Sentiste lo mismo o diferente con ellos que con policía quien hablan solo ingles?
    f. Has llamado alguna vez la policía aquí en Yakima? Por qué?
    g. Por cuales crímenes llamarás la policía?
    h. Has sentido miedo alguna vez llamar la policía en Yakima
    i. Cuales son los cosas /factores/problemas que afecta la seguridad de la comunidad?
    j. Quiero escuchar mas sobre como gangas/pandillas han afectado la seguridad y los jóvenes de la comunidad. Podrías contarme de un tiempo cuando tu o alguien que conoces estaba afectada por los gangas en Yakima?
    k. Como afectan la comunidad los gangas?
    l. Por que participan jóvenes en las pandillas?
    m. Que piensan tus amigos y vecinos de los pandillas?
    n. Que hagan la policía a solucionar esta problema? Han tenido éxito?
    o. Podrías contarme de un manera en que los pandillas afectan inmigrantes Latinos diferente que otros en la comunidad?
    p. Que puedes contarme sobre cosas que hace el gobierno de Yakima para controlar inmigración ilegal? Raids? Programas?
5. Podrías contarme sobre los problemas que afectan inmigrantes viviendo en Yakima?
    a. Que causa éstas problemas?
    b. Conocías personas afectadas por éstas problemas? Como fueron afectaban sus familias? (temor, casa/hogar, no puede manejar, trabajo etc)
    c. Cuales leyes y acciones del gobierno de Yakima afecta inmigrantes?
    d. Como eres afectada por éstas leyes y acciones?
6. Ahora quiero hablar contigo sobre la programa llamada Secure Communities. Podrías contarme que hace la programa Secure Communities?
    a. Cómo aprendiste sobre Secure Communities?
    b. Como aprendan Latinos sobre leyes y programas de inmigración?
    c. Podrías contarme la historia de tu o alguien que te conoces que ha sido afectado por Secure Communities? Como fue para ellos?

d. Como afectaba éste incidente su familia?
e. Como crees que esta programa afecta la vida diaria de los inmigrantes? - historia?
f. Como crees que tu eres afectada por ésta programa?
g. Podrías contarme un razón porque Secure Comunities sera una cosa negativa para tu comunidad?
h. Podrías contarme un razón porque Secure Comunities sera una cosa positiva para tu comunidad?
i. Como piensas que Secure Communities podria afectar lo que haces con [su grupo/actividad] en la comunidad?
j. Como piensas que Secure Communities podria afectar tu liderazgo en la comunidad?

7. Podrías contarme como Secure Communities podría afectar tu relación con la policía de Yakima?
    a. Si no ha cambiado su relación, por que?
    b. Como crees que Secure Communities afecta como la policia hagan su trabajo?
    c.
    d. En tu opinión, cual es la diferencia entre la policia y la migra?
    e.
8. En tu experiencia, podrías contarme que significa en tener una comunidad segura?
    a. Podrías decirme lo que significa tener una policía efectiva en la comunidad?
    b. Que debería hacer la policía a hacer la comunidad más segura?
    c. Como deben Latinos trabajar con la policía a hacer la comunidad más segura?
9. Voy a usar lo que me has dicho a escribir un reporte que recomendaría acciones especificas para el gobierno de Yakima y del estado de Washington. Si estaba aquí un policía y un oficial del gobierno de Yakima, que les diría?
    a. Cuales son tus otros ideas en hacer tu comunidad más segura y saludable para Latinos y para inmigrantes Latino?

APPENDIX E2: Tri-Cities Sherriff Interview Questions

Introduction

- I'm doing my research as part of a community-based research course with Whitman College that conducts and publishes research for the benefit of local communities. To facilitate my initial research, I'm in touch with two people who are involved with OneAmerica who are concerned about the Secure Communities program. I and two other students who are working in Yakima and Walla Walla are researching whether or not their concerns are valid. Our relationship with them is *not* one of political support – rather, since we're not from this area and we're not familiar with the Latino community, they're helping us make some Latino contacts that we wouldn't otherwise be able to make. We want to see what the reality of this program is for everyone involved and are trying to include all voices in an objective, analytical approach.

- We want to find out how Secure Communities is developing in Benton and Franklin Counties and how it may affect the relationship between law enforcement and the Latino community. I'd like to learn what your experience as the County Sheriff has been with the Latino community and local law enforcement. If you have any questions about my research or the interview, feel free to ask at any time during our conversation.

- Recording the interview will make it easier for me to accurately remember what you tell me and make a valid report. May I record this interview? It is possible that parts of our conversation may be quoted in my final report. I will be recording our conversation, and will be taking notes. You can refuse to answer any of my questions and you can stop the interview at any time. If you would like the recording device to be turned off at any point, let me know and I will turn it off so you can speak without a record. Feel free to ask me any questions you have about the process or my research at any point.

  Do you have any questions before we start?

  I'd like to start off with a simple question just to test the recording – What did you have for breakfast today?

I. How did you come to work in law enforcement?
    1. How did you come to work in this position in Franklin County? (Did you grow up here?)
    2. What problems did you want to solve in your county in your position as the sheriff?

II. How would you characterize the relationship your deputies and the local police have with the community?
    1. Where do you see signs that people in the community feel like they can depend on the police to keep them safe?
    2. What does your department do to encourage the community to feel safe and to call the police when they need help?
    3. How do your department and your officers develop a relationship with the community?
    4. Could you tell me about an example or two of a community outreach program your department is involved in?

III. How would you characterize your department's relationship with the Latino community in town? Why do you think things are this way?
    1. Do you have any specific outreach programs for the Latino/Hispanic and Spanish-speaking communities? If so, what are these programs? If not, why not?
    2. Can you tell me about a time when you saw people in the Latino community working together with the police to promote public safety?
    3. What about a time when it seemed people in the Latino community didn't trust the police?
    4. What kinds of things is your department trying to do to develop positive relationships with Latinos or Hispanics in the community?

5. What do you think are the most important public safety issues in the Latino community?
6. Could you tell me about a time when you felt you or your department was able to respond to a need in the Latino community?
7. Is Latino gang violence a major issue in your county? What are the major actions your department is taking to address gang violence?
8. Is there a program in Franklin County to prevent and/or combat gang violence?
9. What actions need to be taken?
10. How strongly do you think the Latino community supports those kinds of efforts, and why is that? What kind of support do you need from the community to decrease gang violence?

IV. Now I'd like to hear your thoughts about your department's relationship with the federal immigration authorities.
    1. How frequently do you communicate with ICE or DHS? Can you tell me about the kinds of things you communicate about when you talk to ICE?
    2. How did you hear about Secure Communities? What was your initial impression?
    3. Could you describe the program to me?
    4. How did you decide to implement the program in your county?
    5. Why do you think Secure Communities is needed in Franklin County? What do you see as the potential benefits of the program?
    6. What are the potential negative effects of S-Comm, or concerns you may have for the program?
    7. A DHS Secure Communities Task Force expressed concern that S-Comm may deport mostly individuals "charged with, but not convicted of, minor traffic offences who have no other criminal history." You mentioned in our previous emails that some regions find the program controversial because they think it could target low-level offenders or minority groups. Are these or similar concerns being voiced in Benton county? Do you think this could be a result of S-Comm in the county? Why or why not?
    8. What is the public dialogue about Secure Communities in Benton County like? How have community members responded so far?
    9. What is your department doing to prevent any potential negative impacts of S-Comm?
    10. How is the program going so far? Could you describe any difficulties or successes of the program that you've seen so far? How would you account for these results? What would you expect from looking at other counties that have had the program for longer?
    11. If you were able to format or change Secure Communities for your county, how would you like to change it? Is there any way you can monitor the program?
    12. How are you affected by national immigration policy?
    13. How is your county affected by national immigration policy?

V. Is there anything you would like to add or ask that I haven't addressed in this interview?

APPENDIX E3: Yakima Sherriff Interview Questions

Law Enforcement Questions (For Sheriff Irwin, Yakima County)

1. First, I'd like to hear about how you came to be in law enforcement and how you came to be Sheriff of Yakima County?
2. Could you describe to me your responsibilities as Sheriff?
3. What are your main goals as Sheriff of Yakima County?
4. What are the most pressing issues in public safety and justice in your county?
    a. What is being done to address these issues?
5. How would you describe your department's relationship to the community?
6. How would you describe your department's relationship to the Latino community in Yakima County?
    a. What sorts of things has your department done to develop positive relationships with Latinos in the community?
    b. Could you tell me about a time when your department's relationship with the Latino Community helped you do your job better?
7. How are the public safety issues in the Latino community similar to or different from the public safety issues you mentioned earlier?
    a. What is your department doing to address these issues?
    b. How does the Latino Community support your efforts?
8. Now I'd like to talk to you about Secure Communities in Yakima County: How did you come to learn about Secure Communities?
    a. Could you describe the process of how Yakima County became involved?
    b. Could you tell me about the policies and procedures that Yakima had regarding arrested undocumented aliens before Secure Communities started?
    c. How is Secure Communities similar or different from these previous policies and procedures?
    d. How did the public view SComm after its implementation?
    e. Are you familiar with the way that reimbursement works through the SComm program in Yakima?
        i. What expenses does ICE reimburse you for?
        ii. Is ICE effectively reimbursing your costs?
9. Could you tell me about a time when you saw a positive effect of SComm in Yakima County?
    a. How do you account for this success?
10. Could you tell me about a time when you saw a negative effect of SComm in Yakima County?
    a. How do you account for this challenge or failing?
    b. What steps are you taking to prevent these potentially negative impacts of SComm?
    c. How has ICE supported you in addressing the challenges?
11. How do you think that SComm might affect Yakima's Latino community?

12. Now I'd like to talk to you about Community safety and effective law enforcement in Yakima county: From your perspective as a Sheriff and a community member, what does a safe community look and feel like?
    a. From your perspective as a Sheriff and a community member, what does effective law enforcement look and feel like?
    b. What do the most effective law enforcement departments do to be successful?
    c. Can you tell me about a way that SComm make you more effective in your job?
    d. Can you tell me about a way that SComm make you less effective in your job?
13. I am also interviewing Latinos in Yakima – if there was anything that you could ask them or tell them, what would it be?
14. I will be presenting this research to policymakers in Olympia – if there was anything you could tell them directly, what would it be?

APPENDIX F: DATA

Data was collected through public documents requests under

Walla Walla County ICE Hold Charges 2008 - March 2010		
Charge	Number of ICE Holds	Percent
Evade Justice/Non-Compliance	57	24.8%
DUI	39	17.0%
Revoked Driver's License	24	10.4%
Lack of Proper ID/DL or False ID/DL	19	8.3%
Theft/ Burglary	19	8.3%
Assault/Harassment	18	7.8%
Drug Posession, Use or Distribution /Alcohol	16	7.0%
Miscellaneous	14	6.1%
Property Damage/Violation	8	3.5%
Firearm-Related	6	2.6%
Other Driving-Related Offenses	6	2.6%
Child abuse	4	1.7%
Total	**230***	

*Note these totals do not include. Transfers between jails, contract inmates,

Benton County Jail ICE Hold Charges 2008-2011

Charge	Number of ICE Holds	Percent
DUI	201	24.4%
Lack of Proper ID/DL or False ID/DL	166	20.1%
Revoked Driver's license	86	10.4%
Theft/ Burglary	70	8.5%
Evade Justice /Noncompliance	69	8.4%
Drug Posession, Use or Distribution/ Alcohol	58	7.0%
Domestic Violence	51	6.2%
Miconduct in Public	31	3.8%
Assault/Harassment	26	3.2%
Property Damage/Violatio & Tresspass	21	2.5%
Other Driving-Related Offenses	20	2.4%
Child Abuse	12	1.5%
Firearm-Related	8	1.0%
Unlawful Recreational Fishing	3	0.4%
Rape	2	0.2%
Total	**824**	

Yakima County ICE Hold Charges 2008-2011

Charge	Number of ICE Holds	Percent
DUI	456	25.6%
Lack of Proper ID/DL or False ID/DL	219	12.3%
Drug Possession, Use or Distribution/ Alcohol	216	12.1%
Revoked Driver's license	155	8.7%
Other Driving-Related Offenses	134	7.5%
Evade Justice /Noncompliance	123	6.9%
Theft/ Burglary	116	6.5%
Assault/Harassment	100	5.6%
Domestic Violence	91	5.1%
Firearm-Related	65	3.6%
Property Damage/Violation (includes Malicious mischief) / Trespass	57	3.2%
Child Abuse	19	1.1%
Misconduct in Public or with Public Official	17	1.0%
Rape	16	0.9%
Total[159]	**1784**	

[159] Not included in this total are one attempted-murder and one "Unlawful Recreational Fishing" charges.

APPENDIX G1: Walla Walla Interview Release Form

Consent for Participation in Interview Research – Politics-Sociology 318, Professor Apostolidis

The State of the State for Washington Latinos 2011 - Whitman College

I (Daniel Merritt) and OneAmerica have partnered together to promote better immigration policies by learning how current immigration laws and programs affect individuals and the community. The dialogue and content of this interview will be used to write a report that describes how the Latino Community in Walla Walla has been impacted by the program Secure Communities. One America and I will eventually use this report to show the effect of Secure Communities on the Walla Walla community to government officials in Walla Walla and in the State Capitol. My questions will ask about your life, your experiences with law enforcement and Secure Communities, and the extent of your involvement with the community. I will also be asking questions that bring out your analysis of your own experiences and the current state of affairs in Walla Walla

This interview will last 45 minutes to an hour. At any time during this process, you may stop the interview entirely, or you may refuse to answer any question that I ask. Additionally, you should stop and ask a question if you are confused or if you need clarification. Unless indicated otherwise, I will use a false name when writing about this interview so that you remain anonymous to those who read the report.

To remember what you say in this interview, I will be taking notes– please continue to speak when I write things down. With your permission, I would like to record this interview on a portable recording device – this will help me remember perfectly what you say, so that I don't misrepresent you in my report and so that OneAmerica and I can do a better job of identifying changes that will help the Walla Walla Community.

This research is being conducted under the direction of Professor Paul Apostolidis as part of the larger "State of the State for Washington Latinos" project. Since 2005, this project has documented the current state of affairs for Latinos in Washington State in order to promote a more inclusive and equal democracy and society. This research and project have been accredited by the Whitman College Institutional Review Board.

Thank you for your participation in this study.

Permission to Record Interview: YES / NO. Remain Anonymous: YES / NO.

Interviewee Name (print): _____ Date: _____

Interviewee Signature: _____

Interviewer Signature: _____

Parent Signature if under 18 years old: _____

Whitman College
345 Boyer Ave.
Walla Walla, WA 99362
(509) 527-5111

Paul Apostolidis PhD.
(509) 522-4426
apostopc@whitman.edu

Daniel Merritt
280 Boyer Ave
Walla Walla, WA 99362
(909) 480-5854
merritde@whitman.edu

Consentimiento para Participación en una Entrevista – Política-Sociología 318, Profesor Apostolidis

The State of the State for Washington Latinos 2011 – Universidad de Whitman College

Yo (Daniel Merritt) de la Universidad de Whitman College y la organización OneAmerican han juntado a investigar la programa Secure Communities en el condado de Walla Walla y el efecto de esta programa en miembros de la comunidad Latino. El diálogo y contenido de esta entrevista sera usada para escribir un reporte que explica los efectos de Secure Communities – OneAmerica y yo mostraremos este reporte a oficiales en el gobierno de Walla Walla y del estado de Washington para provenir mejores leyes de inmigración.

Si está de acuerdo en ser entrevistado, su participación nos ayudará a estudiar estos problemas y a analizar cómo se pueden resolver. En este entrevista, preguntaré sobre tu vida, tus experiencias en la comunidad, con la policía, con inmigración y con la programa Secure Communities. En cada instancia, preguntaré usted a analizar tus experiencias y las condiciones de el condado de Walla Walla.

No hay riesgo previsible si participa en esta entrevista, ni debe usted sentir cualquier incomodidad. Su identidad en este estudio se mantendrá anónima excepto cuando usted nos da permiso para citarle por nombre. También debe saber que su participación en esta entrevista es voluntaria y que puede terminar la entrevista en cualquier momento, o negarse a responder cualquier pregunta.

Esta entrevista durará aproximadamente una hora. Con tu permiso, usaremos un grabadora para grabar la entrevista – esto nos ayudara recordar lo que dices para que podemos mejorar leyes de inmigracíon en el condado de Walla Walla.

Si tiene alguna pregunta sobre esta entrevista o de este proyecto de investigación puede comunicarse con Daniel Merritt al (909)-480-5854, o merritde@whitman.edu, o el Profesor Paul Apostolidis en el Whitman College al (509) 522-4426, o apostopc@whitman.edu.

Gracias por su participación en este estudio.

Permiso a grabar la entrevista: SI / NO. Quedar Anónima: SI / NO.

Nombre (escribir): _____ Fecha: _____

Firma: _____

Firma del entrevistador: _____

Firma de padra para
los menores de edad: _____

Whitman College
345 Boyer Ave.
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(509) 527-5111

Paul Apostolidis PhD.
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(909) 480-5854
merritde@whitman.edu

APPENDIX G2: Tri-Cities Interview Release Forms

Interview Release Form

I have been informed that the author, Madelyn Peterson, is researching and writing a report on the subject of the Secure Communities program in Benton and Franklin counties. I consent to the recording of my statements and grant to Madelyn Peterson the right to copy, reproduce, and use all or a portion of the recorded statements (the "Interview") for the purpose of this research and public information.

I understand that I may stop the interview at any time, I can refuse to answer any questions, and I can request at any time that the recording device be turned off.

(If the interview subject is under 18, a parent or guardian's consent is required).

Printed name

Signature Date

If you have any questions about the interview or the research, please contact Madelyn Peterson at petersms@whitman.edu or Prof. Paul Apostolidis at (509) 522-4426 or apostopc@whitman.edu.

Thank you for your participation in this study.

Interview Consent Form

Student researchers from Whitman College in partnership with OneAmerica are conducting a study on Secure Communities here in the Tri-Cities. We are focusing in particular on the relationship of the Latino community and local law enforcement.

There is no foreseeable risk if you participate in this interview, nor should you experience any discomfort. If you agree to be interviewed, your participation will help us to study these relationships and policies and to analyze how they can be improved in the Tri-Cities.

Your identity in this study will remain anonymous unless you give us permission to quote you by name. You should also know that your participation in this interview is voluntary and that you may end the interview at any time.

If you have any questions about this interview or this research project please contact Professor Paul Apostolidis at (509) 522-4426 at Whitman College, or email him at apostopc@whitman.edu.

Thank you for your participation in this study.

SIGNATURE: _____

[IF UNDER 18 PARENTS SIGNATURE:

_____ **]**

Date: _____

Formulario de Consentimiento

"Investigadores estudiantiles de la Universidad Whitman College en asociación con OneAmerica están llevando a cabo un estudio sobre Secure Communities aquí en Tri-Cities. Nos enfocamos especialmente en la relacion entre la policía y la comunidad Latina.

"No hay riesgo previsible si participa en esta entrevista, ni debe usted sentir cualquier incomodidad. Si está de acuerdo en ser entrevistado, su participación nos ayudará a estudiar estos relaciones y políticas y a analizar cómo se pueden mejorar.

"Su identidad en este estudio se mantendrá anónima excepto cuando usted nos de permiso para citarle por nombre. También debe saber que su participación en esta entrevista es voluntaria y que puede terminar la entrevista en cualquier momento.

"Si tiene alguna pregunta sobre esta entrevista o de este proyecto de investigación puede comunicarse con el Profesor Paul Apostolidis al (509) 522-4426 en el Whitman College, o puede mandarle un mensaje de email a: apostopc@whitman.edu.

"Gracias por su participación en este estudio**."**

FIRMA: _____

[FIRMA DE PADRE PARA LOS MENORES DE EDAD:

_____]

Fecha: _____

APPENDIX G3: Yakima Interview Release Form

Consent for Participation in Interview Research – Politics-Sociology 318, Professor Apostolidis
The State of the State for Washington Latinos 2011 - Whitman College

I (Spencer May) and OneAmerica have partnered together to promote better immigration policies by learning how current immigration laws and programs affect individuals and the community. The dialogue and content of this interview will be used to write a report that describes how the Latino Community in Yakima has been impacted by the program Secure Communities. One America and I will eventually use this report to show the effect of Secure Communities on the Yakima community to government officials in Yakima and in the State Capitol. My questions will ask about your life, your experiences with law enforcement and Secure Communities, and the extent of your involvement with the community. I will also be asking questions that bring out your analysis of your own experiences and the current state of affairs in Yakima.

This interview will last 45 minutes to an hour. At any time during this process, you may stop the interview entirely, or you may refuse to answer any question that I ask. Additionally, you should stop and ask a question if you are confused or if you need clarification. Unless indicated otherwise, I will use a false name when writing about this interview so that you remain anonymous to those who read the report.

To remember what you say in this interview, I will be taking notes– please continue to speak when I write things down. With your permission, I would like to record this interview on a portable recording device – this will help me remember perfectly what you say, so that I don't misrepresent you in my report and so that OneAmerica and I can do a better job of identifying changes that will help the Yakima Community.

This research is being conducted under the direction of Professor Paul Apostolidis as part of the larger "State of the State for Washington Latinos" project. Since 2005, this project has documented the current state of affairs for Latinos in Washington State in order to promote a more inclusive and equal democracy and society. This research and project have been accredited by the Whitman College Institutional Review Board.

Thank you for your participation in this study.

Permission to Record Interview: YES / NO. Remain Anonymous: YES / NO.

Interviewee Name (print): _____ Date: _____

Interviewee Signature: _____

Interviewer Signature: _____

Parent Signature if under 18 years old: _____

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maysl@whitman.edu

Consentimiento para Participación en una Entrevista – Política-Sociología 318, Profesor Apostolidis

The State of the State for Washington Latinos 2011 – Universidad de Whitman College

Yo (Spencer May) de la Universidad de Whitman College y la organización OneAmerican han juntado a investigar la programa Secure Communities en el condado de Yakima y el efecto de esta programa en miembros de la comunidad Latino. El diálogo y contenido de esta entrevista sera usada para escribir un reporte que explica los efectos de Secure Communities – OneAmerica y yo mostraremos este reporte a oficiales en el gobierno de Yakima y del estado de Washington para provenir mejores leyes de inmigración.

Si está de acuerdo en ser entrevistado, su participación nos ayudará a estudiar estos problemas y a analizar cómo se pueden resolver. En este entrevista, preguntaré sobre tu vida, tus experiencias en la comunidad, con la policía, con inmigración y con la programa Secure Communities. En cada instancia, preguntaré usted a analizar tus experiencias y las condiciones de el condado de Yakima.

No hay riesgo previsible si participa en esta entrevista, ni debe usted sentir cualquier incomodidad. Su identidad en este estudio se mantendrá anónima excepto cuando usted nos da permiso para citarle por nombre. También debe saber que su participación en esta entrevista es voluntaria y que puede terminar la entrevista en cualquier momento, o negarse a responder cualquier pregunta.

Esta entrevista durará aproximadamente una hora. Con tu permiso, usaremos un grabadora para grabar la entrevista – esto nos ayudara recordar lo que dices para que podemos mejorar leyes de inmigracíon en el condado de Yakima.

Si tiene alguna pregunta sobre esta entrevista o de este proyecto de investigación puede comunicarse con Spencer May al (707)-299-9642, o maysl@whitman.edu, o el Profesor Paul Apostolidis en el Whitman College al (509) 522-4426, o apostopc@whitman.edu.

Gracias por su participación en este estudio.

Permiso a grabar la entrevista: SI / NO. Quedar Anónima: SI / NO.

Nombre (escribir): _____ Fecha: _____

Firma: _____

Firma del entrevistador: _____

Firma de padra para
los menores de edad: _____

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APPENDIX H1: Public Documents Request Walla Walla County

September 19 2011

Mark Spinks
Public Records Officer
Walla Walla County Corporate Counsel
314 W Main, Room 215, PO Box 1506, Walla Walla, WA 99362

Dear Mr. Spinks,

I write to submit a public records request pursuant to Washington State's Public Records Act (RCW Chapter 42.56). Please note that RCW 42.56.520 requires agencies to respond to requests for public records within five business days.

Specifically, I request **access to and a copy** of the following documents from the period January 1, 2008 to present:

1. A list of **names of all detainees transferred to ICE custody** during the specified period, broken down by month and year. The month in which they were transferred should also be listed.
2. A list of **names of all detainees** held in Walla Walla County, Jails, Detention facilities or prisons for whom Walla Walla County or law enforcement **received Form I-247 Immigration Detainers**, including:
    - the criminal charges filed against them,
    - length of their detention
    - date of arrest and admission in to Walla Walla County Detention center or jail.

   for the specified period (January 1st 2008 to present) broken down by month and year.
3. **Financial statements** for Walla Walla County Law Enforcement and the Walla Walla County Sheriff's Office, including the following documents:
    - Any **charges, reimbursements or invoices associated with detaining inmates** in local detention facilities, jails, or prisons, pursuant to a temporary immigration detainer, specifically, **Form I-247 Immigration Detainer** – Notice of Action.

   Any charges billed to or invoiced to, and amounts **received from, ICE, CBP, DHS or other federal government agency** for detention, transportation, or staffing services **related to detention of noncitizens** at the Walla Walla County Jail or other holding facilities, for either criminal or immigration-related purposes
4. Any **policies and procedures**, including intra-agency communications, whether in written or electronic form, of the Walla Walla County Sheriff's Office relating to:
    - **immigration enforcement**, and/or

- guidance to officers regarding **inquiries about immigration status**, and/or
- addressing and/or referencing **communication, cooperation and/or collaboration** with Immigration and Customs Enforcement (**ICE**), Customs and Border Protections (**CBP**), and/or other Department of Homeland Security (**DHS**) subagencies, and/or
- discussing or referencing the **Secure Communities program**, the **Criminal Alien Program** or other **DHS-related enforcement** programs.

5. Any and all **communications**, whether written or electronic (including emails), between:
   - Walla Walla County Commissioners,
   - the Walla Walla County Sheriff's Office, and/or
   - other local arresting agencies within Walla Walla County (e.g., City of Walla Walla Police, local police departments)

   and:
   - ICE,
   - CBP,
   - DHS subagencies, and/or
   - other federal government subagencies

   relating to or referencing the DHS' **Secure Communities program**, **Criminal Alien Program**, and/or any other program or action relating to collaboration in or cooperation with immigration enforcement, including any joint operations and joint task force activities.

6. Any and all **memoranda, agreements, contracts, communications** (including emails), whether in written or electronic form, between:
   - Walla Walla County Commissioners,
   - Walla Walla Police or other local law enforcement,
   - Walla Walla County Sheriff's Office

   and:
   - ICE,
   - CBP,
   - DHS subagencies, and/or
   - other federal government subagencies

   relating to or referencing the **Criminal Alien Program**, **Secure Communities** program or any other **ICE enforcement action or program**.

7. Any and all **memoranda, agreements, contracts, communications** (including emails), whether in written or electronic form, between:
   - Walla Walla County Commissioners,
   - Employees of the ICE detention center,
   - Walla Walla Police or other local law enforcement,
   - Walla Walla County Sheriff's Office

   and;
   - ICE,

- CBP and/or
- other DHS or federal government subagencies

relating to or referencing any monetary reimbursement payments by any federal government agency for costs to Walla Walla county incurred due to participation in ICE/CBP enforcement actions as well as due to the detention of immigrants, including but not limited to:

- copies of reimbursement requests pursuant to the State Criminal Alien Program (SCAAP), including the amount applied for and subsequently received for SCAAP; and
- Intergovernmental Service Agreements (IGSA).

Please provide any documents containing an **explanation of how annual amounts requested for reimbursement applications are determined**, specifically how the jurisdiction determines the requisite "undocumented aliens" status for otherwise eligible detainees for whom you seek SCAAP reimbursement.

8. Any and all communications (including emails), whether in written or electronic form, **relating to or referencing meetings** between Walla Walla County Commissioners, Walla Walla Police, the Walla Walla County Sheriff's Office and representatives from ICE, CBP, or other DHS subagencies, **including meeting dates, participants, agendas and notes** whether in written or electronic from the meetings.

If you refuse to provide any of the specified information in this request, please provide a written explanation for the refusal, including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material. As provided by RCW 42.56.520, I will treat a failure to respond within five (5) days as an effective denial of our request and will pursue other legal means to obtain access to the records.

If your agency does not maintain these public records, please advise us as to who does and include the proper custodian's name and address.

I am requesting that any fees for searching and reproduction of the requested documents be waived since these documents are being requested by an academic research group to serve the public interest and will not be used for commercial gain. I am requesting these documents for an undergraduate community-based research project to better understand the relationship between Walla Walla County law enforcement officials and the federal agencies tasked with enforcing immigration law.

If possible, I prefer to receive all data in electronic format, with the data in an excel database worksheet, any word documents and e-mails may be provided in .pdf format. If you have questions regarding this request, feel free to me, Daniel Merritt, at merritde@whitman.edu.

Thank you for your assistance.
Sincerely,

Daniel Merritt
Whitman College
merritde@whitman.edu

APPENDIX H2: Public Records Request Franklin County

September 20, 2011

Fred Bowen
County Administrator
1016 North Fourth Ave
Pasco, Washington 99301

Dear Mr. Bowen,

I write to submit a public records request pursuant to Washington State's Public Records Act (RCW Chapter 42.56). Please note that RCW 42.56.520 requires agencies to respond to requests for public records within five business days.

Specifically, I request **access to and a copy** of the following documents from the period January 1, 2008 to present:

9. Any **policies and procedures**, including intra-agency communications, whether in written or electronic form, of the Franklin County Department of Corrections (DOC) and/or Franklin County Sheriff's Office relating to:
    - **immigration enforcement**, and/or
    - guidance to officers regarding **inquiries about immigration status**, and/or
    - addressing and/or referencing **communication, cooperation and/or collaboration** with Immigration and Customs Enforcement (**ICE**), Customs and Border Protections (**CBP**), and/or other Department of Homeland Security (**DHS**) subagencies, and/or
    - discussing or referencing the **Secure Communities program**, the **Criminal Alien Program** or other **DHS-related enforcement** programs.

10. Any and all **communications**, whether written or electronic (including emails), between:
    - Franklin County Commissioners,
    - Franklin County DOC,
    - the Franklin County Sheriff's Office, and/or

- other local arresting agencies within Franklin County (e.g., City of Pasco Police, local police departments)

and:

- ICE,
- CBP,
- DHS subagencies, and/or
- other federal government subagencies

relating to or referencing the DHS' **Secure Communities program**, **Criminal Alien Program**, and/or any other program or action relating to collaboration in or cooperation with immigration enforcement, including any joint operations and joint task force activities.

11. Any and all **memoranda, agreements, contracts, communications** (including emails), whether in written or electronic form, between:
    - Franklin County Commissioners,
    - employees of the Franklin County DOC,
    - Franklin County Sheriff's Office

    and:
    - ICE,
    - CBP,
    - DHS subagencies, and/or
    - other federal government subagencies

    relating to or referencing the **Criminal Alien Program**, **Secure Communities** program or any other **ICE enforcement action or program**.

12. Any and all **memoranda, agreements, contracts, communications** (including emails), whether in written or electronic form, between:
    - Franklin County Commissioners,
    - employees of the Franklin County DOC,
    - Franklin County Sheriff's Office

    and;
    - ICE,
    - CBP and/or
    - other DHS or federal government subagencies

    relating to or referencing any monetary reimbursement payments by any federal government agency for costs to Franklin county incurred due to participation in ICE/CBP enforcement actions as well as due to the detention of immigrants, including but not limited to:
    - copies of reimbursement requests pursuant to the State Criminal Alien Program (SCAAP),
    - Intergovernmental Service Agreements (IGSA).

    Please provide any documents containing an **explanation of how annual amounts requested for reimbursement applications are determined**, specifically how the jurisdiction determines the requisite "undocumented aliens" status for otherwise eligible detainees for whom you seek SCAAP reimbursement.

13. Any and all communications (including emails), whether in written or electronic form, **relating to or referencing meetings** between Franklin County Commissioners, Franklin County DOC , the Franklin County Sheriff's Office and representatives from ICE, CBP, or other DHS subagencies, **including meeting dates, participants, agendas and notes** whether in written or electronic from the meetings.

14. **Financial statements** for Franklin County DOC and the Franklin County Sheriff's Office, including the following documents:
    - Any **charges, reimbursements or invoices associated with detaining inmates** in the Franklin County DOC pursuant to a temporary immigration detainer, specifically, **Form I-247 Immigration Detainer** – Notice of Action.
    - Any charges billed to or invoiced to, and amounts **received from, ICE, CBP, DHS or other federal government agency** for detention, transportation, or staffing services **related to detention of noncitizens** at the Franklin County Department of Corrections, for either criminal or immigration-related purposes.

15. A list of **names of all detainees** held in the Franklin County DOC for whom the Franklin County DOC **received Form I-247 Immigration Detainers**, including:
    - the criminal charges filed against them,
    - length of their detention
    - date of arrest and admission into Franklin County DOC

    for the specified period (January 1st 2008 to present) broken down by year and month.

16. A list of **names of all detainees transferred to ICE custody** during the specified period, broken down by year and month.

If you refuse to provide any of the specified information in this request, please provide a written explanation for the refusal, including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material. As provided by RCW 42.56.520, I will treat a failure to respond within five (5) days as an effective denial of our request and will pursue other legal means to obtain access to the records.

If your agency does not maintain these public records, please advise us as to who does and include the proper custodian's name and address.

I am requesting that any fees for searching and reproduction of the requested documents be waived since these documents are being requested by an academic research group to serve the public interest and will not be used for commercial gain. I am requesting these documents for an undergraduate community-based research project to better understand the relationship between Franklin County law enforcement officials and the federal agencies tasked with enforcing immigration law.

If possible, I prefer to receive all data in electronic format, with the data in an excel database worksheet, any word documents and e-mails may be provided in .pdf format. If you have questions regarding this request, feel free to me, Madelyn Peterson, at petersms@whitman.edu.

Thank you for your assistance.
Sincerely,

Madelyn Peterson
Whitman College
petersms@whitman.edu

APPENDIX H3: Public Records Request Yakima County
June 13, 2011

Stormy Miller
Public Records Officer
Yakima County Corporate Counsel
128 North Second Street, Yakima, WA

Dear Ms. Miller,

We write to submit a public records request pursuant to Washington State's Public Records Act (RCW Chapter 42.56). We would like to request a fee waiver or reduction of fees in consideration of the fact that the documents sought for disclosure primarily benefits the public and are being requested by a not-for-profit organization and not for commercial gain. Please note that RCW 42.56.520 requires agencies to respond to requests for public records within five business days.

Specifically, we request access to and a copy of the following documents from the period January 1, 2008 to present:

1) Any policies and procedures, including intra-agency communications, whether in written or electronic form, of the Yakima County Department of Corrections (DOC) and/or Yakima County Sheriff's Office relating to immigration enforcement, and/or providing guidance to officers regarding inquiries about immigration status, and/or addressing and/or referencing communication, cooperation and/or collaboration with Immigration and Customs Enforcement (ICE) and/or Customs and Border Protections (CBP) and/or other Department of Homeland Security (DHS) subagencies, and/or discussing or referencing the Secure Communities program, the Criminal Alien Program or other DHS-related enforcement programs.

2) Any and all communications, whether written or electronic (including emails), between Yakima County Commissioners, Yakima County DOC, the Yakima

County Sheriff's Office, and/or other local arresting agencies within Yakima County (e.g., City of Yakima Police, local police departments) with ICE, CBP or other DHS subagencies relating to or referencing the Department of Homeland Security's Secure Communities program, Criminal Alien Program, and/or any other program or action relating to collaboration in or cooperation with immigration enforcement, including any joint operations and joint task force activities.

3) Any and all memoranda, agreements, contracts, communications (including emails), whether in written or electronic form, between Yakima County Commissioners, employees of the Yakima County DOC, Yakima County Sheriff's Office and ICE, CBP and/or other DHS or other federal government subagencies relating to or referencing the Criminal Alien Program, Secure Communities program or any other ICE enforcement action or program.

4) Any and all memoranda, agreements, contracts, communications (including emails), whether in written or electronic form, between Yakima County Commissioners, employees of the Yakima County DOC, Yakima County Sheriff's Office and ICE, CBP and/or other DHS or federal government subagencies relating to or referencing any monetary reimbursement payments by any federal government agency for costs to Yakima county incurred due to participation in ICE/CBP enforcement actions as well as due to the detention of immigrants, including but not limited to copies of reimbursement requests pursuant to the State Criminal Alien Program (SCAAP), Intergovernmental Service Agreements (IGSA). Please provide any documents containing an explanation of how annual amounts requested for reimbursement applications are determined, specifically how the jurisdiction determines the requisite "undocumented aliens" status for otherwise eligible detainees for whom you seek SCAAP reimbursement.

5) Any and all communications (including emails), whether in written or electronic form, relating to or referencing meetings between Yakima County Commissioners, Yakima County DOC , the Yakima County Sheriff's Office and representatives from ICE, CBP, or other DHS subagencies, including meeting dates, participants, agendas and notes whether in written or electronic from the meetings.

6) Financial statements for Yakima County DOC and the Yakima County Sheriff's Office, including the following documents:
    - Any charges, reimbursements or invoices associated with detaining inmates in the Yakima County DOC pursuant to a temporary immigration detainer, specifically, Form I-247 Immigration Detainer – Notice of Action.
    - Any charges billed to or invoiced to, and amounts received from, ICE, CBP, DHS or other federal government agency for detention, transportation, or staffing services related to detention of noncitizens at the

Yakima County Department of Corrections, for either criminal or immigration-related purposes.

7) A list of names of all detainees held in the Yakima County DOC for whom the Yakima County DOC received Form I-247 Immigration Detainers, and the criminal charges filed against them, for the specified period broken down by year.

8) A list of names of all detainees transferred to ICE custody during the specified period, broken down by year.

If you refuse to provide any of the specified information in this request, please provide a written explanation for the refusal, including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material. As provided by RCW 42.56.520, OneAmerica will treat a failure to respond within five (5) days as an effective denial of our request. At that time, we will pursue other legal remedies in order to obtain access to the requested records.

We are requesting that any fees for searching and reproduction of the requested documents be waived since these documents are being requested by the nonprofit agency OneAmerica to serve the public interest and will not be used for commercial gain. OneAmerica is requesting these documents to better understand and inform the public regarding the relationship between Yakima County law enforcement officials and the federal agencies tasked with enforcing immigration law. The limited information made public to date has not illuminated the public understanding of the relationship between Yakima County law enforcement agencies and the federal government.

If your agency does not maintain these public records, please advise us as to who does and include the proper custodian's name and address.

If possible, OneAmerica prefers to receive all data in electronic format, with the data in an excel database worksheet, any word documents and e-mails may be provided in .pdf format. If you have questions regarding this request, feel free to contact Toby Guevin, State Policy & Legislative Manager for OneAmerica at 206-452-8416 or toby@weareoneamerica.org.

Thank you for your assistance.
Sincerely,

Toby Guevin
State Policy & Legislative Manager
OneAmerica
206-452-8416
toby@weareoneamerica.org