

# Donald Trump is expanding a system of immigration enforcement which already punishes immigrants and makes them vulnerable.

 [blogs.lse.ac.uk/usappblog/2017/03/24/donald-trump-is-expanding-a-system-of-immigration-enforcement-which-already-punishes-ir](https://blogs.lse.ac.uk/usappblog/2017/03/24/donald-trump-is-expanding-a-system-of-immigration-enforcement-which-already-punishes-ir)

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*A large part of Donald Trump's 2016 election campaign played on many Americans' concerns about immigration, and since coming into office, Trump has stepped up immigration enforcement. [Inés Valdez](#) writes that the Trump administration's actions are only the latest iteration of punitive immigration enforcement policies that have been developing for three decades, and which are a way for right-wing populists to play on the anxieties of White Americans.*

The US Immigration Enforcement Regime is currently in full swing. The Trump administration began its attacks on undocumented immigrants with high profile raids, followed by the reinstatement and encouragement of programs that connect federal and state and local law enforcement on immigration matters. It has dismantled the set of priorities established by President Barack Obama in 2014, which sheltered certain groups of immigrants from deportation.

To understand the full range of capabilities and the character of the bureaucracy available to the new administration, it is important to understand the legislative origins and recent historical development of immigration enforcement. In particular, it is important to note that, first, the effects of the system of immigration enforcement reach farther than just those directly affected (i.e., through detention and deportation), and, second, that the reach of the immigration enforcement bureaucracy is significantly responsive to executive discretion, which explains the varied actual reach of this enforcement throughout the Obama administration and provides the tools for dramatic changes currently taking place in the absence legislative guidance. Finally, my analysis shows that the system of immigration enforcement operates as a laboratory of a broader tendency of the contemporary populist right: to pair discourses of white victimization with the narrative and material construction of threatening others.

Congress has not passed legislation containing a path to regularization since 1986. In the meantime, however, the policing arm of the system of immigration enforcement has been strengthened and—particularly after 9/11—has received a massive amount of resources. This has resulted in a vast increase of surveillance of (predominantly Mexican and Central American) immigrant populations and their families. This expansion was achieved through the dispersion of immigration enforcement authority toward state and local enforcement officials.

The “dispersal of sovereignty” means that in addition to increasing direct forms of punishment, including all-time high levels of immigrant detention and deportation, the immigration enforcement regime has created a [punishing life](#) for the majority of immigrants that have remained in US territory. In practice, this means that undocumented immigrants and—more broadly—working class Latina/os sharing residential areas and family relations with undocumented immigrants are subjected to tougher lived experiences, working conditions, and paths to [citizenship](#).

Regarding lived experiences, the increased risk of raids and encounters with law or immigration enforcement means that migrants experience vulnerability and fear in their daily lives. The restriction of access to social services and the denial of drivers' licenses means that their wellbeing and mobility is directly constrained. Moreover, around [40 percent of Latina/o citizens eligible to vote](#) know someone who has experienced immigration detention and/or deportation, a figure that is likely higher for undocumented immigrants, thus resulting in heightened economic and emotional hardship.

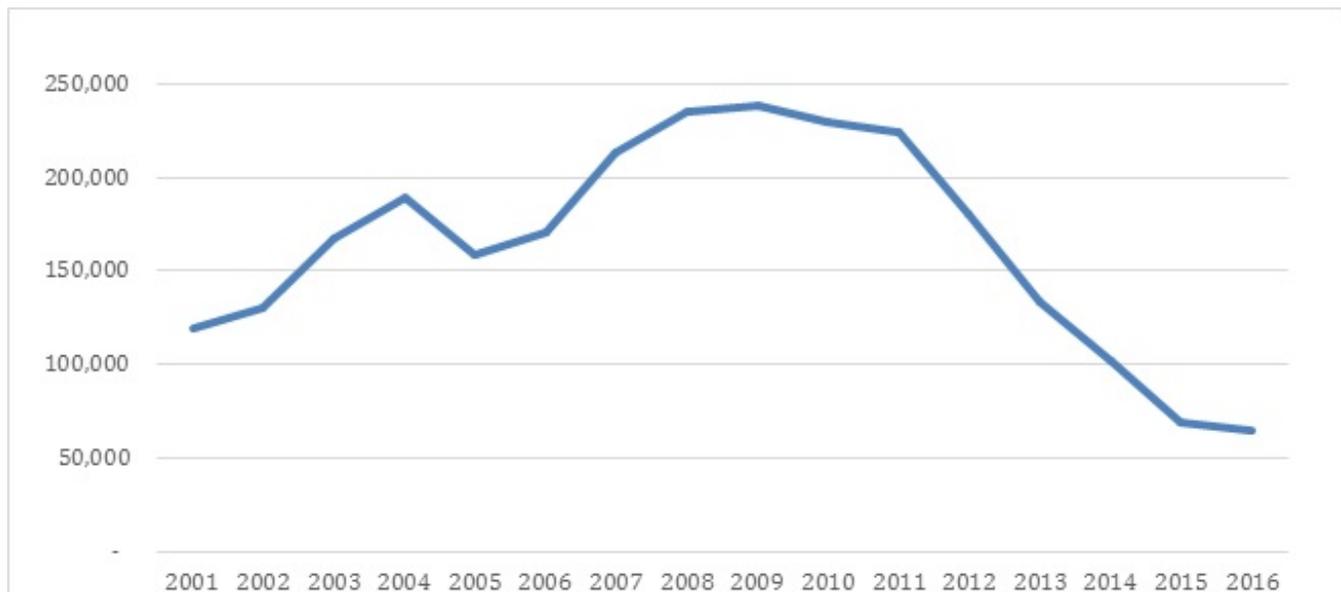
Working conditions have deteriorated and wages have decreased among Mexican migrants, a trend that scholars

associate with the lack of [full labor rights among undocumented immigrants](#) and the increased [discrimination and enforcement](#) against [them](#). This produces tough workplace conditions, where fear of raids or employer's contacts with Immigration and Customs Enforcement (ICE) magnifies migrants' economic [exploitability](#).

Finally, regarding paths to citizenship, the lack of generalized access to legal status is combined with a series of selective and arduous roads to status, most notably through military [service](#), often limited to mere deferral from deportation, as is the case of migrants who entered the United States as minors targeted by the Deferred Action for Childhood Arrivals ([DACA](#)) ordered by President Obama in 2011.

In addition to creating a punitive life for the universe of undocumented racialized migrants, however, immigration enforcement has had deep material effects on immigrant communities. This is evident in the record amount of immigrants being removed since 9/11 and, in particular, during the Obama administration, as figure 1 shows.

**Figure 1 – Annual Interior Removals (FY 2001-2016)**



**Source: US Immigration and Customs Enforcement annual removal reports [2001-20071 data estimated by subtracting expedited removal numbers from total removals ([Coleman 2002](#)); 2008-2012 data calculated deducting border removal [figures](#) from total removal [data](#); 2013-2016 data based on interior removal yearly figures available since 2014].**

Two things are notable in Figure 1; first is the sheer amount of people removed from their families and communities during this period (with the Obama administration alone being responsible for almost a million and half removals, and the overall tally of the period over two million and a half). The magnitude of this forced displacement of a population, predominantly Mexican and Central American [men](#), should give us pause. The relative smooth implementation of such massive population displacement speaks of the currency of narratives of victimization that present immigrants as dangerous criminals, on the one hand, and the tendency to present deportations as targeting predominantly such avowed criminals. This is against the evidence of the lower levels of criminality among immigrant [populations](#) and the duplicitous categorization of traffic offenses, irregular entry, and other minor violations as “criminal” in enforcement [data](#) (excepting perhaps Obama's last two years in office, which operated with stricter categories). Even with the “inflated” criminality data, deportations of non-criminal migrants amounted to as much as 69% and never fell below 40% [under Obama](#).

A second notable feature of the figure is the steep decline in deportations from the interior after 2011, reflecting the significant policy shifts that took place at this time. In June of 2012, after several immigration bills failed to pass

Congress, Obama issued an executive measure (Deferred Action for Childhood Arrivals, DACA) that deferred deportation for undocumented migrants who arrived to the United States as minors and held a high school diploma. Two years later, a second executive action expanded DACA eligibility and deferred deportation for parents of citizens and permanent residents (DAPA), whose implementation was suspended in court by a motion filed by Republican states. These measures were accompanied by other executive actions that both expanded relief and created new vulnerabilities, continuing to differentiate sub-groups among migrants and protecting some of these groups while intensifying the vulnerability to deportation for [others](#).

These measures followed from the failure of Obama's stated expectation that convincing Republicans of his commitment to enforcing the laws would bring them to the negotiating [table](#). "Enforcing the laws" resulted in the uprooting over a million and a half community members around the country but did not bring Republicans to the negotiating table. Instead, it showed that Obama's calculation was misguided; that punishment itself—of those deported and those leading vulnerable, surveilled lives—is valued in and of itself as the end of immigration enforcement, as a form of intervention that produces affective attachments that fit well with anxieties and a sense of victimization prevalent among whites in contemporary Western [societies](#), who were a central part of the Republican coalition that brought Donald J. Trump to power.

Since assuming power, and relying upon the same discretionary powers that Obama [enjoyed](#), Trump has consistently followed upon his campaign promises on the realm of migration. His widespread claims about the badness of Mexican men [*hombres*], whom he identified as rapists and gang members was followed by a series of measures increasing ICE and Border Patrol officers (by ten and five thousand men and women, respectively), dismantling most priorities (or—in other words—making almost any undocumented immigrant a [priority](#) for [deportation](#)), expanding the reach and temporal range of expedited removals (i.e., removals without contact with an immigration judge), and expanding [immigrant detention](#).

Yet the most superfluous as well as the most telling of Trump's legal innovations has been the creation of the Victims Of Immigration Crime Engagement [office](#) (VOICE), which is supposed to "provide proactive, timely, adequate, and professional services to victims of crimes committed by removable aliens and the family members of such victims." This office is to be funded by "[reallocat\[ing\] any and all resources that are currently used to advocate on behalf of illegal aliens \(except ... to comply with a judicial order\)](#)." This action perhaps most clearly reveals what is really at stake in immigration enforcement and the Trump administration's tenuous relationship to truth: the goal is not to target the "criminal alien" but rather, through actions predicated upon false narratives of criminalization, to create one where none [existed](#).

*This article is based on the paper, 'Punishment, Race, and the Organization of U.S. Immigration Exclusion', in Political Research Quarterly.*

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*Note: This article gives the views of the author, and not the position of USAPP – American Politics and Policy, nor the London School of Economics.*

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