ENCOUNTERS WITH LAW ENFORCEMENT: LATINO IMMIGRANT VULNERABILITIES TO HUMAN RIGHTS ABUSE

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Para mis padres, Natalio y Martina Perez,

inmigrantes, y ejemplos excepcionales

and

for my dear husband, Fedel Flores,

a supportive friend, believer

and an incomparable life partner

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Si se puede!

Abstract

Although the United States boasts democratic values and promises equality for its citizens, all communities are not treated equally by law enforcement. Increased concerns about immigration have amplified contact between law enforcement and Latino immigrants. In fact, in 2007 about 291,000 immigrants were deported in comparison to about 396,000 immigrants in 2011 (U.S. Department of Homeland Security 2012). This increase in deportations and surveillance has led to harassment and human rights abuse across the country and in Michigan (America's Voice, 2011). The purpose of the project was to use semi-structured interviews and a short demographics questionnaire of Latino immigrants that interacted with law enforcement to investigate the factors that make them vulnerable to human rights abuse. I found that a limited English proficiency, an accent, gender, youth and a dark complected skin color influenced Latino immigrant's interactions with law enforcement. First, limited English speakers and immigrants with "foreign" accents were more susceptible to abuse in comparison to bilingual immigrants without accents. Second, Latina immigrants were protected from human rights abuse by their gender. However their gender did not protect them from paternalism or sexism which sometimes led to harassment. Men on the other hand, were vulnerable to abuse due to their gender. Third, younger Latino males were more likely to have their human rights violated in comparison to older men or women. Finally, the factor that made Latino immigrants most vulnerable to abuse was their skin color. Dark complected Latino immigrants were more likely to be approached by law enforcement and ran a higher risk to human rights abuse compared to light complected immigrants. This is due to "illegality" being imprinted in the skin of dark complected immigrants who are imagined as outsiders in a country that imagines itself as White.

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Preface

"It is all about fear. Fear invades us. They're constantly cleaning out immigrants. A day doesn't pass without thoughts of this. It's like poison in your brain." (Orner et al. 2008)

As a person who was undocumented the majority of my childhood and early adult life, I understand how the fear described keeps undocumented immigrants in the shadows of American society. Until recently I could not escape this fear. I did not feel safe going to school, driving to work or even going to church. I was afraid that at any moment someone would find out I was undocumented and I would lose my family.[1]

Crossing the border as undocumented immigrants was not an easy decision for my parents to make. My father tried to stay in Mexico, but our migration was inevitable. As an agricultural worker who sold his produce to large companies that shipped their products to the United States, his labor was not paying off and he was not making enough to put food on our table. Even though my parents knew that we would be on the margins of American society, they decided that it was preferable to migrate without proper documentation than allowing their children to starve. It was survival and the preservation of our family that drove them to cross.

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[1] My decision to disclose my past undocumented history is political. I personally believe that most Americans do not speak sensibly about immigration. Many dehumanize immigrants without knowing the complexities and difficulties that most immigrants face. I am sharing my past to show everyone willing to read on, that I am the embodiment of the mythic American Dream. I have picked myself up by my "bootstraps," but I did not do this alone. I had the encouragement of my parents, siblings and my husband. As the first person to go to college out of my family, the first out of my family to be an honors student, and the first person out of anyone I personally know to meet the President of the United States, I am not willing to deny who I was because it made me who I am today. Most immigrants who become residents or citizens often erase the fact that at one time they were undocumented. They make it seem as if their undocumented status never existed. In my opinion, this has continued the cycle of ignorance about the issue. I am not willing to continue the cycle.

My status as an immigrant helped me access a community that is not easily reached by mainstream America because of the real threat they pose to this community. Due to my personal background I was able to identify with my participants. Even though I grew up hearing stories about families being separated, and community members being incarcerated, I had never heard them directly from the victims. It was this personal experience that opened my eyes and made me understand the basis of my previous fears. It also made me realize that even with papers my family, and I could still be at risk of harassment or human rights abuse and this is discouraging.

INTRODUCTION

Undocumented immigration is an emotional and political issue that has not been solved by our political leaders. In fact, since 2007 the number of deportations has increased drastically. In that year about 291,000 immigrants were deported in comparison to 396,000 in 2011. This is about a 100,000 annual increase in deportations (U.S. Department of Homeland Security 2012). Also, in 2010 President Obama increased the number of troops on the Arizona border (Kelly, Rough 2010). The issue has become so controversial that it is regularly on mainstream media (Henry 2012; Slevin 2010) and recently it is debated by Presidential candidates (Beaumont et al. 2011). Due to increased surveillance and attention to the issue, Latino immigrants have suffered abuse by law enforcement including in the state of Michigan (America's Voice 2011). The current abuse has been documented by immigrant organizations, but research on Latino immigrants and their interactions with law enforcement are merely absent from academia. It was my goal to understand the factors that make them vulnerable to abuse and to understand how their characteristics such as gender, age, language proficiency and skin complexion influence the outcome of their interactions.

To understand Latino ties to illegality I will describe its development in national discourse. The term is primarily associated with Mexicans and can be traced back to the 19th Century after the United States annexed the northern part of Mexico, what we now know as the Southwest. Due to the Manifest Destiny philosophy and Anglos perceived superiority, Mexicans and Mexican Americans were made "illegals" in their own lands (Romo 1996).

According to historians, as the United States became an industrial power it encouraged migration from Mexico. There are two waves associated with this migration. The first occurred from 1900-1930 and the second from World War II to present day. Both waves were driven by

"North American geopolitical and economic expansion" which "organize[d] dependable labor" flows into and out of the country (Rumbaut as quoted in Romo 1996).

In 1924 the Johnson-Reed Act was passed into law. This law set preferential quotas for immigrants from northwest Europe, but "largely to the urging of American growers and ranchers, no limits were set on Western Hemisphere" migration. These private interests lobbied for this exception because they understood that "cheap, unskilled labor could be recruited when needed" and those laborers could be deported "*en masse*" when they were no longer necessary (Rumbaut 1996).

The quota system was put in place during the first wave of Mexican migration in the early 1900s. This wave was fueled by America's need for cheap labor and ended during the Great Depression. Due to the Stock Market crash an exodus of unemployed white Americans moved to the southwest. During this time Whites provided new sources of labor for employers and they took the jobs previously occupied by Mexican immigrants and Mexican Americans. The increased competition for jobs led to the repatriation and deportation of Mexican residents across the Southwest. During this time the United States disregarded citizenship and illegally deported American families of Mexican descent and did not permit laborers "to collect their wages" (Holmes as quoted by Romo 1996). The deportation of Mexican nationals led to American hostility of "aliens." It also led to an increase of stereotypes which included that Mexicans were lazy, passive and incompetent workers (Romo 1996; Johnson 2004). These references are pervasive to this day.

The second wave of immigration started when the United States entered WWII. The deployment of American troops led to a shortage of laborers. Once again, U.S. employers lobbied the United States government to find a solution to the lack of workers. The U.S. reached

to its neighbor to the south, and The Bracero Program was created in 1942. This foreign labor importation program between Mexico and the United States led to a mass migration of Mexican laborers to the north. The program was expected to be terminated at the end of the war, but agricultural and rail road interests lobbied for its continuation (Romo 1996).

During the decades of the program, Mexican immigrants migrated, but American tensions continued. In fact in the mid 1950s "Operation Wetback" deported many Mexican and Latino laborers. Also, the McCarran-Walter Act of 1952, which was passed over President Truman's veto, continued the Eastern Hemisphere quota and exempted the independent nations of the west from any limits. This was due to private interest influence in policy making. The act also included a "Texas Proviso" which exempted employers from "sanctions for hiring illegal aliens." According to Rumbaut, this encouraged undocumented immigration, "all the more after the Bracero Program ended in 1964" (Rumbaut 1996).

In 1994 the North American Free Trade Agreement (NAFTA) was signed by President Clinton. This agreement led to free trade of the United States, Canada and Mexico. One of its components was the promise that it would decrease undocumented migration from Mexico. In fact, NAFTA devalued the peso and drove more immigrants north. Once immigrants moved north they settled due to restrictive laws, like the 1986 legislation, that made it difficult to reenter the country. Even though immigration for the last ten years has "flattened" due to "harsh" immigration legislation and increased security measures after 9/11 immigrants have settled in the United States hoping to escape the dangers of exiting and reentering the country (Fernandez-Kelly et al. 2007).

Historically, Mexican immigrants have been the pundits of policy makers and private interests. They have been used and disposed of, but they have stayed in the United States for

their economic survival and the demand for their labor. Even when Mexican immigrants have provided the cheap labor that has helped improve this nation, anti-immigrant terminology and action continues to degrade and exclude them from society. Terms such as "illegals" are on the news on a constant basis, and are used interchangeably when referring to Latino immigrants. The term conjures up criminal images of a person that does not belong in the general community (Chavez 2008). It creates the presumption that all Latinos, Mexican or not, are undocumented and excludes them from becoming full citizens of the United States. It makes them targets for inspection by law enforcement regardless of their immigration status (Romero 2006).

In the United States, communities of color are often targets of abuses that White communities or those presumed to be White are not. These communities are under surveillance by police and immigration officials (Fagan, Davies 2000, Goffman 2009). This has led to human rights abuses and the exploitation of the undocumented by the government (Romero 2006). The infiltration to communities of color by law enforcement has made them vulnerable to harassment and abuses that include arbitrary detention, violence, harassment, denial of access to counsel, and abusive interrogations (Orner et al. 2008, Welch 2003, and Romero 2006).   These abuses do not end with the immigrant. In fact they affect Americans. Not only do immigrants run the risk of possible deportation, but they are more likely to lose their American children to the foster care system. If deported, immigrant parents cannot claim them. Consequently, about 5000 American children of undocumented immigrants end up in foster care system annually (Wessler et al. 2011).   They lose the right to be raised by their family because of policies and law enforcement practices that abuse the rights of immigrants and those who look like "illegals."   This suggests that the protection of immigrant rights also extend to Americans.

Alice Goffman's research in the highly policed Philadelphia ghetto, offers some of the factors that make Black communities vulnerable to abuse by law enforcement. These include Black men's youth, race, neighborhood (ghetto), their semi-illegal status, and societies support of policies against the "War on Crime" (2009). It was my goal to understand the factors that make Latino immigrants vulnerable to human rights abuse[2] when interacting with law enforcement.[3] By finding these factors, law enforcement agencies can design policies to help reduce abuse and can help protect immigrant rights.

To find the factors that make Latino immigrants vulnerable to abuse I interviewed Latino immigrants that interacted with law enforcement in the state of Michigan. I compared the interactions of immigrants whose rights were violated to those whose rights were not violated. I also created a third category, the harassment category. I did this because not all incidents simply fell in either category. In comparing all three categories I found that a limited English proficiency, or an accent, makes immigrants vulnerable to abuse. Consequently, English is an American authenticity marker that is used as a "weapon" by those that speak it. I also found that younger Latino immigrants were more likely to be harassed or lose their rights, in comparison to

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[2] For the purposes of this research, human rights are defined as the right to life, physical safety, and the right for human beings to protect themselves from other citizens and/or the state. This does not give the immigrant the right to harm officials during their interaction, but they do have the right to silence, the right to physically safety, the right to know why they are being charged or arrested, and the right to assistance be it in the form of lawyer or translation services. Abuse of these rights includes arbitrary detention, violence, harassment, denial of access to counsel, and abusive interrogations (Orner et al. 2008, Welch 2003, and Romero 2006).

[3] When I refer to law enforcement, I am conflating both state and federal branches. I decided to do this as a way to protect my interviewees. The goal of this project was not to learn the tactics of individual law enforcement branches, but to uncover the vulnerability factors of Latino immigrants.

women or older immigrant men. Finally, I found that the highest vulnerability factor is the skin color of Latino immigrants. This suggests that officials use racial profiling to enforce the law.

Following is the literature review that analyzes racial profiling and policing in the United States. It also looks at surveillance and power dynamics in society. The research methodology section includes the research question, the initial hypotheses that directed this research, data collection methods, a description of my personal involvement in recruitment, and the classification of accounts. In the data findings and analysis section, each account is described in detail. These include accounts where no abuse was experienced to physically abusive encounters where the official violated the rights of the immigrants involved. In this section I also analyze each vulnerability factor in detail. I first explain how English is an American authenticity marker. My data suggests that limited English speakers[4] are assumed to be in the country illegally, are viewed as deviants and are asked to prove their American citizenship by showing their "papers."[5] I also found that English is used like a "weapon" by my participants. They use it as a negotiating tool to protect themselves from law enforcement. This is especially important because translation services were not offered by the law enforcement agencies that interacted with any of my participants. In the incidents where a translator was present, the immigrant had to find one themselves.

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[4] I decided to refer to non bilingual participants as limited English speakers instead of non-English speakers. This was because the majority of my participants knew some English, whether it helped them execute their job (Demetrio, Jorge, Nestor) or it helped them communicate through hand gestures (Jorge). By using the term non-English speakers I felt that I would be lying about their capacities, even if their proficiency was low.

[5] Immigration documents, such as a green card (permanent residence card) or American passport and/or social security number.

Additional discussions include that women were protected by their gender, while men were not. Even though their rights were not violated they were harassed and treated in a paternalistic and sexist manner. In this section I found that young men were more vulnerable to abuse than any other Latino immigrant because they were perceived as threats. In the skin color section I found that the factor that makes Latino immigrants the most vulnerable are their "stereotypical" dark complected features. My data suggests that light complected Latino immigrants are less likely to be stopped by law enforcement. This places dark complected immigrants at a higher risk of abuse. Finally, the conclusion includes policy solutions to reduce abuse and encourage community building. It also includes future research suggestions.

LITERATURE REVIEW

To answer my research question I consulted policing and racial profiling literature. Plus, I consulted Foucault and Goffman to understand the power dynamics in society. I focused on this literature because it helped me understand the similarities and difference between the treatment of African Americans and Latino immigrants by law enforcement and it helped me understand the factors that affected their interactions. After analyzing all these works, I found that English as an individual factor is merely absent from policing literature, even when describing the interactions of immigrants (Romero 2006). I also discovered that the inscription of illegality in the bodies of people of color, makes Latino immigrants easier to subordinate by a society that imagines itself as White.

Recent policing research has primarily concentrated on Black and White communities (Goffman 2009, Reitzel et al. 2004) and its ties to racial profiling and deviance. This scope of literature has been slow to include the Latino population even when "more than half of the growth in the total population of the United States between 2000 and 2010 was due to the increase in the Hispanic population" (U.S. Census Bureau 2011).   For many years the Latino community has increased in size, but not enough research has been collected on this group. This is especially true of Latino immigrant communities.

Most of the prior racial profiling literature has remained limited because studies typically only compared Blacks to Whites or categorized ethnic minorities under a non-White umbrella (Reitzel et al. 2004). Previous research shows that police have been racially biased to minority communities through racial prejudice and discriminatory treatment of minority individuals and their neighborhoods, and by racially profiling motorists (Weitzer and Tuch 2005). The treatment

is so pervasive that phrases like "driving while Black," have permeated our national culture and continue to label communities of color.

In a recent study comparing Latinos, Whites and Blacks, Fagan et al, "found that Blacks were three times and Hispanics two times more likely to be stopped for alleged weapons violations, especially in the police precincts that were predominantly [populated by] minority residents" (2000). Furthermore, research on Latinos and racial profiling has concentrated on the issue of immigration (Romero 2006, De Genova 2002) and on the perceptions of minority communities towards law enforcement (Weitzer et al. 2005, Reitzel, Rice, Piquero 2004).

One of the most recent bodies of work regarding the Black community and policing practices is Alice Goffman's research in the Philadelphia ghetto. In this extensive ethnographic study Goffman observed the arresting practices of police officers. According to her research, the police's primary targets were young, poor, Black men. These men were often stopped in the streets, were subjected to pat-downs and searches, even if the officers were not looking for them. The never ending surveillance of this community caused stress and fear among its inhabitants, who feared ending up in jail for minor infractions. Philadelphia ghetto residents ran the possibility of having their homes raided without warrants and, according to Goffman, the men and their families were often threatened inside their homes even if the officer's target was not present (2009).

Goffman used Foucault's analysis of panoptic power as a way to examine the interactions and surveillance of the Philadelphia ghetto. According to Foucault, all of society would become a surveillanced community where people monitor their actions to escape punishment (1979, Goffman 2006). In her study, Goffman found that young, black men monitored their situations and often turned on one another as a way to save themselves from interacting with law

enforcement. She suggests that the young men did not live as "well-disciplined" subjects within the overall community. Instead they lived as fugitives due to their semi-illegal status (2009). Similarly, Latino immigrants who are suspected of being "illegals" are oppressed and do not participate fully in society.

Like Goffman, Mary Romero concentrated her research on a heavily minority population, a Latino populated neighborhood. Instead of using the ethnographic research method, she compared testimonies of immigrants and other Latinos at the time when there was a massive immigration raid called the "Chandler Roundup" back in 1997. According to her study, for five days immigration and police authorities targeted any poor and/or "racialized" Mexican, Mexican-American, or Latino. Similar to Goffman's findings, Romero found that young "racialized" Latino males were apprehended by authorities at a higher rate than any other group within the community. Furthermore, both Blacks and Latinos lived in poor neighborhood, meaning that they walked to work, and used public spaces which made them more visible to officials. Similarly to the Black ghetto, Latino homes were raided in the middle of the night without warrants. The only probable cause that satisfied officials was the landowner's affirmation that Latinos lived in the homes raided. Being a Latino was enough to raid homes without warrants and to apprehend and/or to interrogate anyone-- including children (2006).

Goffman and Romero's research findings are extremely similar. There is clearly a parallel between the abuse suffered by both Black and Latino immigrant neighborhoods. Historically speaking, as discussed in the introduction, the United States has a history of exclusion. According to Anderson, a nation is imagined "in the sense that even in the smallest nations, none of their fellow members will know each other (2006)**."** In order to be an "American," one has to exhibit certain characteristics. According to Samuel Huntington, these

include the English language, Protestant values, religious commitment and respect for law (2004). He suggests that these characteristics are specifically "American" and that Latinos, more specifically Mexican immigrants, are ruining American identity because they do not exhibit these characteristics. He suggests that due to a loss of the English language, and the continued use of Spanish across the country, the proximity of the Mexican border, which continues the cycle of injecting Mexican culture back into the United States, is destroying "American" identity (Huntington 2004; Critin et al. 2007).

By suggesting that Latinos, and/or Mexicans, are destroying America and do not follow the law, Huntington is creating the image of the "illegal," drug dealing Mexican, that must be watched and excluded from society. His fear of a societal takeover by Latino immigrants, is part of a larger narrative of the perceived "Latino Threat (Chavez 2008)." The perceived "threat" has been exacerbated by "research" compiled by Huntington, and others who argue that the usage of Spanish over English threatens American culture. Additionally, there are some conspiracies where people believe that Latinos, especially those of Mexican origin, are trying to reconquer the Southwestern part of the United States. These conspiracies and fears of a Latino invasion have created support from organizations such as the Minutemen project, a citizen run border patrol, (Chavez 2008) and other groups to try to get rid of Latinos at any costs.

In reference to English language proficiency, Huntington suggests that it is a necessity to being part of the "American" nation, but empirical research on its relevance when interacting with law enforcement is merely absent. In her study, Romero only spent a brief amount of time discussing English proficiency and its possible effects on the raids in Chandler's roundup. In fact, English proficiency as an individual factor that may affect Latino immigrant's interaction with law enforcement is absent from the literature. In general, researchers exclude the

importance of English proficiency and its ties to racial profiling of Latinos. Therefore, I argue that the ability to speak English fluently gives them an advantage when being questioned by law enforcement officials.

According to Romero, Chandler's Roundup fits a larger pattern of immigration law enforcement practices that produce and repress Mexican Americans and all racialized Latino immigrants as second class citizens with inferior rights (2006). The use of surveillance of these communities by those in power informs the efforts to seal the borders. These efforts are to prevent migration from the south and they are an unmistakable reminder to all Latinos of their place in American society (Chavez 2008). These actions helped solidify the notion that Latinos as a whole are fortunate to be in this country at all (Johnson 2004). African Americans and Latinos' status as minorities in this country excludes them from acquiring full citizenship rights because dominant racial groups, Whites, see the police as their allies and not the allies of minority groups (Weitzer et al. 2005). Romero suggests that immigration policing is based on determining citizenship inscribed in bodies (2006). Likewise, Haney Lopez suggests that legal rules shape physical appearances and alter basic materials in which racial meanings are built (Haney Lopez 2006). This suggests that citizenship in the United States is coded as White and this presumption is made visible through the process of racial profiling. By inscribing illegality on the bodies of individuals, Latinos and Blacks, society is able to more easily manage their enforcement practices and in subordinating these communities.

RESEARCH METHODOLOGY

The following research methodology is broken down into three main partitions. The first is the research question, followed by the hypotheses that helped guide my research and finally the methods section. This section is divided into smaller segments that provide details, such as my personal involvement, recruitment techniques and qualitative methods descriptions as well as the account categorizing mechanisms that helped differentiate the degree of abuse in each case.

Question

The research questions I wanted to answer were what type of vulnerabilities do Latino immigrants share through their personal interactions with law enforcement? How do these vulnerability factors lead to human rights abuse when interacting with officers? In analyzing the interview data I wanted to understand if the factors that make Blacks vulnerable to human rights abuse and harassment, such as age, skin color and gender (Goffman 2009) were similar to those faced by Latino immigrants in the State of Michigan.

Initial Hypotheses

The following hypotheses helped guide my research questions. Even though they were not "tested," because my sample is not a statistically significant, they helped me organized my thoughts. They also helped me develop questions about other vulnerability factors including gender and youth.

H1: I hypothesized that limited English speakers were more vulnerable to unfair treatment by law enforcement. I suspected that law enforcement officials would become frustrated when an individual did not understand their questions or requests. This breakdown in communication may lead to a disregard for proper procedure.

H2: I hypothesized that the dark complected or "racialized" Latino (Romero 2006, Lowe 1998) immigrant was more likely to be subjected to a violation of their human rights. The racialized Latino possesses dark complected features including; brown hair, skin and eyes. As a community composed of many ethnic backgrounds, Latinos are phenotypically diverse. Many are Black while others pass as White. I assumed that the dark complected Latino immigrant, neither White nor Black, would be more likely to be apprehended or questioned by law enforcement.

Methods

To better understand the factors that make Latino immigrants vulnerable to human rights abuse by law enforcement, I needed to connect with immigrants that had interacted with officials in Michigan. Due to contemporary immigration tensions, as described in the introduction, participants of my study could face real consequences if recorded admitting to a crime or disclosing their possible undocumented status. If discovered, law enforcement could incarcerate or deport them. The purpose of this project was to find out what makes immigrants vulnerable to abuse, not to make them vulnerable to it. Thus, to make sure the identities of my participants were protected, I took extra precautions before and after I interacted with them.

Personal Involvement

As explained in the introduction, I am a former undocumented person. Due to my status as an immigrant, not just a former undocumented person, I have connections with the immigrant communities in Michigan. Even so, it was still complicated to recruit participants for this study. The reason for this is fear. Undocumented people are afraid of being uncovered and turned over to the authorities by strangers. Also, Latino immigrants whether American citizens or residents fear the possibility of being harassed. Due to my identity the Latino immigrant community,

especially immigrant rights organizations and churches, entrusted that I would care for their community members. It would have been extremely difficult for an outsider to conduct these interviews. These organizations protect their members and they knew that I would do whatever it took to keep their communities safe. As I know the real consequences that immigrants face from being exposed to stories about deportations, and physical abuse of the community.

Sample

I interviewed immigrants whose human rights were violated and those whose rights were preserved by law enforcement in the state of Michigan. Michigan was selected because there have been occurrences, including the stalking of an elementary school by immigration, where law enforcement have overstepped their boundaries and have abused the human rights of Latino immigrants in the state (America's Voice, 2011). Even though there were a total of 14 interviewees, 24 accounts were shared and have been used. I decided to use all of the participant accounts instead of the most recent encounter because they were powerful and interesting.

The study population is Latino/a immigrants 18 years or older who interacted with law enforcement in the state of Michigan within the past 5 years. I did not label any of the participants as Latino immigrants, they labeled themselves. A person of Puerto Rican descent and two individuals born in the United States identified themselves as Latino immigrants and are part of this study. Eight participants were recruited by the same immigrant advocate and are all church goers from the same area in Michigan. Even though they were recruited through the same church, this group was quiet diverse. The remaining six participants were recruited through snowball sampling and were primarily from rural Michigan.

Recruitment

The IRB took great measures to make sure that the participants of this study were protected before approving my project. In order to make my project exempt, I was highly restricted as to how I would recruit my participants. First, I was not allowed to personally ask an individual for an interview, they had to contact me in person or with the help of an organization. This meant that I could only email churches and immigrant rights organizations to help with recruitment.

Due to the sensitivity of the issues discussed, and the possible risks associated with participating in this study, it is no surprise that my initial attempts to recruit were fruitless. Originally, I created a bilingual flyer (refer to appendix) that offered an incentive of $15. To recruit participants, I emailed the flyer and my research description to the directors of Catholic churches and immigrant rights organizations across the state of Michigan. These organizations were selected because they are considered safe havens for immigrants. I suspected that due to the visibility of the flyers in their organizations, immigrants would feel more compelled to participate in my study. I did not receive any interviews as a result of these efforts. Many of the organizations never returned my emails and I suspect did not post my flyer. Also, due to the immigration issue, I was restricted, by the IRB, from personally posting flyers at any other location. They suspected that I may have placed myself and possible participants in danger of harassment by anti-immigration advocates.

A complementary recruitment approach was my personal involvement in the immigrant rights movement in the summer of 2011. Due to my personal connections, I was able to meet with immigrant rights organizers and their allies. By being present at rallies and other events, the community slowly learned who I was which created trust. The immigrant rights insiders disseminated information about this study to Latino immigrants across the state. As they had met

me in person, I was no longer a few lines in an email. I was a real person. Once an immigrant sat down with me and learned what I was trying to do they recommended me to their family members and other acquaintances. This snowball method was a lengthy process of trust building and my main method of recruiting interviewees.

To supplement the above approaches, I applied for an IRB amendment to include organizations that served the Latino community across the state, not just immigrants. Once approved, I contacted business and educational organizations that served Latinos and possibly Latino immigrants, but similarly to the previous email approach there was no response from this community. It was the snowball method through my personal immigrant organization connections that concluded in a total of 14 interviewees that shared a total of 24 accounts. Even though the process was slow, it proved as the only method to acquire the participation of Latino immigrants.

Data Collection

I designed a structured interview and a short demographic questionnaire (see appendices). Due to my bilingualism, I was able to translate all the research documents into Spanish. I was also able to interview in either, English or Spanish. This helped me acquire a level of comfort and trust with both limited English speakers and bilingual participants who preferred to speak Spanish.

The demographic questionnaire included questions about a Latino immigrant's perceived English proficiency, time lived in the United States, age, profession, highest level of education, amongst other questions. It was created to find out about the participant and it helped me start the interviewing process. Please refer to table 1 in the appendix for more details.

The semi-structured interview I designed was formatted to place the participant at ease, by first discussing their life in the United States, following with their perceptions about their English proficiency and finally their law enforcement encounter. The purpose of this design was to acquire their background story and to have them elaborate on their opinions and experiences. By creating a semi-structured interview that initially made Latino immigrants feel at ease, it gave the respondents the power to answer the questions in an opened ended fashion. This gave them the opportunity to inform me of other issues that I did not initially think to ask and gave them the freedom to feel unconstrained by my questions. It also provided them with the power to stop the interview at any moment. These combinations of factors lead to comprehensive conversations and great data.

The most concerning and controversial aspects of my research included the possible disclosure of confidential information of the participants involved. Although I did not ask my participants their immigration status, the recording of a person's admittance of undocumented status and/ or other unlawful activities that they may or may have not been part of was a concern. These are grave and important concerns that were taken into consideration. To protect participants I did not collect their immigration status. If they said they were American citizens I used the data, but most did not mention their status. This does not mean that they were undocumented, I strategically decided not to ask. I also did not collect their real names, city of residence, or the specific law enforcement branch with which they interacted. All of this information was replaced with pseudonyms or left blank. In addition, when any identifying information emerged in the interview, it was deleted as soon as it was transcribed, which took place within the same week.

Additionally, I did not have my participants sign or write their names on my consent forms. The only thing I had them do, was date the form as a way of providing consent. I believe that it would have been counterproductive and risky to have their written names and signatures in my research files, when I am using pseudonyms to protect their identity. I disposed of all recorded files by deleting them from my digital recorder and my personal computer, the only other place these were stored. The safety of my participants is and was a priority from the beginning of this project that is why the transcribed interviews were carefully purged of any potentially identifying information. Moreover, I was the only person to listen to and transcribe them.

The location of the interviews depended on my participants. They decided where and when to meet. I drove to their homes in rural isolated areas, held interviews outdoors on porches, and also interviewed in a church temple and a nursery in urban Michigan. If participants did not have a specified location where they wanted to meet, I made the effort to have an available private place to hold the interview, but none of my participants decided to this option. As mentioned before, having contact with law enforcement may be shameful to my participants, so even in a safe place I protected their personal integrity by making sure that doors were closed and no one could hear what we were talking about. By providing participants a safe place and giving them the option to decide where to meet, they felt safe enough to speak openly about their situation, which resulted in thorough interviews.

<u>Categorization of Accounts</u>

I classified all the 24 accounts into three categories. These included no abuse, harassment, and human rights abuse. I decided to do so because the incidents were not always clearly in the "no abuse" or in the "human rights abuse" category. The harassment category is

necessary because the interactions between my participants were all different and because officials did not either treat immigrants good or bad. Reality is not always black or white. There are always grey zones and in my study that zone is the harassment category. For those interviewees who shared more than one account I labeled them with their name and incident number; example, Alvaro 2. I did this because some of the interviewees' accounts landed in at least two of the categories above. Refer to the Table 2 in the appendix section for more details.

In the 'no abuse' category the accounts include those where the rights of the immigrant were preserved. Accounts include Blanca's routine traffic stop for making an illegal turn. The officer did not abuse his power, nor did he harass her. He gave her a ticket and let her drive off. Other accounts include, Bernardo 2 where an officer stopped him for not having license plate on his vehicle. Bernardo stated that they were stolen from his car. The officer gave him a ticket and they were both on their way. Nine accounts fell in this category.

In the 'harassment' category, which lies between 'no abuse' and 'human rights abuse' accounts included Donato's first account where he was stopped by the same officer five times within the span of one month in a rural community. The officer often suggested that "there are a lot of illegals here" and requested his green card every time he stopped him. There was no physical violence, nor was he ever arrested, but the officer was obviously harassing and racially profiling him. Another account includes, a case where Angelica was intimidated into being finger printed, and was denied the documents stating why the officers were in her home questioning her status. Eight accounts fell into this category.

Last, but not least the 'human rights abuse' category. In this category my participants lost their liberty, were physically abused or denied access to a call or representation. Accounts in this category include Nestor's. In his interaction with law enforcement what seemed like a normal

traffic stop immediately turned into a physically threatening encounter, where the official

approached the vehicle, dragged and frisked Nestor while telling him, "You were going over the

limit." The officer continued to physically remove every single passenger, a total of five males,

from the vehicle and forcefully placed them on the pavement on the side of the road. He

continuously threatened them with deportation before he acquired all of their identification.

Alejandro's account also fits into this category. He was taken into custody after he was suspected

of turning on a red light. He was not informed about why he was being arrested, was kept

overnight in jail, was denied a phone call, and was lied to about the bond person not being in the

office. Again, please refer to Table 2 for the classification of each account.

<u>**DATA FINDINGS & ANALYSIS**</u>

Here you will find a brief description of my participants and their account/s. As previously discussed, a few of them shared more than one account. These were described in the order in which they were shared and organized by gender. First, I discuss the interactions of the four mujeres (women) that took part in my study followed by the hombres' (men) accounts. For additional demographic and account details, please refer to Table 1 & 2 in the appendix. This section also consists of the data analysis. More details will be provided following the account summaries.

<u>**Account Summaries**</u>

As described in the methods section, for the safety of all participants pseudonyms were used in place of their names. Following are depictions of the interviewees and brief summaries of all their accounts. Interviews for Alejandro, Placida, Bernardo and Alvaro took place near the sanctuary at a church. Interviews with Miguel, Monica, Blanca and Ruben took place in the church's nursery, a colorful room with toys neatly organized in totes. The remaining interviews took place in the participant's homes.

<u>Mujeres</u>

Angelica is a petite, young Latina with black hair, and dark brown eyes who speaks English fluently. She explained that her interaction took place in her home after she was asked to come down, from her upstairs apartment, to help her husband's cousin. The initial contact with the officials occurred to her husband's cousin who out of fear, and due to her lack of English proficiency, took them to Angelica's home so she could translate. The officials initially approached this woman's vehicle while she waited for her daughter to get off the bus. This occurred in rural Michigan. Once Angelica went to the first floor, the officers told her they had a

deportation order for her. She is a citizen, so could not understand how they could have an order of deportation. When asked to present the order, the officials refused to do so. Even though she proved her citizenship, with the documents they requested, they forced her to provide finger prints.

Blanca is a young, light complected Latina with dark black hair who was born in the U.S, but identifies as a Latina immigrant. She speaks English without an accent and states that knowing it is a "blessing." Her account was a routine traffic stop where she was pulled over for making an illegal turn. The stop led to a traffic fine and the official did not harass or abuse her rights.

Monica is a young, bilingual homemaker and a mother of two children. Even though she speaks English fluently she felt more comfortable sharing both of her encounters in Spanish. The first incident occurred when her and her husband drove themselves to the hospital at around 2 in the morning because their daughter was having a seizure. On their way they drove through red lights and were eventually chased by officers for about 15 minutes. Once they pulled over the officer's held them at gun point until they found out the reason for the chase. The officer's then escorted them to the hospital. No charges or tickets were filed against them. In the second encounter, the officer stopped Monica for making an illegal left turn. He approached the vehicle, "yelled" at her, did not let her speak and gave her a ticket.

Placida is a limited English speaker in her late forties, with a dark complexion and greying brown hair. During the interview, she shared that the officer pulled her over because she was driving too slowly and pulled to the side of the road to let him pass. During the interaction, she was so upset with the officer for asking for her social security card that she ignored his requests and tried to reach someone to translate for her via phone. Once she reached her niece,

she got out of her vehicle and walked towards the patrol car. The officer honked the horn and made her go back. In the end he gave her a ticket for not wearing her seatbelt, which Placida states she was wearing at the beginning of the interaction.

Hombres

Alejandro is a young, college educated, bilingual Latino male who was born in the United States, but self identifies as an immigrant and is highly involved in the community. His encounter occurred after he made a right turn on red. The officer approached the car in a normal fashion and took his documents. A few minutes later, he came back and arrested him without telling him why. He searched the vehicle without permission and found flyers supporting human and civil rights, which he dumped on the ground. While in jail, Alejandro was asked for his social security number and never received his phone call. He suspects that he was lied to about the whereabouts of the bond person. Consequently, he spent the night in jail.

Alvaro is a quiet, dark complected man in his mid to late forties. His hands show evidence of hard labor. In his country of origin, Alvaro worked as a police officer for 12 years, but ever since he moved to the United States he has been working in factories. He shared three different instances. The first was a routine traffic stop where the officer ordered him to go back home because he was driving without a license. In his second account, he was approached by a couple of officers after he accidentally walked up to the wrong vehicle in the parking lot outside his work. He was planning to take a nap in his car and wait for his travel companion. The officers did not give him a ticket, but he was ordered to go back in the building instead of staying in his car in the parking lot. In the third encounter the officers were driving around his block and watching his home. Alvaro spotted them when he went outside to warm up his vehicle. Once he got into the vehicle with his partner, they followed him and eventually stopped him, by blocking

him in. They officer's informed him that they were executing a routine traffic stop. He was threatened by one of the officials, but was not ticketed.

Bernardo is a dark complected, confident, and charismatic college educated man in his mid to late thirties who works with young children and is involved in church ministries. During our interview, he shared two interactions with officials. In the first, he was pulled over in front of a chain food restaurant after dropping his children off to school. The officers informed him that the rental car he was driving was allegedly spotted picking up drugs. Bernardo was taken out of the car, and handcuffed. The officers tried to get him to "confess" to the charges by using a drug addict as a witness. Bernardo used his right to silence and did not comply with officer accusations. In the end the officers impounded the rental vehicle and set him free.

In the second encounter, he was pulled over for not having a license plate on his vehicle. According to Bernardo, the plate was stolen while he was at an event, so he did not know it was gone. He shared that when he was initially stopped he noticed that there were a total of three patrol vehicles, two of which left after the first officer waved them off. He suspects that the officer did that because he spoke English. He was ticketed, and the officer told him to drive safely.

Demetrio is a young, Latino male with dark brown hair, skin, and eyes. He is a limited English speaker, who claims he only knows enough English to execute his job. The interview took place on Demetrio's porch on a warm and sunny morning in rural Michigan. During the interview he was stressed because his encounter had happened the week prior, and he was going through some legal processes. To make sure he was okay, I informed him that he could stop the interview at any time. He declined my repeated offers and shared his story.

He informed me that he accidentally ran a stop sign which was covered by branches. An officer immediately pulled him over and asked for license and registration, which he provided. Once the officer found out that the vehicle was not insured, he proceeded to search it without permission and had it towed. He handcuffed and took Demetrio to the station and made him pose for a mug-shot. Demetrio was finger printed and later provided a date in court. All of this took place without Demetrio knowing what was going on due to his lack of English proficiency. He was never offered a translator or a phone call.

Donato's interview took place at his home in rural Michigan. He is a thin, tall, brown man with large brown eyes and a thick black mustache, who speaks great English with a heavy accent. He shared a total of three accounts the first was traffic stop by an officer who had previously stopped him four times within the same month, this being the fifth time. The official continuously reminded him that "there are a lot of illegals" in the area. Donato did not lose his rights in this account, but he was harassed. The second account took place on his way home. He was pulled over for not having his lights on. At the time of this encounter, Donato was accompanied by his daughters and his wife. According to Donato, the young officer was harassing him by asking him for his papers and he frightened the children to the point where they started crying. Even though he did not provide Donato a ticket, he kept him at the side of the road for a long time. Donato suggests that his English saved him from possibly being arrested. On the third occasion, a couple of officers were blocking his driveway while they executed a routine traffic stop. He was on his way to work, so he asked them to move. One officer was upset because Donato's dog was loose, so he threatened him by to jail if he did not tie him up. Donato complied, and the second officer moved his patrol car and let him through.

Ezequiel is a bilingual, dark complected Latino male in his early thirties. He shared a total of three interactions. In his first encounter, he came across law enforcement officials while waiting for a family member. While they waited, he and his companions were questioned. He was taken into custody and his companions were set free. Ezequiel states that he provided documentation to the officers, but they did not know what to do with the documents he provided them. He was sent to a local jail and later taken to prison. He was never offered a call, nor was he informed of any of his rights. He was also forced to sign documents, which he says he understood, but he does not write or read English nor was he provided a translator.

The second account took place at his home. He explained that he and his family were coming back from a party when an officer pulled them over. Since he had been drinking he was not driving. The officer proceeded to take their identification and after clearing their names he let them go. About a half an hour later the same officer knocked on his front door, entered the home without a warrant, and forcefully arrested him believing that he was a runaway criminal from another state. After being in custody for about six hours, they cleared him and he was released.

The third account is tied to the second. According to Ezequiel, the officer pulled him over for a routine traffic stop. After the officer ran his name in the system, he found out that there was a warrant for *his* arrest. The officer held him in custody for about an hour and a half, but after he found out he had made a mistake he apologized. After this account, he was given a document to provide to officers informing them that he is not the person they are looking for. When asked about how he felt about having to carry this document Ezequiel states, "even though I am free, I am not free, not until [the other man] is caught."

Jorge is a soft spoken young man with greenish eyes and dark brown hair. He is a limited English speaker who, like Demetrio, only uses English at work. Jorge explained that he

was pulled over because he forgot to turn on his vehicle lights after leaving a bar. He states that even though he used hand signs to communicate with the officer, he treated him "fairly" and let him go without a ticket.

Miguel is a limited English speaker, and a dark complected Latino male in his mid-forties. Even though he states that he is a legal resident of the United States, he is fearful of being targeted by law enforcement. During our interview, he shared three occurrences where he came into contact with officials. In the first encounter, he was stopped for a speeding violation and was informed that he was driving with a suspended license. He stated that because he could not understand the officer's requests he was taken to the station, questioned and fingerprinted. The officers threatened to keep him in jail over the weekend and requested his social security card and immigration papers. His partner called a community member who advocated and acquired his release.

In the second encounter, he shares that his home was raided by officials who had a warrant for the arrest of his distant cousin, who at one time lived at his address. The cousin had not lived there for years, nor did Miguel know where he was. He was surprised when the officials broke down his door and harassed everyone in the home, including younger children. The officials threatened to deport all present, and were "surprised" when Miguel provided his documents. Even though he and his family were saved, non-relatives in the upstairs apartment were deported.

Miguel states that he was renting a basement apartment to a couple of White tenants, who he claims purposely set their couch and window on fire. The third account occurred when the officer came to the home two days after the incident. Miguel shares that he was concerned for the safety of the couple's child, who was in the apartment when the fire occurred. He wanted the

officer to help him acquire payment for the damages, but that did not occur. He states that if he would have been the officer he would have arrested the couple for not taking care of their children.

Nestor is a dark complected Latino male whose English proficiency is limited to work related terms. He shared that on his way home after a night out with his brothers (Jorge and Demetrio) and friends, an official pulled him over for "speeding." According to Nestor, when the official approached the vehicle, instead of asking him for identification he immediately pulled him out of the vehicle. The officer kept on saying, "You were going over the limit." When he had him handcuffed, he took out each one of the passengers and "slammed" them to the ground. In addition, he threatened the men by repeating that he was "calling immigration." Nestor was arrested for not having proper identification.

His brothers Demetrio and Jorge, shared their version of this incident, but since Nestor was the only one arrested, and he described every detail similarly, it was not necessary to count each version. Plus, three versions of the same account would have biased my data sample.

Ruben is a young, thin, dark complected, limited English speaker whose interaction with law enforcement occurred in the middle of winter. He states that he was pulled over because the rear passenger window of his vehicle was broken. Ruben was arrested because according to the officer his vehicle was reported stolen. Ruben shared that he acquired the vehicle through a friend but had not yet transferred ownership. He shared, that even though he knew why he was being arrested, he was never informed of his rights. He was kept overnight at the local law enforcement facilities. While in custody, a detective attempted to interrogate Ruben without a translator. He did not cooperate until he contacted someone to translate.

Analysis

This section was divided into four partitions to study each factor that impacted the interaction of Latino immigrants with officers and made them vulnerable to abuse. My initial hypotheses guided my research and led me to analyze the importance of the English language and race when interacting with officials. In my work I found that English proficiency is a factor that helps in the outcome of an interaction of Latino immigrants with law enforcement. I first analyzed its importance as an 1) American authenticity marker. In this section I found that limited English speakers are seen as deviants and are asked for their "papers." I also discuss how immigrants use 2) English as a weapon and how a foreign accent can lead to harassment or human rights abuse even if the person is bilingual. I also found that 3) gender and youth are of great importance. Here I found that young men were more likely to lose their human rights in comparison to women or older men. Finally, I discuss the importance of 4) skin color. I found that dark complected immigrants were more likely to interact with law enforcement and were more vulnerable to abuse in comparison to light complected individuals who are less likely to be stopped by law enforcement because they are imagined as part of the White American community.

English and American Authenticity

> We have room for but one language here, and that is the English language; for we intend to see that the crucible turns our people out as Americans, and not as dwellers in a polyglot boardinghouse; and we have room for but one sole loyalty, and that is the loyalty to the American people. Theodore Roosevelt (Portes 1996)

English language homogeneity is viewed by many as the "bedrock" of nationhood and collective identity by Americans (Portes 1996). In his statement, President Roosevelt insists that the only "real Americans" are those that speak the English language; therefore, those that do not

speak it are not "American." The idea that English proficiency is necessary for American citizenship continues to be the foundation of exclusion of limited English speakers and contemporary immigrants. The data shows that immigrants who are limited English speakers run a higher risk of human right abuse compared to bilingual immigrants. Also, immigrants with an accent run a higher risk of abuse even if they are bilingual. Immigrants with an accent are often asked to prove their American citizenship through the provision of immigration documents.

Participant's language proficiency was divided into two categories bilingual, and limited English speakers. The bilingual group speaks both Spanish and English fluently. However, Ezequiel and Donato both posses very "foreign" accents and do not read or write English. The limited English group has a range of different English language capacities. Most of them explained that the English they used is tied to the workplace. Essentially, limited English speakers usually do not use English because they rarely come in contact with monolingual English speakers.

Latino immigrant's strong ties to their sub-cultural communities and lack of English usage impacts their assimilation. There is also controversy over whether or not immigrants want to become assimilated. Either way it is undeniable that English proficiency is a skill necessary to acquire a good paying job, a home, and a place in American society. It legitimizes immigrant's presence in society, placing those that do not speak it outside the mainstream of American society. They are labeled "illegals." Demetrio, a Mexican immigrant and limited English speaker, explains how he feels when he goes into town:

> It makes me feel uncomfortable […] when we go places and people ask us something. We don't understand anyone and people stare at us.

Surveillance by society creates a feeling of not belonging and separates limited English speaking immigrants from "legitimate" Americans. Latino immigrants and those that do not

speak English fluently become targets of law enforcement surveillance. Immigrant's low English proficiency leads them to the margins of society because they are not able to communicate like "regular" Americans. The failure to assimilate to societal norms makes them deviants because they are not like "real" Americans. Therefore, not speaking English fluently or with a "foreign" accent makes immigrants vulnerable to human rights abuse.

Due to their perceived deviance, when Latino immigrants are limited English speakers or bilinguals with a "foreign" accent, their immigration status is questioned. Miguel a limited English speaker, who only speaks enough English to execute his job, explains how his first account, a routine traffic stop, led to a request of his documents and human rights abuse.

> Immediately, he asked me if I had papers. I have a CDL. I drive large trucks…if I have this type of license, I obviously have papers. […] He then asked me for my social security.

The "papers" the officer requested were not Miguel's vehicle registration or insurance. They were his immigration documents. In a similar situation, someone fluent in unaccented English would have not immediately been asked for these documents. By asking for them the official enforced societal expectations of what it means to be "American." Since Miguel did not fit societal expectations of Americanism, due to his lack of English fluency, the officer took him to the station, acquired his mug shot and finger prints. All these actions were taken in response to a routine traffic stop, which, under normal circumstances, would lead to a fine.

Unlike Miguel, Blanca, a bilingual immigrant without an accent, had a very different experience. When she was pulled over for making an illegal turn she informed me that the officer was "very nice" and even seemed apologetic for ticketing her. When reflecting on her interaction, she suggests that she was treated differently because

> I was fluent in English and I had my license…..I personally think that now-a-days, ever since that Arizona law,[…]people seem to think that if you don't have

a license [that you] are here illegally. Me personally, I forgot my wallet at work this weekend [but] just because I don't have my license it does not mean that I am not here legally.

Blanca was not taken to the station to verify her legal presence. She was not asked for her "papers" or her social security number because she is a fluent English speaker, had her license and possibly because she is phenotypically White.

The depiction of events in Miguel's account show how his inability to speak English led to the assumption of an "illegal" status. Since he was suspected of being an "illegal," the officials took alternative measures, which led to human rights abuse. Hence, immigrant's inability to communicate in English sometimes results in real consequences especially for limited English speakers and bilinguals who possess an accent. By learning English, immigrants join the American "imagined community," (Anderson 2006) which provides them the power to appear as pseudo Americans. Therefore, English is not only a factor of authentic Americanism, but can be a negotiation tool, a protective factor against human rights abuse and harassment.

<u>English: A Weapon?</u>

Not only does English proficiency authenticate American citizenship, it is a negotiating tool for Latino immigrants when they interact with law enforcement. Bernardo explains:

I think [English] has been my saving grace. It's not my face because I look as Mexican as they come. I mean [English] is really my weapon [against law enforcement because] I speak proficient English. I don't speak broken English. I don't have an accent. I can understand what they are asking me…what they want me to do.

His reaction reflects the overwhelming consensus about the perceived importance of English. The data suggests that English makes immigrants more legitimate and is a negotiation tool, a "weapon," against harassment and human rights abuse.

Being able to communicate with law enforcement officials can make the difference between being jailed or set free. This was especially important for limited English speakers when they were accused of a crime or interrogated without the aid of a translator. From the interviews it is clear that law enforcement does not offer translation services when interacting with limited English speakers. Instead these individuals were interrogated, ticketed or detained without knowing why. It is unclear why limited English speakers were left in the dark about their situations. It could be a combination of factors, such as budgeting, but what is clear is that it is up to the interviewee to make contact with someone to translate for them. This can be complicated, especially when limited English speakers may not know how to communicate their rights, which includes asking for a call. The majority of officials that interacted with limited English speakers, with the exception of Jorge's account (where the officer was patient enough to let him use hand signals to communicate) were not reported to care if the person understood them or not. They all "seemed" determined to do their job and move on.

The lack of provision of a translator increases the possibility of an immigrant accepting charges they did not commit. As stated above, limited English speakers are often questioned without a translator and sometimes are coerced to signing documents without knowing what they are signing. Ezequiel, a bilingual immigrant, explains what occurs at detention centers where translators are not offered.

> The officers…they laugh at [immigrants]. They bang on the papers and say, 'Signa, signa!' [Immigrants] sign things without knowing. I think if I didn't know any English I would have signed papers that I shouldn't.

At the facility where Ezequiel was held, law enforcement officials coerced immigrants to sign documents without translation. Ezequiel shared that the immigrants that officials targeted were

those that did not speak English or know their rights. Limited English speaker's incapacity to negotiate with the officers led to harassment and possibly human rights abuse.

Even though the majority of human rights accounts were of limited English speakers, bilingual individuals were also subjected to abuse. This is specially the case when they had a "foreign" accent. Ezequiel's first and second accounts are examples of this. In both instances he was able to communicate with the officials, but his rights were abused. In addition both bilingual immigrants with "foreign" accents were either harassed or lost their human rights. There was only one occasion when Donato, a bilingual individual with a heavy accent, was not harassed. That was his third account where the officials blocked his driveway and he asked them to move. Even in this instance, the officer threatened him, but no abuse or harassment occurred. This suggests that having an accent is an additional factor that could lead to harassment or abuse in the hands of law enforcement.

Additional abuse of bilingual immigrants includes Alejandro's account. Even though he speaks English without an accent he was arrested, but was not initially informed why. He later found out that it was because he had not "[paid] his tickets." Also his vehicle was searched without permission and he was jailed overnight. He stated that he complied with the official's requests, but they ignored him when he requested his phone call. When he asked, the officials continuously told him, "You will [get it] in a minute," but he never did. In his specific case, other factors, such as his youth and likely his activism, contributed to human rights abuse more than his English proficiency.

The above accounts show that bilingual immigrants also lose their rights, but less frequently. The data overwhelmingly suggests that limited English speakers are more vulnerable to harassment and human rights abuse. The argument here is not that all officials harassed and

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abused limited English speakers. In fact, four of the 11 accounts in the no abuse category are of

limited English speakers. In these cases the officials used hand "signs" and the little Spanish they

knew to communicate with limited English speakers (Jorge, Alvaro2). Both examples show that

there are exceptions to the rule, but overwhelmingly limited English speakers were subjected to

harassment or human rights abuse.

Even when participants spoke English fluently, they feared what would happen if they, or

others, did not speak it. Bernardo, a bilingual immigrant, explains:

> At least I was able to defend myself. [The officer's] were asking questions…hard
> questions. I was able to defend myself. How about a person that doesn't speak
> English? How about a person…that they tell them "Oh, yeah…your car is
> suspected of drug running?" They are going to arrest them because they are not
> able to defend themselves. They are not able to say, "This is weird. What's going
> on? Are you going to arrest me?" They will act now and ask questions later.

Due to his bilingualism, Bernardo was able to understand the officer's demands. He was able to

negotiate when they tried to coerce a confession to drug trafficking. Instead of answering their

questions he asked if he was under arrest. He used his English language skills as a protecting and

negotiating weapon. If he did not speak English or know his rights, he may have been taken into

custody and his account may have escalated from harassment to human rights abuse.

Unlike Bernardo, In Miguel's first case (previously discussed), he was not able to

negotiate with officials. He explains:

> If I would have spoken better English…I don't think they would have arrested
> me. […] I would have been able to ask for my rights […]. One gets scared, even if
> you didn't commit a crime. Not speaking English is a factor because no one can
> understand you.

He felt helpless because he could not vocalize his rights. Similarly to Miguel's first case;

Demetrio, a limited English speaker, was taken to the station, finger printed and his mug shot

was taken, all as a result of a "routine" traffic stop. As suggested by Bernardo, law enforcement

first arrested both men and asked questions later. The difference between accounts was that Miguel was not alone at the time of the interaction. This helped him because his wife called a community member and he was able to advocate for his release. If he did not have access to a community advocate, he informed me that he would have "spent the weekend in jail." If Miguel spoke English he may have been able to communicate with the officers and his legality may have not been questioned. A possible display of English proficiency may have been enough to prove his membership into the American polity, but because Miguel did not speak English he was deemed an "illegal."

To protect themselves from human rights abuse limited English speakers acquired a translator. Through the provision of translation they became empowered and emboldened. Placida and Ruben, for example, contacted a translator via phone. Once they made contact they felt they had control of the outcome of the situation. Placida, whose account led to harassment, contacted her niece via cell phone and soon felt empowered enough to ask the officer

> "If it was racism….why he stopped me?" My niece said, "Are you sure you want me to ask that aunt?" I told her, "Yes, Yes…tell him, tell him." At that moment, I didn't care if he took me, arrested me or anything. I was not going to stay quiet.

Once she acquired her defense, she felt powerful enough to question the officer's actions. She had the tool she needed to protect herself even if it was over the phone. It is unclear whether making contact with a translator helped her, or harmed her. Even though she made the bold decision to approach the officer's patrol car, and was scared back to her vehicle, I suspect that her incident may have been exacerbated to a human rights violation if she did not have a translator on the phone. Without a translator her boldness and anger may have been misinterpreted as a "threat" to the officer's safety. He may have felt more compelled to not follow procedure if he felt threatened. Also, by having a witness that could understand the

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development of the incident, even over the phone, made the officer think twice before taking further action. Her empowered and aggressive attitude may indeed have saved her from human rights abuse.

Ruben, whose account led to human rights abuse, like Placida, was able to acquire a translator via phone while he was in custody. He explains:

> I had the translator on the phone. […] I asked [the officers] to please let me call my father-in-law so someone could translate for me. They couldn't understand what I was saying, so I had to make sure that I [had] someone translate for me.

Ruben was persistent even though he could not clearly communicate with officials. Through the usage of signs and the little English he knew, he found a way to get them to understand that he wanted a translator. His persistence and the use of his limited English were his defenses against incriminating himself for charges he did not understand. The translator helped him negotiate with law enforcement and he was released the next day. Even though his account involved the violation of his rights, he may have suffered worse consequences if he did not have someone to help him negotiate.

Since English is necessary to negotiate with law enforcement, those that speak it have the means to question the officer's actions. For those that do not speak it their best way to acquire fairer treatment is to obtain the help of a translator. Given that law enforcement does not provide this service, it is nearly impossible for limited English speakers to negotiate to better terms without outside help. Consequently, this makes them more vulnerable to harassment and human rights abuse.

Even though some limited English speakers claim they know their rights and "some of the laws," (Placida) because they do not speak English their knowledge and human rights are

more often ignored. Below, Donato compares his first interaction which led to harassment, to an acquaintance's case.

> If he knew how to defend himself he would know that these officers can only ask for license, registration and that's it. I know that I didn't have to tell him my social security. It would be different if he arrested me, but he was just checking my vehicle. That's it. [Other immigrants] don't know what the officers can do or not, so they say or do anything…If you don't know how to defend yourself you lose. You lose your family and everything.

Donato's statement depicts that what Latino immigrant's need to defend themselves from is very real. He credits his English language proficiency and his knowledge of the law with keeping him safe in all of his three incidents. He suggests that most Latino immigrants do not know their rights and do not speak English and this makes them vulnerable to lose "everything." He explained that his acquaintance lost his freedom, and is now separated from his wife and children, all because he did not know English. These accounts are powerful statements to the effects of being labeled an outsider in a society that requires English proficiency as a qualifier to American citizenship.

Gender, Problem Youth & Law Enforcement

In her study of the Philadelphia ghetto, Alice Goffman argues that young black men are more likely to be approached and harassed by law enforcement due to their age, race and suspected semi-illegal status (2009). The data shows that the same is true for Latino immigrant men. None of the Latina immigrants lost their human rights while interacting with law enforcement. While the female gender seemed to offer protection from abuse, it did not protect women from harassment by officers who used paternalism and sexism to intimidate them. Finally, young Latino immigrant men were placed a higher risk of abuse, in comparison to older men or women.

Law enforcement officials use intimidation as a tool to forcefully create complacent subjects. The accounts of Placida and Angelica are examples of how this occurs. Angelica, for example, states that the officers in her home "looked serious" and that one of them "was trying to be intimidating." Additionally, she recalls what happened when she had to get her documents from the upstairs apartment:

> [The officer] followed me. He got my husband's wallet and took out what he wanted. He saw that [there was] some change in there and he said, 'this is not worth anything.'

The officers intimidated and reduced her and her husband to nothing. The officers threatened her into compliance by questioning the status of all people in the home. Even though they had informed her that "everything [would] be okay as long as you cooperate," everything was not okay. After they interrogated everyone in the home, her husband was apprehended. I do not have the specific details of his case, but what is relevant is that she was not perceived as a threat to law enforcement officials. On the other hand, her husband a young, limited English speaker, Latino immigrant was perceived as a possible threat, and he was taken. Her husband's cousin, the person whom out of fear brought the officers into Angelica's home, did not lose her liberty. According to Angelica, she was left behind to take care of her child, but was intimidated into reporting to the authorities the next day. This suggests that the officers did not view either woman as threats, but as protectors of their children and as easily intimidated subjects who would comply with their requests.

Unlike Angelica, Placida did not immediately comply with the officer. In fact, her anger about his request for her social security card led her to defy him. Placida speaks very limited English, so while the officer tried to get her identification she ignored him and tried to call someone to translate for her. This frustrated the officer who kept on yelling, "Mam, mam, mam!"

Once he took her identification, he went back to the patrol car. When she finally reached

someone by phone she explains what happened next:

> I got out of the vehicle….I had the phone [in my hand] and I took it to the patrol
> car where he was checking everything. []…He yelled at me, 'Go to the van!' He
> honked very loudly and I went back into my vehicle and started crying.

In this scenario her gender saved her from possible human rights abuse. If a Latino male

approached the patrol car with something in his hand, he may have been considered a threat to

the officer's safety. The situation may have not been diffused and the Latino male could have

been subjected to physical abuse, incarceration or worse, he may have been shot. Even though

she defied the officer by approaching the patrol car, she was not perceived as a threat to his

safety. This was due to her possession of stereotypical feminine attributes such as tears and

displays of emotion. If she did not posses these attributes, the situation may have escalated.

Besides instilling fear as an intimidation tactic, law enforcement officials also used

paternalism and sexism to acquire compliance from Latina immigrants. Placida's account is an

example of how the official instilled fear on a defiant individual through paternalism. He

disregarded her as an independent person, and ignored what she had to say by scaring back into

her vehicle. She was treated like an incompetent child that needed to be controlled. An additional

example of how officials used this tactic is through Monica's second account. She explains:

> The officer just came up to my car and didn't ask to see what had happened.
> 'What? Don't tell me you didn't see the *sign?* Of course you saw it….it's a b-i-g
> *sign*.' I felt like I was [being] yelled by my dad. No words came out of my
> mouth……he didn't even give me a chance to say anything.
>
> He saw me as a Latina, and to not bother with my Spanish or my poor English…'I
> don't want to talk to you. Here is your ticket…leave!'

The officer treated her like a child and not as a competent adult. He made her feel like an incompetent driver unable to follow the laws due to her race, suspected English inadequacies and her gender. She stated that:

> He never expressed that I had the right to say anything. He did not give me the confidence to say, 'What happened?' He didn't ask, 'Do you know what infraction you have committed?' My husband has said that when he has been stopped he has been able to explain what happened and why he did what he did. He has been able to say, 'Well, yes…I did this…or that.'[…] My husband had a lot of tickets, so he knows. They have forgiven him and have given him the opportunity to say something.

Even though Monica did not have any previous traffic offenses, unlike her husband, she may have been viewed as lacking the capacity to drive. The official may have assumed that 'women cannot drive' and that may have been the reason he did not let her explain the situation. She felt that he reduced her to an incompetent woman, a child, in need of punishment. By giving her a ticket, he symbolically smacked her in the hand for not complying with traffic regulations. Unlike her husband, who is usually given the opportunity to explain his way out of a ticket, she was not provided that opportunity. Her account is an example of how women are more likely to be treated as children and hopeless women drivers by law enforcement officials.

Like Monica, Blanca was provided a ticket for making an illegal turn, but in her case the officer seemed apologetic about it. Blanca explains:

> He was very nice towards me. […] He just basically told me he had to give me a ticket because they had been watching that area. […] He said there were a lot of accidents there […] He was very nice to me. It almost seemed like he didn't want to give me a ticket, but he had to.

Like most of the women in the sample, with the exception of Placida, Blanca is bilingual and young. She is physically attractive, light complected and very personable. Blanca's upbeat attitude and bilingualism also made her seem more assimilated, Americanized. In fact, she is one of the three participants that identifies as a Latino immigrant, but was born and raised in the

United States. She speaks English without an accent, and does not seem like a stereotypical Latina immigrant. This combination of factors may have compelled the officer to treat her in an apologetic fashion. How the officer responded to her, suggests how White "American" women are treated. His actions validated her assimilative status, and her gender and attractiveness may have helped her through the interaction, even if she was ticketed.

The above accounts depict how gender helped the women interact with law enforcement. Even though a couple of the accounts led to harassment, none of the women lost their human rights. Although they were treated with often paternalistic attitudes, their gender attributes, such as physical attractiveness, tears and motherhood seemed to protect them from further abuse. Men, on the other hand, were not protected from abuse. In fact, they were the only gender present in the human rights abuse category and they dominated the harassment group. Even though most of the participants in this study were men it is evident that they were treated differently to women. Below, Blanca alludes to the different treatment she received in comparison to one of her young male friends:

> People that I know […] have been pulled over in that area…a lot of them don't get a cop that is as polite as the one I encountered. I actually have a friend that got pulled over…he said that the officer actually used cuss words […] saying 'Where the beep is your license?' […] My friend said, 'I don't have my license' and he asked him right of the bat, 'Are you an illegal?' […] He is fluent, like me, in English…so he has no accent at all. I mean he was basically raised here.

She implies that officers in the area, where she was pulled over, treat the immigrant population harshly. She explains her concern by sharing the above statement, but does not understand why her friend, who was similar to herself, was harassed by officials. As previously mentioned gender is a powerful factor that influences the outcomes of an encounter. For women it is a protective factor. For young Latino men it is not.

The participants that dominated this study were men, but to be more specific, they were younger Latino immigrant males, under 40. Alvaro and Miguel are the only male participants over the age of 40. Six out of seven human rights abuse accounts were of men under the age of 39. The only man over the age of 40 in this category did not look his age. In fact, he looks like a man in his thirties. Four out of six male accounts in the harassment category were of men under 39 years of age. As previously stated, no women experienced human rights abuse. Women only accounted for two out of eight harassment accounts. Consequently, the data suggests that younger Latino immigrant males are more likely to be subjected to abuse and harassment.

Nestor's account depicts how officers sometimes abuse the rights of young, Latino immigrants. He explains that he was driving the speed limit on the express way when he:

> ..bumped into [the officer]. It was about 2 am. After [..] he saw me [he] turned around rapidly. I was with my two brothers, a cousin and another friend [all under 30]. He stopped me[..] Immediately…he didn't ask me for my license or nothing, or the situation of my truck. He just opened my car door and took me…and he handcuffed me. [……..] He then threatened to deport us all. That's what he wanted to do.

The official did not ask for the vehicle's registration or Nestor's license. Instead, he immediately physically restrained him. He forced each of his passengers out of the truck and slammed them all to the ground. This may have occurred because according to Nestor all of the men were limited English speakers and were all young men under the age of 28. They were coming back from a Mexican party thus it is very likely that they were wearing their dance gear, Durangense boots and hats. The official, seeing that they did not "sound" or "look" American, and were all young men, may have assumed they were undocumented troublemakers; hence the threats of deportation and physical violence.

An additional account depicting human rights abuse of young Latino males includes Alejandro's incident. He shared that he and his young Latino friend were riding a vehicle that

had Spanish letters in the back window, reading "Jesus Vive" (Jesus Lives). When he was pulled

over the officer informed him that he had made an illegal turn on red. After he provided the

officer with the documentation necessary the officer came back to the vehicle and:

> told me to get out of the car. He didn't tell me why and he arrested me. I was
> like, what happened? Why did you arrest me? He said, 'Well if you don't pay
> your tickets you should go to jail.' I was like, 'Wow!' […] He started going
> through my vehicle without my permission [that's when he saw] a whole bunch of
> flyers that said; 'If you have been a victim of abuse or racial profiling.'…..He
> dump[ed] all the flyers everywhere, and he took one of them with him. He [then]
> took me down to the station. [Where he asked] me for my social security
> number…I have never been asked for it, as many times as I have been pulled
> over. […] I don't know maybe he thought I didn't have papers, but he asked for it.
> (Alejandro)

Alejandro was physically removed from his vehicle. He was asked to prove his citizenship

through the provision of his social security number, a strange request according to his previous

experiences. As previously mentioned, Alice Goffman found that black men were targets of

harassment by law enforcement officials due to their youth and semi-illegal status (2009). Given

that Nestor, his companions and Alejandro were perceived as "illegals" they were not treated like

citizens by officials. According to Romero, the suspicion of illegality makes Latinos targets for

inspection regardless of their immigration status (2006).   It provides them a second class

citizenship which leads them to be perceived as outsiders, not worthy of full rights.

> I asked for my phone call and they told me, 'You will in a minute.' So, I never got
> my phone call. They never allowed me to pay my bond. [..] I kept on asking for
> [it], and they kept on saying, 'Hold on, hold on, hold on!' Alejandro

The above passage was previously used to analyze the effects of English, but it is relevant

when analyzing gender and youth. Even though Alejandro patiently "hung on," he was kept at

the station overnight. He stated that whenever he asked about his bond, the officers told him that

the "bond lady" was gone. What baffled Alejandro was that he saw many people, including

prostitutes and rapists, pay their way to freedom. He suspects that due to his race the officials denied him his rights. Additionally, due to his possession of the flyers protesting racial profiling, his youth, gender and a suspected defiance to law enforcement he became a larger threat to officials than morally deviant individuals.

The expectation of deviance from young Latino immigrants, as seen in the previous cases, has real consequences. Bernardo, for example was driving home in a rental car when he was pulled over at a fast food restaurant on suspicion of drug trafficking. He explains

> The officer basically told me that my vehicle had been seen picking up drugs…or a vehicle similar to mine[…] I am like I need some clarification, you know […] I work in ministry. […] He was like, 'You know, [can I] get you to step out [of the car] I am going to put you in handcuffs [for my own security].'
> [After a few minutes] he comes up to me and tells me, 'You know what? We got a witness that you were trying to buy drugs.' I am like, 'Really?'[…..] They are like, 'You better confess. We've got a witness and this and that…and everything.' You could tell [their witness] was a crack head. [She] was like, 'Yeah, yeah, yeah! He..he was trying to buy this and that. I know I saw him.' (mockingly) […] I don't know if that's the kind of stings that [officer's] run, or what. Do they always try to get people to confess?

One of the many stereotypes that plague the Latino, more specifically the Mexican, communities is drug dealing. The officers may have assumed that Bernardo was guilty based on this stereotype. They trusted the word of a drug addict and tried to forcefully acquire a confession. Bernardo's community work and status as a family man did not protect him from harassment. While being interrogated in a public parking lot, he was handcuffed, to protect the safety of the official. Obviously, officials need to take precautions to protect themselves, but it is the presumed culpability of young men of color that leads their expectations. Given that his gender and youth are socially tied with deviance the officials immediately inferred his culpability and tried to acquire a confession by any means necessary.

Skin Color, Harassment & Human Rights Abuse

[The officer] stopped me for my color. I don't think it was because of my accent. I think it was my skin color, because he could not prove that I had done anything wrong. When I would speak with him he would be confused because he didn't know if I was legal or not. […]I think he was always looking for a reason…just a reason to take me with him. Donato1

Donato suspects that the main reason why the officer pulled him over, five times in the span of one month, was the color of his skin. He believes that he was harassed because he looked like the stereotypical Latino immigrant and because the officer assumed that due of his physical appearance and accent, he was undocumented. The data in this study supports Donato's suspicions. First dark complected Latino immigrants come into contact with law enforcement more than light complected immigrants. Secondly, due to their increased contact with law enforcement they were more likely to be suspected of illegal behavior or an undocumented status and consequently run a higher risk of losing their human rights or being harassed, in comparison to light complected immigrants.

Even though the data sample, in this study, is small and only amounted to a total of 24 accounts from 14 participants, what is evident is that only two of the interviewees exhibited a light complexion. Unlike Donato who is dark complected with dark hair, brown eyes and skin, the immigrants, both women, displayed what one would refer to as White characteristics, blondish hair (Monica) and whiter skin. I suggest that light complected immigrants are not as present in this study because they are less likely to be approached by law enforcement due to their phenotypical White characteristics, which help them blend into a society that views itself as White. On the other hand, dark complected individual's "dark skin [evokes] fears of criminality or sharper images of a purported criminal face" (Dasgupta et al., Dixon and Maddox, as quoted by Hochschild et at 2007) thus, illegality and criminality is imprinted on the skin of dark complected individuals. As a way to protect the imagined White American public, law

enforcement officials target the stereotypical Latino immigrant and other communities of color, including young, black men (Goffman 2009).

An example of how law enforcement targets dark complected Latino immigrants and assumes their illegality, is Nestor's case. As discussed in the gender section, Nestor and his companions were driving home after a party at around 2 am. When they were on the expressway, they drove past the officer who immediately turned his patrol car and pulled them over. According to Demetrio, who was with Nestor at time of the interaction, he states that

> [The officer] took us out of the truck and placed us all on the ground [for about an hour]. There were five of us. […]I don't know a lot about [law enforcement], I had never been stopped. They all ask for license and registration. This officer opened the truck door, took [Nestor] out and picked his pockets for his wallet, by force. He did the same to all of us. He didn't let you hand it to him…He just took it out of our pocket...After he took our wallets and ID's he said 'I am calling immigration.'

The officer threatened the men, by telling them that he was calling immigration. According to Nestor, Jorge and Demetrio, the officer did this without knowing if they were indeed, undocumented. He assumed they were. The fact that most of the passengers in the vehicle were dark complected Latinos, (only 3 men were interviewed I do not know if the rest of the men were dark complected) may have increased his suspicion of their possible illegality or deviance.

Similarly, to the previous case, Ruben suggests that he was pulled over because of his skin color. He explains how his encounter took place.

> [The officer] saw us and he followed us. We were all Hispanics […] For a moment he got behind us and then he drove besides us…and he kept looking [over]. When we arrived at a stop light and he saw us, [he] stopped us.
>
> Interviewer: So, you think that you and your passengers were stopped because you were Hispanic?
>
> Ruben: I believe so
>
> Interviewer: Do you think it had anything to do with your broken window?

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> Ruben: I think it was primarily because we were Latinos. I was driving on the
> right side of the road (the side of the broken window) and he drove up on the
> other side….so it would have been hard to see it.

Ruben suggests that it would have been easier for the officer to spot the dark complected Latinos in the vehicle, than to see the broken window. He implied that all the passengers in the vehicle were young, dark complected men, which similarly to Nestor's account suggests that they may have been suspected of deviancy. While in custody, Ruben's description of the interrogating officer's "aggressive" treatment towards him, suggests that he assumed Ruben was undocumented. Not only was he trying to question him without a translator, but he was forceful and frustrated because he "did not understand" Ruben, a limited English speaker. Ruben stated that the officer "felt he was losing his time." This suspicion, suggests that the officials would rather get rid of the suspected "illegals," or criminals, than to take the time to understand the circumstances. This is not to say that officials don't take the time to listen, there are a few accounts in the no abuse section where the official did take the time to do so. The point here is that due to suspicions of illegality on behalf of the official, dark complected immigrants are more likely to be harassed or lose their human rights.

Angelica's account is another case where officials assumed "illegality" and harassed a young, petite, dark complected Latina immigrant. During her interaction, she explained that as soon as the officials saw her they tried to intimidate her by telling her that they had a deportation order for her. She explains:

> When they arrived, [the officer] told me that he had a deportation order for me
> [and] he had a tone of voice. When I told him, 'How can you have a deportation
> order? I am a citizen.' His tone changed.

> Interviewer: Could you describe his first tone?

Angelica: He wanted to intimidate me. He must have thought that I didn't know the language. So, when he noticed that I could answer him and that I was a citizen he changed to a more amicable tone.

Angelica phenotypically possesses the stereotypical Latino immigrant features. The official seeing that she possessed these features assumed that she would not understand English and that she was undocumented. Hence, the threats of the deportation order.

Angelica expressed that she could not understand how the officials could have had an order to deport her. First of all, she is an American citizen. Secondly, the officials did not come straight to her home to present the order. Instead, they were brought to the home by a frightened woman, her husband's cousin. She brought them over so that Angelica would translate for her because the officials approached *her* while she waited for her daughter's bus. The woman, according to Angelica, is dark complected and does not speak any English. Due to Angelica's ties to her husband's cousin, the officers assumed she was documented. Thirdly, when Angelica asked to see the order, the officials did not show it to her. It was not until after they forced her to provide her finger prints, and her documentation, that they flashed it from a distance where she could not read it. She suspects that they lied to her about it so that they would intimidate her and the other woman to possibly acquire incriminating information.

Angelica's account shows how officials use dark complexion as a way to target possible undocumented immigrants. Her husband's cousin, who was sitting in her vehicle waiting for her daughter, was targeted by officials due to her dark features. Initially, officials were unaware that she was a limited English speaker. It was their assumption of criminality tied to her dark complexion that made her a target and led them to view Angelica as an undocumented person. This account shows how a law enforcement encounter with dark complected immigrants could possibly incriminate any dark looking Latino, including American citizens if they are present.

Even though, according to Angelica, the officer changed his tone when she told him she was a citizen, he still harassed and intimidated her to provide additional information to prove her status. This suggests that dark complected Latino individuals, whether documented or not, cannot rid themselves of the "illegality," and criminal stereotype tied to their skin color.

Unlike dark complected immigrants, light complected participants were not subjected to any abuse or harassment. In fact, in all three accounts, based on two light complected participants, the officials pulled them over for traffic violations. These violations included making, illegal turns, and an emergency. In the cases where the light complected women made illegal turns they were ticketed, but they were not harassed. Blanca, suggests that it was English fluency that saved her from harassment. She explains that the officer did not mistreat her because "what he paid attention to was that [she] was fluent in English and [she] had [her] license." She states that she has "never had a bad encounter with an officer in that area or any other area." I suspect this is true, because of her phenotypical attributes. Since she is light complected she is less likely to be suspected of being a deviant or an undocumented immigrant. As previously discussed in the gender and youth problem section, her age, gender and physical attractiveness, may have helped her through the interaction, but the color of her skin prevented her from becoming a target of law enforcement officials. Her attributes made her seem "normal" in comparison to dark complected immigrants who are immediately suspected of being deviants. If she had not made the illegal turn, she may have not been pulled over. Due to her "American" characteristics, white skin and English proficiency, her account seems like any other routine traffic stop. If she were dark complected, like Angelica, she may have been treated similarly and her status as a citizen may have been questioned.

In Monica's second account, she was pulled over by the official for mistakenly turning where she was not supposed to. In her account she suggests that the official did not "want" to deal with her because of her English and because she is Hispanic. After analyzing the account, it does not seem as if her English or her skin color influenced her interaction as much as she believes it did. In fact, she continuously repeated that the officer did not give her the opportunity to speak and that frustrated her the most. As discussed in the gender and youth problem section, Monica felt that the officer "yelled" at her as if he were her "dad." This suggests that it was not her skin color or English that encouraged the officer to disregard her opinions. Instead he may have imposed the stereotype that "women can't drive" onto Monica. Thus, he made her feel insignificant. It was the officer's sexists and paternalistic approach that had the most impact within her interaction, not her skin color. Additionally, she was accompanied by her mother, whom she describes as being "truly Hispanic" looking. By differentiating herself from her dark complected mother, she is reaffirming her own light complexion. She is singularly recognizing that she does not phenotypically pass for a "truly" Latina immigrant.

As researchers it is important to acknowledge what is present in the data, but also what is absent. In the case of this small sample, light complected individuals were nearly absent. This hints that due to their perceived American status they are less likely to be stopped, which leads them to be less vulnerable to abuse and harassment. On the other hand, it makes dark complected immigrants more likely to be stopped and hence makes them more vulnerable to abuse. The data shows that dark complected immigrants were perceived as "illegals" and their immigration status was frequently questioned. Also, even when officers knew of Angelica's American citizenship, she was not treated like a citizen. Instead, the officers harassed her and they lied about having an order of deportation for her. This study suggests that dark skin does in fact create the image of a

criminal and is the leading vulnerability factor for dark complected immigrants. Due to

criminality and illegality being imprinted on the skin of dark complected individuals, their

phenotypical traits make them the targets of the American community that imagines itself as

White.

CONCLUSION

American citizens are "imagined" (Anderson 2006) as fluent English speakers, White, with blonde hair, and blue eyes. This is the perception not just of Americans, but of people across the world, including participants of this study (Angelica, Ruben, Alvaro, Donato). This perception makes people of color outsiders and targets of policing and abuse by the main source of surveillance, law enforcement. In Goffman's study she explains that young black men are harassed and their human rights are lost due to their semi-illegal status in society (2009). Likewise, young, limited English speaking Latino immigrant males are the group more likely to be harassed or lose their human rights due to their suspected "illegals" status. The presence of law enforcement within Latino immigrant communities across Michigan has increased, and so has fear amongst the communities. As previously described, the fear of being apprehended by law enforcement is real. This is especially significant in a time when the issue of immigration is politically charged, the economy is depressed, and Latino immigrants are suspected of being undocumented.

Latino immigrant interactions with law enforcement depict an array of different outcomes that range from "no abuse" where the immigrant has a normal traffic stop (Blanca), to "human rights abuse" in the form of physical violence (Nestor,) and abusive interrogations (Ruben). The most vulnerable immigrant to human rights abuse is the young, limited English speaking dark complected Latino male. These factors combine to create a deviant individual that is especially feared by middle class, White America. Not only is he suspected of being "illegally" present in this country, but he is assumed to be a drug dealer amongst other negative and essentializing stereotypes (Huntington 2004).

More generally the factor that makes Latino immigrants vulnerable to abuse is their skin color. According to my data 12 out of my 14 participants were dark complected. This suggests that the stereotypical Latino immigrant is at a higher risk of being pulled over, which places him or her at a higher risk of losing their rights. In my study the light complected individuals were not harassed nor did they lose their rights when they interacted with officials. Even though my data set is small, it hints at the racial profiling dynamics that takes place in minority encounters with law enforcement and that have been documented by scholars (Romero 2006, Goffman 2009).

The second most important vulnerability factor for Latino immigrants is a low English proficiency. In the near past President Roosevelt demanded that in the United States the only language "we have room for […] is the English language" (Portes 1996). He claimed that it is a symbol of Americanism therefore it was necessary to create "real Americans." The accounts of Latino immigrants clearly depict that, as suggested by Roosevelt, English knowledge is an important American authenticity marker. Therefore, those that did not speak, or speak it with a heavy accent were often targeted by law enforcement. Also, both limited English speakers and bilingual immigrants believed that English is a "weapon" that can defend them from harassment and human rights abuse. The data shows that English gave immigrants the power to appear as pseudo Americans, even if they spoke it with an accent, and it helped them negotiate with officials. According to my participants, when they do not have this "tool," they feel isolated and defenseless against a society that views them as unwanted outsiders. Conclusively, English is a protective factor, a "weapon" of American authenticity. Therefore, the inability to speak English in the United States is a vulnerability factor that makes limited English speakers more susceptible to harassment and human rights abuse.

The gender of my participants was a factor that helped or harmed their interaction. Men were more likely to have their rights abused in comparison to women. This suggests that officers view offenders through a gendered lens. In *Race, Gender and the Administration of Justice in a Community Corrections System* (2011), Jessica Wyse found that officers in fact, view assailants differently depending on their gender. She suggests that they viewed women as "situated within a familial sphere" and they incorporated their "parental obligations into sanctioning decisions." Even though none of the women I interviewed were incarcerated or on probation they were treated similarly. In Angelica's case, for example, her husband's cousin was not arrested because she had to care for her daughter. Instead she was asked to report to the station the next day. The officers treated her in a paternalistic fashion by showing that they "cared" for her daughter's safety. In Monica's second account she felt that the officer treated her like a child. She stated that she felt like she was being "yelled" at by her dad. He also did not give her the opportunity to explain the situation. According to her interaction the officer treated her like a child-like "woman driver." Not only did he treat her in a paternalistic manner, but he was sexist. The interviews with women suggest that officials did not view them as threats to society. Instead it viewed them as women who needed to care for their families and as easily controlled subjects.

In most of the accounts in this study Latino immigrant men were viewed as threats to law enforcement. Young Latino immigrant males seemed like "logical" threats to society, were viewed with suspicion and perceived as deviants. These suspicions led officials to take additional precautions by physically restraining the men (Nestor, Alejandro). My data suggests that older men were protected by their age. This may be due to the size of my data sample, but what is relevant is that even though Miguel, a man in his late 40s lost his rights he does not phenotypically look his age. In fact he looks like a man in his 30s. This shows that younger

looking Latino immigrant men run a higher risk of losing their human rights and are more likely to be subjects to harassment by law enforcement officials in comparison to women. This suggests that, like young Black men, they are perceived as threats to society and can suffer the consequences of being targeted by officers because they "look like deviants."

The interaction of Latino immigrants with law enforcement tell us a lot about how power functions in our society. According to Foucault's theory of power "modern punishment is not organized by occasional fear inspiring public brutality but on a panoptic system of inspection" (Goffman 2009). The panoptic is a high surveillance monitoring system that is structured through the rational of discipline and punishment for deviant behavior in society. According to Foucault, social control is enforced through "constant observation" of those within it (1979). He argues that in panoptic places, like prisons, cooperation is acquired through unlimited supervision and people are coerced into compliance (Foucault 1979; Goffman 2009) to the point where they monitor themselves (Garland as quoted by Goffman 2009).

Even though the panoptic does not exist as believed by Foucault, individuals in society serve as surveillance of governmental power. They are the watchful eye of exclusion. Law enforcement directly enforces it through harassment and abuse, but society helps spots the outsiders on a daily basis. Demetrio for example, fears going into public spaces because he believes that people "stare" at him. He feels as if he is always watched. This fear of surveillance pushes immigrants into secluded communities where they are disconnected from the mainstream. This is depicted by the lives of most of my participants who either literally lived in the outskirts of society in small rural communities, or they congregated in a safe place, like the church.

Latino immigrants, especially the undocumented, fear law enforcement even if they are not always present in their communities. Fear of coming into contact with them restricts

immigrants from doing as they wish. Ruben, for example, refuses to drive through the area of his encounter. He states that he was racially profiled that is why he does not "go near that area anymore." He suggests that "if it happened before it can happen again." Due to his treatment, he hints that he will do anything to avoid coming into contact with officials, by regulating his own life and by changing his driving route.

According to Goffman law enforcement's "occasional examinations" of urine, random stop and frisks on the street of the Black men in the ghetto are to identify people who may qualify for prison and to bring deviants to the state and not as a way to provide rewards or to range small punishments as suggested by Foucault (2009). Like Goffman, I suggest that this is true of random immigration raids that occur within the immigrant communities. Officials present themselves to arrest possible undocumented people and harass legal immigrants in the process. By doing so they instill fear amongst the community and many, if not most, resort to feeling as if they themselves are undocumented and monitor themselves from coming into contact with law enforcement. I suspect this may be tied to my American born participant's identification as immigrants. Even though they are "Americans" they may not feel as such because mainstream society does not "claim" them. It may also be due to their familial and communal ties to the immigrants.

Goffman suggests that the "examinations" and the threat of prison do not produce "orderly subjects" of the young Black men in the ghetto. In fact she suggests that it does not make sense to be orderly when they could be sent to jail at any time. She argues that monitoring does not put an end to fear as suggested by Foucalt and states that the lives of people in the ghetto are organized around the fear of being sent to jail (2009). Similarly, the fear of deportation and possible family separation leads Latino immigrants further away from society. Both minority

populations have a high price to pay, if they are found to be "illegals," but in the case of undocumented immigrants the physical removal from the country could lead to permanent separation from their loved ones, which may include American children. As previously mentioned, a recent study found out that about 5000 American children are placed in the foster care system annually due to deportations. Due to the parents undocumented status the juvenile dependency court terminates their parental rights. This means that they cannot claim their children from the system. Consequently, they may never see their children again (Wessler et al. 2011). For a community that relies on its familial ties, due to their cultural norms and their exclusion from mainstream American society, the possible separation from their children is the worst punishment that a law enforcement encounter could cost. Since most immigrant communities are of mixed status this is a risk that most families run and refuse to take. An encounter with law enforcement could cost immigrant families their sole base of emotional and communal support, their family. To protect themselves from the dangers that could be inflicted on their families they become "well disciplined" subjects who out of fear of punishment, stay in the margins of society.

My data suggests that Latino immigrant's highest vulnerability factor to abuse is their dark complexion. This factor is possessed by many American citizens of Latino heritage and is a stark reminder of the race and power relations in this country. My data also suggests that Latino immigrant rights are more likely to be violated if they possess a "foreign" accent, a Limited English proficiency and are young men. Even though my thesis is not about the legalistic aspect of law enforcement practices my participants hint to the coercive law enforcement treatment they sometimes face when interacting with officials. This suggests that there needs to be policy

changes to make sure that the human rights of *all* are protected in a country that calls itself a champion of human rights.

Policy Suggestions

I will now turn to policy considerations that could help solve some of the issues previously discussed. As a way to address harassment and to serve limited English speakers, not only Spanish speakers, law enforcement branches should consider encouraging bilingual education within their agencies. Also, they should create a hotline to provide translation services via phone. This service should include the foreign language most spoken depending on the location of the law enforcement agency. In doing so, not only would rights be preserved, but the lives of American citizens and residents alike could be benefited. If these services were offered, in case of emergencies officers would be able to respond accurately and without the added frustration of not being able to communicate with a victim or perpetrator. By taking away the language barrier, I suggest that there would be less harassment and abuse. Also, it would help build community and trust between law enforcement officials and their constituents, including immigrant communities. This could decrease crime and help unite people.

In the case of harassment due to the color of one's skin, I suggest that law enforcement agencies encourage and teach tolerance. This is not to discredit the work that law enforcement agencies already do. What I suggest is that they should be enforced through internal and external policies. Also, it should be mandatory for community leaders and law enforcement to create community events where officers and all constituents are encouraged to visit and share each other's culture. This is overly optimistic, especially when immigrants are fearful of law enforcement officials but can slowly be implemented. These events create community and can help humanize both the immigrant community and the officers. According to recent statistics

"more than half of the growth in the total population of the United States between 2000 and 2010 was due to the increase in the Hispanic population" (U.S. Census Bureau 2011). This means that the Latino population is increasing and law enforcement agencies should be equipped to interact with the diverse Latino community that will (and does) include first and second generation Americans.

Future Research Suggestions

It is obvious that no study can bring closure to an issue. In my case, it sparked an interest in learning more about the undocumented immigrant incarceration practices in the United States. Through Ezequiel's account I found out that undocumented minors are incarcerated with the mainstream population when being held for deportation proceedings. I would like to know how state and federal laws differ in these practices. Also, it would be interesting to acquire the personal stories of youth who have been, and who are incarcerated in immigration detention centers, or local jails across the country.

I am also curious to understand the effects that parental removal rights of undocumented immigrants deported to their home countries. How do the children cope with their parental loss? How or when does the state decide to do this? What could be done to reunite them with their families? Research should also analyze the alienation perceived by Latinos from American society. Researchers should ask how much emotional and physical trauma contemporary immigrants endure when they migrate without speaking English. How does this affect their incorporation to society? Do they feel like they have the capacity to incorporate into society? Do they want to assimilate into American society?

Finally, I am very interested in understanding why American born Latinos identify themselves as immigrants. As suggested in the conclusion, I suspect that it may partially be due

to the high surveillance of immigrant communities, but what other factors make them chose to claim an immigrant identity? These are only a few of the many questions that can be approached by future researchers. I hope that my brief contribution inspires them to critically investigate current immigration related topics and their effects on immigrant communities across the country.

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Table 1

**Interviewee Demographics Organized
by English Language Proficiency**

Bilingual Speakers						
Name	**Gender**	**Age**	**Education**	**Time in U.S in Yrs.**	**Occupation**	**Country of origin**
Alejandro	M	18-29	College	24	Professional	U.S
Bernardo	M	30-39	College	33	Professional	Mexico
Blanca	F	18-29	College	23	Professional	U.S.
Monica	F	18-29	College	3	Stay at home mom	Puerto Rico
Angelica	F	18-29	HS	13	Service/Restaurant	Mexico
Donato	M	30-39	HS	18	Agriculture	Mexico
Ezequiel	M	30-39	HS	16	Service/Restaurant	Mexico

Limited English Speakers						
Name	**Gender**	**Age**	**Education**	**Time in U.S in Yrs.**	**Occupation**	**Country of origin**
Miguel	M	40-49	HS	13	Construction	Mexico
Ruben	M	18-29	College	7	Factory	Mexico
Jorge	M	18-29	HS	5.5	Agriculture	Mexico
Alvaro	M	40-49	HS	7	Factory	Mexico
Placida	F	40-49	Elementary	20	Sales	Mexico
Nestor	M	18-29	HS	8	Agriculture	Mexico
Demetrio	M	18-29	HS	3	Agriculture	Mexico

Table 2: Law Enforcement Encounters by Measure of Harassment Divided by English Language Proficiency

Limited English Speakers		
No abuse	**Harassment**	**Human Rights Abuse**
Jorge 1 (M, 1, DC, NT)	Placida (F, 3, DC ,T)	Demetrio (M, 1, DC, NT)
Miguel 3 (M, 3, DC, NT)	Miguel 2 (M, 3, DC,NT)	Nestor (M,1,DC, NT)
Alvaro 1 (M, 3, DC,NT)	Alvaro 3 (M, 3, DC,T)	Miguel 1 (M, 3, DC, NT)
Alvaro 2 (M, 3, DC,NT)		Ruben (M, 1 , DC,T)
Bilingual Participants		
No abuse	**Harassment**	**Human Rights Abuse**
Donato 3 (M, 2, DC, FA)	Angelica (F, 1, DC)	Alejandro (M, 1, DC)
Blanca (F, 1, LC)	Bernardo 1(M, 2, DC)	Ezequiel 1 (M, 2, DC, FA)
Monica 1 (F, 1, LC)	Donato 1 (M, 2, DC, FA)	Ezequiel 2 (M, 2, DC, FA)
Monica 2 (F, 1, LC)	Donato 2 (M, 2, DC, FA)	
Bernardo 2 (M, 2, DC)	Ezequiel 3 (M, 2, DC, FA)	

Table Key
Gender: **M**=male, **F**=Female

Age: **1**= (18-29), **2**= (30-39), or **3**= (40-49)

Skin Complexion: **LC**=Light complected or **DC**=Dark complected, stereotypical Latino/a

NT=No translator while interrogated
T=translator while interrogated (via phone or in person)
FA=strong foreign accent
Where no 4th code is present a translator was not needed, nor was a discernible accent present.

SE BUSCAN PARTICIPANTES PARA UNA INVESTIGACIÓN!

Eres un inmigrante latino/a que ha tenido un encuentro con agentes de la ley (policías, agentes de inmigración)? Si es así, me gustaría hacerle una entrevista! Todas las entrevistas son confidenciales. Y Los participantes recibirán un incentivo de $15.

Si usted está interesado/a por favor envíeme un correo electronico con el titulo "entrevista" a mgflores@umich.edu o llámeme al 517-902-2949 para establecer una cita.

LOOKING FOR RESEARCH PARTICIPANTS!

Are you a Latino/a immigrant who has had an encounter with law enforcement (police, immigration authorities)? If so, I would like to interview you. All interviews are confidential. Plus, participants will receive a $15 incentive.

If you are interested please e-mail me at mgflores@umich.edu with the title line "interview" or call me at 517-902-2949 to set up an appointment.

Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949	Maria Flores mgflores@umich.edu 517-902-2949

Questionnaire

Please answer the following questions as truthfully as possible.

1. Gender
    a. Male
    b. female
2. Age
    a. 18-29
    b. 30-39
    c. 40-49
    d. 50-59
    e. 60 and older
3. What is your highest level of education? _____
4. What is the crime rate in your neighborhood?
    a. Low
    b. Medium
    c. High
5. How long have you live in the United States? _____
6. What is your current occupation? _____
7. What is your country of origin? _____
8. What is your first language? _____
9. How long have you spoken the English language? _____
10. Rate your current English language proficiency.

    1   2   3   4   5

    Poor   Best

Cuestionario

Por favor conteste las siguientes preguntas de la forma más verdadera posible.

1. Género
   a. Masculino
   b. Feminino
2. Edad
   a. 18-29
   b. 30-39
   c. 40-49
   d. 50-59
   e. 60 años o mas
3. ¿Cuál es su nivel más alto de educación? _____
4. ¿Cuál es la tasa de criminalidad en su vecindario?
   a. Baja
   b. Mediana
   c. Alta
5. Cuánto tiempo tiene viviendo en los Estados Unidos?_____
6. ¿ Cual es su ocupación laboral? _____
7. ¿Cuál es su país de origen? _____
8. ¿Cuál es su primer idioma ?_____
9. ¿Cuánto tiempo ha hablado el idioma Inglés?_____
10. Evalúe su nivel actual del idioma Inglés.

    1   2   3   4   5

    Pobre   Mejor

Interview Schedule

1. What year did you migrate to the United States?
2. How do you like living in your neighborhood?
3. Do you feel part of the Latino community in your neighborhood?
4. Referring to English language proficiency.
   a. How comfortable do you feel communicating in English?
      i. How has this impacted your daily life in the United States?
5. Can you tell me about the time when you encountered or were encountered by law enforcement?
   a. Can you remember any specific details about the situation?
      i. What were you wearing?
      ii. Where were you?
      iii. Did you interact with law enforcement in a private or public space?
      iv. What were you doing when you were approached?
   b. Were you the primary target of law enforcement?
      i. If so, what was the reason?
      ii. If not, what was the reason law enforcement questioned you?
   c. Was anyone else present at the time of your encounter with law enforcement?
      i. What did they look like?
      ii. How fluently did they speak English?
      iii. Did law enforcement question this person/s?
   d. How did you feel?
6. Law enforcement officials
   a. What did the officer look like?
   b. How effectively did he/she communicate?
7. During the interaction with law enforcement:
   a. Were you able to communicate effectively?
   b. Did you understand the official's requests?
   c. If not, were you provided a translator?
      1. If so, how long did it take them to provide you information in your language?
8. Were you arrested?
   a. If so, how did your arrest take place?
      i. How did the officer communicate your rights?
      ii. Did you understand why you were being apprehended?
      iii. Did you have access to an attorney?
      iv. What were the conditions like inside the prison/jail? How were you treated?
   b. If not, what was the solution?
9. What would you do if you were in the officer's place?
10. If you could change your interaction with law enforcement what would you do differently?

Entrevista
1. ¿En qué año migro a los Estados Unidos?
2. ¿Qué le parece vivir en su vecindario?
3. ¿Se siente parte de la comunidad latina en su vecindario?
4. Refiriéndose al dominio del idioma Inglés.
   a. ¿Qué tan cómodo se siente usted comunicarse en Inglés?
      i. ¿Cómo ha impactado a su vida cotidiana en los Estados Unidos?
5. ¿Me puedes decir sobre el momento mas reciente en el que tuvo un encuentro con agentes de las leyes?
   a. ¿Se acuerda de los detalles específicos acerca de la situación?
      i. ¿Qué ropa traia puesta?
      ii. ¿Dónde estaba?
      iii. ¿Estaba en un espacio privado o público?
      iv. ¿Qué estabas haciendo cuando fueron abordados?
   b. ¿Era usted el objetivo principal de los agentes de ley?
      i. Si es así, ¿cuál fue la razón?
      ii. Si no, ¿cuál fue la razón porque lo interrogaron?
   c. Había alguien más presente en el momento de su encuentro con los agentes de leyes?
      i. ¿Qué aspecto tenían?
      ii. ¿Cón que fluidez hablan el Inglés?
      iii. Los interrogaron los agentes de leyes?
   d. ¿Cómo se sentía?
6. Los agentes del orden
   a. ¿Cómo era el oficial de leyes?
   b. Como de efectivamente se comunicaba el/ella?
7. Durante la interacción con los agentes de leyes:
   a. ¿Fue capaz de comunicarse de manera efectiva?
   b. ¿Entendió las solicitudes del agente?
      i. Si no, se le proporcionó un traductor?
         1. Si es así, ¿cuánto tiempo le tomó para que le proporcionaran la información en su idioma?
8. Fue detenido/a?
   a. Si es así, como ocasiono su arresto?
      i. ¿Cómo le comunico sus derechos el oficial?
      ii. Entendió por qué fue detenido/a?
      iii. ¿Tuvo acceso a un abogado?
      iv. ¿Cuáles fueron las condiciones, dentro de la prisión / cárcel? ¿Cómo lo trataron?
   b. Si no, ¿Cuál fue la solución?
9. Que haría usted si estuviera en el lugar del oficial?
10. Si pudiera cambiar su contacto con los agentes, que haría diferente?

Consent to Participate in a Research Study

Principal Investigator: Maria Flores, Sociology Department, University of Michigan

Faculty Advisor: Elizabeth A. Armstrong, Ph.D., Sociology Department,
University of Michigan

Description of the activity

- The research project that you are participating in is for my Sociology senior thesis at the University of Michigan. The topic of my project is Latino/a immigrants interactions with law enforcement (ie. Police and immigration authorities).

Description of human subject involvement

- I would like to ask you a few questions regarding your interaction with law enforcement. There will be a short questionnaire that will ask you about your background and an interview which will take about an hour.

- Answering the questions may pose stress to you as an individual who may have had an unpleasant experience with law enforcement.

Benefits

- There is no benefit to you for participating in my study.

- However, you will receive the small incentive of $15 at the end of the interview as a way to compensate you for your time.

Confidentiality of records/data

- All of your answers will be completely confidential. I will be the only person who will have access to your identifying information. I will also be the only one who will have access to the recorded interview. The interview recorded will be transcribed and pseudonyms will replace any information that may identify you.

- The data collected will be used and presented as part of my developing senior thesis.

- ***Again, none of your identifying information will ever be disclosed!***

Voluntary Participation

- Your participation is completely **voluntary**.

- You may decide to stop participating at any time.

- You may skip or refuse to answer any question.

Contact

- If you have questions about this research, including questions about the scheduling of the shadowing, you may contact the researcher, Maria G. Flores, at: mgflores@umich.edu. You may also contact the project advisor, Elizabeth A. Armstrong at: elarmstr@umich.edu.

Consent

I have read the information above. I hereby consent to participate in the study.

_____

Date

<u>**Consentimiento para Participar en un Estudio de Investigación**</u>

Investigador Principal: Maria Flores, Departamento de Sociologia de la Universidad de Michigan

Asesor de la Facultad: Elizabeth A. Armstrong, Ph.D., Departamento de Sociologia de la Universidad de Michigan

Descripción de la actividad

- El proyecto en cual esta participando es una parte integral de mi tesis con el departamento de sociológica en la Universidad de Michigan. El tema de mi proyecto es la interacción de los latinos/as con los agentes de leyes (la policía y las autoridades de inmigración).

Descripción de la participación de sujetos humanos

- Me gustaría hacerle algunas preguntas con respecto a su interacción con los agentes de leyes. Las preguntas serán presentadas en una forma de cuestionario y una entrevista que se llevara una hora. El cuestionario es breve y solamente preguntara datos demográficos.

- Responder a las preguntas le puede causar estrés a usted como un individuo por que posiblemente le hara recordar una experiencia desagradable con los agentes de leyes.

Beneficios

- No hay beneficio para usted por participar en mi estudio.

- Pero, usted recibirá el pequeño incentivo de $15 al final de la entrevista como una manera de compensar por su tiempo.

Confidencialidad de los registros y datos

- Todas sus respuestas serán totalmente confidenciales. Yo seré la única persona que tendrá acceso a su información de identificación. También sere la única que tendrá acceso a la entrevista grabada cual será transcribida. Despues de que sea transcribida seudónimos reemplazarán cualquier información que pueda identificarle.

- Los datos recogidos serán utilizados y presentados como parte de mi tesis en el departamento de sociología en la Universidad de Michigan.

- ***Ninguna de su información de identificación se revelara!***

Participación voluntaria

- Su participación es totalmente **voluntaria**.

- Usted puede decidir dejar de participar en cualquier momento.

- Usted puede saltar o negarse a contestar cualquier pregunta.

Contacto

- Si usted tiene preguntas sobre esta investigación, incluyendo preguntas sobre la programación, puede comunicarse con la investigadora, María G. Flores, a: mgflores@umich.edu. También puede comunicarse con el asesor del proyecto, Elizabeth A. Armstrong a: elarmstr@umich.edu.

Consentimiento

He leído la información anterior. Doy mi consentimiento para participar en el estudio.

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Fecha