Lives in Limbo
Undocumented and
Coming of Age in America

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Conclusion

Managing Lives in Limbo

In 2015, when Esperanza, after graduating from the University of California in 2006, was working as a receptionist and taking care of her baby girl, I asked her, “What do you think your life would be like now if you had received your papers ten years ago?” She responded,

I would have taken the job working at a lab at the University of California instead of dismissing the opportunity because I was quietly undocumented. I would have applied for the undergraduate research program at my university and the [Washington, D.C.] Academic Internship program. I might even have stayed an extra year [in college] and minored in sociology or gotten a second BA in order to get my grades up—it would have made a huge difference in my GPA. After college I would have taken the job I was offered as an underwriter at an insurance company, instead of making up a story about why I could not give my ID number over the phone and saying that I would call them back and never actually calling back. After working for four years there, I would have gone on to law school. Can you imagine? I would have been young and extraordinary. I would have been the walking truth instead of a walking shadow.

Maybe then my [older] sister would have gone on to a university and my cousins would have surpassed my educational accomplishments instead of dismissing them. And today, in 2015, my two teenage sisters would not be so nonchalant about school. No matter how much I tell them to go to college and go as far as the wind will take them, they always come back at me with “Well, what degree do you have? Do you need a university degree to work where you are at? How much do you make? I can make that without going to college, have good credit, and get a nice car [because they are US citizens].” My US citizen friends who graduated with me have jobs they adore. They are living the life.

For young people like Esperanza, and the other young people I have come to know these last twelve years, questions of “What if?” consume their everyday thoughts. What if Sergio had become legalized through his stepfather during his early twenties when he still had a positive outlook on school and his future? What if Irene had been able to accept the offer of an internship with the television film crew in Mexico City? What if Ramon had been eligible for DACA despite the mistakes he made as a teenager? What if Gabriel, Scarlet, and Nimo had had the financial means to give themselves and their families a respite from worry? Would these young people have better lives than the ones they have now? One can only speculate. What is certain, though, is that the lives they have led these last twelve years epitomize Langston Hughes’s “dream deferred.” Their lives are a testament to the effects of a dysfunctional immigration system and Congress’s failure to fix it.

Despite some early momentum, the first fifteen years of the twentieth century brought no progress in the creation of a more coherent immigration policy. In 2001, George W. Bush’s first year in office, immigration reform was a key agenda item for the former Texas governor, and both chambers of Congress signaled a willingness to pass significant immigration legislation. By the fall, three key pieces of legislation were moving forward: a pair of agricultural bills, each introduced with bipartisan support; extensions (approved by the House and Senate) to an existing provision that allowed undocumented immigrants who were otherwise eligible for green cards to adjust to lawful permanent residency without leaving the country and bills backed by bipartisan groups in both chambers that would provide a pathway to citizenship for young immigrants.¹

Moreover, there was growing momentum to advance a bill that would legalize immigrants brought to the country as children. Early in 2001, Senator Richard Durbin (D-IL) met a high school student named Thereza Lee who had been accepted to the Juilliard School of Music—a dream come true for her.³ The music director at Ms. Lee’s school contacted Durbin’s office when she found out that this student’s immigration status would prevent her from being able to attend Juilliard. An honors student and concert pianist, Ms. Lee had come to Chicago as a toddler, but because her parents failed to file her immigration paperwork she had no legal residency status. Durbin, moved by her story, helped champion what would later be proposed as the DREAM Act, a bill that would provide conditional permanent residency to certain immigrants of good moral character who graduated from US high
schools, had arrived as minors, and had lived in the country continuously for at least five years prior to the bill's enactment. Throughout 2001, President Bush and Mexican president Vicente Fox spent considerable time negotiating a bilateral agreement on immigration policies and programs that would benefit Mexican migrants and their families. On September 6, 2001, the two leaders formally endorsed a framework agreement on immigration and publicly committed to completing the deal by the end of the year. Finally, real immigration reform appeared certain.

However, a few short days later, the terrorist attacks on the World Trade Center and the Pentagon occurred. In the wake of the tragic events of 9/11, immigration reform negotiations collapsed. Since the attacks were carried out by individuals who were in the United States with visas, immigration measures and border security immediately became central topics of concern. On September 12, Thereza Lee had been scheduled to give a special performance in Washington, D.C., in which she and other undocumented students would make their case for the DREAM Act. Instead, all flights were cancelled that day, and it would be a long time before the DREAM Act and other immigration issues would return to the fore.

Almost four years later, in May 2005, in an attempt to revive immigration discussions, Senators John McCain (R-AZ) and Ted Kennedy (D-MA) introduced S. 1033, the Secure America and Orderly Immigration Act, more commonly known as “McCain-Kennedy.” This bill, which incorporated legalization, guest worker programs, and border enforcement components, was the first comprehensive immigration reform package to be introduced since the early 2000s. Although the bill never came to a vote in the Senate, subsequent bills were drafted on the basis of its framework. During this time, the DREAM Act was attached to various bills (including McCain-Kennedy) and was proposed as an amendment to the 2008 Department of Defense Authorization Bill (S. 2919). None of these efforts succeeded. On October 18, 2007, Durbin, along with Republican cosponsors Charles Hagel (R-NE) and Richard Lugar (R-IN), introduced the DREAM Act as S. 2205. But the bill ultimately failed a cloture attempt and did not make it to the Senate floor. Despite bipartisan support, several more years passed before the DREAM Act again came up for debate.

During the years in which the DREAM Act remained stalled, stories like Thereza Lee's multiplied. In 2006, the Wall Street Journal reported the dilemma of Princeton salutatorian Dan-el Padilla Peralta, who faced the daunting prospect of not being able to return to the United States if he accepted a two-year scholarship to attend Oxford University in the United Kingdom. A chorus of high-level supporters, including Senator Hillary Clinton and the deans of Harvard Law School and Princeton's Woodrow Wilson School of Public and International Affairs, pressed Citizenship and Immigration Services officials to issue Padilla Peralta a visa, arguing that this high achiever (who delivered his valedictory speech in Latin) should not be punished for a crime he did not commit. Four years later, the Boston Globe reported the arrest and detention of nineteen-year-old Harvard biology student Eric Balderas as he tried to board a plane back to Boston after visiting his mother in San Antonio. When Balderas was granted a temporary visa to stay in the United States, his high school history teacher exclaimed, "It's like somebody up there understands the situation and that he's really a great person and the kind of people we want here in this country." In a lame-duck session of Congress in December 2010, an eleventh-hour attempt came very close to producing passage of the DREAM Act. After a strong push by President Obama and top congressional Democrats, the act was debated on the floor of the House. To the elation of its supporters, the Democratically controlled House passed the bill by a vote of 216–198. A week later, hopes were dashed when a cloture motion in the Senate was rejected by a margin of five votes, killing the bill and effectively stalling momentum.

The defeat of the DREAM Act in the House meant that undocumented immigrant youth and young adults would have to wait longer. It also suggested that the stories being told by and about hardworking, successful "DREAMers" were failing to sway a segment of Congress. By that time many Americans had come to know hundreds of undocumented valedictorians, class presidents, and model community members through stories told on the floor of Congress, by advocates on college campuses and communities, and on the pages of media outlets throughout the country. These narratives of wasted talent are a heart-breaking illustration of a dysfunctional immigration system that persistently denies the futures of aspiring teachers, doctors, engineers, and architects. The stories also provide ample ammunition in the fight for immigrants' rights. Nevertheless, instead of incorporating these young people, Congress has blocked their progress.

Blocked access to higher education and high-skilled jobs is a serious problem. Legal barriers to the mechanism most Americans try to use to get ahead have grave consequences for undocumented young people,
their families, and their communities. When these young people have what it takes to fill the gaps in our highly skilled workforce, this denial is also costly to society as a whole. The theme of wasted talent used by many advocates resonates with many Americans. It is important to recognize, however, that this is only one aspect of the ruinous consequences of current immigration laws. The political debate that has undoubtedly swayed public opinion, prompted more state legislatures to pass bills that improve college access for undocumented students, and moved business leaders, university presidents, and city councils to join their cause, while successful in these terms, has nevertheless obscured many of the realities this book has sought to uncover.

The narrative of the hardworking, academically successful undocumented immigrant student, while helpful in gaining public support, does not address the deeper and more far-reaching consequences of being undocumented: living in poverty, having parents and family members who also bear the burdens of being undocumented, watching friends moving forward but being unable to join them, watching opportunities pass you by, navigating a world of exclusions while constantly looking over your shoulder, and living in fear of deportation. The academically successful make up a small portion of any demographic group and an even smaller fraction of poor, immigrant, and minority youth. Though some undocumented youth become academic high achievers but are barred by immigration laws from obtaining employment at the level of their education and skills, a far larger number encounter, even earlier, obstacles that hamper their ability to succeed in school. A focus on high achievers tends to obscure the struggles of the many other undocumented young people who have fallen from view.19

By the time I was finishing this book in the summer of 2015, exactly fourteen years had passed since the initial introduction of the DREAM Act—for my respondents, fourteen years of lost opportunities, diminishing hopes, balked efforts, and grinding stress. Congress’s failure to pass legislation to address the untenable circumstances of undocumented immigrant young people has left more than two million children and young adults in a legal limbo.

TIME AND THE TRANSITION TO ILLLEGALITY

For undocumented young people, the passage of time is the force that first suspends and later catalyzes the transition to illegality. While familial decisions to migrate are often out of children’s control, the timing of a family’s migration determines the institutions through which children will enter the host country’s society: day care, primary or secondary school, or perhaps the labor market.

During childhood, time is a friendly, slow-moving companion. It encourages a child’s attachment to neighborhood spaces and nurtures the development of relationships. Through these experiences, children develop an understanding of their place in the world around them. The accumulation of experiences over time transforms their new surroundings into home. This change is apparent in the way they think, speak, dress, and interact with others.

The childhood and adolescent experiences of my respondents provide compelling evidence that links membership to a set of activities a person engages in as part of a national community and to formal and informal community participation.11 In this view, community belonging is tied to group membership, but people can belong in many different ways and to different kinds of groups. For children, peers exert a great influence over their lives and thus are an important part of their primary community.

Laws frame immigrants’ integration and determine their opportunities for work, their access to political participation, and their eligibility for a range of social benefits.12 Regardless of the extent of their social participation and economic contribution, immigrants who lack legal status are excluded from full membership. My findings, which document illegality as a master status, uphold this observation.

As my respondents entered adolescence, they confronted new requirements of membership and participated in different types of institutions. And as they began to confront glass ceilings in adolescence and early adulthood they came to realize the strict limits to their belonging. Their exclusion from a range of experiences open to their friends tore them out of affirming and nurturing peer networks and drove them toward outsider status. Being undocumented carried a stigma that compelled them to keep secrets even from their closest friends. Instead of explaining why they could not drive or join friends for drinks after work, many respondents began to drop out of peer activities. Stigma management functioned as a secondary border by inducing them to withdraw from peer activities in order to hide their immigration status. Over time concealment became routine. These actions not only reduced their participation but also made them coconspirators in the narrowing of their own worlds.

Unable to participate on an equal footing with their peers, my respondents found themselves on the outside of the circle looking in.
This new and painful perspective did not stop them from experiencing their surroundings as home. To the contrary, everyday spaces of inclusion were a powerful reminder of what they could not fully have. The American dream is seductive; children grow up believing that their participation, hard work, and achievement will garner material success and the recognition of formal citizenship. This is perhaps the most devastating aspect of illegality for the 1.5 generation. Everyday life offers daily glimpses of hope—the possibility of friendly exchanges with familiar faces and opportunities to participate in community events. But for undocumented youth these moments are ultimately tainted by the larger frame of exclusion and their growing realization that full membership can be achieved only through formal citizenship.

Inexorably, time caught up with my respondents. As in other societies, the United States has cultural norms specifying age-appropriate behaviors, responsibilities, and rites of passage that shepherd each new generation of youth into adult roles. But for undocumented youth, the transition to adulthood is akin to a waking nightmare. As my respondents reached significant points of transition (acquisition of a driver’s license, a first paycheck, a senior class trip), their movement toward adulthood was suddenly and irrevocably blocked by immigration status. Because the accumulated experiences of inclusion during their childhood and adolescent years had solidified their sense of integration and membership, this transition to illegality was shocking and debilitating. It represented a fundamental loss of footing that required them to rethink their own identities and their place in the social worlds they inhabited.

The transition to illegality—changes in rules concerning undocumented status that took effect in respondents’ late adolescence and early adulthood, shifting the meaning and implications of that status—caused respondents to fall dramatically far behind their native-born peers. As their life responsibilities grew, their legal options shrank. They were unable to carry out many adult tasks (working, driving, voting), even though they were just as eager to do so as their friends and classmates. Finding themselves out of step with peers was painful and disorienting, but this was not their only concern. Growing obligations to help out their families and to take responsibility for their own economic needs pushed them increasingly into activities for which they lacked the legal permission to participate. Immigration restrictions stunted their normal adult growth at the same time that family poverty kept them from lingering in adolescence.

Those undocumented youth who enjoyed some combination of reduced family responsibilities, the ability to avoid or postpone entry into the job market, and legally permissible opportunities such as higher education were able to avoid some of the more damaging effects of illegality during their early life transitions. As the experiences of the college-goers illustrate, a successful and seamless transition from K-12 schooling to higher education preserved important support networks and gave respondents a viable and productive pursuit, while also reducing their contact with illicit spaces.

Life course scholars note a recent shift in Western societies with respect to the timing of traditional adult transitions. Economic changes that privilege postgraduate education prompt young people whose families can finance postsecondary schooling to delay their entry into the workforce and marriage. These young people are able to spend their late adolescence and early adulthood gaining a competitive edge in today’s high-skilled labor market by developing skills, building résumés, and earning advanced degrees.

For the young adults I interviewed, however, the dominant culture’s frame of reference was often less salient than the frames of reference that they had grown up with in their families and communities. They seemed to worry, not that they were staying home too long to help out their families, but that they were unable to help out as much as they wished because of work instability. Ultimately, though, they were concerned that the paths to adulthood that they had chosen—paths influenced both by family loyalties and by cultural expectations—were being blocked by their undocumented status.

As respondents grew into adulthood, a chasm opened up between their stressful, precarious present and a happy, more inclusive past, between illegality and belonging. Early exilers began the transition to illegality as teenagers through everyday behaviors that solidified into narrow, unvarying routines. As opportunities passed them by, lives of illegality became the norm. Most became accustomed to lives of limitation, learning the skills and attitudes necessary to succeed in truncated worlds. Although college-goers were able to delay this transition, time eventually caught up to them. They had come so far, but they continued to face barriers that limited their opportunities to accumulate relevant work experience, build résumés, and challenge their sense of belonging and their own physical and psychological capacities.

These powerful forces of time and the law channeled these undocumented young adults into a stream of bad options. Their work
opportunities were limited to grueling low-wage jobs, and working exposed them to many other negative aspects of undocumented life. They needed to recalibrate their expectations for the future while simultaneously learning new survival skills to avoid being caught in Immigration and Customs Enforcement (ICE) raids at work or being arrested, detained, and deported on their daily commute.

Time was distorted in adulthood. Family need forced many respondents to enter the low-wage labor force early, accelerating their transitions to adulthood and illegality. However, exclusions from work, driving, and adult activities prohibited them from crossing important thresholds into adulthood. All the while, under the crushing weight of illegality—of low-wage work, of family responsibilities, and of the everyday struggle to make ends meet—time stopped. Future outlooks began to dim. Deferred dreams began to die. The lofty goals of adolescence faded into the realm of impossibility. And day-to-day worries about getting home safely, coping with stressful and unfulfilling jobs, and balancing rising expenses against uncertain income forced respondents’ attention to remain fixed on the present. This stopping of time is also evident in the trajectories of those who made mistakes in their past but were unable to put previous charges behind them—despite years of rehabilitation and good behavior.

Much of the recent scholarship on migration has moved away from an exclusive focus on individual immigrants to a more nuanced interplay between individual-level characteristics and the larger structural forces—immigration law, the educational system, the labor market, and communities—that shape opportunities and barriers. My respondents’ experiences support claims that the key problem to be studied is not undocumented young people per se but the laws and structures that frame their lives. Immigration laws do more than set the parameters for inclusion and exclusion. Increasingly, by transforming normal activities into illicit acts, they also shape the terrain on which immigrants carry out their daily lives. In addition to arresting, detaining, and removing migrants, the state has many other mechanisms to modify migrants’ actions. Practices such as establishing immigration checkpoints, deploying immigration agents to public spaces like parks, recreation centers, and bus stations, and recruiting a wide range of community and institutional actors for immigration enforcement duties severely curtail undocumented migrants’ ability to pursue the normal activities of everyday life.

Empirical studies demonstrate that the conditions created by these legal structures have pervasive effects on embodied, subjective experi-

ences of illegality in everyday life. However, for my respondents, the experience of being an “illegal subject” varied across the life course, with a brutal disruption occurring in late adolescence. This variation is consistent with recent theorizing about the inadequacy of a stark “legal”/“illegal” dichotomy to describe the status of the many migrants globally who are ‘trapped in legal ambiguity.’ However, while this research recognizes gray areas between legal and illegal statuses, it fails to describe the experiences of transitioning between these categories that were so disruptive and life-changing for my respondents.

The experiences of undocumented youth growing up in the United States highlight these contradictions and can help scholars expand the framework for understanding processes of illegality. In particular, the experience of being first included and then, as they come of age, legally and socially excluded—cast out of the circle—sets the 1.5 generation apart from first-generation undocumented migrants. To theorize illegality, then, we need a theoretical perspective that not only accounts for the contradictions between laws and practices and lived experiences but also moves beyond a general framework that addresses the vulnerabilities of adult migrants to one with enough flexibility to capture their diverse experiences in their families and their communities. This general, yet nuanced, framework is especially visible in young people’s experiences. To be sure, the deportability of the 1.5 generation remains a critical dimension of their condition of illegality. However, their exclusion from the normal activities of daily American life is perhaps even more consequential. For American-raised young people who pay close attention to the progress and achievements of their peers, this exclusion represents the ultimate denial of their personhood and the revocation of their status as members of the society they thought was theirs. It threatens them with a loss of connection to home.

Following Cecilia Menjívar, it is important for me to acknowledge that my focus on the legal aspect of membership in this book does not imply monicausality. In nearly every society, experiences of belonging are patterned by a constellation of factors. My respondents live in a racialized culture that has produced and legitimated forms of discrimination against persons of Mexican descent for several generations. Their parents’ and eventually their own quests for work within a low-wage economy were also part of a longer history of labor migration and the formation of a flexible workforce. Thus multiple processes of racialization, labor formation, and immigration restriction worked in tandem to constrain my respondents’ participation and belonging. However,
even as these other processes mattered a great deal to my respondents' lives, illegality dominated most situations and interactions.

**THE SLIPPERY SLOPE OF "DESERVINGNESS"**

Just as the pendulum appeared to be swinging in the direction of immigrant integration, on February 16, 2015, a day before the president's DAPA and expanded DACA programs were to take effect, a US district court judge, hearing a Texas case that included twenty-six states challenging Obama's administrative actions, issued an injunction stopping them from being carried out. The president's plans took another hit in May when a federal appeals court denied a request from Justice Department lawyers to allow the president's actions to go into effect pending appeal. As of late July, neither DAPA nor the DACA expansion was moving forward.

Then, on July 1, 2015, an undocumented Mexican laborer released from a San Francisco city jail stood accused in the fatal shooting of a thirty-two-year-old Pleasanton woman on the city's waterfront. The alleged shooter, Juan Francisco Lopez-Sanchez, whose criminal record included several felony drug and criminal reentry convictions, had been previously deported from the United States five times, raising questions about why he was in the United States in the first place.

The case added fuel to an already incendiary debate for which the flames had been recently fanned by Republican presidential candidate Donald J. Trump, who, in his campaign kickoff event in Manhattan two weeks prior to the incident, had targeted Mexican immigrants as a central problem facing the country. "When Mexico sends its people," he asserted, "they're not sending their best. They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists."  

In the wake of the San Francisco incident, Trump pointed to the crime as "yet another example of why [the United States] must secure our border immediately." Several congressional leaders called on the city and several other so-called sanctuary cities across the country to restore cooperation with the US Immigration and Customs Enforcement in enforcing immigration laws. And Republican lawmakers proposed legislation to cut off federal funding from local governments that have policies prohibiting law enforcement officers from questioning a person's immigration status. Once again, a chorus of immigration restrictionists were advocating for measures that would paint immigrants with a broad brush.

This book's focus on the 1.5 generation helps us see more clearly the dangers of political discourse that promotes binaries of deserving and undeserving. For many immigration restrictionists, "Illegal is illegal" and there should be no shades of gray. But as immigration debates have heated up and legislative attempts have stalled, advocates have resorted to rhetorical measures and the promotion of policies that draw attention to two types of immigrants: those who deserve to be in the United States and those who do not. This strategy was evident in President Obama's speech on November 20, 2014, when he drew bright lines between "felons" and "families," "criminals" and "children," "gang members" and "hardworking moms." However, as long as there is an "undeserving" category, there is always a risk that a random event or a change in the political tide can shift the discourse to cast all immigrants as undeserving.

The American dream ethos has long tied deservingness to the ideals of hard work and achievement. The United States prides itself as a country that helps those who help themselves. The struggle to be considered deserving has been interwoven into the country's policies, political agendas, and public discourse for more than a century. And the lives of many poor youth have been bound up in this dichotomy of deserving and undeserving. Historically, the public as well as lawmakers have been more sympathetic when the roots of poverty have derived from uncontrollable external factors—natural disasters, the closure of large factories and massive layoffs, and debilitating injuries, for example. On the other hand, when unfortunate circumstances have been seen to be the result of individual actions (or a lack thereof), the public has handed out considerably less sympathy. Those deemed undeserving tend to be tied to the negative stereotypes of criminals, welfare abusers, and the lazy—in other words, those who want a free and easy ride with no strings attached.

Since the late 1990s the "illegal" Mexican immigrant has replaced the "welfare queen" as the country's persona non grata. Though immigration violations are actually a civil offense, the federal government has increasingly chosen to criminally prosecute individuals who enter the United States without legal documentation. In doing so it has contributed to the public misperception that residing in the country without legal residency status constitutes a crime, thereby making undocumented immigrants an accepted target of punitive enforcement practices. It also categorically casts undocumented immigrants as lawbreakers, deserving of expulsion and exclusion and undeserving of citizenship.
Current immigration policy has been shaped by such stereotypes, and immigrants are increasingly being defined as threats. Many classes of crimes have been newly defined as “felonies” when they apply specifically to immigrants. And deportation has become a punishment for even minor offenses. Despite a large body of evidence revealing that immigrants are less likely to commit serious crimes or to be behind bars than the native born, they cannot shake the stigma of “criminality.”

Proponents of immigrant labor have attempted to win over the American public by appealing to core values of hard work as a justification for their inclusion. Advocates highlight the economic contributions made by undocumented workers as an engine that has strengthened communities and the nation. They argue that “they take jobs Americans are not willing to do.”

This book has focused on the experiences of a group of young people, for whom advocates have rallied to draw distinctions from their migrant parents. During a time of unprecedented nativism and restrictionism and concerns about national security and terrorism, the presence of these children is seen as less consequential than the “original sin” of their parents’ clandestine crossing. The refrain “Don’t punish children for the sins of their parents” has become a commonly used trope in the immigration debates. Proponents of the DREAM Act have held up examples of high-achieving undocumented students—class presidents, valedictorians, and star athletes—as evidence of their deservingness.

But this strategy is vulnerable to slippage. Indeed, it is easy to draw sympathy for innocent children. But children grow up. Historically, the public school system has integrated the children of immigrants into the fabric of society. Because of the Plyler ruling, undocumented immigrant children have been afforded the same opportunities. But research on school inequality has underscored a simple truth: school is not a meritocracy. This is borne out in the hard empirical realities confronting low-income, minority, and immigrant children. Poor kids who do everything right do not achieve more than rich kids who do everything wrong. And undocumented immigrant students who play by the rules and earn good grades are not rewarded with citizenship.

There is another equally important, yet more nuanced, argument. When the children of Mexican migrants arrive in the United States, they inherit the conditions of life in impoverished households headed by undocumented adults—cramped dwellings, neighborhood violence, and low-performing schools. But they also enter American society with a different orientation than their parents. Whereas undocumented adults are shut out of the formal labor market, the primary institution incorporating children—public schooling—opens its doors to them. Schools provide a window of opportunity and a set of lessons through which undocumented youth develop identities of successful Americans.

I was struck by how many of the college-goers told me that because of their positive school experiences they believed that everything would turn out okay—that their problems would be solved by the time they were to be consequential. This thinking was the engine that propelled them to persist, to continue to dedicate time and hard work to school and career pursuits. Undocumented children’s legal inclusion in the public school system allows them to access a broader social world and to avoid the barriers associated with their immigration status. They experience similar environments and develop identities and aspirations similar to those of their American-born peers.

Nevertheless, the young people in this book encountered numerous barriers to school success. Many were pulled out of school to work and contribute to their families. Others held tremendous responsibilities for the care of their younger siblings. Cramped conditions at home provided little time or privacy to do homework. Family fears promoted secrecy over disclosure. Coming to terms with the disappointment of a future that would not be what popular culture and teachers told them was demoralizing. Countless examples within their narratives shed important light on the ways in which undocumented children start considerably behind the starting line.

Since the 1990s schools have become testing hubs that increasingly disempower students of color. They have also been sites of inequality where low-income and minority youth are harshly punished under zero-tolerance policies. Decades of disinvestment have left schools lacking in the resources fundamental for preparing their students for an increasingly competitive global economy.

In California, the Proposition 98 guarantee, designed to ensure a minimum level of funding for California’s schools and community colleges, has not prevented significant cuts to the resources available to schools. Strained state budgets have led to repeated cuts, leaving California lagging behind most states in K-12 spending. California has more students per school staff than the rest of the United States, ranking last or near the bottom with respect to the number of students per teacher, the number of students per counselor, the number of students per librarian, and the number of students per administrator. The vast majority of students in these schools do not receive adequate attention.
The experiences of early exilers and college-goers show that illegality crushes hopes and derails futures. But they also provide important insight into the ways in which a lack of support from teachers and counselors at a critical time in one’s schooling shrinks options for the future and the ways negative labels stay with young people. A lack of individualized attention from teachers and the application of stigmatizing labels such as “troublemaker” or “delinquent” pushed many early exilers to the margins of their schools, thereby accelerating their transition to illegality. It was difficult for many of their parents to counteract the damage done to their children by the combined effects of negative school experiences, run-ins with truant officers and the police, and stigmatizing labels given by teachers and counselors.28 Those who did not have supportive relationships with adult mentors to provide guidance and advocacy were less likely to feel that they belonged and more likely to make early transitions to the workforce and the condition of illegality. Access to help from teachers, college counseling, and relationships with caring adults can mean the difference between a seamless transition to college and an early exit from school and an entry into adult life constricted by barriers and exclusions.

In the modern era, schools have masked the underlying structural reasons for inequality. By expending school resources on those deemed deserving and by highlighting the failings of the larger student body, schools hold up success as the result of individual actions while hiding the structural dimensions underlying school failure.

My respondents’ narratives underscore an empirical reality that being undocumented has long-lasting effects. Indeed, schools fundamentally shape where and how undocumented youth enter adulthood. But in the survival of the fittest, far too many young adults begin to fall off as they make adult transitions. Many of my respondents who began college eventually made multiple stop-outs or left higher education altogether. Growing needs to earn money funneled respondents out of their college classrooms and into low-wage jobs. For those who managed to complete postsecondary education, the earning of advanced degrees brought them no closer to legal status. One by one, even the talented and hopeful college-goers could not outrun time. Without a change in their immigration status, many of the educational and social advantages that college-goers accrued from delaying the transition to illegality eventually dissolved. For them, this transition was as debilitating as it was spirit-crushing.

Learning to be “illegal” is a tragic consequence of an unfair system. By transforming everyday mundane actions into criminal acts our laws force young adults into difficult decisions that hinge on breaking the law. Given the turn toward immigration enforcement during the first decade and a half of the twenty-first century, a wide range of minor infractions—an improper lane change, for example—have become crimes that are punishable by jail time and deportation. Since the late 1990s these measures have disproportionately targeted men of color, especially Mexicans.29 During a time in which the United States has made significant progress on reintegration the formerly incarcerated into American communities, many immigrants are being denied the right to remain with their families and to reinteegrate into their communities.30 The longer college-goers and early exilers have lived under the condition of illegality, under grueling and exclusionary circumstances, the more vulnerable they have become to being snared by law enforcement.

Over time, college-goers become indistinguishable from early exilers and other undocumented adult immigrants. Many of the markers that once set them apart—their youthfulness, their innocence, their lofty ambitions, and their unworn hands and bodies—have undergone significant transformations. Diplomas and awards mean less in their daily routines, and lives of illegality have forced them into decisions that have compromised their innocence. Whereas they once benefited from false dichotomies that cast them as meritorious and deserving, they now find themselves on the other end of these binaries.

Despite my grouping of respondents into contrasting categories of educational attainment, they are ultimately more similar than they are different. Regardless of childhood and adolescent experiences of belonging, and despite where most of my respondents began their transitions to illegality, most now face the same kinds of problems. During childhood their experiences were markedly different from those of their parents; adulthood has brought them closer to parents’ struggles. Whereas in childhood most of these young people may have elicited the sympathy of the American public as innocent and deserving “Americans in waiting,” by 2015 many of them were in the political crosshairs, with their standing threatened in the country where they grew up.

THE MEDIATING INFLUENCE OF LOCAL CONTEXTS

Congress’s failure to devise a consistent and ethical system of immigration laws has forced state and county governments to come up with their own solutions to immigrant integration. Scores of laws have been passed at the state, county, and municipal levels, and hundreds more
have been proposed. These local laws run the gamut from immigrant integration bills providing in-state tuition and access to health care to punitive laws that deny immigrants access to housing, health care, jobs, and education. Where an undocumented immigrant lives matters a great deal.

Over the last decade, a growing number of studies have sought to understand the effects of what geographer Matthew Coleman has called a "complex landscape" of uneven immigration policies and enforcement practices across the United States. As state and county policies move in diverging directions, experiences of illegality and of belonging vary according to place. Hence, an undocumented young person living in Manhattan may have access to a vast and affordable public higher education system and extensive public transportation options, yet be negatively affected by competition for a limited number of adult education seats. A similarly situated young person living Atlanta may be negatively affected by exclusions from medical care and postsecondary education and by increased integration between police activities and federal Immigration and Customs Enforcement (ICE) agents but may benefit from a strong network of community organizations.

According to sociologists Alejandro Portes and Rubén G. Rumbaut, the distinct pathways of immigrants' incorporation are determined by a combination of positive and negative contexts. In Los Angeles, where one out of every three persons is foreign born and where the number of undocumented residents is higher than anywhere else in the country, immigrants and their children experience a mixed set of conditions framing their everyday lives.

Until the recent economic downturn, jobs in the area were plentiful in most economic sectors. Los Angeles also has strong ethnic communities anchored by hundreds of community institutions to assist children and immigrant families. Since 2012 the state has taken great strides toward restricting enforcement practices and better integrating undocumented immigrants. It has enacted legislation making undocumented immigrant young people eligible for health care, driver's licenses, professional licenses, and state financial aid. It has taken strides to protect workers' rights. And it has effectively limited cooperation between local law enforcement and ICE.

While these recent efforts may have taken too long (or have come too late) for many of my respondents, the state is in a good position to provide a significant boost to a generation of undocumented children and adolescents who are making adolescent and adult transitions today. Nevertheless, these young people will face challenges.

Immigrants in California, especially Mexican males, have borne the brunt of national enforcement efforts. They also continue to struggle financially, as many job sectors that have traditionally hired immigrants were hurt by the country's economic downturn. Existing jobs are often a great distance from where immigrants live, creating long commutes. Meanwhile the cost of living in the state has steadily increased, as has tuition at California colleges and universities. Families in Los Angeles today are paying more for their children's college tuition while the value of the dollar in the metropolis is shrinking. Los Angeles residents have also felt the effects of reductions in tax dollars to support struggling K-12 school districts. Poor and minority neighborhoods have been hit the hardest. Families face an unfavorable mix of de facto segregation, overcrowding, and a lack of resources necessary to prepare children to make successful transitions to postsecondary schooling and decent jobs.

While Los Angeles may be a model of immigrant integration, it has also weakened or broken many rungs of the ladder to upward mobility for poor and immigrant families. And its progressive slate of recent immigrant integration policies are, nevertheless, undercut by a lack of federal reforms.

CONTEMPORARY IMMIGRATION POLICY AND UNDOCUMENTED YOUNG PEOPLE

Until the late 1980s, the experience of illegality was shorter in duration and affected fewer family members. Today, illegality affects entire families and is a much more long-term status. Undocumented children's life chances are tied to the fates of their parents and other adult family members. Yet their lives in the United States are distinct from their parents'. Inclusive institutional practices permit undocumented children to enjoy childhoods with few restrictions and to dream of brighter futures. However, laws promoting their personhood conflict with those that delimit their rights as noncitizens. Taken together, these laws prevent continuity along the life course as children become adults.

The number of people living in the United States in an unauthorized residency status has increased sixfold since the 1986 IRCA (Immigration Reform and Control Act) legalization. Nevertheless, Congress has failed to create a legal pathway for them despite their long-term presence. Moreover, a growing number of restrictions, coupled with
ramped-up enforcement efforts, drastically narrow the worlds of undocumented youth as they enter adulthood.

The Benefits and Limitations of the Deferred Action for Childhood Arrivals Program

As of March 31, 2015, over two and a half years after the initiation of DACA, over 664,000 cases had been approved and almost 244,000 renewals had been granted.\(^{38}\) DACA has provided an opportunity for a segment of the undocumented immigrant population to remain in the country without fear of deportation, allowed them to apply for work permits, and increased their opportunities for economic and social incorporation. DACA beneficiaries have experienced a pronounced increase in economic opportunities and have become more integrated into the nation’s economic and social institutions. They have started new jobs and paid internships, increased their earnings, opened bank accounts and obtained credit cards, and enrolled in health care programs and obtained driver’s licenses.\(^{39}\) These benefits appear to be the strongest for those connected to community organizations, those attending four-year colleges, and those with college degrees.\(^{40}\)

For many highly educated DACA-eligible individuals, the program has provided an opportunity to make the most of their postsecondary degrees; for college-bound youth and students currently enrolled in postsecondary institutions, DACA has provided an additional incentive to invest in education and skills. However, of those potentially eligible for the program, more than half have not applied.\(^{41}\) Explanations vary. Many older individuals may not have been aware that community organizations were able to assist them with the application process; older individuals also may have had more difficulty proving their continuous residence, given that they arrived in the United States earlier and had been out of school for many years.\(^{42}\) The low uptake rates by DACA-eligible youth might also be attributable to educational barriers. An earlier analysis of the potential effects of legislation aimed at legalizing undocumented immigrant young people concluded that barriers to education, especially family poverty and the costs of pursuing postsecondary education, would lead as many as 62 percent of those eligible to apply not to do so.\(^{43}\)

DACA enrollment rates also seem to be influenced by where eligible individuals live.\(^{44}\) California joins Texas and Florida in having the most DACA applicants. There are many fewer enrollees among residents of East Coast states.\(^{45}\) In California, connections with key institutional actors such as teachers, counselors, and youth workers have enabled many young people to receive assistance critical to filling out and submitting DACA applications and taking advantage of its benefits.\(^{46}\) Moreover, even as DACA has widened access for hundreds of thousands of youth and young adults, its effectiveness has been undercut by state policies. This effect supports the notion that the uneven geography of local enforcement and educational access in the United States profoundly shapes the number and kind of impediments and opportunities undocumented immigrant young people experience.

DACA has increased undocumented access to work, higher education, and other attainments of adulthood, but this is not enough. As an executive memorandum that shifts bureaucratic practice in US Customs and Border Protection (CBP), US Citizenship and Immigration Services (USCIS), and US Immigration and Customs Enforcement (ICE), DACA has limited inclusionary power. The program is temporary in duration and partial in coverage. Most importantly, it offers no pathway to legalization for its beneficiaries. DACA status does not confer the right to vote, travel freely, or qualify for federal financial aid.\(^{47}\) Despite the program’s two-year reprieve from the threat of deportation, enrollees can still be removed in the future. DACA offers its beneficiaries no respite from long-term uncertainty and the possibility of legal limbo. And, given the large numbers of undocumented young people who have not enrolled, even those limited benefits have yet to reach a sizable portion of the eligible population.

A Legislative and Administrative Commitment to Enforcement

Over the last twenty years, efforts aimed at stripping immigrants’ rights and patrolling immigrant communities have radically restricted the worlds of millions of immigrants. The centrality of undocumented migration in the larger immigration agenda has perpetuated the notion that our immigration problems are best solved by increased levels of enforcement.\(^{48}\) Since the 1990s Congress has passed no laws to integrate long-term immigrants and their families; instead it has expanded the categories of immigrants subject to deportation, increased the number of deportable offenses, and limited immigrants’ ability to appeal deportations. This federal legislation has been accompanied by the administrative expansion of enforcement activity as the Department of Homeland Security has extended its efforts from the border to the interior.
Under the Bush administration, high-profile workplace raids and neighborhood sweeps to round up undocumented migrants increased in visibility and frequency. During the Obama administration, agreements between ICE and local law enforcement have multiplied. These practices became national in scope under the Secure Communities program, according to which state and local police checked the fingerprints of individuals they were booking into jail against DHS immigration databases and ICE was notified automatically if a match occurred, regardless of whether the person being booked had been convicted of any crime. Individuals were then transferred to ICE for deportation. The Priority Enforcement Program that replaced Secure Communities in July 2015 has narrowed the range of activities for which undocumented immigrants can be targeted for deportation but continues the immigration database-matching and ICE notification practices of the former program and thus still entangles ICE’s interests of immigrant deportation with the priorities of local law enforcement to protect people’s welfare. Miscommunication among ICE, the FBI, and local law enforcement could prove to be a problem, and implementation across ICE jurisdictions may be unevenly applied. Moreover, ICE has not reduced its annual removal quota of 400,000. And although the Department of Homeland Security has revised its priorities for the “apprehension, detention, and removal of undocumented immigrants,” among the top tier are any undocumented immigrants apprehended at the border while attempting to unlawfully enter the United States—so, in addition to terrorists, convicted felons, and gang members, parents and their children who do not qualify for asylum or other forms of relief remain a top priority for deportation. Many undocumented individuals with social membership in American communities are left out of these new programs, including many of my respondents who committed infractions such as DUIs, who were gang-involved at a younger age, or who simply found themselves in the wrong place at the wrong time. Thus, despite the implementation of the DACA program, the Department of Homeland Security’s focus on enforcement continues to generate problems for undocumented immigrant youth and young adults.

While Congress has effectively limited the everyday lives of undocumented immigrants through laws aimed at curbing their access to social institutions and resources, immigration enforcement efforts have created a chilling effect, altering the daily routines and practices of millions of immigrants. This narrowing of worlds is not only harmful to immigrants; it also affects Americans more generally. Undocumented immigrants live in American communities, they participate in our social, religious, and economic institutions, and through their everyday involvements they have ties to neighbors, teachers, employers, and community stakeholders. Laws that restrict their participation hinder employers’ opportunities to hire them, disadvantage teachers wanting to educate them, and impinge on the freedoms of those who have relationships with them.

By creating opportunities for their socioeconomic advancement and social integration, the United States is poised to offer a model of social prosperity through the many contributions immigrants can make. We like to hold up the success stories of those who could become doctors or lawyers. Indeed, making the case for these folks is much easier. But many others will become agricultural workers, caretakers, members of churches and PTAs. These young men and women will make important contributions too.

**Policy Recommendations**

This book does not aim to solve the problems that riddle our nation’s immigration policy, nor is it intended to promote specific legislation. In fact, I have found that even some of the most supportive advocacy efforts obscure much of the pain and suffering that my research has uncovered. Policy and advocacy frames aim to simplify what are typically messy problems—matters of immigration are no exception. Nevertheless, the findings presented in this book do have significant policy implications. While I do not subscribe to arguments about deservingness or merit that create hierarchies within the larger immigrant population, I cannot overlook the reality that the circumstances of the 1.5 generation are not the same as those of migrants who come to the United States as adults. Yet in current immigration discourse and policy proposals there has been an increasingly troubling trend of legislating deservingness—that is, tying legal citizenship to educational attainment and inadmissibility and deportation to past offenses without taking into account any rehabilitation that has taken place. On the surface, this seems like an issue without controversy—after all, it is sensible to encourage an educated public. But the drawing of these distinctions serves to alienate and marginalize large portions of the population driven deeper into the shadows.

The needs and concerns of all immigrants as well as the American public must be carefully considered. One-size-fits-all policies are likely to be too general to have any meaningful impact.
The Case for Legalization

The 1.5 generation is a sizable and vulnerable subset of the nation’s immigrant population. Without immediate intervention, this group is at risk of becoming a disenfranchised underclass. Ultimately, it is only through a pathway to legalization that these young people will be able to participate fully in the world in which they are already social and cultural members. Legalization will help lift them out of poverty, integrate them into adult society, and increase their opportunities for more education and better jobs. This is not to say that, once legalized, undocumented youths and young adults will uniformly experience upward mobility. Historically, persons of Mexican origin in the United States have faced disadvantages in the labor market and in access to housing. Moreover, Mexican children continue to face structural barriers that cause them to lag behind in educational attainment. However, for hundreds of thousands of currently undocumented Mexican youth, legalization could further bolster their academic aspirations and give teachers and counselors greater incentive to push them through.

When allowed to regularize their status, undocumented immigrants have experienced substantial upward mobility. For instance, those who received legal status under the IRCA found significantly better jobs over time and increased their wages. Given the opportunity to receive additional education and training and move into better-paying jobs, legalized immigrants pay more in taxes and have more money to spend and invest. It is therefore likely that if currently undocumented youth and young adults were granted a pathway to legalization they would improve their circumstances and be in a better position to contribute to the US economy as well as to their families and local communities.

Legalization also would undo the disastrous effects of exclusion. Giving undocumented young people legal access to the blocked resources of their adult worlds (e.g., working, driving, voting, and attending college) would permit them to participate in common rites of passage with their peers. While DACA granted access to some of these pursuits to more than 664,000 young people, the benefits could easily be undone through a change in administration. Moreover, a sizable portion of the eligible population has yet to apply for DACA. Legalization could significantly reduce stigma, improve the overall health and well-being of the undocumented 1.5 generation, and free them from the strains associated with their liminal lives.

While the president’s deferred action programs provide temporary relief from deportations for some undocumented immigrants, more permanent solutions are needed that cover larger portions of the population. With two million removals during its first six years, the Obama administration holds the disturbing distinction of deporting people at a scale unmatched by any prior administration. Detention quotas set at more than thirty-four thousand people per day have produced problems of unconscionable proportions. The New York Times recently reported that two-thirds of those who have been deported either have committed minor infractions, including traffic violations, or have no criminal record at all. Ending Secure Communities is a step in the right direction. But discontinuing deportation quotas is a must. Those who have ties to this country, who have children, and who do not pose criminal threats should be spared the constant worry and physical danger of deportation.

The debate between those who support legal residency with citizenship and those who favor a legal permission to work without citizenship is a long-standing one. The argument, at least from the perspective of those favoring immigration restrictions, usually hinges on the question of whether those who have broken the rules should be entitled to special consideration. But a deeper question lies at the heart of this debate: Does legal citizenship matter? The findings in this book support the fundamental importance of legal citizenship. Without it, immigrants have only second-class membership. Noncitizen immigrants are far more vulnerable to exclusion and deportation, and the denial of their memberships in the broader US society is a source of major psychological pain. If, as I have argued in this book, illegality is indeed a master status, its only undoing is legal citizenship.

Additionally, Congress must reward immigrants who have rehabilitated themselves and have paid the price for transgressions committed years ago. Undoing the reclassification of misdemeanors as aggravated felonies would be a step in the right direction. There is growing support for criminal justice reform in the United States. The president, along with leaders from both parties, has advocated for structural change: measures to restore voting rights to felons who have served their sentences, efforts to make it easier for people with criminal records to get jobs, and a reduction in long mandatory minimum sentences. While there is little dispute that those who commit crimes owe a debt to society, there is growing consensus that it should not be a life sentence. Similarly, young people like Ramon should not be required to serve life sentences in exile.
Congress should also recognize the broader potential of young immigrants beyond their contributions to the high-skilled labor force. Not every young immigrant will become a doctor, lawyer, or engineer. But many may become x-ray technicians, certified nursing assistants, dental hygienists, paralegals, Web developers, and teacher’s aides. Many more may find jobs in the trades, as electrical technicians, construction machine operators, or as mechanics or hairstylists. All of the young immigrants I have met want to work. They come from families and communities that value hard work. Congress can reward those efforts. Moreover, young immigrants value their communities and contribute in myriad ways. The United States should build on this engagement.

The Need for State and Local Interventions to Support Undocumented Youth

It is not clear when Congress will act on immigration reform. Given the history of legislative inaction, the problems undocumented young people confront on a daily basis beg for changes in federal administrative policies and local-level practices. An estimated one million undocumented children will make the transition to adulthood over the next ten years. While we cannot slow time, we can take measures to ensure that their transitions will be smoother. Relief from enforcement activity is needed; so is a comprehensive set of strategies aimed at providing more immediate support and assistance.

The material conditions of undocumented immigrant youth place them at risk as they are growing up, but many of the most pressing problems they confront have their onset in late adolescence and early adulthood, when the world that was largely accessible to them in childhood and through their participation in K-12 schools starts to shrink. Current policies leave these youngsters without many options and ramp up their levels of fear and anxiety. While legalization would remedy many troubles, it is not the only solution to a complex and interconnected web of problems. In the absence of federal legislation that would put these young people on a pathway to legal inclusion, many local-level measures and community efforts would be helpful. For example, barring school personnel, health care officials, social service providers, and community police from performing immigration enforcement duties would increase levels of trust and establish and preserve relationships with adults who could help keep undocumented youth productive and motivated. At the state level, access to driver’s licenses, in-state tuition, financial aid, and health care, measures that are now in place in California, would increase safety, reduce stress-related illness, make treatment available for chronic injuries, and offset some of the financial barriers to higher education. In addition, states should devote more funding to adult education and literacy classes. By allowing immigrants to more fully integrate, the United States can provide the right opportunities to better position them to contribute to their families, communities, and the American economy. Access to day care and workforce development programs would also provide young people with the kinds of building blocks they need for successful careers.

Schools can also do a better job of meeting the needs of their undocumented student population. This book has demonstrated that the longer undocumented youth stay out of school, the more susceptible they are to the negative aspects of illegality and the less likely they are to return to school. Supportive school environments, positive peer groups, adult mentors, and extracurricular involvement contribute significantly to successful postsecondary outcomes. Positive school-based relationships can provide undocumented students with access to information about college, much-needed support, and assistance in applying for college. Schools can improve the campus climate by offering awareness and sensitivity training for staff and teachers. Further, by modeling college “Dream” resource centers and identifying staff liaisons, K-12 schools can offer safe spaces and identify trusted adults who can work directly with undocumented students and build better bridges from high school to college. Several schools around the country have begun to encourage and establish student support groups for undocumented students to connect with one another and receive some targeted assistance from school personnel. These efforts can be replicated and multiplied. Schools can also facilitate the creation of visible networks of teachers, counselors, staff, and community partners to provide internship and work opportunities for students to give them job experience in their fields of interest while they are in school. School-based efforts to connect undocumented high school students with peers who share their experiences and with college mentors who understand the legal and financial hurdles they face could also yield a big payoff in helping them manage college transitions.

Chambers of commerce, police districts, community service agencies, schools, and other neighborhood institutions can play a vital role by expanding the menu of community-level activities in which undocumented young people may legally participate—job training programs,
commit resources to hire mental health professionals who are sensitive to the unique circumstances and needs of undocumented students. Finally, schools can work with community mental health professionals to develop guides that are informative and accessible. Schools can support these efforts by instituting training for teachers and counselors.

Undocumented youth and young adults have lived in the United States most of their lives and long to be recognized as full members. What they urgently need is policies and programs that will allow them to be recognized as full Americans. But these young people are also members of families and communities that lack important forms of access, suffer economic hardships, and are vulnerable to the threat of deportations and victimization because of their undocumented status. Their ability to lead successful lives depends greatly on the options available to their parents, siblings, and neighbors. Addressing the untenable circumstances of the eleven million undocumented immigrants (young and old) living in this country is the best way to ensure that the investment made in the lives of these young people will realize its full potential.

The pattern of contemporary immigration is not the same as it was a century ago. Across the country, there are many more undocumented immigrants living in families. These settled populations will not go away anytime soon. Implementing legislation that would provide them opportunities to more fully and meaningfully participate in everyday life would not only be good for them. It would benefit us all.