

Controlling Unauthorized Immigration from Mexico: The Failure of “Prevention through Deterrence” and the Need for Comprehensive Reform

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**Migrant-sending towns
studied by MMFRP**



*3,010 survey interviews
completed, 2005-2008,
in four Mexican states*

*225 open-ended,
qualitative interviews
conducted*



2007 research site:
San Miguel Tlacotepec, Oaxaca
(pop. 1,696)



A high-poverty, agriculture-based community

- Unmechanized, subsistence agriculture
- Very little irrigation, crops depend on seasonal rains
- Very few non-agricultural employment opportunities



Local economy depends on migrant remittances from the United States

47% of all adults receive cash remittances from relatives in U.S.

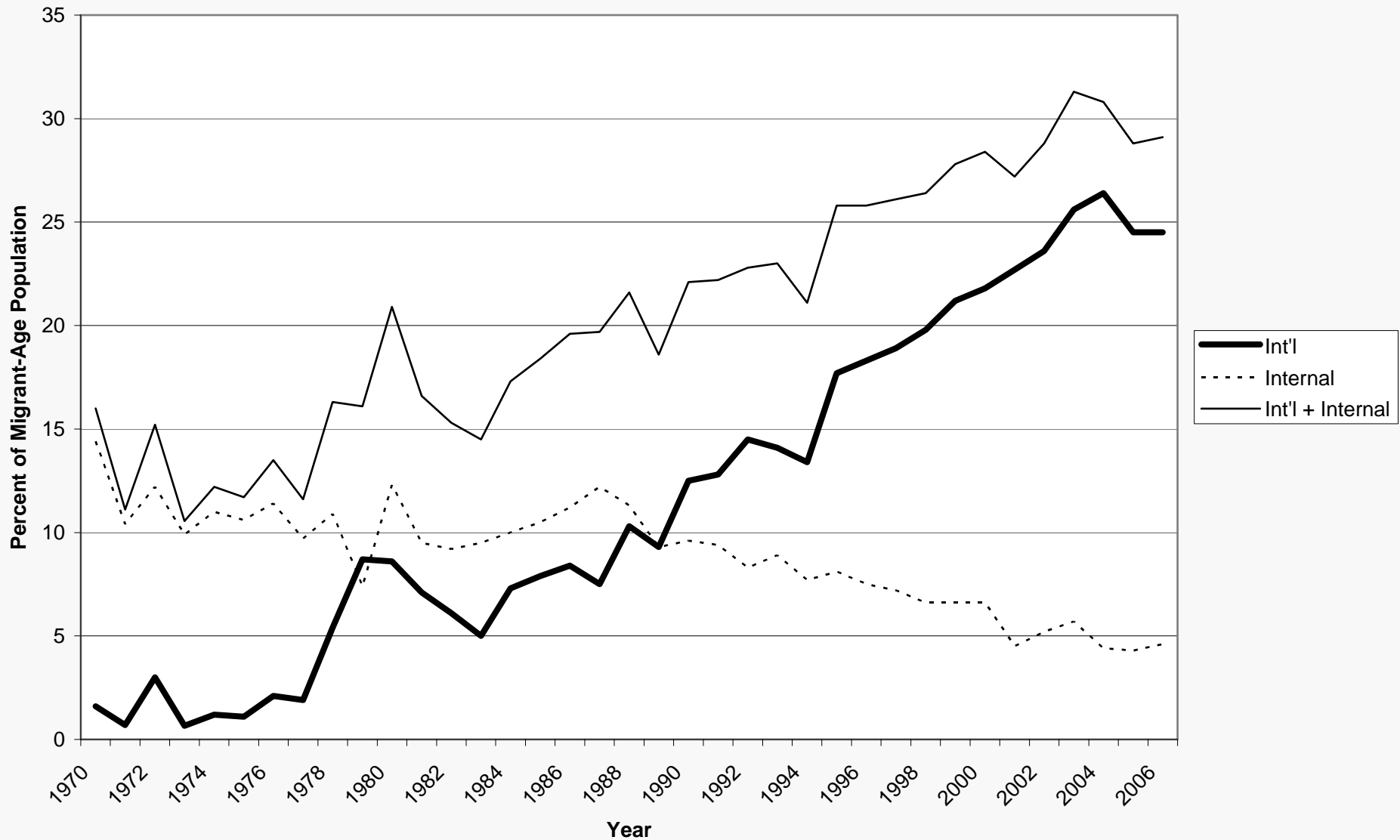


*San Miguel Tlacotepec:
in 2nd generation of
migration to the U.S.*



*Increasingly, a town of old men,
women, and young children
(most men aged 20-50 are working
in U.S.)*

Density of internal and international migrants in SMT



Community Migration Profile

- Among all adults in Tlacotepec, **37%** have migrated to U.S.
- **30%** of the town's population is currently absent (in U.S.)
- *Most important reason for migration:*
 - Higher wages in U.S.: **26%**
 - More jobs in U.S.: **21%**
 - Build a house in Mexico: **18%**
 - Reunite with relatives: **16%**
 - Start business in Mexico: **7%**
 - Adventuring, to know U.S.: **6%**
 - Other: **6%**
- On most recent migration to U.S., **87%** were undocumented
- Among those living in U.S., **60%** are currently undocumented

A strong wish to come legally:

“If there were a new temporary visa program for Mexican workers, like the ‘bracero’ program, would you be interested in participating?” Yes: **66%**



“Bracero” workers arrive in U.S., 1942

Does border enforcement prevent illegal entry?



Evading Border Patrol is perceived as difficult

“At present, how easy or difficult is it to evade the Border Patrol when crossing the border?”

Very difficult: **67%**

Somewhat difficult: **13%**

Easy: **20%**

Source: CCIS survey of
Oaxacan migrants, 2007-08



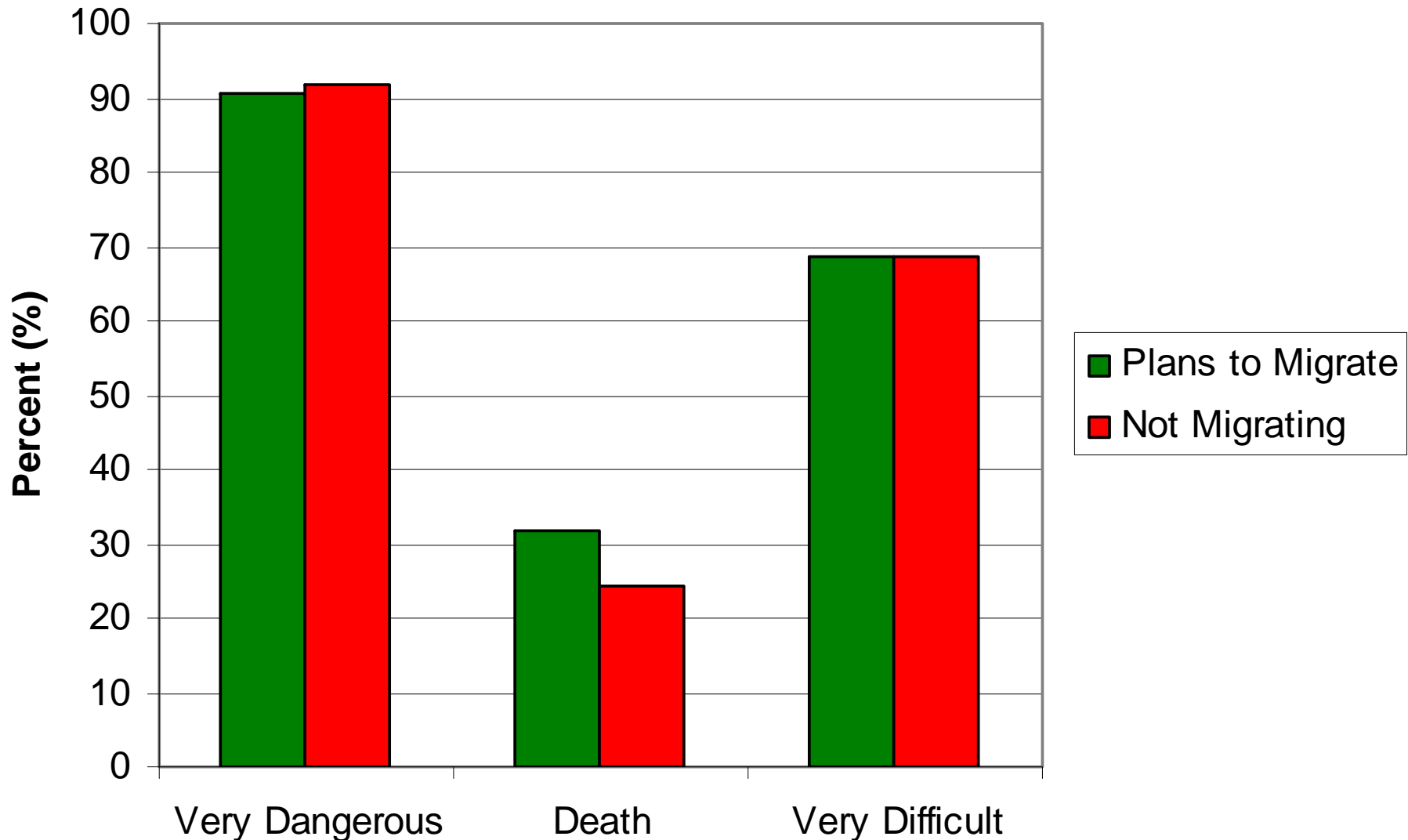
Clandestine border crossings are seen as very dangerous

- **91%** believe it is “very dangerous” to cross the border without papers
- **24%** know someone who *died* trying to cross the border

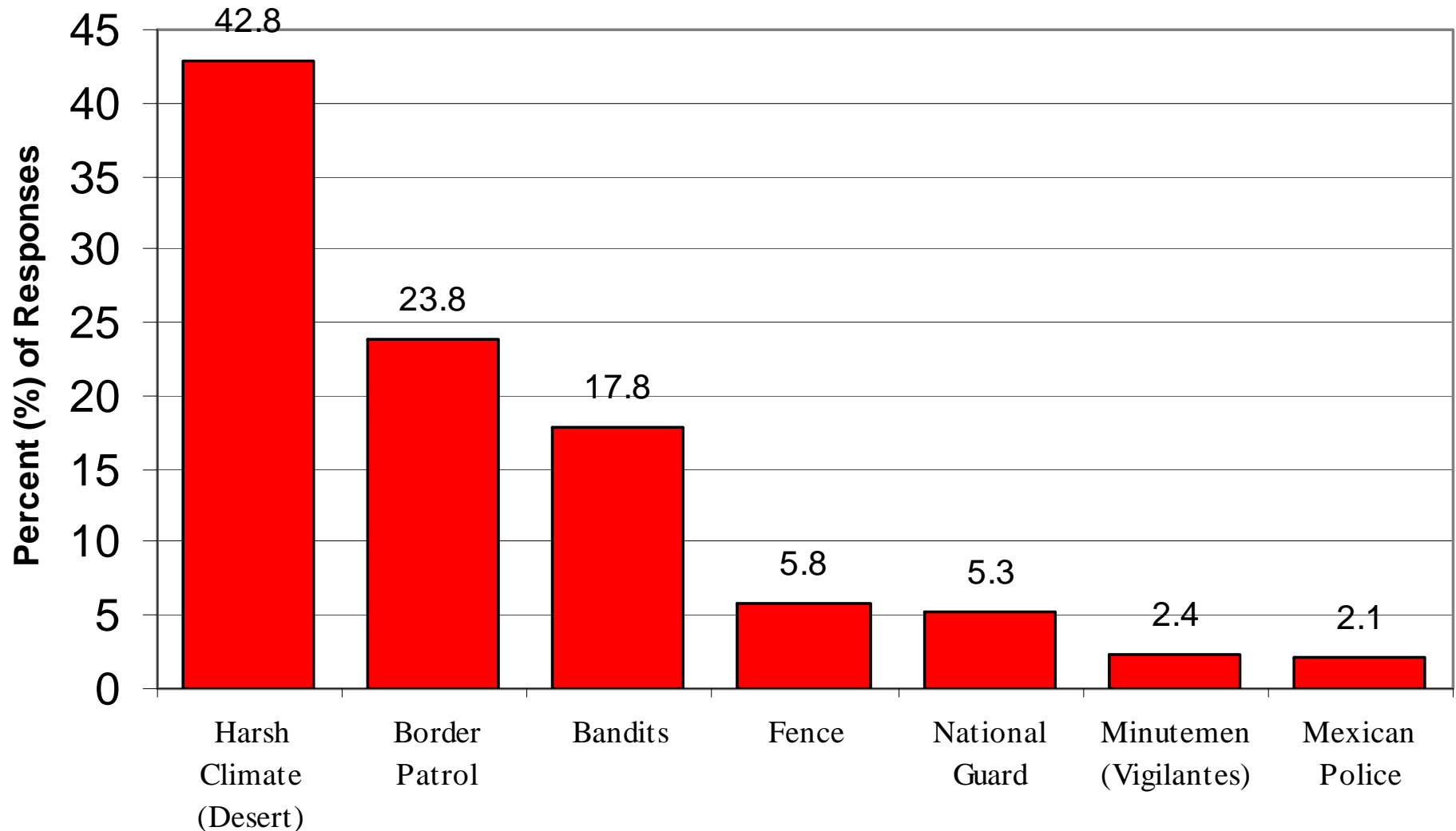
***Father of migrant who died
in Arizona desert in 1998,
at son's gravesite***



Awareness of border crossing obstacles, dangers does not discourage unauthorized migration



What do would-be unauthorized migrants fear most?





Anti-personnel enhancements

Razor-sharp concertina wire being added to 5 miles of border fence between San Diego and Tijuana



Increasing penalties for illegal entry: Operation Streamline

(“zero-tolerance” policy of prosecution and incarceration of apprehended aliens for 2 weeks to 6 months)



Operation Streamline in Action (not “zero tolerance,” but selective prosecution)

- ***Tucson Sector:***

Currently up to 70 prosecutions per day

Goal: 100 cases per day by September 2008

(= 5% of migrants apprehended in Tucson sector)

- ***Yuma Sector:***

Currently up to 30 prosecutions daily

(= 38% of apprehended migrants)

- **Sharp drops in apprehensions** within areas where

Streamline was implemented in 2007:

70% decline in Yuma and Del Rio sectors

22% in Laredo sector

(but these are “low migrant traffic” areas)

Main constraints on expanding Operation Streamline are:

- lack of capacity in federal courts and detention facilities (32,000 beds available for immigration detainees in FY 2008)
- cost: \$90-119/day per migrant incarceration cost

Immigrant detention center in south Texas, operated by Corrections Corporation of America (CCA)



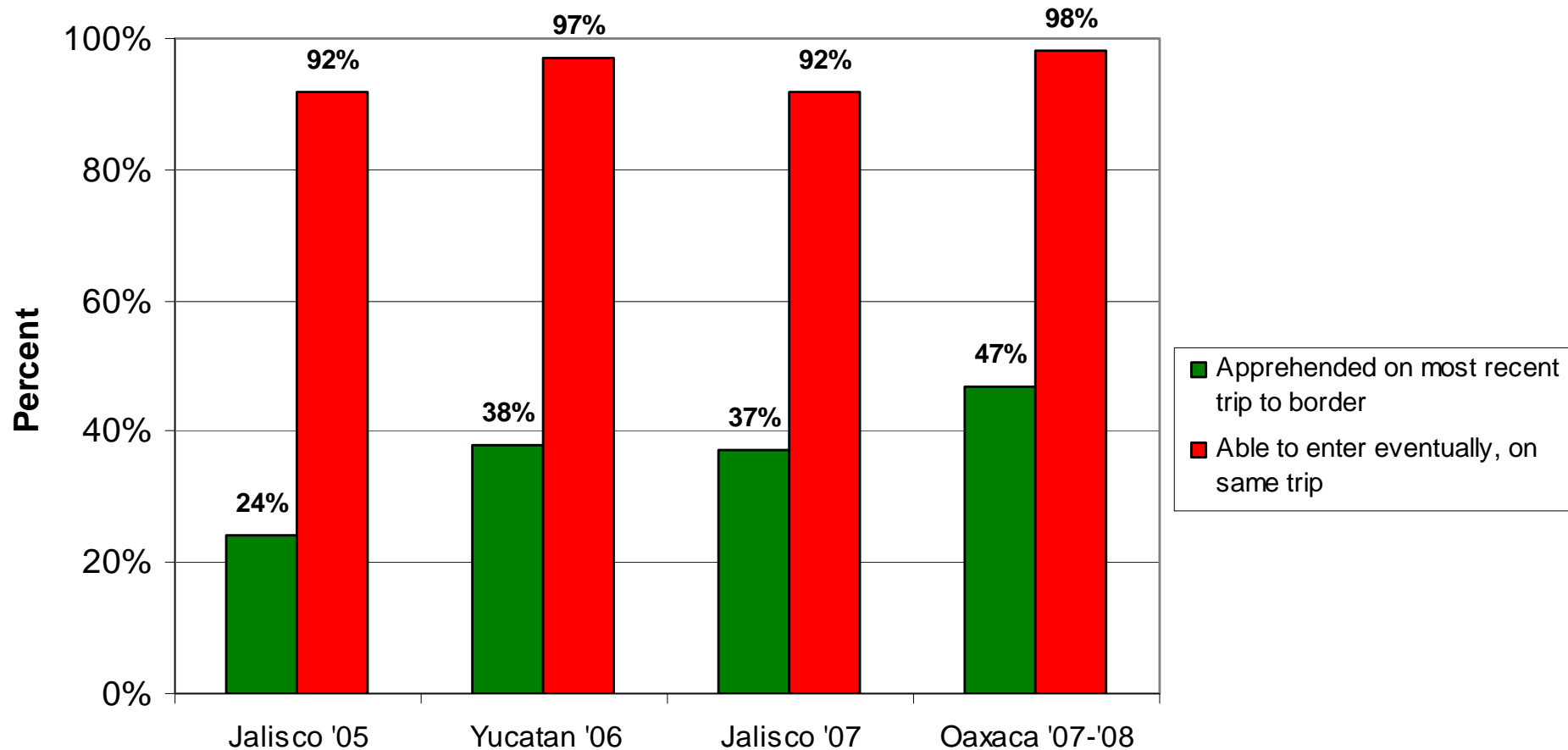
The limits of the “raising the penalties” approach

“The Border Patrol told me the first time, ‘If we apprehend you a second time, we are going to put you in jail for two weeks. If we apprehend you a third time, it is going to be a month; the fourth time, three months. You could be in jail for up to a year.’ But no matter what they say to you, you’re still going to try again. I told them, ‘Well, I just have to cross.’ They asked me if I was sure. ‘Maybe you should just go home,’ they said. ‘But I have to cross,’ I told them. No matter what, the majority of us Mexicans are going to keep trying.”

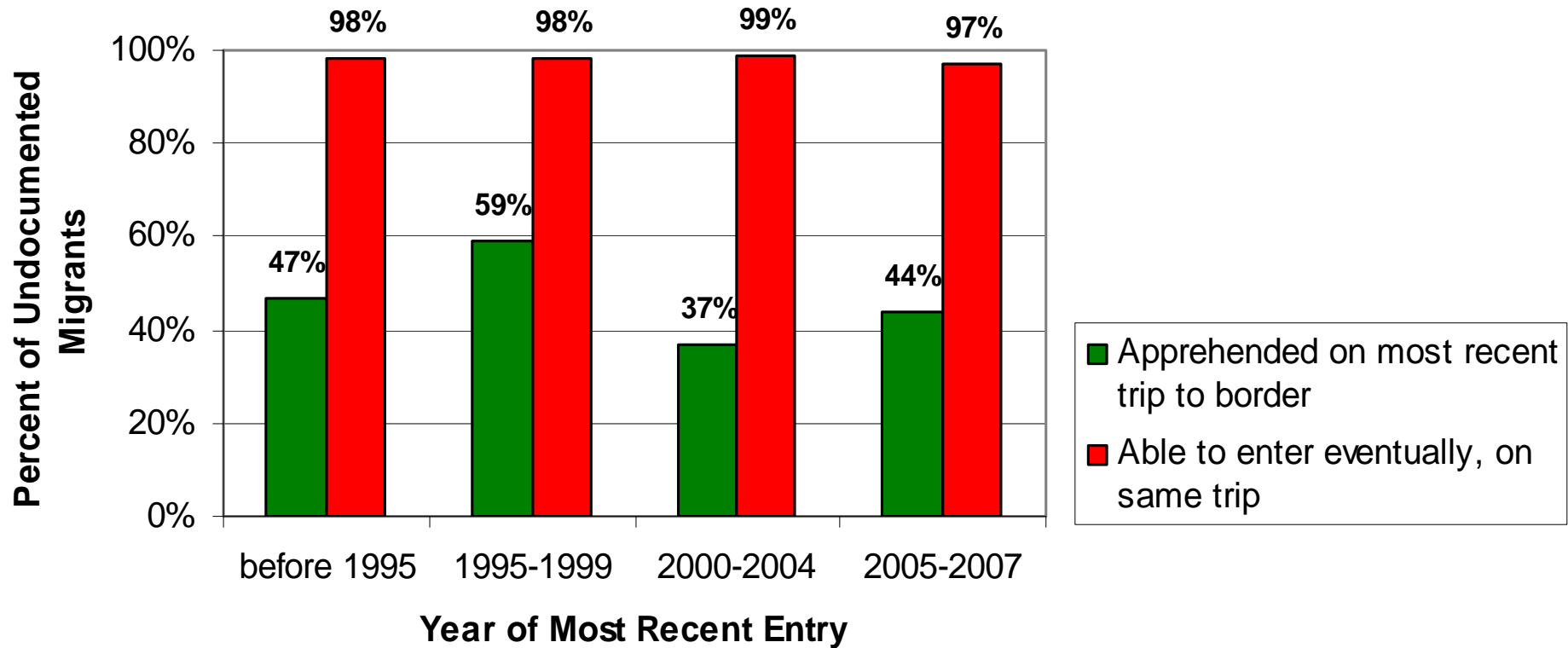
-- Briseida, a 24-year-old Oaxacan undocumented migrant, who was apprehended 6 times in the month before her most recent (successful) entry into the U.S.

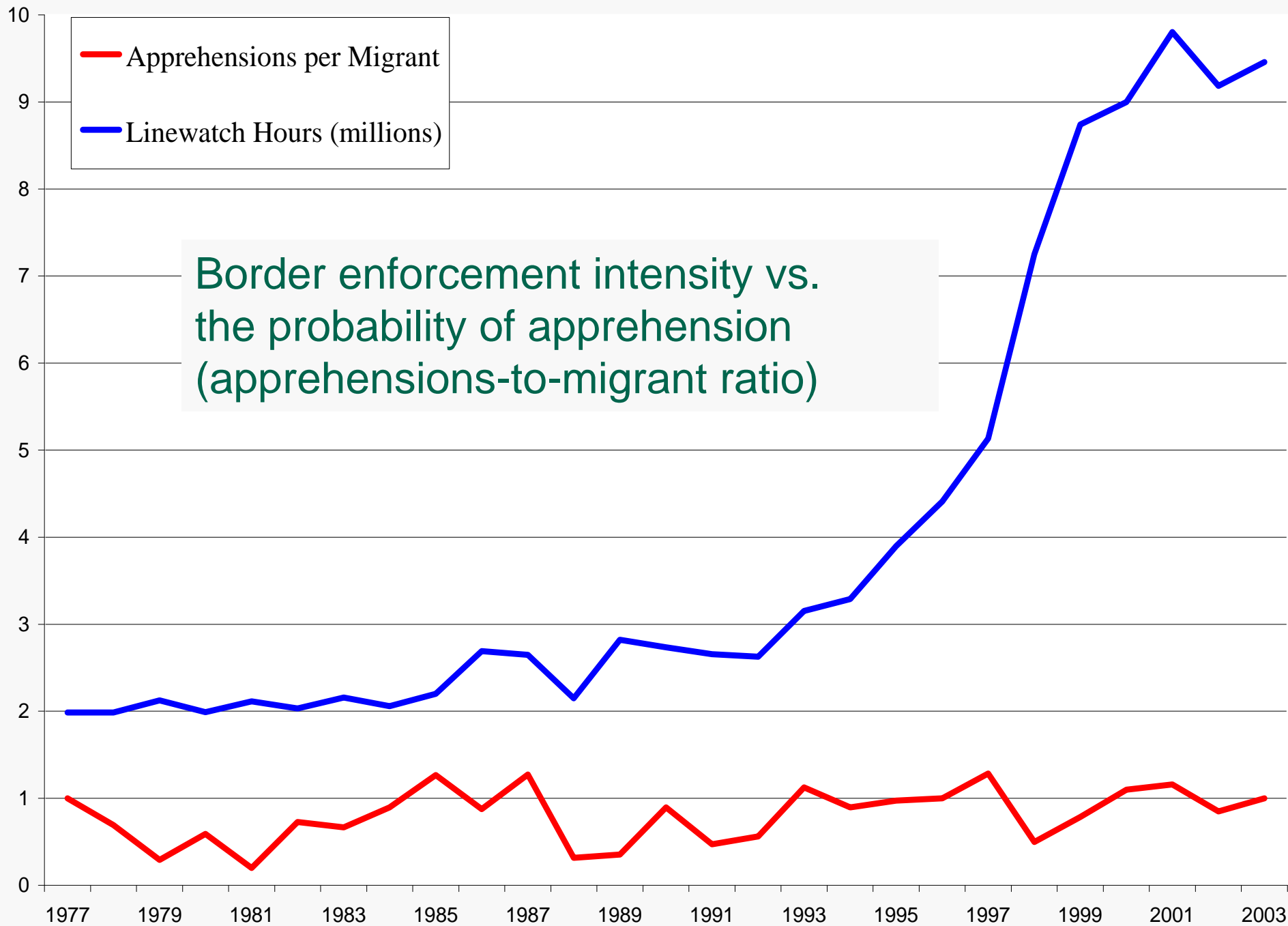
Tougher border enforcement doesn't keep undocumented migrants out of United States

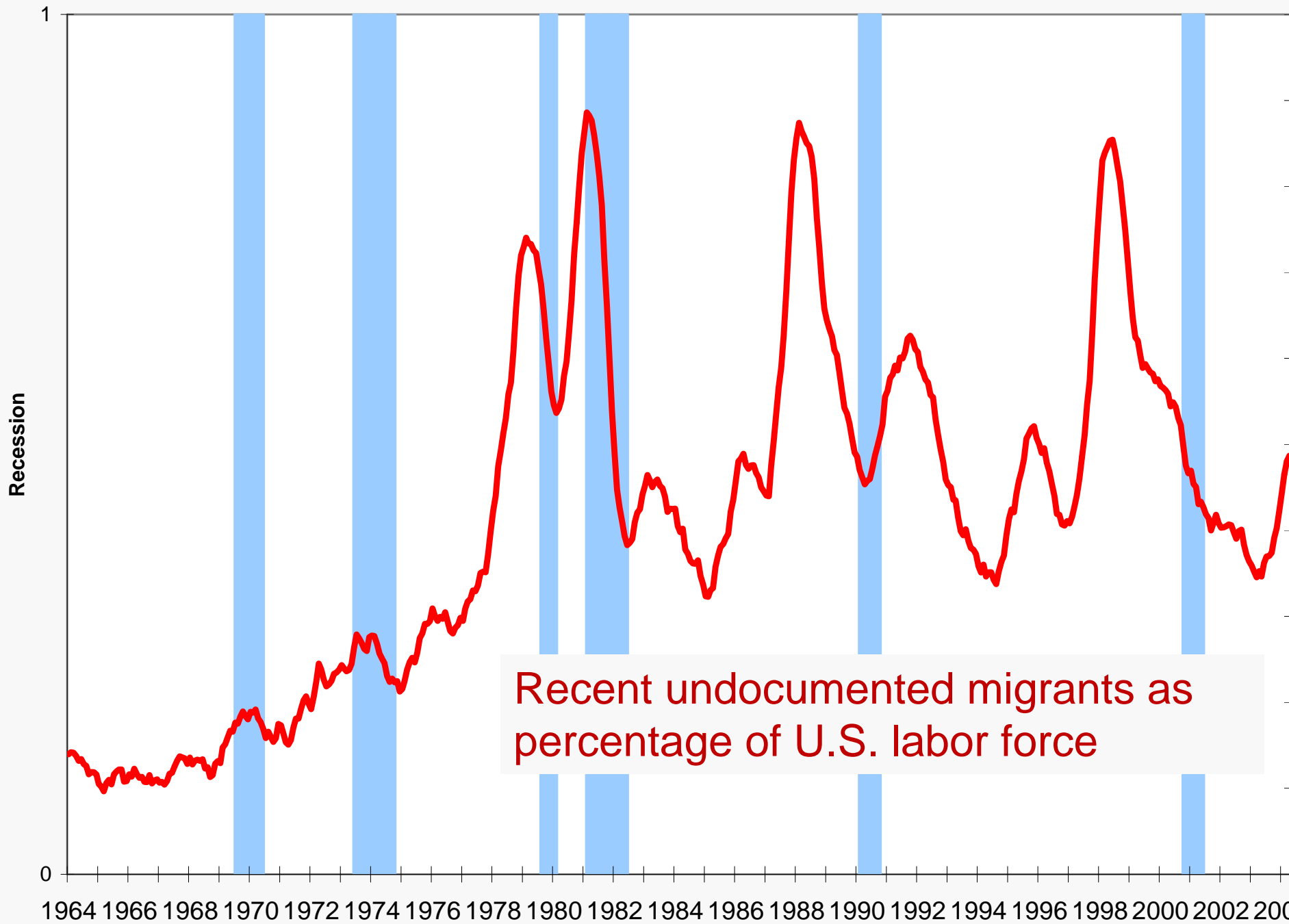
Apprehension rates and eventual success rates among undocumented migrants



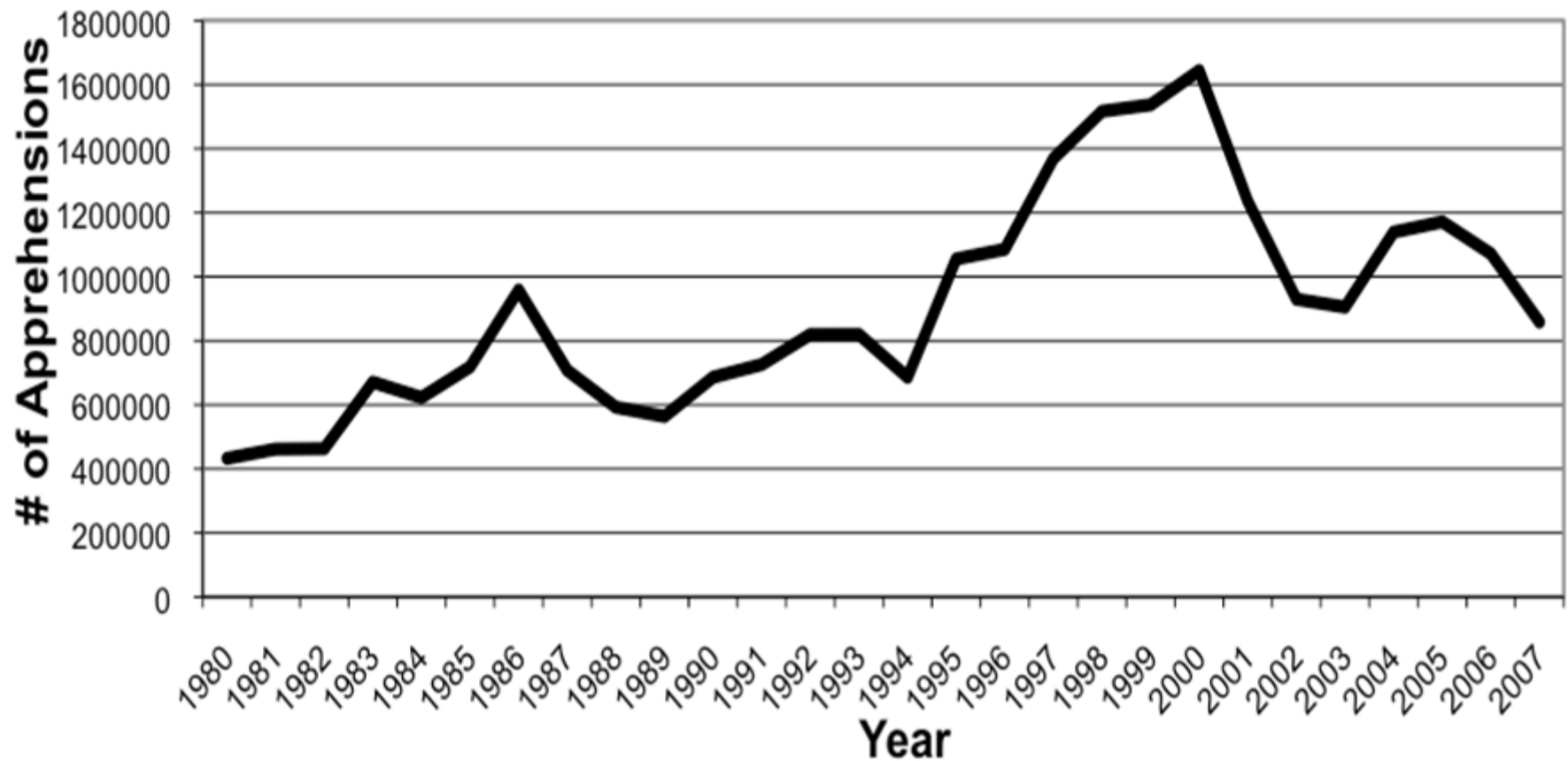
Apprehension rates and eventual success rates among undocumented Oaxacan migrants (by year of most recent entry)







Southwest border apprehensions

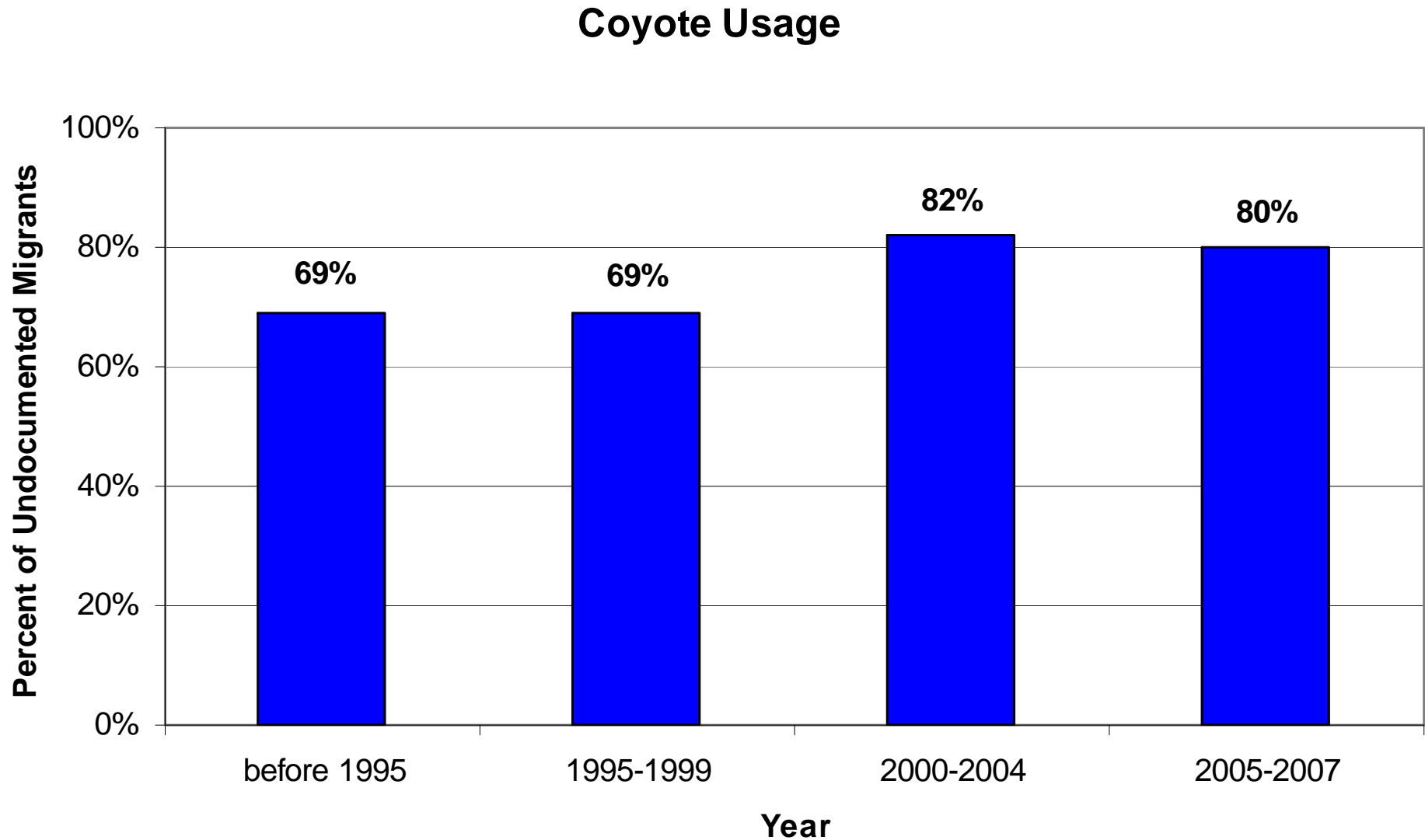


FY 2006: down 8%; **FY 2007:** down 20%; **FY 2008:** down 15%

Alternative explanations for fewer Southwest border apprehensions in 2006-07

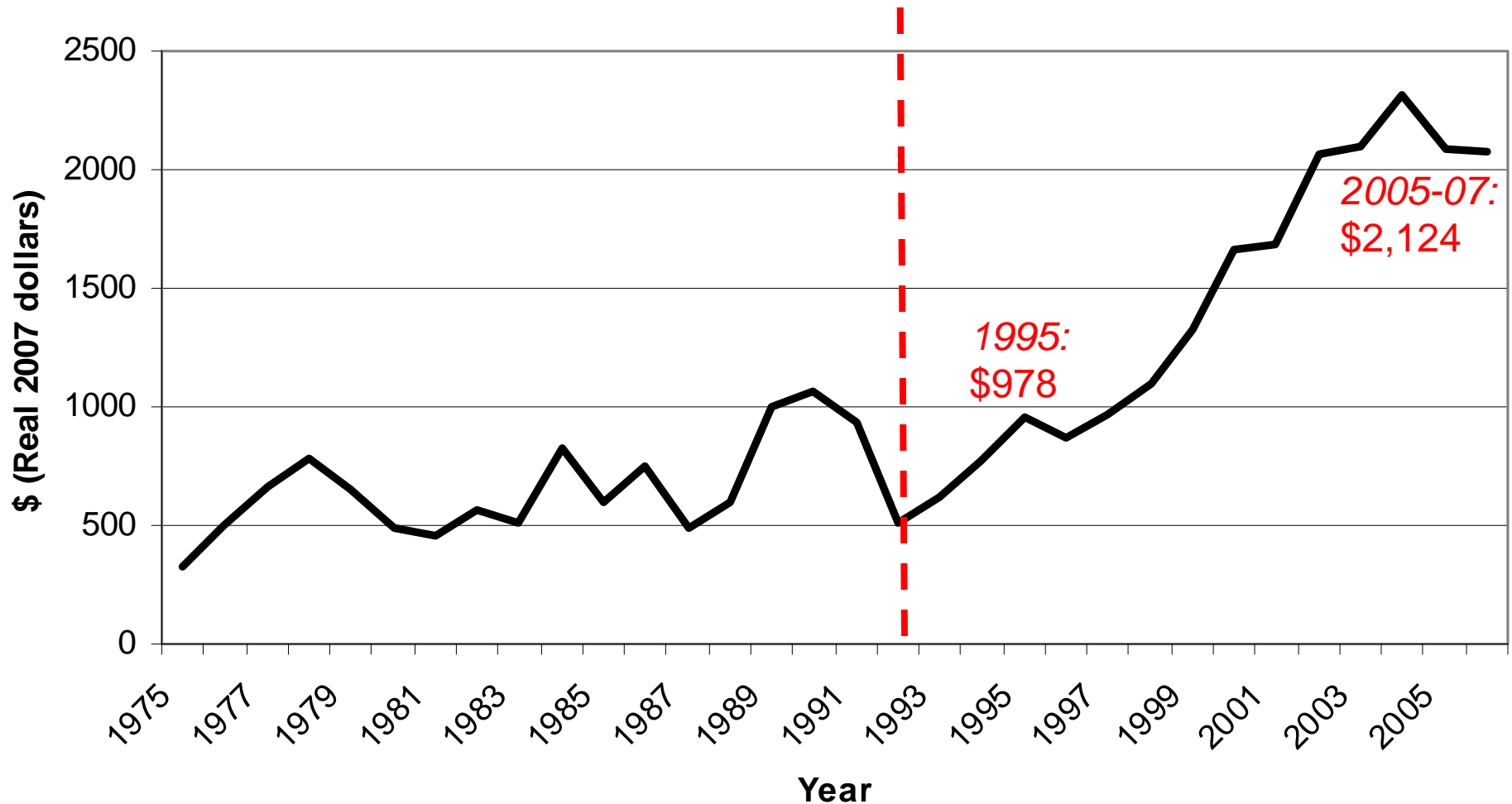
- **Reduced circularity:** Fewer return trips = fewer apprehensions (if migrants aren't going home, they aren't getting caught when they return to their jobs in U.S.). Fewer apprehensions DON'T = true deterrence/Border Patrol efficacy
 - Migrants are bottled up within U.S. by tougher border enforcement. Cost (coyote fees) + physical risks of reentry are prohibitively high.
 - Migrants are delaying return trips in anticipation of "amnesty" legislation, don't want to jeopardize their eligibility by being apprehended at border
- **Increased use of coyotes** = higher probability of successful entry; coyotes eventually will find new routes/modes of entry
- **More crossings being made through legal ports of entry**, concealed in vehicles or using false docs = lower probability of apprehension (over 224 million crossings/yr. are made through POES on US-Mexico border; close scrutiny impossible)
- **Less U.S. demand for labor:** U.S. home construction industry is depressed, jobs magnet is diminished

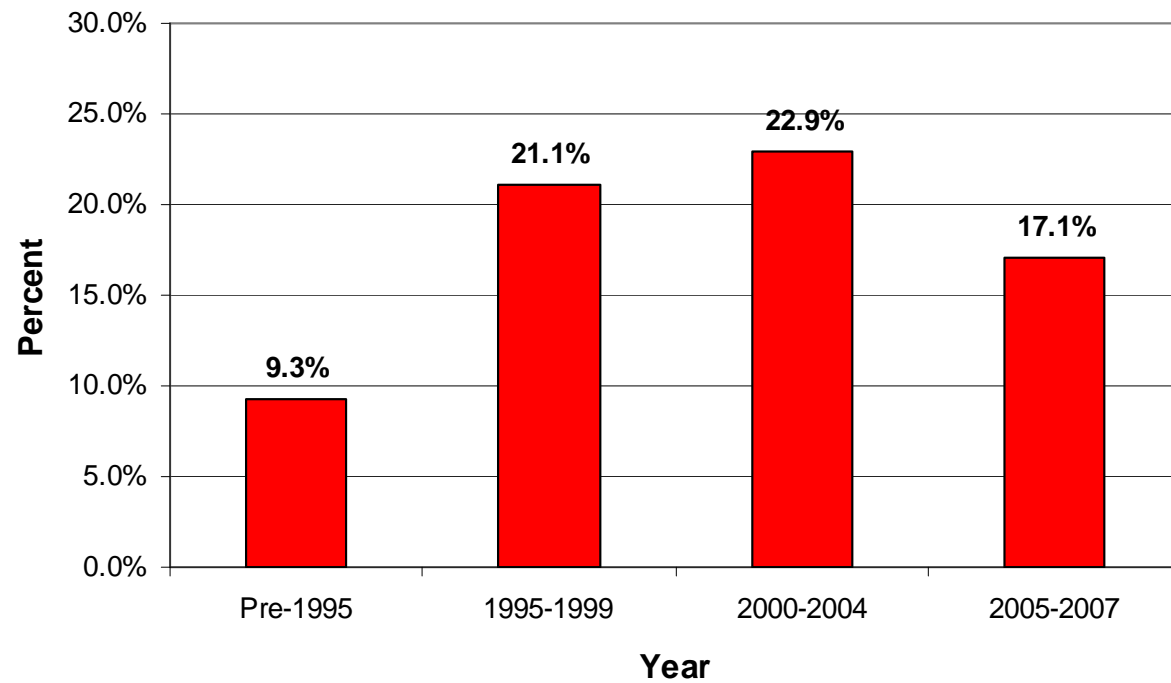
4 out of 5 undocumented Oaxacans hired a people-smuggler for their most recent border crossing



Average people-smuggler fee paid by Oaxacan migrants

Coyote Fees (3-year Moving Average)





Border crossings made through a legal port of entry, among unauthorized Oaxacan migrants



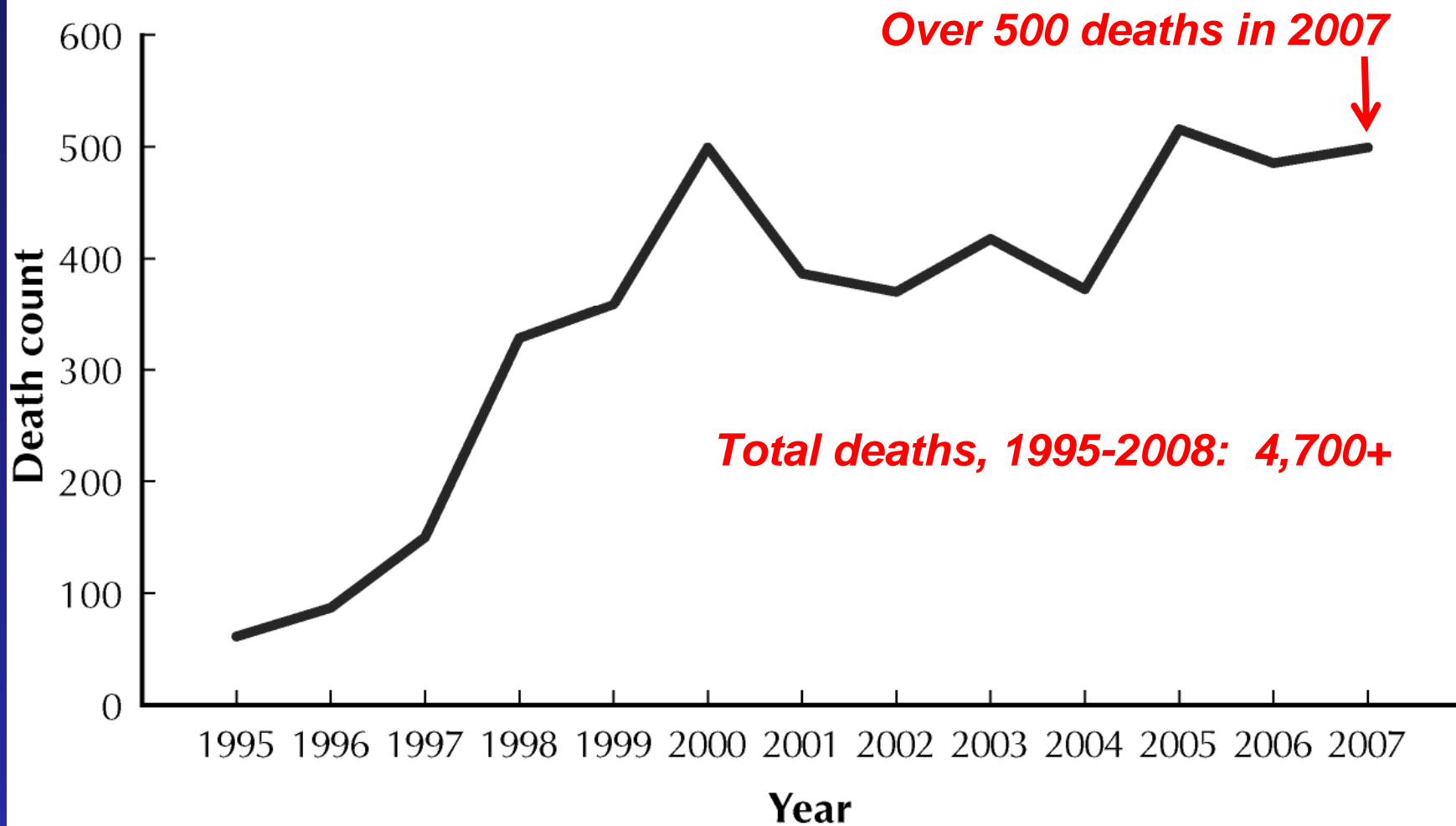


Displacement of illegal entries from land to maritime border, 2007-08

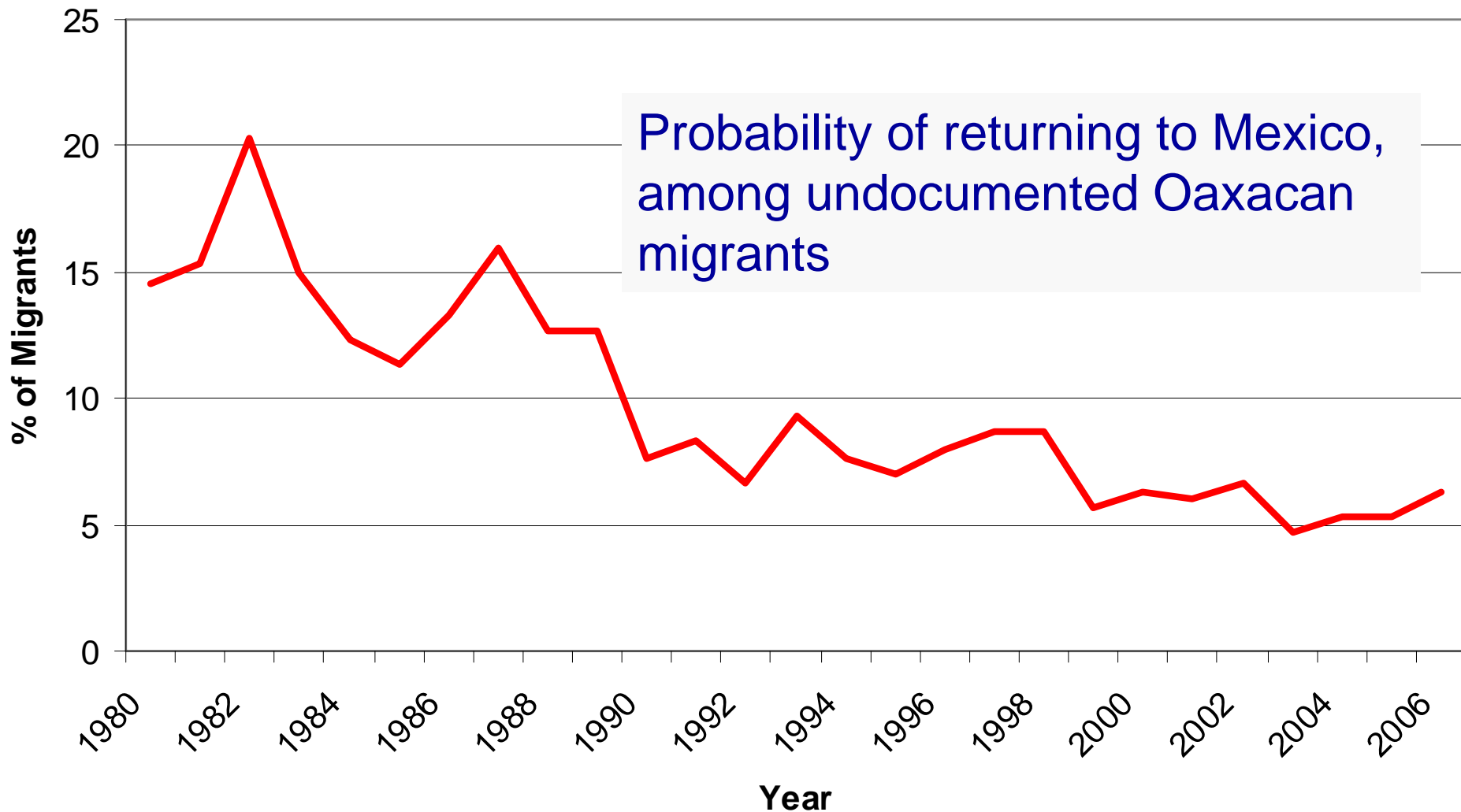
More than 24 smugglers' boats intercepted or found washed ashore on San Diego County beaches since August 2007



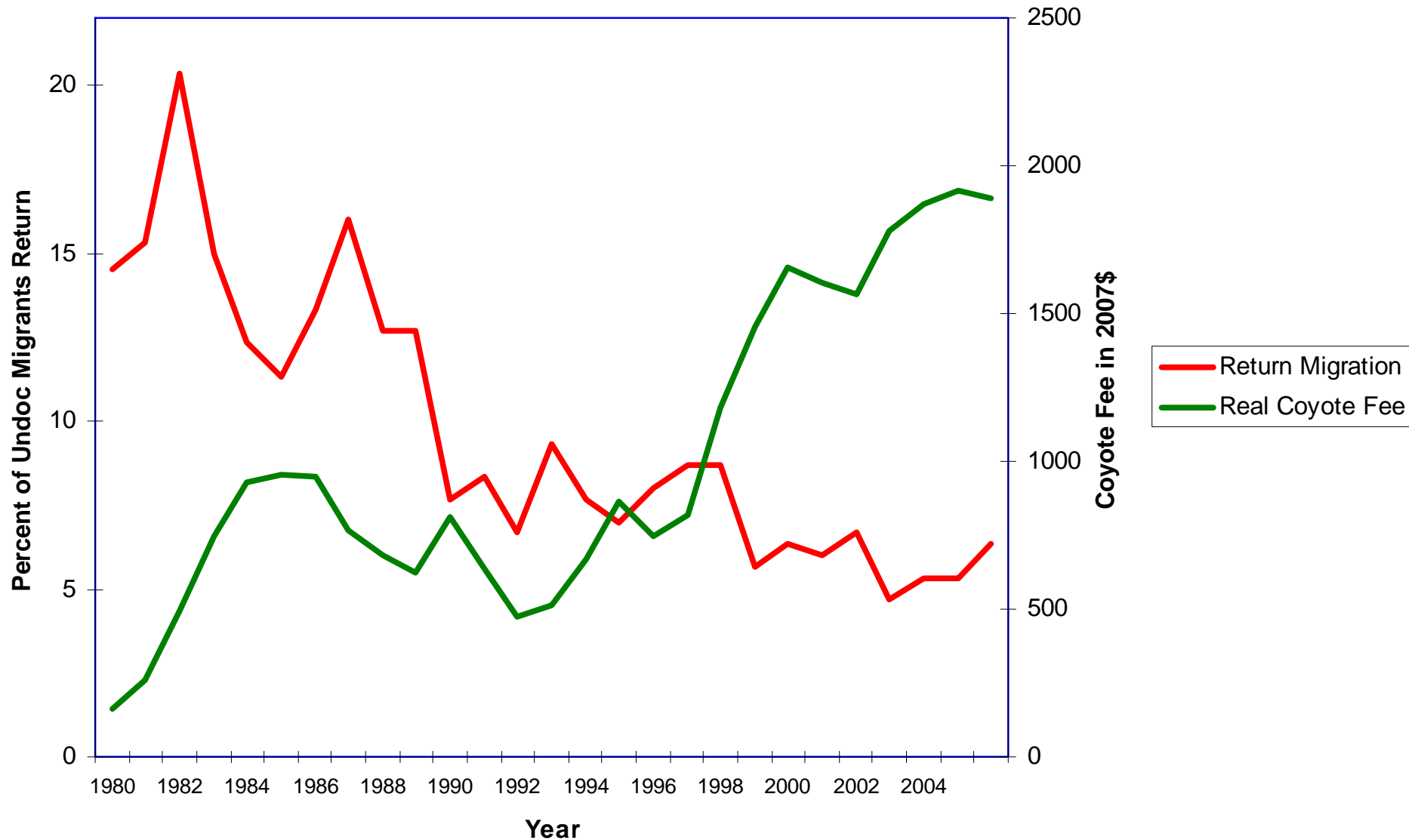
Deaths due to unauthorized border crossings detected in U.S.-Mexico borderlands



Circular migration has declined sharply, as costs and risks of illegal entry have risen



Probability of return migration, in relation to coyote fees



Undocumented migrants are bottled up within the U.S.

“During last 5 years, where did you spend most time?”

United States: **60%**

Oaxaca: **38%**

“During last 5 years, how many times did you return to Oaxaca?”

Average: **1.5** return visits

“Last September (2007), did you return to your home town for the annual fiesta?” (among those who live in U.S.)

No: **83%**

“In the last year, have any of your relatives stayed in the U.S. because of tighter border enforcement?”

Yes: **61%**

Families are reunifying on U.S. side of the border

- Houses found abandoned in San Miguel Tlacotepec, December 2007: 217 out of 698 houses (31% of total housing stock)



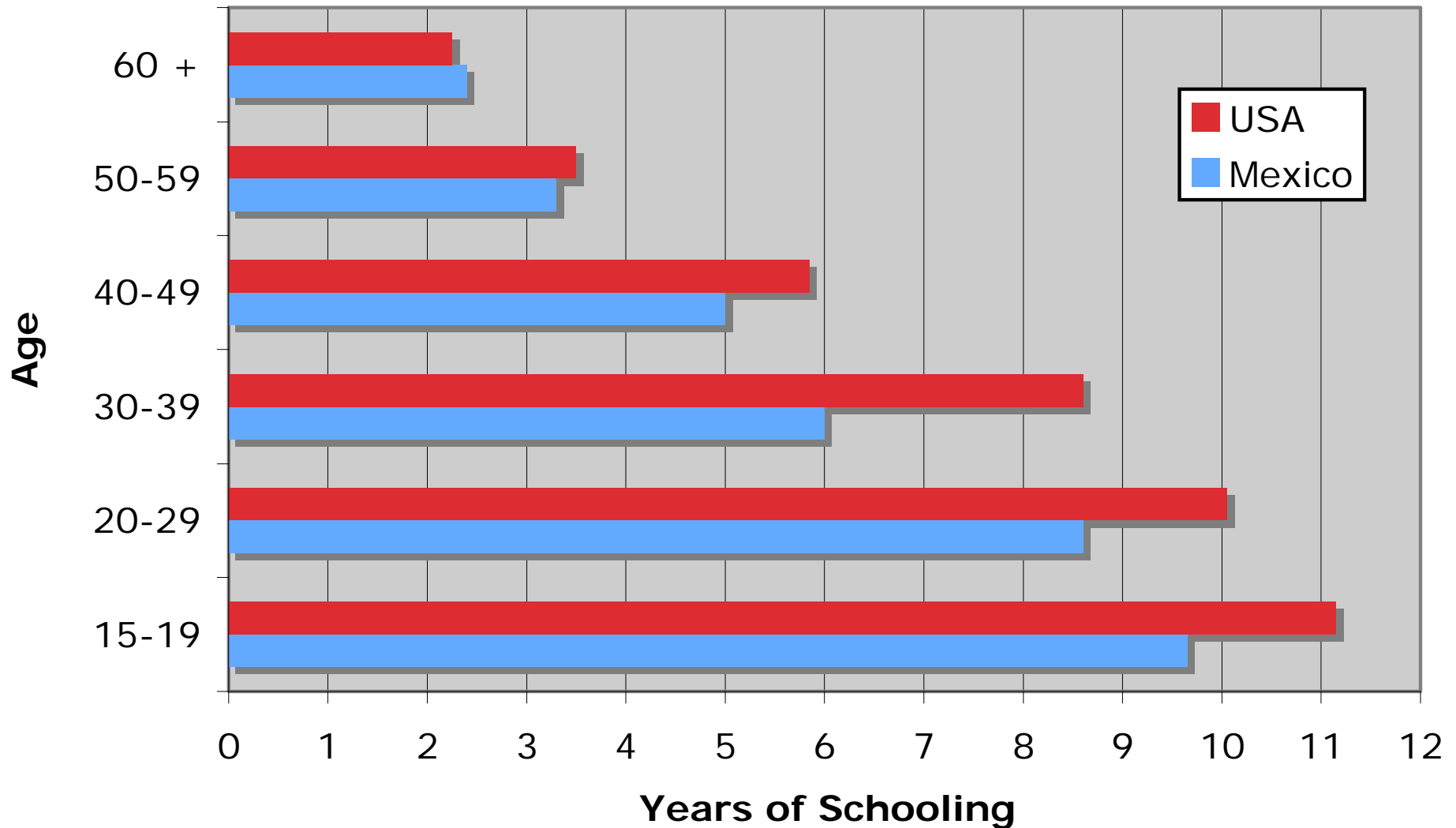
Considerable fear of deportation among undocumented Oaxacans in Vista, California

- Occasional presence of Border Patrol agents and San Diego Minutemen on Vista streets
- Local police activity can lead to apprehension by Border Patrol
- Anti-day laborer ordinance passed by city council, 2006
- Awareness of neighborhood and worksite raids occurring nearby

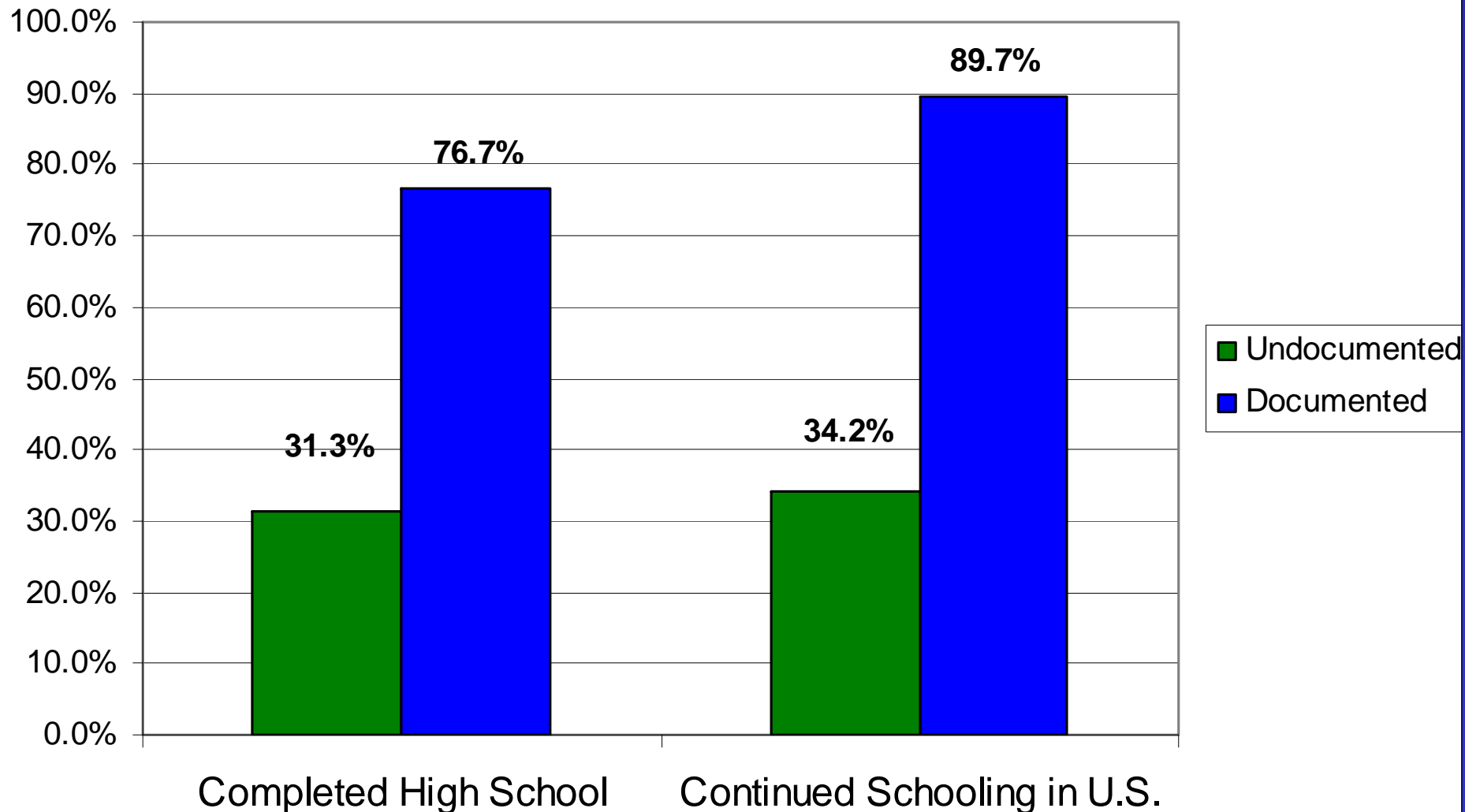
But no evidence of voluntary “self-deportation”



Educational attainment among Oaxacans in Mexico and U.S.



Educational differences between documented and undocumented Oaxacan migrants in the U.S.



Comprehensive immigration reform is the best immigration control strategy

- Emphasize workplace enforcement over border enforcement
- Legalize most unauthorized immigrants already here
- Provide more legal entry opportunities for new immigrants, through a well-functioning guestworker program and additional permanent resident visas
- Create alternatives to emigration in migrant-sending areas, through targeted development projects

Questions and further information:

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