

## The Impact of the 100-mile Border Enforcement Zone on Mexican Americans in Arizona

By Dr. Nilda Flores-González and Dr. Emir Estrada in Collaboration with The Im/migrant Well-Being Scholar Collaborative February 2024

#### INTRODUCTION

Immigration enforcement is a continuous presence for many Americans within the 100-mile border enforcement zone. In their daily lives, citizens and non-citizens alike of Arizona endure routine border patrol checkpoints where they are subject to police interactions marked by <u>racial profiling</u>. The Impact of the 100-mile Border Enforcement Zone on Mexican Americans in Arizona by Dr. Nilda Flores-González and Dr. Emir Estrada at Arizona State University examines immigration-related policies' impact on young Latino adults' daily lives, arguing that the militarization of the border through prevention through deterrence (PTD) strategies has caused U.S. citizens to become "collateral," or incidental victims, of invasive immigration enforcement.

People living in the 100-mile border zone, including US citizens, are harmed by the indiscriminate and racially motivated policies and practices targeting unauthorized immigrants or anyone who "looks Mexican." Through a multi-method and multi-wave study using survey, photovoice, and interviews with U.S.-born Latinx, Native American, and white young adults ages 18 to 29, the authors find that immigration enforcement is omnipresent in the daily lives of young adults residing in Arizona's border enforcement zone. Further, they find that Latino US citizens have an eroded sense of belonging and have altered their behavior in response to the discrimination that invasive questioning and secondary inspections by border officials imposes on their lives.

"[There was] a [dead] man hanging, and you could hear the cell phone ringing from his backpack, and he was just hanging there, and nobody had done anything. I think about that every day."

Natasha Caballero, 26-year-old Yuma resident

### **BACKGROUND**

Created in 1946, the 100-mile border enforcement zone encompasses all the United States territory that lies within 100 miles from the border. Some scholars argue that restrictive immigration legislation, in particular the <u>Defense Authorization Act of 1982</u>, has transformed this area into a Low-Intensity Conflict Zone (LIC) – a term used to describe limited military intervention in non-war situations. The 100-mile border enforcement zone is characterized by <u>ever-increasing</u> <u>militarization</u> – including expansions in physical fencing, electronic military surveillance technology, and expedited removal policies – that regularly violate the rights of the area's residents.

Nearly 3 million residents or roughly 40% of the state's population, live within Arizona's "100-mile border zone," which includes cities like Yuma, Tucson, Phoenix, and Flagstaff. In these communities, interactions with Customs and Border Patrol (CBP) with expanded search and seizure rights result in routine civil and human rights violations. Supreme Court jurisprudence grants agents the authority to set up checkpoints; inspect passengers; enter private property; and stop, interrogate, and detain individuals they suspect of committing immigration violations. Not only do these often unreasonably invasive searches derail the daily lives of non-white residents, the vast

majority of whom are US citizens, but in some cases, lead to property damage and harm to emotional well-being with little to no recourse.

The expansion of border militarization and intensive, pervasive immigration enforcement actions have far-reaching consequences for both citizens and non-citizens. <u>Nearly 60 percent</u> of people detained by CBP agents are not deportable. Further, these policies are a part and parcel of the systemic racialized nature of policing in the US, subjecting Black and Brown people, immigrants, and citizens to disproportionate amounts of stops, searches, and detentions.

## **FINDINGS**

- Omnipresence of Border Enforcement in Daily Lives
  - Border enforcement seeps into everyday life and follows immigrants or anyone perceived to be an immigrant including US citizens far beyond the physical border.
  - Stories of immigrant deaths at the border induce trauma and are a harsh, vivid reminder of the far-reaching consequences of Prevention Through Deterrence policies.
- Dual Criminalization of Latinos as Unauthorized Immigrants and Drug Smugglers by CBP
  - CBP checkpoints provoke anxiety and create stress for youth subjected to racialized policies and negative perceptions of immigrants as criminals by CBP.
  - o Intense interrogations and questioning by CBP at internal checkpoints can lead to damaged property and undue strains on non-white youths' lives.
  - The near constant experience of border enforcement erodes youths' sense of security, safety, and belonging.
- Youth Develop Coping Mechanisms to Mitigate the Impacts of Border Enforcement and Navigate Interactions with CBP, Yet Still Face Discrimination
  - As one strategy to navigate experiences with CBP, some have purchased the Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card, a program which facilitates and expedites pre-approved travelers' entry into the U.S. from Canada and Mexico. Yet, even with a SENTRI card, some particularly those who "look Mexican" still reported lengthy questioning and secondary inspection by CBP.
  - Others reported that they had to subvert their own feelings in interactions with CBP in an effort to remain calm and compliant despite harsh interrogation.
  - Some youth reported feeling less American as a result of treatment by CBP.

# **RECOMMENDATIONS**

- Congress should reevaluate and limit the scope of the border zone CBP legal jurisdiction to prevent violations of constitutional rights within the 100-mile border enforcement zone.
- DHS should implement stricter oversight and accountability measures for Customs and Border Protection personnel to address corruption and excessive use of force, as highlighted in the 2016 DHS report.
- Oversight authorities like Congress and the DHS Office for Civil Rights and Civil Liberties should hold CBP officials accountable for civil rights violations and racial profiling, as a lack of oversight leads to continued discrimination against non-white citizens eroding their constitutional rights, liberties, and privileges and rendering them second-class citizens.