

Detention of Undocumented Migrants in the United States: Who is Who in Apprehensions?

Detención de migrantes indocumentados en Estados Unidos: ¿quién es quién en aprehensiones?

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ABSTRACT

This article investigates the relationship between migration and politics in the United States during the period 2000-2020. Specifically, detention figures are examined in relation to the ruling party at the state level, in the context of different conjunctural events and socioeconomic processes, using data from the United States Department of Homeland Security, by participating agency. Different questions guide the investigation in each section: first, who apprehends immigrants in the United States?; Second, which agency makes the most apprehensions of undocumented immigrants?, and where do the largest number of apprehensions take place, at the border or inside the country?; Third, what role do state governments play depending on their political affiliation, Democrat or Republican? Main trends and differences are presented in the conclusions.

Keywords: 1. migration policy, 2. migration agency, 3. state government, 4. border zone, 5. United States.

RESUMEN

En el presente artículo se indaga sobre la relación entre la migración y la política en Estados Unidos durante el período de 2000-2020. En específico, se examina el volumen de detenciones en función del partido gobernante a nivel estatal, a la vista de distintos eventos coyunturales y procesos socioeconómicos, con los datos del Departamento de Seguridad Nacional de Estados Unidos, por agencia participante. En cada apartado, distintas interrogantes guían la investigación: en primer lugar, ¿quiénes arrestan a inmigrantes en Estados Unidos?; en segundo, ¿qué agencia realiza más arrestos de indocumentados? y ¿dónde ocurren más arrestos, en la frontera o en el interior?; en tercer lugar, ¿qué papel juegan los gobiernos estatales según su afiliación política democrata o republicana? Las tendencias principales y las diferencias se presentan en las conclusiones.

Palabras clave: 1. política migratoria, 2. agencia de migración, 3. gobierno estatal, 4. zona fronteriza, 5. Estados Unidos.

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INTRODUCTION

In memory of Brother Miguel Concha Malo O. P.

In this article it is investigated the relationship of two factors strongly related in specialized literature: migration and politics in the United States in the period from 2000 to 2020. Specifically, it is examined the possible relationship between detention figures depending on the ruling party at the state level and certain conjunctural events, alongside certain socioeconomic processes that could contribute to the analysis. It is analyzed data from the United States Department of Homeland Security (DHS),³ including records from the three main agencies in charge of immigration issues. This data allows different levels of analysis to be established, disaggregated according to the office that carried out the apprehensions, the area where such were carried out, and the nationality of the detainees.

It is common to refer to the total number of apprehensions and deportations, separating them by year, nationality, sex, and age groups; all of them important contributions in themselves. However, it is believed that the relevance of this study lies in addressing the need to move forward to identify which agencies do such work, according to their mandates and jurisdiction. Likewise, it seems important to review how many apprehensions and deportations take place at the U.S. southern border and inside the country; also, what relation of correspondence can be established in this regard between those holding office at the White House and state governments of the same political party, or of different political affiliation. Answering such questions can help explain the actions of U.S. government agents, and systematize factors that allow formulating possible scenarios in the different areas analyzed here in the event of changes in government. Certainly, a short text like this can only present certain advances, which it is hoped will stimulate other argumentative developments. This implies the need to carry out more exhaustive analyzes on how immigration policy is applied on a daily basis by agency, and not only by aggregate figures.

U.S. SECURITY AGENCIES IN CHARGE OF
INTERNATIONAL MIGRATION

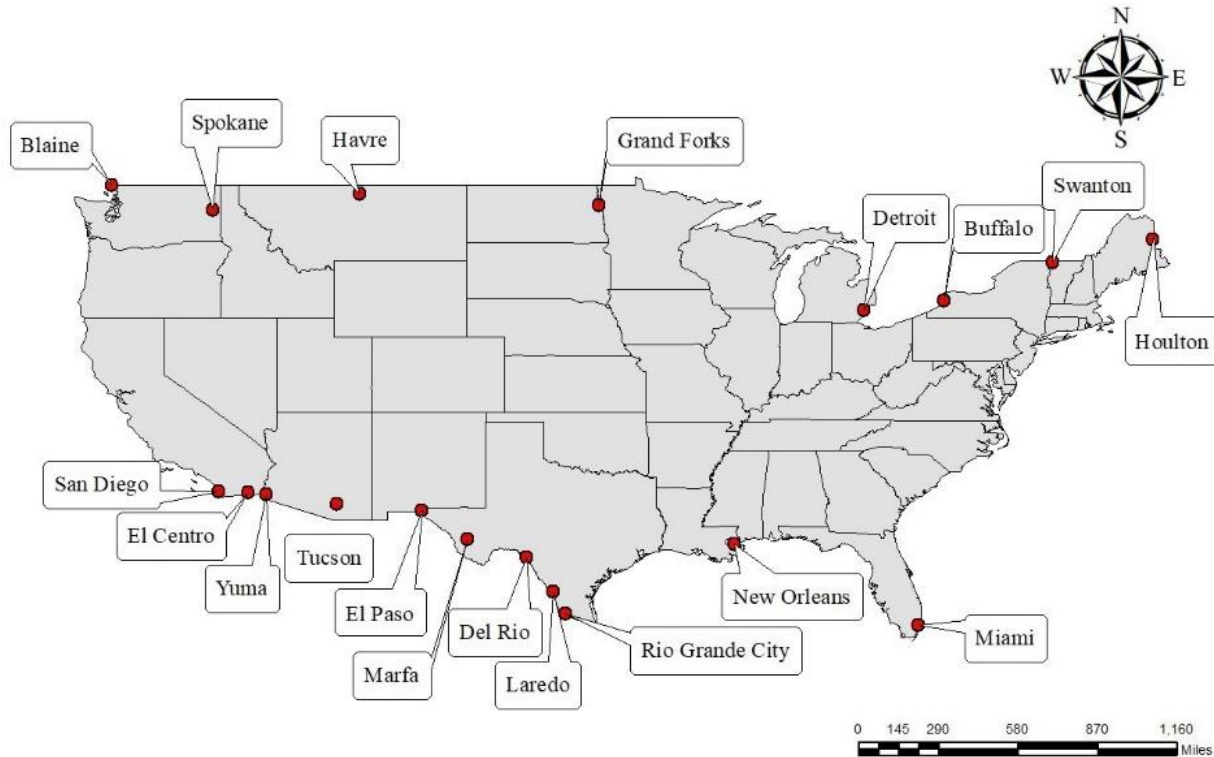
In the U.S. security system, there are a number of agencies concerned with immigration matters. Here we will address only those that are part of the Department of Homeland Security (U.S. DHS), due to the powers they have to carry out all sorts of actions, from apprehensions and administrative arrests of immigrants, to expulsions (returns and removals) from the United States territory. These agencies are the following:

1) U.S. Customs and Border Protection (CBP); in charge of border security in the United States. Among its functions are monitoring the border and patrolling nearby areas, where undocumented immigrants may hide (U.S. CBP, 2021). This agency can approach and search for foreigners within

³ The data correspond to tax years that begin on October 1 and end on September 30 of the following year (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

the country at a distance of 100 miles from the border inland, not needing a court order to carry out its operations. Map 1 shows the location of its offices.

Map 1. Location of Border Patrol (CBP) Offices, 2020



Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

2) U.S. Homeland Security Investigations (HSI). This agency is the main investigative branch of DHS⁴ in general, and of the U.S. Immigration and Customs Enforcement (ICE)⁵ in particular. Among its areas of interest are transnational crimes and threats such as narcotics smuggling, gang activities, child exploitation, smuggling, and human trafficking, among other activities related to criminal organizations (U.S. ICE, n.d.). Its purpose is to investigate, destabilize, and dismantle terrorist organizations and criminal networks that threaten the customs and immigration laws of the

⁴ Before 2001, the agency in charge of dealing with immigration issues in the United States was the Immigration and Naturalization Service (INS). After September 11, 2001, there were substantive changes in conceptualization and institutional engineering. The DHS was created, which concentrates Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP) and the U.S. Citizenship and Immigration Service (USCIS) (Martínez et al., 2015).

⁵ ICE was created in 2003 through the merger of various investigative and immigration control elements. Its main objective is to protect American national and public security from criminal activities that represent a threat to border and economic security (Guillén, 2012; U. S. ICE, n.d.c).

United States (U.S. ICE, n.d.c). Map 2 shows the location of its offices until 2020,⁶ widely distributed throughout the U.S. territory. Unlike CBP offices, there is greater HSI presence on the border with Mexico and in the east of the country. ICE was created in 2003 (see footnote 5), and so its records begin in 2006; its offices have remained unchanged over time.

Map 2. Location of the Homeland Security Investigations Offices in the United States (ICE-HSI), 2020



Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

3) U.S. Enforcement and Removal Operations (ERO). Like the HSI, this agency is part of ICE and is responsible for enforcing United States immigration laws inside and outside its borders (U.S. ICE, n.d.b). Its operations are directed against threats to public safety from criminal aliens, gang members, and individuals who have violated immigration laws, including people who illegally reentered after being deported, and immigration fugitives with removal orders. ERO manages all aspects of the immigration enforcement and control process, including identification, arrest, transportation, detention, bail management, and supervised release, as well as other alternatives to detention. Its most important power is to expel from the United States foreigners who have removal orders, to more than 170 countries. Although the location of its offices may be similar to that of HSI facilities, possibly because both are part of ICE, this does not seem to be a necessary condition;

⁶ In 2019, new offices were inaugurated in North Carolina, Missouri, Nevada, and Tennessee.

therefore, its presence at the border with Mexico and on the east coast is particularly striking, as can be seen on Map 3.

Map 3. Location of Enforcement and Removal Operations Offices (ICE-ERO), 2020



Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

Talking about immigration security in the United States implies both the borders and the inside of the country; another important aspect of this topic is the objectives pursued by each of the aforementioned agencies. Although in the case of CBP its relationship with the immigration issue is clear, when it comes to the other two agencies issues such as human trafficking, drug trafficking networks, and smuggling of illicit objects stand out, among other crimes in which so-called illegal migration is framed, according to its normative.

This association of migration with serious crimes, from its legal framework, helps to understand the view of this type of immigrants as criminals in the United States. This perspective has been criticized due to the social and psychological repercussions it implies (Isacson & Meyer, 2012; Zamora, 2020). This conceptualization has spread more widely since the Obama administration (Berglund, 2016).

VOLUME OF ARRESTS IN THE UNITED STATES,
2000-2020

It is important to analyze the volume of apprehensions and administrative arrests. At the beginning of the period studied there was an estimate of close to 1.8 million events, the majority of them carried out by the CBP, that is, close to 1.6 million apprehensions. For its part, the HSI recorded a total of approximately 138 000 events. Data from both agencies evidence that during the year 2000, immigration detention was concentrated in the South of the United States.

This trend could be related to a series of reforms and laws applied in the late 1990s, during the administration of Democrat William J. Clinton (1993-2001). Such is the case of the laws cited by Izcara and Andrade (2015): Illegal Immigration Reform and Immigration Responsibility Act of 1996 (IIRAIRA), which among other things allowed the implementation of 287(g) Program in the same year (U.S. ICE, n.d.a);⁷ as well as the Anti-Terrorism and Effective Death Penalty Act of 1996 (AEDPA). Both laws reduced the legal defense of undocumented immigrants to stay in the country, and reclassified minor offenses as serious crimes, which expedited arrests and apprehensions of foreigners and their subsequent expulsion.

In 2001 there was a decrease of approximately 1.38 million in arrests and apprehensions compared to the previous year. The highest-ranking agency at that time was CBP, with about 1.2 million, and the HSI recorded about 121 000 arrests. Also, in 2001, as a result of the September 11 attacks (Berumen Sandoval et al., 2011; Cruz, 2012; Isacson & Meyer, 2012) during the administration of Republican George W. Bush Jr., there was a temporary border closure, the DHS was created, and various laws were enacted, including the Patriot Law⁸ cited by Guillén (2012) and Calva and Alarcón (2018). Undocumented migration was then classified as a national security issue. The effects of these events became noticeable from 2003, the date of creation and deployment of ICE, with a rebound in the volume of arrests, from approximately 1 million to approximately 1.26 million in 2004.

In 2005, an increase was again recorded with an estimate of 1.29 million.⁹ In this year, the bulk of arrests were concentrated in CBP offices, while HSI recorded less than 200 000 arrests. At the beginning of 2006, ERO records show a low number of apprehensions compared to the total volume recorded by CBP. Starting in 2007, there was a noticeable increase, and in 2008 it reached approximately 300 000 arrests (see Graph 1).

⁷ ICE's 287(g) Program allows agreements with state and local law enforcement agencies to train officials as immigration agents. Among the states participating in this program until 2020, Arizona, Florida, Georgia, North Carolina, Texas, and Wisconsin stand out (U.S. ICE, n.d.a).

⁸ This law strengthened the administrative powers to apprehend and deport migrants who are suspicious or perceived as a threat to national security (Izcara & Andrade, 2015).

⁹ In this year, the *Compliance with consequences* strategy was implemented, according to which immigrants detained for violating regulations would spend a stay in prison before the beginning of the deportation process (Izcara & Andrade, 2015; Coubès, 2018).

This rebound could be related to various policies implemented recent years, such as The Merida Initiative (2008). This security cooperation program between Mexico and the United States aimed to combat drug trafficking and organized crime by means of economic support to Mexico, which was materialized through the transfer of military and computer equipment, as well as the creation of training and information exchange programs, among other measures (Berumen Sandoval et al., 2011; Estrada, 2012).

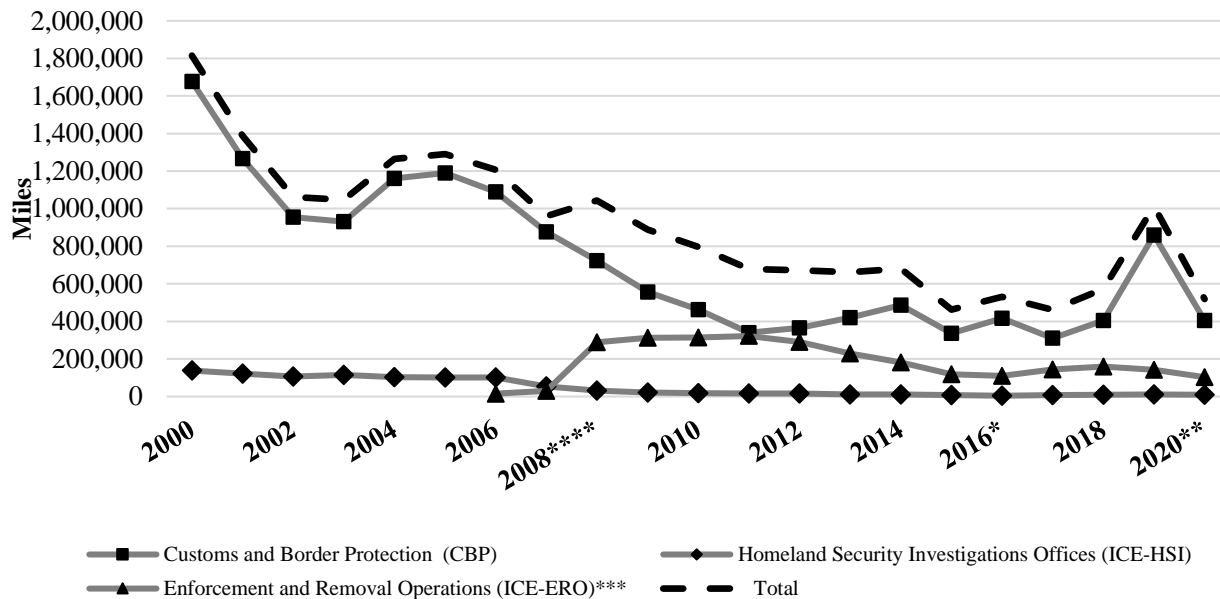
Another policy that could have influenced such rebound is the Alien Transfer Exit Program (2008), which aimed at returning migrants to places other than the ones they came from, so as to strip them of their social networks¹⁰ and their functional contents (instrumental, informational, and affective support) (Zamora, 2020). The core argument of this measure was preventing migrants from establishing contact with *coyotes* again (Izcara & Andrade, 2015). Along the same lines are the Safe Communities program of 2008¹¹ and the 287(g) Program, initiatives that allowed the cooperation of different police agencies at the federal, state, and local level with ICE (Meza, 2014; Villafuerte & García, 2017; U.S. ICE, n.d.a).

These programs were implemented by the end of George W. Bush Jr's term (2001-2009) and at the beginning of the administration of Democrat Barack Obama (2009-2017), within the framework of the economic-financial crisis in the United States (which began in 2008). Both events are linked to the issue of migration, given the direction that immigration policy took. An example of this is the way in which ICE carries out its raids in the search for immigrants (Alarcón & Becerra, 2012), disturbing public peace in the immediate social environment, and disrupting the daily life of both the American and foreign population.

¹⁰ This measure picked up the bases of what was the Lateral Deportation program of the 1940s (Izcara & Andrade, 2015) and, like back then, this measure was highly criticized for separating women and children from the men with whom they traveled, regardless of whether they were family. This increased the risks associated with the migration process, especially that of violence, and the deaths of immigrants in the desert and in the Río Bravo increased (Guillén, 2012; Calva & Alarcón, 2018).

¹¹ This program, among other things, facilitated the notification to immigration authorities about the arrest of any immigrant who committed a crime, regardless of magnitude. As such, a record of offenders and people serving sentences was obtained. After serving time, immigrants were returned to their country of birth, thus being purged from prisons (Ytizar & Alarcón, 2015). This measure ended in 2014 (Coubès, 2018). During the validity of the 287(g) Program—until 2021—19 states applied a model of laws within prisons, and in 11 states the model of delegated officers (U.S. ICE, n.d.a).

Graph 1. Apprehensions and Arrests of Immigrants Carried Out by United States Immigration Authorities, by Agency, 2000-2020



* ICE-ERO's detention counting methodology was revised to align with ERO's reporting for 2016. For previous years, only one administrative detention could be counted for the same person on the same day (2020 yearbook note).

** The 2020 CBP data includes records of expulsions (returns) for public health reasons under Title 42 of 2020.

*** ICE-ERO detention figures may differ from those published by ICE due to updates to previously published figures (2020 yearbook note); beginning in 2009, data includes ICE-ERO detentions, and those carried out under the 287(g) Program (2019 yearbook note).

**** ICE-HSI data from 2008 includes ICE-ERO detentions (2020 yearbook note).

Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

During the Obama administration, innovations were made to the methods of such raids. ICE would arrive at work areas to check immigration documents and social security numbers, comparing them with E-Verify databases¹² (Alarcón & Becerra, 2012). If suspicious, employers were responsible for notifying the worker with a threat of dismissal for not presenting their legal documents (Herrera & Rubio, 2019), thus risking their stay in the United States. During that administration, technological innovation and the reformulation of immigration policies were fundamental for the detection and arrest of undocumented immigrants, also trying not to affect the employer or the immediate social environment.

¹² E-Verify is a voluntary DHS program that helps employers verify the authorization of new employees based on immigration status (Herrera & Rubio, 2019).

These elements are essential for understanding the actions of the CBP and the HSI, as well as the growth of ERO as a potential enforcement arm of ICE. It seems that, during these years, concern about the immigration issue was mostly focused inside the United States territory as a response to the economic crisis, and based on concern about Mexican drug trafficking in that country. This can be seen especially in 2011 when, out of a total of arrests close to 670 000, just over half were carried out by the CBP (340 000), and a similar volume by the ERO (322 000).

The total volume of arrests was rather sustained throughout the following three years, since until 2014 they were very close to 700 000 (Graph 1). However, there were substantial changes within these records. First, there is a growth in arrests by the CBP, which reached a figure close to half a million. On the other hand, the ERO recorded an approximate of 181 000 events. Another aspect that changed with respect to the arrests of previous years is the nationalities of the immigrants. In 2014, migration from northern Central America (Guatemala, Honduras, and El Salvador) grew in relevance. Of the total arrested immigrants, about 49% came from one of these three countries (see Graph 2); as for Mexicans, a clear downward trend is noticeable beginning in 2004, with a rebound in 2008.

It is understood the above as a joint effect of the different policies implemented (Zamora, 2020), which point to a diversification of sub-processes within migration despite the U.S. immigration policy. This policy seems to change depending on the administration that carries out such processes. Such is the case of the ICE raids during the Bush and Obama administrations, in which the latter's government seemed more focused on security from inside the territory, with more subtle measures based on policy reformulations. It should also be kept in mind that there was a decrease in the Mexican migratory flow at that time.

In that sense, a process that could have a certain relationship with this downward trend in arrests of Mexicans is the possible change in the type of migration undertaken by this population, going from undocumented migration to documented migration in certain cases. According to a specialist, between the tax years 2007 and 2017, visas for Mexicans of the H2-A¹³ type had an increase of 211%, going from 47 000 to 147 000, and by 2018 an estimate close to 180 000 visas granted was reached, according to preliminary data (Calva, 2019).

During the last two years of the Obama administration, there was a decrease in the volume of arrests made by the ERO: during 2015 and 2016 an estimate close to 100 000 events were recorded. On the other hand, CBP offices showed an increasing trend: from 337 000 apprehensions in 2015 to an estimate 415 000, a volume lower than that recorded during the first decade of the period. Once again, more interest was put on the southern border, possibly due to the increase in the flow of

¹³ This type of visa regulates temporary migration flows. In 1952, the H1 visas for specialized labor and the H2 type for unskilled labor were implemented. By 1986, with the IRCA law (Immigration Reform and Control Act), the H2 category was divided into H2-A, aimed at field labor, and H2-B for non-field labor. H2-A visas can be issued throughout the year without limitation, while only 66 000 H2-B visas can be issued annually (Calva, 2019).

migrants from the northern region of Central America, which during these years accounted for approximately 50% of arrests.

Since the election campaign, the administration of Republican Donald Trump (2017-2021) showed a negative attitude towards migration, particularly that of Mexicans (Calva & Alarcón, 2018). During his administration, a discourse based on xenophobia and ethnocentrism against undocumented migration prevailed. This narrative rose at a time when arrests were on the decline, and visas for agricultural workers were on the rise; there was a decrease in attempts to cross the border by Mexicans (Coubès, 2018; Zamora, 2020), and a growing mobilization by Hondurans, Guatemalans, and Salvadorans.

At the beginning of the Trump administration, there were approximately 460 000 arrests, of which 310 000 were made by the CBP, while the ERO recorded almost 143 000 arrests. One aspect in which these last two administrations agree, compared to Bush's, is in the decrease in arrests made by the HSI, which, since 2010, had an almost constant figure below 20 000 cases.

In 2018, behavior similar to that of 2017 was observed, although with an increase in the total amount, close to 570 000 arrests. However, in 2019 an increase in the total number of arrests was seen, very similar to that of 2008 and 2003, with an estimated volume close to one million. Unlike previous years, nearly 75% of the total were of nationalities other than Mexican, especially Guatemalans (285 000), Hondurans (268 000), and Salvadorans (99 000), in addition to an estimate of 105,000 arrested people from other nationalities (see Graph 2).

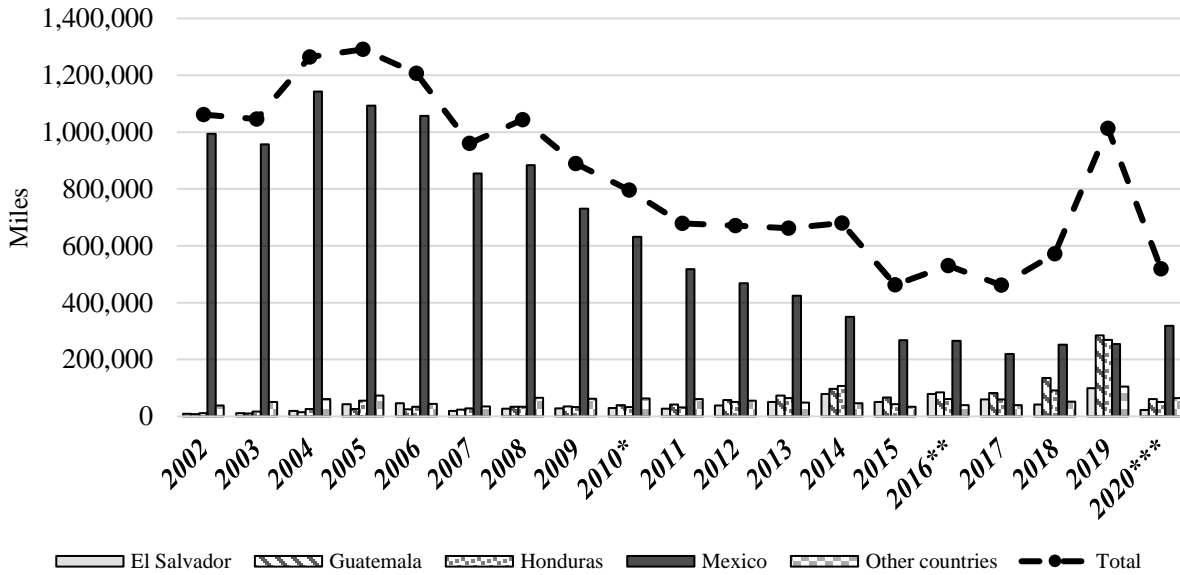
This behavior was probably due to the combination of a decrease in the Mexican migratory flow and an increase in flows of other nationalities. So, out of a total of close to one million apprehensions in 2019, the CBP carried out approximately 859 000. As for the ERO, an agency that showed a decrease compared to the previous year, approximately 143 000 arrests were recorded in 2019. Overall, the focus remained on the southern border.

In 2020, the year that COVID-19 appeared and the last year of the period analyzed here, the volume of arrests decreased, reaching a total of 500 000. This figure represents almost half of those registered in 2019, when the most notable drop was in CBP arrests, recording nearly 80% of the total (400 000 apprehensions). For its part, that same year ERO recorded a total estimate of 103 000 arrests. This same drop can be seen in the arrests of migrants coming from the northern region of Central America, with 26% of the total; that is, well below the 64% of 2019. As for arrests of Mexicans, an increase was again recorded with nearly 300 000, representing 61% of the total.

The difference in CBP arrests versus ERO is noticeable. This is possibly related to the COVID-19 pandemic, which, among other things, allowed for a temporary closure of borders and the application of Title 42. This measure was only implemented on the southern US border. Resulting from this, migrants returned to Mexico (from any nationality) would have to remain in collective environments or accommodations before being admitted into the United States, as a consequence of their irregular immigration status (IOM/UN Migration, 2021). This measure generated great vulnerabilities among international immigrants (Ramírez-García & Lozano, 2021) and, in part,

responded to a line of research in epidemiology on migration and health (Ramírez-García & Lozano, 2021). Its application was maybe consistent with the growth in arrests made by the ERO in 2009 and 2010, of which a large number lacked details on the place where they were carried out. In the United States, the response to COVID-19 was more radical and could be linked to the total joined cases (Ramírez-García & Lozano, 2021).

Graph 2. Apprehensions and Administrative arrests of Immigrants Carried Out by U.S. Immigration Authorities, by Country of Origin, 2002-2020



* Beginning in 2009, data includes ICE-ERO detentions, and those carried out under the 287(g) Program (2019 yearbook note).

** ICE-ERO’s detention counting methodology was revised to align with ERO’s reporting for 2016. For previous years, only one administrative detention could be counted for the same person on the same day (2020 yearbook note).

*** The 2020 CBP data includes records of expulsions (returns) for public health reasons under Title 42 (2020 yearbook note).

Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

STATE GOVERNMENTS, ARRESTS, AND APPREHENSIONS

Regarding the governance of migrations, a question arises: how to control these human movements? Or, in terms of the preference that destination and transit countries could have: *legal*, *orderly*, and *safe* migration flows. This is a desirable objective from the regulated world that to date remains unanswered, largely due to the multicausal, multifaceted, and multifactorial nature of any migration

process (Arango, 1985; Zamora 2020). Countries like the United States have opted for extreme measures to achieve this objective.¹⁴

Villaseñor and Acevedo (2009) speak about the need of a comprehensive reform able to achieve such governability, or that at least achieve a balance between the circumstances of the labor market, the resolution of the situation of undocumented people, and the needs of the receiving societies. This state of things prevails to this day; since, as is known, immigration legislation in the United States is of federal jurisdiction. However, it is also known that the states that make up the U.S. have margins of relative autonomy that they assert in different circumstances before the federal government (Berglund, 2016). This relative autonomy was put into practice by Texas Governor Greg Abbott, who in July 2022 ordered the National Guard to detain migrants in a dispute beyond migration matters and rather explainable in the political sphere of Democrats and Republicans in election times.

Each state has developed regulatory frameworks “that redefine in their jurisdiction the daily practices of immigrants, fundamentally of those who stay in the country without authorization” (Villaseñor & Acevedo, 2009, p. 415). This process ranges from formulation and promulgation, to the application of legal-normative frameworks where various political actors with different perceptions about the repercussions of immigration come together. Although there seems to be a constant factor: at the state level, there is an interest in discouraging and controlling the entry and stay of immigrants of irregular status (Zamora, 2020).

This (relative) room for decision making of each state, in terms of applying immigration policies depending on their perceptions and needs, would explain why there are larger arrest figures in some states than in others. Texas, for example, has five CBP offices out of a total of nine bordering Mexico, in addition to three HSI offices, and three ERO offices. There are two CBP offices in California, as well as three HIS and ERO offices. Each agency has one office in Arizona, and in New Mexico there is no presence of any of them. In the opposite direction, and disaggregated at the local level, so-called *sanctuary cities* should be accounted for, where there seems to be feedback between local policies and local political actors, favoring the integration of immigrants to a certain extent (Cruz-Lera, 2019). This may respond to different conditions present in each state, such as social and political variables associated with the economy, the environment, etc.

Some observations are worth making in terms of *sanctuary cities*: Bauder (2016) referred how the policies and practices of these spaces aim at welcoming undocumented immigrants and refugees in urban communities that, although not changing their undocumented status, provide them with elements to face this circumstance. However, conceptually sanctuary cities are not accurately defined, since there are differences among them both in theory and practice. In that sense, different attempts have been made to clearly define them, as done by Cruz-Lera (2019) who sets forth a set of

¹⁴ Between 2000 and 2001, the governments of the United States and Mexico unsuccessfully attempted an agreement to, among other things, ensure good treatment of undocumented Mexican migrants, reduce irregular migration by expanding visas, and preventing crossings through dangerous points; in addition to the joint fight against migrant smuggling organizations (Contreras, 2016).

elements or dimensions that can make up the category of *sanctuary*: laws, policies, and informal practices of different natures; as well as discursive and identity aspects (Bauder, 2016). Sanctuary cities are considered the main source of opposition to federal anti-immigrant policies, with different degrees of resistance that respond to social and geopolitical conditions.

Sanctuary cities show positive results, without a doubt, yet their impact is limited precisely by the territorial reach of the corresponding municipal authority. If it is added to this that they are a measure of limited application in the otherwise large United States territory compared to the broad coverage of government agencies involved in immigration matters, two important points stand out as pertinent to this text: 1) favorably assessing sanctuary cities, and 2) reiterating the validity of analyzing the scope and implications of the actions of government agencies in the detention and return of undocumented migrants; as well as their possible links with state governments according to their party affiliation.

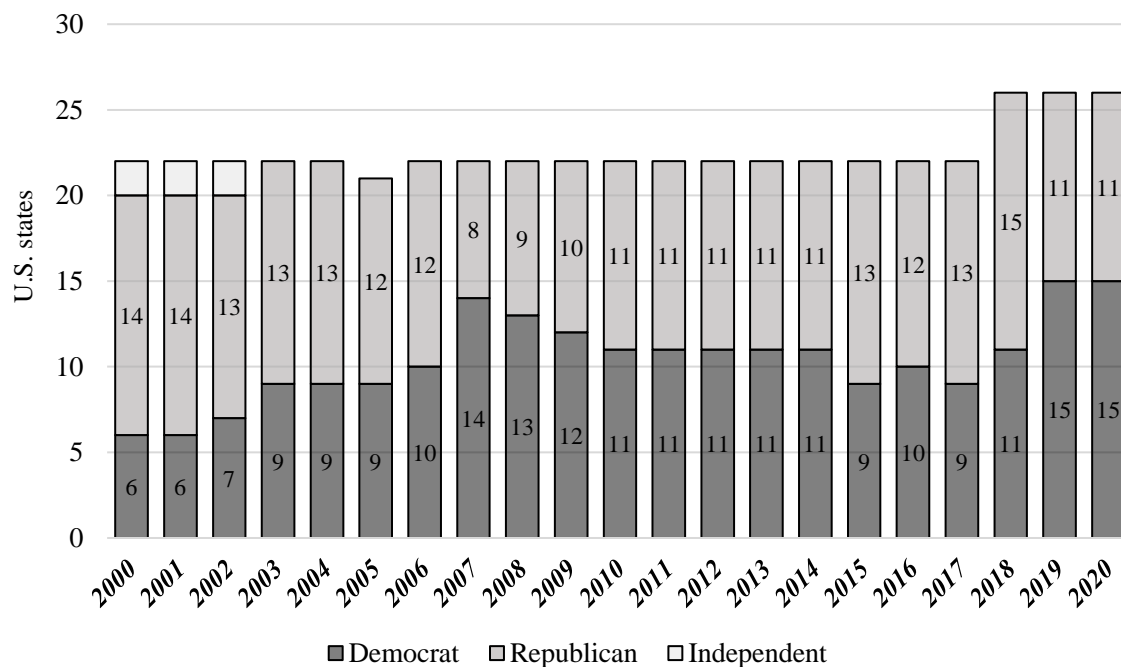
ARE THERE DIFFERENCES BETWEEN DEMOCRAT AND REPUBLICAN STATE GOVERNMENTS?

Next, it is briefly delved into the relationship between the immigration measures deployed and politics in the United States, specifically to review whether there are differences in addressing migration over time depending on the ruling party at the state level. There are two major political factions in the United States: Democrat and Republican, each with principles and assumptions that undoubtedly affect the social environment (López, 2007). The leaders of both parties are very important actors who influence the decisions made and measures taken.

For this sample, initially from 22 states and later from 26, only those with at least one CBP, HIS, or ERO office were selected, given that their location could be linked to a favorable environment for their performance in these states.¹⁵ Until 2007 there was a majority of states under the Republican Party, the party of President George W. Bush Jr. (2001-2009). However, from 2007 to 2009 there was greater Democrat representation; the Obama administration began in this last year (Graph 3). Below follows the analysis by states and agencies in that order (CBP, HIS, or ERO).

¹⁵ The sample includes California, Arizona, Texas, Louisiana, Florida, Georgia, North Carolina, Missouri, Nevada, Tennessee, Colorado, Illinois, Washington, Utah, Washington, D.C., Michigan, Minnesota, New York, Maryland, Pennsylvania, New Jersey, Massachusetts, Maine, Vermont, North Dakota, and Montana. In 2018, North Carolina, Missouri, Nevada, and Tennessee were added.

Graph 3. Political Parties of states with the Presence of a CBP or ICE Office (HSI/ERO), 2000-2020



Source: Own elaboration based on records of United States governors.

From 2010 to 2014 there was a balance between Democrats and Republicans, each representing 11 states in the sample. By 2015 there were again more states with Republican governments, a situation that prevailed until 2018. In 2019 the sample is expanded to 26 states due to the opening of four new HSI offices (see footnote 4). During 2019 and 2020, Democrat governments once again gained more presence in 15 states (of the total of 26 included in the sample).

At the beginning of each federal administration, a majority of states are observed with leaders from the party to which the president in office belongs. However, at the end of the administration the majority passes to the opposite party. Still, there are states where a certain partisan tradition seems to prevail, such as Texas, Florida, Utah, and North Dakota, which maintained a Republican state government in the 20 years covered by this analysis. A similar case is the one recorded in Washington and Washington, D.C. territories governed by democrats. In Louisiana, Michigan, Maryland, Minnesota, Pennsylvania, New Jersey, Maine, and Vermont it is seen greater alternation, with very similar periods of Democrat and Republican trends. And there are those states with a certain degree of alternation, but that during the period of interest showed predominance of a specific party: Arizona, Georgia, and Massachusetts appear Republican; and California, Illinois, New York, and Montana, Democrat.

On the other hand, in the four states that opened an HSI office in their territory in 2019 (see footnote 4), greater representation of the Republican Party has been seen since 2018, especially in

Missouri and Tennessee. Nevada maintained a Republican government until 2018, and changed to Democrat as of 2019; North Carolina had a Democratic government from 2018 to 2020. State elections vary from state to state, so although the offices began their registration in 2019, it is not possible to know when they were formally inaugurated; as such, 2018 was taken as the reference year in these states. Having established these details, it can now be analyzed the actions by agency, state, and political-party affiliation.

As for apprehensions by the CBP, during the year 2000 there were just over 1 500 000 events (Graph 4). Arizona, which had a Republican administration that year, accounted for nearly a third of these arrests (616 146). The second most important state was Texas, which, under a Republican government, recorded nearly 515 000. Finally, California, governed by Democrats, registered approximately 396 000 of the totals reached by the CBP. This year showed a stark difference between Democrat and Republican states, with the latter party's border states being the ones that recorded the most arrests.

Year 2003 saw a decrease and the reverse of what appeared to be a trend, since an estimate of 600 000 arrests were recorded in Democratic states, while the Republican states had approximately 300 000 arrests by the CBP. This change can be largely attributed to the political alternation in Arizona, which went from Republican to Democrat from 2003 to 2009. That state recorded a total of 403 951 arrests.

In 2004 there was an increase in Republican states. California went from Democrat to Republican, and had nearly 214 000 arrests. For their part, Texas and Arizona had 243 000 and 589 000 respectively. These three states accounted for nearly 90% of an estimated total of 1 160 000 for that year. Florida, a Republican state, recorded the smaller figure of 4 602 arrests.

From 2005 to 2008 there was a slight drop in apprehensions, with a similar volume between Democrat and Republican states. Due to the aforementioned 2008 crisis, the trend in arrests may suggest an attempt to control the entry of new migrants, regardless of political party. During the years from the crisis on, Arizona concentrated close to half of the apprehensions, going from 577 000 in 2005 to 326 000 in 2008, recording a total of just over 1 723 000 arrests.

Non-border states with a CBP office, such as Republican-governed Florida, averaged an estimate of 6 000 events annually. Louisiana went from 1 358 to 4 303 arrests under a Democratic government.

In 2009, Arizona, under a Republican governor, recorded an estimate of 248 000 arrests. During this year, many of the states with a CBP office were mostly Republican, especially those bordering Mexico: California, Texas, and Arizona accounted for about 97% of the apprehensions. Democrats recorded the lowest figure for the period, with a total of 5 000, apprehensions compared to Republican states with approximately 550 000.

For the following two years, there was again an overall drop in arrests, reaching a number of approximately 339 000 events in 2011. In that year, California passed to Democratic hands and a slight increase in arrests was observed in blue party states, with an approximate of 76 000 events; of

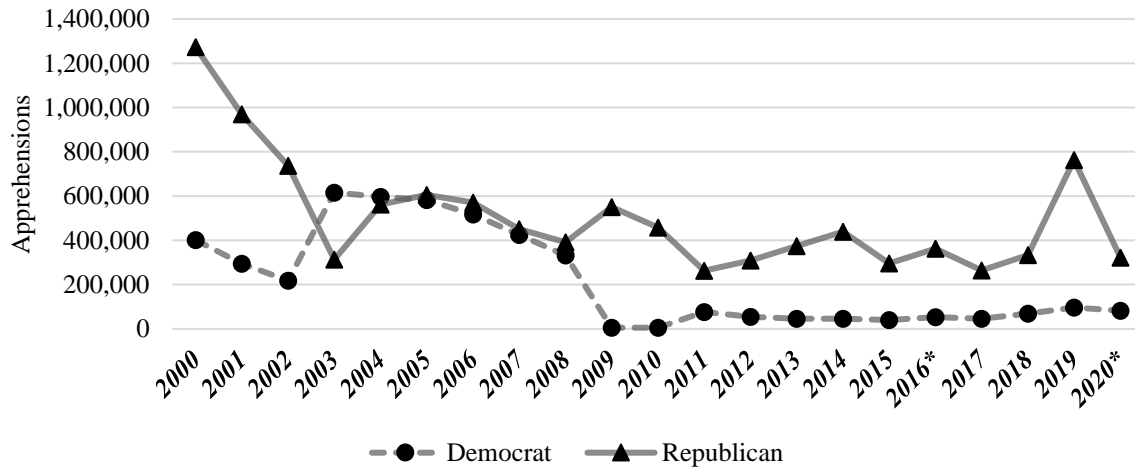
which nearly 72 000 occurred in that state. In the Republican states, a considerable difference can be seen, with an estimate of 262 000 apprehensions, the majority on the southern border: Arizona with 129 000 events, and Texas with 125 000.

In 2014, there was once again a considerable increase in arrests in red states, especially in Texas, with an estimate of 341 000. Arizona showed a slight decrease, going from 127 000 in 2013 to nearly 93 000 in 2014. Once again, California had the lowest contribution with 44 422 events. However, nearly 99% of the arrests for the entire country were made in these three states.

There were slight rebounds in the remaining years of our study, especially in the Republican states. However, in 2019 it is noticed the impact of migrant flows from northern Central America; out of a total of nearly 859 000 apprehensions by the CBP, 65% occurred in different areas of Texas. Regardless of the party, an interest in stopping this migratory flow can be noticed.

Towards 2020, the last year of the period analyzed here, and marked by the COVID-19 pandemic, the areas of greatest importance for the CBP were once again those of Texas and Arizona; and by 2020, the three states on the southern border accounted for nearly 99% of the total arrests. These data may be the effect of Title 42. Since 2013, Texas became the state with the highest number of CBP apprehensions.

Graph 4. Apprehension figures by the CBP, by party of state governments 2000-2020



* The 2020 CBP data includes records of expulsions (returns) for public health reasons under Title 42.

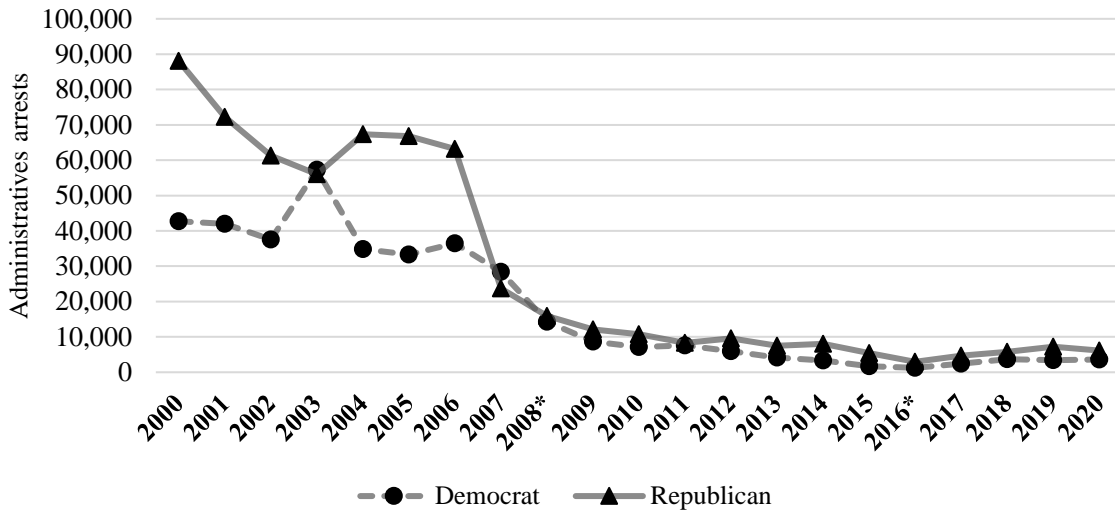
Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

HSI arrests (Graph 5) were higher during the first years of the 21st century in Republican states. Texas accounted for nearly 35 000 administrative arrests, followed by Arizona with nearly 13 000 arrests. California, a Democrat state, recorded 30 000. Most of these arrests were in the border area, 58% of an estimated total of 136 000 during 2000.

As for the remaining percentage, Colorado stands out, a state that until 2007 held a Republican government, with nearly 10 000 arrests. Illinois, also Republican, reported 6 493. On the other hand, New York also stands out, a Republican state that recorded an approximate of 8 600 arrests.

During 2003, arrests by the HSI in Democrat and Republican governments show similar behavior, recording approximately 57 000 and 56 000 arrests respectively. This trend could be related to the events of September 11, 2001, which, as mentioned earlier, generated a temporary closure of borders; as well as legal-normative modifications and regulations that led to a change in the conceptualization of immigration, transferring this population process to the national security agenda (Izcara & Andrade, 2015; Calva & Alarcón, 2018). Another explanation is the change in state administrations, since Georgia and Maryland, previously Democrat, became Republican states; while in Illinois, Michigan, Pennsylvania, Minnesota, and Arizona Democrat governments took hold. These changes were accompanied by an increase in arrests, in most cases regardless of party, which all in all represented a slight rebound from 104 000 during 2002 to 113 000 for 2003. Although this increase may appear insignificant, it represents a recurring trend, as will be seen later.

Graph 5. Figures of Administrative Arrests Made by the ICE-HSI, 2000-2020



* ICE-HSI data from 2008 includes ICE-ERO administrative detentions.

Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

In 2004, a difference between both parties was noticed again, the Republican states recording the highest number of arrests, with an estimate of 67 000. Meanwhile, in the Democrat states, nearly 34 000 were made. Among the events of relevance in that same year, it is highlighted the impact of the change of government in California, which became Republican, showing greater dynamism since 2003 and keeping with an average of about 27 000 arrests during 2004 and 2005. Meanwhile, Texas reported an average of close to 14 500 arrests during the same years. On the other hand, some Democrat governments saw a slight decrease in arrest figures; such is the case of Arizona, which

went from 12 300 in 2004 to 10,600 in 2005; and Illinois, which went from approximately 8 000 to 7 000 arrests.

Later, in 2007, there was once again an increase in the volume of arrests in Democratic states, as happened in 2003. As in the latter year, this behavior in 2007 did not seem to be related to an increase in the performance of the immigration authorities. Rather, it could have resulted from a change in governorships, as states such as Maryland, Massachusetts, New York, and Colorado no longer had Republican representation. At the same time, this was accompanied by a decrease in the total number of arrests made by the HSI, from 99 000 the previous year to 52 000 in 2007. This was probably due to what could be interpreted as a change in the purpose of the agency, since, although it has the power to make arrests, these were possibly carried out by the ERO, as suggested by the data from this office, shown later in this article.

During 2007, the Republican states with the highest number of arrests were Texas with 9 300, followed by Georgia with an estimate of 4 600, and California with 4 300. While the most important Democrat states were Illinois, Colorado, Louisiana, and Washington with 4 700, 4 000, 3 000, and 3 500, respectively. Already in those years, immigration security was not limited only to the border. Although to a lesser extent, states far from the border gradually grew relevant for immigration control.

A drop-in arrest by the HSI was noticeable in the following years; since 2010 it recorded totals between 20 000 and 10 000 annual arrests, figures lower than those recorded at the beginning of the period of interest. However, certain trends stand out, particularly so in 2011 when arrests made in Democrat and Republican states reached similar figures and, as in 2003 and 2007, this paralleled the changes in ruling parties. Previously Republican states became Democrat, as was the case of Minnesota and California, while Michigan and Pennsylvania opted for the Republican option.

Five years later, 2016 saw the lowest figure recorded by the HSI during the period of interest. The arrests recorded that year were 4 205, to which the Democrat states contributed about 1 200, and the Republican states about 2 900, most of them in Texas (1 300). In the rest of the states, both Democrat and Republican, the number was below 500 arrests. In 2017, with the onset of the Trump administration, there was again a slight rebound, with a figure close to 7 100 and Texas being the state where the most arrests were made, nearly 2 000 events. Illinois ranked second place with 848 arrests, followed by Louisiana with approximately 723. In 2019, four new offices of this agency were opened in the republican states of Missouri and Tennessee, in addition to North Carolina and Nevada, both under Democrat governments.

Towards the end of the observed period, in 2020, a significant drop in arrests can be noticed, reaching 9 900 events, a tenth of the initial volume in 2000. However, Texas stands out again, with approximately 4 400 arrests, followed by California, with nearly 1 400 arrests.

The next agency is the ERO, created in 2003, with records dating from 2006. In Graph 6 it can be seen a low volume of arrests compared to subsequent years, being very close to 15 000. The majority of these arrests (approximately 11 000) were carried out in Republican states, mainly in

California, where nearly 3 000 were recorded, Texas with 1 900, Florida with 1 400, and Massachusetts with 1 000. The Republican states recorded approximately 4 200 arrests, New Jersey being the state with the higher figure, close to 1 000, followed by Michigan with an estimate of 898.

In 2007, an increase in the total number of arrests can be seen in almost all states, with nearly 30 400. As in the case of the HSI, this year there were again states that went from Republican to Democrat, as was the case of Maryland, Massachusetts, New York, and Colorado. Together, the states governed by this party accumulated approximately 13 800 arrests, Massachusetts, Michigan, New York, and New Jersey with 1 400, 1 800, 2 000, and 2 000, respectively. While the states with Republican governments had an estimate of 16 500, California recording the largest number with 5 400, followed by Texas, with 4,800, Miami with about 2 500, and Georgia with 2 200.

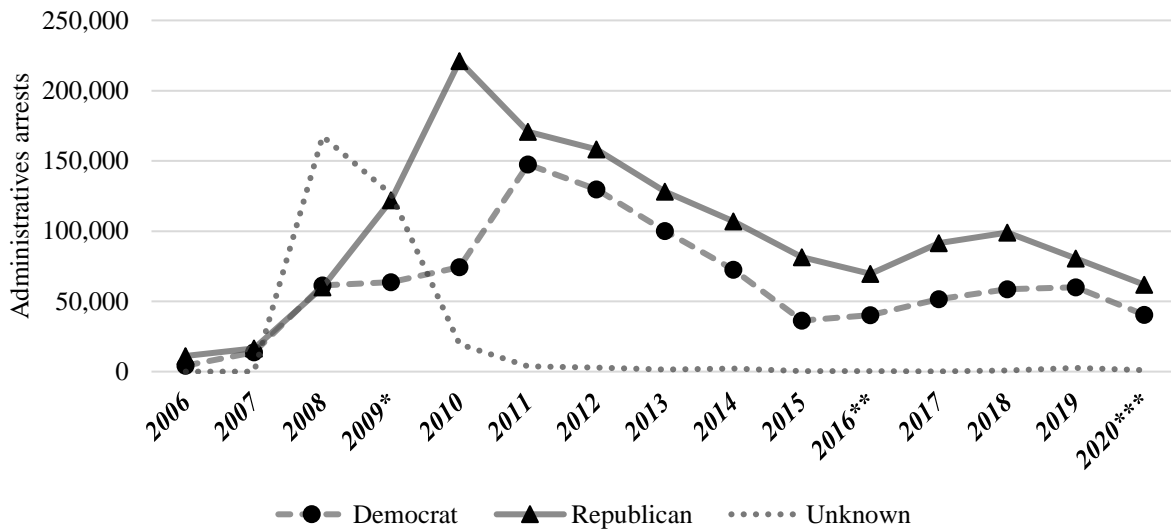
During 2008, the volume of arrests was very similar in both Republican and Democrat states, around 60 000. From the former, California and Texas stood out, where 23 000 and 16 400 were recorded, respectively, in addition to Miami, with nearly 7 500. For its part, there was a considerable rebound in the Democrat states: Arizona went from 475 in 2007 to around 18 500 in 2008; followed by Illinois with 12 800, and New York, with about 8 700. However, there is no record available of the place where more than half of the arrests took place, that is, approximately 165 500 arrests. This happened during the last year of George W. Bush's term and the beginning of the Obama administration.

A possible explanation for what happened in 2008 and 2009, in addition to the change of administration, could be related to the implementation of the immigration programs mentioned earlier. Notable among these are the Alien Transfer Exit Program (2008) and the Safe Communities program (2008), both linked to the 287(g) Program, which together allowed the detention of immigrants by federal, state, and local authorities¹⁶ (Meza, 2014; Villafuerte & García, 2017), in addition to the purge of immigrants from prisons and the detention of immigrants listed in ICE databases (Yrizar & Alarcón, 2015; Cruz-Lera, 2019). At least half of those apprehended had no prior criminal record (Cruz-Lera, 2019), and in the case of deportations,¹⁷ these immigrants were not necessarily repatriated through the place of entry (Izcara & Andrade, 2015), a fact that could justify the lack of information about the place of detention, taking into account the criticism of the so-called *anti-immigrant cocktail* (Izcara & Andrade, 2015; Villafuerte & García, 2017; Calva & Alarcón 2018; Zamora, 2020).

¹⁶ According to Villafuerte and García (2017), this measure, approved by the end of 2008, was first implemented in Harris, Texas. As of August 30, 2009, it was implemented in 81 jurisdictions of nine states, and by November 2009, the ICE had identified about 111 000 migrants for deportation, a figure consistent with the data from the annual records of the DHS.

¹⁷ It should be noted that a large part of the deportations derived from the Safe Communities program have been carried out in Tijuana, Baja California; Piedras Negras, Coahuila; and Ciudad Juárez, Chihuahua (Alarcón & Becerra, 2012).

Graph 6. Figure of Administrative Arrests Made by the ICE-ERO, 2006-2020



* Beginning in 2009, data includes ICE-ERO detentions, and those carried out under the 287(g) Program.

** ICE-ERO's detention counting methodology was revised to align with ERO's reporting for 2016. For previous years, only one administrative detention could be counted for the same person on the same day.

*** ICE-ERO detention figures may differ from those published by ICE due to updates to previously published figures.

Source: Own elaboration based on records from the Yearbook of Immigration Statistics (U. S. DHS, 2010, 2011, 2012, 2013, 2014, 2016a, 2016b, 2017, 2019a, 2019b, 2020, 2022a, 2022b, 2023).

By 2009, records missing a place of detention decreased considerably, with numbers very similar to the arrests recorded in Republican governments: an estimate close to 121 000 events. The states with the most arrests were Texas, with 37 000, California, with 32 000, and Arizona, which as of this year became Republican again, with an estimated 13 000. Following that same trend, Florida had a notable participation with 15 400, and Georgia with about 7 000 events. On the other hand, Democrat states showed a slight increase: Illinois with approximately 12 600; New York, with 9 300, and Michigan and Washington with about 7 000 per state.

According to what is shown in Graph 6, as of 2009 the data includes arrests made within the framework of the 287(g) Program (U.S. ICE, n.d.a), which could explain the decrease in the volume of arrests made by the HSI, as well as the gradual decrease in arrests missing record of the place of origin during 2010, which reached an estimated 19 000. Additionally, there was an increase in arrests made in states with Republican governments, which reached the highest figure of the period with an approximate of 220 000. Of these, just over half were carried out in one of the three states on the southern border with an ERO office. Such is the case of California, a state that during that year was the one that recorded the highest number of arrests, close to 67 000, and where there was a change in the ruling party the year after, turning to Democrat again. This figure is very close to that registered in Texas, where approximately 66 000 arrests were carried out. For its part, Arizona, unlike what

can be seen in the CBP data, maintained a considerably lower volume than that of the previous states, with 17 500.

Georgia showed a considerable increase, surpassing Arizona with 21 700 arrests and, like California, changed governors the following year, also to Republican. There was also an increase in the Democrat states, although not as notable as in the Republican ones, reaching a total of 74 000. Illinois recorded the highest number of arrests with nearly 19 000, followed by Washington and New York, both with 10 000 approximately. In the latter state, there were also elections in the following year, in which the same party was kept in office only under a different leader, the Democrat Andrew Cuomo, who would eventually leave office due to a sexual harassment accusation (BBC, 2021).

Year 2011 saw changes in the governorships of some states already mentioned, and an increase in the total number of arrests, reaching approximately 322 000. Likewise, there was a considerable increase in the participation of Democrat states, with 147 000 events. This increase was to a great extent due to the change of government and party in California, where a Democrat won elections. In that state, nearly 78 000 arrests were made, the highest number. Illinois also had notable participation with approximately 18 700 arrests, followed by Washington with 9 000 and New York with an estimate of 8 800. Colorado and Minnesota recorded nearly 7 000 events each. An electoral process also took place in this last state, where a Democrat was the winner.

The states governed by Republicans made a total of nearly 170 800 arrests, Texas standing out again with an estimate close to 71 700, Arizona with 14 900, and Georgia with 26 600. Since 2010, Utah began to be part of the most dynamic states, going from 9 000 to around 8 700 in 2011, with a Republican government throughout the period analyzed and a single ERO office.

Subsequent years saw a decrease in the total volume of arrests. However, in 2015, a slight increase began in the case of states governed by Democrats, although they once again also stood out due to processes of change of government in the cases of states such as Maryland, Massachusetts, and Illinois, which that year transitioned to Republican. For its part, Pennsylvania changed to a Democrat administration. A year later, in 2016, a rebound in red states began, reaching its highest point in 2018 with a total of close to 158 000 arrests.

The clear majority trend of the Republican states that year is evident, with around 98 000 arrests made in some of them, Texas standing out, where around 44 000 arrests were made, followed by Georgia with around 15 000, Florida with approximately 8 400, and Arizona with 7 000. In the case of the Democrat states, California stands out with 20 000, and Louisiana with close to 10 200, while in the rest of the states it is seen an interval with a minimum of 2 700 in Colorado and a maximum of 5 000 in Pennsylvania, smaller volumes and close distribution in each state. It should be noted that in 2013 California became the first sanctuary state, which nullified any legislation that would force local governments to cooperate with immigration enforcement activities. In 2018, the California Sanctuary Law (California Values Act), cited by Cruz-Lera (2019), was published, and schools, courts, and hospitals were established as safe zones, which implied no ICE operation in these spaces considered sensitive. This could explain the decrease in the volume of arrests in

subsequent years, among the border states being the one with the least dynamism with respect to ICE (ERO-HSI).

During the remaining two years it is observed a behavior similar to that described above, accompanied by a decrease in the total volume that went from 143 000 in 2019, to 103 000 during 2020. The aggregate amounts by ruling political party show a decrease, as is the case of the Republican states, which went from 80 000 to 61 000. Meanwhile, the Democrat states, which in 2019 recorded approximately 59 000 arrests, recorded close to 40 000 in year 2020. Still, it is likely that this behavior may be related to the increase in border security, as could be seen in the case of the CBP jurisdiction (under the argument of COVID-19), the volume of arrests recorded in Texas is striking, a state that under Republican government recorded approximately 34 000, thus being the state with the highest figures for this agency since 2012. A case contrary to that of Arizona, also Republican, which in the last two years had an average volume close to 5 000 events, being the border state with the lowest number for this same agency. However, Georgia remained one of the most important Republican states with more than 10 000 arrests, a case similar to that of Florida, which on average recorded close to 8 000 arrests between 2019 and 2020.

In the aggregate of Democrat states, during these last two years California remained the place where the highest number of arrests were made, 14 000 in 2019 and 9 000 in 2020. Illinois and Minnesota were added to this aggregate in 2019, when the former sustained a considerable figure with 8 400 arrests during its first year under a Democrat government, and nearly 6 200 in 2020, similar to Louisiana, which went from 9 800 to 6 300.

CLOSING REMARKS

Migration, understood as a social process, spans over different moments, although in this text only the one related to detention is highlighted, which can occur in two ways depending on the offices involved: apprehension (CBP) and administrative arrest (ICE). Each one has different repercussions: it may end at different times or probable scenarios; it may be an administrative process that results in a stay in prison before return or return to the country of origin or a different one, without prior procedures.

U.S. immigration policy is a federal matter. However, each state has relative freedom to decide the extent of its implementation, adhering to or detaching from it; even so, within each state local policy can practically disengage from legal immigration mandates, as argued throughout this article.

As for the data presented based on DHS records, it can be seen how the dynamics are differentiated between border and non-border states, particularly so to the south, where there is much greater CBP and ICE dynamism compared to the northern border, while only some states inside the U.S. territory showed greater institutional activity (ICE) against undocumented migration. From what the data shows, this occurred particularly during 2006, and there was also a certain tightening and refinement in political-legal measures during the Obama administration.

Not all states to the inside of the U.S. show similar behavior, regardless of governing party. There seemed to be an increase in apprehensions and arrests, in addition to rebounds and adherence to federal immigration policies and programs during election periods.

Border dynamics also display state differences. California, which at the beginning of the period of interest played an important role in immigration control measures through the aforementioned institutions, changed roles over time. This is closely related to their political alternation, particularly in the Democrat periods in which a clear distinction from federal mandates against migration was present, still without reaching zero volume in apprehensions and arrests. Texas, for its part, remained constant both in institutional activity (CBP and ICE) and in its Republican party affiliation. Arizona also maintained a constant level and dynamism in apprehensions and arrests, with increases depending on changes in political representation at the state level.

Regarding the institutions, the most dynamic was the CBP, especially on the southern border. Inside the country, the ICE had greater activity starting in 2007, with the ERO division being the most active during the period analyzed, while the HSI was losing prominence.

The dynamism of each office does not seem to be random. There is a relationship with events current at the time, such as the attacks on the Twin Towers, the initiative against organized crime in coordination with Mexico, the economic crisis of 2007, and the migrant caravans from northern Central America, to mention the most important ones. However, responses or reactions are not the same in each state, which depend on a combination of factors that are mainly political-economic, and, in particular cases such as that of California, somewhat more political-local and socio-identitarian, as it is identified.

Generally speaking, it is identified a downward trend in arrests over time, regardless of the percentage composition of the flows. In an inertial scenario, this could suggest a decrease in flows heading to the United States, or the possibility of a change in the type of migration, especially that from Mexico, moving from undocumented to documented migration. As noted by Calva (2019), the increase in applications for work visas has been a probable strategy to face the risks associated with any immigration process, and more recently with the difficulty of staying in the U.S. Although it cannot be said that this type of migration has disappeared, it is also not possible to deny the adjustments and generation of new strategies to cross the border, aimed at circumventing the barriers and complexities to enter the United States. On this topic, Izcara and Andrade (2015) referred to the acquisition of apocryphal Mexican documents by Central American migrants as a possible way out to achieve deportation to nearby location in case of detention. To this line of research should be added the strategies deployed by immigrants that allow them to settle in the United States, even when not having the documents required to stay.

As for arrests in relation to the ruling parties at the state level, Republican governments seem to result in larger figures of them. Democrats also play an important role, but to a considerably lesser extent regardless of the state. Perhaps this is due to the demands or immigration tradition of each particular state, as was the case of Arizona, given that regardless of the Democrat government, the number of arrests remained the same and even increased, especially in the jurisdiction of the CBP.

The opposite was noticed in regards to the ERO: its participation was much lower. Texas, which in all three jurisdictions remained the first or second most important state, had a Republican government at all times. California, a state with political alternation, stood out to a lesser extent in the CBP jurisdiction, although in the case of ICE offices (HSI/ERO) it maintained a position similar to that of Texas, placing itself among one of the states with high numbers of arrests. Federal agencies have different roles from each other, also showing certain distinctions depending on the partisan logic of the given state.

Rebounds in the total arrests for each agency, especially in those of the ICE (HSI/ERO), seem to be related to election periods of the federal and state administration, taking into account that, at the time of office transition or change of political party, it is observed an increase in the volume of arrests and apprehensions. Apparently, one way to keep hold of state candidacies or governments could be related to the increase in measures to stop and control immigration. It is taken into account the possibility of seeing immigration control as a measure to keep legitimacy and guarantee a certain number of votes for each party in subsequent periods, given that the immigration issue weighs heavily in the field of national security, and contributes to the discourse of security enhancing, especially in terms of conceptualizing the undocumented immigrant as a criminal (Zamora, 2020).

Some Democrat states show little dynamism when it comes to these measures, but it is at specific intervals that they increase their contribution to migration control, as was seen in the cases of California and New York; a situation similar to what happened in some Republican states, such as Florida. It is likely for states with greater partisan alternation to record an increase in arrests and apprehensions of immigrants during election periods, although this can also occur in states traditionally rooted in one party. Indeed, there appears to be greater consistency in the annual totals of apprehensions in states such as Texas and Arizona.

The area of greatest CBP activity is the southern border, something predictable given the migration flows there. Since 2005, California, Arizona, and Texas accounted for about 98% of the total arrests made by this agency. From what has been analyzed here, it can be state that there is no homogeneous behavior along the border, since the most dynamic states are Arizona and Texas, the latter having a consistent tradition of Republican government. Something similar to what was observed in Arizona, which only had Democrat governments from 2003 to 2009. The opposite happened in California: during the period studied, there were more Democrat governments, except for a Republican interval from 2003 to 2011. It is notable that, compared to the other southern border states, California recorded lower apprehension figures.

ICE (HSI/ERO) had a notable participation in the states bordering Mexico, mainly California and Texas, and its presence in non-border states became more relevant over time, especially in election periods. Its dynamism stood out in Georgia, New York, Illinois, Colorado, and Michigan, states that did not show a clear trend towards a party in their state government. The increase in administrative arrests in states far from the border, especially during the Obama administration, could have resulted from policies implemented during the economic crisis, and an increased interest in U.S. internal

security. In turn, this could have generated a diversification and displacement of immigrant populations to other territories in search of work in new destinations.

Furthermore, the immediate effect of sanctuary cities should be analyzed as one of those destinations that may favor immigrant insertion. Although these cities are a reaction to extremist policies that criminalize immigration and arise as a result of political processes, they could also have a relationship with the intention to secure votes, as suggested by the information presented here and the research by Cruz-Lera (2019). Still, the impact of sanctuary cities is not as evident at the state level, except in the case of California, and rather responds to more specific local conditions, as in San Antonio. This city, despite being a sanctuary, did not generate a great aggregate effect in the state of Texas, which remained in the first places in terms of arrest and apprehension of immigrants. This topic provides a line for further research that would focus on its potential to influence and scale politics at the state or transversal level, and line of study that could be replicated for cities in other states.

Another possible explanation for the same impact of this internal persecution suggests an immigrant population that does not follow a clear pattern in recent years with respect to its destination. This could also be related to demographic growth and the spatial distribution of the immigrant population in the United States, if it is taken into account that the migration flows date relatively far back and highlight states with a certain migratory tradition for various nationalities, such as California, Texas, and Arizona. It would seem that Republicans managed to make the most of the administrative and political reforms implemented during the Obama administration. As it was able to identify, the states governed by this party were the ones with the highest figures of apprehensions and arrests.

There are still lack sufficient elements to rule out the possible association between the state government and the volume of arrests and apprehensions, yet certain influence from the ruling party appears evident. However, there are states that showed consistent behavior, at least before 2018, with the exception of Texas, which continued to be one of the states with the highest number of arrests along the border with Mexico. Although this statement is not intended to be decisive, it does open path to possible studies focused on states in central and northern United States, in which the characteristics of the immigrant population and the particular history of each territory would be analyzed in further detail, since not all immigrants go to the same places, and necessarily reside in the same spaces as in the 20th century.

Translation: Fernando Llanas.

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