



## **Moving Inside City Limits: The Urban Mobility of Undocumented Youth**

**Stephen P. Rusczyk**

*The urban context and public transportation shape how undocumented youths move within cities. In a comparison of New York City and Paris, Stephen Rusczyk shows how cities can strengthen mobility for undocumented youths, and for all residents, regardless of legal status.*

Five years after Liang's parents left him and their hometown of Wenzhou in southeastern China, Liang, who was then 13 years old, reunited with them in central Paris. He lacked a visa to enter France, and had taken a plane, multiple buses and trains from China to Ukraine and ultimately to France. His undocumented parents continued to work in piecemeal sewing from home in Paris and he entered the school system. He learned to navigate the *métro* to travel between school and home. Over his high-school years, as he befriended classmates and learned to walk through the city, Liang decided he wanted to open his own shop or restaurant. As he and other urban undocumented youths aged out of childhood-based protections for inclusion in mainstream society, the city's public transportation, policing, and civil society would shape his ability to move within—and beyond—city limits, and act on those dreams.

The urban context of Paris shaped his experiences of migrant “illegality” in three major ways. The nature of public transportation, local practices of policing immigration status, and the leverage of urban organizations to win undocumented youth rights shape their mobility. From Liang's case and others, we can see how the urban context can alter how the process of aging into “illegality” unfolds. My fieldwork and interviews, which spanned the period from 2008 to 2016 in New York and from 2010 to 2016 in Paris, focused on the relationship between two dozen undocumented youths and their urban environments. Here, I highlight their patterns in mobility, defined as physical travel, that emerged from undocumented youths' experiences in both cities.

US-based scholars have demonstrated how undocumented youths develop aspirations similar to native youths, with whom they share schools. Yet they are often blocked from mainstream opportunities like college and most jobs at adulthood, and later learn to live with the restrictions associated with migrant “illegality” (Abrego 2006; Gonzales 2011). Migrant “illegality” refers to a governmental-based system that marks migrants as “illegal,” making it easier to criminalize, racialize, and exploit them (Hiemstra 2010), and, equally important, manage them spatially. Lack of legal status impedes national and international travel. As minors with the right to study in school, their mostly neighborhood-oriented lives postpone the full onset of “illegality.” At adulthood, however, the impact of public-space policing takes on a new gravity as deportability, and work responsibility, intensifies.

### **Adulthood and the threat of deportability**

Once deportability became more salient at age 18, young people expressed heightened awareness of the risk of police stops. Parisian youths strategized about how to negotiate interactions with police, running through dialogues in their minds. As Liang turned 18 and was finishing high school,

he developed intense anxiety of going out into the street. He worried that police would stop and question him about his legal status; visiting his grandparents in China, as he wanted, was outside the realm of possibility. Paris police, including transport police on the subway and trains, can conduct an identity *contrôle* leading to immigrant detention. Foreign-born people legally must carry proof of residence; those who cannot meet this criterion can be placed in detention. Liang rarely left his apartment save to do family shopping around the corner or to meet a few Chinese friends. Instead, he stayed home, playing online video games or watching Chinese television programs. He also searched for jobs on a Chinese-language online forum but did not feel the cost of obtaining a false national identity card was worth the risk. “I don’t want to do something against the law,” he told me. Liang worried about being caught in a workplace inspection after which he would lose his chance at regularizing: gaining what’s called an administratively “regular” status (Menjívar and Lakhani 2016). While he didn’t qualify for regularization, he had hoped such a possibility would arise.

Up to this point, Liang’s experiences resonate with what scholars know about how migrant “illegality” affects undocumented youth. He felt confined to his immediate area, feared interactions with the police, and was blocked from mainstream educational and work opportunities. He coped with all of this with the help of his family; a small ethnic-based social network, which includes peers; and online communities.

## Cities and im/mobility

The organization of public transportation—and the degree to which it can be organized to include or exclude undocumented residents—matters. Undocumented youths often used public transportation to go to school. The extensive public transportation systems and intra-city mobility in both Paris and New York City lessened the everyday fear of being detained when traveling to school or, later, work. Undocumented residents’ exclusion from driver’s licenses thus had a more limited impact than in suburban areas where car travel is more central.

When Chen, a Chinese Parisian, was reassigned to a new Paris high school at age 18 to better his chances of graduating after missing many classes, he felt only moderate stress in taking the subway to his school because, he said, “most students take [public transportation].” In fact, for undocumented youths like Christian in New York, moving into adulthood entailed an expansion in mobility: “My mother didn’t let us go out much, because we were underage [...] I started to take the train to get to my job [in Manhattan] when I was 17.” Limited immigration-based policing and accessible public transportation facilitated intra-city mobility for undocumented youths in ways similar to other urban youths who take public transportation to school, work or leisure activities.

The orientation of local policing towards undocumented residents—or those they perceive to be undocumented—can shift the spatial freedom of such residents, however. In Paris, police use racial profiling to stop and question those suspected of being undocumented in subway and rail stations and street and home raids. For this reason, Parisian undocumented youths were more wary of police interactions than in New York. Parisian high-school students felt protected by their school identification card, but as they age into adulthood they are less likely to possess state-issued identification. In New York, police use racial profiling but local policy buffers undocumented residents from the immigration consequences (e.g. detention) of most criminal infractions. By law, police may not ask about or act on immigration status.<sup>1</sup> Additionally, implementation of municipal IDNYC identification cards for all, blurring the distinction between undocumented and other residents, may temper these stressful interactions (de Graauw and Vermeulen 2016).

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<sup>1</sup> This policy aims to increase trust between police, fire, and other municipal employees so as to better maintain public order. With the exception of those arrested for “serious felonies,” New York City does not hold those arrested for immigrant detention authorities.

The experiences of Christian and Leo, two undocumented Mexican New Yorkers, with the police shed light on their sense of sheltered mobility in New York City. They assumed that interactions with police would not end in deportation. 20-year-old Christian, on his way to work, entered the subway without paying, and after being held in jail for the weekend, was released (he paid a \$100 fine). When he was 17 years old, Leo received a ticket after double-swiping his student MetroCard for a friend. He did not pay the ticket, however. When police questioned 18-year-old Leo because he was in a park after closing, the police checked his history and arrested him for having an unpaid fine. It was a low-level offense, he thought: “I’m not going to stress out over not paying a ticket or whatever. That’s whatever.” Conversely, youths may feel more fear in cities where police closely cooperate with detention authorities and where police may pull over unlicensed undocumented drivers, such as in southern Californian cities (García 2014).

It’s hard to overstate the impact of such urban arrangements on mobility. The orientations of the police towards undocumented residents change how young people feel about their vulnerability in public. Public transportation then provides these youths with the means to move within the city in ways similar to other residents. With expanded immigration enforcement in each country, mobility outside of these cities invites more risk. Urban spatial boundaries thus circumscribe mobility for many urban undocumented young adults. Policing that (mostly) ignores immigration status and public transportation serves, however, to support intra-city mobility and undocumented workers’ ability to travel to and from work in the metropolitan area.

### **Gaining a status, and social and spatial mobility**

Most consequential to experiences of migrant “illegality,” urban social organizations are able to use urban space and access to governmental officials to fight for greater rights, including regularization, for undocumented residents. Major cities like Paris and New York offer a national stage for such struggles (Nicholls and Uitermark 2016). The governance structure in Paris offers a greater chance of regularization than in New York, owing to the prefecture’s direct negotiations with civil society over visas (Ruszczuk 2018a). In each city, however, the density of organizations increases the possibility of changing one’s immigration status.

**Figure 1. Members of the Education without Borders Network (RESF) preparing for a 2012 rally in front of the Hôtel de Ville, Paris**



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In 2012, Paris-based Liang learned on a Chinese online forum of an organization that could help him fight for his residence papers. This organization, the Education Without Borders Network (RESF; Réseau Éducation Sans Frontières<sup>2</sup>), organized a press-friendly protest of undocumented youths in front of the Hôtel de Ville (City Hall). Liang participated, his hope for regularization outweighing his trepidation of being identified as undocumented in public. A collective of young adults fought for group regularization, and eventually won. As at City Hall, protest at the highly visible location of the Préfecture de Police de Paris—the office that distributes visas—in central Paris intensified public pressure on the government to negotiate (Ruszczyk 2018a).

Civil-society organizations have used urban space to fight for undocumented youth rights (Nicholls and Uitermark 2016; de Graauw and Vermeulen 2016). Organizations in Paris and New York have pushed elected officials to minimize police cooperation with immigration control, to expand social and cultural participation regardless of immigrant status, and to fund support for undocumented residents in detention proceedings. Most significantly, they have supported regularization of undocumented residents (Ruszczyk 2018b; Ruszczyk 2019). For these young people, using urban organizations to gain legal status enhances spatial mobility and job prospects.

**Figure 2. Participants in the 2013 March for Immigrant Dignity and Respect moving across the Brooklyn Bridge, New York**



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<sup>2</sup> Website (in French): [www.educationsansfrontieres.org](http://www.educationsansfrontieres.org).

By 2013, Liang had managed to obtain a residence visa based on family ties,<sup>3</sup> through his and RESF's efforts. He had to renew the visa annually but felt optimistic about his prospects, especially in terms of work and mobility. "Now I can look for work," he wrote me after getting the visa. He began looking for a job using the online forum where he had learned of RESF, but all entry-level restaurant jobs asked for experience. The only possibilities were in the southern *banlieues*, far from his home. He decided the earnings and experience were worth it. Six days a week, he worked long hours, sleeping in a room upstairs from the restaurant and returning by commuter train to see his family on Sunday. This experience (and that of his parents' sewing work) also raises questions about one disciplining function of legal status: how even liminal immigration status enables exploitative migrant labor (see Glick Schiller and Çağlar 2010). Like many immigrant workers who fear deportation and the family separation that results, Liang did not feel he could advocate for better working conditions.

Liang rationalized his difficult position by pointing to how his earnings helped his family repay debts and save to travel to China, and how the experience would help him get a better job in the future. In 2015, he landed a waiter job in Paris. By 2016, after Liang's smuggler fee had been paid off, Liang and his parents had saved enough money to visit their family in China. "Life is hard," describing his Parisian life to his grandparents in China. Yet for all the tribulations in his Paris life, when he returned, Liang said, "It's not nice there... but it was good to see my family."

Though there is no New York equivalent to RESF, whose sole mission is to regularize undocumented youths, New York organizations have helped youths take advantage of limited existing paths to regularization. Rene, a Mexican New Yorker, for example, benefited from contact with a local organization funded by the city and other sources that offered free legal support. He and his sister were able to apply for Special Immigrant Juvenile Status (SIJS) and eventually gain permanent residency. With his new ability to travel, Rene and his sister returned to visit their grandparents in Mexico and renew their relationship with their country of birth. "I feel like I was able to replace all the bad memories with good ones when I was there [...] I think I'll go and see them again," he declared.

More frequent than SIJS were cases where youths turned to local organizations when applying for Deferred Action for Childhood Arrivals (DACA) status. Beginning in 2012, DACA offered renewable two-year reprieves from deportation and work permits for qualified youths, allowing them to move within the country. In a few cases, youths worked with the same organization (that they had used to apply for DACA) to apply for advanced parole status. This status allowed youth to travel to their home country, under certain conditions, and re-enter with inspection. This re-entry process then opens the possibility of later adjusting status to permanent residency, through marriage, for example. With permanent residency, youths can visit family in their country of origin and maintain transnational family ties.

### **Takeaway: cities shape the mobility of undocumented youths**

The urban context shapes how undocumented youths move in and out of Paris and New York. Specifically, local modes of migrant "illegality" can shift the spaces where and how youths feel included. With undocumented residents excluded from obtaining driver's licenses in France and most US states, strong urban public transportation networks, such as those in Paris and New York, can reduce the differences in mobility for those of different legal statuses. Urban policing and immigrant enforcement policies impact how young people understand the risks of interacting with police and their freedom to move in public space. New York's efforts to decouple the connection between its police and immigration enforcement enhanced undocumented youths' sense of spatial freedom within the city. The capacity of urban civil society to regularize undocumented youths,

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<sup>3</sup> His family ties included his French-born sister and his parents, who had obtained visas on the basis of residing in France for at least 10 years.

greater in Paris, extends the possibility of mobility outside of city limits. The freedom to move within and outside of the city limits shapes opportunities and softens the distinction between those with and without legal status.

**Figure 3. The author and his family at the 2013 March for Immigrant Dignity and Respect in New York**



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One related concept that has received attention is sanctuary cities, which offer different levels of protection to vulnerable residents. Rather than assuming that sanctuary cities create a legal-status canopy, I've shown how cities can strengthen mobility for all residents, regardless of legal status. Taken together, strong public transportation, the drawing of local policing away from immigrant enforcement, and urban civil society's repertoires of contestation establish a more advantageous set of conditions for the mobility of undocumented youths than in contexts without these elements. Through the analysis of these three factors, the comparison of Paris and New York City highlights the promise and limits of cities being distinct contexts of migrant "illegality."

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**To cite this article:**

Stephen P. Ruszczyk, “Moving Inside City Limits: The Urban Mobility of Undocumented Youth”, *Metropolitiques*, 4 June 2019. URL: <https://www.metropolitiques.eu/Moving-Inside-City-Limits-The-Urban-Mobility-of-Undocumented-Youth.html>.