Documenting Detention: The Politics of Archiving Immigration Enforcement Records in the U.S. National Archives and Records Administration

Sarah M. Hughes & Lauren L. Martin

Published online: 13 Apr 2022.

Submit your article to this journal 🗗

Article views: 545

View related articles 🗗

View Crossmark data 🗗

Documenting Detention: The Politics of Archiving Immigration Enforcement Records in the U.S. National Archives and Records Administration

Sarah M. Hughes
Northumbria University, UK

Lauren L. Martin
Durham University, UK

On 14 July 2017, the U.S. National Archives and Records Administration (NARA) announced that it would shorten the time period for holding eleven kinds of noncitizen detainee records and invited public comment on these changes. NARA stated that the decision to recategorize many of these records as "temporary" was because they held "little or no research value." The files included records of abuse, assault, and deaths of people in immigration detention. Curious how NARA valued research, we designed a project asking what could be learned—about abuse in detention and NARA—from these documents. This article describes our methodological approach and our findings and discusses the implications of both for future research on immigration, government archiving practices, and accountability. We submitted Freedom of Information Act requests for the eleven document types slated for earlier disposal and analyzed Immigration and Customs Enforcement's documentation of neglect and abuse in immigration detention. To do so, we traced the documents' intertextuality, showing how each document relied on—and further produced—other documents. Challenging NARA's calculative logics, we show that disposing of these documents would widen gaps, holes, and silences in an already partial, state-centric archive, limiting which future histories of U.S. immigration policies might be told. **Key Words: archives, detention, freedom of information, immigration, intertextuality.**

On 14 July 2017, the U.S. National Archives and Records Administration (NARA) announced plans to destroy eleven kinds of noncitizen detainee records after seven to twenty years and invited public comment on these changes (NARA 2017). NARA staff had provisionally approved an Immigration and Customs Enforcement (ICE) agency proposal to change these documents from "permanent" to "temporary" retention status in the National Archives. ICE is responsible for detaining and deporting noncitizens pursuant to executive branch and Congressional priorities for enforcing the Illegal Immigration Reform and Immigrant Responsibility Act (1996); as such, ICE produces documents detailing abuse and assault of people in immigration detention, detainee death investigation files, detention monitoring reports, and escape reports, among others, as part of its daily operations (Figure 1). Although Requests for Record Disposition Authority are routine and usually pass unnoticed except by specialists and government agencies, ICE's 2017 proposal sparked media attention, petitions, and an unprecedented number of public objections (NARA 2019). Moreover, Syracuse University's Transactional Records Clearinghouse has traced a steady increase in Freedom of Information Act (FOIA) lawsuits against federal agencies (FOIA Project 2021). Given this, and the fact that the American Immigration Council (2020),

Human Rights Watch (2020), National Immigrant Justice Center (2020), and the American Civil Liberties Union (2020, 2021) have sued U.S. Department of Homeland Security agencies (including ICE) over delays, omissions, and security exemptions in FOIA responses, NARA's approval of ICE's request worried us a great deal.

NARA's (2017) decision included a specific calculation of research value. As researchers, we were particularly curious about how NARA judged research value. What did they understand research to be? What assumptions did they make about how such research was conducted? How does NARA work with ICE to decide the research value of these documents? Moreover, what did NARA understand valuable research to be? We therefore designed a project using recursive FOIA and Open Record Requests (ORRs) for the eleven document types in Figure 1, the results of which we share in what follows.

The article begins by giving background on detention in the United States, geographical research on immigration and the role of official documents in that research, and NARA's public commentary process. We then explain our request process, site selection, and responses received, before moving to discuss specific instances of both abuse and neglect, exploring how ICE and detention center staff managed them as disruptions. This recursive method offers a model to other researchers

Outline of Records Schedule Items for DAA-0567-2015-0013

Sequence Number	
1	Detainee Sexual Abuse and Assault Files Disposition Authority Number: DAA-0567-2015-0013-0001
2	Death Review Files Disposition Authority Number: DAA-0567-2015-0013-0002
3	Detainee Telephone Rate Records Disposition Authority Number: DAA-0567-2015-0013-0003
4	Weekly Detention Service Monitor Report Disposition Authority Number: DAA-0567-2015-0013-0004
5	Alternative to Detention (ATD) Participant Tracking Records Disposition Authority Number: DAA-0567-2015-0013-0005
6	Alternative to Detention (ATD) Emergency/Incident Reports Disposition Authority Number: DAA-0567-2015-0013-0006
7	Detainee Escape Reports Disposition Authority Number: DAA-0567-2015-0013-0007
8	Detention Information Reporting Line Records Disposition Authority Number: DAA-0567-2015-0013-0008
9	Detainee Segregation Case Files Disposition Authority Number: DAA-0567-2015-0013-0009
10	Daily Detention Log Disposition Authority Number: DAA-0567-2015-0013-0010
11	Residential Detainee Locator Files Disposition Authority Number: DAA-0567-2015-0013-0011

Figure 1 *List of eleven documents included in Immigration and Customs Enforcement Rescheduling Request DAA-0567-2015-0013.*

working with public documents, including and beyond political geographies of immigration in the United States. For researchers, these documents provide insight into the everyday transactions, paperwork, and both ICE and contractors' "ways of seeing" carceral spaces of detention (Conlon and Hiemstra 2017; Hiemstra and Conlon 2017). Next, we analyze how the documents show (and conceal) abusive incidents and the implications of these categorizations. We conclude by discussing how other researchers might learn from our recursive method

and the implications of this for geographical research on immigration. Demonstrating the importance of intertextuality in judging research value, we argue that NARA's decision to destroy these documents does not consider their cross-referential character and, in doing so, shapes the future histories of our present moment.

We develop this argument in four steps. First, we claim that these seemingly banal procedural documents provide important insights for academic researchers into the operationalization of detention's

spatial practices of enclosure, bordering, (im)mobility, and categorization. We argue that the eleven types of documents named for destruction operate intertextually and facilitate an accumulated sense of everyday carceral practices, the circulations, mobilities, borderings, and enclosures through which detention operates (Mountz et al. 2013; Hughes and Forman 2017). Yet these documents are partial witnesses. Second, we argue that research on these documents requires cross-referencing, so that any research "value" emerges from triangulating between documents rather than from any single document type. We therefore show how these documents' intertextuality is fundamental not only to their designated "research value" but to documenting abuse in detention. Third, we argue that the state's processes of document retention, together with public retrieval, allow researchers to trace the epistemic erasure of state violence from its archive. Fourth, we argue that document retention practices circumscribe the archival material available to future researchers and, in doing so, their bureaucratic logics anticipate the future histories of our present moment. By delimiting what might be said about the systemic abuse enabled by detention, the logics embodied in bureaucratic procedures reify the (lack of) value afforded immigrant life in the present. NARA's administrative decisions draw lines around who can make legal claims against state-sanctioned violence, and they circumscribe what future scholars might say about the present.

Background

U.S. immigration law mandates civil, noncriminal detention for certain categories of migrants who come into contact with border and immigration enforcement agencies. Executive branch interpretations of U.S. immigration law have expanded the categories of who can be detained and for how long, who can be deported under expedited removal processing (Martin 2012), who can police immigration and where this takes place (Stuesse and Coleman 2014; Williams 2015; Boyce, Launius, and Aguirre 2019; Coleman and Kocher 2019; Boyce 2020), in what conditions noncitizens will be detained (Conlon and Hiemstra 2017), and whether noncitizens will be charged in federal courts for immigration-related infractions (Varsanyi 2008; Boyce and Launius 2013; Slack 2019). In addition, appropriations bills between 2009 and 2017 set a 34,000-bed daily quota for detention beds, requiring ICE to contract high numbers of beds. As of this writing, ICE's detention capacity hovers around 43,000 beds, although the COVID-19 pandemic has forced ICE to lower occupancy levels in detention centers (see CoreCivic 2020; GEO Group 2020). Detention space spans 250 facilities, including shared county facilities, whereby ICE rents beds in local facilities;

ICE-run, privately operated facilities; female and family facilities; and ICE-contracted, privately owned and operated facilities. Detention expansion and increasing deportation is highly contested, and geographical research has been critical to charting and challenging these emerging spatialities of state violence (Burridge and Loyd 2007; Mountz 2010, 2020; Nevins 2010; Varsanyi 2010; Conlon and Hiemstra 2017; Coleman and Kocher 2019; Hiemstra 2019; Slack 2019; Paik 2020; Ybarra 2021).

Because U.S. detention centers are not open to researchers, human rights observers, or attorneys, routine reports have been particularly important for tracking operating procedures, detainee health and safety, the frequency of harmful of events, discipline and use of segregation, detainee deaths, and compliance with conditions standards (cf. Walters 2019). Documentary evidence is essential for litigation seeking class action protections and individual release from detention. In combination with grassroots organizing and legislation, litigation against ICE detention practices has been an important vehicle for protecting what minimal rights noncitizens might have in detention. Researchers, however, are interested not only in individual cases and evidence pertaining to policy infractions but in the everyday rhythms, procedures, and practices that normalize and reproduce detention as a carceral practice (Martin and Mitchelson 2009; Mountz et al. 2013; Gill et al. 2018; Hiemstra 2019; Coddington, Conlon, and Martin 2020). Federal FOIA requests and local ORRs offer insights into the complex web of contractors extracting time and money from detainees (Conlon and Hiemstra 2017; Martin 2021) as well as e-mails, plans for new facilities, and municipal negotiations around particularly controversial facilities (e.g., Martin 2012; Loyd and Mountz 2018). FOIA and ORRs have been particularly important to political geographers, who have analyzed state logics of immigration control. Researchers have used state documents to triangulate qualitative interviews, ethnography, and secondary sources and deduce everyday detention practices (Conlon and Hiemstra 2017; Hiemstra and Conlon 2017). In other cases, researchers have used state documents to challenge state claims to humane treatment and compliance with human rights norms (Boyce 2020). Others analyze official documents to explore how ICE defends authority to detain, legal geographies of immigration, and intergovernmental policing agreements (Varsanyi 2008; Coleman and Kocher 2019; Kocher and Steusse 2021). Others use archival documents to trace genealogies of offshoring, extraterritorial detention, and neorefoulment (Loyd and Mountz 2018). Across this research, FOIA, ORRs, and other official documents are used alongside research methods like interviews, ethnography, and site visits, as methodologies are driven by other research questions.

In this article, however, we argue that documentation is a rich site of public contestation and politics in itself. NARA received an unprecedented number of public comments on its provisional approval of ICE's request to dispose of these documents, including three congressional letters containing thirty-six signatures, an ACLU petition containing 23,758 comments, an UltraViolet petition with 1,475 signatures, written comments from 187 individuals and six organizations, and seven phone calls (NARA 2019). Following this public outcry, NARA agreed to suspend its initial recommendation and review the records retention schedule in consultation with ICE. A series of public comment periods and NARA responses ensued. On 14 June 2019, NARA published a consolidated reply to the general points raised in the initial public comment period (NARA 2019). This consolidated reply was itself open to public consultation until 5 August 2019, and on 12 December 2019, NARA published a further reply to comments on its June 2019 response. This formal exchange included detailed explanations of NARA's prioritization of public and private interests in relation to the perceived burden (labor, space, expense) of storing the documents. For example, NARA privileged detainees' needs to FOIA their own personal documents to file litigation, presuming they would not need those documents after seven to twenty years. Three document types have been removed from rescheduling (Figure 1, Items 003, 010, 011), but this is for administrative reasons (they are archived by other agencies). NARA's recognition of the research value of these documents has not been challenged, and final decision on retention of the other documents is still pending.

We submitted a report providing evidence of the academic research value of these documents to the public consultation, thereby participating in part of the process we were researching (Hughes and Martin 2019). Based on previous research and convinced that there was research value in these documents, we argued that these documents are necessary to appreciate the everyday practices of detention and the scope of noncitizens' abuse in federal custody. Despite our submission, NARA's response did not acknowledge academic, historical, or longitudinal research and repeatedly stated that these documents held solely administrative value. Instead, they privileged journalistic and Congressional research, which tend to respond to immediate events or crises, as conduits for public knowledge. NARA's response stated that researchers "have many years to request them from ICE through FOIA" (NARA 2019). Our research refutes NARA staff's assumption that FOIA provides consistent access to these documents.

We therefore contest ICE's and NARA's evaluation of these documents' research value, first by examining the information contained in the documents in question and, second, by critiquing NARA's bureaucratic calculations. We demonstrate that our recursive FOIA request method draws on these documents' intertextual interdependence; in turn, we show how NARA staff assume, incorrectly, that these documents are available or accessible from compliant federal agencies. We remain concerned about the relationship between ICE and NARA in determining the research value of these documents, especially ICE's role in shaping the retention of data pertaining to injustice, abuse, and deaths of noncitizens. Our intertextual analysis revealed a proliferation of gaps, silences, and documentary dead ends. State archiving practices—especially retention and disposal rules—actively select and erase the histories that can be written of our contemporary moment.

Methodology: FOIA as Inscription Device and Intertextual Critique

Curious about the "research value" of these documents, we designed a research project that asked these questions: What can we learn about abuse in detention from the eleven types of records considered for rescheduling? What becomes visible to us, as researchers, that would otherwise remain inaccessible? What wider epistemological questions does this raise about state politics of archiving practices in liberal democracies? As we followed the public commentaries and responses, we became interested in the processes surrounding NARA's decisions. In other words, we were interested in both producing counternarratives of state power through state documents (cf. Kocher and Steusse 2021) and theorizing the relationship between state archiving practices, research, and knowledge production. Specifically, we asked how NARA understands and evaluates research, what the role of ICE is in these decisions, and, through these sociotechnical practices of evaluation, how NARA produces research value as a certain kind of public interest and good.

Our project was explicitly methodological, and our approach was intentionally open and recursive. We submitted requests for the eleven documents due to be rescheduled, to evaluate both how they were shared with us and the information contained in them. We also submitted an FOIA request to NARA asking for further information on how this rescheduling decision was reached, including their relationship with ICE. This request was submitted in October 2018, and we are still waiting in NARA's "complex case queue" for a response. We were therefore as interested in NARA's understanding of these documents as in the documents themselves. In this sense, FOIA and ORRs were more than data collection tools; they operated as "transcription devices" that produced our object of research as we

performed the research (Aradau and Huysmans 2014; Belcher and Martin 2019). Our aim was not solely to identify incidents of abuse, nor to get to the "truth" of the documents. Rather, we analyzed how these eleven document types defined, managed, and made knowable acts of sexual and physical assault in detention. Methodologically, we treat documents as performative texts, with their own material circulations that, in their circulation and intertextuality, exceed the intentionality of their authors. Analyzing these documents alongside NARA staff's understanding of research value allowed us to better appreciate how value emerges not from single data points in individual documents but from their cross-referential intertextuality. Our methodology allowed us to provide critical input to NARA's decision-making process on the documents themselves. Intertextuality became fundamental to our methodological approach and to our subsequent critique of NARA's archiving practices.

Kristeva developed the concept of intertextuality in her work on Bakhtin, and Derrida, Foucault, Barthes, and other poststructuralist theorists of knowledge—important thinkers for critical geographical interrogations of power, language, and subjectivity—further developed the concept in theorizing language, difference, and power (Schlosser 2009, 2018). Conceptualized as such, all texts rely on other texts, on associations, connotations, and references, and are thereby open to reinscription, reinterpretation, and recontextualization. For cultural geographers, intertextuality refers to both artistic practices of collage and to analytical methods that trace the dispersed performativity through which discourses gain power. Schlosser (2009), for example, mobilized intertextuality as an analytic method, bringing together seemingly unrelated discourses (on race, population, and science). For Datta and Thomas (2021), intertextuality works through embodied contact zones and linking literary, social, and multimedia to create spaces in which women (in their study) show, critique, and reimagine norms of symbolic violence. For Cockayne (2019), a musical score's intertextuality draws together imagery, spoken word, and composed and collaborative performances, working across multiple affective registers surrounding Matthew Shepard's murder. Across these examples, intertextual methodology recognizes both the contextuality of meaning and authorial labor of making relations between those relations visible.

In this sense, intertextuality is a component of critical discourse analysis (Fairclough 2010), which critical geographers use to analyze the reproduction of power relations and inequalities, especially through subjectivization. In political geography, intertextual analysis enables the identification of logics, rationalities, and subject formations produced through the circulation, recitation, and performativity of those norms (Bialasiewicz et al. 2007). Focused on government documents, we deploy intertextual analysis as a method, looking at both how these documents themselves and the processes of retrieving them, can be understood only in the context of each other. Moreover, we offer an intertextual critique by arguing that NARA's and ICE's decisions ignored the documents' intertextuality, thereby undermining future researchers' ability to makes sense of them and, therefore, to document patterns of state violence. As we show in what follows, some documents are required by legislation and policy guidance, codified in operating standards (which themselves are codified in operating manuals) and referenced by documents, e-mails, and litigation triggered by those initial documents. These intertextual references require reading iteratively, continually returning to a document to annotate and map the new meanings generated as the researcher engages other texts. In short, we argue that intertextual methods and critique reveal fundamental limitations in NARA's evaluation process. NARA's bureaucratic logic seriously underestimated the public availability of these documents, undermined researchers' ability to provide broader historical context and identify long-term trends, and therefore overestimated governmental accountability for abuse in detention.

Site Selection

We chose twenty facilities that represented different types (county jails, ICE-only detention centers), sizes (10–600 beds), and contractors (Figure 2). Because we focused on the document request process, we selected facilities with different contracting arrangements that were roughly distributed across the United States. We wanted to know whether privately owned or operated detention centers yielded different quantities and types of documents than county or ICE-operated facilities. Mindful that ICE contracts out many aspects of the detention regime (e.g., telephone providers, food provision), we based our selection on the private companies responsible for operating the facility. We used the Freedom for Immigrants (2018) map of all U.S. immigration detention facilities to choose facilities. We selected Washington, Texas, New York, and Florida facilities to connect to ongoing grassroots campaigns there; we chose other remote facilities precisely because they were not the subject of active campaigns. We wanted to be able to share any relevant documents with communities who could use them, but we also knew that county jails in areas without active immigrant rights organizing might be more susceptible to abuse (see Schriro 2009).

As Conlon and Hiemstra (2017) have shown, outsourcing arrangements between ICE, counties, and the private sector complicate FOIA requests related

State	Facility	Type	Operator	Freedom of Information Request Responses								Public Record Request Responses		
				Significant Events Report	Compliance Monitoring Issues Report	Significant Incident Report (ICE)	Internal Review of Faculty Inspection Records	Sexual Abuse and Assault Cases	Statement that no records were available / No response as of 15 December 2020	No response as of 15 December 2020	Phone Rates fees and commission	Requirements that we submit our requests via ICE (ICE)	Requests for payment in advance of records searches	Statement that no records were available that matched the request*
Alaska	Anchorage Correctional Complex	County	County (Corrections)								✓			
Florida	Krome North Service Processing Center	ICE	AGS (ICE Operated)									✓		✓
Florida	Monroe County Detention Center	County	County Sheriff									✓		✓
Illinois	Pulaski County Jail	County	County Sheriff					✓						✓
Louisiana	Jena / Lasalle Detention Facility	Private	GEO	✓		✓		✓		✓				
Maine	Cumberland County Jail	County	County Sheriff			✓		✓		✓		✓		✓
Massachusetts	Bristol County Detention Center	County	County Sheriff									✓		
Nebraska	Hall County Department of Corrections	County	County Sheriff						✓					✓
Nevada	Nevada Southern Detention Center	County	CoreCivic						✓				✓	
New Mexico	Otero County Processing Center	Private	M&TC			✓		✓	✓				✓	
New York	Buffalo (Batavia) Service Processing Center	ICE	AGS (ICE Operated)							✓		✓		✓
North Dakota	Grand Forks County Correctional Facility	County	County Sheriff						✓**				✓	✓
Ohio	Northeast Ohio Correctional Center (Youngstown Cdf)	Private	CoreCivic		✓	✓			✓**				✓	
Oklahoma	David L. Moss Criminal Justice Center, Tulsa	County	County Sheriff						✓**				✓	✓
Tennessee	Western Tennessee Detention Facility	Private	CoreCivic							✓				
Texas	Federal Correctional Institution, La Tuna	BoP	Bureau of Prisons							✓			✓	✓
Texas	T. Don Hutto Women's Detention Center	Private	CoreCivic			✓		✓	✓				✓	✓
Washington	Northwest Detention Center	Private	GEO										✓	✓
Oregon	Josephine County Jail	County	County Sheriff							✓			✓	✓
Washington	SeaTac	BoP	Bureau of Prisons						✓					✓

Figure 2 *List of detention centers and the responses received from both Freedom of Information Act and Public Records Requests submitted 1 October through 30 November 2018. Responses correct as of 15 December 2020. *This also includes Immigration and Customs Enforcement refusing to fulfill the complete request. **These documents include a series of redacted e-mails, but no aggregate data summarizing any incidents under the Prisoner Rape Elimination Act. Significant Event Reports primarily detail detainee hospital visits. Compliance Monitoring Issues Reports cover problems and resolutions to instances of noncompliance with National Detention Standards. Significant Incident Reports focus on interactions between detainees or staff and detainees that required resolution.*

to detention center staff. In the United States, private companies are not required to respond to FOIA or ORRs and their operating procedures are considered proprietary. In practice, this means that an ICE-operated facility must release operating manuals and reports but a private company does not have to do so. Thus, we can request complaints and "serious incident" reports from ICE, but we cannot request disciplinary action reports from contractors (e.g., GeoGroup, CoreCivic, Management and Training Corporation). We can, however, access contractors' documents if they are released during litigation or if they reference an incident included in the Prisoner Rape Elimination Act (PREA; see below). It is unclear whether and how abuse incidents are shared or escalated between contractors, ICE, or other federal agencies and when contractors address these their own proprietary procedures. We therefore selected facilities that would help us discern gaps in documentation. We submitted FOIA requests to ICE for all twenty centers and their contractors. These requests were staggered (approximately four per week) between 25 October and 21 November 2018, to ensure follow-up twenty to thirty days after submission. This approach allowed us to amend subsequent requests if ICE asked for clarification or wording changes to requests. We used wording from DAA-0567-2015-0013 (Figure 1) to ensure alignment with the proposed changes in scheduling.

Federal and Local Document Requests

In addition to our federal FOIA requests, we submitted ORRs at the state level, county level, or both. All fifty U.S. states have public records laws that allow members of the public to obtain public records from state and local government bodies. The FOIA applies only to federal agencies. It does not apply to records held by congress, the courts, or state or local government agencies. Each state has its own public access laws that are not identical to FOIA, nor are state court interpretations of similar language in state statutes necessarily the same as federal court interpretations of FOIA. We submitted ORRs and FOIA requests together (25 October–21 November 2018). The responses from both ICE and ORRs were patchy and inconsistent (Figure 2). This is important because NARA presumes that these eleven types of documents are currently accessible to the general public, media, researchers, and attorneys (NARA 2019). This bureaucratic logic has implications for the decision to exclude these documents from the archive, and we argue that this undermines the intertextuality of these documents. In other words, it is not that the documents do not have research value but that NARA's retention and disposal decisions undermine that value by destroying the cross-referential intertextuality required to make sense of them.

Documenting Abuse in Detention

In this section we analyze the documents we obtained and discuss what we learned from them. To demonstrate documents' intertextuality, we reconstruct a detailed, but interrupted, exchange over the thresholds of sexual assault in detention (Figures 3–10). This approach animates the intertextuality, gappiness, and unevenness of the FOIA and ORR responses, illuminating the partiality of our research process. Knowing that official complaints underreport incidents of abuse and neglect in detention, we do not treat the enumeration of events as definitive or even representative: The documents reveal, first, the kinds of events that invoke further investigation and, second, how incidents are managed.

Figure 2 lists documents received through our FOIA and ORR requests. Some complaints and events rise to the level of physical harm, and some pertain to procedural, paperwork, or maintenance issues. Significant Event Reports (SERs) are logged by ICE's Detention Management Unit; Compliance Monitoring Issues Reports describe instances of noncompliance with National Detention Standards and their resolution, as found by monitoring contractors; Significant Incident Reports (SIRs) refer to interactions between detainees or staff and detainees that required resolution as logged by detention center staff but communicated to ICE in some cases; Internal Reviews of Facility Inspection Records reviewed paperwork; and tables reporting sexual abuse and assault cases primarily counted PREA cases. We also received some phone fee rate records, statements that ICE held the documents we sought, reports of no relevant documents held, and requests for payments in advance for records searches.

Crucially, we received documents that highlighted processes by which events were considered significant "enough" to fall under the PREA or be classified as SERs. PREA is federal legislation that requires custodial facilities to retain any information related to behavior stipulated in PREA. Although NARA initially agreed to ICE's disposition request, public comments pointed out that some documents fell under PREA regulations. NARA subsequently excluded these three document types from consideration. ICE National Detention Standards Section 2.11 details the kinds of events classified as sexual assault, how detainees should be informed of their reporting rights, the chain of responsibility for oversight, and procedures for complying with PREA in each facility (ICE 2016). Sexual abuse and assault prevention and intervention standards for mixed population facilities, like county jails, were updated and expanded in 2019 (ICE 2019). Importantly for our project, PREA requires that documents related to sexual assault in detention centers, prisons, or jails be kept for ten years to enable investigation and prosecution of specific incidents. A PREA

designation also triggers further oversight, monitoring, and reviews; that is, the generation of further documents. As we go on to show, ICE officers' and contractors' classifications of events as PREA relevant triggered additional ICE and facility management reviews, follow-up, and—relevant for our discussion here—document retention guidelines.

Partial Witnesses: The Prisoner Rape Elimination Act and Serious Incident Reports in Detention

Our requests revealed fifty-two incidents requiring PREA review between 2016 and 2018 across the six centers that responded to this aspect of the FOIA request. Some centers did not share these data, despite our submitting identical requests to each facility. For example, comparing three centers run by CoreCivic, ICE provided a table enumerating incidents for the Hutto facility and differentiated between ICE and contractor staff perpetrators. In contrast, ICE did not respond to that part of the request for the West Tennessee Detention Facility and Northeast Ohio Correctional Center, which CoreCivic also operates. In addition, recording and classifying methods were inconsistent across centers: ICE responses to the Otero County Processing Center (contracted by M&TC) merged the categories of ICE and contractor staff within their reporting PREA cases. This unevenness in both the recording of data and the release of the documents themselves highlights the importance of an intertextual understanding of the archive, and the value of cross-referencing as a methodological process.

To further explore what the requested documents could—and could not—tell us about abuse and neglect in detention, we cross-referenced case dates with local news media, litigation, or immigrant rights organization press releases, where specific cases were made public. We identified two cases of sexual abuse in initial requests that we would not have discovered without requested documents and submitted further FOIA requests for details of an incident at Otero County Correctional (Figure 3). From the Otero facility request, we received a redacted SIR and a handwritten inmate grievance form (Figure 4). This handwritten document was one of only two documents received that included a detainee perspective. Despite the redactions, the extensive detail on this event explains how a female officer entered the toilet cubicle while this male detainee was seminude from the waist down and refused to leave when asked. Detention center management responded that the officer was "performing her official job duties." Thus, the additional documentation populates the "unfounded" category, telling us a little about dynamics between detainees and staff, procedures through which detainees can lodge complaints, and the threshold of "significance" or "importance" required to elevate a detainee complaint. It is also important that the rescheduling of these documents would remove the handwritten account of the incident from the archive, eliminating the already scarce detainee accounts of abuse held by ICE. The rescheduling of these records therefore increases the likelihood that ICE or contractor-generated accounts of these incidents will remain, removing the possibility for an intertextual reading, including detainee narratives. In short, this intertextuality is important for challenging the disposability of these documents: Destroying these tables would create a documentary dead end, making research on abuse in detention, particularly patterns over time, more difficult.

U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations
Custody Management Division

Otero County Processing Center (NM)
Sexual Abuse and Assault Cases from 01 October 2016 to 01 October 2018

Incident Date	Reported Date	Incident Classification	Perpetrator Type	Investigation Outcome
6/7/2018	7/11/2018	Detainee: Oral Contact	Detainee	Unsubstantiated
5/20/2018	5/23/2018	Detainee: Inappropriate Touching	Detainee	Open
4/20/2018	4/26/2018	Detainee: Treat, Coercion, Intimidation	Detainee	Substantiated
4/5/2018	4/6/2018	Staff: Voyeurism	Contractor	Unfounded
3/22/2018	3/22/2018	Detainee: Object Penetration	Detainee	Unsubstantiated
11/24/2017	11/24/2017	Staff: Voyeurism	Contractor	Unfounded

Data as reflected in SAAPI CM as of 12/2/2018

Figure 3 *Otero County Processing Center, sexual abuse and assault cases from 1 October 2016 through 1 October 2018. Retrieved from Immigration and Customs Enforcement on 19 March 2019 under the Freedom of Information Act.*
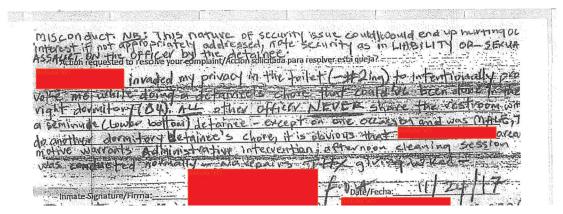
Figure 4 *Excerpt from a Significant Incident Report detailing alleged sexual harassment at Otero County Processing Centre, January 2018. Report released by Immigration and Customs Enforcement on 6 June 2019 under the Freedom of Information Act.*

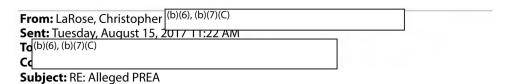*Significant Events Reports, Potential Disruptions*

Although the semantic threshold between SIRs and SERs is difficult to parse, it is clear that different procedures generate these reports: Staff on duty file SIRs, whereas SERs are monitoring reports that emerge from routine detention standards compliance monitoring. In theory, however, they should include similar information when it comes to detainee abuse and assault, because these incidents and events should trigger paperwork that is then registered through the other procedures. Three centers released their detention monitoring SERs from 2016 to 2018 to us: Northeast Ohio Correctional Center, LaSalle Detention Center (Louisiana), and T. Don Hutto Detention Center (Texas). These documents detailed a total of ninety-two incidents deemed to be significant events. SERs documented instances of potential harm including abuse, and they were largely focused on hospital admissions. Incidents therefore overlap with PREA-related incidents but in unclear ways. For example, the La Salle and Hutto facilities combined recorded seventeen PREA cases over the same time period, but the SERs log "only" four sexual assault events. The documents do not make clear whether PREA reporting or SIRs replace or replicate SERs. What is clear, however, is that the omission of any one of these documents from the historical record would seriously impede our ability to triangulate the information in the other documents. To say anything about patterns over time, compare between facilities, or examine governance practices in immigration detention, not to mention the many other questions researchers might ask about contemporary U.S. detention practices, all of these documents are necessary.

SIRs, SERs, and Monitoring Issue Reports therefore overlap but not in ways that allow information to be verified. Because accusations of sexual abuse trigger additional reviews under PREA, our requests included e-mail exchanges and additional documentation, even where cases were ruled not to be PREA cases. In other words, mentioning PREA alone triggers different document retention and release schedules, generating more documents. Figures 5 through 10 offer an example of these deliberations from Northeast Ohio Correctional Center. Further documents from Northeast Ohio Correctional Center include e-mails between the Warden (Christopher J. LaRose) and ICE's Enforcement and Removals Office concerning whether an incident in August 2017 should be classified as PREA or not and the protocol by which it should be investigated. These documents also show how staff manage the documentation of incidents and events.

The e-mails detail how, on 14 August 2017, an officer entered a detainee's cell to wake him. To do this, the officer touched the detainee on his leg. Unlike in the preceding example, the detainee's version of events is not included here, because the incident was determined not to fall under PREA. This conversation was released under our FOIA request, however, only because a staff member sent the warden an e-mail with the subject header "Alleged PREA." In Figures 5 and 6, Warden LaRose explained that he was not part of the original staff e-mail chain on this and that he did not perceive the incident to be a PREA allegation. In Figure 7, ICE contradicted the warden and made it clear that the incident had also been flagged to them at the center. ICE followed up by asking what happened to the officer, and the warden replied that it had been sorted prior to his return (Figures 8 and 9). In this instance, the warden explained to ICE that the event would not constitute PREA because "tapping a leg to wake him up would not count as 'PREA' under the standards" (Figure 6) at 11:22 on 15 August 2017. At 14:18 the same day, however, another e-mail reveals the detainees' version of events (Figure 10). This e-mail, however, has a new subject

From (b)(6); (b)(7)(C)
Sent: Saturday, November 03, 2018 11:42 AM
(b)(6); (b)(7)(C)

Subject: RE (b)(6); (b)(7)(C)

Good mornin (b)(6); (b)(7)(C)

Did you speak with this detainee on Friday? Did he have another PREA evaluation? I have a request that was in the box that states that he was touched by his co-worker so if that hasn't been doen I will have to do another PREa and possibly move this individual to another housing location.

(b)(6); (b)(7)(C)

Case Manager
Northeast Ohio Correctional Center
2240 Hubbard Road
Youngstown, Ohio 44505
330-884 (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C)

Figure 5 *Redacted section of document titled Sexual Abuse Screening Tool from Northeast Ohio Correctional Center. Released by Immigration and Customs Enforcement on 16 January 2020 under the Freedom of Information Act.*

From: LaRose, Christopher (b)(6), (b)(7)(C)
Sent: Tuesday, August 15, 2017 11:22 AM
To (b)(6), (b)(7)(C)
Cc
Subject: RE: Alleged PREA

I apologize for the late response, I was not here yesterday and wasn't on the original email. Having said that, upon reviewing the report, I don't believe staff would have considered this a PREA allegation due to the statement. Tapping a leg to wake him up would not fall under "PREA" according to the standards, therefore not being report as one. If this wasn't the right call, please advise.

Figure 6 *Redacted section of document titled Sexual Abuse Screening Tool from Northeast Ohio Correctional Center. Released by Immigration and Customs Enforcement on 16 January 2020 under the Freedom of Information Act.*

~~*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***~~

Warden LaRose:

Due to staff email chain SUBJECT heading "Alleged PREA" and the detainees statement that "I feel like he was trying to do something sexual to me by rubbing my legs ..." this would be considered a sexual abuse or assault allegation and ICE ERO has reported it as such after the detainee made the same allegation to ICE ERO Officers at the facility today (8/15/17). Could you please ensure that we are notified immediately of any future allegations of sexual abuse or assault made by an ICE detainee.

Thank you,

(b)(6), (b)(7)(C) AFOD
CLE ICE ERO Office
NEOCC# (b)(6), (b)(7)(C)

Figure 7 *Redacted section of document titled Sexual Abuse Screening Tool from Northeast Ohio Correctional Center. Released by Immigration and Customs Enforcement on 16 January 2020 under the Freedom of Information Act.*

On Aug 15, 2017, at 1:01 PM (b)(6); (b)(7)(C) _____ wrote:

~~*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***~~

Warden,

Do you know if the officer (who was allegedly the perpetrator) was removed from all duties requiring detainee contact pending the outcome of the investigation?

Thank you,

(b)(6); (b)(7)(C)

Figure 8 *Reacted section of document titled Sexual Abuse Screening Tool from Northeast Ohio Correctional Center. Released by Immigration and Customs Enforcement on 16 January 2020 under the Freedom of Information Act.*

From: LaRose, Christopher
Sent: 15 Aug 2017 18:00:43 +0000
To: (b)(6); (b)(7)(C)
Cc:
Subject: Re: Alleged PREA

The allegation was made after the officer was off grounds. The investigation was completed and considered non-PREA prior to the officer returning.

Christopher J. LaRose
Warden
Northeast Ohio Correctional Center
330-240 (b)(6);

Figure 9 *Redacted section of document titled Sexual Abuse Screening Tool from Northeast Ohio Correctional Center. Released by Immigration and Customs Enforcement on 16 January 2020 under the Freedom of Information Act.*
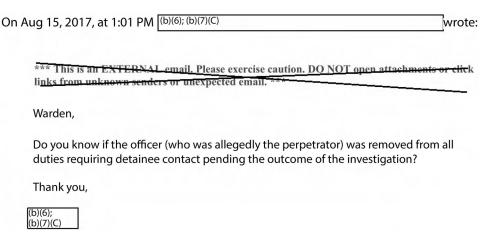
header, without any indication it was written in response to prior communications (there is no "Re:"), so it would appear that this is a different chain of communication. This e-mail includes disturbing details, including the detainee's fear that the guard was "possibly going to touch his privates" and "watching him when he goes to the bathroom" (Figure 10). From the timing of these communications, it appears that the decision not to investigate PREA was made in advance of the detainee's evidence. Although the warden deferred to ICE in the end, it is clear that using "Alleged PREA" as the subject of the e-mail appears to have triggered a PREA response from ICE. It is unclear, however, whether this incident would have been referred to as PREA (and therefore released to us via FOIA) without that in the e-mail's subject line.

This incident is important because it details conversations between the detention center contractors, CoreCivic, and ICE and also how a document would be included within the files ICE has requested for

earlier disposal. We would not have known about this exchange and what it reveals about PREA's categorization function without access to documents in ICE's initial disposition request (Figure 1). These reports not only provide us with valuable information on the governance structures, what and when incidents are considered disruptive, and how disruptions are (and are not) handled; cross-referencing between documents also produces new knowledge about the texture of life within detention. Yet this knowledge is partial, patchy, and inconsistently available. Thus, NARA's focus on the timeliness of information requests in its response to public comments neglects the unevenness of documentation, data management, and FOIA request interpretation. Although incomplete FOIA returns are common, NARA's response to public comments did not consider—or rectify—this practical unevenness nor ICE's noncompliance with FOIA in its long-term archiving decisions. Consequently, NARA staff also fail to recognize the value of intertextual
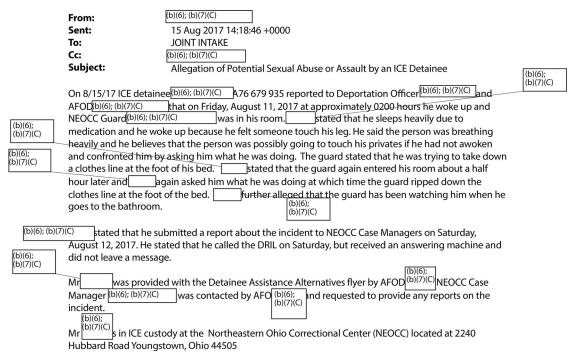
From: (b)(6); (b)(7)(C)
Sent: 15 Aug 2017 14:18:46 +0000
To: JOINT INTAKE
Cc: (b)(6); (b)(7)(C)
Subject: Allegation of Potential Sexual Abuse or Assault by an ICE Detainee

(b)(6); (b)(7)(C)

On 8/15/17 ICE detainee (b)(6); (b)(7)(C) A76 679 935 reported to Deportation Officer (b)(6); (b)(7)(C) and AFOD (b)(6); (b)(7)(C) that on Friday, August 11, 2017 at approximately 0200 hours he woke up and NEOCC Guard (b)(6); (b)(7)(C) was in his room. ⬜ stated that he sleeps heavily due to medication and he woke up because he felt someone touch his leg. He said the person was breathing heavily and he believes that the person was possibly going to touch his privates if he had not awoken and confronted him by asking him what he was doing. The guard stated that he was trying to take down a clothes line at the foot of his bed. ⬜ stated that the guard again entered his room about a half hour later and ⬜ again asked him what he was doing at which time the guard ripped down the clothes line at the foot of the bed. ⬜ further alleged that the guard has been watching him when he goes to the bathroom.

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) stated that he submitted a report about the incident to NEOCC Case Managers on Saturday, August 12, 2017. He stated that he called the DRIL on Saturday, but received an answering machine and did not leave a message.

(b)(6); (b)(7)(C)

Mr ⬜ was provided with the Detainee Assistance Alternatives flyer by AFOD (b)(6); (b)(7)(C) NEOCC Case Manager (b)(6); (b)(7)(C) was contacted by AFO (b)(6); (b)(7)(C) and requested to provide any reports on the incident.

(b)(6); (b)(7)(C)

Mr ⬜ s in ICE custody at the Northeastern Ohio Correctional Center (NEOCC) located at 2240 Hubbard Road Youngstown, Ohio 44505

Figure 10 *Redacted section of document titled Sexual Abuse Screening Tool from Northeast Ohio Correctional Center. Released by Immigration and Customs Enforcement on 16 January 2020 under the Freedom of Information Act.*

interdependence with these documents. Although intertextuality enables the production of regimes of truth broadly speaking (Foucault 1975), in this case, cross-referential intertextual dependence is also a key bureaucratic practice for classifying disruptions in detention, managing them, and, in the context of document disposal, widening gaps, silences, and dead ends in this historical record. Evaluating research value and selecting documents suitable for earlier destruction, NARA staff's banal bureaucratic decision making influences the ways in which future histories of contemporary immigration policy and practice could be told.

Conclusion

In this article we have shown significant limitations in how NARA evaluates research value and how other researchers might incorporate FOIA and ORRs into public and activist research. By analyzing these eleven document types alongside the FOIA and ORRs, we demonstrated that ICE's responses are uneven and inconsistent. Crucially, our FOIA and ORR responses revealed a dense cross-referentiality, even in their unevenness. This intertextual dependence helped us make sense of how abuse and other incidents were addressed in detention centers. This finding should justify longer, comprehensive document retention timelines to compensate for practical access difficulties. We argue that NARA's conclusions about these documents do not fully appreciate how researchers need to work

across these documents to understand contemporary detention practices. By marginalizing this kind of research, NARA's staff participate, perhaps unwittingly, in erasing some detainee narratives and contestations from the archives, as well as documentation of ICE's handling of detainee health and safety. We remain concerned about the relationship between NARA and ICE in this process and have submitted further FOIA requests for information on this relationship. This is important because these archiving decisions shape—and circumscribe—the future histories of our contemporary moment. For activist-scholars, documentation can offer one venue of accountability, but in the U.S. context, documentation works best when coupled with organizing led by directly affected people, formerly detained people, and legal support. Differently positioned as experts, researchers are also in a unique position to advocate for wider understandings of "research value" in NARA's administrative process to contribute more diverse histories, narratives, and testimonies to public debate.

Our research makes two further contributions. First, we hope that other researchers can learn from our method of recursive requests: Request documents early and follow up according to official timelines, request the same documents from multiple sources, and submit follow-up requests specifying new document titles gleaned from other requests (see also Belcher and Martin [2019] for practical tips). Local records requests are often more thorough, faster, and often fascinating, because they can point to other sites

of debate about intergovernmental authority, public liability, and public contestation. Although many professionals using FOIA regularly will have found their way to these practices, the document request process itself does not often become a site of analysis or for theorizing state power. We call on other researchers to elevate banal document requests to a site worthy of analysis and activism (e.g., ACLU 2021; FOIA Project 2021), to lift it from "the methods section" as it were. As data drive security, identity, and border policy more broadly, the politics of archiving and destroying digitizable data becomes all the more urgent. What does it mean to destroy documents in an age where so much is kept and stored?

Second, this article also highlights how states actively manage the politics of detention and expulsion through in/visibility. In this case, detention's spatial practices of enclosure, bordering, mobility, and categorization (Mountz et al. 2013) articulate with the materiality and temporality of archiving government documents. We cannot claim that NARA or ICE staff intend to shape histories in ways that erase migrants, but the bureaucratization of archiving decisions on these particular topics has this effect. In this case, NARA protocols privilege individual redress over social science and history research that would connect experiences, show patterns, and therefore be able to make broader claims about immigration policy in the present moment. Analysis of documents' intertextuality is fundamental not only to "research value" but to the documentation of abuse in detention. In this sense, NARA's administrative decisions both frame who can make legal claims against state-sanctioned violence and circumscribe what scholars might say in the future about our present moment. ∎

Acknowledgments

Funding

Literature Cited

American Civil Liberties Union. 2020. ACLU sues ICE for release of immigrants especially vulnerable to Covid-19. Accessed December 8, 2020. https://www.aclu.org/press-releases/aclu-sues-ice-release-immigrants-especially-vulnerable-covid-19.

American Civil Liberties Union. 2021. The border's long shadow: How border patrol uses racial profiling and local and state police to instill fear in Michigan's immigrant communities. Accessed May 4, 2021. https://www.aclumich.org/en/publications/borders-long-shadow.

American Immigration Council. 2020. Council files FOIA lawsuit to expose immigration enforcement in federal prisons. Accessed December 8, 2020. https://www.americanimmigrationcouncil.org/litigation/council-files-foia-lawsuit-expose-immigration-enforcement-federal-prisons.

Aradau, C., and J. Huysmans. 2014. Critical methods in international relations: The politics of techniques, devices and acts. *European Journal of International Relations* 20 (3):596–619. doi: 10.1177/1354066112474479.

Belcher, O., and L. Martin. 2019. The problem of access: Site visits, selective disclosure, and freedom of information in qualitative security research. In *Secrecy and methods in security research: A guide to qualitative fieldwork*, ed. M. de Goede, E. Bosma, and P. Pallister-Wilkins, 33–47. London and New York: Routledge.

Bialasiewicz, L., D. Campbell, S. Elden, S. Graham, A. Jeffrey, and A. Williams. 2007. Performing security: The imaginative geographies of current U.S. strategy. *Political Geography* 26 (4): 405–22.

Boyce, G. A. 2020. Immigration, policing, and the politics of time. *Geography Compass* 14 (8):1–20. doi: 10.1111/gec3.12496.

Boyce, G. A., and S. Launius. 2013. Warehousing the poor: How federal prosecution initiatives like "Operation Streamline" hurt immigrants, drive mass incarceration and damage US communities. *DifferenTakes* 82:1–4.

Boyce, G. A., S. Launius, and A. O. Aguirre. 2019. Drawing the line: Spatial strategies of community and resistance in post-SB1070 Arizona. *ACME: An International Journal for Critical Geographies* 18 (1):187–216.

Burridge, A., and J. Loyd. 2007. La gran marcha: Anti-Racism and immigrant rights in California. *ACME: An International Journal for Critical Geographies* 6 (1):1–35.

Cockayne, D. 2019. Considering Matthew Shepard: Normative and anti-normative queer spatial narratives and the politics of performance in choral music. *Cultural Geographies* 26 (4):471–85. doi: 10.1177/1474474019856409.

Coddington, K., D. Conlon, and L. Martin. 2020. Destitution economies: Circuits of value in asylum, refugee, and migration control. *Annals of the American Association of Geographers* 110 (5):1425–44. doi: 10.1080/24694452.2020.1715196.

Coleman, M., and A. Kocher. 2019. Rethinking the "gold standard" of racial profiling: §287(g), secure communities and racially discrepant police power. *American Behavioral Scientist* 63 (9):1185–220. doi: 10.1177/0002764219835275.

Conlon, D., and N. Hiemstra, eds. 2017. *Intimate economies of immigration detention: Critical perspectives*. London and New York: Routledge.

CoreCivic. 2020. CoreCivic, Inc. (CXW) Q3 2020 earnings call transcript, November 5. Accessed May 4, 2021. https://www.fool.com/earnings/call-transcripts/2020/11/06/corecivic-inc-cxw-q3-2020-earnings-call-transcript/.

Datta, A., and A. Thomas. 2021. Curating #AanaJaana [#ComingGoing]: Gendered authorship in the "contact zone" of Delhi's digital and urban margins. *Cultural Geographies*. Advance online publication. doi: 10.1177/1474474021993415.

Fairclough, N. 2010. *Critical discourse analysis: The critical study of language.* 2nd ed. London and New York: Routledge.

FOIA Project. 2021. When FOIA goes to court: 20 Years of Freedom of Information Act litigation by news organizations and reporters. 13 January. Accessed February 17, 2022. https://foiaproject.org/2021/01/13/foialitigators2020/

Foucault, M. 1975. *Discipline and punish: The birth of the prison.* London: Allen Lane.

Freedom for Immigrants. 2018. Mapping U.S. immigration detention. Accessed December 8, 2020. https://www.freedomforimmigrants.org/map.

GEO Group. 2020. The Geo Group (GEO) Q2 2020 earnings call transcript, August 6. Accessed May 4, 2021. https://www.fool.com/earnings/call-transcripts/2020/08/07/the-geo-group-geo-q2-2020-earnings-call-transcript.aspx.

Gill, N., D. Conlon, D. Moran, and A. Burridge. 2018. Carceral circuitry: New directions in carceral geography. *Progress in Human Geography* 42 (2):183–204. doi: 10.1177/0309132516671823.

Hiemstra, N. 2019. *Detain and deport: The chaotic U.S. immigration enforcement regime.* Athens: University of Georgia Press.

Hiemstra, N., and D. Conlon. 2017. Beyond privatization: Bureaucratization and the spatialities of immigration detention expansion. *Territory, Politics, Governance* 5 (3):252–68. doi: 10.1080/21622671.2017.1284693.

Hughes, S. M., and P. Forman. 2017. A material politics of citizenship: The potential of circulating materials from UK immigration removal centres. *Citizenship Studies* 21 (6):675–92. doi: 10.1080/13621025.2017.1341659.

Hughes, S. M., and L. L. Martin. 2019. Written submission of evidence in response to NARA-19-0007-0002. Accessed November 9, 2021. https://www.regulations.gov/comment/NARA-19-0007-0060.

Human Rights Watch. 2020. U.S.: Suit filed over immigration FOIA request data denial hides world of detention, deportation. Human Rights Watch. Accessed December 8, 2020. https://www.hrw.org/news/2019/01/10/us-suit-filed-over-immigration-foia-request.

Immigration and Customs Enforcement. 2016. National detention standards, section 2.11. Accessed September 1, 2021. https://www.ice.gov/detain/detention-management/2011.

Immigration and Customs Enforcement. 2019. Sexual abuse and assault prevention and intervention: National detention standards for non-dedicated facilities, section 2.11. Accessed September 1, 2021. https://www.ice.gov/doclib/detention-standards/2019/2_11.pdf.

Kocher, A., and A. Steusse. 2021. Undocumented activism and minor politics: Inside the cramped political spaces of deportation defence campaigns. *Antipode* 53 (2):331–54. doi: 10.1111/anti.12665.

Loyd, J., and A. Mountz. 2018. *Boats, borders, and bases: Race, the cold war, and the rise of migration detention in the United States.* Oakland: University of California Press.

Martin, L. L. 2012. Governing through the family: Struggles over U.S. noncitizen family detention policy. *Environment and Planning A: Economy and Space* 44 (4):866–88. doi: 10.1068/a4477a.

Martin, L. L. 2021. Carceral economies of migration control. *Progress in Human Geography* 45 (4):740–57. doi: 10.1177/0309132520940006.

Martin, L. L., and M. L. Mitchelson. 2009. Geographies of detention and imprisonment: Interrogating spatial practices of confinement, discipline, law, and state power. *Geography Compass* 3 (1):459–77. doi: 10.1111/j.1749-8198.2008.00196.x.

Mountz, A. 2010. *Seeking asylum: Human smuggling and bureaucracy at the border.* Minneapolis: University of Minnesota Press.

Mountz, A. 2020. *The death of asylum: Hidden geographies of the enforcement archipelago.* Minneapolis: University of Minnesota Press.

Mountz, A., K. Coddington, R. T. Catania, and J. M. Loyd. 2013. Conceptualizing detention: Mobility, containment, bordering, and exclusion. *Progress in Human Geography* 37 (4):522–41. doi: 10.1177/0309132512460903.

National Archives and Records Administration. 2017. Request for records disposition authority: DAA-0567-2015-0013. National Archives and Records Administration. Accessed December 8, 2020. https://www.federalregister.gov/d/2017-14834.

National Archives and Records Administration. 2019. National Archives and Records Administration consolidated reply DAA-0567-2015-0013. National Archives and Records Administration. Accessed December 8, 2020. https://beta.regulations.gov/document/NARA-19-0007-0002.

National Immigrant Justice Centre. 2020. Pending NIJC Transparency Project Freedom of Information Act requests. National Immigrant Justice Centre. Accessed December 8, 2020. https://immigrantjustice.org/pending-nijc-transparency-project-freedom-information-act-requests.

Nevins, J. 2010. *Operation Gatekeeper and beyond: The war on "illegals" and the making of the U.S.–Mexico boundary.* London and New York: Routledge.

Paik, N. 2020. *Bans, walls, raids, sanctuary: Understanding US immigration for the twenty-first century.* Berkeley: University of California Press.

Schlosser, K. 2009. Malthus at mid-century: Neo-Malthusianism as bio-political governance in the post–WWII United States. *Cultural Geographies* 16 (4):465–84. doi: 10.1177/1474474009340096.

Schlosser, K. 2018. Intertextuality and psychic space. *Literary Geographies* 4 (1):24–28.

Schriro, D. 2009. *Immigration detention overview and recommendations.* Washington, DC: U.S. Department of Homeland Security.

Slack, J. 2019. *Deported to death: How drug violence is changing migration on the U.S.–Mexico border.* Oakland: University of California Press.

Stuesse, A., and M. Coleman. 2014. Automobility, immobility, altermobility. *City & Society* 26 (1):51–72. doi: 10.1111/ciso.12034.

Varsanyi, M. W. 2008. Rescaling the "alien," rescaling personhood: Neoliberalism, immigration, and the state.

Annals of the Association of American Geographers 98 (4): 877–96. doi: 10.1080/00045600802223341.

Varsanyi, M. W. 2010. *Taking local control: Immigration policy activism in US cities and states*. Palo Alto, CA: Stanford University Press.

Williams, J. M. 2015. From humanitarian exceptionalism to contingent care: Care and enforcement at the humanitarian border. *Political Geography* 47:11–20. doi: 10.1016/j.polgeo.2015.01.001.

Ybarra, M. 2021. Site fight! Towards the abolition of immigrant detention on Tacoma's Tar Pits (and everywhere else). *Antipode* 53 (1):36–55. doi: 10.1111/anti.12610.

SARAH M. HUGHES is Vice Chancellor's Research Fellow in Human Geography at Northumbria University, Newcastle NE1 8ST, UK. E-mail: sarah.m.hughes@northumbria.ac.uk. She researches the geographies of resistance, forced migration, and knowledge production.

LAUREN L. MARTIN is an Associate Professor in the Department of Geography at Durham University, Durham DH1 3LE, UK. E-mail: lauren.martin@durham.ac.uk. She researches political economies of border and migration control practices and technology in refugee humanitarianism.