



# **“Possible Criminal Activity Afoot:” The Politics of Race and Boundary-Making in the United States Pacific Northwest Borderland**

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## **Abstract**

In northwestern Washington State, the United States Border Patrol expanded its operations inland from the international boundary with Canada in 2007. The expansion resulted in the frequent questioning and detention of community members who are Latino, non-timber forest workers, and people of color until such practices became less common by 2012. These tactics reflect a broader pattern of racial profiling through inland policing implemented across the US border with Canada. In this paper, I make the case for a critical race approach to understanding bordering practices in settings coded as ‘peaceful’ or without racial tensions. Towards this end, I analyze how racialized exclusions in northwestern Washington are articulated across scales, from local forest management, to federal policy. Further, I trace the relational construction of the western US borderlands with Canada and Mexico – spaces connected by a common heritage of conquest, although generally not conceptualized as such. My argument is that racial thinking is inherent to the production and maintenance of United States borders. A critical race approach is crucial at a time when practices carried out in the name of ‘homeland security’ threaten the wellbeing of borderland communities.



## Introduction

If, as Gloria Anzaldúa (1987, 3) so eloquently put it, “The US-Mexican border *es una herida abierta* where the Third World grates against the First and bleeds,” then the US-Canada boundary is perhaps a wound that has scarred over. From the nineteenth century brutality of the Texas Rangers against people of color to the contemporary spectacle of rusty steel border fences and migrants trekking across the Arizona desert, racialized state violence feels ubiquitous in the southwest United States. This heritage normalizes the presence of roving green and white Border Patrol vehicles, as well as legal suspensions in the name of security that dispossess borderland residents, particularly in regions with nonwhite majority populations such as South Texas (Sundberg, 2015). In stark contrast to its southern counterpart, the US-Canada border has long held the reputation of being peaceful and undefended – a ‘racially neutral’ space subject to quiet diplomacy rather than policing. Yet state-sanctioned violences have historically defined the ‘peaceful’ border as well (Lee, 2003, 175). Most recently, dominant US policy narratives have reframed it as vulnerable to terrorist activities, undocumented migration, and trafficking, thus requiring enhanced surveillance and patrols.

In this climate of securitization, the US Border Patrol has expanded its operations inland from the maritime border with Canada on northwestern Washington State’s Olympic Peninsula. Beginning in 2007, agents frequently detained peninsula residents who are Latino, non-timber forest workers, and people of color. These practices became less frequent by 2012, as the Border Patrol responded to public pressure against racial profiling. Community members who might be identified or identify as Latino come from many distinct backgrounds in terms of ethnicity, nationality, citizenship, indigeneity, and language proficiency. As Goldberg (2002, 118) explains, race is a category with historically-contingent meaning, which “may be thought of as the social or cultural significance assigned to or assumed in physical or biological markers of human beings, including the presumed physical or physiognomic markers of cultural attributes, habits, or behavior.” While recognizing the “ambiguously white status of Mexican Americans (referring to both day-to-day experiences of ‘passing’ and historical and legal factors)” (Cheng, 2013, 15), being identified as Latino, a person of color, or forest worker comes with certain hegemonic social meanings of non-belonging in the Pacific Northwest borderland. In contrast, “whiteness” implies access to social standing, political control, and property ownership (Goldberg, 2002, 113).

The Border Patrol activities sparked controversy among Olympic Peninsula communities, given that they targeted minority populations in a predominately white area. Further, the Border Patrol’s priority is to prevent and interdict unauthorized *cross-border* activity between ports of entry, while the individuals

being targeted had not crossed the border from Canada.<sup>2</sup> When I first learned of these practices, I was struck by the way they seemed to reproduce racialized policing tactics characteristic to the US-Mexico border, in which the Border Patrol regularly makes full use of its one hundred mile inland operational zone through highway checkpoints and roving patrols – making racial profiling commonplace, particularly of Latinos and Indigenous peoples (see ACLU, 2008; Chacón, 2010; Gaubeca, 2013; Miller, T., 2014). But this is not to imply a simple transfer of racism from a conflicted border to a peaceful one. A closer look at the ‘regional racial formations’ of the Pacific Northwest reveals a more complex articulation of exclusionary practices (see Cheng, 2013). With this in mind, I follow Kobayashi and Peake’s (2000, 392) lead to consider how “processes of racialization are present throughout landscapes that are seemingly free from racial tension or diversity.” My goal is to demonstrate how discriminatory practices are produced relationally across distinct, yet connected spaces – including spaces represented as without conflict or deemed low priority in the shadow of more politicized sites (see Loyd, 2014; Mountz and Loyd, 2014).

In this paper, I argue that racial thinking is inherent to the production and maintenance of all United States borders. I begin by analyzing the expansion of Border Patrol presence on the Olympic Peninsula and its outcomes: frequent racial profiling and an intensification of distrust between law enforcement officers and the community members subject to policing. In the remainder of the paper, I elaborate a critical race approach to make sense of how these inland policing tactics came into being. To do so, I analyze the the regional racial formations that have framed Latino forest workers as a threat to the environment, rationalizing the punitive policing of non-timber forest resources. Then, I turn to the trajectory of border securitization in northwestern Washington as it relates to federal calls for action at the US-Canada and US-Mexico boundaries. Finally, I reflect on the work that imaginaries of peace do to normalize securitization at both borders, while undermining the wellbeing of borderland residents.

Throughout this paper, I draw empirical evidence from a qualitative study of United States inland border enforcement practices in northwestern Washington State, focused on the timeframe of 2007 – 2012 (see Barrick, 2013). The study examines how securitization has impacted the wellbeing of Olympic Peninsula communities – particularly in the cities of Forks, Port Angeles, Port Townsend, and Shelton. I interviewed grassroots organizers, law enforcement officers, and civic leaders who have been outspoken against Border Patrol practices, as well as former Customs officers, whom I refer to anonymously in this paper. Also central to my analysis are the texts of official complaints and lawsuits that have been filed against the Border Patrol and collaborating agencies. Further, key government

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<sup>2</sup> Although border enforcement and domestic immigration enforcement both fall under the purview of the Department of Homeland Security (DHS), this work is delegated to separate DHS agencies: the Border Patrol and Immigration and Customs Enforcement (ICE), respectively.

documents, media accounts, video records of public forums, oral histories of non-timber forest workers, and secondary sources inform this paper. It should be clarified that I focus solely on the inland United States side of the US-Canada boundary, which I thus refer to as the ‘northern border.’

### **“Possible Criminal Activity Afoot”**

Although the Olympic Peninsula forms a maritime border, separated from Canada by the Strait of Juan de Fuca, the United States Border Patrol has historically had a minor presence there. As several former Customs officials who I interviewed clarified to me, from the 1980s until 2006, there were only about four Border Patrol personnel stationed at the agency’s local headquarters in Port Angeles (personal interview, 2012). However, by 2012, this number had increased to forty-two. That same year, the local Border Patrol moved into a new building with capacity for up to fifty personnel (Gottlieb, 2012). With this sudden increase in numbers, the Port Angeles station introduced some practices that did not clearly correspond to the agency’s high priority to “prevent terrorists and terrorist weapons from entering the United States” (US CBP, 2012, 9). For instance, Border Patrol personnel began providing backup and Spanish language interpretation services to other federal, state and local law enforcement agencies. This relationship helped rationalize their inland presence around local cities, forests, and highways.

The Olympic Peninsula is an important hub for a type of non-timber forest work known as floral greens harvesting, or ‘brush picking,’ which involves collecting the leathery, leafy branches of salal, as well as evergreen huckleberry, swordfern, and coniferous tree boughs to be sold domestically and internationally for use in floral arrangements (Marín-Hernández, 2000). The majority of brush pickers in the area are Latino, many of whom speak Spanish. Thus the arrival of new Spanish-proficient Border Patrol personnel at first glance seemed to be an asset to other law enforcement agencies. As one civic leader emphasized to me, the inability to communicate with community members can intensify routine law enforcement encounters, placing both officers and subjects in danger, particularly in remote areas. Thus Spanish language interpretation and backup from the Border Patrol are welcomed by local law enforcement agencies when they contribute to community safety by facilitating communication and therefore deescalating tense confrontations (personal interview, 2012). One tragic confrontation in the woods, however, illustrates that safety is not necessarily the outcome of Border Patrol backup and interpretation, and that such collaborations may serve as a cover for the Border Patrol to carry out domestic immigration enforcement (USDA, 2012, 28; NWIRP, 2012b).

In the spring of 2011, a Latino couple set out to explore an area in the West End of the Olympic Peninsula for salal.<sup>3</sup> They noticed that a Forest Service officer drove by while they were loading their vehicle, and then pulled over on the highway to wait for them. The officer was talking on the phone when they encountered him again on the highway. He then signaled for the couple to pull over, indicating that he needed to see their harvesting permits. Shortly thereafter, a Border Patrol agent arrived on the scene, having been already called for language interpretation. Seeing the Border Patrol agent arrive prompted the detained man to jump out of his vehicle and run down an incline separating the highway from the Sol Duc River. The woman was detained by the Border Patrol and faced a deportation case, while the man was never again seen alive. Several weeks later, after an extensive search was carried out by community members, he was found to have drowned in the river (as described in Shapiro, 2011; USDA, 2012).

The sequence of events here matters. The Forest Service officer called the Border Patrol for language interpretation *before* having spoken to the couple, and thus before confirming that an interpreter would be necessary. The terrible outcome of this confrontation ultimately sparked a successful civil rights complaint on behalf of the surviving woman involved (referred to as ‘the Complainant’) against the United States Department of Agriculture (USDA) as the agency overseeing the Forest Service. One basis of the complaint was that the Forest Service had “[subjected] the Complainant to an immigration enforcement action on the basis of her race and national origin with the pretext that the official contacted the US Border Patrol (BP) for assistance” (USDA, 2012, 1). In the text of the USDA investigation, the Forest Service Officer explains his logic and actions. He testifies that he received ‘intelligence’ from the Border Patrol on an area where vehicles enter the Olympic National Forest to pick salal, elaborating on what caught his attention about the couple (USDA, 2012, 9, my emphasis):

...I saw what appeared to be a Hispanic female standing next to the passenger side of the vehicle. As I was driving past, I looked over at the vehicle and when she saw me driving past her on the highway, I saw what appeared to be a *very alarmed expression*. It is hard to describe the look. I could see the alarm and panic in her face when she saw me drive by. Seeing that reaction immediately told me something is going on. It was not a normal reaction to seeing a law enforcement officer. This told me that there was *possible criminal activity afoot*...

When the Forest Service Officer observed that the Complainant had a “very alarmed expression,” he assumed that her fear indicated “possible criminal activity afoot.” However, her testimony elaborates that she was afraid of the Forest Service

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<sup>3</sup> I refer to these individuals anonymously as per the redacted text of a civil rights complaint against the United States Department of Agriculture (USDA, 2012).

Officer himself, due to his reputation of unnecessarily calling the Border Patrol during routine harvesting permit checks (USDA, 2012, 4). The Forest Service Officer contacted the Border Patrol for language interpretation, because, as he testifies, he was unaware of any brush harvesters who are not Latino, and in his experience the majority of harvesters have limited English proficiency (USDA, 2012, 10). However, the USDA investigation determines that requests for interpretation like these serve as a “guise for initiating an immigration enforcement action,” and are common practice between the Forest Service and Border Patrol (USDA, 2012, 28). Ultimately, the USDA concludes that the Forest Service officer called for backup to make the confrontation safer, but that the Border Patrol agent’s “arrival on the scene escalated the severity and danger of this situation, for all parties” (USDA, 2012, 30).

As this case illustrates, such law enforcement collaborations may convert routine encounters into dangerous situations, rather than deescalating them. Further, it is unclear how this work contributes to the Border Patrol’s mission to deter unauthorized border crossings from Canada. Although there is no reason to assume that Latinos working in the woods have crossed the border from Canada without authorization, the outcome is that they are subjected to special scrutiny by the Border Patrol, and ultimately, to immigration enforcement. Backup and language interpretation services provided to other law enforcement agencies are just one route among various new practices that facilitated domestic immigration enforcement carried out by the Border Patrol in the region between 2007 and 2012. These practices were always in flux. At various moments, they included temporary highway checkpoints, roving patrols on the highways, and agent presence at domestic transportation hubs like bus stops and state ferry terminals.

There has been an aura of secrecy around the Border Patrol’s inland policing practices on the Olympic Peninsula, given that the agency has denied multiple informal requests, as well as Freedom of Information Act requests for the Port Angeles station’s arrest statistics (Oak Bay Starfish, 2012; Winters, 2011). Yet activist documentation, lawsuits, official complaints, and media reports indicate that those being questioned and detained through inland policing practices include several overlapping groups of people: Latinos, forest workers, and people of color – including at least one Native American community member (BPFN, 2008; Curry et al., 2012; FHR, 2012; Jeffco101, 2008; Jose Sanchez, et al., v. US Border Patrol, et al., 2012; NWIRP, 2012b). For instance, the frequent presence of Border Patrol agents in and around the city of Forks, one quarter of whose population of roughly 3,500 is Latino (US Census, 2010), is telling.

As organizers with the Forks Human Rights Group (FHR) explained to me, their grassroots coalition came together out of necessity, initially working to find legal representation for community members who had been detained by the Border Patrol. As these incidences grew, FHR began documenting how often and through what means they were happening (personal interview, 2012). The group reported that from April 2008 to August 2010, at least 78 encounters between community

members and the Border Patrol took place. From October 2010 to January 2012, FHR documented 84 encounters, which resulted in 54 detentions. More than half of these detentions took place while community members were working in the forest or when they were stopped by agents while driving, ostensibly for traffic violations (FHR, 2012). The only white people FHR organizers know to have been detained either work as brush pickers or are mistaken for them. The sole white brush picker (out of hundreds of regulars in the area) who organizers are aware of has been detained numerous times by roving Border Patrol agents while driving to or from his home in Port Angeles to the sites where he works in the woods. As one organizer explained to me (personal interview, 2012):

They [Border Patrol agents] see the brush in the back of his pick-up, then they think he's a Spanish person, so they pull him over, and when they walk up and see he's a white guy, they're surprised. They say 'I'm sorry, I thought you were somebody else.'

Markers of class position, such as piles of brush peeking over the back of a truck bed draw scrutiny. Physical markers of racial identity in and of themselves also invite attention. A class action lawsuit filed by the American Civil Liberties Union (ACLU) in 2012 charged that the agency was regularly detaining vehicles or taking part in vehicle stops on the peninsula based on intuition and hunches to “interrogate and unreasonably seize the occupants of such vehicles” (Jose Sanchez et al v. US Border Patrol, et al, 2012, 2). The three plaintiffs represented are all US citizens, including two men of Latino ancestry and one of African American ancestry. Each plaintiff had been detained and questioned multiple times by roving agents while driving or riding in a vehicle in the area. The ACLU argues that each stop appears to have no basis beyond the plaintiffs being people of color (Jose Sanchez, et al v. US Border Patrol, et al, 2012).

Border Patrol personnel, in collaboration with other law enforcement officers, regularly question the belonging of Latinos, non-timber forest workers, and people of color on the Olympic Peninsula, fostering what community leaders term a ‘climate of fear’ defined by distrust of law enforcement. Racial profiling has played out in particular ways at the local level, but is part of a broader trend across the northern border from around 2007 to 2012 – a time when new Border Patrol personnel were being rapidly hired. In more central regions of northern Washington, community members have reported Border Patrol racial profiling that targets Latinos, “workers,” and Muslims through traffic stops, language interpretation and backup, responding to the 911 dispatch, and presence in public spaces like courthouses (Curry et al., 2012). Other northern states such as Michigan, New York and Vermont have experienced similar modes of profiling through inland policing – prompting immigrant rights and civil liberty advocates to organize and demand that DHS stop targeting borderland community members (AIC, 2012; McCandless 2010, Chapter 3; Miller, T., 2014; New York Civil Liberties Union et al., 2011; Northern Borders Coalition, 2012). The following

section argues for a critical race lens to interpret how these pervasive policing tactics articulate with narratives of peace and threat at the US borders.

### **Race and the Production of Borders**

The United States-Canada border has long been celebrated as the most extensive peaceful, undefended or non-militarized international border in the world – an imaginary that Nicol (2012) terms the “common legacy” narrative. Borderlands scholarship credits migration and regional cross-border collaborations with creating an “exceptionally benign border relationship constructed over two centuries” and an “intimate” understanding between Canada and the US (Konrad and Nicol, 2011, 71). This literature also attributes the peaceful reputation to a sense of *sameness* – the largely overlapping US and Canadian racial, religious, and linguistic (with the exception of Quebec) identities said to establish a familial relationship with “little feeling on either side of the border that one’s neighbors (or neighbours) are ‘foreign’ in any significant way” (Gibbens, 1989, c.f. Konrad and Nicol, 2011, 77; Lee, 2003, 175). The words inscribed on the towering white Peace Arch that stands guard over a major Washington-British Columbia border crossing – “Children of a Common Mother” – speak to this familial ideal.

An implicit, yet under-theorized aspect of the “common legacy” narrative is its roots in settler colonialism, and therefore in white normativity and supremacy that erase or devalue Indigenous presence and racial diversity (see Bhandar, 2008). By this I mean that the narrative reflects the naturalization of white settler-colonial presence and dominant social position over time, becoming an invisible mark from which difference is measured in both the US and Canada (see Baldwin et al., 2011; Goldberg, 2002; Kobayashi and Peake, 2000; Smith, 2012). The “common legacy” narrative contrasts with dominant imaginaries of the US-Mexico boundary, known for the scars of conquest and the demarcation of *difference* (Lee, 2003, 179; Anzaldúa, 1987; Johnson and Graybill, 2010). The meaning and salience of the US-Canada “common legacy” narrative has evolved over time as it has been deployed towards strategic political ends on both sides of the border. At various historical moments in the US, the idea of peace has coexisted in tension with seemingly contradictory narratives – that of the “empty border” and the “dangerous northern border,” which portray the Canadian side as open and inadequately guarded. US actors have leveraged these threat narratives in efforts to appropriate Canadian resources and land, and to denounce unauthorized cross-border activities (Nicol, 2012, 155), highlighting perceived national differences but not troubling the enduring white normativity behind the “common legacy” narrative (Bhandar, 2008). I elaborate this point through a brief historical overview.

Racial thinking flourished in nineteenth century expansionist writings, through which US and British settlers laid competing claims to the Pacific

Northwest borderlands (Reimer, 2002).<sup>4</sup> At the height of Manifest Destiny in the 1840s, some US historians drew on revolutionary tropes to portray the British as outsiders to the Northwest, and Hudson's Bay Company as responsible for Indigenous genocide. British historians represented this dynamic in the reverse, highlighting US brutality. Other US historians advocated for the terms of the 1846 Oregon Treaty (which established the forty-ninth parallel as the border) in order to avoid war between "kindred nations" (c.f. Reimer, 2002, 229). The common thread among all the US writers was their certainty in Anglo-Saxon superiority and destiny to settle the Pacific Northwest, as they touted cultural and racial epithets to elevate themselves above Spanish and Russian settlers, as well as Indigenous peoples, even while denouncing their mistreatment (Reimer, 2002).<sup>5</sup>

Critical historiographies of the western forty-ninth parallel demonstrate that this stretch of the 'peaceful' border was built on white settler-colonial claims to socio-economic belonging cemented during the nineteenth century, and on the state-sanctioned violences and exclusions this entailed. White English-speaking settler women's diary entries from the Alberta-Montana borderlands, for example, reveal their unease in coexisting with Indigenous peoples until the mid-1880s institution of containment and assimilation policies (McManus, 2006). In the 1890s, settler complaints in Montana about Cree presence led the US army to detain and deport "Canadian" Crees (Hogue, 2006). Meanwhile in turn of the century British Columbia and Washington, land developers, government agencies and railway companies launched promotional campaigns to attract 'industrious' white middle-class men to commercial fruit farming, to the exclusion of Indigenous peoples and African American and Chinese settlers (Bennett, 2006).

The implementation of the 1882 Chinese Exclusion Act cemented the significance of race at the US northern and southern borders. The prohibition of Chinese laborers, in relation to comparatively liberal Canadian immigration policy, set the groundwork for unauthorized border crossings into the US through Canada, with the Pacific Northwest being a major route. In response, the US Bureau of Immigration expanded its border inspections and negotiated with Canada for a harmonization of immigration law, culminating in Canada's 1923 Exclusion Act (Lee 2003, 175-179). Meanwhile, US authorities also used diplomatic channels to push Mexico towards more exclusionary immigration enforcement, but with limited success. Thus Mexico became a more attractive site of entry for excluded people, shifting the build-up of US border personnel and infrastructure southward in response and marking the border as a site of policing. In this way, the impetus for US boundary enforcement, deportation, immigrant surveillance, as well as the notion of 'illegal immigration' came into being, associating Chinese people with

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<sup>4</sup> I thank an anonymous reviewer for calling my attention to the centrality of nineteenth century expansionist thought in the development of the "common legacy" narrative.

<sup>5</sup> I follow Reimer's (2002) usage of the term "Anglo-Saxon."

criminality and threat to the nation (Lee, 2003). The production of both the US-Canada and US-Mexico boundaries has been driven by the exclusion of racialized Others to a white norm.

The system of white supremacy at the heart of United States border-making has endured even as racial formations have shifted over time (Omi and Winant, 1994). By the 1920s, restrictive immigration policy was expanded to include other Asian nationalities, while people of Mexican origin were greatly impacted by border enforcement, and later by immigration quotas and state-organized temporary contract labor programs, punctuated by routine deportations – most conspicuously through the post-World War II Bracero Program (Acuña, 2000; Ngai, 2004). As working class Latinos became the dominant source of labor for industrial agriculture throughout the western US, they were recruited for work but not accorded full political or social inclusion. This set the groundwork for the figure of the “illegal alien,” a category that refers to people excluded in a legal sense from citizenship, but that is also often applied to entire communities, including people with legal status who are nonetheless marked as immutably foreign (Ngai, 2004, 8; Nevins, 2010). Contemporary legislation has reduced pathways to legal status for undocumented immigrants, while limiting judicial overview of deportation cases and expanding the scope of criminal offenses that make one vulnerable to deportation – most notably through the 1996 Illegal Immigration and Immigrant Responsibility Act (Chavez, 2008, 8; Coleman, 2007). In the time since, immigration policing has become increasingly diffuse, intensifying not only in the borderlands, but also in interior spaces across the country through partnerships that delegate certain federal policing authorities to local actors (Chacón, 2010; Coleman, 2007).

In order to conceptualize how hegemonic racial discourses like that of the Latino “illegal alien” articulate with bordering practices in the Pacific Northwest, I draw from Wendy Cheng’s (2013) concept of regional racial formation (also see Pulido, 2006).<sup>6</sup> Cheng differentiates her approach from Omi and Winant’s (1994) classic work at the national scale by focusing on “place-specific processes of racial formation, in which locally accepted racial order and hierarchies complicate and sometimes challenge hegemonic ideologies and facile notions of race” (Cheng, 2013, 10). Cheng theorizes both scalar and temporal complexity, considering the place-based ‘sedimentation’ of social relations over time and the dialectical articulation between racial formations at various scales (2013, 10-11). A regional approach to racial formation recognizes the dynamic relationship between racial hierarchies that are codified in law, embedded in regional labor markets, and produced through everyday social interactions (see Glenn, 2002). As research on racialized ‘border projects’ in southern states such as Tennessee and Georgia, and in the southwest has demonstrated, exclusions can be constituted across various

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<sup>6</sup> I thank Dr. Jenna Loyd for calling my attention to Cheng’s (2013) innovative work.

interconnected scales (Sundberg and Kaserman, 2007; Sundberg, 2008; Winders, 2007).

Critical race theory as employed in geography is especially well-suited to make sense of these connections. This approach interrogates white normativity by illuminating its socio-spatial production and the insidious, often banal, racisms that underwrite it (e.g. Baldwin et al., 2011; Bonds, 2013; Delaney, 2002; Kobayashi and Peake, 2000; Pulido, 2000). Following this work, the analytical point of departure for this paper is that all spaces must be understood as racialized (Price, 2010, 153; Goldberg, 2002). That is, spaces that are represented as white and therefore without racial tensions, such as the Pacific Northwest borderland, are not as homogenous or harmonious as they seem (see Delaney, 2002; Kobayashi and Peake, 2000). Racisms are produced “in distinct yet densely interconnected political geographies” (Gilmore, 2007, 243, quoted in Cheng, 2013, 224, note 40). This is an apt description of how racialized bordering practices in distinct regions are constructed relationally – they are connected by shared strategies and related logics of white supremacy, yet are not entirely the same (see Loyd, 2014; Mountz and Loyd, 2014; Smith, 2012).

Critical scholarship on US-Canada border securitization has demonstrated how hegemonic narratives of threat impact differentially racialized people during border crossing inspections (Bhandar, 2004, 2008; Gilbert, 2007; Helleiner, 2013; Nicol, 2006; Sparke, 2006), including Indigenous peoples whose ancestral homelands are divided by the border (Miller, B.G., 2006, 2012; Singleton, 2009). Expanding on this important work, an understudied part of the picture is how northern borderland residents have experienced racial profiling through *inland policing* (see Miller, T., 2014), and how these practices are naturalized through deeply ingrained white supremacy. I next analyze the regional racial formations of the Pacific Northwest borderland, in order to make sense of how contemporary border policing practices developed.<sup>7</sup>

### **Environmental Stewardship, Race and Belonging**

The environment is central to the socio-economic identity of the Olympic Peninsula – from the thick moss carpeting its temperate rainforests, to the imposing polished wood statue of a bearded and overall-clad logger guarding the Forks Logger Memorial. The forests of the Pacific Northwest are in many ways represented and experienced as white normative spaces of work and recreation – an imaginary that obscures the presence of Indigenous peoples and the reality that the majority of forest laborers on US private and federal lands are now Latino (Sarathy, 2012). From World War II until the 1970s, commercial logging was

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<sup>7</sup> For a point of comparison, see McCandless’ (2010, Chapter 3) insightful analysis of undocumented Mexican dairy worker’s experiences of immigration enforcement in rural Vermont, a space often associated with homogeneity, tranquility, and whiteness

largely a white male occupation that offered union representation and benefits. As industrial restructuring and shifts towards ecosystem forest management models displaced this work, non-timber forest projects such as reforestation were introduced. In the early 1980s, refugees from Cambodia, Laos and Vietnam joined the ranks of brush pickers in Washington. People from Mexico and Central America, many of whom already worked in regional agriculture, were also recruited for non-timber forest work (Ricou, 2007, 92-94; Sarathy, 2012).

Indigenous peoples and settler populations have long made use of non-timber forest products on the Olympic Peninsula, but it was not until recent decades that harvesting regulations were formalized as forest brush was commoditized for the global floral greens market. In the process, a power imbalance developed between brush pickers and the large wholesalers who consolidated control over regional product sales (Spreyer, 2004). These power dynamics have a direct impact on the limits of social belonging for brush pickers. Non-timber forest workers are non-unionized and classified as ‘independent’ laborers in their work on government and private land, without benefits or provisions for occupational safety (Ballard and Huntsinger, 2006; Campe et al., 2011; Sarathy, 2012). While hierarchies of immigration status and racial and ethnic identity do exist between forest workers, Latinos in general face barriers to political participation in the industry. They are often portrayed in media accounts and policy debates as “mobile workers” despite longtime ties to the Pacific Northwest (Brown, 2001, c.f. Sarathy, 2006, 359; Sarathy, 2008).

In the early 1990s, Washington floral greens were hot commodities. Demand from abroad was on the rise, but at the same time, the state industry faced increasing competition from other global suppliers, while people continued to move to the region in pursuit of brush picking work. In 1993, a variety of landholders, as well as other floral greens industry actors such as local wholesalers came together at a public meeting facilitated by the Washington Department of Natural Resources (DNR) to discuss the situation. Many participants shared the perception that forest workers with undocumented immigration status were picking brush without permission and harvesting at overall unsustainable levels. The meeting participants concluded that increased regulation of forest labor and enforcement of harvesting permits through Washington’s Specialized Forest Products Act (RCW 76.48) would help mitigate these issues (McLain and Lynch, 2010, 275). These anxieties among landholders and industry actors framed Latino brush pickers as a threat to understory plants like salal, and thus as a threat to the industry and forest sustainability. This logic catalyzed the introduction of punitive law enforcement collaborations, and the criminalization of brush pickers. McLain and Lynch (2010) explain that as formal harvesting regulations were tightened, various law enforcement agencies at the federal, state, tribal and county levels, as well as security officers from private timber companies began sharing information and carrying out joint enforcement operations. For instance, in 1999, this coalition organized a “special emphasis” operation, setting up checkpoints around the

Olympic Peninsula in places where brush pickers travel to or from harvesting sites. This operation resulted in the eventual deportation of seventy-six people. Similar immigration raids followed in the early 2000s (Loose, 2005, c.f. McLain and Lynch, 2010, 275-276).

The outcome of these law enforcement entanglements was the escalated surveillance of forest workers, as well as a potentially amplified punishment for the infraction of picking brush without the proper permit – meaning scrutiny of immigration status through routine harvesting permit checks. The development of these dynamics in the 1990s deepened tensions between law enforcement officers and Washington non-timber forest workers. The result was that workers were increasingly fearful for their safety while in the woods and wary of accusations of unsustainable harvesting and aggressive law enforcement practices (see Hansis, 1998; Lynch and McLain, 2003). A sensationalized 2006 *Seattle Times* account represents this conflict as a “war in the woods,” in which “[cops] conduct stakeouts and sting operations in a never-ending battle against illegal picking” (Welch, 2006, np). Then Deputy Ted Drogmund of Mason County Sheriff’s Office, who was interviewed for the piece, spends much of his time chasing after vans transporting brush pickers to and from remote forest areas (Welch, 2006, n.p.):

...Spying a van in a clearing, Drogmund left his truck and bounded into the woods, a palm on his holstered gun. “Permit? You have a permit?” he shouted. Ignacio Velazquez stumbled from the brush, but he had the proper paperwork. Scenes like this are common for Drogmund and a handful of others in Western Washington who police illegal picking full time. “It’s still really like the Wild West out here,” Drogmund said...

The representational association of the Latino population with criminality has far-reaching effects. Anxieties among floral greens industry actors that people with undocumented immigration status were stealing brush impacted all non-timber forest workers, who in this media portrayal are framed as the bad guys in a Wild West show-down. Further, the association of a potential violation of immigration law with a lack of forest stewardship reflects a slippage in the meaning of criminality. This is not to say that no overharvesting or unpermitted picking occurs, or to imply that hard work should be the principle basis for social inclusion (see Loyd and Burrige, 2007), but to highlight that notions of theft, unsustainable harvesting, and the need for greater enforcement are not as straightforward as a Wild West caricature makes them out to be. In a collection of oral histories of non-timber forest workers published in 2000, for example, Raúl from Guatemala claims that most brush pickers abide by the rules. Yet he points out that the regional forest tenure system is difficult to navigate, given that land boundaries are not always clear on the ground, and that some land owners and law enforcement officers are unforgiving of any potential transgression, whether it is intentional or not (G., 2000, 42):

...The risk exists for people who are undocumented. Sometimes there are police who are racists who will stop someone at their pleasure to ask for documents, or license, or where you are going, or permits. Also when one is in the area and the owner is there, there are some who will just call the police. They don't warn you nor show you the boundaries of the properties. Sometimes you don't know the boundaries and if they call the police, you will have a problem. There are some [land] owners who are just racist...

Another oral history from a brush picker named Pedro, also from Guatemala, raises an astute point: "Well, what can we do? It's their land. The brush won't end, it will always come back. The government does not invest anything in it except watching the land. They don't spend anything on the brush" (Q., 2000, 41). The point here is that the collective response of government and industry actors to concerns of theft and over-picking was to implement punitive law enforcement collaborations, while undermining the productive labor and ecological knowledge of experienced immigrant brush pickers (see Ballard and Huntsinger, 2006). Joint operations amplified surveillance and escalated the potential punishment forest workers faced for picking brush without the proper permit by uniting the regulation of labor, forest management, and immigration. These measures were taken at a time when the long-term impacts of intensive harvesting of understory plants like salal, which was once considered a weed in commercial timber forests, were little understood (Ballard, 2004; Cocksedge and Titus, 2006).

On the Olympic Peninsula, the association of Latino non-timber forest workers with 'illegality' fueled accusations of poor forest stewardship. Whether real or perceived, the charge of forest brush theft and overharvesting facilitated the introduction of punitive law enforcement. In this way, race, environmental stewardship, and belonging are bound to one another within regional racial formations. The resultant consolidation of control over the landscape among land management agencies, local law enforcement, land owners, and floral greens industry actors can be understood as an enforcement of social boundaries underscored by racial thinking (see Winders, 2007). These regional racial formations both shape and are shaped by national-scale narratives of threat at the US northern and southwestern boundaries, as I explain next.

### **Threat Mobility**

The United States federal government largely did not prioritize the US-Canada boundary as a security concern during the twentieth century (Andreas, 2003, 2005). An important moment of transformation was the Border Patrol's 1994 National Strategic Plan, which called for "prevention through deterrence." This resource-intensive strategy aimed to prevent irregular cross-border activity at the US-Mexico boundary from occurring at all by situating personnel and infrastructure in the most accessible (generally urban) areas (Haddal, 2010; US OIG, 2000). As a result, unauthorized border crossings shifted to "more remote and

less accessible locations in mountains, deserts, and untamed sections of the Rio Grande” (Massey, 2005, 6). Deterrence strategy was developed in an ad hoc way in response to local politics in the southwest (Dunn, 2009; Nevins, 2010), but also found a model in strategies to deter Haitian and Cuban migrants to Florida by sea in place since the 1980s (Loyd, 2014; Mountz and Loyd, 2014).

Although the 1994 plan anticipated that agents would have a ‘tactical advantage’ in remote areas, this has not been the case. Deterrence strategy tripled the chance of people dying during border crossings, yet migrants faced decreasing chances of being caught, given that the remoteness created new enforcement challenges (Cornelius, 2001; Massey, 2005; US GAO, 2001). Despite questionable efficacy and tragic results, the 1994 plan remains in operation. The strategy laid out four phases, the last being to gain greater control over the northern border (US OIG, 2000). The Border Patrol was to move to the next phase when “control” was achieved in one area, where “‘control’ is not specifically defined but largely indicated by an increase in the flow of illegal traffic to other areas” (US OIG, 2000, n.p.). The plan acknowledged that as unauthorized activity is ‘deterred’ in one area, it shifts: “This scenario has played out across the southwest, and now signs indicate that illegal activity being thwarted on the southwest border is beginning to crop up along the northern border” (US OIG, 2000, np). A 2000 report from the US Department of Justice Office of the Inspector General (OIG) raises the possibility that unauthorized crossings could be shifting from the southwest to the north, where marijuana, cocaine, heroin and materials for methamphetamine are trafficked through remote areas of the US-Canada border by foot, all-terrain vehicles and snowmobiles (US OIG, 2000).

The 2000 OIG report reflects two central border security concerns of the time – unauthorized migration and drug trafficking. Yet the late 1990s also brought increased scrutiny to the northern border due to several brushes with what state actors deemed terrorism – the most notable example being the 1999 apprehension of Ahmed Ressay during a Customs inspection, who was later spotlighted in the 9/11 Commission report mandated by President George W. Bush. According to the report, Ressay used a false story of persecution in Algeria in order to apply for political asylum in Canada. He was arrested after taking his vehicle on the ferry from Vancouver Island to the Olympic Peninsula, as he had materials to build explosives (US National Commission, 2004, 176-178). Ressay’s arrest lifted eyes northward, prompting a series of Congressional meetings on northern border security (Andreas, 2005, 454). Such concern only grew after 9/11. For instance, on September 13, 2001, the *Boston Herald* ran a story stating that federal investigators believed the 9/11 suspected terrorists to have entered the US by boat from Canada. Despite being proved inaccurate, and despite the efforts of high level Canadian officials to quell this myth, it has had long-lasting effects, reappearing in news reports and remarks of prominent politicians for years (see Andreas, 2005; Gecelovsky, 2007; Struck, 2005).

In the aftermath of 9/11, the peaceful border imaginary and depoliticized status has been troubled but not displaced by the increased symmetry in how the US treats the boundaries with Canada and Mexico (see Andreas, 2005). While scrutinizing some national differences (e.g. comparatively liberal Canadian immigration policy), post-9/11 narratives of threat deployed at the federal level generally do not focus on ‘Canadian’ threats. Instead, they charge Canada with lax security that invites in ‘internationalized’ threats (Nicol, 2006, 63; Bhandar, 2008), figures like Ressay. Dominant representations of threat at the US-Mexico border, on the other hand, *do* focus on Mexican actors, and their alleged ties to “aliens who illegally enter the region from countries of special interest to the United States such as Afghanistan, Iran, Iraq, and Pakistan” (US GAO, 2011, 16). In recent years, sensationalized media and government representations have framed the US-Mexico border as a bulwark against Mexican “spillover violence” from the so-called ‘drug war’ (del Bosque, 2009; US GAO, 2013), and against the often conflated and racialized ‘threat’ of Mexican immigration, drug trafficking, and terrorism (De Genova, 2011). Anti-Arab and Muslim sentiment helps drive these threat narratives about both borders.

The concerns and calls to action at the federal level initiated a process of securitization along the US-Canada border. In late 2001, the USA Patriot Act authorized a tripling of Border Patrol, Customs, and Immigration and Naturalization Service (INS) staffing along the northern border, as well as facility and technology improvements, followed by a generous appropriation of funds in 2006 (Haddal, 2010, 22).<sup>8</sup> The decade between 2001 and 2011 saw an increase from 340 to 2,200 total Customs and Border Protection (CBP) personnel assigned to the northern border (Bersin, 2011).<sup>9</sup> The rhetorical production of a sense of risk and urgency around a “leaky” border in need of protection has been crucial to the rationalization of security buildup due to the negative economic and political repercussions that would emerge from a border that is *too* closed (Gilbert, 2007; Nicol, 2006). Calls for securitization along both US land borders pinpoint remote areas, particularly protected lands and federal Indian reservations, as especially leaky due to the environmental protections, tribal sovereignty, and geographical features that limit CBP access (Bersin, 2011; Miller, B.G., 2012; Singleton, 2009; US GAO, 2007).

Anxieties around potential environmental damage in remote areas have played a curious role in the calls to action pushing forward securitization. A 2004 US General Accounting Office (GAO) report determined that federal land managers in Washington, who ostensibly work in protected areas near the border such as the Olympic National Park and Forest, or the Cascades National Park, feared a fate similar to Arizona. In Arizona, increased border enforcement at ports

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<sup>8</sup> The INS, Border Patrol, and Customs were reconfigured with the 2003 creation of DHS.

<sup>9</sup> CBP is a component of DHS that oversees the Border Patrol.

of entry as part of deterrence strategy had obliged people crossing the border without authorization to travel through remote areas, including federal protected lands (US GAO, 2004). The 2004 GAO report determined that unauthorized crossings had *not yet* shifted to federal lands in Washington, and that “the level of activity has resulted in very little impact to the environment” (US GAO, 2004, 24). Yet in speaking to GAO officials, land managers worried that it was “only a matter of time” before undocumented migrants and traffickers would blaze new trails through protected areas, disturb the wildlife, leave behind trash, create soil compaction and erosion, and threaten vulnerable ecosystems, while facilitating the entrance of terrorists (US GAO, 2004, 26-27). These worries resonate with the history of punitive policing in the Washington forest industry, as well as with a prevalent narrative about migrants in the southwest leaving “trash” (generally referring to items of survival like empty water bottles) behind while crossing the US-Mexico border (Sundberg and Kaserman, 2007; Sundberg, 2008).

The preoccupation with the *potential* impact of undocumented migration, trafficking, and terrorism on the northern border landscape is puzzling, given that unauthorized crossings and the trafficking of ‘illegal narcotics’ at the US-Canada border are estimated by the Border Patrol to be just a small fraction of what occurs at the US-Mexico border (US GAO, 2008, 5). Nonetheless, “DHS reports that the terrorist threat on the northern border is higher, given the large expanse of area with limited law enforcement coverage” (US GAO, 2008, 5; also see US CBP, 2009; US GAO, 2010). In rationalizing US-Canada border securitization to a Canadian audience, former DHS Secretary Janet Napolitano has explained (quoted in CBC, 2009):

Yes, Canada is not Mexico, it doesn't have a drug war going on, it didn't have 6,000 homicides that were drug-related last year. Nonetheless, to the extent that terrorists have come into our country or suspected or known terrorists have entered our country across a border, it's been across the Canadian border. There are real issues there.

Secretary Napolitano justifies the need for a securitized southwest on the basis of ‘drug war’ violence. She carefully distances Canada from this violence, while chastising its inattention to terrorist activities, which she declines to explain in specific detail. She maintains the violent/peaceful dichotomy while justifying securitization at both borders through a crisis discourse. The invocation of an ambiguous foreign threat (that could involve “illegal aliens,” terrorists, and ‘drug war’ violence, or a combination thereof) highlights a performance undertaken at the US boundaries, in which highly visible enforcement practices and discourse symbolically affirm state territory, but do not necessarily deter unauthorized crossings (Andreas, 2000; De Genova, 2011; Loyd, 2014; Mountz and Hiemstra, 2014; also see Mountz, 2010; Williams, 2014). Under deterrence strategy, gaining greater control over one site tends to shift unauthorized crossings rather than deter

them altogether – inspiring more dangerous methods, while reproducing the rationale for securitization (Andreas, 2000).

The circulation of deterrence tactics between United States border sites, rationalized on the basis of an obscure but fast-moving threat, illustrates the self-perpetuating and relational nature of border enforcement logics and tactics across distinct spaces. The violent/peaceful dichotomy largely remains in place, even as both borders are subject to securitization.

## Conclusions

The United States borderland with Mexico is well known as a space of state violence, an “intensely controlled border zone buzzing with armed authorities openly patrolling strip malls, flea markets, residential areas, train stations, and bus depots” that residents liken to a military occupation (Miller, T., 2014, 21). As the Border Patrol began rapidly assigning new personnel to the northern border around 2007 to monitor places like Forks, Washington, such scenes became common there as well. But this does not imply a simple transfer of racism from a violent border to a peaceful one. A critical race lens demonstrates that these border sites have long been connected by a common legacy of conquest, and that they continue to be produced relationally. The peaceful/violent dichotomy rationalizes securitization in both the north and the south, even as it differentiates Canada from Mexico. Thus, as many northern border organizers recognize, simply insisting that the northern border is a *safe* place and therefore not in need of inland policing is not the most effective way to contest US border securitization, as it implies that such policing is appropriate for spaces coded as violent.

Northern border organizers have achieved some hard-won victories. In late 2012, Customs and Border Protection prohibited its personnel from providing language interpretation for other law enforcement agencies (NWIRP, 2012a). Significantly for the Olympic Peninsula, in 2013 the ACLU lawsuit was settled, stipulating that the Port Angeles Border Patrol station release its arrest statistics regularly (NWIRP, 2013). The organizers I spoke to were pleased with these moves to limit the Border Patrol’s inland policing practices and increase transparency. However, they were quick to point out that these victories are not enough. DHS maintains an extensive body of personnel and infrastructure charged with policing an ambiguous, racialized threat. Thus some organizers continue to work in solidarity with broader struggles for migrant justice and against racial profiling, even after achieving their goal to limit the Border Patrol’s activities in their own backyard (see Stop the Checkpoints, 2015). The largely undocumented-led migrant justice movements gaining strength in the Pacific Northwest over the past few years, such as the Northwest Detention Center Resistance (see Not1More, 2015), are forging a hopeful path forward by questioning the racial thinking at the heart of US border-making, wherever it may occur.

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