

Reseracher finds 'identity loan' common in undocumented workers

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A new study from the University of Colorado Denver challenges portrayals of identity theft in workplaces dominated by undocumented immigrants.

Research published by anthropology researcher Sarah Horton, PhD, this month in *Political and Legal Anthropology Review* shows that many employers furnish workers with invented or borrowed work authorization documents, a practice she has termed "identity loan."

Horton suggests that many employers encourage workers to use the work documents of others. In fact, some even supply workers with documents belonging to their friends and family. Then they divert the deductions from the undocumented worker's check to the unemployment payments and retirement accounts of the employer's acquaintances.

Attention to [identity theft](#) amongst [undocumented workers](#) is likely to increase in the coming months given President-elect Donald Trump's stated plans to deport millions of "criminal aliens" in his first term.

Yet Horton's research questions the practice of charging undocumented immigrants with identity theft prior to deporting them—a practice common during the Bush administration.

"My research illustrates that charging undocumented workers with identity theft neglects the active role employers play in subverting immigration law," Horton said. "In industries reliant on undocumented

immigrants, it's common for employers to turn a blind eye to employees who use fake documents or to even provide the illegitimate documents themselves."

Horton shows that employers differ in their attitudes towards invented and borrowed documents depending on company size and fear of audits. Large agricultural companies are more commonly targets of federal audits and often have explicit policies of only hiring workers with valid documents.

Smaller contractors have less fear of federal audits and often openly condone and accept documents that do not match the employee's face.

Horton has found that some employers take advantage of prospective workers and make loaned documents a condition of their employment. The most frequent targets of these "forcible identity loans" are the most vulnerable—recent undocumented arrivals and teens.

In workplace raids during the Bush administration, undocumented immigrants were routinely arrested and imprisoned for document-related charges prior to deportation.

During a 2008 raid of a meatpacking plant in Iowa, federal prosecutors charged more than 389 undocumented workers with identity theft, meaning that they knowingly and intentionally used a third party's documents to work.

However, several supervisors and human resource employees at the company were later convicted of supplying employees with [documents](#) purchased from legal workers.

Horton's research provides an important warning in light of President-elect Trump's plans to depart from the Obama Administration's policy of

engaging in I-9 audits and to instead reinstate workplace raids.

"As U.S. Immigration and Customs Enforcement policy has saddled [undocumented immigrants](#) apprehended in workplace raids with criminal charges, it's important to have an informed perspective on what actually occurs on the ground in immigrant-dominated workplaces," said Horton. "Efforts to prosecute immigrants as "criminals" simply makes undocumented [workers](#) more vulnerable to exploitation while doing nothing to address employers' appetite for undocumented immigrant labor in sectors like agriculture."

More information: Sarah B. Horton, From "Deportability" to "Denounce-ability:" New Forms of Labor Subordination in an Era of Governing Immigration Through Crime, *PoLAR: Political and Legal Anthropology Review* (2016). [DOI: 10.1111/plar.12196](https://doi.org/10.1111/plar.12196)

Provided by University of Colorado Denver

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