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PLAN

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TEXTE

- 1 While hybrid documentaries are not new¹, some recent experiments have highlighted the creative possibilities of the documentary form. Filmmakers have shown that they are capable of bending and challenging genre codes, often resorting to techniques belonging to the realm of fiction. For instance, in Joshua Oppenheimer's *The Act of Killing*, audiences have been intrigued (and even shocked) by the filmmaker's wish to have former genocide perpetrators re-enact their past crimes in front of the camera, as if they were actors and filmmakers. In addition to compensating for the lack of images about the 1965 killings of communist opponents in Indonesia, the re-enactments have shed light on the ethical dynamics inherent in the narrative choices made by a filmmaker, especially when it concerns people who were never prosecuted for their crimes². From its inception, the film seems to have been made to disturb, because it stages unrepentant criminals who enjoy being in the spotlight, but also because the film manages to show that screening these men was an efficient way to comment on the atrocities they committed. The prowess of the filmmaker resides in his capacity to create a meaningful form while crossing an ethical line.
- 2 *The Infiltrators*, the docu-thriller directed by Cristina Ibarra and Alex Rivera about a for-profit detention center that holds unauthorized immigrants waiting for deportation, also resorts to re-enactments to

show what happened to the two undocumented activists who infiltrated Florida's Broward detention center in order to free some of its detainees. While it seems perfectly sensible to recreate scenes of a secret mission that was impossible to get on camera, a few questions arise, for the film dedicates just as much screen time to the documentary parts as to the re-enactments, for which professional actors were hired. One can wonder why the filmmakers did not use the real "infiltrators" to re-enact their performance inside the detention center asking them to use the persona they created to fool the Immigration and Customs Enforcement agents (ICE), and why so much space was given to these staged re-enactments.

3 The answer to these questions lies in the description of the film. Identifying it as a docu-thriller³, the filmmakers clearly indicate that it includes the representation of real events just as much as fictionality and acting performance. It has to be kept in mind that Ibarra has so far been a documentary filmmaker and Rivera a fiction filmmaker⁴. With their shared film, they illustrate Iversen and Nielsen's claim that "fictionality and reality are not each other's opposites but stand in a relation of mutual exchange" (Iversen and Nielsen 252), and the film is the result of this "mutual exchange." It is not because a film uses staged re-enactments intended to give the sensations of a thriller that it cannot portray a "true story," an expression that accompanies the title of the film in the opening credits. One can suppose that the filmmakers felt the need to add that it was a true story for two reasons. First, they were probably aware that the presence of fictionalized re-enactments could have a few viewers assume that the act of defiance portrayed was total fiction. Secondly, they might have wanted to insist on the fact that the "kafkaesque" situation identified by one of the infiltrators is a truthful portrayal of what happens in the American detention centers and that people did manage to infiltrate one of them and free detainees.

4 To understand the way the film balances the use of traditional documentary techniques (interviews, observational shooting) and fictionalized re-enactments, the concepts of fictionality and performance are crucial. This study argues that every single part of the film (even the documentary parts) and every participant was affected by fictionality and performance. In *The Act of Killing*, fictionality leads the perpetrators to think that they can compare themselves to the gang-

sters they have seen in the Hollywood thrillers, gangster films and westerns. In the same fashion, in *The Infiltrators*, both infiltrators take up the role of undercover agents, in the tradition of films such as Martin Scorsese's *The Departed*. Rivera has even said that he wanted to make the "Ocean's Eleven of Immigration" (Aziz), referring to Steven Soderberg's movie. Such comments show how much fictionality affects the way people think and behave. From a cognitive perspective, Walter Lippmann refers to "the pictures in our heads" (Lippmann 12), which are useful to make sense of our world, but which are also the source of most of our stereotypes. And indeed, what is at stake in the film is the way the filmmakers challenge the stereotypes that portray undocumented immigrants as criminals. In that sense, the film seems to seek to provoke trouble calling into question the criminality of the detainees and by the same token the increasing criminalization of immigrant laws in the United States.

- 5 After exploring the way fictionality and performance help make sense of the sometimes troubling hybrid nature of the film (it takes the viewer some time to understand its structure), the paper will discuss how it challenges the illegality and criminality of undocumented immigrants looking at the portrayal of the infiltrators and detainees. This will lead to remarks about the reactions that the film spurred in the United States and the trouble it caused, highlighting the involvement of the filmmakers in the political sphere of the country. It has to be kept in mind that while the shooting of the film started in 2012 during the Obama administration, it premiered in the NEXT section of the Sundance festival in January 2019, during the Trump presidency – a new situation that is hinted at in the film – which makes the political agenda of the film even more relevant at a time when the enforcement apparatus was extending its scope. The movie's core structure thus crosses several lines: generic and political, portraying an act of defiance that is supposed to disturb the audience at a crucial time in American politics.

A Fictionalized Docu-thriller

- 6 *The Infiltrators* focuses on the strategies organized by the activists of the National Immigrant Youth Alliance to infiltrate Florida's Broward County Transitional Detention Center, referred to as "Broward" in the

film. The infiltrators are two undocumented young adults from Mexico, Marco Saavedra and Viridiana Martinez, who identify as DREAMers. They were brought to the United States when they were children and are undocumented. In 2012, when the shooting of the film began, the DREAM Act (Development, Relief, and Education for Alien Minors), which would allow its beneficiaries to be granted conditional residency and a path to citizenship (provided they go to college or join the army)⁵, had failed to pass Congress several times and as a consequence, president Barack Obama had passed an executive order to stop the deportation of the young undocumented immigrants who fitted with the conditions enlisted by the act. Called DACA (Deferred Action for Childhood Arrivals), the program guaranteed a renewable two-year period of deferred action to the immigrants who grew up in the United States and made them eligible to a work permit (Unzueta Carrasco and Seif 286, Negrón-Gonzales 88). It thus provided a safety net against the deportation of people who had no say in their immigration to the United States and who have grown up feeling American. Throughout the film, it becomes obvious that the legal limbo in which the activists feel has motivated their involvement in the Youth Alliance. When the filmmakers encountered them, they were planning on infiltrating Broward, which involved getting detained in order to help some of the detainees avoid deportation. Their main target is Claudio Rojas, an Argentinian man married to a U.S. citizen and father of four American children (one of them called the Youth Alliance for help). The activist who has got most of the legal information needed to free him is Muhammad “Mo” Abdollahi, an undocumented young man from Iran. In the film, he is the mastermind of the infiltration and takes care of the connexion between the inside and the outside. As a consequence, he is only visible in the documentary parts of the film, contrary to Marco (played by Maynor Alvarado) and Viridiana (played by Chelsea Rendon).

- 7 The structure of the film, troubling at first, seems to be the result of pragmatic considerations: the documentary scenes follow the activists outside Broward whereas the re-enactments involve actors who recreate scenes that happened inside the center. However, from the opening scene, both genres interact: pictures of real identification documents, testimonies and observational footage give way to a narrative, told with the voice-over of a man we identify as the one on

the identification documents: Marco. In other words, the filmmakers did not just edit a film using real footage on the one hand and re-enactments on the other hand to draw attention to “the impossibilities of authentic documentary representation” (Bruzzi 185), they edited their film so that the different contents would interact and create a thriller. At the beginning, the information is indeed presented to create suspense, with dramatic music and several unexpected sentences that consistently end Marco’s slow speech: “Inside the matrix of 200 detention centers, almost 40,000 immigrants are locked up. 1,400 deportations every day. One a minute. But tonight, I have one question: How can I get in?” The same goes when he introduces Claudio: “Our inside man was Claudio Rojas. He just didn’t know it yet.” Thus, since the beginning, the filmmakers establish the parameters of the man-with-a-dangerous-mission type of thrillers with additional prison tropes, namely the new detainee finding a sponsor to help him navigate inside the center.

- 8 The opening scene is as troubling as it is crucial to understand the embedded structure of the film. As the actor playing Marco approaches the Department of Homeland Security Building pretending to be a helpless undocumented immigrant looking for his cousin, the camera tilts down to his back pocket, revealing the phone that he hid so that Muhammad, in what they call the “Safe House” (ten miles away from the center), can record the conversation. Not only was this recording used to write the script, it was synchronized with the actor’s performance. Thus, the viewers see a fictionalized re-enactment and are informed that they hear “[The real cell phone audio]” that inspired this re-enactment. The poignancy of the technique goes hand in hand with a desire to have the viewer internalize rapidly the way the filmmakers juggle with content. A very didactical approach is set up from the beginning: all the “real” subjects are introduced and immediately followed by the name of the corresponding actors, who were, it seems, chosen for their physical resemblance to the real subjects.
- 9 With such scenes, it could seem that there is a strict connection between on the one hand, re-enactments and scenes inside (and near) Broward and, on the other hand, real-life footage with the scenes outside, and that the filmmakers inserted real content whenever it was possible, in order to lend authenticity to the film.

Yet, one wonders to what extent some re-enactments were fictionalized in order for the film to look like a thriller. While every participant was introduced with his fictionalized counterpart, one character, Adam, is only present in the re-enactments. His presence in the film is only fictional. Being an American citizen with a valid government ID, he can visit anybody without running the risk of being deported. He thus gives Marco the waivers that the detainees need to sign in order for the politicians the Youth Alliance puts pressure on to study their case. Once ICE agents realize that Adam's behavior is suspicious, they interview him, the same way suspects are relentlessly interrogated in most detective films and TV shows. The following scene is introduced with an abrupt cut: straight-to-camera, Muhammad informs the viewers that ICE has decided to prohibit visitors from bringing papers to the detainees. It seems right to think that being informed via Muhammad would have been enough and that the interrogation scene with Adam was not crucial for the viewer to understand that a new obstacle was going to complicate the mission. Indeed, as Jufith Pernin explains, "at first sight, performativity does not seem necessary to record oral history, especially when people are willing to testify" (Pernin 18). Yet, for the generic purpose of the film, it was essential because such scenes rely on dramatization and suspense, elements which are at the basis of the engagement of viewers when watching thrillers.

- 10 As Iversen and Nielsen explain when they deal with *The Act of Killing*, there can be "embedded imaginings" and "straight-invention" in such hybrid documentaries, but far from "taking us away" from what really occurred, they "underline the significant aspects of reality" (Iversen and Nielsen 256-257). In *The Infiltrators*, the scenes that might have been invented or fictionalized enhance the danger the infiltrators faced, and make way for a scene that shows the smart strategies they used to circumvent the system and sneak in papers. Such scenes reinforce suspense and work out because at that point in the movie, the "dialectical relationship" that Stella Bruzzi identifies between the filmmaker, the subjects and the viewers has long been established (Bruzzi 13).
- 11 Most importantly, there is an understanding that performance is at the heart of the film. Indeed, while it is obvious that all the re-enactments are based on the performance of actors, the docu-

mentary footage also relies heavily on it. First, as Bill Nichols explains, the “social actors” give the “performance of a lifetime” giving their best to show who they are, their role in society and their relevance as witnesses in a documentary (Nichols 1994, 72). For instance, each member of the Youth Alliance strives to show that they are knowledgeable people dedicated to their mission. But the infiltration inside Broward is also an acting performance: before infiltrating it, Viridiana, who grew up in the United States and speaks perfect English, works on a fake Latino accent and memorizes a fake life story in order to pass for a recent undocumented immigrant. The irony comes full circle when she tries a first time and fails because she looked too nice to be credible. Thus, Muhammad helps her rehearse as if he was a film director or a theater producer, something that she confirms: “I can almost compare it to a theater play. Mo being the director, Marco and I being actors.” It is this particular element that shows that fictionality holds the film together. Indeed, when testifying about her role in the center after infiltrating it, Viridiana proudly explains that she had become known as “la Infiltrada,” as if she was a legend. This reference conveys the imagery of famous spy film characters from which Viridiana probably takes her pride. In most Hollywood films involving a form of undercover espionage, the main characters not only show that they have extraordinary skills and courage, they are also praised for their outsider kind of personality. As Yvonne Tasker explains, such “lone heroes” are “cut off from official forms of authority” but derive their success from that particular way of functioning (Tasker 167). When Viridiana becomes “la Infiltrada,” she gets access to a higher range of fame that justifies her unruly behavior, and by the same token the fact that a film was made to tell her story.

- 12 Performance being at the center of the film, the use of fictionalized re-enactments to show what happened inside Broward (rather than testimonies) emphasizes the coherence between the story depicted and the form of the film: the re-enactments are performances that are based on a real-life performance. Thus, they draw further attention to that initial performance. According to Paul Ward, “overt performances” are often perceived to disturb the “documentariness” of a film while in fact, it reinforces its “usefulness as commentary on real issues and the ethical dimension that is central to this” (Ward 207). With *The Infiltrators*, the metafictional quality of the film sheds

light on three elements: the lack of agency of the detainees inside Broward, the fact that the general public can only imagine what happens inside of detention centers and finally, the exceptional nature of the Youth Alliance activists' act. As Iversen and Nielsen explain, fictionality is not used "to deceive but to invite emotional and imaginative responses" from the viewer (Iversen and Nielsen 251). The fact that these activists had to infiltrate a prison as if they were in a movie is enough to draw attention to the dangers they faced, especially if one thinks about what usually happens to covert agents in most thrillers. The film, using re-enactments, reinforces the exceptional film-like life experience the infiltrators went through.

- 13 Nevertheless, if one had to play devil's advocate, it would be possible to argue that because they used deceitful methods, the infiltrators are a threat to society. Despite the fact that Rivera wanted to portray "wicked smart" people (Aziz), one can wonder if the pun inherent in the title of the film – the infil- traitors – could not feed narratives that portray them as individuals who make too much trouble and disturb the proper functioning of the legal system to free people that are "illegal." As a result, the next section of the paper will show how the filmmakers, while showing that Marco, Viridiana and Muhammad are defined by their "illegality," manage to call that label into question.

Civil Disobedience versus Illegality: Calling Stereotypes into Question

- 14 In *The Infiltrators*, contrary to *Ocean's Eleven*, the plot does not involve robbing three high-security casinos, but it does involve outsmarting a system and getting its main assets out. But when you make a movie about people acting in an unruly fashion, especially when it involves undocumented immigrants, being careful about their portrayal is essential because there has been a history of detrimental stereotypes, especially for Latinos, portrayed as bandits, gangsters and other sneaky unlawful individuals⁶. Yet, what the film does, more than showing a successful infiltration, is questioning what illegality, criminality and most of all justice really mean in the context of the detention centers, and to a further extent who should be granted the

right to stay in the United States, whether it is detainees or DREAMers.

- 15 There are two elements that need to be considered to study the way the film questions the notion of “criminality.” First, the immigrants in Broward are “detainees” not “inmates”⁷. As Ewing, Martínez and Rumbaut explain, they are not criminals “by any commonly accepted definition of the term,” but they have the “stigma of criminality” (Ewing, Martínez and Rumbaut 3). He identifies the increasing criminalization of immigration law as the cause of such stigma, shaped as he explains “more by fear and stereotype than by empirical evidence” (Ewing, Martínez and Rumbaut 3). Studies show that there are in fact fewer crimes committed by undocumented immigrants than by American citizens, and that enacting tougher laws to fit with what Juliet Stumpf calls “crimmigration,” does not have an influence on the crime rate. Ewing, Martínez and Rumbaut even insist on the fact that “immigrants as a group tend to be highly motivated, goal-driven individuals who have little to gain by running afoul of the law” (Ewing, Martínez and Rumbaut 6). Yet, the stereotype of the “illegal alien” has become a convenient way to set targets against whom a new set of felonies were enacted, the ultimate punishment being deportation (Ewing, Martínez and Rumbaut 1). In the film, Marco insists on the fact that the detainees’ only crime is to be without papers: “You see, because none of the men in here committed crimes, they weren’t being legally punished. And so, they don’t get a right to a trial before getting locked up; they don’t get a court-appointed lawyer. They don’t even get a sentence. They just get warehoused.” With such a statement, the film emphasizes the injustice detainees are subjected to, and implies that getting people out can then be considered to be an act of civil disobedience, meant to disturb and attract the attention of the public. Genevieve Negrón-Gonzales explains that civil disobedience consists in “the voluntary surrender of one’s body in order to call attention to the instances of involuntary surrender” that happens in the detention centers. While she wrote that definition to refer to another act committed by DREAMers, it fits the situation portrayed in *The Infiltrators* perfectly well (Negrón-Gonzales 98).
- 16 The second element to be considered is that the activists of the Youth Alliance obtained releases for several detainees using legal and non-violent methods. They had the detainees sign waivers so that local

politicians could study their cases, and they put pressure on them using online petitions whose signatures automatically generate an email – sometimes up to 4,000 in 48 hours. The film also calls out the non-application of the Morton Memo (named after the director of ICE) that stipulates that deportations would prioritize criminals (Unzueta Carrasco 285). It should also be noted that the liberation of detainees has nothing to do with the grandiloquent scenes of most prison heist films. The main prison prop, a razor blade, is not used to injure anybody but to cut slips of papers that are used to give information to the detainees so that they (or their family members) can get in touch with the Youth Alliance.

- 17 The representation of the Youth Alliance activists is never stereotypical and one particular scene sheds light on the gap between what would be expected of them as undocumented immigrants and who they are. When Viridiana rehearses and works on a fake accent, Muhammad makes an interesting comment: “In order to get Viri inside, we have to become the stereotypes we advocated against.” The fact that they have to rehearse to succeed in becoming these stereotypes immediately invalidates them. Viridiana, for instance, is a perfect student who graduated at the top of her class. And Mohammad is also a hard-working committed individual with great communication and strategic skills. Thus, they both correspond to the harmless studious young people who would be perfect and deserving applicants if the DREAM Act was enacted. The film suggests that they succeeded in infiltrating Broward because the ICE agents and the Border Patrol, their main antagonists, believe in such stereotypes. One interesting comment uses fictionality to shed light on the power gap between the enforcement agencies and the undocumented immigrants. Indeed, Marco describes the Border Patrol as his own personal “Death Star,” referring to the space station in Star Wars that has the capacity to destroy an entire planet. While this comment is exaggerated for the generic purpose of the film, it nevertheless suggests that the enforcement agents have the power to destroy people’s lives. The film showcases a series of endangered people – asylum seekers, abused women – that highlights the lack of prosecutorial discretion used when dealing with the detainees in spite of Obama’s promise that deportations would only affect high-

priority undocumented immigrants such as criminals and terrorists (Negrón-Gonzales 100).

- 18 Muhammad is probably the most counter-stereotypical character and the best advocate for the passing of the DREAM Act. Throughout the movie, he shows that he has the skills of a lawyer, while never being allowed to go to college because of his undocumented status. The most eloquent scene is when he calls out double standards to prove that any deportation can be stopped. He takes the example of Barack Obama's uncle, who had been working in the United States without papers for several decades. After being arrested on drunk driving charges, he was eventually given a permanent resident status. Considering that even lawful residents can be deported for traffic offenses (Ewing, Martínez and Rumbaut 3), it seems right to suppose that his deportation was stopped because of his privileged position. With great motivation, Muhammad explains that he hopes for an executive order from Obama because "that is something that is an actual law that has to be followed with actual rules and actual accountability." What is implied here is that the deportations and detention centers are "out of control" because many detainees get deported before their case can be studied and without considering to what extent their deportation can put them in danger. It would have been the case for one Latin American immigrant waiting for asylum without Muhammad's help, and it would be the case for Muhammad if he was sent back to Iran because of his homosexuality. Such perspective prevents the viewer from considering that the behavior of the activists is illegal or criminal. In spite of disturbing the functioning of a detention center to the point of influencing its shutdown, the film shows that they value the law and fight for fair laws.
- 19 Thus, throughout the film, the Youth Alliance activists appear as exemplars of the "good moral character" needed to be granted a path to legal citizenship. But as Zimmerman explains, their vision of society goes beyond the passing of the DREAM Act "to a broader agenda that includes social and economic justice for immigrant workers and their families" (Zimmerman 17). The counter-stereotypes used in the film create a counter-narrative whose purpose is to have a social impact. Thus, there is a need for the film to perform socially, which is a tendency that is inherent in its form but also in keeping

with the activism surrounding immigration from the turn of the century.

The Social Performance of the Film

20 The activism portrayed in *The Infiltrators* illustrates the new phase that started around the time Ibarra and Rivera met the Youth Alliance. As Zimmerman explains, because supporting the DREAM Act was not enough and had “largely remained hidden from public view” (Zimmerman 17), there was a shift to the use of “direct action,” such as rallies and sit-ins. The well-known phrase to refer to such movement is used by Marco in the film: “We came out of the shadows.” What came along such movement of increased visibility and action was the desire to use the media and “bring attention to broader issues of immigrant, civil, and human rights as a strategy for social and policy change” (Zimmerman 14). This desire is explicit in the film since the “plan” of the activists is to “go to the media, go public with the campaign, [and] put national pressure on ICE.” Such comment reinforces the idea that the activists wanted their performance (the infiltration) to circulate in the public sphere because, as one of the characters says about the hunger strike organized inside the detention center⁸, “What’s the point if no one is watching?” This strategy of “coming out” is not without danger for undocumented immigrants who could get in serious trouble. It sheds even more light on the sense of urgency the activists felt to put pressure on the Obama administration. Indeed, by the end of 2016, and in spite of guaranteeing a lenient immigration policy, Obama had deported more than 3.4 million non-citizens (Martínez, Slack and Martínez 173), which was more than any other administration⁹. One can argue that when it comes to reaching a higher state of visibility and engagement, the feature-length documentary format offers good chances that might have attracted the activists. Viridiana mentions that “no one was taking the story,” which can mean that Ibarra and Rivera might have offered them the media coverage they needed.

21 The film succeeded in its endeavor to attract the attention of the public, winning the Audience Prize at the Sundance Film Festival. But it also caused trouble to one of its protagonists. Two months later,

the arrest and deportation of Claudio Rojas was making the headlines, with assumptions that it was a form of retaliation supposed to send a message to other activists who would want to disturb other detention centers. Even though ICE denied that the Youth Alliance's activities influenced their decision, there are reasons to believe that it was not the case, especially since Rojas was eligible to an adjustment of status under the 245 section of the Immigration and Nationality Act and had his application for a T-visa pending. What is surprising is that the portrayal of ICE in the film is minor and far from being diabolical, contrary to the eighth season of *Orange is The New Black* for instance that features a guard who terrorizes the detainees. In the film, the enforcement agents are portrayed as quite gullible and naive, but their portrayal never overshadows the representation of a broken system. Paradoxically, the decision to deport Rojas gives even more credibility to the film as it exposes the arbitrariness denounced by the activists. It is as if the film's sequel had happened in real life.

- 22 From a different perspective, what happened after the release of *The Infiltrators* highlights the performative quality of documentaries in society and their ability to tap into disturbing topics. It confirms that they can elicit strong emotions that circulate in the public sphere, what Belinda Smaill calls the "sociality of emotions" (Smaill 4-8). The touchier the topic, the more it can generate strong reactions because the viewers create a tight link, a "continuity" between the real world and what occurs on screen (Smaill 5). According to the definition that Negrón-Gonzales gives, the film can be considered to be a "testimonio": it is a practice of "documenting silenced histories" that produces a "counter-narrative" and a "counter-spectacle" in order to deconstruct the "master narrative" portraying undocumented immigrants with all sorts of detrimental stereotypes (Negrón-Gonzales 102-103). When they make visible what is hidden to the public eye, and stage both the infiltration and the liberation of Rojas as heroic acts, the activists and the filmmakers respond to the spectacle produced at the border¹⁰, which Negrón-Gonzales calls the spectacle of "enforcement" and "security" (Negrón-Gonzales 95). While the master narrative insists on the undocumented immigrants being "illegal," the film, showing the acts of civil disobedience of the Youth Alliance, stresses their heroic qualities and their struggle against unfair laws. In addition to being counter-stereotypical,

The Infiltrators furthers a political agenda of inclusion for people who are in fact “staging a performance of democracy in a space that is considered to be the exclusive terrain of US citizens” (Negrón-Gonzales 95). Rather than dwelling on the living conditions in the detention centers (much more dealt with in *Orange Is the New Black* for instance), the filmmakers focus on the civic qualities of people who have all the requirements to be good citizens. And thus, the film is in keeping with the other acts of civil disobedience that have characterized the DREAMers’ movement: it is about reframing the narrative that portrays immigrants as criminals who bypassed border security laws into a new narrative that insists on their bravery. Ibarra and Rivera have indeed said that they wanted to distinguish themselves from the documentary filmmakers who portray immigrants as victims. They chose to empower them and legitimize their defiant act through their film.

- 23 A month after the release of the film, which was also one month before Rojas was deported, Ibarra and Rivera sent a letter to Secretary of Homeland Security Kirstjen Nielsen, Secretary of Treasury Steven Mnuchin, to Florida Congressman Ted Deutch, and to Senators Marco Rubio and Rick Scott on behalf of the International Documentary Association to denounce his detention at the Krome Detention Center in South Miami-Dade¹¹. In addition to stressing ideas that are dealt with in the film when it comes to Rojas being an “upstanding member of the community,” they insist on the fact that the release of a documentary tackling a controversial and important topic has to give way to debates:

It is a grave concern to the documentary community that a willing protagonist in a documentary film may be punished for expression his opinion within a film, and we believe that this will have a chilling effect on the work of journalists and their sources seeking to explore and understand issues of national concern. As a result of ICE’s actions, the American public will now lose Mr. Rojas’s voice in the many upcoming national conversations about our immigration policy.

- 24 With such words, they express their wish to have the conversation continue and include all the participants in the film, in an effort to bring about social change.

- 25 Nothing says if the filmmakers suspected that Rojas would be deported after the film. The end of the film, however, seems visionary. As Rojas drives to the Department of Homeland Security building for his regular check-in, there is a long line of undocumented immigrants. When Rojas parks his car, a voice on the radio announces that a woman was deported after checking in with ICE. While at the time of the shooting of the film, this scene might have intended to show that he was not free and that his life was at the mercy of ICE, in retrospect, it is as if the film was announcing his deportation. It corroborates the idea that is predominant in the film: as long as further reform has not taken place, an endless number of people will be deported. And indeed, two years before the release of the film, president Trump implemented executive orders that cancelled DACA as well as prosecutorial discretion, making every case a high priority. The timing of the film seems to be on point and shows how much documentaries are needed to counteract the stereotypes that Trump himself has passed on and used to be elected. Before the premiere of the film, Muhammad said that he “welcomed any retaliation by the Trump administration” insisting on the fact that his arrest would be immediately lobbied by activists (Siegel). One comment from Jordan Hoffman for *The Guardian* is interesting in that sense as the journalist reminds us that the U.S. is “home of the brave,” adding that according to him, there is no braver people than the infiltrators. Portraying such “unafraid” people, it is possible that *The Infiltrators* will set (or be part of) a new trend in documentaries about undocumented immigrants that will focus on David-versus-Goliath stories. Thus, the comment that the film is a “true story” was more than an indication, it was a claim that it is possible to call into question the injustices of a system, and probably a necessity in troubled times.

Conclusion

- 26 *The Infiltrators* confirms that making a film, whether it is a documentary, a fiction film, or a hybrid film, is a creative act that can use different techniques of narration and dramatization. In the end, the fact that Ibarra and Rivera used documentary footage and fictionalized re-enactments in the same film matters less than their ability to tell a story. The fictionality used in their docu-thriller is first and

foremost “communicative” (Iversen and Nielsen 251): it gives the viewers points of reference. Yet, the role of fictionalization is troubling: while it gives the impression that such metaphor as the “Death Star” is too exaggerated to be real, it stresses the surreal situation in the detention centers. Fictionality protects the viewers from the harsh realities portrayed while at the same time making their magnitude even more intense.

- 27 The re-enactments have another role: while they are the result of the impossibility to film inside the detention center, they also shed light on the impossibility to know what happens inside. The filmmakers are thus very similar to the activists they portray, seeking transparency and visibility. The performance portrayed in their film mirrors their own: they were part of the infiltration and used media coverage to generate a conversation thanks to a peculiar film portraying an act of defiance. Their film is thus embedded and multi-layered. It reflects their commitment as descendants of immigrants. Sometimes, it feels as if it portrayed a hotchpotch of situations, dealing with immigrants from all over the world (Mexico, Iran, Brazil, China, El Salvador, Haiti), all dealing with different situations (seeking asylum, fleeing violence, looking for work, hoping for the passing of the DREAM Act) but what the film does is offer a counter-narrative that denies their dangerousness. Not only does it aim at changing the stereotypes about undocumented immigrants at a time when ideological battles agitate public opinion, it also tries to remind us that the United States was built by immigrants.

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NOTES

- 1 *Nanook of the North*, released in 1922 and considered as the first documentary, was a docudrama.
- 2 For a discussion about the use of re-enactments in the context of a criminal narrative, see Kristen Fuhs, "Re-imagining the Nonfiction Criminal Narrative: Documentary Reenactment as Political Agency", *Concentric: Literary and Cultural Studies*, vol. 58, issue 1, March 2012, pp. 51-78.
- 3 The term "docu-thriller" was used by the filmmakers themselves and can be found on the official website where the film can be streamed. <http://www.infiltratorsfilm.com/stream-the-infiltrators/>
- 4 Cristina Ibarra directed *Las Marthas*, a documentary that investigates an off-beat rite of passage for Mexican-American girls in Laredo, Texas, as they prepare for a ball in which they are dressed like American colonial figures and celebrate George Washington's birthday, something that can seem strange in a town which is 98% Latino. And Alex Rivera directed *Sleep Dealer*, a sci-fi thriller in which the U.S.-Mexico border has been sealed off and Mexican laborers work for the U.S. from Mexican digital factories. It won the screenwriting award at Sundance in 2008.
- 5 There is a list of conditions to qualify. One needs to have entered the U.S. before the age of 16, must have been present in the U.S. for at least five consecutive years, must have graduated from high school, have a GED or have been accepted in college, must be between 12 and 35 at the time of application and must have good moral character. <https://dreamact.info/students>.
- 6 See Gary D. Keller, *Hispanics and United States film: an overview and handbook*. Tempe, Ariz: Bilingual Press/Editorial Bilingüe, 1994; Frank Javier Garcia Berumen, *The Chicano/Hispanic image in American film*. New York: Vantage Press, 1995; Charles Ramírez Berg, *Latino Images in Film. Stereotypes, Subversion, Resistance*. Austin: University of Texas Press, 2002; Mary C. Beltrán, *Latina/o Stars in U.S. Eyes: The Making and Meanings of Film and TV Stardom*. Urbana, Ill: University of Illinois Press, 2009.
- 7 The same distinction is made in the last season of *Orange is the New Black*, in which the inmates that have been the main characters during

the first six seasons have to prepare food for the detainees that are kept in a different aisle of the prison.

8 The hunger strike is part of a re-enactment and as a result, it remains unsure if it really happened.

9 In their article, Martínez, Slack and Martínez explain that even though Obama was nicknamed the “Deporter-in-Chief” for the number of deportations that happened during his presidency, there is a difference between “returns” and “removal” which puts this nickname into perspective.

10 See Chavez, *The Latino Threat Narrative*. Stanford, California: Stanford University Press, 2013. In the second part of his book, he thoroughly explains what the border spectacle consists in and how it fuels stereotypes about the immigrants being dangerous.

11 The letter as well as the list of the 561 who signed it is available on the International Documentary Association’s website: <https://www.documentary.org/advocacy/letter-support-infiltrators-protagonist-claudio-rojas>.

RÉSUMÉS

English

The Infiltrators (2019) is a docuthriller directed by Latino directors Cristina Ibarra and Alex Rivera. It combines documentary scenes and fictionalized re-enactments to tell the story of two DREAMers who purposefully got arrested to infiltrate a for-profit immigrant detention center in Broward, Florida in order to help a few detainees stop their deportation. This paper first investigates the way the film balances the use of traditional documentary techniques (interviews, observation) with fictionalized re-enactments using the concepts of performance and fictionality – developed by Richard Walsh and used by Stephan Iversen and Henrik Skov Nielsen in their own analysis of a hybrid documentary. Secondly, it argues that the real performance of the film consists in calling into question the criminalization of immigration in the United States via a portrayal of undocumented immigrants that counters their “illegality” and “criminality.” Overall, it shows that the film, which won the audience award at the Sundance film festival in 2019, is part of a social and political conversation about immigration and security enforcement.

Français

Mis-en-scène par deux réalisateurs latinos, Cristine Ibarra et Alex Rivera, *The Infiltrators* (2019) est un docuthriller dont l’hybridité permet l’association de scènes documentaires et de scènes reconstituées et fictionnalisées. Il raconte l’histoire de deux DREAMers qui se sont sciemment faits arrêter

afin d'infiltrer un centre de détention pour immigrants dans le comté de Broward en Floride dans le but d'aider des détenus à contourner les procédures d'expulsion. Cet article s'intéresse tout d'abord à la façon dont le film associe techniques traditionnelles du documentaire (entretiens, observation) et scènes reconstituées et fictionnalisées à la lumière des concepts de performance et de fictionnalité développés par Richard Walsh et utilisés par Stephan Iveren et Henrik Skov Nielsen dans leur propre analyse d'un documentaire hybride. Par ailleurs, l'article affirme que la performance réelle du film se situe dans sa capacité à remettre en question la criminalisation de l'immigration aux États-Unis à travers le portrait d'immigrants sans papiers en déconstruisant leur « illégalité » et « criminalité ». De façon générale, il est démontré que le film, qui a remporté le prix du public au festival Sundance de 2019, s'insère dans une conversation politique et sociale à propos de l'immigration et du renforcement de la sécurité aux frontières.

INDEX

Mots-clés

documentaire hybride, reconstitution, fictionnalité, performance, centre de détention, immigration non autorisée, docuthriller

Keywords

hybrid documentary, fictionality, performance, detention centers, unauthorized immigration, stereotypes, docu-thriller

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Emilie Cheyroux received her PhD from the Sorbonne Nouvelle - Paris 3 in September 2017. Her dissertation studies the social impact of film and film festivals. It deals with the strategies implemented by *Cine Las Americas International Film Festival* to deconstruct stereotypes about Latinos and change viewers' habits in the city of Austin, Texas. She teaches English for the French Department of Education and also works for the Catholic Institute of Paris where she is in charge of a film analysis class.