

Protect Immigrants & Families



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The National Blueprint for Excellence in Child Welfare encourages communities and other entities to proactively seek to identify and remove systematic barriers to participation by immigrant children, youth, and families. These communities should ensure that appropriate supports and services are available without regard to visa status or citizenship.

One in five children in this country comes from an immigrant family and approximately 4.5 million children are living with at least one undocumented parent in the United States. As immigrant families continue to represent the largest growing population, a lack of federal legislative reform of immigration policy presents unique concerns and potential problems for both the child welfare system and, depending how policy is set, the very children we care about.

Many of the children from these families are at increased risk of separation especially in times of raids, bans and other immigration restrictions. Currently, there is no consistent mechanism across child welfare systems to adequately identify immigrant status, which has contributed to a lack of understanding of this population and their unique needs. Furthermore, the inability of the child welfare and immigration systems to work together often results in abrupt separation of parents and children after parents are detained or deported and can lead to long-term stays in foster care for children and youth.

Family unity is recognized as a fundamental human right, enshrined in international law. Moreover, separating children from their parents is cruel, traumatizing all those involved. The American Academy of Pediatrics, in a recent statement, expressed serious concern over the proposal to separate migrant parents from their children, calling the plan “harsh and counterproductive” and stating that authorities should “exercise caution to ensure that the emotional and physical stress children experience as they seek refuge in the United States is not exacerbated by the additional trauma of being separated from their siblings, parents or other relatives and caregivers.” It is estimated that over 5,000 children are currently living in foster care because their parents have been detained or deported on the basis of being undocumented¹.

In addition it has been suggested that new policies could be implemented that may restrict access to human services that target some of these families including documented immigrants. Such actions will only increase stress on the families and the children.

When children are separated from parents, they face short- and long-term psychological damage, including depression, post-traumatic stress, anxiety, feelings of abandonment, and suicidal

¹ Wessler, S., *Shattered Families: the Perilous intersection of immigration enforcement and the Child Welfare System*, Applied Research Center (ARC), November, 2011, taken from the Website, March 17, 2017: file:///C:/Users/NYMet/Downloads/ARC_Report_Shattered_Families_FULL_REPORT_Nov2011Release.pdf

thoughts. Children separated from their family members and their communities, cultural familiarities, and schools and other connections can cause children to struggle with their identity and a face an undue sense of isolation, adding further stress to an already traumatic situation.

Unaccompanied immigrant children are a particularly vulnerable segment of the child population as they are increasingly susceptible to hardship and become targets for trafficking. To threaten families who are fleeing harm and legally seeking protection at our borders with family separation in order to deter their migration is cruel and unjust.

Similar policies of detaining asylum-seeking families to deter their migration have already been found by a U.S. court to violate U.S. law. The Department of Homeland Security must respect the principles of family unity and liberty in its immigration and border enforcement policies. Families should not be separated nor needlessly locked up in costly and inhumane family or adult detention facilities. The Department has long had alternatives available to both practices, including to mitigate flight risk and support compliance with immigration requirements and court proceedings.

Lastly, CWLA has great concern for the future of young people who have benefited through the Deferred Action for Childhood Arrivals (DACA) presidential directive, often described as “Dreamers”. The presidential Executive Order in June 2012 allows children or young people who entered the country as minors, to be eligible for a renewable two-year period of deferred action from deportation and eligibility for a work permit. As of June 2016, there were 844,000 applications and approximately 741,000 approved. Congress needs to act to provide continued protection and opportunity for these young people.

Congress needs to pass comprehensive immigration reform. This is the only solution to many of the challenges we are debating in 2017, including protecting children caught up in federal raids, unaccompanied minors, Dreamers, and families that seek a better opportunity in a 21st century United States. This includes rejecting any policy that separates children from parents as an immigration enforcement tool. This is unacceptable.