



News from the MCWNN – Tuesday, November 1st, 2011

The Migration and Child Welfare National Network (MCWNN) is a [FREE membership](#) coalition targeted for individuals and agencies focused on the intersection of immigration and child welfare. Have you missed a recent e-news? They are now [available online!](#) Follow the MCWNN on [Twitter](#).

Call for Abstracts - The MCWNN is excited to release the Call for Abstract on the *Intersection of Immigration, Child Welfare and the Criminal Justice Systems*. As part of our continued commitment to the safety, permanency, and well-being of vulnerable children, American Humane Association will publish an issue of *Protecting Children*, a peer-reviewed journal, dedicated to advancing knowledge about immigrant children and families involved in both the child welfare and justice systems (juvenile or adult criminal justice systems, and federal immigration systems). Abstracts are due by December 15th, 2011.

[Learn more about the Call for Abstracts.](#)

Resources for Child Welfare Agencies & Service Providers

[All County Information \(ACIN\) I-65-11](#) (CA Dept of Social Services/USDA, October 14, 2011, 63 page report). Supplemental Nutrition Assistance Program (SNAP) Guidance on Noncitizen Eligibility – report shows reasons why some non-citizen households do not participate in SNAP, even though they may be eligible including fear of public charge, liability to the sponsor, language and literacy issues, and lack of information about the program.

[Public Policy & International Affairs Fellowship Programs](#) – Website Search engine – Minority, college/post-college, domestic /international fellowships and scholarship programs in education, non-profit, government, and law.

News & Opinions

[Lost in Detention](#) (Frontline PBS, Oct 18, 2011, 53.4 min). FRONTLINE and the Investigative Reporting Workshop examine the Obama administration’s controversial get-tough immigration policy.

[“Lost in Detention” Shows Broken System](#) (by Mary Moreno, Voto Latino, Huffington Post, Oct 23, 2011)
[Alabama Immigration Laws Critic’s Question Target](#) (New York Times, Oct 28, 2011). The schools provision of the immigration law is a first step in a larger strategy to topple a 29-year-old Supreme Court ruling that all children in the United States are guaranteed an education.

[Alabama Hispanics concerned over immigration law](#) (BBC News, Oct 25, 2011).

[Families Broken Up as Immigrants Flee Alabama](#) (All Things Considered, Oct 24, 2011)

[Escondido woman turned over to immigration after domestic violence incident, 4 children left home alone](#) (North County Times, Oct 19, 2011).

[ACLU probes case of woman turned over to immigration](#) (North County Times, Oct 24, 2011).

[The 'Enabling Violation' of International Adoption](#) (by Drucilla Cornell, New York Times Opinionator, Oct 23, 2011).

[Trying Juveniles as Adults Doesn't Reduce Juvenile Crime](#) (Black Voice News, Oct 24, 2011). Only eight states publicly report the race and ethnicity of juveniles transferred to adult courts for criminal prosecution, the Justice Department has found. Those that do are sending disproportionate numbers of African-American and Hispanic teenagers to face the possibility of the most serious punishment that a juvenile offender can face—getting locked up in a state prison alongside hardened adult criminals.

Research & Public Policy

[2010 Yearbook of Immigration Statistics](#) (Office of Immigration Statistics, Department of Homeland Security, Aug 2011, 110 pages)

[Growing Up in the Shadows: The Developmental Implications of Unauthorized Status](#) (by Orozco, C, Yoshikawa, H., Teranishi, R., Suarez-Orozco, M., Harvard Educational Review, Vol. 81, No. 3, Fall 2011). In this article, the authors develop a conceptual framework to systematically examine the ways in which unauthorized status affects the millions of children, adolescents, and emerging adults caught in its wake. The article examines a host of critical developmental outcomes that have implications for child and youth well-being as well as for our nation's future."

[Preventing Partner Violence in Refugee and Immigrant Communities](#) (by Uehling, G., Bouroncle, A., Article in Forced Migration Review, October 2011, 56 pages)

[Early Care and Education for Children in Immigrant Families](#) (by Karoly, L., Gonzalez, G., The Future of Children, Vol. 21, No. 1, Spring 2011, PP.71-101). Findings show that overall, immigrant children have lower rates of participation in nonparental care of any type, including center-based ECE programs, than their native counterparts.

[Latinos in California's Central Valley Lag Behind](#) (New American Media, Oct 26, 2011). In 'A Portrait of California,' published in May by the American Human Development Project, the study authors analyzed three factors -- life expectancy, access to education, and median earnings -- to determine the American Human Development Index, or well-being score, of residents in 233 neighborhoods and counties across the Golden State. Overall, their findings paint an unflattering picture of the Valley and its Latino residents, who today are the majority in Tulare, Fresno, Kings, Madera, and Merced counties. They found gross disparities in life expectancy, degree attainment, and earnings between the Valley and other parts of the state, and between Latinos and other ethnic groups.

[TANF and Child Welfare Programs – Increased Data Sharing Could Improve Access to Benefits and Programs](#) (GAO - Government Accountability Office, Oct 2011, 60 pages). The report examined the child-only caseload under the Temporary Assistance for Needy Families (TANF) program. The GAO found that in the last decade the actual numbers of child-only families has not increased dramatically but as more traditional families have dropped off, child-only families make up half of the TANF national caseload. Of these child-only families, kinship or relative care makes up approximately 33 percent of the population.

BRAVO to MCWNN Public Policy Co-Chair Angie Junck, Immigrant Legal Resource Center for her leadership and work in this historic passage

[Santa Clara ends collaboration with ICE](#) (New America Media, Video, Raj Jayadev and Fernando Perez, Oct 18, 2011). San Jose, CA -- In what has been heralded as the most progressive policy in the nation, Santa Clara County today voted in a new set of guidelines for civil immigration detainers, which in effect ends the county's collaboration with Immigration and Custom Enforcement (ICE). Supervisor George

Shirakawa, who championed the policy, told an audience of supporters after the County Board of Supervisors' vote, "Today is historic. We now have the most progressive policy in this field, and the whole nation will be looking at us as Santa Clara County makes it official: we don't do ICE's job." Civil immigration detainers are requests from ICE to the county to detain jailed individuals after the completion of their sentence from a criminal charge in order for them to get picked up for immigration detention and deportation proceedings.

For immigrant advocates and county officials, the new policy – which will only honor a detainer request if, "there is a written agreement with the federal government by which all costs incurred by the County in complying with the ICE detainer will be reimbursed" -- is a way to exert local control in the face of a controversial federal ICE program called Secure Communities. Having been rolled out in 2008, Secure Communities uses fingerprints gathered at jails to notify ICE agents of the immigration status of individuals to then initiate detainer requests. Since the inception of the program, the federal government has not reimbursed any county which has honored detainer requests issued through Secured Communities.

The program has received pushback from counties and states who say Secure Communities violates targeted individuals' constitutional protections, places financial hardships on cash-strapped counties, and jeopardizes public safety by making immigrant communities fearful of law enforcement. In describing the often contentious relationship with ICE regarding Secure Communities, Supervisor Dave Cortese said, "Frankly, there has been a lack of integrity from ICE on these issues. Today, we are sending a message, one county at a time, you need to fix what's broken before you ask us to enforce bad laws." Cortese's frustration comes from a history of written commitments he says "were reneged upon" by ICE.

The agency initially told counties that they had the option to opt out of Secure Communities only to rescind that offer after counties attempted to do so in 2010. Santa Clara County was one of the first in the country to attempt the opt-out. In the wake of ICE's re-positioning around the opt-out, counties critical of Secure Communities were at a crossroads as to how to limit the fallout of the program. Santa Clara County formed a taskforce of law enforcement agencies, informed by County Counsel, to craft a policy around the principle operating mechanism of Secured Communities – the detainer request -- given ICE's shifting information regarding the program.

On October 5, 2011, the taskforce came up with a policy that would limit the county to only honor detainers after conviction (through Secure Communities, even those who had not been found guilty of the crime that placed them in jail were still vulnerable to a detainer hold), would not honor detainer requests for juveniles, and would only honor requests for a specific list of "serious" and "violent" felonies.

Given that individuals convicted of this subset of criminal charges would go to the state prison system, rather than stay in the county jail once convicted, the policy in practice would mean only a narrow few would be subject to county detainer holds. Yet, as the taskforce recommendation moved along to the full County Board of Supervisors for a final vote, Supervisor Shirakawa, the head of the Public Safety and Justice Committee, added an amendment which further limits the scope of when the county would honor detainer requests.

His amendment added language around only considering detainer requests when given a written agreement for reimbursement by the federal government, and stating that except for particular circumstances, "ICE agents shall not be given access to individuals or be allowed to use County facilities

for investigative interviews or other purposes, and County personnel shall not expend County time or resources responding to ICE inquiries or communicating with ICE regarding individuals' incarceration or release date."

In explaining the amendment to the rest of the Board, he said, "ICE has lied to us in the past with Secure Communities. We need to say enough is enough."

Jazmin Segura, a policy analyst for Services, Immigrants Rights and Education, is part of a cross-ethnic county-wide coalition of civil rights organizations who has been pushing for the policy since Secure Communities was first introduced.

She says, "We congratulate the County Board of Supervisors for taking this historic step in sending a clear message to immigrant communities that local law enforcement is not ICE."

Segura says since Secure Communities was introduced, her office has received an uptick in calls from immigrant residents who were victims of crime, yet fearful to contact law enforcement.

While Segura says the policy change will greatly impact immigrant communities in Santa Clara County, some advocates see the policy as a signal that the tide is shifting as local communities develop similar strategies to respond to an increase in ICE enforcement.

Angela Junk, a staff attorney with the Immigrant Legal Resource Center, works with similar coalitions as the Santa Clara group in regions across the country. She says, "This policy sends the message that local participation in the enforcement of immigration laws is not mandatory and that due process and equal treatment under the law applies to all persons in the U.S."

DISCLAIMER: The information in this e-news does not represent the opinion or endorsement of MCWNN. This information is intended to provide general discussion on the topic and should not be used as a substitute for professional advice which takes into consideration specific circumstances of the situation. Those seeking case consultation should seek the services of a competent professional. Much apologizes in advance for any typographical or grammatical errors. If you are interested in sharing information on FYI from MCWNN, please contact co-editors, [Yali Lincroft](#), MBA, First Focus Policy Consultant, and [Lara Bruce](#), MSW, American Humane Association Child Welfare Specialist.