



THE CENTER ON  
IMMIGRATION  
AND CHILD WELFARE

# SUPPORTING CHILDREN IN IMMIGRANT FAMILIES IN THE CURRENT IMMIGRATION LANDSCAPE

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April 26, 2019  
UNM Continuing Education Building

# WORKSHOP CONTEXT

- Policy changes placing more people at risk for deportation and family separation.
- Psychological and physical health issues in children as a result of immigration/deportation issues.
- Risk of increased involvement with the child welfare system among children of immigrants.
- Children become more vulnerable when:
  - Parents stop seeking benefits, reporting crimes, bringing kids to school or appointments
  - Parents no longer working and poverty levels increase
- Cases of abuse and neglect that involve parents and children who are immigrants are complicated



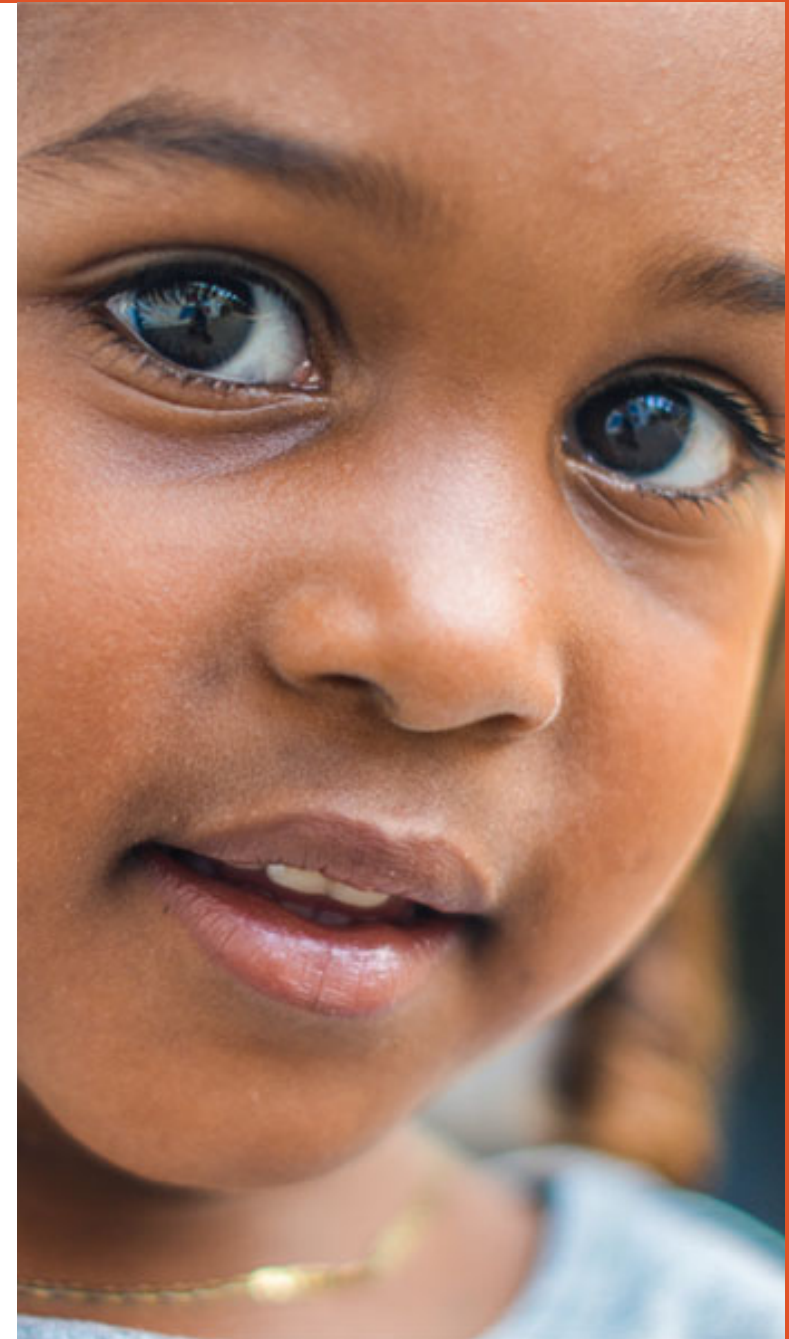
# OBJECTIVES



- ✓ Discuss relevant immigration policies and procedures that impact family unity and child well-being in NM
- ✓ Help lawyers, judges, and social workers recognize the traumatic impact of immigration policies and processes on children and families, including child welfare system involvement.
- ✓ Identify strategies to mitigate the traumatic impact of immigration policies on children and their families.
- ✓ Make meaningful connections with professionals across disciplines to support your work with immigrant children and families.

# AGENDA

- Migration Trends and Demographic Profile of Immigrants and Refugees in NM
- Immigration 101
- Federal Policy & Pathway Through Federal and State Systems
- The Impact of Immigration Policies on Children and Families from a Trauma-Informed Lens
- Providing Support to Children in Immigrant Families
- Resources, Questions, and Wrap Up
- Special Session for CYFD Staff and child welfare judges and lawyers



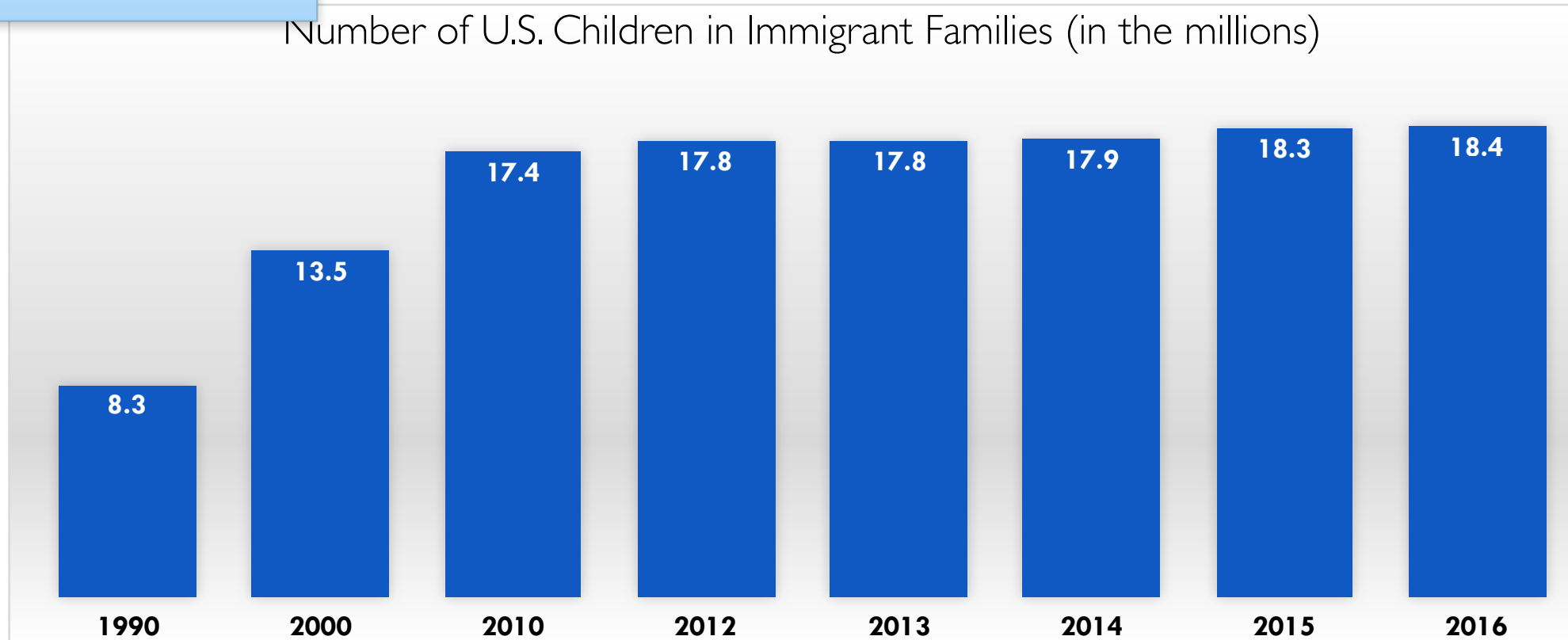
# **MIGRATION TRENDS & DEMOGRAPHIC PROFILE OF IMMIGRANTS AND REFUGEES IN NEW MEXICO**

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# U.S. CHILDREN IN IMMIGRANT FAMILIES OVER TIME

Number of U.S. Children in Immigrant Families (in the millions)



Source: The Annie E. Casey Foundation. (January 2018). KIDS COUNT Data Center. [datacenter.kidscount.org](http://datacenter.kidscount.org). Retrieved from <http://datacenter.kidscount.org/data/tables/115-children-in-immigrant-families#detailed/1/any/false/870,573,869,36,868/any/445,446>

# CHILDREN IN IMMIGRANT FAMILIES (2016)

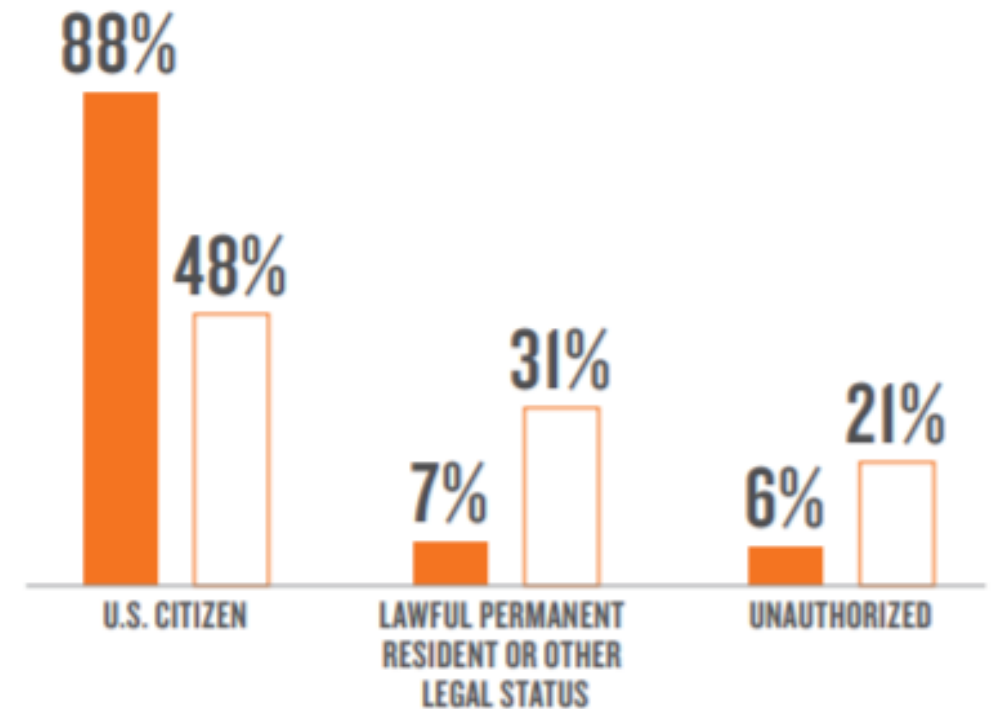
- 18,413,000 children in immigrant families
  - 88% are US Citizens
  - 14% are foreign born
  - 40% non US Citizen parent
  - 6% are unauthorized
  - 21% have at least one unauthorized parent

Children in Immigrant Families = Child was born outside the US or has at least one foreign born parent.

Source: [datacenter.kidscount.org](http://datacenter.kidscount.org)

## IMMIGRANT STATUS OF CHILDREN AND THEIR PARENTS

■ CHILD □ PARENT



**SOURCE:** Migration Policy Institute analysis of data from U.S. Census Bureau 2014 American Community Survey and 2008 Survey of Income and Program Participation by Bachmeier and Van Hook.

**NOTE:** Percentages may not sum to 100 due to rounding.



# CHILDREN IN IMMIGRANT FAMILIES IN NEW MEXICO

- 21% of children (102,000) in New Mexico are children of immigrants
- 1 in 9 is a U.S.-born citizen with at least one immigrant parent
- 1 in 11 (44,653) was a U.S. citizen living with at least one undocumented family member (2010-2014)
- About 6,000 Deferred Action for Childhood Arrivals (DACA) recipients live in New Mexico.

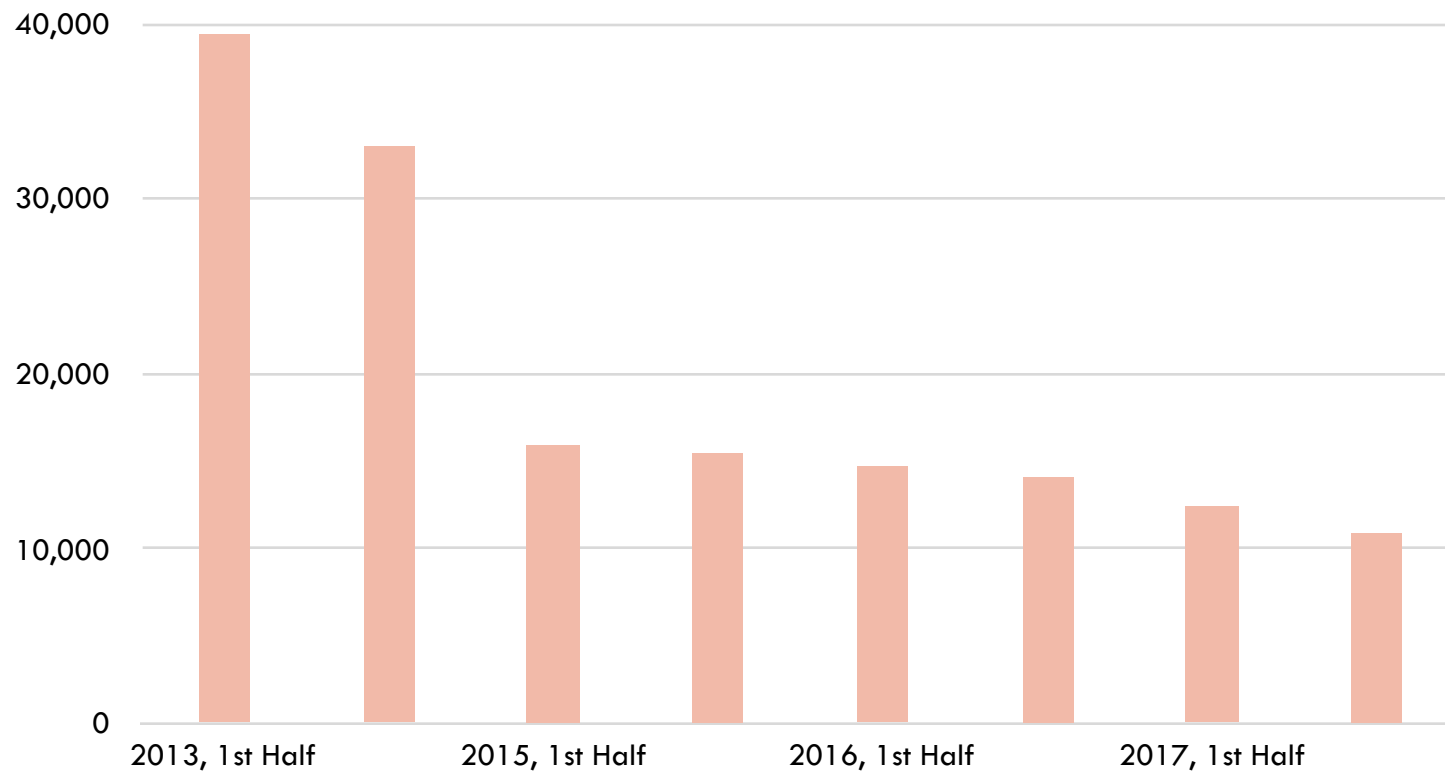
Source: [datacenter.kidscount.org](https://datacenter.kidscount.org)





# U.S. CHILDREN AFFECTED BY DEPORTATION

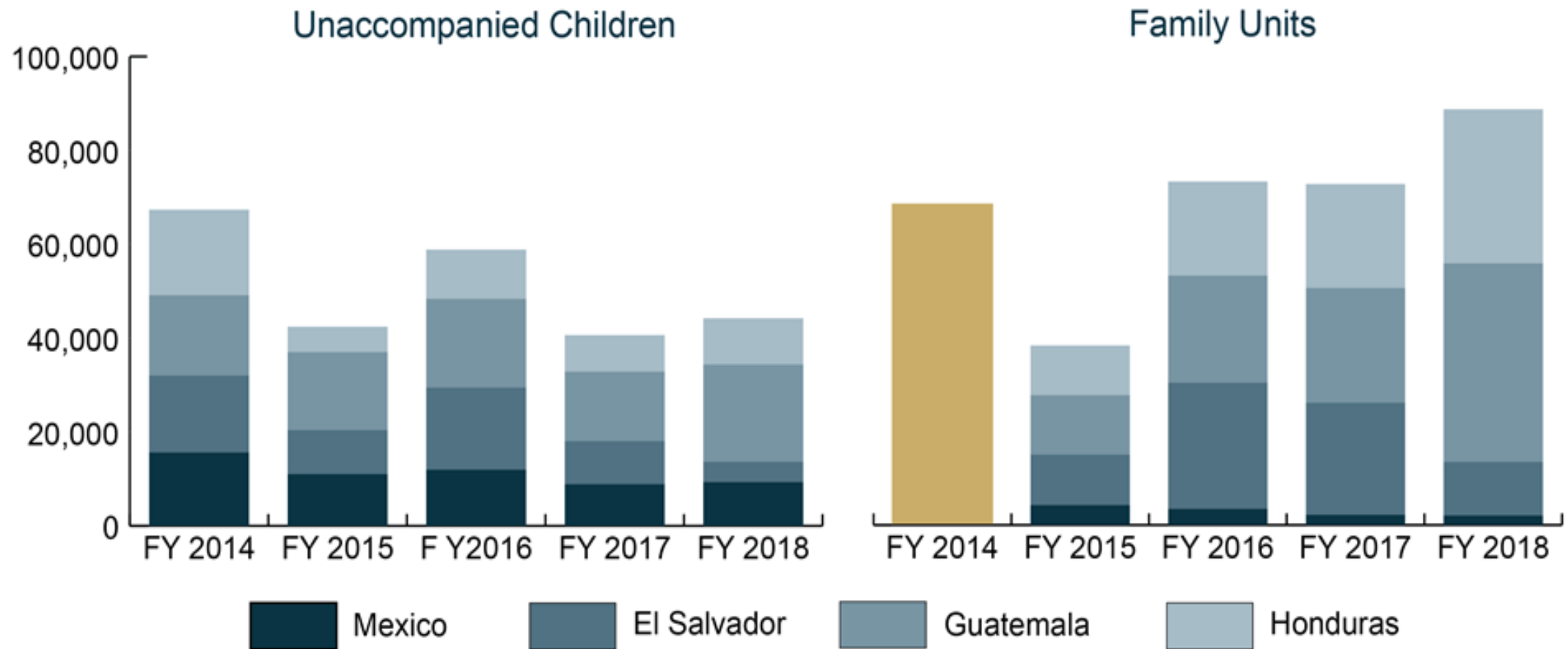
Number of Removals of Aliens Who Claim to Have US-Born Children



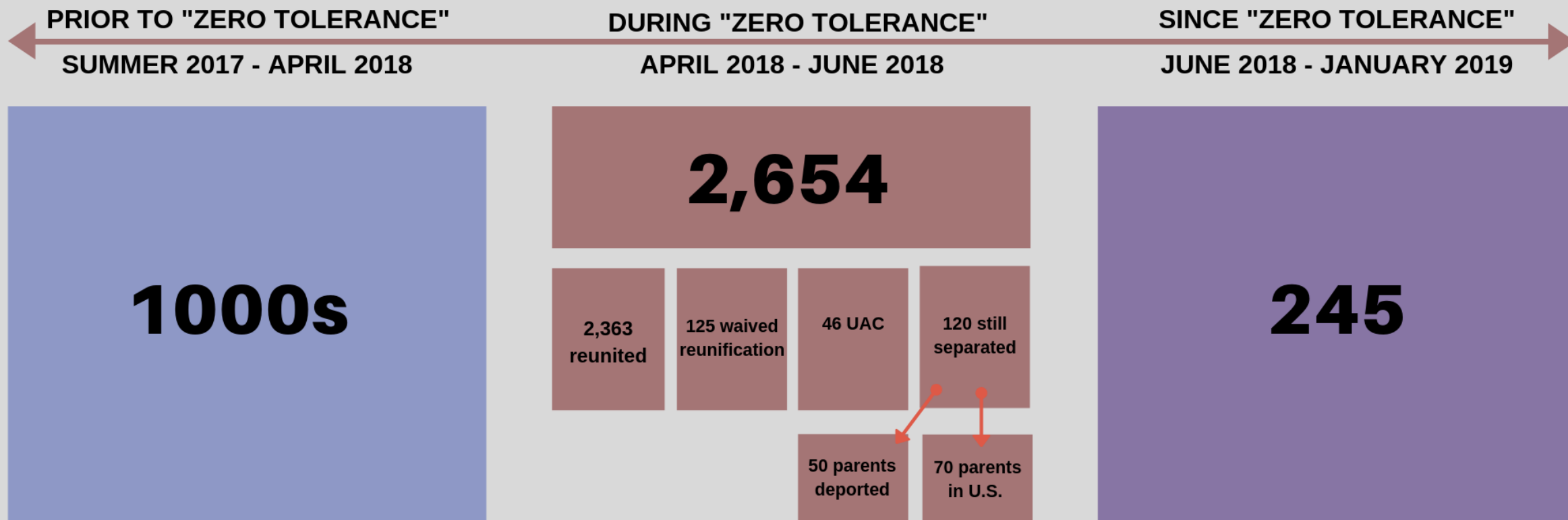
Source: U.S Department of Homeland Security, Deportation of Aliens Claiming U.S.-Born Children, Calendar Years 2013, 2015, 2016, and 2017.



# MIGRATION PATTERNS: 2014-2018



# FAMILY SEPARATION DURING TRUMP ADMINISTRATION



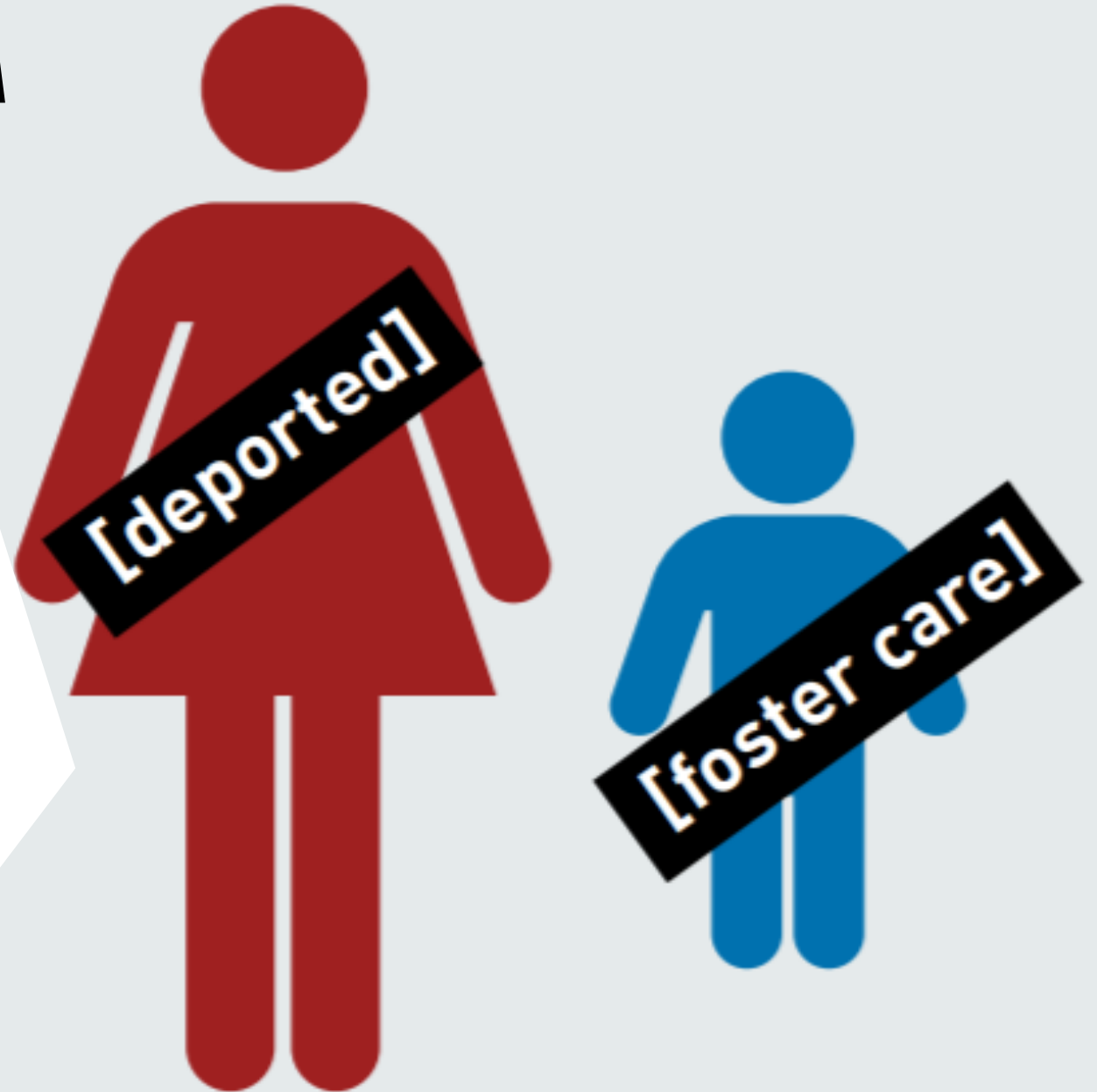
Jordan, M. (2019). Family Separation May Have Hit Thousands More Migrant Children Than Reported. *The New York Times*.

ACLU. (2019). Family Separation By the Numbers.

KIND. (2019). FAQs on Continuing Family Separations.

# CHILD WELFARE SYSTEM INVOLVEMENT

- 5,100 children in the child welfare system due to parental detention and deportation
- Estimated to increase by 15,000 in 5 years
- Parental detention and deportation → foster care and long-term family separation
- Sometimes, these children are never see their parents again e.g., when court terminates parental rights (Wessler, 2011).



# WHAT IS KNOWN ABOUT CHILDREN OF IMMIGRANTS REPORTED TO CHILD WELFARE

- Immigrant parents are older
- Non-citizens have less education
- The undocumented are the poorest, more likely to have two-parent household and less likely to have prior reports
- Vast majority of immigrants speak another language
- Undocumented have worse perceptions of their neighborhoods (less safe, less involved parents)
- Reasons for involvement with child welfare are similar, except substance exposure is more common among U.S. born
- Needs are similar, but being foreign born, especially undocumented, reduces access to concrete services, substance abuse services, and child mental health services

(Finno-Velasquez, 2013; Finno-Velasquez et al., 2015; Finno-Velasquez, et al., 16; Berger Cardoso, Dettlaff, Finno-Velasquez et al., 2014)

# **IMMIGRATION 101**

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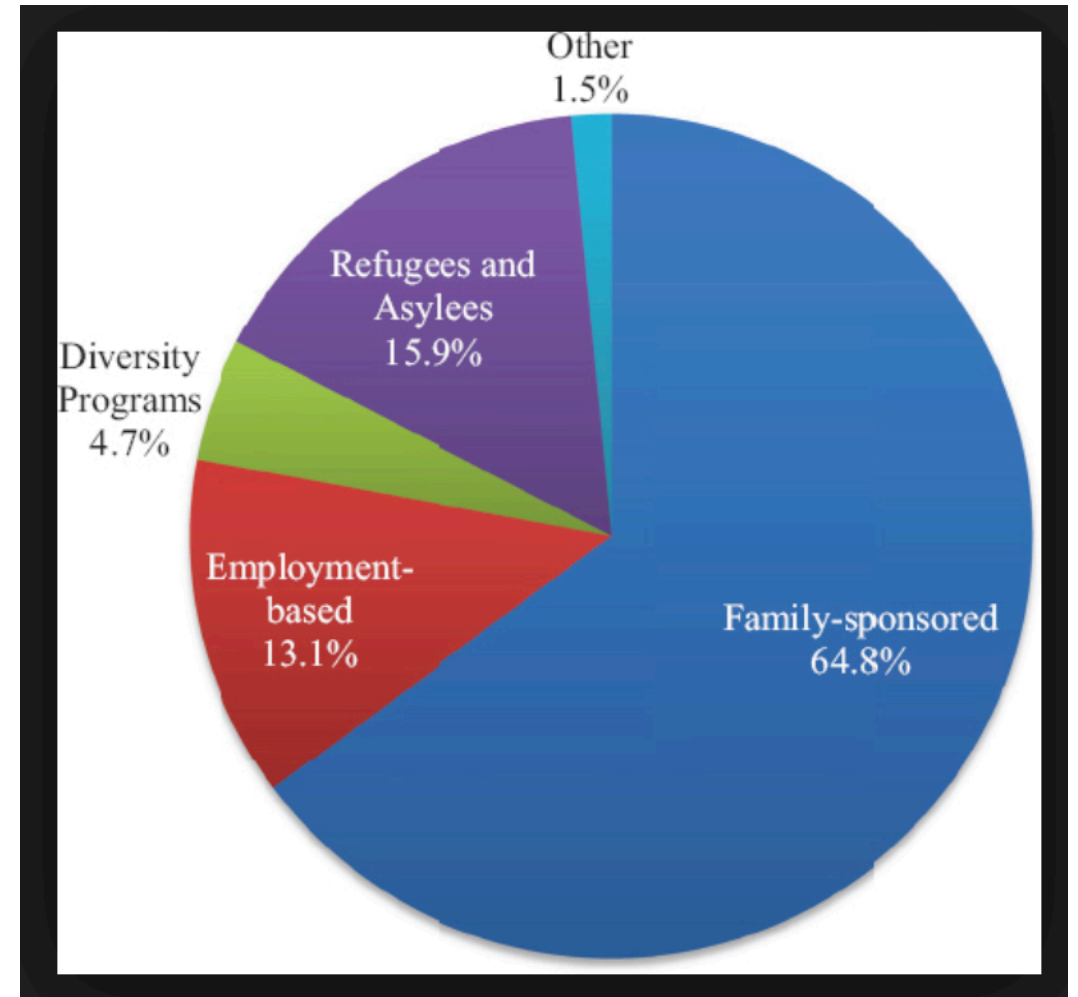
# MAJOR IMMIGRATION CATEGORIES

- **U.S. Citizen** (born here, derived or acquired citizenship, or applied & granted citizenship) – ONLY category which cannot be deported
- **Legal Permanent Resident** (i.e., “green card” holders, eligible to apply for citizenship in 3-5 years)
- **Temporary visa** (travel, student, or work visa)
- **Undocumented** immigrant (border crosser or lapsed temporary visa)
- Most immigration households are “**mixed status**.”

# LEGAL PERMANENT RESIDENCY

- Most common is a family based petition (limited # visas available each year, some countries may take 10-15 years)
- Employment skills, employer-sponsored, and other special categories

Source: National Academies Press, 2014.



# WHAT IT MEANS TO BE UNDOCUMENTED

- Entered on a visa that later expired or entered without inspection
- Cannot work lawfully (in many cases), cannot receive federal financial aid
- Can be deported if found by the DHS even with no criminal history



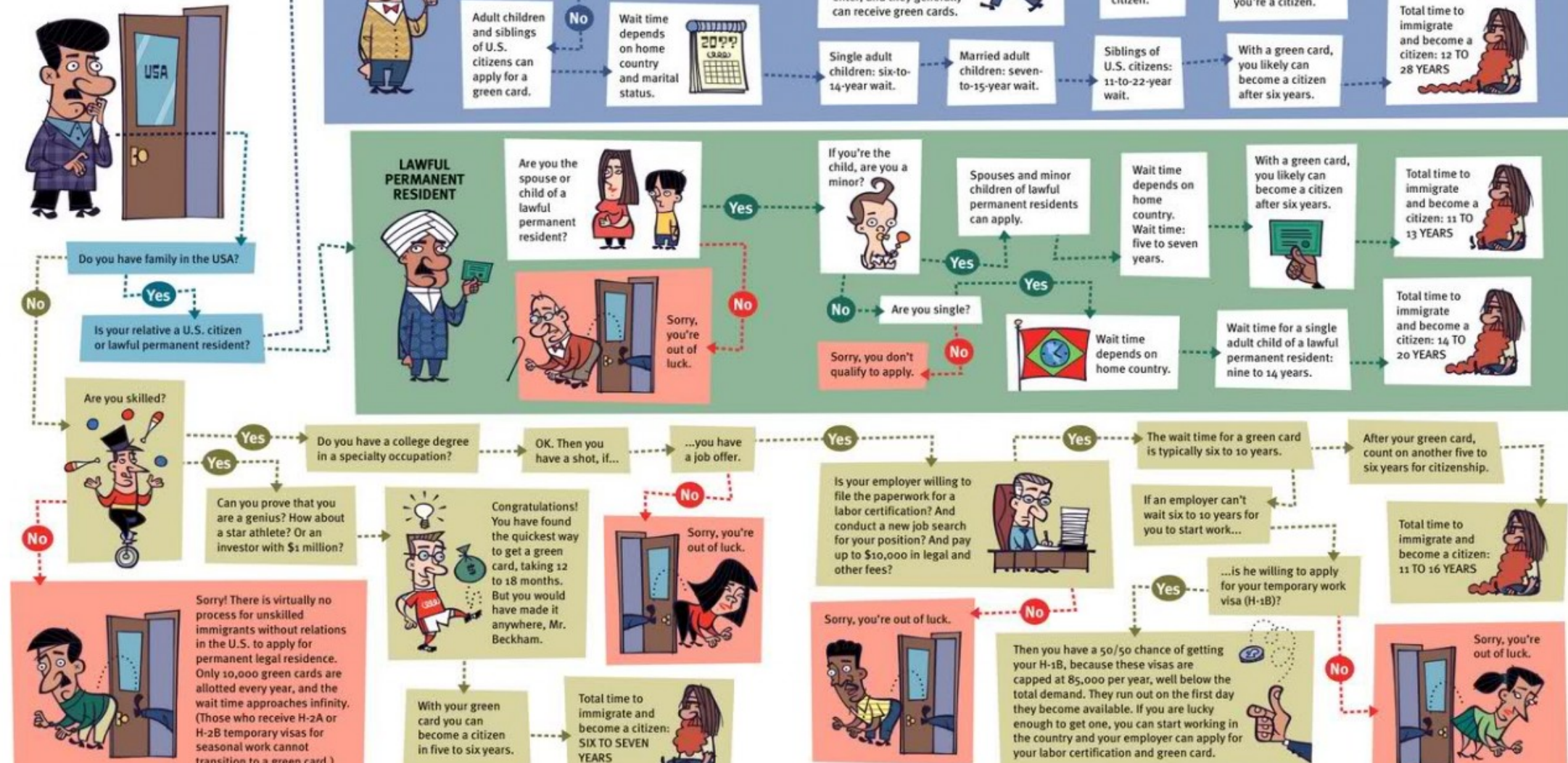


# What Part of Legal Immigration Don't You Understand?

Mike Flynn and Shikha Dalmia

Illustrated by Terry Colon

Opponents of illegal immigration are fond of telling foreigners to "get in line" before coming to work in America. But what does that line actually look like, and how many years (or decades) does it take to get through? Try it yourself!



## Dept. of Homeland Security

Citizenship & Immigration Services (CIS)  
Immigration & Customs Enforcement (ICE)  
Customs & Border Protection (CBP)  
ICE Officers, Trial Attorneys (TAs), Asylum  
Office Interviewers, Service Centers

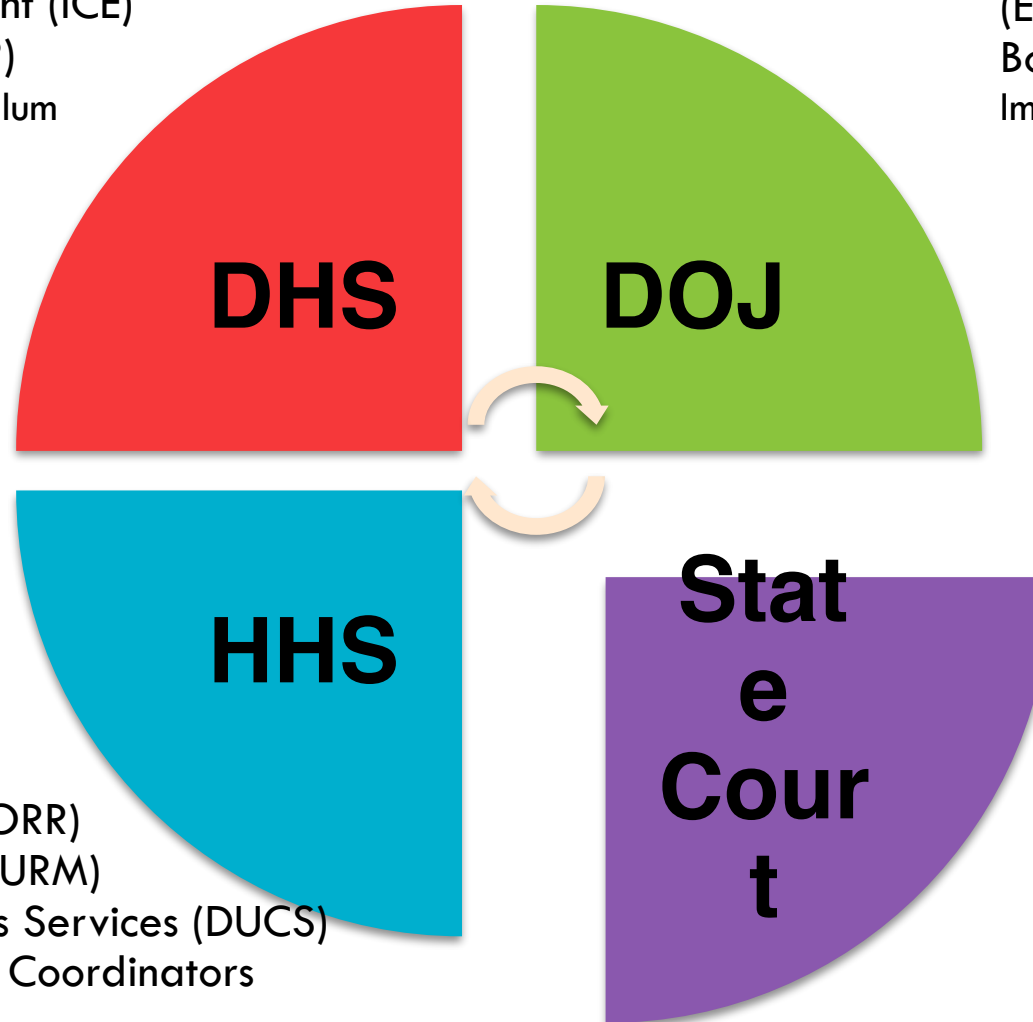


## Dept. of Health & Human Services (HHS)

Office of Refugee Resettlement (ORR)  
Unaccompanied Refugee Minors (URM)  
Div. Of Unaccompanied Children's Services (DUCS)  
Shelter Workers, Therapists, Field Coordinators

## Dept. of Justice

Executive Office for Immigration Review  
(EOIR)  
Board of Immigration Appeals (BIA)  
Immigration Judges (IJs)



## State Courts & Systems

Juvenile Court: family court,  
juvenile delinquency  
Child Welfare Systems

# RELIEF OPTIONS: PATHS TO LEGAL PERMANENT RESIDENCY

- **Asylum** is for noncitizens who fled home country because of a well-founded *fear of persecution* based on their race, religion, nationality, political opinion or membership in a particular social group.
- **Special Immigrant Juvenile Status (SIJS)** is for undocumented minors who receive local court order and/or are under the jurisdiction of a juvenile court verifying that the child cannot be reunified with a parent due to abuse, abandonment or neglect.
- **DACA** allows young people to remain in the U.S. and apply for a work authorization document from the government that entitles them to legally work in the U.S.



**RELIEF OPTIONS:  
PATHS TO LEGAL PERMANENT RESIDENCY**

- **Temporary Protected Status (TPS)** is for noncitizens from certain countries who have experienced natural disasters, civil wars or other destabilizing events.
- **U-Visas** are for those who have been victims of serious crimes and are able to obtain the signature of a law enforcement or child welfare agency certifying that they cooperated in the investigation of the crime.
- **T-Visas** are available to victims of severe forms of trafficking
- **VAWA** is for victims of domestic violence, where the abuser is a legal permanent resident or US citizen.