

Working with Clients Who Are Immigrants: A Guide for Connecticut Department of Children and Families' Social Workers

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Department's Position Statement

Mission Statement

The Mission of the Department of Children and Families is to protect children, improve child and family well-being and support and preserve families. These efforts are accomplished by respecting and working within individual cultures and communities in Connecticut, and in partnership with others.

Guiding Principles

Overarching Principle: Safety/Permanency/Well-Being

The Department of Children and Families (DCF) is committed to the support and care of all children, including those in need of protection, who require mental health or substance abuse services, and who come to the attention of the juvenile services system. In this context, DCF asserts that all children have a basic right to grow up in safe and nurturing environments and to live free from abuse and neglect. All children are entitled to enduring relationships that create a sense of family, stability, and belonging.

Principle One - Families as Allies: The integrity of families and each individual family member is respected, and the importance of the attachments between family members is accepted as critical. All families have strengths and the goal is to build on these strengths. Family involvement and self-determination in the planning and service delivery process is essential.

Principle Two - Cultural Competence: The diversity of all people is recognized and appreciated and children and families are to be understood in the context of their own family rules, traditions, history, and culture.

Principle Three - Partnerships: Children and families are best served when they are part of and supported by their community. The Department is part of this community, works in association with community members, and is committed to its services being localized, accessible and individualized to meet the variety of children and families needs.

Principle Four - Organizational Commitment: A successful organizational structure promotes effective communication, establishes clear directions, defines roles and responsibilities, values the input and professionalism of staff, creates a supportive, respectful environment, and endorses continuous quality improvement and best practice.

Principle Five - Work Force Development: The work force is highly qualified, well-trained and competent, and is provided with the skills necessary to engage, assess, and intervene to assist children and families achieve safety, permanence and well-being."

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ADMINISTRATIVE ISSUES

Case Related Issues

Immigration Issues

Policy 31-8-13

Policy -

It is the Department's policy to actively serve all persons who come under its purview, regardless of immigration status. The array of services available to other Department clients shall also be available to undocumented persons. This includes, but is not limited to, family preservation efforts to avoid family members being separated through incarceration due to violation of immigration status or deportation procedures.

Introduction -

Federal law is very strict regarding the continued presence of non-citizens within the borders of the United States. Such persons must meet strict criteria and have proper documentation in order to avoid deportation. In cases where it is not possible or appropriate to assist the adult client with obtaining proper documentation, the Social Worker shall make reasonable efforts to ensure that the client has access to services that are reasonable and necessary to promote the best interests of the family.

Child protective social workers shall engage this population and provide services that protect and serve children who may not have documentation papers as well as their documented family members.

Due to the complexity of immigration law, it is important to proactively engage families to ascertain whether adults and children who are DCF clients may be undocumented (illegal aliens), as it is very difficult to challenge deportation cases. The identification of undocumented persons by Department staff does not require, and shall not result in, reporting this information to the Department of Homeland Security Citizenship and Immigration Services.

Upon learning of the undocumented status of any client receiving Department services, Social Workers shall immediately:

- alert the Office of Legal Affairs if there are questions regarding the immigration status of a child who is in the Department's custody, and
- work expeditiously with legal staff to determine the appropriateness of and procedure for ensuring that children obtain proper documentation.

Undocumented Children -

Undocumented children of any age can be deported to their country of origin, even if they have been raised in the United States since infancy. In addition, children who have entered and remained in this country legally may be deported simply because their parents have been ordered deported.

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In such cases, the child may not have been aware of the parent's status nor received notice that the parent had been ordered deported; nonetheless, the child will still be at serious risk of deportation.

Committed Children -

Undocumented children who are committed to the Department are eligible for a special exception and cannot be deported while they remain committed. However, once the child turns eighteen (18) years of age and is no longer committed under Connecticut law, his or her former alien status may be restored and he or she may again be subject to deportation. Therefore, it is essential to address the child's immigration status well before his/her 18th birthday.

The Social Worker shall apply for an alien registration card (green card) for a committed child who is not a citizen of the United States. This process can be lengthy and complex. If it is not completed before the child's commitment is revoked or expired, the child may not be permitted to complete the process. To ensure that the child receives his/her green card in a timely manner, this should be addressed well before his/her 18th birthday.

Even children who have been adopted by United States citizens may be subject to deportation if their status has not been legalized prior to leaving the legal guardianship of the Department. Given the complexity of immigration law, the Social Worker shall consult the Office of Legal Affairs; however, the actual legal work will likely be performed by outside immigration specialists with whom the Department contracts.

NOTE: It may still be possible for a youth to attain permanent resident status after he/she has turned 18 or left DCF guardianship. If a youth falls into one of these categories, or is close to his/her 18th birthday, the Social Worker should work with the Office of Legal Affairs to contract with a specialist in immigration legal matters. However, because the outcome cannot be guaranteed, staff should address the immigration status of children in DCF custody as soon as the issue becomes known.

Cross Reference: Policy 31-8-13.1, Vienna Convention

Undocumented Adults -

In cases in which an adult DCF client is believed to be an undocumented immigrant, the Social Worker shall assist the client with obtaining proper documentation whenever appropriate.

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Disclaimer: At the time of the writing of this guide, the content is up-to-date. The information is subject to change based on amendments to state and federal law as well as revisions to the State of Connecticut Department of Children and Families' (the Department's) policy.

Section I: Contextual Information

Part A: Demographics

Subsection 1: Facts about Foreign-Born Populations around the World

'Foreign-born' refers to those individuals who are not United States (U.S.) citizens at birth.

There are some 200 million people around the world (roughly three percent of the global population) living in countries other than where they were born. If this population were a country, it would be the fifth most populous in the world.¹

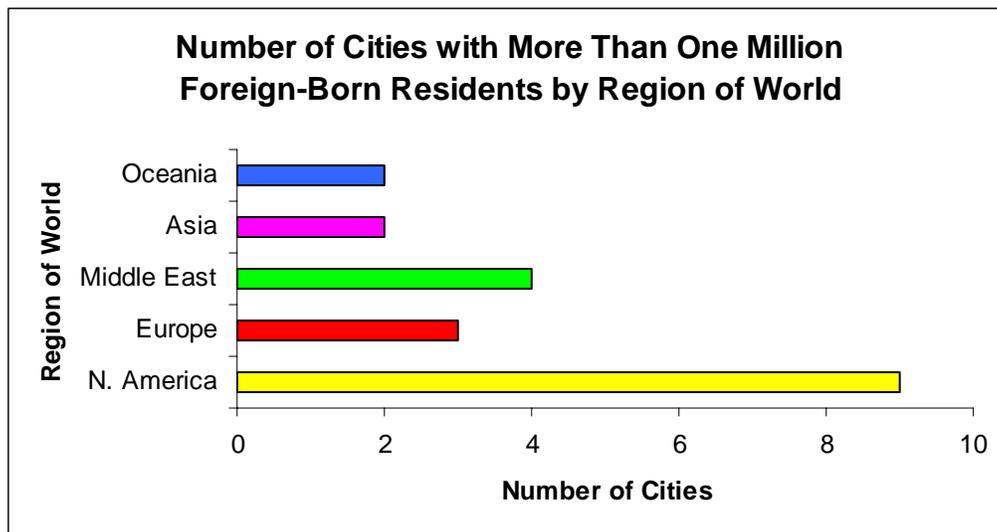


Fig. 1: As suggested by the twenty cities around the world with more than one million foreign-born residents each, immigration is a global phenomenon.

Source of Data²

The links below provide additional information about immigration from country-specific and global perspectives.

- U.S. Census Bureau's 'Statistical Agencies (International)' Webpage:
http://www.census.gov/main/www/stat_int.html
- International Organization for Migration Website
(select the country of interest from the drop-down menu at the bottom of the homepage):
<http://www.iom.int/jahia/Jahia/lang/en/pid/1>

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- U.S. Department of State's 'Country Pages A to Z' Webpage:
<http://www.state.gov/misc/list/index.htm>
- Migration Policy Institute's 'Migration Information Source: Country resources' Webpage:
<http://www.migrationinformation.org/Resources/>

Subsection 2: Facts about Foreign-Born Population in the U.S.

Among the nearly 300 million persons in the U.S., approximately 38 million (or 12.5%) are foreign-born.³ Of those who are foreign-born, almost 13 million and 25 million are naturalized U.S. citizens and not naturalized U.S. citizens respectively.⁴

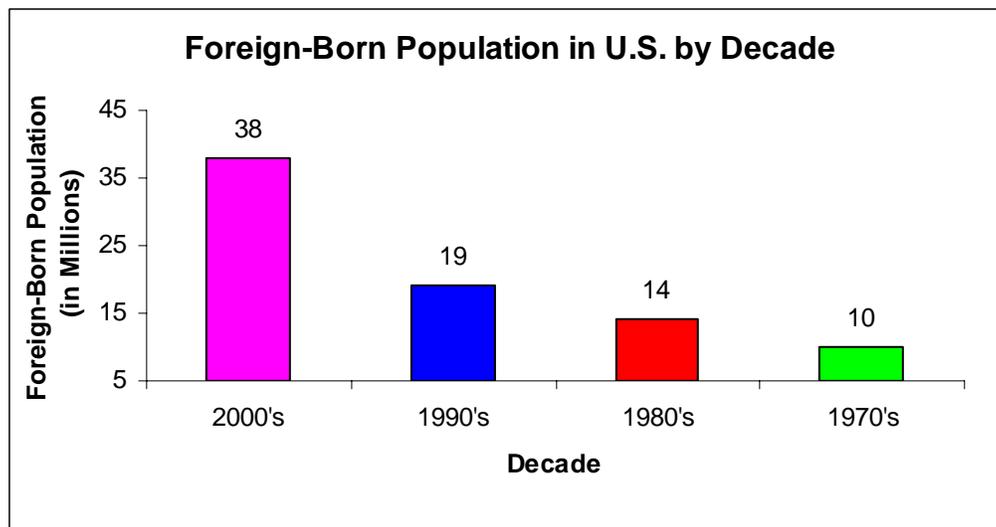


Fig. 2: The foreign-born population in the U.S. has doubled since the 1990's and nearly quadrupled since the 1970's.
Source of Data⁵

Subsection 3: Relevance of Immigration Trends to Child Welfare in the U.S.

"The share of children under age 18 with at least one immigrant parent was only six percent in 1970; today it is over 20 percent."⁶

"Nationally, about one-fifth of all immigrants are children under the age of 15. However, adult immigrants tend to be young (one third are 15 to 30 years of age) and are entering or are in the prime age groups for family formation and childbearing."⁷

Subsection 4: Facts about Foreign-Born Population in Connecticut

"The American Community Survey reports that 12.9% (452,358 persons) of Connecticut's residents were born outside of the U.S. This represents a growth of 61% in the size of

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Connecticut's foreign-born population since 1990 and a growth of 21% since 2000. Connecticut has the 11th highest percentage of foreign-born residents in the country."⁸

The top ten countries of origin for foreign-born Connecticut residents with the corresponding number of residents are (See endnote 8):

1. Poland (33,309)
2. India (29,437)
3. Jamaica (27,603)
4. Italy (22,689)
5. Mexico (20,264)
6. Canada (19,130)
7. Brazil (18,871)
8. China (17,286)
9. Ecuador (15,682)
10. United Kingdom (15,238)

The percentage and estimated total number of foreign-born residents within each county are as follows:⁹

- Fairfield County: 19.8 (178,287)
- Hartford County: 14.5 (127,154)
- New Haven County: 10.5 (88,751)
- Litchfield County: 6.1 - 7.7 (11,597-14,639)
- Middlesex County: 6.1 - 7.7 (9,990-12,611)
- New London County: 6.1 -7.7 (51,560-65,084)
- Tolland County: 6.1 -7.7 (9,037-11,407)
- Windham County: 4.6 (5,376)

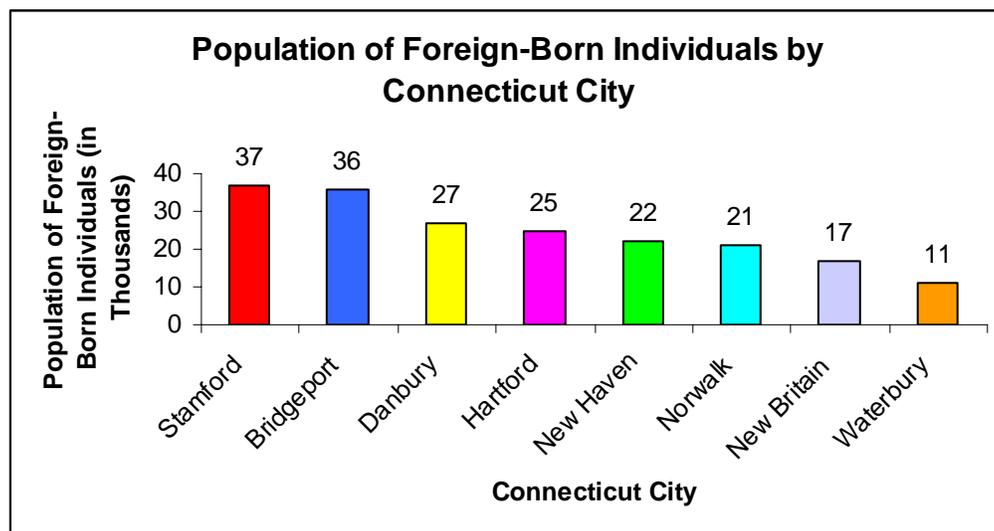


Figure 3: Eight of Connecticut's cities have large numbers of foreign-born individuals.
Source of Data (See Endnote 8)

Subsection 5: Relevance of Immigration Trends to Child Welfare in Connecticut

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"In 1995, the share of Connecticut's children under age 20 was 6th lowest in the nation, but in 2025, Connecticut is projected to rank 29th highest in the share of its population under age 20 in large part because of immigration" (See Endnote 8).

During the 2000-2001 school year, 13,185 students (or 2.3 percent of the total number of students enrolled in Connecticut's public schools within grades pre-kindergarten through twelve) were immigrants.¹⁰

For further Connecticut-specific demographic information, consult the Connecticut Department of Education's 'Strategic School Profile' Webpage:

<http://www.csde.state.ct.us/public/cedar/profiles/index.htm#go>

Part B: Statuses and Statistics

The following five immigration status categories (temporary legal residents, refugees and asylees, foreign-born victims of human trafficking, legal permanent residents, and naturalized citizens) are the most common designations. An immigrant may experience several of these classifications over the course of his or her lifetime. The descriptions are intended as an overview.

"A mixed-status family is one in which members are in different legal categories. The family can include citizen children (children born in the U.S.), undocumented children, an undocumented parent or parents, and a parent or others with legal permanent residence."¹¹ Given that many immigrants are part of mixed-status families, they may not know about or be fearful of accessing services for which they qualify. For instance, a child who was born in the U.S. is considered a U.S. citizen and therefore is eligible for HUSKY medical benefits even if his or her parents are undocumented immigrants.

Subsection 1: Temporary Legal Residents

"Temporary legal residents have been admitted to the United States for a temporary or indefinite period, but have not attained permanent residency. Most are people who have entered for a temporary period, for work, as students, or because of political disruption or natural disasters in their home countries. Some seek to stay for a permanent or indefinite period and have a 'pending' status that allows them to remain in the country and work but does not carry the same rights as legal permanent residency."¹²

Some 32 million temporary legal migrants were admitted in Fiscal Year 2005. Almost 90 percent were temporary visitors for pleasure (tourists) or business visitors. These counts of arrivals do not include Mexicans with border crossing cards that allow shopping visits or Canadian visitors. Temporary migrants who enter and leave the U.S. several times are counted each time they enter. The U.S. has 25 types of non-immigrant visas, designated by law, such as A-1 visas for foreign government officials, B-visas for business visitors and tourists, F-visas for foreign students, H-visas for foreign workers, O- and P-visas for foreign athletes and entertainers, and TN visas for Canadians and Mexicans entering the U.S. to work under NAFTA's migration provisions. Visitors who are nationals of specific countries such as Canada and the UK are not required to

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have entry visas; however, most are included in the counts of arrivals. In 2006, there were 27 such visa-waiver countries.¹³

Subsection 2: Refugees and Asylees

"Refugees or asylees are granted legal status due to persecution or a well-founded fear of persecution in their home countries. Refugee status is granted before entry to the United States. Refugee status may be granted to a group of persons, although each individual must also qualify for the status. Asylees must meet the same criteria regarding fear of persecution. Unlike refugees, asylees usually arrive in the country without authorization (or overstay a valid visa), later claim asylum, and are granted their legal status while in the United States. After one year, refugees and asylees are eligible for permanent residency, and after five years, for naturalization" (See Endnote 12).

Nationally, refugee arrival rates have fluctuated between 41,150 and 53,738 from 2004 until 2006.¹⁴ In Connecticut, during the comparable time period, these figures have ranged from 310 to 526.¹⁵

Nationally, 26,113 people were granted asylum in 2006 and 27,218 people were granted asylum in 2004 (see Endnote 14). The number of people granted asylum in Connecticut in 2006 is unknown because these data are not reported on the Census (see Endnote 8).

Subsection 3: Foreign-Born Victims of Human Trafficking

Human trafficking is "all acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage."¹⁶ Human trafficking does not necessarily involve bringing victims across international borders. Also, while victims of human trafficking often are immigrants, victims of human trafficking sometimes are U.S.-born individuals.

There are a number of people who may come in contact with victims of trafficking. Anyone can report suspected cases of trafficking, and some people are mandated by law to report abuse. If the victim is a child (under the age of 18), each state in the U.S. mandates that certain people report suspected cases of abuse or neglect: law enforcement officers, health care workers, social workers, mental health professionals, and school personnel. Four states--Alaska, Arkansas, Connecticut, and South Dakota--include domestic violence service providers on the list of mandated reporters.¹⁷

"According to the 2004 Trafficking in Persons Report produced by the U.S. Department of State, between 600,000 and 800,000 men, women, and children are trafficked across international borders each year. Of that number it is estimated that 80% of the victims are female and up to 50% are children. A majority of these victims were trafficked into commercial sexual exploitation. Between 14,500 and 17,500 individuals are trafficked into the U.S. each year."¹⁸

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Data as to the numbers of victims of trafficking in Connecticut are not available. Even so, Connecticut has many characteristics that make it an attractive location for traffickers. Two interstate highways running between Boston and New York City, both prime locations for trafficking, as well as in international airport. In addition, three marine ports on Long Island Sound could be utilized by traffickers (see Endnote 18).

Subsection 4: Legal Permanent Residents (LPRs)

"Legal Permanent Residents (LPRs) are legally admitted to live permanently in the United States through qualifying for immigrant visas abroad or adjustment to permanent resident status in the United States. LPRs are issued documentation commonly referred to as 'green cards,' although the cards have not been green for many years. Almost all LPRs are sponsored (i.e., brought to the United States) by close family members or employers" (see Endnote 12).

"LPR's, more commonly known as 'green card' recipients, are permitted to live and work anywhere in the United States, to own property, to attend public schools, to join certain branches of the Armed Forces, and may also apply to become U.S. citizens if they meet certain eligibility requirements."¹⁹

"Generally after five years LPRs are permitted to become naturalized U.S. citizens. Immigrant visas are now credit-card type documents, but they used to be printed on green paper, and legal immigrants are still referred to as "green card holders." Over 1.1 million immigrants (including refugees) were admitted in Fiscal Year 2005, up from 950,000 in Fiscal Year 2004."²⁰

In 2006 more than 12 million people and nearly 150,000 people were LPRs in the U.S. and in Connecticut respectively.²¹

Subsection 5: Naturalized Citizens

"Naturalized citizens are former LPRs who have become U.S. citizens through the naturalization process. Typically, LPRs must be in the United States for five or more years to qualify for naturalization, although immigrants who marry citizens can qualify in three years, and some small categories even sooner. LPRs must take a citizenship test---in English---and pass background checks before qualifying to naturalize" (see Endnote 12).

Currently, 16 million people in the U.S. are naturalized citizens.²² Within Connecticut, 275,000 people (half of the state's immigrant population) are naturalized citizens (See Endnote 4).

Subsection 6: Undocumented Immigrants

Undocumented immigrants also may be known as illegal aliens or unauthorized immigrants. "Unauthorized immigrants do not possess a valid visa or other immigration document, because they entered the United States illegally (usually across the Mexican [or Canadian] border), stayed longer than their temporary visas permitted, or otherwise violated the terms under which they were admitted. A small number eventually adjust their status and attain legal residency after a relative, spouse, or employer has filed a sponsorship petition" (see Endnote 12).

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The number of unauthorized foreigners has been rising by about 525,000 per year (See Endnote 20). Based on estimates from the 2005 Current Population Survey, approximately 11.1 million people residing in the U.S. are undocumented immigrants.²³ Another agency reports a higher figure: 11.5 million persons.²⁴ Using those data, Connecticut was estimated to have between 70,000 and 100,000 undocumented immigrants residing in the state.

*Part C: Glossary of Selected Terms*²⁵

Alien: "A foreign national who is not a United States citizen."

Asylee: "A person who cannot return to his home country because of a well-founded fear of persecution. An application for asylum is made in the United States to DHS [the Department of Homeland Security]. Go to the [DHS, United States Citizenship and Immigration Services Internet site](#) to learn more."

Arrival-Departure Card: "Also known as Form I-94, Arrival-Departure Record. The Department of Homeland Security, Customs and Border Protection official at the port-of-entry gives foreign visitors (all non-U.S. citizens) an Arrival-Departure Record, (a small white card) when they enter the United States. Recorded on this card is the immigrant classification and the authorized period of stay in the U.S. This is either recorded as a date or the entry of D/S, meaning duration of status. It is important to keep this card safe because it shows the length of time you are permitted and authorized by the Department of Homeland Security to stay in the U.S. It is best kept stapled with your passport, kept in a safe place. The visitors return the I-94 card when they leave the country. The I-94W, Nonimmigrant Visa Waiver Arrival-Departure Record (green card) is for travelers on the Visa Waiver Program. Go to the [DHS, U.S. Customs and Border Protection Internet site](#) to learn more."

Certificate of Naturalization: "A document issued by the Department of Homeland Security as proof that the person has become a U.S. citizen (naturalized) after immigration to the United States."

Department of Homeland Security (DHS): "DHS is comprised of three main organizations responsible for immigration policies, procedures, implementation and enforcement of U.S. laws, and more. These DHS organizations include [United States Citizenship and Immigration Services \(USCIS\)](#), [Customs and Border Protection \(CBP\)](#) and [Immigration and Customs Enforcement \(ICE\)](#). Together they provide the basic governmental framework for regulating the flow of visitors, workers and immigrants to the United States. USCIS is responsible for the approval of all immigrant and nonimmigrant petitions, the authorization of permission to work in the U.S., the issuance of extensions of stay, change or adjustment of an applicant's status while the applicant is in the U.S, and more. Customs and Border Protection (CBP) is responsible for admission of all travelers seeking entry into the U.S., and determining the length of authorized stay, if the traveler is admitted. Once in the United States the traveler falls under the jurisdiction of DHS. Visit the [DHS Internet site](#) for more information."

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Green card: "A wallet-sized card showing that the person is a lawful permanent resident (immigrant) in the United States. It is also known as a permanent resident card (PRC), an alien registration receipt card and I-551. It was formerly green in color."

I-551 (Green Card): "Permanent residence card or alien registration receipt card or 'green card.'"

Immigrant visa: "A visa for a person who plans to live indefinitely and permanently in the United States."

Lawful Permanent Resident Alien (LPR): "Lawful permanent resident."

Naturalization: "A citizen who acquires nationality of a country after birth. That is, the person did not become a citizen by birth, but by a legal procedure."

Nonimmigrant Visa (NIV): "A U.S. visa allows the bearer, a foreign citizen, to apply to enter the United States temporarily for a specific purpose. Nonimmigrant visas are primarily classified according to the principal purpose of travel. With few exceptions, while in the U.S., nonimmigrants are restricted to the activity or reason for which their visa was issued. Examples of persons who may receive nonimmigrant visas are tourists, student, diplomats and temporary workers. For more information, see [Temporary Visitors to the U.S.](#)"

Re-entry Permit: "A [travel document](#) that the Department of Homeland Security (DHS) U.S. Citizenship and Immigration Services issues to lawful permanent residents (LPRs) who want to stay outside of the U.S. for more than one year and less than two years. LPRs who cannot get a passport from their country of nationality can also apply for a re-entry permit. You can put visas for foreign countries in a re-entry permit."

Refugee: "A person who has a well-founded fear of persecution if he/she should return to his/her home country. He/she applies to come to the United States in another country and enters the United States as a refugee. See the DHS, USCIS website [Refugee](#) information to learn more."

Visa: "A citizen of a foreign country, wishing to enter the U.S., generally must first obtain a visa, either a nonimmigrant visa for temporary stay, or an immigrant visa for permanent residence. Visa applicants will need to apply overseas, at the U.S. Embassy or Consulate, generally in their country of permanent residence. The type of visa you must have is defined by immigration law, and relates to the purpose of your travel. A visa allows a foreign citizen to travel to the United States port-of entry, and request permission of the U.S. immigration inspector to enter the U.S. Issuance of a visa does not guarantee entry to the United States. The Customs and Border Protection Officer at the port-of-entry determines whether you can be admitted and decides how long you can stay for any particular visit."

Part D: Documentation Forms

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Visas, permanent resident cards (also known as green cards, resident alien cards, or I-551), passports, and Employment Authorization Documents are distinct documents. Descriptions of each and links to websites with further information appear below:

Subsection 1: Answers to General Questions about Documentation

What types of visas exist?

Two basic categories of visas exist: nonimmigrant visas (intended for those who intend to stay temporarily in the U.S.) and immigrant visas (intended for those who intend to stay permanently in the U.S.). Within each of these two basic categories, several different subcategories exist. For additional information, visit the Websites below.

- Visas in general: U.S. Department of State, Bureau of Consular Affairs 'Visas' Webpage: http://travel.state.gov/visa/visa_1750.html
- Non-immigrant visa classifications: U.S. Citizenship and Immigration Services 'Immigration Classifications and Visa Categories' Webpage: <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=e6c08875d714d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=ca408875d714d010VgnVCM10000048f3d6a1>
- Immigrant visa classifications: U.S. Citizenship and Immigration Services' 'Immigration Classifications and Visa Categories: Immigrants' Webpage: <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=35e417d8d673e010VgnVCM1000000ecd190aRCRD&vgnnextchannel=ca408875d714d010VgnVCM10000048f3d6a1>
- Image of a visa: U.S. Department of State's 'Questions about Visas' Webpage: http://travel.state.gov/visa/questions/questions_1253.html The image is located about halfway down the page.
- Five employment-based visas: U.S. Department of State, Bureau of Consular Affairs 'Employment-Based Visas' Webpage: http://travel.state.gov/visa/immigrants/types/types_1323.html#first

What is a passport?

"A passport is an internationally recognized travel document that verifies the identity and nationality of the bearer. A valid U.S. passport is required to enter and leave most foreign countries. Only the U.S. Department of State has the authority to grant, issue or verify United States passports."²⁶

- U.S. passports in general: U.S. Department of State, Bureau of Consular Affairs' 'Passports' Webpage: http://travel.state.gov/passport/passport_1738.html

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- Country-specific requirements for entry into and exit from countries other than the U.S.: U.S. Department of State, Bureau of Consular Affairs 'Travel Information: Country-Specific Information' Webpage:
http://travel.state.gov/travel/cis_pa_tw/cis/cis_1765.html
- Country-specific U.S. embassy information in countries other than the U.S.: U.S. Department of State's 'Websites of U.S. Embassies, Consulates, and Diplomatic Missions' Webpage:
<http://www.usembassy.gov/>

What documentation is required to work legally in the U.S.?

An Employment Authorization Document (EAD) is a document proving that an immigrant has permission to work in the U.S. Naturalized U.S. citizens and Legal Permanent Residents do not need to have an Employment Authorization Document in order to work legally in the U.S.

- For additional information: U.S. Citizenship and Immigration Services 'How Do I Get a Work Permit (Employment Authorization Document - EAD)?' Webpage:
<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=d502194d3e88d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=1847c9ee2f82b010VgnVCM10000045f3d6a1RCRD>

How can a client obtain his or her birth certificate?

- For clients born in the U.S., visit 2-1-1's 'Birth Certificates' Webpage:
<http://www.infoline.org/informationlibrary/Documents/Birth%20Certificates%20pt.asp>
- For clients born outside of the U.S., consult the Office of Legal Affairs. It is likely that the Office of Legal Affairs will enlist the help of International Social Services - USA.

Subsection 2: Links to Specific Immigration Forms

Application Procedures for Becoming a Legal Resident in the U.S.:

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=5993da568324e010VgnVCM1000000ecd190aRCRD&vgnnextchannel=4f719c7755cb9010VgnVCM10000045f3d6a1RCRD>

Process for Refugees and Asylees to Seek Legal Permanent Resident (LPR) Status:

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=207796981298d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=3a82ef4c766fd010VgnVCM1000000ecd190aRCRD>

Petition for Alien Relative:

Instructions: <http://www.uscis.gov/files/form/I-130instr.pdf>

Form 1-130: <http://www.uscis.gov/files/form/I-130.pdf>

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Application for Travel Document:

Instructions: <http://www.uscis.gov/files/form/I-131instr.pdf>

Form I-131: <http://www.uscis.gov/files/form/I-131.pdf>

Affidavit of Support:

Form I-134: <http://www.uscis.gov/files/form/I-134.pdf>

Petition for Amerasian, Widow(er), or Special Immigrant:

Instructions: <http://www.uscis.gov/files/form/i-360instr.pdf>

Form I-360: http://www.uscis.gov/propub/DocView/afmid/dat/I_360.PDF

Application to Register Permanent Residence or Adjust Status:

Instructions: <http://www.uscis.gov/files/form/i-485instr.pdf>

Form I-485: <http://www.uscis.gov/files/form/i-485.pdf>

Application for Asylum and for Withholding of Removal:

Instructions: http://www.uscis.gov/files/form/I-589_Inst.pdf

Form I-589: <http://www.uscis.gov/files/form/I-589.pdf>

Application for Employment Authorization:

Instructions: <http://www.uscis.gov/files/form/I-765instr.pdf>

Form I-765: <http://www.uscis.gov/files/form/I-765.pdf>

Request for the Return of Original Documents:

Form G-884: <http://www.uscis.gov/files/form/g-884.pdf>

Employment Eligibility Verification:

Form I-9: <http://www.uscis.gov/files/form/i-9.pdf>

Application for Naturalization:

Instructions: <http://www.uscis.gov/files/form/N-400ins.pdf>

Form N-400: <http://www.uscis.gov/files/form/N-400.pdf>

Arrival/Departure Record:

Form I-94: http://www.uscis.gov/propub/DocView/afmid/dat/I_94.PDF

Part E: Legislation Regarding Basic Needs Eligibility

Subsection 1: Personal Responsibility and Work Opportunity Reconciliation Act of 1996: Title IV: Restricting Welfare and Public Benefits for Aliens

Legal Immigrants: The law includes provisions that would deny most forms of public assistance to most legal immigrants for five years or until they attain citizenship. The President has said that

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legal immigrants who fall on hard times through no fault of their own and need help should get it, although their sponsors should take additional responsibility for them.²⁷

Refugees and Asylees are exceptions and are eligible for services for up to five years from the date of arrival in the U.S.

Naturalized Citizens: "Once naturalized, they have nearly all of the same privileges, rights, and responsibilities as native-born citizens."²⁸

Undocumented (Illegal) Immigrants: Immigrants without sufficient documentation are not eligible for federal or state benefits. The only benefits to which undocumented immigrants are entitled are access to public primary and secondary education and emergency room use. As recipients of public education, undocumented immigrants may not be disqualified from participating in free or reduced cost school breakfast and lunch programs.

Subsection 2: The Vienna Convention on Consular Relations Regarding the Role of United States Child Protection Agencies and Children Who Are Foreign Nationals

In the same way that The Indian Child Welfare Act, Title 25, Chapter 21, Section 1902 (2006) requires notification of tribes when Native American children come into the custody of the Department, The Vienna Convention on Consular Relations, 21 U.S.T. 77, Art. 37 (b) requires that if CPS obtains legal custody of a child who is a foreign national, federal treaty obligations require that the foreign consulate be given notice.

If it is unclear whether a child is a citizen of a foreign country, the best practice is to give the consul notice. In addition to satisfying the legal requirement, contact with the consul may facilitate locating family members or other resources in a foreign country. Whether or not the consulate responds, CPS staff should continue permanency planning for the child.

If CPS obtains legal custody of a child who is a foreign national, federal treaty obligations require that the foreign consulate be given notice.²⁹

Subsection 3: Victims of Trafficking and Violence Protection Act of 2000 (General Guidelines)

Victims of human trafficking who are not U.S. citizens may be provided the same services as refugees.³⁰ To be eligible for these services, adult victims must be certified. They may be certified according to the following.

- Be a victim of a severe form of trafficking as defined by the Trafficking Victims Protection Act of 2000 (TVPA)
- Be willing to assist with the investigation and prosecution of trafficking cases; and
- Have completed a bona fide application for a T visa; or
- Have received continued presence status from U.S. Customs and Immigration Services in order to contribute to the prosecution of human traffickers.

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Once meeting these criteria, adult victims will be issued a letter by the Department of Health and Human Services, Office of Refugee Resettlement. Three years after receiving the certification letter, given compliance with other requirements, they may be eligible for citizenship.³¹

Child victims of human trafficking (under age 18) are immediately eligible for benefits – they do not need to apply for a T visa or get Continued Presence status. For such victims, the Department of Health and Human Services issues – once it has received proof that the child is a victim of trafficking – a “letter of eligibility.” The victim or the victim’s advocate may then present the letter to social service providers as proof of eligibility. Certified and eligible victims of human trafficking can receive benefits and services necessary for the safety and protection of their lives including:

Housing or shelter assistance, English language training, food assistance, health care assistance, income assistance, mental health services, employment assistance, and assistance for victims of torture. T, T-1, T-2, T-3, and T-4 Visas may also be available.³²

According to Connecticut Statute, the Office of Victim Services established a pilot project with the Connecticut Coalition Against Domestic Violence (CCADV) to provide services for victims of human trafficking, referred by federal, state, or municipal law enforcement. CCADV will provide shelter and services on a temporary basis, not to exceed seven days, basic needs such as clothing and prescriptions, and assistance with permanent living arrangements. CCADV, through its network of sixteen domestic violence shelters, will: (1) accept immediate referrals and provide immediate access to safe and secure lodging, (2) provide services statewide, (3) provide services on a twenty-four hour basis, (4) assess victims for other needs they may have and assist them in accessing services to address those needs as necessary, (5) provide referral to hospital or health care as necessary, (6) provide access to multi-lingual translators, and (7) provide transportation for victims (see Endnote 16).

In cooperation with the U.S. Attorney’s Office for the District of Connecticut and federal and local law enforcement, Project Rescue was established to provide help to these victims. The aims of this program are

- to provide comprehensive services to trafficking victims
- to build effective community service networks to respond to victims’ needs
- to provide training to service providers and the public³³

Under this Project, the International Institute of Connecticut provides or refers clients to other community agencies to receive comprehensive services including:

- Housing assistance
- Health services
- English and job training skills
- Language and cultural assistance
- Transportation
- Legal and immigration services³⁴

Subsection 4: Protection of Certain Crime Victims Including Victims of Crimes against Women

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To specifically assist victims of violent crimes who are undocumented immigrants, as part of the Victims of Trafficking and Violence Protection Act of 2000, in October, 2007 the U.S. authorized the issuance of U-Visas. The law stipulates that 10,000 so-called U-visas will be issued each year. They will let the immigrants live and work in the U.S. for three years. Afterward, they are placed on a list for permanent residency. To qualify for these visas, applicants must be certified (by police, prosecutors or a judge) as victims of specific crimes such as rape, torture, trafficking, incest, forced prostitution and kidnapping. They must have suffered substantial physical and mental abuse.³⁵

Subsection 5: 14th Amendment of the U.S. Constitution: U.S. Citizenship at Birth

The 14th Amendment of the U.S. Constitution guarantees citizenship at birth to almost all individuals born in the U.S. or in U.S. jurisdictions.³⁶

Subsection 6: Immigration and Nationality Act: Section 412 (6)(A)(iv) Unaccompanied Refugee Minors³⁷

Unlike the 15 currently designated states with an Unaccompanied Refugee Minors program (Arizona, California, District of Columbia, Florida, Massachusetts, Michigan, Mississippi, New York, North Dakota, Pennsylvania, South Dakota, Texas, Utah, Virginia, and Washington), Connecticut does not have a program of this type. Nonetheless, the following information may be helpful to you in light of the states within which your clients may have lived prior to coming to Connecticut or the states to which they may move after they leave Connecticut. "Through its network of caretakers, the Unaccompanied Refugee Minors Program helps unaccompanied minor refugees develop appropriate skills to enter adulthood and to achieve social self-sufficiency. The State Department identifies refugee children overseas who are eligible for resettlement in the U.S., but do not have a parent or a relative available and committed to providing for their long term care. Upon arrival in the U.S., these refugee children are placed into the Unaccompanied Refugee Minors (URM) program and receive refugee foster care services and benefits. The program was originally developed in the 1980s to address the needs of thousands of children in Southeast Asia without a parent or guardian to care for them. Since 1980, almost 12,000 minors have entered the URM program. At its peak in 1985, ORR provided protection to 3,828 children in care. Now in various [States](#), ORR has about 600 children in care. While most children are placed in licensed foster homes, other licensed care settings are utilized according to children's individual needs, such as therapeutic foster care, group homes, residential treatment centers, and independent living programs . . . Refugee children who enter the U.S. with family but experience a family breakdown may be eligible to participate in the URM program. ORR's State Letters on [reclassification](#) to URM status provide the standards used to determine if such a child may access the program."³⁸

Subsection 7: Connecticut-Specific Basic Needs Eligibility Information

To help a documented immigrant client with basic needs of various kinds, search Connecticut's 2-1-1 Website: <http://www.infoline.org/> and the Connecticut Association for Community Action members' Website: <http://www.cafca.org/members.htm> To be eligible for many programs, qualified applicants must have paperwork that demonstrates their need. Since undocumented immigrants cannot provide this documentation, they often are not eligible for assistance.

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- **Food Stamps:** Generally, Food Stamp recipients must be U.S. citizens, although documented non-citizens may be eligible in certain circumstances. An example would be a documented non-citizen who has lived in the U.S. for five or more years. For those documented non-citizen immigrants who don't qualify for the federal program solely based on immigration status, there is a state-funded food stamps program. (Both programs have income and asset eligibility guidelines.)³⁹
- **Medical Care for Immigrant Children:** Children with documented legal status in the U.S. (i.e. U.S. citizens, refugees, asylees) and whose families meet income eligibility guidelines can qualify for HUSKY health insurance, even if their parents or guardians are undocumented immigrants. Documentation includes an I-94 form (Arrival/Departure Record), an I-551 form (also known as Green Card or Permanent Resident Card), or another form showing the child's status. See "Section J: Immigration" of the HUSKY health insurance application instructions at:
<http://www.huskyhealth.com/pubs/HuskyInst02.pdf>

Undocumented immigrants are **not** eligible for Medicaid or HUSKY. Individuals with this immigration status **are** eligible to receive a medical exam and the care necessary to stabilize an emergency condition within hospital emergency rooms. The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Section 1011) allows hospitals to receive federal funding to help cover costs associated with these medical exams and care.⁴⁰ Undocumented immigrants **may** be able to receive medical services on a sliding-scale basis through the Community Health Center Association of Connecticut. Connected through the Community Health Center Association of Connecticut, individual clinics around the state offer various medical services. This is the link to the Association's homepage: <http://www.chcact.org/default.aspx> For listings of contact information for the various clinics, visit http://www.chcact.org/HCs/HCs_access.aspx For additional information about possible resources, please contact the Health Advocate who serves your Area Office.

- **Educational Services for Children Who Are Immigrants:** As indicated in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, children are entitled to public education services, regardless of immigration status.

By law and according to DCF policy, agency staff must use one of the DCF-authorized interpreter or translator services listed at <http://www.ct.gov/dcf/cwp/view.asp?a=2546&q=314490> to provide the following services for clients whose preferred language is not English:

- Translation of Individualized Education Programs (IEPs)
- Interpretation at Planning and Placement Team (PPT) meetings
- Interpretation for children in the classroom, as appropriate

Access the links below to see more information about Connecticut's statutes.

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- Bilingual and Bicultural Services:

<http://www.cga.ct.gov/2007/pub/Chap164.htm#Sec10-17.htm>

- Vaccinations:

<http://www.cga.ct.gov/2007/pub/Chap169.htm#Sec10-204.htm>

- Health Assessments:

<http://www.cga.ct.gov/2007/pub/Chap169.htm#Sec10-206.htm>

- Health Screenings: <http://www.cga.ct.gov/2007/pub/Chap169.htm#Sec10-214.htm>

- Special Education Programs and Services:

<http://www.cga.ct.gov/2007/pub/Chap164.htm#Sec10-76d.htm>

Access the links below for other Resource Information

Special Education Directors by district: Connecticut State Department of Education - Education Directory 'Public Elementary and Secondary Schools in Connecticut'

Webpage:

http://www.csde.state.ct.us/public/der/directory/public_elem.htm

Connecticut's public educational system, services are governed largely at the town or city level. Alphabetical listing of school Website addresses: Connecticut State Department of Education - Education Directory 'School World Wide Web Address Report' Webpage at:

<http://www.csde.state.ct.us/public/csde/reports/wwwSchool.asp>

School district superintendents' contact information: Connecticut State Department of Education - Education Directory 'Public Elementary and Secondary Schools in Connecticut'

Webpage:

http://www.csde.state.ct.us/public/der/directory/public_elem.htm

State Education Resource Center's 'Resource Directory for Families':

<http://www.ctserc.org/rfi/FamilyResourceDirectory.PDF>

To request a specially-trained Department staff member to assist you with educational matters for a child, contact the representative from the Educational Consultant Unit who serves your Area Office.

- **English Classes and Other Basic Education Courses for Adults:** The State of Connecticut Department of Education Adult Education programs provide a variety of classes. "Adult Education programs are free to Connecticut residents aged 16 and older who are no longer enrolled in a public school. Instructional programs include basic literacy skills, English language acquisition, citizenship and secondary school completion including preparation for the high school equivalency exam (GED)."⁴¹ The link to this resource's main page is <http://www.sde.ct.gov/sde/cwp/view.asp?a=2620&q=320704> The link for a directory of providers by town or city is

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<http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Adult/providerdirectory.pdf#45469> Some town or city public libraries offer similar classes. You can use the following Website to access contact information for each individual public library in the state:

<http://www.iconn.org/FindALibraryInConnecticut.aspx?cat=public> There may be some overlap between classes listed with each of these resources.

- **Housing:** In general, the following organizations provide direct or referral information:
 - Catholic Charities:
http://www.ccaoh.org/Our_Services/Mig_refugee/Mig_refugee.htm
 - International Institute of Connecticut:
<http://www.iiconn.org/HumanTraffickingProject.htm>
 - Integrated Refugee and Immigrant Services (IRIS):
<http://www.interfaithrefugee.org/>
 - 2-1-1 United Way of Connecticut:
<http://www.infoline.org/focus/housing.asp>
 - CTHousingSearch, "a free place to list and find accessible, affordable, and market rate rental housing in Connecticut":
<http://www.cthousingsearch.org/>
- **Food:** Search 2-1-1 United Way of Connecticut's Webpage on food resources:
<http://www.infoline.org/focus/foodlist.asp> Each program likely has different eligibility criteria, so it's important to check with any individual provider you or your client may be considering.
- **Transportation (Bus Passes):** Regularly-priced bus passes may be purchased with cash from CTTRANSIT Customer Services and Sales Outlets in downtown Hartford, New Haven, and Stamford. One-time fares can be paid on the bus. Children ages four and younger ride for free, with a maximum of three children with each accompanying adult. To qualify for CTTRANSIT's Reduced Fare program (within which qualified recipients pay half the fare and may travel at any time of day), individuals must be at least 65 years old and/or have a qualifying disability. Required identification is a Medicare card or a state-issued photo identification card.⁴²
- **State of Connecticut-Issued Identification:** The Connecticut Department of Motor Vehicles publishes lists of documentation required to obtain driver's licenses or identification cards. For the lists, visit:
<http://www.ct.gov/dmv/cwp/view.asp?a=805&q=244772>

Subsection 8: Specific Information Regarding Use of the Department's Flexible Funding

Given that clients who are undocumented immigrants do not qualify for most public services, they may be eligible on a case-by-case basis for services financed by the Department's Flexible Funding. Please know that at this time the purposes for which flexible funding is used are left to the discretion of each Area Office. Therefore, please consult with your supervisor about appropriate use and availability of funding.

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Flexible Funding **may** be used for the following purposes:

- Food
- Clothing
- Emergency shelter
- Rent to avoid eviction
- Security deposit and/or first and last month's rent
- Heating bills
- Emergency home repairs (e.g., heating system repair)
- Emergency housekeeping services
- Transportation
- Camp Fees
- Respite Care
- Application fees for Green Card (Legal Permanent Resident) cards for children
- Behavioral health services, including:
 - Counseling
 - Evaluations
 - Assessment
 - Behavior Management
 - Supervised Visitation
 - Temporary Care
 - Therapeutic Support Staff
 - Support Staff

Flexible Funding **cannot** be used for the following purposes:

- Immigration attorney fees for parents or guardians
- Immigration document fees for parents or guardians
- Residential substance abuse treatment costs for parents or guardians

Subsection 9: Barriers to Service

At the time of writing this informational guide, there do not appear to be readily-available services for undocumented immigrants needing:

- Prescription medications
- Ongoing medical treatment
- Ongoing mental health services

Section II: The Immigration Experience

Disclaimer: While this section contains general information, it is essential to honor each person's individual immigration experience.

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Part A: 'Stages of Migration: Critical Variables'⁴³

FIGURE 1

Stages of Migration: Critical Variables

Factors That Influence Each Migration Stage

Age, family composition, urban/rural background, race, education, culture, socioeconomic background, occupation, belief system, social support.

Country of Origin

Premigration/Departure

- Social, political, economic, and educational factors
- Separation from family and friends
- Decisions regarding who leaves and who is left behind
- Abrupt departure
- Long wait and living in limbo prior to departure
- Leaving a familiar environment
- Life-threatening circumstances
- Experiences of violence and persecution
- Loss of significant others

Transit/Intermediate

- Perilous or safe journey of short or long duration
- Refugee camp or detention center stay of short or long duration
- Awaiting a foreign country's decision regarding final relocation
- Loss of significant others

2nd, 3rd, or 4th Country of Resettlement



Country of Resettlement

- Cultural issues
- Reception from host country
- Opportunity structure of host country
- Discrepancy between expectations and reality
- Degree of cumulative stress throughout migration process
- Different levels of acculturation among family members
- Intergenerational conflict and family structural changes

Return to Resettlement Country

- Duration of time in country of origin
- Nature of experiences in country of origin

Return to Country of Origin

- Reason for return (family issues, economic issues, retirement, deportation)
- Duration of time in country of resettlement
- Nature of experiences in country of resettlement
- Reception in country of origin

Source: Drachman & Paulino. (Eds.). (2004). *Immigrants and social work: Thinking beyond the borders of the United States*. Binghamton, NY: Haworth.

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Part B: Possible Experiences of Clients

Be Aware of the Social and Psychological Process of Immigration

- The immigration process begins in the country of origin with the decision-making process around whether to leave. This is a psychologically and socially difficult process for anyone, but it will vary depending on the individual's or family's circumstances and resources as well as the culture and country of origin.
- The immigration process itself can be traumatic, and the decision to immigrate may also be based on traumatic circumstances. It will be necessary to assess your clients who are immigrants for trauma-related symptoms.
- Once the decision is made to leave one's country of origin, the process of obtaining the correct visas, passports, permissions to leave one's country and enter another country may be fraught with frustration or even peril.
- The act of leaving will vary according to individual circumstances and countries; people arrive in all kinds of ways. Families may be separated for some time before they reunite in the U.S.
- Once in the U.S., immigrants will tend to live in communities where others from their countries or cultures already live.
- There will be formal and informal support networks in these communities about which the Department social workers should be aware. Family and kinship networks are also important to assess.
- It is generally a long time before immigrants feel they belong in the U.S.; the process of getting used to a society in which the individual often is prioritized over the family or group is a key cultural shift for many immigrants.
- For information about countries from which your clients are emigrating, you may want to visit this U.S. Department of State Website:
<http://www.state.gov/misc/list/index.htm>

Section III: The Department's Policies and Procedures

Part A: Policies

- Mission Statement and Guiding Principles:
<http://www.ct.gov/dcf/cwp/view.asp?a=2565&q=314338>
- Policy 31-8-13 (Immigration Issues): Provides the Department's position on working with children and families regardless of immigration status:
<http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=393682>
- Policy 31-8-6 (Delivery of Services in the Native and/or Sign Languages): Requires the Department's direct service workers to provide interpretation and translation services in the client's preferred language:
<http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=393662>
When a client's preferred language is one other than English, utilize the Language Line or the appropriate resource within the Department's Authorized Interpreter and Translator Providers: <http://www.ct.gov/dcf/cwp/view.asp?a=2546&q=314490>

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- Policy 41-17-3 (Licensing for Foster Care and Adoption - Application Process): Specifies that qualified foster or adoptive family applicants must be legal residents or U.S. citizens: <http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=394648>
- Policy 36-100 (Use of Discretionary/Flexible Funds): Outlines the parameters for use of flexible funds. In addition, each Area Director may have established additional criteria in order to better manage his or her flexible funding budget: <http://www.ct.gov/dcf/cwp/view.asp?a=2639&Q=394434>

Part B: Best Practice Ideas

The following ideas are important considerations when working with clients who are immigrants. While you will not be able to use these suggestions in every interaction with your clients because you may encounter constraints of many kinds, you and your client likely will benefit from as many recommendations as you are able to incorporate.

The Department's Role in Working with Clients Who Are Immigrants

The Department's role:

- is to help clients and keep the family together whenever possible, treat them with the same respect and dignity shown any other client, and inform them about any resources which may assist them.
- is **not** to report clients who are undocumented immigrants to the Department of Homeland Security, Immigration and Citizenship Enforcement (You may hear it referred to as 'La Migra' or ICE).

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The process of convincing clients who are undocumented immigrants that the Department will not report them to Immigration and Citizenship Enforcement often is a difficult and complex one.

Subsection 1: Engaging the Client

- Respect for and communication in the client's preferred language:

- If client's preferred language is not English, coordinate the use of an interpreter
- If working with an interpreter, plan the appointment for roughly double the amount of time you would otherwise
- If working with an interpreter, try to spend some time before meeting the client to outline the reason(s) for the meeting and offer an opportunity for the interpreter to share insight or ask questions
- Once the client meeting has begun, maintain your attention on the client (rather than the interpreter)
- Be sure to leave time and space for the client to ask questions or express concerns

- Establishment of trust, mutual respect, and acceptance:

- Introduce yourself, if possible, with a smile

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- Consider asking, "How do you feel about me being here?" and be ready to discuss client's possible feelings of distrust, anger, and suspicion
- Use an open and positive communication style (through voice, facial expression, posture, and phrasing) At different times, you may choose to restate what the client has said to make certain you understand correctly or ask further questions to learn more. Phrasing could include, "Would you tell me more about...?" or "Would you help me to understand...?"
- Try to be attentive to gestures that are culturally appropriate (i.e.: steady eye contact may be rude in some cultures)
- When possible, respect and follow how relationships are established according to client's culture
- As appropriate, share limited information about yourself

- Specific information to observe or inquire about:

- What language(s) is/are being spoken? Is the client/are the clients literate/numerate in their native language(s)?
- What are the cultural/religious factors involved in assessing the family?
- Why has the family come to the U.S.? Is this their first migration experience?
- Who is in the family?
- Do/es the client/s have documentation of their entry into the U.S.? This is important in terms of the ability to apply for asylum or refugee status.

You might want to use the text below as a guide for asking about immigration status:

I have to ask you a couple of questions related to your immigration status. Again, I want to remind you that how you answer these questions will not result in your being turned in to immigration authorities. All of this information will be kept in strict confidentiality. As with any other client I will work with you and your family to ensure that you receive all of the services that you are eligible to receive regardless of your immigration status.

Subsection 2: Identifying and Assessing the Problem(s)

- In general, keep in mind the usefulness of the phrase, 'Start where the client is'
- Learn about the client's perception of the problem. Allow time and be patient. Using an ethnographic interviewing technique, consider yourself as the learner and the client as the expert
- Identify the problem in terms of the client's wants or needs instead of blaming or pathologizing the client
- Learn about the details surrounding the problem in order to understand the overarching issues
- Identify the client's strengths and areas for development or stresses
- Express how clients' strengths, stresses, and problem they're experiencing may overlap (possibly by drawing a diagram)

Some Key Cultural Differences that Must Be Assessed

- The role of men and women in family decision-making

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- The role of older siblings in decision-making and caretaking
- The role of the family in general in decision-making
- Discussions of sexuality or even anatomy may be taboo
- The role of religion, language, appearance, and food
- Treatment for medical and/or psychiatric illness

Possible Signs that an Individual May Be a Victim of Human Trafficking⁴⁵:

- Evidence of being controlled
- Evidence of an inability to move or leave job
- Bruises or other signs of battering
- Fear or depression
- Non-English speaking
- Recently brought to this country from Eastern Europe, Asia, Latin America, Canada, Africa or India
- Lack of passport, immigration or identification documentation

Screening Tool for Victims of Human Trafficking (See Endnote 46):

Try to ask these questions when you are alone with the client so as not to raise the suspicions of anyone else:

- Can you leave your job or situation if you want?
- Can you come and go as you please?
- Have you been threatened if you try to leave?
- Have you been physically harmed in any way?
- What are your working or living conditions like?
- Where do you sleep and eat?
- Do you sleep in a bed, on a cot or on the floor?
- Have you ever been deprived of food, water, sleep or medical care?
- Do you have to ask permission to eat, sleep or go to the bathroom?
- Are there locks on your doors and windows so you cannot get out?
- Has anyone threatened your family?
- Has your identification or documentation been taken from you?
- Is anyone forcing you to do anything that you do not want to do?

Possible Evidence of Human Trafficking

- Industries in which trafficking is most common: farm work, prostitution, factory work, restaurant work
- Lack of documentation
- Lack of family or community ties
- Malnutrition, physical abuse, fearfulness
- Homelessness or inability to give an address
- Overly zealous supervision in the workplace
- Lack of basic personal possessions (clothing, toiletries)
- Children in the custody of people who are not family members

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Subsection 3: Setting Goals and Contracting

- Help client to prioritize the problems he or she wants to address
- After identifying the first problem the client wants to address, you might use phrasing such as, "Based on everything you've said, it seems to me that the best place for us to start is to work on problem ____ because _____. After we solve that problem, we can decide which one to work on next. How does that sound to you?"
- Explain your role as a social worker as well as your expectations. Keep in mind that many clients who are immigrants may not have child welfare agencies in their countries of origin.
- Create goals and objectives that are specific and attainable
- Brainstorm various interventions to meet goals
- Choose an intervention based on your prior experience, feasibility, ethics, effectiveness, and efficiency
- Create a contract that is specific and mutually agreed upon

Subsection 4: Implementing the Interventions and Monitoring

- Actively involve the client in the intervention
- Help your clients to empower themselves whenever and however possible
- Monitor effectiveness of intervention throughout and document
- Monitor client's progress throughout intervention and document

Subsection 5: Terminating and Evaluating

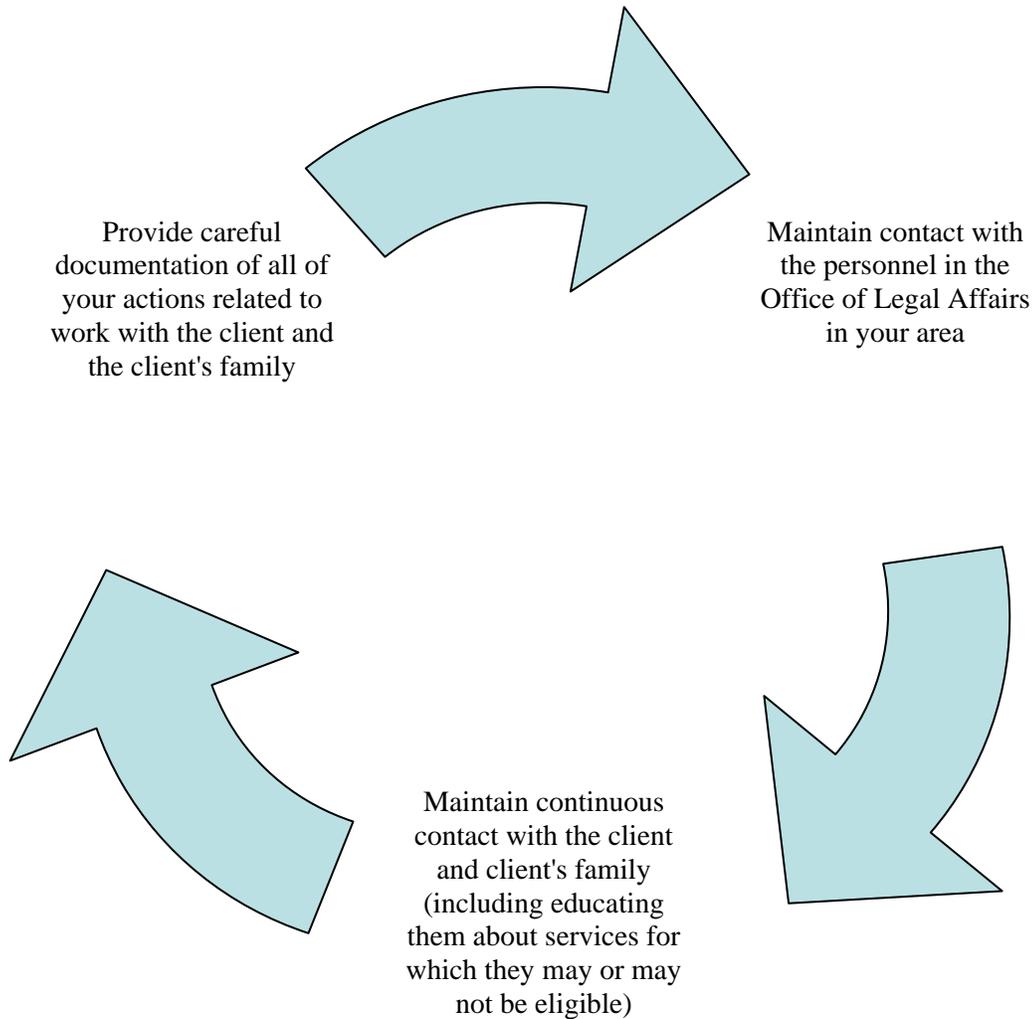
- Prior to ending your work with a client, provide verbal reinforcement of his or her strengths and the progress made (from the client's perspective).
- Ask the client for feedback about whether the intervention was helpful, what other factors could have contributed to the outcome, which aspects of your role were helpful or not helpful
- Provide referrals as appropriate
- Develop follow-up plan

Subsection 6: Following Up

- Contact client by phone or speak in person to monitor the client's progress, learn about the client's perceptions of the intervention and his or her work with the Department, and the development of new problems.

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Part C: Guidelines



Additional Guidelines for Work with Children Who are Undocumented Immigrants

- Contact Appropriate Consular Office
- If the Department has custody of the child, apply for Alien Registration Card (Green Card)

Additional Guidelines for Work with Refugees and Asylees

- Contact one of the agencies listed in Section IV (Resource Listings) or provide contact information to client

Additional Guidelines for Victims of Human Trafficking

- Contact National Human Trafficking Resource Center: 888-3737-888
- Contact one of the agencies listed in the Resource Library (as appropriate)

Additional Guidelines for Victims of Violent Crimes Who Are Undocumented Immigrants

- Contact the local police department in the area where the client is living and ask to speak with the representative designated to certify U-Visa status.

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General Notes about Immigration Law and Child Welfare Decision-Making Process

If a child is an undocumented immigrant and the Department has decided that pursuing family reunification is not in the best interest of the child, he or she may be eligible for Special Immigrant Juvenile Status. Once a person has been a Legal Permanent Resident for at least five (or three years in some cases) and is at least 18 years old, he or she can apply to become a U.S. citizen, if otherwise eligible. In some situations children who are adopted may become citizens before their 18th birthday. If the Department is working with a child who is involved in an Interstate Compact process and will be leaving Connecticut to reside in a different state, Department staff must begin the process of helping the child obtain legal residency before he or she leaves the state of Connecticut.

If a child is a legally documented immigrant, and his or her parents/legal guardians are undocumented, the parents/legal guardians run the risk of being deported (even though the Department does not report those who are undocumented immigrants to the Department of Homeland Security). If a parent is arrested, he or she often is sent to a detention center for an undetermined amount of time. Once being held at the detention center, he or she usually is deported. At the time of arrest, while public officials rarely attempt to make provisions for the children, they usually ask whether the undocumented adult has children. Afterwards, the public official often notifies the Department's hotline. The child temporarily comes into the care of the Department while agency staff members create a permanency plan for the child.

If a child is born in the U.S., he or she is considered a U.S. citizen and is entitled to all of the rights of a citizen, including medical benefits through the Department of Social Services.

If reunification of the child with his or her family in the parent's or parents' country of origin seems to be in the best interest of the child, the Office of Legal Affairs likely will pursue background checks on parents to determine suitability, with the help of International Social Services - U.S.A. Depending on how frequently an immigrant may travel within and outside of the U.S., the background check process may be quite challenging.

If remaining in the U.S. seems to be in the best interest of the child, the Office of Legal Affairs will collaborate with the Foster and Adoption Services Unit to determine suitable kinship care (perhaps with background checks provided by International Social Services - U.S.A.) or another foster or adoptive care arrangement.

Individuals can only be licensed to provide foster, pre-adoption, adoption, relative, special study, or independent care if they are legal U.S. residents or citizens. Specifically, the first criterion of the Department Policy 41-17-3 (Licensing for Foster Care and Adoption) specifies that "a person may apply for a foster care or adoption license if he/she is a resident of Connecticut (must be a U.S. citizen or a registered legal alien)."

Further, Department's Policy 41-16-3.1 specifies "As a requirement of the pre-licensing assessment process, a search of protective service and criminal history records shall be completed for the following persons:

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- each candidate for licensure (includes foster care, relative, special study, pre-adoptive, or independent licenses), and
- each household member age sixteen (16) years and older who resides in the candidate's home.

In order for a license to be granted, the candidates and all household members must be in compliance with the Regulations of Connecticut State Agencies §17a-145-152(a) - (d) regarding criminal history, pending criminal actions and history of child abuse or neglect. No waiver of these requirements may be granted." Given that some qualified applicants and their family members may have lived outside of the U.S., their background checks may be conducted by International Social Services - U.S.A., an organization with whom the Department contracts to provide such service.

Section IV: Resource Listings

Disclaimer: While the following list contains some organizations that work with immigrants, it is not intended to be comprehensive. Further, inclusion of an agency in this section does not reflect the Department's endorsement of the agency's services. As of the writing of this guide, the services described are up-to-date; however the information is subject to change. Staff members at each of the agencies listed provided valuable insight into their organization's work.

Some Organizations in Connecticut that Help Immigrants

- **Catholic Charities Archdiocese of Hartford, Migration and Refugee Services** (http://www.ccaoh.org/Our_Services/Mig_refugee/Mig_refugee.htm). Catholic Charities Migration and Refugee Services staff members provide comprehensive resettlement case management for clients with documented status as refugees or asylees, and by offering services in 20 languages, they are able to serve many clients' linguistic needs. The services available to clients with refugee or asylee status include assistance in finding employment, accessing medical care and Food Stamps, and providing housing for a limited time. Agency staff members are able to assist clients for five years following their resettlement in Connecticut. At this time the agency does not provide direct legal assistance to clients with immigration statuses other than refugees or asylees. However, Catholic Charities Migration and Refugee Services employees are able to make referrals as appropriate. The agency currently is seeking accreditation by the United States Immigration and Customs Enforcement Services Board of Immigration Appeals to provide assistance with processes such as immigration, naturalization and immigration court representation. The staff anticipates being approved during the summer of 2008.
- **Connecticut Coalition Against Domestic Violence** (<http://www.ctcadv.org/>): Connecticut Coalition Against Domestic Violence, Inc. (CCADV) is a membership organization whose purpose is to work together to end domestic violence by advocating for victims and changing the social conditions, beliefs, and social actions that perpetuate abuse against victims of domestic violence. The services on the agency's Website are up-to-date. Services are provided free of charge to all persons regardless of immigration

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status. Agency staff can accommodate any language preference, either directly (in Spanish) or indirectly (through the use of interpreters).

- **Connecticut Coalition of Mutual Assistance Associations** (<http://www.cmmaa.org>): As communicated in an up-to-date brochure produced by the agency, "the Connecticut Coalition of Mutual Assistance Associations (CCMAA) is a statewide, non-profit organization, composed of representatives from five Refugee Mutual Assistance Associations: Cambodian, Ethiopian, Hmong, Laotian and Vietnamese. Recently, the CCMAA extended its services to help Haitian and Bosnian refugees. Through the CCMAA, leaders of each ethnic community can work together to enhance the lives of their compatriots by helping them adjust to the American culture and way of life. To date, the CCMAA has organized the following programs to assist refugees and immigrants in Connecticut: English as a Second Language, home visit and referral services, translation services, job services, services for victims of crime, youth projects, and cultural preservation." CCMAA staff soon expects to incorporate a civics component into the agency's English as a Second Language classes to help prepare those taking the class for citizenship exams.
- **Connecticut Immigration and Refugee Coalition** (<http://www.circnet.org/>): Connecticut Immigrant and Refugee Coalition (CIRC) is a broad-based network of community agencies, religious groups, legal service providers and immigrant rights activists committed to protecting the rights and welfare of refugee and immigrant communities in the state. Within this network, numerous refugee and immigrant groups are represented. The non-profit coalition's mission is "to promote the rights and opportunities of immigrants and refugees in Connecticut, and to foster their civic participation."
- **Hartford Public Libraries** (<http://www.hplct.org/tap/TAP.htm>): Hartford Public Library's The American Place offers a variety of free services for immigrants and refugees. The program's services include U.S. citizenship classes, assistance with applying for the Diversity Visa Lottery program, and accessing immigration forms online, public immigration forums, self-study resources, telephone-based interpretation for Library users, and English language classes on weekends and weeknights. In addition, the American Place offers professional development opportunities for staff working with immigrants in the Hartford area. For more information visit the program's Website which also contains a Connecticut International Directory, accessible at http://www.hplct.org/tap/cultural_exchange/directory/international_directory.htm
- **Integrated Refugee and Immigrant Services (IRIS)** (<http://www.interfaithrefugee.org/>): Integrated Refugee and Immigrant Services (IRIS) serves immigrants of all statuses. Services currently listed on the 'Our Services' part of the Website are up-to-date. The agency's programs are provided free-of-charge including legal services, a food bank, a diaper bank, a soccer team, and an afterschool program. Their staff is able to

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accommodate the following languages: French, Spanish, Darsi, Russian, Somali, and Arabic.

- **International Institute of Connecticut** (<http://www.iiconn.org/>):
The International Institute of Connecticut, Inc. is a non-profit, non-sectarian, social service agency dedicated to the needs of immigrants, refugees, and their families. Support is provided through direct professional services, counseling, advocacy, and the advancement of fair and humane public policy. The International Institute of Connecticut is dedicated to promoting full participation in our culturally diverse communities.

The International Institute of Connecticut is “recognized” by the U.S. Board of Immigration Appeals. The International Institute yearly assists 4,000 individuals with Immigration, Naturalization and Immigration Court Representation. The International Institute has been assisting immigrants, refugees, and their families since 1918.

As of the writing of this guide, the services listed on the 'What We Do' Webpage are current. International Institute of Connecticut staff members do extensive Immigration, Citizenship Counseling and Court Representation. They provide Interpreter/Translation Services in 40 languages. They also provide information, education and services to victims of Human Trafficking. They are the only non-profit non-sectarian social services agency recognized by the U.S Board of Immigration Appeals. The International Institute of Connecticut works in partnership with Catholic Charities Migration and Refugee Services, and Integrated Refugee and Immigrant Services in its work with refugee and asylee clients. Immigration and Naturalization Counseling as well as interpreter/translation services are fee-based. The agency works with immigrants of all statuses.

- **Lutheran Social Services of New England** (<http://www.lssne.org/>):
Lutheran Social Services of New England provides direct client services to those with status as refugees or asylees. The agency serves clients throughout the state, whenever possible, and it makes referrals to organizations offering similar services as appropriate to fulfill the clients' best interest. Staff provides some very limited assistance, such as immigration and political asylum legal assistance regardless of a client's immigration status, however the staff must adhere to eligibility guidelines established by funders. Staff members are able to accommodate clients' linguistic needs in 16 languages. All services are offered free of charge.

Links to National Organizations that Help Immigrants

- Bridging Refugee Youth and Children's Services:
<http://www.brycs.org>
- International Social Services:
<http://www.iss-usa.org/>
- National Human Trafficking Resource Center: 1-888-3737-888

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Responses from Child Protective Service Agencies in Other States

In March of 2008, the Department's Division of Multicultural Affairs sent a three-question survey to state and county child welfare agency representatives in 21 states that are among the states and counties in which undocumented immigration is considered to be most prevalent.⁴⁶ The survey contained the following three questions:

1. Do you currently have specific training for direct practice workers to prepare them to work with undocumented immigrant or refugee clients?
2. If you have specific training, is that training mandatory or voluntary?
3. If you have specific training, what are the core components of that training?

At the time of the writing of this informational guide, comments from staff members at other state child welfare agencies are current. The comments may be subject to change based on amendments to state and federal law as well as revisions to individual state child welfare agency policy.

Colorado: At this time, Colorado does not have child protective service trainings which focus on immigration issues.

Minnesota: "Minnesota does not currently have specific training for direct practice workers to prepare them to work with undocumented immigrant or refugee clients" (J. Langworthy, personal communication, April 11, 2008).

Nevada: "We do not have specific training for undocumented immigrants or refugee clients. What we do is incorporate some information within our core child welfare training under cultural issues. In Nevada, we have a lot of immigrants from Mexico and some from the Far East, especially in Las Vegas. We have had very few refugee clients. This topic has not been identified as one that needs special training. We require training in ICWA [Indian Child Welfare Act] and MEPA [Multi-Ethnic Placement Act]. We are looking at offering these trainings online" (L. Bittleston, personal communication, March 3, 2008).

New Jersey: "While we have no specific training for work with undocumented immigrant or refugee clients, the NJ Child Welfare Training Academy Pre-Service Training for direct care workers has a component that focuses on cultural competencies. Included in this module is information specific to a number of different cultures which may include undocumented or refugee clients. Traditional medicine modalities, culture sensitive healthcare, spiritual healing, religion, norms, and folk healing are some of the topics. The training explores the culture and values of persons from a number of different countries including Cuba, Vietnam, Russia, Somalia, Korea, Mexico, and East European countries. Pre-service training is mandatory. All new case carrying workers are enrolled in Pre-Service Training within two weeks of their start date and must complete the 160 hours of training and pass the required competency exams prior to being assigned a caseload. Some of the core components of cultural competency are the

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aspects of different cultures, the influence of culture on family values, culturally competent advocacy, communication skills for advocacy, and strategies for respectful communication across cultures" (M. Fitzgerald, personal communication, March 26, 2008).

New York: "The New York State Office of Children and Family Services currently does not provide training specifically related to undocumented immigrants or refugees. The New York City Administration for Children's Services (ACS) has developed a guide for their caseworkers to use when working with immigrant and non-English speaking clients. This guide, entitled 'Immigration and Language Guidelines for Child Welfare Staff,' can be accessed on the ACS website at http://home2.nyc.gov/html/acs/downloads/pdf/immigration_language_guide.pdf Additionally, the New York State Office of Temporary and Disability Assistance (OTDA) provides training through their Institute for Temporary Assistance Programs (ITAP), Food Stamp and Domestic Violence Liaison Institutes, and Case Processing Review Institutes that deal with determining eligibility for non-citizens and non-citizen households. Further information on OTDA's training is listed on their website at <http://www.otda.state.ny.us/>" (P. Miraglia, personal communication, March 31, 2008).

North Carolina: "At present there is not a specific training for direct practice workers to prepare them to work with undocumented immigrant or refugee clients. A training curriculum for child welfare staff is currently in development and is expected to be ready for training delivery later in 2008. When implemented, training will be mandatory for direct practice staff. Defined Training Objectives state that participants will be able to:

- Value the need for recognizing, accepting and adapting to differences in the workplace and the community.
- Explain how a person's life experiences/cultural backgrounds can affect their values, feelings and actions and the judgments of and responses to other people.
- Recognize how lack of awareness, differences in communication styles, and misinterpretation of cultural cues can create interpersonal conflict.
- State strategies to approach and engage persons in constructive dialogue and demonstrate skills for communicating respect" (J. Schwartz, personal communication, April 4, 2008).

Pennsylvania: "Pennsylvania does not currently have training for practitioners to prepare them to work with these individuals. We would welcome any resources to assist in the development of such training as we recognize the need within our child welfare system, specifically with children aging out of the foster care system who have not been documented and face deportation" (C. Horshaw, personal communication, March 10, 2008).

San Diego County, California: "San Diego has a specific training for child protective service workers to prepare them to work with undocumented immigrant and refugee clients. The training is mandatory as part of the Social Worker Initial Training and on-going training is provided as needed. The staff designated as the International Liaison provides the training. The core component of the training is a review of Policies and Procedures. A training is being developed as a statewide curriculum through the California Social Work Education Committee (CalSWEC) at UC, Berkeley. Individuals can access the CalSWEC website under the Public Child Welfare

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Academy section to review available curriculums" (D. Ferreira, personal communication, March 28, 2008).

Utah: "Utah currently does not have a specific training for workers regarding work with clients who are undocumented immigrants or refugees. However, they are in the process of developing a web-based training to educate and support workers in this area. Utah is willing to share web information/access to other states when completed. Utah does provide regular and mandatory training on issues related to cultural diversity and compliance with the Indian Child Welfare Act" (D. Burdette, personal communication, April 1, 2008).

Virginia: "Virginia does not offer training to prepare local social workers to work with undocumented immigrant or refugee clients. The Virginia Department of Social Services has an Office of Newcomer Services (ONS) which contracts with non-profit agencies to provide employment services to refugees. The contractors are mandated by law to provide these services in a culturally and linguistically competent manner and that requirement is contained in its contract with the providers. The providers are also required to work with local departments of social services on issues dealing with potential child abuse, domestic violence, or adult services issues. One of ONS' goals for 2008 is to monitor this aspect of its contract with them and assist contractors in formalizing their relationships with direct practice workers. The Virginia General Assembly created a Virginia Commission on Immigration, which has just begun its work. Its purpose is to study, report, and make recommendations to address the costs and benefits of immigration on the Commonwealth, including the impact on education, health care, law enforcement, local demands for services and the economy, and the effect on the Commonwealth of federal immigration and funding policies. If you are interested in its proceeding, here is its web site <http://www.hhr.virginia.gov/Initiatives/ImmigrationCommission/> You may also be interested in a study done by Virginia's Joint Legislative and Audit and Review Commission on the Acclimation of Virginia's Foreign Born Population <http://jlarc.state.va.us/Reports/rpt300.pdf>" (N. McKenney, personal communication, March 4, 2008).

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