



RESEARCH REPORT

# Implications of Immigration Enforcement Activities for the Well- Being of Children in Immigrant Families

## A Review of the Literature

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# Executive Summary

An estimated 5.3 million children live with unauthorized immigrant parents, and 85 percent of these children are US-born citizens. Over the past decade, the United States has devoted significant resources to apprehension of unauthorized immigrants in the US interior. These children remain vulnerable to separation from their parents because of immigration enforcement actions. The federal government has initiated some policies, however, to reduce the impacts of parental deportation on children. The Obama administration has narrowed its priorities for immigration enforcement, resulting in substantial declines in the number of individuals deported over the past few years. In August 2014, US Immigration and Customs Enforcement (ICE) issued the “Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities” directive, which provides some protections for parents in ICE custody, particularly when their families are involved with child welfare systems. A third administration initiative, the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program, remains in legal limbo. Announced in November 2014 but currently frozen in the federal courts, DAPA would grant work permits and deferral of deportation to an estimated 3.7 million parents of US-citizen or lawful permanent resident (LPR) children.

This report reviews the literature on the impacts of parental deportation on children, and on their needs for health and social services. The literature mostly dates from a period of peak enforcement: 2009 through 2013, when there were a total of 2 million formal removals from the United States and another 1.8 million deportations without formal removal orders. Data on parental removals during this period are limited, but suggest that as many as half a million parents may have been deported, affecting a similar number of US-citizen children. Most parents (as well as nonparents) were deported via partnerships between ICE and state or local law enforcement agencies. These partnerships—Secure Communities, the Criminal Alien Program (CAP), and the 287(g) program—identify deportable noncitizens (both LPRs and unauthorized immigrants) in state and local jails. As a result, most deportable parents come into contact with state or local authorities first, and may already be separated from their children for lengthy periods, before ICE takes custody of them.

***Effects on children.*** This report reviews the impacts of parental deportation on children, using the “Pyramid of Immigration Enforcement Effects” introduced by sociologist Joanna Dreby as a framework. At the base is a broad group of almost 10 million Hispanic children living in immigrant families. These children may be confused with unauthorized immigrants (as there is great overlap between the two groups); they may also suffer distress from seeing peers separated from parents or communities

affected by large-scale immigration enforcement. Opinion polls have shown that a majority of Hispanics fear deportation for themselves or their family members.

Next up the pyramid are the 5.3 million children of unauthorized immigrants, who live with the persistent threat of their parents' deportation alongside the economic and social instability that generally accompany the unauthorized status of their family members. Low pay, unstable employment, unpredictable work hours, lack of autonomy at work, and lack of quality and stable child care have been associated with poor health outcomes and low cognitive development among children with unauthorized immigrant parents. The psychosocial effects of unauthorized status and the risk of parental deportation on immigrant families can compound these factors by lowering parents' emotional well-being and compromising family relationships. Migration and integration are stressful enough without being compounded by fear of deportation. Using the term "extrafamilial acculturative stress," researchers have related fear of deportation to stress and to poor physical and emotional health in both parents and children.

A smaller group of children—perhaps several hundred thousand—have been separated from parents as a result of detention and deportation. Small-scale studies, mostly in the aftermath of workplace raids, have documented effects on these children. These effects are similar to those seen for children with incarcerated parents; they include psychological trauma, material hardship, residential instability, family dissolution, increased use of public benefits, and, among boys, aggression. Psychological trauma can stem from witnessing a parent arrested at home, not knowing what happened to a detained parent, unstable caregiving arrangements, and parental depression. More than 90 percent of those detained and deported are men, and families usually lose a breadwinner when the father is deported. In one study of six immigration raid sites, family income dropped an average of 70 percent during the six months following the arrest of a parent. Nearly one-quarter of families in the study reported parental hunger during these six months. Economic hardship is often prolonged by the long wait for deportation cases to be resolved: in June 2015, it took an average of 600 days for immigration judges to complete deportation cases in which the defendant was not detained. Long-term research into the well-being of children after parents have been deported has not been conducted.

Further up the pyramid, some deported parents may take their children along with them when they return to their home countries. There are no hard data on the frequency of this occurrence, but an estimated half a million US-born children lived in Mexico in 2010 (most of whom probably went with parents who left the United States voluntarily). Indeed, most of the evidence from qualitative research suggests that parents prefer to leave children in the United States and attempt to reenter the country illegally. The transition to life in Mexico can be difficult for children born and raised in the United States,

as the language and culture are unfamiliar, and there are barriers to entering the Mexican public school system. The standard of living is lower in Mexico than the United States and lower still in the three Central American countries that receive most of the other deportees (El Salvador, Guatemala, and Honduras). US-citizen children have the right to return to the United States and may return with limited English skills, interrupted formal education, and other disadvantages.

At the top of the pyramid are families that become permanently separated when parents lose custody of or contact with their children. Marriages sometimes end following deportation, as deportation may compound prior domestic difficulties. Inability to provide economically may discourage fathers from remaining in their children's lives, or fathers may have second families in the origin country. In cases where fathers are arrested and deported, mothers generally remain with their children but may be unable to provide for them either economically or emotionally. In a handful of documented cases, mothers lost custody of children following a father's deportation. But these cases are very rare. According to one estimate, about 5,000 children in foster care in 2011 had a detained or deported immigrant parent, but in most of these cases the child went into foster care before the parent was detained. Once in foster care, the child's reunification with the immigrant parent may be interrupted because parents in prolonged immigration detention often cannot attend child custody hearings, and those who are deported cannot easily return to the United States to attend these hearings. Parents' rights may be terminated when they cannot comply with court requirements such as regularly visiting with their children, taking parenting classes, or gaining employment.

***Health and social service responses.*** Termination of parental rights, though rare, represents the direct consequence of detention and deportation. There has been considerable policy activity at the federal, state, and local levels to prevent this outcome. ICE, through the new parental interests directive, has policies to facilitate parent-child visitation in ICE detention facilities and the attendance of detained parents (whether in person or by videoconference) in family court hearings. The states with the largest immigrant populations (California, New York, Florida, Texas, Illinois, and New Jersey) have more experience with these types of cases and have developed policies such as conducting home visits to verify the safety of placements in Mexico and other countries, allowing unauthorized immigrant relatives in the United States to take in children, and applying for green cards for unauthorized immigrant children aging out of foster care via the Special Immigrant Juvenile program. In October 2012, California enacted the Reuniting Immigrant Families Act (SB 1064), which comprehensively addresses immigration issues in the child welfare system there.

Family economic hardship is more prevalent than child welfare system involvement following parental detention and deportation, so hardship may be the principal reason these children come into

contact with health and human service programs. Even if their parents are unauthorized immigrants, US-citizen children are eligible for federal benefits (such as Temporary Assistance for Needy Families [TANF], the Supplemental Nutrition Assistance Program [SNAP], Medicaid, and the Children's Health Insurance Program [CHIP]) as long as they meet income and other eligibility guidelines. Eligibility rules for legal immigrant parents vary somewhat from state to state, though unauthorized immigrant parents are almost always ineligible.

Unauthorized immigrant families with eligible US-citizen children confront a range of access barriers including lack of interpretation, difficulties documenting eligibility, education and literacy levels, cultural beliefs and practices, and lack of transportation to offices in remote locations. There is also some evidence that immigrants' mistrust of public social service agencies has deepened more recently alongside increased participation of state and local law enforcement in immigration enforcement.

Some states such as Massachusetts and Texas have contracts with community-based organizations (CBOs) to conduct outreach and application assistance in immigrant communities. Some states also have developed electronic application assistance and improved interpretation services to help reduce access barriers. California, New York, and Washington have relatively generous TANF benefits and eligibility rules, and each state has thousands of cases with ineligible (usually unauthorized) immigrant parents and eligible children on the rolls.

Health and human services agencies have successfully enrolled US-citizen children with deported parents in TANF, SNAP, and health coverage in three locations where ICE large-scale worksite raids took place: New Bedford, Massachusetts; Grand Island, Nebraska; and Postville, Iowa. In all three locations, major media coverage and community organizations facilitated enrollment. It is more difficult for agencies and CBOs to find and enroll families when deportations occur without such publicity.

Mental health services for children with deported parents are harder to come by. In general, Hispanic immigrants rarely access mental health services, because of limited health insurance coverage, a tendency to view mental health symptoms as physical health problems, and reliance on less formal forms of counseling. Churches have played a central role in providing spiritual and mental health support to families affected by large-scale immigration raids, and Hispanic immigrant women are more likely to endorse faith than medicine as a form of treatment for emotional problems.

Public schools represent an important setting for reaching children with detained and deported parents, because the schools by law cannot ask about immigration status. Following worksite raids, school systems in several locations have conducted outreach and provided counseling and other



supports for affected students. According to one study, the strong support of teachers and other staff in public schools (across several sites) led to *improved* academic performances among a significant number of school-age children even after their parents' arrests in raids. Head Start and other preschool programs offer an avenue of support for younger children, as these programs also do not require legal status for participation.

***Avenues for further research.*** The increase in the deportation of parents from the United States is a relatively recent phenomenon, and there has been little research on the topic. The research to date leaves several important research and policy questions unanswered:

- How many children have had a parent detained or deported, and what are their characteristics in terms of age, US citizenship, and parental origins?
- How do family separation and loss of parental income affect children's well-being and health and social service needs in the short and long term?
- How many children leave the United States when their parents are deported (e.g., to Mexico), and what are their health and social service needs after they leave?
- How are children with detained and deported parents faring in school and early education settings, and how are schools and early education providers supporting them?
- How do children with detained and deported parents fare in child welfare systems?
- Where can families and children go to access health, mental health, and social services?
- What challenges do these families face in accessing needed services, and what are promising practices for overcoming these challenges?

This report was produced as part of a larger study that began addressing these questions through case studies in five US communities and a scan and analysis of relevant administrative and survey data. A companion report describes the findings from fieldwork in the five case study sites. All the study components are exploratory in nature and therefore cannot answer every important question, as some questions will require long-term fieldwork or longitudinal data collection, and others will require research outside the United States.



# Introduction

In the current immigration reform debate, one of the central issues is the fate of unauthorized immigrants in the United States, a population estimated at slightly more than 11 million (Krogstad and Passel 2015). An additional concern is the estimated 5.3 million children living with unauthorized immigrant parents, 85 percent of whom are US-born citizens (Passel et al. 2014). These children, particularly those who are US citizens, may come into contact with health and human services programs. Therefore, it is necessary to examine the issues and circumstances relevant to them, including those children who have been, or are at risk of being, affected by the arrest, detention, and deportation of their parents.

US Immigration and Customs Enforcement (ICE), part of the US Department of Homeland Security (DHS), is the primary federal agency responsible for immigration enforcement within the nation's borders. Thus far little data have been released about the characteristics of those in ICE custody, except for the total number of parents with US-citizen children, where these parents came into ICE custody, and the level of their criminal offenses, if any. In 2013 ICE deported approximately 72,000 parents of US-citizen children (ICE 2014a, b), a decline from an estimated average of 90,000 deportations annually in 2011 and 2012 (Wessler 2012a). Assuming an average of two children per parent, it is possible that more than half a million children experienced parental deportation in recent years: 180,000 children annually in 2011 and 2012, 140,000 in 2013, and an additional, unknown number after that. An estimated 500,000 US-citizen children lived in Mexico in 2010, although the number who moved there because of parental deportation is unknown (Passel, Cohn, and Gonzalez-Barrera 2012). There are few hard data on parental deportation and its impact on children beyond these baseline estimates.

Historically, immigration enforcement has either been concentrated at the US-Mexico border or taken the form of worksite or home raids in specific communities. The little research that has been conducted about how children are affected by parental deportation consists of small-scale studies of the impact of worksite raids in specific communities. These studies have found that in most cases, fathers are arrested, leaving behind mothers who often have little or no attachment to the labor force (Capps et al. 2007; Chaudry et al. 2010). Economic hardship ensues when breadwinners are arrested and detained or deported, leading to the family's increased dependence on charity care and public benefits, even though eligibility for most benefits is limited to the US-citizen children in these families. There are psychological implications for children who are separated from parents for extended periods, and for those who may witness the arrest of a parent in the home. There may also be broader psychological impacts on Hispanic children in affected communities, even when these children do not

have unauthorized immigrant parents, as they learn about the deportation of other parents in the community.

ICE stopped conducting worksite raids in 2009. Over the past few years, migrants apprehended at the border and those referred to ICE by state and local law enforcement agencies have made up the bulk of the population detained and deported by ICE. Recent activities by ICE to deter the hiring of unauthorized immigrants have mostly taken the form of audits of I-9 employment authorization documents and issuance of “no-match” letters to employers when substantial numbers of workers appear to be using incorrect or fraudulent Social Security numbers (Capps et al. 2011; Meissner et al. 2013; Preston 2010). Because ICE has partnerships with state and local law enforcement agencies across the country, deportations have become less concentrated and more diffuse geographically than during the period when the worksite raids—and studies of their impacts—were conducted. At the same time, many immigrants who come into ICE custody have prior criminal convictions and have spent some time in the custody of state or local law enforcement agencies (Rosenblum and McCabe 2014).

Relatively few children become involved in the child welfare system after a parent is detained or deported. But regardless of when children enter the system, detention and deportation add complications: deported parents may find it difficult to retain custody of their children, who may wind up in foster care for extended periods and eventually be adopted by other families. A few notable cases have been documented in the media and are described later in this report (Biesecker 2012; Hall 2011); one study estimates that there are 5,100 such cases in the child welfare system at any given time (Wessler 2011). But little systematic research has been conducted on this topic.

In November 2014, the Obama administration proposed extending work permits and temporary deportation stays to approximately 3.7 million parents with US-citizen or lawful permanent resident (LPR) children through the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program as well as expansions to the existing Deferred Action for Childhood Arrivals (DACA) program, which provides deportation deferrals and work authorization to certain unauthorized immigrant youth (Migration Policy Institute 2014). In February 2015, a federal court issued an injunction against the DAPA program and the DACA expansions, and of late July, when this report was being finalized, neither had gone into effect (Parser 2015). Until appeals of this injunction are resolved, unauthorized immigrant parents of US citizens and LPRs remain subject to deportation, and the concerns articulated in the literature remain relevant.

The economic and psychological impacts on children associated with parental deportation have not been systematically studied in affected families or communities, and the current literature leaves several key questions unanswered, including the following:

- How many children in the United States are affected by parental deportation? How many leave the United States with their parents and how many are left behind?
- What is the age composition of these affected children, and how many are US citizens versus noncitizens (authorized or unauthorized)?
- What types of socioeconomic, mental health, and physical health needs have been observed among children who remain in the United States?
- How are children of detained and deported parents faring in school and in early education settings?
- How do children of detained and deported parents fare in child welfare systems? Are these children placed in appropriate settings? Do parents retain their parental rights when appropriate?
- Where can families and children whose parents have been detained and deported go for mental health services? Are such services generally available in the communities in which they live? What types of mental health services are offered, and which types seem to be helpful for parents and for children?
- Do affected families gain access to cash welfare, food assistance, Medicaid, the Children's Health Insurance Program (CHIP), and other benefits for which their US-citizen children may be eligible?
- What factors facilitate eligible families' participation in public benefit programs? What factors facilitate access to mental health and other needed services? What barriers and gaps in service provision are observed?
- What are the geographic residency patterns, economic well-being, and other characteristics of children, particularly US-citizen children, who have left the United States because of parental removal?
- How many deported parents are mothers, and how many are fathers? How do siblings fare when their parents are detained and deported? Are there different effects on older versus

younger siblings, and for unauthorized versus US-citizen siblings? Are siblings separated upon parental deportation or kept together?

- How many parents are detained, and how many are released quickly after their transfer to ICE? How do detention decisions affect the length of parents' separation from their children?
- What are some of the most promising practices for assisting children with detained and deported parents? What strategies work to overcome some of the most significant barriers children and families face to accessing services? How can practices be evaluated?

The answers to these questions will be useful to health and human services providers and policymakers concerned about the well-being of children in US immigrant families. A broader research project, of which this report is a part, will address these questions through field research and potential data analyses. A companion report (Koball et al. 2015) discusses the results of the project's field research in five locations across the country. This report, meanwhile, provides an overview of the impacts of parental detention and deportation on children, efforts by ICE to protect families with children during detention and removal procedures, the challenges that affected families face in accessing services, and promising practices to overcome those challenges.

# Impacts of Parental Detention and Deportation on Children

There are several objectives and considerations related to establishing and enforcing national immigration policies; these include maintaining the integrity of the border, monitoring and controlling the size and type of immigration into the country, and ensuring the security of the United States. This project and report focus on the impact of immigration enforcement activities on the well-being of children and the provision of health and human services to affected children and families. An analysis of the relative costs and benefits of, or balance among, the several other competing goals and priorities related to national immigration policies and immigration enforcement is therefore beyond the scope of this study. Further, a substantial number of noncitizens who are deported have been previously incarcerated or arrested for criminal justice offenses unrelated to their immigration status. The families of these noncitizens would have experienced some form of hardship even without the involvement of immigration authorities. Indeed, 86 percent of parents of US-citizen children removed by ICE in 2013 had criminal convictions (ICE 2014a, b). Some parents were no doubt convicted of immigration-related crimes; illegal entry and reentry at the Southwest border in particular made up 18 percent of all crimes committed by immigrants who were removed by ICE during 2003 through 2013 (Rosenblum and McCabe 2014). During enforcement proceedings, children can be separated from their immigrant parents for a variety of reasons (not all of which are directly related to ICE activities). As a result, there are many complex scenarios surrounding the cases of separation discussed in the literature.

As mentioned, the apprehension of noncitizens from the interior of the United States in federal partnership with state and local law enforcement is a relatively new phenomenon associated with increased resources devoted to interior enforcement, and more dispersed enforcement across the country. These immigration enforcement strategies have only recently become national in scope, leaving little time for researchers and the public to study and understand their implications. Research on the impacts of parental detention and deportation on children is still in its infancy; this section of the report discusses the few seminal works in the field.

# Broad Impacts on a Large Segment of the Hispanic Child Population

One useful framework for understanding the effects of parental detention and deportation on children in the United States is a pyramid, similar to that used by public health researchers to describe impacts on affected populations (Dreby 2012). At the base of the pyramid are Hispanic children of all immigrant parents, whether citizens, legal immigrants, or unauthorized immigrants. As indicated below, there is evidence that children in these families may experience risk and stress even if their immediate family members are all authorized, in part because they often live in communities where significant numbers of families have experienced parental arrest, detention, and deportation (see figure 1, next page). The Hispanic child population, and particularly the Mexican-origin population, is most at risk: 98 percent of removals in fiscal year (FY) 2011 were to Latin American countries; 75 percent to Mexico alone (ICE 2011a). An estimated 9.5 million Hispanic children living in immigrant families in 2009 could potentially be affected (Urban Institute 2012).

Several types of related stress affect these children. First, research has shown that there is widespread misunderstanding of legal status among children in Hispanic immigrant families; many believe *immigrant* is synonymous with *unauthorized* (Dreby 2012).

Second, children in Hispanic immigrant families may suffer psychological distress after seeing their peers separated from parents, and may experience economic dislocation in communities deeply affected by deportation. Hispanic adolescents in focus groups identified many sources of stress related to perceived discrimination and cultural differences. They also cited significant levels of stress associated with immigration-related issues such as separation from family members, leaving relatives and friends behind in the home country, and learning English (Cervantes, Mejía, and Guerrero Mena 2011). These stressors may be exacerbated in settings where Hispanic children have seen and heard about the arrests and deportation of parents of their classmates, friends, and fellow community members.

Third, concerns about deportation are widespread among US Hispanics regardless of legal status. A study of legal and unauthorized Hispanic immigrants in two Texas cities found similar levels of fear of deportation in both groups (Arbona et al. 2010). And a 2008 national survey suggested that a majority of Hispanics (57 percent), including 35 percent of those who were native born and 72 percent of those who were foreign born worried (some or a lot) that they or their family members would get deported (Lopez and Minushkin 2008). These fears may be related to the fact that both LPRs and unauthorized



immigrants can be deported for certain crimes, as well as the fact that many households are mixed-status.

## Impacts on Children of Unauthorized Immigrants

The next level in the pyramid affects the 5.3 million children with unauthorized (again mostly Hispanic) immigrant parents; 4.5 million of these children are US citizens (Passel et al. 2014). These children live with the persistent threat of their parents' deportation alongside the economic and social instability that generally accompanies the unauthorized status of their family members. A decade ago, the threat of parental deportation was minimal for children living beyond the immediate US-Mexico border region, but the expansion of interior immigration enforcement has meant that parental deportations can now happen almost anywhere in the country.

FIGURE 1

### Pyramid of Immigration Enforcement Effects on Children of Immigrants



Source: Dreby 2012, 831.

Unauthorized immigrant parents generally earn lower incomes than their legal immigrant and citizen peers. Low pay, unstable employment, unpredictable work hours, lack of autonomy at work, and lack of quality and stable child care are associated with poorer health outcomes and lower cognitive development among children with unauthorized immigrant parents, compared with children of legal immigrant or US-citizen parents (Yoshikawa 2011).

Recent research has begun to quantify the psychosocial effects of unauthorized status and the risk of parental deportation on immigrant families. A recent small survey of Hispanic immigrants in metropolitan areas across the Northeast (Brabeck and Xu 2010) found that parents' vulnerabilities around legal status were associated with lower levels of overall family well-being (measured by parents' emotional well-being, ability to provide financially, and relationships with their children) as well as of children's well-being (i.e., parents' perceptions of children's emotional well-being and academic performance).

The threat of deportation can lead to higher levels of acculturative stress, which is defined as the psychosocial strain that immigrants and their descendants experience in response to immigration-related challenges, such as linguistic barriers or separation from friends and family (Cervantes, Padilla, and de Snyder 1991). In a church-based survey, Hispanic immigrants in a midwestern city who reported greater fear of deportation when going to a social or government agency also experienced more acculturative stress, more emotional distress (particularly anger), and lower self-reported health status (Cavazos-Regh, Zayas, and Spitznagel 2007). In a second study, Hispanic immigrants in two Texas cities who feared deportation (i.e., expressed concern about walking in the streets, waiting on a street corner to get work, applying for a driver's license, and interacting with the police) also experienced higher levels of acculturative stress (Arbona et al. 2010). Further, fear of deportation may exacerbate the negative impacts of unauthorized immigrant parents' difficulties in the US labor market. The association between fear of deportation and poor physical and emotional health is related to stress resulting from low earnings and poor prospects for job advancement, which researchers have termed "extrafamilial acculturative stress" (Cavazos-Regh, Zayas, and Spitznagel 2007).

A sizeable share of children in immigrant families already experience separation from one or both parents (most often the father) during migration to the United States (Suárez-Orozco, Todorova, and Louie 2002). Parental deportation, or even the threat of deportation, can compound the psychological effects of prior separations and make children vulnerable to fears that these could occur again. These fears might be compounded for older children who are themselves unauthorized immigrants and may have been arrested by the US Border Patrol after crossing the US-Mexico border (Dreby 2012).

Children separated from their parents are more likely to report depressive symptoms than children who have not experienced separation. Family separation in unauthorized Hispanic immigrant populations has complex psychological ramifications, including anxiety, depression, substance abuse, and general emotional and family instability (Bacallao and Smokowski 2007; Cervantes, Mejía, and Guerrero Mena 2010). Studies have also found that unauthorized immigrant parents are fearful of accessing health services because of their legal status. Thus, despite being more likely to have a diagnosis of anxiety or substance abuse, they are less likely to access mental health care (Berk and Schur 2001; Perez and Fortuna 2005).

Parents may discuss contingency plans for their arrest and deportation with their children. For example, a survey of unauthorized Hispanic immigrant parents found that 58 percent had a plan for who would take care of their children in case they were detained, and 40 percent had discussed this plan with their children (Suárez-Orozco et al. 2011).

## Short-Term Impacts of Parental Apprehension, Detention, and Deportation

Assuming an average of two children per deported parent, an estimated half a million children experienced the apprehension, detention, and deportation of at least one parent in 2011 through 2013 (ICE 2014a, b; Wessler 2012a). Large-scale studies that quantify the impact of this on children have yet to be undertaken, and the findings of the few studies that do are based on small, nonrepresentative samples.

Research on children of incarcerated parents may offer some insight into the issues faced by families with a parent who is facing deportation. Studies based on nationally representative longitudinal surveys of children whose fathers have been incarcerated show that these families are significantly more likely than families without an incarcerated parent to experience material hardship, residential instability, and family dissolution (Geller, Garfinkel, and Western 2011; Geller et al. 2009). They are also more likely to be receiving public benefits. Children with an incarcerated parent also have a greater likelihood than other children of being placed in foster care; boys in particular demonstrate relatively aggressive behavior (Fragile Families Research Brief 2008).

As has been noted, most studies that focus on parental detention and deportation cover the aftermath of large-scale workplace raids. There is as yet little research into the impacts of more recent enforcement activities centered on partnerships between ICE and state and local law enforcement

agencies. When parents are detained without warning, the sudden separation from their children can have potentially severe psychological impacts (Capps et al. 2007; Chaudry et al. 2010). Witnessing a parent's arrest—usually at home—can also have deep psychological consequences for children, and arrests sometimes occur in homes when they are undertaken by ICE's National Fugitive Operations Program (NFOP). Under this program, teams of ICE officers conduct enforcement actions at worksites, in residential areas, and in other locations (Chaudry et al. 2010; Rosenblum and Kandel 2012). Further, arranging child care becomes complicated when a mother or both parents are arrested.

Unauthorized immigrant children may not realize they lack legal status until one of their parents is arrested. In many cases, unauthorized immigrant parents do not tell their children about legal status issues until the children are old enough to work or attend college. A child's sudden discovery of this news may prompt declining performance in school and generalized distrust of parents and other authority figures (Gonzales 2011).

For the parents themselves, being arrested or experiencing the arrest of a spouse or partner is profoundly stressful and can lead to depression, anxiety, and other negative mental health outcomes (Chaudry et al. 2010). A survey of Hispanic immigrant parents found that experiences with and vulnerability to detention and deportation were associated with a decline in parental economic and psychological well-being, and that these factors, in combination, affected children's emotional health and well-being (Brabeck and Xu 2010).

There can also be a sharp loss of income resulting in shortages of basic necessities and the potential loss of housing. In one study of six immigration raid sites, family income dropped an average of 70 percent during the six months following the arrest of a parent (Chaudry et al. 2010). Lower family income was associated with housing instability and other hardships in these families; nearly one-quarter of families reported parental hunger during the six months following the arrests.

Ninety-one percent of those deported are men (Rosenblum and McCabe 2014), and in most cases when fathers are detained and deported, two-parent families become single-parent families. Fathers are generally the family breadwinner, as indicated by the relatively low labor force participation of Hispanic immigrant mothers. Recent research suggests that low-income, single-parent families headed by noncitizens are more likely to be disconnected from work and from public benefits than are single-parent families headed by US citizens (Loprest and Nichols 2011). The loss of a father as a result of detention and deportation may be particularly disruptive in noncitizen Hispanic families, in which the mothers often have little or no work experience (Capps et al. 2007; Chaudry et al. 2010). Economic hardship in these families can put children at risk for reliance on public benefits, poor psychological and

developmental outcomes, and child welfare system involvement. Older children may have to work to offset losses in parental income, leading to declines in school performance and academic completion.

Economic hardship can be mitigated, at least temporarily, when breadwinners are released from ICE custody pending their removal hearings. To the extent that ICE has applied prosecutorial discretion to detention decisions, parents may be released more frequently than nonparents—though no data have been published on ICE detention decisions regarding parents. In fact, the vast majority of individuals with pending deportation cases are not currently in ICE detention. ICE has the capacity to detain about 34,000 individuals at any given time, and not all detention beds are filled; the majority of those awaiting removal hearings are not detained. While awaiting resolution of their removal cases, adults may be unable to find work, particularly if they are detained or released with ankle bracelets or other measures of supervision (Chaudry et al. 2010).

## Long-Term Impacts of Parental Apprehension, Detention, and Deportation

As has been noted, the long-term impacts of parental detention and deportation on children are for the most part unknown. Formal removal cases can take a long time to resolve if an immigrant contests removal. In June 2015, there were more than 450,000 deportation cases pending in immigration courts (TRAC 2015a), and it took immigration judges in excess of 600 days on average to decide removal cases (TRAC 2015b). Relationships with parents, particularly the fathers who are most often arrested, may suffer during prolonged separation (Dreby 2012). The uncertain outcomes and length of removal cases can lead to high stress levels and impede families' ability to make long-term plans. Parents who are in the process of being deported must decide whether they should leave their children in the United States and face potentially permanent separation, or take them back to their home countries, where they may face unfamiliar circumstances, economic hardship, and limited opportunities. In either case, they are likely to be at risk for economic hardship and psychological trauma.

## Children Leaving the United States

Further up the pyramid of impacts, some deported parents may take their children along with them to their home countries. While there are no hard data on the frequency of this occurrence, researchers have begun to document the exodus of US-born children to Mexico. An estimated 500,000 US-born

children lived in Mexico in 2010 (Passel, Cohn, and Gonzalez-Barrera 2012), and an unknown but potentially large share of these children moved there with or soon after a deported parent. Significant numbers of US-born children also live in Guatemala, Honduras, and El Salvador, the three countries that, together with Mexico, were the destinations for 94 percent of all removals in FY 2011 (ICE 2011a). All four countries have lower standards of living than the United States, more limited educational opportunities, and higher rates of violence.

There are growing concerns about how US-citizen children are faring in public schools in Mexico and other countries that receive large numbers of deportees. Research suggests that the transition to schooling in Mexico, for example, can be very difficult for children who have attended US public schools, as they generally do not have the Spanish language skills or familiarity with the Mexican school system necessary to succeed there (Zuñiga and Hamann 2006).

Because US-citizen children have a right to return to the United States, the circumstances they face in their parents' home countries are likely to eventually affect US institutions. Returning children may experience difficulties reintegrating into US public schools (because of interrupted education) and readjusting to life in the United States. Their English language skills may have declined in the years they were away. Those who return as adults may have low educational attainment levels, which in turn may lower their employment prospects and standard of living.

At the same time, parents who are deported and leave their children in the United States have strong incentives to return illegally, generating new, possibly substantial, circular flows from Mexico and Central America (Hagan, Eschbach, and Rodriguez 2008). This may in part explain the recent rise in the number of parents of US-citizen children apprehended by the Border Patrol and placed in removal proceedings (Wessler 2012a). A recent study of Border Patrol data estimates that 15 percent of removals from the border during FY 2011–12 were parents of US-citizen children; that is, 102,000 parents attempted to reenter the country illegally during this two-year period (Human Rights Watch 2015).

## Family Dissolution and Child Welfare System Involvement

At the pinnacle of the pyramid are cases in which families become permanently disrupted and parents lose custody of or contact with their children. In some instances, marriages end following deportation, and the deported parent (most commonly the father) loses contact with the family altogether (Dreby

2012). An inability to provide for their families after deportation may also discourage fathers from remaining in their children's lives (Dreby 2010). Deportation may compound prior domestic difficulties, sometimes accelerating the process of separation or divorce. In some instances fathers may rejoin a second partner and set of children left behind before migrating to the United States, resulting in more permanent separation from the US family (Chaudry et al. 2010). Recognizing these risks of family dissolution and impacts on child welfare, in 2013 ICE issued the "Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities" directive, which protects parental interests, particularly when children are already involved in the child welfare system (ICE 2013a). More detail on the directive is provided in the last section of this report.

In cases where fathers are arrested and deported, mothers generally remain with their children but may be unable to provide for them either economically or emotionally. In one high-profile case in North Carolina, a father was deported after being ticketed repeatedly for driving without a license (Biesecker 2012; Wessler 2012c). After his deportation, county social workers determined that his wife—who was collecting federal disability payments for a mental illness—was unable to care for their three children, and the children were separated and placed in foster care. The foster families sought to adopt the children, but the father fought for reunification. Originally, the court and the children's guardian ad litem sided with the foster families, arguing that the father could not provide for his children in Mexico and could not visit the children legally in the United States. The court recently overturned the case, and DHS granted the father parole to come and live with his children on a trial basis to determine whether he should regain custody. This case illustrates the potential for family dissolution when a father is deported and the mother is unable to care for the children.

The arrest and deportation of mothers is less common, but risks of family dissolution increase in such cases. In one case in Missouri, a mother lost custody of her child just a few months after she was arrested during an immigration raid on a poultry-processing plant (Hall 2011). The child was placed into foster care, and the foster family petitioned for adoption. The court originally granted the foster family custody, but the case was overturned on appeal, and the mother was given the opportunity to regain custody at a new trial. Similar cases have occurred in Virginia and Tennessee. Though some such cases have been overturned on appeal, an appeal is difficult to pursue for low-income immigrants, especially after they have left the United States. (Appeals have been reported in the media and legal literature anecdotally, but their frequency has not been established.)

Deportation can lead to family dissolution when deported parents lose permanent custody of children placed in foster care. The evidence on how many children of deported parents enter the child welfare system is complex and has a number of gaps. On the one hand, studies of worksite immigration

raids suggest that these raids rarely result in child welfare system involvement, at least in the weeks and months after the raids (Capps et al. 2007; Chaudry et al. 2010). But it is difficult to know how many end up in the child welfare system later; few relevant studies follow the children for more than a year after a parent's deportation. Meanwhile, children of immigrants overall are less likely to be in the child welfare system than are children of US-born parents (Detlaff, Earner, and Phillips 2009; Vericker, Kuehn, and Capps 2007).

Based on a survey of child welfare agencies in seven states in 2011, an estimated 5,100 children living in foster care nationwide have parents who have been detained or deported (Wessler 2011). This survey offers some evidence that the children were already in foster care when their parents were apprehended and deported. In such cases, the process of family reunification is interrupted because parents in prolonged immigration detention often cannot attend child custody hearings, and those who are deported cannot easily return to the United States to attend these hearings. Parents' rights may be terminated when they cannot comply with court requirements such as regularly visiting with their children, taking parenting classes, or gaining employment (Women's Refugee Commission 2010). Even if they are able to participate in the legal process, deported parents may have difficulty proving that they can provide for their children in their country of deportation, and it can be difficult for child welfare agencies to review living conditions in foreign countries (Thronson and Sullivan 2012). Though children with deported parents may have other relatives living in the United States, the courts are sometimes wary of placing children with caregivers who may themselves be at risk for deportation and may have limited economic resources.



# Meeting the Needs of Children with Detained and Deported Parents

While involvement in the child welfare system and the threat of family dissolution are at the top of the pyramid of enforcement effects, a relatively small number of children fall into these categories. A far larger number of children find themselves in layers further down the pyramid, where there continue to be substantial economic, physical and mental health, and educational needs. Following are the types of programmatic and policy responses that have been identified in the literature to address these needs.

## Needs of Children in the Child Welfare System

Many immigrant parents distrust child welfare agencies. Family courts and child welfare agencies may lack expertise in immigration issues, and their rulings and case determinations may be based on anecdotal evidence about the risk of deportation, lack of economic resources, and general instability in unauthorized immigrant families (Thronson and Sullivan 2012). Family courts and child welfare agencies have infrequent contact with immigrant families in many parts of the country, and there is little formal policy guidance at the federal, state, or local levels with regard to cases involving detained or deported parents.

Some state and local child welfare systems, however, have extensive experience working with immigrant families and have begun developing policies to deal with cases involving unauthorized immigrant parents and immigration enforcement. A common strategy, in the words of legal scholars, involves “exploring all options” for children with detained and deported parents (Thronson and Sullivan 2012). Welfare systems have to understand the range of options and apply them to the complex and often unique circumstances of these children.

One option is to reunify children with their parents after deportation to their home countries. Such cases generally require coordination with home-country consulates and/or social service agencies to help find the deported parents and determine whether placement is appropriate. A second option is to find other family members and friends in the United States who might be willing to take in the children, but these potential caregivers may also have unauthorized status. Finally, unauthorized immigrant children who cannot be placed with relatives may qualify for Special Immigrant Juvenile (SIJ) status. Under the SIJ program, children under the age of 21 who are unmarried, in the custody of a state or

local child welfare agency, unable to be reunited with their parents, and for whom return to the home country is not in their best interests, qualify for green cards that allow them to live and work permanently in the United States (USCIS 2011).

The states with child welfare systems that have the most experience with immigrant families are the ones with the largest immigrant populations: California, New York, Florida, Texas, Illinois, and New Jersey. California has taken the lead on many issues related to child welfare and immigration status, and county child welfare systems there were among the first to assist immigrant youth with SIJ applications. More recently, in October 2012, California enacted the Reuniting Immigrant Families Act (SB 1064), which comprehensively addresses immigration issues in the child welfare system (IPC and First Focus 2012).

At the local level, several large California counties have developed specialized services led by experienced social workers to deal with child welfare cases involving immigrants. For example, in 1988 the Los Angeles Department of Children and Family Services started a Special Immigrant Status Unit that processes SIJ green card applications for eligible unauthorized immigrant children in foster care and has taken on related work with unauthorized immigrant families (Lincroft 2008). Riverside County Department of Social Services has an International Liaison Unit that notifies consulates when their citizens are involved with the child welfare system. The unit also helps obtain documents from foreign countries and places children with family members in these countries (particularly Mexico) when appropriate. The San Diego County Health and Human Services Agency has an International Liaison Unit that works closely with social services agencies in state and local jurisdictions in Mexico to search for parents, perform background checks, coordinate home visits, and deliver other services to children on both sides of the US-Mexico border.

In New Jersey, the Department of Children and Family Services has a contract with International Social Services-USA to find family members overseas and engage them in the process of planning permanent placements outside the United States for children in the state's child welfare system (Northcott and Jeffries 2012). This contract involves contacting consulates from a large number of countries (because New Jersey's immigrant population is very diverse), developing procedures for locating relatives in foreign countries, evaluating potential placements overseas, translating the necessary documents, and following up with children placed permanently outside the United States.

The Illinois Department of Children and Family Services (IDCFS) has a policy stating that the immigration status of a family member in the United States should not preclude placement as long as other placement criteria are met (IDCFS 2015, 14; Thronson and Sullivan 2012). IDCFS also has a

formal agreement with the Mexican consulate and a policy requiring social workers to notify the consulate when Mexican immigrant children or children with Mexican immigrant parents are taken into custody (IDCFS 2015, policy guide 2008.02).

New York State has issued a directive providing child welfare agencies with information to help them identify unauthorized immigrant youth in their custody, inform these youth of their potential to qualify for the SIJ program, and assist them in applying for SIJ status.

All these state practices hold promise for the protection of children with deported parents who come into contact with the child welfare system. But such cases are small in number, and the evidence thus far on how parental deportation affects child welfare system outcomes is limited and anecdotal. The interaction between immigration enforcement and child welfare systems is therefore an important topic for future study.

## Food, Shelter, Health Care, and Other Basic Needs

Family economic hardship is more prevalent than child welfare system involvement following parental detention and deportation, and so hardship may be the principal reason these children come into contact with health and human service programs. When breadwinners are taken away, immigrant families lose income and are likely to become more dependent on charity care and public assistance (Capps et al. 2007; Chaudry et al. 2010). Unauthorized immigrant families in these circumstances tend to rely on assistance from informal networks of friends and family members or faith- and community-based organizations (CBOs). Public benefits represent another possible source of assistance in these cases.

Even if their parents are unauthorized immigrants, US-citizen children are eligible for federal benefits (such as Temporary Assistance for Needy Families [TANF], the Supplemental Nutrition Assistance Program [SNAP], Medicaid, and/or CHIP) as long as they meet income and other eligibility guidelines. These public benefits are available to US-citizen children in all states, but the eligibility of noncitizen parents varies for some programs from state to state. Though noncitizens are not eligible for federal Medicaid (except for emergency services) during their first five years of lawful US residency, states have the option to provide Medicaid and/or CHIP to LPR children (up to age 21) and pregnant women during this five-year period. Since 2002, all LPR children are also eligible for state-funded SNAP benefits. There is thus considerable variation in the state eligibility rules for Medicaid/CHIP, TANF, and

state-funded SNAP. Several of the major immigrant states (e.g., California, New York, and Massachusetts) have the most generous eligibility rules (Fortuny and Chaudry 2012).

In addition to eligibility, access to public benefits can be affected by a range of procedures and programmatic rules, such as application procedures at state and local social service agencies, availability of interpretation and translation services, locations of offices and other venues for submitting applications, and immigrant fears and misconceptions about applying for benefits (Holcomb et al. 2003). More recently, research has documented a broader range of potential barriers including documentation of income eligibility, applicants' literacy levels, and cultural beliefs and practices among immigrants (Perreira et al. 2012). There is also some evidence that immigrants' mistrust of public social service agencies has deepened more recently alongside the increased participation of state and local law enforcement in immigration enforcement.

Some states have implemented policies to address access barriers faced by applicants in general and immigrants in particular. Massachusetts has developed extensive ties with CBOs to provide outreach and application assistance, and Texas has contracts with CBOs and food banks for application assistance in some parts of the state (Crosnoe et al. 2012). In these states, many of the CBOs work closely with immigrant communities. Massachusetts, Texas, and North Carolina are developing electronic systems that would allow CBOs to assist people in applying for programs online. Maryland and Massachusetts have policies to ensure adequate interpretation and translation services at points of contact in social service offices. These initiatives were uncovered during a review of policies in these four states, but similar ones may be present in other states as well.

Immigrant families' use of major means-tested public benefits declined dramatically in the years immediately following the enactment of federal welfare reform in 1996. Though there has been some rebound more recently in SNAP and Medicaid participation (Fix 2009), noncitizens remain less likely than citizens to participate in these programs even when they are eligible. In 2009, 92 percent of all eligible children participated in SNAP, versus 63 percent of eligible citizen children with noncitizen parents (Leftin, Eslami, and Strayer 2011). In the Medicaid and CHIP programs, 86 percent of eligible citizen children with citizen parents participated, versus 83 percent of citizen children with noncitizen parents and 76 percent of noncitizen children (Kenney et al. 2011). Somewhat offsetting the generally low TANF participation of immigrant families are the "child-only" TANF cases in which US-citizen children receive benefits but the parents are ineligible because of their lack of citizenship or legal status. In 2009, such cases made up an estimated 13 percent of the national TANF caseload (Maulden et al. 2012).

As mentioned, immigrant participation in the major federally funded benefit programs varies greatly from state to state. Massachusetts, a state recognized for its generous eligibility rules following federal welfare reform limits imposed in 1996, has one of the highest participation rates among low-income immigrant families and one of the lowest gaps in participation compared to US-born families (Perreira et al. 2012). California, New York, and Washington also have relatively generous TANF eligibility rules, and accounted for two-thirds of child-only TANF cases in 2010, with California alone accounting for 116,000 such cases (Maulden et al. 2012). These three states also had monthly grant levels that exceeded \$300 for a single child in a family with a parent who was ineligible for TANF because of lack of citizenship or legal status, with New York's grant the highest at almost \$600. Other major immigrant states such as Arizona, Georgia, and Texas had maximum monthly benefit levels (for a family of three *including a parent*) of below \$300 in 2011 (Finch and Schott 2011). Texas had one of the lowest participation rates among low-income families for most public benefit programs, and North Carolina had one of the highest participation gaps between immigrants and natives (Perreira et al. 2012).

There are no quantitative data available on benefit program participation among families affected by parental deportation, and the available studies rely on small, locally generated samples in sites where large raids or multiple arrests have occurred. Previous research shows an increase in take-up rates for public benefit programs in locations where worksite raids occurred, and where state or local agencies conducted outreach to link affected families to benefits. For example, following a worksite raid in New Bedford, the Massachusetts Department of Children and Families (MDCF) sent social workers to interview parents, some of whom had been moved to detention facilities as far away as Texas. Through their efforts in detention centers and in the community, the MDCF workers were able to reach most of the families affected by the raid. In Grand Island, the Nebraska Department of Health and Human Services worked closely with the Grand Island Multicultural Coalition and the local United Way to extend public benefits to eligible families after a raid on a manufacturing plant there (Chaudry et al. 2010). Similarly, the Iowa Department of Human Services worked closely with St. Bridget's Catholic Church in Postville and stationed eligibility workers there following a major ICE operation. In all three of these locations, a substantial number of affected families applied for TANF, SNAP, and health coverage following the enforcement actions.

Most of the worksite raids that have been studied generated significant media coverage and well-coordinated community responses. In this context, it was relatively easy to identify and extend benefits to affected families, if the local community and health and human services agencies were supportive (Chaudry et al. 2010). Since ceasing large-scale worksite raids in early 2009, ICE has concentrated its

enforcement efforts on partnerships with state and local law enforcement agencies, even as referrals from the Border Patrol have become an increasing source of migrants in ICE custody (Rosenblum and McCabe 2014). Referrals to ICE from state prisons and local jails are scattered across the country (though there are concentrations in some major cities) and over time. While these referrals have received substantial media coverage in some locations, there is little evidence thus far that communities or health and human services agencies have mobilized responses similar to those following the worksite raids in New Bedford, Grand Island, and Postville.

Provision of public benefits to needy, eligible families may be more challenging in the current context of more scattered immigration enforcement. For example, in northwest Arkansas, where the local police participated in immigration enforcement through the 287(g) program (a partnership between DHS and state and local law enforcement agencies named after the section of US immigration law that authorizes it), no families took up public assistance after parents were arrested (Chaudry et al. 2010).

Some state and local service agencies may actively deter families from applying for benefits. For example, following a worksite raid in Greeley, Colorado, the Weld County Department of Human Services posted signs near the raid site suggesting that the immigration documentation of all applicants would be checked, and that those found to have unauthorized status could be arrested and deported (Capps et al. 2007). Oklahoma is one of several states to enact laws precluding unauthorized immigrants from accessing a wide range of public benefits, causing potential applicants to fear being arrested and deported (Koralek, Pedroza, and Capps 2009).

In sum, there is great variation among states and localities in program eligibility rules, factors affecting access to benefits among eligible families, benefit levels (particularly for TANF), program participation among immigrant families, and the overall climate of receptivity toward immigrants. A key question for future research, then, is how variation in these factors affects the take-up of needed benefits in families affected by parental deportation, and alleviates their economic hardships.

## Mental Health Care Needs

Given the incidence of trauma among children of unauthorized immigrant parents and the mental health challenges faced by these parents (as documented in the still-nascent research), access to mental health services is important. Moreover, the psychological impacts of immigration enforcement often extend beyond these families to the broader community—shown visually as the bottom layers of the

pyramid in figure 1 earlier in this report (Dreby 2012). Thus mental health services are essential in communities where parental apprehensions and deportations are frequent.

Federally qualified health centers represent an important resource and point of access for services that are not restricted to citizens and LPRs, but to our knowledge no research has been conducted on their potential role in extending mental health services to affected communities.

Public schools are also important points of contact for these families, and some districts have provided extensive counseling to children in the aftermath of immigration raids. Schools in Postville, Iowa, provided counseling to children following the raid there, and helped connect parents with nearby mental health providers (Chaudry et al. 2010). But access to mental health services was complicated by the dearth of Spanish-speaking providers in rural northeast Iowa. Small towns may lack the capacity to provide the mental health services needed by immigrant communities.

Relevant research suggests several reasons why Hispanic immigrants rarely access mental health services. They have relatively limited Medicaid/CHIP eligibility, limited financial access to insurance that covers mental health services, a tendency in some cases to view mental health symptoms as physical health problems, a reliance on family members for support, limited English proficiency, and a preference for providers with Hispanic ethnicity (Kouyoumdjian, Zamboanga, and Hansen 2003). Studies have also found that unauthorized immigrants are fearful of accessing health services because of their legal status (Berk and Schur 2001; Perez and Fortuna 2005), and that Hispanic immigrant women, like African American women, are more likely than US-born white women to avoid mental health care because of the stigma associated with admitting depression and seeking treatment for it (Nadeem et al. 2007). A survey of low-income women with acknowledged emotional problems found that Hispanic immigrants were significantly less likely to endorse group counseling and medication than US-born white women (Nadeem, Lange, and Miranda 2008).

Research suggests that churches and other informal institutions may do better than traditional mental health services in encouraging low-income Hispanic immigrants to access mental health care (Miranda et al. 1996). Churches play a central role in providing spiritual and mental health support to families affected by large-scale immigration raids (Capps et al. 2007; Chaudry et al. 2010), and Hispanic immigrant women are more likely to endorse faith than medicine as a form of treatment for emotional problems (Nadeem, Lange, and Miranda 2008). Unlike access to public benefits, studies of mental health care access do not describe variations across communities—whether by state or locality—in the United States.

The access barriers and treatment preferences discussed in the literature are likely to make it challenging to provide mental health services to families affected by deportation. In particular, the role of formal mental health care providers in addressing the psychological needs of these families is a substantial gap in the literature.

## Supporting Children in Public Schools and Early Education Programs

Public schools represent another important setting for reaching children with detained and deported parents. Schools do not typically ask about the immigration status of parents or children, largely as a result of the *Plyler v. Doe* Supreme Court decision prohibiting such inquiries and subsequent restrictions on enrollment in public schools (Olivas 2010). In most of the raid sites that have been studied, public schools have been safe havens for children, and attendance has rebounded quickly after the raids (Chaudry et al. 2010). In some cases, the schools have conducted outreach to assure families that their children are safe on campus. For example, following the Postville raid, the elementary school principal and counselor went door to door to speak with affected families and encourage them to send their children back to school. According to one study, the strong support of teachers and other staff in the public schools (across several sites) led to *improved* academic performances among a significant number of school-age children even after their parents' arrests in raids (Chaudry et al. 2010).

Head Start programs, like public schools, are prohibited from asking families about their immigration status, and can also serve as a resource for linking children and parents with counseling, benefits, and other forms of support. On the other hand, there have been anecdotal reports of ICE officers patrolling near Migrant Head Start facilities, potentially deterring the participation of children of unauthorized immigrant parents from attending these programs (Mathur and Parameswaran 2012). Current ICE policies prohibit arrests, interviews, searches, and surveillance at schools, churches, and other sensitive locations except in limited circumstances that require several layers of supervisory approval (ICE 2011b). Meanwhile, children's withdrawal from Head Start and other early education programs can be reversed when teachers and school staff conduct outreach, as observed in Postville and several other raid sites studied (Chaudry et al. 2010).

Thus, the limited evidence in the existing research suggests that schools and early education programs offer safe havens and favorable settings for the provision of services to children with unauthorized immigrant parents and to immigrant communities in general.



# US Immigration Enforcement and Changes in the Composition of Unauthorized Populations

Studying changes in the size of the unauthorized population and in DHS methods for enforcing immigration law is important for understanding the population on which this project is focused. In this section we summarize the size of the population of unauthorized immigrants and their children, the number of noncitizens and children deported under current and recent immigration policies, and the types of enforcement policies, along with their implications for parents and children. We also highlight gaps in the existing data about parents who have been apprehended, detained, or deported by US immigration authorities.

DHS is the federal agency charged with implementing and enforcing immigration laws. US Customs and Border Protection (CBP) is the agency within DHS that conducts enforcement along the nation's borders. ICE conducts enforcement within the interior United States and handles most detention and deportation operations.

## Unauthorized Population at Risk for Deportation

The number of unauthorized immigrants entering the country illegally or overstaying valid visas rose during the 1990s and early 2000s. The estimated total unauthorized population peaked at 12.2 million in 2007, fell to 11.3 million in 2009, and remained at about that level through 2014 (Krogstad and Passel 2015). Mexicans made up 58 percent of the unauthorized population in 2010, and other Latin Americans contributed another 23 percent (Passel and Cohn 2011). The decline in the unauthorized population has been attributed to the recent US recession, demographic and socioeconomic changes in Mexico, and increasingly effective immigration enforcement (Rosenblum and Kandel 2012; Wasem 2012).

In 2012, there were an estimated 5.3 million children living with at least one unauthorized immigrant parent (Passel et al. 2014). Of these, 4.5 million, or 85 percent, were US citizens. The remainder, 800,000, were unauthorized and thus at risk for deportation themselves. (In general, younger children are more likely to be US born, and their older siblings to be unauthorized.) Meanwhile,

all children with an unauthorized immigrant parent are likely at risk for psychological stress related to fear of parental deportation.

## Number of Immigrants Deported Each Year

Over the past decade, the United States has devoted significant resources to apprehension of unauthorized immigrants in the US interior, though the buildup of resources for border enforcement goes back 20 years (Meissner et al. 2013). During FY 2009 through FY 2013, the US government conducted 2 million formal removals, and another 1.8 million deportations without formal removal orders (DHS 2014, table 39). Formal removals involve both immigration and criminal violations, and many of these can be appealed before immigration judges. Most returns are of Mexican nationals apprehended by the Border Patrol when attempting to cross the border illegally, as well as noncitizens who do not contest their removal charges and leave the United States voluntarily. Taking removals and returns together, a total of 3.8 million deportations from the United States occurred over the five-year period 2009–13. When we refer to “deportations” in this report, we include both removals and returns.

The number of formal removals rose during the 2000s, to nearly 400,000 in 2009, and remained at that level through FY 2012 (DHS 2014, table 39) before dropping to 369,000 in FY 2013 and 316,000 in FY 2014 (ICE 2014c). The number of returns fell from a peak of about 1 million in FY 2006 to just below 200,000 in FY 2012, a drop that appears to be almost entirely due to fewer apprehensions by the Border Patrol.

## Deportation of Parents

ICE began tracking comprehensive data on the deportation of parents with US-citizen children in 2010. According to ICE, 205,000 noncitizens who were deported between July 2010 and September 2012 claimed to have at least one US-citizen child (Wessler 2012a). Organizing these data (which are for a 27-month period) by year, an estimated 90,000 parents of US-citizen children were deported per year over this period, as noted earlier in this report. The pace of parental deportation and of formal removals overall was consistent during this period (at just under 400,000 a year). When the overall pace of removals fell to 369,000 in FY 2013, the pace of parental removals also fell. During the second half of calendar year 2013, there were 33,000 removals of parents with US-citizen children—a 28 percent decrease from the 46,000 removals during the second half of 2011 (ICE 2014b; Wessler 2012a).

Moreover, in FY 2014, about two-thirds of all removals (214,000 out of 316,000) were of people apprehended at the borders rather than in the interior of the United States; this reversed a pattern, seen over several prior years, of interior removals exceeding border removals (ICE 2014c). But for removals of parents with US-citizen children, the pattern was the opposite: 63 percent resulted from interior apprehensions (45,000 out of 72,000) in 2013 (ICE 2014a, b).

There are some important gaps in these ICE data. On the one hand, deported individuals may be counted multiple times (as the same person may be deported more than once), leading to overestimates (Wessler 2012a, b). On the other hand, the ICE data may underestimate the number of parents deported, as parents are often reluctant to admit to immigration officers that they have children. The ICE data that have been published to date also exclude parents who have only noncitizen children.

Despite these limitations, the ICE data provide a baseline for estimating impacts on children. As described earlier, if each deported parent has two children on average, then as many as half a million children would have been affected in 2011–13. Not much is known about the parents who have been detained and deported by ICE. Ninety-one percent of those deported are men (Rosenblum and McCabe 2014), but the exact share of deported parents who are fathers has not been publicly released. Also unknown are the share of parents who are detained prior to deportation, the length and location of their detention, the time it takes for a parent who is not detained to go through deportation proceedings, and the types of additional penalties (e.g., bars on legal readmission) imposed on deported adults. All of these issues could bear on the duration of parental separation from children.

## Discretion in Deporting Parents

Immigration laws passed in 1996 created categories of people who can be removed without appeal or with very limited grounds for appeal, and who must be detained until removal (Kanstroom 2011). In FY 2014, 56 percent of all removals and 85 percent of interior removals were of people who had been convicted of crimes—though in many cases, the only convictions were for immigration-related offenses such as misdemeanor illegal entry, felony illegal reentry, and smuggling (ICE 2014c; Rosenblum and Meissner 2014). Ninety-eight percent of all removals fell into ICE’s “civil enforcement priorities” as described below (ICE 2014c). Among parents of US-citizen children, 86 percent had criminal convictions and 98 percent met ICE’s enforcement priorities in 2013 (ICE 2014a, b). The requirements of US immigration law limit ICE’s flexibility in suspending the deportation of most of the people it encounters, even when they are parents. Nonetheless, a significant share of parents may be eligible for

cancellation of removal (as the suspension of deportation is often called), if they have not been convicted of serious crimes or multiple immigration violations—that is, not all criminal convictions mandate deportation. Moreover, DHS has some flexibility in handling cases involving parents, particularly when it comes to the location and setting of detention, as well as procedures for allowing communication with children and other family members.

ICE's flexibility in handling removal cases involving US-citizen children may expand with reforms to the agency's detention system, its increased powers of prosecutorial discretion in removal cases, the DACA program (and DAPA program if it is ever implemented), and, most recently, guidelines for facilitating parental interests during enforcement activities.

To help sustain connections between parents and children, ICE has created an online detainee-locator system, reduced transfers to facilities far from family members, developed less restrictive detention facilities, and released detainees under community or ICE supervision (ICE 2012a; Landy 2012). The detainee-locator system helps families communicate with parents who are detained. Before the system was implemented, people often could not find their detained relatives or communicate with them for weeks or months. Family courts, social workers, and lawyers had difficulty communicating with parents in ICE detention who had children in the child welfare system (IPC and First Focus 2012).

ICE has also facilitated the early release of detained parents through its humanitarian enforcement guidelines (ICE 2007; IPC and First Focus 2012). For example, many mothers were released a few hours after a worksite raid in Los Angeles, thus preventing the prolonged periods of separation between mothers and children that had occurred in earlier raids (Chaudry et al. 2010). The extent to which ICE has applied these humanitarian enforcement guidelines to apprehensions conducted through partnerships with state and local law enforcement agencies is, however, unknown.

## **Narrowing the Scope of Enforcement and Removal Activities**

In recent years, ICE has published a series of guidelines about the agency's enforcement priorities and how they apply to detention and removal operations. In 2011, the ICE director issued a pair of memoranda that describe civil immigration enforcement priorities for apprehending, detaining, and deporting migrants, and elaborate on exercising prosecutorial discretion in focusing enforcement on certain groups of noncitizens: those with serious criminal violations and those with multiple or significant immigration violations (ICE 2011c, d). The two memoranda direct ICE officers to consider all the characteristics of migrants (such as their criminal convictions, immigration history, parental status,

community ties, and health and other vulnerabilities) at several stages in the enforcement process, including during

- selection of targets for ICE operations,
- apprehension of individuals by ICE officers,
- determination of whether to detain or release individuals in ICE custody, and
- determination of whether or not individuals should be removed.

Decisions surrounding whether individuals are priorities for removal are also addressed in the prosecutorial discretion memo, which has helped ICE officers close removal cases or suspend them based on the agency's enforcement priorities. Prosecutorial discretion may be responsible for the decline in overall removals between FY 2012 and FY 2014, as well as the shift away from interior removals and toward border removals. In December 2012, the ICE director issued a new memorandum to local field offices clarifying that only noncitizens committing felonies, multiple misdemeanors, or serious immigration violations should be transferred from state or local jails to ICE custody (ICE 2012b).

In November 2014, the Obama administration further refined ICE's enforcement priorities and restricted the scope of interior enforcement in two important ways. First, Homeland Security Secretary Jeh Johnson issued a new memorandum that further limited enforcement priorities to

- terrorism and security threats;
- individuals convicted of felonies, serious misdemeanors such as driving under the influence, or multiple misdemeanors (as opposed to a broader class of crimes in the 2011–12 memos);
- those with prior removal orders issued since January 2014 (as opposed to those with orders issued at any time); and
- recent border crossers (those entering within one year as opposed to three years) (DHS 2014).

Second, the administration announced the termination of the Secure Communities program and its replacement with a new Priority Enforcement Program (PEP). Under PEP, ICE will only take noncitizens identified for removal into custody after they have been convicted of a serious crime or crimes meeting the new enforcement priorities. Under Secure Communities, those identified for removal could be taken into custody immediately after booking at local jails (i.e., before they even went to court on their criminal charges), regardless of the crime (DHS 2014). At the time this report was finalized in early September 2015, the extent to which ICE had implemented these two major policy changes had not

been assessed (and indeed the PEP implementation began only in July). Once implemented, the narrowing of enforcement priorities and the replacement of Secure Communities with PEP promise to further reduce the number of interior removals.

## **Deferred Action for Childhood Arrivals and Deferred Action for Parents of Americans and Lawful Permanent Residents**

The Obama administration has also taken further administrative steps to protect certain large, well-defined groups of unauthorized immigrants from deportation. In June 2012, DHS announced the creation of the DACA program for unauthorized immigrant youth who were under the age of 31 as of the announcement and who had arrived in the United States before age 16 (USCIS 2012). Additional eligibility criteria included continuous US residence since June 2007, school enrollment or completion of a high school degree or its equivalent, and lack of a conviction for a felony or three or more misdemeanors. Eligible youth are given a work permit, and their deportation is deferred for two years, with a possible renewal for another two years. As of 2012, up to 2.1 million unauthorized immigrant youths were estimated to be potentially eligible for DACA, with 1.2 million of those immediately eligible and the other 900,000 ineligible either because they were under 15 years of age or because they lacked a high school education or equivalent (Batalova, Hooker, and Capps 2014). In the first 34 months of the program (August 2012 through June 2015), 771,000 unauthorized immigrant youths applied, and 681,000 applications were approved (USCIS 2015). The new deferred action policy unveiled in November 2014, creating the DAPA program and expanding DACA, is likely to apply to many young parents with US-citizen children, as many parents will likely fall into the program's 15–30 age range. The DAPA program and DACA expansions, as noted earlier, are the subject of legal challenge (by 26 states), and a federal judge has issued a temporary injunction barring their implementation (Parser 2015).

Beyond deferred action, ICE in August 2013 issued a directive for “Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities.” This directive, which aims to ensure that enforcement activities do not “unnecessarily disrupt parental rights,” is a comprehensive ICE policy that protects parents and legal guardians in detention and removal proceedings and builds on the 2011–12 civil enforcement priorities and prosecutorial discretion memoranda (ICE 2013a). The directive focuses primarily on three groups: primary caretakers of minor children, those involved with family court or child welfare proceedings, and those with US-citizen or LPR children living in the United States. The policy reinforces earlier guidelines for exercise of prosecutorial discretion by directing ICE officers to

confirm whether unauthorized immigrants in custody are primary caretakers or parents. The new policy specifies that information obtained at any point during arrest, processing, or detention should be used to evaluate detention and removal decisions, and should also be recorded in the ICE database by officers.

The directive has several specific guidelines for cases in which a parent or guardian in custody may be involved in child welfare or family court proceedings. ICE officers are directed to transport parents or guardians to custody hearings when family court judges require them to do so, given security and transportation resource constraints (the directive also stresses that videoconferencing should be used whenever possible to overcome these constraints). Detained parents or guardians should be allowed visitation with their children when the visitation is court ordered. When family court judges require deported parents to return to the United States for custody hearings, ICE should consider allowing them to return using humanitarian parole procedures. ICE officers should also coordinate with consulates, immigration counsel, family members, and others to ensure that parents who are about to be deported can either arrange legal guardianship in the United States or obtain travel documents so that their children can leave the United States with them.

The directive also creates a new position of parental rights coordinator in ICE's headquarters and designates points of contact in local field offices. The parental rights coordinator and field office points of contact are required to conduct outreach to consular officials, child welfare agencies, family courts, and others to provide information and resolve complaints concerning parents in ICE custody. Taken together, the provisions of the parental interests directive complement the 2011–12 enforcement priorities and prosecutorial discretion directives, as well as ICE detention standards and policies, and consolidate these preexisting ICE policies into a single document. The directive does not, on its own, suggest that parents are less likely to be detained or deported in the future.

## State and Local Partnerships in Immigration Enforcement

The increases in interior apprehension that led to removal of so many parents in recent years are mostly due to partnerships between ICE and state and local law enforcement agencies. According to ICE data, the majority of the 205,000 parental deportations from FY 2010 through FY 2012 occurred in the Southwest border states of California, Arizona, and Texas. But a substantial number also occurred in the Midwest (the area covered by the Chicago ICE office) and in the Southeast (the area covered by the Atlanta office) (Wessler 2012a).

Before 2000, immigration enforcement was concentrated in California, Arizona, New Mexico, and Texas. Then, in the mid-2000s, ICE increased interior enforcement and carried out a number of worksite enforcement actions that included raids on large manufacturing facilities. ICE, however, stopped these raids in 2009, shifting to audits of I-9 employment authorization documents and issuance of “no-match” letters to employers whose workers appeared to be using incorrect or fraudulent Social Security numbers (Meissner et al. 2013; Preston 2010). These new methods hold employers accountable for hiring unauthorized workers, and, in some cases, result in substantial employer fines and worker layoffs.

ICE’s partnerships with state and local law enforcement agencies ensure that noncitizens are almost always in the custody of law enforcement—and often incarcerated—before they come into contact with ICE. There are three main collaborative programs: the Criminal Alien Program (CAP), 287(g), and Secure Communities, the latter of which was in transition to PEP at the time this report was written. These are “jail-based” programs where removable noncitizens who have been arrested or detained by local law enforcement are identified using DHS data and information. In FY 2010, CAP was responsible for 219,000 arrests, the Secure Communities program for 111,000, and the 287(g) program for 46,000, although there is duplication across these numbers (see table 1). FY 2010 was a peak year for these three programs; their activity declined slightly in FY 2011, but remained well above the levels of the mid-2000s.

CAP came about between 2005 and 2007, out of legacy Immigration and Naturalization Service (INS) programs, to work with prisons and jails to identify noncitizens and start deportation proceedings before conviction and/or sentencing. Under CAP, prisons and jails share inmate information with ICE and grant ICE officers access (in person or via telephone or videoconference) to inmates suspected of immigration violations (ICE 2011e). As of 2010, CAP was active in all federal and state prisons as well as 300 local jails (Guttin 2010).

Under the 287(g) program, state and local law enforcement agencies enter into agreements with ICE, and their officers are trained in immigration law and procedures and then authorized to investigate, apprehend, and detain subjects based on suspicions of illegal presence and other immigration violations.

The 287(g) program was mostly superseded by Secure Communities, a fingerprint-sharing program between ICE and the Federal Bureau of Investigation (FBI) that screens people for immigration violations as they are being booked into state prisons and local jails. ICE extended Secure Communities to all 3,000 local law enforcement jurisdictions in the United States in 2013, though since then several



hundred jurisdictions—including some of the largest urban counties—have opted out of fully participating in the program (ICE 2013b). In November 2014, the Obama administration announced the replacement of Secure Communities with PEP, with the goal that PEP would be active—under new guidelines—in all jurisdictions nationwide. The PEP rollout began in July 2015.

The fourth primary means of apprehending noncitizens is the National Fugitive Operations Program (NFOP), which is composed of 104 teams of ICE officers that conduct enforcement actions at worksites, in residential areas, and in other locations. NFOP focuses on noncitizens who have been ordered removed but failed to leave the country, as well as those who have committed serious crimes (Rosenblum and Kandel 2012). The number of noncitizens apprehended through NFOP was 39,000 in FY 2011, up from 8,000 in FY 2005.

Taken together, these four programs resulted in increasing numbers of interior ICE apprehensions and removals during FY 2004–10, though removals from the interior declined during FY 2012–14.

The use of these state and local partnerships means that noncitizens who have committed criminal violations are more likely to be subject to immigration enforcement. State and local law enforcement agencies retain their authority to arrest and detain noncitizens for both serious criminal violations and more minor infractions, and there are reports that some jurisdictions have concentrated enforcement activity on such things as trafficking violations that may inhibit the mobility of unauthorized immigrant families (Capps et al. 2011).

At the same time, ICE has been increasingly exercising prosecutorial discretion in determining which individuals to take into custody. ICE retains full authority over which noncitizens should be detained or deported, even if these individuals are referred to ICE by state and local law enforcement (ICE 2011c, d). From FY 2009 through 2013, as Secure Communities expanded from 88 jurisdictions to all 3,181 jurisdictions nationwide, the number of noncitizens identified through the program rose from 96,000 to 530,000. But the number of actual removals from those identified remained constant at just over 80,000 from FY 2011 through 2013. Similarly, in FY 2013, just 15 percent of identified individuals were actually deported—though some would be deported in later years because of backlogs in immigration courts (Rosenblum and Meissner 2014). Additionally, ICE closely monitors all its partnerships with state and local law enforcement agencies by examining local arrest data and investigating allegations of civil rights and civil liberties violations (ICE 2013c).

TABLE 1

## ICE Arrests by Interior Enforcement Program, FY 2004–11

Fiscal Year	Criminal Alien Program	Secure Communities	287(g) Program	Fugitive Operations Program
2004	4,269	NA	0	6,584
2005	25,339	NA	2	7,959
2006	28,493	NA	5,685	15,462
2007	164,296	NA	20,815	30,407
2008	221,085	NA	45,105	34,155
2009	232,796	42,135	56,116	35,094
2010	219,477	111,093	46,467	35,774
2011	216,894	73,466	33,180	39,466
<b>Total</b>	<b>1,112,649</b>	<b>226,694</b>	<b>207,370</b>	<b>204,901</b>

**Notes:** There is some duplication in arrests across these programs, as some cases may be counted multiple times. Not shown in the table are worksite arrests, which amounted to only a few thousand individuals per year during the 2005–09 period, and none after that. Not all of these arrests resulted in deportation, and in many cases deportation occurred a year or more after arrest.

**Source:** Rosenblum and Kandel 2012, 24.

## Deportation of Returning Parents Apprehended at the US-Mexico Border

In 2010, 56 percent of all noncitizens apprehended by CBP at the US-Mexico border had been deported previously, and a significant number were attempting to rejoin their families in the United States (Cave 2011). As mentioned earlier, approximately 102,000 parents of US-citizen children attempted to reenter the country illegally during FY 2011–12. ICE parental removal statistics suggest that a significant number of parents have been apprehended and deported more than once. In 2013, 38 percent of parental removals (27,000 out of 72,000) were of individuals apprehended along the borders—primarily the US-Mexico border (ICE 2014a, b). While comprehensive data have not been released, data for parental removals during the second half of 2013 suggest that at least 10 percent of these removals were for reentry after prior removal (ICE 2014b).

Parents who attempt to reenter the country illegally and are apprehended by the Border Patrol are subject to increasing sanctions. Among parents of US-citizen children with final removal orders (i.e., those who have been ordered removed by ICE or an immigration judge but have not yet left the United States), the share ordered removed by CBP increased from 13 percent during the fourth quarter of FY 2010 to 31 percent in the corresponding quarter of 2012 (Wessler 2012a). CBP is increasingly charging

people apprehended at the border with federal criminal offenses and formally deporting them. Under Operation Streamline, which started in the early 2000s, CBP is charging many first-time illegal entrants with misdemeanors and those reentering illegally with felonies (although in many cases they are allowed to plea-bargain for the misdemeanor charge) (Rosenblum 2012). Data on the number of parents who have been apprehended and formally charged with criminal reentry have not been released, and the consequences for criminal reentry—including three- or ten-year bars on legal reentry and significant jail terms—have not been analyzed.

# Unanswered Questions and Avenues for Future Research

The increase in the deportation of parents from the United States is a relatively recent phenomenon, and there has been little research on the topic. The research to date leaves several important research and policy questions unanswered:

1. **Number of children with deported parents.** The latest ICE figures provide a baseline for the number of parents deported. But how many US-citizen children experience parental detention and deportation? How many children leave the United States with deported parents, and how many are left behind?
2. **Characteristics of affected children.** What is the age composition of the affected children? How many are of school age versus younger? How many are US citizens versus noncitizens (authorized and unauthorized)? Does this match the most recent estimate that 85 percent of children with unauthorized immigrant parents nationally are US citizens? Are siblings kept together when their parents are deported?
3. **Children's well-being in the United States.** How do family separation and loss of parental income affect children's well-being? What types of socioeconomic, mental health, and physical health needs have been observed among children who remain in the United States? Which needs persist in the long run? What quantitative data about mental health impacts and service needs are available?
4. **Children's educational needs.** How are children with detained and deported parents faring in school and in early education settings? Are schools and early education providers supportive of these children? What are some of the ways in which the schools and early education providers support children and link them with needed services?
5. **Child welfare system involvement.** How do children with detained and deported parents fare in child welfare systems? Are these children placed in appropriate settings? Do parents retain their parental rights when appropriate?
6. **Family mental health needs.** Where can families and children whose parents have been detained and deported go for mental health services? Are such services generally available in

the communities in which they live? What types of mental health services are offered, and which types seem to be helpful for parents and for children?

7. **Family economic self-sufficiency needs.** What are the short-term, intermediate, and long-term public service needs of children with detained and deported parents? Do affected families gain access to cash welfare, food assistance, Medicaid/CHIP, and other benefits for which their US-citizen children may be eligible? How are state and local health and human service programs conducting outreach to meet affected families' needs? What are community-based and nongovernmental organizations doing to meet these needs?
8. **Challenges to meeting service needs.** What factors facilitate eligible families' participation in public benefit programs? What factors facilitate access to mental health and other needed services? What barriers and gaps in service provision are observed?
9. **US-citizen children who depart with deported parents.** What can we determine about the geographic residency patterns, economic well-being, and other characteristics of children, particularly US-citizen children, who have left the United States following parental removal? How well are US-citizen children faring in schools in Mexico and other countries of return? What can we determine about their health and social service needs?
10. **Characteristics of deported parents.** How many deportees are mothers and how many are fathers? Do these numbers support the current estimate that men make up more than 90 percent of the deportee population?
11. **Parental detention and family separation.** How many parents are detained, and how many are released quickly after their transfer to ICE? How many are detained for a long period while their cases are adjudicated, and how many are released with supervision? In how many cases are both parents detained? How do detention decisions affect the length of parents' separation from their children?
12. **Promising practices to serve children in affected families.** What are state, local, nonprofit, and other organizations doing to assist children across the wide range of needs discussed in this report? What are some of the most promising practices for assisting children with detained and deported parents? What strategies work to overcome some of the most significant barriers children and families face to accessing services? How can such practices be evaluated?

The overarching goal of this study is to begin addressing these questions through case studies in five US communities and a scan and analysis of relevant administrative and survey data. A companion

report (Koball et al. 2015) describes findings from fieldwork in the five case study sites. All the study components are exploratory in nature and therefore cannot answer every important question, as some questions will require long-term fieldwork or longitudinal data collection, and others will require research outside the United States.

# Glossary

*287(g) programs:* Partnerships through which the US Department of Homeland Security (DHS) delegates to state or local law enforcement agencies the authority to interrogate and detain noncitizens suspected of immigration violations. These programs are named after Section 287(g) of the US Immigration and Nationality Act, which authorizes them.

*Children of immigrants:* Children with at least one immigrant parent. Children can be either first generation (foreign born) or second generation (US born).

*Deportation:* Expulsion of noncitizens from the United States. DHS refers to deportation of people with formal administrative or criminal charges as “removals” and those who leave voluntarily after apprehension or are otherwise deported without formal charges as “returns.” Most people apprehended at the US-Mexico border by the Border Patrol are returned, while most people apprehended by US Immigration and Customs Enforcement (ICE) in the US interior are removed.

*Foreign born:* See immigrants.

*Immigrants:* People born outside the United States and not born to American parents. This term does not include people born in Puerto Rico, Guam, or other US territories. It includes both naturalized citizens and noncitizens.

*Lawful permanent residents (LPRs):* Noncitizens admitted legally for permanent residency, usually through family ties, employment, or as refugees. Lawful permanent residents are sometimes known as green card holders.

*National Fugitive Operations Program (NFOP):* A program through which teams of ICE officers conduct enforcement actions at worksites, in residential areas, and in other locations. NFOP focuses on noncitizens who have been ordered removed but failed to leave the country, as well as on those who have committed serious crimes

*Native/native born:* See US born.

*Naturalized citizens:* Lawful permanent residents who have become US citizens, usually after passing the citizenship test. The waiting period to take the citizenship test is five years for most permanent residents and three years for those married to US citizens.

*Noncitizens:* Immigrants who have not yet become citizens. Noncitizens can be unauthorized immigrants, lawful permanent residents, or, in a small number of cases, students and others with long-term temporary visas or protection from removal.

*Removal:* One of two types of deportation, used by DHS in reference to noncitizens who are formally charged with a deportable offense. DHS defines removal as “the compulsory and confirmed movement of an inadmissible or deportable alien out of the United States based on an order of removal” (ICE 2015). Orders of removal (as opposed to returns or voluntary departures) have administrative or criminal consequences placed on subsequent reentry. In other words, those who are formally removed cannot legally reenter the United States for a period of time, and are subject to criminal prosecution if they reenter illegally. Most people apprehended by ICE in the interior United States are removed.

*Return:* One of two types of deportation, returns involve the confirmed movement of noncitizens out of the United States without a formal order of removal. Some returns are “voluntary” in that DHS allows some groups of noncitizens to leave the United States without filing formal removal charges. Most returns are of Mexican nationals who have been apprehended at the US-Mexico border by the Border Patrol.

*Secure Communities:* A database link between the Federal Bureau of Investigation and DHS that allows state and local law enforcement agencies to check the immigration status and violations of people in their custody using fingerprints, most often during booking into a state prison or local jail.

*Special Immigrant Juvenile (SIJ) status:* A provision of US immigration law that allows children under age 21 who are unmarried, in the custody of a state or local child welfare agency, unable to be reunited with their parents, and for whom return to the home country is not in their best interest, to qualify for green cards that allow them to live and work permanently in the United States.

*Unauthorized immigrants:* Noncitizens who entered illegally, usually across the border from Mexico, or who entered legally but overstayed their visas.

*US born:* People born in the United States or its territories (such as Puerto Rico and Guam), or born abroad to US-citizen parents.

*US-born citizen children:* Children born in the United States, who are citizens by birthright. An estimated 85 percent of children with unauthorized immigrant parents are US-born citizens.

*US Customs and Border Patrol (CBP):* Part of DHS, the agency that operates official ports of entry (airports, seaports, and land ports along the borders) and monitors the US-Mexico and US-Canada borders for illegal reentries.



*US Immigration and Customs Enforcement (ICE):* Part of DHS, the agency that conducts immigration enforcement activities in the interior United States—including those in partnership with state and local law enforcement agencies—and processes and detains noncitizens for removal and other forms of deportation.

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Capps, a demographer, has published widely on immigrant integration at the state and local level, including profiles of immigrant populations in Arkansas, Connecticut, and Maryland, as well as Los Angeles, Washington, DC, Louisville, KY, and Napa County, CA. He has also examined the impact of the detention and deportation of immigrant parents on children. Before joining the Migration Policy Institute, Capps was a researcher in the Immigration Studies Program at the Urban Institute (1993–96 and 2000–08). He received his PhD in sociology from the University of Texas in 1999 and his master of public affairs, also from the University of Texas, in 1992.

**Heather Koball** is a senior fellow in the Center on Labor, Human Services, and Population at the Urban Institute, where her areas of expertise include immigration and at-risk youth. Koball has directed multiple projects on issues faced by children of immigrants, including access to public benefits among immigrant families, the implications of the Affordable Care Act for immigrants' health care, and immigrant integration in new destination areas. Koball's research also focuses on programs to improve the well-being of at-risk youth. As coprincipal investigator of the Opportunities Youth project, she is developing and evaluating interventions to improve the employment outcomes of disconnected youth. She is also principal investigator for an evaluation of after-school programs in New York City that aim to improve youths' social and emotional development.

**Andrea Campetella** is director of communications and planning at the University of Texas at Austin School of Social Work. Before this role, she was the project manager for a National Institutes of Health–funded study on the psychosocial effects of parental deportation on US-citizen children (Principal Investigator Luis H. Zayas), and acting director of the Center for Latino Family Research at the Brown School of Social Work at Washington University in St. Louis. She holds PhD in Latin American history from Rutgers University and an MA in sociology from the New School for Social Research.

**Krista Perreira** is professor of public policy at the University of North Carolina at Chapel Hill. As a health economist and social demographer, she studies social policies and disparities in health, education, and economic well-being. Perreira's ongoing research focuses on immigration and



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**Sarah Hooker** is the associate director of policy and language access at the Office of Civic Engagement & Immigrant Affairs (OCEIA), City and County of San Francisco. She oversees citywide implementation of the San Francisco Language Access Ordinance and provides policy and programmatic guidance for OCEIA initiatives related to deferred action and immigrant integration. Before joining OCEIA, Hooker was a policy analyst with the Migration Policy Institute's National Center on Immigrant Integration Policy in Washington, DC, where she focused on education and workforce development for immigrants and English learners. Publications included *Lessons from the Local Level: DACA's Implementation and Impact on Education and Training Success* and *Critical Choices in Post-Recession California: Investing in the Educational and Career Success of Immigrant Youth*. Hooker has also worked with the American Youth Policy Forum and the National Alliance of Latin American and Caribbean Communities. She holds a master's degree from the University of Chicago's School of Social Service Administration and a bachelor's degree from Pomona College, where she majored in Latin American studies.

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## STATEMENT OF INDEPENDENCE

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