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Policy Brief

Addressing the Shift in Child Welfare Practices Serving Latinx Immigrant Population During the COVID-19 Pandemic: Policy Recommendations and Future Directions

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INTRODUCTION

Framing the issues at hand

Restrictive immigration policies imposed in the U.S., during the past decade have had significant consequences for the health and wellbeing of immigrant children and families who experience daily fears of forced family separation due to detention and/or deportation (Lovato & Abrams, 2022). For example, the 2020 public charge rule implemented during the Trump administration aimed to identify individuals likely to become dependent on the government as grounds to deny their applications for citizenship or legal permanent resident status. This policy has created a significant chilling effect on eligible immigrant families' use of public benefits (Haley et al., 2020). This chilling effect lingers despite the Biden administration's reversal of the 2020 rule (Protecting Immigrant Families, 2022).

In addition, the global COVID-19 pandemic has exacerbated inequities placing immigrant children at great risk of entering the child welfare system due to systemic barriers that place immigrant families at risk of economic, housing, health, and social stressors. Immigrants continue to face challenges accessing healthcare due to their immigration status and resort to engaging in high-risk employment, which increases their exposure to COVID. The pandemic brought visibility to the disproportionalities that immigrant family's experience on a day-to-day basis. During the pandemic, the public child welfare system experienced systemic and structural barriers in serving these families' basic needs (Lovato, Finno-Velasquez, Sepp et.al, 2022). Immigrant children experience unique risk factors when becoming system-impacted due to language needs obtaining legal immigration relief,

coordination with consulates, identifying potential relatives for placement, and engaging with families who fear detection by immigration enforcement. Immigrant families experience significant barriers in accessing services and public benefits due to restrictive policies such as the public charge rule that was tightened in 2020, which has continued to incite fear among immigrants accessing critical social services. Scholars have found that the pandemic posed new challenges for child welfare agencies serving immigrant families, including reduced in-person visits and services, delayed family reunification, and increased risk of child maltreatment, disproportionately impacting immigrants' economic wellbeing. Little research has been conducted on the best strategies that child welfare agencies have implemented to combat the results of COVID.

This policy brief draws upon research conducted by Lovato, Finno-Velasquez, Sepp, et al (2022) during the height of the pandemic. We propose four policy recommendations for policy makers, social service leaders and child welfare personnel to respond to the needs of families at risk of/or involved in the child welfare system.

- ***Policymakers should allocate funding to enhance technology resources for families. Implementing this funding initiative as a best practice would involve providing technical training programs for parents and caregivers and distributing devices such as laptops or tablets to families in need who have not received technology support through public school districts.***
- ***Given the ongoing risk of COVID-19 on immigrant communities, policymakers should consider extending reunification and permanency hearings beyond 24 months due to the unique stressors that immigrant families face in accessing required services to meet case plan requirements.***
- ***Policymakers should consider following the example set by states such as California and provide economic aid and direct payment programs for immigrant families, including those with mixed immigration statuses.***
- ***To support immigrant communities during the COVID-19 pandemic, policymakers should eliminate eligibility requirements for economic relief programs, ensuring equitable access to essential resources such as unrestricted emergency funds and internet connectivity.***

- 1 Haley, E., Caxaj, S., George, G., Hennebray, J. L., Martell, E., & McLaughlin, J. (2020). Migrant farmworkers face heightened vulnerabilities during COVID-19. *Journal of Agriculture, Food Systems, and Community Development*, 9(3), 35–39. <https://doi.org/10.5304/jafscd.2020.093.016>
- 2 Lovato, K., & Abrams, L. S. (2021). Enforced separations: A qualitative examination of how Latinx families cope with family disruption following the deportation of a parent. *Families in Society: The Journal of Contemporary Social Services*, 102(1), 33–49. <https://doi.org/10.1177/1044389420923470>
- 3 Lovato, K., Finno-Velasquez, M., Sepp, S., Ramirez, J.J., & Hernandez-Mekonnen, R., (2022). The impact of COVID-19 and immigrant origin Families involved in the child welfare system. *Child and Adolescent Social Work Journal*. <https://doi.org/10.1007/s10560-022-00879-9>
- 4 Rojas-Flores, L., (2021)., COVID-19, ICE, and the betrayal of latino children. *Fuller Magazine*, Issue 19, <https://fullerstudio.fuller.edu/theology/covid-19-ice-and-the-betrayal-of-latino-children/>



METHODOLOGY AND FINDINGS



Table 1: The image above shows the states in which the participant interviews from the study were conducted.

Study Methods

Lovato, Finno-Velasquez, Sepp et al., (2022) conducted one-on-one semi-structured interviews via Zoom with 31 child welfare agency representatives and community partners who serve immigrant families across 11 states across the U.S. The questions that guided their study were: 1) What challenges have child welfare agencies and their partners experienced in serving immigrant children and families during the COVID-19 pandemic?; 2) How have child welfare agencies and community organizations adapted their practices in order to engage immigrant families and navigate impediments imposed by COVID-19?

Participants were identified and recruited using purposive and snowball sampling methods via the Immigration and Child Welfare Practice Network coordinated by the Center on Immigration and Child Welfare (CICW). In order to be eligible for participation, practitioners needed to have experience working on policies or programming related to immigration issues within the child welfare sector and/or providing direct services to immigrant clients.

Findings

The analysis found four main themes regarding what their child welfare involved clients faced and challenges in serving immigrant children and families during the COVID-19 pandemic. Families experienced 1) immigration-related distress and exacerbated fears in accessing services due to the anti-immigrant climate, which forced immigrant clients to “go under the radar” and experience further invisibility due to fear of immigration enforcement; 2) scarcity of resources and basic needs stressors; 3) child welfare workers reported a range of system related issues and structural barriers; 4) child welfare service providers and partner agencies quickly adapted their services and made some important innovations in delivering services to immigrant communities.

⁵ Protecting Immigrant Families. (2023, February 5). Public charge. Protecting Immigrant Families. <https://pifcoalition.org/our-work/public-charge>



Source: New Jersey Law Journal

(3) Child Welfare System Related Issues and Structural Barriers

The third theme highlighted the structural and systemic barriers that child welfare workers experienced in serving immigrant families during the pandemic. A child welfare worker shared, “**we were prohibited from traveling all together to facilitate visitation between parents and children. This really caused a barrier in terms of reunification and potential visits where we were making efforts to reunify children with their families.**”

Parents and families experienced additional difficulties and delays in the reunification process due to the COVID-19 pandemic which created delays in service delivery. As much efforts child welfare providers desired to support immigrant families to achieve their goal of reunification, due to COVID-19 reducing visitation, this became a systemic barrier providers and families were facing altogether.

(4) Adaptations & Innovations in Service Access and Delivery

Despite the difficulties of providing services during the pandemic, according to the fourth theme, child welfare agencies adapted and innovative service delivery by providing extra support to families without Wi-Fi or computer access, substituting usual forms of support with expressions of empathy and phone support, and utilizing virtual family meetings and visits to engage family members located in other countries. A child welfare worker shared, in “the midst of the COVID-19 pandemic, clients valued the importance of maintaining “regular visits and using Spanish often in their communication,” this provided “warmth in the form of enhancing the frequency of check-ins, offering basic needs support, and using language proficiency.” These adaptations exemplify the dedication to maintaining regular check-ins, providing essential assistance, and utilizing language proficiency to create a warm and supportive environment amidst the challenges of the COVID-19 pandemic.

The *findings* that emerged from the experiences of immigrant families involved in the child welfare system provide insight into the unique challenges they faced during the pandemic. These themes shed light on the need for targeted interventions and support to ensure that the well-being of immigrant families is prioritized in times of crisis. Given the impact of these additional challenges immigrant families experienced in the child welfare system during COVID-19, it is important to consider policy implications that can improve their experiences.

(1) Distress in an Anti-Immigrant Climate

According to the first theme, the pandemic heightened immigrant’s fears about family well-being and safety, resulting in a fear of accessing critical support services. A legal services provider shared,

“**A lot of our immigrant families live in mixed-status households and have heard a lot of rumors in the community about how accessing social service support might affect their immigration status negatively. We had been hearing that there was a lot of fear for people to access any kind of services that were perceived as free. And that included legal services. So most certainly, there’s a lot of fear surrounding that.**”

In the current anti-immigrant climate, the pandemic has amplified immigrant families' anxieties regarding their well-being and safety, leading to a pervasive fear of utilizing essential support services, including legal aid, due to concerns about potential negative implications on their immigration status.

(2) Increased Basic Needs Stressors

According to theme two, immigrant families involved in CWS reported a scarcity of resources. A service provider in a rural community reported, “some immigrant families live in areas where internet connectivity and access are inconsistent and unreliable,” hindering the families from meeting their basic needs while under the watchful eye of child welfare workers. This heightened the current stressors families were experiencing to meet goals set in their case plan, which prolonged their duration in achieving family preservation.



POLICY RECOMMENDATIONS & IMPLICATIONS

State Level

- Increase funding for programs and initiatives that aim to improve access to technology among Latinx immigrant communities. These funds can be allocated to organizations like First Five California to support families with children under the age of five. This initiative would bridge the digital divide for families with children under the age of five because they will be introduced to additional technology services that families typically receive once their child is enrolled in a public K-12 school. **Policymakers should allocate funding to enhance technology resources for families. Implementing this funding initiative as a best practice would involve providing technical training programs for parents and caregivers and distributing devices such as laptops or tablets to families in need who have not received technology support through public school districts.**
- **Given the ongoing risk of COVID-19 on immigrant communities, policymakers should consider extending reunification and permanency hearings beyond 24 months due to the unique stressors that immigrant families face in accessing required services to meet case plan requirements.** By extending reunification and permanency hearings, this allows for a fair and supportive process allowing sufficient time for families to overcome the unique obstacles they face when partnering agencies and courts have limited business hours. This then reduces the window of opportunity to obtain necessary documents in fulfilling requirements for reunification and permanency.

Federal Level

- Given that the COVID-19 pandemic continues to pose a significant risk, particularly for vulnerable communities such as immigrant populations, it is **crucial to ensure that economic aid allocated for COVID recovery initiatives is extended to immigrant families, including those with mixed immigration statuses.** To effectively support immigrant families, it is important for states to consider implementing direct payment programs similar to those implemented by California which provided three rounds of relief payments during the pandemic. These direct payments should be inclusive regardless of immigration status, and economic aid, including SNAP's (Supplemental Assistance Nutrition Program) emergency allotments to help low-income individuals and families cope with the pandemic's economic impact. **Policymakers should consider following the example set by states such as California and provide economic aid and direct payment programs for immigrant families, including those with mixed immigration statuses.** By adopting this comprehensive approach, states can address the economic needs of vulnerable populations, promote equity, and contribute to the overall recovery and well-being of their communities.
- **Given the ongoing risk of the COVID-19 pandemic on immigrant communities, policymakers should remove eligibility requirements for economic relief programs to ensure that all immigrants have access to essential resources (i.e., unrestricted emergency funds, internet accessibility from urban to rural communities).** Federal and state policies that are implemented via social service agencies currently require a multitude of administrative documentation (i.e., proof of documentation and proof of a physical address and income to access basic needs services) this can be an additive stressor to low-income families who are trying to meet their family's basic needs. In order to lessen the burden on immigrant families, policy makers should keep in mind that reducing documentation will be supportive of immigrant families experiences and accessibility for essential resources.



⁶ Weinberger, B. (2022). Don't take my kids: red flags and responsibilities in child custody cases., New Jersey Law Journal, <https://www.law.com/njlawjournal/2022/12/01/dont-take-my-kids-red-flags-and-responsibilities-in-child-custody-cases/?sreturn=20230425011131>



Source: Salud America!

CONCLUSION

Findings from this study demonstrate the impact of COVID-19 on immigrant families in the United States who are at risk of/involvement in the child welfare system. The recommendations outlined above provide a starting point for policymakers to support this vulnerable community and gain a greater understanding of issues that Latinx immigrant families are facing.

Future research should focus on exploring how immigrant communities perceive the accessibility of formal government-based services during a public health crisis. Additionally, it would be valuable to examine the strategies employed by child welfare workers when serving immigrant families in the context of a restrictive immigration policy climate. Developing a greater understanding of the range of needs and experiences of immigrant families can lead to potential higher rates of reunification and reduce outside stressors that are typically known to be present for the Latinx immigrant population.



⁷ Rodriguez, A. (2020, April 24). 19 Ways to Ensure Health Equity for Latinos During (and After) COVID-19. Salud America! <https://salud-america.org/19-ways-to-ensure-health-equity-for-latinos-during-and-after-coronavirus/>

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