POLICY BRIEF

BUILDING RESILIENCE: STRENGTHENING SOCIAL SERVICES FOR LATINX IMMIGRANT FAMILIES FOLLOWING A DEPORTATION-RELATED FAMILY SEPARATION

Daniel Hiếu Thuận Bui

A Berkeley Interdisciplinary Migration Initiative publication in collaboration with Dr. Kristina Lovato's Child Welfare and Immigration Lab in the School of Social Welfare at the University of California, Berkeley

INTRODUCTION

Framing the issues at hand

The COVID-19 pandemic has had a severe impact on communities across the United States, yet its implications for Latinx immigrant populations have been two-fold. In particular, Latinx immigrant populations have experienced some of the most precarious outcomes of the pandemic over the past several years, with higher rates of infection, hospitalization, and mortality compared to other ethnic/racial groups. At the same, heightened paranoia surrounding the pandemic has led to the rise of a restrictive immigration regime that has grown increasingly hostile towards Latinx immigrant families. Coupled with unique stressors including, *inter alia*, family separation, traumatic exposure, and socio-political marginalization, Latinx immigrant families face a myriad of issues that must be properly addressed within a broader public health and social welfare framework to ensure their well-being and adjustment into society.

At present, extant literature has identified significant psychological and emotional outcomes in deportees and family members resulting from various traumatic experiences following the forcible removal of a loved one and in the abrupt loss of the family unit.[1,2,3,4,5] While studies suggest that families experiencing separation may need extensive professional socioeconomic, emotional, and psychological assistance to adapt, limited scholarly attention has been devoted to the role of service providers in responding to the needs of Latinx immigrant families, and in the ways Latinx immigrant families have navigated social services amidst the loss of a family member.

As such, Lovato & Abrams (2022) provide a timely and significant contribution to an emerging body of research that seeks to understand the most effective approaches for supporting Latinx immigrant families during times of heightened instability and uncertainty, particularly following the deportation of a parent. Their study, “An Examination of Latinx Immigrant Families’ Social Service Needs Following a Deportation-related Family Separation” plays a crucial role in recognizing and addressing the plethora of social, economic, and political inequalities that Latinx immigrant families encounter under an increasingly hostile socio-political climate. Specifically, Lovato and Abrams examine the role of school-based service providers in bridging the gaps in social services, as they explore the challenges that Latinx immigrant families encounter when attempting to access these essential resources.

1 Capps, R., Castaneda, R. M., Chaudry, A., & Santos, R. (2007). Paying the price: The impact of immigration raids on America’s children. A report by the Urban Institute The National Coucil of La Raza. http://www.firstfocus.met/sites/default/files/r2010-4.7.cervantes.pdf

2 Chaudry, A., Capps, R., Pedroza, J. M., Castaneda, R. M., Santos, R., & Scott, M. M.(2010). *Facing our future: Children in the aftermath of immigration enforcement.* The Urban Institute. http://carnegie.org/fileadmin/Media/Publicatons/facing_our_future.pdf

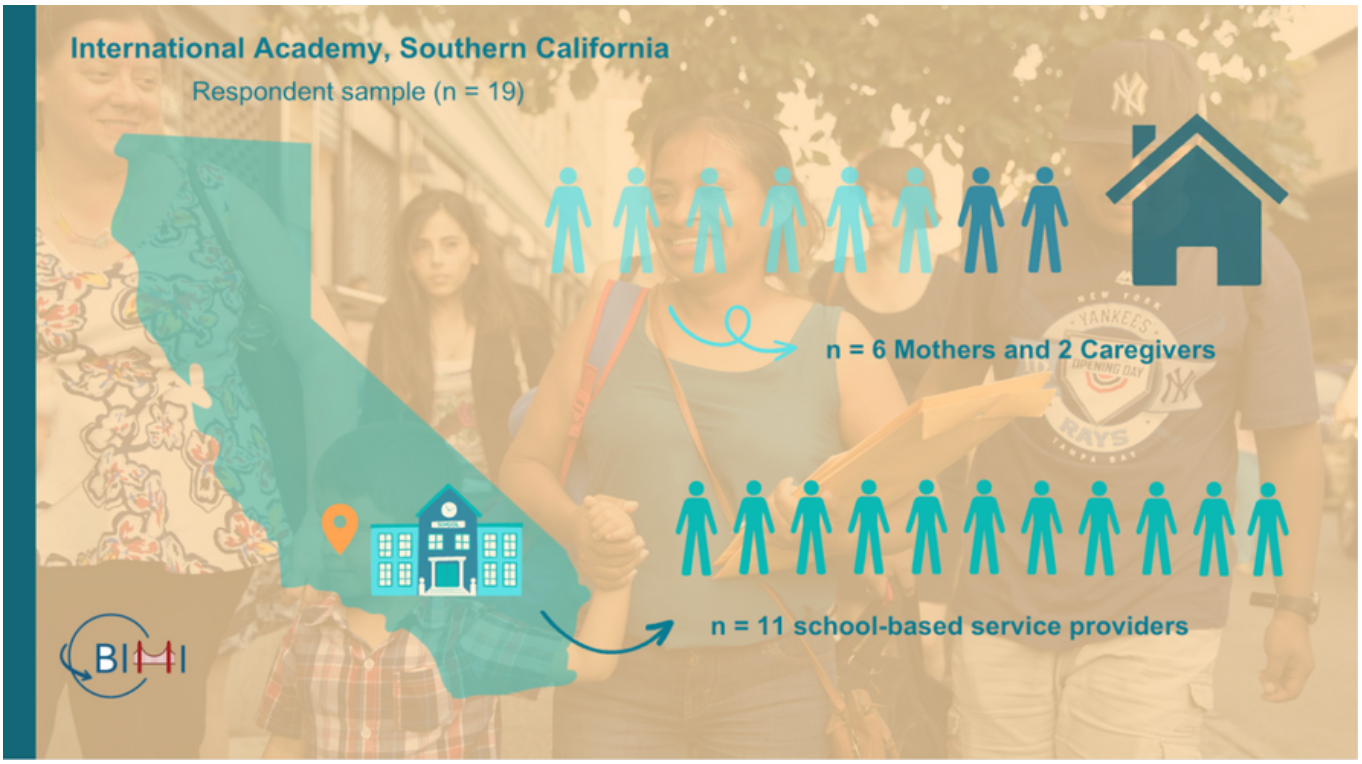
3 Dreby, J. (2015). *Everyday illegal: When policies undermine immigrant families.* University of California.

4 Hagan, J., Rodriguez, N., & Castro, B. (2011). The social effects of mass deportations by the United States government 2000-10. Ethnic and Racial Studies, 34(8), 1374-1391.

5 Lovato, K. & Abrams, L. (2021). *Enforced separations: A Qualitative examination of how Latinx families cope with family disruption following the deportation of a parent.* Families in Society, 102(1), 33-49.

Source: The Brookings Institution

METHODOLOGY AND FINDINGS



Study Methods

In their study, Lovato and Abrams examined how Latinx immigrant families utilized social services after one or more parents were deported. Using qualitative, in-depth interviews with (n=19) participants including 8 caregivers and 11 school-based service providers from a K-12 public school site (International Academy in Southern California), Lovato and Abrams were able to identify three key themes amongst participants and provide recommendations for social work and service practitioners. This policy brief will first discuss the three themes found in Lovato and Abram's research study, before developing a set of recommendations and policy proposals that can be considered in light of their findings.

Theme 1: Despite systemic barriers, school-based service providers helped fill-in inequity gaps for immigrant students and their families.

At International Academy, school staff played a crucial role for immigrant families by addressing students' socio-emotional needs and in providing essential resources to families. In one interview, Ms.Lonzano, a teacher and immigrant herself, recalled the various roles she took on to meet her students' varied needs, "I am their teacher, psychologist, and sometimes I am their mother and their coach. Their emotions are constantly up and down, especially after experiencing the loss of a parent. I counsel them when they feel sad, motivate them when they feel they can't continue, and nurture them when they need that too."

It's critical to note though, that International Academy was an exceptional example in which school personnel were well prepared in serving their immigrant student population. A majority of staff, faculty, and administrators at the schools were bilingual in English and Spanish, and a few of the school-based service providers came from immigrant backgrounds themselves, enabling them to effectively serve immigrant students and families with empathy. As such, schools are often uniquely positioned as a primary support system for students, providing services in the absence of external resources and government-based assistance.

Theme 2: General distrust/fear in accessing support led families to avoid government-based social services and healthcare.

Simultaneously, distrust around government-based social services were cited as a significant obstacle in connecting immigrant students and their families to critical resources. Deep anxieties around enforcement and inadmissibility rules (i.e public charge) have led immigrant families to avoid receiving social services, even if those services were open to those without legal status or permanent residence.

This apprehension was conveyed at International Academy, where despite the school's support structures (i.e bilingual staff, culturally responsive care, etc), many immigrant families were fearful of coming to school and interacting with school staff. As noted by Ms.Zeleya, a social work intern, "I've noticed a big change in the level of parental involvement among families who experience immigration issues. They used to come around more often. I'd see them at the parent advisory meetings, but now I rarely see some of them. It's hard to reach them by phone too, they don't call me back. I'm not sure if it's because they have to work more since their husband is away or if they are scared of us? It can be frustrating, but I know it's our school's responsibility to do a better job of reaching out to them." Moreover, fear around government enforcement have subsequently led some families to avoid critical social services altogether.

In one instance, Lorena, a caregiver, shared that she went insofar as to avoid healthcare services for her asthmatic nephew in fear of ICE enforcement.

"We tried to bring him to the medical clinic, but people told us Immigration [ICE] was there. We didn't know if it was a rumor or not. I was scared to bring him there."

As such, misinformation and mistrust around receiving government-based social services have hindered efforts to engage immigrant families with the services they need, especially after the deportation of a student's parent(s). And insofar as immigrant families perceive schools and other service providers to be an extension of government, engagement between the two are far less likely to occur; thus, exacerbating inequality within the Latinx immigrant community.

Theme 3: In spite of systemic obstacles, families were able to find newfound social support and mutual aid through/from faith and affinity-based organizations.

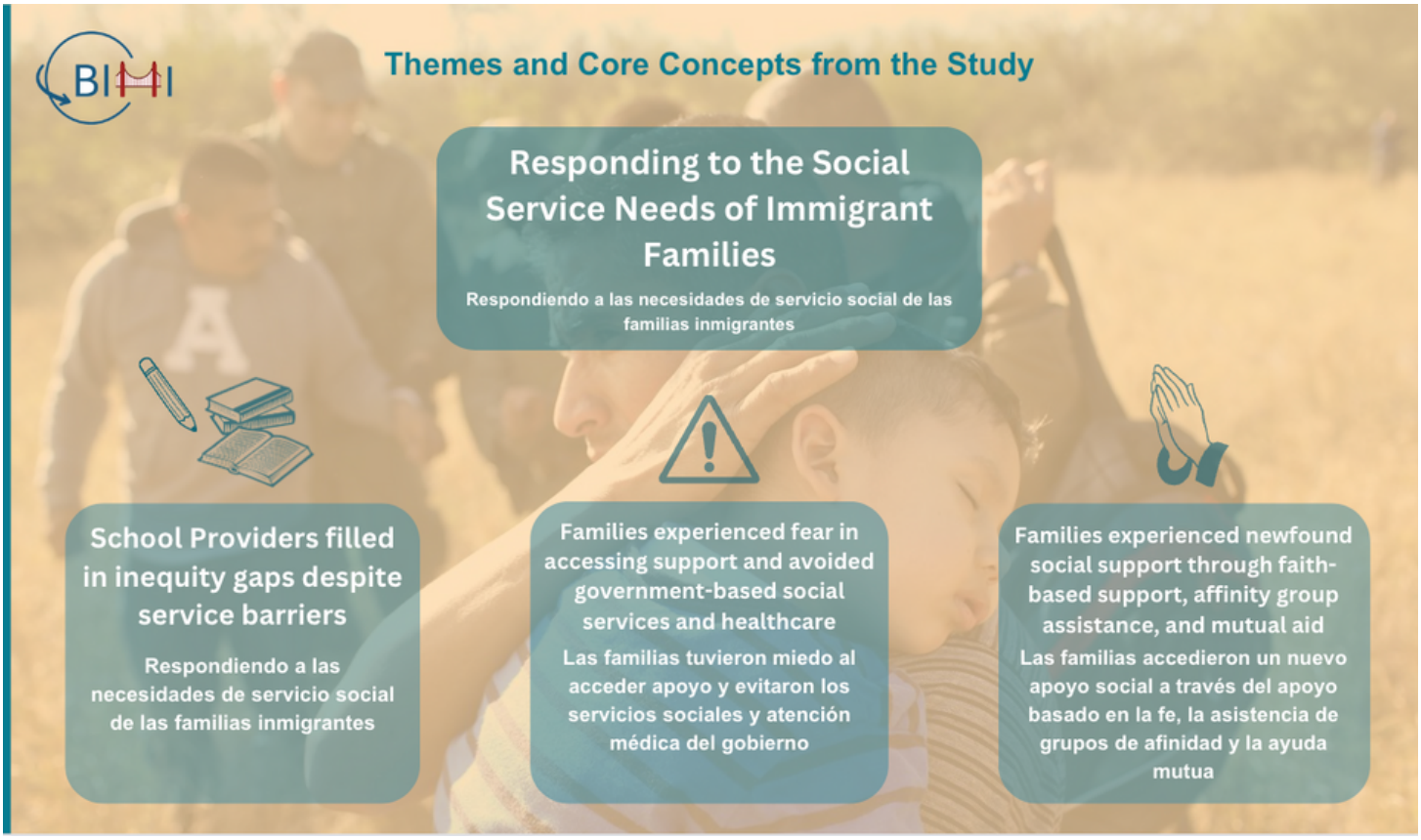
Nonetheless, in lieu of government-based services, many immigrant families were able to find social support and mutual aid from faith and affinity-based organizations. Viewed as entities distinct from the government, religious institutions and affinity based organizations played a profound role in providing psychological and socioemotional support, along with material services such as humanitarian relief, legal advocacy, social support, and even shelter for immigrant families. Moreover, the role of trust in faith and affinity-based organizations is an important factor to consider. Respected and trusted by migrants, government, and other secular actors alike, religious and affinity-based organizations have been able to operate in a manner that sensitizes authorities to the needs of immigrant families, and provide organized opportunities for families to participate in civic and political life. Subsequently, the opportunity structures that are found within religious and affinity-based organizations have been able to empower immigrant families with the resources necessary to develop self-agency and adjustment.

"I wish I had known about this Central American agency sooner. The staff and people there look, talk, and sound like me. I found out from my comadre [friend] about their legal workshops and I've been learning my rights. Together we are learning about how to start a small catering business, since I already make and sell pupusas to my friends. I feel powerful, I never knew I had these rights as an immigrant in the United States. I feel safer because of it."

Together, schools, faith-based and Latinx affinity organizations have helped to fill in gaps where government social services have proven inadequate and/or too risky for immigrant families. Especially after the deportation of a parent, immigrant families must often find new ways to navigate the complex nexus of social services available to them. While mistrust and fear behind immigration enforcement continue to impede access and engagement, robust community building and outreach efforts can go a long way in restoring trust and building resilience for immigrant communities.

Theme 3: In spite of systemic obstacles, families were able to find newfound social support and mutual aid through/from faith and affinity-based organizations.

Nonetheless, in lieu of government-based services, many immigrant families were able to find social support and mutual aid from faith and affinity-based organizations. Viewed as entities distinct from the government, religious institutions and affinity based organizations played a profound role in providing psychological and socioemotional support, along with material services such as humanitarian relief, legal advocacy, social support, and even shelter for immigrant families. Moreover, the role of trust in faith and affinity-based organizations is an important factor to consider. Respected and trusted by migrants, government, and other secular actors alike, religious and affinity-based organizations have been able to operate in a manner that sensitizes authorities to the needs of immigrant families, and provide organized opportunities for families to participate in civic and political life. Subsequently, the opportunity structures that are found within religious and affinity-based organizations have been able to empower immigrant families with the resources necessary to develop self-agency and adjustment.



POLICY RECOMMENDATIONS

What can be done?

School Level

- **Service Providers, Schools, and Localities must develop strategies to make social service delivery systems more accessible to immigrant families**. Given distrust and anxiety in accessing physical sites (i.e schools, local government offices, healthcare centers), innovative approaches to care such as teleservices, mobile service delivery, centralizing social services on school sites (i.e vaccinations and health screening at School-based health centers) can be used to broaden communication and accessibility between immigrant families and service providers.

- **School and District Administrators should review barriers inhibiting school enrollment and presence amongst immigrant children, provide additional policy and guidance on mitigating inequity, and develop services that encourage immigrant children to stay in school.** Further policies can be implemented including inter alia, transportation assistance, increasing bicultural and bilingual services, training staff on culturally responsive and trauma informed practices can help immigrant families navigate barriers to education and other school-based social services. Clear protocols must also be developed to ensure clear communication between school districts staff, administrators, and families.

- **School and District Administrators should adopt sanctuary policies that protect the privacy and welfare of immigrant students and families.** Across the United States, various school districts (i.e. Oakland,[7] Milwaukee,[8] and Los Angeles)[9] have adopted resolutions establishing themselves as "sanctuary" spaces with clear protocols for protecting students' privacy, safety, and welfare. Under constitutional and legal protections including, inter alia, Plyer v. Doe 457 U.S. 202 (1982), and the Family Educational Rights and Privacy Act (FERPA), schools have the right and responsibility to ensure that all children are legally entitled to equal access to a free public education regardless of immigration status.

Local Level

- **Following COVID-19 and other emergency measures, cities and counties should gather community input from service providers and community members to evaluate how social service relief programs can be implemented effectively and equitably.** A thorough analysis and data-driven approach to program/social service delivery can help local jurisdictions coordinate their response to the specific needs of their communities, and improve resource allocation and efficiency. Moreover, in cases where public emergency services are required, cities and counties are in a much better position to rapidly reach and deliver services to immigrant families.

- **Cities and counties should bolster partnerships with immigrant leaders, philanthropists, and service providers such as affinity-based and faith-based organizations to participate in service planning/delivery, and to ensure that the unique needs and perspectives of immigrant communities are fully considered and addressed.** Local jurisdictions would do well in expanding public-private partnerships with immigrant leaders, faith, and community-based organizations who often serve as intermediaries with immigrant populations. In collaboration with these groups, cities and counties can facilitate access to vital services, build trust within immigrant communities, and create customized solutions that address immigrants' needs in the absence of State and/or Federal resources.

6 "OUSD Requirements / Sanctuary District." OUSD Requirements / Sanctuary District. Retrieved April 18, 2023 (https://www.ousd.org/Page/21727).

7 "Milwaukee Public Schools Passes Sanctuary District Resolution." CBS58. Retrieved April 18, 2023 (https://www.cbs58.com/news/milwaukee-public-schools-passes-sanctuary-district-resolution).

8 "LAUSD Supports Sanctuary Schools." NBC Los Angeles. Retrieved April 18, 2023 (https://www.nbclosangeles.com/news/lausd-supports-sanctuary-schools_los-angeles/14907/).

POLICY RECOMMENDATIONS

What can be done?

- **Cities, County, and State Leaders should adopt sanctuary policies, and prohibit/cease partnerships with Federal Immigration and Customs Enforcement where possible.** ICE and other federal enforcement agencies largely require consent and community-based support in order to effectuate their enforcement activities, in which putting "sanctuary" protections in place can help local jurisdictions build trust with immigrant communities, and even strengthen the rule of law. In fact, various local jurisdictions including New York City, Los Angeles, San Francisco, and even Washington D.C. have provisions in place to protect immigrant communities from ICE enforcement.[9]

State level

- **States should work with localities and service providers to clarify and provide guidance on extant government policies at the federal, state, and local level.** Especially when considering changes in policies around public charge rules and other inadmissibility grounds, it's important for States to clarify existing regulations and offer guidance on navigating social service provisions. This will help ensure accurate information dissemination, alleviate confusion, and assange fears around access to necessary resources and services for affected communities.

- **Aside from sanctuary policies, States should look to replicate and/or pass legislation protecting immigrant access to critical social services and resources.** In California for example, policymakers signed and passed AB 699 into law, requiring that all local educational agencies in the state must implement additional safeguards to ensure that all students, regardless of immigration status or country of birth, have the opportunity to pursue their education without undue fear or risk.[10] In states with high immigrant populations, state policymakers should consider additional avenues for increasing state support for social service programs in the absence of federal and local funding. Moreover, supportive government policies can foster immigrant adjustment by conveying positive signals and adopting welcoming frameworks that promote inclusivity and integration.

- **In areas where cities and counties are unwilling to implement sanctuary policies, the State can move to pass broad legislation prohibiting local jurisdictions from contracting and/or cooperating with Federal immigration authorities.** In a recent case between McHenry County and the state of Illinois (McHenry County v. Kwame Raoul), the United States Court of Appeals for the Seventh Circuit upheld a District Court decision in 2022 that upheld Illinois state law barring its agencies and its political subdivisions (including counties and cities) from contracting with federal agencies in order to hold migrants in civil immigration detention.[11] Likewise, States can apply policies to fill in the gaps where local jurisdictions are unwilling to provide sanctuary protections, and prohibit cooperation between local and federal enforcement agencies.

9 https://cis.org/Map-Sanctuary-Cities-Counties-and-States

10 "Overview of AB 699." ILRC. Retrieved April 18, 2023 (https://www.ilrc.org/resources/overview-ab-699).

11 "McHenry County v. Raoul, No. 21-3334 (7th Cir. 2022)." Justia Law. Retrieved April 18, 2023 (https://law.justia.com/cases/federal/appellate-courts/ca7/21-3334/21-3334-2022-08-09.html).

Source (Left Picture): The New York Times

POLICY RECOMMENDATIONS

What can be done?

Federal level

- **While the Zero-Tolerance policy has formally ended, it is crucial for the Biden administration and the Federal Government to halt all family separation practices and implement policies that will ensure that family separation will not be reinstated in the future.** Family separation has persisted under the Biden administration, even though Trump's Zero-Tolerance policy was officially rescinded in 2021. While family separations have dropped, the Biden Administration has considered proposals to reinstate Trump-era Zero-Tolerance policies/detention practices.[12] As such, the Biden Administration must cease practices pertaining to the criminalization and separation of immigrant families, and ensure that immigrant children are placed in the least restrictive setting while their parents await trial. Moreover, policymakers must implement safeguards to ensure that family separation does not occur again under future administrations.

- **The Biden administration and the Department of Homeland Security must end its partnerships with local and state law enforcement.** Despite campaigning against anti-immigration policies, the Biden administration has not ceased, but has actually increased partnerships with local law enforcement and ICE through the 287(g) program.[13] Both the Federal Government as well as Local and State authorities must reconsider their participation within the 287(g) program. In many cases, the 287(g) program has actually been more harmful than beneficial; partnerships between enforcement authorities have undermined community safety/trust, are expensive for local law enforcement, and hindered community policing from addressing more pressing public safety concerns.

- **The Federal Government must continually work with State and Local agencies to clarify eligibility criteria for social services.** Confusion about eligibility stems from the complex interaction of Federal, State, and local immigration and welfare laws that have made it exceedingly difficult for immigrant populations to navigate and access social services. The Federal government should continually work to clarify eligibility/inadmissibility standards for social services including public charge rules, increase language access information, and explicitly outline events in which benefit-administering agencies must report to DHS (i.e Social Security Income, certain federal housing programs, and TANF) to avoid confusion and assuage concerns behind receiving public assistance.

Brief Conclusion

At its core, the policy proposals above are only a small snapshot of the possibilities for political immigration reform. We must reimagine what public safety means in America, and envision approaches that promote compassion, equity, and inclusion within the broader context of immigration law. As such, it would be wise for policymakers and practitioners to consider other policies, including mass legalization policies as they pertain to immigrant trust and citizenship rights,[14] universal healthcare for all, [15] and establishing community-focused integration/structural mobilization programs [16] that promote the welfare and adjustment of immigrant communities across America.

12 Sullivan, E., & Kanno-youngs, Z. (2023, March 7). *U.S. is said to consider reinstating detention of migrant families.* The New York Times. https://www.nytimes.com/2023/03/06/us/politics/biden-immigration-family-detention.html

13 The 287(g) program is a provision of Section 287(g) of the Immigration and Nationality Act (INA) that allows local law enforcement agencies to partner with federal immigration authorities.

14 Song, S., & Bloemraad, I. (2022). Immigrant legalization: A dilemma between justice and the rule of law. *Migration Studies, 10*(3), 484–509. https://doi.org/10.1093/migration/mnac014

15 Onarheim, K. H., Melberg, A., Meier, B. M., & Miljeteig, I. (2018). Towards Universal Health Coverage: Including undocumented migrants. *BMJ Global Health, 3*(5). https://doi.org/10.1136/bmjgh-2018-001031

16 Bloemraad, I. (2006). Becoming a citizen in the United States and Canada: Structured mobilization and immigrant political incorporation. *Social Forces, 85*(2), 667–695. https://doi.org/10.1353/sof.2007.0002

This brief is produced by Berkeley Interdisciplinary Migration Initiative in collaboration with Dr. Kristina Lovato's Child Welfare and Immigration Lab at the University of California, School of Social Welfare.

Citation

Bui, D. H. (2023). "Building Resilience: Strengthening Social Services for Latinx Immigrant Families Following a Deportation-related Family Separation." BIMI Policy Brief Series. Berkeley, CA: Berkeley Interdisciplinary Migration Initiative.

Design & Layout

Daniel Bui

Acknowledgements

This research was made possible in part by support from researchers in the field, including Dr. Kristina Lovato and Dr. Irene Bloemraad. A special thanks to peer readers, Camila Frausto, Ilyne Castellanos, Lesly Avendano, and Lorena Jimenez for their help with reviewing and translating.

Contact

Berkeley Interdisciplinary Migration Initiative
bimi@berkeley.edu
www.bimi.berkeley.edu

118 Philosophy Hall,
Berkeley, CA 94720

About the Author

Daniel Hiếu Thuận Bui is an Undergraduate Research Apprentice working under the esteemed Dr. Kristina Lovato at the University of California, Berkeley School of Social Welfare. With a major in Political Science complemented by studies in Sociology, Legal Studies, and Social Work, Daniel brings a multidisciplinary perspective to his work and research. His past experiences include impactful internships at the Federal Defender's Office of Social Work and the Legal Aid Association of California, where he advocated for primarily indigent communities of color. As the son of Vietnamese refugees, Daniel holds a deep fascination with issues and initiatives relating to immigrant integration and socioeconomic mobilization. His interests span a broad range of issues, from housing accessibility to higher education equity.