



# How Today's Immigration Enforcement Policies Impact Children, Families, and Communities

A View from the Ground

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# Introduction and summary

What happens to children when their parents are deported? How do these deportations, now more numerous than ever,<sup>1</sup> affect families and the communities in which they live? This report looks at how immigration enforcement shapes family life in the United States, both among immigrant and mixed-status families, and in their wider communities.

Even as the United States has failed to pass comprehensive immigration reform in the past decade, it has increasingly taken a hardline stance on immigration enforcement, particularly in targeting unauthorized immigrants living in the country.<sup>2</sup>

The number of immigrants removed has steadily risen, from close to 190,000 deportations in 2001 to close to 400,000 per year in the past four years.<sup>3</sup> Even more troubling, in the first six months of 2011 alone, more than 46,000 parents of U.S. citizen children were deported.<sup>4</sup>

With more than 11 million unauthorized immigrants living in the country, these deportations affect a wide swath of the population,<sup>5</sup> including the undocumented and the citizen alike. Undocumented immigrants do not live separate and walled-off lives from the documented, but instead live side by side in the same communities and in the same families. A total of 16.6 million people currently live in mixed-status families—with at least one unauthorized immigrant—and a third of U.S. citizen children of immigrants live in mixed-status families.<sup>6</sup>

Additionally, having citizen children or even being the primary provider for U.S. citizen children is little help in removal proceedings: A recent report by the NYU School of Law's Immigrant Rights Clinic found that between 2005 and 2010, 87 percent of processed cases in New York City of individuals with citizen children resulted in deportation.<sup>7</sup>

As individuals face the threat of deportation,<sup>8</sup> ripple effects split families and entire communities apart.

We argue in this report that deportations break families up and have a wider effect on the community as a whole—not just the individual and the family involved.

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## Deportations rip apart families

Deportations have a large effect on families, forcing children into foster care as their parents are shipped out of the country and leaving single mothers struggling to make ends meet.

- **They leave children in foster care.** As the Applied Research Council has found, many U.S. citizen children of undocumented deportees may end up in the foster care system, often for no other reason than the undocumented status of a parent. Legal status complicates reunifications, placing the burden for the care of these children on state and federal governments. The total costs to foster each child (between administrative and maintenance costs) are significant—close to \$26,000 per year.<sup>9</sup>
- **They create a large number of single mothers struggling to make ends meet.** While many single parents in the United States face similar circumstances, in this case it is the government’s own policies that create the conditions for single parenthood. In addition, the tenuous legal status of many parents left behind adds a double burden on these families to provide for their families while also raising their children.

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## Deportations affect communities, as well as families

Deportations’ consequences ripple out from those individuals with a family member that has been deported, affecting the larger community as well. This research finds that the knowledge alone that deportations are occurring in one’s community puts children and families—and thus entire communities—on edge and heightens fears about family separation.

- **Children and their parents live in constant fear of separation.** Often children who do not know anyone deported still fear for their own families based on the knowledge that they could be separated at a moment’s notice.

This research finds that the knowledge alone that deportations are occurring in one’s community puts children and families—and thus entire communities—on edge and heightens fears about family separation.

- **Because of fears of deportation, children routinely conflate the police with immigration officials.** This is true even in areas where local law enforcement have no official agreements to work with the Department of Homeland Security. These children—who are U.S. citizens—grow up afraid of the police.
- **Children begin to associate all immigrants with illegal status, regardless of their own identity or legal status.** As a result, children are dissociating themselves with their immigrant heritage.

To better support children and families, we make the following policy recommendations:

- **Enact a commonsense and comprehensive policy change.** In the long term only comprehensive immigration reform with a pathway to earned legalization for unauthorized immigrants can grant security to parents and children in mixed-status families. Children need not be afraid that their family will be broken up due to irregular statuses. They must not learn to be ashamed of their immigrant heritage.
- **Modest legislative fixes can help as well.** On July 16, 2012, Rep. Lucille Roybal-Allard (D-CA) introduced the Help Separated Families Act, H.R. 6128, to ensure that children are not taken away from their relatives simply because of their parents' immigration status. In July 2011 Sen. Al Franken (D-MN) and Rep. Lynn Woolsey (D-CA) introduced the Humane Enforcement and Legal Protections for Separated Children Act, which would mandate standards for immigration enforcement when children are involved. The bill would ensure that parents are kept informed of and are able to continue to make decisions about the care of their children, and that the interests of the children are taken into account in detention, release, or transfers. Passing these bills would go a long way toward preventing children from ending up in foster care while their family members are detained or deported.<sup>10</sup>
- **Expand executive action.** In the short term administrative action can greatly alleviate threats to immigrant families. President Barack Obama can and should allow parents, especially those supporting U.S. citizen children, to stay in the country if they have committed no crimes and are only guilty of the civil offense of being in the country without status.<sup>11</sup>

In this report we focus specifically on children in Mexican immigrant households, as enforcement policies disproportionately affect them. Mexicans are approxi-

mately 30 percent of the foreign-born population and 58 percent of the unauthorized population in the United States.<sup>12</sup> In 2010, however, Mexicans comprised 83 percent of the detained, 73 percent of those forcibly removed, and 77 percent of voluntary departures.<sup>13</sup> More than 7 million children in the United States live with parents from Mexico, and half of these children are estimated to be U.S. citizens living with noncitizen parents.<sup>14</sup>

This report draws on findings from the author's ethnographic study with Mexican immigrant families in two sites—one in central New Jersey and the other in northeast Ohio. The data include in-depth interviews with 110 children and 91 parents, and home and school visits with 12 families. Similarities in family members' experiences, even across two vastly different local contexts, illustrates that the results reported here are likely true for children living in other settings around the country.<sup>15</sup>

Certainly the deportation of people who have committed certain serious crimes and are threats to our national security will inevitably break up families. But there are ways to recognize the importance of family unification and to mitigate the devastating effects of deportation—especially for those who have committed no crimes, save for the civil penalty of being in the country without status.

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