



APA Public Interest Government Relations Office

THE IMPACT OF IMMIGRATION AND CUSTOMS ENFORCEMENT RAIDS ON CHILDREN AND FAMILIES

BACKGROUND

The American Psychological Association (APA) is cognizant of ongoing concerns relating to the impact of Immigration and Customs Enforcement (ICE) raids. ICE raids are a method of enforcement of United States immigration laws through the detention of undocumented immigrants who are then placed into removal proceedings. These ICE raids have resulted in the involuntary separation of children from parents/caregivers indicted for violating immigration laws. The potential implication of these situations can result in an adverse impact on the family unit, and can also have a detrimental effect on childhood development (Capps, Castañeda, Chaudry, & Santos, 2007; Communiqué, 2007).

FINDINGS

- Nationwide, approximately five million children currently have at least one undocumented parent (Capps, Castañeda, Chaudry, & Santos, 2007).
- In 2005, the ratio of children to undocumented adults was 53 percent, meaning that the number of children affected by ICE raids would equate to half (or more when multiple children are affected in each family) the number of detained adults (Capps, Castañeda, Chaudry, & Santos, 2007).
- While the United States continues to receive great benefits from immigrants' productivity, innovation, and income (Immigrants and Health Coverage: A Primer, 2004; Immigration Policy Center (IPC), 2007), many immigrants encounter employee discrimination and are coerced into waiving their rights subsequent to ICE raids (National Immigration Forum, 2007).
- Workplace arrests of undocumented parents/caregivers place children and adolescents at-risk of family separation, psychological and economic distress, poor health, and developmental delays (Capps, Fix, Ost, Reardon-Anderson, & Passel, 2005; Capps and Fortuny, 2006; Capps, Castañeda, Chaudry, & Santos, 2007; Communiqué, 2007; Cooper, Masi, Dababnah, Aratani, & Knitzer, 2007).
- Infants, toddlers, and preschoolers' development can be negatively impacted by workplace arrests due to lack of caregivers attending to their biological needs (i.e., breastfeeding, medication) while parents/caregivers are in detention (Capps, Castañeda, Chaudry, & Santos, 2007).
- Rights and protections afforded by U.S. citizenship status, including access to social services and supports appear remiss for children who are U.S. born citizens of undocumented immigrants. Children in these "mixed-status" families are particularly vulnerable under current immigration enforcement efforts such as ICE raids and can lead to potential long-lasting negative impacts in

their growth and development, health and education (Children of Immigrants: Facts and Figures, 2006; Capps, Castañeda, Chaudry, & Santos, 2007; Communiqué, 2007).

- The majority of young children of immigrants (93 percent) are citizens living in “mixed-status” families (Capps, Fix, Ost, Reardon-Anderson, & Passel, 2005).
- Often, immigrants endure challenging conditions and spend considerable amounts of time away from their families (Communiqué, 2007; National Immigration Forum, 2007) while in detention coupled with uncertainty about their future (Capps, Castañeda, Chaudry, & Santos, 2007).
- Reported use of excessive physical force against parents/caregivers during raids can result in an adverse psychological impact on children and adolescents (Capps, Castañeda, Chaudry, & Santos, 2007).
- Many immigrants do not disclose to ICE that they are parents/caregivers due to anxiety of having their child arrested or placed into foster care, which inevitably extends the period of family separation (Capps, Castañeda, Chaudry, & Santos, 2007).
- Economic and psychological stress coupled with the stigma attached to being arrested during an ICE raid can have a profound negative impact on the health, well-being and stability of families (Capps, Castañeda, Chaudry, & Santos, 2007).
- Immigrant children and adolescents’ academic performance and/or academic matriculation are often interrupted (Reardon-Anderson, Capps, & Fix, 2002; Communiqué, 2007) subsequent to ICE raids (Capps, Castañeda, Chaudry, & Santos, 2007).

RECOMMENDATIONS

The American Psychological Association recommends:

- Public policies that increase the availability of and access to educational, health, mental health, and social services for immigrant children, youth, and families.
- Measures to meet basic biological needs of vulnerable children such as breastfeeding infants and caretaking of special needs children.
- Detention of immigrants in nearby facilities to preserve the family unit.
- Conditions of detention should maintain a facilitative stance, with a standard process that includes access to telephones, medical and psychological treatment, and basic legal counsel and legal services.
- Similar to paragraph (1) of section 1182 (a) of the Immigration and Nationality Act (U.S.C.: 8 Chapter 12 Subchapter II Part IV 1222), services of interpreters should also be provided for undocumented individuals during ICE raids.
- Clarification of eligibility for social and health services for mixed-status families.

- Provision of effective coordination with social services to facilitate child and family needs.
 - Develop and implement emergency contact measures that permit children to have proper adult supervision (i.e., parent seeking custody, relative, legal guardian) subsequent to raids.
 - Have public agencies extend services (i.e., Food Stamp Program, Temporary Assistance for Needy Families (TANF), Women, Infants, and Children (WIC) Program) to children in undocumented families to facilitate their growth and development while their parents/caregivers are in custody.
- Placement procedures of unaccompanied undocumented children with relatives in the United States as indicated in paragraph (4), section 103(a)(2), and section 462(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(2)) be applicable to children who are United States-born citizens in undocumented families and undocumented children without immediate relatives in the United States until family reunification is possible.
- Consistent with the Immigration and Nationality Act (Sec. 212(a)(5)(A)), APA urges protection against employers taking advantage of raids by retaliating against immigrant workers for exercising their workplace rights.
- In order to ensure that our nation and all those impacted by child traumatic stress receive the critical resources necessary, APA strongly urges Congress to appropriate suitable funding to ensure for the National Child Traumatic Stress Initiative.



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