

Report details separation of immigrant parents, children

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(PhysOrg.com) -- University of Arizona researcher Nina Rabin has released a new report detailing what happens to certain families and their children when parents are apprehended by immigration enforcement.

A report released May 5 describes families entangled in two vast bureaucracies: The federal immigration enforcement system and the state child welfare system.

The failure of these two systems to work together results in abrupt separations of parents and [children](#) after a parent is swept up in immigration enforcement, said Nina Rabin, director of border research for the University of Arizona Southwest Institute for Research on Women.

What also results at times are long-term stays in [foster care](#) for youth whose parents are detained or deported, said Rabin, who also directs the Bacon Immigration Law and Policy Program at the James E. Rogers College of Law.

The report, "[Disappearing Parents: A Report on Immigration Enforcement and the Child Welfare System](#)," is based on more than one year of research, including more than 50 surveys and 20 interviews with juvenile court judges, attorneys representing children and parents in juvenile court, and case workers in Child Protective Services.

"The surveys and interviews we undertook make clear that the child

welfare system regularly encounters families with at least one parent in immigration detention or deportation proceedings," said Rabin, the lead researcher and report's author.

"And yet no mechanisms or policies have been adopted, either by the federal immigration system or the state child welfare system, to address these complex cases," Rabin said.

For the report, attorneys, judges and caseworkers in the child welfare system described widespread confusion about how to contact parents once they are picked up by immigration enforcement.

Many described cases in which a parent suddenly disappeared after an encounter with immigration, and as a result, their children have spent long periods of time in the foster care system.

Others reported cases in which domestic violence victims were unreachable in detention centers and, as a result, their abusive spouse took custody of the children.

"What we heard from the child welfare system suggests that immigrant parents are being systemically denied the same due process protections that other parents receive when their children – many of whom are U.S. citizens – are in state custody," Rabin said.

"The result is U.S. citizen children losing their primary caregivers, at times permanently," she added. At the same time, immigrant parents face the possibility of termination of their parental rights due to their inability to comply with the juvenile court's timeline for regaining custody so long as they remain in immigration detention."

Key findings of the report include:

- Disappearing parents: Attorneys, judges and caseworkers all consistently described the difficulty of locating parents apprehended by immigration enforcement.
- Better off in jail: Many personnel in the child welfare system commented that incarcerated parents are actually better off in some state jails and prisons than in immigration detention facilities. Unlike immigrant detainees, they are relatively easy to reach, can be transported to hearings and have access to programming so they can work toward reunification while incarcerated.
- Prolonged detention: Contrary to its public statements regarding prioritizing detention resources for serious criminal aliens, ICE often holds parents with children in state custody in detention for long periods, even when the parents have no serious criminal history and have strong incentives not to abscond.
- The climate of fear: Child welfare personnel described stories of immigrant children too fearful of the government to come to family court for their custody hearings, an undocumented father so fearful of traveling by bus that he was unable to reunify with his infant daughter, and a young teenager running away from the child welfare system altogether to be with her deported mother.

The report contains detailed recommendations for the Department of Homeland Security, state child welfare systems and Congress.

Recommendations include providing enhanced legal assistance to immigrant [parents](#) with U.S. citizen children in state custody and appointing key liaison positions in ICE and the child welfare system to improve the ability of the two systems to communicate and coordinate with one another.

Provided by University of Arizona

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