

Private detention of immigrants deters family visits, study finds

August 23 2016

Immigrants detained in a privately run detention facility while awaiting deportation decisions are far less likely than those held in county or city jails to receive visits from their children, a new study finds.

Caitlin Patler, an assistant professor of sociology at the University of California-Davis, and Nicholas Branich, a PhD student of criminology, law and society at the University of California-Irvine, surveyed 462 parents who had been held for six months or longer at four [detention centers](#) in California—three of them jails and one a private, for-profit facility subcontracted by the federal Immigration and Customs Enforcement (ICE) agency.

Those detained at the privately run center—44 percent of those surveyed—were nearly 60 percent less likely to get visits from their children, the researchers found.

"Unequal access to visitation may indicate a troubling form of legal inequality that could have severe repercussions for detainees," said Patler and Branich, who will present their paper at the 111th Annual Meeting of the American Sociological Association (ASA).

The study, believed to be the first of its kind, sheds light on the impact on families and immigrant communities as burgeoning numbers of immigrants are detained—increasingly at privately operated centers.

Use of Private Detention Facilities on the Rise

Since 2001, the population detained by ICE has more than doubled, reaching 477,000 individuals in 2013. Nationwide, about 62 percent of those immigrants are held at private, for-profit centers, with others detained in county or city jails.

U.S. immigration law is civil rather than criminal; detention is therefore legally considered nonpunitive. However, immigration detainees are often held in local jails or private facilities for months, or even years, as they await the duration of their removal proceedings. As such, the researchers said that immigration detention is today more akin to incarceration than ever before.

Yet there are also some marked differences: "Detainees have no way to gauge how long they may be held, must fight their legal cases while imprisoned, and do not enjoy the privilege of cost-free access to public defenders," they said.

Regular contact with family members can ease the burden of such uncertainty, according to Patler and Branich. "Many detained immigrants go on to win their cases and therefore have to reintegrate back into their communities," they said. "Maintaining family cohesion during the lengthy detention process may be critical to this transition."

The researchers analyzed survey data from 462 detainees with children who had been subject to mandatory detention. Survey participants were predominately male (92 percent) and Hispanic (85 percent) and had been in the U.S., on average, for nearly two decades. Though not serving a sentence, detainees had spent six months to more than 4.5 years in detention while awaiting their removal proceedings. Though 96 percent of the sample had at least one conviction (most commonly for misdemeanor traffic or drug-related offenses), their current detention

was solely for the immigration violation. Given the length of the detention, the researchers argue, family visitation may be critically important for maintaining family ties.

Distance Is a Deterrent

Detainees held at the private facility were less likely to receive visits, even after controlling for distance. The authors said "logistical access," such as lack of public transportation and fewer visitation days, might also deter families from making visits to the private facility.

"For example, Google Maps estimates that it will take over five hours on public transportation, each way, to make the approximately 100-mile commute from a city where many families reside to the private facility (including four buses, one train, and a 2-mile walk)," said Patler and Branick.

The study also found that undocumented children were marginally more likely than documented ones to be in contact with their detained parents through letters or phone calls, but made significantly fewer in-person visits. The authors attribute this discrepancy to systematic barriers—such as having to show an official photo I.D. before entering a facility—as well as to a general fear of legal reprisals among undocumented relatives.

With "cimmigration" on the rise, Patler and Branick suggest that current practices perpetuate inequality in immigrant communities. That inequality, they argue, is sure to be felt most keenly by those communities' youngest and most vulnerable members.

"As these children of detainees interact with the legal system, how do they come to understand their own identities and their place in American society?," Patler and Branick asked. "In an era characterized by ever-expanding criteria for detention and deportation, these questions may be

more important than ever before."

More information: The paper, "Legal Status and Patterns of Family Visitation During Immigration Detention," will be presented on Tuesday, Aug. 23, in Seattle at the American Sociological Association's 111th Annual Meeting.

Provided by American Sociological Association

Citation: Private detention of immigrants deters family visits, study finds (2016, August 23)
retrieved 23 April 2024 from

<https://phys.org/news/2016-08-private-detention-immigrants-deters-family.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.