For the Sake of the U.S. Children of Immigration

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Among the many childhood memories I have is one of the day my mother was detained at the entry port of the U.S.-Mexico border. It was a late Saturday evening and we were headed back home after a splendid day spent with our family in Ciudad Juarez across the border from El Paso, Texas. As we approached the inspection station, my mother became very nervous realizing that she had forgotten her green card at home. I remember all five of us children looking out the rear window of our van as my dad drove off, leaving my mother in the hands of the border patrol while we went home to get her green card. How scared we all were, asking my father a hundred questions and never quite understanding why we would have to leave my mother with those authorities whom we believed to be police. We cried all the way home believing my mother was in grave trouble with the law and imagining that she would surely be put in jail for who knows what.

Within an hour, my mother was back in the van and the whole ordeal would simply become a passing memory and a long-lasting family joke of the day my mother almost got deported. Even the border patrolmen joined in on the joke and soon became familiar, friendly faces at the crossing of the border.

Today, the thought of deportation is far from being a laughing matter. The reality faced by hundreds of thousands of U.S. citizen children as they witness their undocumented immigrant parents being taken away by agents of Immigration and Customs Enforcement (ICE) and eventually deported is appalling and indeed a scandal to our society.

In the last two decades, as our world has increasingly become globalized, immigration laws in the U.S. have proven to be seriously deficient and far from being in sync with reality. A system that was intended to protect our society, boost our economy with a needed labor force, and safeguard our human rights as well as the nation’s resources is failing miserably. Among the many violations, our present day immigration system with its “enforcement only” strategy is violating the human rights of the most vulnerable in our society—the children of immigrants—and seriously undermining their future success as healthy, productive members of their U.S. society. Who is looking out for these children?

Of grave concern to us must be the hundreds of thousands of children whose well being has been seriously compromised due to the unprecedented and escalating nationwide home and worksite raids conducted by ICE. The enforcement actions taken by ICE against immigrant parents are yielding serious and long-term consequences that will plague our society for generations to come.

According to the latest statistics, there are approximately four million U.S. citizen children who live with at least one undocumented parent. The Urban Institute estimates that for every two adults arrested by ICE, one U.S. citizen child is affected. ICE has not been required to keep accurate records of the number of U.S. citizen children belonging to the adults they arrest. However, with deportations reaching more than 1.9 million in this decade, the institute concludes that it is safe to say that “hundreds of thousands of citizen children have suffered the loss of one or both parents, or effective deportation to a foreign land, as a consequence of enforcement actions over the past several years.” Data indicates that these U.S. citizen children have been traumatized by the ordeal, and today many of them are being treated for post-traumatic stress disorder. They suffer separation anxiety, depression, bedwetting, nightmares, and numerous behavioral problems. They live with a pervasive sense of insecurity and uncertainty, and they are doing poorly in school.

Miguel was a well-adjusted six-year-old boy until December 12, 2006 when his mother, an

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undocumented immigrant from El Salvador, was detained during a worksite raid along with 2,000 other workers. Miguel arrived home to find his two-year-old brother by himself. He did what he instinctively knew to do, stay home and take care of his brother. Miguel, at six years old, was left alone to fend for his young brother and himself for a week before his grandmother arrived from out of town. Miguel's teacher said that this incident completely changed this little boy. He had gone from a “happy boy” to “absolutely catatonic.” Due to a lack of concentration, his attendance and his grades plummeted; and Miguel was unable to advance to the third grade.4

In 1999, nine years after fleeing his country and applying for political asylum, a Guatemalan man finally got a court hearing and was denied asylum based on the ruling that conditions in Guatemala had improved since his application and he was now able to return to his country. He decided not to abandon his wife and children and to stay in the country illegally. Then one day, after several more years passed, he was arrested by ICE agents and ordered to be deported. Shortly thereafter, ICE returned to arrest his wife, who was left to run the family business. She was charged and prosecuted for employing two undocumented immigrants. Today, she is incarcerated and the couple’s two U.S citizen children are living with someone else.5

In a recent trip to an immigration detention center, I visited with a young indigenous man who had entered the U.S. with a work visa eight years ago. He managed to get a social security number and with time, even after his visa expired, he married a woman from Mexico and settled in a small rural town in Mississippi. They had two children. As an infant, one of the children became very ill with pneumonia and developed a chronic weakness of the lungs. Recently, while on his way to Mass at the local parish, the young man was picked up by an undercover police officer and sent to a nearby detention facility. His wife, who is the sole caretaker of the sick child, is now struggling to make ends meet and most probably will face eventual deportation as well. This young man has lived as a law abiding resident, albeit undocumented. He has paid his annual income taxes and Medicare each year. His most pressing concern is the health care of his U.S. citizen child whom he fears will not get the proper care he requires in Mexico.

On this same visit to the detention center, we talked with a group of more than 20 male detainees. Some had been apprehended in a worksite raid, some at home, and others were simply pulled over for no other reason than their skin color. More than half of them said they have U.S. citizen children depending on them at home. These children’s lives will now be forever disrupted with the most probable deportation of one or both of their undocumented parents.

In the present legal system, where a U.S. citizen child must be at least 21 years old in order to petition for permanent residence for their non-citizen parent, these children have no recourse to protect themselves from the loss of their parent other than to give up their birthright and leave their country in order to keep the family together. In many cases, parents, knowing well the hardships that await the child in their developing home country, will sacrifice their parental rights for the sake of the child’s future well being by deciding to leave the child in the care of a friend or family member.

With the increasingly effective “enforcement only” tactics exercised by ICE, stories such as the above are a common occurrence within the immigrant community. As our faith tradition reminds us, “A basic moral test [for our society] is how our most vulnerable members are faring.”6 These hundreds of thousands of children are the most vulnerable victims of a system that is broken and in dire need of overhaul. Today, as never before, comprehensive immigration reform is an absolute moral imperative; and, as people of faith, we are called to put our faith into action and advocate for the sake of the millions of citizen and non-citizen children of immigrants and their families.

Catholic tradition holds the family and marriage as the “central institutions in society”7; and the way in which our society organizes itself—its legal, political, social, educational, and economic systems—must never undermine family or marriage. On the contrary, all other societal institutions should be at the service of the family and marriage. The U.S. bishops recognize well that our present day immigration system is severely flawed. In their recommendations for comprehensive immigration reform, they urge care for immigrant families, stating that the government must do everything.

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FOOTNOTES


7 Ibid.
possible to make the proper accommodations to ensure timely and permanent unification of the family. Along with this provision, it will be necessary to include safeguards for the human rights of the U.S. citizen children of undocumented immigrants.

For the sake of the children of immigration, all of us must put our faith into action to end the pervasive suffering and hardship that thousands of immigrant families are subjected to. Call or write to your members of congress asking them to vote for a comprehensive immigration reform that protects U.S. citizen children and provides increased opportunities for legalization for the undocumented.