



Mobilizing to Defend Families Impacted by Interior Immigrant Parent Detention: *Action Steps to Reduce Trauma & Ensure Parental Rights*

Robin Lewy, October, 2019

Action Steps updated from:



Family Separation in the Sunshine State: Preparing for the Traumatic Impact & Economic Costs of Immigrant Parent Deportation on Florida's Child Welfare System
By Brito, J., Khan, F., Lewy, R., Ricardo, F., Smith, S., Gillen, M., Ramirez Diaz, L. ©2018

Immigration enforcement within the U.S. interior has increased workplace raids and administrative arrests, separating families. As a result, the potential influx of children into state foster care systems cannot be ignored. It is crucial for child welfare systems to re-evaluate protocols to reduce the psychological impacts on affected families, assure parental rights, and to secure the necessary resources to alleviate the anticipated economic burden on states.



Research confirms that a child's separation from their parents often initiates adverse childhood crises that may induce depression, anxiety, aggression and could create long-lasting impacts that reduce their likelihood of succeeding socially, academically and economically.



Economic repercussions of an influx of children into the child welfare system due to increased federal immigration raids, arrests and deportations will encumber State budgets.



Child welfare officials, and other service providers, must prepare protocols and safeguards to meet the rights of parents and children under state and U.S. laws as well as international human rights covenants.

Action Steps for Affected Communities

"Assuring that parental rights are safeguarded is challenging when working with parents who are detained or in a second country. Child welfare agencies will need to creatively resolve conflicts that will arise at the intersection of child welfare and immigration policies."

-Family Separation in the Sunshine State

1. Orient the affected community about parental rights and actions to take prior to separation from their children.
2. Create a statewide-helpline to advocate for families, facilitate parental communication with child welfare and support reunification.
3. Train families to memorize the helpline number to expedite assistance.
4. Work with immigrant-serving agencies and schools to encourage parents to prepare a Power of Attorney and have a voice in their children's care if separated.
5. Coordinate free Power of Attorney Clinics and distribution support of copies to named guardian, child's school, doctor, daycare, church, etc.
6. Train schools, after-school programs, churches and others to ensure their understanding of POAs and their commitment to ensure activation of parental wishes before contacting child welfare programs.

Actions Steps for Child Welfare Systems

A. Safeguard the Right of Parental Control

1. Establish Memorandums of Understanding (MOU) between State Department of Child Welfare and Immigration Customs & Enforcement (ICE) to ensure that detained parents are present (even via video conference) during Department of Children and Families hearings, as outlined in State statutes.
2. Require that child welfare intake protocols immediately establish whether detained parents have a prepared Power of Attorney and guarantee that Child Protective Investigators and the Judge at the shelter hearing are informed.
3. Develop a procedure to establish the most reliable means of contact with detained parents as they move through the system or once deported.
4. Establish MOUs with Consulates to formalize protocols to safeguard parental rights and procuring of legal passports to support a child's reunification to their parent's home country.
5. Honor state's prioritization of "family reunification" as the preferred permanency plan for children separated from parents due to immigration apprehensions.

"When a parent is detained or deported they still retain parental rights, which agencies must comply with."

-Family Separation in the Sunshine State

B. Ensure and Facilitate Communication Between Authorities, Parents and Children



1. Develop a State Communication Liaison to oversee contact between the caseworker, the child, and the immigrant parent, ensuring that permanency plans will be followed and reunification achieved, even when parents have been deported.
2. Train Communication Liaisons to use the online INS Detainee Locator System to stay abreast of parental relocations within the detention system to assure continuous parental participation in scheduled permanency planning conferences.
3. Require that foster parents assist children in maintaining contact with their detained or deported parent as outlined in the federal "Adoption and Safe Families Act Memorandum.



C. Expedite Family Reunification

1. Create an intake code for the cases of children who enter child welfare due to parental detention or deportation in order to track this subgroup of children, and ensure the implementation of protocols unique to these cases.
2. Create a task force charged with identifying policy changes to enact protocols and systems that facilitate parental rights and family reunification.
3. Create a centralized data bank with a designated staff member in each of the state's Department of Children and Families (DCF)/ child welfare regions who will serve as the Regional Communications Liaison to expedite immigrant separation cases.

D. Cultural Competency

1. Prioritize the expansion of multilingual child welfare agency staff and foster parents.
2. Establish community liaisons (similar to state Refugee Services Programs), including immigrant advocacy organizations, to reduce the strain on child welfare agencies and strengthen support for foster parents.
3. Provide on-going, mandated trainings and workshops for child welfare staff and foster parents statewide on cultural competency and trauma-informed care.

“The potential implications of foster care placement are significant; economic, societal, and personal costs could be unsustainable.”

-Ruggles, et al, 2017

To learn more...

For more information about the foundation of this guide, please visit www.famsepfl.org to download the full report, Power of Attorney template and other information about the child welfare system.

To offer input...

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