



## Annie E. Casey Foundation Family to Family

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Immigration and Child Welfare Leadership Forum and Videoconference  
sponsored by Casey Family Programs – *A Leaders of Color* series  
April 27, 2007 (11 a.m. to 1 p.m. PST)

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Casey Family Programs offices represented on the videoconference: California, Washington, Idaho, Arizona, Texas, Wyoming, Alaska, and Washington DC. Speakers videoconferenced from the San Francisco Bay Area Office of Casey Family Programs:

- **Yali Lincroft, MBA, a consultant with the Annie E. Casey Foundation's (AECF) Family to Family Initiative.** For the past 15 years, she has been a child and family policy planner. ([yalilincroft@yahoo.com](mailto:yalilincroft@yahoo.com))
- **Ken Borelli, MSW, former Deputy Director of the Department of Family and Children's Services in Santa Clara County, CA.** He has worked with immigrant issues for over 25 years, including playing a leadership role in the development of the "Special Immigrant Juvenile Status for Children in Permanency" legislation and the agency's immigration services task force. ([kjoseph@aol.com](mailto:kjoseph@aol.com))
- **René Velásquez, former Program Director at the Instituto Familiar de la Raza (community-based agency in San Francisco).** He has spent 25 years advocating for the rights of Central American and other Latino immigrants in relation to immigration and social justice issues. ([velasquezrene@hotmail.com](mailto:velasquezrene@hotmail.com))

### IMMIGRATION AND CHILD WELFARE BRIEF

Immigrant families constitute a large and growing portion of all families in the United States. Almost one-fourth of children and youth in the US are either immigrants or children of immigrants. The peak of immigration occurred in the 1890s, (15% of the total population, 9.25 million foreign-born in 1890). We are now in a second peak (11.5% of total population, 32.5 million foreign born in 2002). This workshop will address the intersection of immigration and child welfare and address some challenges facing agencies working with this population.

### CHALLENGES FACING CHILD WELFARE

- Currently there are no reliable data on the number of immigrant children and families in the child welfare system, resulting in a lack of good data to support effective planning and service delivery.
- Throughout the child welfare system, there are not enough interpretation/translation services or bilingual staff members at all levels. Too often, child victims of abuse and neglect are asked to translate for a parent who is suspected of abuse or neglect.

- There is a lack of culturally relevant services such as parenting classes and drug treatment programs
- Cultural norms and child rearing practices often differ from those in the US
- Undocumented children are not eligible for federally funded Title IV-E foster care.
- Finally, poor immigrant families may lack access to federal income and employment supports. Welfare reform and immigration reform have restricted immigrant access to food stamps, public health insurance, Supplemental Security Income (SSI) and TANF.

## LEARNING OBJECTIVES

- Build knowledge: How Immigration issues will impact Casey's efforts to achieve 2020 goals
- Learn leadership strategies for responding to the challenges and opportunities presented

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*A 16-year old Guatemalan youth was in a foster home after he was physically beaten by his father and ran away from home. The boy came from a family of six that immigrated two years ago and spoke Mam, a Mayan language. The social worker, unable to speak to the family, contacted a community-based immigrant-service agency. The agency found a Mayan interpreter who explained the situation. While the father was in the United States as a day laborer, the mother was tortured and sexually abused within her village, while her children witnessed the incident. After learning what happened, the father blamed the son for not intervening and had a physical confrontation. The social worker and the community-based agency helped the family receive financial aid for basic needs, mental health, including family and couple therapy, play therapy for the children, and school assistance to stabilize their situation. A pro-bono lawyer assisted the family in a successful application for political asylum and the family was reunified.*

*- Vignette submitted by community-based agency contracted by a Family to Family county in California*

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## WORKSHOP OUTLINE

1. (11 a.m. to 11:15 a.m.) Roll Call/Introduction of Topic  
**Jorge Cabrera**, MSW, ACSW, Director — San Diego field office,
2. (11:15 a.m. to 11:45 a.m.) Panel Presentation — 10 minutes each
  - **Yali Lincroft** will share the history of AECF's involvement, the formation of the Migration and Child Welfare National Network, and the role of Family to Family in providing technical assistance in this issue.
  - **Ken Borelli** will share his experience on the issues facing child welfare administrators (i.e. small number of cases, complexity, allocation of resources, bias, lack of familiarity with the dynamics of immigration law, and how intervention strategies impact families struggle to survive in the United States). He will discuss agency policy considerations including staff training and case allocation, funding, and community diversion programs.
  - **Rene Velasquez** will share his experience on how community-based immigrant-service agency can assist child welfare in diversion programs, family assessment, and in providing services to undocumented immigrants.
3. (11:45 a.m. — 12 noon) PART 1: Panel Response to Email Questions
4. (12 noon — 12:15 p.m.) Roll Call for Questions regarding P1 Panel Response to Email questions

5. (12:15 p.m. — 12:30 p.m.) PART 2: Panel Response to Email Questions
6. (12:30 p.m. — 12:45 p.m.) Roll Call for Questions regarding P2 Panel Response to Email Questions
7. (12:45 — 1:00) Closing

## **PART 1/PANEL RESPONSE TO EMAIL QUESTIONS BY CASEY FAMILY PROGRAM**

*Disclaimer: Please note that child welfare regulations differ by counties and state. The information provided below is intended to provide a general overview and not individual case assessment.*

**1A. QUESTION** What are the day-to-day implications of current trends in immigration and policy on child welfare? In other words what do social workers need to take into consideration if dealing with a foster youth who is not a legal resident?

**1B. QUESTION** What best practices have been implemented in jurisdictions nationally that speak to a humane, responsive and culturally sensitive approach to meeting the needs of this population?

**1C. QUESTION** How do you anticipate the current climate and policy around immigration is going to impact the increase in the numbers of immigrant youth in child welfare? What is the impact on disproportional representation of children of color?

- "...Child welfare services should be available to all children, regardless of immigration status"  
 "...Federal, state, and local policies should encourage full integration of immigrant families into nited States society through an expanded delivery of child welfare services"  
 (Statements adopted by The Migration and Child Welfare National Network at the 2006 Transnational Research and Policy Forum, convened by the American Humane Association and Loyola University, Chicago, July 26, 2006):  
[http://www.americanhumane.org/site/DocServer/roundtable\\_report\\_Feb07.pdf?docID=4721](http://www.americanhumane.org/site/DocServer/roundtable_report_Feb07.pdf?docID=4721)
- Pursuant to Executive Order No.41, signed by Mayor Bloomberg on September 17, 2003, ACS shall not inquire about a person's immigration status, among other things, unless that inquiry is needed to determine program, service or benefit eligibility or to provide City Services. ACS' child welfare services are provided to children and families without regard to immigration status. (Immigration and Language Guides for Child Welfare Staff, Administration for Children's Services, New York City) [http://www.f2f.ca.gov/res/immigration\\_language\\_guide.pdf](http://www.f2f.ca.gov/res/immigration_language_guide.pdf)
- Children may come in through temporary (e.g. visitor) visas and overstay, or come in over the border;
  - Increasing numbers of undocumented immigrant children are arriving; previously undocumented immigration was a largely male phenomenon (since men were the people crossing the border to seek work);
  - US policy changes and the general border crackdown has made it harder for immigrants to make the return trip to their homes and families - if they have any expectation of going

back to the US - so in many cases entire families are crossing over so they can stay together. (Presentation at World as Community: The Intersection Between Migration and Child Welfare, 16<sup>th</sup> National Conference on Child Abuse and Neglect, Portland, OR, Friday, April 20, 2007/to be posted on [www.f2f.ca.gov](http://www.f2f.ca.gov) soon)

- One in twelve immigrant children lives apart from parents.
  - Immigrant children living apart from parents are more likely to be from Latin America
  - Immigrant children living independently: females/women likely to be married, most likely to be poor, not particularly mobile.
  - Immigrant children living with relatives: householder lowest education, less likely to be working full-time, quite likely to be poor
  - **(Source: National Center for Children in Poverty/Presentation at World as Community: The Intersection Between Migration and Child Welfare, 16<sup>th</sup> National Conference on Child Abuse and Neglect, Portland, OR, Friday, April 20, 2007/to be posted on [www.f2f.ca.gov](http://www.f2f.ca.gov) soon)**
  
- The Bridging Refugee Youth and Children's Services ([www.brycs.org](http://www.brycs.org)) has hundreds of resources on working with immigrant families in the child welfare system including the following resources:
  - [Brighter Futures for Migrating Children: An Overview of Current Trends and Promising Practices in Child Welfare](#)
  - [BRYCS Public Child Welfare Online Assessment Tool: Preliminary Findings](#)
  - [Building Bridges: A Cross-Service Training Guide](#)
  - [Case Study of Child Welfare Interventions with Refugee Families in Texas](#)
  - [Child Welfare Standards Summary](#)
  - [Community Conversations Summary](#)
  - [Cross-Service Training Report, Atlanta](#)
  - [Cross-Service Training Report, St. Louis](#)
  - [Developing Refugee Foster Families: A Worthwhile Investment](#)
  - [Directions in Service Provision: Findings From Needs Assessments of Refugee Youth, Children, and Parents](#)
  - [Enhancing Child Care for Refugee Self-Sufficiency: A Training Resource and Toolkit](#)
  - [Enhancing State Child Welfare Services for Migrating Children - BRYCS Roundtable Discussion: 15th National Conference on Child Abuse and Neglect](#)
  - [Foster Care at a Cultural Crossroads: Refugee Children in the Public Foster Care System \(July 2003 Roundtable Report\)](#)
  - [Foster Care Training Report, St. Louis](#)
  - [Fundraising for Refugee-Serving Agencies - BRYCS Special Feature Series](#)
  - [Growing Up In A New Country: A Positive Youth Development Toolkit for Working with Refugees and Immigrants](#)
  - [Guardianship: Frequently Asked Questions \(FAQ\)](#)
  - [Guardianship FAQ Summary \(2 pages\)](#)
  - [Guardianship Information by State](#)

- [Hope for the Future: Building on the Strengths of Hmong Refugee Youth and Children](#)
- [Lessons Learned: Best Practices with Immigrant and Refugee Families, Children, and Youth](#)
- [Liberian Refugees: Cultural Considerations for Social Service Providers](#)
- [Local Service Deliveries Strategies Report](#)
- [Newsletter on Cross-Service Training](#)
- [Raising Children in a New Country: A Toolkit for Working with Refugee Parents](#)
- [Refugee Minors Arriving in the United States: Statistics from FY 1997 - FY 2002](#)
- [Refugees and the U.S. Child Welfare System: Background Information for Service Providers](#)
- [Separated Refugee Children in the United States: Challenges and Opportunities](#)
- [Serving Foreign-Born Foster Children: A Resource for Meeting the Special Needs of Refugee Youth and Children](#)
- [Serving Refugee Children in Foster Care: Fundamental Considerations](#)
- [Somali Bantu Refugees: Cultural Considerations for Social Service Providers](#) (text version)
- [Somali Bantu Refugees: Cultural Considerations for Social Service Providers](#) (slide show)
- [Strengthening Services for Refugee Parents: Guidelines and Resources](#)  
(Link to the [executive summary](#).) Find information to order the manual [here](#).
- [Suitability Assessment Tips: Safeguarding Refugee Minors Who Arrive Without Parents](#)

**2. QUESTION** What are the implications of not making a distinction for non-citizens/undocumented workers — for example the need to identify funding for services? How does the lack of legal residency impact a permanency plan, such as adoption, reunification, etc.

- Every immigrant has a unique story. Many of these tales include overcoming tremendous obstacles in order to establish themselves in the United States. Once finally here, interaction with the public child welfare system, and “the authorities”, will create a high level of anxiety, especially if it is perceived that it will jeopardize a tenuous stay in the United States. To provide relevant child welfare services to immigrant families, you need to be aware of this reality. At the same time Child Welfare clients with immigration issues raise unique challenges for agency administrators. The issues range from allocation of resources, bias, lack of familiarity with the dynamics of immigration law, and how intervention strategies impact families struggling to survive in the United States (Ken Borelli, presentation at the Family to Family Leadership Conference, May 1-3, 2006, Nashville, TN) <http://www.f2f.ca.gov/res/ImmigrationIssues.ppt>
- Child welfare agencies need to work with their foreign consulates with placement/reunification issues with family located outside of the United States. An example is Santa Clara County’s Best Practice Protocol with Mexico can be found at <http://www.f2f.ca.gov/res/BestPracticesProtocol.pdf>

**3. QUESTION** What are the implications of “sweeps” or “raids” on communities in child welfare? What happens to children when their parents are detained or deported?

[Article to be published in the July Issue of CWLA's CHILDREN'S VOICES]

## **What Happens to Children Caught up in Immigration Enforcement Activities**

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March 1, 2007

As Department of Homeland Security (DHS) is responding to the political sentiment in the country that undocumented persons should be removed, they are increasing their enforcement activities within the country in addition to their increased border enforcement. This has led to several well-publicized raids on large employers as well as many small enforcement activities, which may not rise to public attention. In either situation, however, there will be situations which child welfare providers or other concerned people will be called upon for help.

The first questions are frequently "Where are the children and families taken?" and "What happens to them?"

It is important for child welfare and other service providers to be clear that there are two aspects of the situation that operate in a parallel fashion and do impact each other but are very separate:

- the immigration legal case
- the care of the child and family

For children detained with their families, the theory is that they are kept with their families and the whole family is either released or placed in one of 2 family detention centers: Berks County, PA or Hutto, TX. They are typically held pending the outcome of their immigration case. Either they are released in the situations win, which they get some type of immigration relief or removed if they do not qualify for any immigration relief. The facilities are run by DHS via contract with local providers. Sadly, we are aware of situations in which children and parents are separated from each other and are held in different facilities.

For unaccompanied children, they are referred to Health and Human Services/Office of Refugee Resettlement/Division of Unaccompanied Children's Services (HHS/ORR/DUCS) (NOT the Unaccompanied Refugee Minors Program) where they are held in any one of 30 or so facilities in the U.S. The majority of the facilities are in TX but there are facilities in AZ, CA, FL and some other places. The care is predominantly in large, institutional-style shelters with a few children kept in foster care or small group care settings. Children are placed wherever there is space so you cannot assume that children picked up in CA will be housed there but they may be.

For people trying to find a child who may be in the DUCS system, a faxed letter to 202-401-1022 will reach the unit, which can find out the location of the child. Staff in that unit will respond to

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inquiries. The letter should include as much information as possible about the child, date and place of apprehension and whatever is known. Additionally, the letter should explain who is asking and what the relationship is with the child so that the government agency can determine whether or not they may respond to the inquiry.

United States Conference of Catholic Bishops/Migration and Refugee Services (USCCB/MRS) has staff whose responsibility is to provide "best interest" recommendations for the children in many of the facilities and we also provide suitability assessments and follow up services for some children. Some of our foster care programs do take Division of Unaccompanied Children's Services (DUCS) children who have no family reunification options. Our partner agency, Lutheran Immigration and Refugee Service (LIRS) similarly has staff in some locations and also provides foster care for those children who have no family reunification options.

The child's immigration legal case ticks along independently of their care situation, which is sometimes confusing to those trying to figure out what is happening. While Health & Human Services/Office of Refugee Resettlement/Division of Unaccompanied Children's Services (HHS/ORR/DUCS) is taking care of the child and arranging for the child's reunification with parents if possible, Dept of Homeland Security (DHS) is responsible for prosecuting the immigration violation and continues that whether the child is released to family or not. If someone knows the child's A#, they can navigate the DHS website and find out the status of the immigration case.

There is a third possibility: children who were living with their parents but were either picked up separately or were separated from them during the raids. This is a contentious issue. DHS and HHS/ORR both say that these children do not fit the definition of "Unaccompanied" and therefore many of these children are not turned over to ORR. DHS houses them somewhere but it is very unclear where that may be. They are often removed from the country very quickly and have had no legal representation before removal. For children picked up in the interior of the country such as those in the recent raids in Contra Costa County in California, this may be their situation.

## HOW TO HELP

The best course of action for those trying to find and assist children picked up in the raids, try the ORR/DUCS fax number noted above. If the child is in their system, she/he is safe and adequately cared for. Efforts are in process to find family members to release them to. If someone knows the whereabouts of the child's kin, give that information to DUCS so they can proceed faster.

The families who intend to sponsor the children out of that system may appreciate help filling out the various papers needed in order to prove their relationship and ability to sponsor. This may be a service that can be provided for those relatives in the area who are willing to sponsor the kids. With help, they may get their paperwork done faster, therefore approved faster and kids will be released faster. Pro-bono legal help will still be needed since the children will still be removed from the country when their immigration case is heard.

If the child is detained with parents, DHS is responsible. It is a hard system to navigate. They are possibly in family shelters with their parents if not yet removed from the country. Pro-bono legal help is useful in some cases.

For those children whose parents are detained but the children are not, it is not wise to try to access the ORR/DUCS system for the children's care. No one is in that system that is not in removal proceedings so getting the child into the system puts them in removal proceedings.

It is likely that the DHS raids in the interior of the country will continue. Therefore, it is also likely that children and families will continue to be caught up in the care system for unaccompanied children (DUCS) or in family detention (DHS). The children and families will continue to need all our assistance to remain together and to provide the best care possible under difficult circumstances.

The long-term outcome for children or families caught up in the raids and enforcement system is typically not encouraging. Most do not have the possibility of immigration relief so they are removed from the United States to their country of origin.

If anyone has a question on care or other child welfare concerns about a child caught up in the DHS enforcement system, please feel free to contact our child welfare technical assistance program. Email at [info@BRYCS.org](mailto:info@BRYCS.org) or call 1-800- 572-6500. We will do our best to get answers to you.

**4. QUESTION** What are the implications for youth's educational needs and benefits/lack of these for youth emancipating from the child welfare system?

- NOTE: Immigrant Legal Resource Center is developing a resource for emancipating undocumented foster youth that is to be published in Summer 2007 (<http://www.ilrc.org>)
- Guide to Scholarships for New Americans and for Minority Students  
This 28 page booklet includes national scholarships for Latino / African American / Asian / minority students, plus others. You can download a copy of the book by clicking ([http://www.dfwinternational.org/resource\\_center/>HERE](http://www.dfwinternational.org/resource_center/>HERE).)

**5. QUESTION** What about access to MediCal mental health services?

- Accessible, quality mental health services for all families — immigrants and non-immigrants - in the child welfare system and using MediCal with its low reimbursement system is difficult. Adding cultural and language access makes it even more complicated. In my experience directing the San Francisco's Differential Response program, our staff often advise clients with Kaiser, Blue Cross, etc. to try to access mental health through their private provider first before trying to find the small, pool of providers willing to accept MediCal. There are also free or low cost community-based health providers. Another issue, which often arises, is the need for couple therapy or child/play therapy, when most mental health providers with child

welfare contracts are providing family therapy. It's difficult but child welfare agencies must work with their local mental health providers to provide a holistic, client-based menu of mental health services for immigrant (and non-immigrant) families in the child welfare system. (Interview with Rene Velasquez, Annie E. Casey Foundation TA Consultant, May 2007).

- The California Immigrant Policy Center has many helpful handouts regarding health benefits for immigrants: <http://caimmigrant.org/repository/?cat=5>
- The California Family to Family website also includes the following three helpful handouts on this subject: <http://www.f2f.ca.gov/Immigrants.htm>
  - ... Immigrants are NOT affected by the New Medi-Cal Law
  - ... Major Benefits Programs Available to Immigrants in California
  - ... INS Guidances on 'Public Charge': When Is it Safe to Use Public Benefits?

**6. QUESTION** What is the role of child welfare providers in supporting applications for citizenship?

- While there are different relief options available for undocumented immigrant children and families, Special Immigrant Juvenile Status (SIJS) is a particularly important legislation that all child welfare providers should be aware of. SIJS provides lawful permanent residency to children who are under the jurisdiction of a juvenile court, and who will not be reunified with their parents due to abuse, neglect, or abandonment. The benefits of SIJS are that it allows the child to remain in the United States and eventually obtain lawful permanent residency (i.e. a "green" card). It provides an employment authorization document that allows the child to work and serves as a government-issued identification card. The child must remain under juvenile court jurisdiction until the immigration application is finally decided and the child receives the green card. This is important to keep in mind because the immigration interview may not be scheduled until 3 months to 3 years, after the SIJS application is filed, depending on the local immigration office backlog or complexity of the case (Information excerpted from "Immigration Options for Undocumented Children — A Collection of Fact Sheet from the Immigrant Legal Resource Center," <http://www.ilrc.org/resources/sijs/Fact%20sheets%20immigrant%20children.pdf>. More information about SIJS can be found on Immigrant Legal Resource Center's webpage at <http://www.ilrc.org/onlineresource.php>.
- There are two powerpoint presentation which can provide more information on this topic.
  - Public Counsel presentation on Immigration Guidelines for Child Welfare Staff, <http://www.f2f.ca.gov/res/ImmigrationOptions.ppt>
  - Los Angeles County's Department of Children and Family Services/Special Immigrant Juvenile Status Unit developed a powerpoint handout discussing their role in assessment of families for immigration relief, <http://www.f2f.ca.gov/res/SIJS.ppt>

## PRESENTER BIOS

**Ken Borelli**, MSW is the former Deputy Director of the Department of Family and Children's Services in Santa Clara County, CA. He is currently a consultant for the Family to Family Initiative/Annie E. Casey Foundation, and BRYCS (Bridging Refugee Youth and Children's Services/United States Conference of Catholic Bishops). He has worked with immigrant issues for over 25 years, including playing a leadership role in the development of the "Special Immigrant Juvenile Status for Children in Permanency" legislation and the agency's immigration services task force. He has chaired and participated on Immigration and Refugee task forces and advisory boards, and continues to provide on-going community workshops and training. He supervised a direct service Immigrant Service Unit for several years in the early 1980s, which was highlighted in the National Association for Social Work Practice Digest. One of Ken's first tasks as a social worker was assisting Cuban refugees in Contra Costa County. Ken serves as a board member of the Child Abuse Council of Santa Clara County, the County Library Commission, the Santa Clara County Domestic Violence Council, the National Greenbook Project, and the Board of Catholic Charities Immigration Services.

**Rene Velasquez** was the former Program Director at the Instituto Familiar de la Reza, and has spent 25 years advocating for the rights of Central American and other Latino immigrants in relation to immigration and social justice issues. For the last decade he focused on family support and coordinated with the Chicano/Latino Family Resource System in San Francisco County, which has worked together with the Human Service Agency to develop a successful infrastructure to support families. He is the former Executive Director for the Central American Resource Center (CARECEN), and Director of the Mission Recreation Teen Center. Most recently, Rene was the manager for the Differential Response contract for Instituto, which provided Path 1 and 2 referral services for San Francisco County.

**Yali Lincroft**, MBA is a consultant with the Annie E. Casey Foundation's (AECF) Family to Family Initiative. For the past 15 years, she has been a child and family policy planner. She has written many policy reports on childcare, mental health, and foster care, including the recent AECF report, "Undercounted, Underserved: Immigrants in the Child Welfare System" in 2006 <http://www.aecf.org/upload/PublicationFiles/IR3622.pdf>. Ms. Lincroft was a founding board member of the Infant/Toddler Consortium, appointed member of the Alameda County Local Child Care Planning Council, and founding board member of the Migration and Child Welfare National Network. She co-authored an article to be published in the June 2007 issue of Child Welfare League of America's "Young Children" focused on immigrants in the child welfare system.

### FOR MORE INFORMATION

The California F2F website (hosted by the CA Dept of Social Services), <http://www.f2f.ca.gov> has a page specifically focused on the topic of immigrants and child welfare, <http://www.f2f.ca.gov/Immigrants.htm>.

Please send an email Yali Lincroft ([yalilincroft@yahoo.com](mailto:yalilincroft@yahoo.com)) if you would like to be added to an informal listserv on the topic of the intersection of immigration and child welfare.

The Migration and Child Welfare National Network (MCWNN) is a new coalition of agencies dedicated to improving child welfare systems, practice, policy, and research for immigrant children and their families. A report on the MCWNN is available on the American Humane Association website, [http://www.americanhumane.org/site/PageServer?pagename=pc\\_initiatives\\_migration](http://www.americanhumane.org/site/PageServer?pagename=pc_initiatives_migration). Please send an email to Lara Bruce, American Humane Association, [larab@AmericanHumane.org](mailto:larab@AmericanHumane.org), if you are interested in joining or learning more about MCWNN.