



ABOLISH I.C.E.: THE CONSEQUENCES OF IMMIGRATION ENFORCEMENT AMONG LATINX/E ADOLESCENTS

—Joel Rubio

Edited by
Carlos Galvan
Bella Lalanne
John Mcpherson
Rachel Ozer-Bearson

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Miko Guziuk
on Unsplash

This article makes the public health case for abolishing ICE. Author Joel Rubio describes the negative impacts of immigration enforcement on Latinx/e adolescents and outlines the limitations of current state and local policies. He recommends ending the current U.S. approach to immigration enforcement and replacing it with a system that prioritizes the needs and safety of young people.

INTRODUCTION

Fight ignorance, not immigrants. Prioritizing the safety of our immigrant communities is imperative, and it involves actively fighting against the racial injustices embedded in our policies. The importance of addressing of immigration enforcement is clear when considering their impact on young people.

Adolescents' exposure to risk factors—such as having a family member sentenced to a detention center or deportation—increases the likelihood of detrimental mental health outcomes.¹² The Latinx/e population has worse outcomes when it comes to health factors such as obesity and mental health compared to non-Hispanic whites.³ Of particular concern is the association between immigration status within the family and mental health: Latinx/e youth in mixed-status families (i.e., U.S.-born Latinx/e adolescents with undocumented caregivers) have a greater risk of anxiety and depression.⁴ From a Maternal, Child, and Adolescent Health (MCAH) standpoint, the gravity of health disparities among Latinx/e youth is underscored by the growing occurrence of family separation cases caused by immigration enforcement.⁵

Considering that adolescence is a pivotal period for development and growth, addressing these disparities during this crucial stage is critical to ensuring the well-being of Latinx/e youth.⁶ It necessitates not only comprehensive strategies that incorporate mental health support and address immigration-related stressors but also entails confronting racial injustices embedded in our political system, such as advocating for immigration reform.

On January 25, 2017, the Trump Administration issued the Enhancing Public Safety in the Interior of the United States Executive Order, creating new enforcement and removal priorities against the undocumented community.⁷ After this Executive Order, the U.S. Immigration and Customs Enforcement (ICE) reported a thirty percent increase in administrative

arrests (i.e., detentions) along with a thirty-seven percent increase in removals (i.e., deportations) compared to the previous year.⁷ With an increased number of people sentenced to detention centers and deportation, many families were torn apart, contributing to increased stress and adverse mental health outcomes among adolescents.⁸

By using the social determinants of health framework, researchers can isolate, analyze, and explain how immigration enforcement policies not only threaten the health of the adolescents at risk but jeopardize communal health.¹¹ In a 2020 longitudinal observational study of 547 Latinx/e adolescents in Atlanta, adolescents with family members deported or detained in the prior twelve months were at higher risk of developing mental health issues and risky behaviors. Even growing up in a household with an undocumented parent has demonstrated negative impacts on the mental and physical health of Latinx/e adolescents.¹²

The U.S.-Born Latinx/e adolescent population already has an increasing amount of anxiety due to the anti-immigrant policies and fear of family members being deported or detained.⁸ In 2021, about 1.83 million Latinx/e children were reported as uninsured, which further adds to the health disparity of receiving equal access to physical and mental health services.⁹ Latinx/e adolescents have also been impacted by fear and stress of the possibility of family members being deported or detained, with reportedly high anxiety levels, sleep issues, and blood pressure after the Trump Administration took office in 2016.¹⁰ To advance the health and well-being of Latinx/e adolescents, professionals in the MCAH field should collaborate with legislatures to shift the focus of current immigration enforcement and removal priorities towards a more progressive approach that alleviates health disparities instead of exacerbating them.

The following sections focus on the current policies, background, and landscape of this

political public health issue. The first section follows the policy that created ICE and thus marks the origins of this issue, while the second section focuses on local and state level policies that aim to accomplish a similar goal: dismantling ICE’s immigration enforcement power.

CURRENT POLICY: HOMELAND SECURITY ACT OF 2002 AND THE 287(G) PROGRAM

As a response to the September 11th attacks, the Homeland Security Act of 2002 established the Department of Homeland Security (DHS), along with the U.S. Immigration and Customs Enforcement (ICE), to secure the United States from numerous threats.¹³ The mission of ICE is “Keeping America Safe” from specific threats that originate from the border or immigration to maintain public safety and national security.¹³ In 2021, ICE reported more than 74,000 detentions and 59,000 deportations, a number that the department boasts about.¹⁴ In a 2022 report released by the Department of Health and Human Services, there were 4,094 children classified as being separated from their families at the border by ICE and DHS between April 2018 through January 2022; only 2,307 of these children were reunited with their parents.¹⁵ The mission and values of the Homeland Security Act of 2002, along with DHS and ICE, are outdated and need to be reformed, dismantled, or abolished to ensure that the separation of families is no longer part of the aftermath of national security.

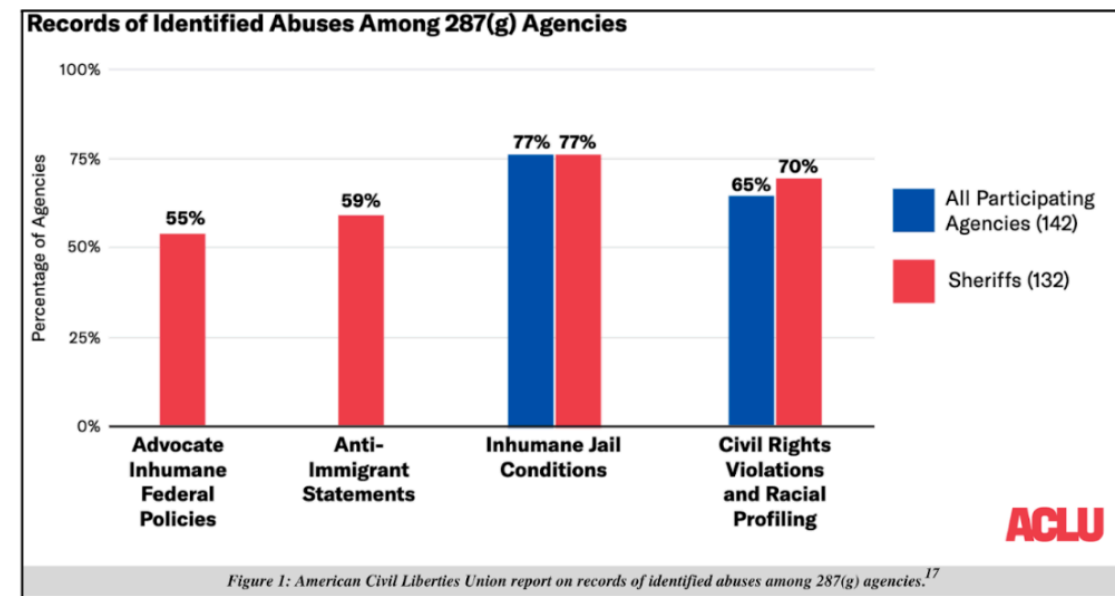
The 287(g) program has evolved with the assistance of DHS. The 287(g) program is an agreement between state and local law enforcement agencies with ICE that permit them to enforce federal immigration laws, such as the detention, transfer, and removal of undocumented community members.¹⁶ In 2022, ICE reported 140 state and local

partners (i.e., police departments, sheriffs) participating in the 287(g) program.¹⁶ These 287(g) agreements have led to discrimination, racial profiling, and direct attacks on immigrant communities.¹⁷ A 2021 report by the American Civil Liberties Union (ACLU) found at least 59 percent of participating sheriffs have a history of anti-immigrant and xenophobic rhetoric.¹⁷ As for the agencies participating in 287(g) agreements, sixty-five percent have records of civil rights violations, such as racial profiling and use of excessive force.¹⁷

One example of this excessively abusive force is in the case of Gerardo Martinez-Morales, a father of four who immigrated from Mexico in 1996. Gerardo was pulled over for a broken taillight by the local sheriff department in Galveston County, Texas.¹⁸ Gerardo was then sentenced to jail and immediately reported to ICE officials for further prosecution, all without disclosing any information about his immigration status, only to be deported back to Mexico.¹⁸ By allowing ICE to continue the 287(g) program, the pattern of these current policies created by the Homeland Security Act of 2002 will only continue to harm and create distrust in the immigrant community, including Latinx/e adolescents separated from their families. In order to begin the healing process and make amends within the immigrant community, future resolutions need to focus on keeping families together, ending family separation, and alleviating the fear caused by and perpetuated by ICE.

POLICY ALTERNATIVE 1: THE REUNITING IMMIGRANT FAMILIES ACT

On September 30, 2012, the California Legislature enacted Senate Bill 1064, known as “The Reuniting Immigrant Families Act.”²¹ The law’s objective is to remove the barriers associated with the reunification of families,



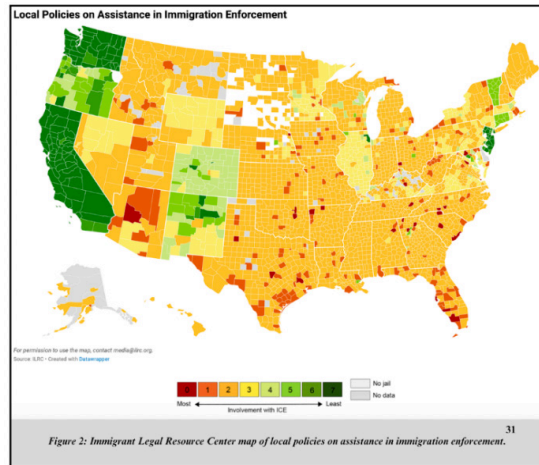
such as communication between family members and receiving adequate child welfare services.²² A strength of this alternative policy is that it aims to undo the harm ICE has caused by helping those who have been directly impacted by the separation of families through detention and deportation. Similarly, to better serve the Latinx/e immigrant populations, SB 1064 formed the Child Welfare Latino Practice Advisory Committee to gather data and produce resources for Latinx/e communities and agencies that can assist Latinx/e youth who have experienced familial separation.²³

The Reuniting Immigrant Families Act is among the first state laws of its kind, and there are certain limitations. To begin with, replicating the bill in other states or on a federal level can be challenging due to each state’s diverse population and legislature. For example, in 2013, Arizona first introduced Senate Bill 1303 but has since failed to pass similar legislation due to the lack of senate sponsorship or support.¹⁹ Moreover, another major issue with this alternative policy is that it aims to help immigrant families after family separation. By then, the adverse consequences of family separation have already begun.²⁴ Collaboration between states to share success-

ful strategies and garner bipartisan support on a federal level could effectively pave the way for more widespread adoption of such policies.

POLICY ALTERNATIVE 2: SANCTUARY CITIES AND STATES

Another policy alternative is the concept of sanctuary cities and sanctuary states. Sanctuary cities, while not legally defined, typically refer to geographical regions that refuse to take law enforcement requests from ICE. These law enforcement requests could include detaining undocumented immigrants for ICE or reporting the immigration status of civilians local law enforcement encounters.²⁵ Since the 1980s, sanctuary cities have provided refuge for immigrants coming to the United States, such as when San Francisco became a sanctuary city in 1985 to protect refugees and asylum seekers from El Salvador and Guatemala.²⁶ Politicians opposing sanctuary cities have argued that they endanger public safety and have gone as far as to ban sanctuary cities, as seen in Florida, Texas, and Iowa.²⁷ However, in one study, researchers analyzed crime data from Immigration and Customs Enforcement (ICE) and the Federal Bureau



of Investigation (FBI) between 2010 and 2016 among sanctuary cities to determine if sanctuary cities caused harm to public safety.²⁸ Researchers found that sanctuary cities do not increase crime and instead reduce the number of deportations.²⁸ The main benefit of having sanctuary cities is to refuse cooperation with ICE and limit local law enforcement to inquiring information about someone's immigration status.²⁹

Yet, city officials only have limited power and governance over a city. A major limitation of sanctuary cities is that city policies can be overturned by county or state policies. In the case of Santa Ana, a city in Orange County, CA, the county has a 287(g) agreement that specifically detains immigrants for ICE at the Santa Ana City Jail while awaiting removal proceedings.²⁵ Despite Santa Ana being a sanctuary city, the city must follow the Orange County policies and procedures, limiting the effect of this sanctuary jurisdiction.²⁵

Although Sanctuary State Laws, including the California Values Act (SB 54), have been enacted in California and other states, insufficient enforcement, transparency, and accountability in law enforcement practices have compromised the effectiveness of the legislation. Three years after the enactment of the California Values Act, the San Diego Immigrant Rights Consortium published a report detailing significant shortcomings in

the implementation of the California Values Act.³⁰ The report highlighted instances where local authorities in San Diego County continued to share information gathered from automated license plate readers with federal immigration agencies, facilitating ICE transfers from local jails.³⁰

With only eleven states and 182 cities and counties that currently have some form of sanctuary protections, the main issue with sanctuary cities and sanctuary states is the diverse policies that vary from location to location across the U.S. that limit the involvement with ICE.³¹ These differences create a lack of uniformity and consistency in the approach toward immigration enforcement. To address these challenges, collaboration between jurisdictions to create standardized policies could establish more consistent legal frameworks at the state and federal levels to provide better protection and uniformity for sanctuary cities and states.

IMPACTS OF ABOLISHING ICE

Policies legislated only in specific cities, counties, or even states are not enough to stop the separation of families caused by ICE. While the Reuniting Immigrant Families Act and sanctuary city policies have demonstrated progress in addressing family separation, these policies can be overturned or undermined by other legislatures. To address the gap, members of Congress should stop funding or pass legislation to abolish ICE.

At the moment, there is limited data on how this policy recommendation would benefit the Latinx/e adolescent population that this article aims to target. However, there is significant evidence about the consequences of family separation caused by ICE and the fear associated with ICE's immigration enforcement policies.

ICE has a history of creating family separations through immigration enforcement.³² For example, when the Trump Administration issued the "Zero Tolerance" policy in 2018, a policy that allowed for a stricter legal procedure at the border, immigration officers purposefully separated adults from their children to prosecute and deport them.³² Based on a 2020 report from the House Judiciary Committee, more than 2,500 migrant children were separated from their parents at the border, and there are still hundreds of children who have yet to be reunited.³³ A qualitative study of the impact of separating families in Latinx/e communities in California identified four major impacts on Latinx/e youth who experienced a family deportation: modified family structures, family tensions, financial instability, and a decrease in social networks.²⁴

The call to abolish ICE and reform the immigration enforcement system is a crucial step toward addressing the adverse health outcomes resulting from family separation. However, there are potential challenges to the success of this recommendation. Resistance from the opposition can raise skepticism or concerns about national security, hindering the adoption of this transformative approach. Given the complexities of immigration policies and political dynamics, education and open dialogue among advocates, public health professionals, policymakers, and the public can foster a better understanding of the need for a more humane immigration system. Highlighting attainable alternative models, such as the electronic monitoring system (i.e., bracelets and curfews) proposed by the House Appropriations Committee in 2005, can serve as concrete examples of viable alternatives that prioritize keeping families together during removal proceedings.³⁴ However, to ensure the advancement of the undocumented community and begin amending the harm caused by ICE, ICE would need to be abolished.

Not only is ICE responsible for the separation of families, but it is responsible for the fear and stress caused among the undocumented immigrant community.³⁵ Research data points to how the existence of ICE causes distress, especially among mixed-status families who have experienced poorer developmental outcomes compared with families that are all citizens.³⁵ The anti-immigrant policies enforced by ICE have demonstrated a pattern of impacting the health and well-being of the Latinx/e community, such as elevated chronic stress.³⁶ Furthermore, in a mixed-methods study conducted in Adelanto, CA, researchers observed forty-five Latinas to determine whether or not living next to a detention center run by ICE would impact their overall health and well-being.³⁷ Researchers reported increases in anxiety levels among those residing near the ICE detention center and distrust in law enforcement.³⁷

Building bipartisan support and engaging in constructive conversations with politicians who may initially oppose the abolishing of ICE can lead to a more nuanced and informed discussion. By addressing concerns and proposing substantial solutions, the recommendation to abolish ICE can gain traction, fostering a legislative environment conducive to meaningful change. It is imperative for members of Congress to recognize the harm caused by ICE and proactively work towards creating resolutions that ensure the well-being and rights of the undocumented immigrant community.

While abolishing ICE may seem impossible to those opposed to the idea, it is the crucial step needed to stop adverse health outcomes resulting from family separation. Despite the efforts of the proposed alternative policies, these policies only lessen the impact on the health and well-being of the Latinx/e adolescent community. The presence of ICE is enough to strike fear and stress among the undocumented immigrant community. By abolishing ICE, the government can create

a new immigration system that focuses on treating immigrants as humans instead of criminalizing them. Therefore, it is time for members of Congress to rally together to begin putting into motion a new legislative method that dismantles ICE before hundreds, if not thousands, of immigrants have to suffer adverse health outcomes from ICE's control over the immigration system.

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