
ANTI-IMMIGRATION POLICIES AND FEAR OF DEPORTATION: A HUMAN RIGHTS ISSUE

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Source: (Detention Watch Center, 2017)

The increase in repressive immigration policies and enforcement strategies at the federal, state, and local level, have significantly and negatively impacted the lives of undocumented immigrants in the United States. These discriminatory strategies and their adverse consequences have created pervasive fear amongst the undocumented immigrant population. Article 13 of the Universal Declaration of Human Rights posits that human beings should not only have the right to move freely within each state, but also be free to leave and return from his or her country of origin (United Nations, 1948). Due to the increase in world migration and human right violations, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was created. The convention emphasizes that migrants and their families are human beings and thus, deserve fundamental human rights (United Nations, 1990). The United States, however, has elected not participate in the convention. To the contrary, the United States has espoused rigid immigration policies and enforcement strategies that negatively impact both documented and undocumented immigrants and their families.

Family separation due to detention and deportation can have devastating health effects for undocumented immigrants and their children.

In recent years, various anti-immigrant policies at both the federal and state levels have been passed, contributing to a climate of fear for all immigrants regardless of their status. Take for example, Arizona Senate Bill 1070 (S. B. 1070), which allowed for state and local law enforcement officers to consider race or nationality as a basis for requesting proof of immigration status from individuals they suspected to be undocumented (Pew Hispanic Center, 2010). In addition, the Maricopa County Sheriff's Office was involved in conducting several workplace and community raids, which spread fear amongst the Latino community (Ayón & Becerra, 2013).



Source: (Huffington Post, 2017)

At a federal level, the increase in deportations of both criminal and non-criminal immigrants during President Barack Obama's administration has further added to this fear. And while President Obama declared that immigration officials would make it a priority to deport only those immigrants who had committed serious crimes, a majority (56%) of those who have been deported since 2009 are non-criminals are individuals with no criminal convictions (Gonzalez-Barrera & Krogstad, 2014). The emphasis on deportations at the federal level, and the collaboration of state and local law enforcement officers in the participation in workplace and community raids has resulted in the mistrust of law enforcement and the criminal justice system (Messing, Becerra, Ward-Lasher, and Androff, 2015).

Studies have shown that exclusionary immigration policies and the increase in immigration enforcement at the federal, state, and local levels have led to increased fear and anxiety within the Latino community (Arbona et al., 2010; Ayon & Becerra, 2013). The fear of deportation has been associated with a range of profoundly negative consequences on a person's social, emotional and mental health (Arbona et al., 2010); Becerra et al. 2015; Capps et al., 2007; Finch and Vega, 2003). In addition, the fear of deportation decreases the likelihood that undocumented immigrants will report crimes, workplace health and safety violations, and/or abusive labor practices (Brennan, 2010; Cleaveland, 2010).

Results

This study¹ was conducted in 2014 to explore the repercussions of such anti-immigrant policies and law enforcement strategies. The data for the study was collected from a sample of 213 adult Latino immigrants living in Arizona using a nonprobability convenience sampling technique. The participants were recruited from various social service and faith-based organizations from Maricopa County, Arizona. Questionnaires were completed in either English or Spanish depending on the language preference of each participant.²

The study examined the relationship between the fear of deportation and the repercussions that fear can have. The results indicated that participants who reported a greater fear of deportation also reported (1) trouble finding and maintaining a job; (2) having been asked for immigration documents; (3) that their friends and family suffered; (4) lower confidence that the police and the courts would treat Latino immigrants justly; and (5) lower confidence that they will have a better future.

¹Becerra, D. (2016). Anti-immigration policies and fear of deportation: A human rights issue. *Journal of Human Rights and Social Work*, 1(3), 109-119.

²The questionnaire asked, "As a result of the current immigration policies: (1) I have had more trouble finding a job; (2) I have had more trouble keeping a job; (3) My family has suffered; and (4) My friends have suffered." The response options were 1 = strongly disagree to 5 = strongly agree.

The participants were also asked to "As a result of the current immigration policies: (1) How much confidence do you have that police officers in your community will treat Latinos fairly?; (2) How much confidence do you have that the courts in your community will treat Latinos fairly?; (3) How much confidence do you have that your family will have a better future?; and (4) How much confidence do you have that your children will have a better future?" The response options were 1 = very little to 4 = a great deal.

The study found that participants with greater fear of deportation exhibited greater levels of suffering that as a result of the recent immigration policies and enforcement strategies. And this suffering was not limited to undocumented individuals. While the harsh immigration policies and enforcement strategies are targeted at undocumented immigrants, entire families suffer devastating effects. Family separation due to detention and deportation can have devastating health effects for undocumented immigrants and their children, many of whom are U.S. citizens. If a parent is deported, for example, a U.S.-born children in mixed-status families (unauthorized immigrant parents and citizen children) may be left orphaned or even be forced to relocate to the parent's country or origin. As a result of the increased role law enforcement agencies have taken in enforcing immigration laws—including deportations—the community's distrust of law enforcement agencies and criminal justice system has exacerbated.

“The fear of deportation was a significant predictor of Latinas’ perceptions of the procedural fairness of the criminal justice system”

The results of the study emphasize the negative impact of immigration strategies and anti-immigration policies. Take for example, the inability to find or keep a job. The repercussions lead to negative outcomes and places families at risk. Previous studies have found that individuals who do not have the financial means to afford housing, food, or utilities as a result of unemployment may experience elevated levels of stress, depression, and anxiety (McKee-Ryan, Song, Wanberg, and Kinicki, 2005; Pice, Choi, and Vinokur, 2002). Other immigration enforcement strategies like workplace and community raids have produced pervasive fear amongst the Latino immigrant communities, affecting the long-term psychological wellbeing of detainees and their families (Ayón and Becerra, 2013; Capps, Castañeda, Chaudry, & Santos, 2007).



Source: (Stephanie Keith, 2017)

Participants who reported a greater fear of deportation also reported:

- trouble finding and maintaining a job
- having been asked for immigration documents
- that their friends and family suffered
- lower confidence that the police and the courts would treat Latino immigrants justly
- lower confidence that they will have a better future

Recent immigration policies have led to a greater fear of deportation, which has been detrimental to community-police relations in the Latino community.



Source: (Brian van der Brug, 2017)

Social workers must actively seek to strengthen the relationship between law enforcement, the criminal justice system, and the Latino community. This can be done through outreach efforts and education, specifically, educating the Latino immigrant community about their legal rights (Becerra et al., 2012).

Implication for Social Work Practice Education and Advocacy

Social work professionals play an important role in ensuring that the needs of the Latino immigrant population are being addressed in social service and community health agencies. The findings of this study can be used to develop culturally appropriate interventions that take into account the unique experiences of Latino immigrants and Latino immigrant communities. The cultural differences and the unique political ramifications require a specialized social work curriculum, which is needed to enable social work practitioners to be culturally relevant in their practice. Social work curricula should integrate these culturally appropriate interventions when working with the Latino immigrant population. Social work practitioners should learn the skills necessary to assess physical and mental health conditions of Latino immigrants that are caused by the migration process and the harsh immigration policies and enforcement strategies. In addition, social workers must actively seek to strengthen the relationship between law enforcement, the criminal justice system, and the Latino community. This can be done through outreach efforts and education, specifically, educating the Latino immigrant community about their legal rights (Becerra et al., 2012).

Conclusion

Recent immigration policies have led to a greater fear of deportation, which has been detrimental to community-police relations in the Latino community. Article 13 of the Universal Declaration of Human Rights posits that all humans have the right to freedom of movement (United Nations, 1948). Although various socio-economic factors attract undocumented immigrants to the United States, the same undocumented immigrants are increasingly the subject of harsh immigration policies and enforcement strategies at the federal and state level. These strategies result in, among other things, separation of families which have shown to have long-lasting negative repercussions.

Being that the role of social workers is to promote social justice and social change, social workers should work to promote social justice on behalf of vulnerable populations like Latino undocumented immigrants. It is therefore vital that social workers understand how the current wave of anti-immigrant policies affect Latino immigrants and their families. Only then, will social workers be able to work with law enforcement agencies, bring awareness of the consequences of anti-immigration policies to lawmakers, and demand more humane policies that will improve the wellbeing of Latino immigrants and their families.

References

- Arbona, C., Olvera, N., Rodriguez, N., Hagan, J., Linares, A., & Weisner, M. (2010). Acculturative stress among documented and undocumented Latino immigrants in the United States. *Hispanic Journal of Behavioral Sciences, 32*(3), 362–384.
- Ayón, C., & Becerra, D. (2013). Mexican immigrant families under siege: the impact of anti-immigrant policies, discrimination, and the economic crisis. *Advances in Social Work, 14*(1), 206–228.
- Becerra, D., Androff, D. K., Ayon, C., & Castillo, J. T. (2012). Fear vs. facts: Examining the economic impact of undocumented immigrants in the US. *Journal of Sociology & Social Welfare, 39*, 111–135.
- Becerra, D., Quijano, L. M., Wagaman, M. A., Cimino, A. M., & Blanchard, K. N. (2015). How immigration enforcement affects the lives of older Latinos in the U.S. *Journal of Poverty, 19*(4), 357–376.
- Brennan, D. (2010). Thoughts on finding and assisting individuals in forced labor in the USA. *Sexualities, 13*(2), 139–152.
- Capps, R., Castañeda, R. M., Chaudry, A., & Santos, R. (2007). *Paying the price: the impact of immigration raids on America's children*. National Council of La Raza: The Urban Institute.
- Cleaveland, C. (2010). We are not criminals: social work advocacy and unauthorized migrants. *Social Work, 55*(1), 74–81.
- Finch, B. K., & Vega, W. A. (2003). Acculturation stress, social support, and self-rated health among Latinos in California. *Journal of Immigrant Health, 5*(3), 109–117.
- Detention Watch Center (2017). [Digital image]. Retrieved from <https://www.detentionwatchnet.org/issues/detention-101>
- Gonzalez-Barrera, A., & Krogstad, J. M. (2014). U.S. deportation of immigrants reach record high in 2013. Washington, D.C: Pew Research Center.
- Keith S. (2017). [Digital image]. Retrieved from <https://www.thenation.com/article/why-is-ice-arresting-immigrants-in-new-york-citys-courts/>
- McKee-Ryan, F. M., Song, Z., Wanberg, C. R., & Kinicki, A. J. (2005). Psychological and physical well being during unemployment: a meta-analytic study. *Journal of Applied Psychology, 90*(1), 53–76.
- Messing, J. T., Becerra, D., Ward-Lasher, A. W., & Androff, D. (2015). Latinas perceptions of law enforcement: fear of deportation, crime reporting, and trust in the system. *Affilia, 30*(3), 328–340.
- Pew Hispanic Center. (2010). Hispanics and Arizona's new immigration law. Washington, D.C.: Pew Research Center.
- United Nations. (1948). The universal declaration of human rights.
- United Nations. (1990). International convention on the protection of the rights of all migrant workers and members of their families. Retrieved from <http://www2.ohchr.org/english/law/cmw.htm>
- Van der Brug, B. (2017). [Digital image]. Retrieved from <https://www.propublica.org/article/familiares-ninos-indocumentados-atrapados-operaciones-anti-trafico-humano>