FAMILY SEPARATION AND CHILD WELFARE: AN EXAMINATION OF U.S. IMMIGRATION POLICIES AFFECTING UNACCOMPANIED ALIEN CHILDREN

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FAMILY SEPARATION AND CHILD WELFARE: AN EXAMINATION OF U.S. IMMIGRATION POLICIES AFFECTING UNACCOMPANIED ALIEN CHILDREN

by

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Submitted to the School of Honors Committee
in partial fulfillment
of the requirements for University Honors Scholars

Southeastern University

2020
Dedication

This thesis is dedicated to all individuals, children, parents and families who have sought safety and justice by immigrating to the U.S., and have instead been met with devastation, pain, and injustice.

You are seen, heard, and valued by many, and your rights will be fought for until you are also valued by the writers and enforcers of the United States’ laws and policies.
Acknowledgement

I would like to thank my thesis advisor, Dr. Lisa Clifton, for all of her hard work and assistance over the past two semesters. Dr. Clifton: I am so grateful for your encouragement, time, patience, and thoughtful discussion while helping me write my thesis. You are one of my biggest inspirations in social work!

I would also like to thank all of my friends, family, and other loved ones who have encouraged me along the way throughout my academic career: sorry for all of the times I cancelled plans to study!
Abstract

Immigration policy in the U.S. is a confusing and inadequate system, the shortcomings of which directly impact the lives of millions of individuals, children, families, and communities. Its primary inadequacies include an overall lack of clearly defined policies and procedures, confusion among immigration authorities and child welfare practitioners regarding proper procedures, and non-compliance with procedural standards by immigration authorities. Those shortcomings have largely resulted in many immigrant families being separated from each other, immigrant children experiencing trauma, and a widespread disregard for unauthorized immigrants’ both constitutional and human rights. The literature reviewed describes relevant immigration policies and their issues. The study conducted surveyed college students to determine their understanding of immigration issues, of which the results demonstrated varied beliefs and understandings; many students responded neutrally or that they did not know the answer.

KEY WORDS: immigration, immigrant families, immigrant youth, U.S. immigration policy, family separation, child welfare, deportation, immigration rights, human rights.
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Introduction

According to the Pew Research Center, an estimated 11.3 million unauthorized immigrants were in the United States in 2016, a number which has only increased in the following years (Radford, 2019). As a vast network of communities, friends, and families, they provide many valuable contributions to our society, culture, and the economy; yet regardless of what they can contribute to the U.S., their dignity and worth as individual human persons presents enough reason to offer care for their issues, to fight for their rights, and to ensure their proper treatment, specifically including those outlined in the U.S. Constitution. Recently, those rights have not been appropriately afforded to many immigrant families with unauthorized members in numerous respects, one of the most erroneous injustices being the practice of family separation.

In recent years, when unauthorized immigrant families have been apprehended by Immigration and Customs Enforcement (ICE) or local police in cooperation with ICE, officials have routinely removed the parents through detention with the Department of Homeland Security (DHS), and then given their children as “Unaccompanied Alien Children” (UAC) to the Office of Refugee Resettlement (ORR). This practice is often unlawfully conducted, as immigrant children were, in fact, accompanied by their parents. Following their separation, children then enter into a long procedure including multiple transfers and many strangers, and they routinely suffer severe trauma in the process. Immigrant parents, meanwhile, as they are detained, most often are unable to participate in their own child’s immigration trials and have routinely not been granted the rights given to them by various U.S. laws.

This problem occurs largely due to immigration enforcement agencies’ widespread failure to uphold defined policies and procedures regarding what happens to children when their
parent is apprehended by immigration agencies; happenings following immigrant parent apprehension instead often largely relies on the officers of the involved agency’s discretion in the moment. This lack of following clearly defined policy often results in little to no documentation surrounding the immigrant children’s case, including minimal to no identification of their parents. This has led to extreme difficulty in parents and caretakers locating and regaining custody of their children.

In the child welfare system, many operatives are unaware of how the immigration system works, and there are not many clearly defined procedures regarding practice with immigrant families. This results in even further confusion and chaos in the familial reunification process, and if it occurs, it does not happen for extended periods of time.

Through a review of relevant literature, this thesis will explore the identity of UAC, relevant immigration agencies’ policies relating to children of apprehended immigrant parents, and immigration law’s complex issues. The following questions were developed to guide research:

- How does family separation occur?
- What are current U.S. immigration enforcement’s policies and practices that are relevant to family separation?
- How have those policies affected UAC?
- What is the efficacy of those policies?

Following the review of literature, findings of a study conducted on a subset of the U.S. population attempted to determine their awareness regarding unauthorized immigrant child welfare policy and related issues will be discussed, as well as limitations of the study and future
implications. The survey attempted to measure participants’ awareness of current immigration policies guided by these research questions:

- Are most U.S. citizens aware of current immigration practices related to family separation in the U.S.?

- Do most U.S. citizens support current immigration practices related to family separation in the U.S.?
Review of Literature

Due to nature of the literature reviewed, there is regular usage of agency titles and lengthy terms. For the sake of avoiding needless repetition, following the first use of a term, its abbreviation is used. A comprehensive list of abbreviations used is located in appendix A.

Unaccompanied Alien Children

According to the Administration for Children and Families (ACF), by legal definition, a UAC is a person who “has no lawful immigration status in the United States, is under 18 years of age, [and] has no parent or legal guardian in the United States or no parent or legal guardian in the United States is able to provide care and physical custody” (ACF, 2019).

In 2014, there were 67,339 UAC apprehended “at or near the U.S. border…largely originating from Central America” (Crea et al., 2018). Recently, children who have been apprehended as UAC have primarily originated from Central American countries, specifically the “Northern Triangle” of Honduras, El Salvador, and Guatemala, all countries suffering from widespread violence and gang activity (Crea et al., 2018). The United Nations High Commissioner for Refugees (UNHC) reports that generally, UAC reasons for fleeing their native country are “gang violence, child abuse, and poverty” (Heidbrink, 2017). In a study conducted by the American Immigration Council (AIC), UAC themselves corroborate that report, most often stating “gang or cartel violence as a primary motivation for fleeing” (AIC, 2015). Further, they determined that of UAC deported from the U.S. who originated from the Northern Triangle and Mexico, 48% of 404 participants described “being personally affected by the…violence in the region organized by armed criminal actors, including drug cartels and gangs or by State actors” (AIC, 2015). The AIC also reported that the violence experienced by children in those
countries is generally specifically targeted towards them; youth have been beaten by the police and are often recruited to participate in gang activity in early adolescence (AIC, 2015).

**UAC and the Office of Refugee Resettlement Procedure.**

According to ACF, the majority of UAC are apprehended by DHS border patrol officers while attempting to cross a U.S. border (ACF, 2015). Dr. Annie Chen and Jennifer Gill of the Vera Institute for Justice report that once UAC are apprehended, they are then “charged with violating U.S. immigration laws and are placed in deportation proceedings” (Chen & Gill, 2015). The AIC reports that upon initial apprehension, UAC may remain “in detention” for as long as 72 hours while “their situation is evaluated” (AIC, 2015). The process is outlined in the following four sections: assessment, placement, sponsorship, and Long Term Foster Care (LTFC).

**Assessment.**

By law, within 72 hours UAC must then be transferred to the custody of the ORR, under the Department of Health and Human Services (HHS), who will then begin to assess the child to “determine an appropriate placement in the least restrictive setting”, in accordance with federal law (AIC, 2015) (ACF, 2015). The ORR’s initial assessment includes attempting to learn the child’s basic identifications, such as name, age, country of origin, medical issues, etc. (ACF, 2015). In much of the assessment process, the child may not be able to provide information due to a language barrier, trauma, or simply due to a young age. Another common issue is that it is not often the policy for case workers and other ORR staff to contact the child’s national office or consulate, who may be able to provide information.
\textit{Placement.}

Once the ORR operatives have determined the level of care necessary, the UAC is then transferred to one of four potential facilities: shelter care, staff-secure care, secure care, or transitional foster care (Byrne & Miller, 2012). Shelter care is the most basic facility and is used in the majority of cases (Byrne & Miller, 2012). Staff-secure care is generally designated to children who have been determined to have committed non-violent petty crimes and may be a flight-risk, and secure care is for children who have “a history of violent offenses or who pose a threat to themselves or others” (Byrne & Miller, 2012). Transitional foster care is most commonly used for children under the age of 13 or sibling groups in which there is at least one sibling under the age of 13, or a child whom otherwise presents specific needs which can be best treated by a family environment (Byrne & Miller, 2012).

\textit{Sponsorship.}

During this time, the ORR actively searches for “sponsors”: individuals, preferably kin, who are able to house and care for the UAC during their deportation proceedings (Crea, et. al, 2018). If a viable adult relative is not identified, the ORR then seeks another adult or organization whom the UAC’s parents identified as an approved custodian (Byrne & Miller, 2012). If such a person or organization is not found, ORR then moves on to find a “licensed program…such as a shelter for homeless youth” (Byrne & Miller, 2012). If such a program is not available or is unable to accept the UAC, the ORR then moves the child into the care of another organization or adult whom they have approved (Byrne & Miller, 2012).

The early sponsorship selection process includes a lot of paperwork and documentation that a sponsor is in fact related to or an “adult individual or entity designated by the child’s
ORR has designed a sponsorship process in which a parent or qualifying sponsor can complete a series of paperwork with the corresponding supporting documentation to secure an unaccompanied minor from federal custody. For those families able to secure the requisite documents and forms necessary to substantiate a parent's or sponsor's relationship to the child, ORR evaluates the suitability of the care provider and the caregiving environment following a series of institutional logics, logics that, I argue, are based on a series of flawed assumptions. Although these policies are designed to assess the safety and well-being of custodial relationships, tensions emerge between institutionalized notions of children's best interests and the complex sociocultural realities that may spur transnational migration of young people (Heidbrink).

Essentially, Dr. Heidbrink’s study and others have found that the ORR’s sponsorship process, while thorough in ensuring a caregiver is appropriate, has several complications for immigrant families and communities. Many immigrant families’ relatives and other relationships in the community who might be appropriate caregivers are also likely to be unauthorized immigrants. Due to fear of deportation, immigrant parents may be hesitant to designate their unauthorized loved ones as caregivers; likewise, their unauthorized loved ones may be hesitant to respond to the ORR’s efforts in finding a caregiver. It has also been shown that the ORR and their contracted agents are often unaware that it is in-fact permissible for children to be placed with unauthorized kin, so even if there is a viable sponsor willing to take in the UAC, they may not be considered by the responsible agency (Children’s Bureau, 2015). Agency operatives may also be susceptible to their own biases and be reluctant to place a child in a home with unauthorized immigrants solely due to socio-cultural negative stereotypes associated with illegal immigrants (Children’s Bureau, 2015).
Long Term Foster Care.

When no viable sponsor is located, the UAC is eventually placed into LTFC, a broad network of caretakers specific to UAC (Crea et. al, 2018). Typically, a sponsor is identified, but 35% of UAC end up in LTFC (Crea et. al, 2018). These foster care homes use a similar system to that of domestic foster care, including their process for matching families with children, recruiting families through community organizations and functions, prioritizing keeping siblings together, and conducting rigorous home studies of potential families (Crea et. al, 2018). Families must undergo the same training as that of domestic foster care families, as well as additional training specifically regarding care for UAC (Crea et. al, 2018). However, care provided by LTFC is through a “national network of service providers,” and does not operate by the nationally enforced standards of domestic foster care, meaning procedures and policies may differ across organizations (Crea et. al, 2018).

The ACF’s qualifications for UAC to enter LTFC are that “They do not have a viable sponsor, and a legal service provider has identified the child or youth as potentially eligible for immigration relief (unless waived by ORR), and is under the age of 17 and 6 months at the time of placement” (ACF, 2015). The ORR also has the right to “Consider a long term care placement on a case-by-case basis for an unaccompanied alien child who will have a longer stay due to other circumstances” (ACF, 2015). Upon reaching 18 years of age, if still in ORR care and not considered qualified for immigration relief, children will then be turned over to the Department of Homeland Security (DHS) to receive “judicial resolution of their immigration status” (Office of Inspector General, 2019).
Improper Placement of Immigrant Children in Foster Care.

While policy-wise, UACs should only enter LTFC if they meet that criteria, the Applied Research Center (ARC) reports that there are cases in which immigrant children directly enter the domestic foster care system, and the ORR is not involved (ARC, 2011). This occurs when immigration enforcement officers or some other law enforcement officer directly calls Child Protective Services (CPS), as the parents’ apprehension has left the child without a caretaker. Children entering the child welfare system in this way can sometimes be UACs, or children who are merely unauthorized living in the interior of the U.S., or citizen-children. These children are vastly underrepresented and underrecognized on an agency-wide level, as ARC reports that while “Systematic research on this topic is challenging, because child welfare departments and the federal government fail to document cases of families separated in this way”, they estimate that there are “At least 5,100 children currently living in foster care whose parents have either been detained or deported” (ARC, 2011). Immigrant children who are placed in the foster care system in this way face significantly more difficult barriers to familial reunification than those who enter the care of the ORR. As immigrant children in these situations are technically entered into the domestic child welfare system, not the one specific to the ORR, so they then enter into dependency trials, bringing about an influx of even more issues.

Trauma Suffered by Separated UACs.

In a study conducted by Dr. Benjamin Roth and a team of researchers, they found that all immigrant children placed in transitional foster care experienced adverse effects, but to different degrees depending on whether they were sent on their own or separated from their parents at the border (Roth, et al., 2018). Both groups of children experienced grief over the loss of their parent(s), but those who were separated from their parents by ICE or Customs and Border
Protection (CBP) at the border experienced greater trauma than those who were sent alone. Those who were separated from their parents were distraught as they had expected the presence and care of their parents throughout the transition into a new home, and many children were left confused as the act of being separated took them by surprise and left them in shock.

All in all, children experienced a variety of developmental issues while in the transitional foster care process, the greatest of which being difficulty developing secure relationships. As children were transported from border patrol stations to program shelters to foster care families and hopefully in the end to their sponsor, they were met with new faces regularly, making it hard for them to know who to trust and who genuinely cared for them. The changes resulted in children often feeling disoriented and stressed, experiencing “continuous trauma” as they are not able to latch onto a caregiver for support as they are moved from facility to facility. Dr. Bonovitz reports that young children who have not yet developed an understanding of object permanence are most likely to be highly affected by the developmental issues occurring due to parental loss and continually changing caregivers (Bonovitz, 2004).

Dr Erika Carmen Beckles Flores of Syracuse University writes that if parents were ever able to reunite with their children, the relationship between them was forever altered, and the level of intimacy they had before separation is significantly changed (Flores & Carmen, 2011). She also writes that children hold mixed feelings towards their parents when attempting to rebuild and repair the relationship, largely due to the fact that their parents were not present at an integral time in their personal formation and development.
Recent Policies in Immigration

“Zero-Tolerance Policy”.

The term UAC has been widely misused and has resulted in the mis-categorization of a large population of immigrant children. The Office of Inspector General (OIG) reported that following a “zero-tolerance policy” issued by the Attorney General in 2018, DHS would transfer all “adults making illegal Southwest [U.S.] Border crossings to DOJ [Department of Justice] for prosecution and that DOJ would accept those cases” (OIG, 2019). Due to this policy, the OIG reported that

When a child and parent were apprehended together by immigration authorities, DHS separated the family, with the parent being placed in the custody of the U.S. Marshals Service within DOJ to await prosecution for immigration offenses. With the detained parent unavailable to care for his or her child, the child was treated as a UAC and transferred to ORR (OIG, 2019).

This means that even though a family may have crossed the Southwest U.S. Border together, immigration authorities would separate them, and then document the children as being “unaccompanied”.

A large issue of the policy is that it solely addressed unauthorized immigrant adults, and in turn, omitted appropriate policies and procedures specific to unauthorized families who would cross the border together; as well as total lack of language including unauthorized immigrant children in general. The result of this, for lack of better wording, catastrophic oversight in policy and procedural practice, was that children who crossed the Southwest U.S. Border with their families, instead of being detained or in some other way placed with their parents whom they had been apprehended with, were separated and then transferred to ORR facilities as if they had entered the country alone.
This leads to another major issue, being that most commonly, there was absolutely no documentation during this time as to who the children’s parents were, or where the children came from. Disastrously, there was no formal system or database to input the children’s information, as the OIG reported that as of “June of 2018, no centralized system existed to identify, track, or connect families separated by DHS” (OIG, 2019). This led to a flood of supposed “UAC” children in ORR facilities, including foster homes, who were, for all intents and purposes, orphans of the state, as their parents had no way of finding them upon their own release from DOJ facilities. The OIG estimates that in April to June of 2018 alone over 3,500 unauthorized immigrant children were victim of this oversight (OIG, 2019).

**Government Accountability Office’s Findings.**

Further, when interviewed by the United States’ Government Accountability Office (GAO), the DHS and the HHS said that they “did not plan for the potential increase in the number of children separated from their parent or legal guardian as a result of the Attorney General's April 2018 ‘zero tolerance’ memo because they were unaware of the memo in advance of its public release” (GAO, 2019). This ignorance raises some red flags, as the memo should have directly impacted their daily operations. As stated previously, the policy ordered DHS to begin transferring adult unauthorized immigrants to the custody of DOJ, most commonly, to the Federal Marshalls (OIG, 2019). If DHS was truly unaware of this new procedure, then the implications extend into the entirety of their practice: how often do the vast number of agents operating under the umbrella of DHS do so in discord with current policy, solely because they are unaware of its existence? And, on the other hand, if DHS was aware of the policy and merely claimed they did not know as a way to defend their actions, the implications are much worse:
how often do those agents operate as they wish to, ignoring policy, under the guise that they are unaware of it?

The events in 2018 were not the first time that DHS’ operations with UAC have been an issue; GAO also wrote that in 2015, they recommended that “DHS and HHS improve their process for transferring UAC from DHS to HHS custody”, but needless to say, they still “have not fully implemented the recommendation” (GAO, 2019). If after three years, DHS and HHS had not been able to properly work out a more formalized system for the transfer of UAC into HHS care, how efficiently are their offices truly operating? And it begs the question, was a national outrage what was necessary to encourage their offices to create better policies?

“Ms. L v. ICE”.

Due to the mass amounts of UAC being admitted to ORR’s care without documentation during the “zero-tolerance” issue, an asylum-seeking immigrant mother who had been detained and separated from her daughter at the Southwest U.S. Border with no means of locating her filed a federal class action lawsuit through the American Civil Liberties Union (ACLU) against ICE and numerous other U.S. agencies involved in immigration matters, on the grounds of “violations of the Constitution’s due process clause” (ACLU, 2019). This lawsuit, known as Ms. L v. ICE, eventually led to the Court ordering the establishment of several task forces by the HHS dedicated to locating children of parents determined to be within the class, and making efforts to reunify them with their families (Ms. L v. Ice, 2018).

*Family Separations Prior to “Zero-Tolerance Policy”*. The process following Ms. L v. ICE was largely successful in identifying and reunifying affected families; however, it only applied to a percentage of immigrant families who were determined to be within the “class” represented in the class action suit; many families who had
been separated in this way before the “zero-tolerance policy” were not covered, and thus have not been reunited (OIG, 2019). The OIG reported that

The total number and current status of all children separated from their parents or guardians by DHS and referred to ORR’s care is unknown…HHS devoted significant challenges in identifying separated children, including the lack of an existing, integrated data system to track separated families across HHS and DHS and the complexity of determining which children should be considered separated…there is even less visibility for separated children who fall outside the court case…additionally, efforts to identify and assess more recent separations may be hampered by incomplete information (OIG, 2019).

In years previous to the “zero-tolerance policy” era, the OIG reported that DHS had commonly held the practice of detaining parents and then transferring separated children to ORR at the time of familial apprehension (OIG, 2019). Notably, ORR officials noticed in the summer of 2017 “a steep increase in the number and proportion of separated children referred from DHS” (OIG, 2019). This increase was prior to the “zero-tolerance policy”. While staff noticed an increase in incoming separated UAC, they had no formal tracking or documentation system, and cannot offer an exact estimate of children who entered the system or where they ended up; though it is roughly estimated to be “thousands… prior to June 26, 2018” (OIG, 2019). If separating families at time of apprehension has been a common practice by DHS in accord with ORR for years, which had only recently been exacerbated by the 2018 “zero-tolerance policy”, it is reasonable to suggest that many more immigrant children are likely currently in the care of the ORR from before the “zero-tolerance policy” affected class with no documentation as to their origins and no way for their families to locate them. This is an unacceptable misappropriation of justice and requires substantial continued research by the DHS, HHS, and all other related parties regarding exactly who is in their care and who their families are; as well as continued formal establishment by ORR of a thorough system of documenting the identification of children in their care, and
sharing such information with DHS, DOJ, ICE, and other relevant agencies so as to encourage inter-agency cooperation in reunifying immigrant families.

“Detained Parents Directive”.

In August of 2017, ICE produced a Directive entitled, “Detention and Removal of Alien Parents or Legal Guardians”, otherwise referred to as the “Detained Parents Directive”. This policy was created to “Provide guidance regarding the detention and removal of alien parents and legal guardians of a minor child(ren), to include those who have a direct interest in family court or child welfare proceedings in the United States” (ICE, 2017). In summary, this Directive lists a fairly thorough procedural outline for ICE operatives to follow when apprehending an unauthorized immigrant parent. Most notably, the procedures include “facilitating participation in family or state court proceedings”, “facilitating parent-child visitation”, and “coordinating care or travel of child”, as well as requiring detention facilities to allow phone access and other such operations necessary for parents to participate in their child’s case proceedings (ICE, 2017).

Failure to Address Unaccompanied Alien Children.

The Directive, while fairly thorough in its guidelines for cooperation between ICE operatives and state child welfare agencies, has major flaws. One flaw in the Directive is that its language solely includes Legal Permanent Resident (LPR) children and United States Citizen (USC) children, there is no reference to unauthorized alien children of any kind. This omission of a significantly large population of children involved in the proceedings which the Directive is meant to provide guidance towards holds a multitude of issues.

Firstly, this omission creates a wide space for ICE officers and agents to operate at their own discretion when unauthorized immigrant children are involved. While the policy offers clear procedures of how to assist immigrant parents to participate in their case plan and be involved in
their child’s case, there is absolutely no requirement for ICE agents to assist immigrant parents to participate in their unauthorized child’s case. By not providing the same procedures or requiring the same level of assistance to unauthorized children’s cases, this creates the inevitable potential for unauthorized immigrant children to become lost in the system, and strongly increases the likelihood that familial reunification will not occur.

Secondly, this omission dangerously suggests ICE’s preferential bias towards “legal” immigrant children over “illegal” immigrant children. To create a policy which solely assists children who possess a legal status in the United States in effect suggests total disinterest in the well-being of those who do not hold such status. This then begs the question: Do ICE and other related agencies truly value familial reunification as the goal and ethical standard of child welfare practice, or in actuality, do they place priority on familial reunification when a U.S. citizen is involved?

**ICE Agents’ Authority.**

Another issue with the Directive is that it is largely subjective to ICE agents or other officers’ own personal discretions. Numerous times, after a specific procedure is stated, language such as “where practicable”, “unless deemed operationally necessary”, “to the extent practicable”, etc. is used. Similarly, all of the necessary procedures listed in the document are in essence negated by a statement at the end of the document, which declares that “no limitations are placed by this guidance on the otherwise lawful enforcement or litigative prerogatives of ICE” (ICE, 2017). This language essentially nullifies the existence of such procedures, as it reverses the Directive as an objective operational standard, and instead turns it into an unenforced ideal to be subjectively guided by. Giving ICE agents and officers the freedom to only apply such procedures “as necessary” disqualifies any accountability the document was
meant to have created, since officers may essentially completely disregard all policy guidelines and instead operate how they wish to, under the guise that it was “operationally necessary”. If there is to be a standard, it must be strictly upheld by the officers for whom it was created to be followed by, and enforced by their corresponding overseers; otherwise, it is no longer procedural policy, but a superfluous ideal to be disregarded by any who do not wish to follow it.

Government Accountability Office’s Findings.

Further, the United States Government Accountability Office (GAO) produced a report in 2007 entitled “ICE Could Improve Controls to Help Guide Alien Removal Decision Making”. In the report, they established that ICE agents had too much personal discretion in the apprehension and deportation process (GAO, 2007). Essentially, they recommended implementing more concrete procedures for ICE agents to be “guided by” in the decision-making process, and regularly updating agents on new policies so that they may comply with legal mandates (GAO, 2007). They also wrote that while “ICE has begun to update and enhance training curricula to better support officer decision making”, there was no method of ensuring that ICE officers would be trained on new policies. Specifically, the report stated that

ICE has not taken steps to ensure that written guidance designed to promote the appropriate exercise of discretion during alien apprehension and removal is comprehensive and up to date and has not established time frames for updating guidance. For example, field operational manuals have not been updated to provide information about the appropriate exercise of discretion in light of a recent expansion of ICE worksite enforcement and fugitive operations, in which officers are more likely to encounter aliens with humanitarian issues or who are not targets of investigations. Also, ICE does not have a mechanism to ensure the timely dissemination of legal developments to help ensure that officers make decisions in line with the most recent interpretations of immigration law. As a result, ICE officers are at risk of taking actions that do not support operational objectives and making removal decisions that do not reflect the most recent legal developments (GAO, 2007; italics added for emphasis).
According to GAO, ICE resolved this issue through implementing “new internal training programs” and created a position which was responsible for “coordinating training in field offices” (GAO, 2007). They also reported the creation of essentially a monthly newsletter for ICE employees containing updated policies and procedures (GAO, 2007).

While this report is fairly dated as it was published in 2007, it appears that ICE’s response to GAO’s issues has not been effective to this day. As displayed in the “Detained Parents Directive”, ICE agents are still given the ultimate authority to go against very specific procedures, and in using personal discretion they may then take actions which could drastically affect the outcome of immigrant families’ cases.

As ICE agents are still given quite a bit of freedom in deciding how to proceed in the apprehension and detainment process, it could also be questioned as to whether or not ICE’s suggested methods of updating agents about new policies is truly effective. Granted, this report is nearly 13 years old, but their solution was described as providing “opportunities” for agents to “learn about changes”, instead of describing a mandatory routine procedure of ensuring that agents’ actions are up-to-date with the current code of law (GAO, 2007).

**President Trump’s Executive Order.**

During the Ms. L. lawsuit, President Trump signed an executive order which essentially halted the DHS practice of separating families and required immigrant families to be detained as a “family unit”, unless parents were determined to be unfit, or refused (E.O. 13841, 2018).

**Family Detention.**

While the executive order will hopefully end the practice of separating families, it will also likely lead to, for the time being, upon apprehension, immigrant children are being placed into adult detention facilities with their parents, which are “unfit for minors” (Gonzales, 2018).
There are a myriad of other potential options as far as how to proceed in keeping families intact amid immigration proceedings in the future, but the immediate necessity now emerges for an appropriate facility for families to be detained together, in which both children and parents will receive the quality of care and necessary resources to participate in immigration court and the asylum-seeking process.

**Immigration Law’s Complex Issues**

Across agency specific policies, case law, legislature, and federal law, immigration is an extremely messy, confusing, and overall convoluted legal matter. There exists an absurd amount of governmental oversights and contradictions among policies as far as to how law enforcement and immigration enforcement officials are to proceed in the apprehension, detainment, and deportation process. According to ICE themselves, “Immigration law is very complicated” (FIRRP, 2013). This is due to a variety of reasons, the primary reason being the difference in policies and procedures across numerous DHS branches, the court systems, and the vast network of child welfare agencies which ORR contracts out to; not only are there many policies, however, but they are regularly being updated and affected by legal proceedings due to the growing urgency of many immigration issues. Dr. Olga Byrne writes that

> The U.S. legal system affecting unaccompanied children…is complicated and intimidating, with procedures and services that vary from one area of the country to another. Once apprehended and charged with violating U.S. immigration laws, children enter a disjointed, labyrinthine system in which they may interact with numerous agencies within several federal government departments, as well as with a host of government contractors (Byrne & Miller, 2012).

**Immigration Law Confusion in the Child Welfare System.**

These issues extend to the child welfare and judicial system, in which many caseworkers, attorneys, judges, and other officials are often unaware of the appropriate policies and procedures relating to immigrants. Likely due to the sheer complexity of immigration policies
and relevant agencies, there is widespread confusion and lack of knowledge regarding immigration among those who should practice it the most efficiently: child welfare practitioners, judges, and attorneys. According to Dr. Rabin, a juvenile court judge reported that

For me, there is just so much confusion. Nobody really understands how the [immigration] system works. No one understands it. The children certainly don’t understand it, their parents don’t understand it, their child welfare lawyers don’t understand it, we as judges really don’t have a sufficient understanding of the way the process works. . . it is such a mystery to everyone. It just seems like this big, amorphous mystery (Rabin, 2011).

**Lack of Policies Specific to Immigrant Families in the Child Welfare System.**

More than just lack of understanding, however, the issue is exacerbated to an even greater extent by literal lack of policies within the child welfare system as to how they should operate in relation to immigrant families. In broad study completed by Dr. Nina Rabin of child welfare officials, she reported that out of surveys of 52 “attorneys, CPS case workers and other personnel, social service providers that work in partnerships with CPS, and juvenile court judges”, and 20 interviews of “attorneys, social service providers, and judges”,

> Not a single one of the participants in the interviews and focus groups mentioned a policy or written guidance regarding work with families with undocumented family members. Instead, participants repeatedly described a process in which outcomes are highly dependent on the personnel involved, most significantly the CPS case worker and, to a lesser extent, attorneys and judges (Rabin, 2011; italics added for emphasis).

**Agency-Wide Failure to Uphold Immigrant Parents’ Rights.**

Dr. Prudence Biedler-Carr, Director of the American Bar Association Center on Children and the Law, writes that “Parental detention and deportation can create challenges in child welfare cases, but they do not fundamentally alter individuals’ rights to parent their children and to engage in child welfare proceedings” (Biedler-Carr, 2018). The overall lack of consideration towards an immigrant parent’s detention/deportation status then directly infringes upon their
rights as a parent and goes against many legal mandates imposed upon the State regarding the importance of familial reunification.

According to the U.S. Constitution, all parents within the United States have the right to fight for the custody, care and control of their children, regardless of citizenship; unless they are deemed unfit by the State (Biedler-Carr, 2018). This was determined by the Supreme Court in *Troxel v. Granville*, which holds that the 14th amendment grants parents those fundamental rights (*Troxel v. Granville*, 2000). Specifically, the 14th amendment states that, “no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” (U.S. Const. amend. XIV, § 3). While in other sections of the U.S. Constitution citizens’ rights are specifically addressed, this section instead addresses the rights of “persons”, which, by definition, would include unauthorized immigrants.

Granting constitutional rights to unauthorized immigrants is not an isolated case, and has actually been widely practiced in both the state-level courts and the Supreme Court in various cases. Among these court cases is *Zadvydas v. Davis*, in which the U.S. Supreme Court ruled that due process is granted to any person within the United States, including those whose residence is “unlawful, involuntary, or transitory” (*Zadvydas v. Davis*, 2001). In *Wong Win v. United States*, the court decided that all persons within the United States, including aliens, are entitled to the protections of their Fifth and Sixth Amendment rights (*Wong Win et Al. v. United States*, 1896).

Specifically in relation to dependency court proceedings, another court ruling example is *In re Doe*, in which the Idaho Supreme Court ruled that an undocumented father who had been deported held a “fundamental liberty” under the U.S. Constitution and should retain parental
rights of his children who had been placed in the foster care system in the U.S. (*In re Doe*, 2012). During *In re E.N.C.*, another custody case involving a deported parent with children placed in foster care, the court ruled that undocumented immigrants have a “constitutional right to parent” (*In re E.N.C.*, 2009). Similarly, in the cases of *In re Interest of Angelica L.* and *In re Mainor T. and Estela T.*, the court again ruled that undocumented parents held a “fundamental liberty” to parent as specifically granted by the U.S. Constitution (*In re Interest of Angelica L. v. Maria L*, 2009)(*In re Interest of Mainor T.*, 2004).

The cases listed are just a few of many in which unauthorized immigrant parents are granted constitutional rights. The U.S. Constitution does grant most constitutional rights [excluding the right to vote and running for presidential office] to any “person” within the U.S. territories, and the courts repeatedly rule in favor of undocumented immigrants receiving constitutional protections (Lowery-Contreras, 2015). A person’s immigration status is not a factor in determining their parental rights and being deported does not constitute someone as unfit to be a parent; yet it does certainly create obstacles that would take extreme measures to work through. Forcibly severing parental rights and sending children to foster care with no trial, then, is in direct contradiction to all parents’ fundamental right to fight for the custody and care of their children (Fatal, et al., 2013).

**Conclusion of Literature**

Immigration in the U.S. is a deeply complicated issue, made even more confusing by new policies being created and relevant laws seemingly continuously being changed. Because of the complexity of immigration and vastness of its surrounding legalities, it is nearly impossible to present a fully comprehensive piece of work detailing every policy or procedure currently in place which affects immigrant families. However, for immigrant families and their children to be
appropriately served in accordance with the U.S. Constitution, and to truly value the family unit, it is imperative that DHS and HHS branches, as well as the child welfare agencies whom they contract, create agency-wide standard procedures which are fully known, practiced, and enforced by all who work with immigrant families in some way. Ignorance and unwillingness to comply with standard procedure must not continue to cause harm to immigrant children and their families.
Methodology

The methodology of this thesis consists of surveys conducted with 50 students over the age of 18 at Southeastern University. Surveys were conducted to gain a better understanding of how a subset of the general public perceives immigration policy enforcement’s effects on immigrant youth in the U.S. Surveys were used in place of interviews, as they allowed for participants to select from a predetermined list of responses instead of giving lengthy or highly biased responses which would be difficult to categorize. Survey results were compared with factual findings of how immigrant children are affected by immigration policy enforcement, to determine if there is a gap between the public’s perception and reality.

The survey prompts were based on statements pulled from research regarding ways that immigrant youth are actually affected by immigration policy enforcement. Participants were asked to rate on a scale of 1-10 how strongly they agree with the statement. Participants were also asked true or false questions, regarding their knowledge of specific terms and policies related to immigrant children and families.

Some students who participated in the survey were recruited through an email announcement, and others through a public posting in the Sona Systems research software. The majority of the students were part of an introductory or senior level psychology class, required to take a certain amount of surveys through Sona for class credit. After approval by the Institutional Review Board, surveys were all conducted online through Sona. While anonymous demographic information was recorded, personal identifiers were not. The participant consent form, Collaborative Institutional Training Initiative (CITI) training certificate, Institutional Review Board (IRB) approval, and email that was sent out to recruit are included in the appendices. Participants responses are explained in the following chapter.
Data Analysis

Demographics

The first section of the survey focused on several basic demographic questions regarding age, gender, and political understanding. All 50 participants (100%) fell into the age category of 18-22 years old. This is most likely due to the population surveyed being students of an undergraduate university, of which the vast majority of students fall into that age range. When asked to self-identify their gender, 66% of participants responded female and 34% male.

When asked to describe their political understanding, scored from a range of 1 being “Most Liberal”, to 10 being “Most Conservative”, the majority, 26%, of participants identified as “Most Central”, and 20% rated themselves as a 7, trending towards more conservative. Responses are reflected in the graph below, with the numerical values on top of the bars representing the number of participants who responded accordingly, and the numbers underneath the bars representing the scale on which participants rated their political understanding.

![Political Understanding Chart]

*Figure A: Political understanding.*
Immigration Knowledge

In the next section, participants were asked a variety of questions meant to assess their basic understanding of immigration and current issues. When asked if they knew what the term “unauthorized immigrant” meant, 82% of participants responded true. Yet interestingly, when asked if they knew what the term “unaccompanied alien child” meant, only 68% of participants responded true. Similarly, when asked if they knew what the term “citizen-child” meant, only 68% of respondents responded true. When asked if they felt well-educated on current immigration policies, the group was closely split with only 54% responding true, and 46% responding false. When asked if they personally knew an “illegal” immigrant, 40% of participants responded true, and 60% responded false. Responses are reflected in the figure below, with the numerical values representing the number of participants who responded accordingly.

Figure B: Immigration terms.
Immigration Opinions

In the next section, participants were asked to respond to a variety of statements regarding immigrant families, and rate how they agreed or disagreed with the statement on a range of 1 to 10.

When asked if “illegal” immigrant parents have rights to their children, participants’ answers, while spread out, tended to trend positively, with the majority 38% of respondents saying they “Strongly Agree”. Responses are reflected in the graph below, with the numerical values on the top of the bars representing the number of participants who responded accordingly, and the numerical values underneath the graph representing the answer they chose; 1 being “Strongly Disagree”, and 10 being “Strongly Agree”.

Figure C: “Illegal” immigrant parents’ rights.
Yet interestingly, when participants were asked if they believed that “illegal” immigrant children have rights, the answers were more spread out, with the majority, 28% of participants responding “Strongly Agree”, a strong 18% responding “Neither Agree nor Disagree”, and 0% responding “Strongly Disagree”. Responses are reflected in the graph below, with the numerical values on the top of the bars representing the number of participants who responded accordingly, and the numerical values underneath the graph representing the answer they chose; 1 being “Strongly Disagree”, and 10 being “Strongly Agree”.

*Figure D*: “Illegal” immigrant children’s rights.
When asked if they believed that “illegal” immigrant children’s rights were currently being protected in the U.S., participants’ answers were well spread out, with the majority, 36% responding “Neither Agree nor Disagree”, and more responses reflecting negatively than positively. Responses are reflected in the graph below, with the numerical values on the top of the bars representing the number of participants who responded accordingly, and the numerical values underneath the graph representing the answer they chose; 1 being “Strongly Disagree”, and 10 being “Strongly Agree”.

*Figure E: “Illegal” immigrant children’s rights protection.*
When asked if they believed “illegal” immigrant children are appropriately taken care of when they are separated from their parents, there was a majority negative trend in responses, with 22% responding “Strongly Disagree”, another 22% responding “Neither Agree nor Disagree”. Responses are reflected in the graph below, with the numerical values on the top of the bars representing the number of participants who responded accordingly, and the numerical values underneath the graph representing the answer they chose; 1 being “Strongly Disagree”, and 10 being “Strongly Agree”.

*Figure F:* “Illegal” immigrant children’s care.
When asked if “illegal” immigrant children who are separated from their parents suffer trauma, there was the most unanimous response out of all of the survey questions, 46% of participants responded “Strongly Agree”. Responses are reflected in the graph below, with the numerical values on the top of the bars representing the number of participants who responded accordingly, and the numerical values underneath the graph representing the answer they chose; 1 being “Strongly Disagree”, and 10 being “Strongly Agree”.

*Figure G:* “Illegal” immigrant children’s trauma.
Finally, when asked if current U.S. immigration policies are effective, there was again a majority negative trend, with the majority 26% of participants responding “Neither Agree nor Disagree”, and 20% responding “Strongly Disagree”, and 0% responding “Strongly Agree”. Responses are reflected in the graph below, with the numerical values on the top of the bars representing the number of participants who responded accordingly, and the numerical values underneath the graph representing the answer they chose; 1 being “Strongly Disagree”, and 10 being “Strongly Agree”.

*Figure H: Immigration policy efficacy.*
Conclusion

Implications of Study

As exemplified throughout the immigration system as a whole, there is widespread confusion and ignorance regarding immigration. Those who ought to know immigration policies best, immigration enforcement agents, child welfare workers, attorneys, and judges, describe it as a complex and convoluted system. While institutional ignorance is a major problem affecting thousands of immigrant families, individuals’ ignorance is a part of the problem too.

Overall, the study found that the slight majority (54%) of respondents felt well-educated on current immigration policies and issues, and the slight minority (46%) did not; yet, when asked if they felt current immigration policies were effective, the majority of participants responded either neutral (26%), or “Strongly Disagree” (20%). If such a large percentage of respondents in this study reported that they were unaware of most immigration policies and issues, yet the majority then also responded that they disapproved of current immigration policies’ efficacy, does this not suggest a problem? While immigration policies are seen as such a mystery, and yet they are also seen as ineffective, does this not call for widespread education? If a person believes that a policy or system is ineffective or unjust, should not they become better educated about it, so as to then promote appropriate changes? The United States of America is a democracy in which its’ citizens have the right to make changes when injustices are occurring. Yet, if individuals do not know how it is occurring, they simply know that what is occurring is not right, how can they then effectively create change about something they know nothing of?

In the United States, information regarding immigration policies and current related events ought to be made accessible in a format easy for the general population and practitioners of it alike to understand. This information ought not only to be made accessible, however, but it
ought also to be promoted, and persons ought to be encouraged to become informed on an issue with growing urgency in their own nation. Informational opportunities could occur through a variety of means, whether through workplace briefings for organizations which come in to contact with unauthorized immigrant families and individuals, community-based meetings or functions to raise awareness, or even through government social media. There is a myriad of potential options to be explored.

If citizens become educated about relevant immigration issues and policies, they will then be able to, through an informed perspective, fulfill their civic duty to fight for justice through voting, raising awareness, contacting their representatives, and promoting ethical policy reform.

Limitations of Study

Demographics.

While it provided interesting information regarding the participants’ understanding of immigration, the study had several major limitations. Firstly, the demographics section of the survey collected very limited information. Thorough information regarding ethnic and racial identifiers was not collected, which may have provided meaningful data concerning the connection between racial identity and political understanding, as well as immigration understanding. There was also not thorough enough information collected regarding participants age, as participants were given options of age brackets, i.e. “18 to 22”, “23 to 27”, etc. This led to very limited potential for interpreting the correlation between specific age and responses, as all participants, being students at a 4-year university, fell into the “18 to 22” age bracket.

Population.

This leads to the second major issue, the limited population surveyed. The survey was conducted at Southeastern University (SEU), a 4-year private Christian university in Florida.
Because of this, all students surveyed were professing Christians, which is likely to have affected their worldview in some way. Because participants were college students, they were also all young, as discussed previously, between the ages of 18 and 22. Also, the majority of participants were required to participate in surveys as part of a psychology course at the introductory or senior level. All students at SEU are required to take at least an introductory level psychology class as part of their general education requirement; unless they are transfer students who already possess their Associate’s Degree, or have other extenuating circumstances worked out with an academic advisor. Because taking surveys was a requirement of the courses, it is also likely that some participants did not truly put thought into their responses and merely chose responses at random so as to fulfill their assignment as required by the course.

**Survey Design.**

The third limiting factor of the study was the lack of thoroughness in the survey questions. The survey was designed to be relatively short and easy to understand, so as to attract more participants; yet because of its brief nature, not much truly valuable information was gained. There was also lack of specificity in the language used, so as to make it more easy to understand for participants who were likely to be uneducated on immigration matters. This included the use of terms such as “illegal” immigrants which are not standard definitions, and hold a lot of socio-cultural bias and prejudice in association. The survey also contained a flaw in the questions which asked participants to rate from the range of 1 to 10, as there was more options to rate positively rather than negatively; 1 was “Strongly Disagree”, and 2, 3, 4 following it as negative responses, 5 being “Neither Agree nor Disagree”, 6, 7, 8, and 9 following it, with 10 being “Strongly Agree”. This was largely due to the result of an oversight. The question
should have instead asked participants to rate their response on a range of 1 to 5, so as to give equal representation in range of responses.

**Recommendations for Future Research**

In the future, it would be beneficial for researchers to conduct a similar study, with a more thorough questionnaire. Additional questions should be included, regarding specific issues and terminology in the immigration system, and specific policies which have been introduced in recent years. Researchers should also collect more extensive demographic data, including racial information and specific ages. Collecting such data would allow for researchers to cross-tabulate responses, so as to determine if a specific demographical group tended to respond in a similar style to each other.

A larger participant pool representative of the larger U.S. population ought to be surveyed, including individuals of varying ages, races and ethnicities, religious understandings, economic groups, and from varying regions of the U.S. This would allow researchers to gain a more accurate understanding of how the greater population of the United States understands immigration.
References


In re Doe, 281 P.3d 95 (2012).

In re E. N. C., No. 03-07-00099-CV (2009).

In re Interest of Angelica L. v. Maria L, 277 Neb. 984 (2009)


U.S. Const. amend. XIV, s 3.


Wong Wing et Al. v. United States, 163 U.S. 228 (1896).

Appendices
### Appendix A: Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Name</th>
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<tr>
<td>Administration for Children and Families</td>
<td>(ACF)</td>
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<tr>
<td>American Civil Liberties Union</td>
<td>(ACLU)</td>
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<tr>
<td>American Immigration Council</td>
<td>(AIC)</td>
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<tr>
<td>Child Protective Services</td>
<td>(CPS)</td>
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<tr>
<td>Collaborative Institutional Training Initiative</td>
<td>(CITI)</td>
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<tr>
<td>Customs and Border Protection</td>
<td>(CBP)</td>
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<tr>
<td>Department of Health and Human Services</td>
<td>(HHS)</td>
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<td>Department of Homeland Security</td>
<td>(DHS)</td>
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<tr>
<td>Department of Justice</td>
<td>(DOJ)</td>
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<tr>
<td>Immigration and Customs Enforcements</td>
<td>(ICE)</td>
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<td>Institutional Review Board</td>
<td>(IRB)</td>
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<td>Legal Permanent Resident</td>
<td>(LPR)</td>
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<td>Long Term Foster Care</td>
<td>(LTFC)</td>
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<td>Office of Inspector General</td>
<td>(OIG)</td>
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<td>Office of Refugee Resettlement</td>
<td>(ORR)</td>
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<td>Unaccompanied Alien Children</td>
<td>(UAC)</td>
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<td>United Nations High Commissioner for Refugees</td>
<td>(UNHCR)</td>
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<td>United States Citizen</td>
<td>(USC)</td>
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</table>
Appendix B: Participant Consent Form

PARTICIPANT INFORMATION
SOUTHEASTERN UNIVERSITY

**Title:** Public Understanding of the Effects of Immigration Policy and its Enforcement on Immigrant Youth in the U.S.

**Investigator(s):** Dr. Lisa Clifton, Mallory Adams

**Purpose:** This study will attempt to understand the extent of the general public’s knowledge of immigration policy, and of immigration policy enforcement’s effects on immigrant youth in the U.S.

**What to Expect:** This research study is administered online. Participation in this research will involve completion of one questionnaire. The questionnaire will ask for your understanding of current U.S. immigration policies, and how immigrant youth in the U.S. may be affected by those policies and their enforcement. You may skip any questions that you do not wish to answer. You will be expected to complete the questionnaire once. It should take you about 15-20 minutes to complete.

**Risks:** There are no risks associated with this project which are expected to be greater than those ordinarily encountered in daily life.
Benefits: There are no direct benefits to you. However, you may gain an appreciation and understanding of how research is conducted.

Compensation: You will receive one unit of course credit for your participation. Other alternatives for course credit are available – please check with your instructor for details. State the alternative to participation.

Your Rights and Confidentiality: Your participation in this research is voluntary. There is no penalty for refusal to participate, and you are free to withdraw your consent and participation in this project at any time.

Confidentiality: The records of this study will be kept private. Any written results will discuss group findings and will not include information that will identify you. Research records will be stored on a password protected USB in the Principal Investigator’s (Dr. Lisa Clifton) locked office and only researchers and individuals responsible for research oversight will have access to the records. Data will be destroyed five years after the study has been completed.

Contacts: You may contact any of the researchers at the following addresses and phone numbers, should you desire to discuss your participation in the study and/or request information about the results of the study: lkclifton@seu.edu, mkadams@seu.edu. If you have questions about your rights as a research volunteer, you may contact the IRB Office IRB@seu.edu.
If you choose to participate: Please, click NEXT if you choose to participate. By clicking NEXT, you are indicating that you freely and voluntarily and agree to participate in this study and you also acknowledge that you are at least 18 years of age. It is recommended that you print a copy of this consent page for your records before you begin the study by clicking below.

This study consists of an online survey, which you may now participate in. You will receive credit immediately upon completion of the survey. The survey consists of a number of multiple-choice and/or free-answer questions, and may be divided into a number of sections. You must complete all sections in one sitting, as you are not allowed to resume at another time from where you left off. While you are participating, your responses will be stored in a temporary holding area as you move through the sections, but they will not be permanently saved until you complete all sections and you are given a chance to review your responses.
Appendix C: CITI Training Certificate

This is to certify that:

Mallory Adams

Has completed the following CITI Program course:

Social & Behavioral Research - Basic/Refresher (Curriculum Group)
Social & Behavioral Research (Course Learner Group)
1 - Basic Course (Stage)

Under requirements set by:

Southeastern University

Verify at www.citiprogram.org/verify/?w01c356fa-a3ae-43bb-8946-c79c7b60ae96-333777707
Appendix D: IRB Approval

Southeastern University
IRB Reviewer’s Review Sheet

Protocol #: 2019 BS 09
Exempt: Yes ☑️ No ☐

Principal Investigator’s Name: Lisa Clifton
Today’s Date: 10/17/19

Co-Investigators: Mallory Adams

Project Title: Immigration Policy Enforcement and Immigrant Youth in the U.S

1. Does the research place subjects at more than minimal risk? Yes ☐ No ☑
   
   Minimal risk is defined as the probability and magnitude of harm or discomfort is no greater than that ordinarily encountered in daily life or during routine physical or psychological examination or tests.

   Notes: 

2. If more than minimal risk, does the merit of the project outweigh the risks and are the benefits maximized and risks minimized? N/A ☐ Yes ☑ No ☐

   Notes: 

3. Are there any ethical issues regarding the study’s design and conduct? Yes ☐ No ☑

   Ethical issues may include but are not limited to the Belmont Report principles: respect for persons (voluntary, fully informed consent); beneficence (obligation to protect subjects from harm and secure their well-being); and, justice (benefits and burdens of research are fairly distributed).

   Notes: 

4. Is subject selection equitable? Yes ☑ No ☐

   If specific populations are included the IRB should ensure that subjects can understand the research, give full consent, and voluntarily agree to participate, and they should consider any other possible special problems. Are vulnerable or special populations included in the research?

   ☐ Pregnant women
   ☐ Fetus/fetal tissue
   ☐ Prisoners
   ☐ Minors Under Age 18
   ☐ Elderly subjects
   ☐ Minority groups and non-English speakers
   ☐ Patients
   ☐ Mentally/Emotionally/Developmentally Disabled persons
   ☐ Behavioral Abnormalities, psychological or disease condition
   ☐ None of the above, Normal Healthy Volunteers

   Notes: 

5. Is the recruitment and consent process (including telephone scripts, ads, brochures, letters, compensation) fully described, appropriate, and non-coercive? Yes ☐ No ☑

   Notes: 

### 6. Are risks (physical, emotional, financial, legal) to subjects minimized?

- Yes ☐
- No ☐

**Notes:**

### 7. Confidentiality of Data:

#### Are there procedures for protecting privacy and confidentiality?

- Yes ☐
- No ☐

**Notes:**

### 8. Is Informed Consent Included in the Application?

- Yes ☐
- No ☐

**Stipulate Missing Elements:**

- Is affiliation with SEU clearly noted? Yes ☐ No ☐
- Is the Faculty PI identified? N/A ☐ Yes ☐ No ☐
- Is the study faculty sponsor identified (if appropriate)? Yes ☐ No ☐
- Does the consent state the study purpose accurately? Yes ☐ No ☐
- Is it clear what the subject(s) will be asked to do? Yes ☐ No ☐
- Are risks or discomforts clearly and fully stated? Yes ☐ No ☐
- Are benefits clearly and fully stated? Yes ☐ No ☐
- Are alternatives listed (if appropriate)? N/A ☐ Yes ☐ No ☐
- Are confidentiality or anonymity issues addressed? Yes ☐ No ☐
- Is the PI’s contact information included? Yes ☐ No ☐
- Is the IRB’s contact information included? Yes ☐ No ☐
- Is it stated that the subject can withdraw at anytime? Yes ☐ No ☐
- Is the consent understandable at an 8th grade reading level? Yes ☐ No ☐

**Assent Form**

- Not Required ☐

**Notes:**

---

**Additional Comments/Requirements by IRB:**

Determine use of “Affect” or “Effect”

Participants Compensation:
Some students will receive course credit and others will not depending on the course. Best to offer no credit to be fair across the board.

---

**RECOMMENDATION:**

- ☐ Approved as submitted
- ☐ Approval Deferred; add’l information required (additional IRB review required)
- ☑ Approved with stipulations as noted
- ☐ Not Approved

**Signature:** IRB Office

**Date:** 10/17/19
An appeal for Thesis assistance

Tue, Oct 22, 2019 at 4:17 PM

hi honors! 

Two of your co-students have requested assistance with their Honors Thesis study, as noted below. I encourage you to consider helping them out by volunteering to take their surveys. This is a minimal time commitment. We all want to support and help each other.

FROM

Hello, my name is and I am currently writing a thesis for my honors requirement. I am conducting a study that will examine how students perform on a timed arithmetic test and what affects their performance. Participants are asked to come to the SONA mod (mod 3) to complete a basic arithmetic test and a short questionnaire about their experience. The anticipated time for participation is just 15 minutes. Below is the link to this study; please consider participating to help add to my research.

Thank you,

FROM MALLORY ADAMS:

I spoke with in class about recruiting students to take my survey.

Here’s the survey: https://seu-edu.sona-systems.com/default.aspx?p_return_experiment_id=33

It’s basically just asking if you agree with various prompts/statements about immigration in the U.S.

If you want any further information please let me know!

Best,

Cordially,

On behalf of
Southeastern University
School of Honors

1000 Longfellow Blvd., Lakeland, FL 33801
E-mail: honors@seu.edu / Website: www.SEU.edu
Phone: 863.667.5659 / Fax: 863.667.5200