



To: Committee Chair, Judicial Proceedings Committee
From: Ashley Devaughn, Youth Justice Policy Director
Re: SB 901, State and Local Government – Participation in Federal Immigration Enforcement
Date: February 26, 2020
Position: Support

Thank you for the opportunity to provide testimony on TRUST ACT – SB 901 State and Local Government – Participation in Federal Immigration Enforcement. Advocates for Children and Youth (ACY) SUPPORTS this bill.

There is widespread anxiety among immigrant communities about Immigrant and Customs Enforcement (ICE) actions. Immigration enforcement—and the threat of such actions—can negatively impact a child's long-term health and development. Children who reside in communities that partner with ICE experience negative educational outcomes and the detention of a child or deportation of a parent puts children at risk of emotional and economic instability. Immigration enforcement and deportation of parents and other family members has serious consequences and extends to entire communities and the country as a whole.

2019 national data notes 69,550 migrant children were held in U.S. government custody over the past year, more children detained away from their parents than any other country, according to United Nations researchers. Being held in detention can be traumatic for children, putting them at risk of long-term physical and emotional damage. The study *Mental Health of Children Held at a United States Immigration Detention Center* by Sarah MacLean found that the physical and mental health toll that immigrant children experience during and after detention result in post-traumatic stress disorder, depression, anxiety, weight loss, and sleep problems. The American Academy of Pediatrics report named *Detention of Immigrant Children* states that “There is no evidence indicating that any time in detention is safe for children” The position of the AAP is that children in the custody of their parents should never be detained, nor should they be separated from a parent, unless a competent family court makes that determination. The report goes on to indicate “Children deserve protection from additional traumatization in the United States and the identification and treatment of trauma that may have occurred in children's country of origin, during migration, or during immigration processing or detention in the United States.”. The conditions in which children are detained and the support services that are available to them are of great concern to pediatricians and other advocates for children.

A child's risk of having significant physical, emotional, developmental, and mental health problems like depression, anxiety, and severe psychological distress increases following detention. Doctors and service providers have reported anecdotally that they have seen more children exhibiting stress- and anxiety-related behavioral changes, including symptoms of “toxic-stress,” due to fear that a family member will be deported. Children experience toxic stress when they are suddenly separated from their parents, which negatively impacts brain development. They are also at greater risk of developing chronic mental health conditions that include depression and post-traumatic stress disorder (PTSD), as well as physical conditions such as cancer, stroke, diabetes, and heart disease.

Further, *Facing Our Future Children in the Aftermath of Immigration Enforcement* a 2010 study of immigration-related parental arrests found that the majority of children experienced at least four adverse behavioral changes in the six months following a raid or arrest. Compared to the previous

six months, children cried or were afraid more often; changed their eating or sleeping habits; and/or were more anxious, withdrawn, clingy, angry, or aggressive.

There is growing evidence that immigrants and children who are undocumented are worried that school attendance could lead to detention and deportation. This has led to increases in student absences and declines in parent participation in school events. NEPC Fellow and UCLA Professor Patricia Gándara and her co-author Jongyeon Ee conducted a survey of more than 700 Title I schools serving high percentages of low-income students in 12 states with large shares of English language learners. The majority of survey respondents also noticed increases in absenteeism that they attributed to concerns about immigration enforcement. More than 80 percent of the 3,500 educators who responded to a 2018 survey said they had students who were worried about immigration enforcement.

The experience of detention, even for a relatively brief period of time, has a detrimental effect on the mental and physical health of children. Immigration enforcement actions—and the ever-present threat of enforcement action—has traumatized for millions of children across the country.

We urge this committee to issue a favorable report on SB 901.

1 North Charles Street Suite 2400 | Baltimore, MD 21201 | www.acy.org | 410-547-9200 |

Advocates for Children and Youth builds a strong Maryland by advancing policies and programs to ensure children of every race, ethnicity, and place of birth achieve their full potential.