

A photograph of a woman with dark hair tied back, wearing a pink and blue striped shirt, holding a young child with dark hair and bangs. The child is wearing a brown and beige shirt. They are outdoors, with a white building and greenery in the background. A semi-transparent white box with blue text is overlaid on the bottom right of the image.

SAVING FAMILIES

Uncovering Unintended Consequences,
Mobilizing a Nation

FAMILIES BELONG TOGETHER



Photo: Getty Images

A mother was arrested and her children were placed in foster care. The family expected that when she was released they would be reunited. But instead, the mother was moved to an immigration detention center and deported. Her children remained in foster care and would soon be adopted.

One mistake led to the entire family being

TORN APART, permanently.

Rinku Sen, Executive Director of Race Forward (formerly Applied Research Center), heard this story and was appalled. Race Forward took action to discover how many families were being torn apart, and to share the truth with the nation.

Many others in the progressive movement dismissed this story and others like it as not politically relevant. They focused instead on policy issues. But Rinku recognized that investigation and research into this issue was essential. Families belong together.

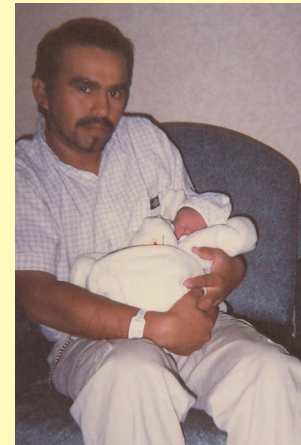


Photo: John Moore/Getty Images



Photo: John Moore/Getty Images

BUILDING AWARENESS OF AN INVISIBLE PROBLEM – SHATTERED FAMILIES



The Montes family before they were separated.
Photos provided by Felipe Montes

A Russian woman named Tatyana Mitrohina was arrested after a report of child abuse, and her baby girl was placed in foster care. As in most cases of abuse, Mitrohina was required to enroll in parenting and anger management classes. A judge said in court that he had no doubt that after she finished the classes the mother and daughter would be reunited. But Mitrohina was not a citizen, and because of the arrest, she was moved to an immigration detention center. Parenting classes weren't available inside the facility, and because the juvenile court and immigration system did not communicate, the judge considered her out of compliance with her case plan. Months later, Mitrohina was deported to Russia. Her daughter was adopted and mother and child are likely to never see each other again.

RACE FORWARD STARTED TO EXPLORE this problem using our daily news site, Colorlines. In 2008, Colorlines' Seth Freed Wessler and Julianne Hing wrote the first piece of journalism that ever described the kind of child/parent separation that resulted when immigration enforcement and child welfare intersect. The article titled *When An Immigrant Mom Gets Arrested* opened many eyes to the issue.

After this story was published, Race Forward and Colorlines began hearing from immigration attorneys and children's advocates about reports of similar cases—many families were in similar situations. Race Forward began looking for sources of data on the apparent trend; however our research team could not find any data. Not a single child welfare department in the country was collecting detailed information on the number of foster cases involving deported parents.

Race Forward had identified the invisible problem.

Although we had scarce resources, Race Forward was shocked by what we were seeing and the lack of information, so we continued to investigate:

2008

Race Forward secured a small grant, with the support of Taryn Higashi, to hold a two-day meeting that was co-led by the Florida Immigrant Advocacy Center. We convened 35 experts in child welfare, criminal justice and immigration to discuss the intersections of incarceration, deportation, and the child welfare system. As a result, we were able to produce a comprehensive map of the legal tangle that led to this problem.

2010

With the support of the Four Freedoms Fund, Race Forward joined with the Florence Immigrant and Refugee Rights Project and the Women's Refugee Commission to hold another expert and advocate convening in Washington, D.C. This event helped the groups to understand the barriers to change and to develop a plan for a research project that would take on the problem.

When advocates brought the problem to federal immigration officials to push for change, the agency responded that the cases were so rare that it scarcely warranted attention. Race Forward learned from advocates that the biggest barrier to changing The Immigration and Custom's Enforcement's (ICE) practices was the lack of proof that there were significant numbers of these cases.

PARTNERING FOR SUCCESS

Realizing how desperately data was needed to make the case for changing policies and practices that were destroying families, Race Forward looked for funding to pursue an intensive investigation on this issue. Unfortunately, many foundations did not recognize the need for this research—until 2010 when Rinku spoke to Kica Matos and Donna Lawrence at **Atlantic Philanthropies**. They had the vision to make an investment in Race Forward, recognizing the possible large impact on families.

RACE FORWARD WAS ABLE TO DIVE INTO

a full investigation of this critical issue, thanks to the support of Atlantic Philanthropies. Our reporters Seth Freed Wessler and Esther Portillo-Gonzalez traveled the country in search of answers. They were able to gain access to rarely seen detention centers, and actually speak face-to-face with families devastated by the impact of US policies.

What they learned was shocking. Inside the detention centers, Freed Wessler and Portillo met dozens of parents whose children had disappeared. In basement meetings with case workers, they heard about more families being split in two. But advocates could not say exactly why this was happening, or how many families were impacted.

Race Forward had identified a widespread problem that was previously unknown simply because no one else was collecting the data.

We collected data on the number of deported parent foster care cases from two dozen counties around the country by asking caseworkers to cull their case files by hand. This data allowed Race Forward's team to build a regression tool to estimate the number of children in foster care around the country due to parental deportation.

WHAT THEY FOUND
WAS ASTOUNDING:

**every county department
surveyed had children
in foster care due to
deported parents.**



Photo provided by Felipe Montes

RESEARCH THAT AWAKENED A NATION

In November 2011, Race Forward and Colorlines broke this story nationally, to an incredible response, including an exclusive on ABC's Nightline. We released a report, along with a series of investigative articles, that revealed the horrifying truth that parents were being separated from their US citizen children due to deportation.

- By our conservative estimate, **over 5,100 kids whose parents had been detained/deported were in foster care.** We projected 15,000 kids would be impacted in 5 years.

- The report and investigation also revealed (through a Freedom of Information Act request) that more than **22 percent of all deportees were parents.**
- In December 2012, Colorlines published a story reporting on a new round of data. It revealed that in a period of just over two years from 2010-2012, the **US deported 205,000 parents of US citizen children.**

RESPONSES TO THE REPORT

The response was cacophonous! Race Forward's reporters appeared in rapid succession on major media outlets and other reporters flocked to us to cover the issue.

OBAMA RESPONDS

President Obama was asked about the findings during a press briefing with Latino journalists on Univision. He called it "a real problem."

MEDIA HITS

Our media outreach resulted in hundreds of media hits that reference or link to Race Forward's Shattered Families report. Pundits regularly cite our work.

AWARD WINNING

For related articles, Seth Freed Wessler won the Hillman Prize for Web Journalism, awarded to writers who "pursue social justice and public policy for the common good."

SHATTERED FAMILIES REPORT INTERVENES

Soon after the release of Race Forward’s investigation, policy shifts began to occur that made significant strides to help protect families from separation after a parent is detained and deported.

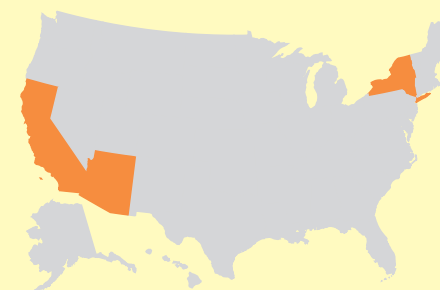
NEW CHILD WELFARE REFORM

Staffers for California State Senator Kevin De Leon contacted us to discuss the issue and possible solutions. Based on those conversations, DeLeon began working with advocates in California to craft and introduce two pieces of child welfare reform legislation. **Governor Jerry Brown signed both bills.**



OTHER STATES

Similar legislation to that passed in California has now been introduced in New York and Arizona, though it has yet to come up for vote.



ON THE FEDERAL LEVEL

In July 2012 Congresswoman Lucille Roybal-Allard introduced legislation designed to address the rising number of children in foster care as a result of immigration enforcement.

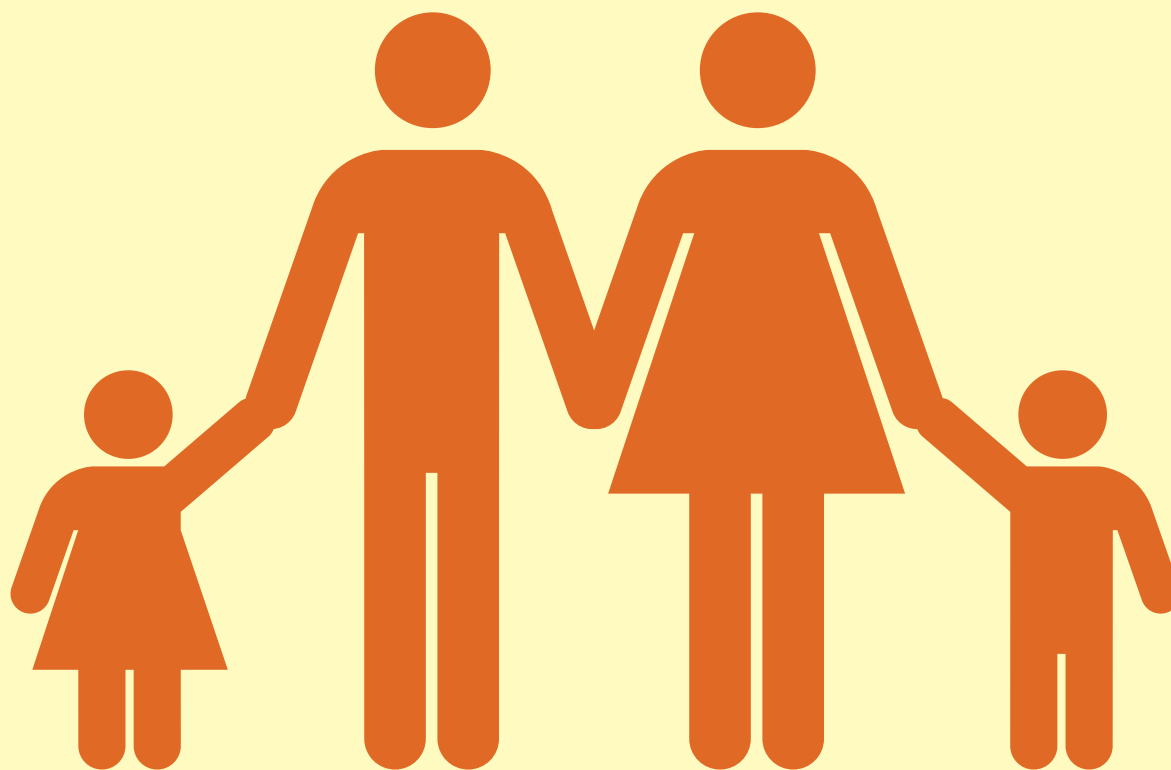


NEW ICE STANDARDS

ICE’s 2011 standards compliance report included as a detention standard “visitation for non-medical emergencies” and a **promise to escort detainees to family related state court proceedings.**

This change responded directly to a core finding in the Shattered Families investigation: that detained parents were often severed entirely from the juvenile court process.





MORE FAMILIES KEPT TOGETHER

Perhaps more importantly, according to advocates who visit detention centers, **more parents are being released from detention or never held** if detaining them is not mandatory.

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To my sons,
The best memory that I have of my life is being with you and your mother. We are together at the table in our house and we are eating dinner. We are talking and laughing. I cooked Mexican food and your mother cooked too. On the night I remember ~~the~~ most we ate chicken on the grill with barbeque sauce and I cooked Mexican rice with vegetables. That's what you loved the most. It was nice out and I remember feeling happy. You are still so small and you don't understand what happened. You don't know how it got like this. What I want to give you the best I never left you behind. I never wanted to leave you. I love you and I want to know is that life you could have. The only problem is the immigration stuff, you see, the government papers you can be deported, sent away. The government doesn't pay attention to if you have a family, or what will happen to them when you're gone. They don't care that I was trying to do good for you.

When you were born it was some kind of feeling. I wanted to cry when I saw you. When I saw a tiny baby, saw that I helped give a life to someone. Its so beautiful, my baby boys.
I have heard people tell me that into foster care and then their parents are deported. But their kids into foster care. I've seen his children now.

Excerpts from Felipe's letter to his children, as dictated to a Colorlines reporter.

ONE FAMILY'S STORY: FELIPE MONTES AND HIS CHILDREN

Every morning since the first of his three boys was born in 2007, Felipe Montes would wake early and prepare breakfast for his wife and children, get his boys ready for their day, change them, feed them and when he could not arrange a ride with another family member, drive them to daycare. Then he'd go to work at a landscaping company for the next 9 hours and return home in time to cook his children's dinner. "I love my kids," Montes said recently. "When they were born, it's something so wonderful you can't explain."

In late 2010, Montes was deported to Mexico after 9 years in the United States—cuffed and loaded into a van by federal immigration officials who drove him from his hometown of Sparta in the rural North Carolina mountains to an immigration detention center. With Felipe Montes gone, his wife Marie Montes fell on hard times. She was pregnant with their third child and was surviving on disability payments that she received each month due to illness. Without Felipe's income and support she could not keep her family afloat. Less than two months after their baby was born, just two weeks after Felipe was loaded onto

a plane and deported to Mexico, the Allegheny County child welfare department took the children from Marie and put them in foster care.

Allegheny County convinced a judge to end family reunification efforts with Marie Montes. She wanted the children to be placed with their father. "If they can't be with me, I want them to be with him," she said. "Nobody is a better father than he is."

Though Felipe Montes was his children's primary caregiver before he was deported and has not been charged with neglect, the child welfare department nonetheless believes that his children, who have now been in foster care for over a year, are better off in the care of strangers than in Mexico with their father.

"Nobody is a better father than he is."
-Marie Montes, Felipe's wife





Felipe visits with his son during custody hearings.

Photo by Seth Freed Wessler

Nobody who knows Montes doubts that he is a wonderful father. “He was a real good guy and as a worker he could do anything,” said his former employer. “He loved those kids more than anything. We’d be doing tree work and it’d be kind of dangerous and he’d say, ‘I’ll do this but if something happens, you have to take care of the kids, ok?’”

Indeed, even the child welfare department, which wanted to take Montes’s children from him permanently, could not base its arguments for terminating parental rights on his character or history as a father.

***“I married and tried to start a family...
I would never abandon my kids and
I want them to be with me.”***

-Felipe Montes

It is virtually impossible for deportees to return to the United States. But according to Montes’s attorney, nobody involved in the child welfare case has an understanding of federal immigration policy.

The court reports note that the children are all healthy, but the two older boys had to be removed from their first foster care home, according to one of the documents, “due to repeated concerns of corporal punishment being used in the home.”

–Adapted from Colorlines article: *Deported Dad Begs North Carolina to Give Him Back His Children* by Seth Freed Wessler

Montes was on his way to losing his parental rights until Colorlines published the story and the Latino advocacy group Presente.org launched a petition calling on North Carolina to reunite the family. That petition garnered 21,000 signatures in just days.

Though the child welfare department continued to advocate to terminate Montes’s parental rights, the Colorlines coverage and petition spurred the Mexican consulate to begin advocating on Montes’s behalf. Our reporting also received high-level media pick up from other outlets, with over 20 media outlets referencing our work on the case (including NPR, LA Times, and the Associated Press).

“After Colorlines’ mobilization of the public, Felipe finally won his case and brought his children home.”



Reunited with their father, Isiah and Adrian happy in Mexico.

Photo by Seth Freed Wessler

Race Forward (formerly Applied Research Center)
envisions a vibrant world in which people of all
races create, share, and enjoy resources and
relationships equitably, unleashing individual
potential, embracing collective responsibility
and generating global prosperity.

We work towards this vision by building awareness,
solutions and leadership for racial justice through
generating transformative ideas, information,
and experiences.



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