Special Issue on Immigration

"Kein Mensch ist illegal"

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*This is an interactive, clickable PDF. Please click links, article titles, and advertisements to read more.

United We Dream Youth Leader at a DACA/TPS Rally in front of the White House. August of 2017

NASW-NYC Chapter Social Work Interns testify before NYC Council on Public Charge
With President Donald Trump’s demands to fund a Border Wall and the recent government shutdown, a special issue of Currents on immigration could not be more timely and needed. With the constant vilification of undocumented people in America portrayed in the media as a danger to national security, the banning of access to a country of people deemed undesirable or a “terrorist threat,” and the heartwrenching stories of families separated due to immigration, it is time for us to remember that we are a nation of immigrants. All of us, unless we are indigenous people, have our own migration story to tell. It is these stories and more that make this issue of Currents so important.

"Kein Mensch ist illegal," says the German phrase. No Person is Illegal. This growing movement recognizes that a fundamental human right is to declare everyone a legal human being. People may not have the right papers or a document that declares them a citizen of a country, but that in no way makes them illegal. Illegality speaks of illegitimacy, and we know time and time again of stories of people coming from other places and making vast contributions to a society. Our innovations, advances, and backbones of America would not have been possible if it were not for people emigrating from other lands. I myself would not have the privilege of addressing you through this article if my grandparents had decided to stay in Eastern Europe.

As social workers, we need to make immigrant rights a national priority, especially because it often greatly impacts people of color. It is our duty as social workers to advocate for the rights of people who have been oppressed. Sadly, as we turn the page to a new year, there has not been a more oppressed or threatened group than immigrant people.

It is our hope from the National Association of Social Workers-NYC Chapter that you take the time to read the articles and learn about the work being done in the field of immigration and to help reflect on your own experiences. Who are you as a person? What made you who you are? How does the immigrant story shape your and your family’s narrative? Perhaps you can take these thoughts and ideas and shape them into action.
Immigration and Global Social Work: A Moral Mission

Co-Chairs of the NASW-NYC Immigration and Global Social Work Committee

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The NASW-NYC Immigration and Global Social Work Committee was established in September 2017 out of deep concern for immigrants here in the United States and for the plight of refugees globally. The Committee’s overarching purpose is threefold: to sustain welcoming communities that embrace our immigrant neighbors; to demonstrate support and compassion for immigrants and immigrant communities regardless of status; and to advocate for human rights, justice and equity on behalf of immigrants and immigrant communities. Our concern for immigrant communities reflects our commitment to the protection and expansion of civil and human rights for all. The Committee works on the following specific areas of focus:

- To educate the NASW community through ongoing training, education and best practices; and to activate a communications network that regularly informs and mobilizes the NASW and larger community about immigrant issues, needs and concerns.

- To develop and disseminate policy information, toolkits, documents, resources, and videos that promote knowledge, competency and skills of social workers and to deepen their understanding of immigrants’ rights, historical oppression, and emerging immigration policies.

- To advocate on behalf of immigrants, including advocacy for laws, policies and programs that lead to justice and opportunity for all immigrant groups. Activities include issue alerts and policy statements, petition and letter writing campaigns, coalition building, joint projects, events and rallies, and offering public testimony.

- To provide support and a safe space for social workers to dialogue about the systemic and institutional racism they are experiencing as immigrants and/or as practitioners, educators, advocates and activists working with and on behalf of immigrants and refugees, through a community of practice.
A sampling of the Committee’s work so far illustrates its progress and the devotion of its some 60 members. To date, the Committee is developing an online immigration practice toolkit for social work practitioners; has sponsored and/or participated in important professional conferences and educational events, including continuing education; has joined various local and national immigration coalitions; has provided speakers to professional groups seeking knowledge and assistance on immigration issues; actively informs and mobilizes the NYC Chapter around critical public policy issues, such as the public charge, the 2020 Census, family separation, asylum, Green Light Campaign, DACA, and the Flores agreement. Importantly, the Committee is privileged to have had three graduate students working with us this year and they have advanced our work in significant ways. They recently represented the Chapter and Committee at the NYC Council Hearing on Public Charge and presented both verbal and written testimony.

"Our concern for immigrant communities reflects our commitment to the protection and expansion of civil and human rights for all."

The frightening reality is that US immigration policy is terrorizing our communities. Immigrant families are in desperation mode, fear of being swept up in deportation raids. They are going deeper and deeper into the shadows. In addition, the Administration has sought to block refugees from many countries from entering the United States, especially those of "color," even those who have completed the already strict vetting process.

The government’s current agenda belies America’s history of welcoming immigrants, albeit an uneven one. Furthermore, this relentless and multi-pronged attack on immigrants is only the tip of the iceberg: we fear that it portends a wider, sustained assault on social justice, civil and human rights in this country. Sadly, world history has shown that the slide to autocracy and authoritarianism is not so far away. Moreover, there are ample and compelling practical, religious, economic, humanitarian and moral arguments to reject these attacks on immigrants. It is also time to shut down the overheated rhetoric about the threat of immigration or the hyperbole about a “soft invasion.” Overwhelmingly, immigrants are law abiding, tax paying, gainfully employed, respectful and productive members of our society, hugely grateful to be in the US where they can make a future for their families in freedom and safety.

Additionally, there is a massive global refugee crisis underway, with now over 68 million people throughout the world who have been forcibly displaced from their homes. Political and economic conditions in these countries are horrific and people are literally fleeing for their lives. Welcoming the immigrant is a basic American value and at its best moments, the United States has offered a haven of freedom and safety to the persecuted. But we also know too well the devastating consequences of turning people away.

Many Americans wonder why immigrants do not just come to the United States legally or simply “get in line” if they are unauthorized. There is no “line” available for the vast majority of unauthorized immigrants. Most do not have the necessary family or employment relationships and often cannot access humanitarian protection, such as refugee or asylum status. And even access to refuge or asylum is now being drastically curtailed or potentially eliminated. Of course, we must govern our country on the basis of law, secure our borders and prosecute criminals. If reasonable immigration reform could be implemented, all could “get on the line,” hold their heads high, come out of the shadows, and continue to contribute to this great nation.
According to the NASW Code of Ethics, “The primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty.” Furthermore, our mission is rooted in core values, each of which is animated by ethical principles. Social work’s mandate is to help people in need and to address social problems, to challenge social injustice and in doing so, to respect the inherent dignity and worth of all people.

Immigrants have made great contributions and sacrifices for this country and every immigrant story is our shared story. We believe that we must swiftly respond to the plight of refugees, immigrants and millions of undocumented parents, children, brothers, and sisters currently residing in the United States and globally, with empathy, benevolence and an open, compassionate embrace. Lives are at stake and future generations will judge us on how we welcome and care for the “strangers” among us. The soul and spirit of our nation, indeed, the moral quality of our society and the future of our democracy hang in the balance.
Introduction to the Special Issue on Immigration
Guest Editors' Letter

Dear Readers,

We are MSW advanced standing candidates at Columbia University School of Social Work (CSSW) in the City of New York. It has been a pleasure being placed at the NASW-NYC Chapter’s Immigration and Global Social Work Committee for our graduate program during the 2018-2019 academic year. We have been involved in an array of projects that address current issues the immigrant community is facing as well as providing support and tools for social workers within NYC.

Under the current political administration and reflecting on 2018, the past year was a taxing time for immigrant communities across the country. They have faced a multitude of arduous challenges from unjust policies to remove Deferred Action for Childhood Arrivals (DACA) protections, to family separations at the border, to restrict welfare benefits on foreign legal residents, and more. For this reason, the NASW-NYC Chapter believed it imperative to have immigration be the chosen theme for this Currents edition.

It is an honor to have been chosen as co-editors of this special issue of Currents. The three of us specialize in International Social Welfare and Services to Immigrants and Refugees at CSSW. As students pursuing this field of practice, we realize how current immigration issues are affecting social work, especially in a city that is home to more than 3 million foreign-born residents (City Planning, 2015). And as individuals with immigrant roots and ties to immigration, we feel compelled to utilize our voice to highlight this topic that we are profoundly connected to.

We wanted to assure having a variety of perspectives in this issue of Currents in order to provide a more comprehensive understanding on the intersection of immigration and social work. Social workers from different fields of practice were invited to illustrate the work they do with immigrants, challenges and opportunities they have encountered in their work, how this has affected them as social workers, and things they have learned about working as a social work practitioner with the immigrant community.

One of our favorite parts of this newsletter has been to connect the NYC social work community to learn and hear from one another in the different aspects of social work within this area. We are confident that our contributors have shared their expertise to cultivate constructive tools and insightful perspectives. Additionally, we hope this edition will demonstrate how multi-faceted both social work and immigration are. Our hope is that readers are given a sense of urgency to take action through advocacy, empowerment, and education to achieve social justice for the immigrant community in this nation.
About the Guest Editors

**Astrid Casasola** is an alumna of the University of South Carolina where she earned her BSW in 2016. She is currently a MSW candidate at Columbia University’s School of Social Work. Her previous experiences as an intern with Communities in Schools and as a HIV Medical Case Manager in SC paved way for her to pursue the Social Enterprise and Administration concentration at CSSW. Astrid is the daughter of Guatemalan immigrants, providing her with unique insight into the world of immigrants and igniting her passion for the field.

**Emma Cathell** graduated from North Carolina State University in 2016 with a BSW and a BA in Spanish Language & Literature. Emma is pursuing her MSW with a concentration in policy practice at CSSW in the hopes of making an impact on this nation’s current immigration politics. Emma spent two years in Hidalgo, Mexico as a Fulbright English Teaching Assistant at a technological university. She also interned with NC nonprofits with populations of migrant farmworkers as well as immigrant families.

**Marlon O. Agustín-Méndez** was born in Oaxaca, Mexico. Led by a desire to provide their son a promising future, Marlon’s parents emigrated with him to the U.S.A. However, as a DACA recipient, Marlon has encountered many challenges in completing his post-secondary education. Due to these experiences, he is passionate about advocating for educational equity among immigrant communities. His other areas of experience include youth development, case management, and the intersection of criminal justice and social work practice. He is currently a graduate student at Columbia University’s School of Social Work. He is also an alum of CUNY-Lehman College where he graduated with his BSW in 2018.

**Jessica Rosenberg, PhD, LCSW** is a Professor of Social Work at Long Island University, Brooklyn campus. She holds an MSW from Hunter College School of Social Work and a PhD from Wurzweiler School of Social Work, Yeshiva University. She serves as Secretary to the Board of NASW-NYC. Dr. Rosenberg has published numerous books and articles on issues related to mental health, stigma, immigration, serious mental illness, and labor unions. Her book, Working in Social Work: the Real World Guide to Practice Settings is a comprehensive guide to the field for students and new social work. Her book, Community Mental Health: Challenges for the 21st Century is considered among the top texts in its area.
At Safe Passage Project, we work with unaccompanied immigrant youth by providing them with free lawyers as they face deportation. The document that we use to screen these youth for legal services is seventeen pages long. Eight pages in, after collecting the young person’s information, WhatsApp number, and family ties, we ask, “What are the reasons that you came to the United States?” We leave a few extra spaces for this question, a question so loaded and so complex and so deeply personal that even a book could hardly do it justice. These are some of their responses:

“The gang wanted to recruit me. They were going to kill me since I didn’t want to join.”

“I was stalked by a man. He followed me to the river where I washed my clothes. Ugly things happened, but I was scared to tell the police. He would have killed me.”

“My aunt beat me all the time. I don’t know why. She would make me kneel on the hood of a car in the sun. It was so hot, but no one did anything. Not my teacher, no one. I needed to get to my mom.”

When we get to page eight, not long after meeting this young person for the very first time and in order to determine if we can prove to the federal government that they are “worthy” of a chance to remain in the United States, we need to dive right in. While not particularly ideal for any social worker, it is a reflection of the youths’ answers above: we really have no choice. Court dates are looming, filing deadlines are approaching, clocks are ticking. This is the system we are working against, a system that these youth are expected to navigate on their own.

A young person is deemed an “unaccompanied alien child” (UAC) when they are under the age of 18, have no lawful immigration status, and are not accompanied by a parent or legal guardian at the time of apprehension at the U.S.-Mexico border. After being processed by Customs and Border Protection (CBP), they are then sent to the Office of Refugee Resettlement (ORR), where they spend time in facilities waiting for ORR staff to locate a potential sponsor to whom they can be released.

This sponsor is often a family member, such as a parent, aunt, or sibling, and agrees to make sure that the young person attends their immigration court hearings. Unaccompanied immigrant youth are immediately placed into removal (deportation) proceedings and in immigration court. Immigrants are not entitled to court-appointed legal counsel, not even children. Without a lawyer, the odds of receiving a deportation order are much greater.

The reasons behind migration vary and are often rooted in complex political histories. While young clients at Safe Passage Project come from countries around the world, the majority of the youth we work with are coming from Central America, specifically Honduras, El Salvador, and Guatemala. Decades of
U.S. economic policies and military interventions have led to civil wars, chronic poverty, and violence throughout the region. Gangs such as MS-13 and Barrio 18 run rampant in many parts of these countries. There are often limited educational opportunities, high rates of sexual assault, family violence and child abuse, and ineffective government protections. Young people have no choice but to flee.

The journey these youth make is an arduous one. They come by foot, by bus, and on top of trains, with limited food and water and high risks of crossing paths with human traffickers. Apprehension at the border is often its own traumatic experience, and spending an unpredictable amount of time in ORR custody can be anxiety-producing. When they are released, young people may be reunited with a parent or family member they hardly know, and are forced to accustom themselves to an entirely new way of living. Feelings of exclusion, loss of identity, disrupted attachments from loved ones back in their home country, isolation, barriers to education, and economic burdens are only some of the stressors that unaccompanied immigrant youth may experience upon arrival to the United States.

As a social worker at Safe Passage Project, my job is to ensure that our clients are connected to the services and resources they need; to be an advocate when their needs are not being met; to help them navigate a variety of unfamiliar and complex systems, including immigration and family court processes; and to build rapport with them and their caregivers so that they are able to develop feelings of trust and safety in order to share their stories with their legal team. The interdisciplinary approach of social work and law allows for trauma-informed practices that take into account the holistic needs of youth and help foster client/attorney collaboration that grant youth greater choices and power throughout their representation.

The current political climate has only added to the stressors for unaccompanied immigrant youth. I am never surprised when I receive the following question on the phone or in a WhatsApp message: “Miss Samantha, is the president going to deport me?” Changes to various federal policies and regulations, including longer backlogs, unjust asylum policies, and reinterpretations of a law designed to protect immigrant youth, have created even more barriers to a life where these youth can thrive without the constant threat of deportation. Anti-immigrant sentiment within communities has led to concrete acts of discrimination by local authorities and has created lingering feelings of fear and exclusion.

But we keep fighting, both inside and outside of the courtroom. After leaving their entire lives behind and making an often arduous journey alone, unaccompanied immigrant youth are extremely resourceful and determined. They continuously demonstrate an ability to adjust to a new life in the United States, despite the reasons they came here and the barriers they face. These youth cannot solely be defined by their traumas or their immigration status. They are soccer players, they are middle schoolers, they are line cooks, they are leaders in their church, they are actors, they are college students. All are incredibly resilient.

“The journey these youth make is an arduous one. They come by foot, by bus, and on top of trains, with limited food and water and high risks of crossing paths with human traffickers. Apprehension at the border is often its own traumatic experience, and spending an unpredictable amount of time in ORR custody can be anxiety-producing.”
A Challenging Time for Immigrants

Judy Ah-Yune, LMSW
Director of the Manhattan Community Services Division
Chinese-American Planning Council, Inc.

The last year has been a particularly challenging one for immigrants. From deportations to policies that systematically strip immigrants of resources, many immigrants have been driven into the shadows and their families have been pulled apart. Social services agencies and social workers have been on the front lines of protecting, supporting, and empowering them.

The Chinese-American Planning Council, Inc. (CPC) is the nation’s largest Asian American social services organization. Founded in 1965, CPC aims to promote the social and economic empowerment of Chinese-American, immigrant, and low-income communities. Today, CPC serves over 60,000 community members yearly through programs centered on education, family support, and community and economic empowerment.

Social work is at the core of all CPC programs, from culturally competent preventive programs, to senior centers and case management, community health services, workforce training, benefits enrollment, among other services. As many of our community members are Limited English Proficient, recent immigrants, and low-income, they have been hit particularly hard by an anti-immigrant climate that has become pervasive.

Policies to deprive immigrants of entitlement resources and the proposed changes to Public Charge weigh heavily on the minds of the community members with whom we work. The newly proposed eligibility categories of this proposal would significantly expand the definition of an individual considered “public charge” to include those who receive nutrition assistance, housing, and healthcare benefits. The change also identifies minimum education levels and household income thresholds, effectively ensuring that low- and middle-income immigrants cannot secure legal status.

Social service organizations such as CPC have already seen community members de-enrolling from public benefits and expressing fears about signing up for affordable housing, healthcare, child care subsidies, and other important support services. Our ability to reach out to the community and be a trusted source of information in situations like this ensures that our community is fully aware of what is “proposed” versus what is “passed” legislation; dispelling some of the fears out there.

As a social worker and social service administrator working with the Chinese community for many years, what has been important when working with the immigrant population in particular is the ability to communicate complex and factual information, such as legislation or policies, to a level that is understandable (linguistically and reading level) to the communities with whom we work.
It has also been important to send the message to our clients that “no matter what your status is, documented or not, you have a voice and rights. You can contribute and make an impact.” Sometimes undocumented community members we work with say, “I can’t vote, so I don’t count.” This is when, as a social worker and an agency, we have to take the lead in educating the community that the latter statement is not true. Even though they are unable to participate by going to the polls, they are still able to advocate for changes that will better their families and community by attending town hall meetings and rallies. They can also actively participate in “Get out the Vote” campaigns, educating other community members on the election process in their native language. It is important to be an informed community member and to be aware that you can be your own advocate.

Immigrant communities are under constant attack requiring the need and access to social services. However, in these times it has become even more difficult for immigrant communities to gain access to the necessary services they require. Barriers such as language are always pervasive when it comes to making sure that immigrants receive the services they need. Language accessibility is important for community members to understand their rights as well as particular nuances of different programs and resources of which they can be eligible.

Cultural barriers, such as the stigma of being “needy” or too proud to accept help, can keep some community members from accessing benefits, public programs, mental health services, and other important support services. Adding to the list of deterrents, pending legislation such as changes to Public Charge increases fear that accessing social services will threaten their immigration status or one of their family members’ status.

The combination of the need for social services and the need for accurate information, makes social services agencies like CPC all the more important. We create safe spaces where immigrants know that the social workers will speak the language they feel most comfortable in, are able to relate to their cultural context, and provide trustworthy assistance to help them access the support that they need to thrive.

It is not enough to simply connect immigrants to services. As social service providers we must advocate to protect and grow these services and rights for the immigrant community. At a time when immigrants need more support than ever, it is not time for social services funding to be cut. However, we have seen funding for services continue to shrink year after year.

It is not enough to respond to each new policy targeting immigrants as they are introduced, we must advocate to expand immigrant rights and protect families. Social workers and social services agencies have a more intimate knowledge of the challenges our communities face than any lawmaker or government official. It is imperative that we continue to advocate for programs, services, and policies that will protect and uplift our immigrant communities.
The Long and Arduous Road

Jessica Gorelick, LCSW
Social Worker, Refugee Representation
Human Rights First

It was a cool, fall day in November 2014. I made my way to the Immigration Court at 26 Federal Plaza in Manhattan to get a sense of what a “screening day at the AWC docket” looked like. It was my first week as the social worker for Human Rights First’s Refugee Representation team, which provides free legal services to asylum seekers. Though this was not going to be a part of my typical work, I went to court to begin to develop an understanding of the immigration court process.

Within minutes of entering the pro-bono room, a space where judges sent individuals from their “adults with children” (AWC) dockets, families began streaming in. The vast majority of these families fled from the Northern Triangle of Central America, a region made up of El Salvador, Honduras, and Guatemala. They were asked to fill out a form and wait to talk with a legal advocate about their potential asylum claim. Some chatted animatedly about their experience in court, others nervously looked around, and some were silent and stoic. Most of the children were squirming and fussy, as many of them had left their homes in Long Island during the early hours of the morning to make it to court on time. The energy in the room felt like a soupy mixture of stress hormones pumping out anxiety and exhaustion.

As I sat with the families and listened to their stories of trauma and horror, their words penetrated right through me. Their desperation and despondence were palpable. Most did not want to leave home. They left because they had no other choice. They left so their children wouldn’t die. Like the Somali-British poet Warsan Shire says in her beautiful and chilling poem, “Home,” “no one leaves home unless home is the mouth of a shark.”

So, what exactly makes someone eligible for asylum? As defined in section 101(a)(42) of the Immigration and Nationality Act (INA), a refugee or asylee is someone who can show a need for protection based on “persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” Those fleeing for safety to the United States are not doing so because they are curious about life here and want to give it a shot, they have no other choice.

There are many push factors that cause individuals to leave their home countries. When considering the situation in the Northern Triangle, we see a legacy of war and poverty that have lent to the growth of gangs such as the MS-13 and M-18, who operate in many areas as de facto governments. We also have clients hailing from other countries — political activists from China, LGBTQ+ folks from former Soviet countries, humanitarian workers from Sudan, and beyond. The unique thread that we see in the experience of all our clients is that they tried and tried back home, but the situation was just too
dangerous. There are certainly many people living in these countries who thrive, but our clients have a
unique situation, trait, or quality that made it untenable for them to stay. In fact, that is what makes them
asylum seekers.

Working with asylum seekers has given me a new understanding of how trauma and survival can
manifest and coexist at the same time. When asylum seekers first arrive in the U.S., they are frequently
without any support. It takes months, if not longer, to get work authorization, and access to public
benefits is minimal if not nonexistent. They must struggle to survive while working to bat away the
intrusive thoughts and overwhelming emotions that regularly present themselves in small or tsunami
sized waves. I certainly will not pathologize and say that all asylum seekers are dealing with Post-
Traumatic Stress Disorder (PTSD), but the fact is that many are. They must find a place to live, feed and
clothe their children, figure out public transportation, and more — all while being thousands of miles
from any support system they ever had and trying to navigate the labyrinthic immigration system.

My work at Human Rights First focuses on orienting asylum seekers to life in the U.S. while providing a
space for them to make connections with one another, learn about their rights, and access key services
and resources. I use an eclectic approach, tying together pieces of trauma-informed psychoanalytic,
case management, and cognitive behavioral approaches to try to understand our clients while helping
them tolerate the unpredictability of the asylum application process.

Never has my work been so tied to the political climate of our country. Many of our clients are
hypervigilant, watching for any changes in the asylum process and anxiously calling to find out if this
new policy will affect their case, their life, their future. The Trump administration’s unrelenting and,
largely, illegal assault on the rights of asylum seekers has taken an incredible toll on so many of our
clients. The constant rhetoric feels like a slow emotional death of a thousand cuts — every utterance
causign a retraumatizing flurry of fear and insecurity of which there is little relief.

Though we are facing a difficult time in the asylum world, that has not stopped us from continuing to
support our clients, fighting for fair policies, and winning asylum cases. It also does not stop our clients
from demonstrating their unwavering resilience and truly thriving at the end of their case. Few things in
my social work career have given me as much joy as witnessing clients transform through their renewed
sense of freedom and safety when receiving their asylum grant. My hope is that we can serve as a
supportive witness and continue to help make this arduous, windy road a little easier.
Complications of Detention for Undocumented and Asylum-Seeking Immigrants

Mel Wilson, LCSW, MBA
Senior Manager
NASW Office of Social Justice and Human Rights

Introduction
With the Trump administration’s aggressive and antagonistic immigration policies, comes an increase in the number of arrests and detentions of undocumented (asylum-seeking) families and adults. The direct and immediate impact of these policies has created the need of a dramatic increase in the number of detention beds to receive the influx of children and adult detainees. This article discusses several main policy and human rights implications of the Trump administration’s “zero tolerance” and Enforcement and Removal Operations (ERO) initiatives.

Family Detention
There were nearly 49,000 adults and children within family units apprehended at the U.S.-Mexico border between January and June of 2018. According to U.S. Customs and Border Protection data, this is more than twice the number of family apprehensions as compared to the previous year. During May 2018 – the first month fully implementing a zero-tolerance and family separation policy – 9,485 family members were apprehended at the Southwest border. The administration’s policy resulted in a total of 2,342 children being separated from families between May 5 and June 9 of 2018. Close to 2,000 adults from those families were referred for prosecution, which means they were incarcerated.

Jail-Like Conditions in Family Detention Facilities
Perhaps the first thing to realize about family detention is that families are placed in facilities that are structured and managed similar to that of jails. In a long-term family detention facility, the entire family is held as a part of a criminal case. Therefore, their detention is incarceration and they are not free to leave unless they are granted bail. The majority of detained families are those who have been apprehended at the U.S./Mexico border fleeing extreme violence and persecution in El Salvador, Guatemala, and Honduras. As we have seen with the “caravan,” these women and children seek safety and protection in the United States, by making an arduous 2,000-mile trek that is filled with risks of physical and mental abuse. However, the U.S. Immigration and Customs Enforcement (ICE) places these families in confining detention facilities where the children are further exposed to psychological and physical damage. Many of these detained mothers and children have legitimate protection claims. Based on the rate at which many are able to prove credible fear of persecution, they stand a good chance to be granted of asylum relief.

Alternatives to Family Detention
The fact is that family detention centers do not have to be the primary option for maintaining close contact with families as they are awaiting their asylum hearings. There have been viable alternatives to family detention which were used during the Obama administration. These alternatives included: regulated and mandated check-ins with law enforcement, communication with authorities by telephone, linking families to community-based psychosocial services, and electronically monitoring
some individuals. Unfortunately, these clearly effective options were terminated in 2017 by the Trump administration.

"Perhaps the first thing to realize about family detention is that families are placed in facilities that are structured and managed similar to that of jails."

The elimination of these alternatives to detention programs was particularly disappointing because studies have shown that under the Obama Family Case Management pilot program, asylum seekers were very responsible about appearing for their immigration court hearings. The program had a 99 percent rate of appearance for their asylum hearings. It was highly successful with families present for hearings over 99 percent of the time. As stated by many law enforcement officials, immigrant families are not threats to national security.

Significantly, national law enforcement leaders have taken a lead on supporting alternatives to family detention. Over 50 high-ranking members of the Law Enforcement Immigration Task Force signed on to a letter to congressional leadership, asking them to consider evidence-based alternatives to family detention that also ensure families attend immigration hearings and keep required related appointments.

Adults Held in Detention
Understandably, much of the anger and outrage about the aggressively anti-immigrant policies is directed at the plight of children. However, we must not overlook the vulnerable asylum-seeking and undocumented adults. During the first 15 months of the Trump administration, nearly 100,000 immigrants were apprehended at the U.S.-Mexico border.

As evidenced by the Trump administration’s ERO activities, early on, the administration planned for expanding the number of detention beds for adults. During FY 2017, the daily population in ICE detention facilities was close to 38,000. Meaningfully, Trump’s FY 2018 budget for detention beds plan included requests for $1.5 billion for detention expansion, bringing the total capacity to 51,379 detention beds.

In the lead up the administration’s “zero-tolerance” policy, then Attorney General Jeff Sessions recommitted to use private detention companies to create the ability to accept detainees on short notice. Given the administration’s public commitment to increase immigrant detentions, Sessions took steps to ensure that funding detention facilities would be available in expectation of many more immigrant arrests.

Due Process Concerns
As has been mentioned, the United States holds hundreds of thousands of immigrants in detention nationwide. The detainees are often jailed for prolonged periods of time. There is limited oversight to meet standards for humane conditions or to ensure that detention is not arbitrary.

The Criminal Justice and Immigration Systems Treat Immigrants Unfairly
It is widely accepted that the criminal justice system unfairly targets people of color, including immigrants. Asylum-seeking and undocumented immigrants are subjected to detention and possible deportation, while – at the same time – are often denied due process protections such as:
• **The right to counsel**
  Unlike defendants in the criminal justice system, immigrants have no guaranteed right to legal representation. Therefore, more than half of individuals in immigration court proceedings are currently unrepresented.

• **The right to a fair hearing**
  Immigration law does not allow judges the discretion to consider all the circumstances of the immigrant’s case before reaching a decision. Judges are essentially forced to order deportations, regardless of any mitigating considerations.

• **The right to challenge detention**
  Immigrants can be incarcerated for years without bond while they fight their deportation cases. Without access to bond, they are hampered from putting together an effective defense.

• **The right to judicial review**
  For immigrants, the opportunity to appeal detention or deportation decisions are very limited.

• **The right to equal treatment**
  Under U.S. criminal law, the government must bring criminal or civil charges against an individual within a specific time period or it loses the right to prosecute. This protection is not available in immigration law. In immigration court, an individual may be charged with an offense no matter when it was committed – even if the offense was not a crime at the time.

In restating recommendations made by the Immigrant Defense Project (IDP), the government must end mass detention and deportation practices, especially those that lead to detaining immigrants without fair hearings. Additionally the government must:

• Cease its mandatory immigrant detention bed quota requiring that the U.S. government hold 34,000 immigrants in detention on any given day.

• Allow immigrants in detention to post reasonable bond.

• Allow judges to evaluate all the circumstances of a case in deciding on a deportation order.

• Ensure that non-citizens have the right to effective counsel.

In summary, an emerging term for the intersection between immigration and criminal justice laws is crimmigration. This term aptly describes the complexities (and unfairness) that confront immigrants who are apprehended and placed in detention, at the mercy of both the immigration and the criminal justice systems.

The term is also important to social workers providing comprehensive services to undocumented or asylum-seeking immigrants. It is critical for practitioners to recognize and understand the degree to which immigrant detention intersects with the criminal justice system. Before social workers can adequately assist people caught in limbo, they should be informed about the realities of providing services to populations that are impacted by the laws and policies of two powerful governmental entities.
Social Work with Immigrants at Sanctuary for Families

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Sanctuary for Families is dedicated to the safety, healing, and self-determination of victims of domestic violence and related forms of gender violence. Through comprehensive services for our clients and their children, and through outreach, education and advocacy, we strive to create a world in which individuals can enjoy their basic human right to freedom from gender violence.

At Sanctuary, we serve nearly 16,000 adults and children, about 70% of whom are immigrants. We have successfully advocated for improved policies on issues affecting survivors of domestic violence, sex trafficking, and related forms of gender violence. These legislative improvements include the passage of New York’s End Child Marriage Act and policies to combat female genital cutting in the US and sending youth back to their home country to have the procedure performed, known as Vacation Cutting.

With the recent immigration climate in the U.S., it has become difficult to provide the much-needed services to this community. Reports show that immigrants who are experiencing violence are often too afraid to reach out to organizations for support services (March 2018, NYC Annual Report).

Amid the increasing crisis, social workers are uniquely positioned to help refugees and immigrants. The complex reasons individuals emigrate from their country of origin, as well as their journey to the country in which they settle, can place families in vulnerable, destabilizing, and even life-threatening circumstances that create unexpected needs (March 2018, NYC Annual Report). As such, working with immigrant families calls for an innovative, culturally sensitive, and holistic approach. Therefore, work with these clients must be informed by the specific social, cultural, religious, and political climate in their home country, as well as the experiences faced in the USA.

Although Sanctuary is an agency that serves survivors of gender violence, its immigrant clients receive services that far surpass assessing the issues surrounding the violence that brought them to the organization. The unique and comprehensive collaboration of clinicians, lawyers, economic empowerment specialists, and case managers allows these professionals to address the needs of immigrant clients from all angles, providing a safe, productive environment so that they may begin to heal and to start living a life free of violence. Our clinicians provide trauma-informed therapy for adults and children. In therapy, clients can process their experiences from their home country, their migration, and their assimilation to the US.

"Lack of knowledge of services, compounded with shame, fear of being ostracized from their community, and guilt can hinder survivors from seeking clinical services. To address this situation, Sanctuary has reached out directly with refugee and immigrant communities to provide education and training."
Understanding Domestic Violence From a Cultural Perspective

The term domestic violence, or intimate partner violence, describes the dynamics of power and control as a means to abuse someone in an intimate relationship. The domestic violence movement began as a grassroots initiative by women who learned about abuse and violence from the experiences of victims and survivors (Ake & Arnold, 2018). At Sanctuary, we have learned through our work with immigrants that power and control can manifest beyond just intimate relationships—many immigrant survivors have been subjected to other forms of violence by their families and communities. For example:

Annie is a 32 year old mother of two children who immigrated to the USA fifteen years ago to join her husband. From the time she came to the USA she endured severe physical, sexual, and psychological abuse at the hands of her husband. It was only after a terrible incident where he strangled her in front of the children and a neighbor called the police that Annie started to receive domestic violence services with Sanctuary for Families after moving into a domestic violence shelter. In working with Annie we learned that she was subjected to other types of gender based violence: Female Genital Mutilation/Cutting (FGM/C) and forced marriage.

Challenges

Immigrant survivors of gender-based violence face numerous challenges in accessing services. These challenges are related to lack of knowledge of institutional systems, isolation, language barriers, difficulty accessing information (March 2018, NYC Annual Report), along with fear of being ostracized by their family and community, anxiety of the future, and other factors. Nonetheless, domestic violence is a common term known well by services providers. Many service providers are open to learning new skills to respond to the urgent needs of immigrant communities. However, survivors of other forms of gender-based violence, such as FGM/C and forced marriage, are often misunderstood. For the most part, the problems of FGM/C and forced marriage are viewed as cultural practices (PRB, 2015; Glinski, Sexton & Meyers, 2015) that should not be interfered with, no matter how horrifying the practice may be viewed by many outside of the culture.

Lessons Learned

Working with immigrant survivors of gender-based violence at Sanctuary has helped us understand the intersectionality between domestic violence, FGM/C, trafficking, forced marriage, and other types of violence. Many immigrants who have experienced gender-based violence are confronted with the same dynamics of power and control. Abuse can deeply affect the individual on multiple levels, including their physical and psychological health and well-being. Experiencing layers of abuse can make it more difficult for a survivor to identify the services that would most help them, however, they are able to more readily identify the physical impacts or the legal needs they may face. Lack of knowledge of services, compounded with shame, fear of being ostracized from their community, and guilt can hinder survivors from seeking clinical services. To address this situation, Sanctuary has reached out directly with refugee and immigrant communities to provide education and training. To this effect, survivors have educated us about their cultural perspectives, which has helped us learn how to address domestic violence in their communities more sensitively and effectively.

Conclusion

To best respond to the various needs of immigrants who are potential victims and survivors of FGM/C and forced marriage (e.g., medical care, mental health services, shelter, career readiness and legal recourses), Sanctuary has developed agency-wide initiatives such as the FGM/C Coalition and the Forced Marriage Initiative that focus specifically on raising awareness of these issues on community and national levels and to explore preventive approaches.
Trump’s Immigration Policies Hurt the Mental Health and Well-Being Of Children and Families

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United We Dream

On a holiday weekend when most Americans spend time with their loved ones, the U.S. government, through their Customs and Border Patrol (CBP) agents, attacked families approaching the U.S.-Mexico border from South America seeking refuge with tear gas; many of whom were children.

As I read reports of the attack, and saw photos of mothers trying to calm their crying children, many things crossed my mind. I was angry about where President Donald Trump and his administration have taken their vitriol against immigrants and refugees. I was saddened, recalling my own experiences as a young girl coming to the United States from Ecuador with my parents seeking a better life. I also couldn’t help but consider the ways in which this administration, and the people protecting it, would try to justify these actions.

Let’s get one thing clear: this act was violent, unconscionable and inhumane. This is also just the latest act of its kind.

Earlier last year, the Trump administration not only separated families, but also placed young children in cages, through its “zero tolerance” policy. The impacts of these reprehensible actions will have long lasting effects on the mental health and well-being of the children, youth, and families involved.

At United We Dream, we have been working to expose these types of atrocities, actively working to protect communities from deportation, and asking Congress to defund the government’s deportation force, Immigration Customs Enforcement (ICE) and Customs and Border Patrol (CBP).

“We’ve made it clear to this administration that immigrants are #HereToStay; courageously taking action, chanting, marching, and leading campaigns to bring change to our communities.”

This administration hasn’t only caused this anguish at the border, however. On September 5th, 2017, the Trump administration announced it would end the Obama-era executive action known as Deferred Action for Childhood Arrivals (DACA). DACA, which was achieved after courageous and persistent organizing led by immigrant youth is the most significant victory for immigrants in the last 30 years. The program allowed us, immigrant youth, to live without fear. DACA was enacted in 2012 and allows recipients to apply for and obtain a work permit and driver’s license, while simultaneously lifting the threat of deportation.

Upon the termination of DACA, immigrant youth across the country pushed Congress to pass the Dream Act, a permanent legislation with a pathway to citizenship that would not hurt our families
and other immigrants. Although 86% of the American people supported a pathway to citizenship for immigrant youth, a Republican controlled Congress failed to pass it.

Earlier this year, United We Dream released a new analysis of the latest and most up-to-date survey of DACA beneficiaries, in collaboration with the Center For American Progress (CAP) and the National Immigrant Law Center (NILC). The first findings from the 2018 survey showed how DACA is positively affecting the lives of recipients, their families, and society more generally. On the flip-side to that, the survey also showed the toll on the mental health and well-being of DACA recipients.

- 45% of respondents reported that they think about being detained in an immigration detention facility at least once a day
- 55% of respondents worry about being deported on a daily basis
- 64% worry about a family member being deported on a daily basis
- 74% worry about not being able to see their kids grow up

Overall, we found that the legal and political uncertainty surrounding DACA is weighing heavily on the minds of DACA recipients and their families. After ending DACA, Trump and his administration have gone to great lengths to derail any sort of action that would provide a clear permanent solution for DACA recipients and their families. Instead, they have focused on asking for millions of dollars to build a wall along the southern border, and for increased budgets for ICE and CBP so they can bring a mass deportation agenda to fruition; an agenda that seeks to rid our country of black immigrants and immigrants of color.

The increased funding for ICE and CBP means more children in detention centers and families being separated, and more agents targeting immigrant communities, including those with Temporary Protection Status (TPS) and DACA. It means continued inhumane treatment for all immigrants. This is not a solution, and it only further impacts the mental health and well-being of our communities.

People seeking refuge at the southern border, and DACA recipients aren’t the only ones who’ve been impacted in this way. Since taking office, Trump has also announced an end to TPS for people from countries such as El Salvador, Haiti, Nicaragua, and Sudan. Many of the immigrants from these countries have been living and working in the United States for the greater part of a decade. They have U.S. citizen children and family members. They have established lives in the United States.

Time and time again Trump has shown his nativists views on immigration. From his “sh–hole” countries comment, his zero-tolerance family separation policy, and ending DACA and TPS, the message is clear from him and his administration. Black immigrants and immigrants of color are not welcome in Trump’s America. An America that leans into racism and white nationalism.

United We Dream has been fighting back against these constant threats. We’ve made it clear to this administration that immigrants are #HereToStay; courageously taking action, chanting, marching, and leading campaigns to bring change to our communities. From Connecticut to Texas and New Mexico, United We Dream leaders are courageously defending their communities from deportation and disrupting the status quo to build independent political power for our communities.

As professionals who work with these impacted communities, it’s important to understand the level of uncertainty and anxiety that comes with being a DACA recipient, TPS holder, or just simply being undocumented. The current administration and some local governments are actively harming our communities, so it’s critical for public and private institutions working with immigrant students and
communities to counteract their dangerous work.

As social workers, you have a unique role and voice in schools, health care centers, and other institutions. Your actions can either help or harm immigrant communities. We have seen inspiring examples of educators, social workers, and other professionals who have successfully led a process of transformation in their institutions. Many have changed internal policies to ensure that immigrant students and families are safe from the fear of deportation in their institutions and devoted resources to support students financially and through services.

The University of New Mexico, for example, has done this by creating sanctuary campus policies, signaling their commitment to protecting all campus members, regardless of immigration status. They even have a dedicated page on their website to outline their commitment to undocumented students and provide resources.

Ultimately, we’re only beginning to understand how the mass deportation agenda and nativist rhetoric stemming from the White House is having drastic effects that are severely impacting the health and well-being of immigrant students and their families for years to come. As United We Dream, we stand ready to work with social work professionals and government, public, and private institutions to ensure that immigrant children, youth, and families can live without fear and thrive in our society. Inaction in addressing this health and human rights crisis is not an option for the sake and well-being of our communities and the country.

Cristina Jimenez is the Executive Director and Co-Founder of United We Dream, largest immigrant youth-led community in the country, with over 400,000 members. To learn more, or join the fight, go to UnitedWeDream.org, or text Here To Stay to 877-877.
The Arab-American Family Support Center (AAFSC) is a non-profit, non-sectarian organization created in 1994 to provide culturally and linguistically competent, trauma-informed, multigenerational social services to the most under-resourced. Our mission is to empower new immigrants with the tools they need to successfully acclimate to the world around them and become active participants in their communities. We provide free services and strengthen families through four key priority areas: Promote, Prevent, Get Ready, and Communicate.

Additionally, we promote mental and physical wellbeing, healthy relationships, and all forms of community wellness. We help prevent child abuse and address domestic violence. We get families ready to learn, work, succeed, and lead healthy, productive lives. Finally, we communicate to amplify the voices of the marginalized. While our doors are open to anyone in need, we have gained expertise in serving Arab, Middle Eastern, Muslim, and South Asian immigrants and refugees.

The most challenging experience for any immigrant or refugee family settling in a new country is accessing basic and immediate needs, such as food, shelter, transportation, and health services. With language barriers and minimal understanding of cultural norms, navigating these systems can be incredibly difficult.

Once these basic needs are met and families begin to settle in their new homes, secondary challenges arise such as registering their children for school, learning how to use public transportation systems, and acclimating to a new way of living in a country with very different laws. Additionally, the negative impact of trauma families face as a result of migration and war in their country of origin causes a tremendous toll on their overall health and wellbeing triggering additional stressors.

Furthermore, we have seen young children often bullied in school for being different and for not understanding English. Young Muslim girls are harassed for wearing a hijab. For these reasons, many children do not want to go to school. While not attending school may be acceptable in their countries of origin and may not warrant government agencies to get involved, it is not acceptable in the United States. However, many families are not aware of state laws and do not realize that failure to send their child to school is a form of neglect.

When an Administration for Children’s Services (ACS) case is open, the parents recognize the severity
of the issue, but do not know how to ensure their children attend school. These issues are compounded by poverty, difficulty finding jobs, and the trauma often associated with migration, war, persecution, or displacement. Toxic stress, anxiety, and depression creates further isolation.

Additionally, some of our clients experience intimate partner violence and do not seek services because of cultural norms and dependency on their spouse for financial support. In many of the families we serve, the husband is the head of the household and is responsible for all finances. When the wife does not know how to speak English, does not have a job, and has children to look after, it is very difficult to leave an abusive relationship.

Amongst the communities we work with, there is also a stigma around living in a shelter and many refuse to live in one due to embarrassment, lack of privacy, and familial shame, such as “giving the family a bad name.” Many cultural values play a role in the services one is willing to accept and cases like these have a negative impact on the family and their quality of life.

As social workers, case workers, teachers, and directors there are still many barriers that we face when working with immigrant families. The support we provide as an organization has its limitations because of cultural values. In domestic violence cases, removing the perpetrator from the home may seem like the most logical action to take, however if the perpetrator is the head of the household it becomes extremely difficult for the wife to care for the family, send her children to school and address other basic necessities on her own. Leaving the home is difficult and if a client refuses to go to a shelter, we need to respect their decision.

Another challenge we face in the ACS cases is engaging the fathers in family meetings. Many of the fathers work full time jobs and do not have time to attend the meetings. Often times, the meetings take place with the mothers and children when they should include the whole family unit.

Further, we work with families on literacy skills to help them overcome many of these challenges. However, many of the women we support have never been to school before and are not literate in their native language. This makes learning English even more difficult. It takes a lot of time and patience. However, when we see our students advance and able to have conversations, read and write in English, converse with their children’s teachers, and even applying to jobs. This makes all the time and effort worth it. We prioritize meeting our families where they are at and use our knowledge of cultural and linguistic differences, and respect for trauma to help them overcome challenges and live the best quality of life possible.

At AAFSC, we approach each familial challenge holistically using a multigenerational approach to provide the entire family with the support they need. The therapists at the agency work with the youth to help them overcome the obstacles they are facing in school, home, and the community. Many of the young people we serve have a difficult time expressing their emotions so we help them identify healthy coping mechanisms.

Simultaneously, we provide English courses to the parents so that they are able to navigate around the city, apply for jobs, and prepare for their citizenship test. We help with health insurance and Supplemental Nutrition Assistance Program (SNAP) enrollment to improve physical wellbeing, and we strengthen parenting skills, sharing key cultural differences in the U.S. We are more than an organization — we are a home where families can seek support in a safe confidential environment amongst people that understand their cultural values.
Currently in the United States and around the world, negative rhetoric paints immigrants as burdens to their host nations. This message needs to be examined, especially in a nation of immigrants such as the United States.

According to the National Immigration Forum, citizens, residents, non-residents, and undocumented residents all pay taxes (Kosten, 2018). It should be noted that paying and enforcing taxes is not totally and entirely linked to immigration status, but instead, to the volume and source of income earned.

According to the Internal Revenue Service (IRS): an Individual Taxpayer Identification Number (ITIN) is solely provided to nonresidents and resident aliens who cannot obtain a Social Security Number (“Taxpayer,” 2018). The IRS reported in 2016 that 4.5 million people across the country filed federal tax returns using their ITIN number, and many are in this country illegally (Gonzales, 2017). The taxes paid are revenues that cover federal and state services that benefit communities throughout the country.

Under the current political climate, the number of immigrant workers using an ITIN to file for taxes is decreasing (Gonzales, 2017). Many are wary of filing for taxes due to fear of having their personal information shared with government entities under this current administration. Although many of these workers are eligible to receive significant returns, they choose not to file, leaving their eligible tax return unclaimed.

In terms of positive contributions, immigrants in fact do contribute. In 2014, immigrants paid an estimated $328 billion in state, local, and federal taxes. Immigrants paid more than a quarter of all taxes in California, and they paid nearly a quarter of all taxes in New York and New Jersey [in 2014]."

Contrary to the negative stereotype, immigrants do not relocate to the United States to commit crimes and fraud, but instead, come to work hard, reach their goals and dreams, and consequently give back to society. Their strong work ethic and positive behavior also need to be expressed in order to challenge the current image of immigrants being idle and a burden to society that is portrayed by some members of government and in the media.

Rhetoric is important, especially when expressed by leaders, because it leads to policies. Therefore, when punitive, these policies are often sources of tension and further the plight of those in need. These
policies’ sole goal is to distinguish, differentiate, separate, and consequently, limit opportunities to people deemed “undeserving.”

The new public charge rule, which aims to determine income-based immigration affidavit of support, is solely based on these assumptions and as a result aims to reduce current immigration trends.

Immigration policies should be explored with a macro lens if we truly seek to resolve present issues and create a better immigration system. When seen through this lens, it is clear that concerns about immigration are often tied to economic issues. Immigration will always exist because of poverty and lack of opportunities. In fact, local poverty cannot be confined in a remote area of the world. The world market is universal, and multiple factors, such as unbalanced markets, globalization, neocolonialism, and historical events like colonization and imperialism, are all causes of poverty, lack of opportunities, and resources in poor nations. As long as poverty and the disproportionate distribution of wealth and richness are prevalent, immigration will occur.

Christine Lagarde, the Managing Director of the International Monetary Fund (IMF), in her speech in 2013 stated that:

1) Economic stability is essential for poverty reduction.
2) Growth and equity are mutually reinforcing, and necessary for sustainability.
3) Fiscal policies can improve equity and lower poverty.

Lagarde (2013) noted, “I have been talking about preserving the total size of the economic pie by avoiding crisis. What about expanding the pie and making sure it is distributed more fairly?” This was five years ago when the top 0.5% of the global population held over 35% of global wealth, and in some countries such as Canada, South Africa, the United Kingdom, and the United States, inequity soared in the past 25 years (Lagarde, 2013). In 2018, Oxfam indicated that the gap between the super rich and the rest of the world widened last year as wealth continues to be owned by a small minority (Hope, 2018).

Third World nations strive to develop and to fend for themselves, but they continue to accumulate trade deficits because of the negative gap between importations and exportations as well as the increasing amount of debt owed to First World nations and to institutions like the IMF and the World Bank.

The lack of opportunities and shrinking resources remains the main reason people migrate in order to search for peace, abundance, and a better life in more developed nations. Historically and throughout time, this movement has been demonstrated countless times. Today, the same rings true for the caravan that left Guatemala and headed for the United States.

In my work as a social worker, I always noted and mentioned numerous times, that the root and number one driving force of immigration is the lack of opportunities and resources in one’s country of origin. People usually do not want to leave a home they already know and grew up in.

If the opportunities existed, markets were balanced, and jobs were created, it is clear there would be no need for people to migrate in search of opportunities. In fact, starting over in a new country is stressful and even traumatizing to many, and so if an individual had a choice between starting over in a new country or staying home with adequate resources, it is clear that their choice would be the latter.

There will never be a resolution to the world’s sufferings with biased policies and the implementation
of divisive social measures. Such response will always maintain and increase mass immigration as the wealth gap increases. Despite having armies at borders, caravans will still try to cross borders in order to enter wealthy nations, and families will still continue to cross oceans risking their lives, with the hope that wherever they do end up they are at least afforded the opportunity to live as humanely as possible.

References


The United Nations Convention on the Rights of the Child1 (commonly abbreviated as the CRC or the UNCRC), at the cusp of its 30th anniversary, sets forth four core principles:

- Non-discrimination of any child.
- Devotion to the best interests of the child.
- The right to life, survival, and development.
- Respect for the views of the child.

Every right of the CRC is inherent of human dignity and harmonious development of all children, regardless of race, religion, ethnicity, ability, sexual orientation, language, class, or caste. These principles have been adopted by over 193 nations all over the world. According to the American Civil Liberties Union, there is only one country that has not ratified the CRC since its introduction 29 years ago— the United States.2

The United States maintains a staunch position against the CRC, and notably for one main reason— its unequivocal claim to maintain sovereignty. The result of its unwillingness to join the rest of the international community has led to blatant over-criminalization of youth in our criminal justice system. Currently, U.S. Citizen children as young as 13 are sentenced to spend the rest of their lives in prison without the possibility of parole. To date, there are approximately 2,570 children who are sentenced to juvenile life without parole (JLWOP). The criminal justice system, a model of a New Jim Crow system3, can illuminate how non-citizen children of color and unaccompanied minors may be treated within our immigrant justice system by extension of continued racist policies and blatant disregard for basic human rights.

According to the National Association of Social Workers Code of Ethics, social workers are obligated to advocate on behalf of vulnerable immigrants and reforms that may impact them.4 The social work profession can begin by addressing common myths and misconceptions concerning the immigrant population— the chief one being that many options for legal entry and residency exist. This is simply not the case. Over 240,000 unaccompanied children have arrived to the United States since 2014. Most of them fled violence from Honduras, El Salvador, and Guatemala, countries that cannot protect them.

The family separation crisis at the U.S. border is far from over. Children migrating alone from Central America and Mexico have largely been invisible. Social workers can play a critical role in supporting immigrant children who face lasting trauma, and ongoing separation. While migration continues to be one of the biggest human rights issues of our time, social workers are called upon to help defend the legal rights of separated children who experience limited access to counsel, frequent facility transfers, deportation, coercion, and entrenched corruption.
Regardless of whether children have been reunified with their parents, most children are eligible for humanitarian protection, asylum, Special Immigrant Juvenile Visa status, or visas for victims of sex and labor trafficking and other crimes. In many instances, there is a widespread pattern of gender-based and sexual violence and torture of women and children. Many individuals are at risk of gang rape or death in rural and isolated areas. They are frequently forced into labor trafficking in agriculture or as domestic workers. In response to this global crisis, the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008 allows children who have been labelled “unaccompanied” the right to a full immigration proceeding. As children were torn from their parents, the legal “unaccompanied” status affords children procedural protections, including removal proceedings before an immigration judge and the opportunity to have an asylum case heard in a non-adversarial setting. Furthermore, Notices to Appear (NTA) in an immigration proceeding are a distinct right of the child, whether or not they are later reunified with their parents. All reunification efforts should ideally happen outside of immigration detention.

Social workers have multiple roles to play in this crisis through both clinical/forensic practice, and to engage in policy reform. Licensed Clinical Social Workers are first and foremost equipped to render psychological evaluations in support of an asylum petition. In addition to a written evaluation, they may offer expert testimony in immigration court if they can be qualified as an expert witness by the judge. This collaborative process, typically between social workers, pro bono attorneys, law school clinics, as well as corporate law firms can provide full and thorough advocacy that unaccompanied children would not otherwise be able to afford. This type of integrated and holistic practice can mount exceptional legal representation by presenting a comprehensive history and trauma narrative of unaccompanied children and refugees.

Since January, 2017, unaccompanied minors and refugees have faced aggressive rollback in protections under Executive Order 13767. In March, 2017, family separation began at the border. In June, 2017, the Department of Justice rolled back on providing legal counsel for unaccompanied children, sponsors were targeted for more aggressive deportation, and new hurdles were presented in proving affirmative asylum applications. By the end of 2017, the immigration system became less child friendly courts, instructing judges to become more skeptical of the most vulnerable children. During the earlier part of 2018, long-standing legal protections for children have been narrowing with more limited interpretation of who can qualify for special protections. In April, 2018, more than 700 children were reportedly separated from their parents, with 100 of them being under the age of 4. In May, 2018, family separation officially became a “zero tolerance” policy and discretionary power was further limited among immigration judges. During this past summer, the definition of asylum narrowed in courts, more aggressive detention was used in lieu of family separation, expanding authority was given towards the Notice to Appear (which is the first phase of a removal proceeding), denials and ultimate removals were made based on minor mistakes presented in immigration proceedings, and ultimately immigration judges were routinely forced to make rushed decisions. In September, 2018, immigrant rights known as the “Flores Protections,” were restricted, stripping children of long-standing protections and rights. Immigration judges were also forced to close cases quickly.

More harmful changes impacting the most vulnerable children are anticipated: 1) advocates anticipate the rollback of the Trafficking Victims Protection Reauthorization Act of 2008; 2) the possible elimination of unaccompanied minors having the opportunity for their cases to be heard in a non-
adversarial setting; 3) potential restriction of children from the “unaccompanied child” status if their parent is located in the United States. This would take away legal protections associated with the status; 4) further limiting people’s ability to apply for asylum at port of entries at the U.S. border; and 5) increased use of violence and tear gas at U.S. borders. All of these possible restrictions are likely to lead to thousands of more deaths.

What can social workers do as policy advocates and organizers? Social workers can urge Congress members to co-sponsor:


Social workers can also engage in movement work with local and nationally based organizers. For example, The New Sanctuary Coalition of New York City is an interfaith network of individuals, organizations, and congregations publicly in solidarity with communities and families resisting deportation and detention. New Sanctuary leads with an anti-racist lens while seeking reform of U.S. immigration laws. Learn about their national campaign at newsanctuarynyc.org. Other groups such as The Black Alliance for Just Immigration call for the reunification of Haitian American families. Learn about their work at baji.org.

The Jackson Heights Immigrant Solidarity Network (JHISN) supports immigrants and families facing persecution, racism, scapegoating, and xenophobia. Learn about their work at jhimmigrantssolidarity.org. Families for Freedom is a multi-ethnic human rights organization by and for families facing and fighting deportation, providing support, education, and campaigns for directly impacted communities both locally and nationally. Learn about them at familiesforfreedom.org.

Regressive law changes in immigration call upon social workers to respond to this migration crisis, now more than ever. There is something for everyone to do from all modalities of practice. Social workers are uniquely trained to add critical voice from a clinical, forensic, policy, organizing, educational, and research perspective. In particular, the social work profession can help advance the legal rights and representation of unaccompanied children and refugees at a time when they are in dire need of protection and guidance. With increasing rollbacks, a child may be at grave risk of death without us. Despite the fact that the United States has not ratified the UNCRC, the NASW Code of Ethics calls the profession to uphold basic human dignity and rights of the most vulnerable children entering the nation.

Footnotes

9. Id.
For many of us, the broad reach of our social work practice includes close engagement with immigrants, refugees, and those seeking asylum. Across widely diverse settings and intersecting roles, and attuned to nuanced expression, we listen to detailed stories infused with trauma and loss.

Many colleagues, especially now, amidst this political landscape, feel a powerful commitment to respond, framed by the social justice and human rights principles of our profession and our practice.

A school social worker meets with a young client terrified to leave his mother, each day frightened she may be deported before he returns home. A hospital social worker reaches out to her client, who misses a medical follow-up and avoids the support and community of a domestic violence group fearful she’ll be apprehended by the authorities. A social work educator volunteers at a refugee support program and with a group providing mental health evaluations. An administrator advocates policy change with a community group. Students introduce a Public Statement at a policy hearing. A clinician provides pro bono therapy with refugees who’ve experienced abduction and assault.

For adults seeking asylum, having left home amidst political violence, civil unrest, economic collapse, or persecution of ethnic, religious, or LGBTQ+ communities, the often-unacknowledged prominence of loss may be quietly carried by many, often unexpressed.

The traumatic loss of having lost loved ones to violence, or the loss of one’s home after being targeted, or one’s community and with it all social support, are profoundly felt. Loss of one’s identity, one’s sense of coherence, loss of the assumptive world, and faith in the future are complex and nuanced. The ambiguous loss of having loved ones afar, and feeling both their absence and their presence, yet not being able to visit them if ill or in need of support, requires learning to continue living with uncertainty.

The realities of such collective and individual trauma and loss, contextualized by nuanced dimensions of culture, from cultural meaning, and cultural expression, to cultural bereavement; and by historical, geopolitical, and social elements, overwhelm clients’ social sphere, affecting the life of one’s community, and disrupting attachments and bonds, a sense of belonging, and communality. A broad relational response includes supporting social connection, collective experience, and active inclusion in community life.

As we empathically engage and listen deeply to client and community narratives of suffering and survival, and as we absorb both the dimensions of trauma and loss expressed and the accompanying resilience evident for so many, it is inevitable that we’re profoundly affected. Bearing witness to stories of grief and terror, of lives being instantly uprooted, and of profound uncertainty about the future, we feel the impact deeply, even when observing perseverance.
Hearing of the violence and desperation when first leaving home, dangers occurring en route, and challenges upon arrival, as practitioners we engage with the fear, deep loss, and perhaps guilt regarding family members who didn’t leave, possibly living in hiding. Additionally, we learn our clients often must wait indefinitely for asylum interviews as well as months before becoming eligible to apply for a work permit.

As social workers, we carry the intensity, despair, and anxiousness from these conversations. It is not uncommon to feel helpless, exhausted, and struggle to maintain hope; nor is it unusual to feel that our values and commitments for a just, inclusive society, our professional identity, and our integrity, have been dramatically challenged by closely interfacing with tragedy within the current climate.

Conceptualizing the challenging impact of our work as vicarious trauma may offer us validation. Vicarious trauma can be understood as the inevitable transformative process of change to our inner experience, occurring through cumulative empathic engagement with the trauma and loss realities, dynamics, and expressions of our clients and their communities, and our sense of responsibility. Among many reactions, previous assumptions about oneself, others, and the world may change, one’s sense of safety, security, and predictability may feel threatened, and one’s sense of meaning and hope may be challenged.

"We can move beyond the important basics of creating balance and boundaries with our work, good nutrition, rest, and exercise, perhaps mindfulness, yoga, spiritual interests, and other restorative experiences."

Importantly, vicarious trauma is only one element of the impact of our work and often co-exists with vicarious resilience. Through cumulative empathic engagement with clients and their communities, and co-occurring with vicarious trauma, vicarious resilience is the positive transformation to our inner experience in response to the resourcefulness and perseverance of our clients and their determination to face the future.

By learning from clients’ survival, witnessing their hope, being exposed to their creative adaptation, and acknowledging the daunting realities that exist, we are changed. We may develop a wider perspective on human experience, appreciation of the broad capacities to persevere, a fuller sense of meaning, purpose, and hope. We may more openly listen to suffering and enduring loss in this context. Relational exchanges may deepen. Additionally, we may experience both clients’ and our vulnerability and resourcefulness, discouragement and sense of possibility, each co-existing in a dynamic, delicate balance.

Transformed within the relational context of our work by how clients and communities deal with profound adversity, as we witness their resourcefulness, we can acknowledge the importance of the collaborative nature of the relationship and its mutuality. Along with our clients, we may experience empowerment through interacting and recognizing that along with struggling to stay hopeful, resilience is also present. We can understand resilience as a dynamic process of moving forward, engaging with, and facing the future, rather than as an endpoint, or trait.

Considering the impact of our work, the nature of the issues, current policies and the social climate, how can we take care of ourselves and each other, strengthen our resourcefulness, enhance hope, experience a sense of agency, and maintain momentum to cultivate change? Reflective self-care is essential, though not an endpoint. Self-awareness, self-nurturance, and importantly, social connections are a foundation. We can move beyond the important basics of creating balance and boundaries with our work, good nutrition, rest, and exercise, perhaps mindfulness, yoga, spiritual interests, nature, the
arts, and other restorative experiences. We can go further to consider sustaining relationships and supportive networks, our connections to others. We can create ongoing collegial support which is validating, caring, strengthening, and provides safe arenas in which to discuss the details of our work and its meaning. We can find specialized training, informed supervision, peer support, conferences, reconfirm professional identity. Engaging in social justice work, social action, and advocacy are powerful expressions of resilience that highlight our resourcefulness and our hope.

We can refine our perspective, recognize our own resourcefulness and, reconfirm our own hope if we can stay open to learning from clients and their communities about survival amidst nearly hopeless situations; can observe the layered dimensions of their resilience, determination, and even tentative trust in the future; and can recognize that our engagement with them offers the possibility of hope and future through the human relationship.

Just as we help clients transform the impact of trauma and loss into meaningful, empowered living, we can do the same for ourselves and with one another.

References

Human Rights Day at Fordham University

Sameena Azhar, PhD, LCSW, MPH
Assistant Professor
Graduate School of Social Service at Fordham University

To commemorate the 70th anniversary of the United Nations’ (UN) Universal Declaration of Human Rights (UDHR), the Fordham Graduate School of Social Service (GSS) and the National Association of Social Workers (NASW)-NYC Chapter hosted a conference on Dec. 1, 2018. The UDHR was proclaimed by the UN General Assembly in 1948 and is a milestone document in the history of human rights. The conference, titled “70 Years of Human Rights Advocacy: Social Workers Building Towards a Just Future,” was themed on current immigration issues and had a gathering of more than 140 graduate students, social work practitioners, and faculty.

Two keynote speakers, Ambassador Carla Mucavi and Kelly Agnew-Barajas, shared their insights and experience. Ambassador Mucavi is Director of the Food and Agricultural Organization Liaison Office to the UN in New York. She has served in the Ministry of Foreign Affairs and Cooperation of Mozambique; in the Division for International Organizations and Conferences; as Deputy Director of State Protocol; and as Chief of Cabinet of the Minister for Foreign Affairs and Cooperation. Ms. Mucavi spoke about the importance of food and water security throughout the world and offered strategies to address these global inequities.

Kelly Agnew-Barajas is Director of the Refugee Relocation program at Catholic Charities. She is responsible for overseeing social service programs for refugees, asylees, and victims of human trafficking at Catholic Charities. In addition, Ms. Agnew-Barajas oversees an intensive social service program for unaccompanied minors. The programs provide comprehensive social services, education, training, English for Speakers of Other Languages (ESOL), and job placement for migrant families. Ms. Agnew-Barajas shared about her own personal experiences in working with refugees whose families had been separated from one another.

The event program was organized around six breakout sessions on topics related to the theme of migration. The first session was titled “Changing Policies” and was co-facilitated by Jennie Spector and Mary Beth Morrisey. This group discussed immigration and migration policy changes under the current administration and brainstormed ideas for what we, as social workers, can do to fight back with a social justice lens.

Ann Burack-Weiss, Heidi Mandel, and Madelyn Miller facilitated the second session, which was titled, “Our Family Stories of Arrival & Our Work”. Participants had the opportunity to share their own stories or their families’ stories of recent or distant arrival to the United States. They were asked to consider how those narratives infuse their social work engagements and commitments to human rights work and social justice advocacy.
The third session, “Keeping Families Together (or Not),” was facilitated by Karolina Lukasiewicz and Saumya Tripathy. In this session, participants learned about the impact that current immigration policies have on families in the United States. Participants also discussed ways to welcome and empower immigrant families.

The fourth session, “The United States Welcome Mat?: Receptions to People on the Move” was facilitated by Mary Jane Cotter. It was discussed that in 2017, the U.S. hosted 49.8 million international migrants, or 19 percent of the world’s total population. Participants in this workshop shared initiatives and strategies to better support and advocate for migrant families making their way on the road to a just future.

Ambassador Mucavi, Shirley Gatensio Gabel, and Tanzilya Oren facilitated the fifth session, “Environmental Justice.” This group discussed issues of environmental injustice faced by migrant communities, including natural disasters, the impacts of climate change, food scarcity, public sanitation, and access to clean water.

The sixth session was called, “Mental Health and Trauma” and was facilitated by Madelyn Miller, Dr. Christiana Best-Giacomini, Astrid Casasola, and Emma Cathell. This group addressed the profoundly affecting realities of immigrant, refugee, and asylum-seeking experience, considering contexts and expressions of individual/collective trauma and loss within a cultural frame. The group addressed the impact of this social work, including vicarious trauma, vicarious resilience, and efforts toward reflective self-care.

In addition to the speakers and discussion sessions, Fordham social work graduate students presented more than 20 posters. Posters focused on a range of human rights issues and were evaluated by Elaine Congress, GSS Associate Dean; Vera Mehta, GSS Adjunct Professor and UN Associate; and Dr. Christiana Best-Giacomini, Assistant Professor at St. Joseph University evaluated. Some human rights issues the graduate students presented included disparities in public education, violence against transgender people, immigration/refugee issues, mental health treatment for incarcerated people, racial justice in the child welfare system, women’s rights, sign language availability, and more.

This event was organized by a team of faculty and practitioners, both at Fordham and NASW-NYC. At Fordham, the organizing committee included: Shirley Gatensio Gabel, GSS Associate Professor; Sameena Azhar, GSS Assistant Professor; Vera Mehta, GSS Adjunct Professor and UN Associate; and Kristen Kimmel, GSS graduate student.

From NASW-NYC, the event organizers included a number of members from the Immigration and Global Social Work Committee, including Dr. Christiana Best Giacomini, Dr. Eric Levine, Heidi Mandel, Madelyn Miller, and Columbia University graduate students Astrid Casasola, Emma Cathell, and Marlon Agustin-Mendez. Fordham GSS hopes to commemorate Human Rights Day with an annual conference at Fordham’s Lincoln Center campus in the future.
NASW-NYC Chapter Social Work Interns Testify Before NYC Council on Public Charge

Emma Cathell, BSW
Co-Intern of Immigration and Global Social Work Committee and MSW Candidate of Columbia University

Astrid Casasola, Emma Cathell, and Marlon Agustín-Mendez, master of social work students at Columbia University, active members and interns of the Immigration and Global Social Work Committee of the National Association of Social Workers, New York City Chapter (NASW-NYC) testified on behalf, of the NASW-NYC Immigration and Global Social Work Committee.

The New York City Chapter of the NASW represents over 6,000 members throughout the five boroughs. NASW is the largest association of social workers in the world, with over 120,000 members across the nation. We are leaders in advocating for just, social policies, and we thank the New York City Council for the opportunity to testify.

The NASW-NYC Chapter finds the Department of Homeland Security’s proposed rule change of public charge to be heartless and punitive. It would have a devastating impact on those who are among the most vulnerable members of our society – low-income immigrant families and children.

Chilling Effect
This new ruling would compel millions of low-income families and individuals to choose between access to food and health care or permanent settlement in the United States. More specifically, a 2018 report estimates that 26.9 million people, including 9.2 million children, will feel a “chilling effect.”

The chilling effect would discourage immigrants from using health, nutrition, housing, and other types of public benefits despite the fact they remain eligible, due to fear, distrust, and confusion directly caused by this proposed policy. This growing confusion poses a serious risk, not only for individuals and families, but for the public health as well.

Economic Benefits of Immigration
It is a common notion in the United States that immigrants manipulate and take advantage of (vs. “suck up”) the public benefits of the country while not contributing to the economy; however several reports and news coverage have discovered quite the opposite. For example, Miroff (2018) found that in 2013, about 3.7 percent of the 41.5 million immigrants in the nation received cash benefits, while 22.7 percent accepted noncash benefits including Medicaid, housing subsidies or home heating assistance. In fact, native-born Americans use benefits at a very similar rate. Of the 270 million U.S.-born population, 3.4 percent received cash welfare that year and 22.1 percent received noncash benefits (Miroff, 2018).

As previously stated, the proposal seeks to increase the income requirements for potential immigrants. In order to avoid being labeled as a public charge, an “alien” must make between 125 percent to 250 percent of the Federal Poverty Guidelines (DHS, 2018). Anything above 250 percent would be weighed positively. For example, having an income of $30,350 for an individual and $62,750 for a
family of four (Hesson, Cook, Evich, & Restuccia, 2018). As a comparison, virtually 29 percent of U.S. citizens would fail this test, compared to 28 percent of non-citizens (Entralgo, 2018).

Additionally, it will be discussed how immigrants are not actually an extra “burden on taxpayers,” but rather, an asset to the nation’s economy. In fact, it could be argued that with fewer immigrants in the United States, the country’s economy would suffer. Blau & Mackie (2017) found that although first-generation immigrants are more costly to state and local governments than native-born Americans, second-generation immigrants are “among the strongest economic and fiscal contributors in the U.S. population.” In fact, this report found that the second-generation population contributed more in taxes than the rest of the native-born population (Blaus & Mackie, 2017).

Furthermore, it has been demonstrated that employment rates are high even among immigrants who partake in public benefit programs. In fact, Batalova, Fix, & Greenberg (2018a) found that of benefit-receiving families, 63 percent of noncitizens and 66 percent of naturalized citizens are employed, while only 51 percent of native-born benefits-receiving families are employed. Restraining the amount of immigrants admitted to the United States could also leave the nation at a vulnerable position during the current U.S. employment boom. Forbes analyst Josh Bersin (2018) examines a new problem taking place in the nation, which is a labor shortage as well as all-time-low fertility rates (around 1.9 children per family).

Conclusion

The NASW-NYC Chapter concurs with a large and diverse coalition of immigration advocates, health organizations, physician groups, hospitals, and patient advocates, who strongly denounce the proposal. Rather than implementing the proposed public charge policy change, we contend it is best for children and families, as well as for the public health and well-being, to retain the current criteria as established by the 1999 ruling. We also urge everyone here today to make a public comment condemning this proposal on the Federal Register.

Expanding the criteria would literally lead to a public health crisis in which children and families will go hungry, lack adequate shelter, clothing, medical care, and other basic necessities. As a nation that prides itself on life, liberty, and the pursuit of happiness, and that has a heart and conscience, we cannot allow this to happen.

References


12th Annual Leadership Awards Dinner

March 28, 2019
5:30 pm - 8:30 pm
Jing Fong Restaurant

CLICK HERE FOR MORE DETAILS

MEMBER OF THE MONTH

Calling all NASW-NYC members! NASW-NYC wants to highlight the many ways you ELEVATE our profession, change lives, and #SocialWorkintheCity. Every day, social workers make countless sacrifices, change systems, and stand up for equity and social justice. As social workers, we advocate for others and sometimes, we don’t recognize how vital our roles are in shaping the lives and trajectories of the people and communities we serve.

NASW-NYC is launching our Member of the Month spotlight where we will highlight the incredible and vast ways that you #SocialWorkintheCity. We often work behind the scenes and in thankless roles; we want to celebrate you and help others to learn about the amazing work that social workers do every day.

Please join us in celebrating social workers across the city by spreading the word about social work, how we ELEVATE our profession and the world, and by nominating yourself and other members to be featured on our website and in our bi-monthly e-publication, Currents.

PLEASE CLICK HERE TO SUBMIT
CALLING ALL SOCIAL WORKERS!

Round Table discussions on the #StateofSocialWorkInTheCity are happening!

NASW-NYC is beginning a series of discussions on the current state of social work in the many practice disciplines we work in New York City! Join us to discuss salary concerns, workplace safety, quality of life, caseload size, racial equity, gender equality and other important issues for our profession in the disciplines of Mental Health and Substance Abuse, Immigration, LGBTQIA+, Child and Family Services, Housing and Homelessness, Policy & Government and more! The goal of these discussions will be to develop position papers to recommend legislation to our city and state leaders supporting the economic, racial and gender justice, and work/life balance for social workers! Our first discussion will be on the state of social work in Mental Health and Substance Abuse and will be on Monday, March 4, 2019, from 6:30 pm to 8:30 pm at New York University’s Palladium Hall, located at 140 E 14th Street.

Please join us. Space is limited! RSVP to NASWNYC.STR@gmail.com or call 212-998-9099 for further questions.

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**Continuing Education** **Saturday, February 2**
Learning to Hear: Psychoanalysis, History, and Radical Ethics
Presented by Donna Orange

**Integrated Trauma Colloquium** **Thursday, March 14**
Scaffolding Trauma Treatment: Collaboration Between Psychoanalysis and EMDR

To register or for more information about these and other events, visit us at: www.nipinst.org, call 212.582.1566, or email info@nipinst.org

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