

Deporting People from Churches, Schools and Hospitals Is Bad for Texas

We need a system that keeps families together and protects community life

[Anne Dunkelberg](#), Associate Director

Children seeking medical attention should be able to access health care without fear of deportation and separation from their families, but immigration officials have been detaining more people in such situations lately. Typical detentions include U.S. citizen children with one or more undocumented parents, though occasionally the child may also lack legal status. In years past, checkpoint staff accepted letters from the children's hospital documenting the need for the child to access care, and families could get care. Recently, however, federal immigration officials have been inflexible and have insisted on taking parents and even children with medical needs into custody.

Two recent Texas episodes gained national attention for the aggressive pursuit of non-criminal family members and the fact that law enforcement took action on the premises of health care providers, which were previously off limits for enforcement actions.

- 1) In September the Sanchez parents were [taken into custody](#) after they traveled from Harlingen to Corpus Christi to get surgery to correct their infant son's pyloric stenosis birth defect.
- 2) In October, 10-year-old Rosa Maria Hernandez, an undocumented immigrant with cerebral palsy, was [detained by federal immigration authorities](#) in Texas. She had passed through a Border Patrol checkpoint in an ambulance, on her way from Laredo to Corpus Christi to undergo emergency gall bladder surgery.

Border Patrol agents tried to persuade the family to agree to have the girl transferred to a Mexican hospital, pressing the family to sign a voluntary departure form for her. The family declined. The entire time Rosa Maria was in surgery and then in recovery, several armed Border Patrol agents stood outside her hospital room, the family said.

When it was time for her to leave the hospital, immigration agents took her to a facility in San Antonio where migrant children who arrive alone in the United States from Central America are usually held, even though her parents, who both lack legal status, live 150 miles away in Laredo.

Federal Policy

Under President Obama, the Department of Homeland Security [adopted a policy](#) that immigration agents ([ICE](#) and [Customs and Border Protection](#)) should avoid enforcement actions at hospitals, schools, churches and public demonstrations unless there are special circumstances.

Concern is Broader than Health Care

Across the U.S., advocates, business owners, educators, and other community members report that families are avoiding church and school functions, and that even shopping for basic needs is significantly depressed. Reporting of crimes is down. Use of formal Supplemental Nutrition Assistance Program (SNAP), Medicaid, and Children's Health Insurance Program (CHIP) benefits are down as even U.S. citizens and lawfully present immigrants are afraid to access benefits in the wake of federal administration policy and messaging. Texas' new anti-immigrant law, SB 4, only adds to the anxiety here in Texas, [as does word of these recent incidents](#).

Millions of Texans—including One-third of Our Children—Are Affected

Out of **7.2 million Texas children** (under 18, in 2015):

- Only 4% of Texas children (**317,000**) are themselves foreign-born, but
- Over one-third (34%) of Texas kids reside with at least one foreign-born parent (**2.4 million Texas children**)
 - 89% of these kids are themselves U.S. citizens

What Can We Do?

Every association or institution has to weigh this issue. Unfortunately, these recent inexcusable incidents call for a re-evaluation of past practices, as continued silence may no longer be a responsible option. Affected entities and institutions in Texas include local elected officials, and community leaders from faith, health care, education, anti-hunger, law enforcement, disability rights, child protection, and domestic violence and sexual assault survivor services across Texas, all of which have a stake in making our communities safe for the families of one-third of Texas children.

CPPP calls for ICE to stop Rosa Maria's deportation by administratively closing her file. We urge Congressman Will Hurd and Senator John Cornyn to advocate for closure with the Department of Homeland Security (DHS) and ICE.

A first step would be to press for compliance with current DHS policy, and particularly an end to the deliberate targeting of immigrants who are children, or whose children are seeking medical care. Joint or coordinated statements from leaders across these diverse sectors would be a powerful step forward for Texas. This memo is a call to start exploring how your community or organization could contribute.

"I am saddened and appalled that Border Patrol agents are stopping ambulances from transporting children to hospitals," said [Bishop Tamayo](#) of Texas' Catholic Bishops.

Support Legislation to Protect Schools, Churches, Clinics, Hospitals, and Government Offices

[HR 1815/S 845](#) (115th Congress) would turn the current sensitive locations policy guidance into law, with teeth. The bill amends the Immigration and Nationality Act to provide that an immigration enforcement action by the Department of Homeland Security (DHS) or an individual designated to perform immigration enforcement functions may not take place at a sensitive location, except: (1) under exigent circumstances, and (2) with prior approval. A "sensitive location" includes all of the physical space located within 1,000 feet of:

- medical treatment or health care facilities;
- public and private schools;
- scholastic or education-related activities;
- school bus or school bus stops during periods when school children are present;
- emergency shelter or food locations;
- any organization that assists children, pregnant women, victims of crime or abuse, or individuals with significant mental or physical disabilities or that provides disaster or emergency social services;
- places of worship;
- funerals, weddings, or other public religious ceremonies;
- public demonstrations;
- federal, state, or local courthouses;

- congressional district offices;
- public assistance or social security offices; or
- motor vehicles departments.

As of 11/3/2017, these Texas members of Congress were co-sponsors: Rep. O'Rourke, Beto [D-TX-16]; Rep. Vela, Filemon [D-TX-34]; Rep. Jackson Lee, Sheila [D-TX-18]*; Rep. Green, Al [D-TX-9]*; Rep. Veasey, Marc A. [D-TX-33]; Rep. Castro, Joaquin [D-TX-20].

For information on how to stay informed about, or engage in statements and actions to protect sensitive locations from becoming immigration enforcement targets, contact CPPP at dunkelberg@cppp.org.

Media Coverage of New Pressures

[For Houston's undocumented immigrants, storm is just the latest challenge](#); August 28, 2017

[Immigrants Hide, Fearing Capture on 'Any Corner'](#), Feb. 22, 2017

[Deportation Fears Prompt Immigrants to Cancel Food Stamps](#), March 28, 2017

[Immigrant women fear deportation under Trump if they report domestic abuse, advocates say](#); June 26, 2017

[Immigrant evacuees weigh safety, fear of deportation](#); Sep 10, 2017

[The fear of deportation is making immigrants sick](#); Sep 1, 2017

[Too Scared to Report Sexual Abuse. The Fear: Deportation](#), April 30, 2017

[Back Into the Shadows: Immigrants Retreat from Needed Services as Deportation Fears Loom](#); June 15, 2017

The **Center for Public Policy Priorities** is an independent public policy organization that uses research, analysis and advocacy to promote solutions that enable Texans of all backgrounds to reach their full potential.

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