



Detention and Family Separation in San Diego County: Addressing the Human Cost of Immigration Policy

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I. EXECUTIVE SUMMARY

Family separation remains one of the most critical humanitarian issues in the United States, particularly in San Diego County, which is situated about as close to a border as any U.S. jurisdiction, and has the largest population of immigrant families in the country. Thousands of families are still grappling with the trauma of detention, a weak system of reunification, and limited access to legal and social support, despite recent legislation in California (like SB 1064, the Reuniting Immigrant Families Act). As the child of immigrant parents and a first-generation college student, I have seen firsthand how these policies harm families that come seeking safety and opportunity, but instead face spiritual and emotional disconnection, and dehumanizing experiences. The Family Unity and Dignity Act seeks to address this by making family reunification more robust, creating accountability in the detention facility context, and improving access to legal and community support. When policy returns to recognize the voice of these families and their lived experiences, we are advancing towards restoring trust, affirming human rights, and asserting a simple yet profound belief that every family should be safe, remain together, and has the right to dignity—the embodiment of our families' collective hopes and

dreams for each other and the lasting legacy or shaping of our identities—whether throughout San Diego County or the entire United States.

II. OVERVIEW

The policy of family separation came to national attention in 2018, during the federal government's enforcement of a “zero tolerance” policy at the U.S.–Mexico border. In San Diego, a region with an extensive history of cross-border movement, the harm of family separation has been profound. Families are traumatized for years, children experience developmental and emotional damage, and communities do not recover. While many nonprofit organizations in San Diego, including legal aid providers, faith-based coalitions, and immigrant service providers, seek to reunite families and provide assistance, the demand for services and support exceeds capacity. As a result, families are often left without assistance, and resultant damages to families continue to affect public services, including healthcare, mental health programs, and education. The purpose of this brief is to give a voice to the continued harm of family separation in San Diego County, and ultimately push for policy change that would prevent further harm.

A. Relevance

The effects of family separation and detention are

devastating, not only for the families involved but for our society, with long-lasting repercussions well beyond the separation itself. Some studies show that nearly half of children experiencing detention or separation develop depression, anxiety, or PTSD, including a study published by Cambridge University Press that found that 42% of children had demonstrated major depression. In San Diego County, where thousands of families migrate through the system each year, nonprofit organizations report that behavior problems and developmental delays are common features of children whose parents are separated, which makes facility transitions and social behavior significantly more challenging in school. In addition to affecting a child's well-being, this also places a burden on public services, as public services, including schools, mental health providers, and healthcare systems, will need to address the consequences that these policies have on our community. In many cases, public interest groups and local nonprofits have been active in responding to this crisis, but the enormity of the problem means that services are limited, and some families will be neglected. Family separation policies are dangerous to the collective wellness, and the ramifications of these policies extend into community stability.

III. HISTORY

A. Current Stances

The subject of family detainment and separation originates from a long history of U.S. immigration policies. Federal approaches have increasingly emphasized border enforcement over humanitarian aims. Under the Reagan administration, the Immigration Reform and Control Act of 1986 instituted enforcement measures at the border while decreasing legal

family pathways. In the 1990s, enforcement measures such as Operation Gatekeeper (initiated in San Diego) were introduced to increase barriers and surveillance at the border, which pushed migration patterns to more dangerous areas, thus increasing family vulnerability. Together, these early border enforcement measures set the stage for the continued growth of detention facilities and normalized family separation enforced as a deterrence measure. The 2018 “Zero Tolerance Policy” further entrenched this harm by separating thousands of children from their parents systematically, creating an insidious trauma for children and lingering reunification cases we continue to witness today.

The issues of detention and family separation are still acute and increasing in San Diego. Advocacy organizations including Alliance San Diego, the ACLU of San Diego & Imperial Counties, and the San Diego Immigrant Rights Consortium (SDIRC) report approximately 1,081 family separations recorded at the San Diego border's "welcome center" since September 2023, a total that includes nearly 400 spouses and almost 200 adult children separated from parents. The Otay Mesa Detention Center—one of the largest ICE facilities in the county—has been operating above its contract capacity of 1,358 detainees as of mid-2023, with 100 or more detainees under ICE's jurisdiction. This exacerbates existing problems, such as delays in court, family disruptions, and pressure on local nonprofits and social service providers trying to coordinate reunification or humanitarian support. Even after two years of community organizations and legal clinics organizing evacuation and reintegration support, many families remain in limbo without any assistance and trapped in violation of the right

to family unity and human dignity.

IV. POLICY PROBLEM

A. Stakeholders

In San Diego County, the detention and family separation policy issue involves many stakeholders who are typically at odds with one another. Federal agencies, particularly U.S. Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP), enforce mandatory detention policies and carry out several of the separations at the border, as well as private prison companies, such as CoreCivic, which runs the Otay Mesa Detention Facility, are essential actors in enacting these practices. By contrast, nonprofit organizations, San Diego Alliance, Student Without Limits, and the San Diego Immigrant Rights Consortium, respond with legal representation, shelter, and advocacy. These organizations are often overwhelmed with requests but have limited capacity and resources to meet the needs of all. Local governments and public services also play a role to the extent they have to respond to the public health needs, educational needs, and social service needs of separated families, again, without any additional federal support. Finally, there are also the immigrant families as the stakeholder most impacted, as they endure trauma created by both the separation and detention processes, and navigate complex legal systems. The central policy problem centers around the imbalance between the federal enforcement policies that perpetuate damage and the lack of local resources to alleviate the consequences of those policies, resulting in the continued lack of attention to the needs of many immigrant families and communities.

B. Risks of Indifference

Not addressing detention and family separation comes with serious ramifications for immigrant families and the broader San Diego community. Families that remain separated will experience ongoing trauma, with children more susceptible to experiencing the effects of depression, PTSD, developmental delays, and other negative effects that can hinder their development and ability to flourish in school and society. When these trauma impacts go unaddressed, the burden will increasingly fall on public systems, such as schools, healthcare, and social systems, which already have limited resources to meet the community's needs. Additionally, the lack of processing these issues and trauma can erode community trust, as immigrant families will not want to engage in local institutions and law enforcement, making it difficult to sustain safe and inclusive neighborhoods. Furthermore, not addressing this policy issue only continues the cycles of inequity and instability that undermine the health, safety, and cohesion of San Diego at all levels. Ultimately, without addressing the trauma and resolving the issues, the families and community will pay the price for policies that are harmful and are in need of reform.

C. Nonpartisan Reasoning

Since family separation does not affect just the individuals directly involved but also entire communities and systems, nonpartisan intervention is crucial. The advantages of this intervention include (but are not limited to the following):

- 1) Stability and costs in public health are finished: Evidence demonstrates that

children separated from their families experience trauma and are more likely to suffer from depression and post-traumatic stress disorder (PTSD). When children with these conditions do not receive treatment, they will more likely depend on emergency care, community health clinics, and mental health services, exacerbating the demands on already overburdened public health systems. Reducing the practice of family separation would positively impact children's mental health and lessen the costs and logistical impact on local health care providers..

- 2) Access to education and optimal student achievement: Trauma associated with family separation often harms a child's ability to learn, resulting in low academic performance, difficulties attending, and behavioral challenges. Schools will redirect resources toward counseling and other interventions. Children can enter school with a reduced burden of trauma related to family separation, thereby improving the overall atmosphere in a learning environment and allowing teachers to dedicate more resources to academic achievement and reduced crisis intervention.
- 3) Increased Capacity for Nonprofits and Social Services: Local nonprofits and immigrant advocacy organizations, including San Diego Alliance, Student Without Limits, and the San Diego Immigrant Rights Consortium, are working diligently to assist families in separation. The needs of families are much

larger than the capacity of these organizations, and many families are currently without services because of this high demand. Addressing the root causes of family separation, for example, would lessen the reliance on the capacity of these agencies and empower them to provide greater levels of service to the families who need it most, and to build the capacity of the community overall.

V. TRIED POLICY

To start, a known policy that was established in California to confront family separation is the Reuniting Immigrant Families Act (SB 1064) from 2012. This law aimed to create a presumption that children would not be permanently separated from their parents because of immigration enforcement. SB 1064 mandated that county child welfare agencies prioritize family reunification and provide communication options when a parent is detained or deported.

Although the policy was rooted in good intentions for a distressed community, the policy has not met its intended goals for a number of reasons. A primary challenge is that it is difficult to coordinate local child welfare agencies with federal immigration authorities, who often make conflicting decisions and act separately from child welfare agencies. Furthermore, SB 1064 is not able to stop separations from occurring because it is primarily focused on the child welfare process, rather than the detention system. Thus, families in San Diego County continue to experience long-term separation and trauma. While the policy was an important step toward addressing

family separation, the impact has been limited, given the gaps in enforcement and jurisdiction.

VI. POLICY OPTIONS

Family Unity and Support Navigation Program

A leading cause of family separation is the lack of coordinated support among detained parents, local child welfare agencies, and community organizations. Many families lack access to legal, social work, or case-management support, where workers are trained in cases of family reunification.

In response to this issue, I propose establishing a Family Unity and Support Navigation Program that places trained "Family Navigators" into the existing social work and child welfare system, and local nonprofits to help families navigate the legal and social processes towards family reunification. Family navigators would coordinate with local immigration attorneys, foster care and adoption agencies, and community shelters to keep detained or deported parents informed about their children and connected throughout the process of family reunification. Connecting families through navigation of the child welfare system will help strengthen family stability and reduce the long-term trauma associated with separation.

State-Funded Emergency Family Reunification Fund

The financial burden that families encounter when attempting to reunite is perhaps the greatest hurdle to reunification. Many parents who are separated from their child(ren) cannot afford to retain attorneys, find transportation to travel

reunification, or afford housing after a child has been released from custody.

I propose a State-Funded Emergency Family Reunification Fund administered by the California Department of Social Services (CDSS) in partnership with local nonprofits like the San Diego Immigrant Rights Consortium. The fund would assist families during the period of separation and offer one-time monetary assistance to families for transportation fees for reunification meetings, fees for filing legal documents, and counseling services. By providing assistance with the financial burden, the proposed policy would reduce the time families experience economic burdens related to separation and reunification. This policy would lead to a more stable family system at a faster rate, and ultimately lower public expenditures in the foster care system, emergency housing, or mental health systems over time.

VII. CONCLUSIONS

The issue of family separation is not only about policy or government action; it is also a human issue and a personal issue with deep and lasting harm to children, parents, and communities. As a first-generation and the child of immigrant parents, I have grown up watching families like mine juggle the process of immigration: dealing with complex legal systems, grappling with financial insecurity, and living in worries of stability and security. I come from a community of hard-working families, and I have seen my neighbors, friends, and family members separated for weeks, months, or years, or on the verge of

being separated while providing for their children and attempting to create a better life for them in the U.S. These families are not just statistics to me: they are real human beings with hopes, fears, sacrifices, and resilience with whom I share a love and identity with. The legislative proposals and policy recommendations referenced here, including the Family Reunification Support Act, the Community Family Stability Fund, and the Family Reunification Transparency Mandate, will contribute to reducing unnecessary separations, improving coordination among agencies, and providing families with the necessary support to remain together. These are important policies that will restore stability and security for thousands of children and parents, including families like mine, to avoid further trauma and uncertainty.

Addressing family separation is essential for the health of individuals and the health of the community overall. For children, separation from family—even in the presence of other adults—can have lasting side-effects, not only in mental health but also in educational achievement and social behaviors—all of which may have ripple-out effects on public health, education, and social services. I observe locally, with nonprofit organizations that do amazing work and are doing their best to support the community, that there is too much demand for families to be supported; thus, there are numerous families in my community and beyond that are at risk of being under-supported. In order for San Diego County to normalize support policies that utilize transparency, proactively support families, and integrate preventative approaches to family separation policy, we need to end family separation as the default policy—if we can lessen

family separation, we will lessen trauma, build strength/port and better access to equitable public services. I matter personally, and I think I bring passion for the experience of understanding real stakes: families like mine should be entitled to safety, stability, and the ability to construct lives without the knowledge of family separation in the wings.

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