

SOCIAL SERVICES PRESENTATION

COST SAVINGS ON SOCIAL SERVICES OF IMPLEMENTING IMMIGRATION REFORM*

Government-funded social services for undocumented immigrants are limited

Under current federal law, undocumented immigrants qualify for few government-funded social services. Since the 1996 passage of the welfare reform law, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), working in combination with the restrictive immigration law passed in the same year, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), most major government-funded programs have been unavailable to undocumented immigrants. These include Medicare, Medicaid, Temporary Assistance for Needy Families (TANF), Children's Health Insurance Program (CHIP), food stamps, Supplemental Security Income (SSI), and public housing assistance, each of which are available only to U.S. citizens or lawful permanent residents, with very few exceptions.¹

In the absence of eligibility for the programs mentioned above, a few federally- and state-funded programs do provide limited social services for undocumented immigrants. According to the Office of the Texas Comptroller, however, the cost of providing these services to undocumented immigrants is more often borne by local governments and non-profit and private organizations.² In its most recent report, the Texas Health and Human Services Commission reported costs of services provided to undocumented immigrants under three programs in state fiscal year 2009: Texas Emergency Medicaid, Texas Family Violence Program, and Texas Children's Health Insurance Program (CHIP) Perinatal Coverage.³

Texas Emergency Medicaid

States are mandated by federal law to provide emergency Medicaid, which is available in the case of a medical emergency, including childbirth or labor, to individuals who would otherwise qualify for Medicaid without regard to their immigration status.⁴ The program is both state- and federally-funded, and the Texas Health and Human Services Commission estimated that the cost to Texas of providing emergency Medicaid to undocumented immigrants was \$62 million in 2009.⁵ The Commission estimated that undocumented immigrants made up 63% of those receiving emergency Medicaid.⁶

Texas Family Violence Program

Through the Texas Family Violence Program, state funds are awarded to non-profit agencies in the state to provide necessary services to victims of family violence regardless of their immigration status.⁷ These services include shelter, counseling, and emergency medical services.⁸ The Texas Health and Human Services Commission

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¹ See U.S. Department of Health & Human Services, Summary of Immigrant Eligibility Restrictions Under Current Law, <http://aspe.hhs.gov/hsp/immigration/restrictions-sum.shtml> (last visited Dec. 30, 2011); OFFICE OF THE TEXAS COMPTROLLER, UNDOCUMENTED IMMIGRANTS IN TEXAS 1 (Dec. 2006).

² *Id.* at 6.

³ TEXAS HEALTH AND HUMAN SERVICES COMMISSION, REPORT ON SERVICES AND BENEFITS PROVIDED TO UNDOCUMENTED IMMIGRANTS 3 (2010 Update).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.* at 4.

⁸ *Id.*

estimated that 7% of individuals receiving these services were undocumented immigrants, totaling a state cost of \$1.3 million.⁹

Texas Children's Health Insurance Program (CHIP) Perinatal Coverage

Though undocumented immigrants do not qualify for the general Children's Health Insurance Program (CHIP), perinatal coverage under that program is available for pregnant women living below 200% of the federal poverty level who do not otherwise qualify for CHIP, usually because of their immigration status.¹⁰ The Texas Health and Human Services Commission estimated that 63% of those receiving CHIP perinatal coverage in 2009 were undocumented immigrants, with a cost to the state of \$33 million.¹¹

Other government programs

Besides these three main programs, the 2006 Comptroller's report lists other limited social services available to undocumented immigrants, mostly in the area of healthcare.¹² Again, the scope of these services is limited and includes assistance to children with special health care needs, substance abuse services, and mental health services.¹³

Burden on private sources to provide social services to undocumented immigrants

As noted in the Texas Comptroller's report, because government-sponsored social services for undocumented immigrants are limited, the cost of providing assistance to these individuals is more likely to fall on local governments and private sources like non-profit organizations.¹⁴ In an economic downturn, non-profit organizations experience a greater demand for their services from individuals in need regardless of their immigration status.

Undocumented immigrants are more likely to work in low-wage jobs¹⁵ and live in low-income families than other individuals.¹⁶ This economic position, plus the lack of access to government benefits, makes assistance from private and non-profit organizations even more crucial to undocumented immigrants. Someone who cannot afford groceries, for example, but does not qualify for food stamps because of his or her immigration status is dependent on the resources of privately-run food pantries and other charitable assistance. Because most organizations, including Catholic Charities of Galveston-Houston, do not keep track of aid provided based on immigration status, the exact percentage of an organization's resources provided to undocumented immigrants is difficult to determine. It is estimated, however, that of all the individuals who seek food assistance at Catholic Charities' Guadalupe Center in downtown Houston, more than 25% are undocumented. The Guadalupe Center provided 32,667 individuals with food assistance from January to November 2011, spending about \$29,000 per month on food for the people it serves.

Like many other non-profit organizations, in addition to food assistance, Catholic Charities also provides rental and other direct financial assistance to low-income families. Though the agency receives several government grants, some now restrict the funding so that it may not be used to serve undocumented clients. Thus, to serve these clients, the agency must rely solely on unrestricted agency funds. Additionally, even when government grants may be available many undocumented immigrants live in the shadows in such a way that makes it difficult to provide the required documentation needed to benefit from the program. For example, Catholic Charities sees undocumented families who live in housing without leases or under the supervision of dishonest landlords. Individuals in this situation may be unable to provide the proper documentation, like leases and other notices, needed to receive certain

⁹ *Id.*

¹⁰ *Id.* at 5.

¹¹ *Id.*

¹² See generally OFFICE OF THE TEXAS COMPTROLLER, *supra* note 1.

¹³ See *id.* at 6-12.

¹⁴ *Id.* at 6.

¹⁵ *Id.* at 3.

¹⁶ MIGRATION POLICY INSTITUTE, UP FOR GRABS: THE GAINS AND PROSPECTS OF FIRST- AND SECOND-GENERATION YOUNG ADULTS 25 (2011).

government grants for rental assistance. They are therefore again forced to rely only on the unrestricted money available to the charity. From January to November of 2011, Catholic Charities served 495 households with financial assistance at an average of about \$1,100 per household, with an estimated 10% of those households including undocumented individuals.

Shelters for homeless and battered women, like Catholic Charities' Villa Guadalupe, can be particularly burdened in providing resources for undocumented individuals. Transitional housing like the Villa is designed to be a temporary resource for women while they receive assistance finding employment and other services. However, for an undocumented woman who needs the Villa's help, it will be almost impossible to find employment without first obtaining an immigration status that gives her permission to work. If she does not qualify for legal immigration status, she might stay at the Villa for 24 months and then move on to another shelter or to crowded or subpar housing conditions. The Villa has an annual budget of over \$500,000 to maintain 23 housing units, which illustrates the potential cost of providing this kind of social service to undocumented individuals who need it.

Social service providers are also often responsible for connecting undocumented immigrants to the limited assistance that is available to them in government programs. Many undocumented immigrants who have great need do not know how to access the aid that is available. For example, the Office of the Attorney General of Texas administers the Crime Victims Compensation Program, which assists victims of violence with expenses related to the crime.¹⁷ This compensation can assist victims with costs of medical bills and counseling, among other expenses, and is funded partly by court costs paid by convicted offenders.¹⁸ However, many undocumented immigrants who are victims of crime are unaware that this assistance is available to them regardless of their immigration status. Staff members in the Crime Victims Program at Catholic Charities' St. Frances Cabrini Center for Immigrant Legal Assistance are frequently involved in connecting clients who have suffered from a violent crime with those services. Without the assistance of their legal service provider, these individuals would have gone without the benefit of this government program.

Potential cost savings on social services of implementing immigration reform

Because of the unavailability of most government-funded assistance programs and the greater likelihood of living in poverty, undocumented immigrants often require much assistance from the limited social services available to them, including those provided by non-profit organizations like Catholic Charities. Implementing immigration reform would permit many of these individuals to secure employment, allowing them the means to provide for themselves and their families. Depending on the provisions of the potential reform, it might also make government-sponsored programs like Medicare, Medicaid, and food stamps available to those who really need them.

Under our nation's current immigration laws, the avenues for obtaining legal status are limited. Often an undocumented immigrant's best chance of obtaining legal status is through a petition by a U.S. citizen or lawful permanent resident family member. Even this method is rarely an easy fix, however. Most immigrants with approved family petitions must wait several years for an immigrant visa to become available, and for some the wait time can be up to 10 to 20 years.¹⁹ For example, if a naturalized U.S. citizen from Mexico petitioned his married son or daughter in December 1992, the visa is just now becoming available for that family member in January 2012, almost 20 years after it was submitted.²⁰

For some undocumented immigrants without family members to petition for them, the only opportunity for legal status comes as a result of being the victim of a crime. Individuals who suffered from a crime in the United States and assisted with a subsequent police investigation or prosecution might qualify for a U Visa, which can eventually lead to lawful permanent residence and U.S. citizenship. Individuals who came to the United States as victims of human trafficking might qualify for a T Visa, another form of legal status. Additionally, spouses or children of abusive U.S. citizen or lawful permanent resident spouses or parents might qualify for a VAWA self-petition and lawful permanent residence status. When previously undocumented immigrants are able to get legal status through these or other methods, they are then allowed to work legally, supporting themselves and their families and no longer having to rely on social services from the government or non-profit organizations.

¹⁷ Texas Attorney General, Crime Victims' Compensation, https://www.oag.state.tx.us/victims/about_comp.shtml (last visited December 29, 2011).

¹⁸ *Id.*

¹⁹ See Department of State, Visa Bulletin for January 2012 (*available at* http://www.travel.state.gov/visa/bulletin/bulletin_5630.html).

²⁰ *Id.*

The story of Alma, a former client of Catholic Charities' Cabrini Center, illustrates how an undocumented immigrant's ability to obtain legal status not only reduces the costs of social services provided to that individual but also allows her to contribute to her community in a more meaningful way. Alma (whose name has been changed in this story for privacy) is a caring mother who was abused for years by the father of her second child. Alma came to the U.S. to find a better life, but was victimized instead. She had her first child after being raped by a stranger at the age of 19, in Beaumont, Texas. Alma later met a young man who would become her husband and with whom she had a child. Shortly after she became pregnant, her husband started to verbally and physically abuse Alma. The abuse was all the more destructive to Alma's self-esteem as she was also losing her vision. Diagnosed with a degenerative eye disease, Alma is already legally blind and will one day completely lose her sight. In addition to the challenges faced by any abuse victim, Alma was also an immigrant and blind. Eventually, Alma mustered the courage to call the police and end the abuse when after beating her, her husband locked her and her hungry children out of their house on a cold night. With the Cabrini Center's help, Alma obtained a U Visa. Since obtaining legal status, Alma has found a job with a local school district and is now able to access Harris County Services to help her deal with her disability. Alma is getting training to be able to continue working and functioning in society after she completely loses her eyesight. When Alma did not have legal immigration status, she was getting help for her eye condition with the University of Houston College of Optometry, which functions like a non-profit clinic. Now she is not only able to access county services, but her medical costs are also paid for in part by the health insurance she was able to obtain through her lawful employment.

Alma is just one of many immigrants who have been able to improve a dire situation by obtaining legal immigration status. From January to November 2011, the Cabrini Center reached 13,653 individuals seeking immigration legal assistance at 145 charlas—informational sessions on immigration laws. Undocumented immigrants attend the charlas three times a month searching for a way to obtain legal status and come out of the shadows, often hoping to get permission to work or go to college. From January to November 2011, the Cabrini Center assisted 1,701 individuals in family petition cases, 286 individuals in U and T Visa applications, and 66 individuals in VAWA self-petitions. The Cabrini Center assisted 189 individuals in their citizenship cases. Cabrini also held 137 legal orientation programs for custodians, reaching 574 sponsors of unaccompanied minors. Through these legal orientation programs, sponsors—family members seeking custody of a detained child—are educated about the immigration legal process and their responsibilities as custodians to provide for the wellbeing of the children released into their care. The Cabrini Center has seen many examples of individuals who, given the opportunity to reside and work in the United States legally, have gone on to become assets to their community, whether by providing for the physical and emotional needs of their family, serving the community in various occupations, volunteering to help others less fortunate, or preparing for a future career through higher education.

Though the Cabrini Center has been able to help many immigrants obtain legal status, it and similar immigration legal assistance providers often see clients anxious to obtain legal status and permission to work for whom no remedy exists under the current law. These individuals are more vulnerable to harm by those who can use their lack of immigration status against them, whether it is exploitation by dishonest landlords or employers or domestic violence at the hands of an abusive partner. These are the individuals who cannot obtain jobs, or get paid in cash off the books, often not qualifying for health insurance or other assistance in supporting themselves and their families. For all these reasons, many undocumented immigrants are forced to rely on social services and other charity in order to make ends meet. Implementing immigration reform would not only provide cost savings for social service providers, but also allow many undocumented immigrants to become self-sufficient and give back to the communities that have provided them support.

SOCIAL SERVICES APPENDIX

Many immigrants like Alma have used the opportunity to obtain legal status in ways that have bettered the communities around them. Below are a few of their stories. All names have been changed to protect the clients' privacy.

Ping

Ping is a Chinese woman who had a successful career as an engineer in China. She sacrificed that career to follow her husband to the United States on a student visa to further his education. While in the U.S. Ping was not authorized to work by the terms of her visa, and she was not allowed to further her education by her husband. Her husband abused her and their only daughter, Amy. Ping felt trapped because she was not able to go out and learn English. She also felt that her mind was wasting away because she did not work or study.

One day, while Ping was out getting groceries for the family, her husband left their 3 year-old daughter alone on the parking lot of the University housing where they lived because he did not want to bother taking care of her and claimed that he did not love her. A bystander called the campus police and an investigation started. Thanks to her cooperation with the investigation, Ping's husband was charged and Ping was able to apply for a U visa for her and her daughter. Ping came to Catholic Charities to get her lawful permanent residence. Today, both Ping and Amy are lawful permanent residents. Amy is at the top of her class in her middle school and Ping is learning English. She is working as a lab assistant until her English gets better before resuming her career here.

Rose

Rose is a seventeen-year-old girl from a country on the east coast of Africa. She came to Catholic Charities six months before her eighteenth birthday and wanted desperately to attend college when she graduated from high school in May. However, she did not have permission to be in the United States and had no documents proving her identity. When Rose was only three years old, her mother died and Rose was left in the care of her grandmother until 2001 when her father decided to bring her to the United States. After only a few months of living with her father and stepmother in the U.S., her father abruptly left the country and left her in the care of a neighbor. Some weeks later, her uncle came to the U.S. to reclaim her. For three years, she lived with her uncle until he also left the U.S. and left her in the care of a friend. Since then, Rose did not hear from any of her family and had no documents proving who she was and where she was from.

Catholic Charities was able to help Rose obtain a Special Immigrant Juvenile visa, which is available to children who have been abused, abandoned, or neglected by one or both parents in their home country and are now in the United States. Through that visa, Rose obtained lawful permanent residence. Rose is now enrolled in college and was able to receive financial aid. She hopes to be a doctor one day and spends her free time volunteering at a local hospital.

Jeannette

Jeannette was a successful businesswoman in her native Cameroon who had built an international trade business from a small store in the Douala market. Jeannette was mistakenly identified as an opposition sympathizer by the Cameroonian government and was beaten and gang-raped by the Cameroonian police to "teach her a lesson." Scared for her life, Jeannette came to the U.S. thanks to an invitation from the State Department to attend a trade fair. When she arrived in the U.S., Jeannette also realized that she had become pregnant from her rape.

Jeannette came to Catholic Charities shortly after that. She did not speak English and was able to receive services in French thanks to our multilingual staff. In addition to legal services, Jeannette received help to obtain social services for herself and her newborn son. Jeannette was granted asylum in December 2009, just about one year after her arrival to the U.S. She is learning English at a rapid pace and is hoping to go back to school for an MBA to restart a business here. She feels safe again and is looking forward to a successful future doing what she does best: run a business.

Tara

Tara, a young mother from Nigeria, had obtained conditional residency through her U.S. citizen husband. In order to make her residency permanent, Tara had to file a form verifying that she was still married to her U.S. citizen husband. Without this form, Tara would have been stripped of her residency and forced to return to Nigeria. However, filing the form jointly with her husband would be impossible for Tara, as her husband had abandoned her and their two daughters.

Tara's husband had been abusive to her physically and emotionally, and verbally to their two very young daughters. Years of abuse from her husband started the day she set foot in the United States. Tara was not allowed to work or to even leave the home without permission. Tara was not allowed to even go grocery shopping: she was instructed by her husband to make a list of what the household would need and her husband would buy what he deemed necessary. Tara's only outing was a weekly service at church. Then one day, without warning, Tara's husband told her that he was leaving her and their daughters to go start another family. But he also made it clear that he was still her husband and continued to control her even while out of the house. He threatened her with having her deported and separated from her daughters if she did not comply. He led her to believe that she had no other choice than to stay married to him if she wanted to stay in the US with her daughters. He stopped supporting Tara and their daughters, but he routinely came by the apartment unexpectedly and yelled and hit Tara to "remind her who was the boss". Meanwhile, Tara survived thanks to her neighbor's kindness and help from her pastor and the congregation.

With the help of Tara's pastor who had witnessed the violence she endured, Tara's attorney was able to expedite the filing of the necessary packet to allow Tara to become a permanent resident without her husband's signature and more importantly without having to remain in an abusive relationship.

After a few months, Tara was granted lawful permanent residence and after a few more months became eligible to become a U.S. citizen. Tara is now a U.S. citizen and a registered nurse. She keeps in touch with her attorney and keeps her updated on the rebuilding of her life and on her daughters' well-being.
