

## Parent-Child Separation and Plans for Family Reunification after Deportation to Mexico from the United States

### Separación y planes de reunificación familiar después de la deportación a México desde Estados Unidos

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#### ABSTRACT

The objective of this study is to analyze how families plan to reorganize following forced parent-child separation by deportation, using new survey data that quantifies the reunification plans of parents deported from the United States to Mexico between 2015 and 2019. U.S. administrative records and data from the Encuesta sobre Migración en la Frontera Norte de México are used to estimate the number of Mexican adults deported from the United States who were separated from their children, as well as their reunification plans. There were between 97 000 and 105 000 deportations of Mexican adults separated from minor children in the United States during this period. Among deported parents, 39% planned to remain separated, 20% planned to reunify in the United States, and 11% planned to reunify in Mexico. The study discusses the need for greater judicial discretion in deportation hearings to protect the well-being of children in migrant families.

*Keywords:* 1. deportation, 2. family separation, 3. family reunification, 4. Mexico, 5. United States.

#### RESUMEN

El objetivo del artículo es analizar cómo las familias planean reorganizarse tras la separación forzada de padres e hijos utilizando datos de encuestas que cuantifican los planes de reunificación de padres deportados de Estados Unidos a México entre 2015 y 2019. Se utilizan registros administrativos estadounidenses y datos de la Encuesta sobre Migración en la Frontera Norte de México para estimar el número de adultos mexicanos deportados que fueron separados de sus hijos y sus planes de reunificación. Durante este período, hubo entre 97 000 y 105 000 adultos mexicanos que fueron deportados y separados de sus hijos menores de edad en Estados Unidos. De estos, 39 por ciento planeaba permanecer separado, 20 por ciento reunificarse en EE. UU. y 11 por ciento planeaba reunificarse en México. Además, se discute la necesidad de una mayor discrecionalidad judicial en las audiencias de deportación para proteger el bienestar de los menores migrantes.

*Palabras clave:* 1. deportación, 2. separación familiar, 3. reunificación familiar, 4. México, 5. Estados Unidos.

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## INTRODUCTION

Since at least 2009, the U.S. government has deported tens of thousands of parents of children who live in the United States, resulting in the forced international separation of parents from their children (Capps et al., 2015; United States Immigration and Customs Enforcement [U.S. ICE], 2016a, 2016b, 2016c, 2017a, 2017b, 2018, 2019a, 2019b, 2020a, 2020b). What happens to families that are forced to separate across international borders because of parental deportation?

There is no good or obvious choice for reunification when families face forced international separation resulting from the U.S. government's deportation of a parent. One option is to reunify in the country of origin. Spouses and children who accompany a deported family member to their country-of-origin experience "de facto deportation": they are forced to emigrate out of the United States to keep the family together (Kanstroom, 2007; Zayas, 2015). An alternative to de facto deportation is reunification in the United States, but in most cases, legal re-entry to the country is barred for 10 or more years (even permanently) after deportation due to re-entry "bars" imposed on people who receive formal deportation orders. While the deported parent can attempt to re-enter the United States unlawfully before the expiration of the re-entry bar, unlawful re-entry following deportation is a felony under U.S. federal law.

Despite the legal consequences of unlawful re-entry, prior research has found that a substantial minority of deported parents who are separated from children intend to re-migrate to the United States in the short-term (Calva Sánchez & Alarcón Acosta, 2018; Calvillo Vázquez & Hernández Orozco, 2021; Torre Cantalapiedra & Calva Sánchez, 2021; Vargas Valle et al., 2022). Other research finds that de facto deportation, or reunification in the parent's country of origin, is uncommon among Mexican immigrant families (Hamilton, Masferrer, & Langer, 2023). This prior work suggests that family separation may be the most common outcome of parental deportation, but population data on what families do or even what they plan to do when they experience forced separation as a result of parental deportation by the U.S. government is lacking.

In this study, U.S. administrative data on removals and Mexican survey data with deported adults were used to estimate the number of Mexican immigrant families in the United States affected by forced family separation as a result of parental deportation between 2015 and 2019, a period in which deportations were extremely high by U.S. historical standards and large numbers of families were affected by deportation (Office of Immigration Statistics, 2021; Hamilton, Masferrer, & Langer, 2023).

Parents' plans for family reorganization following deportation from the United States were analyzed using data from the 2015-2019 waves of the Encuesta sobre Migración en la Frontera Norte de México (EMIF Norte) (Survey of Migration in the Northern Border of Mexico) which interviewed adults as they entered Mexico following deportation from the United States (EL COLEF et al., 2020). New questions added to the EMIF Norte surveys between 2015 and 2019 collect information on deported parents' plans for reunification with the minor child(ren) from whom they were separated during this period: whether the parent planned to reunify with the child(ren) in the United States, whether the parent planned to reunify with the child(ren) in Mexico, or whether the parent intended

to remain separated from the child(ren). Although plans may differ from action, and some evidence to this effect is shown, these data nevertheless give a preliminary understanding of whether and how families re-organize following a forced family separation as a result of the U.S. government's deportation of parents.

## BACKGROUND

The U.S. government deported more people in the first two decades of the 21<sup>st</sup> century than it did in the entire 20<sup>th</sup> century (Goodman, 2020). Before 1990, the number of annual deportations from the United States ranged between 0 and 50 000, but after 1990, the number of yearly deportations rose steadily, reaching a peak of more than 400 000 deportations in 2012 (Hagan et al., 2011; Transactional Records Clearing House [TRAC], 2022). In the first six years of Obama's presidency, from 2008-2014, the U.S. government deported more than 350 000 people every year (TRAC, 2022). The annual number of deportations declined after 2014 and remained just at or below 250 000 deportations during the last two years of Obama's presidency (2015-2016) and the four years of Trump's first presidency (2017-2020) (TRAC, 2022).

As the number of deportations from the United States rose after 1990, so did the number of people deported from the interior of the United States (Golash-Boza, 2015). Changes to U.S. immigration law introduced in 1996 severely limited the extent to which judges could consider children's or other interests in deciding deportation cases, meaning that it became easier to deport immigrants with long-standing ties to U.S. communities, including having U.S.-born children.

In 2002, the creation of the United States Immigration and Customs Enforcement (U.S. ICE) agency enabled immigration enforcement activities in the interior of the United States through workplace, home, and street raids, as well as through increased facility of the transfer into ICE custody of immigrants who come into contact with local law enforcement. The federal government created various programs, including the Secure Communities Program, 287(g) agreements, the Criminal Alien Program, and the National Fugitive Operations Program, to empower local law enforcement agencies to identify deportable immigrants, detain them, and transfer them into ICE custody. Between 2004 and 2011, Congressional appropriations for these four programs increased from 23 million to 690 million USD, and the number of people arrested through the programs increased from 11 000 to 289 000 (Golash-Boza, 2015).

U.S. government efforts to deport immigrants from the interior of the country resulted in the increased removal of people with strong ties to the United States. In 2005, only 1% of people deported from the United States to Mexico had lived in the U.S. for six or more years (Schultheis & Ruiz Soto, 2017). By 2015, the share was 15%, and among longer-term residents who were deported, nearly half (47%) were separated from at least one minor child as a result of deportation (Schultheis & Ruiz Soto, 2017).

In 2009, the Inspector General of ICE, Richard Skinner, filed a report with U.S. Congress stating that there were 100 000 deportations of parents of U.S.-citizen children between 1998 and

2007 (DHS Office of the Inspector General, 2009). Since then, Congressional appropriations bills have required ICE to file bi-quarterly reports on the number of deportations of people claiming a U.S.-born child. ICE reports from 2015 onward are available online. In the five years from 2015 to 2019, the number of deportations of parents was 47% greater than in the 10 years from 1998 to 2007 (147 463, compared to 100 000) (DHS Office of the Inspector General, 2009; U.S. ICE, 2016a, 2016b, 2016c, 2017a, 2017b, 2018, 2019a, 2019b).

### *Consequences of Deportation on Families*

Research shows that the harms of deportation extend beyond the deported individual to their family and community members. Most significantly, deportation harms the children and spouses of deported people, whose sudden departures from their households cause substantial emotional, social, and economic hardship (Brabeck & Xu, 2010; Chaudry, 2011; Dreby, 2012, 2015a, 2015b; Rocha Romero & Ocegueda Hernández, 2013; Allen et al., 2015; Capps et al., 2015; Olvera & Muela, 2016; Peláez Rodríguez & París Pombo, 2016; Barros Nock, 2019; Andrews & Khayar-Cámara, 2020; Robles Robles, 2021; Smith et al., 2021; Torre Cantalapiedra & Calva Sánchez, 2021; Valdivia, 2021; Dreby et al., 2022; Rodríguez-Cruz, 2023).

The sociologist Joanna Dreby (2012) analyzed the harms of deportation on children as a hazard pyramid, wherein the greatest harm occurs to the fewest children (at the top of the pyramid), and the most insidious harms occur to the largest number of children (at the bottom of the pyramid). She related the harms of deportation to the family's response: whether they reunify, where, and over what period of time. In Dreby's pyramid, the most harmful consequence of deportation is family dissolution caused by forced parent-child separation without subsequent reunification, but the pyramid implies that this is the least common outcome.

A more common but less harmful outcome of deportation is reunification in the parent's country of origin. Even more common harms involve long- and short-term economic and socio-emotional distress caused by the separation from a deported parent who eventually re-enters the United States; the severity of these impacts depends on the reunification timeline. Beyond that, the harms of deportation are indirect, affecting a much broader swath of children who are threatened by deportation policies but do not experience deportation in their families directly (Berger Cardoso et al., 2018; Noah & Landale, 2018; Rodriguez, 2019; Dreby et al., 2022).

As previously stated, it is unknown what families do when faced with forced international separation as a result of parental deportation by the U.S. government. Several empirical studies focus on specific family or household responses to deportation, including family migration to Mexico and parental re-entry to the United States. One study found that one in six U.S.-born children living in Mexico in 2014 and 2018 were de facto deported, that is, they migrated to Mexico to accompany a deported parent (Hamilton, Masferrer, & Langer, 2023).

Although the number of de facto deported U.S.-born children in Mexico is sizeable, estimated at 100 000 in 2014 and 80 000 in 2018, the calculated population of children of Mexican immigrants

in the United States who experienced parental deportation over the same period is much larger, implying that de facto deportation to Mexico is an uncommon outcome of parental deportation from the U.S. Nevertheless, research finds that de facto deportation is associated with significant social disadvantage and mental health problems among children and adolescents in Mexico (Zayas, 2015; Boehm, 2016; Hamilton, Masferrer, & Langer, 2023; Rodríguez-Cruz, 2023; Zayas et al., 2024).

Studies of parental plans for re-entry to the United States after deportation indicate that a substantial minority of parents who are separated from minor children as a result of deportation intend to re-migrate in the short term (Amuedo-Dorantes et al., 2015; Berger Cardoso et al., 2016; Calva Sánchez & Alarcón Acosta, 2018; Torre Cantalapiedra & Calva Sánchez, 2021; Vargas Valle et al., 2022). Among parents deported to Mexico between 2014-2018, 38% intended to re-enter the United States within three months of arrival in Mexico, and an additional 31% planned to re-enter the country “someday” (Vargas Valle et al., 2022). While re-entry to the United States may involve reunification with children left there, plans for re-entry and reunification are not necessarily the same, as a parent can re-enter but not reunify with their children.

It is also possible that the circumstances surrounding the arrest, detention, and deportation of a parent result in the termination of parental rights (Cervantes & Lincroft, 2010; Capps et al., 2015). One study estimated that 5 100 children in the foster care system in the United States in 2011 were there due to parental deportation (Wessler et al., 2011). However, data on how and why children end up in Child Protective Services (CPS) are complicated to obtain (Kline, 2016).

### *Research on Re-Entry Plans of Deported Parents*

It is expected that family reunification plans overlap to some extent with re-entry plans among deported parents. Prior research on re-entry shows that demographic characteristics (especially the gender of the parent), family structure (especially the marital status of the parent), and connections to the United States (such as time spent there and home ownership) are related to re-migration plans among parents separated from children (Berger Cardoso et al., 2016; Martínez et al., 2018; Torre Cantalapiedra & Calva Sánchez, 2021; Vargas Valle et al., 2022).

Yet, decisions to re-migrate are multi-causal and vary by prevailing historical circumstances and shifting personal and social landscapes, as a recent qualitative study by Arriola Vega (2014) on return migration to rural communities in Campeche and Tabasco indicates. This author also finds that tougher anti-immigration laws and uncertain economic outlook in the U.S. were related to remaining in rural Mexico after returning from the United States. Thus, while social connections in the U.S., family ties, economic, and policy conditions are expected to be related to plans to reunify in the United States, it is unclear which factors will be salient for recently deported migrants who face particularly complex and difficult circumstances in Mexico and the United States.

The role of U.S. immigration policy enforcement may be paramount for the deported migrant, who, depending on the circumstances of their removal, can face added legal penalties for unlawful

re-entry (Code 1326. Reentry of removed aliens). Moreover, research has shown that family dynamics are affected by long-term separations caused by legal entanglement (Andrews & Khayar-Cámara, 2020; Berger Cardoso et al., 2018; Enriquez, 2020; Rodriguez Vega, 2023). Incarceration precedes deportation for roughly 40% of deported people, and almost all deported people experience detention, meaning deportation follows a series of experiences in the U.S. legal system (Golash-Boza, 2015; Patler & Golash-Boza, 2017; Saadi et al., 2020, 2022). Non-citizens who commit deportable offenses under U.S. immigration law are typically detained for the entirety of their removal proceedings in local jails or facilities run by private prison corporations (Patler & Branic, 2017).

Like incarceration, detention represents a removal from the family unit. In the case of detained immigrants, the precarious legal status of family members may impose unique barriers to visitation with a detained family member, considering that immigrant detention facilities are surveilling institutions (Patler & Branic, 2017). One study finds that compared with detainees in city- and county-operated facilities, being held in private detention facilities, where more than 60% of detentions are sub-contracted, reduces the likelihood of face-to-face visitation with children (Patler & Branic, 2017). These experiences may undermine the ability of deported parents to plan for reunification with their children in the United States or Mexico.

In this study, administrative data on U.S. removals is combined with survey data with deported adults who reported on parent-child separations and plans for reunification with their children, which enabled an estimate of the number of deportations of Mexican nationals in recent years involving family separation at the population level. Survey data were then used to analyze deported Mexican parents' plans for reunification with minor children left in the United States. For this, their family and household characteristics, connections to the United States, and experiences with U.S. immigration enforcement were considered, as well as where they planned to reunify (whether in the United States or Mexico).

## METHOD

Data from the EMIF Norte, an ongoing survey of migrants moving through Mexico's northern border region, which El Colegio de la Frontera Norte has collected on an annual basis since 1993, were used (EL COLEF et al., 2018, 2020). Other researchers have analyzed EMIF Norte data to understand migrant re-entry plans, including by parents separated from children as a result of deportation (Amuedo-Dorantes et al., 2015; Torre Cantalapiedra & Calva Sánchez, 2021; Vargas Valle et al., 2022). In 2015, for the first time, the survey asked questions to deported parents who were separated from minor children in the United States about their plans for reunification. Currently, these are the only existing information on family reunification plans in survey data with deported people. EMIF Norte data from 2015 through 2019 were used for this article. Although later information is available, data analysis stopped with the 2019 data set to avoid complications presented by the COVID-19 pandemic affecting cross-border family life and migration, as well as the potential effects of implementing Title 42 in border apprehensions (Masferrer, 2021).

The EMIF Norte survey is unique in its effort to represent flows of people across time and space, in other words, counts of population flows. The survey accounts for both temporal and geographic variation in migration flows. In the first sampling stage, the surveyors select units of time and place, and in the second stage, they randomly select individuals from within time-place units. Between 2015 and 2019, the EMIF Norte collected surveys at official reception points in 10 cities on the Mexico-U.S. border (Tijuana, Mexicali, San Luis Río Colorado, Nogales, Ciudad Juárez, Ciudad Acuña, Piedras Negras, Nuevo Laredo, Reynosa, and Matamoros), as well as in airports in Mexico City and Guadalajara.

This analysis used data from the EMIF Norte surveys conducted with Mexican-born persons deported from the United States following apprehension by U.S. border control, immigration authorities, or law enforcement (the returnees [*devueltos*] survey), which includes people deported through voluntary departure, expedited removal, and formal orders. The EMIF Norte returnees survey between 2015-2019 included 20 826 deported migrants 18 years or older who provided informed consent to participate. When weighted, the data represent the flow of deported people of Mexican nationality from the United States to Mexico between 2015 and 2019. These data can be used to estimate the count of deportations of people, which differs from the count of deported people. The first might include the same person more than once. Survey weights were used in all analyses. More information about EMIF Norte can be found and the data can be downloaded at <https://www.colef.mx/emif/>

The questions of key interest, whether the deported person was separated from at least one minor child (<age 18) in the United States and (among those separated) the parent's plan for reunification with the child(ren), were only asked to deported adults classified by the EMIF Norte as "U.S. residents," defined as people who stated that their residence is in the United States or who spent at least a year in the country on their last trip. The 14 581 deported people who claimed a primary Mexican residence (who were not asked about minor children in the United States) and 307 (5% of) U.S. residents who did not respond to the question about or specify whether they were separated from minor children were excluded. After these exclusions, the analytic sample is 5 939 Mexican-born U.S. residents ages 18+ who were deported from the United States between 2015 and 2019 and who had non-missing responses on whether they left minor children in the United States.

The analysis is descriptive. First, the characteristics of deported parents who were separated from minor children are compared to deported people who were not separated from minor children. Then, the analysis focuses on parents separated from minor children in the United States and compares the characteristics of parents by their stated plans for family reunification: whether they planned to reunify with children in the U.S., reunify with children in Mexico, remain separated, or did not know.

The characteristics of the deported adult were used to compare deported adults by parent-child separation status and plans for reunification, especially those identified in prior work as relevant to re-entry plans and family structure (Amuedo-Dorantes et al., 2015; Berger Cardoso et al., 2016;

Martínez et al., 2018; Torre Cantalapiedra & Calva Sánchez, 2021; Vargas Valle et al., 2022). Table 1 presents the full set of variables analyzed.

*Table 1. Variables, Question Wording, and Categories Analyzed*

Variable	Question wording	Analysis categories
Separation and plans for reunification and re-entry		
Parent-child separation	Did you leave children younger than 18 years old in the U.S.?	Yes/No
Plan for reunification	What do you think you will do with the children younger than 18 years old that you left in the U.S.?	Leave them in the U.S./Reunite with them in the U.S./Bring them to Mexico/Have not decided or do not know
Plan to re-enter	Do you plan to cross again into the U.S. in the next 7 days? Do you have plans to cross to work or live in the U.S. in the next three months? Do you think you will return someday to the U.S. to work or look for work?	7 days/3 months/Someday/Never
Demographic characteristics		
Age	How old are you?	Years
Gender	Sex	Man/Woman
Indigenous	Do you speak an Indigenous language? According to your history, culture, and tradition, do you belong to an indigenous community or town?	Yes either/No to both
Afro-descendent	According to your history, culture, and tradition, do you consider yourself Afro-descendent?	Yes/No
Education	What was the highest year of schooling that you completed?	Elementary or less/ Middle school/High School/College+
Family and household characteristics		
Union status	Currently, are you...	In a civil union, married/ Separated, divorced, widowed/Single
Household head/sole earner	Are you the household head ( <i>jefe</i> or <i>jefa</i> ) of your household? Are you the principle economic sustainer of your household?	Yes, to either/No to both
Partner in Mexico	Do you have family (a partner) in your place of origin in Mexico?	Yes/No
Children in Mexico	Do you have family (children) in your place of origin in Mexico?	Yes/No
Left children in the U.S. in the care of	In whose charge did you leave your children in the U.S.?	Partner/Grandparents/Other family or people/No one

(continues)



Variable	Question wording	Analysis categories
<i>(continuation)</i>		
Connections to the U.S.		
Years in the U.S. on last trip	On this last stay in the U.S., for how long were you there?	Years
Years since first entry	In what year did you first enter the U.S.?	Year survey – year first entry
English	Do you speak English?	Yes/No
Worked in U.S.	Did you ever work in the U.S.?	Yes/No
Worked in last 30 days	In the last thirty days that you were in the U.S., did you work?	Yes/No
Health insurance	Do you have coverage of any of the following health plans? From an employer, purchased directly from an insurance company, Medicare, Medicaid, Medical Assistance, TRICARE, or other	Yes any/None
Documents	On your first trip, did you use papers to cross into the US? On your last trip, did you use some kind of document to cross into the U.S.? On your last trip, did you have some kind of document to work?	Yes any/None
Filed paperwork	Have you made an official application to obtain documents to enter, work, or stay to live in the U.S.?	Yes/No
Enforcement experiences		
Formal deportation order	Did you receive a deportation order, that is to say, are you leaving the U.S. under an obligatory exit order (“removed”)?	Yes/No
Received re-entry bar	As a result of this deportation, did you receive a bar that limits your entry to the United States in the next years or for life?	Yes/No (*)
Weeks in immigrant detention	For how long were you detained by the migration authorities?	Weeks
More than 30 days in detention	For how long were you detained by the migration authorities?	Yes = 30 or more days No = less than 30 days
Immigrant arrest rate	ICE arrest rate, as reported by TRAC, per 1 000 population in the county of residence in the year prior to deportation	Immigrant arrests per 1 000 population

\* Only asked in 2017-2019.

Source: Own elaboration based on EMIF Norte returnees (*devueltos*) survey 2015-2019 (EL COLEF et al., 2015, 2016, 2017, 2018a, 2019).

## RESULTS

*Parent-Child Separations as a Result of Deportation  
to Mexico, 2015-2019*

For the analysis presented in Table 2, U.S. ICE data on the total count of deportations of Mexican nationals were used in combination with EMIF Norte rates of parent-child separations to estimate the count of deportations of Mexican nationals separated from a child in the United States between 2015 and 2019. In the top panel of the table (Panel A), two rates obtained from the EMIF Norte returnees (*devueltos*) surveys from 2015-2019 were applied to the count of Mexican deportations between 2015-2019 reported by U.S. ICE. First, the rate of U.S. residence is applied: 30% of people surveyed in the EMIF Norte returnees (*devueltos*) surveys were classified as U.S. residents. Among EMIF-defined U.S. residents who were deported, 33.1% reported they were separated from a minor child in the same country.

In applying these rates to the number of deportations of Mexican nationals reported by the U.S. ICE between 2015 and 2019, it is estimated that there were 105 450 deportations of Mexican nationals who were separated from minor children in the United States. The EMIF Norte rates of U.S. residence (30%) and parent-child separation (33.1%) imply that 10% of all deportations of Mexican nationals from the United States during this period involved separation from a U.S.-born child ( $=.3*.33$ ).

There are several important sources of error in the analysis in Table 2. First, both the U.S. ICE data and the EMIF Norte survey represent movements (of people deported), and some people can be deported from the United States more than once in five years. Because an unknown number of people could be included more than once in the two data sources, this error implies that the total number of individual parents removed at least once in this period is likely lower than the number here.

The impact of errors specific only to the survey data is more difficult to gauge, but overall, they suggest that the estimate of parent-child separations may be low. These errors include the suspected under-reporting of separation from children in the EMIF Norte among surveyed deported adults (resulting in an under-count of parent-child separations) and, more crucially, the EMIF Norte survey's decision not to gather information about children in the United States among deported people defined as Mexican residents, who made up 70% of all surveyed deported people (resulting in an under-count of parent-child separations). These two errors suggest that the estimate of parent-child separation is conservative.

*Table 2.* Estimated Number of Deported Mexican Nationals Who Were Separated from Children in the United States, 2015-2019—Two Methods

Panel A. Applying EMIF rates of parent-child separation to U.S. ICE removals data	
A. Count of Mexican nationals removed between 2015-2019	1 061 935
B. Estimated count of Mexican nationals removed between 2015-2019 who were U.S. residents (30% of A)	318 581
C. Estimated count of Mexican nationals removed between 2015-2019 who were U.S. residents and were separated from minor children in the U.S. (33.1% of B)	105 450
Panel B. Applying the rate of Mexican nationality among all removals to the count of people removed who claimed a U.S.-born child	
A. Count of people removed who claimed a U.S.-born child between 2015-2019	147 463
B. Estimated count of Mexican nationals removed who claimed a U.S.-born child (66% of A)	97 325

*Source:* Own elaboration based on U.S. ICE (2016a; 2016b; 2016c; 2017a; 2017b; 2018; 2019a; 2019b; 2020a; 2020b), and EMIF Norte returnees (*devueltos*) survey 2015-2019 (EL COLEF et al. 2015, 2016, 2017, 2018, 2019).

A different method to arrive at the same number is shown in Panel B of Table 2. This method avoids error in the EMIF Norte survey data but introduces new sources of error. The tally of people deported from the United States who claimed a U.S.-born child between 2015-2019 was used as a starting point, as documented by U.S. ICE to U.S. Congress in bi-quarterly reports. These reports do not include the nationality of the deported parents, so the share of all deported people who are Mexican nationals (based on U.S. ICE deportations data) was applied to this total, arriving at an estimated 97 325 deportations of Mexican nationals between 2015 and 2019 who claimed a U.S.-born child. The estimate of 97 325 represents 9% of the total count of deportations of Mexican nationals in this period, similar to the 10% separation rate derived in Panel A.

In the analysis in Panel B, it is assumed that the share of all deportations of people who were Mexican was the same as the share of deportations of people who claimed a U.S.-born child. This may not be the case. If Mexican nationals make up a greater share of deportations of people who claimed a U.S.-born child than they did among all deported people (if, for instance, the population of undocumented Mexican immigrants in the United States is more settled and more likely to have a family in the United States than non-citizens of other national origins), then the estimate in Panel B is low. Furthermore, it is suspected, as with the survey data, that children are under-reported in the U.S. ICE data. Overall, however, the fact that the two estimates in Table 2—105 450 and 97 325 (and their corresponding rates of parent-child separation, at 10% and 9%)—are fairly similar gives some confidence in them.

*Plans for Re-Entry and Reunification*

Table 3 shows plans for re-entry and reunification among Mexican nationals with U.S. residence (as defined by the EMIF Norte) who were deported between 2015 and 2019, according to whether they were separated from minor children in the United States. The results are similar to prior analyses of re-entry plans in the EMIF Norte (Vargas Valle et al., 2022): deported people were more likely to intend to re-enter in the short-term (the next seven days or three months) or someday if they were separated from children than if they were not.

Among parents who were separated from minor children as a result of deportation, the largest group (39.3%) stated that they intended to remain separated. Among the remainder, 21.9% intended to reunify in the United States, 11.1% intended to reunify in Mexico, and 27.6% stated that they did not know what their plans were. Among those who intended to reunify, two-thirds intended to reunify in the United States.

*Table 3. Re-Entry and Reunification Plans of Deported Mexican Adults, 2015-2019. Comparison of Those Who Were Separated from Children and Those Who Were Not*

Panel A. Plans for Re-Entry and Reunification, by Separation				
Plan for re-entry (%)	Separated from			
	children	Not separated		
Seven days	14.4	11*		
Three months	16.6	7.5*		
Someday	30.9	18.3*		
No plan	38	63.3*		
Plan for reunification (%)				
Remain separated	39.3			
Reunify in U.S.	21.9			
Reunify in Mexico	11.1			
Do not know	27.6			
Sample (n)	2 064	3 874		
Panel B. Plan for Re-Entry by Plan for Reunification Among Parents Separated from Children				
Plan for re-entry (%)	Remain separated	Reunify in U.S.	Reunify in Mexico	Do not know
Seven days	11.3	32.2*	4.9*	8.6
Three months	10.4	34.9*	8.7	14.2
Someday	36.7	24.1*	29.9	28.5
No plan	41.6	8.7*	56.5*	48.7
Sample (n)	827	420	257	560

\*Indicates a significant difference in means based on adjusted Wald tests at  $p < .05$ , comparing each group to those who were separated in Panel A and to those who plan to remain separated in Panel B.

Note: Sample is limited to deported Mexican nationals who are U.S. residents: their primary place of residence is in the United States or they spent one year or longer in the United States on their last trip.

Source: Own elaboration of EMIF Norte returnees (*devueltos*) survey (EL COLEF et al., 2015, 2016, 2017, 2018, 2019).

Panel B of Table 3 shows that among those who stated that they intended to remain separated from their children, the majority (58.4%) intended to re-enter the United States, with one in five intending to re-enter in the next 7 days or 3 months. These parents may not have intended to reunify with their children following re-entry or they may have declined to disclose their reunification plans. Among those who intended to reunify in the United States, two-thirds stated a plan to re-enter within the next three months (7 days or 3 months). Those who reported a plan to reunify in Mexico were unlikely to plan to re-enter the United States in the short term: only 13.6% answered that they had such a plan. Among those who did not know whether they would reunify with children, short-term re-entry plans were also uncommon.

### *Comparing Deported Parents by Plan for Reunification*

In Table 4, the analysis is limited to Mexican nationals who were separated from minor children left in the United States as a result of deportation by the U.S. government (n=2 064) and compared groups of parents defined by their plans for reunification. The focus is on the three groups of parents who stated plans.

Parents who planned to remain separated from their children had several notable characteristics: they had relatively low rates of current partnership (58.2%, compared to 73.8% of parents who planned to reunify in the United States) and were less likely to be the household head or sole earner in their household (67.2%, compared to 81.9% of parents who planned to reunify in the United States). They also spent the longest average time in immigrant detention: 53.7 weeks, compared to 34.2 among parents who planned to reunify in the United States and 32.2 weeks among parents who planned to reunify in Mexico.

By contrast, nearly three-fourths of parents who planned to reunify in the United States (73.8%) were currently partnered, the large majority were the household head or primary income earner (81.9%), the majority (50.9%) worked in the last 30 days in the United States, and a quarter had health insurance coverage. Parents who planned to reunify in the United States were also more likely than the other groups to have left their children in the care of a partner (73.8% versus 61.7-64.4% among parents who planned to remain separated or reunify in Mexico), and they were less likely than the other groups to have children who lived in their place of origin in Mexico. Also notable is that parents who planned re-entry were less likely to have received a re-entry bar than other groups of parents (68.6% vs. 77.6% of parents who planned to remain separated).

*Table 4. Characteristics of Deported Mexican Adults Who Were Separated from Minor Children in the United States between 2015 and 2019, by Plans for Reunification*

	Remain separated	Reunify in U.S.	Reunify in Mexico	Do not know
Demographic characteristics				
Age (mean years)	37.8	35.3*	35.6	36.4
Male gender (%)	92.8	95.8	89.1	90.8
Indigenous language or identity (%)	4.7	8	7.7	6.8
Afro-descendent (%)	1.6	1	1.8	1.4
Highest level of education				
Primary or less (%)	31.3	32.3	30.8	35.1
Secondary (%)	32.1	35.2	29.2	31.3
Preparatory or higher (%)	36.6	32.5	39.9	33.7
Household/family characteristics				
Union status				
Partnered (%)	58.2	73.8*	64.9	62.2
Formerly partnered (%)	16.3	9.6	12.2	16.7
Single (%)	25.5	16.6*	22.9	21.1
Household head or primary earner (%)	67.2	81.9*	75.5	72.7
Partner in Mexico (%)	0.1	1.4	2.5	2
Children in Mexico (%)	3.7	0.3*	5.6	4.5*
Children left in care of				
Partner (%)	61.7	73.8*	64.4	57
Parents (%)	6	7.2	9.5	9.7
Other (%)	13	6.1*	12.4	13.6
No one (%)	19.3	13*	13.7	19.7
Connections to the U.S.				
Years in U.S. on last trip (mean)	15.7	12.9*	13.4*	14.1*
Years since first entry to the US (mean)	20.3	17.2*	18.2*	18.8*
Speaks English (%)	80	76.6	82	78.7
Ever worked in U.S. (%)	97.9	97.5	94.7	96.9
Worked during last 30 days in U.S. (%)	42.7	50.9	47.6	44.5
Has U.S. health insurance (%)	21.8	24.6	25.2	17.8
Used documents to enter (%)	12.2	10.2	16.3	15.7
Has filed immigration paperwork (%)	24.9	22.9	26.9	25.1
Enforcement experiences in the U.S.				
Received formal deportation order (%)	59.4	39.4*	60.9	61.2*
30 days or longer in detention	42.4	24.9*	28.9*	33.9
Weeks spent in detention (mean)	53.7	34.2*	32.2*	43.1
Received a re-entry bar**	77.6	68.6*	81.1	79.7
Arrests in U.S. County, year prior to deportation per 1 000 (mean)	0.7	0.6	0.7	0.9
Sample (n)	827	420	257	560

\* Indicates a significant difference in means, comparing each group to those who plan to remain separated, based on adjusted Wald tests at  $p < .05$

\*\* Re-entry bar was only asked in 2017-2019 (n=1 041)

Note: The sample is limited to deported Mexican citizens/nationals who reside primarily in the United States (or spent a year or more in that country on their last trip) and who were separated from at least one minor child (<18).

Source: Own elaboration of EMIF Norte returnees (*devueltos*) surveys 2015-2019 (EL COLEF et al., 2015, 2016, 2017, 2018, 2019).

Parents who planned to reunify in Mexico were also more likely than those who planned to remain separated to be the household head or primary earner, and they were more likely than the other two groups to have a child or a partner who lived in their origin community in Mexico (though this is still uncommon, at less than 6%). Parents who planned to reunify in Mexico were more likely than the other two groups to have left their children in the care of other family members or people.

## DISCUSSION

The U.S. deportation regime forcibly separates a substantial number of families every year, but previously it was unknown how many or what those families plan to do after separation. In the analysis of data from the U.S. ICE and the Mexican EMIF Norte returnees (*devueltos*) surveys, it is estimated that from 2015 to 2019, there were between 97 325 and 109 910 incidents of Mexican nationals who were separated from minor children in the United States as a result of deportation by the U.S. government. This range represents about 10% of all deportations of Mexican nationals from the United States in this period. In other words, among every 10 deportations of Mexican-origin adults from the United States between 2015 and 2019, it is estimated that one was separated from at least one child under 18 years of age in the United States at the time of deportation.

The estimate of the number of parent-child separations due to deportation is likely smaller than the true number of Mexican-origin families separated by deportation between 2015 and 2019. An important source of error is that the EMIF Norte does not ask deported adults who are classified as Mexican residents whether they have children in the United States, but some likely do. It is also suspected that parent-child separations are under-reported (Kline, 2016), which is not unlike the under-reporting of children in other data sources (Jensen & Hogan, 2017). The under-reporting of children may be greater among a vulnerable population—deported people—who seek to protect themselves and their family members.

When facing forced separation from their children, parents must decide whether and where to reunify, or whether to remain separated from their children. The EMIF Norte data from 2015-2019 showed that the most common plan among deported Mexican parents in this period was to remain separated. Most parents who planned to remain separated left their children in the United States in the care of their partner, suggesting nuclear family separation. A smaller share of parents planned to reunify with their children, with two-thirds of parents who planned to reunify planning to do so in the United States. Plans for reunification in Mexico, which is known as the de facto deportation of children, were less common.

It is important to keep in mind the nature of the EMIF Norte survey data collection when interpreting the results on plans for family reunification. This survey collects data on deported people at the time of arrival in Mexico, which gives the rare opportunity to study the characteristics of a representative sample of deported people. However, the timing of data collection also means that respondents' plans may not yet be formed or may be highly subject to change. Indeed, the

discordance observed between parents' re-entry plans and reunification plans likely reflects the dynamic and uncertain nature of plans, especially at the time of deportation.

The results in this article should be interpreted as a glimpse into deported migrants' stated plans at the time of deportation to Mexico, with the understanding that plans may change and are not equivalent to action. Data on reunification plans collected later in time may find something different. How plans for reunification translate into action will depend on judicial and legal constraints, as well as on entry conditions, broader immigration policies, and individual and family factors. Data that follow people through time and space are needed to understand whether and how plans change and translate into action (Román González et al., 2016).

### CONCLUSIONS

This study has implications for the literature on transnational families, immigration policy, and child wellbeing. The EMIF Norte survey data showed that deported Mexican parents were long-term residents of the United States. Three-fourths spoke English, and almost all worked in the United States. The vast majority of deported parents were fathers, and most were the head of their household or their household's primary income earner. These results imply that deportation causes significant social disruption: it deprives children of their parents, parents of their partners, and households of their primary income earners. It also deprives U.S. communities of workers and neighbors with long-term ties and social connections there.

One implication of the findings regards the efficacy of deportation policy and punitive measures to prevent re-entry when deportation results in the forced separation of parents from children. The large majority of deported parents planned to re-enter the United States, and when interviewed at the time of deportation, one-fifth stated a plan to reunify with their children in the United States. In other words, for these deported parents, legal penalties for unlawful re-entry fail as a mechanism of deterrence, at least at the planning stage.

On the other hand, the process of their deportation differentiated plans for reunification: parents who planned to reunify in the United States were less likely to have received a formal deportation order or a re-entry bar and spent considerably less time in immigrant detention than parents who planned to remain separated or reunify in Mexico. Immigrants who are held in detention for long periods experience the human rights abuses and trauma of long-term incarceration, which is associated with significant mental and physical health harm (Bustamante, 2011; Hamilton, Orraca-Romano, & Vargas Valle, 2023; Patler et al., 2023; Saadi et al., 2020, 2022). In addition to the procedural and criminal implications of re-entry among those who are formally deported, the significant harms of long-term detention may prevent or disable re-entry among parents separated from children (Orraca Romano & Corona Villavicencio, 2014). The fact that some parents stated a re-entry plan but not a reunification plan may reflect the harms of detention and deportation on the family unit.



The findings contribute to a large body of research documenting the harms of deportation policy on children, harms predicted by Dreby's (2012) pyramid (Brabeck & Xu, 2010; Allen et al., 2015; Dreby, 2015a, 2015b; Enchautegui & Menjívar, 2015; Enriquez, 2020; Slack et al., 2015; Zayas, 2015; Gulbas et al., 2016; Rodriguez, 2019; Berger Cardoso et al., 2018, 2021; Dreby et al., 2022; Hamilton, Masferrer, & Langer, 2023; Rodriguez Vega, 2023; Rodríguez-Cruz, 2023; Zayas et al., 2024). As Dreby's (2012) explained, none of the outcomes of forced parent-child separations are ideal from the perspective of the well-being of children. Unlike the broader category of transnational families, many of whom are separated by the constraints of immigration law (Hondagneu-Sotelo & Avila, 1997; Ariza, 2002), families who experience deportation are separated by direct force. As the migration scholar Luis Zayas (2015) has argued, parental deportation undermines a family's ability to make migration decisions in the best interests of children.

The fact that U.S. immigration policy harms children through the deportation of their parents reflects the failure of U.S. immigration law to balance children's well-being against other interests (Thronson, 2002, 2006, 2010; Carr, 2009). The forms of immigration relief where children's interests can be considered as a matter of statute are severely limited. For instance, an immigration judge can consider hardship on U.S. citizen family members when deciding whether to issue a "cancellation of removal" (or to suspend a deportation). However, cancellation is only available to a narrow subset of immigrants in deportation proceedings. For immigrants who are not lawful permanent residents, the standard requires extraordinary and extremely unusual hardship. Cancellation of removal is not available to immigrants in cases involving aggravated felonies, which refers to any criminal conviction involving a prison sentence of one or more years, and crimes involving "moral turpitude," which refers to crimes ranging from theft to murder.

Many immigrants apprehended in the interior of the United States, where settled immigrants with children live, are apprehended through contact with the criminal justice system. Therefore, the 1996 restrictions on judicial discretion in deportation proceedings affect the very population that such discretion would seek to protect: immigrant families with children. As a result, U.S. immigration law disproportionately harms families and children in its emphasis on deterrence and enforcement. It is possible to imagine a different outcome: immigration law, which, as a matter of practice, considers and even prioritizes children's interests, by and in so doing, balances U.S. immigration and security concerns with the long-term well-being of families and children.

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