

The Maryland Psychiatric Society (MPS), a District Branch of the American Psychiatric Association (APA), is an organization of physician-psychiatrists dedicated to an environment that fosters access to culturally sensitive and comprehensive services for mental health and substance use disorders for all Maryland residents.

The MPS joins the APA in calling on the U.S. Administration to provide humane care for the children and their families seeking asylum at the U.S. border. Furthermore, in a larger format, MPS agrees with the efforts of the APA in correlation with the 2022 Position Statement on the Mental Health Needs of Immigrants and People Affected by Forced Displacement.¹

Like refugees and asylum seekers from around the world, the Hispanic immigrants from country such as Honduras, Columbia, and Guatemala have faced multiple experiences of trauma before entering the United States of America. In 2017, Keller and colleagues showed that 83% of said immigrants cited violence as the “main reason for fleeing their country” and 87% “experiencing traumatic events.”² Many of these same people experience violence and deprivation as well as sexual assault and rape during their journey, leading to higher rates of PTSD and depression. Unfortunately, the process of gaining asylum has a severe stumbling block. Syracuse University’s Transactional Records Access Clearinghouse shows that there is a backlog of immigration court cases in December 2023 that was over 3 million cases and there are not enough judges or attorneys to handle the current log of cases. More specially, Florida and Texas have the highest backlogs and the lowest attorney representation rates.^{3 4} Out of respect for the heroic journey they had to endure, we should treat those seeking asylum in our southern states near the border with the dignity and respect that they deserve.

Upon arrival to the US, access to quality care is limited to “their unsettled status, legal and financial barriers, and discrimination.” Immigration and Customs Enforcement (ICE) has determined that 3,000 – 6,000 and perhaps more migrants have significant mental disorders, from anxiety to schizophrenia, leading many to attempts and complete suicide.⁵ As recently as June 2022, the National Immigrant Justice Center (NIJC), which co-sponsored the briefing with Rep. Joaquin Castro (D-Texas), filed a civil rights complaint demanding a system-wide investigation into ICE’s failures to provide adequate mental health care for people in its custody

¹ American Psychiatric Association. (2022, July 1). Position Statement on The Mental Health Needs of Immigrants and People Affected by Forced Displacement. Psychiatry.org - Position Statement on the Mental Health Needs of Immigrants and People Affected by Forced Displacement. <https://www.psychiatry.org/about-apa/policy-finder/position-statement-on-the-mental-health-needs-of-i>

² Keller, A., Joscelyne, A., Granski, M., Rosenfeld, B. (2017). “Pre-migration trauma exposure and mental functioning among Central American migrants arriving at the US border”. PLOS ONE. 12 (1). <http://www.ncbi.nlm.gov/pmc/articles/PMC5224987>.

³ Immigration Court Backlog Tops 3 Million; Each Judge Assigned 4,500 Cases, Syracuse University, 18 Dec. 2023, trac.syr.edu/reports/734/.

⁴ “Too Few Immigration Attorneys: Average Representation Rates Fall from 65% To 30%.” Too Few Immigration Attorneys: Average Representation Rates Fall from 65% to 30%, Syracuse University, 24 Jan. 2024, trac.syr.edu/reports/736/.

⁵ Rayasam, Renuka. Migrant mental health crisis spirals in ICE detention facilities. Politico. 7/21/10- <https://www.politico.com/story/2019/07/21/migrant-health-detention-border-camps-14241114>

and for its abusive use of disciplinary segregation given the lack of help and support from detainees suffering with mental illness.⁶ Many of these migrants are children who are vulnerable to a lifetime of deleterious effects that these traumatic experiences can induce. The children of Latinx immigrants have significantly higher rates of depression, anxiety, and post-traumatic stress disorder compared to the children of white European immigrants.⁷

MPS supports calls on the administration to work with all government policies of the past and in the future including the 1997 Flores Settlement Agreement and the Senate and House of Representatives' versions of the Immigrants' Mental Health Act of 2021. The Flores Settlement Agreement requires the government to release children from immigration detention without unnecessary delay to their parents, other adult relatives, or licensed programs, and to do so in a humane manner.⁸ The detainment and separation of children from their families at the U.S.-Mexico border was a major "humanitarian crisis" that worsened in 2018.⁹ The Immigrants' Mental Health Act of 2021 "directs Customs and Border Protection (CBP) to take steps to address mental health issues among immigrants and restricts the sharing of mental health information for use in certain immigration proceedings." Furthermore, the law will put forth "training to enable [CBP] agents and officers to (1) identify mental health issues and risk factors in immigrants and refugees, (2) provide crisis intervention using a trauma-informed approach, and (3) better manage work-related stress and psychological pressures" and "assign at least one qualified mental or behavioral health expert to each Border Patrol station, port of entry, checkpoint, forward operating base, secondary inspection area, and short-term custody facility."¹⁰ This will start a greater policy change that the APA has encourage more assistance for mental health for immigrants through their position, which supports:

1. Partnerships with government agencies, healthcare agencies, and other community groups to identify and address gaps in care of immigrants;
2. Research on the mental health conditions, treatments, and health outcomes of members of all immigrant groups; and
3. Clinical education and training to enhance the quality of care for immigrants.

⁶ "Immigrants, Doctors & Whistleblower Report to Congress Failed Mental Health Care and Abuse in Ice Detention." National Immigrant Justice Center, 23 Sept. 2022, immigrantjustice.org/press-releases/immigrants-doctors-whistleblower-report-congress-failed-mental-health-care-and-abuse.

⁷ Todd, Hannah, and Eliza Martin. "Children of Immigrants and Their Mental Health Needs: Think Global Health." Council on Foreign Relations, Think Global Health, 20 Aug. 2020, www.thinkglobalhealth.org/article/children-immigrants-and-their-mental-health-needs.

⁸ US District Court Central District of California. *Jenny Lisette Flores, et. Al. (Plaintiffs) vs. Janet Reno, Attorney General of the United States, et. Al. (Defendants)*.

https://cliniclegal.org/sites/default/files/attachments/flores_v._reno_settlement_agreement_1.pdf.

⁹ Reidy, Eric. "How the US-Mexico Border Became an Unrelenting Humanitarian Crisis." *The New Humanitarian*, 25 Dec. 2023, www.thenewhumanitarian.org/news-feature/2023/05/10/how-us-mexico-border-became-unrelenting-humanitarian-crisis.

¹⁰ "H.R.2480 - 117th Congress (2021-2022): Immigrants' Mental Health Act of 2021." *Congress.gov*, Library of Congress, 19 October 2021, <https://www.congress.gov/bill/117th-congress/house-bill/2480>.

MPS agrees with the APA's opposition to laws, policies, and practices that erode the dignity of and respect for these members of immigrant groups, including:

1. Prolonged detention, inhumane detention conditions, or separation of families;
2. Obstruction of access to legal services or needed health care;
3. The for-profit detention of migrants, which creates a financial incentive for centers to maximize occupancy and minimize costs, quality, safety, and resources;
4. The use of medical records or clinical notes against an individual's interest during any phase of migration.¹

Instead of contributing to intergenerational trauma, we should provide support to mitigate the long-term suffering. MPS continues to support all endeavors to reduce the emotional distress and remove the cultural and structural barriers faced by immigrant families. We, at the MPS, encourage our members and governments to put forth plans to help minimize the emotional pain that the asylum seekers endure on their long journey to find health environment for their families.