

December 5, 2017

Via Email

All Members of the U.S. Senate

All Members of the U.S. House of Representatives

RE: The National Coalition for Latinxs with Disabilities Strongly Supports Passage of DREAM ACT Legislation that Considers How Immigrants with Disabilities are Impacted

Dear Members of Congress,

Individuals with disabilities are often brought to the U.S. in the hope of gaining access to life-saving treatments that they cannot access in their home countries. It is well-documented that immigration poorly affects one's mental health, and that travel to the U.S. often leads to both physical and mental impairment. Suicide is the leading cause of death in immigration detention centers. Thus, whether someone immigrated to the U.S. with a disability, they are likely to acquire one through the immigration process.

Lack of healthcare insurance and access to public benefits such as Medicaid can be deadly for poor and undocumented immigrants who require medical attention. Additionally, programs such as the Deferred Action for Childhood Arrivals (DACA), which attempted to alleviate the dire situation for some undocumented individuals, proved insufficient for immigrants with disabilities for whom education and employment are generally inaccessible. Overcrowding in detention centers leads to inhuman treatment and poor medical care.

We believe in the passage of immigration policy that is inclusive and accessible to immigrants with disabilities.

Immigrants with disabilities continued to be assaulted this year as was highlighted in the Rosamaria Hernandez case in Texas last month. ICE agents followed Rosamaria, a 10-year-old girl with Cerebral Palsy who was in an ambulance on her way to a hospital for gallbladder surgery. ICE did not let doctors close the room to her hospital door while they waited outside. They arrested and detained her against medical advice. Rosamaria was separated from her family for over a week in ICE detention while the nation pled for her release.

Undocumented immigrants with disabilities should be a low priority for deportation. Repatriation in their home countries can be life-threatening. At a minimum, hospitals should be safe locations for immigrants. Cases like Rosamaria's further deter immigrants with disabilities who need life-saving care from accessing that care for fear of deportation. This is not how our country should treat the vulnerable.

The National Coalition for Latinxs with Disabilities (CNLD) encourages you to co-sponsor and vote for a Dream Act, such as S. 1615 and H.R. 3440, that would help alleviate many of the concerns that some immigrants with disabilities face. The year may be coming to an end, but it is never too late to push Congress for a vote on this legislation. Thousands of DACA recipients, including those DACAmented with disabilities, will begin to lose their protection after March 5th. Thousands rely on their employment authorization cards to work to support their families (including family members with disabilities). Thousands are hoping that you take a stand and support the Dream Act of 2017.

CNLD is led by a group of motivated and passionate Latinx leaders, academics, and professionals from across the country. CNLD imagines a society in which the human rights of Latinxs with disabilities are upheld and all their intersecting identities are embraced. CNLD has been working to address how our immigration policy impacts immigrants with disabilities through collecting and publically highlighting stories, community building in the immigrant and disability community, providing trainings, advocacy, and research.

We look forward to engaging with you on this issue and how it affects the Disabled Latinx community. We can be reached through Catalina Galvan at crestre2@uic.edu.

Sincerely,

The National Coalition for Latinxs with Disabilities

**CNLD interviews with immigrants
regarding the intersection of immigration and disability**

*Names have been anonymized.

Susan is a DACA recipient whose father and grandmother have disabilities. Susan received DACA status at the end of high school. After attaining a job, she held the great responsibility to help provide for her family members with disabilities. Susan currently works full-time and goes to college full-time. She pays all her college expenses out of her pocket.

Jonathan, an immigrant and wheelchair user, went to an emergency room when he hurt his leg. The emergency room staff at the entrance asked Jonathan for proof of insurance or legal identification. Jonathan does not have insurance or legal identification, and thus was turned away from receiving services.

Javier is a senior at the University of Texas at El Paso, a DACA recipient, and the adult child of Deaf parents. Javier noted that many DACA recipients work in areas of employment that affect individuals with disabilities including himself. Javier knew several Deaf individuals who applied and qualified for DACA but could not receive it because of financial and access barriers to reach an attorney, including a lack of interpreters at their offices. Javier has provided services free of charge, but he stated that attorneys should honor their duty to provide interpretation services and other reasonable accommodations.

Roberto recounts his experience as a senior in high school in a meeting with his parents and the Washington State Department of Services for the Blind (WSDSB). WSDSB representatives explained the employment training and independent living services would be available to Roberto when he graduated. At the end of the meeting, WSDSB representatives asked for Roberto's Social Security Number. Roberto recounts the feeling of disappointment when he and his parents became aware that these services would not be available to Roberto since he was undocumented. Roberto had been receiving school services as a student with an IEP, and learned that those would be the last available public services available to him upon graduation from high school.

Salvador is an undocumented immigrant with a learning disability. He is an immigrant from southern Mexico who came to the United States with his mother and father when he was three years old. He applied to several jobs and was not successful in finding employment despite having a work permit through the DACA program. His sister states that it is hard for Salvador to gain employment due to disability discrimination by employers. Salvador ended up taking on volunteer jobs for no pay, including joining a local disability rights advocacy group.

Zacarias, a DACA recipient, identifies as having mental illness, though he had never received a diagnosis or treatment because of lack of healthcare insurance and the prohibitive costs. Zacarias believed he suffered from PTSD and

depression. His brother, also an undocumented immigrant, had committed suicide a few years ago. Recently, Zacarias attempted suicide, and his friends hesitated in calling 911 because of fear of deportation. Eventually, he was taken to the emergency room where he survived the attempt. After a few days in the hospital, Zacarias was diagnosed with Borderline Personality Disorder, and given some temporary medication and recommendations for treatment. Zacarias has since received a bill for over eight thousand dollars from the hospital and still has not received appropriate treatment.

Stories of Immigrants with Disabilities that Made the News

Rosamaria Hernandez is a 10-year-old girl with Cerebral Palsy who was in an ambulance on her way to a hospital for gallbladder surgery. ICE agents followed her to the hospital, waiting outside her room, and arrested and detained her against medical advice. Rosamaria was separated from her family for over a week in ICE detention while the nation pled for her release. (See [this link](#) and [this link](#).)

Wilmer Catalan is an immigrant with a mobility disability who was detained by ICE. Despite clearly needing medical supports, ICE arrested him and Wilmer suffered a fractured shoulder. He did not receive appropriate treatment in ICE detention. ([See this link](#) and [this link](#).)

Manuel Montes is an immigrant with traumatic brain injury and a learning disability. Manuel was the first DACA recipient to be deported under the Trump Administration. He was arrested after finishing dinner with his girlfriend and sent to Mexico within three days. ([See this link](#) and [this link](#).)

Paulina Ruiz is a DACA recipient with cerebral palsy. Paulina currently works and has no government benefits. DACA allows her to work, which enables her to pay for her high medical costs out of pocket. She is raising \$20,000 to buy a wheelchair, since she needs one for mobility purposes and to work. ([See this link](#).)

Raúl Ernesto Morales-Ramos was an immigrant who had cancer. He begged for treatment in the detention center in which he was being held in California. He was given ibuprofen. Raúl died in ICE custody without proper treatment. ([See this link](#) and [this link](#).)

Tiombe Kimana Carlos lived with chronic schizophrenia. In a detention center in New York, she was held in solitary confinement. Tiombe made a noose from a sheet and committed suicide. ([See this link](#) and [this link](#).)

Manuel Cota-Domingo was an immigrant with diabetes. He was detained in Arizona where his diabetes went untreated and he acquired pneumonia. When Manuel began to have trouble breathing, the detention center staff did not react quickly enough to call 911. Manuel died. ([See this link](#) and [this link](#).)