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### A QUALITATIVE RESEARCH STUDY ON UNACCOMPANIED MINORS FROM LATIN AMERICA

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The University of San Francisco

A QUALITATIVE RESEARCH STUDY ON  
UNACCOMPANIED MINORS FROM LATIN AMERICA

A Dissertation Presented  
to  
The Faculty of the School of Education  
International and Multicultural Education Department

In Partial Fulfillment  
of the Requirements for the Degree  
Doctor of Education  
May 2019

by  
Lorena Caldera  
San Francisco  
May 2019

THE UNIVERSITY OF SAN FRANCISCO

Dissertation Abstract

A QUALITATIVE RESEARCH STUDY ON UNACCOMPANIED MINORS FROM LATIN  
AMERICA

The focus of this study is on a unique immigrant population — unaccompanied minors who have migrated to the U.S. from Latin America, particularly Mexico, Honduras, Guatemala, and El Salvador. The purpose of this qualitative research study is to explore, describe, and understand the migration stories of unaccompanied minors who have migrated to the U.S. from Latin America. Using Lee’s (1966) “Theory of Migration,” this study aimed to uncover the push and pull factors that are motivating youth migration to the U.S. from Latin America, including the social pressures, economic factors, lack of educational and economic opportunities, life-threatening violence, safety concerns, and human rights violations. This qualitative research study offers an analysis of the major themes that arise from semi-structured interviews with eight unaccompanied minors. The study also discusses the availability of the special immigration relief categories, asylum and Special Immigrant Juvenile Status (SIJS), as effective options for obtaining Legal Permanent Residence (LPR) status and eventually U.S. citizenship for immigrant children and unaccompanied minors.

According to the research findings, the decision of an unaccompanied minor to migrate to the U.S. is typically motivated by three compelling reasons: the dire need to escape the gang and organized crime group violence in their home countries, a lack of educational and economic opportunities, and the desire to reunite with biological parents who were already living in the U.S. Secondly, the journey that unaccompanied minors must take to arrive at the U.S. border is invariably plagued with extreme uncertainty, danger, and a potential for violence by unknown

actors. Finally, a combination of quality legal, educational, and social services are vital for the survival and future success of immigrant youth in this country. Several recommendations are made to effectively assist U.S. immigration, legal, and educational systems that work with and serve immigrant child populations. So as to prevent further harm to this vulnerable child population, the researcher highly recommends multicultural competence and anti-racism training and education for practitioners, professionals, attorneys, immigration and state court judges, social workers, and those who work with immigrant children and youth of color.

This dissertation, written under the direction of the candidate's dissertation committee and approved by the members of the committee, has been presented to and accepted by the Faculty of the School of Education in partial fulfillment of the requirements for the degree of Doctor of Education. The content and research methodologies presented in this work represent the work of the candidate alone.

Lorena Caldera 05/07/2019

Candidate Date

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Dr. Mohammad Sedique Popal 05/07/2019

Chairperson Date

Dr. Patricia Mitchell 05/07/2019

Dissertation Committee Member Date

Professor Bill Ong Hing 05/07/2019

Dissertation Committee Member Date

## DEDICATION

This work is dedicated to all the unaccompanied minors from Latin America who leave their homes to embark on a dangerous and uncertain journey to the U.S. for the chance to pursue their dreams and strive for a better life. I dedicate this research study, which at times has been a struggle and an uphill battle to publish, to all the dreamers. I am you.

Special thanks to the youth who participated in this study and allowed me to tell their stories. I hope I have honored your stories.

## ACKNOWLEDGMENTS

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I also want to acknowledge Dr. Sohyila Davani. Thank you for being there for me every step of the way, always offering support and encouragement throughout this difficult and dark dissertation writing process and journey. Thank you for never allowing me to give-up. You give me hope that good people exist in the world. May you be rewarded and blessed for all those you have helped and lifted higher. God bless you always Dr. Davani.

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me the strength to keep moving forward. May the Universe bless you all for your kindness, support, and love.

Dear God, thank you for giving me the strength and resiliency that I needed to overcome the obstacles that I faced during this journey. I am proud of the work that I produced and the person I have become.



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## CHAPTER I

### THE RESEARCH PROBLEM

#### Statement of the Problem

With the ongoing arrival in the U.S. of new immigrants from various parts of the world and the debates about, and changes to, immigration policy in this country, the issue of immigration has come to the forefront. As a consequence of war and violence, civil unrest, poverty, and social pressures in many parts of the world, more and more immigrants are migrating to the U.S. with the hope of being granted refuge and/or asylum in this country. According to the Center for Immigration Studies, between 2010 and 2017, the U.S. admitted an estimated 9.5 million documented and undocumented new immigrants (Camarota & Ziegler, 2018). In July of 2017, the immigrant population in the U.S. measured at the record high of 44.5 million and is expected to continue increasing in the years to come (Camarota & Ziegler, 2018).

In recent years, the U.S. has experienced a diversity of immigrants in the form of refugees and asylees, with Latin American countries constituting a large portion of this new wave of immigrants. In 2016, Mexico was the place of origin for 26.9% of the immigrant population in the U.S, with El Salvador accounting for 3.1%, and Guatemala 2.1% (Migration Policy Institute (MPI), n.d.). From this massive pool of immigrants, a new immigrant child population has emerged, consisting of unaccompanied minors from Mexico and Central America, also known as UAC, or Unaccompanied Children.

In 2016, the U.S. experienced a surge of unaccompanied minors from Latin America, as evidenced by the apprehension of an estimated 59,692 unaccompanied minors from Mexico and Central America at the U.S. border (U.S. Customs and Border Protection (CBP), 2016). The magnitude of the problem suggested by these statistics has led scholars, immigration attorneys,

advocates, and others to question the reasons why so many children and youth are leaving their home countries and seeking asylum in the U.S. Indeed, there is still much to be known about the children and youth who make-up this special unaccompanied minor population.

### Background and Need

In an effort to offer refuge and asylum to children, who comprise a large number of the annual new immigrant population in the U.S., a specialized immigration category, Special Immigrant Juvenile Status (SIJS), was created. In 1990, Congress created SIJS to offer a form of protection for non-U.S. immigrant children and youth who have been abused, neglected, or abandoned by their parents and who are seeking refuge in the U.S. (U.S. Citizenship and Immigration Services (USCIS), 2014). Like other U.S. asylum and refugee laws, SIJS offers non-U.S. citizen children and youth worldwide asylum-like protections, the opportunity to obtain permanent residency or a green card, and a pathway to U.S. citizenship (Junck et al., 2014).

In order for an immigrant child or youth to be eligible for Special Immigrant Juvenile Status (SIJS), the child must be rendered a dependent of the court (Junck et al., 2014). The court must affirm that these children cannot be reunited with their parents as a result of abuse, neglect, or abandonment, and that it would be against the children's best interests to be returned to their country of origin (Junck et al., 2014). Because SIJS status is a new and underused immigration relief category, immigration judges, immigration attorneys, social workers, researchers, and advocates interested in working with unaccompanied minors are still learning about the immigrant youth population that makes up the applicant pool for this unique immigration category, SIJS. Consequently, there is limited data, information, and empirical research on SIJS applicants, and therefore little is known about the youth who actually apply for and are granted

SIJS status. Hence, the urgent need for more research on this new immigrant child and youth population — unaccompanied minors from Latin America.

Despite the absence of research on this subpopulation — unaccompanied minors from Mexico and Central America, much of what is known about this special immigrant population has come from immigration attorneys and legal experts, who have assisted immigrant youth from various backgrounds in applying for and obtaining SIJS status (Immigrant Legal Resource Center (ILRC), 2010). From successful precedent in SIJS immigration cases that have resulted in the granting of SIJS status, law practitioners, researchers, immigration advocates, and the public, are learning more about the children and youth who comprise the unaccompanied minor population (Hing, 2015).

From the testimonies of immigrant youth who have applied for SIJS, we are learning about their backgrounds and demographics, as well as the dangerous and traumatic migration journeys to the U.S. that many of them have undergone to escape war, violence, gang-related harassment, abuse, neglect, abandonment, poverty, and lack of opportunity in their home countries (Hing, 2015). Also, from the work of avid immigration attorneys, efficacious protocols for applying for and obtaining SIJS have been generated to inform the legal field and provide unaccompanied minors assistance with their SIJS immigration cases (Hing, 2015). For example, immigration attorneys have achieved SIJS for unaccompanied minors from Latin America by arguing that their clients suffered abuse in the form of victimization at the hands of family members and/or dangerous gangs that dominate and terrorize neighborhoods and towns in their home country (Hing, 2015). Additionally, attorneys have filed for SIJS for their child and youth clients by demonstrating that their clients were abandoned by one or both of their parents and suffered neglect in their home country (Hing, 2015). Though the information that is gathered

from the attorneys who represent this distinct immigrant population has proven to be helpful with the SIJS application process, a number of questions remain regarding the backgrounds, identities, stories, and life circumstances of these immigrant children and youth. Most importantly, why they are leaving their home countries in increasing numbers?

Moreover, while extensive literature exists on the challenges and obstacles that the children of immigrants face in the U.S., especially in public school settings, there is limited research that focuses on the overall experiences of unaccompanied minors from Mexico and Central America (Suarez-Orozco & Suarez-Orozco, 2002). Existing research shows that among populations of immigrant youth from various regions of the world, it is common for them to have experienced exposure to trauma in their country of origin, and in their uncertain migration journey to the U.S. (Suarez-Orozco, 1989). Difficulties also arise with acculturation to an entirely new and different society (Suarez-Orozco, 1989).

Although there are significant similarities between these groups of child immigrants, the children of immigrants in the U.S. and unaccompanied minors from Latin America, it is important to note that unaccompanied minors or SIJS children/youth from Mexico and Central America, with their inimitable eligibility for a special immigration relief status, age group, and experiences, differ greatly from other immigrant groups that have been studied by researchers. As a result, the lived experiences and immigration stories of SIJS youth have yet to be researched, documented, and told in academia. Thus, not enough attention has been given by researchers to the unaccompanied minor population from Latin America or the reasons for their high migration to the U.S. in recent years.

A better understanding of the diverse backgrounds and stories of unaccompanied minors from this region, beginning with who comprises this special population, is needed. It is important

to know, in particular: What are the migration experiences of these youth? From what Latin American countries and regions are these children migrating to the U.S.? What are their motives and reasons for migrating to the U.S.? What forms of persecution are many of them seeking to escape in coming to the U.S.? What are some of the challenges that they faced in their home country? What are their dreams and aspirations for the future? What are their educational, social, mental health, and legal needs? How can SIJS assist unaccompanied minors from Latin America with achieving their personal goals? This study addresses these questions and makes recommendations for how to better serve the needs of this group.

### Purpose Statement

The focus of this study is on a unique immigrant population — unaccompanied minors who have migrated to the U.S. from Latin America, particularly Mexico, Honduras, Guatemala, and El Salvador. The purpose of this qualitative research study is to explore, describe, and understand the migration stories of unaccompanied minors who have migrated to the U.S. from various parts of Latin America. This study uncovered the push and pull factors that are motivating youth migration to the U.S. from Latin America, including the social pressures, economic factors, lack of educational and economic opportunities, life-threatening violence, safety concerns, and human rights violations. This study offered an analysis of the major themes that arise from semi-structured interviews with eight unaccompanied minors.

The study discussed the availability of a special immigration relief category, Special Immigrant Juvenile Status (SIJS), in terms of its effectiveness as a specialized immigration relief option for immigrant children, and particularly unaccompanied minors. Its applicability to unaccompanied minors who have been abused, neglected, and/or abandoned (all standard requirements to be eligible for SIJS immigration relief) was also discussed (Hing, 2015).



## Research Questions

The following research questions guided this study:

- 1) What are the factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, particularly, Mexico, Honduras, Guatemala, and El Salvador? That is:
  - A. What are the personal and social problems that motivate many of them?
  - B. What are the economic problems?
  - C. What are the political problems?
- 2) How can Special Immigrant Juvenile Status (SIJS) be used to empower members of unaccompanied minor populations? In regard to this:
  - A. What effect has migrating to the U.S. had on their lives?
  - B. What expectations did they have in leaving their home countries and migrating to the U.S.?
  - C. What does the granting of Special Immigrant Juvenile Status (SIJS) represent for, or mean to them?

## Theoretical Framework

The theoretical framework for this study is Lee's (1966) "Theory of Migration." Lee's 1966 "Theory of Migration" was used to provide a lens and foundation from which to understand the personal narratives/testimonies of unaccompanied minors from Latin America. Lee's Migration Model dissects the act of migration into three categories: an origin, a destination, and an intervening set of obstacles (Lee, 1966). The theory carefully describes the following push

and pull factors that an individual must consider in the process of migration and in making a decision to migrate:

1. Factors associated with the area of origin.
2. Factors associated with the area of destination.
3. Intervening obstacles.
4. Personal factors (Lee, 1966).

Each factor will be discussed in depth to ensure an understanding of the actions and perspectives an immigrant experiences in the migration process.

Everett Lee (1966) outlines his theory of migration using a chart he titled, “Origin And Destination Factors And Intervening Obstacles In Migration.” According to Lee, there are a variety of factors that act to tie or attract people to an area or to repel them from an area (Lee, 1966). Lee depicts these factors as + and – signs in the diagram. Factors that people are indifferent to are shown as 0’s in the diagram. Lee notes that there may be a difference of opinion among migrants as to what constitutes + factors and what constitutes – factors. For example, a good school system in a particular area or migration destination may be viewed as a positive motivating factor by a family with school-aged children (Lee, 1966). However, a good school system may be interpreted as a negative factor by a real estate owner with no children, because of the high real estate taxes that this public amenity might create (Lee, 1966). Additionally, an unmarried individual might be indifferent to a good school system, and therefore categorize a good school system as a 0 in accordance with Lee’s chart (Lee, 1966). Thus, the set of +, –, and 0 factors is uniquely defined by each migrant or potential migrant (Lee, 1966).

Factor 1., factors associated with the area of origin, have traditionally been referred to as push factors, in that they act to motivate people to stay or leave their current place of origin (Lee, 1966). Factors associated with the area of origin include affinity and long-term acquaintance

with the area of origin or home country, along with stages of the life cycle spent in the area of origin (Lee, 1966). For example, for many migrants, because the formative years were lived in their home country, the area of origin will thus be automatically associated with positive memories (Lee, 1966). In contrast, the issue of assimilation in migrating to a new destination, may be perceived as a negative factor or disadvantage attached to the area of destination, and therefore, a positive factor in the area of origin/home country (Lee, 1966).

Factor 2., factors associated with the area of destination, or pull factors, describes the attractive forces that motivate people to migrate to new destinations (Lee, 1966). At the top of Lee's list of pull factors is economic advancement and opportunities for personal improvement (Lee, 1966). Highly industrialized countries and metropolitan cities represent holders of these attractive forces, and therefore, pull migrants to these areas of destination (Lee, 1966).

Factor 3., intervening obstacles, illustrates the intervening obstacles that migrants face in migrating to a new location (Lee, 1966). Intervening obstacles include distance, transportation, safety and difficulty in migrating from the area of origin to the area of destination (Lee, 1966). For example, Lee identifies tunneling the Berlin Wall and immigration laws as intervening obstacles that an individual must consider in making the decision to migrate between area of origin and area of destinations (Lee, 1966). Logically, the advantages that the area of destination promises must outweigh the intervening obstacles involved in the migration journey (Lee, 1966).

Factor 4., personal factors, encompasses the personal factors that influence a person's decision to leave their place of origin for a new destination (Lee, 1966). Lee has espoused that some of these personal factors are constant throughout a people's lives, while some may be directly associated with the stage of life that people find themselves in (Lee, 1966). Per Lee, stages in the life cycle include completion of education, entering the workforce, retirement,

marriage and divorce (Lee, 1966). Other life occurrences that are categorized as personal factors that may deter a person from remaining in the area of origin include injustices suffered by the person who is considering migration (Lee, 1966). Injustices suffered in the area of origin may act to dissuade the person from staying and therefore motivate migration (Lee, 1966). Similarly, in random occurrences, perpetrators of violence may be forced to abandon an area of origin for personal reasons (Lee, 1966). Lastly, it is personal reasons and the perception of the conditions at both the area of origin and the area of destination that ultimately result in a person's decision to migrate (Lee, 1966).

Lee's explanation of the role that personal factors play in a person's decision to migrate states:

Personal sensitivities, intelligence, and awareness of conditions elsewhere enter into the evaluation of the situation at origin, and knowledge of the situation at destination depends upon personal contacts or upon sources of information which are not universally available. In addition, there are personalities which are resistant to change — change of residence as well as other changes — and there are personalities which welcome change for the sake of change. For some individuals, there must be compelling reasons for migration, while for others little provocation or promise suffices. (Lee, 1966, p. 51)

In summary, Lee's (1966) "Theory of Migration" conceptualizes the process of migration as involving a set of push and pull factors at origin and destination, intervening obstacles, and personal factors, all configuring into a person's decision to migrate. Lee's theory provides a framework for understanding migration, along with a series of hypotheses for "the volume of migration under varying conditions, the development of stream and counterstream [migration],

and the characteristics of migrants” (p. 51). This research study will draw on Lee’s "Theory of Migration" and hypotheses of migration to analyze the findings from this study.

#### Limitations of the Study

It is important to note that this study is limited by its sample size and selection of study participants. Because it is limited to eight interviews with unaccompanied minors from Latin America who were selected from the existing pool of students at a public high school, this study is not a representative sample (Creswell, 2015). Secondly, study participants were screened for eligibility to participate in the study by the researcher and the research director at the school site. Thus, common threads among the participants for this study are having been pre-screened for study eligibility, classified as having unaccompanied minor status, and interest in applying for the immigration benefits, Special Immigrant Juvenile Status (SIJS) and/or asylum. Because the sample for this study was obtained with these specifications, prioritizing convenience, it would be inappropriate to generalize the findings of this study to the larger population (Creswell, 2015). Therefore, the findings for this study are based on a purposeful sample and must not be taken to represent the views and experiences of all unaccompanied minors.

#### Delimitations of the Study

Furthermore, there is also a possibility of researcher bias in the interviews. This is because the purpose of the study is, in part, to encourage and support the participants with applying for the immigration relief categories, Special Immigrant Juvenile Status (SIJS) and/or asylum. For instance, part of the reason that immigrant youth seek to participate in university-driven research studies such as this is to obtain information, and in some cases, assistance with preparing and filing a quality application for the immigration benefits that they may be eligible for. Therefore, in supporting the participants’ efforts to gather the necessary information for their

SIJS and asylum applications, there exists the high likelihood for bias on the part of this researcher.

Researcher bias may also be introduced by the fact that this researcher has experience working with the unaccompanied minor population. The researcher has experience working with diverse immigrant populations, including unaccompanied minors, as a social worker and paralegal in the field of immigration law. This personal experience may result in partiality and bias in the presentation of the study participants' stories. It cannot be known whether the interviewees' testimonies might have been different had there existed no bias in the researcher or others during interviewing process. Unfortunately, researcher bias is a delimiting factor that could not be controlled for in this study.

#### Significance of the Study

By examining the backgrounds and demographics of this vulnerable child population in a qualitative case study, this study provided a better understanding of this population's distinctiveness, in terms of who the unaccompanied minors are, the personal stories behind their migration journeys, the push/pull factors in their migration to the U.S., and the experiences that make them eligible for Special Immigrant Juvenile Status (SIJS) and/or asylum. A close look was given at the reasons why these unaccompanied minors are immigrating to the U.S. for protection and refuge. The study thus contributed to the still-limited understanding of this unique immigrant child and youth population.

Moreover, SIJS is an immigration relief category that currently is greatly underused. In 2010, only 1,492 youth were able to gain legal permanent residency through this category (Jackson, 2012). There is much concern among immigration attorneys and child advocates that SIJS will continue to be a radically underused immigration relief category in helping immigrant

youth who could benefit from it, unless legal practitioners and immigration advocates become more informed about its availability and possible uses (Jackson, 2012). This study thus aimed, in part, to make available more information about Special Immigrant Juvenile Status (SIJS), in the hope that more eligible immigrant youth will seek to make use of it.

In addition to examining the problem, this study added a layer of understanding by making recommendations for how to better serve and work with this specialized child and youth population. Ideally, child advocates, including immigration attorneys and judges, social workers, educators, mental health professionals, and U.S. Immigration personnel at all levels, will be able to utilize the information that is gathered from this study to inform their practice, and integrate it in a manner that honors the needs, human rights, and best interests of unaccompanied minors from Latin America.

#### Definition of Terms

The terms below are defined as used in this study:

*Asylee/Refugee.* A person who is eligible for asylum or refugee status in the U.S. and, having been deemed unable to return to their country of origin for fear of being persecuted on account of race, religion, nationality, membership in a particular social group, or political opinion, has been granted immigration relief and asylum under Section 208 of the Immigration and Nationality Act (United States Citizenship and Immigration Services (USCIS), n.d.).

*Immigration and Naturalization Act (INA).* The statute that governs immigration to the United States and becoming a citizen (Hing, 2015). The INA has been amended a number of times, and remains the primary body of law that governs immigration in the U.S. As federal law, it forms part of the United States Code (U.S.C.) (United States Citizenship and Immigration Services (USCIS), 2013).

*Special Immigrant Juvenile Status (SIJS).* A special form of immigration relief and asylum for non-U.S. citizen children in the United States who do not have legal permanent residence and have been abused, neglected, and/or abandoned by one or both parents (United States Citizenship and Immigration Services (USCIS), n.d.).

*Unaccompanied Minor.* A young person who is undocumented, who has migrated to the U.S. without a parent or legal guardian present, and who at the time of arrival is under the age of 18. According to the United Nations Committee on the Rights of the Child, an unaccompanied minor is a child who is present in the host country without a parent and/or legal guardian, and who has been separated from both parents and any relatives. More broadly, an unaccompanied minor has been defined as a child who is “not being cared for by an adult who, by law or custom, is responsible for doing so” (UNICEF, 2015).

*The United States Code (U.S.C.).* According to the United States Citizenship and Immigration Services (USCIS), the U.S.C. is:

a collection of all the laws of the United States. It is arranged in fifty subject titles by general alphabetic order. Title 8 of the U.S. Code deals with “Aliens and Nationality.” Section 208 of the INA deals with asylum and is contained in 8 U.S.C. 1158. Although it is correct to refer to a specific section by either its INA citation or its U.S. code, the INA citation is more commonly used. (ibid., 2013)

### Summary

Since the emergence of unaccompanied minors to the U.S. from Mexico and Central America so far in the first two decades of this century, some researchers have commented on the lack of research concerning this new and unique immigrant child population. Furthermore, the current political climate has brought a resurgence of interest in immigration policy and the



immigration laws that govern migration in this country, as well as in the immigrant groups that make up the annual sum of new immigrants to the U.S. Although the work of immigration attorneys and experts, researchers and academics has provided significant information on adult immigrant populations and their children, because of the traditional emphasis on acculturation and assimilation, there continues to be a gap in the literature on this population.

Much of the extant research in immigration law is focused on immigrant groups as a whole, particularly newly-arrived adult immigrants who are eligible for asylum or other forms of immigration relief. In contrast, this study focuses on immigrant youth — unaccompanied minors from Latin America. The guiding theory for this study is Lee's 1966 "Theory of Migration" which describes three components of migration: an origin, a destination, and set of intervening obstacles. Lee's "Theory of Migration" follows a migrant individual from an origin to a destination, all the while contending with a myriad of intervening obstacles that influence a person's decision to remain at origin or migrate to a destination (Lee, 1966). Lee has categorized the factors in the act of migration, between area of origin and destination, as 1. factors associated with the area of origin, 2. factors associated with the area of destination, 3. intervening obstacles and 4. personal factors (Lee, 1966). This qualitative study uses Lee's "Theory of Migration" and one-on-one interviews with unaccompanied minors from Mexico and Central America to capture participants' migration stories and testimonies and explore their eligibility for the immigration relief category, Special Immigrant Juvenile Status (SIJS).

The foundation for this study is the existing literature, which gives insight to the history of asylum laws in this country, specifically Special Immigrant Juvenile Status (SIJS). U.S. Asylum Law or the Refugee Act of 1980, in its original form, did not specifically identify unaccompanied minors as applicants (U.S. Citizenship and Immigration Services (USCIS),

2016). Hence, to provide unaccompanied immigrant minors present in the United States with an immigration remedy, Congress passed the Immigration and Nationality Act in 1990 that included the immigration relief category, SIJS (Knoespel, 2013). With the enactment of SIJS in 1990 and the momentum that this special classification has garnered among public interest attorneys in the representation of immigrant youth, researchers began to investigate, on the surface, the migration experiences of unaccompanied minors. Although it is highly plausible that unaccompanied minors have been migrating to the U.S. long before the passing of SIJS, it is not until recent years, with the outpouring of unaccompanied minors from Mexico and Central America, that researchers and immigration attorneys have focused on this immigrant youth population (Basu, 2014). The review of the literature focuses on the history of unaccompanied minors' migration to the U.S., immigration remedies for unaccompanied minors in the U.S., and Special Immigrant Juvenile Status (SIJS). It also covers the migration experiences and challenges of unaccompanied minors in the U.S., and the relationship between the immigrant experiences of unaccompanied minors and Lee's "Theory of Migration."

## CHAPTER II

### Review of the Literature

#### Introduction

In the last four years, the unaccompanied minor population from Mexico and Central America in the U.S. has risen significantly, with 102,000 unaccompanied minors being apprehended at the U.S. Mexico border by U.S. Customs and Border Protection (CBP) from the start of 2014 through August 31, 2015 (Pierce, 2015). The Department of Homeland Security (DHS) reports that the unaccompanied minor population in the U.S. doubled in the 2016 fiscal year from 40,000 in 2015 to an estimated 80,000 in 2016 (Rush, 2016). Despite the dangerous migration journey to the U.S., stricter immigration policies, and widespread anti-immigrant sentiment, unaccompanied minors continue to migrate at an increasing rate to the U.S. from Mexico and what has been referred to as the Northern Triangle, countries from El Salvador, Guatemala, and Honduras (Rush, 2016). Although unaccompanied minors are prevailing in their migration and are being granted refuge and asylum in the U.S. via asylum and family reunification laws, understanding this special immigrant child population and their migration experiences is essential to making their journey safer. Second, by becoming more informed about unaccompanied minors from Latin America, immigration advocates, attorneys, social workers, educators, and mental health professionals can be better equipped to support this special immigrant child population and make their overall immigrant experiences in the U.S. more beneficial to them.

#### Overview

This section presents an overview of the literature related to the study. There is limited literature covering the following themes on unaccompanied minors: (A) History of the migration of unaccompanied minors from Latin America to the U.S. (B) Immigration remedies for

unaccompanied minors in the U.S. and Special Immigrant Juvenile Status (SIJS) (C) The migration experiences and challenges of unaccompanied minors from Latin America in the U.S. (D) An analysis of the relationship between the immigrant experiences of unaccompanied minors from Latin America and the push/pull factors in Lee's "Theory of Migration." The introduction of each theme is followed by an exploration of significant literature and research in the area.

To fully understand this new immigrant population—unaccompanied minors from Latin America, and the forces that have brought about their migration to the U.S., it is vital that one examine the history of their migration to the U.S. and the immigration remedies that are available for unaccompanied minors in the U.S. Therefore, in an effort to obtain a thorough understanding of the personal narratives of unaccompanied minors from Latin America, this section will first provide an overview of the history of unaccompanied minors' migration to the U.S and the immigration policies that have greatly impacted unaccompanied minors' migration to the U.S. Additionally, new forms of immigration relief that were implemented during these eras will also be reviewed, specifically the Central American Minors (CAM) Program, asylum, and Special Immigrant Juvenile Status (SIJS). This historical overview will also encompass the eras that witnessed the greatest number of unaccompanied minor arrivals to the U.S. from Latin America and the push/pull factors that influenced this migration.

#### History of Unaccompanied Minors' Migration to the U.S. from Latin America

Children have been migrating to the U.S. from Latin American countries long before the term, unaccompanied minors, was first coined in the Homeland Security Act (HSA) of 2002 (Byrne, 2008). Unaccompanied minors have been migrating to the U.S. since the early 1980s, escaping civil wars, violence, poverty, and the aftermath that was brought on by the internal conflicts in their home countries (Byrne, 2008). Perhaps most conspicuous for prompting the

largest migration of Latin American people to the U.S. to escape violence is the Central American Crisis (Weeks, 1986). The Central American Crisis, beginning in the late 1970s, signified the start of a series of civil wars and pro-communist revolutions and struggles throughout countries in Central America, wherein the U.S. and foreign countries were all competing for the rule of Central America (Weeks, 1986).

To prevent Latin America from succumbing to pro-Soviet communism, the U.S. is historically recorded for having overthrown socialist rulers in various countries throughout Latin America, most conspicuously Guatemala, El Salvador, and Bolivia, and replacing them with puppet leaders, with the purpose of oppressing and subjugating the peasant and working classes (Weeks, 1986). The Central American Crisis is also regarded by many as a reaction by the lower classes of Latin American countries who were revolting against unjust treatment, forced labor, unequal land rights, and lack of political representation (Weeks, 1986). For purposes of this study, this section will only focus on the impact that the Central American Crisis had on the Central American countries that correspond to the study participants' countries of origin—El Salvador, Guatemala, and Honduras, and how these civil wars triggered the migration of unaccompanied minors to the U.S.

#### *Salvadoran Civil War*

The Salvadoran Civil War, one of the many conflicts that gave rise to the Central American Crisis, was a civil war between the government of El Salvador and Farabundo Marti National Liberation Front (FMLN), a group of several anti-government, left-wing guerilla coups, that lasted from 1979 until 1992 (Wood, 2003). According to historical accounts, the civil war was incited over the guerilla's discontent with the government and its failure to improve the living conditions of the people of El Salvador (Encyclopedia Britannica, 2018). Fearing that El

Salvador would be converted to communism by the Soviet Union and communist countries, the U.S. aided the Salvadoran military government by contributing 4 billion dollars to their efforts, training their military, and providing them with weaponry and war vehicles (Encyclopedia Britannica, 2018). The Salvadoran Civil War resulted in a death toll of more than 75,000 people, the disappearance and kidnapping of an unknown number of people, several human rights violations, terrorization of innocent civilians, and the forced recruitment of child soldiers by the military government (Larsen, 2010; United Nations, 1993).

Records show that the Salvadoran military was responsible for 85% of the civilians killed in the civil war, while the FMLN was responsible for 5% of the killings (Lemoine, 2009). During and after the Salvadoran Civil War ended in 1992, Salvadoran families and children, found themselves migrating in droves to the U.S. to escape the violence and aftermath that was brought on by this devastating war (Rodriguez, 2015). Consequently, the Salvadoran Civil War originated the wave of Salvadoran child migration to the U.S. which has continued into the present (Rodriguez, 2015).

### *Guatemalan Civil War*

The Guatemalan Civil War, like the Salvadoran Civil War, formed the infamous Central American Crisis, and took place from 1954 to 1996 (Lloyd, 2013). The Guatemalan Civil War officially began in 1954 after the U.S. Central Intelligence Agency (CIA) ousted democratically elected Guatemalan President Jacobo Arbenz after the U.S. perceived him to be a communist threat (Lloyd, 2013). Under Operation PBSUCCESS, the CIA deposed Arbenz and implanted dictator Carlos Castillo Armas to take his place (PBS News Hour, 2011). The installing of Armas was only one of the many puppet leaders that the CIA would implant in Guatemala during the 36-year long civil war. The Guatemalan Civil War was fought between the Rebel Armed Forces

(FAR), which was comprised of mostly rural poor, indigenous, and working-class populations, and the Guatemalan government, backed by the U.S. (Lloyd, 2013).

More than 200,000 people were killed or disappeared in this war, the majority of which were Mayan and indigenous populations, who were disproportionately targeted by the Guatemalan government regime, led by Rios Montt (Lloyd, 2013). The Guatemalan government is believed to have targeted indigenous activists, anti-government organizers, critical scholars and academics, left-wing politicians, religious leaders, media and reporters, and homeless children (Uppsala Conflict Data Program, n.d.). The "Comisión para el Esclarecimiento Histórico" (Commission for Historical Clarification) reported that 93% of the violence committed during the Guatemalan Civil War was carried out by the Guatemalan government, while 7% was attributed to the guerrillas (Truth Commission Guatemala, 1997). Subsequently, during this civil war period, there was an upsurge in Guatemalan people migrating to Mexico and the U.S., seeking sanctuary from brutal violence and what has been referred to as the mass genocide of the indigenous people of Guatemala by the Rios Montt militia (Jonas, 2013). During the Guatemalan Civil War, an estimated 200,000 Guatemalans escaped to Mexico, many of whom remained in United Nations High Commissioner for Refugees (UNHCR) camps in Mexico (Jonas, 2013).

According to the U.S. Immigration and Naturalization Services (INS), during the Guatemalan Civil War, Guatemalan migration to the U.S. increased from 13,785 in 1977 to 45,917 in 1989 (Jonas, 2013). In 1992, Guatemalans comprised 42 percent of all asylum applicants in the U.S. (Jonas, 2013). However, migration numbers drastically dropped after the ending of the Guatemalan Civil War in 1996 (Jonas, 2013). Nevertheless, the Guatemalan Civil War, like the Salvadoran Civil War, triggered an unprecedented wave of migration from Latin

America to the U.S., comprised of immigrants, family units, and unaccompanied children, seeking not only refuge from the violence and human rights violations precipitated by the Central American Crisis, but also better economic opportunities for themselves and their families (Jonas, 2013).

### *Honduran Civil War*

Similar to its neighbors, El Salvador and Guatemala, from 1979 to 1986, Honduras became a country that was controlled and terrorized by anti-communist regimes that were supported, funded, and trained by the U.S. CIA and other anti-communist governments, such as Chile and Argentina (Thompson & Cohn, 1995). Looking to prevent Honduras from acquisition by communist powers, in 1979, Battalion 3-16, the pro-Honduran government army was established by the CIA to suppress any counter-insurgencies and leftist activism against the Honduran government (Thompson & Cohn, 1995). As a result, Battalion 3-16 is recorded to have abducted, tortured, and killed people whom they suspected of participating in the leftist activity and guerrilla groups against the government, including teachers, students, and unionists (Human Rights Watch, 1994).

From the late 1970s until 1988, the people of Honduras experienced countless human rights violations by the Battalion 3-16, who are believed to have killed, abducted and tortured more than 184 Honduran civilians (Lopez Grijalba, 2016). According to accounts by ex-Battalion 3-16 military members, Battalion 3-16 stalked, viciously tortured, killed, and disappeared hundreds of innocent Honduran civilians suspected of subversion, and the exact number of victims is still unknown (Thompson & Cohn, 1995). In addition to supporting the Battalion 3-16, the U.S. used Honduras as a training site to train Salvadoran and Nicaraguan soldiers involved in anti-communism efforts (Thompson & Cohn, 1995). The economic state of



Honduras was only exacerbated by this civil war, further stunting agricultural production, driving industrialization down, weakening trade, and increasing unemployment rates (Rosenberg, 1988).

### Summary

In response to the political conflicts, poor economic conditions, widespread violence, and devastation that was perpetrated by the Central American Crisis, Honduran, Salvadoran, and Guatemalan civilians, children, youth, and families, found themselves migrating to the U.S. and other countries, most notably Mexico, in high numbers during these tumultuous war periods. The Salvadoran, Guatemalan, and Honduran Civil Wars are recorded in history as having targeted and brutalized the most vulnerable populations in their home countries, including the poor, peasant, indigenous, and working classes, and the children. For example, the Guatemalan Civil War is oftentimes referred to as the genocide of the indigenous people of Guatemala, because of the more than 200,000 people who were killed in the war, the majority of whom were of Mayan and indigenous heritage. As a result of the violence that ensued from this more than ten-year war period, the economies in these Central American countries gravely suffered. Unemployment rates and poverty in these countries is noted as having risen steeply during these tumultuous years. Citizens of these war-torn countries were left with no other option but to migrate to another country, most markedly the U.S., where they might be able to obtain refuge away from the violence and poverty in their home countries. During this time period, Central Americans fleeing the Central American Crisis accounted for more than 40 percent of the asylum applicants in the U.S. (Jonas, 2013). According to the U.S. Census, with the growing number of unaccompanied minors and families seeking to escape the civil war violence in the Northern Triangle, the Central American population in the U.S. grew tenfold between 1980 to 2015 (Lesser

& Batalova, 2017). Thus, the Central American Crisis in the 1970s can be argued to have initiated the wave of unaccompanied minors' migration to the U.S.

#### Immigration Remedies for Unaccompanied Minors in the U.S.

##### *Homeland Security Act (HSA) of 2002*

Following the September 11, 2001 attacks on New York and the mailing of anthrax, on November 25, 2002, Congress passed the Homeland Security Act (HSA). This Act created the U.S. Department of Homeland Security and the cabinet-level position, Secretary of Homeland Security, intended to protect the security of the country and the American people and keep the U.S. safe from further terrorist attacks (U.S. Department of Homeland Security, 2015). From the Homeland Security Act (HSA) of 2002 came the terms, “unaccompanied alien child” and “unaccompanied minor” (U.S. Department of Homeland Security, 2015). As written in the HSA, unaccompanied minor refers to a child who has no lawful status in the U.S., is under the age of 18, and does not have a parent or legal guardian in the U.S. (U.S. Department of Homeland Security, 2015). With the passing of the HSA, the care and custody of unaccompanied children was transferred from the U.S. Immigration and Naturalization Services to the Office of Refugee Resettlement (ORR) and instructed the ORR to provide legal counsel for each unaccompanied child (Byrne, 2008).

As the agency appointed to coordinate placement and resettlement service for unaccompanied minor children, the Office of Refugee Resettlement (ORR) maintained a statistical database on unaccompanied minors (Byrne, 2008). According to the ORR, the Department of Homeland Security (DHS) has referred an estimated 7,000 to 9,000 unaccompanied minors to the ORR since 2005 (Byrne, 2008). Accordingly, in 2006, 85 percent

of the children referred to ORR came from countries in the Northern Triangle, El Salvador, Guatemala, and Honduras (Byrne, 2008).

The majority of the unaccompanied minor children from the Northern Triangle who are referred to the ORR, arrive to the U.S. on foot, on train, or vehicle (Bhabha & Schmidt, 2006a). Despite being the most cited database for information on unaccompanied minors, ORR's findings are inconclusive in that they do not include the unaccompanied children who are never referred to DHS (Bhabha & Schmidt, 2006). This may include children from Mexico who are apprehended by DHS and voluntarily returned to their home country because they do not meet eligibility for unaccompanied minor status and to be referred to ORR (Bhabha & Schmidt, 2006). Second, the number of unaccompanied minors that enter the country unlawfully without ever being apprehended by DHS is unknown (Bhabha & Schmidt, 2006). More importantly, little is known about the unaccompanied minor child population that never comes into contact with DHS or any authorities, how they enter the country, where they are arriving from, and the reasons for their dangerous migration journey (Bhabha & Schmidt, 2006). This lack of information on unaccompanied minors is the motivation behind this research study.

#### *Central American Minors Program (CAM)*

In response to the increasing influx of unaccompanied minors that were crossing U.S. borders, mainly the U.S. Mexico Border, without documentation, in the 1980s and 1990s, the Obama Administration implemented the Central American Minors Program (CAM) (U.S. Department of State, 2014). The Central American Minors Program (CAM), passed in 2014, is an immigration policy that granted parents who are lawfully present in the U.S., the opportunity to reunite with their children by requesting a refugee or parole status for their children who currently reside in countries that comprise the Northern Triangle: El Salvador, Guatemala, and

Honduras (U.S. Department of State, 2014). Aware of a large number of unaccompanied minors who were migrating to the U.S. from the Northern Triangle and experiencing violent crimes during their journey, the Obama Administration established the CAM Program to provide a safe alternative for reuniting lawfully present parents in the U.S. with their children (U.S. Department of State, 2014). Under the CAM Program, parents with children in El Salvador, Guatemala, and Honduras, who are legally present in the U.S., were allowed to petition the U.S. Refugee Admissions Program to have their children paroled into the U.S., providing a safe alternative to the dangerous journey that many unaccompanied minors take in migrating to the U.S. (U.S. Department of State, 2014).

In addition to providing refuge/parole to the children of parents who are lawfully present in the U.S., the Central American Minors Program (CAM) allowed for parole consideration for children who are found ineligible of refugee admission but are still at risk of harm in their home country (U.S. Department of State, 2014). The program was commenced in December of 2014, and the application required the filing of Department of State form DS-7699, which involved a refugee resettlement interview for the unmarried child under the age of 21 living in El Salvador, Guatemala, or Honduras (U.S. Department of State, 2014). Under certain circumstances, the program also allowed for the second parent to be added to the child's petition if he/she resides with the child and is married to the parent who is lawfully present in the U.S. (U.S. Department of State, 2014). Along with requiring pre-screening interviews in the child's country of origin, the application process required DNA testing to establish biological relationship between the parent in the U.S. and the claimed child outside of the U.S., and security and medical clearances (U.S. Department of State, 2014). Applicants who were approved for refugee status were

resettled in the U.S. by the International Organization for Migration (IOM), which oversees the U.S. Resettlement Support Center (RSC) in Latin America (U.S. Department of State, 2014).

The Central American Minors (CAM) Program was particularly unique because it allowed for special parole consideration to be given to applicants who were found by the Department of Homeland Security (DHS) to be ineligible for refugee or asylum status in the U.S. For example, under the CAM Program a person was still considered eligible for parole if the DHS established that the individual was at risk of harm in their home country, if background and medical clearance was obtained, and if someone had agreed to financially support the individual in the U.S. (Byrne, 2008). Parolee status under the CAM Program was temporary, and parolees were not eligible for permanent legal immigration residence or path to citizenship in the U.S. (U.S. Department of State, 2014).

Moreover, due to the rise in the number of unaccompanied minors to the U.S. from the Northern Triangle in 2015, on November 15, 2016, the Obama administration expanded the CAM Program to allow individuals over the age of 21. This allowed siblings, parents, and caregivers who accompanied an unmarried minor child from the Northern Triangle to also apply for admission to the U.S. as a refugee (U.S. Bureau of Population, Refugees, and Migration, 2017). Also, the lawfully present adult in the U.S. who sponsored the unaccompanied minor in a country in the Northern Triangle could be either a parent, sibling, or caregiver (Gonzales, 2016). The expansion included three components: 1) broadening the category of people who are eligible to apply for refugee/parole under the CAM program to include siblings, parents, and caregivers of unaccompanied minors, 2) collaboration with the United Nations to screen applicants for refugee status in their home country, and 3) implementation of a Protective Transfer Arrangement in partnership with Costa Rica to intermittently accommodate a maximum of 200

migrants who are in greatest need of protection (Gonzales, 2016). Although the Obama administration expanded the program with the intention of reducing the number of unaccompanied minors migrating to the U.S. from the Northern Triangle due to violence in their home countries, the program was short-lived, and lamentably did not fulfill its intended purpose of reducing unaccompanied minors' unlawful and dangerous migration to the U.S.

The program was ephemeral and only ran for approximately 2 years (Lakhani, 2017). Nevertheless, during those two years the CAM Program offered refuge to more than 1,500 children and eligible family members (Rosenberg, 2017). Additionally, during the lifespan of the program, the program received more than 13,000 applications for refuge (Rosenberg, 2017). Although the CAM Program provided a number of benefits to unaccompanied minor populations and their families, it mainly provided minors with reunification with members of their family in the U.S., refuge from risk of harm and violence in their home country, and a safe alternative to the dangerous migration journey that thousands of unaccompanied minors have endured.

The CAM Program was terminated upon the deliverance of President Donald Trump's executive order on immigration enforcement on January 25, 2017, which called for a ban on refugees entering the U.S. (Lakhani, 2017). President Trump's suspension of the CAM Program had a devastating impact on the unaccompanied minor population, resulting in an estimated 2,700 minors from Central America being denied lawful entry to the U.S. despite being accepted into the program (Rosenberg, 2017). An additional 3,000 unaccompanied minor children, whose applications were in limbo at the time of the program's reevaluation, were not allowed entrance into the country, not to mention the children who would have applied had the program continued (Kopan, 2017). What does this newly implemented ban mean for these children who had already been granted conditional acceptance to the CAM Program? What does this mean for those

hopeful to apply for parole under the CAM Program? Since its inception, the CAM Program provided 1,400 children from Central America with refugee status (Rosenberg, 2017).

*Special Immigrant Juvenile Status (SIJS)*

Another form of relief that has been made available to unaccompanied minors is Special Immigrant Juvenile Status (SIJS). Special Immigrant Juvenile Status (SIJS), which was created by the Immigration Act of 1990, provides undocumented children with legal status in the U.S. and a pathway to lawful permanent residency (U.S. Citizenship and Immigration Services, 2011). In 1990 Congress enacted Special Immigrant Juvenile (SIJS) status to offer legal protections for non-U.S. citizen children in the United States who do not have legal permanent residence and have been abused, neglected, or abandoned by one or both parents (U.S. Citizenship and Immigration Services, 2011). A non-U.S. citizen child is eligible for SIJS if he or she has been declared a ward of the court and placed under the legal custody of a state agency or an individual appointed by the state (Junck et al., 2014). Second, a U.S. juvenile court must rule that the non-U.S. citizen child/applicant cannot be reunited with his or her parent(s) due to evidence that the child has suffered abuse, abandonment, and/or neglect or any other basis found under the law (Junck et al., 2014). Also, the court must find that it is not in the best interests of the child to be returned to their country of origin and place of last habitual residence (Junck et al., 2014).

Upon obtaining a special court order from a U.S. juvenile court, a Special Immigrant Juvenile Status (SIJS) applicant must file two forms with the U.S. Citizenship and Immigration Services (USCIS): the Special Immigrant Juvenile Status application, form I-360, Petition for Amerasian, Widower, or Special Immigrant, and an application for lawful permanent residency, form I-485, Application to Register Permanent Residence or Adjust Status (Junck et al., 2014). In summary, to be eligible for SIJCS, an applicant must be unmarried and under the age of 21

and demonstrate that he or she has been named a dependent of a U.S. juvenile court, placed under the custody of a state department or agency by a U.S. juvenile court., or have a court-appointed caregiver (Byrne, 2008). Evidence must be provided that demonstrates that the child has suffered abuse, abandonment, and/or neglect, and cannot be reunited with the caregiver/parent(s) in the home country. Most importantly, the applicant must demonstrate through judicial or administrative proceedings that it would not be in the child's best interest to be returned to his or her home country or his/her parents' home country (Byrne, 2008).

### *Best Interests Principle*

It is important to note that Special Immigrant Juvenile Status (SIJS) is an especially unique form of immigration relief because it is the only provision in U.S. immigration law that incorporates the best interests principle/legal standard for children in legal proceedings (Byrne, 2008). The best interests principle originates from the 1989 United Nations Convention on the Rights of the Child (CRC), which is considered to be the most central international treaty concerning the human rights of children (Byrne, 2008). In essence, the best interest principle simply refers to the best interests of the child and is a legal standard that seeks to uphold the protection and wellbeing of a child in a legal matter (Byrne, 2008). Per Article 23 of the CRC, "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be the primary consideration" (UNICEF, 2015). The United Nations Convention on the Rights of the Child (CRC) also espouses the consideration of the child's views in legal decisions involving the child's wellbeing (UNICEF, 2015). Thus, SIJS takes into account the best interest principle by making a requirement that a U.S. juvenile court rule that it is not in the



best interest of an unaccompanied minor child to be returned to his/her country of origin due to evidence of abuse, neglect, or abandonment in the child's home country (Byrne, 2008).

Although Special Immigrant Juvenile Status (SIJS) presents a viable and favorable option for obtaining asylum and Legal Permanent Residence (LPR) status for unaccompanied minors, particularly minors from Latin America, legal experts and immigration attorneys warn that the conferment of this status is not automatic upon meeting the requirements for this immigration relief option (Hing, 2019). Immigration attorneys who are currently preparing and litigating these cases before family law and immigration courts in the state of California, report that family court and immigration judges are among the professionals who still remain uninformed about the availability of this special immigration relief option for immigrant children and youth (Hing, 2019). Because of this lack of awareness and competence on the part of these legal professionals, state court and immigration judges, and immigration attorneys, applications for Special Immigrant Juvenile Status (SIJS) are simultaneously not being filed on behalf of the youth who meet the eligibility criteria and being denied (Hing, 2019). Also, because of this lack of proficiency on the part of state court and immigration judges, as well as immigration attorneys, in the application of SIJS in the representation of unaccompanied minors, SIJS applications are not being filed to the degree that they could be to help immigrant children and youth obtain legal immigration status (Hing, 2019).

#### *Asylum for Unaccompanied Minor Children from Latin America*

A longstanding form of immigration relief for unaccompanied minor children has been asylum. An unaccompanied minor can apply for asylum as either an affirmative applicant or as a defensive applicant (Byrne, 2008). An affirmative asylum applicant refers to an immigrant who is not currently in removal proceedings and entered the U.S. legally with documentation and

inspection (Byrne, 2008). An affirmative asylum applicant may apply for asylum via the U.S. Citizenship and Immigration Services (USCIS), a subdivision of the U.S. Department of Homeland Security (DHS) (American Immigration Council, 2018).

In contrast, a defensive asylum applicant is an immigrant who entered the U.S. without documentation and was apprehended at a U.S. border (American Immigration Council, 2018). A defensive asylum applicant has the option of applying for asylum, but must do so through the Executive Office for Immigration Review (EOIR) in the Department of Justice, or more specifically with the immigration judge who is adjudicating his/her removal matter (American Immigration Council, 2018). In defensive asylum cases, asylum is applied for as a defense from removal proceedings which has been placed against the applicant who entered the U.S. without documentation and/or inspection at the time of entry (Byrne, 2008) (American Immigration Council, 2018). According to Bhabha and Schmidt (2006), the majority of unaccompanied minors who apply for asylum are defensive asylum applicants, meaning that they are in removal proceedings at the time of filing their asylum application, and most likely entered the U.S. without documentation and/or inspection.

Moreover, under substantive U.S. asylum law, unaccompanied minor children are treated as adults, thereby requiring unaccompanied minor children who apply for asylum to meet the standard requirements for asylum (Byrne, 2008). By this is meant that the unaccompanied minor child applicant must establish that he or she meets the definition of refugee stated in the Immigration and Nationality Act (INA): “Any person who is outside any country of such person’s nationality and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion” (U.S. Department of

Homeland Security (DHS, n.d.). By this definition of refugee, and therefore, requirements for establishing an asylum claim, adult applicants experience great challenge in applying for this immigration remedy (Byrne, 2008). Similarly, fulfilling the requirements for asylum have proven problematic for unaccompanied minors seeking immigration relief byway of asylum (Byrne, 2008). More specifically, unaccompanied minor children experience great difficulty with expressing the persecution they faced in their home country and/or the country conditions of their country of origin to support their well-founded fear of persecution, and thus, migration and asylum claim (Byrne, 2008).

Also, unaccompanied minor children find it difficult to demonstrate that the persecution they experienced was on account of their race, religion, nationality, political opinion, or membership in a social group (Byrne, 2008). Furthermore, per U.S. asylum law, age by itself is not considered a valid basis for persecution, and therefore, unaccompanied minor children cannot seek asylum solely based on age or because they belong to a group that is being persecuted solely due to age (Byrne, 2008). Nonetheless, research shows that many unaccompanied minor children are fleeing their home countries to escape dangers and threats that are specific to their age and child status, including infanticide, child sexual abuse, child marriage, child labor, forced recruitment into organized crime groups and military service, and coercion into living as street children (Bien, 2004). Also, Bhabha and Schmidt (2006) report that children, on account of their age and child status, are more vulnerable to gang violence, domestic violence, and sexual exploitation.

Due to these difficulties in applying for asylum, unaccompanied minor children are more likely to apply for asylum under the “membership in a particular social group” category because it is broader and more flexible than the other four categories—specifically race, religion,

nationality, or political opinion as indicated in the Immigration and Nationality Act (INA) (Bhabha & Schmidt, 2006a). Under the INA, “particular social group” for asylum claims is not defined, and the federal district courts differ in their interpretation of this asylum category (Voss, 2005). Take for instance, in *re Acosta* wherein the Board of Immigration Appeals defined “particular social group” as “a group of persons all of whom share a common, immutable characteristic...that the members of the group either cannot change, or should not be required to change because it is fundamental to their individual identities or consciences” (In *re Acosta*, BIA, 1985). The United States Court of Appeals for the First, Third, Sixth, and Seventh Circuits have all accepted this specific definition for “particular social group.” However, an outlier in the matter, the U.S. Court of Appeals for the Ninth Circuit adopted a more flexible definition, informing that a particular social group must be established by voluntary association (Voss, 2005). Similarly, the U.S. Court of Appeals for the Second Circuit, adopted its own definition of a particular social group, delineating that it must be a group with “recognizable and discrete” characteristics (Voss, 2005). As a result of the discrepancy among courts in the definition of “particular social group,” immigration judges have been given ample discretion in deciding asylum claims that are made on the basis of this category—membership in a particular social group (Voss, 2005). Per Voss (2005), asylum claims that are made under the membership in a particular social group category are typically denied.

Because of the challenges that applying for asylum poses for children, specifically for unaccompanied minors, child advocates have lobbied for legal standards specially designed for children that would differentiate between adults and children applying for asylum (Byrne, 2005). Some unaccompanied minor advocates have proposed that the grounds for persecution in the legal definition be broadened to incorporate status as an unaccompanied minor or street child,

alongside the other categories specified in the INA—race, religion, nationality, political opinion, or membership in a particular social group (Seugling, 2004). While other proponents of asylum for unaccompanied minor children such as Voss (2004) have suggested that circuit courts establish a unanimous definition of a particular social group to provide immigration judges with more guidance and to minimize judicial discretion.

Procedural asylum law differs greatly from substantive asylum law in its treatment of unaccompanied minors. For instance, procedural asylum law provides special accommodations and protections to children who are applying for asylum, including a policy prohibiting immigration judges from accepting an admission of removability from a respondent who is without legal representation, incompetent, and under the age of 18 (Byrne, 2008). In immigration matters involving children, judges are required to hold a hearing to determine an asylum applicant's immigration status and establish lawful presence in the U.S. (Thronson, 2002). Also, the standard requirement that asylum applicants apply for asylum within one year of the date of entry to the U.S. is not rigidly applied in immigration cases that involve unaccompanied minors and may be waived in asylum cases for unaccompanied minors (Berger & Figeroux, 2002).

In addition to the aforementioned considerations in the handling of unaccompanied minors' asylum cases, several procedural policies have been implemented to safeguard children, particularly unaccompanied minors, who are applying for asylum (Byrne, 2008). An example of these procedural policies includes the 1998 INS Guidelines for Children's Asylum Claims, which is geared to asylum officers who conduct asylum interviews as part of the affirmative asylum application process and calls for the inclusion of child-sensitive interview protocols (Nogosek, 2000). The child-sensitive interview protocols include permission for the child applicant to have an adult present at the time of the interview, interview questions that are age

appropriate and considerate of the child's language and background, and recognition of the difficulties inherent in assessing for fear in children (Nogosek, 2000).

And although the 1998 INS Guidelines for Children's Asylum Claims do not affect substantive asylum law, it does take note of the inimitable needs of unaccompanied children. For example, per the INS Guidelines:

Although the same definition of a refugee applies to all individuals regardless of their age. In the examination of such factual elements of the claim of an unaccompanied child, particular regard should be given to circumstances such as the child's stage of development, his or her possibly limited knowledge of conditions in the country of origin. Also, based on their significance to the legal concept of refugee status, as well as his/her special vulnerability.

Accordingly, child advocates have suggested that the Department of Justice implement the INS Guidelines, which would guide immigration judges adjudicating the cases of children in removal proceedings (Voss, 2005).

In 2004, the Executive Office for Immigration Review (EOIR) published similar guidelines and child protections aimed at assisting immigration judges with processing the immigration cases of unaccompanied minors by assuring that unaccompanied children comprehend the asylum process, can successfully present evidence, and receive effective legal assistance (U.S. Department of Justice, 2007). Despite the progress that the implementation of special guidelines for the adjudication of children's asylum and immigration cases by INS and EOIR have engendered, there exists a unanimous belief among unaccompanied minor and child advocates, that more still needs to be done to fully accommodate the unique needs of

unaccompanied minors within the U.S. Citizenship and Immigration Services (USCIS) and the Executive Office for Immigration Review (EOIR).

### Summary

In summary, with the passing of the Homeland Security Act (HSA) of 2002, the terms “unaccompanied alien child” and “unaccompanied minor” were coined to refer to immigrant children under the age of 18, who were without lawful status in the U.S. and without a parent or legal guardian at the time of arrival to the U.S. (U.S. Department of Homeland Security, 2015). Per the HSA of 2002, the Office of Refugee Resettlement (ORR) was thereafter entrusted with the care, custody, and legal representation of all unaccompanied minors entering the U.S. (Byrne, 2008). An estimated 7,000 to 9,000 unaccompanied minors have been referred to the ORR for processing since 2005 (Byrne, 2005). 85 percent of the children that have been referred to ORR for immigration services have been from the Northern Triangle (Byrne, 2005). However, the exact number of unaccompanied minors that have entered the U.S. as new immigrants, along with their countries of origin, is unknown, particularly because many unaccompanied minors enter the U.S. without inspection and/or ever having any contact with U.S. immigration officials (Bhabha & Schmidt, 2006). Along with the HSA, the Central American Minors Program (CAM), implemented in 2014 by the Obama Administration, raised awareness and provided additional protections for unaccompanied minors. The CAM Program was an immigration policy that allowed parents lawfully present in the U.S. the opportunity to have their children, residing in a Central American country, paroled into the U.S. without having them take the dangerous migration north (U.S. Department of State, 2014). The CAM Program was short-lived and was terminated in December of 2017 by U.S. President Donald J. Trump.

Another immigration benefit that was made available to unaccompanied minors is Special Immigrant Juvenile Status (SIJS) beginning in 1990. Special Immigrant Juvenile Status (SIJS) was passed by Congress in 1990 and provides undocumented children who have been abused, neglected, and/or abandoned by one or both parents with legal status in the U.S. and a pathway to lawful permanent residency (U.S. Citizenship and Immigration Services, 2011). In addition to SIJS, unaccompanied minors are able to apply for standard U.S. asylum. Because the majority of unaccompanied minors enter the U.S. without documentation and/or inspection and are in removal proceedings at the time of filing for an immigration relief option, they generally apply for asylum as defensive asylum applicants (Bhabha & Schmidt, 2006). Although a viable immigration relief option, applying for asylum has proven to be a challenging process for unaccompanied minor applicants in the form of meeting the requirements for asylum, specifically establishing credible fear of persecution in their country of origin on account of race, religion, nationality, membership in a particular social group and/or political opinion (U.S. Department of Homeland Security (DHS, n.d.). Because of the difficulties that applying for asylum may pose for child applicants, many procedural policies have been implemented to assist and safeguard children, particularly unaccompanied minors, who are applying for asylum. These special protections include the 1998 INS Guidelines for Children's Asylum Claims and the 2014 Executive Office for Immigration Review (EOIR) guidelines for processing children's asylum claims. While these policies in U.S. immigration law have shown to be helpful to children and unaccompanied minors who are applying for asylum, child advocates argue that still more needs to be done to support and meet the unique needs of immigrant children and youth within the U.S. Citizenship and Immigration Services (USCIS) and the Executive Office for Immigration Review (EOIR).



## Migration Experiences and Challenges of Unaccompanied Minor Children from Latin America

Because much of the literature on unaccompanied minors has focused on their migration journey to the U.S. and the challenges they face in coming to the U.S., this portion of the literature review will explore in greater detail the methods of migration for unaccompanied minor children from Latin America, as well as the varied challenges they contend with upon arriving to the U.S.

Several reports on unaccompanied minors by human rights organizations, including the Office of the United Nations High Commissioner for Refugees (UNHCR), the Migration Policy Institute (MPI), and the United Nations Children’s Fund (UNCF), have written about the perilous journey north that unaccompanied minors from Latin America have been taking in traveling to the U.S. According to the UNHCR, for thousands of unaccompanied minors, the journey to the U.S. is filled with great danger and harsh conditions that include walking for hours, long travel by train, bus, boat, and/or truck, extremely hot climates, and a shortage of food and water (UNHR, 2014). Some unaccompanied minors traveling from the Northern Triangle, report riding on top of trains and swimming in shallow waters as part of their migration journey to the U.S. (Hing, 2015). Also, the UNHCR reports that unaccompanied minor children traveling to a U.S. border seeking refuge are often the victims of physical and sexual abuse, sex trafficking, kidnapping, blackmail, extortion, and theft (UNHCR, 2014). The crimes against unaccompanied minors are frequently committed by organized crime groups, gangs, drug cartels, and the very people that are contracted to smuggle immigrant children into the U.S.—human traffickers, also known as *coyotes* (UNHCR, 2014).

Unaccompanied minor children traveling from Latin America to the U.S. are especially susceptible to being accosted by organized crime groups, gangs, and drug cartels that have been

known to coerce immigrant children into transporting drugs and weapons on their journey north (UNHCR, 2014). Unfortunately, many of the children who leave their countries of origin to seek refuge in the U.S. never reach their destination (UNICEF, 2014). According to the United Nations Children's Fund (UNICEF), many of the children who embark on the perilous journey north disappear or die en route (UNICEF, 2014). Perhaps most disconcerting is the finding that less than 1% of the children arriving in Mexico from Central America were granted international protection (UNICEF, 2014).

#### *Unaccompanied Minors in Immigration Customs and Enforcement (ICE) Custody*

With the closing of Immigration Naturalization Services (INS) in 2003, the responsibility for the care, custody, and placement of unaccompanied children was transferred to the Office of Refugee Resettlement (ORR) in March of 2003 (Byrne 2008). Before a child can be referred to ORR, the child must first be apprehended by a federal immigration authority—California Border Patrol, Immigration Customs and Enforcement (ICE), or the U.S. Coast Guard, for purportedly breaking U.S. immigration law in the form of illegal entry (Byrne, 2008). The majority of unaccompanied minors are apprehended when trying to enter the U.S. without inspection (Bhabha & Schmidt, 2006). Recently, an increasing number of unaccompanied minors have been apprehended within U.S. borders (Bhabha & Schmidt, 2006b).

Upon being identified as an unaccompanied minor, the child or youth is taken into custody to a detention facility by the Department of Homeland Security (DHS) (Nugent, 2006). The DHS has 3 to 5 days to refer the child to ORR. However, the DHS has the authority to release the unaccompanied minor within 72 hours of custody if it can find a sponsor for the minor currently living in the states (Haddal, 2007). Also, if the DHS discovers that the person is not under the age of 18 or an unaccompanied minor, the person will remain under the custody of

DHS (Haddal, 2007). Therefore, in immigration matters involving immigrant children, the DHS' sole purpose is that of gatekeeper for a referral to ORR (Nugent, 2006).

To determine a detained person's age and whether to refer him or her to ORR, the DHS will take forensic evidence for the person, including dental exams and bone x-rays (Byrne, 2008). However, medical experts and immigration attorneys have criticized DHS's reliance on these methods for determining a person's age as outmoded and faulty (Byrne, 2008). According to Smythe (2004), the use of these methods by DHS to determine a person's age has caused numerous scary incidents in which children have wrongfully been classified as adults and placed in expedited removal proceedings and mandatory detention. The erroneous classification of children as adults by way of these outdated methods has led to the placement of children in adult detention facilities (Smythe, 2004; Nugent, 2006). Additionally, wrongful determinations in unaccompanied minors' cases have led to a loss of millions in tax dollars spent correcting these wrongful determinations (Smythe, 2004). For these reasons, medical experts and unaccompanied minor advocates have suggested that DHS discard its current system for determining a person's age and instead base its assessment on a more reliable and comprehensive approach that incorporates the child's testimony (Smythe, 2004).

Additionally, the DHS will classify a detained child as unaccompanied if at the time of apprehension, the child is without a parent or legal guardian and no parent or legal guardian for the child can be identified within close proximity (Haddal, 2007). More specifically, the DHS will comply with the Homeland Security Act (HAS) definition of "unaccompanied alien child" to categorize a child as unaccompanied (Haddal, 2007). Per the HSA, an unaccompanied alien child is: "a child who has no lawful immigration status in the United States; has not attained 18 years of age; and with respect to whom there is no parent or legal guardian in the United States;

or no parent or legal guardian in the United States is available to provide care and physical custody.” Nevertheless, immigration experts believe that the methods that the DHS uses for classifying unaccompanied minor children remains erratic and unpredictable (Nugent, 2006).

After a child is deemed an unaccompanied minor by DHS and is therefore referred to ORR, the DHS relinquishes conservatorship of the child to ORR (Byrne, 2008). Yet, if the child is placed in removal proceedings before an immigration judge, the DHS via ICE, will oversee the matter and serve as the legal representative for the government (Nugent, 2005). Secondly, if an immigration judge orders the child removed, the DHS is left with the duty to return the child to his or her country of origin (Nugent & Schulman, 2001).

#### *Conditions in Immigration and Customs Enforcement (ICE) Detention*

In the 1980s, the Community Relations Service (CRS), as part of the U.S. Department of Justice, was initially responsible for the care and custody of unaccompanied minor children to the U.S. However, when the care for unaccompanied minors was subsumed by Immigration and Naturalization Services (INS), immigration advocates believe that responsibility to federal immigration laws became more important than the well-being of children (Women’s Refugee Commission, May 2002). According to Nugent (2006), immigrant children that were placed under INS custody were subjected to less than humane detention conditions that were unsuitable for children. Similarly, Human Rights Watch reported that the INS placed one-third of unaccompanied minor children in high-security detention facilities (Human Rights Watch, December 1998). Also, surveyed authors hold that some of the children in INS custody endured harsh treatment that included shackling and handcuffing when transported to and from court hearings (Acer & Pyati, 2004). Child advocates questioned whether the INS was indeed upholding the welfare of the unaccompanied children under its custody (Byrne 2008).

### *The Flores Settlement Agreement*

From this controversy regarding the detainment of immigrant children came the Flores Settlement Agreement. In 1985, two organizations filed a class action lawsuit on behalf of immigrant children who had been detained by the INS, challenging their detention, treatment, and release of immigrant children (Center for Human Rights and Constitutional Law, n.d.). The matter was appealed to the United States Supreme Court, and the parties were eventually able to reach a settlement that instituted several obligations on the INS regarding their treatment of immigrant children (Georgopoulos, 2004). The obligations fell under three categories:

1. The government is required to release children from immigration detention without unnecessary delay to, in order of preference, parents, other adult relatives, or licensed programs willing to accept custody.
2. If a suitable placement is not immediately available, the government is obligated to place children in the “least restrictive” setting appropriate to their age and any special needs.
3. The government must implement standards relating to the care and treatment of children in immigration detention (Center for Human Rights and Constitutional Law, n.d.).

Unfortunately, many immigration experts opined that the INS failed to execute or implement the obligations that were set forth by the Flores Settlement (Byrne, 2008). Thus, an unaccompanied minor’s first experience in the U.S. is often that of a detained person in a DHS detention facility that has been deemed unsuitable for children (Bhabha and Schmidt, 2006b).

### Summary

The majority of the literature on unaccompanied minors has focused on their migration journey to the U.S. and the obstacles they face in coming and upon arriving to the U.S. For this reason, this section of the literature review addressed the modes of migration that

unaccompanied minor children from Latin America utilize in traveling to the U.S., as well as the immigration detention challenges they contend with upon arriving to the U.S. Many organizations, including the Office of the United Nations High Commissioner for Refugees (UNHCR), the Migration Policy Institute (MPI), and the United Nations Children's Fund (UNCF), have reported on the dangerous migration journey north that unaccompanied minors from Latin America embark on in seeking refuge and safety in the U.S. and reunification with family members already living in the U.S. Unaccompanied minors report being the victims of physical and sexual abuse, sex trafficking, kidnapping, blackmail, extortion, and theft while traveling to the U.S. southern border (UNHCR, 2014). The crimes against unaccompanied minors are commonly committed by gangs, drug cartels, and human traffickers, also known as *coyotes* (UNHCR, 2014). Many of the unaccompanied minor children who leave their home countries for the U.S. are reported to die en route due to the perilous travel routes and conditions north (UNICEF, 2014).

Any unaccompanied minors who are apprehended at the U.S. southern border by a federal immigration authority—U.S. Customs and Border Protection (CBP), Immigration Customs and Enforcement (ICE), or the U.S. Coast Guard, for purportedly entering the U.S. without inspection, are taken to a Department of Homeland Security (DHS) detention facility (Nugent, 2006). In recent years, an overwhelming number of unaccompanied minors have been apprehended while trying to enter the U.S. without inspection (Bhabha & Schmidt, 2006). Once in DHS custody, an unaccompanied minor is either referred to ORR for care and placement or released to a sponsor in the states (Haddal, 2007). Over the last twenty years, the DHS has been greatly criticized by child advocates and immigration attorneys for detaining children under cruel and unjust conditions unsuitable for children (Byrne 2008). To protect immigrant children from

cruel and inhumane detention conditions, the Flores Settlement Agreement of 1985 was enacted. Per the United States Supreme Court's ruling, the Flores Settlement Agreement of 1985 required the former Immigration and Naturalization Service (INS), now the three entities, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) to release children from immigration detention without unnecessary delay to a parent, legal guardian, and/or sponsor in the U.S., place immigrant children in the least restraining setting possible, and implement standards for the care and treatment of children in immigration detention (Center for Human Rights and Constitutional Law, n.d.). Although the Flores Settlement Agreement of 1985 provided these protections for immigrant children, the INS or U.S. immigration system has yet to implement the provisions laid out by this agreement (Byrne, 2008).

#### Unaccompanied Minors from Latin America and Lee's Theory of Migration

According to Lee's Theory of Migration, at the core of every migration journey are push and pull factors that influence a person's decision to leave his or her home country for a new destination. With respect to the experience of unaccompanied minors from Latin America, researchers have noted that the push factors that are essentially influencing their decision to migrate is greatly associated with the desire to escape the dangers, threats, societal violence, violence in the home, and poverty that are specific to their country of origin (UNCHR, 2014). Second, the pull factors that are drawing unaccompanied minors to the U.S., also referred to as the area of destination in Lee's Theory of Migration, include the hope for a better life, amnesty, the prospect of obtaining an education and pursuing a higher education, and economic opportunities (Rodriguez, 2015). Therefore, per Lee's Theory of Migration, each unaccompanied minor population that this study seeks to examine will have their own personal set of push/pull

factors that are specific to their home region—Mexico, El Salvador, Guatemala, and Honduras, that will influence their decision to embark on the journey north. The following is an exploration of the push and pull factors, as defined by Lee’s Theory of Migration, that researchers have found to influence the decisions of unaccompanied minors from Mexico and the Northern Triangle in Central America to migrate to the U.S.

In 2014, the Office of the United Nations High Commissioner for Refugees (UNHCR) Washington conducted a research study on unaccompanied minors from Mexico and the Northern Triangle in Central America to examine why these children are leaving their countries of origin and determine if these children are in need of international protection (UNHCR, 2014). UNHCR Washington’s methodology for the research study consisted of conducting 404 individual interviews with unaccompanied minors, ages 12 to 17, from Mexico and the Northern Triangle in Central America, 100 interviews for each country—Mexico, El Salvador, Guatemala, and Honduras, who arrived in the U.S. during or after October of 2011 (UNHCR, 2014). The UNHCR’s interview questions were guided by the following research questions: “Why are these children leaving their countries of origin?” “Are any of these children in need of international protection?” The purpose of this research study was to determine a correlation between the children’s reasons for leaving their home country, the current literature on the immense violence in Mexico and the Northern Triangle, and to assess for international protection needs. After the interviews for this study were compiled, the children’s responses were analyzed for prominent themes and patterns.

The UNHCR’s data showed that the children’s reasons for leaving their home country are oftentimes complex and multifaceted in that the children left for a number of reasons. Nevertheless, the UNHCR’s study data revealed that the predominant thematic reasons for the



children leaving their country of origin had to do with the following five categories: violence in society, abuse in the home, deprivation and social exclusion, family reunification or better opportunity (UNHCR, 2014).

58% of the children interviewed for this study expressed suffering a severe type of harm that triggered their forced displacement, and consequently, potential need for international protection by the UNHCR's standards (UNHCR, 2014). The UNHCR's interviews revealed two salient types of harm that called for the unaccompanied minors' need for international protection, specifically violence by organized armed criminal actors and violence in the home. 48% of the unaccompanied minor children interviewed reported having been personally affected by the organized armed criminal actors in their home country, which included drug cartels, gangs, organized crime groups, and/or government actors (UNHCR, 2014). More precisely, 66% of the children from El Salvador reported fear of harm by organized crime groups as their reason for leaving their home country, with 44% for Honduras, 20% for Guatemala, and 32% for Mexico. 21% of the children interviewed shared that they had suffered abuse and violence in their homes at the hands of their caretakers (UNHCR, 2014). Thus, the data revealed violence in society and violence in the home as the chief reasons for the minors' migration to the U.S.

The Office of the United Nations High Commission for Refugees' (UNHCR) study is especially groundbreaking and informative because it provides a thorough review, examination, and explanation of the push and pull factors that have been motivating the migration of unaccompanied minors from Latin America to the U.S. in recent years. Second, via detailed firsthand accounts, this study corroborates the terrorization, violence, and abuse that unaccompanied minors from Mexico and the Northern Triangle are experiencing at the hands of organized crime groups and caretakers. From the 404 unaccompanied minor children interviewed

for this study, researchers discovered the following as the top reasons for unaccompanied minors leaving their home country, in order of prominence: family or opportunity (329 Total); violence in society (192 Total); abuse in home (85); and deprivation (64 Total) (UNHCR, 2014).

It is important to note that the data for each of these categories may differ according to the country, with certain categories/reasons for migrating being more prominent in some countries than others. For example, of the four countries surveyed in this study, when compared to Mexico, Guatemala, and Honduras, El Salvador had the highest number of unaccompanied minor children listing violence in society as their main reason/push factor for leaving their home country and migrating to the U.S. (UNHCR, 2014). Thus, El Salvador was reported as having the highest percentage of children with potential international protection needs (UNHCR, 2014). These daunting statistics may be due in large part to the prevalence of gangs, organized crime groups, and corrupt government in El Salvador, and the ties that the infamous international gang, Mara Salvatrucha (MS-13), has in El Salvador (UNHCR, 2014). Although the MS-13 gang originated in Los Angeles, California, the majority of its members are believed to be of Central American origin, mainly El Salvador (British Broadcasting Corporation (BBC), 2017).

Nonetheless, a primary reason and/or pull factor that children from all four countries provided for migrating to the U.S., was the desire to reunite with family member(s), the opportunity for employment and/or the opportunity to attend school (UNHCR, 2014). Per the study findings, “family or opportunity” was repeatedly cited by all as a prominent reason for the children leaving their home countries (UNHCR, 2014).

Furthermore, the Office of the United Nations High Commissioner for Refugees’ 2014 study on unaccompanied minors provides in-depth accounts of the violence that unaccompanied minors from Mexico, El Salvador, Guatemala, and Honduras, are experiencing by gangs and

organized crime groups. Both male and female unaccompanied minors reported experiencing violence by gangs and/or organized armed criminal actors in their home country (UNHCR, 2014). The unaccompanied male children interviewed for this study reported being targeted, harassed, and coerced into joining the gangs in their home country and of being threatened with violence if they refused to do so (UNHCR, 2014).

Unaccompanied minor girls from all four countries reported fears of being sexually assaulted and/or threatened with rape and/or sexual violence by gangs, drug cartels, and/or organized crime groups as their reason for leaving their country of origin and migrating to the U.S. (UNHCR, 2014). Unaccompanied minor girls from El Salvador reported fears and threats of being raped and thrown into a plastic bag by gang members as their leading reason for leaving their home country (UNHCR, 2014). The unaccompanied minor children who listed violence in society as their main reason for leaving their home country gave firsthand accounts of the types of violations and violence they had experienced by gangs, drug cartels, and/or organized crime groups (UNHCR, 2014). These violations included physical attacks, harassment, extortion, sexual violence, threats of harm, rape, and death to themselves and their families (UNHCR, 2014).

Children from all four countries, as young as 13, reported seeing blood on the streets and witnessing and surviving the death of their beloved friends and loved ones by gangs and organized armed crime groups (UNHCR, 2014). Unaccompanied minor girls gave testimony about the rape and sexual assault that they and other young girls in their home country had suffered by gang members, drug cartel and/or organized armed criminal actors. Thus, per the Office of the United Nations High Commissioner for Refugees' study on unaccompanied minors from Latin America, violence in society and threats of harm by gangs, drug cartels, and

organized crime groups, continues to be a top reason/push factor for the surge in the migration of unaccompanied minor children from Mexico, El Salvador, Guatemala, and Honduras (UNHCR, 2014).

An additional type of harm that unaccompanied minors from Mexico referenced in their interviews with the UNHCR involved forced recruitment and exploitation by the criminal industry of human smuggling. However, the research study data indicates that this type of harm appeared to be resonant only with children from Mexico, of whom 38% reported being coerced to partake in criminal activity involving human smuggling, aiding immigrants with illegally entering the U.S., and/or sex trafficking (UNHCR, 2014). The UNHCR study found that children in Mexico are recurrently targeted and recruited by organized crime groups to serve as guides in the human smuggling industry. Organized crime groups target children to recruit because of their size and the commonplace understanding that the child will simply be returned to his/her home country of Mexico if they are caught engaging in any criminal activity by border officials and/or police authorities (UNHCR, 2014).

Additional push factors that the Office of the United Nations High Commissioner for Refugees' (UNHCR) study on unaccompanied minors identified as prominent reasons for the migration of unaccompanied minors to the U.S. from Mexico and the Northern Triangle were violence in the home and deprivation. It is worth noting that of the 404 unaccompanied minor children interviewed for this study, a total of 85 children reported experiencing some type of abuse and/or violence in the home, more likely by a caretaker. Children reported being physically and/or verbally abused by a caretaker, such as a parent or grandparent. While all four countries surveyed demonstrated high numbers for this reason for migration, Honduras and Guatemala had the highest number of reports of violence in the home by the children interviewed

for this study (UNHCR, 2014). Some of the children interviewed expressed that they had been victims of both violence in society and abuse in the home. 5% of the children from Guatemala reported having been victims of violence in society and abuse in the home, with 11% of the children from Honduras, 15% of the children from El Salvador, and 12% of the children from Mexico (UNHCR, 2014). These findings suggest high rates of child abuse and violations of basic child rights for unaccompanied minors from these countries.

The UNCHR concluded its study with the premise that all children who are classified as unaccompanied minors and/or separated children should be screened for international protection needs and should not be returned to places where there is a serious threat of harm and/or danger to their person (UNHCR, 2014).

In October of 2012, Women's Refugee Commission (WRC) published a special report, "Forced from Home: The Lost Boys and Girls of Central America," seeking to address the reasons that are motivating the migration of unaccompanied minors to the U.S. from Central America and their experiences in custody. For this study, the WRC utilized a qualitative research design, conducting individual interviews with 5 unaccompanied minors from the Northern Triangle, as well as 14 focus group discussions with 146 unaccompanied minors from the Northern Triangle in federal custody. The study participants were between the ages of 10 and 17. In addition to interviewing unaccompanied minors from the Northern Triangle, the WRC study also interviewed facility staff and Department of Child Services (DCS) Federal Field Supervisors. The children's responses were then analyzed for overarching themes for reasons for migration and to assess the care and custody of unaccompanied minors in adherence with international human rights and domestic child welfare policies.

The study found that unaccompanied minors were being forced to leave their homes in El Salvador, Guatemala, and Honduras, largely due to extreme violence and poverty factors (WRC, 2012). According to the WRC study on unaccompanied minors, more than 77% of the children cited violence as the main reason for their migration northbound to the U.S. The majority of the children interviewed expressed that staying in their home country guaranteed death and that migrating to the U.S., albeit a dangerous journey, represented in the very least a chance to live (WRC, 2012).

Many of the Honduran girls who were interviewed reported witnessing horrific acts of violence and crimes by gangs as their primary reason for fleeing their home, including the burning of busses, jails, and houses by gang members, and bodies mutilated and cut up into pieces by gangs and left on the streets of their neighborhoods (WRC, 2012). Some of the girls from Honduras also reported severe acts of sexual violence against girls as their foremost reason for leaving their home country, including the raping of girls as young as nine by gang members (WRC, 2012). Unaccompanied minor boys from El Salvador and Honduras shared that the gangs in their home countries had amassed power and control to the point that participation in a gang was mandatory and operated under the stance, “join or die” (WRC, 2012). The children that were interviewed expressed that they feared harm not only by the gangs that dominate their countries, but also by government actors that appear to be corrupt and working in tandem with gangs and organized crime groups in their home country (WRC, 2012). Additionally, the children from El Salvador and Honduras reported that as children they were especially vulnerable to being attacked by gangs, organized groups, and state actors, and Mexican drug cartels that were garnering influence in their home regions (WRC, 2012). It is important to note that El Salvador

and Guatemala rank first and second in rates of homicide against children and adolescents globally (UNICEF, 2014).

Furthermore, the interviewed girls explained that gangs and drug cartels in Central America were recruiting young girls to smuggle and distribute drugs in their home countries and using the threat of rape and/or gang rape to coerce the girls into compliance (WRC, 2012). Girls in El Salvador and Honduras as young as nine are targeted for rape and/or recruitment by gangs and organized crime groups (WRC, 2012). In cases where girls from these regions are raped by gang members and the rape results in pregnancy, the sexually assaulted victim will be expected to give birth to the baby and the child will be forced to join the gang in the future (WRC, 2012). Thus, the push factors that influence an unaccompanied minor girl's decision to migrate northbound has much to do with fear of being raped, sexually assaulted, physically abused, and/or forced to smuggle and/or sell drugs in their home country by gangs, organized crime groups, state actors, and/or drug cartels (WRC, 2012).

To summarize, the migration reasons and push factors presented by immigrant children from El Salvador and Honduras appeared to center on violence. In contrast, the unaccompanied minor children from Guatemala that were interviewed as part of the Women's Refugee Commission (WRC) study on unaccompanied minors from Central America (2012), emphasized an upsurge in violence, poverty, poor harvests, and scarce employment opportunities as their primary reasons for migrating to the U.S. For many of the children interviewed, leaving their homes for the U.S. presented a safer option than remaining in their birthplace and risking brutal attack and/or murder (WRC, 2012). Moreover, the study noted that it is important to recognize that gender greatly influences an unaccompanied minor's reasons for leaving their home country.

Per the study, unaccompanied minor girls reported fear of rape and violence as the primary motivating factor for their migration (WRC, 2012).

In a Kids in Need of Defense (KIND) 2013 qualitative mixed-methods study on unaccompanied minors from Mexico and Central America, researchers found that the number one reason/push factor for the migration of unaccompanied minors to the U.S. was desperation to escape violence. The methodology for this research study consisted of a mixed-methods approach, both quantitative and qualitative research design. The quantitative portion of the study focused on the analysis of the demographic information of all unaccompanied minors that were referred to KIND for pro bono legal representation between January 1, 2009, and December 31, 2011 (KIND, 2013).

Additionally, one-on-one interviews were conducted with approximately 126 unaccompanied minors from El Salvador, Guatemala, Honduras, and Mexico. Both quantitative and qualitative data were analyzed to determine unaccompanied minors' top reasons for their migration to the U.S. The KIND report found that the push and pull factors for unaccompanied minors from Latin America are far more complex than simply economic, and may involve an array of societal, familial, and personal factors. These factors include escaping extreme forms of violence and abuse by gangs and organized crime groups, persecution, neglect, human rights violations, abandonment, human trafficking, sexual exploitation, forced prostitution, forced child labor, and/or a desire to obtain employment, go to school, and reunite with family members in the U.S. (KIND, 2013). Usually unaccompanied minors' reasons for embarking on the life-threatening journey to the U.S. are a combination of the aforementioned push and pull factors; unaccompanied minors' reasons for leaving their home country cannot be reduced to one single factor.



Many of the boys interviewed reported that their primary reason for leaving their country of origin was due to the brutal gang violence in their home country (KIND, 2013). 30% of the unaccompanied minors who were surveyed reported feeling unsafe because of the gangs. They reported that their refusal to join a gang in their home country had resulted in death threats and intimidation towards them and their families, and this motivated their decision to migrate to the U.S. to seek refuge (KIND, 2013). For example, some of the youth described the gangs in their home country as targeting adolescent boys for recruitment and physically assaulting the boys who refused to join with beatings, stabbings, and near-death attacks (KIND, 2013). In some cases, boys who refused to join the gang were murdered or had family members murdered (KIND, 2013).

58% of the unaccompanied minors from El Salvador reported leaving their home country because of the rampant gang violence in their home regions (KIND, 2103). El Salvador has the highest number of gang members, one of the highest homicide rates in Latin America—66 deaths to 100,000 pupils, and significant rates of gang-related violence (KIND, 2013). According to a poll performed by United Nations Children’s Fund (UNICEF), an estimated 70% of unaccompanied minors from El Salvador leave their home country yearly due to gang intimidation (KIND, 2013).

In addition to reports of gang violence, some minors reported that violence in their home was an issue. 26% of the unaccompanied minors’ sample from Mexico and Central America reported leaving their homes due to violence in the home perpetrated by their caretakers, which included physical, sexual, economic, psychological, emotional, and mental abuse (KIND, 2013). This statistic echoes UNICEF’s and the Economic Commission for Latin America and the Caribbean’s findings that Latin America and the Caribbean together have the highest rates of

violence against women and children (UNICEF, 2011). These forms of violence include punishment, sexual abuse, neglect, and exploitation (UNICEF, 2011). More specifically, the U.S. State Department has reported that child abuse is a prevalent issue in El Salvador, Guatemala, and Honduras (UNICEF, 2011). However, due to scarce resources in these countries, there has been a weak response to addressing this problem, causing the migration of large numbers of unaccompanied children to the U.S. for refuge (UNICEF, 2011). Yet another factor that is pulling unaccompanied minor children to the area of destination, the U.S.

20% of the children surveyed by KIND reported suffering abuse by one of their parents, most often their father, who suffered from alcoholism and/or was unemployed. The children reported having fathers who physically abused family members on a regular basis. They reported that their mothers failed to protect them because they were also victims and/or were afraid of the perpetrator (KIND, 2013).

Unfortunately, social ills and violence dating back decades affect many of the push factors that are noted in this study as triggers for the wave of unaccompanied minors' migration to the U.S. (KIND, 2013). For example, in Guatemala, it is believed that decades of violence and hopelessness have led to heavy drinking in these communities, which often leads to abuse in the home (KIND, 2013). For some of the children, abuse, coupled with experiences involving neglect and abandonment, were the reasons that motivated them to leave their home country (KIND, 2013).

Some of the children in the study reported special medical needs and that their caretakers in their home country neglected these needs (KIND, 2013). This lack of care ultimately motivated their migration journey to the U.S. For example, a 7-year-old girl told of her experience as a special needs child and of the abuse that she suffered at the hands of her

caretakers, therefore provoking a journey to the U.S.-Mexico border out of necessity and a dire need for safety, medical care, and nourishment (KIND, 2013).

Unaccompanied minors from Mexico reported leaving their home countries because of the death threats, intimidation, violence, and extortion they were experiencing at the hands of gangs in their home region (KIND, 2013). According to unaccompanied minors' accounts, many of the gangs in Mexico target children and families who are believed to be receiving remittances from family members in the U.S. (KIND, 2013). Gangs threaten to inflict harm or violence on children and their families if the demanded extortion monies are not paid to the gang on a regular schedule (KIND, 2013). These extortion payments have been referred to as "*renta*" or "rent" in gang vernacular (KIND, 2013). Any refusal on the part of children and families to pay the extortion demands and/or join the gang can result in threats and/or acts of violence against the child and/or family members in a myriad of forms, including ransacking of victims' homes, theft, the raping of the women in the person's family, and/or murdering and kidnapping of family members (KIND, 2013). However, the issue of extortion does not appear to be specific to Mexico, as evidenced by similar gang practices involving *renta* in the Northern Triangle of Central America (KIND, 2013). Refusal to cooperate with the gangs can result in serious, life-threatening consequences for children and their families (KIND, 2013).

According to KIND, gangs in Mexico and Central America are also targeting girls in specific ways. Gangs in Mexico and Central America want girls to join their gang as "girlfriends" (KIND, 2013). A girl who refuses a gang member's advances is met with death threats, threats of violence, sexual assault, rape, and violence towards their family members (KIND, 2013). Girls in these areas report feeling especially vulnerable and without protection, since law enforcement in these countries has been known to refuse to seek justice for victims

(KIND, 2013). Also, making a police report to law enforcement in regions where gangs govern can lead to retaliation on the part of the gang (KIND, 2013). Because of these push factors, unaccompanied minor girls migrate to the U.S., hoping to escape the violence in their home countries and obtain refuge in the U.S., with refuge in the new area of destination representing a pull factor (Lee, 1966).

This phenomenon is especially true in the Mexican regions of Apatzingan and Uruapan, Michoacán, where infamous drug cartels and organized crime groups operate and have been known to target young girls for recruitment into their illegal criminal activity (Caldera, 2015). Perhaps most infamous are the drug cartels known as the Knights Templar—Guard of Michoacan (*Los Caballeros Templarios Guardia Michoacana*), and the Self-defense Groups (*Grupos de Autodefensa Comunitaria*) (Hing, 2015). Young teenage girls are being targeted by drug cartel groups and disappearing in high numbers (Caldera, 2015). Drug cartels in the regions of Apatzingan and Uruapan, Michoacan, Mexico, have been using young Mexican women as prostitutes and/or as sellers and distributors of drugs (Caldera, 2015). Young women who refuse to comply with the Knights Templar's and the Self-Defense Groups' demands, including sexual favors, recruitment, and prostitution, have been known to be raped, murdered, and threatened with violence and death against their family and loved ones (Caldera, 2015). In a desperate attempt to protect themselves from these gender-based forms of violence, young women from these regions are escaping to the U.S., primarily California, for refuge (Caldera, 2015).

In addition to targeting young Mexican women, drug cartels are also targeting teenage boys, students, homeowners, small business owners, and family members of small business owners (Caldera, 2015). Mexican nationals in towns throughout Michoacán, Mexico, report that even the smallest of business owners, including fruit and produce stand owners, are at risk of

being confronted by the Knights Templar or the Self-defense Groups who demand a monthly monetary levy from their profits (Caldera, 2015). Intimidation tactics and death threats against small business owners are used to coerce business owners into acquiescing to the drug cartels' extortion and monetary demands (Caldera, 2015). The effects of this drug cartel levy can be financially and emotionally devastating for small business owners and their families; many small businesses file for bankruptcy and close down (Caldera, 2015). In some cases, small business owners forgo basic personal and family needs, such as daily meals, to keep their businesses operating and to be able to pay the monthly tariff that the drug cartels demand (Caldera, 2015). Per anonymous informants, small business owners who have refused to cooperate with the drug cartels have been found dead, their bodies viciously tortured and mutilated, and/or have had someone in their family murdered (Caldera, 2015).

Additionally, interviews with anonymous unaccompanied minors from these Mexican regions have reported that the drug cartels have been aggressively removing families from their homes in Apatzingan and Uruapan, Michoacán, to use these properties for their drug and criminal operations (Caldera, 2015). Many families have been left homeless and are forced to flee to nearby cities to temporarily stay with relatives after being forced from the homes and towns they have resided in for years (Caldera, 2015). In instances where no family members are available, entire families have fled to California seeking safety and asylum (Caldera, 2015).

In addition, the drug cartels have affected other aspects of Mexican society, including access to schools and higher education (Caldera, 2015). College students living in surrounding rural areas in Michoacán, Mexico, who commute to the universities in nearby cities, have been faced with university withdrawal due to the drug cartel violence that occurs on school buses (Caldera, 2015). Buses traveling to the city from rural areas in Michoacán, Mexico, have been

known to be terrorized and robbed by drug cartels looking to take anything that is of monetary value from bus riders, mostly students and workers (Caldera, 2015). It is typical for violence and feuds between rival cartels to ensue in broad daylight, thereby obstructing the roads traveled by school buses (Caldera, 2015). Also, rival drug cartel gangs have caused blockages in the cities of Uruapan and Apatzingan, blocking passage completely for busses from rural towns (Caldera, 2015). Thus, because of the risks and dangers involved with traveling to the university, the educational and career opportunities for young people from the surrounding rural areas and small towns in Michoacán, Mexico, are very limited, or non-existent (Caldera, 2015). Mexican nationals from these rural areas have expressed frustrations at not being able to pursue higher education as a result of the immense drug cartel violence in their hometowns (Caldera, 2015).

Given the well-founded fear that these drug cartels, the Knights Templar and the Self-defense Groups, have instilled in the people of Michoacán, Mexico, Mexican nationals throughout this region, especially young people and unaccompanied minors, are desperately fleeing Mexico and traveling to the U.S. with the hopes of being granted asylum and a chance at a new start for themselves and their families (Caldera, 2015). It is important to note that exposure to the Mexican drug cartels' inhumane and brutal forms of violence have caused severe trauma, anxiety, insomnia, depression, and posttraumatic stress disorder among these groups of immigrants (Caldera, 2015). Despite the atrocities these individuals have seen in their homes in Mexico, they still carry aspiration for a better future that includes the American Dream: achieving a higher education and working to provide for their families (Caldera, 2015).

The Office of the United Nations High Commissioner for Refugees (UNHCR), Washington's 2014 research study on unaccompanied minors from Latin America, revealed that there is an inadequate understanding of the push/pull factors that are driving the migration of

unaccompanied minors from Mexico to the U.S. Unfortunately, because it has been standard practice for U.S. border officials to deport unaccompanied minors from Mexico who are apprehended at a U.S. border seeking asylum, there is limited research that focuses on Mexican children's migration history to the U.S. and the push/pull factors for their migration (Byrne, 2008). It is important to note that the U.S. has a reputation for treating unaccompanied minors from Mexico differently than unaccompanied minors from Central America. According to the National Network for Immigrant and Refugee Rights (NNIRR), the U.S. has traditionally offered unaccompanied minor children from Central America options that have not been made readily available to unaccompanied minors from Mexico, specifically the opportunity to apply for asylum, transfer to the Office of Refugee Resettlement, and assistance with reuniting with family members in the U.S. (UNHCR, 2014). In contrast, Mexican children who appear at a U.S. border are simply returned to Mexico after one to two days in custody, without adherence to standard protocol for refugee children (UNHCR, 2014). This has resulted in a lack of research on unaccompanied minors from Mexico and the reasons for their migration to the U.S. (UNHCR, 2014). Because unaccompanied minors from Mexico are immediately returned to their home country without adherence to standard protocols for children seeking asylum, there is no time and/or opportunity to study their experience. Sadly, this has resulted in a lack of research on unaccompanied minors from Mexico and an incomplete picture of who these children are and the reasons for their migration to the U.S. (UNHCR, 2014).

In addition, the current literature does not provide comprehensive, detailed personal accounts or in-depth interviews for unaccompanied minors from Mexico and the Northern Triangle—El Salvador, Guatemala, and Honduras, who are eligible for Special Immigrant Juvenile Status (SIJS). The current research on unaccompanied minors is limited to the violence

that unaccompanied minor children suffer in their home countries by organized crime groups and the reasons for their migration journey to the U.S. Because SIJS is still a fairly new immigration relief option for unaccompanied minors, researchers have yet to conduct studies that focus solely on this unique immigrant child population. To date, no empirical studies have looked at the push/pull migration factors and stories for unaccompanied minors from Mexico and the Northern Triangle, who are eligible for and in the process of applying for Special Immigrant Juvenile Status (SIJS), and the impact that this immigration relief option will have on their lives. Because the unaccompanied minor population can only be expected to increase in the coming years, it is vital that researchers, attorneys, and social workers seek to understand this special immigrant child population so that we are better able to serve them. Thus, this research study seeks to fill-in the gaps in the present literature on unaccompanied minors from Mexico and the Northern Triangle who are eligible for SIJS.

### Summary

In accordance with Lee's Theory of Migration, there are primary, overriding push and pull factors that influence an unaccompanied minor's decision to migrate to the U.S. from Latin America. The literature on unaccompanied minors from Latin America informs that the chief push and pull factors that are motivating the migration of these young people to the U.S. are the following: the desire to escape the dangers, threats, societal violence, violence in the home, and poverty that are specific to their country of origin, and the hope for a better life, family reunification, amnesty, the prospect of obtaining an education and pursuing a higher education, and economic opportunities (UNCHR, 2014). Therefore, per Lee's Theory of Migration, each unaccompanied minor population that this study seeks to examine will have their own personal set of push/pull factors that are specific to their home region—Mexico, El Salvador, Guatemala,



and Honduras, that will influence their decision to embark on the journey north. The following is an exploration of the push and pull factors, as defined by Lee's Theory of Migration, that researchers have found to influence the decisions of unaccompanied minors from Mexico and the Northern Triangle in Central America to migrate to the U.S.

The data obtained from the Office of the United Nations High Commissioner for Refugees (UNHCR) Washington's 2014 research study on unaccompanied minors from Mexico and the Northern Triangle revealed that the predominant thematic reasons for the children leaving their country of origin had to do with the following five categories: violence in society, abuse in the home, deprivation and social exclusion, family reunification or better opportunity (UNHCR, 2014). The UNHCR's study found that a large majority of unaccompanied minors from Mexico and Central America are in great need of international protection due to the violence they experience in their home countries by organized armed criminal actors, also known as gang and drug cartel members, and/or family members (UNHCR, 2014). The data noted violence in society and violence in the home as the main reasons for an unaccompanied minor's migration to the U.S. Also, the interviewed immigrant youth for this study reported the desire to reunite with family member(s), the opportunity for employment and/or the opportunity to attend school as a primary reason and/or pull factor for migrating to the U.S. (UNHCR, 2014).

In addition to these push and pull factors, the unaccompanied male children interviewed for this study reported being targeted, harassed, and coerced into joining the gangs in their home country and of being threatened with violence if they refused to do so (UNHCR, 2014). Unaccompanied minor girls from the countries surveyed reported fears of being sexually assaulted and/or threatened with rape and/or sexual violence by gangs, drug cartels, and/or organized crime groups as their reason for leaving their country of origin and migrating to the

U.S. (UNHCR, 2014). Overall, the unaccompanied minor youth reported experiencing and fearing physical attacks, harassment, extortion, sexual violence, threats of harm, rape, and death to themselves and their families by gang and drug cartel members (UNHCR, 2014). Violence in society and threats of harm by gangs, drug cartels, and organized crime groups, remains a foremost reason/push factor for the surge in the migration of unaccompanied minor children from Mexico, El Salvador, Guatemala, and Honduras to the U.S. (UNHCR, 2014).

Another prominent study that was conducted on unaccompanied minors from Latin America to better understand the reasons that unaccompanied minors are migrating to the U.S. from Central America is the Women's Refugee Commission (WRC) 2012 special report, "Forced from Home: The Lost Boys and Girls of Central America."

The study found that unaccompanied minors from the Northern Triangle were leaving their home countries due to push factors involving extreme violence and poverty (WRC, 2012). More than 77% of the children interviewed referenced violence as the main reason for their migration to the U.S. The majority of the immigrant children and youth interviewed informed that staying in their home country would signify being killed or harmed by a criminal actor, and for this reason, migrating to the U.S. in the very least represented a chance to live (WRC, 2012). This study revealed that drug cartels in Central American countries were not only forcing young boys to join the gang, but also forcing girls to smuggle and distribute drugs in their home countries and using the threat of rape and/or gang rape to coerce the them into compliance (WRC, 2012). Therefore, an unaccompanied minor's migration north is greatly influenced by the fear of violence back home.

A similar study on unaccompanied minors from Mexico and Central America was conducted by the non-profit organization, Kids in Need of Defense (KIND) in 2013.

Researchers for this study found that the number one reason/push factor for the migration of unaccompanied minors to the U.S. was desperation to escape violence. The KIND report concluded that the push and pull factors for unaccompanied minors from Latin America include the following societal, familial, and personal factors: escaping extreme forms of violence and abuse by gangs and organized crime groups, persecution, neglect, human rights violations, abandonment, human trafficking, sexual exploitation, forced prostitution, forced child labor, and/or a desire to obtain employment, go to school, and reunite with family members in the U.S. (KIND, 2013). Thus, unaccompanied minors' reasons for embarking on the life-threatening journey to the U.S. are a combination of the above-mentioned push and pull factors.

KIND's study also found that gangs in Mexico and Central America are targeting and forcing girls for gang recruitment in the form of prostitution, criminal activity, the transportation of drugs, and as "girlfriends" (KIND, 2013). A girl who refuses to comply with a gang's orders is faced with death threats, threats of violence, sexual assault, rape, and violence towards their family members (KIND, 2013). Because of these push factors, unaccompanied minor girls and boys are migrating to the U.S. in disproportionate high numbers, looking to escape the violence in their home countries and obtain refuge in the U.S., with refuge in the new area of destination representing a pull factor (Lee, 1966).

## CHAPTER III

### METHODOLOGY

#### Introduction

In this chapter, the methodology of the research is described in nine sections. The first section provides a restatement of the purpose of the research. The second section explains the research design used to collect and analyze the data. The third section provides a description of the setting and location where the research will be conducted. The fourth section provides an overview of the study sample and study participants, including demographic information about participating unaccompanied minors of the research and the process of selecting the research sample. The fifth section, protection of human subjects and ethical consideration, addresses the institutional requirements and ethical guidelines that will be adhered to in performing the research. The sixth section, interviews, identifies the data collection sources and data collection instruments that will be used to collect the qualitative data for this research study. The seventh section, data collection, expounds on the step-by-step process for conducting this research. The eighth section, data analysis, explains the data analysis methods that will be used to analyze the qualitative data derived from this study. Lastly, the ninth section, addresses the background of the researcher, as well as potential researcher bias for this study. This study intended to address the following questions:

- 1) What are the factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, particularly, Mexico, Honduras, Guatemala, and El Salvador?

That is:

- A. What are the personal and social problems that motivate many of them?

- B. What are the economic problems?
  - C. What are the political problems?
- 2) How can Special Immigrant Juvenile Status (SIJS) be used to empower members of unaccompanied minor populations? In regard to this:
- A. What effect has migrating to the U.S. had on their lives?
  - B. What expectations did they have in leaving their home countries and migrating to the U.S.?
  - C. What does the granting of Special Immigrant Juvenile Status (SIJS) represent for, or mean to them?

#### Restatement of the Problem

In the 21<sup>st</sup> century, immigration has been recognized as the human rights issue of our time, with diverse immigrant populations from various countries seeking sanctuary in the U.S. Every year the U.S. admits thousands of immigrants as refugees from various regions, including Africa, Asia, Europe, and Latin America (United Nations, 2017). Historically, the U.S. has been and continues to be the top resettlement country in the world (Zong & Batalova, 2017). In 2016, the U.S. resettled an estimated 84,994 immigrant refugees (Zong & Batalova, 2017). In 2015, the U.S. granted asylum to a total of 26,124 applicants (Zong & Batalova, 2017). In 2015, Mexico accounted for 3.3 percent of the individuals who were granted asylum in the U.S., with El Salvador accounting for 8.3 percent, Guatemala 8 percent, and Honduras 5.4 percent (Zong & Batalova, 2017).

Obscured and arguably lost in this wave of new immigrants is an unacknowledged special immigrant population — unaccompanied minors from Latin America. Presently, there exists a problem in the absence of information, documentation, and knowledge about this special

immigrant population, and the reasons behind their migration to the U.S. To help fill this gap in the literature, this research study seeks to raise awareness about this unique immigrant child population, unaccompanied minors from Mexico and Central America, by documenting their migration stories and providing information on their eligibility for a distinct form of immigration relief—Special Immigrant Juvenile Status (SIJS). By focusing this study on unaccompanied minors, it will educate stakeholders about unaccompanied minors of Latino descent and explain the special legal protections and benefits that are available to immigrant youth/unaccompanied minors by way of SIJS.

### Research Design

In accordance with this study's goal, the researcher applied a qualitative research study design to capture a collection of unaccompanied minors' migration stories via semi-structured interviews. The researcher created a set of semi-structured interview questions based on the study's research questions. An expert panel, consisting of two immigration attorneys and immigration experts, was formed to review and validate the interview questions that have been selected for the initial face-to-face interviews with the study participants. Before the researcher began conducting face-to-face interviews with the selected study participants, the interview questions were administered to one study participant, an unaccompanied minor from Mexico and/or the Northern Triangle, via a pilot study. The pilot study allowed the researcher to test and assess the effectiveness and appropriateness of the interview questions and interview process with the study population. The pilot study was used to make modifications and improvements to the interview questions and process where necessary. The following is an explanation of study participant selection, methodology, ethical considerations, data collection, and data analysis for this qualitative study.

Once the pilot study was conducted and the necessary revisions were made to the interview questions and interview process, the researcher began conducting face-to-face interviews with the selected study participants. Therefore, qualitative data was collected in two phases. First, the semi-structured interview was administered to eight study participants to capture their migration stories and reasons for leaving their home countries. The researcher met individually with each study participant to conduct the initial interview. The second phase of the data collection process consisted of organizing the information gathered from the interviews to provide to each of the study participants. After the initial in-person interview, the researcher contacted each of the study participants to review their interviews for accuracy and to obtain additional detailed information. The results of both phases were integrated in the interpretation phase.

The researcher contacted the Research Director at a public high school for immigrant students in Oakland, California, to identify prospective students to participate in this research study, specifically immigrant youth who self-identified as unaccompanied minors from Mexico and/or Central America, and who were in the process of applying for Special Immigrant Juvenile Status (SIJS) or asylum, and/or were in the process of applying for this immigration benefit. Once contacted, the researcher asked each person to voluntarily participate in the study. Following receipt of written consent from each study participant and their legal guardian and/or parent, the researcher contacted study participants for an individual in-person interview. Approximately eight face-to-face interviews were conducted with the study participants.

#### Research Setting

Research was conducted at a public high school located in northern California. The school was established in August 2007 to serve recently arrived immigrant students who reside

in the Bay Area, who have been historically underserved. The school's mission is to provide recently arrived immigrant and refugee students in the city of Oakland with a quality education in language acquisition and in college preparation via small learning groups and interdisciplinary multimedia projects. This community school has acquired a notable reputation within the immigrant community in the Bay Area through specialization in innovative teaching approaches and comprehensive educational services for Newcomer students.

### Research Participants

The researcher obtained a purposeful sample of unaccompanied minors from a public high school in Oakland, California with the assistance of the school's Research Director. The study participants consisted of eight immigrant youth, between the ages of 13 and 19, who migrated/arrived to the U.S. as unaccompanied minors from Mexico, Honduras, Guatemala or El Salvador. For the purpose of this study, unaccompanied minors will be defined as minors between the ages of 13 to 19 who have migrated to the U.S. from a Latin American country and meet eligibility requirements for Special Immigrant Juvenile Status (SIJS).

Students at the public high school who met the study participant criteria were approached by the researcher to inform them about this study and the details for participating in this study. The researcher asked them to complete one in-person, semi-formal, detailed interview lasting a maximum of 1.5 hours. The researcher obtained written consent from participants and their legal guardians before taking their testimonies as part of this research study. Also, study participants and their legal guardians/parents received written information explaining their participation in the study. The interviews aimed to document and shed light on the migration stories of unaccompanied minors from Latin America, specifically Mexico, El Salvador, Guatemala, and Honduras.



It is important to note that because the individuals for this sample were previously screened and categorized as unaccompanied minors from Mexico and the Northern Triangle by the school's Research Director, common threads among the interviewees for this study were their unaccompanied minor status, application for Special Immigrant Juvenile Status (SIJS) and/or asylum, and the desire to be granted immigration status by way of Special Immigrant Juvenile Status (SIJS) or asylum. Because of its size, and because the sample for this study was obtained with these specifications, prioritizing convenience, it would be inappropriate to generalize the findings of this study to the larger population. Therefore, the findings for this study were based on a convenience sample and must not be taken to represent the views and experiences of all unaccompanied minors.

#### Human Subjects Approval

Before beginning this study and recruiting study participants, the researcher first obtained approval to conduct this study from the University of San Francisco, Institutional Review Board for the Protection of Human Subjects (IRB). Once this was achieved, the researcher consulted with the school's Research Director to identify current students who met the criteria for the population that this study seeks to sample. After prospective study participants had been selected by the Research Director, class schedule information for the students was obtained. The researcher then contacted the prospective study participants during their "Homeroom Period," also known as their "Study Hall Period" to provide information regarding their voluntary and consensual participation in this research study. The researcher obtained written consent from study participants and their legal guardians and/or parents before conducting any interviews for the purposes of this study (Please see consent form and information letter for study participants and their legal guardian/parent) (see Appendixes A and B).

### Ethical Considerations

To protect the identities of study participants, the names of actual study participants were replaced with pseudonyms. The researcher, who also served as the interviewer, conducted herself in a professional manner. The researcher was respectful of the study participants and the research site where the interviews were performed — a community school in Oakland, California. Also, the researcher was respectful towards study participants by allowing interviewees the option to terminate the interview if at any moment during the interview the participant felt uncomfortable. The researcher made every effort to protect study participants' confidentiality, and information was only used for purposes of this research study and their application for Special Immigrant Juvenile Status (SIJS) or asylum. As remuneration for their participation in this research study, study participants received linkage to legal, educational, and/or social services in the community.

### Interviews

To collect the data for this study, the researcher created a set of semi-structured interview questions for individualized in-person interviews with each study participant. An expert panel, consisting of two immigration attorneys and immigration experts was formed to review and validate the interview questions that have been selected for the initial face-to-face interviews with the study participants. The researcher conducted an estimated eight in-person interviews with the study participants with one additional in-person contact after the initial interview to obtain more detailed information and check the interview transcript for accuracy. The initial in-person interview documented the study participant's migration story to the U.S. from Latin America and focused on his/her reasons for leaving his/her home country.

All interviews were done in person, on campus, audiotaped, and included a second in-person meeting to check the accuracy of their interviews. The interviews lasted a maximum of

1.5 hours and were conducted in Spanish to accommodate the interviewees' preferred language. Audio recordings were transcribed and translated into English and then shared with the participants for comments and confirmation of contents. Additionally, the transcripts from the interviews were given to the study participant, which may be used to prepare the declarations that are a requirement for the Special Immigrant Juvenile Status (SIJS) and asylum application. Any follow-up contact with the study participant focused on checking the data and interview transcripts for accuracy. After the study participants approved the interview transcripts, the researcher reviewed and interpreted the data.

The interview questions provided data to answer each of the study's research questions:

Research Question #1: What are the factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, specifically Mexico, Honduras, Guatemala, and El Salvador?

Research Subquestion A: What are the personal and social problems that are motivating the migration of unaccompanied minors to the U.S. from Latin America?

Research Subquestion B: What are the economic problems that are motivating the migration of unaccompanied minors to the U.S. from Latin America?

Research Subquestion C: What are the political problems that are motivating the migration of unaccompanied minors to the U.S. from Latin America?

Research Question #2: How can the granting of Special Immigrant Juvenile Status (SIJS) empower unaccompanied minor populations?

Research Subquestion A: What effect has migrating to the U.S. had on their lives?

Research Subquestion B: What expectations did they have in leaving their home countries and migrating to the U.S.?

Research Subquestion C: What does the granting of Special Immigrant Juvenile Status (SIJS) represent for, or mean to them?

#### Validity of Interview Questions

An expert panel of immigration attorneys and immigration experts was formed to develop, review, and validate the interview questions for the initial face-to-face interviews with the study participants. The expert panel will be comprised of Professor Bill Hing, immigration attorney and Professor of Law at the University of San Francisco School of Law, and Rachel Prandini, immigration attorney at the Immigrant Legal Resource Center (ILRC) in San Francisco, California. The expert panel determined if the interview questions are appropriate for this research study. Once the expert panel reviewed, made the necessary modifications, and approved the interview questions, the researcher began utilizing the interview questions to conduct in-person interviews with the eight study participants.

#### Data Collection

Data was gathered by conducting face-to-face interviews with the study participants using a set of semi-structured interview questions previously reviewed and approved by an expert panel on immigration. The interviews were performed in a safe and quiet setting, mainly on campus at a public high school in Oakland, California. First, contact will be made with potential study participants and their legal guardian in-person at the school site to provide them with information about the study and an invitation to participate in the study. A total of eight minors were selected for participation—one pilot study interview and seven study participant interviews. Once the participants had been confirmed, the researcher contacted each of the participants to schedule a date and time to conduct the interview. At the interview, the researcher set up a voice recorder and asked semi-structured questions.

*Michael Canale's (1984) Four stages for Oral Proficiency Test-Taking*

Before beginning an in-person interview with a study participant, the researcher/interviewer applied Michael Canale's (1984) four stages for oral proficiency test-taking, which has been adopted by many researchers conducting oral interviews (Brown & Abeywickrama, 2004). Canale's framework consists of four stages: 1. Warm-up 2. Level check 3. Probe 4. Wind-down (Brown & Abeywickrama, 2004). Canale (1984) recommends the implementation of these four stages to maximize the test-taker's/interviewee's level of performance (Brown & Abeywickrama, 2004).

The first stage, the Warm-up stage, involves engaging the interviewee in small talk, providing introductions, informing the interviewee as to the interview format, and helping the interviewee feel comfortable and less anxious about the interviewing process (Brown & Abeywickrama, 2004). An interviewer might ask an interviewee any of the following questions or phrases during the Warm-up phase: "How are you?" "What country are you from?" "Let me tell you about this interview" (Brown & Abeywickrama, 2004, p. 169).

After the Warm-up phase, the interviewer will engage the interviewee in the Level check stage, which is intended to stimulate the interviewee and elicit predictable responses by asking the interviewee questions pertaining to his/her background (Brown & Abeywickrama, 2004). The Level check stage will provide the interviewer with a picture of the interviewee's extroversion, readiness to speak, and confidence with respect to his/her participation in the interview (Brown & Abeywickrama, 2004). Sample questions that an interviewer might ask a study participant in the Level check stage include: "How long have you been in this [country, city]?" "What are your hobbies or interests?" "Tell me about your country" (Brown & Abeywickrama, 2004, pp. 169-170).

The Probe stage is intended to challenge the interviewee's abilities by posing increasingly complex questions (Brown & Abeywickrama, 2004). Through probe questions, the interviewer can assess the ceiling or limitations of an interviewee's abilities (Brown & Abeywickrama, 2004). For example, probe items might include asking an interviewee his/her opinion or judgment on a difficult issue, asking the interviewee to explain or recount a situation or story, or to respond to a complicated question (Brown & Abeywickrama, 2004). Sample questions in the Probe stage of an interview can include: "If you were (president/prime minister) of your country, what would you like to change about your country?" "What is your opinion of (a recent headline news event)?" "Describe someone you greatly respect, and tell me why you respect that person" (Brown & Abeywickrama, 2004, p. 170).

Lastly, in the Wind-down stage, the interviewer encourages the interviewee to relax and wind down by asking some fairly easy questions towards the end of the interview and providing information about how the interviewee can obtain the results of the interview (Brown & Abeywickrama, 2004). Questions that may be asked in the Wind-down phase include: "Did you feel okay about this interview?" "Do you have any questions you want to ask me?" "What are your plans for (the weekend, the rest of the day, the future)?" (Brown & Abeywickrama, 2004, p. 170). Using Canale's (1984) framework for oral test-taking and interviews, the researcher incorporated questions that represent each of the four stages of the framework and walk the interviewee through each of the four stages.

Interview Questions:

Warm-up Phase:

- 1) How are you?
- 2) Let me tell you about this interview and research study.

3) Where were you born?

Level Check Phase:

4) What are your hobbies or interests?

5) How long have you been in this [country, city]?

6) Can you tell me about the place where you were born?

Probe Phase:

7) Can you describe your trip to, and experience in, the U.S.?

8) How did you migrate to the U.S.? Did you come on foot, by bus, by plane, or by a different method?

9) Was there anyone who helped you migrate/travel to the U.S.?

10) What were your reasons for leaving your home country and coming to the U.S.?

11) Were there personal, social, political and/or economic problems that motivated your migration to the U.S. from your home country? For example, were there problems in your family? Were you afraid of the police? Did your family have enough food to eat? Did your parents have just employment?

12) Was there a specific person, group, and/or situation that you were seeking to escape in coming to the U.S.?

13) Did you experience any forms of violence in your home country? For example, did you experience any violence in your home from family members such as your parents or your siblings? Did you experience any violence or threats by gangs and/or organized crime groups, or by people in your community?

- 14) How is your relationship with your parents? How is your relationship with your caretaker(s)? How did they treat you at home?
- 15) Can you tell me about your childhood? What was it like growing up in your home country?
- 16) What effects did these experiences have on you?
- 17) Are you afraid of returning to your home country?
- 18) What did you hope to achieve in migrating/relocating to the U.S.?
- 19) What effect has migrating to the U.S. had on your life?
- 20) What has your experience in the U.S. been like for you?
- 21) How do you feel about being in the U.S.?
- 22) How have you been treated in the U.S.?
- 23) Do you plan to apply for Special Immigrant Juvenile Status (SIJS)?
- 24) What effect do you believe getting a green card will have on your life?
- 25) What does the granting of SIJS represent for you in your life?
- 26) If allowed to remain in this country via SIJS, what are some of your goals and/or plans for the future?
- 27) In your opinion, how can the granting of Special Immigrant Juvenile Status (SIJS)/getting a green card be used to empower unaccompanied minors like yourself?



- 28) If you were president of your country, what would you like to change about your country?
- 29) What is your opinion of U.S. President Donald Trump, and his administration's anti-immigration policy?
- 30) Can you describe someone you greatly respect, and tell me why you respect that person?

Wind-down Phase:

- 31) Did you feel okay about this interview?
- 32) Do you have any questions you want to ask me?
- 33) The notes from your interview will be available in two weeks. I will contact you via phone to follow-up, review, and check the interview transcript for accuracy.
- 34) Thank you so much for meeting with me. The information you shared with me will really help with preparing the declaration for your Special Immigrant Juvenile Status (SIJS) application and with learning more about unaccompanied minors like yourself that come to the U.S. from Latin America. My hope is that the research that is gathered from my interviews with unaccompanied minors like yourself will help build the limited knowledge that exists on unaccompanied minors, and in this form, educate immigration attorneys' practices in working with unaccompanied minors from Latin America.
- 35) What are your plans for (the weekend, the rest of the day, the future)?

Additionally, when necessary, the interviewer asked questions outside of the pre-determined list of interview questions to obtain clarification and additional information. The interview may be conducted entirely in Spanish to facilitate communication and accuracy.

Following the interview, the researcher prepared a transcript of the interview and provided copies of these documents to the participant for approval. After the participant approved the transcript, the researcher reviewed and interpreted the data.

### Data Analysis

This study focused on capturing the migration stories of unaccompanied minors from Latin America via semi-formal in-person interviews and explored the prominent themes in their stories. In addition to raising awareness about this special immigrant population by recording their testimonies, this study sought to gain an understanding of how Special Immigrant Juvenile Status (SIJS) can be used to empower unaccompanied minor populations. The following are the research questions and subquestions that were explored in this study, along with the interview questions that correspond to each of the research questions:

1. What are the factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, specifically Mexico, Honduras, Guatemala, and El Salvador?
  - A. What are the personal and social problems that are motivating the migration of unaccompanied minors to the U.S. from Latin America?
  - B. What are the economic problems that are motivating the migration of unaccompanied minors to the U.S. from Latin America?
  - C. What are the political problems that are motivating the migration of unaccompanied minors to the U.S. from Latin America?

### Interview Questions:

- 1) Where were you born?
- 2) How long have you been in this [country, city]?

- 3) Can you tell me about the place where you were born?
- 4) Can you describe your trip to, and experience in, the U.S.?
- 5) How did you migrate to the U.S.? Did you come on foot, by bus, by plane, or by a different method?
- 6) Was there anyone who helped you migrate/travel to the U.S.?
- 7) What were your reasons for leaving your home country and coming to the U.S.?
- 8) Were there personal, social, political and/or economic problems that motivated your migration to the U.S. from your home country? For example, were there problems in your family? Were you afraid of the police? Did your family have enough food to eat? Did your parents have just employment?
- 9) Was there a specific person, group, and/or situation that you were seeking to escape in coming to the U.S.?
- 10) Did you experience any forms of violence in your home country? For example, did you experience any violence in your home from family members such as your parents or your siblings? Did you experience any violence or threats by gangs and/or organized crime groups, or by people in your community?
- 11) How is your relationship with your parents? How is your relationship with your caretaker(s)? How did they treat you at home?
- 12) Can you tell me about your childhood? What was it like growing up in your home country?
- 13) What effects did these experiences have on you?

- 14) Are you afraid of returning to your home country?
2. How can the granting of Special Immigrant Juvenile Status (SIJS) empower unaccompanied minor populations? In regard to this:
- A. What effect has migrating to the U.S. had on their lives?
  - B. What expectations did they have in leaving their home countries and migrating to the U.S.?
  - C. What does the granting of Special Immigrant Juvenile Status (SIJS) represent for, or mean to them?

Interview Questions:

- 1) What did you hope to achieve in migrating/relocating to the U.S.?
- 2) What effect has migrating to the U.S. had on your life?
- 3) What has your experience in the U.S. been like for you?
- 4) How do you feel about being in the U.S.?
- 5) How have you been treated in the U.S.?
- 6) Do you plan to apply for Special Immigrant Juvenile Status (SIJS)?
- 7) What effect do you believe getting a green card will have on your life?
- 8) What does the granting of SIJS represent for you in your life?
- 9) If allowed to remain in this country via SIJS, what are your some of your goals and/or plans for the future?

10) In your opinion, how can the granting of Special Immigrant Juvenile Status (SIJS)/getting a green card be used to empower unaccompanied minors like yourself?

11) What is your opinion of U.S. President Donald Trump, and his administration's anti-immigration policy?

During the data collection process, the researcher took detailed field notes and memoranda to record salient points and ideas from the study interviews and meetings with the expert panel. Once the interviews are transcribed, each study participant was given the opportunity to approve and provide feedback on the transcripts from the interviews. After each participant approved the transcripts, analysis consisted of reading and coding transcripts, memoranda, conversations with the expert panel, and field notes.

The interview transcripts, declarations, memoranda, communication with the expert panel, and field notes were reviewed using what Creswell (2015) refers to as thematic data analysis and in vivo coding. Per Creswell (2015), thematic data analysis entails reviewing the data for reoccurring trends and ideas. Secondly, in vivo coding involves noting exact words and phrases that are repeatedly stated in the data by study participants (Creswell, 2015). Using these techniques, the data for this study was reviewed for prominent and emerging themes and codes — themes and codes that were reflected upon for meaning and reported on in the findings section of this study (Creswell, 2015). The researcher expected that the research questions and the interview questions previously approved by the expert panel would support the process of identifying themes. Close attention was given to the outstanding themes and patterns that arose from the study participants' migration journeys and personal narratives/testimonies.

Additionally, Lee's "Theory of Migration" was used as a lens to recognize connections between unaccompanied minors' migration stories and the push/pull factors of migration.

### Background of the Researcher

This researcher has worked with children, youth, and families in the fields of education, counseling, and law for approximately 17 years. The entirety of this researcher's career thus far has consisted of serving, uplifting, advocating for, and empowering members of impoverished, disenfranchised, immigrant, and underserved communities of color. The years that this researcher has invested working with, serving, and fighting for the legal and human rights of members of marginalized communities in various capacities, as educator, social worker, immigration paralegal, and presently doctoral student/researcher, have all served to provide the background, intelligence, social consciousness, and skillset that is necessary to continue serving as an immigration advocate.

Following a dream to become an immigration attorney, in the last four years, this researcher has immersed herself in the world of immigration law, voraciously consuming the works of academics and activist attorneys who are experts in the field. This researcher has taken courses in immigration and domestic violence law at the University of San Francisco School of Law, courses that focused on argumentative-interpretive legal analysis and the practice of immigration law, the legal remedies and solutions that are available to undocumented clients, and the application of these remedies to serve and empower diverse client populations. In addition to this coursework, for the last three years, this researcher has participated in the law school's Immigration and Deportation Defense Clinic and conducted research with Professor Bill Hing on asylum and the drug cartel violence present throughout Latin America.

This researcher has been captivated and mesmerized by the intellectual challenge that the study and practice of immigration law provides, including interpreting and analyzing immigration case law, generating creative legal arguments to support clients' petitions for various forms of immigration relief, strategic case planning to ensure that a client meets the requirements for immigration relief, and the analysis and citing of landmark cases to support a client's application or case. These mentally stimulating, radical, and transformative learning experiences have been pivotal to this researcher's understanding of how immigration laws and policies operate in this country, their devastating impact on immigrant communities, and the direct, positive effect that an immigration attorney can have on the lives of undocumented clients by providing high-quality legal representation.

This researcher's interactions with clients, some of whom were Special Immigrant Juvenile Status (SIJS) students and refugees and asylees, has informed her awareness of the destructive effects that undocumented status is having on communities of color, and of the dire need for knowledgeable and multiculturally competent immigration attorneys who will take a proactive stance in defending the best interests of undocumented clients. It was from client testimonies, that this researcher became aware of the massive injustices and human rights violations that have befallen honest, hardworking people from this researcher's community, because of race, ethnicity, and undocumented status. This resonated with this researcher's intrinsic desire to use her abilities and passions to help others. These powerful accounts awakened the researcher to the state of immigration in the U.S. — which is considered by some the human rights issue of our time. It triggered a need to contribute to this movement with her talents and abilities. From these powerful defining experiences came the realization that the area

where this researcher can have the greatest impact in defending the human rights of members of communities of color is in the practice of immigration law.

Undoubtedly, this researcher's experiences will influence the perspective and the overall tone of this research study. As a result, this researcher has attempted to identify her biases to avoid prejudice in the interpretation of the data. The researcher's hope is that this study will contribute to the limited body of work that exists on this special immigrant child population of unaccompanied minors from Latin America, and that it will increase awareness among legal and social work professionals about the needs of this unique immigrant population and how they can best be served.



## CHAPTER IV

### RESEARCH FINDINGS

#### Introduction

This chapter reports on the findings for this research study. The chapter consists of four sections. The first section provides a profile for each of the participants interviewed for this study, along with a Table with the participants' demographic information. The second section, using the theoretical framework for this study, Lee's (1966) "Theory of Migration," provides an analysis and interpretation for each of the participants' decision to migrate to the U.S. The third section details the prominent themes that emerged from the data pertaining to the research questions for this study, as well as the similarities and differences among unaccompanied minors from the same country of origin, most notably El Salvador. Finally, the fourth section summarizes the qualitative research findings. The study addressed the following research questions:

1. What are the factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, particularly, Mexico, Honduras, Guatemala, and El Salvador? That is:
  - A. What are the personal and social problems that motivate many of them?
  - B. What are the economic problems?
  - C. What are the political problems?
2. How can Special Immigrant Juvenile Status (SIJS) be used to empower members of unaccompanied minor populations? In regard to this:
  - A. What effect has migrating to the U.S. had on their lives?

- B. What expectations did they have in leaving their home countries and migrating to the U.S.?
- C. What does the granting of Special Immigrant Juvenile Status (SIJS) represent for, or mean to them?

The study investigated and documented the relationship between the migration journeys of unaccompanied minors to the US from Latin America—specifically Mexico, Honduras, Guatemala, and El Salvador, and the factors that influenced their decision to migrate. Making use of Lee’s (1966) "Theory of Migration," the researcher explored the push and pull factors that influence an unaccompanied minor’s decision to migrate to the US. Face-to-face interviews were conducted with study participants to document their migration stories in their own words. The interviews made it possible to document and interpret the social, economic, political, and personal factors that motivated each person’s decision to emigrate to the U.S. The interviews focused on the foremost and salient factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, particularly, Mexico, Honduras, Guatemala, and El Salvador. Data collected from the study participants was dissected using the methodology presented in chapter three.

The findings are organized in the following manner: A profile is provided of each individual concerned, including demographics, country of origin, migration story, and reasons for coming to the US. Subsequently, the model presented in Lee’s “Theory of Migration” is used to discuss, analyze, and interpret each study participant’s migration story. Lastly, responses to interview questions are organized according to themes, using supporting quotes from the interviews. I will conclude the chapter with a summary.

## Participant Profile

This study focuses on individual immigrants, with all study participants identifying themselves as unaccompanied minors from Mexico or one of the Central American countries in what is known as the Northern Triangle—Honduras, Guatemala, and El Salvador. They came from impoverished communities that are facing a range of societal problems, including economic recession, high unemployment, gang and drug cartel violence, overt government corruption, and a breakdown in democratic systems. Some common factors among study participants are their age, as most study participants were between the ages of 17 and 19, and a longing to be reunited with their parents and/or other family members who were already living in the US. All were applying for asylum in the US or Special Immigrant Juvenile Status (SIJS), and were judged by the researcher to be eligible for either or both of these. Finally, all study participants had sophomore, junior or senior class standing at their current high school of attendance.

Following are profiles of each of the study participants. The participants are presented in alphabetical order, based on first names. To protect the confidentiality of each participant, pseudonyms were used in place of the participants' actual names. Please refer to Table 1 for participants' demographic information.

Table 1

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*Demographic Characteristics of the Eight Unaccompanied Minor Participants by Assigned Pseudonyms*

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Participant	Gender	Age at Time of Migration	Country of Origin	Means of Travel
Aurora	Female	13 years old	Honduras	By bus and foot
David	Male	17 years old	El Salvador	By bus and foot

Fernando	Male	14 years old	El Salvador	By bus, car, and foot
Francisco	Male	15 years old	El Salvador	By car, bus, trailer and foot
Manuel	Male	16 years old	Guatemala	By bus and foot
Maribel	Female	14 years old	Guatemala	By bus and foot
Noemi	Female	18 years old	Mexico	By car and plane
Roberto	Male	12 years old	Guatemala	By car, bus, and foot

### Aurora

Aurora, currently an 18-year-old high school senior, was born in San Pedro Sula, Cortez, Honduras. When Aurora was 14 years old, with the help of a *coyote*, a travel guide in the employ of human smugglers, she came to the US as an unaccompanied minor. After witnessing the assassination of one of her classmates by an alleged MS-13 (*Mara Salvatrucha*) gang member, Aurora felt that she had no choice but to flee to the US for her safety. In her interview, Aurora shared that it was not her choice to leave her home country, but after bearing witness to a horrific act of violence by one of the gangs that have ravaged her hometown, she worried that she would be targeted by one of these gangs, and thus considered that her life was at risk. Immediately following the death of her classmate, Aurora made plans to travel to the US to seek asylum. Using her savings, all of which came from the money that Aurora's mother had been sending her from her earnings in the US, Aurora hired a *coyote* to help her travel to the US. Aurora was 13 years old when she made the decision to embark on what would prove to be a very dangerous and scary journey.

When Aurora was 11, Aurora's mother left her in the care of her maternal grandmother, so that she herself could travel to the US to obtain employment so that she could better provide

for her family back home. Once in the states, Aurora's mother was able to send money to Aurora's grandmother, to provide for Aurora's living needs, and particularly her school needs. Aurora informed me that in order to be able to attend school in Honduras, a child's parents must pay for tuition, books, and a uniform. Her mother's earnings in the US enabled her to attend school. However, her school attendance, along with that of her classmates, was cut short after a classmate was shot and killed at their school by a gang member from the powerful MS-13 gang. Because of the potential threat to their lives, Aurora and a number of her classmates fled Honduras for safety to other countries including Mexico and the US.

Aurora's migration journey began with extensive travel via various buses, through Honduras, El Salvador, Guatemala, and Mexico. Because in most of the countries that Aurora traveled through, the travel of minors without a parent is prohibited, Aurora shared with me that her *coyote* had to pretend to be her parent. Often, buses *en route* to the US southern border are stopped by immigration officials who then ask riders for their identification and reason for travel. These stops are known as bus inspections. During bus inspections, Aurora would either hide to avoid any questioning altogether or sit next to her "father." It is dangerous generally for unaccompanied minors to travel through Latin America, because of the high possibility of being kidnapped, extorted, physically and/or sexually assaulted, or murdered by corrupt immigration officials or drug cartels.

Throughout her trip, Aurora stayed at various hostels and the homes of friends and family members of her guide. In these places, Aurora would be given food and rest in preparation for the next day's travel, and in some cases, additional people would be added to her travel group. Aurora felt sad and scared about leaving her home country and her grandmother, but found that

she was able to persevere and continue the trip because she knew that God was with her. Also, the hope of reuniting with her mother in the States gave her motivation to keep going.

Upon arriving in Matamoros, Mexico, Aurora and her travel group walked for hours before finally reaching the Rio Grande. There, she was paired with another young girl, and given instructions for swimming across the river. Aurora and the other girl swam across with the aid of a floating tire given them by the *coyote*. Aurora recalled that she was especially afraid while crossing the river because of the slimy debris at its bottom that would stick to her feet and legs. After crossing the river, Aurora walked with her travel group for hours in the dark through the desert, with only moonlight guiding them, until they reached a Texas highway.

Aurora found the trek especially scary because it largely occurred in the dark and on dry desert land. After crossing the Rio Grande, she and the members of her travel group walked for hours until they reached a Texas highway, all the while running and hiding from border patrol officers in the area. When asked how she would hide from them, Aurora said that they would all hide in holes in the ground or behind large shrubbery on the dry land. Aurora found this part of the trip was especially uncomfortable and terrifying due to the darkness, cold weather, and bodily discomfort that came from exposure to the dirt and prickly bushes in the desert. She also found their travel through Mexico frightening because of the sounds of women screaming for help that could be heard at a distance in, apparently, the same desert that her group was traversing in the dark.

After three weeks of traveling on land, Aurora boarded a bus to California, with plans to reunite with her mother in Oakland. This plan had to be abandoned when she was approached and apprehended by a Texas immigration official, after having fallen asleep on the California-bound bus. Aurora was detained and then transported to a family detention center in Texas. From

there, she was shuffled to three different detention centers. These are commonly referred to by immigrants as *llicieras* (iceboxes). Aurora stayed at these immigration detention centers in Texas for one month, before eventually being reunited with her mother in Oakland, where she was sent by plane.

### David

David, a 19-year-old high school student, was born in El Salvador in the Department of San Vicente. David left El Salvador when he was 17. Like Aurora, David said that he was forced to leave his home after having his life threatened by the MS-13 (*Mara Salvatrucha*) gang. David was adamant that leaving El Salvador was not a choice; he fled in fear for his life.

The attempt on David's life was made by an MS-13 gang member, who sought to kill David as retribution for the death of a family and gang member whose criminal activity David had reported to the police three years earlier. A few years earlier, David had filed an incident report with the police in his hometown, reporting that he had been robbed by an MS-13 gang member threatening him with a knife. Although the police report had been filed years earlier, the police, he told me, did not act on or investigate the matter until three years later. By this time, the alleged perpetrator and his family were heavily involved in the MS-13 gang. Following the processing of David's report, the police proceeded to act on his initial police report. While attempting to arrest the perpetrator named in the earlier report at his home, a standoff occurred, and he was shot and killed by the police. Immediately after this incident, the perpetrator's family, along with other MS-13 gang members, sought retribution against David, whom they blamed for the man's death. A brother of the man who had been killed assaulted David on the street, in broad daylight, brandishing his gun and threatening to shoot him. David said that the assailant

did not shoot him only because he knew he could not do so without the authorization of his gang superiors.

In the days that followed these threats to his life, David did not leave his home for fear that the gang would return to kill him. But he scrambled to gather the funds that he needed to travel to the US for safety, and with his parents' blessing, he fled in the direction of the US border. Unlike many others, David did not seek the help of a *coyote* or immigration guide. Instead, he chose to rely solely on his intuition and his cell phone as a road map and guide for maps, bus information, and the like. He used the phone's alarm to enable him to take naps as he travelled alone on the bus. David credits his phone for the help it provided.

David traveled by bus and foot for several days, across El Salvador, Guatemala, and Mexico. At Juarez, Nuevo Leon, Mexico, he waited at a bus stop for a bus that would take him closer to the US border. At this station, David was approached by a man claiming to be a member of the Juarez drug cartel. In exchange for 1,500 pesos, this man offered to take David to the Rio Grande river so that he could swim across to the US. He also offered David protection from the Zetas drug cartel, rivals of the Juarez cartel, and who were known to kidnap, rob, extort, or murder unaccompanied minors and other immigrants *en route* to the US border. David acquiesced and gave the man the money he requested. They agreed that the man would accompany David on the bus.

When the bus arrived at its final stop near the border with Texas, the drug cartel member guided David to the Rio Grande, and gave him instructions on how to swim across. To do so, David was forced to leave behind his backpack with his personal belongings. He left behind everything except his identification documents and phone, which he placed in a plastic bag and strapped to himself. David recalls swimming for about 15 minutes before reaching the other side.



He then walked in the hot sun for about 5 hours, before approaching a highway. He was then immediately apprehended by a Border Patrol Agent who asked him his age and then sent him to a family detention center in Brownsville, Texas. David would stay at the family detention center for approximately 28 days, before eventually being reunited with his family in California.

#### Fernando

Fernando, 18 years old, was born in Santa Ana, El Salvador, a small farming town on the Honduran border. Fernando was 14 years old when he migrated to the US. Fernando's primary motivation in doing so was to reunite with his parents, who were already living and working in the US. When Fernando was 8 months old, his parents had left him in El Salvador, in the care of his aunt, his mother's sister, so that they could come to work in the US. This enabled them to send money to El Salvador to provide for Fernando. Fernando reported that his parents paid approximately 8,000 US dollars to a *coyote* to help Fernando travel to the US. Fernando said that during his journey he feared that he might never see his family again. He said that with the help of the *coyote* he traveled to the US with a small group of people, most of whom were adults, by car and on foot. The *coyote* arranged to bring Fernando and the others from his travel group through El Salvador, Guatemala, and Mexico by car and foot. Fernando's journey was shorter than those of most unaccompanied minor youths, being completed in just three days. Thus, with the help of the *coyote*, he was able to reunite with his parents in Oakland in a matter of three days.

#### Francisco

Francisco, 18 years old, originally from El Salvador, came to the US when he was 15. Francisco migrated to the US with his older brother, Ezequiel, who is autistic and was 17 at the time. He said that his mother had to pay a hefty fee to a *coyote*, in order to make the travel

arrangements for Francisco and Ezequiel. Along with the guide, Francisco and his brother traveled with a group of five adults by bus, truck, and foot. Along the way, they stayed at various hotels and hostels.

At various points during their trip, Francisco wanted to give up and turn back. He found the journey discouragingly difficult, uncomfortable, frightening, and perilous. On some days, they had to walk for up to eight hours in the desert heat to get to their next travel point. Much of the time, while traveling through Mexico, Francisco and his brother had to ride in the back of a large semi-truck, hiding amid cargo. Francisco felt scared whenever the truck was stopped for inspection by the Mexican authorities. When the group arrived at the US border, they were detained by Border Patrol agents and eventually routed to an “icebox,” or family detention center, in Texas. Francisco and his brother stayed there for approximately 21 days before being flown to Oakland, where they were reunited with their mother.

### Manuel

Manuel is an 18 years old high school student, originally from Todos Santos Huehuetenango, Guatemala. He migrated to the US as an unaccompanied minor when he was 16 years old. Manuel, unlike many of the other unaccompanied minors interviewed for this study, migrated to the US primarily to pursue economic opportunities in an effort to provide for his parents who were struggling financially in their home country. Manuel explained that his family farmed broccoli and sold their produce to people in the community. However, when their crop was not doing well, Manuel and his parents would struggle to afford basic needs, such as food and clothing. Manuel informed that he was forced to leave school, due to his parents’ inability to pay for his schooling. His family’s dire economic situation prompted his migration to the U.S.

For this very reason, he strategized that he would migrate to the U.S. to seek employment to provide for his parents back home.

Per Manuel, he did not hire a guide or a *coyote* to travel to the U.S. Instead, he traveled to the U.S. alone, without the help of anyone. He gathered his savings and set off for the southern border by bus. Upon arriving to the U.S., he planned to reach his older sister who was already living in the California Bay Area at the time of his migration. Manuel took buses through Guatemala and Mexico, obtaining information from the local people in Mexico on the buses to take to reach the southern border. Manuel explained that his travel to the southern border was not as difficult as other's journeys, and that he did not experience any harassment from unknown parties, as is routine for immigrants to experience on their way to the southern border. When he reached the southern Tijuana, Mexico, border, on foot, he was stopped, detained, and interrogated by an immigration official, who categorized him as an Unaccompanied Alien Child (UAC). At that point, Manuel was processed and transported to a detention center for children and youth in Virginia. After being detained for approximately 20 days, Manuel was released, and reunified with his sister in California. Per Manuel, in his application for Special Immigrant Juvenile Status (SIJS), his sister became his legal guardian while in the U.S. With the help of a Bay Area non-profit organization that provides low-cost legal services in the community, Manuel is currently applying for SIJS.

#### Maribel

Maribel, 18 years old, is from Todos Santos Cuchumatan, Huehuetenango, in Guatemala. She migrated to the US as an unaccompanied minor when she was 14. Maribel said that her principle reason for leaving her home country was to escape political persecution. Maribel's father, who had previously been a soldier with the nation's military, fled Guatemala to escape

persecution that he suffered at the hands of the Guatemalan government—for reasons unknown to Maribel. Maribel and her two older siblings feared for their safety as being connected to their father, chose to travel to the US in the hope of reuniting with their oldest brother, who had become a Legal Permanent Resident (LPR) and was living in California.

With financial help from her oldest brother in California, Maribel and her two siblings were able to fund their travel to the Tijuana, Mexico border by bus. Upon arriving at the Tijuana, Mexico border, Maribel and her siblings were detained and interrogated by immigration officials, who transported them to a family detention center in Texas. Maribel and her three siblings stayed at the family detention center for an estimated 15 days before being reunified with their brother in California.

#### Noemi

Noemi is a 20-year-old college student, and is originally from Uruapan, Michoacan, Mexico. She migrated to the U.S. with her 3-year old daughter when she was 18 years to seek asylum. Unlike the other participants interviewed for this study, Noemi traveled to the U.S. by plane. Noemi informed that she fled her home country of Mexico with her daughter, fleeing for her life, after her uncle was murdered by the dominant drug cartel in her region, the Knights Templar Cartel (*Los Caballeros Templarios*). Noemi's uncle was killed by the Knights Templar Cartel after refusing to pay the cartel's extortion fees and give the cartel ownership of his used car dealership. After Noemi's uncle was killed, his body was horrifically mutilated and dismembered, and left in plastic bags. After her uncle's death, Noemi and her entire family was threatened with death by the drug cartel. Noemi and her family was warned that if they refused to cooperate with the cartel that they would end up the same way that their family member had.

Immediately following these threats and traumatic incidents, Noemi and her entire family fled to other parts of Mexico, seeking refuge.

Per Noemi, it was the drug cartel's threats of death, along with the cartel's demands that triggered her migration to the U.S. Noemi informed that in addition to threatening her life and her daughter's life, the cartel sought to force her into prostitution and use her as a drug mule—a transporter of drugs for the cartel. Terrified and traumatized by the cartel's killing of her uncle, and by the possibility of being killed, losing her daughter, and being forced into prostitution, Noemi fled her home region in a state of emergency, with her daughter, and nothing but their personal identifying documents. With her savings, Noemi traveled by plane to the southern border, with plans to request asylum in the U.S.

Upon arriving at the Tijuana International Airport, in Baja Mexico, Noemi and her daughter traveled to the border, where she asked for asylum and pled her case before an asylum officer. Noemi and her 3-year-old daughter were granted temporary stay in the state of California, while her asylum case was processed in the California immigration courts and adjudicated before an immigration judge. With the help of a non-profit organization that provides legal services to Spanish-speaking communities in the Bay Area, Noemi and her daughter are currently fighting their case for asylum in the California Bay Area.

### Roberto

Roberto is a 17-year-old high school student living in California's Bay Area, and is originally from Union Cantinil, Guatemala. He migrated to the U.S. when he was 12. Like many unaccompanied minors coming from Latin America, he had hired a *coyote* to assist him in making the journey. Roberto's main reason for coming to the US was the desire to be closer to his mother, who was living there. Roberto said that his mother had left him in the care of his

grandparents in their town in Guatemala when he was about 4 years old. When asked why his mother had left him at such a young age, Roberto explained that her plan had always been to come to the U.S. to work, so as to be able to send remittances to enable himself and his younger brother to have a better life. Eventually, after establishing herself in California and saving some money, she decided that it was time for Roberto and his younger brother to come join her. Concerned in part about the gangs, and specifically MS-13 (*Mara Salvatrucha*), that were then expanding in Guatemala, she hired a *coyote* and sent for Roberto and his brother.

On the trip, Roberto was accompanied not only by his younger brother, then 9, but also his aunt and her 2-year-old daughter. Like other children who came without a parent, he met the U.S. Department of Homeland Security's definition of Unaccompanied Alien Child (UAC), yet did not in fact come alone; like many, he kept with other family members. They traveled by bus and car to Phoenix. The *coyote* had made arrangements for the family to travel through Guatemala and Mexico by bus, stopping intermittently at hotels and family homes in Mexico that were owned by friends of his. It took three days and three nights to arrive at the Arizona border.

After being driven there by the *coyote* on a cold, dark night, Roberto and his family members were met at the border by two unknown men, who immediately informed them that they would not harm them, and offered to help them all over the wall in exchange for a fee. Although Roberto does not recall the amount of money that the two men were requesting, he recalls that his aunt gave the two men all of the money she had, and which she had previously converted into pesos for use for the family's travel expenses in Mexico. She feared what could happen if she refused their help, and worried that she and the children might have no other way of getting over the border wall. Upon being paid, the two men proceeded to unload equipment from their pick-up truck, including a tall ladder and what Roberto described as elastic ropes.

Using the ladder and ropes, the two men helped each of the family members climb over the wall. Once they were on the other side, the two men immediately disappeared into the night, and Roberto and his family were left to continue their journey on foot and on their own.

Roberto and his family did not walk for long before being approached by two border patrol cars. They were ordered to remove the shoelaces from their shoes, their belts, and their undershirts, and were then sent to a family detention center in Phoenix. There, they were each questioned and processed separately. Roberto and his younger brother were placed in a detention home for immigrant children. Roberto was told that his aunt was being transferred to a detention facility in Atlanta, where she would be reunified with family members of hers who could serve as her host family for immigration purposes. After a few weeks in detention, Roberto and his brother were eventually reunified with their mother in the California Bay Area.

#### Lee's (1966) "Theory of Migration"

Lee's (1966) "Theory of Migration" states that there are push and pull factors or positive and negative factors that motivate an individual to leave their country of origin for a new destination. Lee provides that there are 4 dominant factors that an individual must consider in making a decision to migrate:

1. Factors associated with the area of origin.
2. Factors associated with the area of destination.
3. Intervening obstacles.
4. Personal factors (Lee, 1966).

Lee's (1966) "Theory of Migration" and each of the factors will be used to interpret the participants' decision to leave their home country and migrate to the U.S.

#### *Factor 1 – Factors associated with area of origin.*

Factor 1., factors associated with the area of origin, categorized as push factors, serve the function of encouraging immigrants to either stay or leave their country of origin (Lee, 1966). In

the case of the participants, there were a number of push factors that motivated them to leave their home countries, the majority of which were specific to their area of origin. For example, all the participants, with the exception of Manuel, informed that the growing gang or drug cartel violence in their communities was a leading factor that either made their decision to migrate to the U.S. or influenced their decision to migrate. For some of the participants, specifically Aurora, David, Fernando, Francisco, and Noemi, who had experienced a direct threat of violence by a gang or drug cartel in their hometown, migrating to the U.S. was a decision that was made largely on the basis of their safety. Aurora, David, Fernando, Francisco, and Noemi recognized that in their home country, their lives were in danger, and as a result of the excessive gang violence in their communities, they needed to escape to the U.S., which presented the potential for physical safety. Thereby motivating their migration to the U.S., and therefore, decision to leave their area of origin.

Though, some of the participants did allude to their love of their home country, as evidenced by their interview responses, wherein they referenced positive ties and memories associated to their home country, such as attending school in their hometown, the friends they made in school, the community celebrations and festivities they partook in, and their greater access to nature in their area of origin. However, none of the positive factors associated with the area of origin was sufficient to suppress the participants' migration to area of destination—the U.S. In contrast to their home country, the area of destination, the U.S., offered a desirable and weighty privilege that their area of origin could not provide due to the gang and drug cartel violence in their communities—safety.



*Factor 2 - Factors associated with the area of destination.*

Moreover, Factor 2., factors associated with the area of destination, or pull factors, addresses the lucrative factors that influence a person's decision to migrate to a new destination (Lee, 1966). As previously noted in the theoretical framework section of this dissertation, the most outstanding pull factor among Lee's list of pull factors is economic advancement and opportunities for personal improvement (Lee, 1966). As Lee mentions, cosmopolitan cities and highly developed countries symbolize containers of these attractive opportunities, and thus, act to pull migrants to these areas of destination (Lee, 1966). For the young people in this study, there were several pull factors that they had associated to their area of destination, the U.S. Per their responses, they associated the U.S. with abundant economic and employment opportunities, a better life, safety from gang and drug cartel-inflicted violence, access to K-12 education and higher education, and reunification with parents and family members who were already residing in the U.S. Although the participants expressed that the pull factor—economic opportunity greatly influenced their decision to migrate to the U.S., it did not constitute their sole reason for migrating to the U.S. Instead, economic opportunity, represented one of the many factors that influenced their decision to migrate to the U.S. as unaccompanied minors. For the majority of the participants, with the exception of Manuel, whose primary intention in migrating to the U.S. was the opportunity for economic advancement, their decision to migrate was influenced by a combination of push and pull factors/positive and negative factors relating to their specific circumstances. For example, how likely were they to survive if they remained in their country.

*Factor 3 – Intervening obstacles.*

Factor 3., intervening obstacles, explains the intervening obstacles that migrants experience in migrating to a new place, and how these intervening obstacles impact a person's decision to

migrate (Lee, 1966). Per Lee, intervening obstacles includes distance between area of origin and area of destination, transportation costs, and safety and difficulty in migrating from the area of origin to the area of destination (Lee, 1966). The participants identified the following intervening obstacles in their migration journey to the U.S.: distance between their home country and the southern border, uncomfortable travel conditions, vulnerability and susceptibility to experiencing violence by drug cartels and organized crime groups while in route to the U.S., anxiety regarding travel in unknown territory, travel by dark and under terrible climate conditions, and the possibility and fear of not surviving the trip due to an accident or unexpected travel-related challenge. Per Lee, the rewards that the area of destination promises must outweigh the intervening obstacles involved in the migration journey (Lee, 1966). Such was the logic for many of the participants, who strongly believed that a better life awaited them in the U.S., as long as they were able to persevere in their difficult journey to the U.S.

*Factor 4 – Personal factors.*

Factor 4., personal factors, covers the personal factors that influence a person's decision to leave their home country for a new destination (Lee, 1966). Lee explains that life experiences and stages in the life cycle, considered personal factors, may influence a person's decision to migrate to a new country. Some of the life experiences that influenced the participants' migration decision included suffering violence and injustices in their country of origin by gangs or drug cartels, and the personal desire to reunify with their parents. Many of the participants for this study, shared that they had suffered violence by the gangs or drug cartels in their hometowns and/or that their parents had migrated to the U.S. for economic reasons and left them in the care of a grandparent or family member. Consequently, the participants who experienced traumatic incidents of violence in their home countries by gangs and/or organized crime groups were

further dissuaded from remaining in their country of origin. Similarly, participants who were left in their home countries by their parents at a young age, as young as 8 months, were very motivated to migrate to the U.S., by the desire to know their parents and/or establish a relationship with them.

Lastly, it is personal reasons and the perception of the conditions at both the area of origin and the area of destination that ultimately result in a person's decision to migrate (Lee, 1966). According to Lee (1966), a person's worldview and understanding of their place of origin and country of origin will significantly impact their ultimate decision to migrate to a new country. Much of the person's understanding of the area of origin and area of destination will depend on personality and the information that they have been given by outside sources. The majority of the participants in this study were informed about the U.S. by their parents and family members who were already residing and working in the U.S. Second, it is important to note that the majority, if not all of the information about the area of destination and all that it could potentially offer, including economic and educational opportunities, physical safety, and family reunification, was provided to the participants by parents and family members who planned to have their children join them in the U.S. in the foreseeable future. Thus, it is understandable, that the participants, all of whom were children and youth at the time of their migration to the U.S., would be influenced and driven to migrate to the U.S., based on the positive information that they had already been given about the area of destination—the U.S.

In summary, Lee's (1966) "Theory of Migration" theorizes the process of migration as involving a set of push and pull factors at country of origin and area of destination, intervening obstacles, and personal factors, all shaping into a person's decision to migrate. Lee's theory provided a framework for analyzing and understanding the migration of unaccompanied minors

from Latin America to the U.S. and how their decision to migrate to the U.S. is made based on the components outlined in Lee's Migration Model.

### Themes

On the basis of their migration stories as revealed in the interviews, the themes most prominent in the interview transcripts were grouped into five categories of themes that were identified. The first theme, "Reasons: Unaccompanied minors leave their home countries for a set of complex reasons," includes the factors that influenced each participant's decision to leave his or her home country and migrate to the U.S. The second, "A dangerous and uncertain migration journey," addresses the perilous and indefinite migration journeys that these youth embarked on in migrating to the US. "Country Conditions" discusses the gang and drug cartel violence, crimes, and immense poverty that have ravaged these study participants' home countries, and must be considered in effect, as partly motivating their decision to come to the U.S. "Immigration status as key to security and the ability to succeed in the U.S.," the fourth theme, focuses on the study participants' eligibility and application for immigration relief in the U.S. in the form of asylum or Special Immigrant Juvenile Status (SIJS), as well as the views they expressed on the significance of obtaining legal status in the US. The last theme that surfaced in the data is "Life Goals and Optimism." Participants shared information on their plans, goals, and dreams for the future, and spoke of their optimism in being able to achieve these goals. Samples of questions and replies from the interviews are provided in Appendix G and Appendix H.

*Reasons: Unaccompanied minors leave their home countries for a complex set of reasons.*

All the study participants reported leaving their home countries for a set of reasons, not any single one alone. However, there was one common factor that typically appeared to be the most influential—the desire to reunite with parents who were already living in the U.S. Many of

the participants reported that their parents had made the, invariably, difficult decision to leave them behind when they were still at a very young age. They would be left in the care of their grandparents or other family members, while their parents traveled alone to the US to seek employment. Their parents wanted to settle and work in the US in order to provide for their children back home. The long-term plan would be family reunification, after the parents had saved enough money. Fernando, originally from El Salvador, was succinct in summarizing his own reasons for migrating:

I felt motivated to migrate to the US because I wanted to know my parents. They [My parents] left me with my aunt in El Salvador when I was 8 months old. I was raised with my aunt...my mother's sister.

With the help of a *coyote* whom Fernando's parents had contracted, Fernando was able at the age of 14 to migrate to the California Bay Area to reunify with his mother, whom he had not seen in over ten years.

Roberto, originally from Guatemala, had a similar experience. When he was four, his mother left him in the care of his grandparents, so that she could travel to the US to earn money to provide for her children. He said:

My mom told me that she was going to bring us to the U.S., to be with her and to go to school in the US. I was 4 or 5 years old when my mother left for the U.S. When I arrived to the US and was reunited with her, I didn't know her. I didn't recognize her. I had not seen her in 10 years.

When I asked participants why their parents had left them behind with other family members (in most cases, grandparents), the most common response was simply that their parents were hoping to earn abroad and send back remittances to provide for their children. As Fernando

explains: “My parents left El Salvador for the same reasons that I left...they did not have the opportunity or means by which to support their children or family in our home country. And parents want the best for their children.”

Aurora’s story was similar. She attributed her ability to attend school and enjoy a relatively good quality of life in Honduras to the money that her mother would send to her grandmother on her behalf. Like Fernando and Roberto, Aurora was left in Honduras, in the care of her grandmother, when she was 11 years old, so that her mother and stepfather could come to the US to seek work and be able to send money to their home country to provide for Aurora. Aurora attributes her ability to attend school and have a good quality of life in Honduras to the money that her mother would send to her grandmother on her behalf, to provide for her schooling and living expenses.

Similar stories were recounted by Fernando, Roberto, and Francisco. They all reported that their parents were most concerned that they be able to go to school and have the things basic to a tolerable quality of life such as food, housing, clothing, and medical care. Going abroad to work, even if it meant leaving their children behind, was an acceptable sacrifice to enable them to afford these things. Fernando, Roberto, and Francisco informed that their parents had left them behind, in their home countries, so that they could be able to travel to the U.S. to seek employment, and in this form, provide for their children in their home countries. Per the participants, most important to the youth’s parents, was that their children be able to afford to attend school in their home countries, and that they have all the basic necessities for a good quality of life, such as proper care, food, housing, and clothing. According to Aurora and the other participants, in order for a child to be able to attend school in their home countries of El Salvador, Honduras, and Guatemala, the families must pay large fees to cover the cost of tuition,

books, education materials, and school uniforms. Thus, based on the participants' interviews, the participant's parents believed that it was extremely paramount that their children receive an education in their home country, and so they reasoned that leaving their children behind was not only the best way for providing their children with an education, but also in the overall best interests of their children.

*Dangerous and Uncertain Migration Journey: The migration journey of unaccompanied minors from Latin America to the U.S. is marked by grave danger, fear and uncertainty.*

The widespread view that migrants to other countries experience great hardships or perils along the way was confirmed in the stories of the participants. It was interesting and rare to have young people, as opposed to adult immigrants, confirm this very idea about their migration experience in their interviews. When asked about their migration journey, the majority of the participants described their journey as a frightening and uncertain experience, in that they did not know what the outcome would be or what to expect during their travels to the U.S. They were uncertain exactly whether they would succeed in arriving in the US (or in being able to stay here), or what to expect if they did. Aurora, David, Fernando, and Francisco each spoke of being scared during their migration journey, and of the fear that they might never see their parents again. Following is David's description of his migration journey to the US:

It was, thanks to God, not that dangerous of a journey, but it was nonetheless, a trip full of fear and full of doubt and one that requires a lot of courage and strong will. I did not know what awaited me or what to expect. I didn't know if I would be able to make it out on the other side in one piece or if I would be able to see my family again. I was 17 years old when I left there. No one was with me, accompanying me or guiding me on my journey to this country. It was all God's will.

The majority of the unaccompanied minors interviewed for this study, traveled to the U.S. with only the help of a coyote, and without an adult family member present. Some, however, like Maribel and Roberto, though with the help of a coyote, did not travel completely alone, as they had adult family members present with them during their trip. The interviews reveal that the participants, who traveled without adult family members, specifically Aurora, David, Fernando, Francisco, and Manuel, lacked the emotional support that a family member could provide during their travel to the US and were therefore, forced to rely to a greater degree on their guide (*coyote*).

Moreover, many of the participants expressed that their journey was particularly frightening because of the potential dangers they faced or feared while in route to the southern border. The participants reported feeling especially fearful when they arrived in Mexico, because of the vulnerability they faced in being kidnapped, extorted, robbed, and/or assaulted by the drug cartels in the region, specifically Los Zetas drug cartel. For instance, Aurora made reference to this concern in her description of her migration journey to the US:

It was sad. It was ugly. It is sad and ugly to have to leave your family and your home. I came by myself and it was really scary, especially since you hear a lot about Los Zetas drug cartel harming people on their way to the US. But I came with the thought that I was coming with God and that God was with me, and this gave me the strength I needed to keep going.

Both Aurora and David explicitly expressed concerns about the possibility of being victimized by the drug cartels in Mexico during their travel to the U.S. Per David, a drug cartel member approached him while he was waiting to board a bus in Reynosa, Mexico, and offered to help him cross the southern border in exchange for \$1,500 pesos. David reported that he felt



obligated to pay this for fear of what would happen if he refused. He said that it was commonplace in his home country of El Salvador to hear stories of Mexican drug cartels kidnapping or murdering migrants en route to the US. Thus, it is the unexpected interaction with strangers and the risk of being victimized by organized crime groups that renders an unaccompanied minor's migration journey to the U.S. so dangerous, frightening, and uncertain.

*Country Conditions: The participants' decision to migrate to the U.S. was greatly influenced by the fractured, societal conditions in their home countries, which included widespread gang and drug cartel violence, and lack of educational and economic opportunities.*

Many subthemes arose from the interviews around the commonalities in the societal struggles that their home countries currently face. The unaccompanied minors had all faced certain distressing social conditions in their home countries, and it was partly these that they were fleeing. Subthemes into which these can be grouped were identified. These include gang violence and crime, personal freedom and safety, and economic opportunity. The category of "Gang Violence and Crime" is a function of the power that certain criminal gangs have amassed in the participants' home countries (El Salvador, Honduras, and Guatemala), and the impact, in some cases direct, that these organized crime groups have had on the interviewees and their families. The second subtheme, "Economic Opportunity," addresses the poor economy and lack of employment opportunities that affect the participants' home countries, and how these factored into their decision to leave their home country. Lastly, under "Personal Freedoms and Safety" is a look at how the participants' quality of life in their home country was negatively affected by the existence of these societal pressures.

### *Gangs and Drug Cartels*

A recurrent subtheme that surfaced from the participant's migration stories was the understanding that the gangs, MS-13 and *Calle 18* (18<sup>th</sup> Street), and drug cartels, the Knights Templar (*Los Caballeros Templarios*) and vigilante Self-Defense Groups (*Grupos de Autodefensa Comunitaria*), had grown in power in the region, and constituted a real threat, directly impacting their lives and influencing their personal decision and their family's decision to migrate to the U.S. For some of the participants, the gangs and drug cartels had directly impacted their lives in the form of direct violence or threats. This was the case for Aurora, David, Fernando, Francisco, and Noemi, all of whom had been threatened with violence by gang or drug cartel members in their hometown. For example, members of the MS-13 gang had threatened to shoot and kill David, after he reported to the police that he had been robbed by a gang member. Similarly, Aurora's life had been threatened by gangs in Honduras, after she witnessed the murder of one of her classmates at school by a gang member. Aurora said that part of her reason for coming to the US was in search of safety from the gangs who were targeting her:

I left my country because of fear. Fear was my main reason for leaving my country. For as much as someone loves their country, one does not feel safe in their country. There is not much justice in Honduras.

Fernando, originally from El Salvador, had had his life repeatedly threatened by MS-13 members, after continually refusing to join the gang. Francisco, also originally from El Salvador, said that he and his siblings had frequently been robbed by MS-13 members. Noemi and her entire family were threatened with death if they failed to cooperate with the Knights Templar Cartel. Noemi informed that her main reason for leaving her home place of Michoacan, Mexico,

was to seek safety from the Knights Templar Cartel who were looking to force her into prostitution and use her as a transporter of drugs for the cartel.

When asked about her main reason for migrating to the U.S. to seek asylum, Noemi provided the following response:

They wanted to prostitute me to their head chiefs. I was expected to cooperate with them as a woman and as a family member of the person they had just assassinated. They confronted me several times...They knew who I was and that I was the ideal to prostitute...They also left notes threatening my life and my daughter's life. They have no shame. They are animals. I knew of a lot of other people from my town who were experiencing the same type of harassment, violence, and threats, and intimidation at the hands of the Knights Templar and the Self-Defense Groups. There were other young girls who were from my town that had to flee due to the threats that they were receiving from both groups.

Noemi explained that a failure on the part of the accosted individual would signify death and/or assault at the hands of the drug cartel:

Women who refused to cooperate with the drug cartel or self-defense groups' requests for prostitution were raped and/or killed. Both groups were engaging in these behaviors...They have no respect for anyone.

In other cases, where there was no direct contact with the organized crime group or gangs, as was the case for Manuel and Roberto, the presence of gangs in their home countries nonetheless had a significant impact on their lives, and was a factor in their decision to emigrate. For Manuel and Roberto, both originally from Guatemala, their decision to leave was preventative, as they sought to protect themselves from being victimized by the gangs, whose

membership was growing in their hometowns. When asked if there was a specific person, group, or situation that he had been seeking to escape in coming to the U.S., Roberto responded that he left because he was afraid that MS-13, the predominant gang in his hometown, would target him and his family. The following is Roberto's response to this question:

Yes, I was afraid that something bad would happen with the *Maras*. They would talk a lot about that in my hometown and I was afraid. They had a reputation for being bad and doing bad things to people. And I was afraid that they would cause harm to me or to someone from my family.

Thus, a recurring theme in the participants' testimonies, was a desire to escape the severe gang violence and crime that they had already been subjected to, and/or to decrease their chances of being victimized and/or further victimized by the powerful gangs and organized crime groups in their home countries. In light of such experiences and fears, it is understandable that many people would want to leave their country to escape this kind of risk, or even to protect themselves from imminent violence.

#### *Personal Freedoms and Safety*

A number of the study participants lamented that such personal freedoms as the right to attend school, leave their homes to run errands, or travel within their hometown, were greatly diminished by the lack of safety in their home country. They attributed this to the presence of the gangs, MS-13 (Mara Salvatrucha) and Calle 18 (18<sup>th</sup> Street Gang), in their hometowns and neighboring towns. Consequently, in order to keep themselves safe, many of the participants were forced to limit their activity outside of their home, which meant that they were forced to stop attending school altogether. All of them reported being unable to continue attending school due to either the gang violence or their family's inability to afford the costs of their school

attendance. Aurora, David, Fernando, Francisco, Maribel, and Roberto all reported that they could not leave their homes for weeks or months at a time and so were forced to stop attending school due to the increased gang violence and organized crime group violence in their communities. The participants shared their frustrations at not being able to enjoy as basic a human right as leaving their home to go to school or to run an errand.

Aurora, David, Fernando, Francisco, and Roberto all reported that the gangs would travel to the schools in their communities to inflict violence on targeted individuals and recruit gang members. For this reason, many of the youth living in these areas are effectively left without the opportunity to attend school, for fear of being assaulted or threatened by the gangs in their hometowns. In his interview responses, Fernando vividly described how the gangs would deter the youth in his town from attending school:

In coming to this country, I was seeking to escape *Las Maras* [Mara Salvatrucha-13 gang]. Because of *Las Maras*, I did not have the opportunity to go to school or pursue my studies. If they see you on the street, they try to force you to join their group and they also try to forcefully recruit students by going to the schools...they would try to make me join their gang using forceful words and threats.

### *Economic Opportunity*

Repeatedly, the participants' stories represented them as convinced that in their home country it was often impossible for citizens to survive or provide for their families. The participants all said that because of the lack of economic opportunities in their home country, they and their parents were left with no other choice but to leave their homes and migrate to the US with the hope for a better future. The majority of those interviewed had parents in the US who had left them in the care of other family members. As Roberto succinctly put it in his

response to the question as to why his mother left him in Guatemala with of his grandparents, “My mom told me that she was going to go to the US to work and that she would send us money so that we would be able to have a good life in Guatemala.” Over and over, the participants said that employment and economic opportunities in their home countries were very limited, and that the gang violence and government corruption in their communities exacerbated these conditions and prevented families from making economic progress. For example, Aurora said that because of the sanctions that the gangs are able to enforce against everyday workers, including bus drivers and police officers, families in Honduras struggle to make ends meet and to survive financially.

The majority of the participants said that job opportunities in their home countries are limited, especially for those whose families made their living as farmworkers. Manuel said that his parents had grown broccoli and would sell their produce in the community. However, when their crop was not doing well, the family would be faced with a deep financial setback. Because of this, at the age of 16, Manuel made the life-changing decision to travel to the US to seek employment to help provide for his parents in Guatemala, who were struggling to make ends meet. Manuel provided the following response when asked about his reasons for coming to the US:

The main reason for my coming here was to work to help my family financially. I want to help my family...help my family save some money so that they can buy some food and clothes...because they do not have enough money to buy the things that they need and want.

Manuel’s primary reason for coming to the US was therefore the desire to obtain employment in order to help his family financially, and provide them with a better quality of life.

*Immigration Status: Unaccompanied minors view immigration status as key to security and the ability to succeed in the U.S.*

All participants interviewed for this study emphasized the fundamental value and importance of unaccompanied minors, like themselves, obtaining legal residence status in the U.S. Each of the participants associated Legal Permanent Residence (LPR) status and US citizenship with certain rights and privileges. They had all been informed they had either already obtained or were in the process of obtaining citizenship or residence through Special Immigrant Juvenile Status (SIJS) or asylum. Many of the participants expressed that with US legal status, an unaccompanied minor, including themselves, would have access to more rights in this country, such rights as the ability to travel outside of the country and/or visit family members back home, protection from unexpected and terrifying deportations, as well as a broad sense of safety and security, education and economic opportunities, and the chance at a better life of that these can bring. Therefore, unaccompanied minors, as asylum seekers, in what is perceived to be an unwelcoming political climate to immigrants of color, hold the granting of Legal Permanent Residence (LPR) status as key to their security and ability to succeed in this country.

In his interview, Francisco spoke of the rights and privileges that he believes immigration relief options such as Special Immigrant Juvenile Status (SIJS) can represent for him in his life and in the lives of other unaccompanied minors:

Well, I believe that with legal status I will have more privileges...privileges such as the ability to have a better life. And also, the ability to achieve my dreams, which include to work in a field that I am passionate about. Also, I would be better able to travel to other countries.

Fernando, when asked how the obtaining of legal immigration status can be used to empower unaccompanied minors, said:

With immigration status, we can feel more secure in this country. Because in my opinion, we are nothing in this country without immigration status. We do not belong to this country. Similarly, with a green card, we are more able to pursue our studies and life goals.

Aurora provided a similar response to the question of the use of Legal Permanent Residence (LPR) status and Special Immigrant Juvenile Status (SIJS) to empower unaccompanied minors, with a focus on self-improvement:

The granting of amnesty to unaccompanied minors can show youth like me that they can accept help to better themselves. It would serve as an incentive to behave well and do well in their studies. Its not easy to come to a new country, and start a new life, with new friends, and so you have to fight for your happiness because no one else is going to do that for you. Amnesty would give the youth courage to persevere. This would help them feel more self-confident and more motivated to continue doing well in school and in life.

Manuel provided a similar response to the question of how Legal Permanent Residence (LPR) status can be used to empower unaccompanied minors:

...I do believe that with legal status, unaccompanied minors, like myself, will be better able to advocate for themselves and others, and be more able to help others. A lot of people have the desire to come to the US to try to make a better life for themselves, but this is oftentimes not an opportunity that is given to others because they are deported back to their home countries because they are undocumented.



Francisco also addressed the rights and privileges that he believes immigration relief benefits such as Special Immigrant Juvenile Status (SIJS) represent for unaccompanied minors like him:

Well, I believe that with legal status I will have more privileges...privileges such as the ability to have a better life. And also, the ability to achieve my dreams, which include to work in a field that I am passionate about. Also, I would be better able to travel to other countries.

It is clear from the participants' responses that the granting of immigration status, whether obtained by applying for Special Immigrant Juvenile Status (SIJS), asylum, or under a different immigration relief category, represents enormous rights and advantages in this country for immigrant youth. In fact, all the participants informed in their interviews that they had either already obtained Legal Permanent Residence (LPR) status through SIJS or asylum or were in the process of applying for LPR status with the assistance of a non-profit organization in the Bay Area. Certainly, their example appears to show that unaccompanied minors coming to the US from Mexico and Central America care greatly about obtaining legal immigration status in this country, primarily because it grants a person the right to reside in this country legally and to travel in and out of the country.

In addition to these expected advantages, participants mentioned feelings of security, safety, and motivation that legal immigration status could offer unaccompanied minors like themselves. For example, when asked how the obtaining of LPR status had impacted her life, Maribel replied: "I feel better. I feel more secure and safe now that I have my green card." Fernando said, "I feel that it [LPR status] will be an improved change for me. I will feel safer

and better able to pursue my studies and work opportunities... have my own businesses, and help the people that need help in this country.”

Mirroring Maribel and Fernando’s stance that Legal Permanent Residence (LPR) status has the potential to provide unaccompanied minors a sense of security, is Manuel’s response, wherein he shares why obtaining LPR status is extremely important to him:

It [Legal Permanent Residence/Green Card] will be very good Miss. If I get it, I will be happy, because no one will be able to arrest me or deport me. I will feel more secure and I will be able to show my ID to people who ask me for identification. At the moment, I feel very nervous because I am without identification to show people who ask for ID.

David, shared a similar sentiment when asked about the effect that obtaining LPR status will have on his life. In his response, David, like many of the other participants, confirms that LPR status provides people with protection against deportation. Paramount for him was protection against deportation:

The only relief that obtaining a green card grants is that it provides the security that you need to be here in the U.S. and prevents you from being deported back to your home country, where someone can harm you.

In response to a probe question regarding the current political climate in the U.S. and US President Donald Trump’s anti-immigrant rhetoric, Fernando shared the following concerns around deportation:

...all of his rhetoric about deportations is troubling. With this type of rhetoric, one does not know if they are in danger of being deported. And one thinks that it might happen to them and the thought of returning to one’s home country is terrifying.

Indeed, the idea of deportation and fears of being deported, were key concepts that surfaced from the participants' interviews, further illustrating the invaluable protection, safety, and security that unaccompanied minors have understandably come to associate the conferring of Legal Permanent Residence (LPR) and U.S. Citizenship with. Per the participants interviewed for this study, obtaining LPR status was the paramount goal that all undocumented immigrant youth should seek to obtain because of the sense of security and physical protection it provides against deportation, under what many participants have deemed to be a very racist immigration administration under U.S. President Donald Trump.

*Goals and Optimism: Unaccompanied minors are optimistic about their futures and about the prospects of achieving their educational, career, and life aspirations.*

The theme of "Goals and Optimism" covered the participants' remarks about their goals and plans for the future, as they emerged from the interview transcripts. Participants spoke of their educational and career goals and optimism about their own future. This optimism was also conveyed in their facial expressions, demeanor, and joyful affect, when asked about their plans for the future during the interview. When asked about their life goals, all the participants informed that they would first like to complete their high school education and pursue a higher education. Interestingly, while their career interests and passions differed, all of the participants expressed a genuine desire to continue their studies.

Participants were asked in the interview to describe their goals and plans for the future. Aurora answered that she would like to study cosmetology and dermatology and become an esthetician. David said he had hopes of pursuing a career as either an electrician or a police officer. Fernando spoke of his plan to attend Holy Names University, a Catholic college in Oakland, to study art and graphic design, and of becoming a graphic designer in the near future.

I am hoping to achieve my goal, which is to become a graphic designer. I want to be a good person in this country and lead by example in a good way.

Maribel shared that she would like to attend college and then a police academy to become a police officer. Roberto said that he would like to attend college and believed that once there, he would find his calling and career path. Based on the participants' interview responses, it is clear that these young people are all highly motivated to pursue their academic and career goals and dreams.

Beyond their future educational and career plans, many of the participants expressed a desire to help others, which was categorized under the subtheme of "Optimism." Fernando, for example, spoke of his desire to help members of marginalized populations in the US, specifically the homeless, once he becomes a citizen. While David and Roberto both shared that their ultimate goal in life is to be industrious, contributing members of American society. Manuel said he hopes to one day be able to help his family financially through his earnings, and give back to the people who supported and assisted him throughout his high school education: "I have dreams of working and one day being able to pay them [his teachers and family members] back for all that they have done for me."

#### Similarities and Differences Among Unaccompanied Minors from El Salvador

Surprisingly, El Salvador was the country that was most represented in the convenience sample of unaccompanied minors from Latin America for this study. Per the Research Director for this school site, the majority of their unaccompanied minor student population consider El Salvador their country of origin. Consequently, unaccompanied minors from El Salvador were largely represented in the sample for this study, with three study participants, David, Fernando,

and Francisco, identifying El Salvador as their home country. The following is an exploration of the similarities and differences between unaccompanied minors from El Salvador.

In reviewing the testimonies of unaccompanied minors from El Salvador, three salient similarities can be noted. First, all three unaccompanied minors, David, Fernando, and Francisco, reported that a prominent reason for leaving their home and migrating to the U.S. was to escape the gang-related violence in their home country. All three study participants informed that while living in El Salvador they feared and avoided, to the best of their ability, the MS-13 (*Mara Salvatrucha*) gang. All three unaccompanied minors from El Salvador reported having been immediately impacted by the MS-13 gang in various ways, but most commonly by way of threats. In the case of David, his primary reason for migrating to the U.S. was to escape the threats of violence and death that he had had experienced from MS-13 gang members in his hometown. Similarly, Fernando expressed that he had also been personally impacted by the MS-13 gang in his hometown of Santa Ana. Fernando reported that he had repeatedly been faced with threats from the MS-13 gang, looking to coerce him into joining the gang. Fernando explained that he feared for his life and what would happen to him had he stayed in El Salvador, where he was constantly being accosted by gang members looking to recruit him into the gang—something that he clearly did not wish to do. Like David and Fernando, Francisco also left El Salvador, to escape the violence and crime that is still being perpetrated throughout El Salvador by the MS-13 gang, oftentimes referred to as “*Las Maras*.” Francisco explained that he too was constantly being accosted and threatened by the MS-13 gang to join the gang. Thus, these reports by David, Fernando, and Francisco, all immigrant youth from El Salvador, suggest that a prominent similarity among unaccompanied minors from El Salvador who migrate to the U.S., is

the desire to escape the rampant violence and crime that is being perpetrated in their home country by the MS-13 gang.

Another similarity among the study participants from El Salvador is the finding that all three study participants already had biological parents and/or immediate family members living in the U.S. at the time of their arrival. All three study participants reported that their migration to the U.S. was also motivated by the desire to connect with and establish a relationship with biological parents who were already living in the U.S. For example, Fernando and Francisco, each reported having parents currently residing in the state of California—parents who left them in the care of family members in their home country so that they could be able to migrate and seek employment in the U.S. to support their children in El Salvador. Although both David's parents were living in El Salvador at the time of his migration, a commonality that he shared with Fernando and Francisco, is that of having immediate family members residing in California, whom he wished to be reunited with. For David, it was his older sister, whom he wished to reunify with, after not seeing for more than 6 years. Therefore, in addition to wishing to escape the prevalent gang violence in their home country, in taking the dangerous migration journey north, these young people sought to reunify with parents and/or family members who were already living in the U.S.

There were few differences that could be detected for the unaccompanied minor study participants from El Salvador. The main difference that the researcher found among the unaccompanied minor participants from El Salvador was in their means of travel to the U.S. While all three study participants from El Salvador reported having traveled to the U.S. by a combination of bus, car, and foot, a visible difference was in their ability to hire a migration guide or *coyote* (human smuggler) to aid them in their travel to the U.S. For example, although

Fernando and Francisco were able to hire a *coyote* to reach the southern border with financial help from their parents who were already living in the U.S., David was not afforded the same option. David's parents, unlike Fernando and Francisco's parents, were living in El Salvador at the time of his decision to migrate to the U.S. to seek asylum. Also, contrasting Fernando and Francisco's experience, David did not have the financial means to hire a *coyote* at the time of the emergency that triggered his migration north. As a result, David was left to fend for himself and to use his best judgment in traveling through Latin America to reach the U.S. Absent a migration guide, David, unfortunately, did not have the same protections that Fernando and Francisco had in hiring a *coyote*, such as knowledge of the best routes to travel to reach the southern border, experience in how to avoid extortion, theft, and violence by drug cartels and organized crime groups while en route to the U.S., and accommodations for places to stay to obtain food and rest. Subsequently, David was forced to migrate north with these added, logistical travel concerns that are typically addressed by a *coyote*/migration guide that is hired to help with the difficult journey to the U.S.

### Summary

The participants, demographically, share a similar story, in that all felt obliged to leave their home countries in Latin America for a complex set of reasons and societal factors, that were evidently out of their control. All 8 participants' decision to leave their home country was greatly influenced by the gang and organized crime group violence, and lack of economic and educational opportunities in their communities, as well as the desire to reunite with their parents and/or family members who had migrated to the U.S. years ago. Of the 8 participants, only one participant, Manuel, was mostly motivated to migrate to the U.S. by the pull factor—economic and employment opportunities available in the U.S., to improve the lives of his farmworking

parents, whom he left behind in his home country of Guatemala. Although Lee's Migration Model dates back to the 1960s, it is surprising to acknowledge how relevant and befitting it is for this unique immigrant population—unaccompanied minors from Latin America. In accordance with Lee's Theory of Migration, all participants mentioned a variety of push and pull factors associated with their country of origin and country of destination, intervening obstacles, personal factors, as influencing their ultimate decision to migrate to the U.S.



CHAPTER V  
DISCUSSION, CONCLUSIONS, IMPLICATIONS, RECOMMENDATIONS, AND  
CONCLUDING THOUGHTS

Overview

This chapter has five sections. The first section summarizes the findings of this research study, while the second section provides three general conclusions that can be drawn from the study, as well as the researcher's personal conclusions. The third section makes recommendations for systems and practitioners in the fields of immigration law and education, especially those who serve and work closely with unaccompanied minors and their families. The fourth section offers some recommendations for future research on unaccompanied minors from Latin America. The final section reflects upon the foremost conclusions derived from the study.

Introduction

The research questions sought to provide insight into the relationship between the push-and-pull factors of migration and the decisions of the unaccompanied minors interviewed to migrate to the U.S. The research questions are as follows:

- 1) What are the factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, particularly, Mexico, Honduras, Guatemala, and El Salvador? Specifically:
  - A. What are the personal and social problems that motivate many of them?
  - B. What are the economic problems?
  - C. What are the political problems?

2) How can Special Immigrant Juvenile Status (SIJS) be used to empower members of unaccompanied minor populations? In particular:

- A. What effect has migrating to the U.S. had on their lives?
- B. What expectations did they have in leaving their home countries and migrating to the U.S.?
- C. What does the granting of Special Immigrant Juvenile Status (SIJS) represent for, or mean to, them?

Lee's (1966) "Theory of Migration" provided an effective lens through which to understand the migration stories of the study participants, as evidenced by the commonalities between the factors that influenced their decision to migrate to the U.S. and those identified by Lee (1966). The participants' decision-making process in choosing to migrate to the U.S. reflected the factors identified in Lee's Migration Model—areas of origin and destination, intervening obstacles, and personal factors. Recommendations for further study, legal systems, immigration attorneys, and service providers are offered, along with some suggestions on educational, social, and legal services that could greatly benefit unaccompanied minors and their families.

#### Summary of Findings

*Research Question One: What are the factors that are motivating the migration of unaccompanied minors to the U.S. from Latin America, particularly, Mexico, Honduras, Guatemala, and El Salvador? What are the personal and social problems that motivate many of them? What are the economic problems? What are the political problems?*

The first research questions asked what are the personal, social, economic, and political factors that are motivating the migration of unaccompanied minors to the U.S. from Latin

America, particularly, Mexico, Honduras, Guatemala, and El Salvador. Those interviewed in this study all reported a combination of personal, social, economic, and political factors as having influenced their decision to migrate to the U.S. Surprisingly, all study participants considered the following factors as primary: gang or organized crime violence in their communities, the promise of economic and educational opportunities in the U.S., and the opportunity to reunify with parents who were already living in the U.S.

As discussed earlier, the growing violence in their home countries that made them worried for their personal safety was associated largely with the notorious MS-13 (*Mara Salvatrucha*) and *Calle 18* (18<sup>th</sup> Street) gangs, the Knights Templar Cartel (*Los Caballeros Templarios Cartel*) and, the vigilante group Self-defenders (*Grupos de Autodefensa Comunitaria*). For some, the decision to leave was a matter of life and death, consequent upon threats that had been made on their lives or those of immediate family members by one of these groups. Except for Manuel and Roberto, all those the researcher spoke with said that they had been directly impacted by the violence in their region, in the form of threats, harassment, or intimidation, or theft or extortion.

As reported by David, Fernando, and Francisco, a refusal to cooperate with a gang or criminal group in their home country of El Salvador, in whatever way the cooperation is demanded, will undoubtedly result in a threat to that person's life. The cooperation demanded could take on various forms mentioned by them, from not reporting crimes committed by gang members to the local authorities, to paying extortion fees or "rent," or assisting in coerced gang recruitment or joining the gang themselves. Refusal to perform any of these demanded acts of compliance would mean the person becomes a target for further violence and victimization. This was the experience of David, forced to flee his hometown in El Salvador after the MS-13 gang

threatened to shoot him for informing on one of their members who had assaulted and robbed David years before. Like David, Noemi, originally from Uruapan, in the Michoacán district of Mexico, was forced to leave her home country after her uncle was brutally killed by the Knights Templar Cartel, for refusing to pay extortion fees and hand over ownership of his used car dealership to the cartel. Noemi and the rest of her family were threatened with death by the drug cartel members, who threatened to kill them all if they did not cooperate and do as instructed. In communities throughout Mexico and the Northern Triangle, where powerful gangs and drug cartels exist, it is the common understanding that a failure to cooperate with these organized crime groups will result in being targeted, attacked, violated, and most likely killed. Because of these societal factors, unaccompanied minors like the participants for this research study are forced to flee their homes to the U.S. to seek asylum and safety from the gangs and organized crime groups in their home countries.

In addition to gang and organized crime group violence, the second dominant reason that the participants reported as motivating their migration to the U.S. was the prospect of educational and economic opportunities. For one participant in particular, Manuel, the possibility of being able to work in the U.S. to provide for his farmworking family in Guatemala, was the primary reason for his migration to the U.S. For the other participants—Aurora, Fernando, Francisco, David, Maribel, Noemi, and Roberto, the decision to migrate was greatly influenced by the possibility of obtaining an education in the U.S.

After the fear of violence, the second most cited reason participants gave as motivating their migration to the U.S. was the prospect of educational and economic opportunities. For Manuel, the possibility of working in the U.S. meant a way to provide for his farmworking family in Guatemala; this was his primary reason for migrating to the U.S. For the other

participants—Aurora, Fernando, Francisco, David, Maribel, Noemi, and Roberto, the decision to migrate was greatly influenced by the possibility of obtaining an education in the U.S. Manuel was alone in not citing this as a factor. All eight study participants, with the exception of Manuel, informed that the opportunity to attend school in the U.S. factored into their decision to leave their country of origin. All of the participants indicated that they, along with their families, greatly valued education, despite not being able to continue attending school in their home countries for a variety of reasons that included an inability to afford to attend school and the gang and drug cartel violence in their communities.

Per Noemi, in certain parts of the Mexican state of Michoacán, young people are prevented from attending school or university because of the likelihood of experiencing violence while traveling there. In some places, it is common for a bus en route to a school to be stopped and robbed at gunpoint by the drug cartel that is locally dominant. Many children are forced by this circumstance to stop attending school altogether for fear that they might be violently victimized by the drug cartels while traveling to school on public transportation. The same is true in many cities and towns in El Salvador, Guatemala, and Honduras; regions where the MS-13 and Calle 18 gangs maintain a huge presence. Francisco said that he and his older brother, who is a special needs student, were forced to stop attending school due to the presence of gang members in their community, who were known for targeting children on their way to and from school. The gangs target boys as potential gang member recruits, to participate, aid and abet in their organized crime schemes, and/or to rob or extort others in the community. Because of the severe and intense gang and organized crime group violence in their communities, seven out of the eight participants in the study were forced to stop attending school.

In spite of their limited access and exposure to education, all of the participants indicated that they deeply valued education and stressed the importance of obtaining a higher education for making an honest living, especially for immigrants in this country. All of the participants shared that they had high hopes of being able to pursue their educational and career aspirations once in the U.S. Many shared that they would like to pursue a career that would allow them to help others, particularly those in marginalized populations. All participants shared that they would like to go on to attend college and obtain careers that would allow them to help others, particularly marginalized populations. In addition to attending school and working towards their high school diploma, many of the participants said that they were working part-time jobs in the food industry to provide for themselves and their families.

The third most important reason for migration that emerged from the participants' interviews was the hope of reuniting with parents and/or family members who were already living in the U.S., mainly California. All of the participants reported that this was part of their reason for migrating to the U.S. They had all been left behind at a young age by parents who migrated to the U.S. to seek work—be able to provide for their children back home. This experience was true for six of the eight people interviewed for this study. Their parents had made a difficult decision and undertaken a sacrifice in coming to America with their children left behind. With the money that they earned working in various jobs—primarily as domestic workers, janitors, truck drivers, and construction workers—their children were provided with basic needs such as food, housing, clothing, and schooling in their home countries. Thus, for many of the participants, migration to the U.S. represented the chance to reunite with the parents they had not seen in years. In one case, that of Fernando, coming to the U.S. meant an

opportunity to meet the parents who had left him as an infant, and form a much longed-for relationship with them.

*Research Question Two: How can Special Immigrant Juvenile Status (SIJS) be used to empower members of unaccompanied minor populations? What effect has migrating to the U.S. had on their lives? What expectations did they have in leaving their home countries and migrating to the U.S.? What does the granting of Special Immigrant Juvenile Status (SIJS) represent for, or mean to them?*

Research Question 2 focused on how the immigration relief option, Special Immigrant Juvenile Status (SIJS), can be used to empower members of unaccompanied minor populations. More specifically, the researcher sought to explore, what does the granting of SIJS or Legal Permanent Residence (LPR) status represent or mean to unaccompanied minors? What effect has migrating to the U.S. had on their lives? What expectations did they have in leaving their home countries and migrating to the U.S.?

Lee's "Theory of Migration" (1966) argues that for persons to choose to migrate, the apparent positives of the destination location must outweigh the hardships that the migration journey seems likely to pose. According to Lee, those who choose to migrate reason that the dangers and uncertainties of the migration journey can be balanced by the safety acquired from the violence back home, along with the prospects of a better life, access to education and work opportunities, and family reunification. The participants' basis for migrating to the U.S. was very much in line with Lee's (1966) "Theory of Migration." More specifically, Special Immigrant Status (SIJS) and asylum, or Legal Permanent Residence (LPR) status, the participants believed, would be the pathway for accessing these opportunities, rights, and privileges. Therefore, official status as an immigrant was seen as maximizing these chances.

The importance of obtaining asylum or a status as a legal immigrant was repeatedly mentioned by all of those interviewed for this study. Applying for Special Immigrant Juvenile Status (SIJS) or asylum was viewed as a means of obtaining security, safety from deportation, the right to be in this country legally, and access to education and employment opportunities. The participants expressed that obtaining Legal Permanent Residence (LPR) or a green card was paramount for unaccompanied minors/immigrant youth particularly because of the psychological and material security that it could provide them with. Most also knew that it would provide some security against the possibility of being stopped, interrogated, or detained by Immigration and Customs Enforcement (ICE) officials. David, Manuel, Fernando, Francisco, Roberto, all young men from countries in the Northern Triangle, shared that with the granting of LPR status they would feel more secure and less afraid of the possibility of being stopped, interrogated, and/or detained by ICE officials or deported back to their home countries. Also, they believed that with LPR status unaccompanied minors would feel less fearful of the possibility of being deported back to their home countries where there is a high likelihood that they might be harmed or killed. Their fear was well-founded: being deported back to their home country could very well mean again facing mortal threats or acts of violence. These immigrant youth urgently want not only a better life, but also to stay alive.

When asked about the impact that he expected obtaining Legal Permanent Residence (LPR) status or a green card would have on his life, David said:

The only relief that obtaining a green card grants is that it provides the security that you need to be here in the U.S. and prevents you from being deported back to your home country where someone can harm you.

Fernando similarly said:



With immigration status, we can feel more secure in this country. Because in my opinion, we are nothing in this country without immigration status. We do not belong to this country. Similarly, with a green card, we are more able to pursue our studies and life goals...I feel that it will be an improved change for me. I will feel safer and better able to pursue my studies, work, have my own business, and help the people that need help in this country.

Therefore, because of the security, rights, and privileges that Legal Permanent Residence (LPR) status promises to provide, it is understandable as to why the participants would deeply emphasize the acquisition of this immigration status for unaccompanied minors like themselves.

Some of the participants in the study had either already obtained Legal Permanent Residence (LPR) status or asylum; the others were in the process of applying for asylum or SIJS. All the participants reported that their cases were being, or had been, represented by one of the non-profit organizations in the Bay Area that offer free or reduced legal services to people in low-income communities. Based on the participants' testimonies, it is my understanding that much is at stake for an immigrant youth in the failure to obtain legal immigration status, primarily deportation to one's country of origin.

The fears of deportation that these young immigrants all had were exacerbated by the anti-immigrant rhetoric and policies of U.S. President Donald J. Trump. They knew about the rhetorical abuse directed at immigrants from Latin America, and all were articulate in expressing their strong opinions about this. They understood that our nation needs to control the people who are allowed in, and they acknowledged that the concerns about immigrants were partly about crime, and not without some legitimacy.

The participants expressed that on the one hand they held compassion and understanding for the President in his desire to control and monitor the people that are being allowed into this country. The students sympathized with the President's desire to protect his country from ill-intentioned, bad people and ensure that the people who are allowed in are improving and not denigrating the country. However, the participants did not agree with the President's unjustified and exaggerated generalization of Latino immigrants as criminals, delinquents, and lazy public charges to society.

When asked about his opinion on U.S. President Donald Trump and his administration's anti-immigrant policies and rhetoric, David provided the following response:

Well there are many Latinos that believe that Donald trump is a racist...that he does not like us...he insults us. Yes, he insults us, and it is true that he does not like us. But we are to blame in part. Well, I am Latino, but I am not the type of Latino that he speaks of.

There are many Latinos that come to the US to participate in crime, live off the government, live off food stamps, and have lots of children. But it is also important to be considerate. We also come to this country to better ourselves. I understand that the only thing that he wants to do is to defend his country. But he needs to understand that not all of us are bad and delinquents...Because of one individual, everybody pays (*Por uno pagamos todos*).

In response to the President's anti-immigrant rhetoric, Fernando provided the following response:

Well, I believe that it is affecting us a lot, especially for those of us that want to study and become something in this life. Yes, there are people that come to this country from other countries with bad intentions, but there are also people that come here with good

intentions. Though I do not fault him, this is his country after all, and he wants to defend his country. And it makes sense that he would want to defend what belongs to him. But he needs to understand that simply because he comes across an immigrant who commits a crime in this country, that does not mean that all of us are delinquents. Not all of us are delinquents.

When asked her opinion of U.S. President Donald Trump, and his administration's anti-immigration policy, Aurora provided the following response:

Well, his views on immigrants and his policy on immigration are not good, the concept that he has of immigrants is not justified. We are not all the same. Yes, there are people that are bad, but not everyone is. And if it is the case that an immigrant is bad, this may be so because they were conditioned to be that way from a very young age.

The participants felt compelled to correct the misinformed stereotypes about Latino immigrants that were being promulgated by President Trump and his administration. The participants informed that the majority of Latino immigrants who come to this country do so because they want to better themselves, and make important contributions to American society. They considered that they, and by extension other, immigrant youth, are industrious and hardworking, honest, upright and respectful individuals who come to this country with good intentions.

Eager to oppose the immigrants-as-criminals narrative, they gave as examples in this regard their own motivations in emigrating as well as those of their parents; they all came to this country expecting to work hard and be contributing members of their adoptive society. They spoke with great optimism about their educational and career hopes in this respect. The participants' good deeds and plans for their futures also served as opposition to the misinformed

narrative about Latino immigrants that have been perpetuated in the media in the recent years by U.S. President Trump and right-wing conservatives. The participants spoke highly and with great optimism about their plans to pursue a higher education, obtain employment in the field that they are passionate about, give to underserved communities, and become productive members of society if allowed to remain in this country. It is important to note that many of the youth, in their everyday lives, were honoring this greater noble goal of becoming a contributing member of society by simply being good-industrious young people—pursuing their goal of graduating from high school, applying to colleges and universities, working part-time jobs, providing for themselves and their families, and working towards their life goals.

### Conclusions

Three important conclusions can be drawn from this study. First, the decision of an unaccompanied minor to migrate to the U.S. is typically motivated by three compelling reasons above all else: the dire need to escape the gang and organized crime group violence in their home countries, a lack of educational and economic opportunities, and the desire to reunite with biological parents who were already living in the U.S. In some cases, the decision to leave was based on only one of these reasons, in particular, being threatened with death by the dominant gang or drug cartel in their home region. In the, in fact rare, cases in which the threat of such violence was absent, economic motives might be singular, particularly the desire to seek employment in the U.S. in order to financially support one's family back home. This was the case for Manuel, whose family in Guatemala was struggling financially. Most of those interviewed were motivated by a combination of the above-mentioned social, economic, educational, and personal factors.

Secondly, the journey that unaccompanied minors must take to arrive at the U.S. border is invariably plagued with extreme uncertainty, danger, and a potential for violence by unknown actors. Four out of the eight participants reported hiring a *coyote* (a paid migration guide) to assist them in traveling to the U.S., while the other four traveled alone or with family members. Most reported enduring very uncomfortable travel conditions, such as riding on various buses and vehicles through the Northern Triangle and Mexico, hiding in the back of trailers transporting goods across border lines, hiding and running from U.S. Border Patrol agents in desert lands, walking for hours in the desert under extreme weather conditions, swimming across the Rio Grande, and sleeping in unknown hotels and hostels arranged by their migration leader or family members. Aside from the uncomfortable travel conditions, those who traveled alone reported having to contend with the possibility of being confronted with unknown criminal actors seeking to extort, rob, assault, or kidnap them. Unknown criminal actors could include the paid migration guide(s), members of a dominant gang or drug cartel, or ordinary citizens in the unfamiliar country that they were traveling through to arrive at the southern border. Moreover, because of the physical intensity and mental strength that a trip such as this entails, there was no certainty for any of them that they would in fact arrive at their area of destination in one piece.

Finally, a combination of quality legal, educational, and social services are vital for the survival and future success of immigrant youth in this country. All of the participants said that without legal immigration status or a green card they felt unsafe and feared that they would be deported back to their home country where they would most likely be harmed. Because of the importance for unaccompanied minors of obtaining LPR status by way of SIJS or asylum, it is paramount that quality legal representation be offered to immigrant youth so that they may be

able to apply for those immigration relief options that they are eligible for and are available to them.

Also, as acclimating and adjusting to a completely new environment has proven to be especially difficult for immigrants from Third World, Spanish-speaking countries, it is essential that unaccompanied youth be provided with a school environment in which they can receive the support that they need to adjust and thrive in their new environment. Many of the students credited their ability to learn, succeed, and adopt the English language to the supportive school environment at their current school of attendance, geared towards serving recently arrived immigrant youth like themselves. They all indicated that at the school they were provided with a safe and nurturing learning environment, with caring adults and mentors, as well as linkage to legal, mental health, educational, and social services designed specifically for unaccompanied minors. Therefore, to better support the overall well-being and future success of unaccompanied minors, this study concludes that competent comprehensive legal, educational, and social services need to be made available to this special population.

#### Researcher's Conclusions

In addition to the above-listed conclusions, the following conclusions can be drawn from this qualitative research study. First, based on the research findings, it is evident that the stories, voices, opinions, and needs of immigrant children and youth who come to the U.S. from Latin American countries have been disregarded and lost in the face of the politics and hateful rhetoric of U.S. immigration. Again, absent in the mainstream literature and information on immigration are the stories, voices, and needs of unaccompanied minors from Latin America—immigrant children and youth who travel to the U.S. without a parent or guardian, fleeing severe violence and persecution, and social conditions in their home countries of Mexico, Honduras, Guatemala,

and El Salvador. Political decision-makers and the larger American society remains indifferent, uneducated, and misinformed about the existence of this special immigrant child population: who they are, what are their testimonies, and what are their needs. The researcher has called the mainstream's lack of awareness of this special immigrant population and the poor treatment of unaccompanied minors from Latin America "an indifference towards the suffering of people of color." This stance is corroborated by the indifference and lack of concern for their well-being and the abusive and inhumane treatment that immigrant youth receive and face upon arrival at the southern border and while in U.S. immigration detention. The participants' negative experiences in immigration detention further validate this conclusion.

Because of the negative narratives and ideas that immigrants of color have been associated with by U.S. President Donald Trump, his administration, the mainstream media, conservative immigration pundits, and racist individuals in positions of power within the U.S. government and immigration system, immigrant youth of color are now especially vulnerable to being treated with great disdain upon their arrival at the southern border and while in immigration detention. Apart from being a U.S. immigration issue, the researcher notes that the disdain and hate towards immigrants of color, which is manifest in the poor reception and treatment of unaccompanied minors to this country, is a widespread systemic issue that American society has been grappling with for centuries. This indifference towards the suffering of people of color and, therefore, immigrants of color has been an ongoing societal problem that stems from the enslavement, oppression, and relegation of people of color to second-class citizen status by the White majority and lies deeper than the issue of immigration.

Moreover, as was repeatedly reported by the youths interviewed for this study, immigrant youth from Latin America and immigrants of color in general, because of their less desirable

status in American society, and labeling as criminals, public charges, and scapegoats for the country's social ills, are subjected to verbal abuse and inhumane detention conditions upon arrival at the southern border and while in immigration custody. It is the researcher's belief that because of their age, the violence and trauma that many of them have already experienced in their home countries, and the negative perceptions that exist about them, the U.S. immigration detention system poses an additional danger to this special immigrant child population by way of its abusive and inhumane treatment and the grave potential for causing additional harm to these young people. Seven of the 8 youths interviewed for this study reported being treated poorly by U.S. immigration officials and/or while in U.S. immigration detention. Many of the youth in this study said that upon their arrival at the southern border to make their request for asylum, they were insulted, belittled, bullied, and/or had racist and discriminatory language directed at them by a U.S. immigration official. The participants provided examples of the verbal abuse they endured. For example, David said that upon arrival at the southern border, a U.S. immigration official called him a racist derogatory term, accused him of being a Latino immigrant who had come to the U.S. to live off the government, and threatened to deport him back to his home country of El Salvador. Francisco reported that he and his autistic older brother, Ezequiel, were bullied and ridiculed by the U.S. immigration officer who processed them into a detention center for children. Per Francisco, the immigration officer tormented his autistic brother and threatened that he would remain detained and never be able to see his mother again. Aurora said that upon arrival at a family detention center in Texas, an immigration official spoke to her in a condescending manner and accused her of providing false documentation to travel to the U.S. illegally. From the participants' similar testimonies in these matters, we must suppose there are many more stories of discriminatory treatment that have yet to be told and documented.



In addition to the verbal abuse and cruel condescension that they experienced from U.S. immigration personnel, the participants spoke of the uncomfortable conditions they endured while in detention. Per all the participants, upon being detained at the southern border, they felt that they were being treated like prisoners. They all reported that they were housed in large concrete warehouses that had been converted into immigration detention centers for children and sectioned off by age. They were assigned to sleeping quarters that resembled cold concrete jail cells; many of them referred to these in their interviews as “jail.” Although the participants expressed that they were provided with decent food at the detention centers where they were placed, the rooming conditions were unbearable. Many complained that the detention centers were intolerably cold and that they were forced to sleep on the cold concrete floor with other children, with nothing but a mylar blanket to keep them warm. The majority of the participants who were housed in these detention centers, oftentimes referred to as *lilieras* (iceboxes), lamented that they were not immediately reunited with their parents who were already living in the U.S., as is required by U.S. law. Being away from their parents for a longer and unnecessary period of time proved to be a negative and traumatic experience for many of them. Having just fled various forms of vicious violence and suffering in their home countries, and surviving a perilous journey through Latin America to come to the U.S. to seek safety and asylum, these young people, it must be concluded, are extremely vulnerable and powerless upon arrival to the U.S. Therefore, because of these special circumstances and their downtrodden and demoralized state, it is my belief that the U.S. immigration system and its personnel should proceed with caution in receiving and working with these young people. Above all, they should aim to cause no further harm to members of this special immigrant child population, who have already suffered enough. As brown people, immigrants of color, the researcher suspects that if the youth

are eventually integrated into the larger society, they will remain highly vulnerable to experiencing further harm due to racism and discrimination on account of their race, ethnicity, color, class, and immigration status.

As previously mentioned, the goal of not causing this special immigrant child population further harm can most effectively be achieved in two ways: (1) Provide U.S. immigration leaders, staff, and personnel at all levels, including government-appointed social workers, immigration attorneys, immigration judges, state court judges, and advocates, with anti-racism training and an education about the very people that they are detaining and serving; (2) Uphold the Flores Settlement Agreement of 1997, which stipulates that children are not to be held in detention under cruel and inhumane conditions (Magee, 2018)(Sussis, 2019). In matters concerning racism and discrimination, and the indifference of many Americans towards the suffering of people of color, including children of color, education is the key. For this very reason, it is extremely important that professionals who are working with unaccompanied minors and immigrants of color, especially California Border Patrol (CBP) agents, be fully trained in anti-racism practices so as to prevent further harm to them (Magee, 2018) (Hing, 2019). Also, immigration judges, immigration attorneys, and state court judges, need to be fully educated and proficient in Special Immigrant Juvenile Status (SIJS) and all the immigration relief options that are available to immigrant children and youth in order to better serve and help unaccompanied minors (Hing, 2019). Individuals who are lacking in emotional intelligence, multicultural competence, anti-racism training and education, or compassion should not be allowed to work in systems that have heavy exposure to vulnerable immigrant child populations.

Secondly, we need to see to it that the guidelines for the detention of immigrant children set forth in the Flores Settlement are being upheld. The Flores Settlement Agreement of 1997,

which originated in 1985 with lawsuits by immigration activists against the federal government over the alleged mistreatment of immigrant children in detention facilities, provides detention standards for unaccompanied minors or unaccompanied alien children (UACs) (Sussis, 2019). The Flores settlement agreement specifies the following with regard to the detention of immigrant children: (1) The government will release children without unnecessary delay to their parents, legal guardians, other adult relatives, or other individual designated by the parents or guardians and who is currently residing in the U.S.; (2) The government will place children in the least restrictive setting possible; 3) The government will create and implement standards for the care and treatment of immigrant children in detention (Sussis, 2019). As confirmed by the participants interviewed for this study, the detention conditions under which unaccompanied minors are held at the southern border are far from being the decent accommodations intended by the Flores Settlement Agreement. Though these proposed measures may appear to be mandating costly luxuries, it is hard to imagine putting a stop to incidents of racism and abusive treatment towards immigrant youth of color without the implementation of these firm protocols.

Furthermore, lost in this hate and demonizing of immigrants of color is the truth that unaccompanied minors from Latin America are indeed innocent children in need of special protections and care, and not the demons or delinquents that racist Americans in positions of power have made them out to be. Unaccompanied minors are mostly children who are fleeing horrific violence and persecution in their home countries of Mexico, Honduras, El Salvador, and Guatemala, and journeying to the southern U.S. border to ask for clemency and asylum. Furthermore, immigrant youth, specifically immigrants of color, who have been traditionally vilified, dehumanized, and scapegoated by the current presidential administration, are mostly good, honest people, with powerful stories and testimonies of resilience. While it is perhaps an

elementary explanation, it is important to understand that like all other children, unaccompanied minors are children who love their families, have a common desire for a better life, and high hopes for achieving their educational dreams and life goals.

#### Recommendations for Future Research

One important gap drawn from this study is that there is a need for more research into this population. While this study sought to produce a study that is representative of the experiences of unaccompanied minors from Mexico and the Northern Triangle, its portrayal of them is far from being exhaustive, especially those of unaccompanied minors from Mexico. Because it has been standard protocol for U.S. border patrol agents and immigration officials to dismiss the asylum claims of unaccompanied minors from Mexico, there is not enough literature on the experiences of migrants from Mexico who meet the eligibility criteria for Special Immigrant Juvenile Status (SIJS) or asylum. Indeed, conducting qualitative research studies on unaccompanied minors such as this study is a good place to start, but it cannot be taken as sufficient for accurately understanding this unique immigrant child population. In general, further research needs to be conducted in order to explain, describe, understand, and document the migration experiences of unaccompanied minors from certain regions in Mexico and the Northern Triangle.

Another finding concerned the impact that the traumatic experiences in their home countries, during their migration journeys, and upon arrival to the U.S. have had on the overall development and thinking of these youths. For instance, most indicated that they had been abused; harassed, bullied, or intimidated; assaulted, or otherwise mistreated by criminal actors and in some cases family members in their home countries. The majority of the perpetrators were reported as belonging to the dominant gang, MS-13 or *Calle 18*, or drug cartel, the Knights

Templar Guard of Michoacán Cartel (*Caballeros Templarios Guardia de Michoacán Cartel*) or Self-Defense Groups (*Grupos de Auto-defensa Comunitaria*) in their home region.

In addition to suffering these traumas at home and on their journey to the U.S., many of the participants reported being verbally abused, insulted, or mistreated by U.S. immigration agents, officials and/or personnel at the immigration detention centers where they were placed. For instance, 4 of the 8 participants reported being cursed at, verbally abused, or insulted by the U.S. immigration officer who completed the paperwork for their placement at the immigration detention center. David reported that the immigration official who completed his request for transfer into an immigration detention center cursed and shouted racial slurs at him and accused him of being one of the Latinos who comes to the U.S. to live off the government. Francisco reported that one of the immigration officers who handled his and his older brother's processing at the immigration detention center mocked, ridiculed, and bullied his brother on account of his disability. Aurora shared that a male immigration official aggressively accused her of providing false identification and personal paperwork to further her immigration matter. For this special immigrant population, it seems that their age, ethnic background, and country of origin mean that they are especially vulnerable to experiencing excessive trauma of various kinds. The extent of these traumas and their impact is yet to be studied and understood.

#### Implications for Legal Practice

After extensive research, it seems clear that this is the first study that looked at the relationship between unaccompanied minors from Latin America, Lee's (1966) "Theory of Migration," and Special Immigrant Juvenile Status (SIJS). Secondly, based on the existing literature on immigrant populations, it is evident that studies on unaccompanied minors from Latin America are limited. Therefore, empirical data and information on this unique immigrant

child population is incomplete. This study may be most helpful to immigration officials, immigration attorneys, immigration judges, family and state court judges, social workers, and educators who work with this population, as well as policy-makers who develop laws and programs in the field of immigration detention that directly impact immigrant children, youth, and families. This study contributes to the fields of immigration law, family law, social welfare, and education in the areas of policy and practice, and professional development and training.

For those immigration firms, schools, and public service institutions that provide legal, educational, psychological, and social services to indigent immigrant communities, it is important to add to their knowledge of how to best assist and advocate for unaccompanied minors from Latin America upon their arrival to the U.S. As more unaccompanied minors migrate to the U.S., there needs to be services that speaks to the holistic needs, concerns, and migration histories of this immigrant child population, which for many years have been ignored by the mainstream. Creating such comprehensive services is essential in aiding, empowering, and preparing immigrant youth to adapt, live and work, contribute, and thrive in the U.S.

Professional development and training for service providers who work with unaccompanied minors from Latin America should be mandatory. Training for these service providers, which may include immigration attorneys, immigration judges, family court judges, immigration officials, especially California Border Patrol (CBP) agents, teachers and school staff, and social workers, should focus on the many challenges and obstacles that unaccompanied minors face in acclimating to a new environment and how these professionals can best assist them with reaching their personal goals. The young people who participated in this study repeatedly communicated both their need for safety and security and a desire to achieve their legal, educational, and career goals. It is imperative for the success of these young people that

service providers support and assist these unaccompanied minors as they navigate the new environment of the U.S. and experience an array of challenges. In the professional world, oftentimes leaders and managers receive training on special populations in a one-day seminar. Conversations with a trained facilitator could help these leaders create more effective and positive services for unaccompanied minors.

### Recommendations for Further Study

Following are recommendations for further study:

1. There needs to be another study on unaccompanied minors from Mexico and other unexplored parts of Latin America that sheds light on the migration experiences of immigrant youth. What are the push and pull factors that are motivating the migration of these immigrant youth to the U.S.? If they are eligible for Special Immigrant Juvenile Status (SIJS) and asylum, at what rates are they applying for these types of immigration benefits. If they are not applying for these forms of immigration relief, what are the reasons for this phenomenon?
2. There should be a longitudinal study that looks at and monitors the progress of unaccompanied minors in the U.S. who are granted Special Immigrant Juvenile Status (SIJS) or asylum.
3. Launch an in-depth study on the effects of trauma on unaccompanied minor youth, including any forms of racism and discrimination experienced upon arrival and detention at a U.S. southern border. The findings from this study can be used to develop counseling and social service programs to better serve unaccompanied minor children and youth.
4. Open an investigation into U.S. immigration detention centers to investigate their practices for working with children. Produce a descriptive report on their practices

regarding unaccompanied minors and adherence to professionalism and ethical standards, and the Flores Settlement conditions for detaining immigrant children. Based on the report, produce an employee handbook and new set of standards and guidelines on how to best work with unaccompanied minors at immigration detention centers and at all levels of immigration where children are involved, as well as the specific potential consequences that could be faced if there is a failure in adhering to these guidelines.

There is concern among immigration attorneys, immigration experts, and child advocates that California Border Patrol (CBP) agents, who have traditionally been the first line of contact with unaccompanied minors at the southern border, are not adhering to the Flores Settlement Agreement protocols for detaining children and/or standard U.S. immigration procedures for processing asylum seekers (Hing, 2019). Therefore, because CBP agents are the first people that unaccompanied minors come into contact with upon arriving at the southern border, it is extremely important that they receive the appropriate training and background on this unaccompanied minor population and the proper protocols for detaining them (Hing, 2019).

Recommendations for professionals and institutions that work with unaccompanied minors:

1. Offer courses in multicultural competence and anti-racist education at colleges and universities for students, especially law students and students in the helping fields, who plan and expect to work with immigrant populations, particularly unaccompanied minors from Latin America.
2. Create a special internship program for law students who are interested in practicing in the field of immigration law, such as the program at the University of San Francisco, School of Law, to expose students to diverse immigrant populations and how to best



serve and address their needs as future immigration attorneys. The internship program could also be an opportunity for future attorneys to learn creative ways for obtaining asylum or Legal Permanent Residence (LPR) status for their Spanish-speaking clients. Experience in serving this special immigrant population could prevent future problems, including hiring incompetent counsel and ineffective assistance of counsel, which are known to be frequent problems in the handling of Spanish-speaking immigrant clients' cases.

3. Create and implement special immigration detention policies for children at the macro-level that protect unaccompanied minors and children from inhumane and abusive conditions while in immigration detention centers. The participants in this study repeatedly expressed concern about the uncomfortable and cruel conditions that they were subjected to while they were being held in U.S. immigration detention centers, specifically in Texas and Arizona. The participants all said that they were extremely cold and uncomfortable during their detention in holding cells—sleeping on the concrete floors, with only Mylar blankets to keep them warm.
4. Promote supportive environments for newly arrived immigrant youth, such as schools that target and serve immigrant children and youth. Oakland International High School in Oakland, California, is an excellent example of a positive and supportive learning environment for immigrant youth, where the youth receive specialized assistance with English language acquisition and are connected to special legal, counseling, educational, and social services.
5. Conduct trainings on multicultural competence and best practices for working with children for immigration personnel at U.S. holding cells and immigration detention

centers for children and families. A prominent concern that emerged from the participants' interviews was the abusive, racist, and condescending treatment that they received as they were being questioned and processed into the immigration detention system. Some of the participants reported that the immigration officials at the immigration detention centers acted in an unprofessional manner, directing racist and derogatory language at them. Francisco reported that the officials at the detention center where he and his autistic brother were held ridiculed and bullied his brother on account of his disability. The implementation of guidelines for processing children and youth at U.S. immigration detention centers and adherence to multicultural competence at them could prevent further abuses towards unaccompanied minors and immigrant children in general.

6. Encourage schools that house high immigrant student populations to offer special student services and resources for newly arrived immigrant youth. These supportive resources can include courses in English language acquisition, and individualized counseling to identify and monitor progress towards achieving academic, legal, and career goals.
7. Educators and school staff who work with unaccompanied minors should attend trainings on best practices for working with immigrant children, youth, and families. All of the participants reported experiencing trauma, whether it was prior to, during their migration to the U.S., or upon arrival to the southern border. These traumas need to be addressed, including through individual counseling, psychotherapy, and/or family counseling.

### Concluding Thoughts

In reflecting upon the process of researching and writing this dissertation, the researcher has reached three conclusions. First, this study sheds light on a unique immigrant population—unaccompanied minors from Mexico and the Central American Northern Triangle, a population

that has remained practically invisible and absent in studies of immigrant populations. This study illuminates the motivations of unaccompanied minors who have left these Latin American countries to embark on a dangerous and uncertain migration journey to the U.S. The primary reasons are gang or organized crime violence in their home country, the promise of economic and educational opportunities in the U.S., and the opportunity to reunite with parents who are already living in the U.S. This study has shined a light on a special population and migration issue. However, there is still more to be discovered with regard to this phenomenon. There clearly are deep-seated social, political, and economic factors involved at the macro-level that are outside the control of these individuals, that have caused the rise in immigration from these countries, and that have yet to be fully explored or perhaps even, in some cases, identified.

Secondly, based upon the findings of this study, the researcher believes that unaccompanied minors' need for psychological and material safety and security can be met in part with the granting of Legal Permanent Residence (LPR) status and eventually U.S. citizenship, by way of Special Immigrant Juvenile Status (SIJS), asylum, or any other immigration category for which they may qualify. Unaccompanied minors of Latino backgrounds today are living in incredibly politically-charged times, with immigrants being terrorized and serving as scapegoats for the many ills in this country. Because of the current hostility towards immigrants of color, it is vital that unaccompanied minors be provided with multiculturally competent, quality, and compassionate legal representatives who can best advocate for them and help meet their needs. However, the researcher warns and is concerned that the obtainment of LPR status and U.S. citizenship alone are not enough to protect immigrants of color, especially young people, from potential forms of racism and discrimination. More needs to be done to protect and keep immigrants of color safe from racist and abusive

actions. Also, standard protocols need to be implemented for recently arrived unaccompanied minors and other Spanish-speaking immigrants, including providing them with the knowledge and ability to exercise their civil and human rights, while they work towards adjusting their immigration status.

Lastly, it can be concluded from this study that unaccompanied minors would greatly benefit from multiculturally competent service providers and safe school environments that serve recently arrived immigrant populations. In general, because of their age and background, unaccompanied minors can be expected to have experienced a significant amount of trauma, either in their country of origin, during their migration journey, and/or upon arrival at the border. Their exposure to trauma as children means that it is particularly important that they be provided with safe spaces where they can heal, recover, and work towards their goals and success, as well as, of course, expect no further harm. The schools they attend here can and should be one place for this healing to occur. And in order to ensure that they suffer no further harm, multicultural and anti-racist training for service providers (including immigration personnel at all levels, immigration attorneys and judges, social workers, and educators) is also recommended. It is also worth considering that one notion that is often lost in the all too often negative reception and administrative processing of unaccompanied minors from Latin America is the fact that these immigrants are children, and because of this, have a particular need to be treated with care and dignity, and as people who are not criminals but, in a way, like all children, perhaps even more innocent than the rest of are usually presumed to be.

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APPENDIXES

## Appendix A

## Introductory Letter to Participants

January 30, 2019

To Whom It May Concern:

I am conducting a study on unaccompanied minors from Mexico and the Northern Triangle as part of my doctoral studies at the University of San Francisco, School of Education. The goal of this study is to shed light on the migration stories of unaccompanied minors from Latin America and to support them in their application for Special Immigrant Juvenile Status (SIJS). My hope is that the findings from this study will be used to fill-in the gaps in the existing literature on unaccompanied minors and inform the work of service providers who work closely with unaccompanied minors from Latin America, specifically immigration attorneys, social workers, and educators.

The format of the study will be based on a one-on-one interview lasting approximately one hour and a half. The interview, which will require an audio recording, is an opportunity for you to tell your personal migration story as an unaccompanied minor and the factors that influenced your decision to migrate to the U.S. I would greatly appreciate your participation in this research study. This project has the potential to raise awareness about a unique immigrant child population and to help service providers better understand how to best support unaccompanied minors from Latin America.

If you are interested in the findings of this research, I am more than willing to share the data and information at the end of the project. Should you have any questions, please do not hesitate to contact me at (510)219-5252 or lcaldera@usfca.edu. I look forward to hearing from you.

Sincerely,

Lorena Caldera

Doctor of Education in International and Multicultural Education, Concentration in Human  
Rights Candidate

University of San Francisco

## Appendix B

### Informed Consent Form

#### CONSENT TO BE A RESEARCH SUBJECT

Lorena Caldera, a doctoral student in the School of Education at the University of San Francisco, is conducting a study on unaccompanied minors from Mexico and the Northern Triangle and their migration journey to the U.S.

I understand that if I give consent for my child to participate in this study, my child will participate in a personal interview with Lorena Caldera, during which time my child will be asked about their migration experience to the U.S. from their country of origin. An audio recording of my child's interview will be required to assist the researcher in acquiring accurate data and for note-taking.

Study records will be kept strictly confidential. No individual identities will be used in any reports or publications resulting from this study. Study information will be coded and kept in locked files at all times.

If I have any questions or comments about my child's participation in this study, I should first contact the researcher. If for some reason I do not wish to do this, I may contact the Institutional Review Board for the Protection of Human Subjects (IRBPHS), which is concerned with the protection of participants in research studies. I may reach the IRBPHS office by calling (415) 533-6091 and leaving a voicemail message, by emailing [IRBPHS@usfca.edu](mailto:IRBPHS@usfca.edu), or by writing to



the IRBPHS, Department of Psychology, University of San Francisco, 2130 Fulton Street, San Francisco, CA 94117-1080.

I have been given a copy of the “Research Subject’s Bill of Rights” and I have been given a copy of this consent form to keep.

Participation in this research study is voluntary. I am free to decline to participate in this study, or to withdraw from it at any time.

Sincerely,

---

Research Participant

---

Research Participant’s Legal Guardian/Parent

Appendix C  
Demographic Information

Table 1

*Demographic Characteristics of the Eight Unaccompanied Minor Participants by Assigned Pseudonyms*

Participant	Gender	Age at Time of Migration	Country of Origin	Means of Travel
Aurora	Female	13 years old	Honduras	By bus and foot
David	Male	17 years old	El Salvador	By bus and foot
Fernando	Male	14 years old	El Salvador	By bus, car, and foot
Francisco	Male	15 years old	El Salvador	By car, bus, trailer and foot
Manuel	Male	16 years old	Guatemala	By bus and foot
Maribel	Female	14 years old	Guatemala	By bus and foot
Noemi	Female	18 years old	Mexico	By car and plane
Roberto	Male	12 years old	Guatemala	By car, bus, and foot

## Appendix D

### Research Subjects' Bill of Rights

Research subjects can expect:

- ▶ To be told the extent to which confidentiality of records identifying the subject will be maintained and of the possibility that specified individuals, internal and external regulatory agencies, or study sponsors may inspect information in the medical record specifically related to participation in the clinical trial.
- ▶ To be told of any benefits that may reasonably be expected from the research.
- ▶ To be told of any reasonably foreseeable discomforts or risks.
- ▶ To be told of appropriate alternative procedures or courses of treatment that might be of benefit to the subject.
- ▶ To be told of the procedures to be followed during the course of participation, especially those that are experimental in nature.
- ▶ To be told that they may refuse to participate (participation is voluntary), and that declining to participate will not compromise access to services and will not result in penalty or loss of benefits to which the subject is otherwise entitled.
- ▶ To be told about compensation and medical treatment if research related injury occurs and where further information may be obtained when participating in research involving more than minimal risk.
- ▶ To be told whom to contact for answers to pertinent questions about the research, about the research subjects' rights and whom to contact in the event of a research-related injury to the subject.
- ▶ To be told of anticipated circumstances under which the investigator without regard to the subject's consent may terminate the subject's participation.
- ▶ To be told of any additional costs to the subject that may result from participation in the research.
- ▶ To be told of the consequences of a subjects' decision to withdraw from the research and procedures for orderly termination of participation by the subject.
- ▶ To be told that significant new findings developed during the course of the research that may relate to the subject's willingness to continue participation will be provided to the subject.
- ▶ To be told the approximate number of subjects involved in the study.
- ▶ To be told what the study is trying to find out;
- ▶ To be told what will happen to me and whether any of the procedures, drugs, or devices are different from what would be used in standard practice;
- ▶ To be told about the frequent and/or important risks, side effects, or discomforts of the things that will happen to me for research purposes;
- ▶ To be told if I can expect any benefit from participating, and, if so, what the benefit might be;
- ▶ To be told of the other choices I have and how they may be better or worse than being in the study; To be allowed to ask any questions concerning the study both before agreeing to be involved and during the course of the study;
- ▶ To be told what sort of medical or psychological treatment is available if any complications arise;

- ▶ To refuse to participate at all or to change my mind about participation after the study is started; if I were to make such a decision, it will not affect my right to receive the care or privileges I would receive if I were not in the study;
- ▶ To receive a copy of the signed and dated consent form; and
- ▶ To be free of pressure when considering whether I wish to agree to be in the study. If I have other questions, I should ask the researcher or the research assistant. In addition, I may contact the Institutional Review Board for the Protection of Human Subjects (IRBPHS), which is concerned with protection of volunteers in research projects. I may reach the IRBPHS by electronic mail at [IRBPHS@usfca.edu](mailto:IRBPHS@usfca.edu),

### **References: JCAHO and Research Regulatory Bodies**

- (1) To be told what the study is trying to find out;
- (2) To be told what will happen to me and whether any of the procedures, drugs, or devices are different from what would be used in standard practice;
- (3) To be told about the frequent and/or important risks, side effects, or discomforts of the things that will happen to me for research purposes;
- (4) To be told if I can expect any benefit from participating, and, if so, what the benefit might be;
- (5) To be told of the other choices I have and how they may be better or worse than being in the study;
- (6) To be allowed to ask any questions concerning the study both before agreeing to be involved and during the course of the study;
- (7) To be told what sort of medical or psychological treatment is available if any complications arise;
- (8) To refuse to participate at all or to change my mind about participation after the study is started; if I were to make such a decision, it will not affect my right to receive the care or privileges I would receive if I were not in the study;
- (9) To receive a copy of the signed and dated consent form; and
- (10) To be free of pressure when considering whether I wish to agree to be in the study. If I have other questions, I should ask the researcher or the research assistant. In addition, I may contact the Institutional Review Board for the Protection of Human Subjects (IRBPHS), which is concerned with protection of volunteers in research projects. I may reach the IRBPHS by electronic mail at [IRBPHS@usfca.edu](mailto:IRBPHS@usfca.edu)

## Appendix E

## University of San Francisco Human Subjects Approval

To: Lorena Caldera  
From: Terence Patterson, IRB Chair  
Subject: Protocol #1155  
Date: 01/03/2019

The Institutional Review Board for the Protection of Human Subjects (IRBPHS) at the University of San Francisco (USF) has reviewed your request for human subjects approval regarding your study.

Your research (IRB Protocol **#1155**) with the project title **A Qualitative Research Study on Unaccompanied Minors from Latin America** has been approved by the IRB Chair under the rules for expedited review on **01/03/2019**.

Any modifications, adverse reactions or complications must be reported using a modification application to the IRBPHS within ten (10) working days.

If you have any questions, please contact the IRBPHS via email at [IRBPHS@usfca.edu](mailto:IRBPHS@usfca.edu). Please include the Protocol number assigned to your application in your correspondence.

On behalf of the IRBPHS committee, I wish you much success in your research.

Sincerely,

Terence Patterson, EdD, ABPP  
Professor & Chair, Institutional Review Board for the Protection of Human Subjects  
University of San Francisco  
[irbphs@usfca.edu](mailto:irbphs@usfca.edu)  
[USF IRBPHS Website](#)

## Appendix F

## University of San Francisco Human Subjects Approval

To: Lorena Caldera  
From: Richard Johnson, IRB Chair  
Subject: Protocol #1155  
Date: 02/04/2019

Dear Lorena Caldera:

Your Amendment for research (IRB Protocol **#1155**) with the project title **A Qualitative Research Study on Unaccompanied Minors from Latin America** has been approved by the IRB Chair on **02/04/2019**.

Any modifications, adverse reactions or complications must be reported using a modification application to the IRBPHS within ten (10) working days.

If you have any questions, please contact the IRBPHS via email at [IRBPHS@usfca.edu](mailto:IRBPHS@usfca.edu). Please include the Protocol number assigned to your application in your correspondence.

On behalf of the IRBPHS committee, I wish you much success in your research.

Sincerely,

Dr. Richard Gregory Johnson III  
Professor & Chair, Institutional Review Board for the Protection of Human Subjects  
University of San Francisco  
[irbphs@usfca.edu](mailto:irbphs@usfca.edu)  
[IRBPHS Website](#)

## Appendix G

## Sample of Interview Transcripts

## AURORA

Probe Phase:

Researcher: Can you describe your trip to, and experience in, the U.S.?

Aurora: It was sad. It was ugly. It is sad and ugly to have to leave your family and your home. I came by myself and it was really scary, especially since you hear a lot about the Zetas drug cartel harming people on their way to the U.S. But I came with the thought that I was coming with God and that God was with me.

Researcher: How did you migrate to the U.S.? Did you come on foot, by bus, by plane, or by a different method?

Aurora: First, to arrive to Mexico, I came by bus and passed through Guatemala. Once I arrived at Mexico I came by foot. But it was difficult because immigration officials from Guatemala would board the buses that were en route to Mexico to inspect and ask for people's identification. Whenever immigration officials from Guatemala would board the bus to inspect, I had to hide.

Researcher: How old were you?

Aurora: I was thirteen years old.

Researcher: What would have happened if they found out that you were a minor on the bus without a parent or guardian?

Aurora: They would have returned me to my home country. But it would have been worse than that because there are officials that are corrupt. There are some that are really bad people and they take money from you and do not contact your family. Or they can kidnap you.

Researcher: Was there anyone who helped you migrate/travel to the U.S.?

Aurora: Yes. There was a person from my hometown that would help groups of people travel to the U.S. from Honduras. But he only helped guide me to Mexico. I had to pay this person to have him help me travel to Mexico. At the time, my mother was already here. She would send money to my grandmother to help care for me. With the money that my mother would send my grandmother to help take care of me, I saved enough to pay the guide (*coyote*) to come here.

Researcher: How much did you have to pay this person to help you travel to Mexico?

Aurora: I don't remember, but I imagine that it was not as much as it is today. *Coyotes* nowadays charge people up to \$10,000 to help people from Honduras and El Salvador travel to Mexico and the US.

Researcher: When you arrived at Mexico, what Bordertown did you arrive to?

Aurora: Matamoros, Mexico.

Researcher: What happened when you arrived to Matamoros, Mexico?

Aurora: When I arrived there, I had to walk for hours to get to the Rio Grande River. The guide told us that we would have to cross the river on floaters. When I arrived to the river, I was paired with another girl.

Researcher: How long did you have to walk before you got to the river?

Aurora: It was many hours of walking.

Researcher: How long did it take to cross the river?

Aurora: About 15 minutes. I was especially afraid while crossing the river, because I felt the slimy debris from the bottom of the river getting stuck to my feet and legs. The girl that I was paired with was also afraid. After that we had to walk for many hours in the dark. This all happened at night. I remember it being so dark and the only light that we had to guide us was the light from the moon. And it was especially awful whenever we had to run and hide from the border patrol cars in the area. The worst was when we would run and hit a bush with prickly shrubs and the shrubs would get stuck to you. It felt very uncomfortable whenever the prickly shrubs from the bushes got stuck to you and your clothes.

Researcher: What happened after? Eventually we reached a wall and a freeway. And there we waited for someone to come pick us up. We had to hide while we waited for our transportation to arrive.

Researcher: Where would you hide?

Aurora: We hid in holes in the ground. And it was so cold. And by the time our journey came to an end, I was filthy. I was covered in dirt, mud, and filth.

Researcher: How long did you travel for?

Aurora: 3 week in total...3 weeks in November.

Researcher: Where would you sleep during your trip?

Aurora: We slept in hotels in Guatemala. And afterwards, in Mexico, they would take us to homes that belonged to people that were known by the coyote. At the homes, they would feed us and we would rest.

Researcher: Were you afraid?

Aurora: I was very afraid. For my entire trip, I would mostly only think about my mom and my grandmother.

Researcher: On your trip did anyone harm you?

Aurora: No, thanks be to God.

Researcher: What were your reasons for leaving your home country and coming to the U.S.?

Aurora: I left my country because of fear. Fear was my main reason for leaving my country. For as much as someone loves their country, one does not feel safe in their country. There is not much justice in Honduras. At the school that I attended in Honduras, everyone got along well. In that school they went by cohorts, and I got along with all the students from the last cycle/cohort before my cohort. The bad thing about that school is that if you have a problem with a classmate, its as if you have a problem with all of the people that belong to that cycle. At the end of the cycle or semester, they killed one of my classmates...an assailant just entered the school and shot and killed my classmate, right in front of me, while we were working together on a class assignment.

Researcher: Do you know who killed your classmate?

Aurora: I imagine that the person that killed my classmate was a gang member because he was covered in tattoos. Immediately after this happened, all of my classmates fled to other countries. That I know of, most of my classmates fled and sought refuge in Mexico. That I know of, I am the only one that fled to the US. Although the police arrived to my school immediately after my classmate was killed, nothing was done. The same day that my classmate was assassinated, I started making plans to leave Honduras.

Researcher: Did you tell anyone that you would be leaving?

Aurora: I only told my grandmother.

Researcher: Did your grandmother support your decision to leave?

Aurora: Yes.



Researcher: If you had stayed, what would have happened?

Aurora: They would have looked for me to harm me...to kill me. I became a target because I was the only one who saw everything. I was the only one who witnessed what happened to my classmate.

Researcher: Were there personal, social, political and/or economic problems that motivated your migration to the U.S. from your home country? For example, were there problems in your family? Were you afraid of the police? Did your family have enough food to eat? Did your parents have just employment?

Aurora: I left mostly for political and safety reasons. The police in my home country claim to protect the community, but they don't. But they can't. But perhaps, they feel threatened and forced by the gangs to not protect the community.

Researcher: Who threatens the police?

Aurora: The gangs. Mostly gang 18. There are two prominent gangs in Honduras—MS 13 and 18 Street Gang. Gang 18 is known for being the most dangerous gang in Honduras. They kill everyone. They don't care about killing children. For this very reason, the people in my hometown and home country mostly fear gang 18. I am not sure what the situation must be like in Honduras now, but I understand that situations change. There have been massacres in my home country and the police do nothing. On top of the poverty that already exists there, there is so much gang violence there.

Researcher: How do the gangs inflict violence on members of the community? They threaten people with death, extort money from impoverished people, and impose tariffs on the people.

Researcher: Who do they impose tariffs on?

Aurora: They extort money from workers in the community like bus drivers by imposing tariffs on them. And if you don't pay them, they kill you and your clients and your passengers.

Last year, there was a march in Honduras to protest the tariffs that were being imposed by the gangs. With the tariffs in place, people are left with nothing to survive. All of the gangs engage in this practice, not just gang 18. I believe that they are able to do this because they are working in collaboration with the government. And again, the government does nothing to protect the people from the gangs. The only thing that the government does is shut the sun with one finger...look the other way...turn a blind eye.

Researcher: Was there a specific person, group, and/or situation that you were seeking to escape in coming to the U.S.?

Aurora: Yes, I was looking to escape the gangs in my hometown.

Researcher: Are you afraid of returning to your home country?

Aurora: Yes.

Researcher: How come?

Aurora: I am afraid of re-encountering the very people who killed my friend and classmate, and that they will harm me because I was a direct witness to the murder. Also, I know, I have heard that people cannot escape their past.

Researcher: What did you hope to achieve in migrating/relocating to the U.S.?

Aurora: More than anything, to feel safe.

Aurora: When I arrived at El Paso, Texas, the guide opted to send me by bus to my mother. And while I was on the bus, traveling to be with my mother, I was apprehended by a Texas Immigration official.

Researcher: How were you apprehended by immigration?

Aurora: While I was on a bus en route to California from Texas, an immigration official approached me on the bus. I was asleep. The official spoke to me in English and I did not understand what he was saying. He off boarded me from the bus. I was transported to 3 icebox family detention centers in Texas. There was an immigration representative that treated me very badly. He was accusing me of having false paperwork. He was abusive in the way that he spoke to me. I was a child. He would tell me that my documents were false and I repeatedly told him that I had nothing to hide. Afterwards I was transported to another icebox. At the first icebox I was only there for a few days. The place didn't even have windows. At the second icebox, I was only there for one day. At the third icebox, I was there for about 1 week. It was so cold. And in the morning, they would line us up to take roll and count us...and the blankets that they gave you did not keep you warm. There were girls at the icebox detention centers that had been there for months. They felt desperate to get out. On many occasions they had to call the medics to treat the girls because some of them were self-harming themselves due to feelings of desperation. Eventually they were able to locate my mother. Before sending me with my mom, they sent me to a foster home, where they provided me with a counselor. I stayed there for about a month. I believe this home was run by the same people that operated the immigration detention center. During my stay at this place, I felt very alone. And it was around the holidays...at a time when a child greatly longs and needs to be with their mother.

Researcher: What was it like there?

Aurora: We would stay there with other girls. We shared rooms. They would take us to a school. They would take us to go eat out and allowed us to participate in other activities. For most of my time there, I did not have any access to the outside world. No information was ever given to us about the next step in our case or the status of our situation. Although I had therapy with a therapist once a week, the therapist did not do much to help me get reconnected with my mother.

Researcher: What happened after?

Aurora: My counselor told me that I was going to come to the US. Immigration made arrangements for me to fly me to Oakland to reunite me with my mother. I did not fly alone. My therapist flew with me to Oakland...where my mother was waiting for me. It was around the 1<sup>st</sup> of January when I was able to see my mother. My mother did not find out that I had left Honduras until she was contacted by Immigration.

Researcher: If allowed to remain in this country via SIJS, what are your some of your goals and/or plans for the future?

Aurora: I have plans to study cosmetology and dermatology. I would like to take classes to become an esthetician.

Researcher: In your opinion, how can the granting of Special Immigrant Juvenile Status (SIJS)/getting a green card be used to empower unaccompanied minors like yourself?

Aurora: The granting of amnesty to unaccompanied minors can show youth like me that they can accept help to better themselves. It would serve as an incentive to behave well and do well in their studies. Its not easy come to a new country, and start a new life, with new friends, and so you have to fight for your happiness because no one else is going to do that for you. Amnesty would give the youth courage to persevere. This would help them feel more self-confident and more motivated to continue doing well in school and in life.

Researcher: If you were president of your country, what would you like to change about your country?

Aurora: I would aim to create opportunities for everyone, especially employment and schooling opportunities for everyone. I would implement schooling in Honduras as it exists here. I would

create a schooling system where people would not have to pay to attend school. Also, I would provide healthcare for all.

Researcher: What is your opinion of U.S. President Donald Trump, and his administration's anti-immigration policy?

Aurora: Well, his views on immigrants and his policy on immigration is not good, the concept that he has of immigrants is not well-founded. We are not all the same. Yes, there are people that are bad, but not everyone is. And if it is the case that an immigrant is bad, this may be so because they were conditioned to be that way from a very young age.

Researcher: Can you describe someone you greatly respect, and tell me why you respect that person?

Aurora: I really greatly respect the people around me that support me and that make me feel safe, calm, and happy. These people are my friends, my mom and grandmother, and also the teachers at this school who lift me up with their support every day.

## DAVID

Researcher: Can you describe your trip to, and experience in, the U.S.?

David: It was, thanks to God, not that dangerous of a journey, but it was nonetheless, a trip full of fear and full of doubt and I did not know what awaited me. I didn't know if I would be able to make it out on the other side in one piece or if I would be able to see my family again. I was 17 years old when I left there. No one was with me, accompanying me or guiding me on my journey to this country. It was all God's will. Well, crossing to Guatemala was fairly easy. It was easy crossing to Mexico. But when I arrived to Mexico, that was when things got a lot more difficult. In Mexico, they asked me for my identification.

Researcher: Were you on foot?

David: Yes, I was on foot. While in Mexico, I was on foot. However, for most of the trip, I took buses and asked for rides. I was able to find my way and figure out which routes to take using the GPS navigator on my phone. Thank God for phones and GPS. The phone would tell me what buses to take for my route.

Researcher: How did you obtain the phone?

David: I had it before I departed on my trip. It was a phone that I already had.

Researcher: Was there anyone that accompanied you on your trip?

David: No. The only time that I interacted with another person during my trip was when I arrived in Reynosa, Mexico. When I arrived to Reynosa, Mexico, there was a young person, who asked me if I had an ID number that had been assigned to me by one of the Mexican drug cartels. When I told him that I did not have a number, he told me that he would guide me to the Rio Grande river for \$1,500 pesos. He assured me that he was not with Los Zetas drug cartel. He told me that he was with the Juarez drug cartel and that if I was seen with him, Los Zetas drug cartel would not ask me for a number and would know to leave me alone. I didn't believe him.

Researcher: How did he approach you?

David: I was at a bus station, waiting at a bus stop in Reynosa, Mexico, and he came over to me and sat next me. At the time, I feared that he was with the Zetas drug cartel, and people were giving him a look as if they knew who he was. He boarded the bus with me. I was worried and afraid. I thought that if I saw him text or call someone that I would immediately offboard the bus. When we arrived at Reynosa, Mexico, he told me that he knew the area and that I could cross at the site that he knew, that was close to a bus garage terminal. There was another area where people could cross over to the U.S. by the mountains, but people required a number from one of the drug cartels to be able to cross there. He assured me that I could cross in 20 minutes if I took the route that he was recommending me.

David: I remember asking him how much it would cost to cross via the route that is known to be monitored by the Zetas. I recall that the guy's name was Juan and that he had a beard. I ended up giving him \$70 to obtain his help with crossing over. Originally, he had asked me for \$1,500 pesos, not American dollars. I felt coerced to go with him and give him the money because you hear about a lot of people getting kidnapped and murdered by the Zetas while trying to cross. He told me that if people saw me with him that the drug cartels would know not to bother me. The only thing that he did was travel with me to the border, to avoid other drug cartel members from kidnapping or trying to extort me. At the bus stop terminal, he advised me that I should throw myself into the river. And he told me to get rid of my backpack. I left my backpack and threw myself into the river. I only kept my paperwork. They didn't get wet because I had placed them

in a plastic bag. I had to swim. While I swam, I felt the debris from the river getting stuck to my feet.

Researcher: What happened after?

David: I left...immediately after swimming over the river, I left. I drained my pants and my clothes, but with the hot sun my clothes dried on their own. I walked for approximately 5 hours before approaching a freeway and there was a street that appeared to be patrolled by border patrol. I overheard a helicopter.

Researcher: Where did you arrive?

David: Brownsville, Texas. I arrived at Brownsville, Texas, and I came across a wall with sensors and wiring. I did not know if they were sensors or cameras. And in that moment I heard and saw a border patrol. He told me to raise my hands. He told me to come forward and asked me where I was from. I told him I was from el Salvador. He asked me how old I was and I told him I was 17. He was about to put the cuffs on me, but when he found out I was 17 he put the cuffs away. He asked me if I was sick and he gave me water and I almost vomited from drinking the water so fast. While all this was happening, he spotted a group of girls, some of whom were holding babies. He had me wait by his car while he tended to them. I, along with the group of girls and babies, was taken to an immigration detention center in Brownsville, Texas.

Researcher: Was it a family detention center?

David: Yes, but it was sectioned off according to age...there was a section for children, there was a section for teenagers, for mothers, for pregnant mothers. They call these places iceboxes. They give you this thin layer of aluminum that is supposed to serve as a blanket and keep you warm while at the detention center, but it doesn't. Its very cold there. When I arrived at the center, I was interrogated by a Middle Eastern man, one of the immigration officials at the center. He asked me why I came to the United States, but he asked me with a negative tone. He had a bad attitude. I told him that I don't speak English.

David: I still remember what he said to me.

Researcher: What did he say to you?

David: He told me, these fucken Latinos, they only come to my country to live off the government. He was probably 40 or 50 years old. He understood Spanish but refused to speak to me in Spanish. He accused me of being angry and demanded that I sign some paperwork that would cause me to be willfully deported back to El Salvador. I responded by telling him that I was not ignorant and I refused to sign the paperwork that he was demanding that I sign. He told me that I had 15 seconds to sign the paperwork. When I refused to sign the document, he cursed at me and sent in a public attorney to meet with me...I think it was a public defender, to speak to me. He told me, lets go. You're leaving. He told me not to worry – the public defender told me not to worry. He told me that he had observed the way that the immigration official had treated me and that he was not going to allow him to continue treating me this way. I was told that I would be boarding a bus and was going to be sent to a center for refugees in Texas. He took my paperwork and then I boarded a bus to the new center with other immigrant youth and children...They had attorneys and social workers there, as well. Afterwards, they assigned me to a room, with three other teenage boys...it was four people in a room. That place was originally a large Wal-Mart store, but they converted it into a detention center for immigrants.

Researcher: Where did they send the girls?

David: They sent them to another house for refugees.

Researcher: How did they treat you there?

David: With respect. You are not allowed to curse. They give you breakfast, lunch, dinner, snacks, and recreation time. They have games and a basketball court, everything.

Researcher: How long were you there?

David: I was there for 28 days. But the time that I was there, the days went by really fast. All of your time there is counted. There is a routine in place at the center that you are not allowed to break. You have to wake up at a certain time, go eat at a certain time, attend a class for Math, Science, English. They give you a daily break for about 1 hour to play, and 1 hour to watch a movie.

Researcher: Have you kept in touch with the people that they placed you with?

David: No.

Researcher: Were they teenagers like you?

David: Yes. There was a roommate that was about to turn 18 in 7 days, and that was a dangerous situation to be in because if you turned 18 while at the center, they would send immigration for you and deport you.

Researcher: Did that happen to someone you knew at the center?

David: No. I was told by the other people who work at the center that this had happened to other youth. A somberness would come over me whenever a youth or young person would leave the detention center. Whenever a person would leave the center because they were being deported you would hear a lot of weeping everywhere.

David: While at the detention center, I befriended a guy that was from Honduras. He was a very devout Catholic. My family is catholic. I am Catholic, but I wasn't raised Catholic. We were eating popcorn, and he wanted to bet me that someone from the center was going to be reunited with their family in the states. We betted on popcorn and a lunch.

David: Whenever a White person would come to the center with a yellow paper, it was a good sign, it meant that someone would be getting picked up by their family. And sure enough on the day that I made the bet with my friend from Honduras, he was picked up. And whenever you got picked up at the center, your belongings would get prepared for you. You are normally stripped of your things and belongings when you first check-in at the center.

Researcher: What happened next?

David: I was eventually reunited with my family in Oakland. They flew me from Brownsville, Texas, to Houston to Dallas, Texas, and then finally to SFO airport. I never thought the day would come when they would allow me to leave. Part of the requirements for leaving the center, was that I had to obtain a guardian. My aunt became my caretaker. My sister and brother, and brother-in-law, were all waiting for me when I arrived at the airport.

Researcher: Was there anyone who helped you migrate/travel to the U.S.?

David: No, no one helped me, with the exception of the Juarez guy that I met. I had to fill myself up with courage to make it. The phone really was the only thing that helped me. To sleep on the buses, I would set an alarm on the bus. I would sleep on the bus with the help of my phone.

Researcher: What were your reasons for leaving your home country and coming to the U.S.?

David: People were trying to kill me.

Researcher: Who was trying to kill you?

David: It was the families of a guy that I used to know. The guy belonged to a gang, MS-13. I reported him to the police, years ago, long before the gangs had arrived to my hometown. In 2013 I filed a police report against the guy, after he robbed me and placed a knife to my neck. It took a long time to process that police report. It was not until 2016, that the police tried to arrest him based on the police report that I had filed in 2013. While attempting to arrest him, the police

shot and killed him. Although it was the police who killed him, the family blamed me for his death...for the death of their family member. At the time, the family, particularly the males in the family, were becoming gang members. They were heavily increasing their involvement in the gang. One of the guy's brother raised the gun to me and threatened to shoot me. However, he stopped, because he realized that he was not allowed to shoot and kill me or anyone without first consulting with the gang.

Researcher: Where did this happen?

David: This happened on the street in broad daylight.

David: The main reason that I filed the police report in 2013 was because the guy tried to rob me. He put a knife to my neck and robbed me of all my belongings. It happened after a party that I was attending in my hometown.

Researcher: What happened after that?

David: After that, I did not leave my home for a week. At the time I was living with my mom and dad. Most of my family members at the time were already living here, in the states, including my aunts, uncles, and siblings. It was not my personal choice to leave El Salvador. I never experienced hunger in el Salvador. I left El Salvador because my life was in danger.

Researcher: Were there personal, social, political and/or economic problems that motivated your migration to the U.S. from your home country? For example, were there problems in your family? Were you afraid of the police? Did your family have enough food to eat? Did your parents have just employment?

David: No, I was not afraid of the police. With them I never had any problems. On the contrary, I was very friendly with the police. I was advised by the police to leave El Salvador.

Researcher: Was there a specific person, group, and/or situation that you were seeking to escape in coming to the U.S.?

Did the gang every try to recruit you to their gang?

David: No, most of the families from my hometown work in agriculture and the children continue in that field. For this reason, they see no need to join a gang. It is not a wealthy town, but the majority of the people in my hometown are employed and legalized in the U.S. A town like this is not very common in El Salvador. On the contrary, it is a town that is much envied by the neighboring towns in the area. My hometown hosts many festivities that attract many people from the neighboring towns.

Researcher: Did you experience any forms of violence in your home country? For example, did you experience any violence in your home from family members such as your parents or your siblings? Did you experience any violence or threats by gangs and/or organized crime groups, or by people in your community?

David: No, not from my family, only from the gangs.

Researcher: Are you afraid of returning to your home country?

David: Yes, I am afraid of returning to my home country. I am afraid that if I return to my home country that I will be killed.

Researcher: What did you hope to achieve in migrating/relocating to the U.S.?

David: My aim is to obtain citizenship so that I do not have to fear being deported. I also have a goal to become an electrician. I am also attracted to the police academy, but not as much as becoming an electrician.

Researcher: What effect has migrating to the U.S. had on your life?

David: The only effect it has had, is that I cannot see my parents, and childhood friends, with whom I grew up. But at the same time, it has had more positives than negatives. I am able to interact with my family here.

Researcher: Do you miss your parents and vice versa?

David: Yes.

Researcher: What has your experience in the U.S. been like for you?

David: Well, it has been difficult. One does not understand English. Even when you go to a place like Starbucks, they speak to you in English, a language that you have yet to learn. They ask you if you want milk with your coffee and you do not know how to ask how you want the milk in your coffee because of language barrier. It sounds funny, but when it happens to you it is a bit embarrassing.

Researcher: How do you feel about being in the U.S.?

David: Well, I feel very good. Better. I feel that I am growing and improving in my English and in my way of thinking. It is more difficult to have the things that you aspire to here, like achieving your home, family. It takes a bit of time...first you're in school, you graduate from high school, you can work and eventually achieve your goals. Save your money. You can go to college, and it does not matter how old you are, and this can help you improve in your life a little bit more. Simply having a high school diploma can open more opportunities.

Researcher: Do you plan to apply for Special Immigrant Juvenile Status (SIJS)?

David: No. I am applying for political asylum.

Researcher: Is there a law firm or non-profit organization that is managing your immigration case?

David: Yes, in San Francisco, a non-profit organization in San Francisco.

Researcher: How did you hear about them?

David: One of the service providers here was able to provide linkage to legal services.

Researcher: What effect do you believe getting a green card will have on your life?

David: The only relief that obtaining a green card grants is that it provides the security that you need to be here in the U.S. and prevents you from being deported back to your home country where someone can harm you.

Researcher: If allowed to remain in this country, what are some of your goals and/or plans for the future?

David: First, I would like to obtain my high school diploma. I left my job...I was working at a restaurant...it was becoming too overwhelming. I would wake up at 7am, attend class from 8am to 3pm and then work from 4 to 11pm at a restaurant in Berkeley. I had to leave work so that I could focus on finishing my high school diploma. Once I obtained my drivers license, I was able to get a job delivering groceries throughout the bay area. I do this after school. However, the good thing is that you make your own hours and schedule.

Researcher: In your opinion, how can the granting of Special Immigrant Juvenile Status (SIJS)/getting a green card be used to empower unaccompanied minors like yourself?

David: It depends on the person that receives it. Simply because someone is given legal permanent residence does not mean that the person will use it to better themselves...it all depends on the person's thinking. If it is a person that does not enjoy working and prefers being out on the street, and is then given LPR status, it can simply sway the person more to the streets. Then again, it might have a different impact on a person, that has better thinking. It may motivate the person to work harder and help them in the future. With legal status, I will be able to have a better future, to possibly buy a house, and give my family a better future.



Researcher: If you were president of your country, what would you like to change about your country?

David: The first thing, that is a difficult question, it is difficult to change everything. I would like to open help centers for the youth in my home country. There are many youth in my home country that leave school to work. There are no opportunities and so they turn to crime, drugs, and gangs to survive. The youth end up joining because they see no other way. I know of a lot of people who are now dead, who would advise me never to join the gang because there is no way out once you join. The only way out that the gang gives you is by becoming a pastor or priest, but that is a very difficult feat to achieve. Even after you become a pastor or priest, you are heavily monitored by the gangs. They set up those guidelines to control their members and the people. You are never free.

Researcher: What is your opinion of U.S. President Donald Trump, and his administration's anti-immigration policy?

David: Well there are many Latinos that believe that Donald trump is a racist...that he does not like us...he insults us. Yes, he insults us, it is true that he does not like us. But we are to blame in part. Well, I am Latino, but I am not the type of Latino that he speaks of. There are many Latinos that come to the US to participate in crime, live off the government, live off food stamps, and have lots of children. But it is also important to be considerate. We also come to this country to better ourselves. I understand that the only thing that he wants to do is to defend his country. But he needs to understand that not all of us are bad and delinquents. *Por uno pagamos todos.*

Wind-down Phase:

Researcher: Did you feel okay about this interview?

David: It feels good. It feels good talking and venting and sharing your story with someone. And knowing that people are going to read your story and hopefully in this way improve their thinking. Who knows you might help someone with your story. Maybe my story will help someone who reads my story.