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**The custody of “Unaccompanied Children”:
A critical analysis and recollection of narratives**

Pamela Cardenas

University of San Francisco

May 2020

MA in Migration Studies

**The custody of “Unaccompanied Children”:
A critical analysis and recollection of narratives**

Presented as an Applied Project in Partial Fulfillment of the Requirements of the Degree
MASTER IN MIGRATION STUDIES

By Pamela Cardenas

UNIVERSITY OF SAN FRANCISCO

APPROVED:

Advisor

Date

Academic Director

Date

Dean of Arts and Sciences

Date

Abstract

Under the administration of Barack Obama in 2014, began an influx of “unaccompanied children” migrating to the United States from Central America and Mexico. To respond to the large number of children crossing the border, the Obama administration decided to fund existing shelters, facilities, and learning centers to house and process these children. Currently, these facilities are still operating under the Trump administration. This paper will clarify the process of unaccompanied children and the role of the Department of Homeland Security and most importantly, the contributions of the Office of Refugee Resettlement.

Through an analysis and recounting of narratives from former staff and children who previously had an experience in a center under the Office of Refugee Resettlement between the years of 2015-2018, this paper suggests how the stay of the children in these centers can be improved by putting Post Release Services in the frontline when unaccompanied child first arrive to the United States. Moreover, this will give the Office of Refugee Resettlement to focus solely on children who indeed come alone. It can avoid the increase of trauma, deaths and length of time children spend in these facilities. This research shows how using the narratives of the children’s and previous staff members' time under the care of the Office of Refugee Resettlement can help improve the experience of future children. Some of the solutions this research suggests a restructure of eliminating Las Hieleras (*the Icebox, Freezer*), a closer attention to the apprehension of unaccompanied children between the Southern Border between Mexico and the United States and extending the Long-Term Care Programs for unaccompanied children. [*unaccompanied children, refugee, minor, Office of Refugee Resettlement, children rights, human rights*]

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Tu eres mi otro yo.
You are my other me.
Si te hago daño a ti
If I do harm to you
Me hago daño a mí mismo
I do harm to myself.
Si te amo y respeto,
If I love and respect you,
Me amo y respeto yo.
I love and respect myself.

Mayan-inspired poem, "Pensamiento Serpentino" Luis Valdez (1971)

Introduction

"Yo escucho voces. Yo escucho voces ahora mismo. Vine con mi hermanito y vi como mataron a mi tío/ I hear voices. I hear voices right now. I came here with my little brother and I saw how they killed my uncle".

"Me corto para no sentir el dolor. Fui abusada en mi camino a los Estados Unidos. /I cut myself to not feel the pain. I was sexually assaulted on my journey to the United States."

"Vine por que las pandillas me estaban buscando a mí y a mi familia. /I came because the gang members were looking for me and my family."

"En el camino me tuve que tirar de un barranco para que la policía no me encontrara. Dure dos meses en el hospital porque me fracture varios huesos y uno de mis huesos de la pierna se me salió. México me deportó a mi país, pero lo volví a intentar y ahora estoy aquí / On my way I had to jump a cliff so the police would not find me. I lasted two months in the hospital because I fractured various bones and one of my bones from my leg popped out. Mexico deported me back to my country, but I tried it again and now I am here"

This narrative is not about me; it is about the hundreds of resilient minors who have arrived, or are on their way, to the United States in search of new opportunities, protection, and support. Many of these children have left, or are leaving, their home country due to many different reasons which will be explored in this paper. The data on unaccompanied children under the Office of Refugee Resettlement (2020) indicates there has been an increase in unaccompanied minors arriving in the United States especially from Central America over the

last 6 years . In 2014, these numbers rose rapidly, and the Office of Refugee Resettlement became in charge of these children. According to the Office of Refugee Resettlement (2020) it's responsible for providing all unaccompanied children with support and protection as soon as they arrive in the United States.

In 2015, I was hired as a Skills Trainer for a center under the Office of Refugee Resettlement. At the beginning, I felt hopeful, grateful, and content because I wanted to help unaccompanied children. Skills trainers oversaw providing life-skill lessons to the children. throughout my employment, my views began to change as immigration policies and laws continued to evolve and develop. Throughout my employment the program grew from three to four locations. The center had been created in 1852 for orphan children in need of asylum, and in 2014 the company was given a federal grant to open a transitional foster care for unaccompanied immigrant children. To protect the identity of the center, the name will not be provided and will be referred to as the Center.

One of the main requirements of admission to the Center is that children must be 17 years of age or younger. When children are detained at the border, they are placed in Las Hieleras. The children stay in Las Hieleras until they are placed in an ORR sanctioned facility or center. During the intake process, the minors would tell us how unfairly they were treated: how they were provided with cold/frozen food and how cold these detention locations were. This is how those facilities came to be called Las Hieleras, *which* in English translates to *the Freezer or the Icebox*. Las Hileras are facilities on the border of the United States. I remember during one interview one of the children told us, “Prenden el aire a propósito. Lo hacen para que paguemos por entrar sin papeles / They turn on the air conditioner on purpose. They turn it on so that we pay for coming here without papers.”

As part of my job, I had to be available to admit children into the facility after they landed in New York. I was always on call one to two weekends a month, in case any group of minors needed to be placed in our program. We worked throughout the full year, even on holidays. The most impactful night at the center for me was working the night of New Years. That night it hit me: I was THE FACE. The first face that gave these children HOPE after their long, traumatic journey to the United States in search of a better life and to be united with their sponsor. That night the children, my coworkers, and I watched the countdown of the New Year while we cried together.

When the children were admitted into the Center, they had to give us all their belongings which included items like phone numbers, birth certificates, wet clothes, and money among others. We provided them with clothes, warm food, a presentation about the program, gave them information about their rights and informed them they were being placed with a foster parent until being discharged. In addition, the children were not able to make a phone call to their sponsor/family members before the sponsors were cleared. A **sponsor**, according to the Office of Refugee Resettlement (2020), is considered to be a family friend, parent, older sibling, and aunt/uncle. To be cleared, they needed to provide proof of their relationship with the child. Moreover, for the child to be released, the sponsor needs to provide an extensive amount of information, including proof of employment, an address, fingerprints, and other data.

From beginning to end, the minors in the center were constantly reminded of how important it was for them to think twice before trying to escape. Some children did escape. Moreover, upon arrival to the Center, we had to ask them various questions about their journey: who is their person of contact in the United States, about their health history and more. Their health history consisted of their mental health, any surgeries, medicine they were taking, along

with several other questions. Many of the children arrived in overly concerning conditions. For instance, they would arrive with lice, scabies, and big scars. A lot of the minors did not trust us, and I did not blame them. It was a very natural feeling for them to feel this way and it served as a protection mechanism. The younger children usually cried, and some would go under a table because they did not want to go with their foster parents. They refused to call someone else mom or dad, because they were confused and did not really understand what was happening.

If two family members arrived at the Center together, and there was not enough space in the home of one of the foster parents, the siblings would get separated. Part of my responsibility also included doing home visits to assure the children were receiving everything they needed. The foster parents received from \$1,000-\$1,400 per child, tax free, each month. They were also given a gift card with approximately \$95 per child to buy them anything they needed. It was mandatory for the children to be provided with at least 3 uniforms, and clothes for the weekend. But some foster parents complained, saying the money was not enough. For example, some foster parents were taking care of newborns who required milk formulas and diapers.

Each foster parent had the opportunity of fostering up to 6 children. Some foster parents received more than 6 children when the facility was overcrowded. It was required for the foster parents to provide the children with recreational activities on the weekends. They also had to attend several seminars throughout the year, to renew their Cardiopulmonary Resuscitation certification, improve their relationship with the children, and arrange all the necessary safety measures in the household. Additionally, they needed to have a part time job to demonstrate they were not using the money that was specifically designated for a child, or children. During my home visits, I found foster parents who provided the children with everything they needed.

Meanwhile, other foster parents had their homes closed due to not following, or violating, the rules of the agency.

The daily number of intakes varied depending on the minors the Office of Refugee and Resettlement would send. Most children sent to the Center had been apprehended in Texas. I found it interesting that if a child's sponsor lived in or near Texas, the child would still be sent to New York, until all the paperwork was ready for the child to be released. If a child's sponsor lived nearby, and they were cleared, they were able to visit the child in person. Some sponsors would travel all the way from Maryland to New York City, just to see a child. This was a positive experience for those children in the Center. It helped the child create a relationship with their sponsor prior to discharge. The children who did not see their sponsors had a harder time adapting to the program.

After the admission of the children during the day, they became part of the Intake Group. As a skills trainer, I worked with the Intake Group and had a class of sixty-six children. But they needed to be "cleared" before getting integrated with other children. To be cleared, they went through various health exams, which included a Tuberculosis test, check for lice/scabies, among others. Most girls received a pregnancy exam because, as research demonstrates, many young girls get raped during their journey to the United States. Usually this process would take an average of three days. It also depended on the number of nurses available and how many children they were able to see in a day. In the Intake Group, the children were also tested to determine their level of education using material from the Common Core. Many of the children came in at a Kindergarten level due to the inadequate education they received in their home countries. There was a high level of children who were not able to read or write. The program

also accepted children who did not speak Spanish or English. Instead, some spoke indigenous dialects such as Mam. To communicate with these children, we often used Google translator.

In the afternoon, the children would receive life skills and do recreational activities. Since the Center was less restrictive than other facilities, the children were able to go outside. I oversaw taking the minors to the park, but if a child had not been cleared yet, they were not allowed to go play outside. The Center wanted to ensure the children were not a “flight at risk,” so if it was known, or suspected, that a child was planning on escaping, the staff would make sure the child always stayed indoors. Throughout my employment, some kids did escape. I remember a foster parent telling me, “He left. He took off during the night. I have the police report.” It was a constant fear for kids to hear, “Your case isn’t going well. You might get deported,” or “Your sponsor cannot receive you anymore.” Many children would panic and decide to escape in order to avoid being deported.

At the end of August 2016, I was promoted to a teacher position in the “Mommy and Me” group and then in October 2016, I became the teacher for the D-girls group (16-17 years old). After switching departments, I no longer had access to the same kind of stories/information about the children. As teachers, we were not authorized to ask the children questions about their case or their journey. If the child cried, or was not emotionally well, the only question we could ask the child was “Do you want to speak to your case manager or clinician?”

Nevertheless, at times, I would find out stories and information about the children from overhearing the conversations of case managers and clinicians. Also, if one of my students’ case managers or clinicians were absent, the child would come to me to express their feelings. Another big restriction was that we weren’t allowed to hug the kids due to company policies. I must confess, I broke that rule a few times. The human part of me could not let a child cry

without trying to provide some sort of comfort. Throughout the rest of my time at this facility, I was moved to different classrooms due to the lack of staff. A lot of classrooms became really crowded. I taught all groups except Group A (ages 3-7).

The number of unaccompanied minors crossing the U.S.-Mexico border increased 90 percent between 2013 and 2014, drawing the attention and concern of the U.S. government, media, and public (MPI, 2020). For this research, children will not be referred to as, unaccompanied alien children (UAC) by the Department of Homeland Security. Instead they will be referred to as unaccompanied children, minors, or just children. The record number of unaccompanied children coming to the United States from Central America in search of protection, fearing for their lives amid growing regional violence and economic insecurity, are forced to face the United States Judicial system—terrified and alone (Children’s Rights, 2020). Although many unaccompanied children face many adversities, they try to remain resilient and full of hope throughout their journey. Many hold on to their dreams and faith to continue going, every step of the way. Resilient children are better equipped and recover faster and more completely from traumatic events or episodes (Newman and Blackburn, 2002). Since so many unaccompanied children are now either integrating themselves in the country, being deported, and continuing to come, this current migration of children requires urgent attention.

The Unaccompanied Child Journey in the U.S.

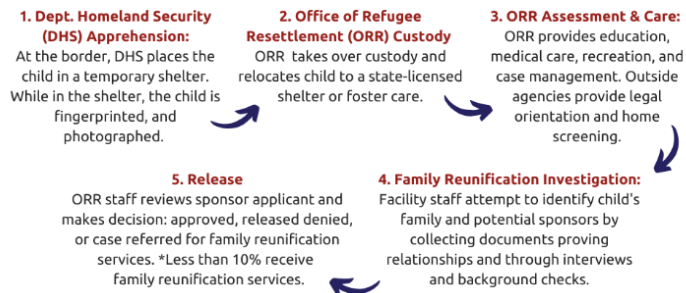


Figure 1 Source: Refugee Services of Texas, 2020

Figure 1 demonstrates the process unaccompanied children undergo after arriving in the United States. First, they are under the jurisdiction of the Department of Homeland Security (this phase is what is frequently referred to as Las Hieleras). Afterwards, the unaccompanied children are given to the Office of Refugee Resettlement (where they are placed in facilities like the Center). The Office of Refugee Resettlement has custody of the children until their sponsors provide all the required documentation and take the necessary steps to release the child as mentioned before. This study begins with an overview of the Office of Refugee Resettlement. Then, it examines which children's rights are being violated under both the custody of the Department of Homeland Security and the Office of Refugee Resettlement, through the lens of a children rights-based approach framework.

This research is trying to demonstrate what is the experience of Unaccompanied Children from Central America and Mexico under the care of the Office of Refugee Resettlement. By examining the processes of apprehension and care of unaccompanied children from Central America and Mexico in the United States, the Office of Refugee Resettlement can improve their care and continue strengthening its systems. What other solutions can the Office of Refugee Resettlement apply or use while children are in their custody?

This paper will provide suggestions the Office of Refugee Resettlement can take for unaccompanied children that might arrive in the future. Also, this research gives a voice to unaccompanied children from Central America and Mexico by conducting interviews of former unaccompanied children and staff who have experienced life under the Office of Refugee Resettlement. By sharing these narratives, it is my hope that the Office of Refugee and Resettlement can implement reforms and changes that can improve the lives of unaccompanied children and make the Office of Refugee Resettlement's processes more efficient and beneficial for the children and that find themselves in the United States. This research is dedicated to sharing the narratives of those former children and staff members. It is a call for reforming the process unaccompanied children undergo while they are in the custody of the United States.

CHAPTER 2: LITERATURE REVIEW

2.1 Overview of the Office of Refugee and Resettlement:

The Department of Homeland Security was founded in 2002, under President Bush's administration. In 2014, this department was directed by President Barack Obama to oversee the influx of Unaccompanied Children. Border patrols and Immigration Custom Enforcement agents work for the Department of Homeland Security to protect and secure America's borders (DHS, 2014). Michalowski is one of the scholars who tries to demonstrate how the increase of militarization of the borders have resulted in many deaths. Days spent afoot in Arizona's desert lands can result in other physical traumas (Michalowski, 2007). They are intentional results of border militarization strategies designed to force migrants away from safer routes and towards dangerous ones (Michalowski, 2007). Many of the children apprehended have attempted to enter the country through the desert, or through these perilous routes. The Department of Health & Human Resources works with the Department of Homeland Security to provide the care the

children need. After the children are apprehended by Immigration Custom Enforcement agents, they are given to the Office of Refugee Resettlement as mentioned previously in figure 1.

The Office of Refugee Resettlement was created in 1980 to provide humanitarian support for the influx of refugees arriving to the United States from European countries. Previously, U.S. laws provided for admission of persons fleeing Communist regimes, largely from Hungary, Poland, Yugoslavia, Korea, and China, and in the 1960s Cubans fleeing Fidel Castro arrived en masse (ORR, 2020). Post 1965, the United States began to open its doors to refugees from many other countries. U.S. policy allows refugees of special humanitarian concern entrance into our country, reflecting our core values and our tradition of being a safe haven for the oppressed (ORR, 2020). A refugee is someone who has been forced to flee his or her country because of persecution, war, or violence (UNHCR, 2020). A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion, or membership in a particular social group (UNHCR, 2020). Since the Office of Refugee Resettlement is an administrative office for children and families, they took custody of unaccompanied children arriving “alone” into the United States. On March 1, 2003, the Homeland Security Act of 2002, Section 462, transferred responsibilities for the care and placement of unaccompanied alien children from the Commissioner of the Immigration and Naturalization Service to the Director of the Office of Refugee Resettlement (ORR, 2020).

One of the reasons the Office of Refugee Resettlement took over this responsibility was to avoid the exploitation (sexual, physical, and emotion) abuse of children (ORR, 2020). The Office of Refugee Resettlement’s website (2020) explains that it incorporates child welfare values as well as the principles and provisions established by the Flores Agreement in 1997, the Trafficking Victims Protection Act of 2000 and its reauthorization acts, the William Wilberforce

Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 and 2008. The Office of Refugee Resettlement does its best to protect the children and keep their identities private. HHS does not release information about individual children, or their sponsors, that could compromise the child's location or identity (ORR, 2020). This is the reason why many facilities are not found easily throughout the country.

In 2014, the United States welcomed refugees from 67 countries from across the globe. For the Office of Refugee Resettlement (ORR), 2014 was a historic year, with a mass influx of unaccompanied children from Central America that totaled close to 58,000 children by year's end (ORR, 2019). This resulted in the Office of Refugee Resettlement having to fund more shelters. When the Office of Refugee took over custody of unaccompanied children fewer than 8,000 children were served annually in this program. In 2019, DHS referred 69,550 UAC to ORR, an increase of over 42 percent from the same time period in fiscal year 2018 (ORR, 2020).

Since the Office of Refugee Resettlement is considered a safe haven, it implemented all the services they believed were considered important for the Unaccompanied Children. According to the Office of Refugee Resettlement (2020) some of those services include, mandated "Know Your Rights" workshop, health services, Pro bono legal service provider lists, education services, recreation activities, mental health support, cultural/language and religious observation (ORR, 2020). But every shelter differs and has different levels of restrictions. In some facilities children are not allowed to go outside. Domonoske and Gonzales (2018) reported, Tent camps. A temporary facility has been set up in Tornillo, Texas, near El Paso. Little is known about the facility, and reporters have not been allowed inside, but journalists, like KQED's John Sepulvado, have seen the tent camps from outside. Additionally, there is a lack of research examining the guidelines or that mention the Office of Refugee Resettlement.

Winterberger (2019), is one of the few scholars who describes in depth the Office of Refugee Resettlement by focusing on young minors who are pregnant.

2.2 Outcomes in the facilities under the Office of Refugee Resettlement:

Although departments such as the Office of Refugee Resettlement have tried to create a safe haven for all unaccompanied children, Ataiants, Cohen Riley, Lieberman, Reidy and Chilton (2018) state that unaccompanied children attempting to cross the United States border face treatment at the hands of government representatives which violates their inherent rights as children. For instance, there have been several incidents of deaths of children under the custody of the Office of Refugee of Resettlement or while being in custody at the border. Different news outlets, including reporter Rosa Flores (2019) from Cable News Network reported the death of ten-year-old Darlyn Cristabel Cordova-Valle while under the custody of the Office of Refugee Resettlement. This young girl is just one of the children who has died under their custody.

Organizations are being created in response to children being separated at the border from their family members and being placed under the custody of the Office of Refugee Resettlement. There is not a lot of research on the life of children inside of these facilities. The mission of **Immigration Counseling Service (ICS)** *is to educate the public about the plight of unaccompanied immigrant children who have been separated from their parents, and to collect funds for legal representation* (ICS, 2018). In practice, the US Office of Refugee Resettlement (USORR) contracts with a number of religiously based NGOs, most notably Church World Service (CWS), Catholic Relief Services (CRS), World Relief (WR), Lutheran Immigration and Refugee Service (LIRS), and Hebrew Immigration Aid Society (Ralston, 2012). These organizations provide the foundation for religious ideas used in these facilities to help the children.

2.3 Rights

Slavery, long work hours without breaks, lack of access to medical care, or education, and many more, are some of the reasons why communities around the world began to demand civil and legal rights. In total, during the first eighty-eight years of [the twentieth] century, almost 170 million men, women, and children were shot, beaten, tortured, knifed, burned, starved, frozen, crushed, or worked to death (Rouse, 2017). Providing equal rights for all humans helps ensure the safety of everyone including migrants. So, what are human rights? Currently, no uniform definition can be given (Rouse, 2017). Bettman, Taylor, Gamarra, Wright and Mai, explain the process for refugee children trying to settle in the United States. Several participants in their research stated that part of the reason that more attention was paid to emotional needs of newly arriving families was that the families struggled to adapt to so many new situations in the United States (Bettman, Taylor, Gamaarra, Wright, Mai, 2017).

Human and children rights violations led to the creation of The Universal Declaration of Human Rights. The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights (UNHR, 2020). It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages (UNHR, 2020). This movement was created in different languages to assure all people would be able to understand their rights. Endicott (2010) asked himself if the Universal Declaration is wildly excessive? Scholars such as Ataitants, Cohen, Riley, Lieberman, Reidy, and Chilton (2018) touch on the concept of human rights and how many of these rights have been violated throughout time.

The rights of children are clearly delineated in various, international human rights documents which merit increased understanding of and recognition by the U.S. government (Ataitants,

Cohen, Riley, Lieberman, Reidy, and Chilton, 2018). Endicott (2010) uses the ideas of Wolterstorff to demonstrate there is a lack of human rights provided to **ALL** humans. In addition, Endicott (2010) suggests, rights are created but they never tend to be applicable to **ALL** people. Not **ALL** people are being included and instead rights are often used to exclude people. Moreover, Recent work from scholars' touch more on the era of Trump and how his rhetoric has shaped the rights of certain people and restricted them for others. One of the statements written in the Declaration of Independence of the United States says, **ALL** men are created **EQUAL**. Equality means all people having the same rights and opportunities.

a. The Universal Declaration of Human Rights and Refugee Rights

The Universal Declaration of Human Rights was created in 1948 with the purpose of creating *freedom, equality, and dignity* for all humans (UNHR, 2020). Article 9 states, No one shall be subjected to arbitrary arrest, detention, or exile. The United States has created many policies and laws contradicting this article when immigrants come to the country. As noted above, upon arrival to the United States, children and adults are placed inside Las Hieleras.

During the 75th National Federation of Independent Business celebration Trump said, “We can arrest the adults for the federal crime of illegal entry. When you prosecute the parents for coming in legally, which should happen, we have to take the children away.” (Trump, 2018). President Trump’s words on the detention of families, children, and adults are a violation of Article 25 which states that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Based on these rights, it is critical to analyze what children rights are and how those rights are being violated.

Moreover, many children come to the United States as refugees. A refugee is defined as those who move because of wars and fear of persecution (Agnew, 2018). The 1951 Refugee Convention outlines the rights of the displaced (UNHCR, 2020). The core principle is non-refoulement, which asserts that a refugee should not return to a country where they face serious threats to their life or freedom (UNHCR, 2020). They should ensure that refugees benefit from economic and social rights, at least to the same degree as other foreign residents of the country of asylum. For humanitarian reasons, states should allow a spouse or dependent children to join persons to whom temporary refuge or asylum has been granted (UNHCR, 2020).

b. Convention on the Rights of the Child:

In 1989, the United Nation General Assembly believed it was critical to have a Convention on the Rights of the Child. According to this international agreement, anyone under the age of 18 is considered a child (UNHR, 2020). In addition, the General Assembly created protocols to protect children from child prostitution and child pornography (UNHR, 2020). It also states, governments should let families and communities guide their children so that, as they grow up, they learn to use their rights in the best way. The more children grow, the less guidance they will need (OHCHR, 1989). In the United States different media outlets, such as Cable News Network, have reported the large number of children that have been separated from their families at the border. The Convention on the Rights of the Child includes approximately 54 articles that detail the rules states involved in the convention should follow. The United Nations Human Rights Office of The High Commissioner (2020) mentions in article 6 part 2, States Parties shall

ensure to the maximum extent possible the survival and development of the child. In February 1995, the United States signed the Convention on the Rights of the Child, but this country has not ratified it until this day (UNHR, 2020). The UN (2020) defines ratification as an international act whereby a state indicates its consent to be bound to a treaty if the parties intend to show their consent by such an act. In other words, without consent, the United States does not have to partake in all the articles stated in the convention.

c. Rights Violation:

In the NPR CAPRADIO, Domonoske and Gonzales (2018) reported, U.S. Attorney General Jeff Sessions ordered prosecutors along the border to "adopt immediately a zero-tolerance policy" for illegal border crossings. The custody of these children was given to The Office of Refugee Resettlement while the parents are placed in a detention center or released under certain circumstances. This separation, according to some researchers, is a violation of the Convention on the Rights of the Child because the US government is not allowing families and communities to guide their children. The year 2018 saw a moral panic in the United States' media and among many citizens over the treatment of refugees/asylees at the U.S. southern border, particularly the separation and detention of children apart from their parents (Agnew, 2019). This is also connected to the rights children have of being kept together with their families. Due to the position of President Trump's administration over immigration, and the positioning of refugees/asylees, as potential terrorist and criminal threats Agnew (2018) argues, immigrants in general (including refugees and so on) are increasingly seen as a source of demographic and cultural change in the United States. This is all a result of child migration.

2.4 Children Migration

Scholars like Katherine M. Donato, Blake Sik, and Cecilia Menjivar (2019) only continue to write about unaccompanied children migrating to the United States from Central America after 2014. Studies have pointed out the different reasons contributing to child migration. Donato and Sik (2015) explain the connection of children migration to past parents' migration. This is quite different from what other scholars have written about. Donato and Sik (2015) claim the number of parents migrating in the past has led to a lot of children migrating in the search of family reunification. This was a result of many different programs. In 1942, the Bracero Program created jobs for Mexican workers in America. In 1994, the North American Free Trade Agreement led to many workers leaving their children behind. These programs did not provide enough support to workers with families.

Other researchers mention economic reasons, political persecution, and other factors, that contribute to child migration. Others believe different programs such as Deferred Action for Childhood Arrivals (DACA) have contributed to unaccompanied children leaving their home-country. But, Amuedo-Dorantes and Puttitanun (2016) argue, using data on apprehensions of unaccompanied minors by the border patrol sector, nationality, and year, find that Deferred Action for Childhood Arrivals did not significantly impact those apprehensions. Meyer, Ribando, Taft-Morales and Margesson (2015) add that given the diversity of the unaccompanied children and their motives, the lines of distinction between and among refugees, asylum seekers, and migrants are not always clear. Regardless of the reasons unaccompanied children are arriving in the United States, the number of these children continues to rise. The number of children referred to the Office of Refugee Resettlement went from 13,625 in the fiscal year of 2012 to 57,496 referrals by fiscal year of 2014 (ORR, 2020). Moreover, to cater to the large number of

unaccompanied children arriving in the country, researchers have found a large correlation between the juvenile and welfare systems in the United States and the centers funded by the Office of Refugee Resettlement.

2.5 The Juvenile and Welfare Systems in the United States

During the era of slavery, many children faced forced migration. Geoff K. Ward (2012) touches on the topic of the juvenile system and forced labor of children, explaining how African American children were treated unequally and forced into the juvenile system with adults. The juvenile justice system was founded with the goal to serve the best interests of the child, with the understanding that youth possessed different needs than adults (Casella, 2010). The United States wanted to create a system in which children under the age of 18 were still receiving justice. Casella (2010) states, both the decisions to seek and to grant transfer are inherently subjective, based on such factors as “amenability to treatment,” and “dangerousness to society”. Casella (2010) also discusses the transfer of juveniles into adult prison. This demonstrates how citizen children also face similar treatments as unaccompanied children when they arrive in the United States.

In addition, Nicolas Chavez (2018) mentions, since its inception in the 19th century, the American Juvenile Justice system has served to protect the interest of our nation’s youth. The Juvenile Justice system’s primary goal is the rehabilitation of juvenile offenders (Chavez, 2018). Cohen, Feyerherm, Stephenson, Yeide, Shreve (2018), just as Chavez (2018), address the status of minorities in the Juvenile System and how it targets communities based on race, economic status and more.

Country	Total population (%)	Children (%)
Finland	8.0	5.4
Norway	7.8	5.5
Austria	7.9	7.9
Netherlands	7.4	9.7
Spain	14.0	17.7
Italy	11.4	15.3
United States	17.3	21.6
Canada	12.0	15.1
United Kingdom	11.0	12.5
Australia	14.6	14.0
Estonia	12.5	12.1
OECD 34-average	11.1	12.6

Table 1 Source: Poverty Rates for Children and the Population, 2018 published by Organization for Economic Cooperation and Development in 2011

The creation of the welfare system in America was used by the Office of Refugee Resettlement to mirror many of the services they wanted to provide to Unaccompanied Children (ORR, 2020). Table 1.2 above demonstrates how the poverty rate for children in the United States is 21.6% meanwhile the total population is 17.3%. In 2008, the United States had the highest number of children in the welfare system. Migration has its own consequences for children in terms of health, education, social care, and crime (Skivenes, Marit, Pösö, Tarja, Križ, Katrin, Barn, Ravinder, 2015). These researchers focus on how child welfare systems are created and play a role in the life of migrant children. In addition, these scholars found a correlation between the welfare system and the juvenile system with unaccompanied children.

2.6 Unaccompanied Children

a. Under the custody of the Office of Refugee Resettlement

Between October 2013 and July 2016, over 156,000 children, traveling without their guardians, were apprehended at the U.S.-Mexico border and transferred to the care of the Office of Refugee Resettlement (Berger, Brabeck, Stinchcomb, Heidbrink, Price, Gil-Garcia, Crea and Zayas, 2019). Public information explains the purpose of centers as a system that provides a continuum of care for children, including foster care, group homes, shelter and residential treatment centers (ORR, 2014). However an increase in refugee flows, over land or sea, fear of disease, fear of “enemy aliens” during military campaigns or more recent “wars” on terrorism, drugs, and crime, have led to the detention and harsh treatment of migrants, especially non-White migrants, throughout the twentieth century and today. (Hernandez, 2014). In recent years, there have been challenges on issues about facility placement, abuse from staff, or having sponsors arbitrarily declared unfit (Madrid, 2018).

Cecilia Menjivar and K.M Perreira (2019) suggest the development of common policies and practices to facilitate the integration of these minors into their settlement communities and their transition into adulthood. Researchers, like Bill Ong Hing (2016), have implemented solutions such as providing Pro-bono legal support to undocumented children since the Department of Homeland Security and Department of Justice responded by sending a “surge” of immigration judges, and government attorneys, to the border to carry-out deportation hearings and handle countless hearings remotely. Wong (2015) mentioned the importance of testing existing theories, using not just one but a set of immigration control policies, as well as connecting political institutions to immigration control policy preferences. Some scholars mention their volunteering experiences at detention centers using art, writing, and doing workshops with children as a form of therapy. Wong, Menjivar and Pereira are some of the few

researchers targeting the concept of centers and incarceration and add to the conversation by promoting better policies, services, and laws for unaccompanied children.

b. Post Release Services

The Office of Refugee Resettlement (2016) states, ORR provides Post-Release Services (PRS) for children who would benefit from ongoing assistance by a social service agency. These services include assistance in connecting children, and their sponsors, to community-based resources. Research is lacking on unaccompanied migrant youth who do not receive PRS (Goździak, 2015). Goździak is one of the only scholars who believes in the importance of understanding the integration of unaccompanied children into the community and takes an in-depth look at the concept of post release services, even though not all children receive these services. According to the Office of Refugee Resettlement (2016), children who receive these services are only determined by the identified additional assistance the child will need. Other reasons a child can receive these services is if the child was released to a non-relative.

YEAR	HOME STUDIES	UAC SERVED BY PRS
FY2019	4,875	14,518
FY2018	3,641	14,088
FY2017	3,173	13,381
FY2016	3,540	10,546
FY2015	1,895	8,618

Table 2 Source: Number of Home Studies and Post-Release Services released by the Office of Refugee Resettlement from 2015-2019

(Table 2) demonstrates the number of children receiving both home studies and Post-Release Services from the Fiscal Year of 2015 through the Fiscal Year of 2019. There has been an increase in children receiving these services after being discharged. Moreover, the Office of Refugee Resettlement states that in 2019, there were 69,488 referrals of unaccompanied children (ORR, 2020). By comparing the number of referrals to the number of children in the year 2019 that received Post-Released Services, the data indicates that less than half of the children receive Post-Release Services.

CHAPTER 3: METHODOLOGY

3.1 Participants:

Three of the participants interviewed were young adults who migrated from Mexico and Central America who crossed the border of the United States. Also, they were under the custody of the Office of Refugee Resettlement as unaccompanied children between the years of 2016-2018. The other six participants consisted of former staff members who worked at a facility under the Office of Refugee Resettlement at some point between 2015-2018. In total there were nine interviews conducted. All participants were over the age of eighteen. No participant was under the age of 18 to avoid extreme re-traumatization. The participants were recruited by the snowball effect through social media (Facebook and Instagram). Moreover, each interview took from 20 to 60 minutes.

The only risk for the participants was re-traumatization. To support the participants, they were given additional information for mental support services including hotline numbers/programs. The participants were also given the opportunity of not responding to any of the questions and the choice to stop at any moment during the interview, as needed. The participants guided the interview as much as possible, with open-ended questions that only ask

them to share as much as they felt comfortable. If a participant did not understand a question, the question was further explained. All participants responded to all questions during the interview and no one wanted to walk away.

In addition, all participants signed a consent form which stated that their personal information would not be exposed in this paper. This included, name, social security number, license number, phone number, email address and photographs. Additionally, they were given the opportunity of reading the consent form before the interview. None of the interviews were recorded by video. Instead it was only recorded by audio to also protect their identities. The audio from the interviews was recorded to help identify common themes and information for the purpose of this paper. All interviews were conducted by phone. The duration of the research was one year and seven months.

3.2 Methodology:

This paper was composed around the qualitative research methodology. Semi-structured interviews were completed to provide open-ended questions, as mentioned before. All interviews were transcribed to find the trending themes and most relevant information. After being transcribed, all the interviews were printed to help with the analysis and coding of the narratives. The method of in-depth interview was used to demonstrate several trends throughout the interviews.

Secondly, by analyzing government data and my personal experience in the Center, the research intended to provide a critical assessment of the Office of Refugee Resettlement. In addition to the suggestions that the United States should take, in order to guarantee safe integration of unaccompanied children, which will be discussed more in detail later in this paper,

it should be noted that the Office of Refugee Resettlement needs to update the description(?) of the services provided to unaccompanied children, since their website does not have recent revisions or updates of these sections.

3.3 Statistical Analysis

Looking at all the narratives collected from staff and youth that have experience with the ORR system, the responses demonstrate that the United States has a strong need for comprehensive reform of their processes from the moment unaccompanied children arrive in the United States until they are released to their sponsor. As a reminder the question this paper is trying to answer is what is the experience of Unaccompanied Children from Central America and Mexico under the care of the Office of Refugee Resettlement? And what other solutions can the Office of Refugee Resettlement apply, or use, while the children are in their custody? The narratives demonstrate the children had overall positive and grateful experiences in the Center. All participants prefer for the Office of Refugee Resettlement to have liberal centers and eliminate all facilities in which children feel incarcerated are not allowed to go outdoors. In addition, the narratives show that the services provided by the Office of Refugee Resettlement centers lack emotional support services. Other improvements call for the elimination of las Hieleras, changing the apprehension process of unaccompanied children, restructuring Post-Release Services, and developing long term-care, among others.

CHAPTER 4: EARLY FINDINGS

Hola Ms. Pamela

Yo la saludo para darle las gracias por todo lo que usted me enseñó, y por haberme brindado su confianza y por haber estado conmigo los tres meses que me dio clases gracias, Ms. Pamela.

Usted es una persona buena y amable, le doy gracias por el cariño que usted me brindó y por todos los abrazos que me brindó gracias Ms.

Espero que usted no se olvide de mí, porque la verdad yo no me voy a olvidar de usted ms. Ni de todas las personas que me brindaron su cariño.

Muchas gracias por todo Ms. Pamela. La kiero mucho, mucho.

De Marta. :(

The story of Marta is not recorded but it is particularly important to tell. Marta was under 12 years old and was my student for 3 months but was transferred to another classroom because of her fast advancement in her studies. Marta came to this country due to gang persecution. Unfortunately, Marta did not have a sponsor and was deported back to Guatemala. Marta was born with a body deformation and believed she would get a visa to stay here in the United States. But this did not occur. Marta was a bright student who learned English very quickly and enjoyed learning. She did not qualify for the Long-Term Program the facility offered for children without a sponsor. She did not want to return back to her country. She loved her friends, her teachers, her foster parents and started seeing a future in the United States. After she signed her papers for deportation, it took Marta weeks to get discharged from the facility. I had to witness a child's illusions and hope be destroyed. Her last words were "Para que vine? Para que me regresen? / Why did I come here? For me to be sent back?" Marta was still grateful for the experience in the center and her growth. My coworkers and I bought her a cake and toys to take with her on her last day. One of my coworkers even gave her some money to take back to her country. This was against the rules, but we wanted Marta to be alright back in Guatemala. Many of Marta's friends were affected by her case and felt discouraged in their own cases. Although many of the children were deported, others were indeed reunited with their sponsors.

June 2018, some news broke out. In this particular story I will give names of the child and mother, since the information was published. The news was about a mother named Lourdes de Leon. She had reached out to news reporters of Univision about her deportation without her son Leo. During her interview, she began by explaining the process upon her arrival. They told her the child would go to a center and that she was going to be detained. She also explained that two days later they took away her son. She was detained in Arizona for 19 days. She wrote to the Immigration Authorities asking about her child. She stated “Please I need to know about my son. I am desperate. I would like to know where he is.” Afterwards, they told her she was getting deported and she said it was okay, but she wanted to leave with her son. Unfortunately, this did not occur. In her report she explained how her child is only 6 years old and gave the name of the center her child was located in. It was the center I worked for. After I heard this news, I knew something was wrong. I went through the classroom and indeed Leo was in this facility. I had the opportunity of speaking to Leo and he continued to ask about his case manager and clinician. He wanted his mother to know he loved her very much. After Lourdes exposed the facility’s name on television, we had many news reporters come and stay outside of the center. The news reporters also recorded a group of girls walking at nighttime with a foster parent, and made it seem as if the girls were being kidnapped. I would like to clarify the girls were not in danger. It was all part of the process. They were arriving from Las Hieleras. Many of the flights occurred late at night due to flight delays or paperwork.

I decided to hear the stories of the children in my class and find the truth about their journey, as well as if they were indeed separated from their family. Through video tapes, pictures, and audio conversations, I was able to capture their stories and write down important information. I told myself, maybe this would be useful one day. Maybe those tools can help

reunite many families. All I kept thinking was, “My students deserve to be with their families.” One day, representatives of the Human Council came trying to find information on what had happened. I was scared. Yet, I knew the children mattered more, and it was important to show the trauma family separation was causing them. Something needed to be done immediately.

One powerful story I heard was from my student, Steven. He is from Guatemala and crossed the border with his little brother and mother. He left because a gang killed his father. They were threatening him, and they were asking his mom for \$50,000 *quetzales*. Steven told me he did not know he was going to get separated at the border from his mother. He mentioned his mother was in a detention center in Arizona and was in the process of obtaining a visa, and or qualifying for asylum. I asked him if he would receive asylum as well, and he said he did not know the process. Back in Guatemala, his mother owned a store and because of her connections, they were going to Illinois where she has been hired for a job. But they were thinking of going to California instead.

Steven also explained his journey to the United States. He said they told his little brother they were going on a trip, so it would not affect him as much. He stated, “my mom told him when we get there, we will buy you McDonalds and toys.” Steven said the trip affected him a lot, but not as much anymore. He said “We came in the back of a truck and we were sleepy and hungry. We lasted two days without eating. I would close my eyes and I would see my town and my brothers. And then, I would open my eyes and all the people were there.” The trauma Steven faced is like the trauma other kids face while traveling to the United States. Steven was fortunate that, although he faced family separation, his mother was in the process of receiving either a visa or asylum. Other children did not have the same outcome.

One child cried saying his sister was not going to be his sponsor anymore because she did not want to do the fingerprints the Office of Refugee Resettlement was requiring. He signed the papers to be deported back to Guatemala. This conversation was not recorded, but his story, like Marta's, cannot be left unwritten. Many sponsors fear for their own status when they find out about the requirements they must fulfill and follow to have the child released. This causes many children to be sent back to their home country.

Moreover, in the audio, another 14-year-old girl told me she came with her little sister and mother. She was also separated from her mother. Only her therapist had come to see her, and she said her mother was in court. But she explained she had not spoken to her mother in over 8 days. There were also children who did come unaccompanied that spoke to me as well. In my class, I had a brother and sister who explained to me how they traveled alone. They came to live with their parents in California. During this conversation, the sister was crying and wanted to be discharged. The brother said he met many of his friends from the Center during his journey. I asked him how long he had without seeing his parents and he said "My dad. I am [sic] around 11 years and my mom are around 7 years." The parents came here so they could be economically stable, and they were left in Guatemala with a lady. While having his hands below his mouth (in a pensive position) and he said, "[It's] difficult to travel. [It's] hard". He also described how they came in a truck and some of the people were one on top of each other. In total, their journey took them 17 days.

The journey was one of the themes I noticed throughout the minors' narratives. They came on buses, walking, in the back of trucks, among others. Most of them mentioned they came here with their parents or came to be reunited with their parents. They also used the word *duro y dificil* which means *hard and difficult* frequently, when describing their journey to get to the

United States. A lot of them agreed that the experience had affected them. Other similarities were that they wanted to speak to their family members, and that their clinicians or case managers were not coming to see them. Personally, the hardest part was hearing several kids say their parents were in a detention center. Throughout my conversations, I continued to ask other children if their case managers or clinicians had come to see them. Some said yes and others said no. One child said he had more than one month without speaking to his case manager.

Moreover, when I spoke to the children I thought: “I have these stories but how will these children be reunited with their family members?” I decided to get a list of all the children that have been admitted into the program since it was opened. While working with the data, I did not realize I was going to find other information as well. For example, the amount of kids arriving here based on sex, age, classroom groups and more.

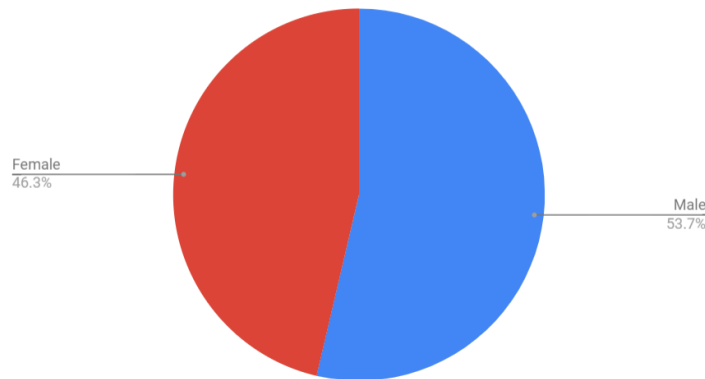


Figure 2: Percentage of Female vs. Male from a center under the Office of Refugee Resettlement on June 21st, 2018

My last day of employment was on June 21, 2018. From the data collected in my journal, I found that 46.3% of my students were female and 53.7% were male (Figure 2). By using all the daily attendance information from my classrooms, I created an excel sheet with all the minors' information. These percentages are calculated for 589 kids. This data does not include the kids that were discharged during the day or the night before. I am providing (figure 2) because many

people believe more boys travel to this country, but it is important to know both percentages are remarkably close to each other. Women are important and they matter. Many of the girls in the center were sexually assaulted in their home country or during their journey. Some would arrive pregnant or leave their children back in their home country. For instance, there was a young girl that was 14 years old. She had arrived at the program with her one-year old daughter and was pregnant at the same time. A couple of babies would arrive alone. I never questioned why they were in the program alone. Due to my lack of knowledge, *I thought they probably were sent with a coyote*, but this was not the case: some were indeed separated from their parents and others had unfortunate situations occur to them during their journey. For example, a baby arrived alone to the program because his mother was killed while they were traveling.

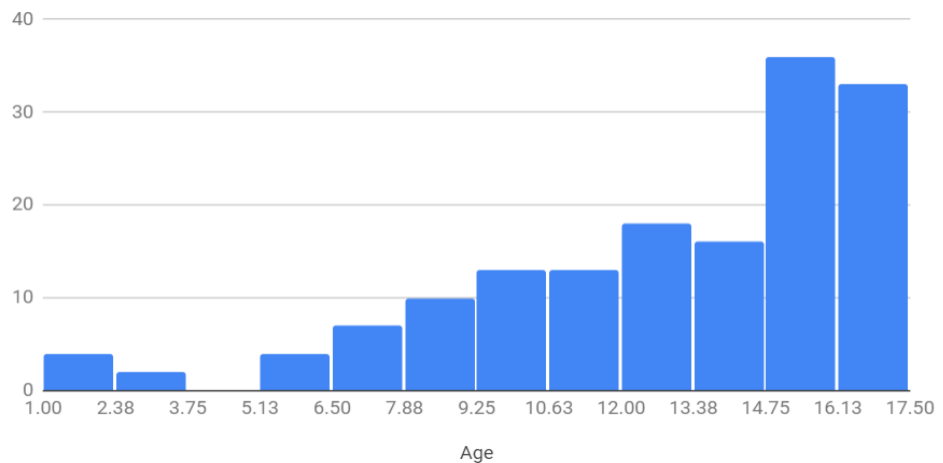


Figure 3: Ages of Unaccompanied Children from a center under the Office of Refugee Resettlement from September 8, 2014 - December 29, 2014

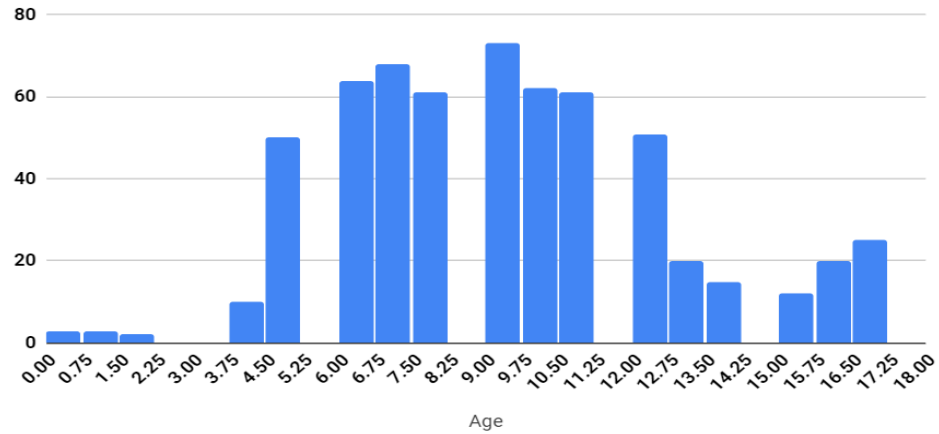


Figure 4: Ages of Unaccompanied Children from a center under the Office of Refugee Resettlement on June 21, 2018

Figure 3 and figure 4 both demonstrate the number of children that were in the program based on their age. (Figure 3) shows all the kids that were admitted into the program the full year of 2014. There was no child admitted that was months old and, in total, there were approximately 157 minors. This data begins on September 8, 2014 and ends December 29, 2014. (Figure 4) only provides information of the children that were admitted on June 21, 2018. On this day there were babies, just months old, and there was a total of 589 kids that day. It is also important to mention the program divided the kids in different groups depending on their age and academic advancement. Group A were kids between the ages of 0-7 years old, Group B were kids 8-12 years old, Group C were kids from 13-15 years old, and Group D Kids were 16-17 years old. Figure 3 and figure 4 show how the children being admitted into the program increased from older kids to younger children.

The program used to mention that they only received “unaccompanied minors,” but this is not the truth. Through recorded conversations, I discovered that many of the children were separated at the border from their family. When they arrived with family members who were 18 years or older, those relatives were considered adults. This causes a separation between family

members. The adults are sent to detention centers or given a court date until their case is resolved. This prolongs the case of many children, since their sponsors are often the persons in the detention centers. During my last day of employment, I realized I had been working for a company that had been separating children since the beginning, because many of the children never really arrived alone in the United States.

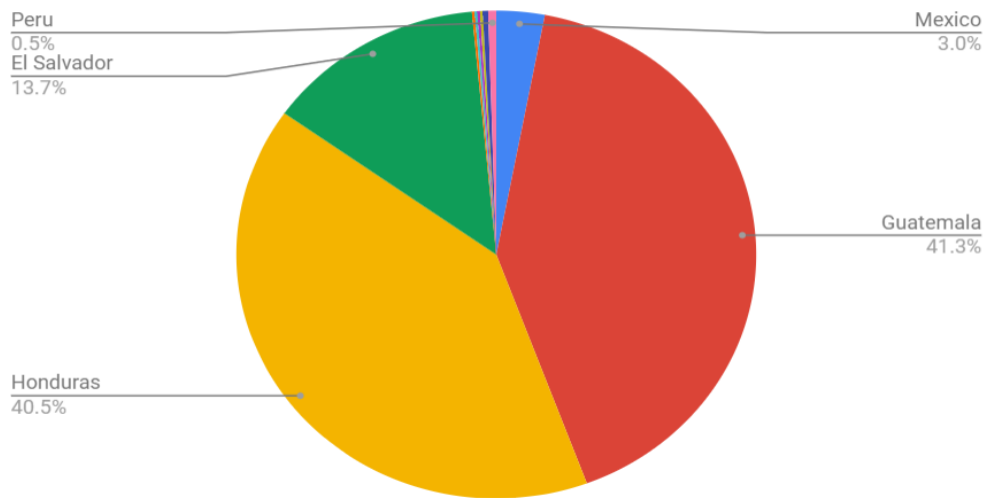


Figure 5: Percentage of Unaccompanied Children by Country admitted to a center under the Office of Refugee Resettlement on June 21, 2018

Figure 5 gives us an analysis of the different countries the children admitted on June 21, 2018 were from. As we can see, the highest population of children came from Guatemala with 41.3% and 40.5% from Honduras. The 1% not shown on the graph represents a child from the United Kingdom. President Trump stated during his campaign, many times, that he would like to build a wall to stop Mexicans from coming into America. This data clearly shows the population of children were not coming from Mexico, and this is the result of many different factors. For example, on June 3, 2018, Guatemala City experienced one of the worst volcanic eruptions and many people had to evacuate the area. Unfortunately, the data I collected, only has the home

countries of the minors from this specific date. My data fails to show the home countries of the minors from the previous years.

On June 21, 2018, before I resigned my position at the Center, representatives from Honduras came to see the children in the facility and I had the opportunity to converse with a few of them. The Council came to see the children who had left from Honduras and wanted to conduct different interviews. Some of the questions of the interviews included “What’s your name? What is your last name? Where is your mom right now? How old are you? When did you come to the United States? Where did you used to live? Did they separate you?” During the conversation, a case manager walked in and asked “Are you looking for minors that are necessarily separated at the border? And one of the representatives said “Yeah”. The case manager replied, “Okay, let me ask because not all of them are.” While the interviews were being conducted, the children, who were not from Honduras were put in a separate classroom. In my classroom, they put all the kids from 0-17 years of age from Honduras. This included two children without their mothers and pregnant girls. One of the babies continued to cry and did not want to separate herself from one of the 17-year-old girls in the classroom. One of the representatives commented, “She probably hasn’t felt that motherly love.” In the meantime, the children were entertained watching a soccer game, but many wanted to eat and go back to their classroom.

I asked one of the representatives named Karla Villatoro if she liked the program. She said “yes, but it hurts me. It hurts me seeing the kids.” Our conversation got interrupted by a case manager who was looking for a child. She had the mother on the phone calling from a detention center. I told her to take the child so as not to miss the phone call. Then, I resumed my conversation with Karla Villatoro. She said, “In Florida there are a lot of children as well. I

created a non-profit.” We spoke about the love all the children had for each other and how Honduran people are very lovable and always have open doors. Her tone of voice changed, and she went back to speak about the children being separated from their parents. She stated “God, what a sadness... you know it’s not gratifying to separate these kids. This is psychologically killing them.” And I agreed with her. She also mentioned, “It is a sadness that this country, so marvelous—because I love this country—I adore this country—the ingratitude of what the government is doing. Putting away children this way”. After some time, Rosmary Alonso, another Council representative, joined our conversation as well. Towards the end of the visit, they gave me their contact information. Unfortunately, I left it in Cayuga before I left. I have been wanting to reach out to Karla Villatoro and create a relationship with her. Throughout her comments, the phrase “What a sadness” kept being said.

That same week, I did not sleep much. I continued to ask myself, “What am I doing here? Who am I working for? Why is this happening?”. I did not know the magnitude of the situation and I felt hopeless, yet I knew I could do something about what was going on. Many of my coworkers felt the same way, and others feared losing their jobs because of the amount of news coverage by reporters outside of the Center. In many conversations that were not recorded, I told them we should do something, and they said, “I do not want to lose my job.” I decided to search online for people that could help me. I came across a lawyer, and I spoke to him about my feelings and the recordings I had made. He continued to call me a “Hero”, but I knew the real heroes were my kids. Speaking to him gave me a sense of hope, and that I had the opportunity of helping all these children be reunified with their families. After speaking to my lawyer, I decided to quit my job on June 21, 2018, before 5:00pm. On June 23, 2018, one of the videos I had recorded went live on Rachel Maddow’s show. The mayor, Bill De Blasio, was not aware about

programs like this at the Center. In the news, he mentioned the program had 239 kids that had been separated from their parents at the border.

One of the audios that was released in the media was a conversation between a teacher assistant, a teacher, and a group of students between the ages 11-12. The teacher assistant decided to have a conversation with the minors because of the news reporters outside of the building. She wanted the students to understand the situation and show them this Center was not a bad place. She describes, "In Las Hieleras you do not have a therapist, in Las Hieleras you do not have a case manager, in Las Hieleras they do not give you calls how we give you here, in Las Hieleras you do not have your foster mother." Personally, I believe this conversation should have happened between a clinician and the students. I think many of the comments could have triggered the students. I know she did not have bad intentions, but it did not help the situation. Towards the end of the conversation she asks the students where they would rather be: in _____ or Las Hieleras? The students responded "_____" except one student who said "Las Hieleras" (____ is replacing the name of the center). She replied and told the student "*Ahhhh you want to go to Las Hieleras? Ahhhh that is easy...because you can go one by one.*" In other words, she told the students it was easy to send them back to Las Hieleras because they had contact with them. Personally, I do not think the comment was appropriate.

Due to the longer length of this recording, other situations occurred as well. During the conversation, a driver came to pick up a minor that was being discharged. He wanted the child to hurry up. I told him the child wanted to say bye to his friends. But the case manager insisted that they needed to leave. The case manager said, "They are invading his personal space," I replied, "That's so sad. No, but he is going around saying bye. It is just that it's so many kids. You can't complain." During my employment this would happen a lot, because children will be discharged

last minute, and the driver would rush to take the child. The child would want to hug all the friends they made, or give them letters, toys, and other gifts. After I quit, I knew I took the right decision when my previous supervisor messaged me saying “I support you”. It brought tears to my eyes because I knew it was the best decision. According to NBC NEWS, the government stated they would reunite all children under 5 years old in 14 days, and 30 days for children over the age of 5.



Figure 6: This drawing was made by one of the former Unaccompanied Children. Remembering her home-country helped her continue to have faith and to not give up.



Figure 7: This drawing was made by a student who could not speak Spanish or English. His only way of communicating was by drawing. He had a dialect. Just like him and the previous students, most children drew about their home country. They missed it tremendously.



Figure 8: A 5-year-old girl gave me this drawing and said thank you for helping her big brother. Her brother and she were separated from their mother. He came to the United States to provide a better life for his daughter who he left back in his home country.

CHAPTER 5: RESULTS

5.1 The Elimination of Las Hieleras:

During the interviews, most participants mentioned the word detention center, or in Spanish, las Hieleras, which as stated previously is used to describe the experiences of the children or the children themselves, when they first arrive in the United States. In doing this work and research I have found there is confusion on the difference between the centers that fall under the Office of Refugee Resettlement versus the U.S. Customs and Border Protection facilities (Las Hieleras, Detention Centers). Children only stay in these U.S. Customs and Border Protection locations when they first arrive in the United States. The Centers, under the Office of Refugee Resettlement, are quite different. Some are liberal, in which the child can go outside and have a temporary foster family. There are also closed facilities that do not allow children to go outside, but they are not in cages. Only the facilities of U.S. Customs and Border Protection have areas that are remarkably like incarceration.

In the interviews conducted, each former staff shared one story of a specific child that impacted them the most, while working under the branch of the Office of Refugee Resettlement.

They mentioned:

- *“He was left by his mom as a baby because he was, he was born with a cleft lip and then he felt like he was a monster. And then because of his grandparents in his country. I believe it was his grandparents that decided to send him here and he lasted in the program a year.”*
- *“The kids telling you how the gangs— either you join the gang, or they kill you. Or, either you do join the gang or they, they shoot your family.”*
- *“He and his best friend were just hanging outside and this guy from a gang wanted them to join and they didn’t... he told me his friend got shot in the head and they told him they were coming for him tomorrow... To just leave right away—starting a new life—*
- *having to start a new life is just wow.”*
- *“I remember just one, one particular story of a 14-year-old that came into the Center and she had a one year old with her... I don’t recall what type of danger, but I know she didn’t feel safe where she was, and she was then forced to cross the border with her like at that time 9 months/ 10 months old baby, to try to, you know, get a better—have a better life—*
here in America. That, I have never forgotten. That little girl’s face I don’t remember her name, but I do remember her face.”
- *“The minor was 17 years old. She was, she already had a kid and she was pregnant also with a second one and she hadn’t seen her mom for, for about I believe 13 years. So, her mom left her when she was 4 in her home country and basically, she needed to survive by herself and provide for her children and she didn’t have the resources. She didn’t have the support so she kind of like left you know? Um, quit school and decided to start working at an early age.”*

These responses all demonstrate the different push factors that drive children out of their home countries. One push factor includes family conflict which is not listed by researchers as a reason for leaving their home country. In addition, most of the responses show the mental and physical violence these children go through. But also, their hopes in wanting a better future that led them to crossing the border. This shows the importance of protecting the lives of ALL children from the moment they arrive in the country. By eliminating las Hieleras, the children

would be provided with a more humane process. I propose for the Office of Refugee Resettlement to be part of the process of unaccompanied children as soon as they arrive in the United States. This will include more assistance and support for the children. The children will not be lost or confused and will feel safer.

When participants were asked if they believed centers under the Office of Refugee Resettlement should exist, some of the previous staff members participants expressed the following:

- *“If it's going to be helpful for the children, YES! But if it's going to be to treat them like less, like if they are animals or anything like that, I don't think so... I think it depends on how the program is being run, who's running it and what type of services and resources are available to these children and families.”*
- *“I think when they come, if I am not mistaken, um, a lot of these kids that come, you know, they are detained in the detention centers where, um, they are not provided with many services that they are required [to get] as kids you know? So, I think that ORR becomes the ideal place for them, because I don't think any other place besides ORR provides the services that are being provided to these kids.”*
- *“I think what it is, is that we don't fully understand um what exactly the ORR—like their whole um function—how they work, you know [lis], Um, or because from what we saw firsthand that it was working you know? And since it wasn't working then something should be changed about it.”*
- *“Well sometimes, for the one that we previously worked at should definitely continue to exist. They should be the ONLY types of centers in existence. It should only be... positive centers, like the one that I worked at, across the nation.”*
- *“Yes, they should exist like [the Center]. Definitely, because I see that they really care. (not including the center's name from the interview).”*

In addition, the former unaccompanied children included,

- *“Pues pienso que deberían abrir algo más diferente. Un programa más diferente, donde los niños puedan, puedan sentirse mejor ello— puedan tener comunicación con sus familiares o no se, darle un teléfono... porque si escuchan a sus familiares es algo diferente y uno se siente más motivado.”*

(Well, I think they should open something more different. A more different program, where the children can, can feel better, they can have communication with their relatives or I do not know give them a phone... because if they listen to their relatives it is something different and one feels motivated).

- *“Yo pienso, mientras estaba en el centro permitiendo otra llamada probablemente pueda ser. Porque uno pues, uno está ahí más solo, uno se siente como, como, como explicarlo ... Así sin salir, uno se siente prácticamente si estas solo aunque hay personas ¿no? pues convivía con los familiares o que se yo. uno se siente acogido con la distancia.”*

(I think, if the center allowed another call while being at the center, [it]l could probably be. Because one then, well, one is there alone, one feels like, like, how to explain it? Not being able to leave, one feels practically that you are alone, although there are other people, right? Because I lived with family and one feels welcomed with distance).

- *“Para mi punto de vista es, es mejor como un lugar donde yo estaba... que las personas estén en un lugar así porque uno se siente como un poco más libre y ya. No es un lugar como detención como es como más estar en una cárcel por decirlo así.*

(For my point of view it is, it is better then the place where I was...that people are in a place like this because one feels like a little freer and that's it. It not a place like detention which is more like being in a prison so to speak).

In summary, most participants believed centers, like the ones under the Office of Refugee Resettlement, should exist, if the centers are providing necessary resources. Two of the young adults mentioned that if they have more communication with their family members and maintain liberal policies, they were in accord with the centers as operated under the Office of Refugee Resettlement. Some of the participants mentioned that children should overall be placed in a center that will protect them and not mistreat them.

5.2 Apprehended at the Border:

Section 2.2.1 of the process of the time-release process under the Office of Refugee Resettlement provides four different categories of who qualifies as a sponsor for an Unaccompanied Child. All these categories should stay as part of the requirements for a child to

be reunited with their sponsor, if the child is placed in a center. But these categories should also be modified and applied to children arriving alone, or with a relative, as soon as they are apprehended. These modifications will help centers funded by ORR not become overcrowded and will allow for more focus on the most important cases.

- **Category 1:** If a child arrives with a Parent or legal guardian, ORR should not have custody of the child. The child and Parent or legal guardian should receive a form to fill out with their information, a court date and be released if they have a location to live. If the legal guardian does not have proof of their relationship DHS should provide a DNA exam. Many companies can now obtain DNA results in just 15 minutes. DHS can have a deal with these companies which will be an economic investment. If the child's Parent or legal guardian is under the age of 18, they should both be placed under the care of ORR and not separated.
- **Category 2A:** If a child arrives with an immediate relative--a brother; sister; grandparent or other close relatives (aunt, uncle, first cousin), who previously served as the UAC's primary caregiver. (This includes biological relatives, relatives through legal marriage, and half-siblings) If the child arrives with an immediate relative, they should also be provided with a DNA test. DNA exams can also prove these relationships. They will also be provided with a form to fill out, a court date, and be released with a location to live. If the immediate relative is under the age of 18, both should be placed under the care of ORR.
- **Category 2B:** If a child arrives with an immediate relative-- including aunt, uncle, or first cousin who was not previously the UAC's primary caregiver (this includes biological relatives, relatives through legal marriage), same as the last category (2A).

- **Category 3:** If the child arrives with distant relatives or unrelated adult individuals, the child should be placed in a center. This can cause some trauma to the child, but it is important to prove who will be providing for the child. It is important to protect the unaccompanied child. This will avoid children from getting sexual trafficked or abused.
- **Category 4:** If a child arrives without anyone, or with a relative under the age of 18, the child or children should not be released and stay under the custody of ORR. Once the unaccompanied children are placed in a center, they can be provided all the necessary services.

5.3 Restructure PRS

One of the children said during the interview,

“Cuando, cuando uno viene para acá y se despide de su familia allá uno viene positivo ¿no? Pensando en que todo va a estar bien y que uno va a llegar a sus papás y que vas a estudiar y todo bien ¿no? Pero es todo lo contrario. Cuando uno llega acá porque uno se da cuenta que, que no es lo que uno se espera que incluso la familia acá—algunas familias, no son ni familias porque cuando uno necesita apoyo ellos no pues no simplemente no. Y el caso que fue con mi papa es, es muy difícil porque como pasó tanto tiempo de no estar juntos no fue una relación muy buena y, y todas esas cosas—que bien por los niños y muchachos que vienen para acá y que su relación con la familia que los va a recibir esta bien ¿no?”

(When, when you come here and say goodbye to your family there, you come positive, right? Thinking that everything is going to be fine and that you are going to get to your parents and that you are going to study, and everything is fine, right? But it is quite the opposite. When one arrives here because one realizes that, which not what one expects, even the family here, some families, are not even families because when one needs support, they do not, not simply not. And the case that was with my dad is, it is very difficult because as I spent so much time not being together it was not a very good relationship and, and all that stuff—it’s good for the children and teenagers who come here and that their relationship with the family that will receive you is good, right ?)

Many children, like this young adult, arrive in the United States very hopeful and believe they will have the support of their sponsor and the community. Unfortunately, some face many

obstacles either in school, work, their relationships with their sponsor, among others. During the interviews with the former unaccompanied children, one out of the three received Post-Released Services. The two former unaccompanied children without Post-Released Services had family-relationship conflicts after discharge and both did not finish High School. They had to work to contribute and sustain themselves. This is the reason I propose for ALL children to receive Post-Release Services. Post-Release Services provide a case manager for the child. According, to the Office of Refugee Resettlement 6.2.2 posted in 2017, include:

1. Placement Stability & Safety
2. Immigration Proceedings Assistance
3. Guardianship
4. Legal Services
5. Education
6. Medical Services
7. Individual Mental Health Services
8. Family Stability/Counseling
9. Substance Abuse
10. Gang Prevention
11. Other Services

The list of services should also include **Bilingual support** as a service for the children. Secondly, making Post Release Services mandatory will provide case managers the opportunity of following up from the beginning and work through any dilemmas along the way. During my employment at the Center, when a child is discharged, case managers only follow up with the family a month later, **one** time. When I asked one of the interviewees who was a previous case manager to explain a story that impacted them, they mentioned, *“I meant to follow up with the, with the parent after she got reunified. Um it was kind of like Um, sad to hear from the mom that she ran away from the house and she decided to move on with her life.”* This does not provide a realistic view of how the child is really doing and what they need. One call is not enough to restore the amount of time that a child has been separated from their sponsor. A child’s living

arrangement, such as having their own room, are details case managers can help the families secure by giving them deadlines and other resources. Nevertheless, this would help diminish the amount of time children spend in these facilities or at the border.

STATE	TOTAL NUMBER OF UC RELEASED TO SPONSORS IN FY 2015 (OCTOBER 2014 – SEPTEMBER 2015)*	TOTAL NUMBER OF UC RELEASED TO SPONSORS IN FY 2016 (OCTOBER 2015 – SEPTEMBER 2016)	TOTAL NUMBER OF UC RELEASED TO SPONSORS IN FY17 (OCT. 2016 – SEP. 2017)*	TOTAL NUMBER OF UC RELEASED TO SPONSORS IN FY18 (OCT. 2017 – SEP. 2018)*	TOTAL NUMBER OF UC RELEASED TO SPONSORS IN FY19 (OCT. 2018 – SEP 2019)	TOTAL NUMBER OF UC RELEASED TO SPONSORS IN FY20 (OCT. 2019 – FEB. 2020)
Alabama	808	870	598	736	1,111	165
Alaska	2	5	3	0	4	0
Arizona	167	330	322	258	493	105
Arkansas	186	309	272	193	359	65
California	3,629	7,381	6,268	4,675	8,447	1,514
Colorado	248	427	379	313	714	126
Connecticut	206	454	412	332	959	185
Delaware	152	275	178	222	383	83
DC	201	432	294	138	322	37
Florida	2,908	5,281	4,059	4,131	7,408	1,057
Georgia	1,041	1,735	1,350	1,261	2,558	398
Hawaii	2	4	4	1	16	5
Idaho	11	39	11	28	62	12
Illinois	312	519	462	475	863	144
Indiana	240	354	366	394	794	137
Iowa	201	352	277	238	489	87
Kansas	245	326	289	305	453	72
Kentucky	274	503	364	370	710	110
Louisiana	480	973	1,043	931	1,966	259
Maine	4	9	11	22	26	6
Maryland	1,794	3,871	2,957	1,723	4,671	598
Massachusetts	738	1,541	1,077	814	1,756	324

Michigan	132	227	160	136	248	46
Minnesota	243	318	320	294	624	101
Mississippi	207	300	237	299	482	63
Missouri	170	261	234	203	431	68
Montana	2	0	2	3	0	2
Nebraska	293	486	355	374	563	92
Nevada	137	283	229	132	324	47
New Hampshire	14	25	27	20	25	7
New Jersey	1,462	2,637	2,268	1,877	4,236	658
New Mexico	19	65	46	43	89	25
New York	2,630	4,985	3,938	2,845	6,367	1,176
North Carolina	844	1,493	1,290	1,110	2,522	437
North Dakota	2	10	3	2	10	1
Ohio	483	693	584	547	1,091	184
Oklahoma	225	301	267	286	581	76
Oregon	122	188	170	200	318	46
Pennsylvania	333	604	501	563	1,229	188
PR	0	0	0	1	3	3
Rhode Island	185	269	234	235	453	66
South Carolina	294	562	483	508	1,012	189
South Dakota	61	81	81	96	149	31
Tennessee	765	1,354	1,066	1,173	2,191	342f
Texas	3,272	6,550	5,391	4,136	9,900	1,668
Utah	62	126	99	97	179	52
Vermont	1	1	0	2	6	0
Virginia	1,694	3,728	2,888	1,650	4,215	568
Washington	283	476	494	435	723	169
West Virginia	12	26	23	23	41	3
Wisconsin	38	85	94	98	246	38
Wyoming	6	23	14	15	15	3
Virgin Islands	0	0	3	0	0	0
TOTAL	27,840	52,147	42,497	34,953	72,837	11,838

Table 3: Unaccompanied Children discharged states released by the Office of Refugee Resettlement between October 2014- Feb 2020

(Table 3) was released by the Office of Refugee Resettlement from October 2014- October 2020. (Table 3) demonstrates the locations of where unaccompanied are being released. This gives the Office Refugee Resettlement, and each state, the opportunity to see which locations can provide the needed support to unaccompanied children. States should use information such as this chart to monitor the children by guaranteeing they are safe and in a healthy environment. For instance, in Oakland, California there is a school named Oakland International High School. This High school accepts a high percentage of refugee students. This allows the children to incorporate themselves into the community and feel supported. Amnesty International (2020) reported, some people end up feeling alone and isolated because they have lost the support network that most of us take for granted – our communities, colleagues, relatives, and friends. The creation of schools and programs that cater to unaccompanied children is important because they become part of society and the future of the society. The lack of support after release was a theme throughout all three interviews for the former minors.

Moreover, I propose for the current facilities which already exist under the Office of Refugee Resettlement to also allocate part of their program to unaccompanied children who are with their sponsor but need extra support. Post-Release Services case managers can also be allocated in these programs in case of an emergency. Post-Release Services should be provided to the child depending on how the child is doing in all the areas such as in school, their mental health and more. In addition, the Office of Refugee Resettlements mandates unaccompanied children receive two different categories of Post-Release Services which are explained in section 6.2.1. These categories should be received yearly. The categories in the website of the Office of

Refugee Resettlement was last revised on September 5th, 2018. The reasons children come to the United States can change. For instance, on June 3rd, 2018 Guatemala City was hit with a volcanic eruption. This caused people to migrate out of their community.

5.4 Long Term-Care

a. Children without a sponsor:

The Center provides a Long-Term Care. Through my employment, I saw how the Long-Term Care part of the program was designed for children who do not find a sponsor and can be in danger if they return to their home-country. It is exceedingly difficult for children to find a family that will adopt them. If all centers would adopt this program, many children would be saved from being sent back to their home-country and put in danger. If the program of the Center is promoted more this can increase the amount of families trying to adopt unaccompanied children. It is important to identify that the child does not indeed have a sponsor. Unaccompanied children should not be given to another family without the guarantee that they do not have any family members in the United States.

b. Committee

The creation of a committee that oversees everything occurring inside these facilities and protects the rights of ALL the children can help create some changes. No committee oversees these facilities to assure they are following all the Office of Refugee Resettlement's guidelines. This committee can assure children receive the proper care they deserve. If the Office of Refugee Resettlement only continues to fund existing shelters instead of admitting unaccompanied children in the *Hieleras* upon arrival, then the Office of Refugee Resettlement should hasten the process of Unaccompanied Children from being released by investing more on Post Release Services. Lastly, the Office of Refugee Resettlement should have a separate branch for

immigrant families. The title says it all: An Office of the Administration for **Children and Families** not just for children.

The amount of time children are under the custody of the Office of Refugee Resettlement according to their website is 66 days. But, during the interviews, when asked How long did you last in the center? Two of the former minors said four months in the center and the 3rd young adult responded 8 months. This demonstrates children do stay over 66 days. Additionally, during the interviews, former staff members were asked What did you think about the amount of time children would last in the center? Some of the responses included:

- *“So, I saw kids either leave in five days and then go to like their sponsors or some kids they were there for years and, you know, weren’t able to get the paperwork from their country done.”*
- *“...It would be on average two to three months.”*
- *“Well, Um how should I put it? Once again it needs to be taken case by case, because we had children that would come in and within a week they were connected to their family member and, and we had those other students that because they had reached an adult age, or because they weren’t able to have a connection with their sponsor, or family member, they had to stay in the program a long period of time.”*
- *“It was, it was crazy to me that the first kids that I first started with were the last ones to get out. And between all of that there was a lot of, you know, there was a lot of kids that were there for a couple of weeks, a couple of months, but it’s crazy to me that a lot of them were there months prior to me being there and then we got an influx of 300+ students and those were gone quickly. And at that point it made a lot of my older kids feel like okay what’s going on here?”*

These responses show us again that children can spend a long time in these centers depending on the case. According to these responses, it is concluded that the more difficult the case is, the longer a child will not be released. The Victim Protection Act is one of those reasons. This act only protects children while they are in the centers. But this does not guarantee children will be protected completely. All three children who were interviewed had to run away from

home due to family relationship problems. The creation of a committee will ensure children are able to integrate themselves into the community quicker. Also, it can stop family separation and children's rights will not be violated. In November 2019 different news outlets such as Sherman (2019) reported, "the U.S. government has acknowledged that being held in custody can be traumatic for children, putting them at risk of long-term physical and emotional damage." It is important to bring awareness to this topic because these unaccompanied children will be the future of America. Children can be protected with case managers assigned to each child. Case managers can follow up and monitor the situations occurring at home. Flagging parents will be especially important to avoid children from getting exploited, abused, or hurt.

5.5 Benefits

One of the questions during the interviews asked in Spanish was, Were you happy in the Center? If yes, why? If not, why?

- *"Hum no sé cómo decirle ...cuando uno acaba de llegar y todo lo que está pasando en lo personal como mi abuela se murió fue como había momento que, si estaba contenta con mis amigas, con los maestros y había momentos como que pues uno vuelve a caer no? Te vuelves a poner triste porque no está la familia, pero cuando estoy con los compañeros, con los maestros, yo, yo si me sentía bien me sentía feliz... a sentirme mal no era por ustedes era porque extrañaba a mi familia y me sentía un poco sola, pero eso es todo".*

(Um, I don't know how to tell you because when you just arrive and everything that is happening personally, like my grandmother died, it was like there was a moment that, yes, I was happy with my friends, with the teachers and there were moments like that because one [feels down] again right? You get sad again because the family is not there, but when I am with my colleagues, with the teachers, I, I did feel good, I felt happy... When I felt unhappy, it was not because of you all, it was because I missed my family and I felt a little alone, but that is all).

- *"Ah sí me gusto porque como ya lo dije, antes hice muchas bonitas amistades, convivimos mucho pues nos dejaban salir a la cancha y también el hogar que me había tocado era muy, muy agradable sabe ó sea a mi si me gusto, en lo personal sí."*

(Oh yes, I liked it because, as I said before, I made many beautiful friends, we got along together a lot, well, they let us go out to the field and also the home that I was assigned to it was very, very nice, very comforting you know? For me, yes, I liked it, personally, yes).

- *“No... porque una quería salirme de ahí. Yo no quería estar ahí. Me sentía deprimida, triste y ya yo quería estar con mis familiares, pero no me dejaban ir.”*

(No... because one, I wanted to get out of there. I did not want to be there. I felt depressed, sad, and I already wanted to be with my relatives, but they wouldn't let me go).

These explanations by the former unaccompanied children show us their mixed emotions. Their friendships were used as their support system to help them keep going. They felt supported but missed their families. They wanted to be with their families, and this caused them pain and sadness. The proposed idea of minimizing the time in the centers can help them stabilize their emotions.

Moreover, these current facilities can be used to assist the children while they are integrating themselves in the community and by creating a relationship with their sponsors. These changes can also help migrant families with their cases when they present themselves in court. It will give unaccompanied children the opportunity of demonstrating how they are thus far integrating themselves in the community.

5.6 Recommendations:

These recommendations were drawn from using different sources. To begin, my personal experience in the Center provided a background to the research. Secondly, analyzing the public data provided from governmental websites, such as the Office of Refugee Resettlement and The Department of Homeland Security, showed the areas of the programs that can improve. In addition, investigating and staying updated with current news and non-profit organizations resulted in demonstrating how the Center is treating the children in custody. Thirdly, the

interviews conducted with the children and the staff reveals firsthand experiences of those working and living under the Office of Refugee Resettlement. Each section provides some of the answers offered by the participants. Overall, all these different forms of resources provide a better analysis of how the Office of Refugee Resettlement can change completely for the benefit of the children.

CHAPTER 6: LIMITATIONS OF THE STUDY

Conducting this research came with some limitations. One of those limitations included the interviews being conducted by phone. Due to limited funds and the different locations of the participants, it was not possible to conduct the interviews in person. The second limitation was only being able to conduct three interviews with former unaccompanied children who are now over age. This occurred because many of the former unaccompanied children are still underage. This limited the number of interviews.

In addition, another limitation is how current this study is. The topics surrounding unaccompanied children are very recent because the influx of children migrating to the United States that rose after 2014. The research continues to evolve daily. It is important to note the dates these governmental websites were visited and when the information was collected. Another limitation is not providing any of the information of the participants during the interviews. This did not allow for further examination of the responses based on data such as the states, age, nation of origin, of the participants, among other factors.

CONCLUSION:

Unaccompanied children arriving in the United States is a topic that needs a lot of attention. The influx of children arriving to the United States did not allow the government to really help unaccompanied children in a long-term manner. The analysis of the Office of

Refugee Resettlement can assure and further develop the protection of their rights. Also, listening to their stories can demonstrate how effective the United States government response and systems are for unaccompanied children. With this study, the government can take actions accordingly and be better prepared for future children arriving in the country. It is essential to keep children with their family members and focus on children who indeed come alone to the United States. The narratives of the children show how critical it is for the United States to cater to the unaccompanied children and support integrating themselves in their new communities. By providing Post-Release Services to all children, as soon as they arrive in the United States, will accelerate their integration process, reunification and will provide immediate assistance.

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