Frequently Asked Questions about the Unaccompanied Children Crisis

Since October 2013, more than 57,000 children have entered the United States along the Southern border. This is twice the number that entered in all of last year. Read the questions and answers below to learn more about why children are fleeing their homes, what they experience when they arrive in the United States, what the Catholic Church is doing, and how you can help.

1. Why are the children coming?

Children report migrating to the United States for a variety of reasons, including reuniting with family, economic opportunity, and fear of violence in their home countries. While there is no single cause for migration, Central American children are increasingly fleeing gang-related violence.

“Prior to 2009, children would report leaving to reunify with family and to seek jobs,” said Kristyn Peck, Associate Director, Children’s Services, Migration and Refugee Services, U.S. Conference of Catholic Bishops (USCCB). “But in 2009 we saw that narrative change. More and more often, we heard stories from children that they were escaping forcible recruitment from gangs, that their communities are unsafe, and that they felt like they had no other options.”

The situation in Nicaragua demonstrates the role violence plays in prompting unaccompanied children to come to America. Despite the country’s poverty, there has not been a surge in unaccompanied minors leaving Nicaragua. Analysts believe this may be because the murder rate is about 11 for every 100,000 people, as compared to about 40 for every 100,000 people in El Salvador and Guatemala, and 90 per every 100,000 people in Honduras. If economic opportunity and U.S. polices were driving migration, we would be seeing more migrants from countries like Nicaragua.

Moreover, the United States is not the only country to which the children are fleeing. According to the United Nations High Commissioner for Refugees (UNHCR) neighboring countries such as Mexico, Nicaragua, Belize, Costa Rica, and Panama have seen an increase of almost 700% in unaccompanied minors seeking asylum.

2. Why are they coming now?

In recent years, gangs in Central American have been growing more violent and recruiting children at younger ages. The youth murder rate in Honduras surged over the first 5 months of
2014, rising from an average of 70 youth killed per month in 2010-2013 to an average of 90 youth killed per month in 2014. In El Salvador, the homicide rate has been rising steadily since August 2013, when a truce between gangs collapsed. According to the U.S. State Department, there was also a 93% increase in disappearances.

3. Can these children be deported when they arrive at the border?

Under the Trafficking Victims Protection and Reauthorization Act (TVPRA) of 2008, unaccompanied migrant children from countries other than Canada and Mexico cannot be returned to their homes without a hearing before an immigration judge. Because the immigration system is so backlogged, it may take years for children to get a hearing. It is important that these children receive hearings because, according to a United Nations report, the majority of these children are eligible for legal protection in the United States. Learn more about the protections provided by the TVPRA here.

4. Should we speed up the removal hearings?

Speeding up the removal hearings will further strain an already overwhelmed system and may not give children sufficient opportunity to make a case. According to the Department of Justice, the immigration system as a whole currently has 375,000 cases being handled by just 243 judges.

A speedy hearing doesn’t give children sufficient time to prepare for court. The government does not provide attorneys for immigration hearings, so children must attempt to find an attorney to assist them on their own. Even if they can find an attorney within days, the attorney still needs time to assemble a case. This can be an especially time-consuming process when children are involved. It often takes several interviews for a child to open up about his or her experiences.

“A child isn’t going to disclose a chronological narrative of their experiences,” said Kristyn Peck. “Children’s brains are still developing and with each developmental phase the child is mastering different tasks. For example, a child who is between five and eleven years old is mastering lawfulness, logic, and rules. What this means is children in this phase are going to answer the exact question you ask. So, if you ask a child why he is coming to the U.S, he may respond by saying, ‘I’m coming to live with my aunt.’ He may neglect to tell you that while living in his home country he was beat up every day on the way to school by gangs.”

Given the time it takes to find an attorney, prepare evidence, and interview children, holding a removal hearing too quickly is unlikely to provide a just outcome for children.

5. Why are children from Mexico and Canada treated differently?

The TVPRA created two separate paths for unaccompanied children entering the United States: one for children from contiguous countries (Mexico and Canada) and the other for children from any other country. Children coming from Mexico and Canada must prove to a Customs and Border Patrol agent that they fear persecution or trafficking in order to avoid being returned home. Children from other countries are permitted to apply for legal status without being subject to expedited removal.
Micheal Hill, Associate Director of Government Relations with the U.S. Conference of Catholic Bishops, says a separate path was not necessary for children from Mexico and Canada because of the relationships the United States has with those countries. “It was felt that there were protections available to children pursuant to agreements they had, but that children coming from other places had traveled such distances and the potential was there that agreements on how to repatriate those children were nonexistent, so they were deserving of greater protections.”

6. What are conditions like for children staying at the border patrol stations and temporary shelters?

Border patrol stations were not designed to hold children for an extended period of time. Children are given snacks and limited amounts of food, but there are often not enough beds or blankets for all the children. There may also be insufficient access to showers and toilets for all the people staying at the patrol station.

The border patrol is required to turn children over to the Department of Health and Human Services after 72 hours, but children may stay longer because Health and Human Services does not have enough shelter space.

Once they arrive at shelters, children often stay in dormitory-like buildings. They have access to regular meals, showers, a case manager, psychological services, and educational programming. However, shelters are very crowded and children often wait a long time for access to services.

7. Where are these children going after they leave border patrol stations and shelters?

Most children are placed with relatives already living in the United States. Officials said more than half of all children initially placed in shelters have been reunited with a parent living in the United States, and 85% of children have been placed with a family member.

8. Will increased border security and enforcement help?

Deploying the National Guard may help provide more manpower to Customs and Border Protection agents, but this crisis is not really about lax border enforcement. Most of the children are voluntarily turning themselves over to border patrol agents, not trying to sneak across the border and avoid detection.

H. Steven Blum, who was the Chief of the National Guard Bureau from 2003 to 2009, told the Washington Post that he’s unsure deploying more troops to the border will help. “I’m not sure we’ve clearly defined the question, and until that is done I am reluctant to tell you that the Guard is the answer,” Blum says. “Merely sending the Guard to the border is not a panacea for the myriad complex problems of the current situation.”

9. What has the Catholic Church done to respond so far?

Catholic Charities’ and other Catholic programs along the border are assisting the government in providing pastoral care to those in custody and providing donations of food, clothing, and other supplies. Catholic Charities USA is assisting FEMA in finding facilities to house children and
staff members to provide care and legal services. Respite centers have been opened for migrants to receive fresh clothing, showers, food, and help navigating the transit system.

Through USCCB’s Migration and Refugee Services programs, the Church assists in providing shelter and foster homes for children, legal assistance, and access to medical care.

CLINIC is also providing legal training and technical assistance to practitioners assisting children with their immigration cases.

For more information, see the June 20, 2013 webinar hosted by CLINIC and featuring speakers from Catholic Charities USA, Catholic relief Services, and USCCB.

10. How can I help?

Reach out to your local parish and other organizations that work to assist refugees. Offer your services to CLINIC’s members or consider donating. Visit Catholic Charities USA’s website to find out more about their excellent work. Finally, you can call your members of Congress and urge them to find a compassionate solution to the crisis. See, Ten Ways to Welcome the Children at Our Border.