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Unaccompanied Minors: Their Journey from Central America to West Michigan

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April 20, 2012

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Acronyms

Administration for Children and Families	ACF
Customs Border Patrol	CBP
Department of Health and Human Services	DHHS
Department of Human Services	DHS
Division of Unaccompanied Children's Services	DUCS
English as a Second Language	ESL
Grand Rapids International Fellowship	GRIF
Immigration and Customs Enforcement	ICE
Immigration and Naturalization Service	INS
Justice for our Neighbors	JFON
Office of Refugee Resettlement	ORR
Post Traumatic Stress Disorder	PTSD
Special Immigrant Juvenile Status	SIJS
Trafficking Victims Protection and Reauthorization Act	TVPRA
Unaccompanied Refugee Minor	URM
United States Catholic Conference	USCC

Introduction

Immigration has been at the center of many social and political debates lately. Although most debates center around adult immigrants who are working in agriculture, the newest phenomenon at the heart of immigration is the increase of youth from Central America traveling unaccompanied to the United States. Because of the dramatic influx of unaccompanied minors, policy makers and leaders are being forced to study this new phenomenon in order to understand why and how the youth are coming to the United States. What is at risk for these children as they make this treacherous journey and why would they take these risks? Do we have an obligation to protect these children once they are in the United States? What are the resource implications associated with this protection? This paper examines a broad overview of youth migration from Central America including their reasons for leaving their home country, the journey itself, their reality of life in the United States and the programs and resources available for unaccompanied minors in West Michigan.

Youth migration is not an isolated event, but a growing phenomenon that inherently affects not only the youth that are migrating, but their families, their home countries, and people in the United States as well. In just five years, from 1997 to 2002, the number of unaccompanied minors entering the United States increased by fifty percent (Chavez 2010). In 2005, the Department of Homeland Security apprehended 114,563 unaccompanied minors, compared to just 86,000 in 2001 (Chavez 2010). So why are so many youth leaving their homes? Why is this number increasing?

For the purpose of this paper, Central American youth under the age of eighteen who travel to the United States alone will be referred to as unaccompanied minors. This term covers both youth who become refugees (also known as wards of the court) in the United States as well

as those who remain undocumented immigrants. This difference will be discussed later in the paper when resources and programs for unaccompanied minors are described.

Reasons for Youth Migration

The first question addressed in the investigation of this growing phenomenon is ‘Why are these unaccompanied minors coming to the United States?’ The answer to this question can be divided into two categories. First, this paper examines the question of why youth *leave* Central America, and second why youth *come* to the United States. It is common for people from the United States to think that people from Central America only come to the United States because of opportunities here; but in reality many youth are making the journey because they want to leave something behind.

Violence in Central America

In order to understand why so many youth are leaving, it is important to recognize the past and current situations of the governments and societies in Central America. For example, according to Chavez, the largest amounts of youth are coming from El Salvador (2010). Given that El Salvador has been riddled with violence and uncertainty since the 1980s, this influx of youth from El Salvador is much more understandable (Chavez 2010). There was a twelve year Civil War in El Salvador from 1980 to 1992. During this time, the El Salvadoran government was extremely oppressive, and the persecution was only perpetrated by financial support from the United States government (Rosales 2012). Little known to many people in the United States, the United States government provided aid including military training and weapons totaling over 2 billion dollars to the corrupt government of El Salvador throughout the Salvadoran Civil War

(Booth 1989). This money aided in extreme violence toward Salvadoran citizens, and resulted in the deaths and disappearances of thousands of El Salvadorans. According to Booth,

Levels of political repression in El Salvador reached such heights in the late 1970s that official mortality statistics began to reflect the curve of terror. There were an average of 864 murders per year in the sixties, then in 1980 there were 11,471 violent deaths (1989).

Due to the sheer numbers of people murdered, captured, or disappeared, nearly every single person in El Salvador was somehow affected by the violence; whether it was a brother, parent, sister, cousin, neighbor, or teacher. Booth notes how frequent these tragedies were when he says,

The following violations became commonplace: searches of persons and residence on a massive scale, arbitrary, unmotivated and unappealable arrests by secret police, widespread use of physical and psychological torture; violent kidnappings; arbitrary and indefinite retention of prisoners; use of illegally obtained “confessions” through torture or intimidation; and much more (1989).

By the end of the war, more than one in six citizens of El Salvador had fled to neighboring countries (Booth 1989). The problem was that neighboring countries such as Honduras and Guatemala did not have stable governments either. For example, in Guatemala during the 1966 to 1970 administration of Julio César Méndez Montenegro, there were death squads run by the government who used terrorism and violence to control their country. During this administration the death squads took dozens of lives every month (Booth 1989).

Gang Violence

As wars ended and governments started to equalize in Central America in the early 90s it was apparent to the people of Central America that the violence was not over. In fact, many sources say that the violence actually increased after the war (El Salvador 2012). Men who were trained as guerillas for the war in El Salvador now found themselves without a cause, and grouped together to form gangs called “Maras” (Chavez 2010). The members of these Maras were referred to as “children of war” because they grew up in the Civil War period in Central America, and were looking for an outlet for their violence. These Maras also spread to neighboring Guatemala. Although they were much less violent in Guatemala than El Salvador, many of these groups charged a “toll” in their communities, and controlled those who lived there (Chavez 2010).

The power of these gangs is one of the most prominent reasons that youth are looking to leave their home countries. Gangs such as Mara Salvatrucha, or MS-13, have grown to be so large and violent that it is nearly impossible to walk down the streets of countries in Central America without crossing one of their members. According to Rosales, almost half of all crimes in El Salvador are attributable to youth gangs (2012). They are extremely aggressive and are responsible for so much of the fear in Central American countries. Because of this, youth growing up in Central America are introduced to the gangs at a young age and are influenced and persuaded to join these gangs. Many youth fall into the trap of joining a gang as a way to survive and earn a small amount of money. A dichotomy exists within this thought process because when a member of a gang like MS-13 asks youth to join, they are in trouble no matter what they say. If a youth joins, then they are forced to kill people and commit heinous crimes, as well as being put at risk to be killed by rival gang members. However, if they say no, it is likely that they will be

attacked and pursued by gang members because of their refusal. Therefore, many youth who want to leave a gang, or who are afraid to join, decide to flee their country instead. The actions and memberships of gangs are so intrusive that the youth literally have no other choice but to flee their country in order to escape it (Rodgers 1999, Rosales 2012).

Chavez describes a case like this about a sixteen year old named Edgar Chocoy (2010). This boy from Guatemala fled to the United States to seek asylum due to death threats from local gang members. Upon arrival in the United States his case was denied; and when he arrived back home seventeen days later, Edgar was shot in the neck and killed by a member of the gang he had fled from (Chavez 2010). It is clear that the threat is real, and these youth are doing anything they can to escape it.

Abuse & Neglect

Aside from gang violence, many children growing up in Central America are trying to escape other forms of persecution as well. Many children who are victims of sexual slavery or trafficking, child labor, parental abuse and sexual violence feel that their only way to survive is to flee to the United States (Chavez 2010). Many youth have admitted to being sexually abused, physically abused or neglected by their parents due to poor economic status (Ko 2010). If one or both of their parents cannot find work, they often turn to drinking or other self-destructive behaviors that put the youth at risk. Because of this, youth find themselves without food or proper care, and feel like the only way to escape this abuse is by coming to the United States (Ko 2010).

Economic Struggles

Life threatening violent circumstances is one primary reason this new wave of youth are leaving their home countries and coming to the United States. Not only are they trying to escape these circumstances, but many youth make the migration trek because they are searching for something like a job or family member in the United States. For example, many youth come unaccompanied for economic reasons. According to the Christian Science Monitor, nearly 20% of youth in Central America are neither studying in school nor working (Llana 2010). But not only is the unemployment rate high, even of those who have a job, 30% rate themselves as underemployed (Llana 2010). This means that even if youth have jobs, they are not getting nearly enough hours or being paid enough to live on (Llana 2010). According to Lopez Castro, “children under age twelve years tend to migrate for family reunification while children 13 years of age and older migrate for economic reasons” (2007). Even though most youth are aware of the poor economy and high unemployment rate in the United States, they are not discouraged. They are under the impression that everyone who goes to the United States will find a job. Many youth from Central America have created an image of the United States that portrays the United States as full of skyscrapers, models, and high paying jobs; in other words, exactly what they see in the movies. The only “United States” that they know of is Hollywood’s version of it. This has created the illusion that as soon as they cross the border their worries will disappear.

Division of the Nuclear Family

Aside from high unemployment and low wages in Central America, what strains youth’s financial situations even more is the fact that many youth are abandoned by one, if not both of their parents. There has been an extreme increase in single-motherhood in the last decade due to

divorce and the disintegration of the nuclear family (Nazario 2006). In the past, when more parents stayed together, the father would leave and go to the United States to get a job in agriculture, then come back and be with his family in the off-season. Now due to the high rate of divorce and abandonment (Nazario 2006), many single-mothers are left to be the sole-care takers and financial supporters of their families. These types of circumstance contribute even further to family disintegration as many single-mothers from Central America are leaving to find work in the United States as nannies, maids, housekeepers, etc., so that they can send money back to their children; or make enough money to bring their children to the United States. In order to provide financially for their children, many mothers are leaving them in the care of their grandparents, extended relatives, or sometimes by themselves. This places the 'caregiver' role on many teenagers, who are now expected to take care of their younger siblings, and pay for their food, housing, etc (Nazario 2006).

Even though the idea of parents leaving their home countries to work in the United States is not new, the security measures in the United States have changed; influencing their travel greatly. After September 11, 2001, border security increased greatly, making it much more difficult for people to pass in and out of the United States. Because crossing the Mexico-United States border is so difficult, if someone from Central America makes it to the United States, they rarely try to return home because they know the risks and struggles it took to make the crossing. Therefore, when mothers leave their children to make more money in the United States, many of them promise their kids they will come back but as soon as they get to the United States they realize that it would be nearly impossible to ever return (Nazario 2006).

This new trend of the disintegration of the nuclear family and mothers leaving to support their children has made it so the reunification of family members is one of the biggest draws for

Central American youth to travel to the United States. So many children are growing up without one or both of their parents and they feel the need to reunite with their parents no matter what the cost. For example, in the book *Enrique's Journey*, Sonia Nazario highlights the true story of Enrique, a boy from Honduras, whose father left him as a child, and whose mother left for the United States to find work when he was only six years old. She promised she would return to him but the poor economy and difficult life circumstances prevented her from returning. At age sixteen, Enrique made his first attempt to travel to the United States to find her. He was caught and sent back seven times but he never gave up until he reached her (Nazario 2006).

Rite of Passage

Regardless of the youth's motivation to travel to the United States; many of them view this trek to the United States as their "rite of passage" (Chavez 2010). Traveling to the United States is a topic that youth grow up talking about in Central America. It is something their relatives have done, their friends have done, and now they want to do. It has become a subculture of youth; instead of asking friends whether or not they are going to try and make it to the United States, they ask when (Chavez 2010).

The Journey

Hundreds of thousands of people make the trip from Central America to the United States every year, and undergo treacherous conditions to seek some sort of relief or asylum from their lives. To them, it is well worth the risk of being caught, being attacked, starving, and possibly even dying, to make it to the United States. Even though this trip is extremely hard for many of the men and women who take it, it is even more difficult for children. Youth are much less capable to deal with the stressors and violence brought on by the journey. Youth are more likely

to be robbed, extorted, or intimidated by police and gang members due to their naivety (Chavez 2010).

The ways in which youth travel also affects their experience on their journey. There are four main ways that youth travel from their home country in Central America to the Mexico-United States border: plane, train, bus, and smugglers. Research by Chavez 2010 shows that taking a plane is actually the cheapest way to get to the border because there is less of a chance of being robbed along the way, and it is a much quicker journey; but most children do not have the money or the resources to buy a plane ticket in the first place.

Mexican Trains

The most common way for youth to travel is by taking multiple buses and trains, accompanied by miles and miles of walking. The buses are not so dangerous, but most cost money, making this unaffordable for these youth. The ‘free’ way to travel quickly is by hopping on a train; or “the beast” as most youth refer to it (Nazario 2006).

The trains that travel through Mexico have been under much scrutiny in the past few years by writers, filmmakers and politicians. As more and more light has been shed on this new phenomenon, there have been multiple books and documentaries about youth traveling atop these trains through Mexico. But just because it is common does not mean that it is easy. The train is one of the most dangerous parts of the journey for unaccompanied minors. First, youth need to be able to run fast enough to hop on the train and pull themselves up and find a spot to sit. Many youth are not strong enough or fast enough, and slip and fall underneath the train. If they make it on the train, many youth encounter gangs or rivals who will fight for a spot, or who

will throw them off. In the book, *Enrique's Journey*, Nazario discusses Enrique's constant fear of sleeping because he is afraid someone will rob him, or push him off and kill him (2006).

Another dangerous part of the train is that as people are riding, they often try to jump from train car to train car when being chased by the 'migra' (corrupt police) or they will ride underneath the carts to stay hidden. Many youth fall when jumping between train cars and those riding underneath simply cannot hold on long enough. Everyday new bodies are found scattered along the train tracks in México (Nazario 2006).

People to Fear

Along this dangerous journey on the train, there are three groups of people who threaten the lives of unaccompanied minors. The migra, madrinas, and gang members are some of the most feared people on the journey to the United States. The migra are migrant police in Mexico who are often described as corrupt. They have been known to capture migrants, take all of their money and goods, beat them, and either send them back to Central America or leave them to die (Nazario 2006). In *Enrique's Journey*, Nazario talks about Enrique's personal experience with the corrupt police in Mexico:

“That guy robbed me yesterday,” Enrique says. The policeman and a partner had taken 100 pesos from him and three other migrants at gunpoint in Chahuities, about five miles south. The mayor's driver is not surprised. The judicial police, he says, routinely stop trains to rob and beat immigrants. The judiciales--the Federal Investigation Agency--deny it (2006).

In *Enrique's Journey*, Nazario points out that the police in Mexico have free reign of how they want to handle to undocumented immigrants (2006). The Mexican government does not care

how the police treat the youth, (whether that means beating them, locking them in train cars and leaving them to starve or even killing them), as long as they get them out of Mexico (Nazario 2006).

The other group that immigrants fear is the “madrinas.” The Spanish word, “madrinas” is a play on words with the Spanish word “madrina” for godmother and the word “madrizas” which refers to savage beatings (Nazario 2010). Madrinas are Mexican citizens who are bribed to help the migra capture migrants; with no limit to the amount of violence they can use. According to Nazario, “Human rights activists and police agencies say that the madrinas commit some of the worst atrocities—rapes and torture—and are allowed by authorities to keep a portion of what they steal” (2006). Because the madrinas are so ruthless, many migrants have to think of creative ways to hide their money and belongings so that they are not targeted. They will stitch money into the seams of their pants, hide it in their shoes, put it in their mouths, or they put it in even more intimate places of their body (Nazario 2006). The madrinas rape so many youth along the way that girls who are traveling will cut off their hair and strap their breasts down just to hide the fact that they are girls. Still other girls will write on their chests, “Tengo SIDA,” which means “I have AIDS” in order to avoid these men (Nazario 2006). According to a 1997 Houston University Study, 1 in 6 girls detained by authorities in Texas admits to having been raped during her journey (Nazario 2006).

Finally, the third group that young travelers must avoid is gang members. As previously discussed, gangs like MS-13 are extremely violent and very protective of their ‘barrios’ or neighborhoods. Some gangs will ride atop the trains and make their rounds robbing everyone on board—or killing them if they don’t comply (Rodgers 1999).

Another problem arises when gang members try to flee to the United States to avoid their gang membership. Because gangs like MS-13 are cross-national, they will alert other members of their gang in Mexico to look for fleeing members and make sure they are killed. The film, *Sin Nombre*, tells the story of a young boy who is a member of the Mara Salvatrucha who is sent on a mission with two other gang members to ride the trains and kill rival gang members (Fukunaga 2009). When one of his partners is about to kill innocent riders he steps in and kills his own 'brother,' a fellow gang member. When word gets back to his gang that he murdered one of their own, he automatically is on their hit-list and spends the rest of his journey running away from MS-13 members who are trying to kill him. The movie ends very tragically, but realistically, with him being shot by a dozen MS-13 members as he is in the river about to cross into the United States. This film is not based on a true-story, but rather it is based on hundreds of 'true-stories.' This tragedy happens every day to hundreds of youth who want to get out of a gang and start a new life; but not many get the chance to make it in the United States (Fukunaga 2009).

In *Enrique's Journey*, Nazario recounts Enrique's true experience with gang members atop a train near Oaxaca, Mexico:

All six surround him. Take off everything, one says. Another swings a wooden club. It cracks into the back of Enrique's head. Hurry, somebody demands. The club smacks his face. Enrique feels someone yank off his shoes. Hands paw through his pants pockets. One of the men pulls out a small scrap of paper. It has his mother's telephone number. Without it, he has no way to locate her. The man tosses the paper into the air. Enrique sees it flutter away. The men pull off his pants. His mother's number is inked inside the waistband. But there is little money. Enrique has less than 50 pesos on him, only a few

coins that he has gathered begging. The men curse and fling the pants overboard (Nazario 2006).

Even though Enrique was attacked, thrown off the train and left to die; he somehow found the strength to crawl to the nearest town where he received aid. After this brutal attack, Enrique was caught and sent back to Honduras; but instead of giving up he attempted the trek to the United States again; seven more times (Nazario 2006). It is clear that despite the dangers, even after experiencing them, many of these youth will stop at nothing to get to the “promise land” that is the United States.

Racism

Aside from these dangerous groups of people the youth are likely to encounter, one very unexpected part of the journey is the racism and prejudice dealt by Mexican citizens to these unaccompanied Central America minors. Unknown to many people in the United States, the stereotype that Mexicans have towards Central Americans is very similar to the one that many in the United States hold towards Mexicans. According to Hugo Angeles Cruz, a professor at El Colegio de la Frontera Sur in Tapachula, says that according to Mexicans:

Central Americans are poorer than Mexicans, and they are seen as backward and ignorant. People think they bring disease, prostitution and crime and take away jobs. Some cannot be trusted. Boys like Enrique are called "stinking undocumented." They are cursed, taunted. Dogs are set upon them. Barefoot children throw rocks at them. Some use slingshots. "Go to work." "Get out! Get out!" (Nazario 2006).

Racism between Mexicans and Central Americans makes the trip that much more difficult for these youth. They are targeted by Mexicans who want them out of their country, regardless of their history of trauma, neglect or fear.

Walking

Youth also spend much of their trip walking. Although walking has much less of the obvious dangers as the train (falling off, slipping, etc), it is equally as treacherous. Youth trek hundreds of miles from their homes and throughout Mexico walking from town to town attempting to catch the next train. They experience extreme desert land with no food or water except for the rare generosity of locals. Youth also encounter dangerous groups of people, wild animals as well as dangerous terrain to cross like fast rivers or mountains. Youth often get so hungry and thirsty that they resort to drinking local water that may be dirty, diseased and undrinkable (Chavez 2010). According to Nazario, “Drinking water can be impossible to come by. Migrants filter ditch sewage through T-shirts. Finding food can be just as difficult. Enrique is counting: in some places, people at seven of every ten houses turn him away” (2006).

Smugglers

Another way of traveling to the United States that is becoming increasingly popular is when parents of Central American youth hire a smuggler to get youth across the border. Usually, a family member in the United States is the one who wires money to pay a smuggler to be responsible for their child. These smugglers are most often referred to as ‘coyotes.’ There is often a chain of coyotes that are responsible for taking youth from location to location and then to a ‘house of security’ (a place to stay at the border). From this point, the ‘guías’ (guides) lead the trek through the desert or across the river to the United States (Parra 2012). Coyotes are very

familiar with the land and the obstacles, and therefore are much more likely to get youth across without being caught (Parra 2012). The problems associated with using coyotes are two-fold. One is the trustworthiness of these coyotes and two is that parents are putting their children's lives in the hands of people they do not know. Also, parents who hire coyotes are not only risking their children's lives, but they are paying large sums of money to do so. This means that if the coyote takes the money and runs, not only is the child left alone in Mexico, but the parent has lost thousands of dollars. Most parents who want their child with them in the United States feel they have no other choice but to hire a coyote, and even if they lose their money once, they are willing to try again.

Crossing into the United States

All of this; the trauma, the struggle, the pain and the loss, leads unaccompanied minors to a very crucial next step, crossing the border. Youth use all sorts of methods to cross: climbing the wall, swimming across the Rio Grande, being hidden a car, and many other creative ways. The outcome of the crossing is what is most important; are they detained or undiscovered? This moment ultimately separates unaccompanied minors into three groups: undiscovered youth who live illegally in the United States, youth discovered by officials who are sent back home to Central America, and youth discovered by officials who are given temporary refugee status in the United States.

The first group is youth who go undiscovered by officials. Since they are not detained there is very little documented information about the number of youth coming in and where they are going. Unless they have a coyote or family member near the border, these youth must find a way to travel, work and live on their own. Also, unlike refugees, they receive no help from the

United States government. This means that they will have no social security number, legal i.d., monthly stipend, etc. So even though most youth are excited that they crossed the Mexico-United States border unnoticed, they still have a rough road ahead.

The second group is youth who are discovered and sent back to their home countries. This group represents the vast majority of those who cross the border into the United States. Although most youth are discovered in transit across the border, there are others who are caught in the interior of the United States when they commit a crime and are questioned by police (Chavez 2010). After being caught, youth go through the Department of Human Services (DHS), and if they have no way to prove that they are escaping some sort of persecution from their home country then the DHS starts the process of sending the youth back to their home countries.

The final group is youth who are discovered by United States officials and granted refugee status. It is said that of all the unaccompanied minors who cross the Mexico-United States border and are detained, only .001% receive full asylum (Levinson 2011). According to United States law, a refugee is defined as,

Any person who is outside any country of such person's nationality and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group or political opinion, and that the source of the persecution is the government or a group the government cannot or does not control (Byrne 2008, Littlefield 2005).

Although this seems to be a very broad spectrum, DHS is extremely selective in giving refugee status to youth.

Apprehension Process

A child can be apprehended by one of many different federal immigration authorities. These authorities include the Department of Human Services (DHS), United States Coast Guard, Customs and Border Patrol (CBP) and Immigration and Customs Enforcement (ICE). After they are detained, DHS initiates a process to determine whether the person is under the age of eighteen and unaccompanied. To do this the first step is to determine the child's age. DHS has a few different ways to determine this including forensic evidence like dental exams or bone x-rays, and also things like birth certificates or personal testimonies of the youth (Rodriguez 2009). Using dental exams and x-rays as age-evidence has been widely criticized by medical experts because they are not always accurate, and have caused the return of many youth who really were under the age of eighteen (Rodriguez 2009).

Second, DHS must determine if the child is unaccompanied. According to the Homeland Security Act of 2005, an unaccompanied alien child is:

A child who has no lawful immigration status in the United States; has not attained 18 years of age; and with respect to whom there is no parent or legal guardian in the United States; or no parent or legal guardian in the United States is available to provide care and physical custody (Littlefield 2005).

When the youth is deemed under 18 and 'unaccompanied' they are held up to 72 hours in a separate detention facility from adults. During this time, the agency checks their nationality, does psychological evaluations and performs a background check. Anything that they cannot find through records must be learned through interviews with the youth (Levinson 2011). Once the age and status of the youth are determined, DHS has three to five days to refer them to the

Office of Refugee Resettlement (ORR) or start the process for returning them to Central America. Those who do not fall under the unaccompanied minor umbrella must undergo removal proceedings before an immigration judge, where DHS prosecutes the case on behalf of the government (Levinson 2011). The immigration judge then orders the youth's removal from the United States and DHS is held responsible for safely returning them to their home country. Upon release, the child can either be reunified with the family, or repatriated to their home country. Several advocacy groups have reported to DHS that their methods of repatriation are unsafe and that they do not take enough caution to make sure the youth arrive home safely (Byrne 2008).

Refugee Application Process

On the other hand, if a child is accepted as an unaccompanied minor they are put in the care of the ORR, and they can apply for four different means of aid: asylum, Special Immigrant Juvenile Status (SIJS), a T-Visa, and Unaccompanied Refugee Minor Status (URM) (Levinson 2011).

First, youth must apply for asylum in order to be taken on as a refugee under the ORR. It can be difficult for many unaccompanied children to prove that any persecution they experienced took place "on account of one of the five grounds specified in the definition" (Byrne 2008). Even though many of the unaccompanied minors from Central America that travel to the United States have undergone persecution by a group, person, or family member in some way, it is not easy for them to prove that to the ORR caseworkers. Many youth are not prepared or do not know how to explain their situations to the ORR in order to prove their case. Also, many youth are afraid to talk about what has happened to them, even though it would likely help them in the future. There are some youth who are sent back because they do not fit the proposed criteria of a 'refugee'

because their hardships have been caused by economic conditions rather than governmental persecution (Byrne 2008).

Second, youth can apply for Special Immigrant Juvenile Status (SIJS). This status was created by the Immigration Act of 1990, and allows certain undocumented children to obtain “lawful permanent residency” in the United States (Byrne 2008). Specifically, having Special Immigrant Juvenile Status allows the youth to become a legal resident after five years as long as they can prove “abuse, neglect or abandonment, demonstrate a need for a foster care placement in the United States, and show that a return to their home countries is not in their best interests” (Littlefield 2005).

Next, unaccompanied minors can seek legal relief through the T-Visa program which was created through the “Victims of Trafficking and Violence Protection Act” in 2000 (Byrne 2008). This program allows victims of trafficking to remain in the United States for their safety. Unfortunately, many youth do not seek this out due to embarrassment, even though it could help them achieve refugee status.

Finally, youth can apply to be in the Unaccompanied Refugee Minors program (URM). All of the youth who are deemed a ‘refugee minor’ are eligible for enrollment. Lutheran Immigration Refugee Services as well as the United States Catholic Conference (USCC) assist the ORR in placing minors throughout the United States (Littlefield 2005). URM is a federally funded program and provides services including:

Education, health care, socialization, mental health, family reunification, legal and case management services, funding for foster care placements and assessments of family

placements, and coordination with pro bono legal representation and appropriate guardian ad litem (legal advocate) services (Littlefield 2005).

Michigan is one of ten states that participate in the URM program; and 100% of the child welfare services it provides are refunded by the federal government (Littlefield 2005).

Developments in Refugee Legislation

In order to understand the pros and cons of the process of becoming a refugee in the United States, it is helpful to consider how the laws and the process itself have changed dramatically in the last twenty years. Originally, ICE was the sole agency responsible for handling law enforcement on the border as well as caring for children that were detained. Because of this lack of insight, the children were kept in terrible and unlivable conditions. Under ICE's control, it was found that youth did not have any access to legal help, and the majority were completely unaware of their rights and the United States legal system. (Chavez 2010).

Once these problems were brought to the United States government's attention, the Homeland Security Act of 2002 split the Immigration and Naturalization Service (INS) into three divisions, none of which were responsible for the children's well being. The Homeland Security Act then transferred the custody of the unaccompanied youth to the Administration for Children and Families' (ACF) Office of Refugee and Resettlement (ORR), a division within the Department of Health and Human Services (DHHS) (Chavez 2010). During this change, ORR also created its own division called Division of Unaccompanied Children's Services (DUCS), which allowed them to apply a greater social services approach to their work with these youth. This included better living centers for the youth, improved interview techniques that apply to youth affected by trauma, and much more (Chavez 2010).

Other changes that were made included the introduction of two bills in 2005. The first was H.B. 1172, the Unaccompanied Alien Child Protection Act of 2005 which created protections for these youth that ensures that they are given appropriate legal aid and exempts them from some asylum restrictions that are applied to adults (Littlefield 2005). The second bill was the Trafficking Victims Protection and Reauthorization Act of 2005 (TVPRA) which specifically helps child victims of trafficking and ensures that they receive proper representation as well, making it easier for these victims to stay in the United States and avoid their oppressors (Littlefield 2005). Both of these bills were steps in the right direction; but even though this legislation was supportive of refugee's rights, legislation does not always ensure enforcement.

In 2005, amidst many legislative changes to the treatment of unaccompanied minors, the United States government changed their approach to a "best interests" approach; one that claims to be solely focused on what is best for the youth (Levinson 2011). But often times, the United States' system has fallen short of that goal. According to Byrne (2008), more than half of unaccompanied children do not have access to a lawyer. The government is extremely reluctant to pay for direct legal representation of unaccompanied minors; meaning that many youth appear in court by themselves, also known as "pro se" (Byrne 2008). This is problematic because many youth do not understand English, especially lawyer jargon. Consequently, many youth will admit to activities that they have not been involved in or they simply do not know how to explain their situation correctly.

There are many obstacles that youth have to overcome to make it to the United States. Not only do they struggle on their journey, but the process to become a refugee once they are in the United States is not any easier. If an unaccompanied minor from Central America does achieve temporary or permanent resident status in the United States it is a great accomplishment.

Once they are approved, then the youth are sent somewhere that has a program specifically for unaccompanied minors, like West Michigan. According to Littlefield, “Of the 6,200 minors in ORR placement in 2004, the five states with the most placements included Texas (58.5%), Arizona (15.7%), California (7.5%), Illinois (5%), and Florida (4%)” (2005). Even though Michigan was not one of the top five states, it is known for its beneficial laws and comprehensive programs that it provides to refugees. In West Michigan, the largest program for refugees is Bethany Christian Services.

Bethany Christian Services

Method of Research

To better understand the resources and programs offered by Bethany Christian Services, the primary researcher for this project set out to conduct personal interviews with caseworkers that work specifically with unaccompanied minors from Central America. Before the research began, the proposal and methods for the research were reviewed and approved by the Internal Review Board of Grand Valley State University (See page 38). Thirteen caseworkers were sent a recruitment email to participate in the research. Of the thirteen caseworkers contacted, eleven were female and two were male, and all of them held at least a Bachelor in Social Work degree. Three caseworkers responded to the email and agreed to participate in the research. Each participant signed a consent form and was briefed on the purpose and aim of the research (see page 37-38). Personal interviews were held on site at Bethany Christian Services and were conducted and recorded by the primary researcher of this project. Each interview lasted about thirty minutes and was scheduled at a time chosen by the participant. For confidentiality reasons, the three participants will be referred to as Participant A, B and C.

Process at Bethany Christian Services

According to the information gathered from caseworker interviews, the first week after unaccompanied minors are placed in Bethany's program is very busy for both caseworkers and their youth. Because undocumented minors coming from Central America do not have refugee status, the caseworker must submit a petition to the court within the first twenty four hours that the youth is in Bethany's care. This petition states allegations against the youth's parents to apply for status based on neglect or abuse. As soon as the petition is submitted, the youth is immediately placed in either a foster home or a group home depending on their age and individual needs. According to Participant C, many boys that come as undocumented minors from Central America are around the age of sixteen or seventeen and have been on their own for several years. According to the caseworkers, because of their level of autonomy, it is more helpful to place these youth in a group home where they can learn independent living skills and eventually live on their own as they turn eighteen. For those who come at a younger age, fourteen or fifteen, they are generally placed in a foster home with a family to care for them.

Once an unaccompanied minor is placed in a home, the caseworker then has five days to enroll them in a local school, thirty days to get them an appointment for a physical, and ninety days to get them a dental check up. In addition to these requirements, they must also take the youth to update all of their immunizations, schedule them to see a behavioral specialist and refer them to a clinical therapist. All youth are scheduled for weekly counseling sessions with these professionals when they are in Bethany's program. As soon as these primary needs are met, caseworkers set up resources for the youth as needed, for example tutoring, English as a Second Language (ESL) classes, connecting them to a mentor through Bethany's mentor program, as well as various educational classes. Educational classes at Bethany include a New Arrival Group

about life in the United States, Life Skills training classes, as well as monthly focus groups on topics chosen by the youth.

According to the caseworker interviews, the unaccompanied minors receive very comprehensive resources from Bethany, and at times caseworkers also refer youth to other local agencies in West Michigan. For example, there is an organization called Justice For Our Neighbors (JFON), that provides pro-bono legal services to all refugees and undocumented youth. Bethany Christian Services has developed a close relationship with JFON so that all of the youth can be immediately scheduled with a lawyer, free of charge, to help them with the extensive process of applying for SIJS, Asylum, green cards, etc. What is most helpful about JFON, is that they specialize in working with refugees and undocumented youth from Central America, so they are very familiar with their unique circumstances. In the interview, Participant A said,

I think we are fortunate to have established a partnership with JFON because they specialize in this population and they have taken it upon themselves to really educate other attorneys about the population. I don't think many other areas have established that same partnership as we have. Having attorneys who are trying to advocate for the clients and work through their difficulties is huge.

Caseworkers also utilize other various organizations in the community. For example, there are local churches that help with academic support and tax preparation, Grand Rapids International Fellowship (GRIF) which provides educational support, the Hispanic Center which provides ESL classes, the Department of Human Services for food stamps, and much more.

According to Participant A, “We are extremely lucky in West Michigan to have so many resources for the refugee population as well as the government and laws to back it up.”

The lives of non-refugee youth who are here without any legal status can be much more difficult in West Michigan. They often have a much harder time getting resources that they need. Even though these youth can still get legal support from JFON, their only other options for resources are through their school social worker who is not allowed to ask them for legal papers. The school system is the only other ‘agency’ that can help unaccompanied minors who are living here illegally without risking them being caught or sent back to their home country. \

Best Resources

In the research, all three caseworkers were asked what they thought were the best and most helpful resources that were provided to refugees by Bethany. The three resources that each participant mentioned in their interview were case management, behavioral specialist support, and supportive and caring foster homes.

Comprehensive case management is very beneficial to the unaccompanied minors. Because these youth are here alone, they have no one else to vouch for them except their caseworker. This gives caseworkers a parental role in the youth’s transition to life in the United States. The caseworker becomes responsible for nearly every fundamental aspect of the youth’s life; residency, health, education, finances, etc.

The second area that the research participants labeled as beneficial for the youth is the access they have to a behavioral specialist. According to Participant A,

I think having a behavioral specialist on staff is huge, because most of the youth have been through some sort of abuse, neglect, or abandonment and have come through this horrific journey. The majority of youth who come here have Post Traumatic Stress Disorder or effects of trauma. Also, the cultural adjustment of coming from rural Guatemala to the urban city Grand Rapids is a huge cultural adjustment so having a behavioral specialist available to help work through that stuff initiates better outcomes in the kids' cases by having that support.

The final resource that all three participants agreed was a critical resource provided by Bethany was the foster family or group home provided. The participants explained that these families and group homes provide the necessary emotional, physical and mental support for the youth that they have been lacking. The families that are licensed to have refugee foster youth in their homes go through a very intensive screening and training process. They are provided with training on trauma and PTSD so that they can be sensitive to the youth who live in their homes. Group homes also provide beneficial emotional, physical and mental support to the youth because they offer 24 hour access to a counselor, as well as provide a social outlet for the youth in a safe environment. The resource of a comfortable and safe place to live is invaluable to the unaccompanied minors who have travelled so far to get here.

Gap in Resources

As with all organizations, Bethany sometimes falls short in providing the youth with everything they need. When the participants were asked what resources need improvement, or what help the unaccompanied minors need and are not receiving, they all immediately said "education." Even though the government mandates that youth must be placed in a school within

the first five days that they arrive in Michigan, that does not mean that the school necessarily adjusts to the specific needs of the refugee youth. When speaking of the education system, Participant B said this,

Education is something that we really struggle with. I was co-leader of the Education Task Force here at Bethany this past year, which was formulated because many kids are coming from rural Guatemala, where schools don't exist, they speak a different dialect so they don't even speak Spanish. So the only Spanish they know is what they have picked up on their trip here. Many of them don't even know how to read or write. Then we place them in an ESL program at school where there are two or three other kids who don't speak English, and a teacher who only speaks English. You get a kid with no educational background that is placed in 9th or 10th grade based on his age, and is expected to meet the same expectations as every other student in the school.

This dilemma was brought up by the other two participants who also said that the youth are in dire need of specialized education. The research participants said that unaccompanied minors need to be tested to see what kind of educational gap they have so that they can be placed in a grade based on their knowledge and development, not solely their age. The research participants believe that the youth are being short changed because not only do they not speak English, but they also have such a minimal formal educational background. Even if the youth did understand or speak English, they still would not be able to keep up due to developmental hindrances and an educational gap. It is necessary to change the way the state handles education for refugees. They cannot be expected to meet the same criteria or learn at the same speed as everyone else, even with the help of translators or tutors, in part due to their history of trauma.

This leads into the second resource that each participant agreed needed improvement: trauma counseling. Though Bethany is particularly focused on getting the youth to a psychiatrist, a behavioral specialist and a counselor every week, the caseworkers are concerned that these professionals lack sufficient training in trauma and PTSD to be most effective with the youth. If the youth are in Bethany's program, and are part of the .001% that get approved for some sort of temporary refugee status, then it is clear that they are escaping something extremely dangerous or traumatic from their past. Because of this, professionals who work with unaccompanied minors from Central America should have extensive trauma training as well as a clear understanding of the youth's life and situation prior to them coming to the United States.

Participant B said,

Kids complain that they don't like to rehash their past over and over. I know that the counselors have a trauma model to follow, but it seems that we need some slightly different ways of approaching and helping the kids move forward from their trauma. For many kids it was not an isolated event, it was an everyday thing. It was their way of life so what they need to focus on now is how to cope and how to move forward considering what has happened to them.

In addition to being trained on trauma and PTSD, it is suggested that these professionals are able to adapt their interventions to each youth's preferences and situations. Sugihara states,

Acculturative stress tends to be high in the first three years after arrival in the United States. The problem is that most youth, due to cultural beliefs or barriers, will not seek or want help for their mental health issues. Many cultures attach a stigma to seeking help for

these symptoms. Language is also a barrier and they do not fully understand the severity of these mental health issues (2012).

Ko supports the work of Sugihara and states that, “High levels of stress significantly compromise children’s psychosocial well-being as well as adjustment to new things like school, new family, friends, etc. But at the same time, children of immigration can be remarkably resilient” (2010). Even though the youth need very intensive counseling to help them cope with what has happened, caseworkers and counselors also need to remember that most often the youth simply want to move forward and move on with their lives.

Satisfaction of Unaccompanied Minors

The process of detainment, interviews to determine whether or not a youth is an unaccompanied minor, court trials, foster placements, weekly counseling, etc., are all completed to make sure that these youth are safe and happy. Caseworkers can give an analysis of their own work, but are the youth really satisfied? Are they getting what they need?

According to each caseworker interviewed for this research project, each unaccompanied minors’ case is different. What remains the same, however, is that many of the unaccompanied minors experience a roller coaster of emotions with their placement here in Michigan. According to the research participants, some of the youth are frustrated because they feel that they are stuck with families they do not know, are going to a school that is unsatisfying and what they would rather be doing is working and sending money home to their families, or traveling to other states to find their relatives. There are also those youth who are very grateful to be somewhere safe and to be taken care of. These youth work extremely hard in school and in life to make their caseworkers proud of them. According to Participant A,

I would say at some point; everybody on my caseload has been dissatisfied with their placement. But overall, the majority come out of that and adjust into society. But there are also those who don't adjust. Before they came here, their method of survival was only trusting themselves. It was so hard for them to get anything positive out of anyone that they would take anything they could get. So now that they are here, it is almost too easy for them. They have dealt with so much their whole lives, then all of a sudden this is just too easy. Too much is handed to them by our program and they don't have to work hard enough for it. Then they get bored to death and they start getting into trouble.

According to the interviews, the youth have a lot to adjust to when they get here: new language, school, family, rules, government, transportation, etc. But of all the changes that youth experience when they move to West Michigan, the research participants interviewed agree that the structure of the youth's lives here is the most difficult adjustment to make. When discussing the rules and structure that youth must follow here, Participant B said,

The structure: they are not used to it. They have had to fend for themselves the majority of their lives and the only person they have been able to trust is themselves. So when someone comes in and tells them what to do, even if they agree, they don't want to do it that way because it gives someone else power which opens them up to being hurt. They don't feel like they are being taken seriously.

According to the caseworkers, it is difficult to find a safe balance of structure for the youth. They want to be understanding that they have been their own rule makers their entire lives, and have been on their own the last few months or years that they were traveling. Knowing this, it is difficult to tell the youth that they have a bed time, and that they have to ask if they want to go

out with friends or go to the store. Unaccompanied minors, although they are biologically young, have aged mentally after years of being autonomous. Because of this, it is frustrating for youth to be treated like a child, when they feel like an adult.

Social Work Implications

Two questions come to mind; what more can be done for this population, and how is all of this information relevant to the field of social work? First, it is important to use this information to educate people. There are so many people living in the United States who not only do not understand the trauma and struggles that these unaccompanied minors endure, but many do not even know that this phenomenon exists. Second, this research can be used to remove the stigma about unaccompanied minors from Central America living in the United States. There are many false perceptions about youth migrating here just to ‘take jobs’ away from people in the United States, but this research can be used to minimize stereotypes such as this.

In addition to educating the public about the truth about youth migration from Central America, it is important to study this population and phenomenon in order to improve the process that these youth go through in the United States. Though there have been many positive changes in United States legislation regarding unaccompanied minors in the last twenty years, there are still many areas that need improvement. Among these areas, those working at the border at the DHS should change their process of proving the age of youth as well as their standards for accepting them as refugees. So many youth are being sent back to their home countries under false pretenses, like the case of Edgar Chocoy, (Chavez 2010) who will literally die if they do not get the chance to live in the United States as a refugee.

Next, it is important to continuously review the resources and aid that is being given to unaccompanied minors so that they can be as effective as possible. In the interviews of Bethany's caseworkers, it was shown that although organizations like Bethany are doing very good and beneficial work for these refugee youth, there is still so much more that they can improve on. It is important to continuously evaluate practice and interventions so that the youth have the best chance of success in the United States. It cannot always be assumed that just because the youth are receiving services and financial aid from the United States government that they are perfectly happy and content with their lives. In reality, there are many refugee minors who miss their families, their hometowns, their native food, etc; but it is extremely difficult for people in the United States to understand why the unaccompanied minors are unhappy. Although Bethany Christian Services cannot expect to give the youth everything they need, it is important for them, as well as other organizations, to educate themselves on this topic.

Conclusion

What does this mean for Social Work? Organizations can never be satisfied with the interventions they use or the systems they have; as the world changes programs need to change as well. It is clear in the case of unaccompanied minors that in the last decade not only have the demographics changed, but the way youth travel, and the reasons they travel has be altered as well. Social Workers must constantly evaluate their techniques and consult others to make sure they are providing the best care possible.

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Grand Valley State University

Consent Form

The Journey: Central America to the United States Questionnaire

Project Investigator: Leah Eshuis

Research Advisor: Dr. Julie Guevara, PHD

You are being asked to take part in a research study of the journey that unaccompanied minors take from Central America to the United States and the reality of their lives once they arrive. I am asking you to take part because you are extremely knowledgeable about this group of youth and you are familiar with the resources and programs provided to them in West Michigan. Please read this form carefully and ask any questions you may have before agreeing to take part in the study.

I. Purpose

The purpose of this questionnaire is to give the researcher more information about the reality of life in the United States, (more specifically West Michigan) for Central American youth that have come here alone; as well as what programs and resources are available to them.

II. Procedures

If you consent to participate, you will be asked to either answer some questions in a personal interview with Leah, or you can answer the questions via email if you are more comfortable with that.

III. Voluntary Nature

Taking part in this study is completely voluntary. Feel free to answer the questions with as much or as little detail as you like. You do not need to answer any questions that you feel uncomfortable responding to. Please feel free to give examples/stories that may improve your answer, and feel free to add any information you feel would be important or helpful for this research. If you decide to take part, you are free to withdraw at any time.

IV. Confidentiality

Any information that is gained from this research will be published with no mention of your name or individual information. Because this is completely qualitative research, you may be quoted, but your name will not be used. All of the information will be recorded and analyzed anonymously.

V. Statement of Consent

I have read the above information. I know I may withdraw from the study at anytime without any consequences after signing this form.

My signature indicates the following:

- I consent to participate in this study and I understand the terms and conditions of the study.
- I consent to allow the researchers to use my answers for publication of their research.
- If you have any questions about your right as a participant or if you have questions about the study please contact the HRRC at hrrc@gvsu.edu or 616-331-3197. Or you can contact the research advisor of the project, Dr. Julie Guevara, at guevaraj@gvsu.edu or at 616-331-2400.
- This EXEMPT research protocol has been approved by the Human Research Review Committee at Grand Valley State University. File No. 12-140-H.

Printed Name of Participant

Date

Signature of Participant