



# Lutheran Immigration and Refugee Service

## Backgrounder

### Protecting Unaccompanied Migrant Children

As the national organization established by Lutheran churches to serve uprooted people, Lutheran Immigration and Refugee Service (LIRS) has over 75 years of expertise serving refugees and vulnerable migrants in the United States, including providing care to nearly 10,000 unaccompanied refugee and migrant children. We serve and advocate for the best interests of children to ensure their safety, well-being, and fulfilling of their potential as members of our communities.

Unaccompanied migrant children, also known as **unaccompanied alien children (UAC)**, are children who enter the U.S. without a parent or guardian and without lawful immigration status. When these children come to the attention of the U.S. Government they are typically placed in custody of the Department of Health and Human Services' Office of Refugee Resettlement (ORR). These children often embark on a dangerous journey from their home countries for complex and intertwined reasons, including but not limited to violence by armed criminal actors, gender-based violence, forced recruitment, domestic abuse, human trafficking, family reunification and poverty. Many children also endure numerous atrocities of trafficking or sexual violence and abuse during their journey.

LIRS collaborates with ORR to provide services to unaccompanied migrant children that uphold their best interests and recognize their vulnerabilities to exploitation and abuse. LIRS provides these services through established service networks of community-based agencies with expertise in professional child and family services and in serving immigrant communities.

LIRS places children who do not have caregivers with **foster care** programs who find families to care for them, arrange for volunteer attorneys to help them with their immigration cases, and enroll them in school and other community-based programs. For children who are referred for **family reunification** services, LIRS also ensures their safe release to appropriate, safe and secure home environments by conducting **home assessments**. We make certain that children's physical and developmental needs are met and create access to education, legal representation and medical and mental health services by providing **post-release** services after reunification. These services include home visits, group counseling and case management to children and their families to ensure ongoing comprehensive supportive services, which currently only 3-5% of these children receive.

On average, children stay in ORR custody fewer than 30 days while their various permanent care options are assessed and determined. Some children will be returned to their home countries, others will reunite with family in the United States,

#### Locations of LIRS-Affiliated Children's Service Providers:

(\* denotes foster care program)

- Seattle, WA\*
- Portland, OR\*
- Fullerton\*, San Francisco, San Fernando, and Los Angeles, CA
- San Francisco, CA
- Denver and Colorado Springs, CO\*
- Fargo, ND\*
- Lansing and Grand Rapids, MI\*
- Arkansas
- Houston and Dallas, TX
- Atlanta, GA
- Memphis, TN
- Charlotte, NC
- Northern Virginia and Washington, DC\*
- Roslyn and Philadelphia, PA\*
- Manhattan, Nassau County and Long Island, NY
- Arlington, Wellesley, and Worcester MA\*

and others may qualify for immigration relief as asylum seekers, victims of human trafficking or serious crimes (“T” and “U” visas, respectively), or Special Immigrant Juvenile Status for children who have been abused, abandoned or neglected. Certain children granted immigration status are eligible for care under the Unaccompanied Refugee Minor (URM) program, a specialized foster care programs designed to serve vulnerable migrant and refugee youth with no family to care for them.

### **Recent Trends in the Migration of Unaccompanied Children**

The unprecedented rise in arrivals of unaccompanied migrant children highlights the need to provide sufficient funding to critical ORR programs, as well as a long-term response plan that allows for flexibility and adaptability to address the needs of each child. Before 2012, the number of arriving unaccompanied children had averaged between 6,000 and 7,000 annually. In Fiscal Year (FY) 2013, ORR served 24,668 children, almost double the 13,625 from the year before. In FY 2014, it is anticipated that approximately 60,000 or more children will come to the United States. Most of the children come from Guatemala, El Salvador, and Honduras. Initially, most children making the dangerous journey to the U.S. were boys. However, due to an increase in gender-based violence in these countries, the number of girls traveling alone has increased.

In August 2012, LIRS began providing new transitional foster care and group home services to newly arriving unaccompanied children. Currently, these sites can provide care for approximately 137 children at any given moment and are located in Lansing and Grand Rapids, Michigan and Portland, Oregon. These sites provide shelter, food, clothing, schooling, medical care, counseling, legal orientation and screenings, family reunification assessments and assistance in communicating with family members. The goal of these programs is to facilitate the best interest of the children through safe care planning, which includes support for family reunification across the country.

### **Policy Recommendations**

LIRS believes in providing children with the least restrictive care within a community-based setting that meets the best interest of each child. To ensure the protection and integration of unaccompanied migrant children, Congress and the Administration should prioritize the best interest of the child in all decision-making, develop an inter-agency response that leverages the expertise and resources of the federal agencies responsible for addressing this challenge, and invest resources in effectively addressing root causes of migration in Central America and Mexico. Specific LIRS recommendations include but are not limited to:

- Provide adequate resources to ORR to ensure their flexibility to meet their obligations to all vulnerable migrant populations eligible for services, including the establishment of a contingency fund to deal with emergency needs such as the current influx.
- Improve the trafficking screening training and protocols along the border so that children entering the United States are properly evaluated and that victims of trafficking and persecution are effectively identified and referred for appropriate services.
- Place children in community-based care, NGO child welfare shelters, and other settings reflecting the needs of such children, including therapeutic placements, mentor homes, and foster homes for young children and pregnant and parenting teens, rather than placing such children in large institutional settings.
- Require that all children released from federal custody receive follow-up services to ensure their safety and well-being.
- Track child well-being and permanency outcomes by study and report on any differences in outcomes for released children who receive follow-up services versus released children who do not.
- Provide legal representation for all unaccompanied migrant children.
- Remove barriers to accessing services for all vulnerable migrant children granted immigration status.