



# Falling through the cracks: The paradox of post-release services for unaccompanied child migrants



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## ABSTRACT

Immigrant children who enter the United States unaccompanied by a parent or guardian and without legal status are defined by the US legal system as unaccompanied alien children (UAC). Limited data from advocacy organizations has found that UAC are leaving their countries of origin because of threats of violence and privation, but virtually no research examines how they integrate into their communities and families once they settle in the US. Drawing on interview data with UAC and case studies of four programs contracted to provide services for them, this exploratory study explores UAC's unique barriers to integration and the effectiveness of these programs to help them adapt. Findings emphasize the impact of geography and the uneven safety net in immigrant new destinations, such as suburbs and the American southeast. Implications for social work practitioners and policymakers are discussed.

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## 1. Introduction

Immigrant children (under 18 years old) who enter the United States unaccompanied by a parent or guardian and without legal status are defined by the US legal system as unaccompanied alien children (UAC).<sup>1</sup> Although the phenomena is not new—UAC have been crossing the border for decades—the number of UAC apprehended at the border has increased dramatically in recent years, growing from 24,000 in 2012 to over 67,000 in 2014.<sup>2</sup> An estimated 85% of UAC apprehended in 2014 were referred by the Department of Homeland Security to the Office of Refugee Resettlement (ORR). In compliance with the 2008 Trafficking Victims Protection Reauthorization Act (TVPRA) and other statutes, these 57,496 children were placed in least restrictive environments, usually families in the US with an adult “sponsor”, while their immigration cases are processed.

The TVPRA requires ORR to flag UAC who are in need of additional support services, called post-release services (PRS). PRS are intended to help unaccompanied children adjust to living with their sponsor, primarily by connecting them to local service providers. Most of them have experienced exposure to violence; endured some form of trauma while traveling unaccompanied across thousands of miles; and arrived

without legal status to live with sponsors who they have not seen in years and may hardly know. For 6 months, then, UAC who receive PRS are assigned a case manager to assist with school enrollment, connecting to legal services, and making referrals to other forms of community support.

This exploratory study examines the nature and scope of post-release services to better understand the process of family and community integration for UAC after they are placed with a US-based sponsor. Available research on unaccompanied children has primarily focused on why they leave (Goldberg, 2014; Jones, 2012; Kennedy, 2014) and the legal options available to them once they arrive (Byrne & Miller, 2012; Ooi, 2011; Young & McKenna, 2010). However, relatively little is known about the well-being of UAC and their integration trajectories after they are apprehended at the border, and we are not aware of any studies of post-release services for at-risk UAC. Therefore, in this paper we describe both of these areas at length. First, however, we briefly locate unaccompanied minors within the scholarly fields of immigrant and refugee studies. We then describe post-release services and analyze two primary facets of this program: family reunification and community integration.

We find that there are fundamental contradictions between our immigration policy as it applies to UAC and the values undergirding our child welfare system. Consistent with values of family reunification that are foundational to child welfare, immigration authorities reunify unaccompanied children with family members in the US and some of them receive post-release services to help them adapt to their new communities. Yet, UAC face deportation at age 18 without legal status, rendering impermanent the laudable goals of family reunification and

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<sup>1</sup> ORR, advocates, and service providers commonly refer to unaccompanied alien children as “unaccompanied minors,” “unaccompanied children,” and “unaccompanied youth.” We use these terms interchangeably.

<sup>2</sup> <http://www.cbpp.gov/newsroom/stats/southwest-border-unaccompanied-children>.

community integration. In light of these contradictions, we conclude with a call for the social work profession to assume greater leadership in identifying, clarifying, and challenging the shortcomings of our country's immigration policy and passive stance on immigrant integration.

## 2. Theory

### 2.1. Immigrant youth integration

Immigrant integration is the process by which immigrants adjust socially, culturally, economically, and politically to their environment (Marrow, 2005).<sup>1</sup> There are over 40 million immigrants in the US and their children now account for nearly one quarter of all youth under age 18. Educational attainment and labor market outcomes are typical indicators of immigrant integration for immigrant youth (Portes & Rumbaut, 2006). While many immigrant youth do exceedingly well on these measures—surpassing non-immigrant youth on college-going and employment in high-skilled jobs—others struggle to finish high school and are stuck in low-wage jobs (Portes & Rumbaut, 2001). Scholars agree that integration outcomes matter first for immigrants themselves, especially to the extent that integration leads to improved access to opportunities, social mobility, and well-being (Portes & Zhou, 1997), but it also has a larger impact on the social and economic future of American society (Rumbaut & Komaie, 2010).

There is an extensive literature on immigrant integration and why some immigrants fair better than others. This scholarship reaches back to the first decades of the previous century (Park & Burgess, 1921), but it has experienced something of a reawakening since the early 1990s when immigration scholars refined the classic sociological theory of straight-line assimilation (Alba & Nee, 2003; Stepick & Stepick, 2010; Waters & Jimenez, 2005; Zhou, 1997). Straight-line assimilation assumes that all immigrants, over time, will join the white middle-class (Park & Burgess, 1921), but numerous studies of recent immigrants demonstrate that this is not the case for all immigrant groups (Portes & Zhou, 1993; Zhou & Bankston, 1998; Zhou, Lee, Vallejo, Tafoya-Estrada, & Xiong, 2008).

There is on-going scholarly debate over contemporary theoretical explanations for why immigrant youth follow different integration pathways, but most scholars agree that the interaction of immigrant parent background and the reception immigrants receive in the places where they settle has significant impact on their children's social mobility. The importance of this interaction has gained more attention from researchers because new immigrant arrivals today are settling across a much larger geography than in previous eras (Singer, 2013). Rather than first moving to ethnic enclaves in central cities, a growing number are settling in new destination areas—places such as the American Southeast that have not been home to new immigrants for generations. This geographic shift has provoked new insights into how the receiving context varies from one place to the next, and how this matters for integration. Some new destination areas such as Georgia, Alabama, and South Carolina have passed highly restrictive immigrant integration “self-deportation” legislation modeled after Arizona's SB1070 to discourage undocumented immigrants from settling—or staying—in their states. Empirical studies have begun to explore how these contexts influence processes of social and economic integration for immigrant adults (Winders & Smith, 2012), but less is known about how children experience these social spaces and policy contexts.

The racialization of immigrants is another important factor influencing integration. Depending on the racial political economy of the places where they settle, immigrants may be more likely to be racialized as “non-white” making them more vulnerable to discrimination and other barriers to integration (Genova, 2002, 2005; Gonzales & Chavez, 2012; Portes & Rumbaut, 2006). Latino immigrants may be particularly at risk of these negative social constructions (Chavez, 2008; Massey, 2009). While they may experience discrimination more acutely in

new destinations, such as in the South (McClain et al., 2006), there is ample evidence of the racialization of Latino immigrants in traditional immigrant gateways as well. In his longitudinal study of the children of Mexican immigrants in New York, for example, Robert Courtney Smith (2009) finds that they are often racialized as “Black” in ways that negatively influence how they are tracked in high school and the kinds of jobs they get as they transition to adulthood.

### 2.2. Legal status

While many factors influencing immigrant integration may vary in kind or degree depending on the neighborhood, county or state context, legal status is a “master status” (Abrego & Gonzales, 2013) with significant implications for integration and social mobility. Nationally, 40% of undocumented adults, ages 18 to 24, do not complete high school, and only 49% of undocumented high school graduates go to college (Passel & Cohn, 2009). The combination of scarce family resources and exclusion from financial aid at the state and federal levels makes the path to higher education very steep for undocumented high school students. The vast majority of undocumented immigrant students who pursue higher education attend community colleges, and many do not finish (Flores, 2010). For children and youth, growing up “illegal” also negatively impacts identity formation (Abrego, 2011; Gonzales, 2010), employment prospects (Abrego & Gonzales, 2013; Gleeson & Gonzales, 2012; Olivas, 2009), and behavior (Menjívar & Abrego, 2012).

If being undocumented is a barrier to getting ahead, the corollary is also true: gaining citizenship creates opportunities for social mobility. Studies of undocumented immigrants who received legal status under the 1986 Immigration Reform and Control Act (IRCA) suggest that, over time, legalized immigrants moved on to significantly better jobs (Kossoudji & Cobb-Clark, 2000; Powers, Percy Kraly, & Seltzer, 2004). Similarly, the U.S. Department of Labor found that the wages of immigrants legalized under IRCA had increased by roughly 15% 5 years later (Singer, Kramer, & Smith, 1996).

### 2.3. UAC and government-assisted integration

Unaccompanied children represent a distinct sub-category of undocumented immigrant youth. By definition, all UAC enter the country unaccompanied by an adult or guardian. Some cross the border undetected, but others are apprehended by authorities at or near the border and transferred to the custody of the Office of Refugee Resettlement. Among those who are apprehended, UAC from countries other than Mexico and Canada are placed with a sponsor in the US while their case is assessed in Immigration Court. That is, while other undocumented youth may not come to the attention of authorities as “illegal” until after they have settled in the US (if ever), many UAC are immediately identified as such upon entry and immediately placed into legal proceedings. Upon release from detention, as they await the commencement of deportation proceedings, UAC are expected to turn their attention to the tasks of integration—enrolling in school, learning English, and settling in with their family. Unless they are granted legal relief, they will likely face deportation at age 18.

UAC are also distinct from other undocumented youth because some of them receive post-release services upon release to their sponsor. UAC receive PRS because of a social, psychological, or medical vulnerability identified within detention. This categorization of vulnerability does not afford them additional legal protections, but it provides them with temporary access to a case manager who will assist them with referrals for medical, psychological, educational, or other services.

Post-release services are provided by refugee resettlement organizations. While PRS have much in common with refugee resettlement services—both are focused on catalyzing social integration—UAC who receive post-release services should not be confused with refugees. Unlike refugees, UAC do not receive housing or cash assistance (although these needs are common among UAC and their sponsors), nor have they

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