



# Undocumented Immigrant Children Spurred By Reuniting With Families, Not Just Violence

By William La Jeunesse

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Gangs, grinding poverty in Central America and a sudden spike in violence explain why unaccompanied children and families are fleeing Guatemala, Honduras and El Salvador for the United States, according to President Obama and his supporters.

The surge reflects "the desperation and the violence that exists in some of these Central American countries," President Obama said Thursday.

Democratic Congresswoman Lucille Roybal-Allard of California agreed.

"The number one reason these kids are leaving their homes is to escape endemic violence, including extortion, killings, and forced recruitment into street gangs."

Sen. Bob Menendez, D-N.J. added: "This is a humanitarian and refugee crisis. It's being caused in large measure by thousands in Central America who believe it is better to run for their lives and risk dying, than stay and die for sure."

But is that assertion entirely accurate? Not according to several studies. The 2014 Latin American Public Opinion Project conducted by Vanderbilt University found a steep decline in perceptions of crime among Central Americans and those hoping to migrate to the U.S.

"Feelings of insecurity among Central Americans have steadily declined since 2004, even as the actual crime rate has not," the study said, noting a 15 percent drop from 2004 to 2012. "We find that El Salvador is the only country where fear of crime remained steady, with roughly 42 percent of respondents stating that they felt insecure in their neighborhoods. In all the other countries, fear of crime declined over this time period. These contrasting trends of actual and perceived levels of insecurity suggest that Central Americans may have become increasingly desensitized to high levels of crime, or made behavioral adjustments in their daily lives to avoid victimization."

That study also found age, gender and the ability to earn more money abroad were stronger drivers of immigration than real or perceived crime rates. And while living standards are lower than the US, the economies of Guatemala, Honduras and El Salvador are expected to grow more than 2.3 percent this year, according to the World Bank, which said the poverty rate fell 5 percent last year in El Salvador. The Vanderbilt study found poverty is not the primary or secondary reason for migrants leaving Central America.

"Because of the action, or inaction, taken by the Administration 'word is' back in the region, 'kids have a free pass'," David Scott Palmer, director of Latin American Studies at Boston University, told Fox News Friday. "It's become a virtual avalanche of kids and that reinforces the process. Rumors get back and with social media 'word' is out instantly. Our response, the humanitarian response, is to find somewhere to put them and that in many cases is better than what they have at home."

A Border Patrol memo leaked this month supports that conclusion.

"Although economic and security concerns also influenced their decision to travel to the U.S., the issuance of 'permisos' to family units was the primary reason for leaving their countries. Subjects also indicated that 'everyone' in their home countries is aware that 'permisos' are being issued to family units in south Texas."

A 'permisos' is actually a deportation notice, but since the US has fewer than 100 detention beds for some 50,000 illegal immigrant families, women and children are given a piece of paper to board a bus anywhere in the US with a court date sometime in the future. The 'Notice to Appear' permits them to travel freely in the U.S.

In hearings this week in the House, Democrats and Republicans talked past one another hoping solely to the blame the other for the influx. But Brandon Judd, union representative of some 22,000 Border Patrol agents, said that in field interviews women and unaccompanied children said they came to the US, not to escape violence, crime or poverty, but to be reunited with family.

"We need to be crystal clear that unaccompanied minors and their families will not be rewarded for breaking the law through special or legal status after being arrested," Judd told a House Judiciary hearing Wednesday. "We need to detain unaccompanied minors until their cases are properly adjudicated. As long as we continue to release unaccompanied minors to family and friends, this problem will not only continue but will grow exponentially."

President Obama said essentially the same thing Thursday to ABC News. "Do not send your children to the borders," he said. "If they do make it, they'll get sent back."

That however, is not how the law works.

Unlike Mexicans, who are typically returned to Mexico within 24 hours, the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008 requires the border patrol to transfer children from countries other than Mexico and Canada to the Department of Health and Human Services (HHS) within 72 hours. Ninety percent of these children are released into the care of a parent, relative, or family friend while they await adjudication, according to government statistics. Most never show up at for their court hearing, those that do, are given asylum.

"That's the way the law works," Homeland Security Secretary Jeh Johnson told a House committee Tuesday. "We are required to give that child to the [Department of Health and Human Services] and HHS is required to act in the best interest of the child."

Congressman Pat Meehan (R-Pa.) replied, "We're dealing with children, and we get it. But we ought to not be leaving the American people with the false impression that somehow the system is going to work and actually lead to removals. Once those children are here, they're staying here."

U.S. Citizenship and Immigration Services (USCIS) data show 46 percent of minors who initially ask for asylum are approved by a case officer. Among those who are referred an immigration judge, 74 percent of asylum claims are approved. That data, presented in House hearings this week, seems to undermine the presidents' claim.

And it isn't just children. Family units caught along the border or at ports of entry claiming a 'credible fear' of persecution in order to seek a hearing before an immigration judge increased 586 percent from 2007 to 2013. USCIS data show 92 percent are approved.

"As near as 2 in 3 probably had some sort of asylum related or humanitarian relief that they can apply for once they're in the United States," says immigration lawyer Laura Lichter. "A very large number of people who are presenting themselves at the border will be eligible for some form of humanitarian relief. Whether that's an asylum case, whether they can prove that it would be dangerous for them to go home, whether they are reunited with their family members."

Not everyone thinks that is a good thing.

"When, say, a Honduran woman who brings in her kids across the border is let go with a notice to appear, never comes back, and gets away with it, she's going to call home, and she's going to say 'Hey, what you've been reading and hearing down there really is true,'" says Mark Krikorian of the Center for Immigration Studies. "So until that changes, and until the clear message, from the top, from the President himself, saying that this is going to stop and we are going to make sure it stops, it's not going to stop."

The crisis is taking its toll. Judd told Congress some 40 percent of agents on the Southwest border are off line, changing diapers and babysitting instead of patrolling.

Chris Crane, union representative for Immigration Customs and Enforcement, said 60 to 120 agents daily escort unaccompanied children who have crossed the border on airplanes to see relatives. Though administration officials say they're hiring more judges, removal proceedings typically take up to 5 years.


"If the administration continues current policies, it can expect the crisis to escalate and other problems to potentially emerge," Crane told the House Judiciary Committee. "Desperate people in impoverished countries don't read our laws or policies and pay no heed to cut off dates. Continued talk in the U.S. of legalization without proper law enforcement safeguards first in place will continue to draw millions like a magnet to our southern border."

Congressman Bennie Thompson, D- MS, disagreed, urging Republican to approve a comprehensive immigration reform bill to stem the tide of undocumented immigrants.

"For those out there who are looking for a simple answer, to lay the blame on president Obama's policy on differed action for childhood arrivals, or even the senate-passed comprehensive immigration reform legislation, I would note that neither would apply to these kids. Hence, the assertion that the recent surge in unaccompanied children is due to lack of immigration enforcement does not pass the smell test."

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