

# Immigration 2014: The Border Crisis and Immigration Reform



# Children Take Many Paths To The U.S.

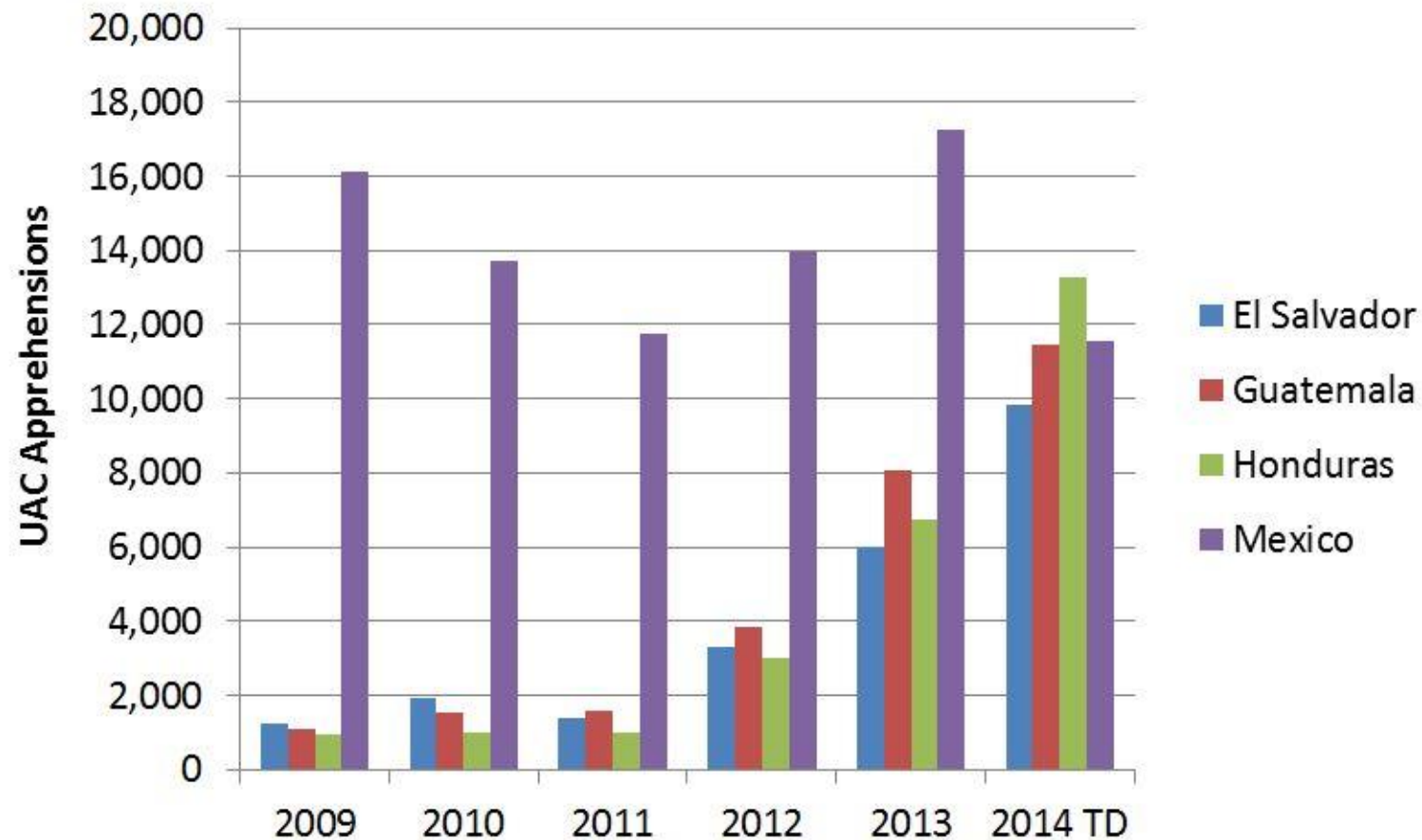


# United Nations High Commissioner for Refugees: : Humanitarian Situation at US Border



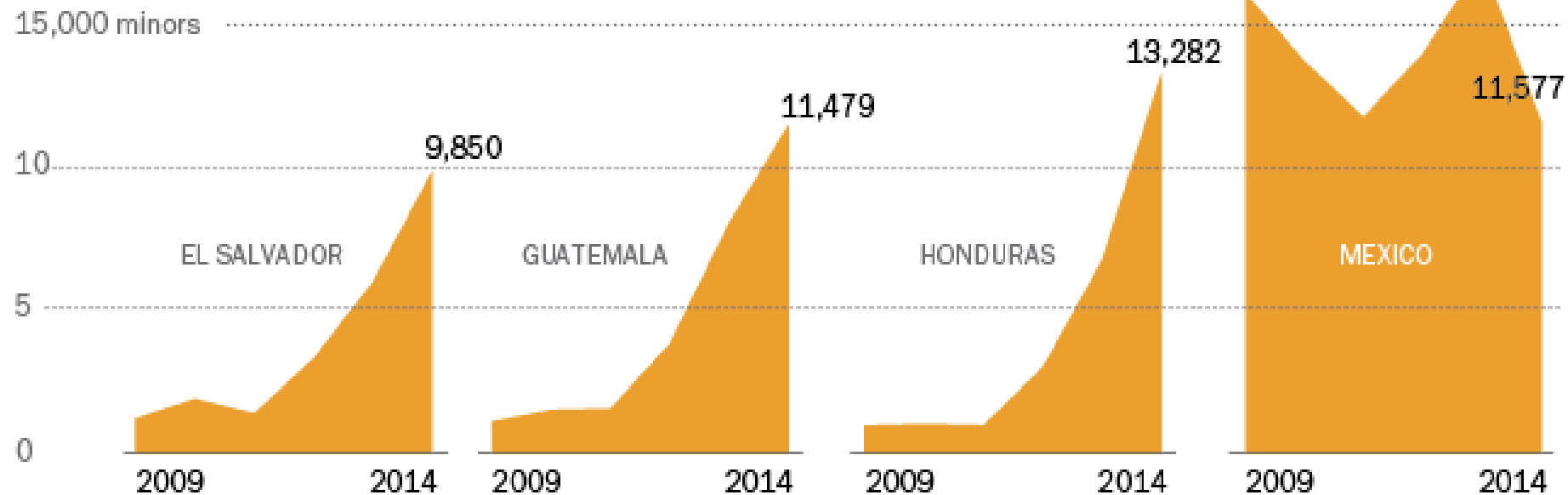


# Unaccompanied Minor Apprehensions by CBP, FY 2009-14\*



## Sharp Rise in Unaccompanied Children Apprehended at the Border

*Number of apprehensions of unaccompanied minors at the Southwest border, by country of origin*



**CHANGE**

2009-2014\*

**+ 707%**

**+ 930%**

**+ 1,272%**

**- 28%**

Source: U.S. Customs and Border Protection. Minors are children ages 17 years or younger.

Fiscal Years 2009-2013; Fiscal Year 2014 through May 31st.

\*Percent change for FY2014 includes apprehensions through May 31st.

PEW RESEARCH CENTER / GRAPHIC BY DIANA YOO

# Mexican Unaccompanied Children



# Unaccompanied Children

- Unaccompanied Alien Child (UAC)

6 U.S.C. § 279(g)(2)

- ✧ Under the age of 18
- ✧ Has no lawful immigration status in the U.S.
- ✧ Has neither a parent nor a legal guardian in the U.S. who is available to provide care and physical custody.



# Unaccompanied Children at the Southwest Border

At the direction of the President, a Unified Coordination Group is leveraging Federal resources to address the humanitarian situation associated with the influx of unaccompanied children entering the U.S. across the southwest border. This chart depicts the general process to enhance capacity resulting from federal coordination.

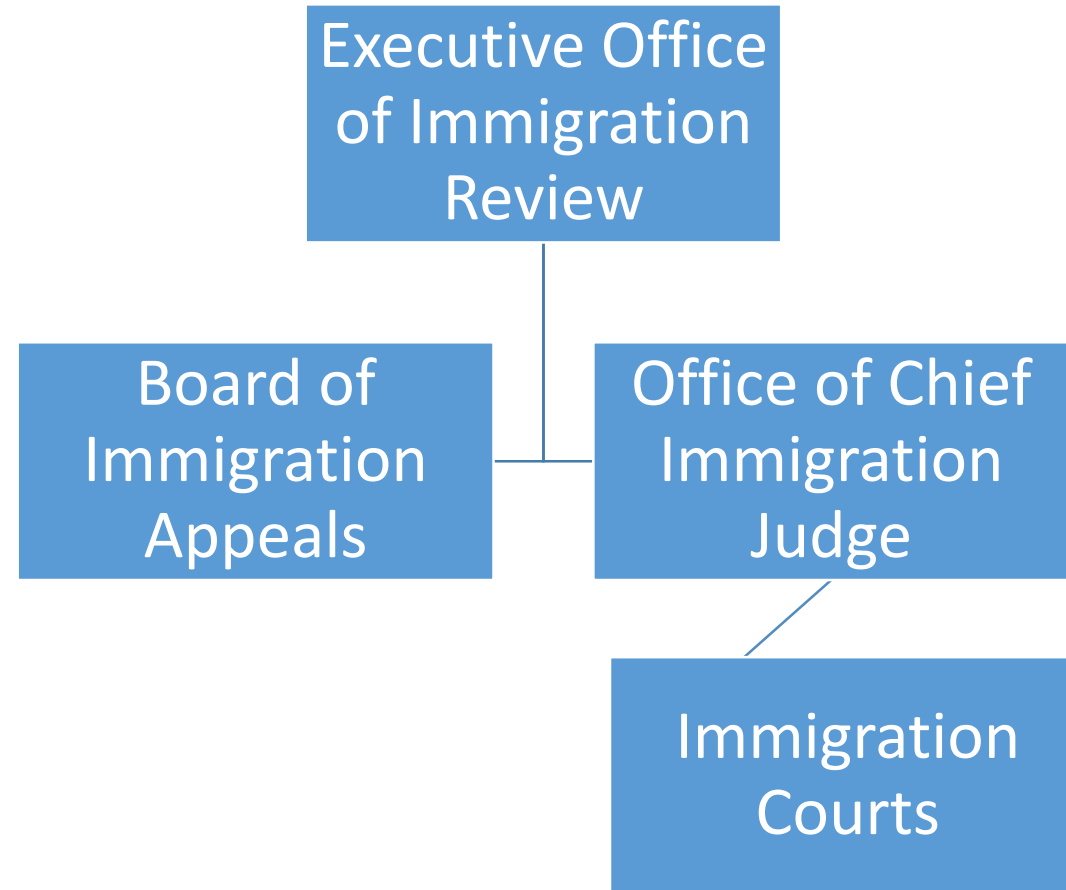


\* Note: This chart only shows interagency process to address the humanitarian situation.

*DoD is providing temporary shelter to assist HHS including JB Lackland, NB Ventura County and Ft. Sill.*



# Department of Justice



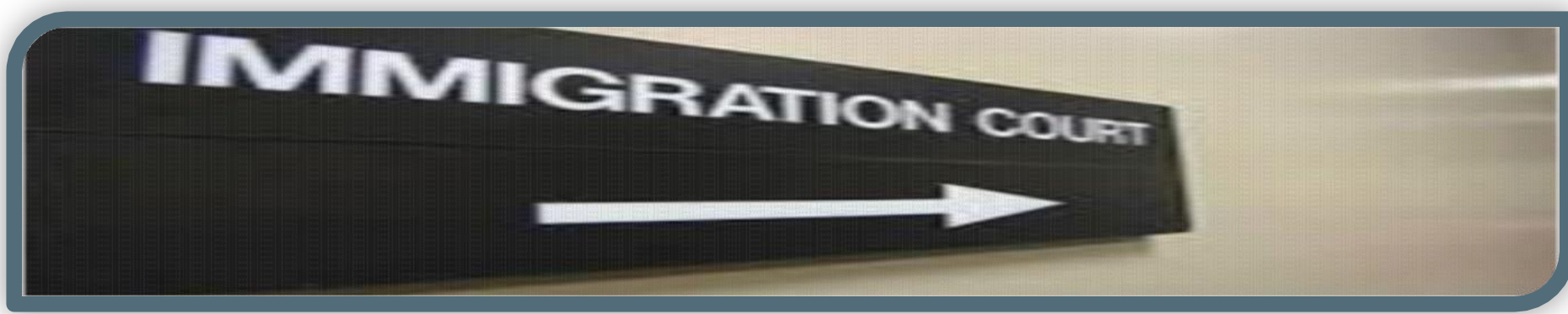
# Immigration Removal Proceedings

- **Civil Not Criminal Removal Proceedings**

- The Executive Office for Immigration Review is an agency within the Dept. of Justice
- Immigration judges are administrative judges who are part of the federal civil service
- **The government is represented** by attorneys employed by Immigration and Customs Enforcement (ICE)



**Children are not provided  
with free counsel**



**(i) Removal Based on Charges Filed at the Border**

**(ii) Expedited Removal – not currently used with children – may preclude all court procedures**

*\*special provision for Mexican Children*

**(iii) Removal Based on Charges Filed Within the Interior**

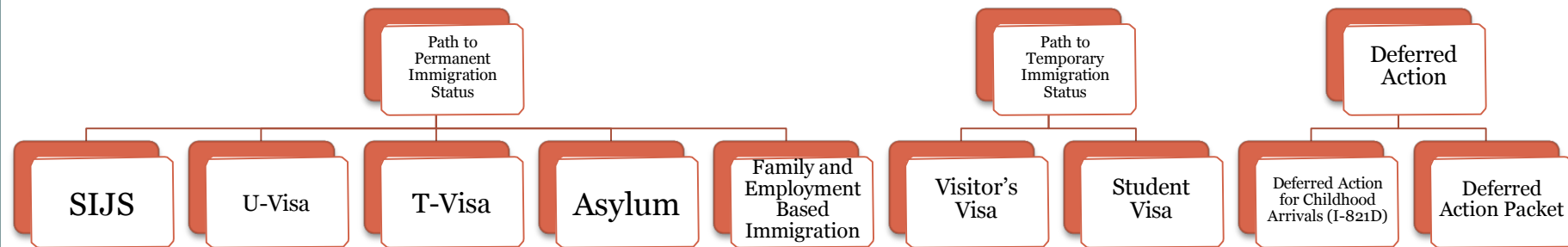
**IN SOME IMMIGRATION COURTS,  
VOLUNTEERS ARE ALLOWED TO SCREEN  
CHILDREN BEFORE  
THE REMOVAL HEARINGS**





In many immigration cases, there may be multiple forms of relief.

Each child should be screened for all possible forms of relief.



# What is Special Immigrant Juvenile Status (SIJS)?

- An immigration status which involves certain determinations made by state courts.
- A gateway to critical educational, medical, and employment benefits.



# Who qualifies for SIJS?

Unmarried children under the age of 21 that a juvenile court has determined:

- Cannot reunify with one or both parents because of abuse, abandonment, neglect, or other similar basis; and
- Whose best interests are not served by returning to their country of nationality.



# Asylum Overview

- **Refugee Definition**
- Under U.S. law, a person who has a well-founded fear of persecution **on account of** race, political opinion, religion, nationality or membership in a particular social group, may seek asylum protection.





# T visas & U visas

## **T Visas**

Victims of Human Trafficking

## **U Visas**

Victims of Crime

# What's DACA Got to Do With It?

- Congressional Republicans argue that the “surge” of unaccompanied minors was caused by DACA *BUT*
  - Surge began in October 2011
  - DACA implemented June 15, 2012
  - Not eligible if not residing in the United States since June 2007

What's next?

Congress

President