

Family Bridge Toolkit

A GUIDE FOR FAMILIES
+ ADVOCATES

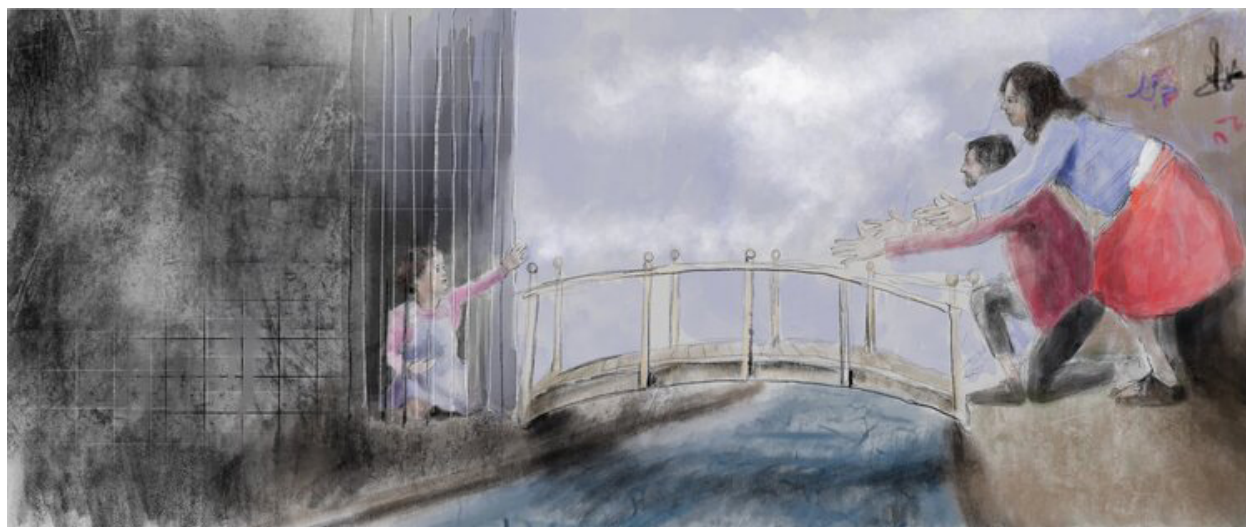


IMAGE BY MARC NELSON

Our Family Bridge Toolkit includes:

- Names and descriptions of the various American government agencies involved
 - Detailed descriptions of the different stages of processing and detention minors experience once they've crossed the border on their own or with family other than parents
 - Details regarding the process required to gain a child's release from detention
 - Critical telephone numbers which parents may call for information
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Names of Relevant American Agencies

Office of Homeland Security

The Office of Homeland Security was formed after the 9/11 attacks on the United States and replaced the Immigration and Naturalization Service (“INS”) as the department addressing immigration issues.

Two departments of this office which affect children coming to the United States are:

- Customs and Border Protection (CBP)
- Immigration and Customs Enforcement (ICE)

Office of Health and Human Services

This is the agency responsible for making certain that health and welfare regulations are upheld.

The department which addresses these issues for children detained on their own and contracts with private agencies to run child detention facilities is:

- Office of Refugee Resettlement (ORR)

Flores Settlement Agreement Counsel

The Flores Settlement agreement was a contract reached in 1997 between the government and a group of lawyers who continues to represent ALL children in government custody (whether with or without family members). It dictates the minimal standards of care and safety to which the government must adhere for detained children. There are many aspects to the agreement (including the need for adequate nutrition, schooling, medical care, recreation, etc), including the mandate that children must be released from government custody as soon as safely possible and that

they should reside in the least restrictive setting. When the government fails to deliver care to those standards, the Flores Settlement Counsel go to court to compel them to address these failures and have the judge compel the government to comply with the specifics of the agreement.

The Young Center for Children’s Immigrant Rights

The Young Center contracts with the government Office of Refugee Resettlement to provide advocacy services to children in some child custody settings. Some of the advocates providing those services are attorneys who help with the child’s immigration case. Others may be social workers more involved with issues such as release to sponsors.

Processing and Detention of Minors



Children Arriving with Biological Parents

When children cross the border of the United States with their biological parents, those parents must show identification (such as birth certificates) to show that they are the verifiable parents of those children. While the United States government is not supposed to separate children from their biological parents (or their legal guardians), sometimes this does happen if the government believes that the parents may not be who they claim to be or may represent a danger to their child. Any parent who is separated from their children should request documentation for the reason that their child was removed and, if possible, should seek legal assistance or contact our organization right away.

Sometimes families are detained together in what are called “**Family Detention Centers**” while they await the adjudication of their cases. These centers are run by ICE. There are three of these in the United States - 2 in Texas and 1 in Pennsylvania. The profoundly adverse effects of family detention on children is well documented. Because of this, the Flores Settlement Agreement mandates that migrant children cannot be forced to remain in these facilities for more than 3 weeks. However, right now, what this means is that parents confined in Family Detention have only two options: to keep their children in these dangerous facilities with them or expose their children to the trauma of separation by sending them on their own to child detention centers. We at Every. Last. One believe that this is not a choice that any parent should have to make. We believe in - and will continue to fight for - the right of ALL minors to await the adjudication of their cases *with their parents* in safe and secure community settings.

Children Arriving on Their Own or with Non-Parental Relatives

Children are routinely removed from the care of their non-parental relatives. When this occurs, they are processed just like children who have arrived on their own. All of these children are then referred to in government documents as “Unaccompanied Alien Children” (UACs).

All children processed at the border are assigned an “A [alien] number,” taken into government custody, and generally placed into a “border protection facility.” These facilities are managed by “**U.S. Customs and Border Protection**”, which is part of the United States **Department of Homeland Security**. Border Protection centers are holding facilities, which are not designed for children. Because of this, the law states that the American government cannot keep children in these facilities for more than three days. Within that time, children are meant to be transferred to the custody of a government department called the **Office of Refugee Resettlement** (“ORR”) which sends them to a detention facility for children.

Once this transfer occurs, ORR has responsibility for all children in government custody (except those detained with their parents or otherwise by ICE) who are under the age of 18. The Office of Refugee Resettlement is part of the **Department of Health and Human Services**.

Once sent to one of these locked ORR facilities, children are kept in government custody until they are released to “sponsors” in the community or until they turn 18. In these institutional settings, children are fed and clothed and given some schooling and exercise time. They are supposed to have access to medical and other care if they need it. Some smaller children may be placed with “transitional foster families” who do or do not speak their language. Some of the children placed with families go to a school or daycare setting during the day and then return to spend the nights and weekends with these families. Sometimes children are transferred from one facility to another.

The government will keep children in these locked facilities until they find a family member or family friend who they consider to be “safe” to “sponsor” the child. This release to sponsors is supposed to happen quickly. Often there are delays.

All children in government custody are entitled to telephone contact with their parents twice per week.

If a child turns 18 while in ORR custody, responsibility for that child is immediately transferred from ORR to **Immigration and Customs Enforcement** (“ICE”), the office under **The Department of Homeland Security** which is responsible for detaining adults. The 18-year-old is picked up by ICE at his or her ORR facility (usually on the day of their 18th birthday), often placed in handcuffs or shackles, and immediately transferred to an adult detention facility, where they do not have the same protections which are mandated for children. ORR is supposed to make alternative arrangements for children approaching their 18th birthday so that they are not transferred to adult facilities. However, this does not always happen.

The Sponsorship and Release Process

Much excellent research data supports the fact that children do poorly when kept in locked detention facilities – and even government foster homes – especially for long periods of time. Children thrive in loving homes and communities, where they can receive the individualized care that they need and which will help them to heal from trauma, to grow and develop. For this reason, Every. Last. One strives to assist children and families in identifying appropriate sponsor homes and getting children to those homes as quickly as possible.

The application to gain a child’s release to anyone (even a parent) can be confusing and lengthy. For those who are not the child’s parents and wish to sponsor them, the input of parents is important and their consent of parents may be necessary. (This is another reason for parents to stay connected to their children.)

Our organization works with parents and non-parental sponsors to help fill out these applications and obtain all necessary paperwork so that children can be released as quickly as possible. Once we begin to work with you and your child, we will stay involved as long as you wish. Sometimes our work ends once we’ve given families the means to reach their children and their child’s case manager. Sometimes we are asked to assist all the way through the process until a child is fully released into a loving home and community.

Parents with children under the custody of the Office of Refugee Resettlement (ORR) will need to provide the following documentation when they or a sponsor applies to have their child released:

1. Copy or picture of the child’s birth certificate
2. Copy or picture of birth certificate of both parents

3. If a sponsor related to the child (other than the parents) is sponsoring a child, she needs to provide a copy of her birth certificate to prove she is related to the child.
 4. If the sponsor is not directly related to the child, birth certificates of the parent(s) of the sponsor and the child's parents will be requested. If those additional birth certificates do not prove they are related, additional birth certificates, up to the point where a relationship can be established, will be required.
 5. The sponsorship packet which includes the application to sponsor a child will be provided by the Case Manager in charge of the child's case.
 6. The sponsorship packet will include a Letter of Designation which the parents need to sign and notarize when the child is being sponsored by someone other than a parent. This letter authorizes the ORR to give physical custody of the child to the sponsor designated by the parents (provided that the sponsor fulfills all other requirements).
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Why We Want to Connect with Families

It is very important that we have some way to locate families of detained children. Only then can we help them to connect to their children in the United States and work with them toward the best outcomes.

It is important for families to be in contact because children who are away from families often feel afraid, lonely, and worried for their own safety and that of their family members. Even just a phone call can help a child feel safe and hopeful. It is also important because this enables us to help families connect with the “case managers” at their children’s facilities. It is these “case managers” who are responsible for the initial determination of whether someone may apply to sponsor a child so they can be released from detention.

We know that detention is not good for children: Staying in detention hurts their brains and their bodies. We believe that children belong with families in loving homes within safe communities and not in locked facilities. We know that by connecting families to their children and to those making the decisions for their children, we are empowering families to push for the release of their children as quickly as possible. Many people living in Mexico or Central America with a child in American immigration detention have a family member or friend in the United States to whom they wish to see their child released. We work with families to help make that happen as quickly as possible.

Contact Us

Please connect with us and keep us updated if and when you change locations as well as if you have registered with us before. This will help us to let you know where your child is located and how to reach them and their case manager.

For English: (323) 344-0444

WhatsApp: +1 (818) 533-1974

Email: Hello@everylastone.org

When you connect with us, we will ask for the following information:

1. The full name (please speak slowly and spell your name if you call), date of birth, and country of origin of each family member waiting in Mexico
2. The full name (again, speak slowly and spell the name if you call), date of birth, gender, and country of origin of your child or children
3. The best way to contact you. This might be your phone number or the phone number of a facility, such as a shelter, where you're staying. This might also be a third party with whom you're in regular contact.
4. If the best way to contact you is a shelter or hotel, please leave the name of the shelter/hotel, the location, and, if possible, the name of a contact. If the best way to contact you is through a third party, please include their name and their relationship to you (such as your friend or sister).
5. Please let us know if you use WhatsApp.
6. If you have a relative or close friend in the United States who would like to sponsor your child (meaning, bring them into their home and care for them), please leave us their full name, telephone number, and state of residence.

Useful Telephone Numbers

Phone number for access to immigration court information in English and Spanish: 1-800-898-7180

This line will tell you the status of your or your child's immigration case, including the date of the next court hearing.

Office of Refugee Resettlement number: 1-800-203-7001

This line will help you to find your child once he or she is in the custody of the Office of Refugee Resettlement. This service should help you to connect with your child's Case Manager, which you should do as soon as possible.