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■ AQ FEATURE

Unaccompanied Kids and Unintended Consequences

BY [Sam Quinones](#)

Washington's broken immigration system was brought into sharp relief by the crisis at the U.S. border, but the political reaction doesn't help matters.

In 2014, a rumor spread through Central America that anyone who hoped to reunify with family members in the United States should leave immediately. The rumor, apparently picked up and relayed by one or more television reporters in Honduras, was unequivocal: it was now or never.

The TV reports claimed that, due to “changes in U.S. policy,” not only would anyone who crossed the border be permitted to join family members already living there, but children who showed up alone at customs and immigration posts would be sent to their families.

“The rumors [spread] like wildfire,” Nelson García Lobo, director of the Commission of Mennonite Social Action, which works in some of the poorest neighborhoods in Honduras, told *The Dallas Morning News* in July. “Suddenly, many saw hope.”

Reaction was swift. Thousands of unaccompanied minors—some as young as four years old and many of them young girls—left Honduras, Guatemala and El Salvador, known as Central America’s Northern Triangle. What had been a slowly increasing northward flow of between 2,000 and 3,000 children a month in fiscal year 2013 turned into a torrent. The numbers swelled to more than 7,000 a month for March and April, and then to more than 10,000 in May and June, according to the Department of Homeland Security. By July, Immigration and Customs Enforcement authorities reported that 57,000 children—most of them from Central America—had arrived at the U.S. border unaccompanied since October 2013.

Heeding the purported “advice” from Central American reporters, they didn’t try to enter clandestinely. Most went directly to a green-uniformed *migra* (immigration) officer as soon as they crossed into Texas to declare themselves.

These kids were something new. Unlike the children for whom Washington has provided sanctuary over the years from Nazi Germany, Vietnam, Cuba, and Sudan, the young immigrants were from countries friendly to the United States. Most (more than 80 percent, according to a United Nations study in March) said they had family in the U.S., and that reuniting with relatives was a primary goal. Although they could not claim to be fleeing civil war or religious oppression, they were escaping one of the world’s most dangerous conflict zones, where drug gangs regularly target children as recruits or victims of revenge attacks. In Honduras alone, the gang-riddled city of San Pedro Sula has the highest murder rate per capita in world. There are stifled opportunities for work and education, and young people are left as targets of gangbangers, extortion and sexual exploitation in a climate where government authorities and police are unable to offer much protection.

While the immigrants’ rights community and the left portrayed this as a refugee crisis, the right seized on the surge to rejuvenate angry protests over what they considered Washington’s flawed immigration policies. In July, in one of the most widely covered reactions, protestors in Murrieta, California,

picketed buses carrying immigrant children and women to federal processing centers in the southern California town. At the same time, some politicians used it to spread conspiracy theories. “You either have an incredibly inept [Obama] administration or they’re in on this somehow or another,” Texas Governor Rick Perry told Fox News’ Sean Hannity, a few days before ordering a thousand National Guardsmen to the border in August.

Immigration Contradiction



Honduran mothers and their children prepare to get into the truck of a U.S. Customs and Border Protection agent near McAllen, Texas, in July 2014. Photo: RODOLFO-GONZALEZ/AUSTIN AMERICAN-STATESMAN/AP

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The truth is, the Central American unaccompanied minor crisis reflects how well border enforcement is working. Thousands of unaccompanied Mexican kids—particularly teenagers—crossed the border every year during the decade preceding the Great Recession. At that time, families didn’t think much of sending a boy who’d just turned 16, the age working life begins in Mexico and Central America, north for work. They were rarely singled

out among the throngs of adults. But the level of illegal immigration has dropped sharply due to stricter enforcement, a reduced demand for labor resulting from the recession, and Mexican cartels which, amid a savage war, have taken to kidnapping immigrants and extorting money from their families back home. Apprehensions have averaged 420,000 per year over the past five years—levels not seen since the early 1970s and nearly half the number recorded in the 1990s and early 2000s. Net immigration from Mexico to the U.S. is near zero, according to the nonpartisan Pew Hispanic Center.

The tightening of the border has created a crisis for human traffickers. They’ve had to raise prices to reflect drug traffickers’ demands for payoffs and the increased difficulties of getting a migrant up from

southern Mexico or Central America and into the U.S. interior. The amount that *coyotes* demand to ferry their human cargo to the U.S. over the past decade has jumped to \$3,000 to 5,000 per person from Mexico and \$6,000 to \$10,000 from Central America. The smugglers seem to have fastened on these kids as the latest, and perhaps last, reliable income stream.

The newest border crisis adds further complexity to the immigration debate. While President Barack Obama's administration has deported a record 2 million undocumented immigrants, mostly Mexicans, in five years (and many are not returning, as the large number of deportees in border cities like Tijuana attests), the flow of unaccompanied minors underlines America's schizophrenic approach to the issue, dating at least to the passage of the 1986 Immigration Reform and Control Act (IRCA). Significantly, the Act has helped perpetuate the dysfunction in sending countries.

IRCA granted legal status to 3 million previously undocumented people then in the U.S., who could apply for amnesty under the Act. At the same time, it intended to deter future border crossings by cracking down on those who hired undocumented laborers. Implementing the hiring ban, however, proved politically unpalatable. Despite a few headline-making efforts, federal authorities showed little appetite for conducting large-scale raids of job sites and other invasive measures.

So, in time, almost 100 percent of enforcement resources were focused on 50 percent of the problem: would-be immigrants crossing the border. "In the 1990s, when we were growing and jobs were available everywhere, [the country] had no time for [worksite] enforcement," said Doris Meissner, commissioner of the Immigration and Naturalization Service under President Bill Clinton, and now a senior fellow at the Migration Policy Institute in Washington DC. "Border enforcement was the only [thing] people really would agree on."

The result: most American homeowners and businesses were exempted from accountability when it came to employing undocumented immigrants. There was little incentive to end their dependence on cheap labor for their painting and their meat-processing, for installing their floors and for cleaning their pools, houses and hotel rooms. Moreover, in agriculture, in California at least, growers avoided investment in labor-saving technology because so much cheap manual labor was available.

This lopsided approach resulted in the pull of immigrants across the border as the U.S. economy began to recover. The unofficial message—that if you could get across the border, there was a job waiting—spread through working-class Mexico and Central America. The undocumented immigrant population in the U.S. climbed to over 750,000 a year by 2000, according to the Pew Hispanic Center. Two decades after 3 million people were legalized under IRCA, a conservatively estimated 12 million undocumented immigrants were in the U.S., most of them from Mexico, Guatemala and El Salvador—many of whom stayed even when the U.S. economy bottomed out after 2007–2008.

All this created conditions in which rumors could ignite migration frenzies. Traffickers evolved from freelance operatives into quasi-corporations, primarily run by criminal organizations that added people to the drugs and arms they were already smuggling north. Enormous populations of Latino immigrants in the U.S. formed networks spreading news and remittances back home.

Sending countries, meanwhile, grew to depend on these remittances. Over the past decade, Guatemala, El Salvador and Honduras combined have received remittances of between \$6 billion and \$12 billion a year.

The easy cash of these remittances is one reason that sending countries have not made the hard investments in infrastructure and their local economies that would foster the jobs and quality of life that would keep their people home.

The Legislation Contradiction

Added to this already perverse situation was the 2008 Trafficking Victims Protection Act, enacted by Congress and signed by then-President George W. Bush. The law was aimed at protecting children from traffickers, by designating unaccompanied children from “non-contiguous countries” as eligible for special treatment. Unaccompanied minors from those countries would be turned over to the U.S. Department of Health and Human Services, and their cases were to be reviewed in administrative hearings. But the cases quickly backlogged, and by last year, it was taking up to two to three years for such hearings to occur. Meanwhile, the children are placed with family members or sponsors as they wait. That alone may be what helped spark the rumor that unaccompanied kids will have a home once they arrive in the United States.

Although Honduran officials themselves blame *coyotes* for the rumor—Honduran First Lady Ana García de Hernández told Univisión, following a June 2014 visit to the Texas border, that *coyotes* have spread “a chain of misinformation”—some of the information circulating in Central America appears generally correct. Or at least it was, until Obama required that the cases of children be prioritized. Until July, if a child could get to the U.S., he or she would have a good chance of being placed with family for a couple of years before the case would be decided. This explains why so many children weren’t trying to make it to family far into the U.S., but surrendered as soon as they crossed the border.

Thus, a law to address a humanitarian need has had the unintended consequence of encouraging thousands of parents to hire thugs to help their kids make a harrowing trip across two or three international borders.

The president is now in a difficult position. The 2008 law, which is supposed to protect kids, acts as an incentive for them to undertake a dangerous trek from Central America, often at the mercy of criminal gangs. At the same time, the alternatives are just as bad for many of the children, whose lives are endangered by gangs like *Mara Salvatrucha* and 18th Street (gangs formed in Los Angeles and transplanted to Central America). The March report by the UN High Commissioner for Refugees (UNHCR) estimates that 58 percent of the youths crossing the border would have legitimate claims to international protection based on their likelihood of being victims of the narco-social breakdown in their home countries.

No Long-Term Immigration Solution

In the meantime, the number of children crossing the border has declined. In July, apprehensions were down to 5,500. The downward trend, however, is likely the result of the short-term, palliative measures taken by the U.S. and the governments of the Northern Triangle—including better border enforcement in Central America and along the border with Mexico, and a public information campaign.

But those efforts have addressed only the immediate causes. Experts suggest that the crisis of

unaccompanied minors should be included in a larger effort in Central America that addresses the root causes that force children to leave.

“Don’t ever let a crisis go to waste,” said Meissner. “This should focus our attention as a country far more on our relationship with the countries in our neighborhood, and what it is we need to do collectively to create better futures in the region.”

That will only happen if all sides of the immigration debate can agree on going beyond partisan rhetoric. So far, there’s little evidence of that. Efforts to develop a comprehensive approach to immigration all but stalled as the midterm congressional campaigns got under way and the nation looks ahead to a presidential contest in 2016. Even the president’s request for \$3.7 billion in emergency funding to beef up border protection, streamline the hearing process, and provide development assistance to the sending countries floundered in Congress, trapped again by the ugly politics around immigration.

Interestingly, some observers see the region—despite, or maybe because of, all that afflicts it—clinging to hope for a democratic future. U.S. Marine General John Kelly, chief of the Southern Command in Miami, interviewed recently in the *Army Times*, said that although Central America was a region of “near-broken societies” beset by violence rooted in impervious drug gangs who use their countries as a transit route, the region’s governments “are still functioning democracies and appear to want to stay that way.”

Still, it’s hard to see what the Central American governments can do in the short run to resolve what ails them. Their institutions are corrupt or threadbare, or both. Honduras’s Child Protective Services agency dissolved one day in July, and reformed the next day with a new name, though without any new capacity. Crime-fighting seems beyond the capacity of the countries’ police forces, particularly when facing gangs and Mexican drug cartels. Many areas are absent the rule of law.

Even if Obama’s request for \$295 million in assistance to the region included in the doomed package were approved, it’s dubious it would do any better than the billions of dollars previously thrown at resolving long-standing, institutional problems the countries face.

As the unaccompanied minor issue recedes from the headlines, it should be seen as yet another symptom of the failure of both Washington and Central American governments to deal with the region’s systemic problems. Unfortunately, the broken systems and this crisis have only served to reinforce one another and prolong the perversity on both sides. In the U.S., the flood of unaccompanied youth has further poisoned the partisan debate over comprehensive immigration reform. While some hold hope that this kind of reform is necessary to alleviate problems like the flow of immigrant children, it’s unclear how legalizing millions of people would reduce the attraction of leaving destitution and violence to illegally cross into the U.S.—at least, that is, if it’s not also accompanied by enforcement measures that Americans haven’t had the stomach for.

Meanwhile, in the Northern Triangle, decades of migration north have brought remittances that have allowed governments to avoid much-needed productive investment and reform, instead creating a welfare-like dependence on dollars among families, regions and countries. While individual families have made better (and safer) lives for themselves by taking the risky journey north, it only serves the interests of the criminal gangs and their corrupt enablers to allow the U.S. to act as an escape valve for

the children who have been innocent victims of these “near-broken” societies.

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