

# Next Steps for Keeping Families Together



**St. Francis**  
community services



ARCHDIOCESE OF ST. LOUIS



## Why Do People Migrate?

- ▶ Better life for their children
- ▶ Better education/More employment opportunities
- ▶ Economic hardship in country of origin
- ▶ Family connections in the U.S.
- ▶ Inhospitable environments in country of origin

# Immigrating under U.S. Law

Through Family

Through Employment

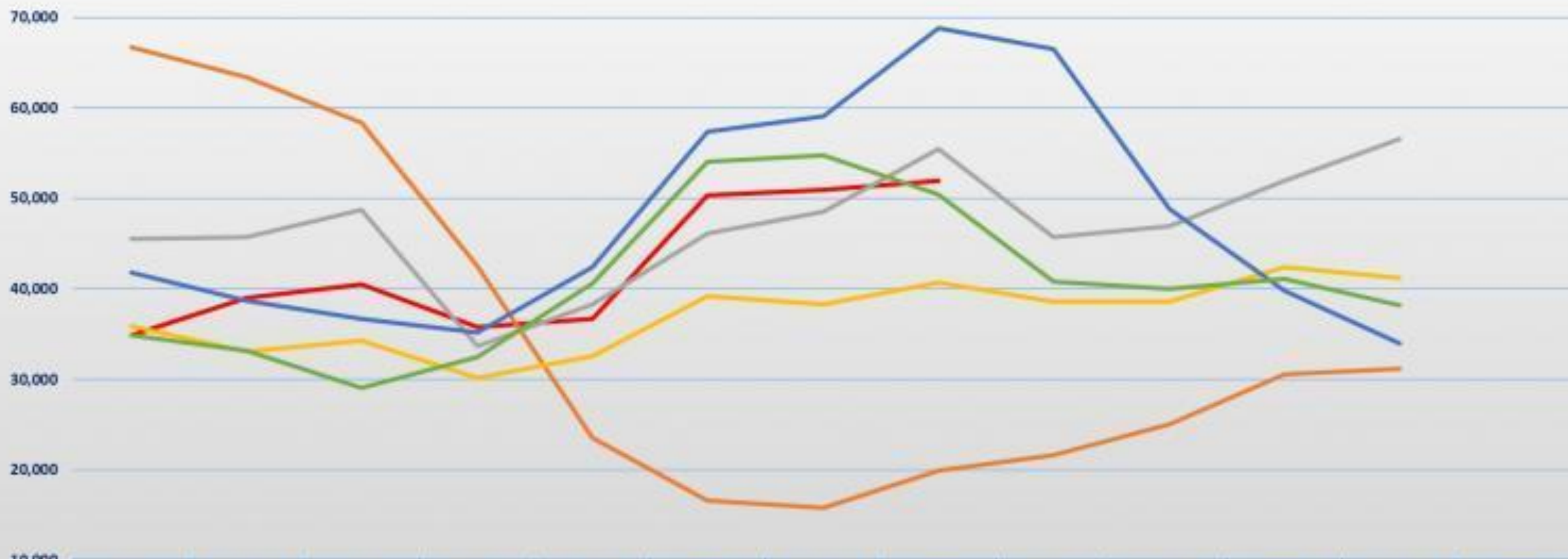
Diversity Lottery

Refugee

- ▶ INA §208(b)(1)(A): An individual is eligible for asylum if she meets the definition of refugee—
  - ▶ Suffered past persecution or has a well-founded fear
  - ▶ On account of a protected ground
    - ▶ Race
    - ▶ Religion
    - ▶ Nationality
    - ▶ Political opinion
    - ▶ Membership in a particular social group
  - ▶ Perpetrated by the government or an entity the government cannot/will not control

# Asylum

### CBP Southwest Border Total Apprehensions / Inadmissibles



	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	Total
FY18	34,842	38,996	40,509	35,817	36,682	50,296	50,924	51,912					
FY17	66,708	63,361	58,412	42,463	23,555	16,588	15,766	19,940	21,657	25,019	30,567	31,155	415,191
FY16	45,507	45,752	48,737	33,654	38,309	46,117	48,502	55,442	45,722	46,966	51,961	56,535	563,204
FY15	35,895	33,023	34,238	30,178	32,550	39,159	38,296	40,681	38,616	38,610	42,414	41,165	444,825
FY14	41,828	38,685	36,695	35,181	42,399	57,405	59,119	68,804	66,541	48,819	39,758	34,003	569,237
FY13	34,836	33,153	29,075	32,481	40,632	54,009	54,761	50,481	40,785	39,993	41,110	38,182	489,498

USBP	Demographic	OCT	NOV	DEC	JAN	FEB	MAR	APR	May	Total
Southwest Border	UAC	3,153	3,975	4,063	3,207	3,122	4,145	4,302	6,405	32,372
	Family Units	4,837	7,016	8,120	5,654	5,475	8,873	9,653	9,485	59,113
Southwest Border Total Apprehensions		25,483	29,086	28,998	25,978	26,665	37,385	38,278	40,344	252,187

**U.S. Border Patrol Apprehensions FY2018 YTD (October 1 - May 31)**

*Tables are accurate as of 6/1/18, totals change as data is adjudicated.*



# Crossing Our Southern Border

- ▶ Entering at a Port of Entry v. Crossing the River
- ▶ Parole v. Detention
- ▶ Credible Fear Interview
- ▶ Bond v. Release on Own Recognizance



# Family Detention Centers

Dilley, Texas

- Capacity: 2,400
- Opened: 12/2014

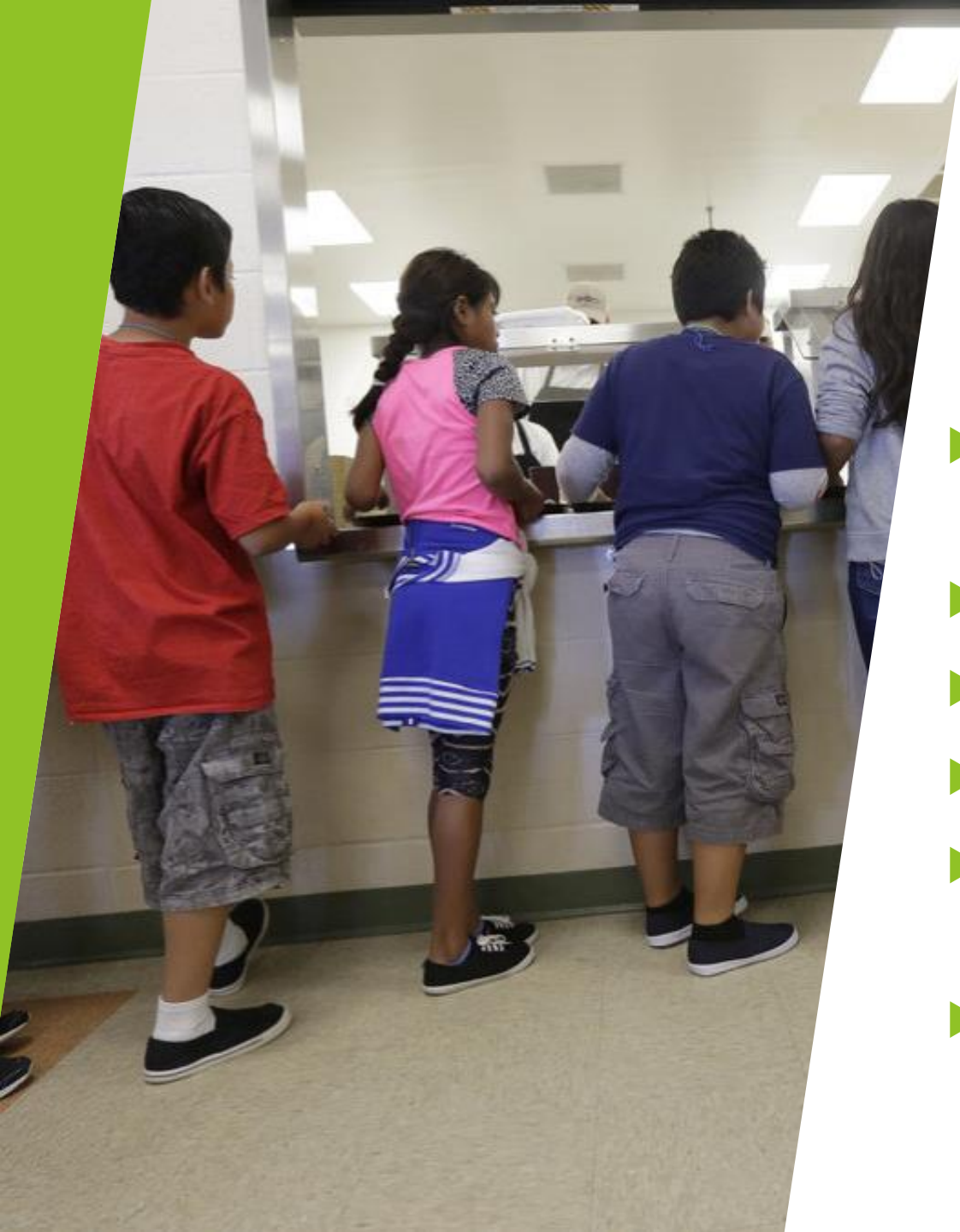
Karnes, Texas

- Capacity: 1,158
- Opened: 8/2014

Berks County,  
Pennsylvania

- Capacity: 96
- Opened: 2001





# Child Detention Centers/Shelters

- ▶ ORR requirements for well-being of children
- ▶ Agencies/Staff
- ▶ Daily life
- ▶ Visitors
- ▶ Reunification process and requirements
- ▶ Foster care

# Reunification

- ▶ Home studies
  - ▶ Go into the home of potential sponsors (typically family members) to assess safety and appropriateness of placement of minor with the sponsor
  - ▶ Screen for human trafficking
- ▶ Post-release services
  - ▶ Home visit after unaccompanied minor is released to sponsor
  - ▶ Provide case management and referrals to family
  - ▶ Provide psycho-education for family



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# Holistic Services at St. Francis Community Services

Legal aid

Case management

Bilingual therapy

Mental health counseling

# Zero Tolerance Policy

- ▶ Announced in April 2018 by Attorney General Sessions
- ▶ Requires each U.S. Attorney's Office to prosecute all DHS referrals of illegal entry violations\*
- ▶ Prosecution for “illegal entry”/8 U.S.C. 1325\*
  - ▶ A misdemeanor under federal law—punishable by a fine, up to six months in prison, or both
  - ▶ Often prosecuted in group settings
- ▶ Meant to be a deterrent to coming to the U.S.
- ▶ Resulted in separation of families

\*Source: American Immigration Counsel “Prosecuting Migrants for Coming to the United States.”

# Executive Order: June 20, 2018

- ▶ Ends Family Separation
- ▶ Continues Zero Tolerance Policy
- ▶ Family Detention “during the pendency of any criminal improper entry or immigration proceedings involving their members”
- ▶ Willingness to use build more facilities if necessary
- ▶ Modify the Settlement Agreement in *Flores v. Sessions*

# Challenges Moving Forward

- ▶ Reuniting parents with their children previously separated
- ▶ Long-term family detention
- ▶ Issues of Due Process
- ▶ Changes to Asylum Law
  - ▶ Matter of A-B-, decision of Attorney General Jeff Sessions
  - ▶ Preparing asylum claims while detained