



# AN UNACCOMPANIED IMMIGRANT CHILD'S JOURNEY TO NEBRASKA

From border crossing to ILC



## CHILD DEPARTS HOME COUNTRY

Children depart their home country (Guatemala, Honduras, El Salvador) to reach the United States-Mexico border. Many travel by bus, plane, train, or foot (and often a combination of travel methods). This journey is incredibly dangerous and can be traumatizing for the child.

## CHILD IS APPREHENDED AT THE BORDER

The child's entry into the US immigration system begins when they are detained at the border. The child is held at an immigration detention center. Children call them "hieleras" or iceboxes because of the horrible conditions. Immigration law requires that the child be placed in the least restrictive setting possible. These centers are not designed for long-term placement of a child. Currently, children are spending an average of 117 hours in detention facilities, far longer than the 72 hours allowed by federal law.



## DEPARTMENT OF HOMELAND SECURITY INITIATES REMOVAL PROCEEDINGS

When an unaccompanied child is apprehended, DHS typically initiates removal proceedings. The court then schedules the child for an initial master calendar hearing.

## TRANSFER TO OFFICE OF REFUGEE RESETTLEMENT CUSTODY

After initial processing by DHS, the Office of Refugee Resettlement (ORR) assumes custody of the child. Children are typically in ORR custody for 42 days while officials locate and approve family sponsors. A 2019 report estimated that between 2014-2018 there were at least 154 reports of staff on child abuse in ORR facilities. That works out to at least one assault on a child per week. This fact alone underscores why it is critical to remove children from these shelters as soon as possible.

## RELEASE TO SPONSOR IN NEBRASKA

ORR interviews and conducts background checks on all prospective sponsors for the child. The first preference for placement is the parent of the child. If a parent is not available, the preference is for placement with the child's legal guardian, and then to various adult family members.



## IMMIGRATION CASE OUTCOME

Immigrant Legal Center is working to ensure every child before the Omaha Immigration Court has legal representation. This is important because among children with legal representation, 73 percent are allowed to remain in the United States whereas only 15 percent of unrepresented children are allowed to stay. Cases can take years to resolve.

