

Struggle for Identity and Inclusion: Unaccompanied Immigrant Youth in New York City

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FROM THE CENTER DIRECTOR

In recent years, thousands of immigrant children have migrated alone to the United States to escape poverty, conflict, and abuse. Many settle in New York, where legal and social service providers are trying to meet their complex needs. Using an innovative participatory approach that involved unaccompanied immigrant youth directly in the research, this study explored unaccompanied youth's needs from their own perspectives. While the study revealed that there are barriers to their protection and social integration, it also highlights the strengths of the youth and ways that local agencies and organizations are working to meet the challenges they face. It suggests what policymakers and service providers in New York and other cities need to know to welcome unaccompanied immigrant youth and provide opportunities that will benefit them and the city they will call home.



Oren Root, Director
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OVERVIEW

Usually fleeing dangerous or abusive situations in their home countries—such as gang violence, domestic abuse, and other forms of persecution, conflict, or exploitation—unaccompanied immigrant youth are one of the fastest growing and most vulnerable groups in our communities. Yet, they are also one of the most underserved and most poorly understood. Though these young people often have family already living in the United States with whom they are seeking to reunite, their status as “unaccompanied”—as well as undocumented—may give rise to a constellation of risks, including exploitation, poverty, discrimination, and lack of access to justice, healthcare, and education. However, though they have traveled far at a tender age, with little or no adult support, their personal aspirations, cultural identity, and motivations for migration make many of them resilient.

In response to the lack of knowledge regarding unaccompanied youth's experiences after they have resettled in communities across the country, the Vera Institute of Justice (Vera) and Fordham Law School's Feerick Center for Social Justice (Feerick Center) designed a study to assess the needs and circumstances of those youth living in the New York City metropolitan area. A collaboration among researchers, youth, and community service providers, this exploratory research presents a firsthand account of unaccompanied immigrant youth's needs and insights into practical challenges related to their interactions with key systems in New York.

The findings from this study are intended to spur consideration of state and local level program reforms and help provide a first step to building more coherent policies at the local level to support the inclusion of unaccompanied immigrant children and youth. A full report is available on Vera's and the Feerick Center's websites.

Who are unaccompanied immigrant children and youth?

Unaccompanied immigrant children are defined under federal law as individuals under the age of 18 with no lawful immigration status in the United States and for whom a parent or legal guardian is not available in the United States to provide care and custody.¹ Additionally, once a child is apprehended by immigration law enforcement, the U.S. Department of

Health and Human Services classifies him or her as an “unaccompanied alien child.”

However, while some unaccompanied children migrate as young as three years old, the majority migrate while 15 to 17 years old. In this study, researchers interviewed both 15- to 17-year-old minors and adults under 25 who migrated alone as minors. For this reason, the term “unaccompanied immigrant youth” is used.

“I am no longer José, but now I am a male, Latino, undocumented, person of color.”

—Study participant

SCOPE OF THE ISSUE

Youth have been arriving at U.S. borders on their own since the early days of Ellis Island. But it was not until the summer of 2014, when the number of unaccompanied immigrant youth arriving to the United States from Central America increased nearly tenfold from recent years that “child migrants” became the topic of a vociferous political debate.² Recent reports show that, after they are released from federal custody, approximately 85 percent of youth apprehended by federal authorities reunify with a relative or family friend already living in the United States.³ In fiscal year 2014, nearly 6,000 unaccompanied youth reunified with adults living in New York State, with a majority living in Long Island, New York City, and Westchester and surrounding counties.⁴

The media and children’s rights advocates focused on the root causes of the youth’s migration, the humanitarian crisis at the southern border, and the need for increased legal services to guide youth through their immigration proceedings. Washington initially responded with a call for humanitarian measures, but shifted its attention to border security and strategies to prevent migration from the youth’s home countries.

Less attention has been paid to how youth fare after they have resettled in cities and towns across the country. Local governments and legislatures across the country have shown interest in supporting unaccompanied immigrant youth through measures that increase their access to lawyers, schools, and healthcare, but lack of empirical evidence about their circumstances and needs presents an obstacle to policymaking and improving practical responses.

A COMMUNITY-BASED, PARTICIPATORY APPROACH

In 2013, Vera and the Feerick Center embarked on this study in collaboration with two community-based partners, Catholic Charities Community Services and Atlas: DIY, to better understand the needs and experiences of unaccompanied immigrant youth living in New York. The study focuses on a range of issues these youth may confront and the systems they may encounter.

The research team used a participatory action research (PAR) approach to engage unaccompanied youth and community-based and government service providers. The PAR approach allows project participants to play a meaningful role in setting the agenda, carrying out data collection, interpreting results, and developing recommendations for improving programs and policies that directly affect them. This approach is designed to respect the agency of young people who, while vulnerable in many ways, show independence and capability.

With the help of the community partners, the team recruited two peer researchers who had immigrated to the United States unaccompanied as minors and

provided them with formal research training and mentorship to conduct focus groups and interviews with other unaccompanied immigrant youth.

HOW THE RESEARCH WAS DONE

With input from a steering committee, researchers identified 10 key informants with experience working with unaccompanied immigrant youth in various sectors, including education, child welfare, employment, physical and mental health, court systems, and community-based groups. Over the course of two months, Vera researchers conducted semi-structured interviews with these key informants.

The study population was defined carefully, as researchers aimed to reach unaccompanied immigrant youth who had been resettled in New York long enough to reflect upon their experiences. After receiving training in research ethics and interviewing techniques, the peer researchers recruited youth participants through networks at Catholic Charities, Atlas: DIY, and other community-based organizations. To be eligible for the study, these youth were required to:

- > have migrated without parents or guardians;
- > be between the ages of 15 and 25 at the time of participation;
- > have arrived in the United States between three months and five years prior to the study; and
- > speak Spanish or English.

While all study participants arrived to the United States unaccompanied, their post-resettlement family situations varied from living with parents to living on the streets.

Of the 23 youth study participants recruited, 13 participated in two separate focus groups, and 10 participated in in-depth interviews. All key informant and individual youth interviews were audio recorded, transcribed, and coded for analysis; all interviews were confidential and no personally identifiable information was collected.

Among the study population, researchers found that unaccompanied youth faced many obstacles in resettlement and that youth and service providers alike lacked information about how to overcome these barriers to services and to civic, social, and economic inclusion.⁵

OVERARCHING THEMES: IDENTITY AND DISCRIMINATION

Like many young people who are developing concepts of self and self-esteem, unaccompanied immigrant youth defy easy categorization. Going through important life-changing transitions such as migration and family reunification adds new layers to the development of identity. In focus group discussions, many youth shared that they experienced a sense of loss after arriving in the United States, as they were categorized according to their immigration status rather than as individuals. Others expressed discomfort in having identities assigned to them, such as “unaccompanied immigrant child” and “undocumented immigrant,” which were not necessarily how they saw themselves.

“People don’t feel sympathy towards your suffering anymore because they’re seeing you as an outsider, an intruder. Yet, you’re just like one of them. You think, you all want the same thing. You want to have a better life for yourself.”

—Study participant

Discrimination and stereotyping—arising from ethnicity, language, appearance, immigration status, and familial status—affected many study participants, who found that adults and peers regarded them with suspicion and confusion upon finding out about their immigration history.

In formal settings, this led to difficulty in dealing with administrative “gatekeepers” who, ill-equipped or unwilling to understand their circumstances, avoided working with them. This difficulty was often compounded by separation from families and lack of familial support, forcing them to navigate systems alone. The experience of being unaccompanied led some to internalize their precarious legal status based on interactions with institutions and individuals and develop a self-identity rooted in stigma. Many suggested that this could be partly overcome by sharing experiences with others who have endured the same hardships, obtaining reliable information, seeking help, and recreating community ties.

INTERACTIONS WITH SYSTEMS AND SERVICE PROVIDERS

Although legal service providers who participated in the study estimate that a majority of youth are eligible for immigration relief, youth participants cited the complexity of the immigration system and the difficulty of finding a competent attorney as barriers to prioritizing legal assistance. Instead, youth focused on more immediate barriers to integration and resettlement, including lack of access to employment, housing, education, and learning English.

In particular, access to education reportedly remains a significant challenge, with youth study participants sharing an array of obstacles to enrolling in school and receiving a quality education free of discrimination. For example, although all young people under the age of 21 have a legal right to free primary and secondary public education in New York State regardless of immigration status, schools reportedly still resist the enrollment of unaccompanied youth.⁶ Key informants and other sources have noted a number of reasons for this resistance, including concerns from school administrators that these youth may not be able to succeed academically—lowering average test scores and hurting the school’s funding and reputation—or that young people who have not been to school in years will be in classes with children who are significantly younger.⁷ For these reasons, older youth often sought alternatives such as GED programming; however, there was a reported lack of availability for these programs as well.

For students who did not speak English as a primary language, access to English as a Second Language (ESL) or English Language Learners (ELL) classes was particularly critical, as was the need for more Spanish-speaking faculty throughout schools, including guidance counselors and social workers. (These programs continued to be necessary for students over the age of 21.) However, many youth study participants reported that, when trying to register at local schools, they were redirected to other schools—such as international schools in other boroughs—because there was not enough support available for ESL/ELL students. This reportedly made youth participants feel as if they were not allowed choices, adding to their feelings of discrimination.

In addition to these barriers, both youth and key informants reported that many youth need to work while attending school to support themselves financially, making it difficult to successfully focus on school work. Legal barriers to legitimate employment can reportedly encourage youth to obtain “off-the-books”

work to make a living, which can increase their risk of exploitation and human trafficking.

According to key informants, while unaccompanied immigrant youth often live with a family member or friend soon after their arrival in the United States, breakdowns in familial and household relationships reportedly result in some young people being forced out of their homes. Though New York City's shelter system will accept homeless youth regardless of immigration status, there are far more youth in need of shelter than the system can support. Transitional living programs have eligibility requirements that make it difficult for unaccompanied youth to qualify. Many key informants and youth interviewed for this study reported that they were forced to opt for other forms of housing, such as moving between friends' homes.

For those seeking physical and mental health care, legal and financial issues impacted access to health insurance and thus health services, particularly for those who aged out of options available for youth. Though many unaccompanied immigrant youth have had violent and traumatic experiences, study participants did not disclose mental health issues in group discussions; however, many spoke generally about the stresses of adapting to life after arrival and some referred to personal experiences of distress during individual interviews. Key informants recommended establishing peer support groups to promote mental well-being, and many youth were openly pleased to participate in the focus groups for this reason.

Among youth in this study, contact with law enforcement was an infrequent experience. Only a few study participants reported hearing of problems with police. These problems usually stemmed from youth not having identity documents when stopped and questioned on the street. According to key informants, very few unaccompanied youth commit offenses; those who do tend to commit what informants referred to as minor "survival crimes," such as turnstile-jumping or petty shoplifting. Though delinquency was not a salient topic, many participants recommended providing migrant youth with resources in their local communities that would help keep them safe and curb both victimization and delinquency.

However, in order to provide the specialized resources that these youth need, service providers must be able to identify them. To that end, key informants indicated soccer as an example of creative ways service providers can draw young people into their organization and build trust. Once relationships are created and confidentiality is guaranteed, service providers can then encourage youth to share their migration histories and help resolve the barriers they face as unaccompanied immigrant youth.

In sum, youth participants reported many challenges to having their needs met across a variety of sectors in New York. The resulting marginalization can lead to feelings of isolation and disempowerment. There are, nevertheless, many positive opportunities for improving circumstances for these young people.

POLICY AND PRACTICE IMPLICATIONS

New York City has shown leadership in promoting the development of inclusive, supportive programs and services for unaccompanied immigrant youth.⁸ For local policymakers and practitioners who wish to improve the life opportunities of

"I don't think any of them have been actively seeking help. They're actively seeking soccer."

—Service provider

these young people, the findings from this research support policies that:

- > Recognize that unaccompanied immigrant youth are resilient and capable and must have their abilities respected and cultivated.
- > Provide community-based services—such as legal services, employment assistance, housing assistance, educational scholarships, and health exams—that meet their basic needs and connect them with other unaccompanied immigrant youth.
- > Promote their legal and social acceptance. While federal reform is necessary for full legalization, efforts at the state and local level—such as identification cards, driver’s licenses, full access to health care and higher education benefits, and other measures—are critical.

Finally, promoting the participation of unaccompanied immigrant youth in the development of the policies that affect them is necessary to facilitate successful outcomes. The approach applied by Vera and the Feerick Center could be replicated in many ways; even outside the parameters of a formal research study, policymakers, program directors, and practitioners should think about meaningful ways to engage these young people.

CONCLUSION

The circumstances for unaccompanied immigrant youth present uniquely challenging public policy questions. While federal legislation is at a standstill, and federal government policymakers are divided between protective and punitive measures, there is an opportunity for local governments and legislatures to promote inclusive policies that support the well being and development of these young people. This study provides much-needed information as to the self-reported needs and circumstances of unaccompanied immigrant youth in New York City, which can inform the work of policymakers and practitioners.

ENDNOTES

- 1 6 U.S.C. 279(g)(2)
- 2 Before October 2011, the number of unaccompanied children taken into federal immigration custody annually averaged between 7,000 and 8,000. The total for fiscal year 2011 (October 1, 2010 - September 30, 2011) was 13,625. In 2013, the numbers continued to rise exponentially, and in fiscal year 2014, the number of unaccompanied immigrant children apprehended at the southwest border by U.S. Customs and Border Protection soared to 68,541.
- 3 Office of Refugee Resettlement (ORR), Unaccompanied Alien Children Program, *Fact Sheet on Unaccompanied Children's Services* (Washington, DC: ORR, May 2014).
- 4 These numbers represent only those who were apprehended. Many more unaccompanied immigrant children who have never been taken in and then released from federal custody are also living in New York.
- 5 As an exploratory study, there were limitations on the research. The study reflects the views of, and information from, those key informants and participants who took part in this study and may not represent the perspectives of other similarly situated individuals. The sample of interviewees was purposeful; that is, it was designed to gather information about critical issues from knowledgeable individuals, but it was small and necessarily selective. Fear of exposure due to negative public sentiments expressed in the media, which coincided with participant recruitment for the study, appears to have limited participation. Most study participants had already interacted with organizations that provide legal and other supportive services to immigrants; thus, the views of unaccompanied immigrant youth who had not had contact with service providers—perhaps those most in need—are not captured in depth in this study.
- 6 In September 2014, the New York State Department of Education issued guidance to all school districts emphasizing that all children between the ages of five and 21, regardless of immigration status, are entitled to a free public education. However, a compliance review by the State found that schools routinely disregard this guidance. New York State Education Department, "New York State Board Of Regents Passes Emergency Regulation Concerning School Enrollment Following Joint Review By State Education Department And The Attorney General's Office," Dec. 16, 2014. Benjamin Mueller, "New York Compels 20 School Districts to Lower Barriers to Immigrants," *New York Times*, Feb. 18, 2014.
- 7 Benjamin Mueller, "Requirements Keep Young Immigrants Out of Long Island Classrooms," *New York Times*, October 21, 2014.
- 8 In 2014, New York City formed an interagency task force to respond to the growing number of unaccompanied youth settling in the city, thereafter launching an initiative to post representatives from the City's health and education departments at immigration court to assist children with enrolling in health care and school. Public-private partnerships with the Robin Hood Foundation and the New York Community Trust have also begun to provide funding for legal representation for unaccompanied minors in removal proceedings.



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For More Information

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For more information on the Center on Immigration Justice, please contact its director, Oren Root, at (212) 376-3106 or oroot@vera.org. This research summary can be accessed at www.vera.org/unaccompanied-youth-nyc.

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