

# Human Rights Watch

## Children's Rights

<https://www.hrw.org/news/2018/10/22/immigrant-children-still-being-locked-us>

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One man I spoke with, from Guatemala, told me his 10-year-old son used to be cheerful and trusting. But in June, the two were forcibly separated by U.S. immigration officials when they crossed the border to seek asylum. By the time the family was reunited in a detention center after more than a month, his son was visibly affected.

He's moody. He doesn't talk now, the man said of his son. The boy is anxious, inattentive in class, and suffers from nightmares, all new behaviors.

Four months after President Donald J. Trump [ended](#) the worst aspects of his family separation policy, hundreds of children are still coping with the trauma of having their families being ripped apart. What's more, the administration has turned to other damaging policies. Although its tactics have shifted, its assault on migrant children and families continues.

Trump's order [made clear](#) that his price for ending forced family separation is [indefinite family detention](#) a devil's bargain, given the [well-documented harm](#) detention inflicts on children.

The administration is trying to [get around a court order](#) that limits family immigration detention to 20 days. And authorities are locking up large numbers of unaccompanied children.

[According to](#) The New Yorker, there are 13,200 children more than ever before in immigration detention centers run by the U.S. Office of Refugee Resettlement. And unaccompanied children are now being detained an average of 74 days, more than double the length of stay at the beginning of 2016.

This spike in numbers is not happening because more people are arriving; they're not. It's because the Trump administration has made it increasingly harder to release children to family members in the United States.

The government says it has introduced stricter vetting to ensure children's safety. But what it's really doing is using kids to arrest their undocumented family members.

Until recently, the authorities released unaccompanied children to vetted family members regardless of their immigration status, correctly concluding that it was best for children to be in safe and loving homes while their immigration cases went forward. Now the administration is [arresting](#) undocumented family members who step up to care for their child migrant relatives.

This isn't the only instance of immigration officials using the language of child protection to justify practices that put children at risk.

Now immigration authorities are attempting to impose new requirements for lawyers' background checks before they can meet with clients who are unaccompanied children. The [consent form](#) explains that the report could include credit history and information about personal characteristics and mode of living, describing these checks as a safety measure.

The government can't seriously suggest that obtaining a lawyer's credit score is necessary to ensure children's safety.

In fact, each state already runs [thorough background checks](#) on prospective attorneys, reviewing details like outstanding parking fines as well as more serious matters: criminal records, child support payments, and the like. Duplicating these efforts wastes time and resources.

Mandatory credit checks and intrusive personal investigations could also dissuade lawyers from taking on prospective clients, leaving even more unaccompanied children without legal assistance.

Taken together, these policies appear to be designed to punish rather than protect children and their families.

If the administration were serious about migrant childrens safety and well-being, it would facilitate, not block, their access to lawyers. It would let unaccompanied children and families pursue their cases without being locked up, using [successful models](#) that ICE has already piloted.

And it would remedy the harm it has already done, including by ensuring mental health services to help kids recover from the trauma it casually inflicted.

International Alternatives to Detaining Immigrants

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