



Immigration Task Force

ISSUE BRIEF:

Child Migration by the Numbers

JUNE 2014

Introduction

The rapid increase in the number of children apprehended at the U.S.-Mexico border this year has generated a great deal of attention and controversy. In particular, attention has been focused on children that the Department of Homeland Security (DHS) classifies as “unaccompanied alien children” (UAC). In fiscal year (FY) 2013, 82 percent of the 47,000 apprehended children aged zero to 17 fell into this category. The number of UAC apprehended doubled between FY 2009 and FY 2013 and is on pace to nearly double again by the end of FY 2014.

As DHS applies it, the term “unaccompanied” does not describe a child’s travel conditions, but the way the child is processed. In order for an apprehended child *not* to be classified as unaccompanied, a parent or guardian must prove their relationship to the child. DHS used to extend custody to close family members like adult siblings and grandparents, but shifted to a stricter interpretation in May 2006.¹ Even if the parent/guardian relationship is proven, children who are detained separately from their parents are still classified as unaccompanied. For example, parents who are charged as criminal aliens must be housed in detention facilities where children cannot legally be placed, and a lack of bed space can prevent parents and children from being housed in the same facility.² Publicly available data do not reveal how many children are separated from parents, guardians, or family members during DHS processing.

This issue brief presents important data that describe the recent increase in the number of child migrants. Among the key observations:

- The absolute number of children being apprehended at the border is not much different than the levels seen in the early to mid-2000s. However, the percentage of all apprehensions who are children reached 11 percent in FY 2013, compared with 8 to 10 percent before the recession.



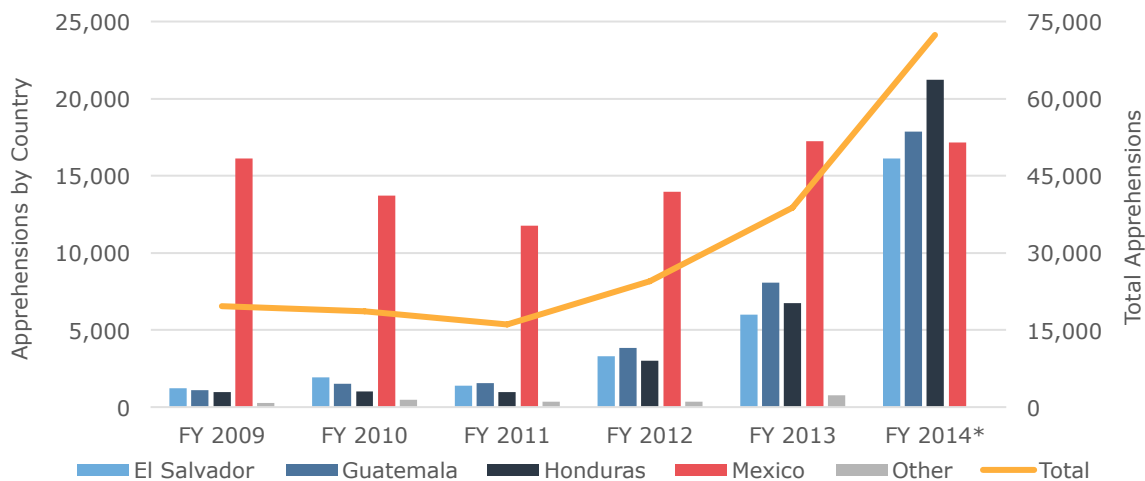
- An unprecedented number of apprehended children are from Central America. In the past, most were Mexican. In FY 2004, about 83 percent of apprehended children were Mexican, but so far in FY 2014, just 24 percent of UAC were from Mexico.
- Children from Mexico can usually be returned home quickly, but children from Central America must go through formal removal proceedings. As a result, the number of migrant children in government custody more than tripled between FY 2011 and FY 2013 and is expected to double again in FY 2014.
- Most UAC apprehensions are occurring in the Rio Grande, Texas border sector, which has accounted for 93 percent of the increase in UAC apprehensions between FY 2013 and FY 2014. This has overwhelmed the government's capacity to screen children in a timely manner.
- Children arriving at the border today are younger than in years past. In FY 2013, 24 percent of arriving children were 14 or younger, compared with 10 to 15 percent in FY 2007 and FY 2008.
- In FY 2011, a government-sponsored Legal Access Project, implemented in partnership with the Vera Institute of Justice, estimated that about 42 percent of unaccompanied children in government custody could be eligible to remain in the United States in some legal status.

Apprehension at the border

Customs and Border Protection (CBP) first began tracking apprehension data by unaccompanied status in 2009.³ Since that time, the number of UAC apprehended (regardless of border sector) increased from about 20,000 in FY 2009 to about 52,000 in the first eight and a half months of FY 2014. If UAC continue to arrive at the same pace, the FY 2014 total will be about 72,000 (Figure 1).

While the number of unaccompanied children from Mexico has remained relatively stable since FY 2009, the number of unaccompanied children arriving from El Salvador, Guatemala, and Honduras increased significantly. If current FY 2014 trends hold, the number of unaccompanied children from these three countries will increase from 3,304 in FY 2009 to more than 50,000 this year (Figure 1). Although pre-2009 data on *unaccompanied* children are not available, historical data on child migration suggest that the increase from Central America is a new phenomenon. In FY 2004, for example, about 83 percent of apprehended children were Mexican nationals; so far in FY 2014, just 24 percent of unaccompanied children have been Mexican.⁴

Figure 1. UAC apprehensions, FY 2009–FY 2014.

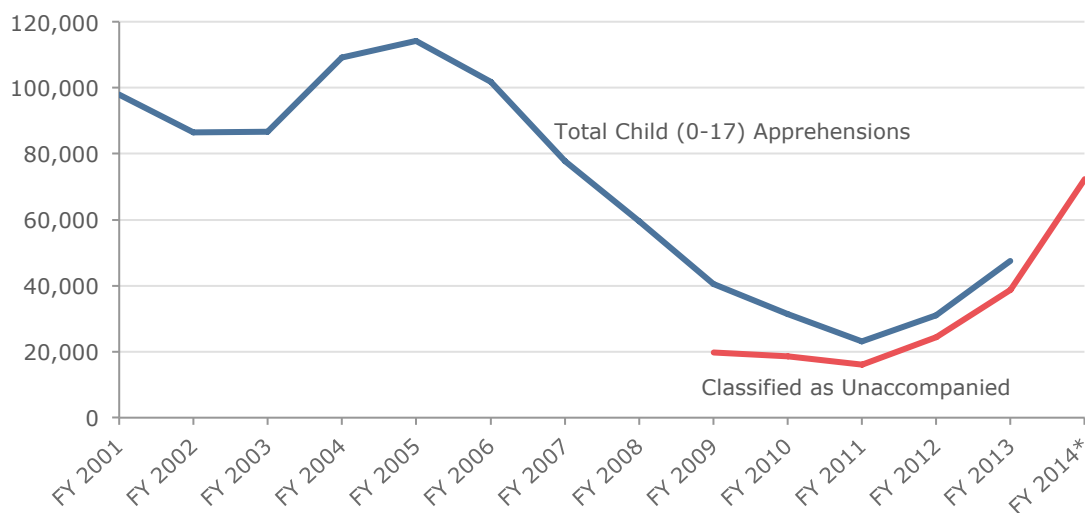


Source: See Table A-1.

* FY 2014 statistics are annualized based on the first 8.5 months. "Other" countries not available.

When CBP began tracking apprehensions of unaccompanied children in 2009, total apprehensions and unauthorized immigration overall were each near their lowest point in decades. Prior to 2009, however, CBP did release figures on the number of children apprehended on the border. These longer-term data provide some context for the current influx. In absolute terms, the number of children apprehended has increased in the past few years, but does not appear to have exceeded pre-recession levels (Figure 2). As a percentage of all apprehensions, however, the number of children hit a 13-year high in 2013, at 11.3 percent (Figure 3).

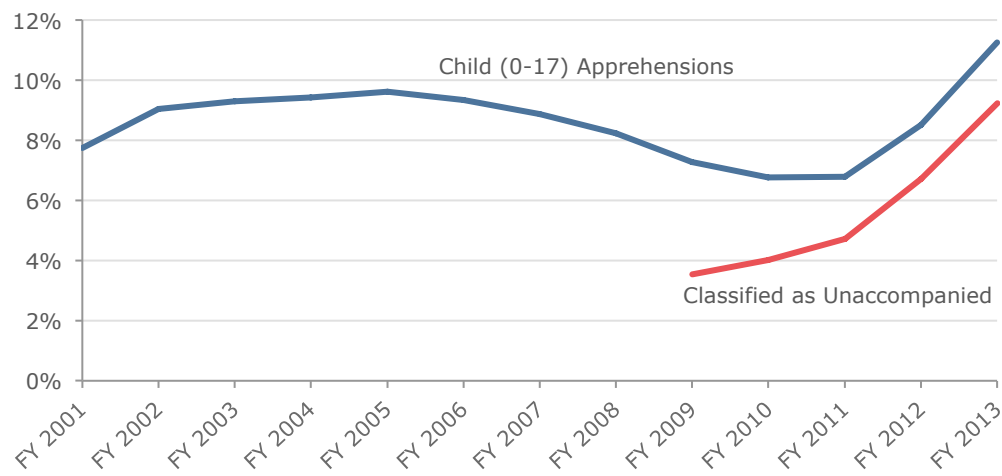
Figure 2. Child border apprehensions, FY 2001–FY 2014.



Source: See Table A-1.

* FY 2014 statistics are projected based on apprehensions in the first 8.5 months.

Figure 3. Children as a percent of border apprehensions, FY 2001–FY 2013.



Source: See Table A-1.

Processing

Under the Homeland Security Act of 2002, DHS is responsible for processing unaccompanied children and the Department of Health and Human Services (HHS) is responsible for their care. When DHS apprehends a child, it must screen the child to determine their name, age, and country of origin; collect fingerprints and run a criminal background check; and determine the child’s unaccompanied status.⁵ Within 72 hours of their apprehension, DHS must complete this screening and transfer the child to the HHS Office of Refugee Resettlement (ORR) while they await their court appearance.⁶ The Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA) requires that children be placed in the “least restrictive setting” possible.⁷ As such, ORR attempts to place UAC with a family member or another willing sponsor while they await their removal proceeding. If such a sponsor is unavailable, the child remains in ORR custody.

At the southwest border, CBP treats Mexican nationals differently than individuals from other countries.* In many cases, Mexicans are eligible to agree to a voluntary return or expedited removal, meaning that they are bussed back over the border relatively quickly. Under TVPRA, DHS must screen Mexican children within 48 hours to determine if the child is a trafficking victim or has a claim to asylum.⁸ If neither concern is raised, the child can agree to a voluntary return; as a result, a large majority of Mexican children are quickly sent home and never enter ORR custody.⁹ This is why Mexicans consistently constitute a higher share of children apprehended at the border (Figure 1) than their share of children in ORR custody (Figure 4). Before TVPRA, Mexican children were generally sent home without being screened for humanitarian concerns.¹⁰

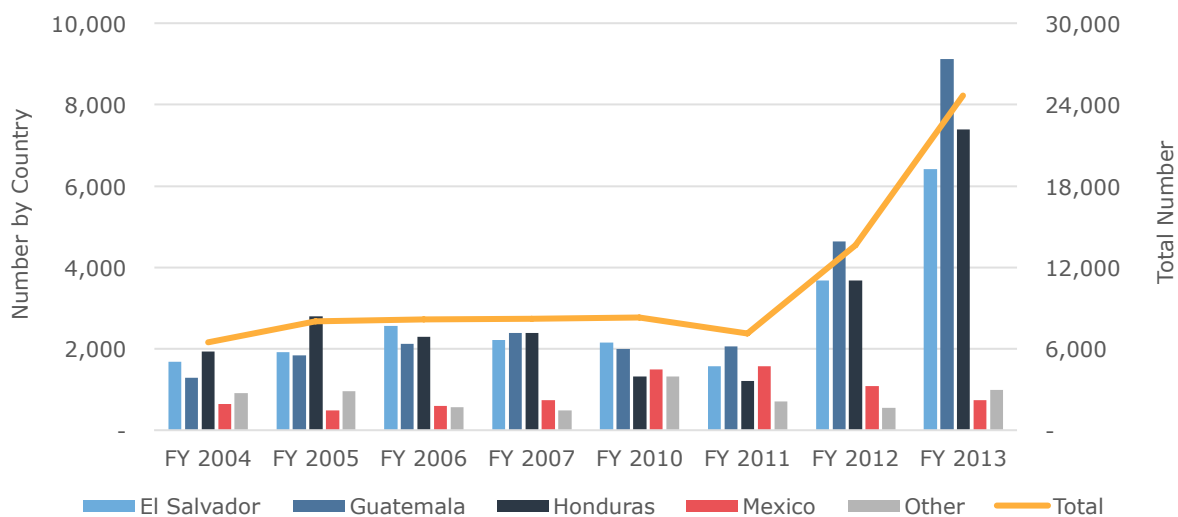
* This paragraph also applies to Canadian children apprehended at the northern border.

The current influx of children is overwhelming CBP’s capacity to screen children within 72 hours. As a result, a backlog of children awaiting screening has built up at Border Patrol stations, overflowed into makeshift holding facilities and military bases in other states, and caused CBP to establish a new processing center in Nogales, Arizona.¹¹ Making logistics more challenging, about 93 percent of the increase in UAC apprehensions between FY 2013 and FY 2014 occurred in a single Texas border sector (Rio Grande); in total, 72 percent of FY 2014 UAC apprehensions have occurred in this sector.¹² Further, though comparable numbers of children have been apprehended in previous years, screening requirements increased under TVPRA. This may also contribute to the backlog.

Custody and sponsorship

Although the total number of children apprehended in FY 2013 was not much different from levels seen in the early to mid-2000s (Figures 2 and 3), the increase in *non-Mexican* children means that fewer can be quickly sent home by DHS. As a result, the number of children in ORR custody increased dramatically between FY 2011 and FY 2013 (Figure 4), and ORR estimates that about 60,000 children may end up in its custody in FY 2014.¹³ In years past, when most apprehended children were Mexican, many fewer ended up in government custody. For example, in FY 2004, when over 109,000 children were apprehended at the border, about 78 percent of apprehended children were voluntarily returned¹⁴ and only about 6,000 ended up in ORR custody (Figures 1 and 4).

Figure 4. Number of children in ORR custody, FY 2004–FY 2007 and FY 2010–FY 2013.

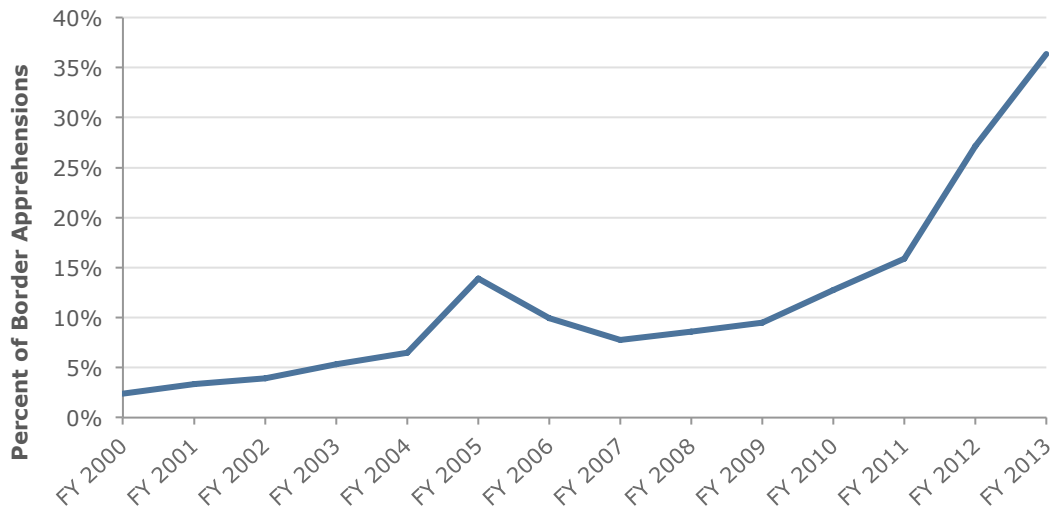


Source: See Table A-1.

Note: The major countries in the “other” category were Brazil, China, Ecuador, Haiti, and Nicaragua. Figures are annual. The number that ORR cares for at any one time is substantially lower.

The rising number of children placed in ORR custody reflects broader apprehension trends. A decade ago, less than one in ten migrants apprehended at the border were non-Mexican, but by FY 2013, 36 percent were from a country other than Mexico (Figure 5).

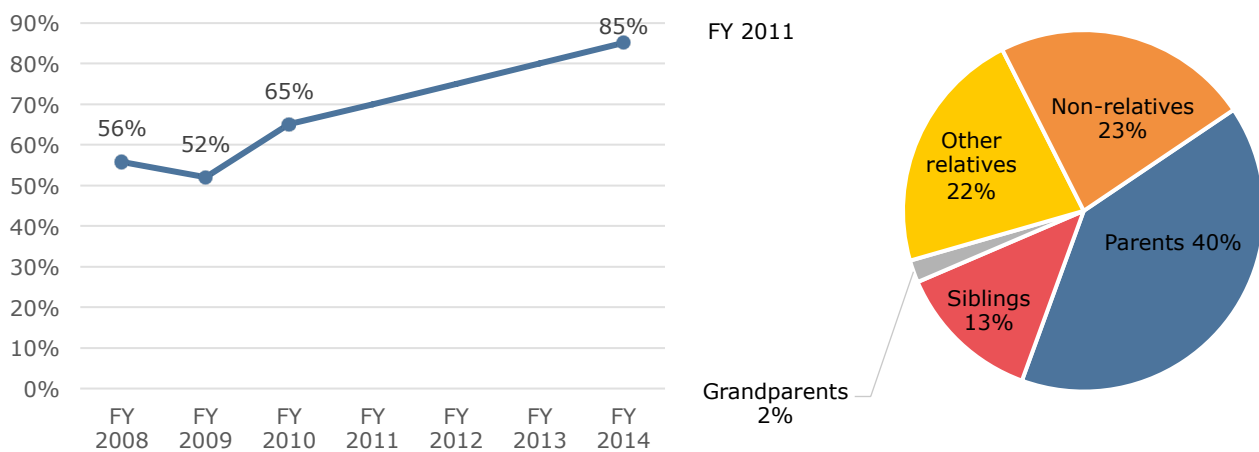
Figure 5. Non-Mexican apprehensions, FY 2000–FY 2014.



Source: Table A-1, U.S. Border Patrol.¹⁵

ORR increased the rate at which it places children with sponsors (and therefore out of government custody) from about 56 percent in FY 2008 to about 85 percent in May 2014 (Figure 6). In FY 2011, about three-quarters of these sponsors were parents, and about one-quarter were non-relatives (Figure 6). This increase in sponsorship placements helped ORR decrease the average length of stay for unaccompanied children from 72 days in FY 2011 to 35 days in May 2014.¹⁶

Figure 6. Sponsorship rates and placement types.



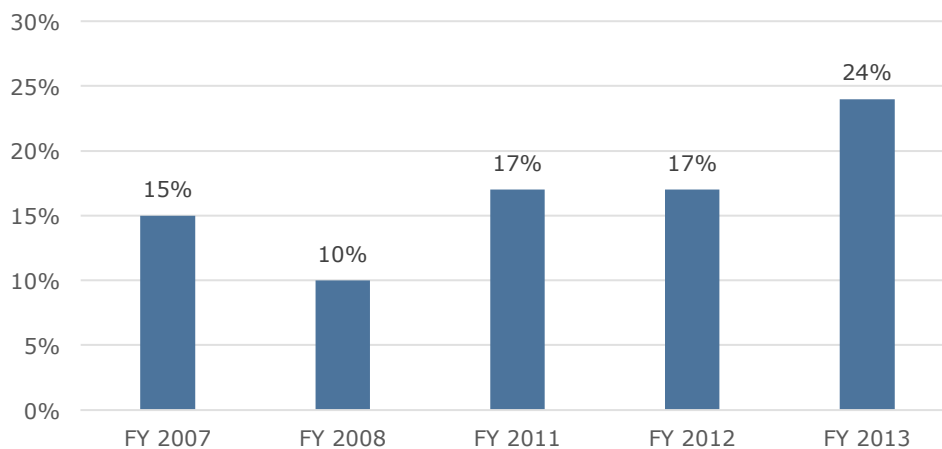
Source: ORR.¹⁷

Despite increased sponsorship placements and shorter times in custody, the rapid increase in the number of Central American children over the last few years has left ORR overwhelmed. The UAC program saw its budget increase from \$149 million in FY 2011 to \$376 million in FY 2013.¹⁸ The White House originally requested \$868 million for FY 2014, but upped its request to \$2 billion in response to faster than expected growth in the number of UAC arrivals.¹⁹

Characteristics and motives

In FY 2013, the children in ORR custody were younger than past cohorts (Figure 7). Over the past five to six years, the percentage of children under age 14 roughly doubled. A more detailed age breakdown was only available for one time period. Based on case file data obtained from ORR, the Vera Institute of Justice reported that in FY 2009 and FY 2010, 41 percent of children under age 14 were either 13 or 14 and about 59 percent were 12 or younger.²⁰ The gender distribution of UAC fluctuated between 23 percent and 29 percent female between FY 2004 and FY 2013, peaking in FY 2010 (Table A-1).

Figure 7. Percentage of UAC in custody under age 14, FY 2007–FY 2008 and FY 2011–FY 2013.



Source: See Table A-1.

The unprecedented number of Central American children arriving at the border, as well as their relatively young ages, has triggered a debate over the reasons for the influx. Observers cite many potential factors, including conditions in the sending countries; unintended consequences of U.S. immigration policy and proposals; rumors spread by increasingly sophisticated smugglers; and economic, demographic, and family reunification concerns. Although the balance of these factors is difficult to determine, two recent surveys have recorded child migrants' self-provided reasons for attempting to come to the United States (Table 1).

Table 1. Self-reported reasons for migration in 2014 surveys.

UNITED NATIONS ²¹		ELIZABETH KENNEDY ²²	
Sample: 404 children migrating from El Salvador, Guatemala, Honduras, and Mexico.		Sample: 315 children migrating from El Salvador.	
Reason	Frequency	Reason	Frequency
Family or opportunity	329 (81.4%)	Crime, gang threats, & violence	188 (59.7%)
Violence in society	192 (47.5%)	Family reunification	113 (35.9%)
Abuse in home	85 (21.0%)	Study	100 (31.7%)
Deprivation	64 (15.8%)	Work	84 (26.7%)
Other	143 (35.4%)	Poverty	17 (5.4%)
		Abuse †	10 (3.2%)
		Adventure	10 (3.2%)

Note: both surveys used open-ended interviews and allowed multiple responses.

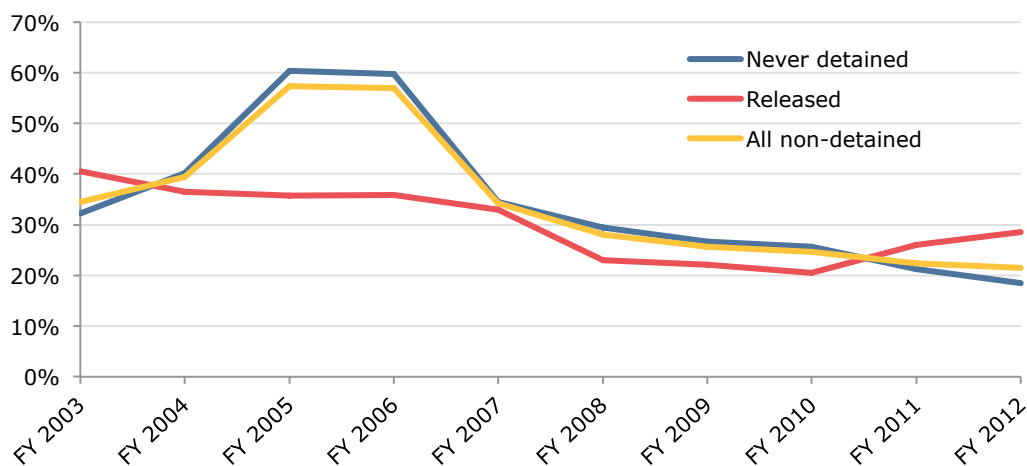
* Based on author's public comments, not reported in published results.

† Kennedy usually conducted interviews with parents present and believes the true rate is higher.

Removal or relief

Whether or not a child has been placed with a sponsor, all unaccompanied children that DHS transfers to ORR are subject to a formal removal proceeding. Children who are placed with a sponsor do not remain in government custody, creating the possibility that they may not appear for their hearing in immigration court. Specific figures on the rate at which unaccompanied children appear are not available. However, statistics from the Executive Office of Immigration Review show that between FY 2008 and FY 2012, roughly 70 to 80 percent of all immigrants who were released or never detained came to their court appearances, leaving 20 to 30 percent who failed to appear (Figure 8).

Figure 8. Failure to appear rates, FY 2003–FY 2012.



Source: Executive Office of Immigration Review.²³

Publicly available data do not describe the outcomes for child immigrants who go through removal proceedings, nor how many children are ultimately removed. However, ORR’s Legal Access Project, implemented in partnership with the Vera Institute of Justice, estimated in FY 2011 that about 42 percent of unaccompanied children may be eligible for relief (i.e., allowed to remain in the United States) (Table 2). According to DHS data, the number of children receiving a green card based on Special Immigrant Juveniles Status—the largest category in Table 2 and the only category specifically for unaccompanied children—more than doubled between FY 2009 and FY 2013, from 1,144 to 2,735.²⁴

Table 2. Children identified potentially eligible for relief, FY 2011.

TYPE OF RELIEF	FREQUENCY	BRIEF DESCRIPTION
Asylum / Withholding / Convention Against Torture	785 (12.9%)	May be persecuted or tortured if returned home.
Special Immigrant Juveniles Status	1449 (23.7%)	Abused, neglected, or abandoned children.
T-Visa	42 (0.7%)	Victims of human trafficking.
U-Visa	124 (2.0%)	Victims of criminal activity.
Other	188 (3.1%)	-
Total potentially eligible	2588 (42.4%)	-
Total screened	6103	-

Source: Office of Refugee Resettlement.²⁵

Conclusion

The number of children currently being apprehended at the border is comparable to the early and mid-2000s. However, an unprecedented number are now arriving from Central America. Unlike most Mexican children, who can be sent home quickly, Central American UAC must go through formal removal proceedings. In the meantime, HHS must keep them in custody or place them with sponsors. In this way, although the total number of children has not exceeded historical levels, the increasing number *from Central America* has greatly increased the number of children that the government must care for. The high concentration of arrivals in a single Texas border sector further complicates matters.

Less information is available about how many UAC are returned or removed. Estimates suggest that in previous years, about 40 percent of children in ORR custody may have been eligible to remain in the United States, but it is unclear how many were actually granted relief. Further, it is unclear how well these estimates apply to the current influx of children, who are younger and more likely to be Central American. Available data also do not reveal whether children who are released to sponsors show up for their deportation case. We do know, however, that 70 to 80 percent of all immigrants who are released end up attending their removal proceedings. UAC-specific data on case outcomes, removals and returns, and failure to appear rates would allow more conclusive analysis of how the government handles UAC once they arrive in the United States.

Table A-1. Compiled statistics on unaccompanied children.

Fiscal Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2014*
All Children	97,954	86,433	86,606	109,285	114,222	101,778	77,778	59,578	40,461	31,291	23,089	31,029	47,397	-	-
Unaccompanied	-	-	-	-	-	-	-	-	19,668	18,634	16,056	24,481	38,833	51,279	72,394
El Salvador	-	-	-	-	-	-	-	-	1,221	1,910	1,394	3,314	5,990	11,436	16,145
Guatemala	-	-	-	-	-	-	-	-	1,115	1,517	1,565	3,835	8,068	12,670	17,887
Honduras	-	-	-	-	-	-	-	-	968	1,017	974	2,997	6,747	15,027	21,215
Mexico	-	-	-	-	-	-	-	-	16,114	13,724	11,768	13,974	17,240	12,146	17,147
Other	-	-	-	-	-	-	-	-	250	466	355	361	788	-	-
ORR custody	-	-	4,792	6,471	8,015	8,160	8,227	7,211	6,644	8,287	7,120	13,625	24,668	-	-
El Salvador	-	-	-	26%	24%	31%	27%	-	-	26%	22%	27%	26%	-	-
Guatemala	-	-	-	20%	23%	26%	29%	-	-	24%	29%	34%	37%	-	-
Honduras	-	-	-	30%	35%	28%	29%	-	-	16%	17%	27%	30%	-	-
Mexico	-	-	-	10%	6%	7%	9%	-	-	18%	22%	8%	3%	-	-
Other	-	-	-	14%	12%	7%	6%	-	-	16%	10%	4%	4%	-	-
Female	-	-	-	26%	27%	26%	24%	23%	-	29%	23%	23%	27%	-	-
Under age 14	-	-	-	-	-	-	15%	10%	-	-	17%	17%	24%	-	-

* Annualized based on first 8.5 months of FY 2014 (October 1, 2013–June 15, 2014). Does not include UACs from "other" countries.

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Endnotes

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- ¹⁵ Number in ORR custody: See Table A-1. Non-Mexican apprehensions: U.S. Border Patrol (2014), "Illegal Alien Apprehensions From Countries Other Than Mexico By Fiscal Year," available at <http://www.cbp.gov/sites/default/files/documents/U.S.%20Border%20Patrol%20Fiscal%20Year%20Apprehension%20Statistics%20by%20sector%20and%20border%20area.pdf>.
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