

FAMILY STORIES FOR ROTATING DISCUSSION

1. Asylum-seekers separated (Adapted from [NPR](#) story, 3/9/2018)

The American Civil Liberties Union (ACLU) says that U.S. immigration authorities have forcibly separated hundreds of migrant parents, most of them asylum seekers, from their minor children for no legitimate reason. Seeking asylum as a refugee is a process that is allowed under U.S. law.

The ACLU has filed a class-action lawsuit on behalf of an anonymous asylum-seeker from the Democratic Republic of the Congo ("Ms. L") who was allegedly detained for months, more than 2,000 miles away from her 7-year-old daughter. The Democratic Republic of the Congo (DRC), a large country in Central Africa that lost 5 million people to a civil war between 1997 and 2003, has recently experienced increased violence and political unrest as militia groups battle to control territory and resources.

Ms. L fled with her 7-year old daughter and arrived at the border between Mexico and California in November 2017. She explained that she wanted to apply for asylum and passed a crucial "credible fear" interview with an asylum officer. She was then taken and held in a detention center in the San Diego area.

Less than a week after arriving at the border, her daughter, called "S.S." in court documents, was forcibly taken from Ms. L and brought to a detention facility in Chicago for minors who are unaccompanied, the lawsuit states.

"When S.S. was taken away from her mother, she was screaming and crying, pleading with guards not to take her away from her mother. That was the last time Ms. L saw her daughter," the lawsuit reads. It says that the daughter is scared, and the mother "did not eat properly, lost weight, and was not sleeping due to worry and nightmares."

After the lawsuit was filed, Ms. L was "abruptly released" from detention in March, and reunited with her daughter two weeks later, after a four-month separation.

Questions:

- What might have been some reasons that Ms. L and S.S. left the DRC?
- Ms. L did not enter the country illegally: she applied for asylum, which is allowed under the law. Do you think Ms. L. expected that she and her daughter would be separated?
- What do you think Ms. L and S.S. were feeling while separated?
- Why did the ACLU file a lawsuit about this case of a refugee seeking asylum?

2. Children in foster care (Adapted from the [New York Times](#) story, 6/7/2018)

When he landed in Michigan in late May, all the weary little boy carried was a trash bag stuffed with dirty clothes from his days-long trek across Mexico, and two small pieces of paper — one a stick-figure drawing of his family from Honduras, the other a sketch of his father, who had been arrested and led away after they arrived at the United States border in El Paso.

An American government escort handed over the 5-year-old child, identified on his travel documents as José, to the American woman whose family was entrusted with caring for him. He refused to take her hand. He did not cry. He was silent on the ride “home.”

The first few nights, he cried himself to sleep. Then it turned into “just moaning and moaning,” said Janice, his foster mother. He recently slept through the night for the first time, though he still insists on tucking the family pictures under his pillow.

In the last two years, 12 children, including two sets of siblings, have occupied this room upstairs with its soothing white-and-light-blue walls and twin beds with colorful bedding. All had arrived in the United States alone and remained in the family’s care for a few weeks or months until a long-term sponsor already in the country, often a relative, was identified and cleared by the authorities to receive them.

“They had access to their parents on a daily basis,” Janice said. “They talked to them on the phone. We have done video chats with Mom and Dad and siblings with every placement — except now.”

José is the first child they have hosted who crossed the border with a parent, rather than alone, then was forcibly separated and left with no ability to contact them. On his flight to Michigan were two other Central American boys in similar circumstances who were placed with families in the area.

The director of the foster care agency’s refugee program said that these newly separated children frequently have nightmares, anxiety, and stomachaches.

A 3-year-old boy taken from his mother at the border was inconsolable during his flight to Michigan and cried incessantly on arrival at his new home, she said. After several weeks, he began to bond with his foster mother, from whom he is now reluctant to be apart. “He seems fearful of losing yet another attachment.”

Questions:

- How is José’s situation different from previous immigrant children in Janice’s care? Hint: notice who immigrated with José.
- Why might José’s father have brought him to the U.S.?
- What do you think José is experiencing while separated from his father?
- Why does José not have video chats with his parents, unlike previous children?
- How do you think this experience might affect José in the future?

3. Children taken for a bath (Adapted from [CNN](#) story, 6/14/2018)

The undocumented immigrant from Honduras sobbed as she told an attorney how federal authorities took her daughter while she breastfed the child in a detention center, where she was awaiting prosecution for entering the country illegally. When the woman resisted, she was handcuffed. The woman had been detained under the Trump administration's zero-tolerance policy to refer anyone caught crossing the border illegally for federal prosecution.

Some parents who are under arrest tell public defenders they don't know what happened to their children. Some parents also claim they have been told their children are being taken to be bathed or cleaned up, then the adults don't see them again. "The government is essentially torturing people by doing this," a lawyer from the Texas Civil Rights Project said.

Another lawyer said: "It depends on who the agent is on that day. They'll be told, 'We're going to separate your kids so they can bathe.' And that's not true." He added: "It's really hard to look in the eye of a mother or father who would plead for you – help me get my child back."

Questions:

- Why did the mother bring her baby with her to the U.S.?
- What would it be like to be a mother separated from your breastfeeding baby?
- What would it be like for the baby?
- What would it be like to be a parent told your child is being taken for a bath and then separated for good? Why does the lawyer call this "torture"?
- How are these families being treated differently now, under the new zero-tolerance policy for prosecuting illegal entry, than immigrant families were in the past?

4. Families under death threats

(Adapted from [Facebook posts](#) originally written by Deborah Anthony, a lawyer volunteering for Cara Pro Bono, an immigrant rights group in Texas, 6/7/2018)

I have been working with detained families at the border as a volunteer attorney. Every single woman I spoke with had endured horrific experiences. There were no exceptions. The risk if they had stayed was always death. For themselves and their children. Always. Not one of them came for better jobs, higher pay, education, or anything else of that sort. They wanted to live. They wanted their kids to be safe.

One 8-year-old girl had fled to her uncle's house with her mother after being threatened with death. Her uncle went to the police to ask for protection for her and her mother. Two days later the girl watched as men broke into the home and shot her uncle in the head, right in front of her. Her mother took her and fled that night.

Applicants for asylum have to show that there was nowhere within their country they could have gone to be safe. Not having enough money to do that is not an acceptable answer; our law is indifferent to financial difficulties. But I heard story after story of women who had tried. They went to cities hours away—in one case, a full 12 hours—and the gangs would find them. They would send messages saying “I know where you are. I know where your kids go to school. You are all going to die.” And then they would show up at the woman's home or send their cohorts to do it for them. There was no safe place for these families. They tried. Several women told of not leaving the house for months. They had friends and family sneak food in.

In one of the asylum cases in Texas, a mother received a positive credible fear finding (meaning she has met the first elements of the asylum criteria and can be released from detention while she pursues her full asylum case). But her 4-year-old son received a negative. Let that sink in first. The mother established that she had a credible fear of death if she returned to Guatemala, but the asylum officer decided that the 4-year-old didn't do enough to establish that for himself. He had actually managed to testify about his father hitting him in the head with a gun, but it wasn't good enough. (Think about what it looks like, making a 4-year-old testify to a stranger about the most terrifying experiences of his life.) On appeal, this little boy went before an immigration judge—ALONE—and the judge ordered him deported. Alone. And wished him the best of luck in Guatemala.

The worst damage you could possibly inflict on these mothers and children is taking them away from each other. I can not come to terms with the fact that we are the ones exacting that ruthlessness on innocent people. Children.

Questions:

- What would it be like to leave your home under these circumstances?
- How would being separated from parents affect children, especially children who have had to flee from death threats?
- Knowing that it is legal to seek asylum, why do you think the U.S. government is now requiring parents and children to each prove “credible fear” separately? How does that affect families?

5. A sick toddler and his father (Adapted from [Houston Chronicle](#) story, 5/24/2018)

Esteban Pastor hoped U.S. Border Patrol agents would free him and his 18-month-old son after they were arrested for crossing the southern border illegally last summer. He had mortgaged his land in Guatemala to fund his sick toddler's hospital stay, and needed to work in the United States to pay off the loan.

Instead agents imprisoned the 28-year-old in July 2017 for coming back into the country after having been deported, a felony. They placed the toddler in a federal shelter, though where, Pastor didn't know. Three months later, in October, the father was deported — alone. His child, he said agents told him, was “somewhere in Texas.”

“I cried. I begged,” he said. “No one could tell me anything.”

Pastor said the facility was overwhelmed with the transfer of immigrants from detention centers impacted by Hurricanes Harvey and Irma, and the official said she was too busy to help him call his son. He later again told immigration agents and consular staff that he wanted to return to Guatemala with his toddler.

“Please,” he begged. “I want to go back to my country with my son.”

In October, federal agents piled him into a van crammed with other migrants and drove them to the airstrip to board the government plane.

Where is my son? Pastor asked. The agents shrugged. One made a call.

“Your son's not going back today,” he announced. No one could tell him more.

10 months after being separated from his father, Pastor's son, now 2, is in federal foster care and represented by a pro bono attorney.

Previously most parents with children weren't prosecuted for crossing the border illegally, a misdemeanor for first offenders. Instead, they were either deported as a family or freed as a family to pursue their civil immigration cases under a practice called “catch and release.” Prosecutors at the border typically prioritized serious offenders instead.

Questions:

- Why did Esteban and his son come to the U.S. together?
- Why did Esteban choose to enter the U.S. illegally? If you were in his position, what would you have done?
- Why was Esteban separated from his son?
- How do you think Esteban's son is feeling while he is separated from his father? How might this experience affect him in the future?