UNDERSTANDING THE CRISIS OF UNDOCUMENTED MINORS FROM CENTRAL AMERICA COMING TO THE UNITED STATES OF AMERICA

A Case Study in Mecklenburg County, North Carolina

by

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ABSTRACT

KOFFI POSSONE CHARLES-HECTOR YAO-KOUAMÉ. Understanding the crisis of undocumented minors from Central America coming to the U.S.A: A case study in Mecklenburg County, North Carolina (Under the direction of DR. GREGORY WEEKS)

Children migrating from Latin America to the U.S. have always been part of migration fluxes. But, roughly since the early 2010s, the number of unaccompanied minors began to dramatically and historically surge. It is reaching such levels that the U.S. court system and immigration services find themselves overwhelmed and inadequately prepared to properly process these minors (Park 2014).

In this study I intend in two phases to explain the Unaccompanied Alien Children crisis (UAC). First, I assess current studies addressing the subject through an examination of U.S. foreign policy towards Latin America. In that part, I lay out three major eras and their respective policies: the cold war, the war on drugs and the tough on crime, then the mass deportation. I argue that these policies —albeit unintentionally—over the decades to create the crisis.

The second phase of the study focuses on Mecklenburg County, North Carolina. Through a series of interviews with a variety of stakeholders—community leaders, lawyers, teachers, churches and local organizations etc.— I am looking at how public policies are responding to the crisis in North Carolina and Mecklenburg County.

DEDICATION

This study is dedicated to the thousands of people, especially children, and youth who come to this country in search of peace, freedom and opportunities to grow, live and realize their full potential as human beings. I hope that by better knowing their stories, we learn more about who we are and what it means to be human.

ACKNOWLEDGMENTS

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Many thanks also to Dr. Jürgen Buchenau; who created the academic and professional environment that has helped deepen my understanding of the Latin American region with its complexities, contradictions but also its beautiful diversity.

Equally, my deepest thanks go to Federico Rios, Director Elementary Schools and Immigrant Services of Charlotte-Mecklenburg Communities in Schools. Federico shared with me his experience on the subject of unaccompanied children and youth. He introduced me to a variety of professionals working on a daily basis with the children and youth. It helped to have a deeper understanding of the issue by bringing me closer to cases, and getting involved in the community. Thank you, Federico.

Least but not last, a huge thank to my husband, Nathan Lane. You have been such a valuable support and I would not have been able to go through and plan more without you by my side.

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CHAPTER 1: INTRODUCTION AND METHODOLOGY

Comprehending why minors (or Unaccompanied Alien Children, UAC[1] from Central America migrate to the U.S. requires an understanding of the overall frame within which international migrations occur. The political and economical choices that nation-states make determine in many ways how and why people decide to move, whether they so doing collectively or individually. In North America, the United States as a global superpower influences those migrations, purposefully or 'simply from unintended consequences of its policies.

So why are all these Central American minors coming to the U.S? "Researchers consistently cite increased Northern Triangle violence as primary cause of recent migration, next to poverty and family reunification" (American Immigration Council 2014a). The Northern Triangle of Violence is the region comprising Honduras, El Salvador and Guatemala (Olson and Armson 2011). So, extreme violence is the principal trigger for the minors to leave by the thousands. However, just stating that fact is not really productive. The fundamental question resides in what generates and feeds that violence to the point that even state apparatus in Guatemala, Honduras, and El Salvador

[1] Academics, international organizations, and advocates use various terms and definitions to describe undocumented unaccompanied children. Both the Office of Refugees Resettlement (ORR) and the Department of Homeland Security (DHS) apply the statutory definition explicit in the Homeland Security Act, which states that an "unaccompanied alien child" is a child who has no lawful immigration status in the United States, is under 18 years of age, and has no parent or legal guardian in the country present or available to provide care and physical custody. (Byrne and Miller 2012)

are completely overwhelmed? How come those Central American countries are unable to contain such criminality to the point that people flee abroad as if they were fleeing war zones? And also why minors? Why are they coming unaccompanied for most of them and by the hundreds of thousand, and what happened to their parents?

Gangs related violence is often the prime explanation and general narrative that frames the question of why so many Central Americans minors (as well as non-minors) enter the United States (Olson and Armson 2011; J. Howell and Moore 2010; J. C. Howell 2011; Arana 2005; Holland 2013; Franco 2008). And that explanation holds true. Effectively almost every available analysis point violence, mostly fueled by illegal drug trafficking propelling these minors to migrate (Gonzalez-Barrera, Krogstad, and Hugo Lopez 2014; Sladkova 2010; Holmes 2013). So the "violence argument has been the main selling point in terms of news media. Still, the problem with general readily available, mainstream and simple narratives is that, they do not give a more complex portrayal of issues. It is so because:

> The aspect of 'simplicity' – notably an uncomplicated story line, which builds on elements already familiar to the general public, and a straightforward solution – is particularly important in enabling a narrative to achieve and maintain prominence. Media outlets need to find a story that fits in a few pages, or can be told in a few minutes, and that their audience can easily understand and remember. Policymakers […] advisers to foreign and defense ministers, face a similar challenge for internal bureaucratic reasons. (Autesserre 2012)

A deep analysis of the situation reveals not only that gangs and drugs related violence propels people to migrate, but also that violence is structural to the Central American states where the migrants are from. I argue that the violence we see today in Central America and which propelled the waves of minor immigrants is, in many ways some byproduct of the United States immigration and foreign policies towards Central

America. This being said, it does not in any ways absolve Central American elites of responsibilities, but rather put things into perspective.

There is also something interesting in that current crisis and that is the quasi-absence of Nicaraguans. Most of the apprehended Unaccompanied Alien children (UAC) are from Honduras, El Salvador, and Guatemala. If as I argue, U.S. policies towards Central America helped in some ways creating the UAC crisis, one should also have Nicaraguans among the apprehended children, as Nicaragua shares with Guatemala, Honduras and El Salvador many commonalities in term of history, and U.S. involvement there. However it is not the case. I nonetheless explain that oddity by actually looking at the very same U.S. policies towards Nicaragua, most especially the ones during the Cold War. And interestingly enough the U.S. approach on Nicaragua during that time and the way the Marxist-Sandinista regime of Nicaragua responded, offered some explanations on why things turned out differently when it comes to Nicaragua.

The weakness of Central American states is mainly rooted in decades of civil wars and extreme violence roughly from the 1970s to the 1990s linked coincidentally to the end of the Cold War (Gammage 2014; LeoGrande 2000; Gutiérrez 2013). During that period, successive U.S. governments mostly through the CIA arranged coup d'états and armed rebellions against any regime perceived as being communist (Berryman 2013; Berryman 1990; Berryman 1984; LeoGrande 2000). In Guatemala, the CIA backed coup of 1954 followed by decades of military rule and uprising tore apart the country social fabric and created a culture of extreme violence. The same situation pretty much happened in El Salvador, and to some extent in Honduras (Doyle and Kornbluh, n.d.; Kirkpatrick 1981; Berryman 1984; Anderson 1988; Berryman 1990; Burgeman 2006;

Menjívar 2011; Berryman 2013). That insecurity due to civil wars and the collapse of state abilities to care for its citizen created the initial waves of migration from Central America to the U.S during the 1980s (Lemoyne 1987). That first wave of migrants will act as foundation for futures waves as migrants generally move where they have some type of connection.

The second step in the construction of the present UAC crisis has to do with what the literature on the subject generally calls the rise of Latino gangs and the subsequent response of the U.S. government. Basically the first generation of Central American immigrants that came fleeing civil wars, came with low levels of formal education. These people had very little prospect of social mobility in the U.S. and ended up taking low skilled, and low paid jobs, living in the poorest areas of Los Angeles, CA, and other U.S. cities. In the 1990s during the Clinton Administration, a rise of street gang violence occurred. Scholarships point at the Los Angeles riots of 1992 as a landmark. Those riots involved several Latino gangs that had been growing for several years, fed by inner city poverty and disenfranchisement. When violence spread, dramatically captured by the media, hundreds of arrests followed. Public opinion in the U.S pressured the political system to act swiftly and decisively. Public officials responded by framing the violence in terms of Central American gangs. What followed was a massive deportation of Central Americans as a response to inner city violence (Vigil 2008; J. Howell and Moore 2010; J. C. Howell 2011; Wooldridge 2015). "The 104th Congress passed and President Clinton signed into law the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) and the Anti-Terrorism and Effective Death Penalty Act (AEDPA). Touted as legislation that would control illegal immigration and combat terrorism," (American

Immigration Lawyers Association 2006) these laws gave tremendous power to local law enforcement and judges in the matter of arrest and deportation. And this is when the U.S steadily started to massively deport Central American criminals; but also for minor offenses such as misdemeanors traffic infractions (Rohter 1997c; Kiehl 2003; Franco 2008; Bishop 2014).

The third step in explaining how the current immigration crisis was built is what often the literature calls the "boomerang effect". Following the second half of the 1990s, the U.S massively started to deport criminals natives from Guatemala, El Salvador, Honduras (Taylor and Aleinikoff 1998). The deportees were often gang members who had been born in the U.S or came in the 1980s when they were very young. These deportees arrived in barely-out-of civil wars' countries unprepared to receive them. Very quickly Guatemala, Honduras, El Salvador found themselves flooded with highly sophisticated criminal gangs. While these gangs wage war against each other's, they also fight unprepared states' apparatus (Rohter 1997b). This influx of gang members combined with the fact that Central America quickly became a middle passage for narcotics towards the U.S from the late 90s made Central America a quasi-war zone with extreme violence of all kind (Olson and Armson 2011). That very situation of violence has what started the latest wave of immigration, most especially the one of the minors (Rohter 1997c; Johnson 2006; Arana 2005; Valencia 2014; Planas and Grim 2014). These minors who come to the U.S. have for most of them some relatives, (parents, grandparents, older siblings, cousins, uncles, aunts etc.) who had previously immigrated to the United States back in the 1980s or the 1990s. It is then these relatives that the UAC are seeking to be reunited to when they are undertaking the journey to *El Norte*.

When the minors arrive in the United States, they are processed by the Department of Homeland Security and released when it is possible to family members throughout the United States, while their immigration status are being sorted out through the judicial system. It is in this context that I examine the particular case of Charlotte-Mecklenburg in North Carolina. Similarly to the events in California during the 1990s that fueled anti-immigrant sentiments, which later led to a hardening of U.S. immigration policies, the influx of UAC in North Carolina is triggering local responses. These responses in some cases conflict and hinder the current federal administration policy of minor reunification with relatives while their immigration status are being assessed. The huge number of UAC put strain on local governments that have to reassess their public policies and budget especially when it comes to public education. I am assessing these local government answers to the influx of UAC. I argue that the best approach of dealing with the situation is to create path of social integration for the unaccompanied minors instead of ostracizing them from mainstream society.

Throughout the study, I am relying on a variety of sources that help me establish that the UAC crisis was predictable and is linked to a succession of policies taken by the United States and that have been affecting Central America. My starting point in assessing the situation was to look first at the impressive dataset offered by the Department of Homeland Security. The data inform regarding the unaccompanied apprehended minors in terms of nationalities, age, gender, but also their level of formal education, why they left and whom they are expecting to be reunited with in the United States. Also, data from the United Nations Office on Drugs Crimes offer a mine of information, which crossed with data from U.S. Homeland Security offer a clear

understanding between the UAC crisis and the security situation in Latin America. Homeland Security also informs on the link between U.S. deportation policy and that security situation in Latin America. I also look at the United States federal budget expenditures on correction since the 1980s, and I crossed analyze them with U.S. immigration policies from the mid 1990s to the early 2010s and surveys examining attitudes towards immigrants as well as the translation of these attitudes into public policies.

To understand the transition between what is happening at the national level and the local one, I first also rely on data from the Homeland Security, and most especially from the Office of Refugee Resettlement. These data crossed with those from the U.S. Census Bureau inform mainly on demography shifting throughout the United States. And these demographic changes affect constituencies and they react by seeking weight in public policies making. What transpires to me is that the nature of these public policies in return influences how immigrants integrate, whether it was during the 1980s or now with the current wave of UAC.

Finally, I focus on Charlotte-Mecklenburg. I look at local ordinances as responses to the influx of UAC in the region. I also chose to interview stakeholders dealing with UAC instead of interviewing the minors. It is a route that was better suited for this study because of time constraints and privacy issue when it comes to deal with minor subjects. The stakeholders were mainly immigration advocate activists but also professionals in public education. Their inputs was immensely important as it helped to better understand at a local level the consequences of public policies when it comes to immigration.

"Researchers need people's stories for many reasons. They help us describe people, explain phenomena, and can lead to improvement in many fields of study" (Jacob and Furgerson 2012). I have conducted interviews with providers (lawyers, community leaders, personal of consulates, community organizers, teachers etc…) who deal with undocumented minors from Central America. Generally, I met with the head of office that I interview and they allowed me to talk to their staff to have a better understanding of what they do. I also participated in communities rallies organized by immigration advocates and met with different people who did not necessarily wanted to be on the record. Here are names of those I have met and had an intensive interview with.

Federico Rios is the Program Director Elementary School Services at Communities In Schools of Charlotte-Mecklenburg. I also met with Rosanna Saladin-Subero, Ph.D. Rosanna is the Assistant Director of Community Partnerships and Family Engagement at Charlotte-Mecklenburg Schools, Marshall Foster who is ESL/Title III Consultant at North Carolina Department of Public Instruction. Marshal is also a member of the senior department staff dealing with program evaluation, implementation, monitoring, compliance, and budget at the Community Partnerships and Family Engagement Department of Charlotte-Mecklenburg Schools. Isael Mejia is the Immigrant welcome center Coordinator at Latin American Coalition and he helped me to navigate through the web of community organizer and activists. I also was lucky to talk with Jose Hernandez-Paris Executive Director Latin American Coalition at one of those meetings. I generally followed a script after introducing myself, especially when it was the first time.

Hi, my name is Koffi I am a graduate student at The University of North Carolina, Charlotte. I am doing research regarding minors from Central America who were sent in Mecklenburg. I am working on my thesis master that focuses on the undocumented minors from Central America. Through my research, which this interview will be part of, I am looking to see if the present crisis was predictable. I am also interested in knowing why so many of these minors are sent to Mecklenburg County, NC and what that tell about demographic changes and challenges for the county and the state. I will also be looking at how the presence of these minors is affecting local public policies and opinions in terms of immigration. Then I proceeded with a series of open-ended questions, not necessarily following an order but that were meant to be consistent. Here is a sample of the questions I asked:

- ✓ What is your job title? Explain what you do.
- ✓ How long have you been doing this job?
- ✓ What is the population that you serve?
- ✓ How did you come to serve them?
- ✓ What are the main challenges that they face?
- ✓ What organizations or public services do you work with?
- ✓ How does the local government adjust to the arrival of undocumented minors from Central America?
- ✓ Tell us about how these past years have evolved the situation regarding the population that you serve.
- ✓ Have you observed a shift in public attitudes towards the issue? Describe
- ✓ Is there a gender difference in the challenges that they face?
- ✓ What are generally (in order of importance) the main reasons that made them leave their countries?
- ✓ What are the types of challenges that they face? (Work, school, etc…)
- ✓ If they work, what type of jobs do they generally do? And how does it affect their schoolwork?
- ✓ Describe their living arrangement here in Charlotte
- ✓ What do you know about their social integration?

CHAPTER 2: HOW DID WE COME TO THIS? THE MAKING UP OF THE CRISIS

Part One: The Cold War and Central America: U.S. Own Backyard

The Unaccompanied Alien Children crisis coming from Central America is in many aspects the result —albeit unintended— of a series of policies and political choices made over the decades by successive U.S. Administrations and often in collaboration with Central American governments. "American foreign policy, particularly the post-World War II doctrine of communist containment" (Rumbaut 1994), as well as the economic aspect of U.S. foreign policy and the so-called "war on drugs" —started in the 1980s— tremendously affected Central American countries. The sum of this is a "key importance in explaining many of the most recent sizable migrations" (Rumbaut 1994) from Central America. Understanding and acknowledging these facts offers possible venues in properly addressing the crisis at its roots.

Hardly after having together defeated the Third Reich at the end of WWII in 1945, the U.S. and the Soviet Union resumed and escalated a rivalry started with the rise of Bolshevism back in 1918. The new order that came out of WWII was a confrontation of two antithetical ideologies. The U.S. lead what is generally called the West as a free-market oriented system and the Soviet Union mostly influenced communist oriented societies. This dichotomized approach of things would be the determining factor in how for almost fifty years the U.S. would conduct its foreign policy and most specifically the one towards Latin America.

From Tierra del Fuego to Mexico, The U.S. with intelligence assistance, money, military aid and diplomatic support made sure to install, protect and maintain regimes that to the detriment of all other matters would protect U.S. interests and security at home and abroad. Statistics from the U.S. Department of Health and Human Services inform that most of the undocumented and unaccompanied minors caught at the southern U.S. border are from Guatemala, Honduras, and El Salvador; three Central American nations that arguably experienced the full brunt of the Cold War in the Americas. All three countries experienced coups, military regimes, enormous civilian causalities and the disaggregation of a cohesive social fabric based on the rule of the law.

> The U.S. government has in fact been deeply involved in the domestic politics of these states for over a century. It has at various periods built and trained their militaries and continues to provide them with military assistance. It was allied with one side or another in all three civil wars, to the extent of being the major financial support of the Salvadoran military and the Nicaraguan armed opposition. (Burgeman 2006)

The most important unintended consequence of such policies would be a succession of immigration waves from Latin America. The recent waves of UAC from Central America are part of those untended consequences.

1.1. Guatemala

The conceptualization by the United States of Latin America as its private hunting grounds is rooted in how the Monroe Doctrine was formulated as an ideology and how it would be shaped in concrete economic and political policies (Perkins 1952; Perkins 1963). When Jacobo Árbenz was democratically elected as President of Guatemala in 1951, he immediately sought to correct decades of an oligarch system, which favored the

interest of Guatemala's elites, who collaborated with the US, which in turn provided protection. Washington perceived Árbenz's reforms as a communist threat, thus, through a U.S. sponsored military coup removed him from power. A series of brutal and repressive military juntas would follow the fall of Árbenz. Military repression and frustration growing finally erupted into a civil war from 1960 to 1996. The three decades war opposed a leftist ideologically inspired guerilla against different right-wing military dictatorship regimes. The conflict and its degree of violence destroyed Guatemala social fabric, and in many ways engrained violence as a mean of achievement (Anderson 1988). "Every morning, along the streets […] bodies were found, hands tied behind them, shot or stabbed, usually bearing marks of torture […]. This was the work of death squads who operated freely and openly in the streets" (Anderson 1988, 35). Twenty years after the end of the Civil War, as part of this period legacy, the same grisly violence with daily death continues to put thousands (minors included) on the migration roads.

The first wave of Guatemalans fleeing during the Civil War was mostly educated upper and middle-class families and they generally went to Mexico. When the conflict intensified towards the late 1970s and 1980s, the working class, and poor peasants, mostly indigenous left, first to Mexico then ultimately for the U.S., seeking political asylum, and which most of them would have to fight the U.S. government in court for (Jonas 2013; Blum 1991). This is important to highlight because it is this first wave of migrants in the U.S. that will ultimately create some type of anchor for subsequent migration waves. Effectively, "In contrast to the late 1970s through 1996, post-war Guatemalan migrants [built] on family and community contacts with immigrants and refugees already in the United States" (Jonas 2013).

1.2. El Salvador

Similarly to Guatemala and most of Latin America, the history of El Salvador has been shaped by centuries of inequalities. The oligarchies elites have been for decades monopolizing the country resources to the detriment of the majority. Following a regional trend and coupled with the increasingly harsh socioeconomic realities in El Salvador, leftist-oriented and social justices movements were getting serious momentum in the country (LaFeber 1993). Conversely to the growing social discontentment, Salvadorian authorities responded with state terror to the point that:

> Archbishop Romero of [El Salvador] in an open letter to President Jimmy Carter asked the United States not to intervene in El Salvador's fate by arming brutal security forces against a popular opposition movement. Romero warned that U.S. support would only sharpen the injustice and repression against the organizations of the people, which repeatedly have been struggling to gain respect for their fundamental human rights. (Doyle and Willard 2011)

Effectively, violence became systematic and terror and distrust reigned among the civilian population. The fragmentation of any opposition or dissident movement by means of arbitrary arrests, murders and selective and indiscriminate disappearances of leaders became common practice. Repression in the cities targeted political organizations, trade unions and organized sectors of Salvadorian society (Buergenthal, Betancur, and Figueredo Planchart 1993). Roughly a month after publishing his letter, Romero was riffled down while saying mass. Nevertheless "President Carter moved to approve $5 million in military aid less than one year after the archbishop's murder, as Carter was leaving office in January 1981" (Doyle and Willard 2011)

It is true that at some point Carter Administration would renegotiate its working relation with Salvadorian authorities, which earned Carter criticisms from the U.S. political right describing him in the matter as weak and indecisive (Kirkpatrick 1982). When Reagan came to the White House, he pursued in many ways collaboration with Salvadorian authorities, helping them to effectively defeat the Marxist rebellion. But with the Cold War coming to an end by the late 1980s, Reagan Administration pressured Salvadorian authorities to open up to democratic elections. What is striking here is that Democrats or Republicans alike did not have diametrically opposed foreign policy when it came to Central America.

The Salvadorian Civil War in many ways was linked to regional neighboring conflicts but also internal conflicts, as well as in a wider perspective, the relentless effort of successive U.S. administrations to root out perceived or real communist threats in the Americas. As a result of the conflict, Salvadorians fled by the thousands to neighboring countries and the United States. This first wave of migration similarly to the Guatemalan case created a sort of original pole of attraction for the future generation of migrants. By the late 1980s, it was estimated that about half a million had entered the United States illegally, the majority via Mexico, working as busboys, fruit pickers, janitors and construction laborers, and for most, the West Coast was their leading destination. In overall terms, the extent of Salvadoran emigration to foreign countries was such that the United Nations in 1982 estimated that one-third of the workforce had left the country (Lemoyne 1987; Haggerty 1990). This will have devastating consequence in the after war socio-economic reconstruction of El Salvador.

1.3. Honduras

According to data from Homeland Security/U.S. Customs and Border Protection, since 2009, year after year the number of unaccompanied Hondurans minors has been the higher than those from Guatemala and El Salvador (Mexico excluded for being geographically put in North America). “Honduras has generally been regarded as the poorest and most backward of the Central American republics.” (Anderson 1988). This may seem paradoxical considering the enormous economic U.S. interests in the country, mainly through the United Fruit Company; which had, by the way, the name “banana republic” coined initially for Honduras (McLean 1968). Honduras had also a long story of U.S. direct military interventions, which were part of U.S. foreign policy regarding Central America and the Caribbean at large (Langley 2001; Moberg 1996; Soluri 2005).

Unless neighboring countries like Guatemala, El Salvador, and Nicaragua, Honduras did not go through a bloody civil war during the Cold War. It does not have to do with the fact that there was no leftist leaning movements in Honduras, but rather because of two important correlated factors. First, the U.S. presence and historical control of the country socioeconomic and political apparatus was arguably stronger than in the other countries. This was translated into the U.S. heavily financing military juntas in Honduras, which quietly waged terror on its civilian population. Honduras also served for the U.S. as a staging station to supply CONTRAS guerrilla forces against leftist SANDINISTA government in neighboring Nicaragua (Valladares Lanza and Peacock 1998; Holden and Zolov 2010; Kornbluh 2015).

The puzzling part and particularism regarding Honduran immigration to the U.S. is that it does not follow the regular pattern observed in Guatemala, El Salvador and also

Nicaragua, at least regarding the first significant wave of migration happening mostly during the Cold War and being collateral of civil wars. Rather, a combination of natural disasters, decades of deep labor market connections between the U.S. and Honduras as well as local economic struggle mainly drove Hondurans first waves of migration to the U.S (Endo et al. 2010; Rosenblum and Brick 2011; Reichman 2013; Reichman 2016). It is on the foundations of the network constructed by the first waves of migrants in the 1990s that the current migration waves from Honduras to the U.S. are built.

Part Two: The Rise of Central American Gangs and the U.S. Response

2.1. The Genesis of Latino Gangs in the U.S.

The horrors of civil wars in Central America threw millions of Guatemalans, Hondurans and Salvadorans on the road, and naturally they migrate on the millions towards the regional super power: the U.S. By the late 1980s, "the migration constituted a major exodus from [Central America]" (Lemoyne 1987). Most of them went to California and particularly concentrated in Los Angeles. Many of the migrants were adults and had families with young or even infants when they left.

> The Salvadorans who entered the United States generally had little formal education. Between 1980 and 1990, according to 2000 U.S. Census PUMS data, the percentage of Salvadorans reporting that they had only completed primary school rose from 37 percent in 1980 to 42 percent in 1990. Over the same period, the percentage of Salvadorans reporting that they had post-secondary education declined from 13 percent to 9 percent" (Gammage 2014). The situation was quite similar regarding the Hondurans and Guatemalans.
>
> Los Angeles was the destination of thousands of people from Central America fleeing conflict and civil war in the 1980s. According to the 1990 U.S. Census, approximately 70 percent of all Central Americans in the United States arrived after 1980. Some estimates place the

> Salvadoran population alone in Los Angeles at 300,000 by the decade's end, representing a tenfold increase during the 1980s (Johnson 2006).
>
> Seeking a better life, the early immigrant groups mainly settle in urban areas and formed communities to join each other in the economic struggle. Unfortunately, [and most especially for the first wave of Central Americans that came in the 1980s], they had few marketable skills. Consequently difficulties in finding work and a place to live and adjusting to urban life were equally common among [them] (J. Howell and Moore 2010).

They ended up then taking low skilled, and low paid jobs, which ultimately landed them in the poorest areas of Los Angeles, CA, and other U.S. cities where they migrated. The low level of education that participate to the marginalization and disfranchisement of the migrants can be understood in the general theorization of immigration fluxes. Indeed:

> Since there always has to be a bottom of any hierarchy, motivational problems are inescapable. What employers need are workers who view bottom-level jobs simply as a means to the end of earning money, and for whom employment is reduced solely to income, with no implications for status or prestige. For a variety of reasons, immigrants satisfy this need, at least at the beginning of their migratory careers. (Massey et al. 1993)

So the social settings of the 1980s in which waves of Hondurans, Guatemalans and Salvadorans immigrants found themselves did not help in their integration into American mainstream society. Low education, inadequate housing, being undocumented for most and the feeling of not belonging to the host environment participated to their ghettoization. A great number of the Central Americans (mostly the youth) that migrate in the U.S. starting in the late 1980s had been exposed to horrific forms of violence in their war-torn native countries and here in the U.S. they had to face discrimination and street violence. Generally, two forces serve to incubate street gangs, especially when it

concerns immigrants. These forces are physical and cultural marginalization (J. Howell and Moore 2010). Being ostracized even within the general Latino population –mostly from the Mexicans already present– many among the immigrant youth easily drifted into criminality (Planas and Grim 2014).

"Racial intimidation, school and residential segregation, extreme marginalization, and racial exclusion from mainstream play significant roles in gang formation" (Alonso 2004) whether they are Latinos, or blacks or any other ethnic groups as it was at some point for Irish immigrants in the early 20th century The racial or ethnic character in the formation of gangs can be understood as peer identification and a social mechanism of both protection and affirmation of one's identity, but also to get access to resources.

> To explain the formation of urban gangs in Los Angeles (LA) and other cities in the United States, many researchers have emphasized the need to understand behavioral characteristics of gangs as groups and those of individual members. Results of these studies suggest that youths join gangs for safety, material access, a valued identity, and status as well as the result of peer pressures. (Alonso 2004)

"Many of the early Mexican gangs originated among youths whose families had been in the Los Angeles area for generations but had been segregated over time into impoverished barrios (neighborhoods) by the burgeoning white populations around them"(Bruneau, Dammert, and Skinner 2011).

On the West Coast of the U.S. and most borderland states, the Central Americans found already in place Mexicans and Mexican descents Latinos, who did not necessarily identify themselves with the newcomers. Besides, within the already present Latino community, rivalries, and exclusion dated back to the Bracero era (1940s-1960s) were already rampant. From those rivalries "the 18th Street gang was created because a local

Mexican gang, Clanton Street, rejected all youths who could not prove 100% Mexican ancestry. As a result, [those] who were denied membership because of their tainted ancestry formed their own gang. They became the original 18th Street gang" (J. Howell and Moore 2010). Interestingly, the 18th Street was "the first Hispanic gang to accept members from all races and to recruit members from other states" (Ribando Seelke 2014).

It is in this social environment characterized by ghettoization, that the most notorious Central American gang Mara Salvatrucha (MS-13) is believed to have formed around the late 1980s, with the arrival of massive waves of Salvadorans followed by other Central Americans immigrants. "El Salvador's vicious and protracted civil war, which lasted from 1980 to 1992, took more than 70,000 lives. The pervasive violence, a weak economy, and a lack of jobs forced the mass migration of over one million Salvadoran nationals, most of whom settled in Los Angeles and Washington, D.C., between 1984 and 1992" (Bruneau, Dammert, and Skinner 2011).

> Salvadoran youth faced a choice: either join 18th Street or form their own gang to combat it. A number of them chose the latter option, thus forming what became known as Mara Salvatrucha, and the rivalry between the two groups began. Soon members from Ecuador, Guatemala, Honduras, and Mexico, and a few blacks from the southern United States were allowed to join Mara Salvatrucha and the gang grew in strength. (J. Howell and Moore 2010)

It is important to note that "MS-13's early membership is reported to have included former guerrillas and Salvadoran government soldiers whose combat experience during the Salvadoran civil war contributed to the gang's notoriety as one of the most brutal and violent Los Angeles street gangs" (Franco 2008). Unavoidably, rivalry and the

escalation of street violence between these two majors gangs and their affiliates ultimately drew national attention.

2.2. Mass Deportation as The U.S. Response to The Rise of Latino Gangs

The situation of unprecedented street gang violence in the U.S. put pressure on officials to act. "In early 1990s, L.A.P.D started collaborating with Immigration and Naturalization Services [Which after 9/11 was restructured to become Homeland Security] to deport immigrants convicted of aggravated felonies"(Bishop 2014). The 1992 Los Angeles Riots were a major turning point that definitively put Central American gangs in the spotlight, which triggered new changes in U.S. policies towards immigration.

> In 1992 the Rodney King (an African American who was killed by police on a traffic stop) verdicts were released, and Los Angeles was torn apart by deadly race riots. The media focused on the African American community's frustration with the verdicts as the source of the riots, but the street violence also had an unexpected impact on local Latino and African American Street gangs. Major conflicts erupted between Latino and African American gangs on the streets, as well as in local jails and state prisons. (Bruneau, Dammert, and Skinner 2011)

The fact that Latino gangs got involved in the riots has initially more to do with opportunity than anything else. But by the time the police and authorities had taken control of the situation, it was clear that they had become a serious threat. And under public pressure, politicians decide to boldly act.

> In the aftermath of the Los Angeles riots, police there determined that most of the looting and violence had been carried out by local gangs, including MS-13. In response, California implemented strict new anti-gang laws. Prosecutors began to charge young gang members as adults

> instead of minors, and hundreds of young Latin criminals were sent to jail for felonies and other serious crimes. Next came the "three strikes and you're out" legislation, passed in California in 1994, which dramatically increased jail time for offenders convicted of three or more felonies…(Arana 2005)

"Scholars of moral panic remind us that pseudo-disasters commonly produce legislation imposing new restrictions on existing freedoms, liberties, and due process" (Welch 2003). Also "scholars studying public opinion on immigration and immigrants have noted that American resistance to immigration surged in the 1990s, and that this resistance corresponded with a growing sense of economic insecurity in the public"(Newton 2008). The social setting of the mid-1990s offered the ideal conditions for fear to be exploited for political gains. The situation in California had been largely covered in the media through sensational stories of whole neighborhoods controlled by ruthless Latino gangs. California legislation and law enforcement started to adopt a zero tolerance policy, mostly towards undocumented caught breaking the law.

National Attitudes towards Immigrants, 1994

Question*	Very Likely	Somewhat Likely	Not Very Likely	Not at All Likely	Don't Know**	Total %
Will immigrants contribute to the national economy?	8.4	21.4	41.3	21.1	7.7	100
Will immigrants fuel unemployment?	53.9	31.1	7.9	2.3	4.8	100
Will immigrants affect national unity?	33.9	33.7	18.0	7.5	6.9	100

Source: *General Social Survey*, 1972–1996. *N* = 1,474

* The questions did not distinguish between legal and illegal immigrants.

** The few respondents who did not answer the question were coded as "Don't Know."

Figure 1: National attitude towards immigrants in 1994 (Newton 2008)

At the national level:

> The new House speaker, Newt Gingrich (R-GA), who presided over the dramatic Republican takeover of the House and Senate in the 1994 midterm elections, made careful note of the strategic importance of the immigration issue in the California election and drew his own lessons for the Republican agenda and future elections. (Newton 2008)

In 1996, Congress pass and President Bill Clinton —seeking reelection— signed the Illegal Immigration Reform and Immigrant Responsibility Act and the Anti Terrorist Law (United States and Congress 1996). The official goal "was intended to lower the American crime rate, free up prison space and save American taxpayers money by getting rid of people who were not citizens and were considered likely to commit new crimes after having served their sentences" (Rohter 1997a; Owyoung 1997). It was also meant to reduce carceral population by expediting deportation of foreign convicts.

"By lowering the threshold of deportable crimes to include nonviolent offenses and misdemeanors, legislators constructed new categories of rule-breakers who would be subject to arrest. Especially considering the retroactive scope of the new law, literally overnight, there were thousands more violators of immigration law" (Welch 2003). Still, while the rate of deportation drastically increased starting in the mid 1990s, at the same time, both the expenditures on corrections and the rate of prisons population increased.

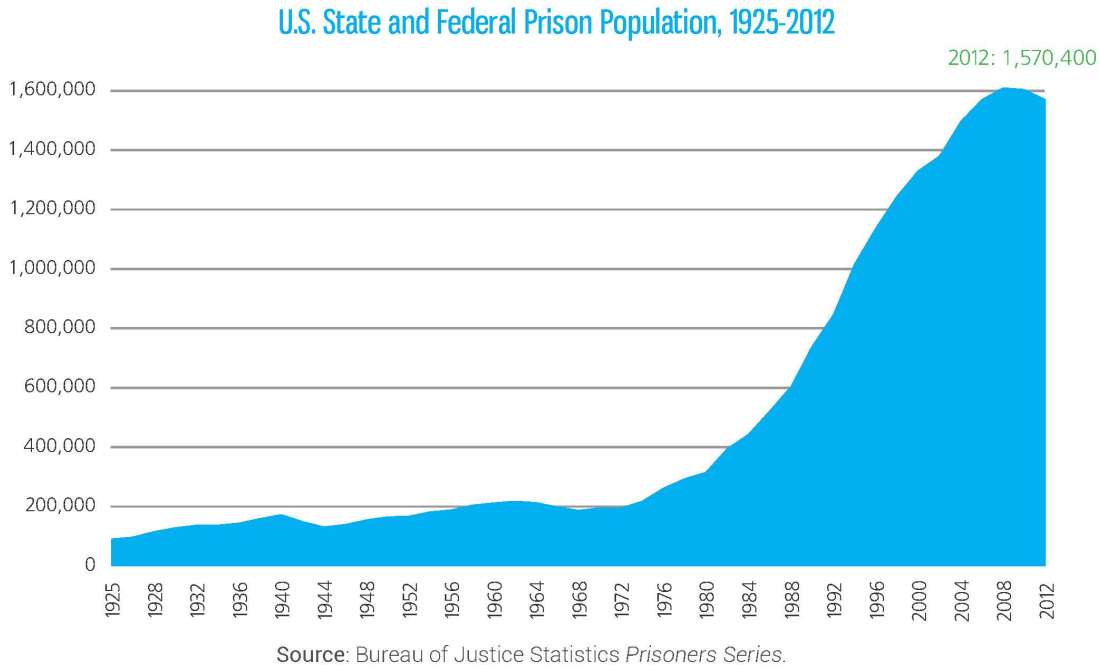

Figure 2: U.S. state and federal prison population from 1925 to 2012

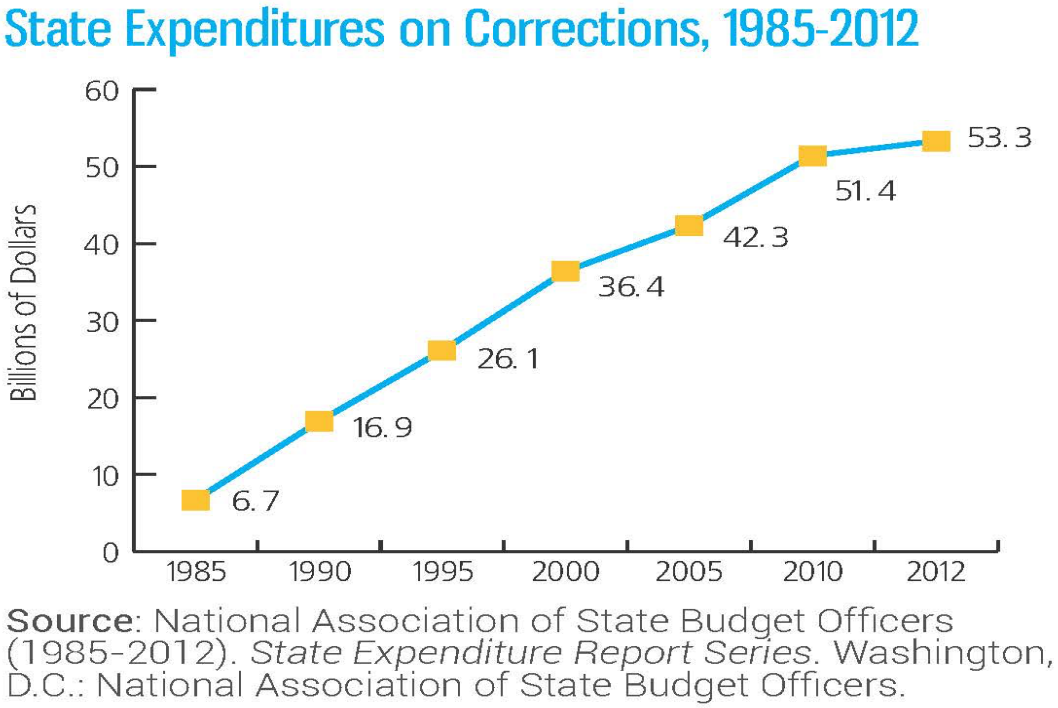

Figure 3: U.S. expenditures on correction facilities 1925-2012

Deporting gangs' members did not actually decrease the amount of taxpayer money put in the correctional system. The measure was more a political display geared towards electoral base. However it set in motion dramatic changes in Guatemala, El Salvador, Nicaragua, and Honduras. Those social changes there, in turn, helped creating the current crisis of undocumented minors from Central America (The Sentencing Project - Research and Advocacy for Reform, n.d.).

2.3. Deporting Gangs' Members To Central America & Igniting a Powder Keg

Following the implementation of the Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) the rate of deportation –especially to Central America– dramatically spiked. Of course in the process, it raised concerns with human rights activists (Kiehl 2003). Young Latinos, even first offenders for petty crimes were judged as adults and documented or not were deported to their country of origin after having served their sentence, the retroactivity clause of the IIRIPA also contributed to increasing the pool of deportees. But more perniciously the fact that a lot of young people ended up incarcerated with hardcore criminals made jails and prisons function like graduate schools for criminality. Excluding Mexico, Guatemala, Honduras, and El Salvador are the three Central American Nations, which Nationals' deportees have been consistently making up the greater percentage in deportations; this includes the expulsion of those convicted of crimes.

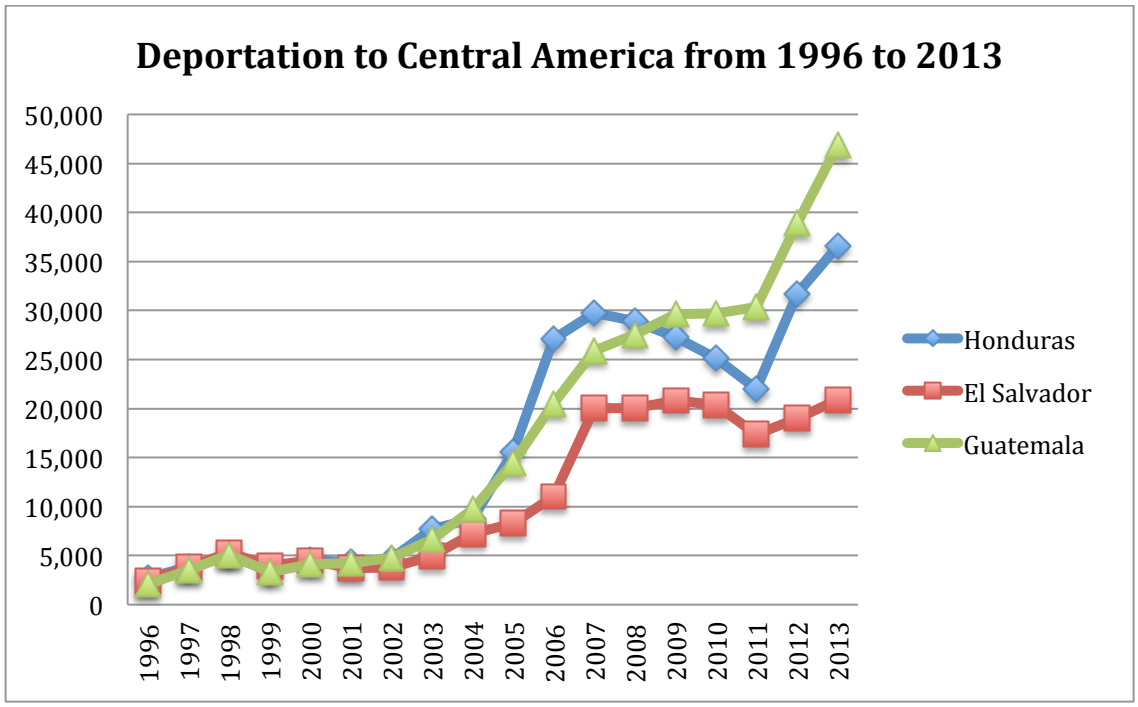

Figure 4: Created using data from Homeland Security yearbooks immigration statistics

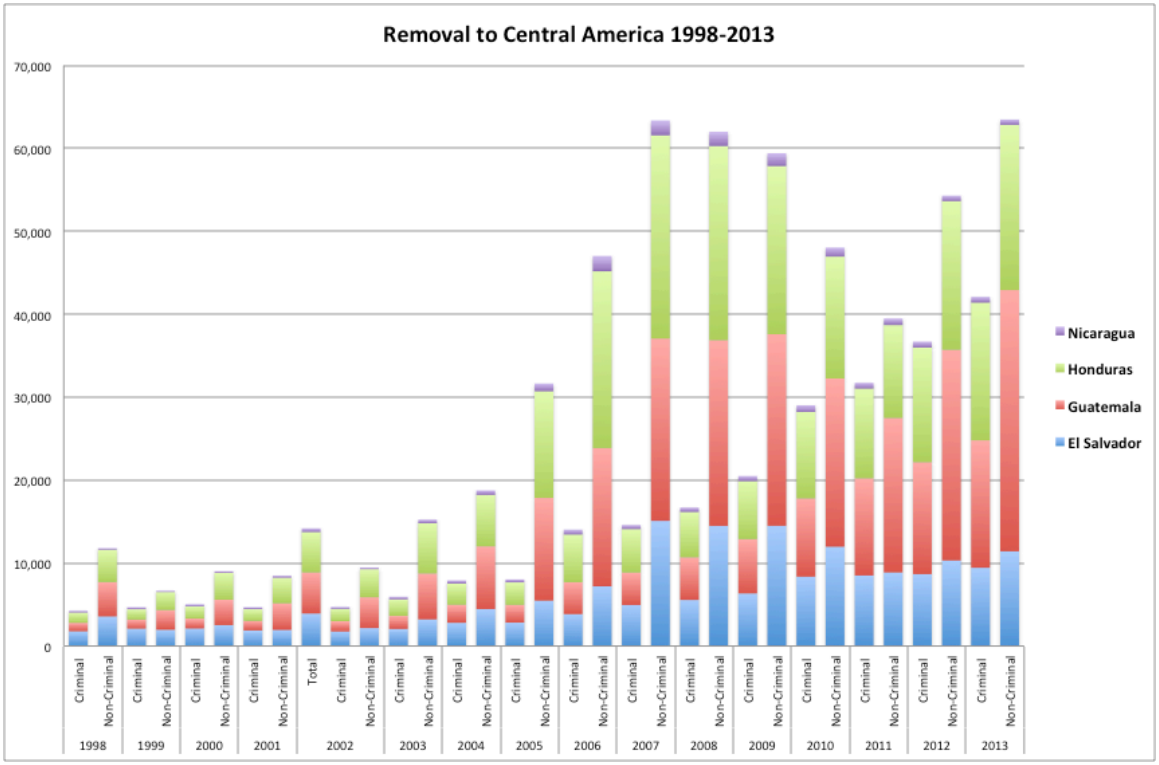

Figure 5: Deportation by criminal status 1998-2013; Created using data from Homeland Security yearbooks immigration statistics enforcement actions

The Salvadorans, Guatemalans, Hondurans – who by the way lived all their lives in the U.S. – when convicted felons found themselves deported to a country of origin they knew almost nothing about. Naturally they came together and recreated the world they had in the slums of Los Angeles and other U.S. inner cities. For example, MS-13 and M-18 members exported back in Central America their rivalries and gang structures they had established in the U.S. Both gangs mainly started also to recruit heavily there.

There is something important in the timing of mass deportation to Central America and the social settings Guatemala, Honduras, and El Salvador of the time. These nations were barely getting out of years of armed conflicts that had put the region on its knees. Local and Regional governments were struggling to rebuild from scratch modern societies.

> It is not surprising then that local governments […] had no idea who their new citizens really were; [especially that] the new U.S. immigration rules banned U.S. officials from disclosing the criminal backgrounds of the deportees. As more and more hard-core gang members were expelled from [the U.S.], the Central American maras [gangs] grew, finding ready recruits among the region's large population of disenfranchised youth. In El Salvador [a country of 6.5 million people], the gangs now boast 10,000 core members and 20,000 young associates; in Honduras [with a population of 6.8 million], the authorities estimate the gang population at 40,000. Their median age is just 19 years old, although their leaders are often in their late 30s and 40s [most of them having a U.S. background]. Today, the gangs regularly battle each other and the police for control of working-class neighborhoods and even entire cities. (Johnson 2006)

Central American governments followed a hardline approach similar to the one the U.S. did and engaged into a bitter fight with the gangs. State programs like *La Mano Dura* (Holland 2013) in El Salvador intended to get tough on the gangs with a zero tolerance policy. It for instance, indiscriminately imprisoned minors with adults when they were suspected of gang affiliation. The direct consequence was the rapid swelling of prisons that gangs quickly started to run. In addition to *mano dura*, the government created a death squad made up of police officers and civilians, which targeted gang members. The death squad better known as *La sombra negra* served as an extra-legal way to deal with the rise of gang activity (Valencia 2014). Although not officially endorsed by the authorities, la *sombra negra* was meant to using extra legal means of passing self-justice. In a way, it was undermining the already weak state structure. The result was astronomically disastrous as violence spiked at an unprecedented rate, putting more chaos in the region, and giving to Guatemala, Honduras and El Salvador the nickname of Northern Triangle of Death.

> A 2011 study published by the World Bank helps to put the numbers in context: although the combined population of Central America is equivalent to that of Spain, in 2006, Spain registered a total of 336 murders, while the corresponding number in Central America was 14,2578. Grim as they are, murder rates in Central America capture only the most extreme form of violent crime, which also includes assault, robbery, and domestic violence. Indeed, with respect to youth violence, the United Nations estimated in 2010 that for every fatality, there were 20-40 victims of non-fatal violence. (Olson and Armson 2011)

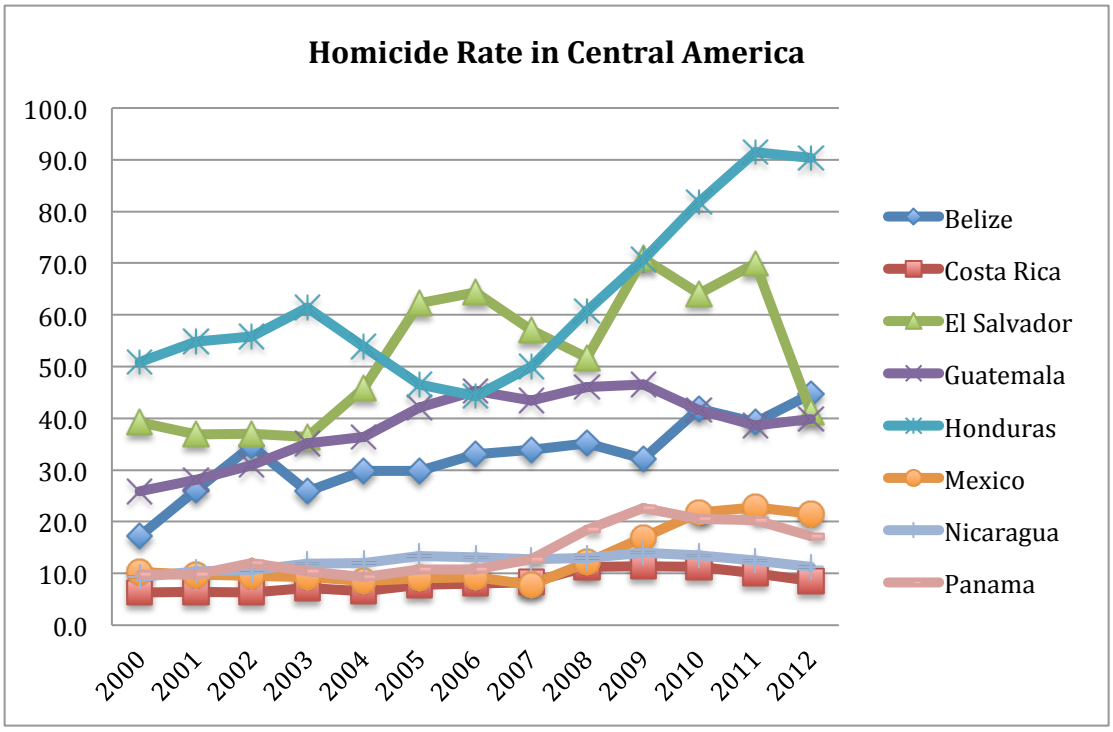

Figure 6a: created by using data from United Nations Office on Drugs and Crime, "Intentional Homicide Count and Rate per 100,000 population, by country/territory (2000-2012),"

All indicators show a striking correlation between the observed rise of violence in Central America and the mass deportations as Graph2 and Graph5 show. It is also important to notice that the geographic position of Central American states in many ways exacerbate the problem. Effectively, Guatemala, Honduras, El Salvador constitute a sort of bridge between narco-producers of South America like Colombia and the United States the main consumer of illegal drugs. With the War on Drugs waged by the U.S on South American producers, other routes to supply cocaine had to be found. With weak states, and American born gangs like MS 13 and 18th Streets stepped in the business of drug trafficking, often as middlemen between producer and distributors in the U.S. Consequently the fight to control the lucrative business heightened the rivalries between the gangs and participated to the spread of violence.

2.4. Nicaragua: The Odd Case That Does Not Seems To Fit The Narrative

When trying to find some rational explanation for the crisis of undocumented alien children (UAC), hard evidence points at gangs and drug related violence. The rate of violence in Guatemala, Honduras, and El Salvador is so high that the region has been dubbed the triangle of death. "Children are uniquely vulnerable [they have been increasingly targeted] for forced recruitment, usually in their early teenage years, but sometimes as young as kindergarten. They also forcibly recruit girls […] for rape by one or more gang members" (Taub 2014).

But as we said at the beginning of this study, merely pointing at gang-related violence as being the sole source of the quasi-exodus of children from Central America to the U.S. does not entirely give a complete appreciation of the situation. A deeper analysis reveals that the U.S. inadvertently through both foreign and domestic policies participated in the development of these gangs, which later on took part in pushing minors on the immigration roads. Indeed, the massive involvement of the U.S. in Central America during the Cold War helped in the destabilization of social structures and efficient state apparatus, via a disappearance of the rule of law and the development of the culture of violence. Starting in the mid 1990s with the rise of anti-immigrants sentiments in the U.S. a series of policies would dramatically increase and ease deportation of Guatemalans, Hondurans, Salvadorans origin or descents.

The explanation of U.S policies being in many ways responsible for the current crisis of UAC seems to hold in many aspects regarding Guatemala, El Salvador, and Honduras. However, Nicaragua appears to challenge that assertion. "It shares a history of revolutionary upheaval in the latter half of the 20th century with its northern Central

American neighbors Guatemala, Honduras and El Salvador. In modern times, it shares an open borders policy and economic regime with those countries"(Replogle 2014). The U.S. during the Cold War created, financed and used the Contras as proxy forces to fight the leftist Sandinista government in Nicaragua. It is also worth mentioning that the Regan Administration granted asylum to thousands of Nicaraguans seeking to fly the conflict. And still, Nicaragua although sharing similar struggles with its counterparts Guatemala, El Salvador and Honduras, does not seem to be concerned with the contemporary gang violence raking up Central America and minors do not leave the country, as it is the case for its neighbors. Nicaragua has by far one of the lowest crime rates in Central America, even lower than the U.S.

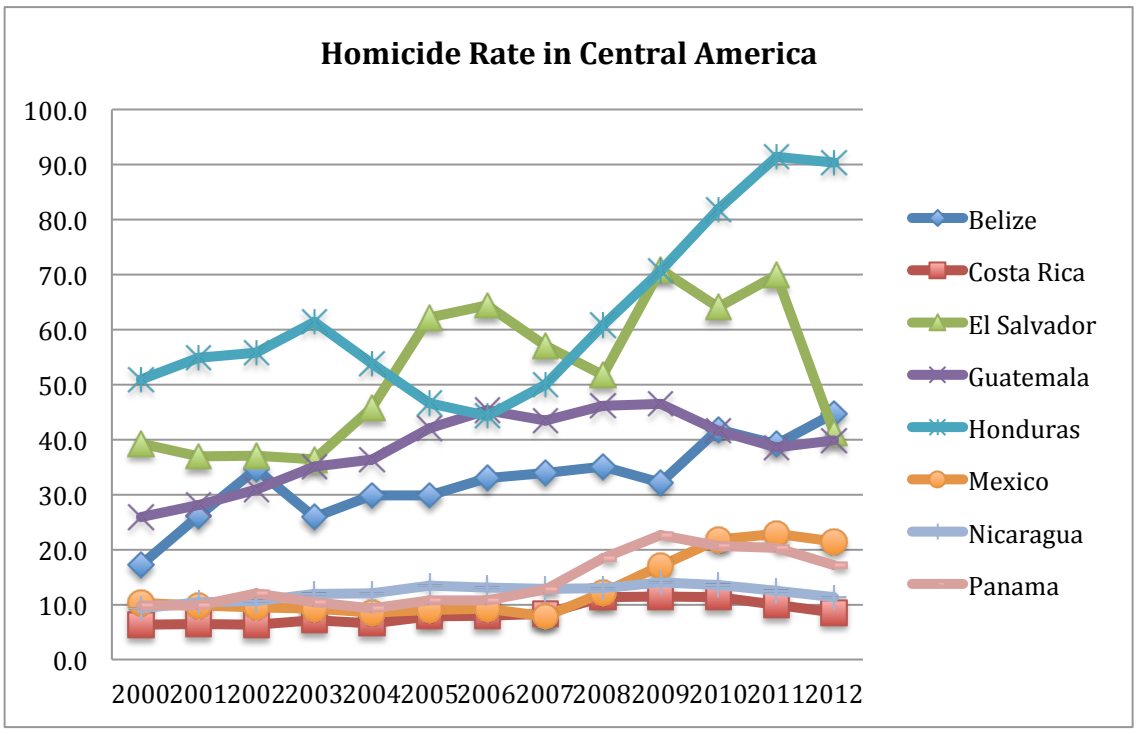

Figure 6b: created by using data from United Nations Office on Drugs and Crime, "Intentional Homicide Count and Rate per 100,000 population, by country/territory (2000-2012),"

Explanation to this seeming oddity of the Nicaraguan case can be done in analyzing the very policy the U.S. developed towards Central America and particularly Nicaragua. During the Cold War, the U.S. the U.S heavily supported friendly right winged military regimes in Guatemala, El Salvador, and Honduras. As we saw before, thousands left, mostly immigrating to the U.S. Interestingly the U.S. administration was not particularly receptive to offering proper asylum status to Guatemalans for instance, whose government was portrayed as a friendly ally, thus the incongruence of accepting political refugees from such countries. Ultimately:

> On 31 January 1991, Judge Robert Peckham of the United States District Court for the Northern District of California approved a settlement in a nationwide class action lawsuit, American Baptist Churches v. Thornburgh. The litigation challenged systemic discrimination against Salvadoran and Guatemalan asylum-seekers by the Immigration and Naturalization Service, the Department of State and the Executive Office for Immigration Review. (Blum 1991)

The fact that the U.S. in allocating legal status privileged Nicaraguans over Guatemalans or Salvadorans had to do with the same reasons Cubans had preferential treatment; the policies of immigration was an offshoot of the foreign policies.

> Most Nicaraguans who went to the United States in the 1980s did so legally because the Reagan administration, fighting the Sandinista government at the time, welcomed refugees presumably fleeing the leftists. Hondurans were also viewed favorably because their country served as an operating base for the U.S.-backed Contra rebels. (Wilkinson 2014)

The very status under which migrants are categorized has tremendous consequences on how they integrate the U.S. society. Being documented or not curtails access to opportunities, education, employment, access to housing, government benefits, etc.

Earlier in this study, I have mentioned that lack of opportunities and social disenfranchisement participates in the emergence of gangs.

> Nicaraguans tended to settle in Miami and New Orleans, [as did the Cubans or migrated in greater number to Costa Rica instead]. Salvadorans [which in great numbers were undocumented] went to Los Angeles and were sucked into a booming and bloody gang culture. They would be the first people the U.S. started deporting back to Central America in the early 1990s. (Wilkinson 2014)

Naturally when the mass deportation of convicts started, very few of them to begin with were Nicaraguans or Nicaraguan descent. Therefore, Nicaragua did not overnight end up being swamped by thousands of hard-core and organized criminals.

The following graph shows a quasi-insignificant number of deportations when it comes to Nicaraguans comparing to the Guatemalans, Salvadorians, and Hondurans. There is a clear correlation between the rise of gang criminality in Central American countries and the increase of deportees the U.S. send there. Consequently, it is understandable --at least to some extent-- that the low criminality rate in Nicaragua is correlated to the low rate of criminal deportees there. So less criminality explains a lesser need to migrate, thus a partial explanation of the quasi-absence of Nicaraguan minors in the UAC crisis

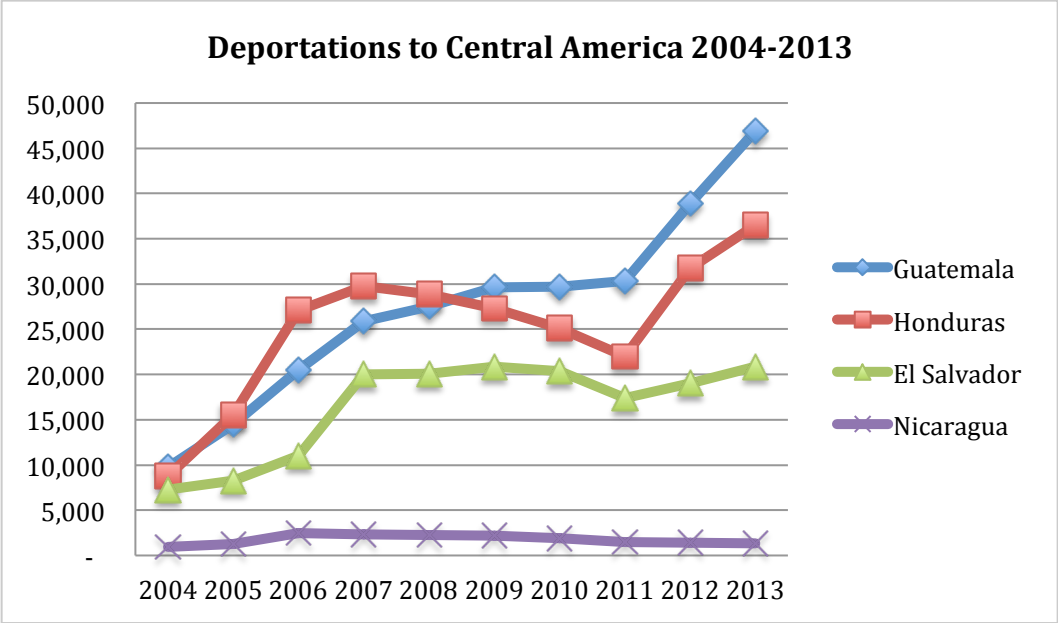

Figure 7: Graph created using data from Homeland Security Yearbooks)

Also besides the fact that U.S born gangs like MS13 and M18 could not get hold in Nicaragua for lack of membership, the leftist nature of Nicaragua society apparently has been playing a non-negligible role. "The Nicaraguan government has long maintained tight controls over the population through police and neighborhood watch committees. During a leftist revolution that started in 1979, and then a Cold War-era conflict with U.S.-backed rebels, Nicaraguan officials set up systems that penetrated communities and provided intelligence to authorities"(Wilkinson 2014). So even when the civil war ended with the end of the Cold War, the state apparatus and especially intelligence and security services were fully functional, which was not the case for other Central American countries. Also and in an interesting way, the very culture of resistance and the nationalistic and leftist rhetoric to all U.S. related things might play some role in why MS 13 and 18th Streets U.S. born gangs have not been able to get a firm foothold in Nicaragua.

Part Three: The Boomerang Effect: A New Generation of Migrants

3.1. On Getting "Them" Back: The Boomerang Effect

The U.S. government is strong enough and has the resources to squash and contain gang violence. Guatemala, Honduras and El Salvador struggle to cope with the situation and terribly fail to prevail over the gangs. The inability for the Central American governments to properly address the situation has a lot to do with roughly the past fifty years or so history of the region with endemic and structural violence. Basically as "One U.S prosecutor as argued that we're sending back sophisticated criminals to unsophisticated, unindustrialized societies" (Kanstroom 2012). Indeed:

> While the horrors of civil war are over, the legacies of political polarization, civil violence, injustice, and public insecurity still impede good governance. Effective governance – defined broadly to encompass provision of citizen security, delivery of basic social services, nonviolent maintenance of public order, and management of public finance and the economy – is severely hampered in all three countries by two areas of institutional dysfunction: the political leadership and the public and security sector. (Burgeman 2006)
>
> The deficiencies of the weak post-war state because they affect virtually all aspects of the lives of Guatemalan migrants and the migration process: initial migration and, transit through Mexico, life and work in the United States, and (non)-reintegration of deportees. (Jonas 2013; Olson and Armson 2011)

That extreme climate of insecurity mirrors the one of the civil wars during the cold war. Back then the situation prompted millions to flee north. Today again the same scenario is unfolding. The U.S. that has historical links with the region is being seen as the safe heaven and thousands of young Central Americans nurture that dream to go to *El Norte*. "We will never know of course, whether deportees might have been better off had

they remained in the United States with family, and some community restraints. But dumping them in El Salvador has made rehabilitation virtually inconceivable" (Kanstroom 2012).

Data collected by Homeland Security show that gradual increase in the number of apprehended minors from Guatemala, El Salvador and Honduras. The juxtaposition of the homicide rate in Central America (Figure 6) and the number of unaccompanied apprehended children by U.S. Homeland Security (figure 8), it clearly appears that both data increase in a functional way. These results then posit a correlation between violence in Central America and the steady increase of UAC (figure 9).

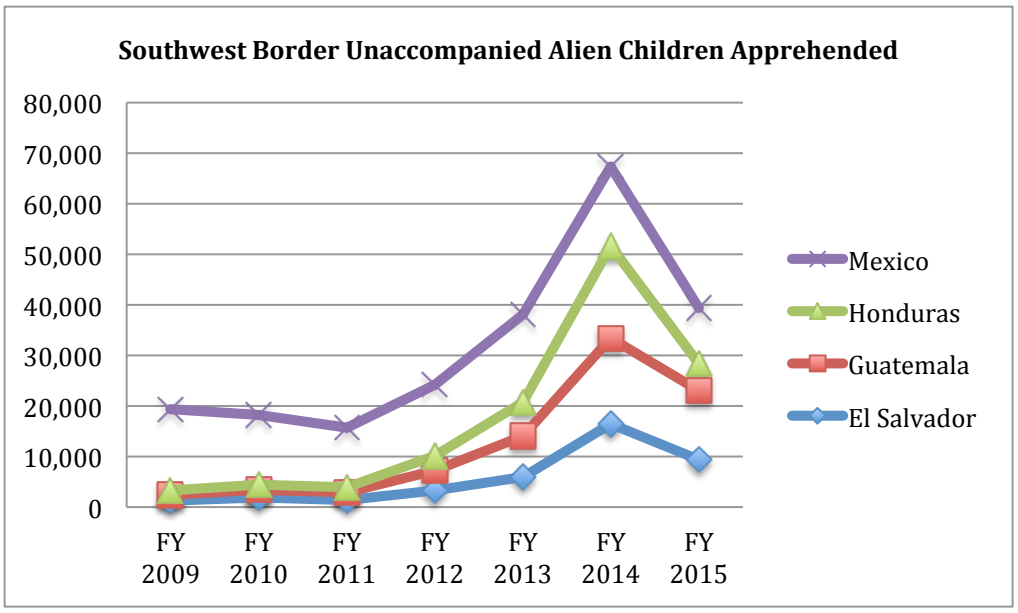

Figure 8: Created using data from Department of Homeland Security
http://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2015

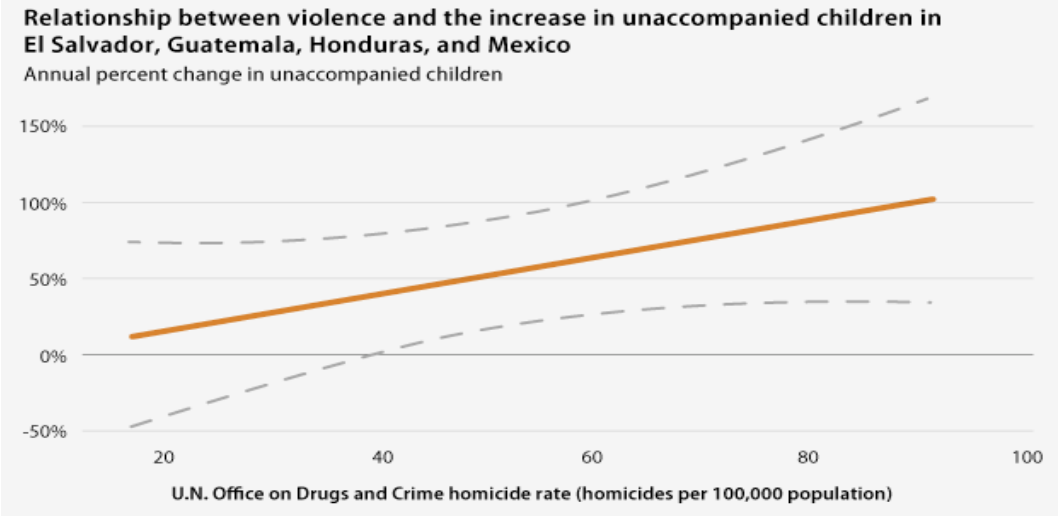

Figure 9: Relationship between crime rate and UAC

> Examining the relationship between violence and unaccompanied children […] again, that relationship is positive, and strongly statistically significant. Which means that more dangerous security conditions are related to greater numbers of unaccompanied children. Not only do countries with the highest rates of homicide have the largest numbers of unaccompanied children fleeing, but the data also make clear that countries in Latin America with lower rates of homicide are not sending large numbers of unaccompanied children. (Wong 2014)

In recapitulating things, the current crisis of undocumented minors is in many ways an unintended consequence of immigration policy the U.S. implemented starting in the mid 1990s. The very fact that most of the children apprehended are in average in their mid teens perfectly fits the timeline of 1995 when the drastic immigration law was voted and 2005 when we both started to see an increase of deportation of criminals to Central America and the increase of minors apprehended by Homeland Security at the border.

3.2. The Journey North: *El Sufrimiento*

To go on the journey the migrants have to rely on an existing system that would haul them to the final destination. The theorization of migration fluxes tells us that network systems are pivots structures that fundamentally act as a skeleton for migrations, and without which the likelihood of success is very small to nothing.

> Migrant networks are sets of interpersonal ties that connect migrants, former migrants, and nonimmigrants in origin and destination areas through ties of kinship, friendship, and shared community origin. They increase the likelihood of international movement because they lower the costs and risks of movement and increase the expected net returns to migration. Network connections constitute a form of social capital that people can draw upon. (Massey et al. 1993)

So it appears that within the macro political and economic structures of the Americas, less wealthy Latin American countries populations are drawn to the U.S. following both a classical approach on immigration drawing on pull and push theories (King 2012), but also for security and safety reasons, like the case of undocumented minors. Meanwhile, the U.S. has been trying to better control its southern border by increasingly tightening the access. Indeed, data from the Homeland Security show a steady increase of budget, allocated to Border Patrol. “A concrete example, is the border build up that represents by far the most expensive and prolonged budgetary initiative ever undertaken to reduce illegal immigration.” (Andres 2011, 107)

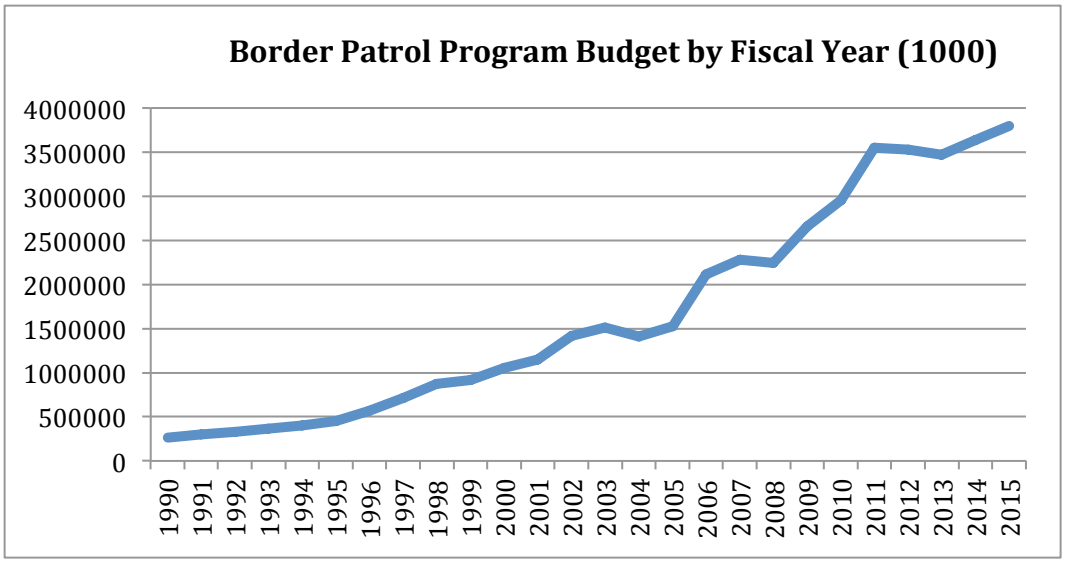

Figure 9: Created using data from Department of Homeland Security

Undocumented migrants are fully aware –at least nowadays contrarily to decades ago– of the difficulties they have to face, and in many ways know that they are unwelcomed. Nevertheless, they set into the migration journey because over a quasi certainty of a miserable existence plagued with violence and/or death, there is the hope of a better something elsewhere. It explains why parents and relatives of Central American minors put enormous personal resources to help their kin to migrate all the way from Central America to the U.S. even if that means going through a journey they nickname *El Sufrimiento* (Holmes 2013).

The journey to *El Norte* is essentially a grand human smuggling operation, which has become more and more hijacked by criminal organizations. A smuggling operation:

> is a high-risk, often high-yield business estimated to generate $6.6 billion a year for smugglers along Latin America's routes to the U.S., according to a 2010 United Nations report. The migrants pay anywhere from $5,000 to $10,000 each for the illegal journey across thousands of miles in the care of smuggling networks that in turn pay off government officials, gangs operating on trains and drug cartels controlling the routes north. (Castillo and Sherman 2014)

"Smugglers have become more skilled as border enforcement has become more intensive. […] They have developed a sophisticated infrastructure to successfully counteract U.S. Border Patrol operations along the Southwest Border" (Andres 2011, 118) The coyote or professional smuggler is at the center of this apparatus thus "has come to play a crucial role in the current battle for the border by assisting millions. [Indeed] recent research evidence suggest that the majority of undocumented migrants [from Central America] enter the U.S. with the assistance of a smuggler."(Spener 2011, 132) Incidentally, migrants relying on coyote lead to the amalgam criminalization in the public discourse of both the immigrants and the smuggler. " For example, some conservatives members of the U.S. Congress are quick to point out that undocumented aliens are criminals by virtue of their illegal crossing or visa overstay." (Koslowski 2011, 340)

For most of the children – but also other Central American adult migrants – the first major obstacle is the heavily controlled "Mexico-Guatemala border [that] divides NAFTA countries from Central America and acts as a strategic southern gateway to North America."(Sladkova 2010, 15) Indeed, although little is known or at least publicized in the U.S that Mexico has become the defacto watch guard of U.S southern border. " Together, the U.S and Mexico have apprehended almost 1 million people who originated from the Northern Triangle of Central America in the past five years, and have deported more than 800,000 of them. Many of these were children."(Dominguez-Villegas and Rietig 2015) And actually "while the U.S and Mexico each deport [back to Central America] a large number of adults, Mexico was responsible [during the past five years] for deporting four out of five child" (Dominguez-Villegas and Rietig 2015).

When the migrants reach the Southern Mexican border, whether accompanied by smuggler or not, they do so to speak have then a real taste of how dangerous and uncertain the journey to *El Norte* will be. Effectively, The border zone itself has become a nest for gangs that see into the smuggling a business opportunity, both to ransom or/and rob migrants from their little possession, but also to use them when it is possible as mule for drug in direction of North America. It is thus legitimate to question if contrarily to the constructed automatic criminalization of undocumented migrants, they are not in fact in many cases victims of a system.

> Migrants die in these border towns at a rate two or three a week in the hands of gangs… Still many manage to go through and while it may take times or several attempts, most do succeed in crossing into Mexico, which they traverse in different ways depending on their finances and whether they are traveling with or without a coyote. (Sladkova 2010, 16)

Across Mexico, the journey is not getting better. Migrants continue to suffer from many corrupted Mexico officials who extort them as well as from bandits and gangs members. Danger and death are thus a constant part of the journey that for many is done on top of cargo train nicknamed *La Bestia*, the beast. (Baubien 2011; Sayre 2014) "One train engineer says that many migrants fall under the train cars as they try to board them [while the train is moving] or from fatigue by days without food."(Sladkova 2010, 18)

3.3. The U.S. Border Processing Centers

In many ways, the surge of undocumented migrants – Children and adults alike – caught at the border can be interpreted as a success for the U.S. government efforts in hindering illegal immigration. What generally happens then is that most undocumented minor migrants literally walk to the border patrol to be apprehended, although many also get caught while trying to go through other routes. In any cases:

> The majority of unaccompanied children encountered at the border when apprehended, are processed, and initially detained by U.S. Customs and Border Protection service, which is a part of the Department of Homeland Security. Unlike adults or families, though, unaccompanied children cannot be placed into expedited removal proceedings. Children from non-contiguous countries, such as El Salvador, Guatemala, or Honduras, are placed into standard removal proceedings in immigration court. (American Immigration Council 2014b)

Because of the incredible increase number of these children, the facilities and as matter of fact, the whole administrative and judicial system designed to process undocumented minors are overwhelmed. The result is overcrowded processing centers that resemble refugee camps. Also more reports started to surface on how these minors in particular but also the adult undocumented migrants are being poorly treated, which in many cases violate not only U.S. but also international laws regarding the treatment of detainees and their human rights. In Nogales, AZ for instance:

> A 120,000-square-foot warehouse serves as a [detention center]. In a makeshift-processing center, the children — all minors caught crossing the border in the Rio Grande Valley of Texas without parents — are housed for as many as three days or more in nine holding pens. Boys are separated from girls and older children from younger ones; teenage mothers and their babies stay in a cell of their own. There is barely room to walk; mattresses line the concrete floor, which also has long bleachers bolted to it. As detainees, none of the children are allowed to go outside except to exercise for 45 minutes to an hour a day. (Santos 2014)

Other stories of physical, mistreatments and mental abuses from guards have started to surface as well to the point of even prompting congressional hearing. "Nobody expects a Border Patrol processing center to be luxurious, but the children's descriptions of the freezing rooms alarmed lawmakers [during a congressional hearing regarding the situation in these processing centers that are by the way run for profit business.] Reports of extreme cold in immigrant processing centers have been common enough in recent years that many immigrants -- and, according to some reports, even some Border Patrol agents themselves -- refer to them derisively as *hieleras*, or iceboxes." (B. Lee 2014)

Fortunately some of the children are being reunited with relatives in the U.S. like nine years old "Ligsdenis Ochoa, who arrived in Charlotte, NC [in October 2014] to be

reunited with her mother, after a trek from Honduras that had her hiking for days, crossing rivers and clinging to the tops of freight trains. She was accompanied by her grandmother, a woman in her 50s who is still being held in a Texas detention facility" (Price 2014). The process of reunification of UAC with local relatives and sponsors has sparked several protests in local communities that refuse the host these minors. For instance, "a crowd of 200 to 300 people in downtown Murrieta, CA surrounded buses carrying immigrant detainees […], causing the buses to turn around before they reached a Border Patrol station in the Riverside County city. Waving Americans flags and protest signs, the crowd refused to give way when the buses arrived with some 140 detainees from Texas"(Hansen and Boster 2014).

In the politically divided U.S. the issue then is mostly not approached in its entirety because it is been framing as political currency, as the political establishment use it to gain political support. The old simplistic rhetoric of blaming immigrants for unemployment, national deficits, criminality etc. is being used in the U.S. mainly by the political right and far right to frame the crisis then harvesting social resentments. Such approach consequently obliterates the other aspects like the humanitarian one, and in a wider perspective, the U.S. foreign policy in Latin America, that are intrinsically linked to the current crisis of undocumented minors at the border. The refusal of some local communities to accept these minors in their communities is often fueled by narratives that in the best cases are misinformed or blatantly and intentionally politicized; and this is where we currently are; the federal government seeking to fulfill international engagements regarding human rights but also facing national politics. So still, no definitive solutions have been found for these minors.

North Carolina and particularly Mecklenburg County have been receiving an important number of these undocumented minors. The second part of this study is then to address the specificities of that situation. Why are so many undocumented and unaccompanied minors from Central America are being sent to Mecklenburg County? What does that tells in term of demography in Charlotte Mecklenburg, North Carolina and the whole New South in general? How is the situation affecting local and state politics and how does the state engage both with the minors, local and federal government regarding the issue.

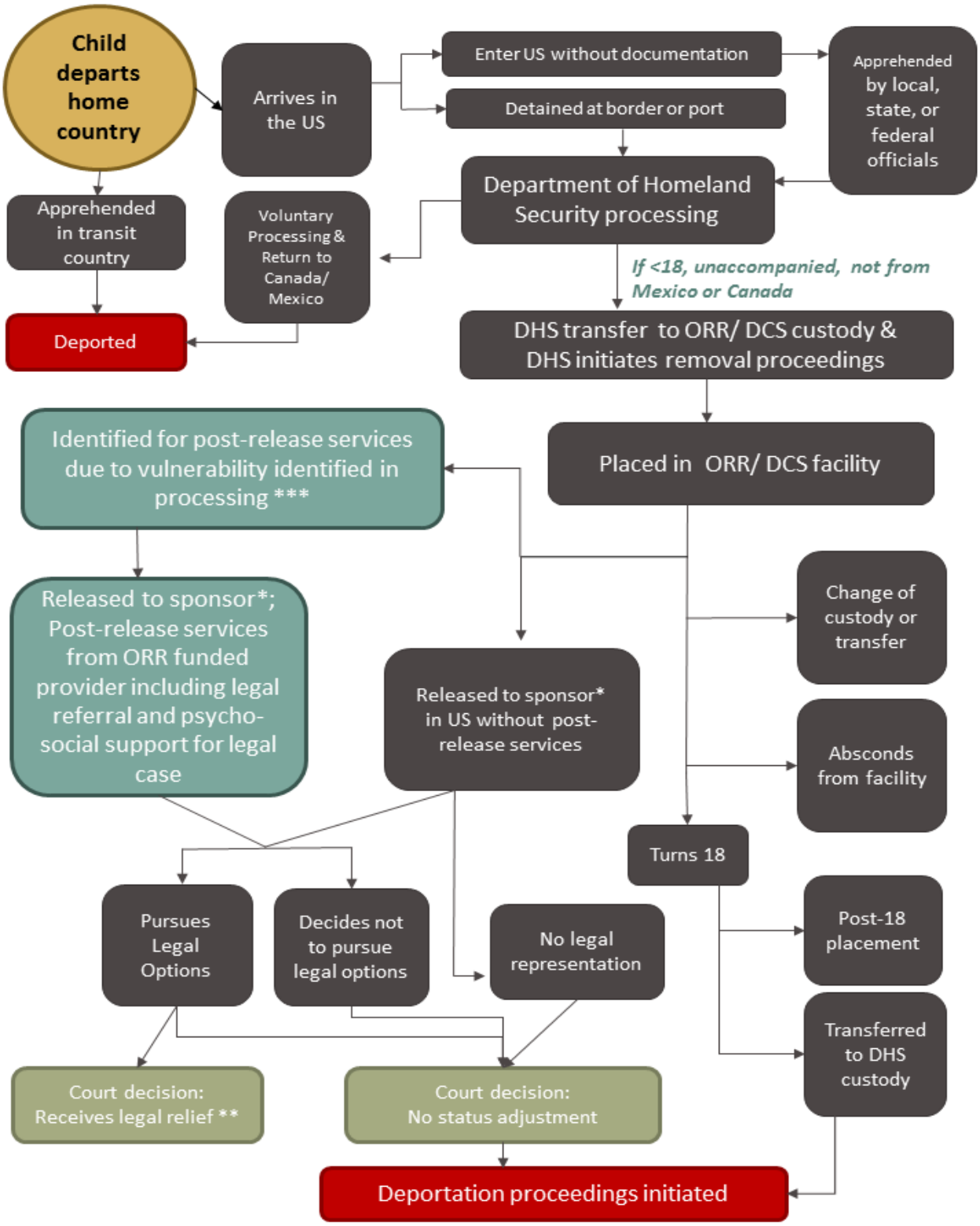

Figure 11: build on an earlier graphic from the Vera Institute of Justice, tracing the detainment process (Roth and Grace 2015)

CHAPTER 3: MECKLENBURG COUNTY, NORTH CAROLINA AND THE RISE OF UNDOCUMENTED MINORS FROM CENTRAL AMERICA

Part One: Overview Of the System: From the Border to North Carolina

> Nowhere in the United States has seen a more rapid growth of the Latino population in recent years than the South. In the 1990s the region, and especially Georgia and North Carolina, became a popular destination for many different people because of its booming economy, low cost of living, and temperate climate. References to the "new" South reflect this dynamism, moving away from traditional images of economic backwardness and racial segregation. (G. B. Weeks and Weeks 2015)

"It has also been argued that IRCA (Immigration Reform and Control Act of 1986) served to increase the movement of Latinos out of traditional location, especially the West. Once granted legal status Latinos had greater freedom to seek employment in new areas requiring labor" (G. Weeks, Weeks, and Weeks 2006). "Most of the Latinos in North Carolina are of Mexican origin (65.1%), Puerto Ricans comprise 8.2%, and Cubans are 1.9%. The remaining 24.8% are from other Central or South American countries, or other Hispanic categories" (Walbert 2009).

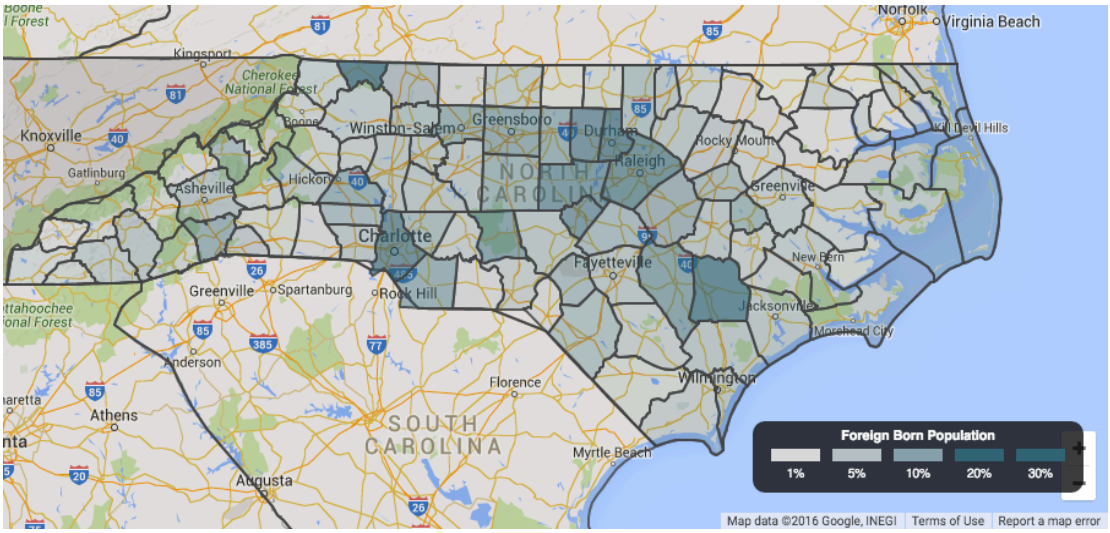

Figure 12: Foreign born population distribution in North Carolina – 2015 Google http://maps.gcir.org/

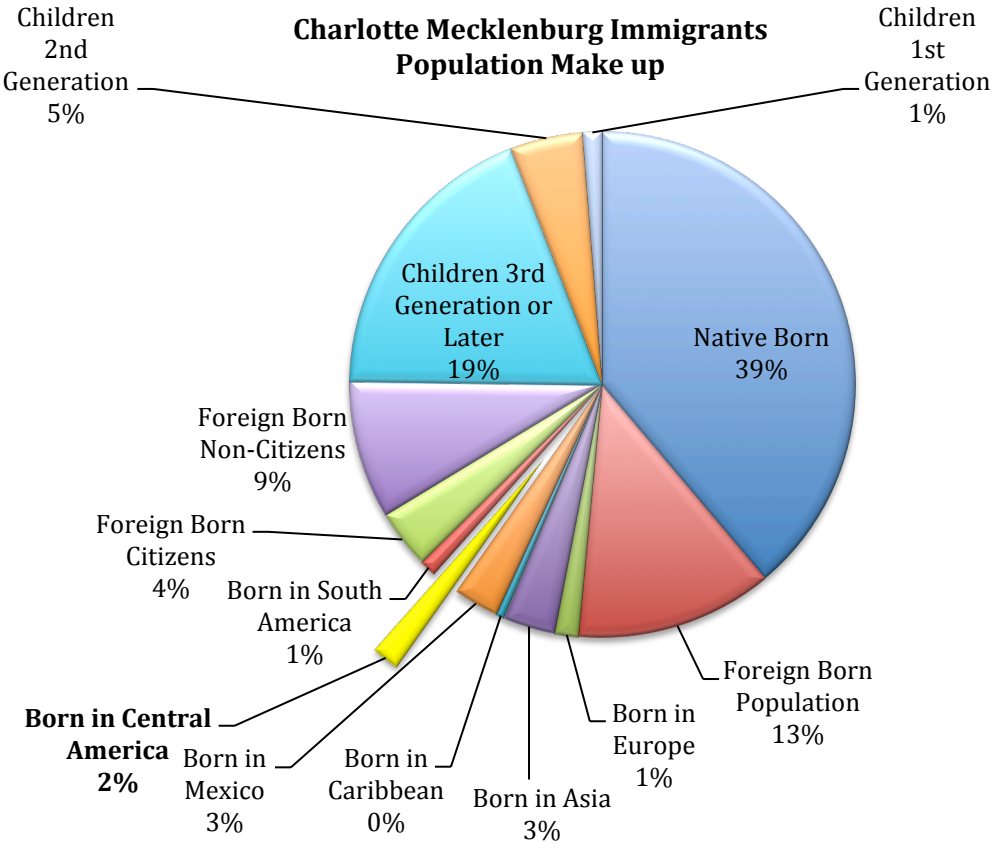

Figure 13: Population distribution in Mecklenburg County, North Carolina – Created using data from 2015

North Carolina is among the top ten U.S. states receiving the highest UAC. This fact informs in many ways on how demography is shifting in the state. Effectively, according to the Department of Human & Health Services guidelines, a minor is released to an identified family relative or sponsor. It means that to be released to an individual, HHS must establish a connection between the sponsor and the minor. And mostly this connection happens to be either family or at least someone from the same country of origin. Indeed:

> One of ORR's principal responsibilities is to implement the Flores settlement's guidelines favoring timely release of unaccompanied children to an approved sponsor unless continued custody is necessary to ensure their appearance before DHS or in immigration court. The process of release to a sponsor is called reunification, even if the child did not previously live with this individual, family, or program. (Byrne and Miller 2012)

Following are the entities to whom the Flores Agreement injuncts the Office of Refugees Resettlement to release the minor into its custody and by priority order whenever possible:

1. A parent;
2. A legal guardian;
3. An adult relative (brother, sister, aunt, uncle, or grandparent);
4. An adult individual or entity designated by the child's parent or legal guardian as capable and willing to provide care;
5. A licensed program willing to accept legal custody (such as a shelter for homeless youth); or
6. An adult or entity approved by ORR, when another alternative to long-term detention is unlikely and family reunification does not appear to be a reasonable possibility. (Byrne and Miller 2012)

One logical consequence of following the guidelines coming from the Flores Agreement is that that the more Central American nationals a state has, the more UAC Human Services is likely to send in such state.

State	Child Migrants Released to Sponsors	Rank for Number of Children Released to Family	Northern Triangle Immigrant Population	Rank for Foreign-Born Population	Unaccompanied Minors Released per 1000 Foreign Born
Texas	10178	1	333000	2	31
California	8892	2	760000	1	12
New York	8184	3	230000	3	36
Florida	7930	4	214000	4	37
Maryland	5381	5	149000	6	36
Virginia	5262	6	150000	5	35
New Jersey	3879	7	114000	7	34
Georgia	2947	8	65000	10	45
North Carolina	2794	9	85000	8	33
Louisiana	2143	10	31000	13	69
Massachusetts	2003	11	76000	9	26
Tenesse	1935	12	27000	15	72
Alabama	1514	13	13000	29	116
Ohio	1066	14	16000	24	67
Pennsylvania	946	15	26000	16	36
south Carolina	837	16	18000	20	47
Illinois	815	17	35000	11	23
Connecticut	725	18	29000	14	25
Kentucky	655	19	9000	35	73
Indiana	654	20	14000	28	31

Figure 12: The 2015 Office of Refugee Resettlement data is provided through August 31, 2015. The data on unaccompanied child migrants are for all children registered as UAC by ORR, and are not restricted to children from the Northern Triangle, so could include small numbers from Mexico or other countries.
Source: MPI analysis of U.S Census Bureau 2013 ACS data, ORR, "Unaccompanied Children Released to Sponsors by State" (Pierce 2015)

The previous graph confirms that the higher the number of Northern Triangle (Guatemala, Honduras, El Salvador) population a state has, the higher is the number of child migrant released into that state to a sponsor

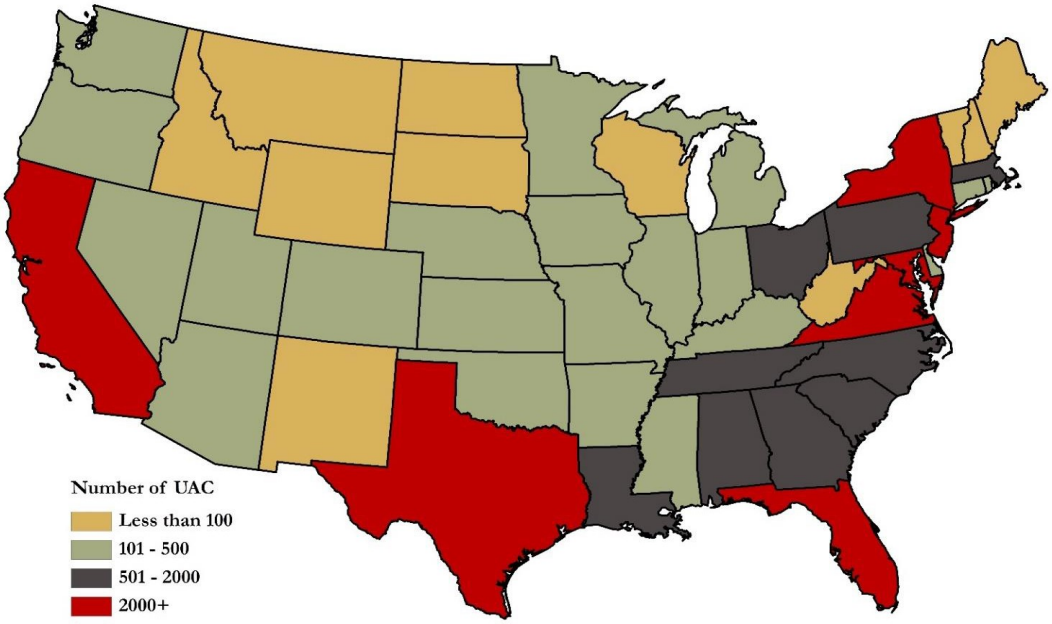

Figure 13: Source: ORR UAC release data from January 1 – September 3014

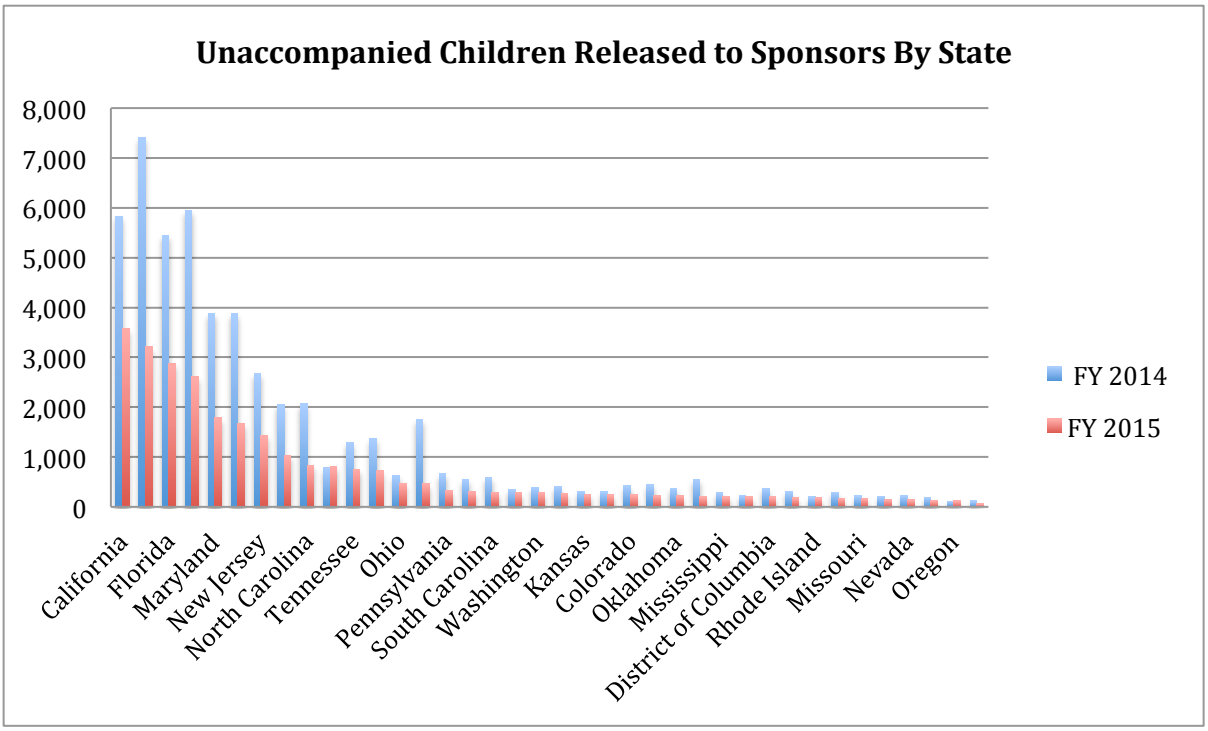

Figure 14: created using data from Office of Refugee Resettlement

Part Two: North Carolina and its Uneven Approach to the UAC Crisis

Again, the rational behind the fact that North Carolina is among the ten top receiving states of UAC is because here in North Carolina there are sufficient sponsors available and identified by the Department of Human Services to step in and host these minors. Generally then, the more UAC a state or county receives, the more sponsors this state or county this state has.

> Situated on the border with South Carolina, Charlotte, North Carolina, is the core city in Mecklenburg County, which also includes the suburban cities of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville. Charlotte has been labeled the fourth largest hypergrowth Latino destination, because between 1980 and 2000 the Latino population grew by 932 percent (G. Weeks, Weeks, and Weeks 2006).

It is then not surprising that the number of Undocumented Alien Children (UAC) in North Carolina has been steadily increasing roughly around 2013. That rise mirrors the situation at a national level as the number of UAC apprehended by Homeland Security at the border has been steadily increasing since the early 2010 with a sharp pick in 2014

Unaccompanied Children Released to Sponsors

	Oct 13- Sept. 14	Oct 14 - Sept. 15
North Carolina	2,064	833

FY2014 Oct 13 - Sept 14

County	Number
Burke County	55
Duplin County	54
Durham County	215
Guilford County	63
Mecklenburg County	683
Sampson County	62
Wake County	250
Wayne County	71
	1453

FY 2015 Oct 14 - Sept 15

County	Number
Durham County	88
Mecklenburg County	208
Wake County	96
Wayne County	56
	448

Figure 15: Graph created using data from Office of Refugee Resettlement state by state placed sponsors

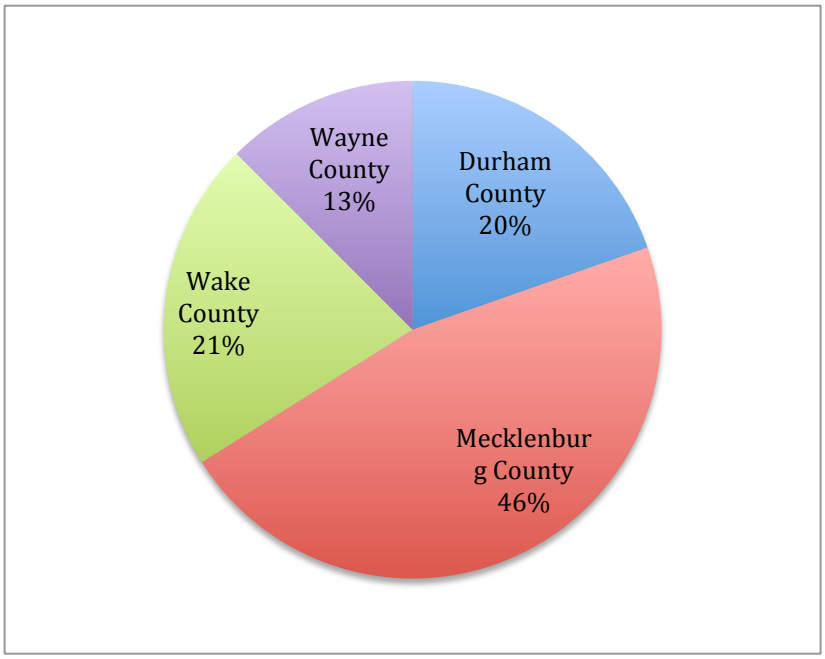

Figure 16: Graph created using data from Office of Refugee Resettlement, unaccompanied children released to sponsor in NC 2014/15

The data above inform us that by the end of the fiscal year 2014, 1453 (70.4 %) of the 2064 UAC sent to North Carolina had already been processed and placed with sponsors. The rest numbering 611 minors were still in the custody of state and federal agencies waiting to be processed. The data also inform that 684 of the 1453 minors that were placed with sponsors were sent to Mecklenburg County. This roughly means that in the fiscal year 2014, Mecklenburg County received about 47%, which is very close to 50% of the total of UAC placed with sponsors in North Carolina. In the fiscal year 2015, Mecklenburg County also received 46 % of the total released UAC in the state of North Carolina. As so far as January 2016, Mecklenburg County had received 161 UAC which is about 72% of the UAC total number released so far for the fiscal year 2016. What basically these data reveal, it is that Mecklenburg County bar far receives more UAC than any other county in North Carolina. And this merits attention.

Not surprisingly, the increase of UAC in North Carolina and especially in Charlotte-Mecklenburg area is triggering reactions, both at the state and local level. North Carolina Governor Pat McCrory expects "the number of undocumented children to [keep rising] fairly dramatically due to North Carolina's large Latino population being targeted by the feds for sponsor families. [Governor McCrory also voiced the fact that] The way the system is supposed to work is that these children should be returned home [and that] there should have been efforts in place long ago to ensure that this large wave of children should not have been allowed across the border" (Way 2014). The disfavorable views of Governor McCrory towards the UAC in many ways espouse the general disposition among the political right in the U.S. and the fact that North Carolina General Assembly is currently a Republican super-majority controlled political body. The NC General

Assembly and Governor McCrory in overall justified their position by voicing public health concern regarding UAC and also constraints on resources notably on funds allocated to North Carolina public schools. Also, " Gov. Pat McCrory joined a multistate coalition of [GOP] governors and attorneys general who sued the federal government and immigration agencies to try to derail executive actions by President Barack Obama to defer deportation for as many as 5 million people" (Blythe 2014).

The Flores Agreement of 1997 reinforced by the Victims of Trafficking and Violence Protection Acts of 2000 basically bind the federal government to handle the situation of undocumented minors. This is why accordingly to federal laws, the Department of Health and Human Services sends minors wherever it finds appropriate hosts for the children. And because they are minors, these children are entitled to go to public schools. This can result like it is the case in North Carolina, into a conflict between federal agencies and local governments who may adopt contradicting policies. And this is exactly how representatives at the state level in North Carolina are responding to the increase of UAC.

> On October 2015, NC Governor Pat McCrory signed HB 318 into law titled the "Protect North Carolina Workers Act. HB 318 establishes new rules regarding the types of identification that can be accepted to determine a person's identity or residency, and explicitly restricts the use of the matricula consular, a form of identification issued by foreign consulates and commonly used by immigrants, including those that are undocumented. The bill specifically prevents "justices, judges, clerks, magistrates, law enforcement officers, and other government officials" from accepting restricted forms of identification. A valid identification is critical for parents to be able to access services on behalf of their children. The bill could impact children's access to education as parents often depend on identification documents to establish both their identity as well as their residency when enrolling their children in school. It may deter undocumented immigrant families from seeking to enroll their children. (NC Child 2016)

What concretely HB318 does is in fact outlawing the concept of sanctuary cities in North Carolina. Effectively, “several North Carolina municipalities, including Durham, Chapel Hill and Carrboro, have so-called "sanctuary city" policies that instruct law enforcement and other officials not to ask the immigration status of people with whom they come into contact or even ignore deportation orders in some cases” (Santiago and Burns 2015).

The actions taken by the North Carolina General Assembly as well as the governor, found positive echoes among some localities in the state. So far, since the federal government has been sending UAC to North Carolina, several counties have passed resolutions opposing receiving UAC and integrating them into the school system. Surrey County, Rowan County, Buncombe County, Winston-Salem are among the counties that have passed resolutions explicitly expressing their refusal to have UAC integrate their school systems. Immigrants’ rights advocates have acted subsequently by suing some of those counties on the ground of Plyer v. Doe US Supreme (Olivas 2012) Court decision of 1982 that acknowledges the rights of access to public education. For instance, “the Southern Poverty Law Center filed a complaint with the U.S. Department of Justice’s Civil Rights Division against the Buncombe County Schools in Asheville and the Union County Public Schools in Monroe. Specifically, the complaint alleges that “unaccompanied children” who come to the United States without their parents are being discriminated against” (Unmuth 2014)

Other counties in North Carolina have adopted a quite opposite approach in terms of policy and practices regarding UAC. “The Durham City Council passed a resolution to express its support for local government departments to provide services to the

children" (E. Y.-H. Lee 2015) the situation is similar also for Orange County. Charlotte-Mecklenburg also in many ways has been welcoming the unaccompanied minors. "Mecklenburg hasn't yet passed a "welcoming resolution," [but] Charlotte's local elected, nonprofit, and faith leaders came together following the crisis to launch an initiative to build support and gather resources to help unaccompanied children. Its school system has also earned praise for responding quickly to the increase in immigrant students" (Yee 2015) "Communities and civil society organizations have mobilized to serve these children. Charlotte-Mecklenburg Schools received federal Title III money to pay for programs serving immigrant children with limited English-language skills. In the process, CMS has partnered with Communities in Schools of Charlotte-Mecklenburg to develop and implement them. Catholic Charities of Charlotte continues its afterschool programs for refugee children (Hyland 2016).

Part Three: Tackling the Situation at the County Level: Charlotte- Mecklenburg School System (CMS) Partnership with Charlotte- Mecklenburg Community in Schools

> There are currently 50.1 million K-12 students in public schools across the U.S. In North Carolina, these children represent an increase of less than one-tenth of 1% of the student population. Children who attend our schools have typically been vaccinated in their home countries and, as a safety precaution, are given a medical exam and a complete slate of vaccinations by the Office of Refugee Resettlement before being released to their sponsors (Coalición Latinoamericana 2014).

School is the best way for an immigrant child to integrate into the wider society. By familiarizing the new comer with the language and the culture at large, it offers pathways of socialization. In a broader picture:

> The financial ramifications of dropping out of high school [or not going to school at all] hurt more than the individual. It's estimated that half of all Americans on public assistance are dropouts. [And] if all of the dropouts from the class of 2011 had earned diplomas, the nation would benefit from an estimated $154 billion in income over their working lifetimes. (Lynch 2016)

Public policies that then encourage or hinder access to public education have consequences impacting the community as a whole. "While their cases go through the court system, [unaccompanied children sponsors] have been trying to get them enrolled in school" (Hui 2014).

Mecklenburg County officials have opted to facilitate in many was to the ease public education access without making immigration status as a prerequisite. Data provided by the North Carolina Department of Public Instruction show that among the top fifty schools that have the highest number of Hispanic students population, twenty-one of these schools are located in Charlotte-Mecklenburg School system. Moreover, the four schools in North Carolina that have the largest number of Hispanic population students are all in Charlotte-Mecklenburg School system. These four schools are South Mecklenburg High, Garinger High, and Independence High and Albemarle Road Elementary. Charlotte-Mecklenburg School system has opted for a welcoming policy in concordance with the county public authorities. This translates in the fact that children are, or their parents are not asked to provide documentation attesting their immigration status. In other words, students are not asked if they are undocumented, unaccompanied or not. However, the timing of a sharp rise of Latino student population, corresponding with a rise of UAC sent to Mecklenburg County suggests that many of UAC enroll into CMS system.

To face the rise in enrollment following the arrival of UAC into the county, CMS partners with community organizations like Communities In Schools to provide adequate services that target this type of student population. In the course of this study, I have met several times with the staff of Community in Schools Charlotte-Mecklenburg and also Federico Rios the Director of Elementary Schools and Immigrant Services of the agency. Community In Schools Charlotte-Mecklenburg is an affiliate of Community In Schools.

> Community In Schools is a "national federation organization with about 200 affiliates currently in 25 states and the District of Columbia and serving nearly 1.3 million students in 3,400 schools. At the heart of the organization is a mission to surround students with a community of support, empowering them to say in school and achieve in life. (ICF International 2010)

It is in that capacity that Community in Schools Charlotte-Mecklenburg teams up with Charlotte Mecklenburg School system to address the particular needs of UAC students.

Two teams work in synergy to address the needs of UAC but also a wider population of student refugees. For the immigrant piece, the schools where Communities In Schools focuses its work are Albemarle Road Elementary School, East Way Middle School, Garinger High & Harding University High. Interestingly and not surprisingly, these schools are among those in the whole state of North Carolina that have the highest number of Latino students; a number that has been steadily rising since the past four years, coincidentally following the influx of unaccompanied children. Communities In Schools provides Full-time staff working in those schools, providing to students support and case management services. The elementary staff would typically take up on 92 to 100 students a semester and for the immigrant services as many students having been identified as newly arrived immigrants from El Salvador, Honduras or Guatemala. CMS

has no way of flagging a student, and identifying him or her as an UAC unless receiving documents from ORR in the process of enrollment. In another word, CMS does not ask whether a child is documented or not. - In fact they are not allowed to do so, as no proof of citizenship is required to enroll K-12 students. So for Communities In Schools, the easiest way to figure out whether a child is unaccompanied or not, is to target the whole of that particular population, Salvador, Guatemala, Honduras that have came over within two years span. And assessing the type of services needed by such students.

A significant challenge that the staff of Communities In Schools has to face, at least regarding the older students (fifteen and plus) is to keep them in school. Effectively, many of these students come to school to learn elementary and conversational English to be able to find jobs and provide for either their family or reimbursing family or personal debts incurred for their immigration journey. And regarding finding a job, one should connect the rise of Latino population in the New South and the Charlotte-Mecklenburg area particularly to the economic boom of the region, experienced in the mid 1990s and especially post 2008 depression. The growth of the region has been attracting workers and most especially cheap labor in the construction industry. So, thinking about it from a geographic standpoint, Central Americans that go to the northeast are primarily going to work in restaurants and hospitalities type industry. Effectively, it is very hard for this population to work in the construction industry in New York or Connecticut for instance, because of the unions. But any immigrant, with or without documentation can definitively come to Charlotte-Mecklenburg and get subcontracted to do the job. So we first drew in the parents from Central America and as the safety crisis severed in El Salvador, Honduras and Guatemala, the children followed.

Also, put into perspective, these UAC are aware that their legal status is mostly in limbo, and a consequence of such is the quasi-impossibility to pursue a secondary education or work in better-remunerated jobs. Therefore, the paradigm is to either staying in school or to make money right now with the constant looming presence of a possible deportation.

Another central issue that Communities In Schools has been raising is the mental health need that UAC are sorely in need and often lack of. Effectively "The greater the refugee's pre-migration trauma, the more difficult the process of adaptation to the host country. Preoccupation with past traumatic events such as significant losses and exposure to extreme violence, as well as the migration experience itself, may impede the acculturation process" (Cervantes, Salgado de Snyder, and Padilla 1989) .

> The likelihood that unaccompanied asylum-seeking minors might have experienced violence and other traumatic events before, during and after their journeys to the U.S. is very high. These events can include criminal victimization, physical, verbal, or sexual abuse, as vicarious traumatization. While these experiences may vary in intensity and pervasiveness, they are often severe enough to warrant close examination and psychological treatment. (Fernández, Chavez-Dueñas, and Consoli 2015)

Assessment made by Community In Schools reveals that UAC students are in dire need of socio-psychological and emotional attention resulting of the trauma they went through. Unfortunately these needs are not entirely addressed by authorities for lack of funding. And according to Federico Rios, Director of Charlotte-Mecklenburg Community In Schools, "We can try to educate them all day long, but if we are not dealing with some of the trauma that they faced, we are not really going to be successful from an educational standpoint. And this is what we are really addressing in our work." To reach

this goal, Charlotte-Mecklenburg Community In Schools focuses on staff being trained in Trauma-Focused Cognitive Behavioral Therapy that can be executed by non-mental health practitioner. An important part of the public money received to address the needs of UAC students, is dedicated to address in many ways these psychological traumas they have been through. The idea of course is to proactively giving them the social tools they need to integrate the U.S. society and offer venues that would break cycles of disenfranchisement.

CHAPTER 4: CONCLUSION

The current crisis of undocumented minors also called Unaccompanied Alien Children (UAC) is a multifaceted problem. The issue does not only concern the U.S. but in a wider approach both North and Central America. The causes of the crisis are deeply rooted in security issues but in many aspects, economics and politics have been playing important roles as well. Historical facts expose a correlation between the U.S. foreign policy in the region and the contemporary crisis of UAC.

The fundamental and often first question that arises regarding the issue of Unaccompanied Alien Children (UAC) is why do they come here. I argue that a great part of the answer to such question lies in analyzing U.S. immigration but also foreign policies towards Central America. This I think starts with the Cold War, which will have a series of consequences, sometimes direct, sometimes indirect but that ultimately set in motion events in a domino effect that lead to the current crisis.

The Cold War and the U.S. doctrine of communism containment, primarily politically, economically and socially destabilized Central American nations through long, pernicious and highly traumatic civil wars for almost three decades. This set off in the 1980s waves of migration from countries like Guatemala, El Salvador and Honduras to the United States. These initial waves of migrants created anchorage pools or hooks for future migrations. This is a general process when it comes to immigration. The initial groups of migrants act as a kind of scouts. When established, they open the way for

future waves of countrymen to follow. With time, it creates nexuses between the place of origin and destination and as long as circumstances allow, the flow will continue until other, more suitable options rise.

The legacy of the Cold War would mainly be visible in Central America during the 1990s. That legacy is characterized by Guatemala, El Salvador, and Honduras coming out of decades of civil wars, with deep social scars, barely functional state apparatus, the inefficiency of judicial and police system, in sum, the inability of the state to provide efficient services. In the 1990s, there would also be a massive wave of migration from the region to the United States. These waves in the 1990s would be mostly economic migrants, and the most attractive option in the hemisphere for them would be the U.S.

Also it is important to point out that the migration waves of the 1990s was built upon structures and networks established by the first waves during the 1980s and would by the 1990s had obtained some type of legal documentation. And by the way, it is important here to say that when the migrants from the 1980s had obtained legal documentation from the U.S. immigrations services, they spread across the country, moving for most of them in the Southern U.S. states. It is an important thing to point out because that demographic redistribution of Guatemalans, Hondurans, and Salvadorans, later on, will play into how the UAC crisis is unfolding now.

Another point I see important when screening the legacy of the Cold War and how it is linked to the present UAC crisis is the legacy of violence. For three decades, violence whether from the state or opposition guerrillas reached extreme levels. The United Nations even mention cases of genocides committed for instance in Guatemala by a succession of military regimes. Violence has become some sort of mean of social

expression and that also would play an organic role in the UAC crisis. And in many ways, the U.S. would provide again the conditions by inadvertently igniting the social powder keg that these Central American states were. Effectively, starting late 1990s, the U.S. started to deport to Guatemala, El Salvador and Honduras thousands of Central American hardcore criminal gangs members who were thriving in the U.S. These young people from Central American origins mostly had come to the U.S. at a very young age in the 1980s with their immigrant parents or were born in the U.S. Almost overnight, El Salvador, Honduras, and Guatemala found themselves overwhelmed with thousands of "new citizen". These countries could not cope with such strains and prisons became quickly overpopulated and breeding grounds for highly sophisticated and organized criminals. Gangs also offered to impoverished with little social prospects, ways of social mobility that the state did not.

To make things worse, Central America, through a balloon effect had become the new highway for illegal drugs transiting to the United States. Effectively, due to the war on drugs and pressures by the U.S. on the Caribbean and South America, drug cartels reoriented their routes through lands. The combination of weak state apparatus in Honduras, El Salvador and Guatemala and the recent influx of U.S. born organized criminals offered to drug cartels and gangs ideal situation to flourish. This heightened the competition among U.S-born and rival gangs to control this formidable source of income. The U.S. then put pressure on Central American states to crack down on drug trafficking and the state apparatus often did what it learned to do after decades of civil war, which means responding through state terror. The result would be a widespread and indiscriminate violence. From the early 2000s, we would observe a rise

with a peak in late 2000s of criminality in Guatemala, Honduras, and El Salvador. Coincidentally during the same timeline, same pattern, we would also observe a rise of Unaccompanied Alien Children apprehended by Homeland Security.

So far I have tried to explain why these minors are coming from Guatemala, Honduras, and El Salvador. Still the puzzling and last question would be to know why minors? During the 1980s and 1990s, the migration waves were mostly made of adults, so why now are we witnessing waves of underage migrants? The answer to that question resides in two main facts. The first is that minors are the one targeted by gangs when they recruit. Through incentives, but also coercion gangs force youth to join their ranks. Number is essential to gang survival in the war they wage against each other and against the state. Also, it is important to keep in mind that the minors that are caught by homeland Security come here because they have parents or some other relatives that have come here most likely in the 1990s. They are the parents and relatives of children left home as traditionally adult migrate without children then send later for family members to join them. They are the people who most likely gather the necessary resources to pay smugglers for their children to be brought in the United States.

Another reason why this wave of migrants concerns underage has to do again with unintended consequences of U.S. policies. In this case, from 2000 to 20123, a series of U.S. laws[2] intended to protect against human trafficking somehow gave the general

[2] The Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386), the Trafficking Victims Protection Reauthorization Act of 2003 (H.R. 2620), the Trafficking Victims Protection Reauthorization Act of 2005 (H.R. 972), and the Trafficking Victims Protection Reauthorization Act of 2008 (H.R. 7311) provide the tools to combat trafficking in persons both worldwide and domestically. The Acts authorized the establishment of G/TIP and the President's Interagency Task Force to Monitor and Combat Trafficking in Persons to assist in the coordination of anti-trafficking efforts. (Department Of State. The Office of State Bureau of Public Affairs 2006)

impression in Central America that the U.S. will not deport underage undocumented migrants. Especially the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, which basically requires the U.S government to offer a due legal process to underage and undocumented migrants, and before returning them assuring that they would not be expedited and abandoned into the hands of human traffickers. A very consequence of this law is to give UAC time, often years for them to work their way through the U.S legal system with the hope of ultimately obtaining legal documentation. The non-immediate deportation after being apprehended by Homeland Security services has been fueling the narrative back in Guatemala, El Salvador, and Honduras that Children by law cannot be deported. It is also a narrative well exploited by smugglers for obvious financial interests.

Recognizing these facts does not in any way take away responsibilities of Central American leadership throughout the decades, but it helps to reframe the narrative and approach on the subject. Indeed:

> Frames powerfully shape our perceptions of a phenomenon. Much of the media [and an important part of the political establishment discourse] about migrant frame the crossing of the border as an individual decision. In the U.S., this framing results in a relative lack of grief for those who die [in the process or go through hardship because of their immigration status. It is] an eschewal of responsibility by policymakers and voters, and a lack of action toward meaningful change. (Holmes 2013)

How do the general public perceive these minors in particular but immigrants in general what is to be changed is the understanding of the crisis, resides into perception and frame, which translate into political narratives that push for (political) action. The framing of

the narrative has to do with politicians and media approach of the subject, but scholars as well. Indeed:

> Many mainstream migration studies assume a dichotomy between voluntary, economic, migrant on the one side and forced, political, refugee on the other. The logic behind this dichotomy claims that refugees are afforded rights in the host country because they were forced to migrate for political reasons. Conversely, labor migrants [and the undocumented minors] are not allowed these rights because they are understood to have chosen voluntarily to migrate for economic reasons. This dichotomy parses out "deservingness" largely based on whether a person is understood to have crossed the border by choice or by force. (Holmes 2013)

For the purpose of this research, I have met in Charlotte-Mecklenburg with immigrants advocate groups, professionals working for Charlotte-Mecklenburg School system, lawyers etc. Interviewing these professionals, gave me a better understanding of what is happening on the ground here in Charlotte-Mecklenburg. It took the narrative from a national perspective to bring it to the local and see how policies actually are translated on the ground and affect people.

One thing that is almost sure is the quasi-inefficient solution of deporting thousand of minors back to Central America. The immigration service already by law and because it is feasible automatically deports undocumented from contiguous countries (i.e. Canada and Mexico). Economically, logistically, politically and humanitarianly it is not conceivable for the U.S. government to do the same with hundred of thousands minors. The political show off of targeting few of them is also for lack of better word counterproductive at its best and immoral at its worst. Effectively in North Carolina Immigration and Customs Enforcement have targeted UAC students. The arrests happened while the students were on their way to school. According to immigration

advocates it has driven dozen of UAC students underground, dropping from school. Considering that it is close to impossible for ICE to deport all and even most of UAC, these raids can be seen as PR operations. It builds fear, hinders them to have a minimum education and participates into creating more venues of social disenfranchisement.

So now that these minors are in the U.S. an adequate approach would be not to repeat past mistakes by ostracizing them in a ghettoization like process, barring them access to education and opportunities and repeat the cycle of Los Angeles gangs, crimes and deportation. Reframing the approach on this crisis and the immigration approach at large has also to do with scholar and not only politicians and media. And talking about security reasons, the drug cartels that ravage Central America and recruit among the youth are in business because the U.S. is the ultimate and bigger consumer of illegal drugs. In many ways, the vitality of the drug trade and its subsequent violence racking Central American nations is a staunch statement of U.S. failure drug on war launched by coincidentally the Reagan administration during the 80s and pursued by subsequent administrations. Maybe it is time also to review that approach on the drug problem and its multifaceted ramifications.

Approaching the issue then has again, first and foremost to do on how one frames it. Because:

> Narratives include a central frame, or a combination of frames. Frames shape our views on what counts as a problem and what does not. Frames also affect which events will be noticed [Obama refuses to deport the undocumented minors] and which will not [an humanitarian crisis rooted in American foreign politic], as well as how they will be interpreted. […] Frames authorize, enable, and justify specific practices and policies [such as protesting against accepting these minors and fixing the immigration system] while precluding others (fixing the immigration system and looking at a regional approach to the subject). (Autesserre 2012)

Federico Rios of Community In Schools when assessing the UAC situation affirms: “For all intent of purpose, these children are refugees.” I agree with that statement. The way then we frame their situation and subsequently act upon, comparatively to the way we frame refugee children from saying Afghanistan, East Timor, South Sudan or Congo has more to do with politics and less with human rights, international laws, and often plain decency.

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