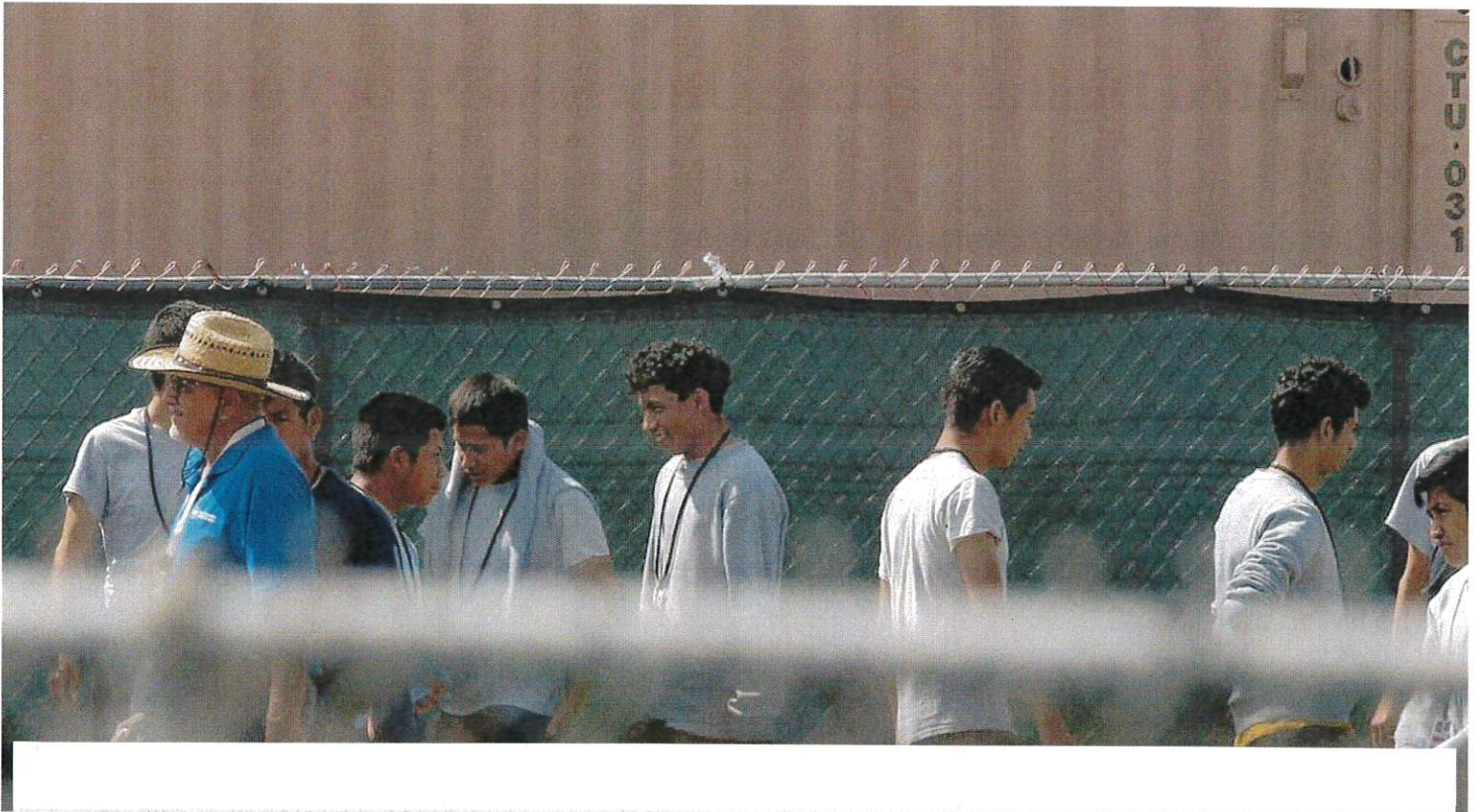


IMMIGRATION

Homestead isn't just for kids at the border, it's for kids living in the U.S. their whole lives

BY MONIQUE O. MADAN

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Migrant children walk outside at the Homestead Temporary Shelter for Unaccompanied Children a former Job Corps site that now houses them, on Friday, June 22, 2018. U.S. officials provided a glimpse into the South Florida facility housing more than 1,000 teen-age migrants, seeking to dispel any suggestions that children are being mistreated. BRYNN ANDERSON AP

At the 3,200 bed Homestead detention center for unaccompanied immigrant youths, one 15-year-old boy is an aberration: He has lived in the United States virtually his entire life.

Far from being a recent arrival at the southern border, the teen entered the country when he was a 9-month-old infant; he has lived in Houston his whole life, along with his mother, who brought him to the U.S. in 2004.

More than two weeks ago, the teen was detained in Texas when a local county cop pulled his uncle over for speeding. When they could not produce immigration documents, the boy and his uncle – the Miami Herald is not identifying either one because of their immigration status – were promptly arrested, then separated.

The teen, who was transferred among four different government agencies in four days prior to arriving in Homestead, is among thousands of detainees at the nation's largest detention center for unaccompanied minors in South Miami-Dade County. Both he and his mother originally arrived in the U.S. without documentation.

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SAVE NOW

Lawyers for teens at the Homestead facility say they've represented at least 20 other kids with similar cases: all were apprehended in the United States far from border towns or ports of entries without immigration documents, and while they were not physically with their biological parents, who live in the U.S.

"These children were all at the wrong place at the wrong time – arrested by Customs and Border Protection or Immigration and Customs Enforcement," said Michelle Ortiz, deputy director of

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children in Homestead. "Some of our clients have been apprehended in Florida, and others were transferred after apprehension in other states."

Ortiz said the children whom her organization has represented were either passengers in a car during a traffic stop in which a local police officer asked passengers for their papers, at CBP checkpoints "many miles away from the border," or were detained by ICE when agents "showed up at their home looking for an adult with an outstanding removal order."

"Some of our clients have been apprehended in Florida, and others were transferred after apprehension in other states," Ortiz said, noting that "most of these children have lived the majority of their lives in the U.S., and speak limited Spanish."

"As you can imagine, they experience extreme trauma when they are suddenly ripped from their families and their communities and taken to detention," she said.

Officials at the Department of Health and Human Services, the agency in charge of running detention centers for unaccompanied minors and then reuniting them with their parents, told the Miami Herald these scenarios "are not common but totally possible."

"This is not the first time this ever happened, that a child was referred to us from a non-border area," said HHS spokesman Mark Weber. "For some reason this boy was determined to be an unaccompanied minor, yes, even despite him living here his whole life with his mom. It doesn't happen a lot, but it happens. These are symptoms of a broken system."

'DEAD OR KIDNAPPED'

The teen's story began when he went to work with his uncle in order to save up some cash.

With high school out for the summer, the boy told his mom he wanted to help her pay some bills, as well as save up for the new iPhone. He made an agreement with his uncle, who works construction, that he'd help him out on the job.

The two, along with three other workers, hit the road and headed to Refugio, Texas, about two hours from Houston.

"June 26, that's the last time I spoke to him," the Houston mother frantically told the Miami

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A few days later, the mother received a call from her brother-in-law — the boy's uncle — who was at an ICE detention facility near Corpus Christi.

He told her he was pulled over for speeding and that the boy was taken by CBP after the cops on the scene contacted the federal agency.

“He begged to call his mom but the police and immigration agents didn't allow him to,” the uncle told the Miami Herald over the phone from the detention facility. “My nephew was crying so bad, it was devastating seeing him be taken away from me.”

Though the mother knew her son was in custody, she still didn't know where he had been taken to. For days, she called ICE and CBP and got no answers. She said they kept bouncing her from agency to agency.

The mother ultimately contacted a Florida attorney who told her to call the Office of Refugee Resettlement, the federal agency that operates detention centers for minors.

When she called ORR, they told her that her son was not in their custody, and to call CBP and ICE.

“It wasn't until I lied and told them I knew my child was at Homestead that they confirmed” it, she told the Herald. “In reality I didn't know that, I just remember seeing Homestead on the news.”

“This case, and the case of every other child who has been snatched from their communities without warning, and taken to detention without any opportunity to call their parents, are the direct result of the Trump administration's indiscriminate enforcement practices,” Ortiz said. “ICE and CBP no longer use their discretion to abstain from detaining children living in our communities. We are very concerned that the administration's proposed family raids will only lead to more stories like these.”

CBP told the Herald the agency needs to follow “legal requirements... to ensure the safety of the child.”

“When a minor child without lawful status arrives at a port of entry, or enters in between our ports of entry, alone or with someone other than a parent or legal guardian, the child will be processed as an unaccompanied child and will be referred to [HHS] for further disposition and placement, which is often with a family member or family friend already in the United States,”

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CBP policy does not define what “between ports of entry” means. The policy “does not define distance,” a CBP spokeswoman said.

The policy does however specify that “unaccompanied alien children must be offered use of a telephone.”

According to his mom, that call didn’t come for another five days, two days after he was placed in ORR custody at Homestead.

“He was so desperate and crying so hard,” she told the Herald. “My heart was in pieces but at the same time I got my heartbeat back when I heard his voice. Can you imagine what it’s like not knowing where your son was for five days?”

The teen, an advanced honor roll student and avid soccer player who just got accepted into a dual enrollment program at his community college, begged his mom Thursday to “come get him.”

“It breaks my soul that I can’t. I told him I filled out all the paperwork and that I’m just waiting on the government to bring him back to me,” she said.

APPREHENSION PRACTICES

Had the boy been detained during the Obama administration, he likely would have been considered for DACA, Deferred Action for Childhood Arrivals. The policy allows people who were brought into the U.S. as children to receive a renewable two-year period of deferred action from deportation and become eligible for a work permit.

But in January 2017, President Donald Trump issued an executive order that no longer exempted “classes or categories of removable aliens from potential enforcement.”

Denise Bell, a researcher for refugee and migrant rights at Amnesty International USA, told the Herald she was “particularly concerned with the practices the administration uses to render children accompanied, whether that be within communities inside the United States or at the border.”

“Apprehending children who have lived in the United States for most of their lives inflicts terror on immigrant families and communities of color,” she said. “It is also a reckless misuse of resources, in a time when the administration claims that it does not have enough resources to

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According to the U.S. government, an unaccompanied minor is defined as anyone with no lawful immigration status under age 18 who has no parent or legal guardian in the United States, or has no parent or legal guardian in the United States available to provide care and physical custody.

“It’s the word ‘available,’ said Bell. “Because that child in Houston wasn’t physically there with his mother, he was sent to detention.”

The teen now could face deportation.

As of Friday, 16 days after his arrest, he remains in Homestead, and there is no indication when he will be released.



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