

# FACT SHEET

8/1/02

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## INS' Office of Juvenile Affairs

### Background

The Immigration and Naturalization Service (INS) recently established an Office of Juvenile Affairs dedicated to identifying and addressing the concerns of juveniles in INS custody. The office will adopt a cross-disciplinary approach, viewing the juvenile as a child first and foremost. The Director of the Office will report directly to the Commissioner of the INS and will have direct line authority over officers in the field making and implementing decisions regarding juveniles.

The backbone of the Office of Juvenile Affairs will be dedicated full-time juvenile Case Management Officers responsible for managing reasonable caseloads. Through the Case Management Officers, the Office of Juvenile Affairs will make placement decisions. This means determining whether a particular juvenile should be released to a family member or other guardian or should be placed in a shelter care facility, secure detention, or foster care. The Office of Juvenile Affairs will make decisions regarding removal proceedings and make recommendations regarding parole decisions for unaccompanied minors.

The custody and care of juveniles currently in the United States without parents or legal guardians presents unique challenges. The number of unaccompanied juveniles arriving in the United States has more than doubled in the last five years, rising from 2,375 in FY 1997 to 5,385 in FY 2001. The Office of Juvenile Affairs will provide an integrated response to this growing population seeking alternatives to detention whenever possible and ensuring that juveniles have access to all benefits and services to which they are entitled.

### INS Policy

INS embraces the well-established principle that it is generally in a child's best interest to be reunited with his or her family. Of course, unaccompanied minors who have been victims of abuse or neglect may need U.S. protection to ensure that they are not returned to an abusive environment. Absent evidence of such a threat, however, the Office of Juvenile Affairs will work toward developing a system that quickly reunites children with their families, in the United States or abroad.

### Case Management Officers

The Office of Juvenile Affairs will include Case Management Officers located in the field reporting directly to Headquarters. These officers will receive extensive training on children's issues as well as a comprehensive overview of immigration services. They will be empowered to make decisions regarding placement of juveniles, and make recommendations regarding removal proceedings and benefits such as special immigrant juvenile classification. Case Management Officers will serve as local liaison with service providers, attorneys, the Executive Office of Immigration Review, and other entities appropriate for all issues concerning juveniles under their management. They will arrange for home assessments and proactively seek out alternatives to detention as appropriate.

## **Facility Overview**

The Office of Juvenile Affairs will begin to assume responsibility for INS service contracts in a variety of facilities in the United States that are equipped to house juveniles. The vast majority of these facilities are non-secure shelter care facilities. In addition, INS recently opened a new Family Shelter Care Program, designed to help keep immediate family members together while in INS custody.

OJA will build upon this foundation by securing and administering additional grants to provide the best possible environment for the custody and care of juveniles. The Office will also seek to improve facilities for detaining juveniles during the initial hours of custody. OJA plans to develop and establish a special needs facility for detention of certain juveniles.

All facilities used by the INS are state-licensed and, as such, meet or exceed state requirements in the areas of safety, education, recreation and physical exercise, nutrition, and medical and counseling services. INS ensures that each facility is staffed with or has access to language interpreters to explain procedures and the juveniles' rights under U.S. law. Educational classes offering a curriculum that meets or exceeds state or local educational requirements are provided to all juveniles in INS custody. Juveniles in INS custody have access to libraries, either on the premises or through linkages with local county library systems. There are opportunities for recreation and social interaction. Facilities used by INS provide appropriate access to telephones. Specially trained child-care staff also provide for the psychological needs of the juveniles through structured programs as well as through informal interactions. Many of the considerations INS makes for the comfort and well being of the juveniles in its custody exceed state licensing standards and requirements.

**Key Juvenile Statistics**

	<u>1999</u>	<u>2000</u>	<u>2001</u>
<b>Total Juveniles in custody</b>	4,607	4,675	4,896
Male	3,619	3,530	3,540
Female	988	1,145	1,356

**Top 5 Countries: (Alphabetical Order)**

China	648	632	291
El Salvador	813	741	881
Guatemala	721	677	654
Honduras	1,055	928	807
Mexico	809	830	795

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<b>Total Custody Events</b>	5,644	5,537	5,385
<b>Percent in Secure Facilities *</b>	35%	35%	32%
Total in Secure Facilities	1,958	1,923	1,716
<b>Percent in Non-Secure Facilities *</b>	65%	65%	68%
Total in Non-Secure Facilities	3,686	3,614	3,669

\* Percentages refer to custody events, not total juveniles in custody.