



Office of
Immigrant Affairs
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Commissioner

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“Resources Available in New York City for Unaccompanied Minors”

Thank you to Chair Menchaca and the members of the Committee on Immigration for the opportunity to testify today. My name is Nisha Agarwal, and I am commissioner of the Mayor's Office of Immigrant Affairs. I am joined today by colleagues from the Department of Health and Mental Hygiene, the Department of Education, and the Human Resources Administration.

The welcoming and care of unaccompanied minors and newly arrived families is an issue of high importance for my office and for the Administration as a whole, so I am very pleased to be here to discuss the availability of resources in New York City for unaccompanied children and newly arrived families.

As you know, over the last few years, the nation has seen a large increase in the number of families with children and unaccompanied children arriving in the United States, primarily from the Central American countries of Guatemala, Honduras, and El Salvador. Much like the refugees and displaced persons of Syria and Iraq over the last few years, these children and families have fled very dangerous, violent conditions in their home countries and have undertaken sometimes harrowing journeys to seek asylum and safety in the U.S. Guatemala, Honduras, and El Salvador have become some of the most dangerous places in the world, with shockingly high rates of gang activity, homicide, and sexual violence, with reports of particularly dangerous conditions for children and women.

Generally, these Central American children and families have been temporarily detained by federal immigration officials upon arrival in the United States, then released to communities to pursue their immigration cases. Although many, if not most, likely have strong legal claims to remain in the United States on a lawful basis, many face significant challenges because, until they are able to vindicate those claims, they have been placed in expedited deportation proceedings and are technically classed as "unauthorized" in the United States.

New York City has been a destination for many of these children and families, as they have been released by federal officials to the care of extended family and community members here. Last year, the de Blasio Administration worked quickly to respond to the needs of these new arrivals to our City, and this Committee held its previous hearing on this humanitarian crisis.

Scope of the crisis

The numbers of unaccompanied children and families arriving from Central America has been very large for the last several years. Starting around 2010 to 2011, the overall number of children and families coming to the United States began to rise steadily, climbing to about 39,000 unaccompanied children and 15,000 families in federal fiscal year 2013, and then peaking at more than 66,000 children and 66,000 families in federal fiscal year 2014.

Over the last federal fiscal year, from October 2014 through this past September, those figures dropped somewhat, to about 40,000 children and another 40,000 families. Many experts have attributed this drop to expanded Mexican border protection activities, funded in part by the U.S. government, which interdicted and turned back thousands of children and families before they reached the U.S. border.

In the last few months, however, the numbers of arriving Central American children and families has increased yet again. In October of this year, the last month for which data is available, the numbers of unaccompanied children and families arriving at the U.S. border rose back to levels not seen since the 2014 peak. The number of unaccompanied children doubled compared to the same month last year, and the number of families nearly tripled.

It is too early to say with any certainty what the coming months will bring in terms of arrivals. But there continues to be disturbing news from Central America about the trauma faced by children and women, so we expect that we will continue to see children and families coming to the United States.

As mentioned earlier, New York City and the surrounding jurisdictions receive a number of these newly arrived children and families who are placed with family or community members here. In federal fiscal year 2014, New York City received at least 2,009 children, and Nassau and Suffolk Counties received 1,446 and 1,600, respectively—the largest numbers of any jurisdictions in the country except Harris County, Texas, and Los Angeles County, California. Similarly to the border-arrival figures, the number of placements in New York City dropped in federal fiscal year 2015, to 961. Data for the beginning of federal fiscal year 2016 has not been released yet, but we expect that it will continue to mirror the trends in the border-arrival numbers, and therefore expect that at least hundreds more if not thousands more children will be placed in New York City over the coming year.

The de Blasio Administration's response and available resources

When the numbers of arriving children and families rose to record high levels last year, my office led the Administration's rapid response to ensure that these individuals receive the help they need. We continue to work to ensure that services and resources are delivered.

We convened agencies from across the City in a task force, including the Department of Education, the Department of Health and Mental Hygiene, the Administration for Children's Services, the Department of Youth and Community Development, the Human Resources Administration, and others. We quickly developed an assessment of the children and families' needs, focusing in particular on school enrollment, health insurance coverage and access to care, and legal services.

Among the most ambitious and novel initiatives that were put in place as part of our response was the placement of City staff inside the federal Immigration Court at every first-appearance juvenile docket since the Court introduced the expedited juvenile hearings last year. This began with enrollment staff from the Department of Education, the Department of Health and Mental Hygiene, and the Administration for Children's Services, and continues to this day with Certified Application Counselors from the Department of Health and Mental Hygiene. These Health Department staff have received cross-training on school enrollment and other issues. Today alone, more than 50 children and families with first-appearance hearings will be seen by City staff, in addition to many with return appearances.

Over the course of the first year of this initiative, our staff screened 3,458 individuals at the Immigration Court juvenile dockets, roughly half children and half adults. Among the 1,711 adults, 57% were uninsured and received information and assistance to assess their eligibility for health insurance and to explain ways to access care for those who are not eligible for insurance due to their immigration status. Among the 1,747 children, we have been encouraged that only 25% are uninsured when we encounter them. While this figure is significantly lower than the adult figure—a testament to New York State's universal health insurance program for children, Child Health Plus—it is still approximately six to ten times higher than the rate of uninsurance among native-born children, pointing to the need to continue this work. This initiative has been the first time that City staff have ever worked directly at the Immigration Court, and, to our knowledge, it is the first time such a project has taken place at any Immigration Court in the United States.

In addition to this health care access work at the Immigration Court, we have also worked with our partners at the Health Department on several other initiatives to ensure this population is able to connect with the services they need. Last November, our Health Commissioner, Dr. Bassett, issued a letter to the City's pediatricians to provide evidence-based information to inform their screening, treatment, and referral of this population, including guidance on oral health, immunizations, lead screening, mental health issues, tuberculosis screening, and other issues. This letter helped to dispel myths about the health risks and challenges of resettling these children. We have also worked closely with our state partners to ensure speedy enrollment into health insurance for unaccompanied children with little identity documentation other than federal immigration documents, and with our federal partners to facilitate requests for immunization records by New York City physicians and schools.

We have worked with the Department of Education (DOE) to ensure that undocumented immigrant children are able to enroll in school, as required by law, even in instances where they have challenges producing traditional evidence of identity and residency due to their immigration status. We have worked with our colleagues in the DOE Division of English Language Learners

and Student Support regarding placement of new enrollees from this population, and we have also worked with the DOE and community-based organizations to host clinics in schools and other venues to bring resources directly to the communities where these children and families live. The DOE has also recently afforded schools the opportunity to utilize an additional funding allocation to support enhanced instructional opportunities for immigrant students. The \$5-million in available funding has been allocated from the federal No Child Left Behind Act, and is intended to provide additional support for school districts who serve a significant number of immigrant students, or have experienced a substantial increase in the number of immigrant students.

We know from our work with attorneys and social workers that some of these children and their families can benefit from extra support, especially when the children have experienced violence in their home country or during the journey to the U.S. We have coordinated with the Administration for Children's Services and the Human Resources Administration to make their outreach staff and contractors, such as Head Start providers, aware of issues facing this population, such as potential needs for child care and child and family welfare support services. The settlement of these children and families in New York City has not had a significant impact on the foster care system, as far as we are aware, because the federal government strives to place these individuals with relatives who can help care for them.

One of the major products of the Administration task force's work has been a Resource Guide, first published in 2014 and updated earlier this year, and available in English and Spanish. We collaborated with our partners across City agencies to compile a comprehensive list of services and resources available to newly arrived immigrants regardless of their immigration status. Our Resource Guide covers child and family welfare, child care, food assistance, homelessness prevention, domestic violence services, school enrollment and high school equivalency diplomas, English-language acquisition, after school services, health insurance and access to care, immunizations, mental health services, contacts to request birth certificates from immigrants' countries of origin, and referrals for legal help in immigration, family law, and criminal matters. We have worked with community partners, legal providers, and City agencies to distribute this Resource Guide available across the city, and it is available in both English and Spanish on our website at nyc.gov/immigrantchildren. The federal Office of Refugee Resettlement has also agreed to distribute the Resource Guide to the families and sponsors who are receiving newly arrived unaccompanied children and families in New York City.

Last but certainly not least, there have been remarkable efforts to expand access to legal services for these children and families, thanks to the bold leadership of the City Council. Under the guidance of Speaker Mark-Viverito, Chair Menchaca, Council Member Lancman, and others, the Council allocated discretionary funding in fiscal years 2015 and 2016 to support legal service

providers in screening and representing unaccompanied children and adults with children. We are grateful for your dedication to supporting this population. Legal representation is absolutely crucial for these children and families who are often eligible for immigration relief but unfamiliar with our complex immigration laws and in great need of legal assistance to help develop their cases. My office's analysis of federal Immigration Court data shows that, over the last 11 years, about 85% of unrepresented children's completed cases in the New York City resulted in a removal order or voluntary departure, compared to just 19% for represented children.¹ The Council's role in ensuring high-quality legal services for this entire population is truly groundbreaking work.

Conclusion

As I've described here, there are a wide range of important City services and resources that are available to unaccompanied children and newly arrived undocumented families. The Mayor's Office has worked and will continue working with our sister agencies and our state and federal partners to connect these children and families to available services and resources.

Last year, when I testified before this Committee on this subject, I explained that the Administration, the City Council, and our community partners have reacted with admirable empathy and sensitivity to the plight of a group of vulnerable child refugees. Our efforts last year stood in stark contrast to the reactions of some who were not eager to welcome these children and families. Since then, this topic has largely receded from public view but the City agencies and the Council have remained committed to helping this population.

As the Mayor has emphasized, this issue—the settlement and integration of refugees, whether from San Pedro Sula, Honduras, or from Daraa, Syria—goes to the heart of who we are as a city. We continue to be committed to providing help.

¹ Mayor's Office of Immigrant Affairs analysis of federal data compiled by the Transactional Records Access Clearinghouse (TRAC), Syracuse University, *Juveniles—Immigration Court Deportation Proceedings* (data from October 1, 2004, through October 31, 2015), available at <http://trac.syr.edu/phptools/immigration/juvenile>.