

# PRO/CON: Solving the "children's border crisis"

By McClatchy-Tribune News Service, adapted by Newsela staff on 08.18.14  
Word Count **1,546**



A little girl clutches her brother's hand as she answers simple questions about her name and those of her parents, July 4, 2014, in Ocotepeque, Honduras. Miguel Martinez Madrid (left), who leads a special unit, holds the sibling's Honduran ID cards. Questions are designed to find out if the children are being smuggled to the U.S. Photo: Don Bartletti/Los Angeles Times/MCT

## PRO: Protecting the children within political and legal limits

INDIANAPOLIS — Indiana is far from the U.S.-Mexico border, but the Midwestern state was recently at the center of events for immigrant children from Mexico and Central America who snuck their way into the U.S.

From 2004 to 2010, the federal government hired a youth jail center in Vincennes, Indiana, to house immigrant children. It was owned by a private company and meant to hold the most dangerous children.

These children arrived at the Southwest Indiana Regional Youth Village. Some were picked out at the border because of tattoos that hinted they might be gang members. Others were stopped on suspicion of drug use and other offenses in their home countries. Some had caused trouble or run away from less guarded centers in the United States. A few had U.S. police records.

As the director of the Immigration Clinic of Indiana University's school of law, I traveled to Vincennes with volunteer law school students to provide legal help to these kids.

## **Children Fleeing Violence**

The federal government helped pay for the Immigration Clinic students and me to give "Know Your Rights" presentations to the children. We explained to them their legal rights and what they could expect in immigration court.

Children — like adults — have no legal right to have the government pay for their lawyers in immigration court. As a result, we interviewed the children to match strong cases with volunteer lawyers.

We found children fleeing domestic abuse, gang violence and drugs. Some were sexually abused and mistreated in other U.S. holding centers.

These children qualified for U.S. government protection or special visas. The visas grant them permission to stay in the U.S. They are set aside for abandoned children. Other visas are for people who have been the victims of crime or who were taken from their homes and forced to work. Many were reunited with family in the United States. Others went home voluntarily. Some were sent home.

## **Riot Gear And Billy Clubs**

At one point, the immigrant children in Vincennes staged a peaceful protest against the conditions at the center. The local SWAT team was called in with riot gear, billy clubs and a police dog. Children were placed in lockdown, solitary confinement and other abuse.

When they told my law school students of their bad treatment, we notified the federal government, which took immediate action. Soon after, the private holding center stopped housing immigrant children.

The federal treatment of today's immigrant children is like what happened at Vincennes, although on a much larger scale.

The violence in Central America is increasing because people here in the U.S. keep buying illegal drugs and guns that come from there. Children are gathering along the border. Volunteer lawyers are being sent to these sites to deliver "Know Your Rights" presentations and interview children. Lawyers are representing children reunited with families throughout the country.

U.S. immigration and refugee law protects victims of violence and persecution. Lawyers, law schools and other volunteers are now stepping up to work with the federal government.

## **Migrant Or Refugee?**

Certainly, it is not a perfect system. But President Obama and White House officials are committed to protecting the children within today's political and legal limits.

Part of that effort includes deciding whether children in Honduras deserve to be considered refugees. People who fear for their lives throughout the world have the right to seek refuge, or safety, from the U.S. as part of the Refugee Act of 1980.

These laws are based on the U.S.'s history of protecting people fleeing danger and agreements passed after World War II.

Not every child should be allowed to stay. But turning children away at gunpoint goes against laws and our history. Our youngest immigrants must continue to have their legal rights protected. Those who qualify should be given visas to stay. Those who don't should be sent back home safely as necessary.

---

*ABOUT THE WRITER: Linda Kelly is the M. Dale Palmer Professor of Law and Immigration Clinic Director at Indiana University's Robert H. McKinney School of Law. Readers may write her at Lawrence W. Inlow Hall, Room 213, IU School of Law, 530 W. New York St., Indianapolis, IN 46202 or email her at linkelly@iupui.edu.*

*This essay is available to McClatchy-Tribune News Service subscribers. McClatchy-Tribune did not subsidize the writing of this column; the opinions are those of the writer and do not necessarily represent the views of McClatchy-Tribune or Newsela.*

## **CON: Good politics a bad way to address the problem**

WASHINGTON — There's an immigration disaster going on at the U.S.-Mexico border and try as he might, President Obama cannot escape responsibility. It's been caused, in part, by his administration's mismanagement.

Congress returns next month from summer break. Until then, he should use the tools he has to secure the border and to discourage unlawful crossings. He should not take actions on his own that might make matters worse.

The president has been trying to walk a fine line. He wants to keep Latino leaders who support him happy. At the same time, he wants to convince Central Americans not to start the perilous journey north. Although compassionate talk about immigrants is good politics, it is not a good way to address the problem.

The crisis has been made worse by talk in Washington about a possible "amnesty" of illegal immigrants that would allow them all to stay here. In 2012, Obama decided to stop deporting youth with close ties to the United States. It got people first talking about an amnesty. Then news spread that young children arriving at the border were being released until their hearings, which only increased the amnesty rumors.

## **The "Push Factor"**

Last month, Honduran President Juan Orlando Hernandez blamed unclear U.S. border enforcement. He said it can "pull" people to rush across the U.S. border.

Hernandez also explained the "push factor" causing people to leave: drug violence and deadly street gangs preying on youth in his country and neighboring El Salvador and Guatemala. Unfortunately, these are poor nations with governments unable or unwilling to deal with these challenges.

Supporters of refugees say that over half of those arriving recently have real claims that by law require a hearing.

A survey in May by the Border Patrol found something different. Nearly all of the immigrants they interviewed made the trek because of rumors of weak border patrols. According to sources in Central America, so-called "coyotes" — criminals who make their living smuggling people — promise that the U.S. border is weakly guarded. It brings in more business for them.

## **Screen For True Refugees**

In 2008, the U.S. passed a law aimed at stopping human trafficking. Traffickers move people illegally from their homes, often to other countries, and force them to work. Part of how Obama handled the border crisis badly was to overuse the law. It requires a complicated hearing to determine if an immigrant qualifies for special protection.

The current crisis is fueled primarily by smuggling, not trafficking. Border guards should be allowed to use their experience and judgment. Let them screen for true refugee or trafficking cases.

Of course, real refugees in U.S. territory must be treated lawfully. However, the United Nations should work with local governments to offer relief to refugees in their own countries. It shouldn't wait for them to run all the way to the U.S. border.

One thing we all can agree upon is that no one should risk the thousand-mile trek through Mexico. Many migrants are abused, robbed, raped or killed along the journey.

## **Irresponsible And Dangerous**

If the appearance of weak border patrol lures people to risk their lives that must change immediately. Republicans made these arguments while crafting a tough proposal. It would strengthen border enforcement, make it easier to deport new arrivals and send a clear signal that the border is being secured.

The president at first talked tough on border enforcement. It seems though that his political advisers recommended that he let congressional Republicans deal with it.

However, securing the border is the responsibility of the president, not the job of Congress. And, the president does not need new authority to get a handle on this crisis. He must state firmly that illegal crossings will be stopped, most new arrivals will be turned around, and an "amnesty" is off the table.

Seeking to win votes for Democrats by blaming Republicans for inaction on the border is irresponsible and dangerous. It will only make the current crisis last longer. It also hurts any agreement between Democrats and Republicans. They'll need to work together to end the current crisis and to eventually fix an immigration system that is failing the country.

---

*ABOUT THE WRITER: Roger F. Noriega is a visiting fellow at the American Enterprise Institute (aei.org) and a former U.S. ambassador to the Organization of American States and assistant secretary of State for Western Hemisphere Affairs under President George W. Bush from 2001 to 2005. His firm, VisioAmericas, represents both U.S. and foreign clients. Readers may write him at AEI, 1150 17th Street NW, Washington, DC 20036.*

*This essay is available to McClatchy-Tribune News Service subscribers. McClatchy-Tribune did not subsidize the writing of this column; the opinions are those of the writer and do not necessarily represent the views of McClatchy-Tribune or Newsela.*

## Quiz

- 1 Using evidence from the article, how does the CON author BEST respond to the following claim by the PRO author:

*People who fear for their lives throughout the world have the right to seek refuge, or safety, from the U.S. as part of the Refugee Act of 1980.*

- (A) He agrees but says that the immigrants getting "amnesty" will only encourage more illegal immigration.
  - (B) He disagrees and says that the Refugee Act of 1980 is outdated and should be updated because of the crisis.
  - (C) He says that compassionate talk about immigrants is good politics, but it's not a good way to address the problem.
  - (D) He says that for the immigrants who aren't yet in the U.S., the United Nations should work with local governments to offer relief to refugees in their own countries.
- 2 How does the PRO author BEST respond to the following claim by the CON author:

*Last month, Honduran President Juan Orlando Hernandez blamed unclear U.S. border enforcement. He said it can "pull" people to rush across the U.S. border.*

- (A) She disagrees and says that if it worked in Vincennes, Indiana, it will work for the U.S.
- (B) She disagrees, claiming that the children face terrible hardships to come across the border.
- (C) She disagrees and says that Obama is doing his best to protect the children while following the laws.
- (D) She disagrees, claiming that Americans buying illegal drugs and guns from Central America is pushing people across the border.

- 3 What type of evidence does the CON author use?

- (A) survey results
- (B) detailed imagery
- (C) personal experience
- (D) quotes from legal experts

4 What evidence is the LEAST relevant in the CON article?

- (A) information about "coyotes"
- (B) information about past laws
- (C) information from Juan Orlando Hernandez
- (D) information from the Border Patrol survey

## Answer Key

- 1 Using evidence from the article, how does the CON author BEST respond to the following claim by the PRO author:

*People who fear for their lives throughout the world have the right to seek refuge, or safety, from the U.S. as part of the Refugee Act of 1980.*

- (A) He agrees but says that the immigrants getting "amnesty" will only encourage more illegal immigration.
- (B) He disagrees and says that the Refugee Act of 1980 is outdated and should be updated because of the crisis.
- (C) He says that compassionate talk about immigrants is good politics, but it's not a good way to address the problem.
- (D) He says that for the immigrants who aren't yet in the U.S., the United Nations should work with local governments to offer relief to refugees in their own countries.**

- 2 How does the PRO author BEST respond to the following claim by the CON author:

*Last month, Honduran President Juan Orlando Hernandez blamed unclear U.S. border enforcement. He said it can "pull" people to rush across the U.S. border.*

- (A) She disagrees and says that if it worked in Vincennes, Indiana, it will work for the U.S.
- (B) She disagrees, claiming that the children face terrible hardships to come across the border.
- (C) She disagrees and says that Obama is doing his best to protect the children while following the laws.
- (D) She disagrees, claiming that Americans buying illegal drugs and guns from Central America is pushing people across the border.**

- 3 What type of evidence does the CON author use?

- (A) survey results**
- (B) detailed imagery
- (C) personal experience
- (D) quotes from legal experts

4 What evidence is the LEAST relevant in the CON article?

- (A) **information about "coyotes"**
- (B) information about past laws
- (C) information from Juan Orlando Hernandez
- (D) information from the Border Patrol survey