

Salve Regina University

Digital Commons @ Salve Regina

Pell Scholars and Senior Theses

Salve's Dissertations and Theses

2023

The Negative Impacts of Border Patrol On The Mental Health of Migrants

Breyana M. Newton

Follow this and additional works at: https://digitalcommons.salve.edu/pell_theses



Part of the [Business Law, Public Responsibility, and Ethics Commons](#), [International and Area Studies Commons](#), [International Business Commons](#), [Legal Studies Commons](#), and the [Public Affairs, Public Policy and Public Administration Commons](#)

The Negative Impacts of Border Patrol
On The Mental Health of Migrants

Abstract:

The research in this paper is a deep dive into the actions of Border Patrol on migrants and refugees and their effects on the individual. This includes impacts on mental health, child development, resettlement prevention, and racism and discrimination within border patrol itself. To understand all of this and how wide reaching all of this goes there needs to be a reflection on the history and policies of Border Patrol and the Government behind it.

The problem with patrolling our borders is that there are consequences on the U.S. as a nation and unintended consequences on those individuals migrating into the country. These individuals are Asylum-Seekers, Refugees, and migrants looking for assistance as well as the betterment of their current situations.

Unfortunately, in our longing for self-reliance and an overall safer environment within the U.S., we have found that we are hurting those that our country was truly built on. How do border patrol agents and their actions affect migrants, refugees, and asylum-seekers?

There are negative effects and impacts on mental health, child development, prevention of resettlement, and racism and discrimination. This is all because of the policies put in place, inadequate officer training, the current political divide, and the media portrayal of the refugee crisis in the country.

Origins	8
Expansion and Government Oversight	10
Today	14
Sociological Evidence	15
Border Policy	23
Mental Health	35
Solutions	42
Introduction	42
Establish Regional Refugee Processing Centers	42
Modernize the Ports of Entry	44
Stop Blocking Asylum in the U.S.	45
Prioritize Children	46
Address Root Causes	47
Stop Border Militarization	47
Cut Funding for Agencies that Enforce Violent and Inhumane Acts and Policies After They Have Been Revoked	48
Cultural Competency Training	49
Support Programs that Support Migrants	50
Conclusion	50

Introduction

There is a lot of attention paid to the humanitarian crises occurring outside of the United States, and less attention to those within the country's borders. Portrayal of crises should always be viewed through the lens of empathy and sympathy, with the question of what can we do to help? Rather, in the U.S. there is a clear divide between crises outside of the country that are portrayed with calm, collected, and empathetic viewpoints, whereas the border crisis is portrayed in a way to spark fear. At the southern border of the United States, there have been approximately 762,383¹ encounters between migrants and border patrol within the 2023 fiscal year. ² Customs and Border Patrol defines encounter as, "an encounter by CBP with a noncitizen who is apprehended by USBP or determined to be inadmissible by OFO, except for persons whose application for admission is terminated without prejudice, who are crewmen refused landing rights or detained on board, or who are granted parole status."³ Border Patrol has negative effects on refugee and migrants' mental health because of policies in place, inadequate officer training, the current political divide, and the media portrayal of the refugee crisis in the country.

Although CBP was created to help the country, the beginning implementation of border control was widely controversial and extremely racially motivated. Border Patrol goes back to as early as 1904 but was extremely irregular and only occurred when resources allowed. While

¹ "Ten Graphics That Explain the U.S. Struggle with Migrant Flows in 2022," Council on Foreign Relations (Council on Foreign Relations), accessed February 20, 2023, https://www.cfr.org/article/ten-graphics-explain-us-struggle-migrant-flows-2022?gclid=Cj0KCQiArsefBhCbARIsAP98hXRqeW0l6lYwMjYeL2o1P2zFmZH06y_AdQ_rIeNM9y9qJhGFSR37fXwoaAibwEALw_wcB.

² "Southwest Land Border Encounters (by Component)," U.S. Customs and Border Protection, accessed February 20, 2023, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters-by-component>.

³ "Reporting Terminology and Definitions." Reporting Terminology and Definitions | Homeland Security. Accessed May 3, 2023. <https://www.dhs.gov/immigration-statistics/reporting-terminology-definitions#:~:text=Encounter>

immigration control at the border dates to 1904, immigration policies have been in place since 1790, with the *1790 Naturalization Act*.⁴ This act “establishes the country's first uniform rule for naturalization. The law provides that ‘free white persons’ who have resided in the United States for at least two years may be granted citizenship, so long as they demonstrate good moral character and swear allegiance to the constitution.”⁵ While this act claimed to be very open to immigration, its history, and its statement “free white persons” is steeped in racism and xenophobia. Moving into the next decade in 1882 Congress enacted the *Immigration Act of 1882* which was one of the first attempts at broad federal oversight of immigration in the country. This act placed taxes on the passengers of ships who were not U.S. citizens, established the screening process of immigrants and the deportation process of anyone deemed a “convict, lunatic, idiot, or a person unable to take care of himself or herself without becoming a public charge.”⁶ The *Immigration Act of 1882* began the series of barriers put forth by the U.S. government in order to migrate and begin the path to citizenship within the country.

Today in politics there is a large discussion around the Wall that separates Mexico from the United States. Racist rhetoric is spread throughout the news and media to convince the public of the policies that are implemented to stop the flow of migrants. There have been policies enacted recently that attempt to keep migrants, refugees, and asylum seekers on the Mexico side of the wall. These policies include *Title 42*:⁷ a Covid-19 response policy that stopped the flow of migrants at the border and deported others who had already been allowed into the country. Other

⁴ “Major US Immigration Laws, 1790 - Present - Migration Policy Institute,” accessed February 20, 2023, <https://www.migrationpolicy.org/sites/default/files/publications/CIR-1790Timeline.pdf>.

⁵ “Major US Immigration Laws, 1790 - Present - Migration Policy Institute,” accessed February 20, 2023, <https://www.migrationpolicy.org/sites/default/files/publications/CIR-1790Timeline.pdf>.

⁶ “Major US Immigration Laws, 1790 - Present - Migration Policy Institute,” accessed February 20, 2023, <https://www.migrationpolicy.org/sites/default/files/publications/CIR-1790Timeline.pdf>.

⁷ Greg Grandin, “The Border Patrol Has Been a Cult of Brutality since 1924,” *The Intercept* (The Intercept, January 12, 2019), <https://theintercept.com/2019/01/12/border-patrol-history/>.

policies like *Title 8* and the *Zero Tolerance Policy*⁸ directly detained and deported migrants and impacted children crossing the border with their families. These policies were used as deterrents for families who might be considering making the journey to the U.S. Many of the policies discussed in this paper were Trump era policies that have since been lifted or revised. However, some remain in place and affect thousands of families entering the country daily.

American politics and media are a clear indicator of the divisions across the country when it comes to immigration, but it is also a clear indicator of the racist and xenophobic roots that our country is still grappling with today. There is a clear divide in the United States right now between Republicans and Democrats. Divided on almost, if not every, issue, but most certainly divided on Immigration. This is shown through the drastic differences in policies being drafted and the outspoken opinions coming from both sides of the aisle. In the media, conservative platforms are releasing stories with quotes like “how Biden admin’s border policies are causing ‘complete chaos’”⁹ and “Border states feel ‘abandoned’ by the Biden administration”¹⁰. Whereas more liberal platforms are reporting: “a Texas national guard member shot and injured a migrant at the border”¹¹ and “El Paso, Texas, police charge man who allegedly harassed migrants with a gun.”¹² There is a clear difference in the way that these articles are titled between platforms. The more conservative one is seeking to make the current

⁸ Holly M. Karibo and Díaz George T., *Border Policing: a History of Enforcement and Evasion in North America* (Austin: University of Texas Press, 2020).

⁹ Fox News Staff, “GOP Reps. Arrington, Gooden on How Biden Admin's Border Policies Are Causing 'Complete Chaos',” Fox News (FOX News Network, February 19, 2023), <https://www.foxnews.com/media/gop-reps-arrington-gooden-biden-admins-border-policies-causing-complete-chaos>.

¹⁰ *Border States Feel 'Abandoned' by the Biden Administration: Rep. Jodey Arrington*, Fox News (FOX News Network), accessed May 6, 2023, <https://www.foxnews.com/video/6320834324112>.

¹¹ Rosa Flores, “A Texas National Guard Member Shot and Injured a Migrant at the Border,” CNN (Cable News Network, January 29, 2023), <https://www.cnn.com/2023/01/28/us/texas-national-guard-shoots-migrant-rio-grande/index.html>.

¹² Ed Lavandera et al., “El Paso, Texas, Police Charge Man Who Allegedly Harassed Migrants with a Gun,” CNN (Cable News Network, January 6, 2023), <https://www.cnn.com/2023/01/05/us/el-paso-texas-migrants-harassed-with-gun-new-years/index.html>.

administration and the migrants crossing the border out to be the bad guys, while the liberal platform is showing how migrants are still being harassed as they enter a country that should be a safe haven after their long journey. This paper will identify the policies put in place by government officials, look at the current training of Border Patrol, unravel the current political divide and the corrupted media portrayal that comes with it to understand the negative side effects that migrants and refugees face because of Border Patrol.

Becoming a Border Patrol Agent is an entirely physical and endurance testing operation, while the path to citizenship is steeped in an exploitative past that has created the process it is today. Border Patrol Trainees go through 117 training days of instruction in U.S. law, Border Patrol Operations, physical training, firearms instruction, driving, law enforcement and Border Patrol tactical training, and Spanish.¹³ The trainees must then maintain a passing grade in each of the courses in order to continue in the program.¹⁴ In comparison, the citizenship test asks non-citizens 100 questions on American Government, American History, and Integrated Civics.¹⁵ Many of the questions asked throughout the test are questions that even a native American Citizen would not normally know. Some of these questions include, “How many amendments does the Constitution have?”; “How many U.S. senators are there?”; and “Why do some states have more Representatives than other states?”¹⁶. While the Border Patrol training assesses physical and mental abilities, it does not assess kindness, empathy, and sensitivity and the

¹³ “CBP Border Patrol Academy,” CBP Customer Service, accessed February 20, 2023, https://help.cbp.gov/s/article/bp-academy?language=en_US.

¹⁴ *Border Patrol Entrance Exam* (New York, NY: LearningExpress, 2016).

¹⁵ “U.S. Citizenship Test Questions and Answers,” Boundless, February 9, 2023, <https://www.boundless.com/immigration-resources/citizenship-test-questions-and-answers/>.

¹⁶ “U.S. Citizenship Test Questions and Answers,” Boundless, February 9, 2023, <https://www.boundless.com/immigration-resources/citizenship-test-questions-and-answers/>.

Citizenship test requires access to money, the internet, and time which not every immigrant may have.

A History of Border Patrol

Origins

This section will serve as a timeline on the history and origins of Border Patrol and Immigration surrounding the southern border in the U.S. While Border Patrol was officially established in 1924, its origins and history traces back all the way to the very first congress in 1789. In 1789, the United States Custom Service was established by the fifth act of congress. This act was only created to “regulate the Collection of the Duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandise imported into the United States.”¹⁷ and not to regulate or prevent people from crossing the border. The duties collected at this time did however fund almost the entire U.S. Government. In Texas, an investigative law enforcement agency was founded with a main goal to “protect the frontier against the Indians until the end of the revolution.”¹⁸ The rangers set out to protect the borders of the settlements in Texas.¹⁹

Today the Texas Rangers are at the forefront of the border security crisis in the nation. They lead the Texas Department of Public Safety’s Border Security Program. Their mission is,

¹⁷ “225th Anniversary of the U.S. Customs Service,” National Archives and Records Administration (National Archives and Records Administration), accessed February 25, 2023, <https://www.archives.gov/nyc/press/2014/customs-service>.

¹⁸ “History of the Texas Rangers,” History of the Texas Rangers | Department of Public Safety, accessed February 25, 2023, <https://www.dps.texas.gov/section/texas-rangers/history-texas-rangers>.

¹⁹ “History of the Texas Rangers,” History of the Texas Rangers | Department of Public Safety, accessed February 25, 2023, <https://www.dps.texas.gov/section/texas-rangers/history-texas-rangers>.

“to deter, detect and interdict criminal activity across the Texas/Mexico border.”²⁰ In comparison, the mission of the Texas Rangers in 1835 was put quite simply to “Protect the Mexican Border.”²¹ In 1853, the Treasury Secretary authorized the Collectors of Customs to hire Customs Mounted Inspectors to patrol along the U.S. land borders and established the U.S. Customs Border Patrol. In March of 1891, Congress established federal control over immigration and created the executive position Superintendent of Immigration under the Treasury Secretary. The Superintendent of Immigration became responsible for implementing national immigration policies and was charged with enforcing national laws and regulations regarding the processing, admittance or rejection of all persons seeking admission to the U.S. Congress created the Bureau of Immigration in 1895 within the Treasury Department. The act that created the Bureau of Immigration also allowed the Presidential appointment of Commissioners General of Immigration to serve at several points of entry, their term limits were to be set at four years. The Bureau of Immigration was authorized by Congress in 1915 to deploy mounted guards along the southwestern border to control the flow of migrants coming into the country, however the U.S. Immigration Service Border Patrol was not officially created until May of 1924. This marks the beginning of a quota system rooted in a deeply politicized and xenophobic history that continues to this day.

Expansion and Government Oversight

In the earlier years of Border Patrol at the Southern Border of the United States, enforcement and arrest was not as prevalent as it is today. During the early twentieth century, the

²⁰ “Texas Rangers,” Texas Rangers | Department of Public Safety, accessed February 25, 2023, <https://www.dps.texas.gov/section/texas-rangers>.

²¹ “History of the Texas Rangers,” History of the Texas Rangers | Department of Public Safety, accessed February 25, 2023, <https://www.dps.texas.gov/section/texas-rangers/history-texas-rangers>.

country was extremely concerned with two world wars and “intercepting communications to ‘the enemy’ seemed to be of a greater concern than enforcing immigration regulations.”²² This meant that efforts to inspect people and goods that were entering and leaving the country were ineffective without enforcement between inspection stations. Expanding Border Patrol became a top priority and the recruitment of officers from other law enforcement organizations began to take place rapidly. Border Patrol expanded to 450 officers, with many of them coming from the Texas Rangers, local sheriffs, deputies, and being appointed by the Civil Service Register of Railroad Mail Clerks. These officers were provided with a Border Patrol badge, a revolver, supplied oats and hay for their horses, and a \$1,680 annual salary. With the continuance of unlawful immigration along the Southern Border, sixty-two Canadian border units were transferred south for a larger scale repatriation effort in 1952.²³ During the 1950’s, a taskforce of 800 Border Patrol Officers was assigned to round up thousands of unlawful immigrants in southern California and send them home. This project ended two years after about 50,000 immigrants were removed from the country. Many deported individuals would return immediately after this “repatriation” took place. Repatriation programs have since been discontinued and widely unpopular due to the expense on the country.

During the 1960’s Border Patrol expanded to include and assist other law enforcement agencies in intercepting illegal drugs and drug smuggling that may be taking place over the Southern Border. The expansion of Border Patrol is continuing today with the increased enrollment in Border Patrol training and officer programs and the increased attention from major

²² “Border Patrol History,” U.S. Customs and Border Protection, accessed February 26, 2023, <https://www.cbp.gov/border-security/along-us-borders/history>.

²³ KLUG, THOMAS A. “Enforcing US Immigration Laws at the US-Canada Border, 1891–1940: The View from Detroit.” In *Border Policing: A History of Enforcement and Evasion in North America*, edited by HOLLY M. KARIBO and GEORGE T. DÍAZ, 96–114. University of Texas Press, 2020. <http://www.jstor.org/stable/10.7560/320679.10>.

politicians attempting to pass policies that will curb the number of immigrants coming into the country. With the increase in the interception of drugs at the border it was very easy for Customs and Border Patrol as well as American Politicians to paint a narrative for the American public of criminal, drug trafficking immigrants that would excuse the poor treatment of people at ports of entry.

The Department of Homeland Security was created as a response to the September 11, 2001, terrorist attacks. This office's main goal is to “oversee and coordinate a comprehensive national strategy to safeguard the country against terrorism and respond to any future attacks.”²⁴ Today a combination of 22 different federal departments and agencies are under the Department of Homeland Security. These agencies include the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, U.S. Citizenship and Immigration Services, Transportation Security Administration, Federal Law Enforcement Training Center, FEMA, Science and Technology Directorate, Office of Cybersecurity and Communications, Office of Operations Coordination, Office of Infrastructure Protection, U.S. Coast Guard, and the U.S. Secret Service. These different departments within DHS were all born out of 9/11 and a “War on Terror” that was racialized against the Muslim population. The Department of Homeland Security being created out of something racially motivated and lacking the cultural training and mental healthcare to handle large scale events is a clear indicator of the priorities of this country.

The U.S. Immigration and Customs Enforcement branch of the Department of Homeland Security includes Immigration Law Enforcement, which is a combination of detention and removal, intelligence, and investigations.²⁵ This branch is better known as ICE. Created in 2003

²⁴ “Creation of the Department of Homeland Security,” Creation of the Department of Homeland Security | Homeland Security, accessed February 26, 2023, <https://www.dhs.gov/creation-department-homeland-security>.

²⁵ “Who Joined DHS,” Who Joined DHS | Homeland Security, accessed February 26, 2023, <https://www.dhs.gov/who-joined-dhs>.

as an evolution of the U.S. Customs Service and the Immigration and Naturalization Service, ICE is now a collection of over 20,000 law enforcement officers and personnel in over 400 offices around the world. With an annual budget of about \$8 billion, they are committed to Homeland Security Investigations, Enforcement and Removal Operations, and the Office of the Principal Legal Advisor.

Enforcement and Removal Operations are carried out at, within, and beyond our countries borders. Enforcement and Removal Operations enforce and carry out the removal of public safety threats that include convicted criminals who are undocumented individuals and gang members, and individuals who have violated the U.S. immigration laws. ICE also has Enforcement and Removal Operations Officers assigned to INTERPOL. These officers are a part of a Fugitive Arrest and Removal taskforce that operates at home and abroad. The branch of Homeland Security Investigations is the major investigative branch of DHS and is mainly responsible for the investigation, disruption, and dismantling of transnational criminal organizations. These investigations directly investigate the unlawful crossing of the border by people, goods, money, technology, and any other contraband that may be coming into the U.S. They also investigate crimes such as terrorism, narcotics, smuggling, gang activity, child exploitation, human smuggling and trafficking, money laundering, cybercrime, identity fraud, and human rights violations and war crimes. This branch has an extensive amount of area and knowledge to cover throughout its investigations and it is important that it is staffed and trained fully, with 237 offices in the country and 93 offices around the world that contains over 8,700 employees. The final branch within ICE is the Office of the Principal Legal Advisor. This branch is the largest legal program within DHS and represents DHS in and immigration removal proceedings. There are over 1,300 attorneys and 300 support staff working within this branch of

Immigration and Customs Enforcement all providing full legal services to the other branches within ICE. Overall, ICE contains 20,000 plus officers and workers and works towards the eradication of unlawful immigration and continued presence of noncitizens within the U.S.²⁶

As of April 23, 2023 ICE was holding 24,944 immigrants in ICE detention centers.²⁷ 56.7% of all of these detainees had no criminal record and many of those that do have a criminal record only have minor offenses that include things like traffic violations.²⁸ Through ICE's Alternatives to Detention, or ATD programs, they are currently monitoring 253,146 families and single individuals, spanning across all fifty states.²⁹ What gives the United States government the right to track and detain people based on their immigration status? This instills fear and applies another layer of trauma on top of their migration process. Is this not an infringement of our civil liberties?

Today

Today the Border Crisis has been highly politicized, and the issue of race and class of immigrants plays a major role in how they are treated at the border and where they end up after they enter the country. With policies such as the “Zero Tolerance Policy,” “Title 8,” and “Title 42,” politicians on both sides of the aisle attempt to push their own agendas on people looking to better their lives and their children's lives. Hundreds of people injured or murdered by Border

²⁶ “Who We Are,” ICE, accessed February 26, 2023, <https://www.ice.gov/about-ice>.

²⁷ Syracuse University, “Trac Immigration: Syracuse University,” Transactional Records Access Clearinghouse (TRAC) - comprehensive, independent, and nonpartisan information on federal enforcement, staffing and funding, accessed May 7, 2023, <https://trac.syr.edu/immigration/quickfacts/>

²⁸ Syracuse University, “Trac Immigration: Syracuse University,” Transactional Records Access Clearinghouse (TRAC) - comprehensive, independent, and nonpartisan information on federal enforcement, staffing and funding, accessed May 7, 2023, <https://trac.syr.edu/immigration/quickfacts/>

²⁹ Syracuse University, “Trac Immigration: Syracuse University,” Transactional Records Access Clearinghouse (TRAC) - comprehensive, independent, and nonpartisan information on federal enforcement, staffing and funding, accessed May 7, 2023, <https://trac.syr.edu/immigration/quickfacts/>

Patrol agents have sparked protests across the country, just as discussions on repealing policies or putting new ones in place has brought to light some of the horrifying events taking place at the border. Since 2010, more than 265 people have died as a result of an encounter with CBP, with 65 of these deaths caused by an on-duty CBP agent.³⁰ 60 of these cases were related to the failure of an officer to provide adequate medical attention to a migrant.³¹ It has revealed the inhumane treatment of immigrants, refugees, and asylees looking for safety, “just as soldiers use racial epithets for the people they are fighting overseas, Border Patrol agents have a word for their adversaries: ‘tonks’. It’s ‘the sound,’ one patroller told a journalist, ‘a flashlight makes when you hit someone over the head.’”³² The dehumanization of people crossing the border is prevalent and cannot be ignored. Republican Governors from states such as Florida and Texas are taking advantage of this situation and bussing migrants up to northern sanctuary cities, to make the northern states take accountability of the border crisis and feel the weight of it as well. During this process they are deprived of food, water, and only make minimal stops to use the bathroom. Many migrants are given little to no information as to where they are going and are hopeful that it is somewhere where they can make a new start for their families. The Biden Administration claims to be pro-immigration and willing to help the people at the border yet speaks of passing bills that will ban the right to asylum. Placing innocent people in detention centers, separating families by children and gender, not allowing basic rights to food, water, and a bathroom, the shipping of migrants up to other states within the country by Republican Governors, proves that we are blatantly ignoring our own history and repeating it.

³⁰ “Fatal Encounters with CBP,” Southern Border Communities Coalition, accessed May 7, 2023, https://www.southernborder.org/deaths_by_border_patrol.

³¹ “Fatal Encounters with CBP,” Southern Border Communities Coalition, accessed May 7, 2023, https://www.southernborder.org/deaths_by_border_patrol.

³² Greg Grandin, “The Border Patrol Has Been a Cult of Brutality since 1924,” The Intercept (The Intercept, January 12, 2019), <https://theintercept.com/2019/01/12/border-patrol-history/>.

Sociological Evidence

Immigration to and from different countries takes place for a range of different reasons. These reasons are what are called "push and pull factors," these become factors in someone's life that may push them to migrate and pull factors are the reasons someone decides to stay or settle in a country. Factors can range from government corruption, climate change, human trafficking, cartels, gangs, war, drug smuggling, a change in political parties, to having family in the country, more job opportunities, more rights and freedoms, better healthcare, and better education. These factors and others have pushed major migrant populations from Haiti and Venezuela up and across the southern border of the U.S. where they are met by the U.S. Border Patrol.

Venezuela has experienced a history of government corruption, poverty, and debt across the nation that moves people to migrate to other places where they can find more stability. Climate change has exacerbated the situation in Venezuela through the flooding of coastal areas that intensifies the Venezuelan Immigration Crisis.³³ More than 6.1 million refugees and migrants have left Venezuela as a result of the political turmoil, socio-economic instability, and the ongoing humanitarian crisis.³⁴ About 33.9% of people are leaving due to the difficulties in obtaining food, 8.5% due to violence and threats, 8.5% due to the lack of access to medical care, 8.5% due to the ongoing impacts of Covid-19, and about 40.7% due to the lack of employment and low salaries.³⁵ Venezuela is experiencing what is called "climate shocks and stresses", one of the most significant of these is severe and prolonged drought.³⁶ The average temperature there

³³ "Venezuela," Encyclopædia Britannica (Encyclopædia Britannica, inc., March 5, 2023), <https://www.britannica.com/place/Venezuela>.

³⁴ "Venezuelan Refugee and Migrant Crisis," International Organization for Migration, accessed May 7, 2023, <https://www.iom.int/venezuelan-refugee-and-migrant-crisis>.

³⁵ "Venezuelan Refugee and Migrant Crisis," International Organization for Migration, accessed May 7, 2023, <https://www.iom.int/venezuelan-refugee-and-migrant-crisis>.

³⁶ Robert Muggah Lycia Brasil et al., "The Climate Crisis and Displacement in Venezuela," Humanitarian Practice Network, April 27, 2022, <https://odihpn.org/publication/the-climate-crisis-and-displacement-in-venezuela/>.

has increased significantly and rainfall has declined by about 50-65%. As a result, the agricultural industry has been disrupted and the water levels have been extremely depleted at many key hydroelectric dams for the country; “the combined blow of dependence on hydro-power and declining oil prices resulted in knock-on effects including rolling blackouts and rationing of water and electricity.”³⁷ Shifting political ideas have changed how the economy thrives in a world where capitalism is law and oil is currency.

Today Venezuela has been put into a precarious position due to its current domestic politics. After the death of Hugo Chavez, the 45th president of Venezuela, a presidential election took place that was constitutionally required to be called within 30 days. The outcome of this election has been widely controversial, and the U.S. government views it as a “fraudulent parliamentary election organized by the illegitimate Nicolas Maduro Regime.”³⁸ Nicolas Maduro and his new authoritarian government have been extremely and brutally repressive against the people of Venezuela. Security forces and armed pro-government groups abuse their power, conduct extrajudicial killings, enforce short-term disappearances, make arbitrary arrests, and torture people.³⁹ With a new interim government put in place and an interim president, Juan Guaido, the U.S., and Venezuela are working closely to restore the democracy of the country through free and fair elections as well as working towards concerns such as migration issues, public health, security, drug trafficking, and re-establishing a rule of law in the country. As of October 2022, Venezuelan Immigrants, Refugees, and Asylum Seekers were the highest percentage of people coming across the southern border. Much of the immigration and border

³⁷ Robert Muggah Lycia Brasil et al., “The Climate Crisis and Displacement in Venezuela,” Humanitarian Practice Network, April 27, 2022, <https://odihpn.org/publication/the-climate-crisis-and-displacement-in-venezuela/>.

³⁸ “U.S. Relations with Venezuela - United States Department of State,” U.S. Department of State (U.S. Department of State, March 10, 2022), <https://www.state.gov/u-s-relations-with-venezuela/>.

³⁹ “Venezuela,” Venezuela | Country Page | World | Human Rights Watch, March 28, 2022, <https://www.hrw.org/americas/venezuela>.

policies coming out of the White House since then have been to cut back the amount of “Venezuelan nationals attempting to enter the United States unlawfully.”⁴⁰

Haiti, an island country in the Caribbean Sea, has a population that is almost entirely descended from African slaves. They won independence from France in 1804 and were the second official country in the Americas to free itself completely from colonial rule.⁴¹

Unfortunately, as the years have gone on economic, social, and political difficulties and the numerous natural disasters that have plagued Haiti have brought poverty and a reduction of resources. The International Organization for Migration reports that approximately 128,000 people in Haiti have been displaced as of April 26, 2023.⁴² Over the past five years the economy in Haiti has shrunk dramatically, with an estimated 4.9 million people reporting food insecurity and half of the population living on less than \$2 a day.⁴³ While the U.S. claims to want to help Haiti and its people succeed and prosper, it is only on the terms that they stay in Haiti, “U.S. policy toward this close neighbor is designed to foster the institutions and infrastructure necessary to achieve strong democratic foundations and meaningful poverty reduction through sustainable development.”⁴⁴ In 2021, the U.S. expelled an estimated 4,600 Haitian asylum-seekers and forced them to return to Haiti to live in a country with extreme political turmoil.

⁴⁰ “Fact Sheet: Biden-Harris Administration Announces New Border Enforcement Actions,” The White House (The United States Government, January 5, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/01/05/fact-sheet-biden-harris-administration-announces-new-border-enforcement-actions/>

⁴¹ “Agriculture, Forestry, and Fishing,” Encyclopædia Britannica (Encyclopædia Britannica, inc.), accessed March 7, 2023, <https://www.britannica.com/place/Haiti/Agriculture-forestry-and-fishing>.

⁴² “As Haiti Slides into Violence, Its People 'Cannot Wait Any Longer' for Assistance, Foreign Minister Tells Security Council | UN Press,” United Nations (United Nations), accessed May 7, 2023, <https://press.un.org/en/2023/sc15266.doc.htm>

⁴³ “As Haiti Slides into Violence, Its People 'Cannot Wait Any Longer' for Assistance, Foreign Minister Tells Security Council | UN Press,” United Nations (United Nations), accessed May 7, 2023, <https://press.un.org/en/2023/sc15266.doc.htm>

⁴⁴ “U.S. Relations with Haiti - United States Department of State,” U.S. Department of State (U.S. Department of State, January 1, 2023), <https://www.state.gov/u-s-relations-with-haiti/>.

Haiti experiences the catastrophe that is climate change without being one of the main contributors to it. They have experienced major earthquakes on multiple occasions on top of their political and economic turmoil. There is an intense gang culture in the country leading to political and civil unrest. These conditions have allowed for the persistence of unemployment, inflation, fuel shortages, more than 60% of the population living below the poverty line, and more than four million people in Haiti facing crisis or emergency level food insecurity. All of these conditions combine to create an immigration and refugee crisis in Haiti. These are not livable conditions, and they should not have to be.

How the media portrays the refugee and immigration crisis at the border is extremely important because it shapes how society views not only the crisis at the border but also those refugees and immigrants in their own communities. These societal views impact voting decisions and representatives who may or may not feel the same about certain topics. Portraying the southern border as a crisis where people are crossing the border unlawfully, bringing drugs, and crime with them, paints a picture that every person who comes to the United States from the south is going to be a criminal. This is a stereotype that has been perpetuated repeatedly by certain news outlets. Portrayal through photographs is also important because the photographer will never know for sure how a viewer may or may not perceive their image. Some of the top countries that migrants are coming from today are Mexico, India, China, The Philippines, and El Salvador.⁴⁵ The media has chosen to focus on two of the fastest moving and newest migration stories and humanitarian crises, that of Haitian and Venezuelan migrants. The attention drawn to these two groups of migrants by the news and media outlets in America has exacerbated the level

⁴⁵ Catherine E. Shoichet, "Where Immigrants Come from and Where They Go after Reaching the US," CNN (Cable News Network, April 15, 2023), <https://www.cnn.com/2023/04/15/us/where-immigrants-come-from-cec/index.html>

to which the American public views the Border as a crisis and increases the approval ratings of anti-immigration politicians and their policies. As of the Summer of 2022, more than half of all Americans claimed that an “invasion” was taking place at the southern border, according to a poll done by NPR.⁴⁶ This poll also found that many Americans had numerous misconceptions about immigrants that included their role in drug smuggling and their use of public benefits. These are statements repeatedly stated by news and media outlets that people living in the United States are unconsciously exposed to daily.

The media portrayal of Venezuela and Haiti has been used specifically to spark fear among the American public to create an anti-immigration sentiment. Images of Haitians being chased out of the U.S. by border patrol agents on horseback, with whips hauntingly echoes those images, drawings, and paintings, of slave traders and their slaves. Below is a comparison of photos taken at or near the southern border. Figure one depicts the “invasion” of the southern border that some media and news outlets want the American public to believe, figure two shows the mistreatment of Haitian migrants at the border by Border Patrol agents, and figure three shows the unwavering hope of a group of Venezuelans that many migrants bring with them on their journeys to America. While showing what is happening is important, there are so many different points of view in this situation that it is important to acknowledge all of them before taking any photos or saying anything on the news that might be hurtful or impact a large population. In the end we are human and trying to live better lives for ourselves and our children.

⁴⁶ Joel Rose, “A Majority of Americans See an 'Invasion' at the Southern Border, NPR Poll Finds,” NPR (NPR, August 18, 2022), <https://www.npr.org/2022/08/18/1117953720/a-majority-of-americans-see-an-invasion-at-the-southern-border-npr-poll-finds>.

Figure One



47

⁴⁷ Rodrigo Abd, *A U.S.-Bound Migrant Caravan Waits after Mexican Federal Police Briefly Blocked Their Way Outside the Town of Arriaga on Saturday.*, n.d., photograph, n.d., AP Photo.

Figure Two



48

Figure Three

⁴⁸ Paul Ratje, *A U.S. Border Patrol Agent on Horseback Tries to Stop a Haitian Migrant from Entering an Encampment on the Banks of the Rio Grande on Sunday near the International Bridge in Del Rio, Texas.*, 2021, *U.S. Border Agents Chased Migrants On Horseback. A Photographer Explains What He Saw*, 2021, <https://www.npr.org/2021/09/21/1039230310/u-s-border-agents-haiti-migrants-horses-photographer-del-rio>.



49

Border Policy

Immigration policies shape the way that immigration is viewed and enforced in America. Policy shapes our day to day experiences and moves things from what society views as “right to wrong”. Suddenly people crossing the border seeking asylum must go through a rigorous application process in which they can be denied and unable to apply again or risk unlawfully crossing the border where they can be viewed as drug dealers and criminals by the American public. Policies passed by the House and the Senate are the deciding factor for children and family separation, children in cages, deportation numbers, visa timeline, and a pathway to citizenship.

⁴⁹ Paul Ratje, *Venezuelan Migrants, Some Who Were Expelled Back to Mexico, and Others Who Arrived in Juarez and Haven't Crossed Yet, Wave Flags on the Banks of the Rio Grande Tuesday While Peacefully Protesting New US Migration Enforcement Rules.*, n.d., photograph, n.d., CNN.

In 1952, the Immigration and Nationality Act also known as Title 8 was created and it amended regulations that regarded the removal of individuals residing in the country without legal permission by prohibiting legal reentry for a certain period of time. This policy introduced a process for expedited removal in the country and applied new restrictions to the asylum application process.⁵⁰ This act consolidated multiple immigration laws into one statute and preserved the national origins quota. The national origins quota provided immigration visas to two percent of the total number of people of each nationality in the United States according to the 1890 national census. This also established that U.S. consular officers will screen foreign nationals for admissibility to the United States and that officers will not issue visas to individuals found inadmissible. This is one of the first policies that gave power like this to Border Patrol officers and personnel where they could control who came in and who was turned away at the border. When we give power like this to individuals do we give power to their biases? Allowing officers to make the decision on who can and cannot enter the country at U.S. borders means immigrants are living at the whim of the officer they encounter. This act altered the way that entering the country, lawfully or unlawfully, took place.

In the aftermath of 9/11, the United States was left with not only a major national trauma, but also a national security breach and the country needed to respond. 9/11 marks the beginning of an intense policy shift surrounding immigration. Policies became much stricter and wait times for visas, interviews, and citizenship became longer. The Department of Homeland Security was born in the wake of 9/11, and this began a violent shift in the border patrol. The main goal of DHS is “to keep terrorists and their weapons from entering the U.S. while welcoming all

⁵⁰ “The Federal Register,” Federal Register :: Request Access, accessed March 26, 2023, <https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B>.

legitimate travelers and commerce.”⁵¹ DHS was born out of the “War on Terror”, an international, American-led military campaign launched in the aftermath of the September 11th terrorist attacks.

With the birth of DHS came the new idea of “zero tolerance” at our borders. The concept of “zero tolerance” is often associated with Donald Trump and his era of anti-immigration policy, however George W. Bush began this trend in 2005 with Operation Streamline.⁵² This operation allowed for many criminal prosecutions for unlawful entry to take place. The difference between this policy and Trump's more aggressive zero tolerance policies is that Bush made an exception for adults traveling with minors. 9/11 brought a tidal wave of policy changes and began a Multi-Layered Defense Strategy in 2001 at all borders. This 2001 strategy included programs and initiatives that would reshape the way that American Society understood immigration. This was a turning point of treating immigrants as humans to treating them as prisoners. This policy began initiatives like the Customs Trade Partnership Against Terrorism (C-TPAT), Screening and Inspection, Container Security Initiative (CSI), the 24-Hour Rule, and began the use of Cutting-Edge Technology. With the new C-TPAT CBP created a public-private and international partnership with almost 6,000 businesses that was set up to improve the baseline security standards for supply chain and container security. CBP’s Screening and Inspection evolved to screen 100% of all cargo before it arrives in the U.S. using new intelligence and cutting-edge technologies. CSI now enables Border Patrol to work with host government Customs Services to examine high risk maritime containerized cargo at foreign seaports before they are loaded onto any vessels en-route to the U.S. The new 24 Hour Rule

⁵¹ “Border Security,” Border Security | Homeland Security, accessed March 26, 2023, <https://www.dhs.gov/topics/border-security>.

⁵² “Fact Sheet: Operation Streamline,” National Immigration Forum, September 8, 2020, <https://immigrationforum.org/article/fact-sheet-operation-streamline/>

required manifest information to be provided to CBP 24 hours before a sea container is loaded onto a vessel at a foreign post. Last but not least was CBP's new use of cutting-edge technologies. These new technologies included large scale x-ray and gamma ray machines, radiation detection devices to screen cargo, and biometrics to verify identities of non-U.S. citizens arriving at all ports of entry and to identify non-U.S. citizens attempting to enter the country unlawfully. This restructured the entire border entry system and created more of a criminal justice system rather than a humanitarian aid and resource system. Creating a criminal justice system changes not only the way people entering at the border are viewed, but also how they are treated. Migrants that are encountered by ICE and CBP may be detained in one of the more than 200 jails and detention centers that make up ICE's detention system across the nation.⁵³ Thousands of people are held in detention centers where conditions are below the human rights standards, there are restrictions on access to asylum for people who need protection from serious human rights abuses, access to legal counsel is often sporadic, detainees often do not receive information in a language or manner that they are able to understand, migrants are kept in overcrowded and unhygienic conditions, and children are not provided with schooling.⁵⁴ Prisons are places that strip away citizenships and rights, so why are we placing people seeking asylum or unaccompanied minors in massive detention centers and what lasting impact is this having on them?

In 2012, President Barack Obama enacted a policy through the Department of Homeland Security called DACA (Deferred Action for Childhood Arrivals). DACA is a policy that allows individuals who meet this program's requirements to get or request a grant or deferred action.

⁵³ "Immigration Detention & Enforcement," National Immigrant Justice Center, accessed May 7, 2023, <https://immigrantjustice.org/issues/immigration-detention-enforcement>

⁵⁴ "What Is Immigration Detention? and Other Frequently Asked Questions," International Detention Coalition, accessed May 7, 2023, <https://idcoalition.org/about/what-is-detention/#1496020739088-f9930051-905e>.

Individuals who are granted DACA can renew their grant and are eligible for work authorization. Recipients of DACA are mainly people who have grown up in America, identify as Americans, and many have no connection with the country they were born in including the language. Under immigration laws before DACA, these individuals had no way of gaining legal residency and would live in a constant state of fear even though they lived in the U.S. for almost their entire lives.⁵⁵

This act opened pathways to citizenship for so many youths whose only home they knew was America. DACA has made it possible for over 900,000 immigrants to stay in the U.S. to go to school and work. However in order to qualify for this you have to meet several requirements that became quite restrictive based on time of entry, age, length of residency in the U.S., lawful status, graduated, veteran, and have not served jail time for a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise pose a threat to national security or public safety.⁵⁶ There is a big emphasis on bringing in and supporting the “right” kind of people in this country throughout the history of immigration policy. There is also this underlying mentality that while someone might be given all the tools to succeed, they will never be fully accepted or even integrated into society.

Despite the best intentions of DACA, people are still trying to navigate a messy, unequal, and discriminatory system. Consistently at risk of losing their status and the program carries a weight. Health care and mental health care are inaccessible for people without insurance and even more so for those who are a part of programs like DACA. In a study done by the University of South Florida most participants reported that their Mental Health declined due to the stress

⁵⁵ “What Is DACA and Who Are the Dreamers?,” ADL, September 7, 2017, <https://www.adl.org/resources/tools-and-strategies/what-daca-and-who-are-dreamers?>

⁵⁶ “Steps to Apply for DACA for the First Time,” IMMIGRANTS RISING, accessed March 28, 2023, <https://immigrantsrising.org/resource/steps-to-apply-for-daca-for-the-first-time/>.

from the threats to the program and their status. In the same study, about 20% reported suicidal thoughts and half of the sample said they had engaged in some form of self-harm.⁵⁷ This is a population that has been taken into the United States and forgotten about. If the point of DACA is to help children of immigrants to succeed then they should not be living in constant fear that their programs are going to be pulled out from under them, being a kid in America is stressful enough. Currently, DACA recipients are eligible to apply for their renewals in 2-year increments, they can apply for advance parole for the same scenarios as when DACA began. These are things like educational opportunities, work reasons, and emergency humanitarian reasons. The current administration has shown its support for the policy and has continuously called on Congress to protect DACA and its recipients. As with many immigration policies in today's political climate, it is expected that there will be pushback and legal challenges in the coming future.

The Southern Border and Approaches Campaign in 2014 was an approach to improve how the department protects the U.S. across our borders. The impact of this policy was widespread and felt within the country's borders and outside. This policy attempted to create an effective enforcement system across land, sea, and air in order to degrade transnational criminal organizations, and continue the lawful flow of trade, travel, and commerce across borders.⁵⁸ This policy brought together the offices of Customs and Border Protection, U.S. Immigrations and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services, The U.S. Coast Guard, and many other resources of the department of homeland security in order to improve the protection services at the border and around the country.

⁵⁷ Lauren Peace, "USF Study Finds Daca Immigrants Struggle with Poor Mental Health," Tampa Bay Times (Tampa Bay Times, November 2, 2022), <https://www.tampabay.com/news/2022/11/02/usf-study-daca-immigrants-mental-health>

⁵⁸ "Southern Border and Approaches Campaign," Southern Border and Approaches Campaign | Homeland Security, accessed March 28, 2023, <https://www.dhs.gov/southern-border-and-approaches-campaign>

Donald Trump was voted into office in 2016 and began passing anti-immigration policies as soon as he got into office in 2017. His “Zero Tolerance Policy” is not unlike George W. Bush’s version, but in Trump’s version it was going to include everyone for criminal prosecution. Every migrant, including asylum seekers, attempting to cross the U.S. border anywhere other than at an official port of entry was to be detained and criminally prosecuted.⁵⁹ Donald Trump took the criminal justice system and the prison system and amplified it to create a massive anti-immigrant sentiment throughout his campaign and his presidency. A systematic separation of newly arriving adult migrants from children who had accompanied them began to take place if those migrants had come into the U.S. unlawfully. Criminal prosecution and detention centers in any form are used as a deterrence for the crime someone might commit, but is seeking a better life for your family a crime? In many cases, the push and pull factors that drive people to migrate include work opportunities, environmental factors, and living in a war-torn country. Immigrant workers make up nearly two-thirds of the international migrants, in the past 15 years over a quarter of asylum seekers from Syria were granted protection status, and climate migrants are becoming a new occurrence as the effects of climate change become more and more serious.⁶⁰ Something that is extremely important to pay attention to with Trump’s policy versus Bush’s is that Trump includes Asylum Seekers as well. This policy forced Asylum Seekers to wait on the Mexico side of the southern border with the claim that the ports of entry were at capacity and some border agents telling migrants that the U.S. was no longer accepting Asylum seekers in general or from a particular country in order to deter people from seeking asylum and trying to

⁵⁹ Refugees International, “The Trump Zero Tolerance Policy: A Cruel Approach with Humane and Viable Alternatives,” Refugees International (Refugees International, September 11, 2019), <https://www.refugeesinternational.org/reports/2018/7/31/trump-zero-tolerance-policy>.

⁶⁰ Cortel et al., “Why Do People Migrate? - The Different Causes of Immigration,” LIRS, July 15, 2021, <https://www.lirs.org/causes-of-immigration/>.

migrate. This leaves the fates of each individual in the hands of a border patrol officer who might discriminate against immigrants coming from a certain country.

MPP, Migrant Protections Protocol, or Remain in Mexico was a government program initiated in January of 2019. This program required that Asylum-Seekers stay in Mexico while their asylum cases are pending in the U.S. immigration courts. As of the end of May 2022, over 5,000 asylum-seekers had been required to remain in Mexico under the MPP while awaiting their Immigration Court hearings.⁶¹ This worked as a removal process of asylum seekers from the U.S. while their cases were in court. If the person who is seeking asylum is not in court to prove why they need asylum, then what is the likelihood that they are going to be granted asylum? On that note many Asylum Seekers do not have the resources to pay for lawyers and translators to help them through the extensive asylum-seeking process in the U.S. On June 1, 2021, the secretary of Homeland Security acknowledged that this was a flawed policy and determined that it should be terminated, issuing a memorandum. Unfortunately, it was continued and enforced for several months after this until an extensive review took place on October 29, 2021.

Covid-19 has reshaped how we interact with people on a day-to-day basis. It is naive to think that this did not affect the immigration system in America as well. In 2020, at the beginning of the Covid-19 pandemic, Title 42 was passed in order to address the public health crisis taking place around the globe. This program granted the government the ability to take emergency action in numerous ways regarding immigration, one of those being to “stop the introduction of communicable diseases.”⁶² Title 42 came from the Department of Health and

⁶¹ Syracuse University, “5,000 Asylum-Seekers Added to the Migrant Protection Protocols 2.0, Few Are Granted Asylum,” 5,000 asylum-seekers added to the Migrant Protection Protocols 2.0, few are granted asylum (TRAC Immigration), accessed May 7, 2023, <https://trac.syr.edu/immigration/reports/>

⁶² Nicole Ellis and Casey Kuhn, “What Is Title 42 and What Does It Mean for Immigration at the Southern Border?,” PBS (Public Broadcasting Service, January 13, 2023), <https://www.pbs.org/newshour/nation/what-is-title-42-and-what-does-it-mean-for-immigration-at-the-southern-border>.

Human Services and served as an emergency regulation to implement a specific aspect of U.S. health law through immigration policies. It allows the director of the CDC to “prohibit the introduction” into the United States of individuals when the director believes that “there is a serious danger of the introduction of [a communicable] disease into the United States.” and allows any customs officer to implement the order. This specifically targets individuals who are entering the country from Canada or Mexico and who would be introduced into a congregate setting at a border patrol station where a communicable disease would spread faster. By including asylum seekers, unaccompanied children, and people attempting to enter the U.S. unlawfully it has revoked the opportunity to seek asylum safely and lawfully and left unaccompanied children alone at the border with no next steps.

In 2022, Title 42 was terminated for unaccompanied minors but will remain in effect for individuals who attempt to enter the U.S. without authorization until May 11, 2023.⁶³ In response to this DHS has taken steps to expand the safe pathways for migrants to enter the country lawfully, but it is not enough. After an agreement reached with the Mexican government, border patrol began sending most of the Mexican, Honduran, Salvadoran families and single adults back into Mexico after encountering them at the border. These migrants, including asylum seekers, are given no opportunity to contest their expulsion on the grounds that they may face persecution in the country to which they are being expelled. The extremely limited exception to Title 42 goes to people who “spontaneously” inform CBP officers that they fear being tortured in the country that they are being expelled to. To receive this, an official screening must take place by an asylum officer and the CBP officer must determine that the claim is “reasonably

⁶³ “Fact Sheet: Notice of Proposed Rulemaking ‘Circumvention of Lawful Pathways,’” Fact Sheet: Notice of Proposed Rulemaking “Circumvention of Lawful Pathways” | Homeland Security, accessed March 29, 2023, <https://www.dhs.gov/news/2023/02/21/fact-sheet-notice-proposed-rulemaking-circumvention-lawful-pathways>

believable.” Individuals that are expelled and removed from the border do not receive an official order of deportation, but their biometrics and contact is recorded by the agency. When does fear need to be measured? How do you measure fear? The CBP and the U.S. State Department issues and regulates visas in the United States, this includes immigrant and non-immigrant visas. When measuring fear in certain individuals two different visas come to mind. The T-Visa and the U-Visa, both visas used to help the U.S. government investigate criminal activity and the credibility of a person’s fear. The U-Visa is specifically set aside for victims of crimes who have suffered mental or physical abuse and are helpful to law enforcement in the investigation of criminal activity.⁶⁴ Whereas the T-Visa is specifically for victims of human trafficking and allows victims to stay in the U.S. to assist in investigations or prosecutions of human trafficking violators.⁶⁵ Unfortunately, neither of these visas have protections for the victims after the investigations and prosecutions are over and neither of them have paths to citizenship. This has become an intense issue, the continued separation of children from their parents and the removal of people, based on Covid-19, from a country that is supposed to be a safe haven. In a country where the response to the pandemic has been so divided and only 69% of the total population is fully vaccinated, can we justly continue to deny people entry, and expel people, into the U.S. on the basis of Covid-19?⁶⁶

The election of 2020 was supposed to be a turning point for immigration policy in the U.S. Unfortunately, policies passed by the new administration have not differed very much from

⁶⁴ “Victims of Criminal Activity: U Nonimmigrant Status,” USCIS, March 20, 2023, <https://www.uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes/victims-of-criminal-activity-u-nonimmigrant-status>

⁶⁵ U.S. State Department, “Visas For Victims Of Human Trafficking,” U.S. Department of State (U.S. Department of State), accessed May 7, 2023, <https://travel.state.gov/content/travel/en/us-visas/other-visa-categories/visas-for-victims-of-human-trafficking.html>

⁶⁶ “US Coronavirus Vaccine Tracker,” USAFacts, March 27, 2023, <https://usafacts.org/visualizations/covid-vaccine-tracker-states>.

that of his predecessor. Joe Biden and his immigration policies have been far from the progressive policies he promised during his campaign. Children remained in cages as a repercussion of Trump's "Zero Tolerance Policy" for far too long and Title 42 is just coming to end now, in May of 2023. Recently, Biden proposed a new plan⁶⁷ for immigration in a press briefing, he hopes that it will help change the Asylum-Seeking process and make it faster. Biden and his team created a plan called the "CBP One App", this app walks someone through the asylum-seeking process. Another part of this plan is the "Parole Program," which is a program to reduce the number of people crossing the border unlawfully. Working directly with the Mexican government to create this plan, it states that to enter lawfully a person must have a lawful sponsor in the U.S., must go through rigorous background checks, apply for this program outside of the U.S., and not cross the border unlawfully during the application period. If an application is approved, they can use the same app as asylum seekers and are able to work in the U.S. legally for two years, but if they are denied or try to cross the border unlawfully then they will be deported and are not eligible for the program again. While Biden seems to be on the right path in trying to make the immigration and asylum-seeking process faster, there are more internal issues here that need to be fixed before the process can be sped up. For instance, what is someone supposed to do if they are unable to access this information, through the press briefings, news, or through the CBP One app. Requiring asylum seekers to stay outside of the country and go through an application process removes the urgency for seeking asylum and makes it the same as migrating for a better life. Lack of access to technology and language barriers are where this

⁶⁷ "Fact Sheet: Biden-Harris Administration Announces New Border Enforcement Actions," The White House (The United States Government, January 5, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/01/05/fact-sheet-biden-harris-administration-announces-new-border-enforcement-actions/>

policy falls short, and it does not consider all the different possibilities and circumstances that people might be involved in.

While immigration has shaped this nation since its beginning it has been an extremely polarizing topic throughout the country's history. Unfortunately, it is seen all too well through the policies that have been enforced within the last 10 to 20 years. These policies perpetuate the stereotype that immigrants coming through the southern border are drug dealers and criminals and assumes that every immigrant is going to have access to things that they simply will not based on each individual situation. The U.S. government has the power to acknowledge the immigration crisis at the southern border as more than something to use for political capital, but a humanitarian crisis where human beings are separated from their children, given restricted access to food and water, and denied entry into "the land of the free" because of the risk of disease. If we pride ourselves on being a country that helps those in need, but do not help those most at risk, what does that make our country really about? Political capital? Pride? A land of immigrants turning away immigrants.

Mental Health

Mental health is not something that is widely discussed in the United States. Even with stigma lessening many different types of mental illnesses are continuously misdiagnosed, stigmatized, and ignored by doctors and the public. This is especially true when it comes to the migrant population in the country. This population endures trauma after trauma to get to a

country where they believe they will be safe only to face the next stage of trauma in their process and extreme discrimination.

Unaccompanied children coming across the border are coming face to face with their future looking up at the faces of CBP officers and grappling with the feelings of loss and powerlessness. They search for belonging, support, and their own identity, but when they finally arrive where they are going, they are only given stable housing and legal status or protection. Migrant children are experiencing trauma in multiple different places in their migration journey. Trauma results from the exposure to a single incident or series of events that are and can be emotionally disturbing or life threatening with lasting effects on the individual's functioning and mental, physical, social, emotional, and spiritual well-being.⁶⁸ Moving to a new country, separation from a family member, detainment by immigration authorities, and possible placement with a foster family are all scenarios that are extremely traumatizing for young children. Finding stability in one place can soon exacerbate the feelings in another and for young children experiencing so much change and trauma all at once this becomes the moment it all breaks down. This process is called the "building block effect"; it describes where uncertainties and insecurities add to a cumulative effect of exposure to trauma that is associated with an increase in mental health problems such as post-traumatic stress disorder.⁶⁹ There is an extremely high rate of anxiety, depression, and PTSD in children in immigration detention facilities.

The separation of children from families is also associated with short- and long-term mental health effects, social, physical, and even developmental effects. "Children's responses to significant stress, such as community violence and persecution experienced by asylum seekers,

⁶⁸ "What Is Trauma? - Trauma-Informed Care Implementation Resource Center," Trauma, July 8, 2022, <https://www.traumainformedcare.chcs.org/what-is-trauma/>

⁶⁹ Suzan J Song, "Mental Health of Unaccompanied Children: Effects of U.S. Immigration Policies," BJPsych open (U.S. National Library of Medicine, November 2, 2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/>

can be buffered by access to their caretaker and protect against risk.”⁷⁰ These policies that create separation protocols where children are taking care of other children can have long term mental health and developmental consequences, these include, anxiety, depression, PTSD, weakened immune system, physical growth, and morbidity. There can also be long term changes in sleeping and eating habits, emotional outbursts, severed relationships, social belonging, and discrimination. With other policies that would place deportation or expelling until trial higher on the list than asylum this would place unaccompanied minors at risk for situations like trafficking, murder, abuse, kidnapping, sexual assault, and death. Trauma compounds trauma and the more these children are exposed to trauma in their lives the more help they are going to need, why not start helping them now?

Detention is the management of children and families. Many different studies have been conducted to tell if there is an impact on mental health due to the detainment, detention, and separation of migrants and their families when they reach the border. While the results can be shocking, they are not entirely unexpected. Taking parents, children, and individuals, who have already experienced and endured trauma, and placing them in detention centers where they are treated as less than human and expecting them to come out on the other side with no mental health problems is ignorant. Looking at the impact of detention centers on individuals’ mental health, “studies indicated that adults, adolescents and children experienced high levels of mental health problems. Anxiety, depression and post-traumatic stress disorder were most commonly reported both during and following detention.”⁷¹ Of these studies it was found that a 76%-point prevalence of mental health disorders in detainees, with 26.2% meeting criteria for serious

⁷⁰ Ibid.

⁷¹ M. von Werthern et al., “The Impact of Immigration Detention on Mental Health: A Systematic Review,” *BMC Psychiatry* 18, no. 1 (2018), <https://doi.org/10.1186/s12888-018-1945-y>.

mental illness within 4 days of admission.⁷² Self-harm occurred in 22% (including attempted hanging) and 12.8% respectively.⁷³ The immigration process has become increasingly criminalized due to policy changes which comes with its own impacts on mental health. Making immigration centers into prison systems removes the human aspect of the immigration system and in doing so, we allow the dehumanization of individuals in these centers. In a review done on Immigration Detention Centers,⁷⁴ it was stated that, “immigration detention also exposes asylum seekers to possible abuse from staff and violence from fellow detainees, social isolation, and forceful removal.”⁷⁴ There is also an increased risk for people who are entering these centers with a history of mental illnesses and disorders. They perpetuate the loss of liberty that people may experience pre-migration and exacerbate the PTSD symptoms and emotional distress that asylum seekers and refugees face throughout their migration journey.

Children experience further distress as they go through the migration and detention system. They are removed from their parents and families and often forced to take care of other younger children. Being impacted by this trauma at such a young age can leave these children with mental illnesses such as anxiety, depression, PTSD, and somatization. These mental health consequences will remain with children through their lifetime. In a look at migrant pediatric mental health, it was found that, “newcomer children, immigrants, and refugees to the United States, are at risk of psychological stress and consequently may develop symptoms of anxiety, depression or post-traumatic stress. Some children and families also experience traumatic

⁷² Ibid.

⁷³ Ibid.

⁷⁴ M. von Werthern et al., “The Impact of Immigration Detention on Mental Health: A Systematic Review,” *BMC Psychiatry* 18, no. 1 (2018), <https://doi.org/10.1186/s12888-018-1945-y>.

separations during the process of migration or due to parental deportation.”⁷⁵ Children and parents should not be separated from their families or detained for immigration purposes and doing this causes unnecessary mental unrest. There needs to be more policies that advocate for the wellbeing of accompanied and unaccompanied minors while they are at the border.⁷⁶ There is a large concern in the U.S. around the management and well-being of unaccompanied children coming across the southern border. Immigration policies that are in place are harming the mental health of these children when they should be working to protect and help them. Policies are often walled and highly militarized, “tasked with a law enforcement mandate, Customs and Border Patrol (CBP) facilities have been described as ‘inhumane,’ with references to lack of bedding and bathing facilities, inadequate access to food and water, open toilets, confiscation of belongings and lack of access to essential medical care, sexual violence by staff against children in custody, inappropriate use of solitary confinement.”⁷⁷ Border Patrol agents and officers are granted too much power through policies that they then use as reasoning for more extreme actions, for example revoking access to food, medical care, and bedding.

According to the United Nations Convention on the Rights of the Child,² a child's basic rights are freedom from arbitrary arrest and detention (Article 37), special protection to child asylum seekers (Article 22), humane and appropriate treatment of children in detention (Article 37), and guidelines on protecting family unity (Article 9). According to these rights, the U.S. has caused undo physical and mental harm on millions of children traveling across the border

⁷⁵ “Mental Health of Newcomer Children and Adolescents: Pediatric Mental Health Minute Series,” Home, accessed April 17, 2023, <https://www.aap.org/en/patient-care/mental-health-minute/mental-health-outcomes-and-newcomer-children/>

⁷⁶ Sarah Mares, “Mental Health Consequences of Detaining Children and Families Who Seek Asylum: A Scoping Review,” *European Child & Adolescent Psychiatry* 30, no. 10 (2020): pp. 1615-1639, <https://doi.org/10.1007/s00787-020-01629-x>.

⁷⁷ Suzan J Song, “Mental Health of Unaccompanied Children: Effects of U.S. Immigration Policies,” *BJPsych open* (U.S. National Library of Medicine, November 2, 2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/>

accompanied and unaccompanied. The United States has the largest system of immigration detention facilities that has continued to grow since 1979 even though it is one of the many countries that has ratified the Convention on the Rights of the Child. Children coming to the border are placed into CBP custody, unaccompanied children must be transferred within 72 hours from their custody to the Office of Refugee Resettlement, according to the Trafficking Victims Protection Reauthorization Act. This office manages over 170 shelters, group homes, foster care and therapeutic facilities across the U.S. In 2019 there was a border patrol facility review done of five facilities in which “overcrowding with 31% of children in CBP detention held for longer than 72 hours, some younger than 7 years old.”⁷⁸ Children are already at risk for mental health problems and children going through this intense traumatic change have an exponentially increased risk. Placing these children in situations where there is an overcrowding problem, racism, biases, and a lack of concern for their mental and physical well-being puts everyone at risk.

The “Zero Tolerance Policy” put in place during the Trump Administration showed an increase in children and families in immigration and detention centers. This policy criminalized crossing the border to seek asylum and created a larger anti-immigration sentiment in the country which led to his Covid-19 policy, otherwise known as Title 42. During the era of “Zero Tolerance,” more than 5,400 children were estimated to have been separated from their caregivers, these are children aged 12 or younger. Unfortunately, there was no process for record keeping at the separation point and now that this has been deemed unconstitutional there is no way to fully ensure that all 5,400+ children will be reunited with their main caregivers; “as of

⁷⁸ Suzan J Song, “Mental Health of Unaccompanied Children: Effects of U.S. Immigration Policies,” BJPsych open (U.S. National Library of Medicine, November 2, 2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/>

2020, parents of 628 children were still missing after 3 years, at least 60 of those children were under 5 years old at the time of separation.”⁷⁹ Not only does this create a sense of paranoia and fear for both the children and the parents, but there will be mental health repercussions for years. As a side effect, there will never be any trust in the country that they migrated to in order to find a better life.

In not acknowledging the trauma that migrants have faced throughout their migration, we are compounding it once they are in detention centers. There is a continued cycle of trauma compounding trauma once migrants cross into the U.S. Current Immigration policy is aimed at deterrence of all kinds of immigration and for all reasons but should be aimed at a mental health response where people are receiving the aid that they need to provide for themselves and their families. They need access to mental health care that can help them work through the different traumas they have experienced so that they are in a place where they can healthily and safely integrate into the society of wherever they migrated. Starting individuals, families, and unaccompanied minors out in detention centers sets them up for failure when they should be set up for success and in a community-based program. The militarization and biases perceived through these detention centers are issues that the United States need to deal with and not continuously push on its neighboring countries.

⁷⁹ Suzan J Song, “Mental Health of Unaccompanied Children: Effects of U.S. Immigration Policies,” BJPsych open (U.S. National Library of Medicine, November 2, 2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/>

Solutions

Introduction

While CBP has come a long way from what it once was in the very beginnings of immigration law in 1789, it still has a long way to go to account for each human being migrating and passing through a Customs and Border Patrol checkpoint. Changes that need to be made to the immigration system through policy all contain one key element, rehumanizing the process and all those that are involved in it. Steps towards better policies and processes is all that we can ask of current and future administrations to prioritize the health and safety of migrants, refugees, and asylum seekers. These steps include, but are not limited to establishing community based processing centers, modernizing the ports of entry, redirecting funding towards child welfare, medical, and language professionals at the border, prioritizing children, funding community based support services, addressing the root causes of migration, stop border militarization, cutting the funding for certain agencies that may enforce violent and inhumane acts and policies even after they have been revoked, and supporting programs that support migrants. In supporting these policy changes and solutions there will be a drastic change in the outcome of the mental health care that migrants are receiving at the border. This sets them up for success and restores the belief in the American Dream.

Establish Regional Refugee Processing Centers

Currently, at the southern border there are detention centers, not unlike prison systems. These detention centers are set up as places where people must wait and as the Department of Justice defines it, “provide for the safe, secure, and humane confinement of persons who are detained while awaiting trial or sentencing, a hearing on their immigration status, or

deportation.”⁸⁰ Unfortunately, for the people inside these centers they are anything other than safe and humane. People stuck in the limbo that is waiting for trial or a hearing on their immigration or asylum status live at the whims of Border Patrol Agents. In a letter written from a detention center a migrant details the treatment she endures on a day to day basis, “she calls the facility ‘la perrera’ – the kennel or dog pound – because of the chain-link cages she and others were held in. [...] ‘they treated us so poorly, as though we were animals,’”⁸¹ A reform is necessary in order to move forward in the immigration process towards a more humanizing and modern approach. To do this, there must be a shift from detention centers to community-based processing centers, this means establishing regional refugee processing centers that incorporate the community around the area as well as the community of migrants. People would live communally in a way to give back to the community, rather than creating structures that resemble an archaic prison system. Investing in regional refugee processing centers would mean diplomatically reaching out to neighboring countries, such as Belize, Costa Rica, and Panama and beginning to work with them to curb the influx of migrants and their dangerous journeys to the southern border.

While ICE claims to be taking steps to move away from detention centers with its Alternatives To Detention (ATD) plans, it is clear that it is all a part of a broader deterrence plan with emphasis on the modernization of ports of entry, “Each ATD program utilizes certain tools like technology and case management to support noncitizens compliance with release conditions while on ICE’s non-detained docket. ATD also increases court appearance rates.”⁸² that keep it

⁸⁰ “United States Department of Justice,” accessed April 25, 2023, <https://www.justice.gov/archive/ag/annualreports/ar99/Chapter5.pdf>.

⁸¹ Emanuella Grinberg, Jamiel Lynch, and Keith Allen, “They Treated Us as Though We Were Animals’: Letters from inside an Immigration Detention Facility,” CNN (Cable News Network, July 4, 2018), <https://www.cnn.com/2018/07/03/us/detention-center-letters-grassroots-leadership/index.html>.

⁸² “Alternatives to Detention,” ICE, accessed April 25, 2023, <https://www.ice.gov/features/atd>.

more bipartisanly accepted and its emphasis on citizenship that pushes the idea of legality, “ATD has been in place since 2004 and the number of participants has increased over time. Through the end of July 2022, approximately 4.5 million noncitizens were being overseen on ICE’s non-detained docket. Of those, more than 350,000 participated in the ATD program with absconder rates dropping dramatically over the past two years.”⁸³ In order to move into a place where we can establish regional refugee community-based centers and other alternatives to detention we must first look into the modernization of ports of entry.

Modernize the Ports of Entry

“Modernizing the ports of entry” has always been a recurring theme throughout immigration policy and will continue to be one. If times, technology, case management, and refugee demographics continue to change there will never be a truly modernized border or modernized border patrol. Coming to terms with this is something that runs deeper than the modern technology and case management styles, but also the cultural and trauma-informed nature of the border patrol agents and staff must be constantly changing. Once it has been “modernized,” it cannot remain stagnant. Dating back to policies implemented in the aftermath of 9/11 and before, this idea of modernizing the border with the newest technologies and more staff to help with the influx of refugees has created a system where people are swept under the rug due to the insensitivity and sterilization of the centers. New updates to policies that attempt to address modernization only address licensing and trade initiatives and do not get to the heart of the migration problem and how modernizing the ports of entry can help but also hinder the migration process.

⁸³ Ibid.

Stop Blocking Asylum in the U.S.

Policies throughout history have had a continued "Zero Tolerance Policy" mentality that hinders the efforts of people seeking asylum and simply reaching out and asking for help. Beginning with the Bush administration and "Operation Streamline" this idea of Zero Tolerance on Asylum Seekers began a snowball effect that has led us to where we are today. Every human being should have the right to seek asylum, according to Article 14 of the Universal Declaration of Human Rights Everyone has the right to seek and enjoy asylum from persecution.⁸⁴ The United States policies on Asylum Seekers as they are today barring this right from many individuals. The Trump administration continued blocking asylum seekers at ports of entry and even today the Biden administration has a plan in place that restricts the process and makes it impossible for others. These plans force asylum seekers to wait for their hearings in dangerous cities in Mexico where many families may feel they have no other choice but to cross the border unlawfully and present themselves to Border Patrol Agents. In many cases migrants will opt to turn themselves over to officers because it will give them a better chance at Asylum than going through the standard process. In doing this there is a major humanitarian crisis, crossing between ports of entry is dangerous and, depending on how you do it, can be life threatening.

Prioritize Children

Accompanied and unaccompanied minors coming across the border need to be a number one priority for the staff at the southern border. They have experienced an insurmountable amount of trauma and with the system today, they continue to endure trauma within the CBP

⁸⁴ "Universal Declaration of Human Rights at 70: 30 Articles on 30 Articles - Article 14," OHCHR, November 23, 2018, <https://www.ohchr.org/en/press-releases/2018/11/universal-declaration-human-rights-70-30-articles-30-articles-article-14>.

system. Prioritizing children and families who are coming across the border, means prioritizing their mental health, housing, safety, and food and water supply. There needs to be an end to “Zero Tolerance Policies” that continually separate families resulting in high levels of mental health problems. To prioritize children, there needs to be an emphasis on their healthy development which means having their “social, emotional, and educational needs met. [...] Spending time with family – playing, singing, reading, and talking – are very important. Proper nutrition, exercise, and sleep also can make a big difference.”⁸⁵ These elements are drastically different from those that migrant children are exposed to at the southern border. Integrating these developmental goals for children and families would overall improve the mental health of migrants, refugees, and asylum seekers going through the immigration process as well as improve the overall system.

Address Root Causes

To address the major issue at our border as viewed by politicians, the influx of migrants, refugees, and asylum seekers attempting to cross the southern border, there needs to be a diplomatic response moving away from deterrence policies and militarization. A diplomatic approach means sitting down with countries that are seeing a major outflow of migrants from their countries and discussing what could be done to better any situations responsible for their leaving. The United States tends to have a history of moving into countries militarily before speaking diplomatically with any leaders and that needs to change. Speaking with the leaders of Venezuela to better the economic situation for most of the population instead of ignoring the root cause and implementing immigration policies that hinder the American Dream that we have all

⁸⁵ “Child Development Basics,” Centers for Disease Control and Prevention (Centers for Disease Control and Prevention, February 23, 2023), <https://www.cdc.gov/ncbddd/childdevelopment/facts.html>.

had unyielding access to. Placing peaceful discussion and discourse above violence and invasion shows mutual respect and the dedication to work towards a better future together.

Stop Border Militarization

The border wall is used and has been used to enforce abusive immigration policies that can have deadly impacts on thousands of people, through the separation of families and the terrorizing of communities.⁸⁶ The militarization and reinforcement of the border wall as a port of entry is not only a deterrent for migration, but it is also a contributing factor to the humanitarian crisis taking place at the southern border. The money continuously given to these agencies is money that will actively harm people in our community and puts lives at risk. Whether this be through the abuse and neglect in detention centers, invasions of privacy through surveillance, or the continued building of the border wall. Cutting funding for these agencies would also mean a substantial demilitarization of the border. The U.S. is not at war with migrants, refugees, and asylum seekers.

Cut Funding for Agencies that Enforce Violent and Inhumane Acts and Policies After They Have Been Revoked

Throughout this whole paper, there has been an emphasis on the humanity and rights that have continuously been stripped away from the migrants, refugees, and asylum seekers crossing the southern border. These rights are not only being taken away by the policies and legislators signing them into law, but also by the agents and agencies that perpetuate the rulings even after they have been revoked. In some cases, the decisions are left up to individual agents, which

⁸⁶ Ndavis-Harris@afsc.org, “Take Action to Stop Border Militarization,” American Friends Service Committee, accessed April 26, 2023, <https://afsc.org/action/take-action-stop-border-militarization>.

allows for biases to shape how the case is handled. This also happens when policies have been revoked or changed, but the agents or agencies still enforce the violent or inhumane acts that were stated in the legislature. Cutting the funding for these agencies would not defund them all together, but it would allow for funding to be placed into other areas within immigration policy work that needs help. “Following the 2019 funding bill, the Department of Homeland Security (DHS) has more than enough funding to humanely, safely, and efficiently process and support families and children at our borders – what’s needed, and what the Trump administration has failed to actually put in place, is a holistic approach to dealing with the drivers of migration in the region.”⁸⁷ The federal government and its agencies have continuously abused their power and mistreated people going against our core values as a country. ICE and CBP have taken thousands of children away from their parents as well as abused and neglected people in detention centers, allowing hundreds of people to die. These agencies have rejected oversight and accountability and waste billions of dollars each year on the jailing, abusing, and deportation of migrants. Funding for these agencies needs to be redirected to other more substantial efforts within the politics and policy of migration.

Cultural Competency Training

Currently, Customs and Border Patrol are not required to go through cultural competency training or any kind of training that would inspire empathy and put them in a position to handle the mental health and cultural crisis taking place at the border. Cultural competency means that you are aware of your own cultural beliefs and values and how these may be different from those around you and as well as other cultures you interact with. It includes being able to learn about

⁸⁷ “5 Investments to the U.S. Immigration System to Address the Border ‘Crisis,’” The Immigration Hub, accessed April 26, 2023, <https://theimmigrationhub.org/five-investments-to-address-border-crisis#>.

and honor the different cultures of people you work with and interact with on a daily basis.⁸⁸ In not requiring this training for CBP Agents, they are not requiring them to respect and acknowledge the cultures that they come in contact with on a daily basis while working the border.⁸⁹ In order to address this issue, Cultural Competency Training should be and must be required for all Border Patrol Officers in order to create a more culturally aware and less racialized department of law enforcement.

Support Programs that Support Migrants

Through the redirection of money into programs and policies that support migrants and set them up for success the United States will not only be fixing a human rights crisis but will also see an economic boost. As more and more migrants can follow the American Dream, looking towards a better life, and move into the workforce, there will be an increase in jobs, an increase in supply, leading to an increase in the demand viewed around the world. Supporting these programs instead of ones that enforce violence and terror, mental health will flourish within the migrant community and resources will be granted to help migrants, refugees, and asylum seekers face the trauma they have already been through instead of compounding the trauma.

⁸⁸ “Cultural Competency,” Defining Cultural Competency - Child Welfare Information Gateway, accessed May 6, 2023, <https://www.childwelfare.gov/pubs/acloserlook/culturalcompetency/culturalcompetency>

⁸⁹ Kate Huddleston Shaw Drake, “Addressing Racialized Violence against Migrants Requires a Complete Overhaul of Customs and Border Protection: ACLU,” American Civil Liberties Union, February 24, 2023, <https://www.aclu.org/news/immigrants-rights/addressing-racialized-violence-against-migrants-requires-a-complete-overhaul-of-customs-and-border-protection>.

Conclusion

Our immigration politics and policies in the United States and around the globe are ever changing and should continue to be ever changing. They are adapting to a continuously modernizing world with changing technologies and new social and political barriers that arise every day. In attempting to stay on top of the way that immigration policies ebb and flow, we can curb the way that migrants' mental health has been affected in the past and change our actions for the future. This is not a past or future problem, this is a now problem.

Works Cited

“225th Anniversary of the U.S. Customs Service.” National Archives and Records Administration. National Archives and Records Administration. Accessed May 2, 2023. <https://www.archives.gov/nyc/press/2014/customs-service.html>

“5 Investments to the U.S. Immigration System to Address the Border ‘Crisis.’” The Immigration Hub. Accessed April 26, 2023. <https://theimmigrationhub.org/five-investments-to-address-border-crisis#>.

Abd, Rodrigo. *A U.S.-Bound Migrant Caravan Waits after Mexican Federal Police Briefly Blocked Their Way Outside the Town of Arriaga on Saturday*. October 29, 2018. Photograph. AP Photo.

“Agriculture, Forestry, and Fishing.” Encyclopædia Britannica. Encyclopædia Britannica, inc. Accessed May 2, 2023. <https://www.britannica.com/place/Haiti/Agriculture-forestry-and-fishing>.

“Alternatives to Detention.” ICE. Accessed April 25, 2023. <https://www.ice.gov/features/atd>.

“Alternatives to Immigration Detention: An Overview.” American Immigration Council, March 18, 2022. <https://www.americanimmigrationcouncil.org/research/alternatives-immigration-detention-overview>.

“As Haiti Slides into Violence, Its People 'Cannot Wait Any Longer' for Assistance, Foreign Minister Tells Security Council | UN Press.” United Nations. United Nations. Accessed May 7, 2023. <https://press.un.org/en/2023/sc15266.doc.html>

Border patrol agent entrance exam: Preparation guide § (n.d.).

“Border Patrol History.” U.S. Customs and Border Protection. Accessed May 2, 2023. <https://www.cbp.gov/border-security/along-us-borders/history>.

Border patrol strategic plan § (n.d.).

Border States Feel ‘Abandoned’ by the Biden Administration: Rep. Jodey Arrington. Fox News. FOX News Network. Accessed May 6, 2023. <https://www.foxnews.com/video/6320834324112>.

Brooks, S K, and N Greenberg. “Mental Health and Wellbeing of Border Security Personnel: Scoping Review.” *Occupational Medicine* 72, no. 9 (2022): 636–40. <https://doi.org/10.1093/occmed/kqac108>.

“CBP Border Patrol Academy.” CBP Customer Service. Accessed May 2, 2023. https://help.cbp.gov/s/article/bp-academy?language=en_US.

“CBP Timeline.” U.S. Customs and Border Protection. Accessed May 2, 2023. <https://www.cbp.gov/about/history/timeline-static-view>.

Chappell, Bill. “U.S. Border Agents Chased Migrants on Horseback. A Photographer Explains What He Saw.” NPR. NPR, September 22, 2021. <https://www.npr.org/2021/09/21/1039230310/u-s-border-agents-haiti-migrants-horses-photographer-del-rio>.

“Child Development Basics.” Centers for Disease Control and Prevention. Centers for Disease Control and Prevention, February 23, 2023. <https://www.cdc.gov/ncbddd/childdevelopment/facts.html>.

Colleen Connolly, Colleen Connolly is a freelance journalist based in New York. Her work has appeared in The Guardian. “Border Wall Desecrates Native American Lands in Southern California and Arizona.” The American Prospect, October 12, 2020. <https://prospect.org/civil-rights/border-wall-desecrates-native-american-lands-in-southern-cal/>.

Cortel, Ashley, Damian Fird, Jacquelyn Meadows, Joe M., Cathy, and Arbeen. “Why Do People Immigrate? - the Different Causes of Immigration.” LIRS, July 15, 2021. <https://www.lirs.org/causes-of-immigration/>.

“Cultural Competency.” Defining Cultural Competency - Child Welfare Information Gateway. Accessed May 6, 2023. <https://www.childwelfare.gov/pubs/acloserlook/culturalcompetency/culturalcompetency>

“DACA.” ILRC. Accessed May 2, 2023. <https://www.ilrc.org/daca>.

De Jesús Duarte, María. “Four to Protect and Police.” *Border Policing*, 2020, 79–95. <https://doi.org/10.7560/320679-007>.

“Deferred Action for Childhood Arrivals (DACA).” ICE. Accessed May 2, 2023. <https://www.ice.gov/daca>.

Department, U.S. State. “Visas For Victims Of Human Trafficking.” U.S. Department of State. U.S. Department of State. Accessed May 7, 2023. <https://travel.state.gov/content/travel/en/us-visas/other-visa-categories/visas-for-victims-of-human-trafficking.html>

Donnella, Leah. “The Environmental Consequences of a Wall on the U.S.-Mexico Border.” NPR. NPR, February 17, 2017. <https://www.npr.org/sections/codeswitch/2017/02/17/514356130/the-environmental-consequences-of-a-wall-on-the-u-s-mexico-border>.

Dupree, James. “Six the Roots of the Border Patrol.” *Border Policing*, 2020, 115–28. <https://doi.org/10.7560/320679-009>.

Dupree, James. “Six the Roots of the Border Patrol.” *Border Policing*, 2020, 115–28. <https://doi.org/10.7560/320679-009>.

“Esri Embattled Borderlands Story Map.” Audubon, March 15, 2023. <https://www.audubon.org/features/esri-embattled-borderlands>.

“Fatal Encounters with CBP.” Southern Border Communities Coalition. Accessed May 7, 2023. https://www.southernborder.org/deaths_by_border_patrol.

“The Federal Register.” Federal Register :: Request Access. Accessed May 2, 2023. <https://www.ecfr.gov/current/title-8/chapter-I/subchapter-B>.

Flores, Rosa. "A Texas National Guard Member Shot and Injured a Migrant at the Border." CNN. Cable News Network, January 29, 2023. <https://www.cnn.com/2023/01/28/us/texas-national-guard-shoots-migrant-rio-grande/index.html>.

García, Luis Alberto. "Two Dominance in an Imagined Border." *Border Policing*, 2020, 43–59. <https://doi.org/10.7560/320679-005>.

Grandin, Greg. "The Border Patrol Has Been a Cult of Brutality since 1924." The Intercept. The Intercept, January 12, 2019. <https://theintercept.com/2019/01/12/border-patrol-history/>.

Grinberg, Emanuella, Jamiel Lynch, and Keith Allen. "They Treated Us as Though We Were Animals': Letters from inside an Immigration Detention Facility." CNN. Cable News Network, July 4, 2018. <https://www.cnn.com/2018/07/03/us/detention-center-letters-grassroots-leadership/index.html>.

Hansen, Claire. How much of president Donald Trump's border wall was built? Accessed April 29, 2023. <https://www.usnews.com/news/politics/articles/2022-02-07/how-much-of-president-donald-trumps-border-wall-was-built>.

"A History of the Border Patrol." NPR. NPR, April 4, 2019. <https://www.npr.org/2019/04/04/709767457/a-history-of-the-border-patrol>.

"History of the Texas Rangers." History of the Texas Rangers | Department of Public Safety. Accessed May 2, 2023. <https://www.dps.texas.gov/section/texas-rangers/history-texas-rangers>.

Hoy, Benjamin. "Three a Border without Guards." *Border Policing*, 2020, 60–76. <https://doi.org/10.7560/320679-006>.

"Immigration Detention & Enforcement." National Immigrant Justice Center. Accessed May 7, 2023. <https://immigrantjustice.org/issues/immigration-detention-enforcement>

International Crisis Group. "Mexico's Southern Border: Security, Violence and Migration in the Trump Era." *Human Rights Documents Online*, n.d. https://doi.org/10.1163/2210-7975_hrd-9812-20180004.

Maureen Meyer, and Adam Isacson. "High Levels of Migration Are Back. This Time, Let's Respond without a Crackdown." WOLA, September 1, 2021. <https://www.wola.org/analysis/high-levels-of-migration-are-back-this-time-respond-without-a-crackdown/>.

Klug, Thomas A. "Five Enforcing US Immigration Laws at the US-Canada Border, 1891–1940." *Border Policing*, 2020, 96–114. <https://doi.org/10.7560/320679-008>.

Lavandera, Ed, Ashley Killough, Rosa Flores, and Alaa Elassar. "El Paso, Texas, Police Charge Man Who Allegedly Harassed Migrants with a Gun." CNN. Cable News Network, January 6, 2023. <https://www.cnn.com/2023/01/05/us/el-paso-texas-migrants-harassed-with-gun-new-years/index.html>.

Leza, Christina. "How a Border Wall Would Separate Indigenous Communities - Pacific Standard." Accessed April 29, 2023. <https://psmag.com/social-justice/a-border-wall-would-separate-indigenous-communities>.

Mares, Sarah. "Mental Health Consequences of Detaining Children and Families Who Seek Asylum: A Scoping Review." *European Child & Adolescent Psychiatry* 30, no. 10 (2020): 1615–39. <https://doi.org/10.1007/s00787-020-01629-x>.

Martin, Edward J. "One Defining the Acceptable Bounds of Deception." *Border Policing*, 2020, 27–42. <https://doi.org/10.7560/320679-004>.

"Mental Health of Newcomer Children and Adolescents: Pediatric Mental Health Minute Series." Home. Accessed April 17, 2023. <https://www.aap.org/en/patient-care/mental-health-minute/mental-health-outcomes-and-newcomer-children/>

National Border Patrol Strategy § (2004).

"Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions Fiscal Year 2023." U.S. Customs and Border Protection. Accessed May 2, 2023. <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics>.

Ndavis-Harris@afsc.org. "Take Action to Stop Border Militarization." American Friends Service Committee. Accessed April 26, 2023. <https://afsc.org/action/take-action-stop-border-militarization>.

"No Border Wall." No Border Wall. Accessed April 29, 2023. https://www.biologicaldiversity.org/campaigns/border_wall/index.html

Parker, Laura. "6 Ways the Border Wall Could Disrupt the Environment." *Environment*. National Geographic, May 4, 2021. <https://www.nationalgeographic.com/environment/article/how-trump-us-mexico-border-wall-could-impact-environment-wildlife-water?loggedin=true&rnd=1682790618861>.

Ratje, Paul. *Venezuelan Migrants, Some Who Were Expelled Back to Mexico, and Others Who Arrived in Juarez and Haven't Crossed Yet, Wave Flags on the Banks of the Rio Grande Tuesday While Peacefully Protesting New US Migration Enforcement Rules*. October 21, 2022. Photograph. CNN.

"The Real Alternatives to Detention." Women's Refugee Commission, August 30, 2021. https://www.womensrefugeecommission.org/research-resources/alternatives-to-detention/?gclid=CjwKCAjw0ZiiBhBKEiwA4PT9z1SqDI8KQVI7ok0iBIXHPzP7XYftIgSapS9SwCueLp9CJLVQRuJudRoCAtgQAvD_BwE.

"Regional Platform 2.0." R4V, March 17, 2023. <https://www.r4v.info/en/regional>.

"Reporting Terminology and Definitions." Reporting Terminology and Definitions | Homeland Security. Accessed May 3, 2023. <https://www.dhs.gov/immigration-statistics/reporting-terminology-definitions>

Robert Muggah Lycia Brasil , Robert Muggah, Lycia Brasil, Mac Margolis, Author details R, and Robert Muggah Lycia Brasil . “The Climate Crisis and Displacement in Venezuela.” Humanitarian Practice Network, April 27, 2022. <https://odihpn.org/publication/the-climate-crisis-and-displacement-in-venezuela/>.

Ronna. “Digital Toolkit: Build Support to Defund Ice and CBP.” American Friends Service Committee. Accessed April 27, 2023. <https://afsc.org/digital-toolkit-build-support-defund-ice-and-cbp>.

Rose, Joel. “A Majority of Americans See an 'Invasion' at the Southern Border, NPR Poll Finds.” NPR. NPR, August 18, 2022. <https://www.npr.org/2022/08/18/1117953720/a-majority-of-americans-see-an-invasion-at-the-southern-border-npr-poll-finds>.

Rosenberg, Lizzy. “In Addition to Humanitarian Crisis, the Border Wall Will Cause ‘Ecological Disaster.’” Green Matters. Green Matters, December 15, 2021. <https://www.greenmatters.com/p/border-wall-environmental-impact>.

Shaw Drake, Kate Huddleston. “Addressing Racialized Violence against Migrants Requires a Complete Overhaul of Customs and Border Protection: ACLU.” American Civil Liberties Union, February 24, 2023. <https://www.aclu.org/news/immigrants-rights/addressing-racialized-violence-against-migrants-requires-a-complete-overhaul-of-customs-and-border-protection>.

Shoichet, Catherine E. “Where Immigrants Come from and Where They Go after Reaching the US.” CNN. Cable News Network, April 15, 2023. <https://www.cnn.com/2023/04/15/us/where-immigrants-come-from-cec/index.html>

Song, Suzan J. “Mental Health of Unaccompanied Children: Effects of U.S. Immigration Policies.” BJSych open. U.S. National Library of Medicine, November 2, 2021. <https://www.ncbi.nlm.nih.gov/pmc/articles/>

“Southwest Land Border Encounters (by Component).” U.S. Customs and Border Protection. Accessed May 2, 2023. <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters-by-component>.

Staff, Fox News. “GOP Reps. Arrington, Gooden on How Biden Admin's Border Policies Are Causing 'Complete Chaos'.” Fox News. FOX News Network, February 19, 2023. <https://www.foxnews.com/media/gop-reps-arrington-gooden-biden-admins-border-policies-causing-complete-chaos>.

“Ten Graphics That Explain the U.S. Struggle with Migrant Flows in 2022.” Council on Foreign Relations. Council on Foreign Relations. Accessed May 2, 2023. <https://www.cfr.org/article/ten-graphics-explain-us-struggle-migrant-flows-2022>

“Texas Rangers.” Texas Rangers | Department of Public Safety. Accessed May 2, 2023. <https://www.dps.texas.gov/section/texas-rangers>.

“Title 42 Is Ending.” Title42.ayudamenonprofit.org. Accessed April 27, 2023. https://title42.ayudamenonprofit.org/?gad=1&gclid=CjwKCAjw0ZiiBhBKEiwA4PT9z4n_lfE5CLVSzWi_cOZJsemQ0UzCJcDqODIC5CZLqLb5Om6tld1HZoRoC-skQAvD_BwE.

“U.S. Citizenship Test Questions and Answers.” Boundless, April 20, 2023. <https://www.boundless.com/immigration-resources/citizenship-test-questions-and-answers/>.

“U.S. Detention of Child Migrants.” Council on Foreign Relations. Council on Foreign Relations. Accessed April 27, 2023. https://www.cfr.org/backgrounder/us-detention-child-migrants?gclid=CjwKCAjw0N6hBhAUEiwAXab-TehElJ6nGvdOdg-C4opJDqnONNgmMSRP39uR0T-_G1sAwy7dEJ3hUBoCCXUQAvD_BwE.

“U.S. Relations with Haiti - United States Department of State.” U.S. Department of State. U.S. Department of State, January 1, 2023. <https://www.state.gov/u-s-relations-with-haiti/>.

“U.S. Relations with Venezuela - United States Department of State.” U.S. Department of State. U.S. Department of State, April 26, 2023. <https://www.state.gov/u-s-relations-with-venezuela/>.

“United States Department of Justice.” Accessed April 25, 2023. <https://www.justice.gov/archive/ag/annualreports/ar99/Chapter5.pdf>.

“Universal Declaration of Human Rights at 70: 30 Articles on 30 Articles - Article 14.” OHCHR, November 23, 2018. <https://www.ohchr.org/en/press-releases/2018/11/universal-declaration-human-rights-70-30-articles-30-articles-article-14>.

University, Syracuse. “5,000 Asylum-Seekers Added to the Migrant Protection Protocols 2.0, Few Are Granted Asylum.” 5,000 asylum-seekers added to the Migrant Protection Protocols 2.0, few are granted asylum. TRAC Immigration. Accessed May 7, 2023. <https://trac.syr.edu/immigration/reports/686/>

University, Syracuse. “Trac Immigration: Syracuse University.” Transactional Records Access Clearinghouse (TRAC) - comprehensive, independent, and nonpartisan information on federal enforcement, staffing and funding. Accessed May 7, 2023. <https://trac.syr.edu/immigration/quickfacts>

“Use of Force Policy and Administrative Guidelines and Procedures Handbook.” U.S. Customs and Border Protection. Accessed May 2, 2023. <https://www.cbp.gov/document/guidance/use-force-policy-and-administrative-guidelines-and-procedures-handbook>.

“Venezuela.” Encyclopædia Britannica. Encyclopædia Britannica, inc., April 30, 2023. <https://www.britannica.com/place/Venezuela>.

“Venezuela.” Venezuela | Country Page | World | Human Rights Watch, March 28, 2022. <https://www.hrw.org/americas/venezuela>.

“Venezuelan Refugee and Migrant Crisis.” International Organization for Migration. Accessed May 7, 2023. <https://www.iom.int/venezuelan-refugee-and-migrant-crisis>.

“Victims of Criminal Activity: U Nonimmigrant Status.” USCIS, March 20, 2023.
<https://www.uscis.gov/humanitarian/victims-of-human-trafficking-and-other-crimes/victims-of-criminal-activity-u-nonimmigrant-status>

von Werthern, M., K. Robjant, Z. Chui, R. Schon, L. Ottisova, C. Mason, and C. Katona. “The Impact of Immigration Detention on Mental Health: A Systematic Review.” *BMC Psychiatry* 18, no. 1 (2018).
<https://doi.org/10.1186/s12888-018-1945-y>.

“What Is Immigration Detention? and Other Frequently Asked Questions.” International Detention Coalition. Accessed May 7, 2023. <https://idcoalition.org/about/what-is-detention/#1496020739088-f9930051-905e>.

“What Is Trauma? - Trauma-Informed Care Implementation Resource Center.” Trauma, July 8, 2022.
<https://www.traumainformedcare.chcs.org/what-is-trauma/>

“Who We Are.” ICE. Accessed May 2, 2023. <https://www.ice.gov/about-ice>.

Wola. “Imagining Scenes of Compassion and Dignity at the U.S.-Mexico Border.” WOLA, September 28, 2021. <https://www.wola.org/2021/09/imagining-scenes-compassion-dignity-at-border/>.

“You Searched for Border+Security+Policies.” The White House. The United States Government. Accessed May 2, 2023. <https://www.whitehouse.gov/?s=border%2Bsecurity%2Bpolicies>.

“You Searched for Venezuela+Initiative.” The White House. The United States Government. Accessed May 2, 2023. <https://www.whitehouse.gov/?s=venezuela%2Binitiative>.