

**The Unbearable Paradox between Social Work Ethics and Values, and the Abuse of Migrant Children**  
**A Commentary by Robin Hernandez- Mekonnen**  
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The Children's Bureau and the Office of Refugee Resettlement (ORR) are both housed under the Department of Health and Human Services. In fact, they are first cousins. Both organizations are charged with the care of dependent children. Both take solidly different approaches to defining the importance of family in their work. One agency strives to prevent child maltreatment, while the other appears to be inflicting it. As social workers are pained to reconcile this injustice, we are left perplexed by the inadequacies of our government and inaction by our profession.

Last year, the Children's Bureau held its [21st National Conference on Child Abuse and Neglect](#) (NCCAN) in Washington DC. The Center on Immigration and Child Welfare (CICMMCW.org) had held a round table symposium in Albuquerque just months before, and the issues with Zero Tolerance, ending DACA, and several other moving targets were shifting so quickly it was becoming impossible for advocates to tackle any single one. I submitted an abstract to NCCAN to present on Title IV-E and efforts to help train Child Welfare Workers on working with migrant families. It was rejected (but later published - see Hernandez-Mekonnen & Konrady, 2019). After some further exploring, I learned that at least two other credible (well- published) colleagues had submitted abstracts related to migrant children or families and were also rejected. In fact, after the [NCCAN program](#) was published, there were no workshops in the entire conference, addressing the issue of immigrant children and families (Children's Bureau, 2019). I raised the issue publicly, that perhaps the Children's Bureau is censoring the topic, and there was scarce further discussion. In October 2019, the Children's Bureau sent a representative to present their new family focused vision statement to the Child Welfare Roundtable group at the Annual Program Meeting of the Council on Social Work Education. I posed the question to the Children's Bureau's representative, of what the family focused vision of the Children's Bureau meant for children separated from their families in the care of the Office of Refugee Resettlement, or those at the border? What, if anything, was the Children's Bureau doing on behalf of those children? I hoped to clarify the Children Bureau's position. The response was that the representative thought it was a good question and would take it back to the Bureau with her.

Migrant children have endured significant trauma in their short lives, and arrive to the U.S. border only to be re-victimized (Habbach et al., 2020; Ferris, 2019). Arguably, the inhumane treatment they receive is a known and deliberate tactic by the administration to deter other migrants from attempting to come to the U.S. for safety (Ferris, 2019). Since Zero Tolerance, a controversial policy adapted by the Trump Administration authorizing and in most cases requiring the separation of children from their family members, HHS reported to the American Civil Liberties Union (ACLU) that over 5,512 children were separated despite mandates to end the policy and reunite children with their families (as cited in Habbach et al., 2020). Somewhere around six thousand unaccompanied children remain in the custody of ORR today. Since 2018, the media has released several critical reports about the care of children in both Customs and Border Patrol (CBP) and ORR (Habbach et al., 2020). In sum, over four thousand children have come forward as the victims of sexual assault, and at least seven have died in CBP's custody alone. Countless other reports of maltreatment of children have been published (U.S. Commission on Civil Rights, 2019). We have all seen the images of children rolled in silver blankets, lined up on the concrete floors of chain-linked cages. We have heard many individual stories, including the painful death of Carlos Gregorio Hernandez Vasquez, a 16-year-old boy from Guatemala, who according to video footage from his cell was found by another youth, dead from the flu, in a pool of his own blood next to a toilet (Moore et al., 2019).

Recently, mental health professionals who had been treating youth in the care of ORR were found to have shared confidential therapy notes with Immigration and Customs Enforcement (ICE) (Dreier, 2020). Several professional associations published positions condemning the practice. It is not clear if the practice continues.

Prior to the violation of confidentiality by mental health professional, ORR established a memorandum of agreement (MOA) with ICE, whereby the sharing of personal information of ORR sponsors (family members of youth) had already begun. ORR's primary charge is to care for unaccompanied youth temporarily. If migrant youth came to the U.S. to reunify with parents or relatives of theirs who had already fled their countries, ORR is responsible for facilitating the location and reunification with them. Until 2018, this process was contained within ORR's purview. However, the recent MOA between ICE and ORR, opened data sharing capacity, and ICE now has access to the sponsor's personal data (Office of the Inspector General, 2020). ICE has begun to use this personal data to enhance immigration enforcement duties. The Women's Refugee Commission (WRC) and the National Immigrant Justice Center (NIJC) conducted research on the implications of the MOA and the likelihood that family members will be deterred from coming forward to reunify with youth out of fear of immigration enforcement leading to deportation. In fact, after a number of cases in which ICE has detained ORR sponsors, the implications are clear. With fewer family members coming forward for reunification, youth are lingering in ORR shelters for extended periods of time (2020). Research indicates that when a child is unable to be cared for by their parents, kin is the next best option (Winokur et al., 2018).

While the new family focused vision of the Children's Bureau, and current federal child welfare legislation, (Fostering Connections to Success and Increasing Adoptions Act of 2008, The Family First Prevention Services Act of 2018) suggest that the Administration of Children and Families embraces the importance of family; it appears that there is a contradiction with the practices of ORR. In reality, while one office under Health and Human Service (HHS) strives to prioritize families, the other has become a de facto institutional source of child maltreatment (Schmidt, 2019). Physicians for Human Rights has asserted that the trauma inflicted by family separation, CBP, and ORR facilities amounts to torture (Habbach et al., 2020). The Office of the Inspector General released a report on March 20, 2020, indicating ORR in systematic miscommunication, to the detriment of children in their care.

On March 10, 2020, I accompanied my class of 25 soon to be MSW graduates to advocate in Washington DC for social work month. In a meeting with Jeff Van Drew, a newly minted republican from our University's legislative district in NJ, students talked with him about a bill drafted to protect the human rights of migrant children. They asked him about what he saw when he visited the border in 2019. He reported that things are "much different now. The children all have laptops. They are eating steak, steak with vegetables; I saw it with my own eyes" (personal communication, March 10, 2020). He then shifted the conversation to veterans. My students came home in utter disbelief.

Perhaps it is this continued disbelief among social workers that is numbing our outrage, and hampering our actions and leadership. Perhaps we continue to be blindsided by new lows in the administration's attacks on all of the issues we care about. Consider the fear we are enduring under COVID-19. Children living indefinitely in ORR shelters do not have the comfort of their families. They have poor access to toiletries such as hand soap and no options for social distancing as people come and go from the facilities in which they are held. They do not have adequate access to health care, and their families will typically have even less (U.S. Commission on Civil Rights, 2019). While I fear we have entered a period of

complacency under the vileness of this administration, as social workers we cannot allow ourselves to be taken off course. It is imperative as social workers we review our ethics and our values, and speak out against the systems responsible for the maltreatment of migrant children and the large-scale perpetration of calculated and deliberate abuse until it ends and we are all accountable.

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