

# Asylum Seekers Find Safe Haven

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JOHN MORRISSEY

**D**esperate children trudge on a lonely quest for U.S. asylum after fleeing abuse or threats on their life. Limited and dwindling cash buys passage by plane, boat, truck and on foot through as many as 10 countries, where they risk drowning, dense jungle and further abuse to get to the American border. If they can credibly explain the threats that made them run, they are placed in juvenile facilities while their cases play out — until they turn 18.

That's when, in one day's time, their lives turn upside down yet again.

If they have no family, friend or foster care to sponsor them, shortly after midnight on their 18th birthday “an officer will come to the youth center and take the child in handcuffs — that's their procedure — and then they transfer them to one of the adult detention facilities” for immigrants seeking asylum, said Br. Michael Gosch, a Chi-

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cago-area brother with the Clerics of St. Viator. There they wait, usually in a county jail, their asylum efforts constrained by the lessened ability to reach legal help, phone home and gather evidence of the events that forced them to flee.

“It's very regimented,” said Br. Gosch, co-director of a program to provide a caring and supportive alternative to this norm. “It's a strict routine. They're in [jail] jump suits. When they are transferred for [asylum] hearings into Chicago, they're cuffed and they ride in these vans. So they're pretty much treated as if they are criminals.”

Br. Gosch was actively involved in Chicago-area shelters organized to house and help adults seeking asylum but with nowhere to go, when he became aware of a subset — teenagers who legally become adults, but remain children in many respects, and needed a different, more extensive range of support. As teenagers under age 18, they had been in the custody of the U.S. Office of Refugee Resettlement, which exists for children only, and is required to transfer custody to Immigration and Customs Enforcement at the legal adult age.

Confinement could range from several months to much longer, especially if the immigrant loses the first hearing and then appeals, said Melanie Schikore, executive director of the Chicago-based Interfaith Community for Detained Immigrants,



which provides pastoral care and advocacy for asylum seekers.

Moved by the incarceration of children aging out of youth facilities, Br. Gosch teamed up with a fellow Viatorian, Fr. Corey Brost, to launch a home for young men in January 2017. Viator House of Hospitality, which can board and benefit up to 25 residents, is a government-approved alternative to detention and has built a reputation for meeting the social, cultural, educational and basics-of-living needs of more than 50 asylum seekers to date.

It's a start, but with Viator House filled to capacity, Br. Gosch is struck by the wider reality that "there is this tremendous need because of the number of unaccompanied immigrant children coming across the border, and there aren't places available to welcome these kids once they turn 18." In the past five years, 260,000 lone minors entered the country, according to U.S. Customs and Border Protection.

For youths in adult detention centers, the risks to physical, mental and emotional health suddenly multiply, according to activists familiar with the typical environment. Many of them don't understand why this is happening, why they are sharing space with accused lawbreakers in some instances, and why they have lost any control over their lives. The jail garb, the feeling of being held for some unnamed wrongdoing, and extreme limits on walking around or going outside can make for scary times.

Some new detainees will spend the first day crying, said Schikore. Age 18 can feel like an arbitrary milestone for adulthood, especially for youth who have never been on their own and are navigating a completely new country's official systems without family to lean on, she said. "The age issue means that anything that is not already great for other adults is amplified for young people because they have less life experience and they're less equipped to handle anything that's happening to them."

A spokeswoman for ICE said in a statement that at the time the transfer from a juvenile facility takes place, "a new custody determination is made by ICE, taking into account the totality of the individual's circumstance, to include flight risk, threat to the public and threat to themselves." Those determinations are made case by case "while adhering to current agency priorities, guidelines and legal mandates." Certain "alternatives to detention"

are an option, she added, citing the ICE operations manual Performance-based National Detention Standards. The decision is up to ICE on whom to divert to those alternatives, such as community-based parole-like programs, if available.

Transfers to adult detention contrast with the group home setting where asylum seekers lived as children, Schikore related: "They are wearing their own clothes, they have a cafeteria, they have teachers and they're playing with [other] children." Next thing they know, they are incarcerated.

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"It's an affront to who they are, and why they came, and the traumas that they've been through, to further traumatize them in this manner."

The primary focus of correctional officers is safety and security, not warmth and hospitality, Schikore noted. "We frequently have people tell us that we're the only people who come into the jail and are happy to see them, see their humanity, and treat them as human beings, and ask them things like, 'How are you feeling today?'"

The setups of the four main detention centers ringing the Chicago area vary; some have cells, others use more of a dormitory arrangement. Few have sufficient window light and outdoor room, Schikore contends. The ICE standards manual expects facilities to provide indoor and outdoor recreation, and if it doesn't have an outdoor area, "a large recreation room with exercise equipment and access to sunlight shall be provided."

Kankakee County Sheriff Mike Downey said transparent skylights are "in every housing unit" of the county's jail, referring to its open dormitories plus cells for more dangerous, uncooperative detainees. There is no outdoor area, which "is not required by county jail standards, but it is obviously required by ICE standards. So we are actually working with a couple of construction companies now, to put something outside for the detainees."

Overall, though, “When we built the jail, we built a secure facility,” Downey pointed out. “They don’t have the ability to come out of unlocked doors, come and go as they please. They are in a confined area” that is “big enough, open enough.”

Each center has a different way of grouping detainees by gender, reason for detention, age or other variables, and young asylum seekers may be housed with older adults, including people accused of felonies. Schikore said, “We do hear from people who are sharing space with someone who has committed some horrible, violent crime, and they’re afraid of who they are with.”

### **ISOLATED AND AFRAID**

Communicating with the outside world, whether pursuing their asylum or reaching family members, is severely curtailed in this environment. A legal advocacy organization in Chicago called the National Immigrant Justice Center has under-18 clients that it represents as part of an initiative called the Immigrant Children’s Protection Project. Any child who turns 18 will continue to be represented in adult detention. But if a young person doesn’t have a source of legal aid by then, it’s difficult to get counsel.

As non-citizens, no lawyer is provided by the courts, and many go without representation even though history demonstrates how essential it is. “Statistically, we know that the chances of a successful case are so much greater just by the fact of having a lawyer, because it’s a bureaucratic system,” Schikore explained. “It’s a legal system that’s difficult to navigate, and not having a guide to do that is challenging.” Research from the nonprofit Kids in Need of Defense finds that 7 in 10 who arrive as children win if they have lawyers; 9 in 10 without such representation lose. But only 14 percent of detained immigrants have a lawyer, compared with 2 out of every 3 who are not detained, according to the American Immigration Council.

Even with National Immigrant Justice Center representation, someone in detention has a hard time getting access to a lawyer who typically is at least 90 minutes away from any of the detention centers. That’s how long it takes lawyers to get from Chicago to the centers in Kankakee and McHenry counties in Illinois, or Kenosha and Dodge counties in Wisconsin. Making or taking phone calls can be a problem, whether it’s to contact a lawyer or reach home to ask for necessary documents to help attorneys press the case, said Br. Gosch. At Viator House, they are given cell

phones and calling cards to reach the home country, “but in a county jail and detention centers, they don’t have that ability to stay in close contact with family members.”

The ICE manual lays out directives on access to phones, requires free calls to legal representatives and prohibits arbitrary limits on the length of such calls. On other types of calls, any international or other charges are the responsibility of the caller. Practically speaking, access can be limited by the availability of phones — the manual recommends an “optimum” ratio of one per 10 detainees but allows for a minimum of one for every 25.

### **CHOICES NO ONE SHOULD FACE**

The United States is where things were going to be different. Back home, traumas resulting from political unrest, ever-present gang presence, or just being in the tribe out of power made daily life constantly dangerous.

In Central America, youths often are forced to join gangs, or else. They either participate unwillingly in the torment of others as part of the gang, or resist at their peril. One resident of Viator House faced an unthinkable choice. “He and his friend didn’t join the gang, and the friend was killed. And so he felt he needed to join the gang, so he said he’d join,” Br. Gosch recalled. “The gang said, ‘Okay, fine — you have to prove your allegiance: Choose one of your parents to kill. You have to kill one of your parents. Then you’ve shown us your loyalty.’ So instead of killing a parent, he took off.”

In other countries, terrorist, criminal or military groups threaten anyone showing opposition. One asylum seeker staying at Viator House described how he had been laid up in his home country for months after trying to defend his mother from attack because his parents were politically active. He then departed on a six-month saga across three continents to the U.S. once he had healed enough to travel. Other teenagers are forced to join the government military — which in dictatorships enforce very harsh rules on the country’s people — or be thrown in jail, Br. Gosch said.

“You have a person who has high levels of trauma because of [home country] issues, who then has additional trauma because migration is traumatic,” Schikore explained. They see people die on a journey of strangers traveling together, whether the boat in front of them capsizes and all aboard drown, or others get sick or dehydrated



and can't continue. Some are attacked and robbed, because it's well known that they have money on them to finance the moves from one country to another.

"You leave whatever trauma at home that forces you out, then you experience all of this," Br. Gosch said.

In one stretch, through the Darien Gap jungle between Colombia and Panama, youths witnessed lethal missteps including one man who slipped and fell off a mountainside, and another who was swept away by swift current when crossing a river, Br. Gosch related. One slightly built teen survived the river fording with the help of two large companions who positioned themselves on each side of him to blunt the force of the current. He made it to the U.S. border, and eventually to Viator House.

#### A PLACE OF RESPITE

New arrivals have a big adjustment to make because they can actually let down their guard. In addition to gratitude and relief, one thing that stands out is that they can live in a room under their personal control, said Fr. Brost, co-director of the facility. "For the first time in many months or years, they can take a concrete action to protect themselves. One of the most important things we learned when we opened Viator House was to give them locks and keys for their doors."

Guided by two case managers, residents undergo a schedule of doctor, dentist and counseling visits, and they work with a facility supervisor to learn house chores, make their own meals in two large kitchens, and start an educational regimen that includes high school and English classes tailored for immigrants. More than 70 volunteers from the area help tutor residents, act as mentors, work in the house and drive residents to and from the wide range of activities off site.

The environment is the happy medium between strict routines of juvenile or adult detention and the anarchy of the journey. "They have come from total chaos — of the jungle, of traveling, of not trusting anybody — so now they at least have some kind of structure," said Marianne Dilsner, one of the case managers at Viator House. But it's nothing like detention. "I explain to them, 'You are free here. Free to go out and ride a bicycle. Free to take a walk. Free to take a shower if you want.' Those things are so different from detention."

A fortunate consequence of intercepting minors on their 18th birthday instead of having ICE move them to a detention center is that "the kids we get directly from the children's centers are completely naïve about what they have escaped because of our intervention — and we like it like that," said Schikore. "It's a gift. They have no idea what would have happened had we not been able to offer them a space instead of them going to jail. And that's okay with us. Thank God they don't even know."

#### WELCOMING NEW MEMORIES

Aftershocks don't come out immediately, said Fr. Brost, but over time he sees things like stress headaches, sleeplessness and nightmares. "We see guys that, as a result of a word or a phrase, or a touch, have an intense emotional reaction. Or maybe a call from home might trigger a withdrawal to his bedroom, or tears or anxiety."

There are flashes of anger about the asylum process or about the wait for cases to be fully prepared and called for a hearing. Fr. Brost points out that the residents are fortunate to have lawyers working on their behalf but frequently the assigned attorneys are the only conduit to the legal process and get blamed for a lack of progress.

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Because of the past and ongoing trauma, Viator House maintains the anonymity of its residents and usually declines to make individuals available to retell their stories. Fr. Brost said the retelling especially to a general public is uncomfortable if not emotionally taxing. Another wrinkle: Information published even under an alias could be identifiable to people, including back home, who are very familiar with the asylum seeker.

In opportunities to go to school, to work and to give back by volunteering to help people in need, Viator House aims to build a culture that supports healing. One of the goals, said Fr. Brost, is to "build new memories" to displace the traumatic ones, by planning field trips and parties, celebrating birthdays, "laughing together and enjoying life." Each

resident gets a photo album and pictures capturing these moments, something to go back and relive.

The progress is slow but promising. For instance, Fr. Brost remembers one resident of Viator House passing him and, seeing Fr. Brost's concerned expression, the teen asked the priest if he was OK. This teen had spent most of his life being passed from one relative to another, no one caring about him. "The ability to show empathy I think is a sign of some healing—the freedom to care for someone else because you feel safe enough that you don't always have to be on the lookout for protecting yourself."

### SETBACKS AND STEPS FORWARD

The healing culture can only do so much, because the past can intrude at any time. "These guys are still so closely tied to family and friends that the news from home really can trigger or set back someone," Fr. Brost said. New trauma can bring back old trauma. One young man found out that his father was taken by the military of his country and relapsed from stability into intense suffering.

Another youth agonized over the poor health of his mother, who suffered from serious illness but could not afford the medication she needed. In this instance, Viator House helped by raising money to relieve his mother's physical suffering and his own emotional trauma, but often nothing can be done to help.

Grueling encounters with lawyers and others that involve retelling their stories can bring back ordeals, Fr. Brost said. "I have driven many miles with guys sitting silently in the car after having to relive their trauma during a meeting with a lawyer or psychologist. My heart goes out to them because I know they're hurting inside."

"If they've left violent situations where there is lots of political unrest, they always worry about the safety of their family members," said Br. Gosch. They also worry about younger siblings getting swept up in gangs. The worry can turn into guilt: "Some might feel that, 'I got out, but they didn't get out.'"

In addition to the concern about home, the uncertainty of their future in this country is common. A third of current residents are in what their lawyers describe as "a black hole" in terms of immigration status. Normally getting a case called quickly is a good thing, but if it is called before the documents and testimony to present the case can be assembled, it has to be rescheduled. That could

take months or years in a Justice Department that as of late 2018 had just 395 immigration judges, and a case backlog of 760,000 at the time, according to the department's Executive Office for Immigration Review.

Technicalities involved in delaying the asylum hearing prohibit getting a job, and getting money home. "Without being able to officially work, our guys suffer a great deal," Fr. Brost explained. "One, because of the inherent dignity of work and how that builds character and helps people recover. And two, the suffering their families often face at home because of the debts they've incurred to get the kids to safety, or because of poverty."

But the lingering trauma even in the safety of Viator House—as well as in a Chicago-area facility for women, Bethany House—pales in comparison to the alternative of detention, said Schikore. "Everyone leaves Bethany House, Viator House, better than when they got there. No one leaves detention better than when they got there."

"I just wish there were more Viator Houses and Bethany Houses," said Fr. Brost. "I see the pain these guys have been through, and I see the difference this environment makes. . . . I pray that there are more people inspired to replicate this model."

Br. Gosch, who already had know-how and contacts in immigration work, began to plan the model and set up the program in early fall of 2016 and launched it in January 2017. He was able to obtain initial funding in the form of a three-year grant from the Clerics of St. Viator order, and various fundraising events and pleas for contributions in the surrounding suburbs have supplemented that startup grant. Viator House is transitioning into a 501(c)(3) nonprofit organization in 2019, which positions it to apply for other grants.

Br. Gosch said the program has attracted some feelers, from a Catholic entity in Louisiana and a lay group in Pittsburgh, for example, seeking to open something similar. The volume of need calls for a response to match, he asserted. Other religious groups could start by setting up and using an available building to divert children aging out. "Because otherwise how is an 18-year-old from a foreign country without any resources, without any support system, going to make it?"

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