

Medical Report Supports Urgent Need for Humane Immigration Policies

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The families and children migrating from Central America have suffered terrible traumatic experiences, and a recent [report](#) by Physicians for Human Rights (PHR), a non-profit advocacy group, addresses the serious, long-term medical consequences of this trauma. These important findings provide compelling support for more humane immigration policies, and inform best practices for lawyers working with immigration clients.

Trauma Suffered by Young Migrants

[Multiple studies](#) link trauma to long-term negative health outcomes, including chronic disease, impaired cognitive development, and mental health conditions. With analysis by medical school faculty and students from Weill Cornell Center for Human Rights, the report is significant for its sole focus on child asylum seekers. Out of the 183 children in the study, nearly 80% experienced direct physical violence, 71% experienced threats of violence or death, 59% witnessed acts of violence, and almost 20% experienced repeated sexual violence or exploitation. Sixty percent of the children experienced some form of gang violence, and 47% experienced violence perpetrated by family members. A constant theme among the children was the lack of protection from law enforcement in their home countries. (Eighty-nine percent were from El Salvador, Guatemala, and Honduras.) Many also reported traumatic experiences during transit to the U.S. through dangerous terrain, with inadequate food or water, where they remained vulnerable to continued acts of violence.

In addition to the physical aftereffects of this abuse, PHR found that 76% of the children were suspected to have or were diagnosed with at least one major mental health diagnosis, including PTSD (64%), depression (40%) or anxiety (19%). Many suffered from [dissociative reactions](#), flashbacks, nightmares and suicidal thoughts, among other symptoms. Even once the children were in stable environments, “the lasting impact of trauma was evident in their ongoing difficulties with emotional regulation, social interactions, and bonding with parents and other caretakers.”

U.S. Immigration Policy

PHR urges an end to current U.S. immigration practices that expose young migrants to further harm, including an end to family separation, ensuring initial medical screenings, improving healthcare access by establishing standards of care for children in U.S. custody, and minimizing detention. Immigration detention [has increased significantly](#) under current policy despite the fact that it increases rates of anxiety, depression and PTSD among all age groups. PHR advocates for increased federal funding to improve detention conditions, as well as creating alternatives to detention and reducing delay in the asylum process. The report further cites the [unprecedented turn-back policy](#) where a growing number of asylum seekers have to assert their U.S. asylum claims from Mexico, putting them at risk of further persecution and limiting access to legal counsel.

Finally, reducing trauma requires addressing violence in the immigrants’ home countries – the main underlying cause of Central American migration.

Trauma-Informed Lawyering in Immigration Cases

Lawyers in immigration cases must acknowledge and adapt to a client’s trauma beyond what is required by basic attorney professional responsibility. A [trauma-informed approach](#) helps resolve the inherent tension between presenting a compelling application and minimizing additional trauma for clients who relive traumatic events when telling their stories. This is certainly true in asylum cases.

Best Practices for Trauma-Informed Lawyering:

- *Be sensitive when discussing traumatic experiences.* It may take several meetings before your client is ready to share details. Elicit stories through open-ended questions (“what involvement did the police have?”), not judgmental ones (“why didn’t you go to the police?”).

- *Adapt to your client.* Help a highly emotional client focus on what facts are important. If a client is withdrawn or angry, build additional trust by listening first before asking about more traumatic experiences.
- *Remember that trauma affects memory formation.* If your client cannot remember the traumatic event itself, elicit feelings or unrelated memories from around the same time. Any inconsistencies are not necessarily lies. Because differences in the application and the final interview might jeopardize a claim, attempt to reconcile them early. Include details in the application without locking the client into any unnecessary facts.
- *Know when to seek professional help.* Immigration clients tend to be resilient and may minimize their experiences. Professional help can determine a diagnosis and provide the interviewer with context for a client's unemotional behavior or apparent holes in the story.

PHR's new insight into the negative, long-term health effects of trauma among child asylum seekers advances medical science, and provides an important resource for advocates seeking an end to policies and practices that only serve to cause more harm.

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- **William C. Silverman**
Pro Bono Partner