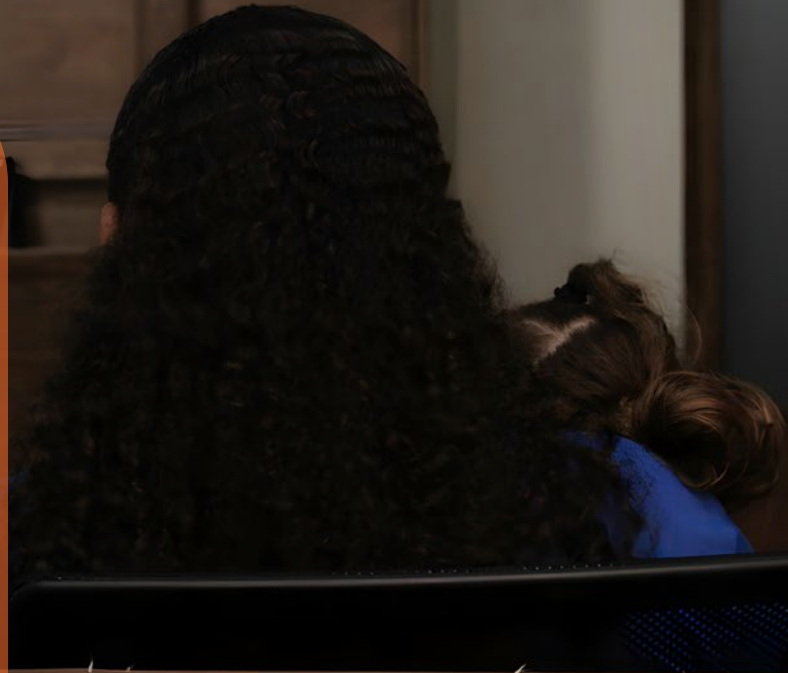


CAMPAIGN PRINCIPLE 3

Making U.S. immigration law more child-friendly

Unlike domestic child welfare systems, immigration laws make few distinctions between adults and children, leading to legal outcomes that determine a child's future without taking age, developmental stages, trauma, or individual need into account. Nor are all migrant children guaranteed access to counsel, further limiting their ability to navigate the complex immigration system.



U.S. immigration laws and policies should recognize and address the unique vulnerabilities of children.

Immigration laws and policies should have the maximum flexibility and discretion to address children's unique needs, while the procedures for adjudicating their cases before government agencies and courts align with recognized best practices and should include access to counsel and child-friendly surroundings to ensure the best possible outcome for each child.



U.S. immigration law has failed to evolve to meet the changing needs and understanding of childhood.

U.S. immigration law does not exist in a vacuum. Laws reflect the values of their time; some that have endured—such as the importance of family unity—and some that have long been discounted—like the [1882 Chinese Exclusion Act](#) that banned Chinese laborers from entering the country. Dramatic events such as the passage of the Voting Rights Act and the civil rights movement paved the way for the elimination of national quotas in immigration admissions, while the September 11th terrorist attacks resulted in a swift response in Congress that created new bars to admission based on activities related to terrorism. More often than not, however, Congress responds slowly to changes in societal norms and beliefs, only gradually adopting new laws that reflect changes in society. Current laws, for example, do not reflect our growing understanding of how trauma impacts a person's ability to tell their story in an asylum claim.

One of the best examples of this disconnect between immigration law and that of other legal systems and institutions is the way immigration laws treat unaccompanied children. For generations, U.S. laws treated all children as an afterthought, either as dependents of their parents or as able-bodied workers with adult responsibilities, no matter how young (for more on this, see [backgrounder on campaign principle one](#)). Even as a growing sense of the unique nature of childhood gained ground in education, child protection, child welfare, and the criminal justice system, the immigration system remained behind, slow to adapt to the strides made elsewhere.

In the last 30 years, there has been significant progress in the treatment of children (see [this timeline](#) for more details), particularly with the dramatic increase in the numbers of unaccompanied children fleeing violence, persecution, and poverty. Despite progress, however, the system fundamentally still treats children as an afterthought by failing to provide them with the protections they need to navigate a difficult and complex set of legal requirements and adjust to life in a new country.

The Keeping Kids Safe Campaign is dedicated to changing this. Drawing on the diverse expertise of our Leadership Council members, we seek to build an immigration system for children that reflects their unique needs and vulnerabilities. Doing so will not only help children but will provide the opportunity to explore new ways of managing the broader immigration system, contributing to positive changes that affect everyone.

The Keeping Kids Safe Campaign principles offer a guide to creating a new system, starting with the fact that immigrant children are children first. Viewing existing laws and policies from that perspective will lead to:

- Better protection of children at the border
- Improved care of children in government custody
- Incorporation of the best interests of the child standard into all actions affecting children
- Provision of legal counsel and other vital services to unaccompanied children
- Child-friendly treatment of unaccompanied children in immigration court
- Increase in legal pathways for children
- Safe return and reintegration for children not eligible to remain in the United States
- Protection of children from human trafficking and labor exploitation

This campaign needs your support.

For more information or to get involved, visit: [supportkind/KeepingKidsSafe.org](https://supportkind.org)
email: KeepingKidsSafe@supportkind.org