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Findings from Heartland Alliance Internal Investigation into Claims of Abuse at a Shelter for Unaccompanied Migrant Children

JULY 31, 2018 – We have completed our internal investigation into three claims of physical abuse reported by the Washington Post and the New York Times at Casa Guadalupe, a shelter for unaccompanied migrant children operated by Heartland Human Care Services (HHCS). Our investigation has found **no evidence to support the reported claims.**

When we learned of these claims, we immediately self-reported them to both the Illinois Department of Child and Family Services (DCFS) and the federal Office of Refugee Resettlement (ORR), which administers the HHCS program. We also launched an internal investigation so that we could bring to light and address any issues in order to ensure children in the shelters are safe. DCFS is conducting an investigation, as is the U.S. Department of Health and Human Services Office of Inspector General (OIG). We do not know when these efforts will be completed or if the results will be reported to the public. Therefore, we feel it is important to report information about what our internal investigation has found and our ongoing efforts to provide compassionate care in a safe environment.

Heartland Alliance is a 130-year-old human rights organization that works to advance the rights and respond to the needs of endangered populations—particularly the poor, the isolated, and the displaced. We are deeply committed to the fair treatment of refugees and asylum seekers, and we have a variety of programs that serve those populations. For the past 23 years, Heartland Alliance affiliate HHCS has operated shelters to care for migrant children who arrive at the border unaccompanied.

For a period of time in 2018, a portion of the children whom the federal government sent to these shelters were children who had been forcibly separated from their parents under the federal government's "zero tolerance" policy. As an organization, we emphatically oppose the zero-tolerance policy and fervently believe that families belong together. At the same time, our human rights mission calls us to provide the same care for these children as we provide for every other child who arrives at our door.

INTERNAL INVESTIGATION FINDINGS

Over the weekend of July 13-14, 2018, a reporter from the Washington Post contacted us with allegations about the care provided at one of the HHCS shelters, Casa Guadalupe, including three troubling claims of physical abuse. Shortly thereafter, both the Washington Post and the New York Times printed articles that repeated these claims. The articles were apparently based on interviews with three young boys who had recently been reunited with their parents.

Within hours of receiving the information from the reporter, HHCS self-reported the allegations to DCFS and ORR. We also commenced an extensive internal investigation that included reviewing medical records, medication logs, personnel files, policies and procedures, and the incident reports staff are required to prepare under a wide variety of circumstances. The investigation also included staff interviews and the review of hundreds of hours' worth of video tape with the assistance of outside counsel.

The internal investigation has produced no evidence supporting these claims of abuse.

The many privacy laws, regulations, and policies that govern our programs—along with our own deep respect for the children and their privacy and dignity—prevent us from disclosing information specific to any child who may or may not have been in our care. Accordingly, we are limited in terms of what we can say publicly in response to any specific allegation. With that limitation, the investigation's major findings are as follows:

- ***There is no evidence that any child was injected with medication to control their behavior.*** One of the most disturbing claims in the news stories was that "a troubled 5-year-old boy" who "often melted down during ... daily classes" was "repeatedly injected with something that made him fall asleep at his desk" [Washington Post], with injections administered "in the middle of a class" [New York Times].

Our internal investigation has found no evidence to support this claim. HHCS shelters do not use injectable medications to control behavior. When a child acts out, shelter staff use behavioral management techniques and redirection, not medication. No syringes or injectable medications (other than EpiPens) are available at Casa Guadalupe where the injections allegedly occurred. An extensive review of classroom video has not shown any child receiving an injection.

- ***There is no evidence that any child was treated for a broken arm with a temporary cast applied by non-medical shelter staff.*** The Washington Post article includes a claim that a child broke his arm playing soccer and that “regular shelter employees—not doctors or nurses—examined him, told him his arm was fractured and then gave him a temporary cast that he wore for weeks.”

The internal investigation has found no evidence to support this claim. The video evidence does not show any child with a temporary cast for any period of time, nor does it indicate that any child had an untreated broken arm. Shelter staff are subject to strict protocols for evaluating any claim of injury or pain, reporting it, and taking the child to the emergency room when appropriate.

- ***There is no evidence that a child was physically dragged off the playground.*** Both articles recount a claim that when a child lingered on the playground one day, two male shelter employees “grabbed him by the arms” [New York Times], and he was “‘dragged’ inside” [Washington Post].

The internal investigation has found no evidence to support this claim. Staff made a report to DCFS in June stating that a child had complained that a staff member had held him by the wrist. (DCFS took no action at the time, though it apparently reopened the matter after we re-reported the claim following the reporter’s email). Interviews and a review of video indicate that the staff member behaved appropriately and that no child was dragged by anyone. Shelter staff receive training in nonviolent crisis intervention through the Crisis Prevention Institute (CPI) model, which is one of the five intervention models that have been approved by DCFS. We believe the staff member’s actions were consistent with the CPI model.

The Washington Post and New York Times articles also described other practices in HHCS shelters—including daily chores, a quarantine, and so on. These descriptions lack important context. For example:

- The shelters *do* provide children with daily routines and structure. This is a common practice in group environments such as shelters, and it can be healthy and comforting for children who have faced a lot of change and unpredictability in their lives. These routines include age-appropriate chores which are done using the necessary supplies and materials under the supervision of trained staff.
- Our shelters also work carefully to limit the spread of communicable diseases, including quarantining children when necessary, pursuant to ORR policies and regulations. A quarantine is difficult for any child—particularly for a child who has already experienced trauma—and staff members take steps to mitigate the negative impact. A baby gate, for example, may be used to limit the movement of the affected child in a way that still allows interaction with staff and other children.

Although policies like those listed above are in place for the children’s safety and well-being, we also recognize how some of them may be experienced by young children who are in a foreign country, living in an unfamiliar environment, and already suffering emotionally from having been separated from their parents.

We are not done here. In addition to our internal investigation, we are engaging an outside expert to examine policies and procedures, observe our staff in action, and share any recommendations or improvements we should make. We have augmented staff support at each of the shelters where we are caring for the children who were victims of the zero-tolerance policy, and all of our staff who work in the shelters have received training on parental separation trauma through the National Child Traumatic Stress Network, and will receive additional enrichment training on trauma led by Lurie Children’s child experts.

THE CHILDREN IN OUR CARE

We understand that many people are learning about the work of Heartland Alliance through the lens of the zero-tolerance policy. With that in mind, we would like to share some information and perspective around the children we care for in the shelters—including the broad circumstances that led them to our doors and our longstanding and unwavering commitment to providing safety and refuge to children who are seeking safety in the U.S.

These children are very diverse in race and ethnicity, and they speak up to 30 different languages. They are from countries all across the globe, including Bangladesh, Honduras, Guatemala, and Colombia. They have often traveled thousands of miles—alone—and many are fleeing violence or very dangerous situations. They are often scared and very sad when they arrive. They might be sick, or perhaps they’ve been robbed, and they often arrive with next to nothing.

When they come through our doors, we strive to provide a peaceful, healing environment, staffed by caring professionals who are dedicated to their well-being and who work to reconnect them with their family or sponsor as quickly as possible.

For the children who most recently arrived at our doors after being forcibly separated from their parents at the border as a result of the federal government's zero tolerance policy, there are significant additional burdens:

- The separated children did not know that they were going to be ripped apart from their mother or father upon arriving in our country.
- They had no idea where they were going or where their parents were headed and/or if they would be able to see them ever again.
- They did not have any time to process what was happening to them.

Treating a child in this manner is wrong, and it has caused incalculable harm to these children and their families. We are picking up the pieces from some very destructive policies.

REGULATIONS AND OVERSIGHT

The HHCS program is subject to extensive regulation and oversight from both inside and outside the organization. HHCS's contract with ORR requires oversight and reporting on a weekly and even daily basis. The programs are also licensed by DCFS and are audited annually. They are accredited by the Commission on Accreditation of Rehabilitation Facilities and are audited by that Commission every three years. Internally, we are continually working to examine our own practices and training and to improve them, with the aim of ensuring the safety and well-being of every child. The City of Chicago passed an ordinance last week adding another layer of oversight that we welcome.

In addition, the Chicago Building Department, Equip for Equality, and the monitor for the Flores settlement have recently been out to review the shelter facilities.

TRANSPARENCY

Over our decades of work providing shelter and support services to tens of thousands of children, we have had some incidents of children running away and sexual abuse allegations, which were reported to and reviewed by DCFS. As with any child welfare agency that takes preventing abuse and neglect seriously, we report anything that could indicate any abuse immediately to DCFS (and ORR), and when it may involve criminal activity, to the Chicago Police Department. If and when issues are substantiated, we take immediate corrective action. We would rather over-report than under-report for the safety of the children in our care.

For the protection of the children in our care, we don't share specific information—especially the locations of the shelters. Many of the unaccompanied minors in our care have survived trafficking or other abuses, and ensuring that their location remains confidential is essential. Revealing the location of the shelters may put children in danger. In fact, recent news attention has resulted in cameras appearing outside the shelters, which has frightened some of the children. Our ability to take children outside and on field trips will be jeopardized if the locations of the facilities are compromised.

Typically, HHCS is restricted by the federal government in its ability to share information about the number of children in the shelters. After appeals to ORR, we received approval last week to share the number of children and the status of those who have been reunified with family. Between May 7, 2018, and June 22, 2018, HHCS received 73^{1*} children who had been separated from their parents under the federal zero tolerance policy. **As of July 30, 2018, 71 of these 73 children have been reunited with a parent or family member.**^{2**}

While this internal investigation was underway, personnel within the shelter programs continued to do everything they could to reunify the families that the federal government had separated. Only ORR, however, can make the decision to reunify or release a child.

WE STAND BY CHILDREN

Since our founding more than 130 years ago, we have served immigrants arriving in our City—to provide housing, healing, and legal services to immigrants, migrants, those seeking asylum, and victims of human trafficking and other abuses. We have always stood with vulnerable children and

^{1*} *HHCS originally reported this number as 66 based on the information available from ORR on the status of these children.*

^{2**} *ORR provided updated guidance on the classification of unaccompanied minor children during this process and subsequently also classified 26 children who came into our care prior to May 7, 2018 as having been separated from their family. Nineteen of these children have been reunited with a family member.*

their families who arrive at our borders, and we will always fight for freedom from violence, persecution, and human rights violations.

Chicago has a long tradition of being a welcoming city for immigrants, regardless of politics. Heartland Alliance has been on the frontlines, making that tradition a reality. We won't stop because it's hard; we won't stop because there's a risk somebody might make a mistake; we won't stop because these children came to us as a result of immoral and unconscionable policy. And, we won't stop ... because this work matters.

We know that these claims of abuse-- and our inability to share information about the children in our care as a result of privacy constraints and ORR restrictions—have contributed to uncertainty and speculation about Heartland Alliance's work. We are committed to maintaining your trust.

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