



Webinar: Understanding the Journey of Cuban and Haitian Entrants

May 16, 2024, 2:00 – 3:30 PM ET

Transcript

Introduction

Edith Tapia: Hello everyone and thank you for joining us today. I will be leading today's webinar, understanding the Journey of Cuban/Haitian Entrants. My colleague Katie Picker here will be answering your questions in the Q&A chat. Before we get started, I'd like to share a little bit about who we are.

Today's Speakers

ET: My name is Edith Tapia and I am a Technical Advisor for Cross Border and Asylum at the International Rescue Committee. I have been partnering with Switchboard to develop resources related to Cuban and Haitian entrants like this webinar and other materials that we'll be sharing with you in the coming months. I am based at the southern border in El Paso, Texas, where I have worked extensively with asylum seekers at the border and in the interior where I helped design programmatic responses, provide technical support and deliver policy related updates. Over the last two years, I've supported IRC offices working with Cuban and Haitian entrants coming through the U.S.-Mexico border. My colleague Katie Picker is a Senior Technical Advisor for Immigration Legal Services in the Rescue Asylum and Integration Department of IRC. She provides training, technical assistance, and support to IRC's legal service programs across the U.S. She brings to her role over 30 years' experience working in refugee resettlement and immigration legal services.

Today's topic comes in response to inquiries and input from many of the service providers here today across the country who've been serving an increasing number of Cuban and Haitian clients. As we'll discuss, much of this increase is due to more Cuban and Haitians fleeing their country and arriving at the U.S. southern border after migrating through Mexico and parts of Latin America. In today's webinar, we're going to start at the beginning of our client's displacement journey and broaden our understanding of what they go through before they arrive into the U.S. as well as after they arrive.

Learning Objectives

ET: So the goals for you today or for us today, is to walk away from the webinar knowing the following, learning objectives. One, being able to explain and understand the diverse drivers of forced displacement that ultimately lead people to seek protection in other countries. I will use the term "asylum seeker" broadly as we often do at the border, for people to describe people who have arrived at the southern border and may be in need of international protection. Two, describing the challenges that Asylum seekers, including Cuban and Haitian nationals face along the journey of displacement along the U.S.-Mexico border and upon arrival to the U.S. And lastly, we'll apply this understanding and awareness of the drivers, the dangers and the barriers our clients face in order to apply trauma informed approaches to our services. So let's get started.

1. Drivers of Forced Displacement

ET: At the end of June 2023, 110 million people worldwide were forcibly displaced from their homes due to persecution, conflict violence, human rights violation, and other different events that seriously disturbed public order. This means that one in 73 people worldwide are now forcibly displaced as office of refugee resettlement funded service providers. We are serving forcibly displaced people every day. Many people who have been

forcibly displaced need to seek protection in another country. This is a process called seeking asylum, or seeking international protection. And it may be, it may result in being granted refugee status. Some of the clients that we serve have already been granted refugee status and have been vetted by the U.S. government before arriving here as resettled refugees. This means that they arrive to the U.S. with legal status and a path to citizenship. However, this path may not always be available or feasible for everyone.

Many people do not have the opportunity to seek this refugee status in a neighboring country and must take this very dangerous journey across, to a place where they feel they can find safety. Seeking Asylum is a right under national and international law, and in order to seek asylum in the U.S., individuals must be in U.S. soil. In this section, we'll present you with a multitude of factors that are forced displacement, that can cause people, including Cuban and Haitian entrants and nationals to flee to the U.S. and arrive at the southern border seeking international protection. But before we move forward, let's play a word association game.

Discussion Question

When we envision asylum seekers, what often comes to mind?

ET: We may think of boats, life jackets, fences, some of the words we list here. Society's perception of Asylum seekers can often carry a negative connotation, and it is influenced by media portrayals, offenses, border patrol, overcrowded detention centers. Research by the University of Texas reveals a concerning trend. It shows that Asylum seekers are often depicted as criminals, despite evidence showing that immigrants are less likely to commit crimes. This bias narrative skews our understanding and perpetuates stereotypes shaping our public opinion. One more. Thank you. So contrary to some of the prevalent misconceptions of asylum seekers, asylum seekers come from diverse backgrounds. They can be families, entire families often are fleeing violence and persecution.

It is also important to remember that seeking asylum is a process. It is not a permanent label, and this allows individuals or families to rebuild their lives and contribute positively to society. And most importantly, is crucial to remember that seeking asylum is legal. Asylum is a protection grantable to foreign nationals already in the U.S. or arriving at the southern border who meet the international definition of refugee. There is no way, there's no other way to seek asylum, but to, unless you just show up to the border. And the U.S. legal definition recognizes this. It adopts the UN Refugee Convention of Non-Penalization Principle, which says that anyone who's physically present at the U.S. border or who arrives at the border, whether at a designated port of entry or not, and irrespective of their status may apply for asylum. Finally here, I'd like to highlight the difference between the definition of an asylum seeker and an asylee. Many of us, and we know the term may be confusing, especially because we may be serving clients that have both of these definitions or both of these populations. So in the U.S. a person granted asylum is referred to as an asylee.

Drivers Causing People to Seek Protection

ET: There are many drivers of forced displacement. Over the years, I've met people who have arrived at the U.S. Southern border, being displaced by one or many of the following reasons and drivers. Most people seldomly, have faced only one of these drivers. It can be a combination of it and this combination that exacerbates vulnerabilities. So some of them can be economic, it can be political, social and environmental. As we'll explore through the presentation, these drivers hold true for Cuban and Haitian entrants as well. For example, I met a Cuban woman who fled her country after she lost her job as a result of retaliation for her mother's activism. As part of the ladies in white, she faced intimidation by the government and was blacklisted for employers. She was also the sole provider for her family and she feared that. Now also, her children may be faced and intimidated or faced political scrutiny only because of the family that they were born into. And this could impact their situation and their living conditions. She fled Cuba in 2019. Each individual journey is unique. It is influenced by a combination of the factors and circumstances, and this itself shapes the path of them seeking protection seeking. And it is the intersectionality of these events of the individual, of the group, of the family member that can force them to take different paths and often they're non-linear journeys.

Current Affairs Impact Displacement

ET: The next slide, I select this visual and I know that it is loud, confusing and can be overwhelming, but I choose it because it represents the ever-changing landscape of how current affairs can impact forced displacement. The chart shows a number of encounters at the U.S.-Mexico border, tracked by CBP, which is the immigration officials at the border, and it shows the chart the encounters from 2020 to 2022. The encounters are the number of times CBP meets individuals or intercepts individuals who have crossed into the U.S. We can see here that some of the trends that we can see across the countries are response to some of the ongoing, environmental or political and civil unrest around those times. For Cuba and Haiti, an example, we can note a significant increase in total number of encounters. If we note to the left, Cuba goes from about 13,000 to nearly 40,000 from 2020 to 2021, and then it sharply increases nearly 450% by 2022. Haiti encounters are also increasing, even though we may see them to be located around mid chart, but in fact they have also increased significantly. Haiti encounters in 2020 were about 4,500 by 2021, this number increased to 47,000, almost a 100% increase.

Drivers: Cubans and Haitians

ET: So Haitian migration in the U.S. has a long history. For the sake of time in context specifically, we focus and we start with the 2010 earthquake. We know that understanding this historical context often is essential in how we address and how we understand our clients' needs. We also note that for Haiti in particular, some of the pattern of displacement and their route changed, particularly around 2010, and we'll get into that a little bit later on. Similarly, Cubans and Cuba migration has seen and has been impacted by political developments including mass exodus, at the end of the 1990s and into the 2000s. Also, government crackdowns on dissent, so on environmental issues, environmental disasters as well. And again, it is important to highlight these effects or these events as we think about how we are able to better serve our clients. Incorporating and understanding some of that history that has led them to take this journey.

Case Scenario: Esther

ET: Next slide, please. So throughout the presentation, we'll explore the story of Esther and her family. And this will provide a personal perspective on the challenges that are faced by other many asylum seekers in Cuban and Haitian in particular face. So I'll read a little bit the case scenario here. Esther is a Haitian woman who left Haiti in 2016 for following Hurricane Matthew. In addition to losing her home after the hurricane, Esther's abusive husband threatened to kill her. Amidst the chaos of the hurricane aftermath, Esther took her children and her mother to another town. A few days later, Esther's husband killed her brother for helping them leave. After hearing of these news, Esther's mother became ill and died.

Esther then fled to Brazil with her children. In 2018, Esther's husband connected with a relative he had in Brazil. The relative started threatening Esther and her children and even tried kidnapping one of her daughters. No longer feeling safe in Brazil and unable to return to Haiti, Esther and her children fled once again.

Poll Question

Which drivers do you identify in Esther's story?

ET: So here, we're going to ask you to interact with us a little bit. We ask you to take out your phone if you are able to take a picture of the QR code or also join online through the website slido.com. And we ask you to participate in responding to some of these questions so we can get a sense of what you're taking away from the webinar.

Great, thank you. And again, as we can see here, we have many of them that are not just like, it's not just one, it can be a combination of them. So we see, and again, sociocultural, including the situation of domestic

violence, can be a part of that. So very accurate. And again, it can have multiple. So we'll go on to the next slide. And thank you all for participating.

2. Challenges Asylum Seekers Face

Poll Question

Based on your conversations with clients, what is the most dangerous part of the journey?

ET: So now we're going to shift to what the challenges are along the journey. Here, we're asking you once again, to join the Slido and ask and respond to based on conversations you may already have with clients.

Okay, yes. Smugglers, arriving at the country without knowing what to do is constantly one living country of origin. So we see that a lot of this, again, can really vary from client to client and depending on their journey and their challenges throughout. Great, thank you. We'll move on to the next question and I'll use this opportunity to take a sip of water.

Challenges of the Journey

ET: So here we'll talk about the challenges of the journey. Asylum seekers encounter various challenges along their journey, including displacement, physical dangers and the threat of violence as compounding factors or as compounding challenges. So understanding these obstacles is crucial in providing effective support and protection.

Compounding Displacements

ET: First, we talk about the compounding episodes of displacement. While many asylum seekers are forced to flee, sometimes they're having to transit throughout other countries and maybe staying there for a while before they're forced to displace, we saw the case of Haitians in particular who have been increasingly going to Brazil, to Chile and so on. So again, being forced to be displaced from that place again, just adds to the challenges and to the vulnerability.

Physical Dangers

ET: Second, we have physical dangers that are very common. These could be, and these again, these are some examples. This could be related to the environment. This could be related to going through dangerous terrain, the jungle, facing extreme weather, all of that. But we also have on top of that, a lot of extortion that can take place and does take place. And it is unfortunately a common denominator of people making this journey. Many of the asylum seekers are forced to be at the U.S.-Mexico border for prolonged periods of time. And this adds to their vulnerability. And many of them report high levels of kidnapping, extortion, sexual violence, and other types of violence. Challenges can also be non-linear and they change with the context of the journey. These challenges also are different and they could be different for different groups of people.

So for example, a family traveling with small children will face very different challenges and dangers compared to a single individual or a couple of relatively healthy and young adults traveling. So they'll encounter and they'll face and they'll be vulnerable to different components as they make their journey. And many of these challenges that we see are often considered and even reported as worse things that they've faced even compared to what they were fleeing in the first place. But the reality is that many times these challenges are unfamiliar to our clients. They're unfamiliar to us. And even though that could be that what they're going through is making them more vulnerable, going back is often not an option, right? So they're forced to continue to move and to move and keeping them looking for a safer place to ultimately seek protection.

Next slide. The compounding displacement that I was mentioning, displacement in Latin America and the Caribbean has reached alarming levels with millions of people forced to flee due to violence and instability. A report, a 2023 report by UNHCR has found that a record 21 million people across Latin America and the Caribbean were displaced just in 2023. This is a 25% increase from the previous year. Again, here, I like to highlight that this is particularly pertinent to Haitian nationals who originally fled Haiti and made their way to South America, predominantly Brazil and Chile, but faced with the lack of permanent status and protection because of language barriers and discrimination among other factors, Haitians are displaced again and again.

The Darién Gap is an example of one of these physical dangers and it is a dense jungle that separates Columbia and Panama. It presents formidable challenges for asylum seekers, including the treacherous terrain and threat of violence, despite the Danger Thousands attempt this journey every year, for example, or noting a difference in previous years from my experience working at the border, the maybe 2015, 2018, most of the people coming through The Darién were transcontinental asylum seekers, mostly coming from Africa or Asia and it was mostly single adults. It was already incredibly dangerous and it was described as the route to take when you had no other resource to take a safer route. Today, The Darién is widely used and increasingly by entire families from all parts of the world. Some noteworthy, stats from UNHCR and Doctors Without Borders that I wanted to, to share with you today are some of the following.

Nearly or over half a million people crossed The Darién Jungle on foot just in 2023. Again, this figure surpasses the already record setting number from 2022, where only a quarter of a million people had crossed The Darién at that time, just this year alone, by March already 110,000 people have crossed. And out of those, many of them are small children. We also have reports 70% of the people who have crossed The Darién Express facing and being victims of intimidation attacks and sexual violence. Doctors without Borders reported recently in February of this year that out of the clients that they have treated in recent months, the number of them essentially translated to a sexual assault being committed every three and a half hours a couple of years before they had reported that 90% of the women that they had treated after crossing The Darién were reported being raped during their journey through The Darién gap.

Another example of physical danger is an example in Mexico at this point with riding La Bestia, the train known as La Bestia or the beast or also called, the train of death is a freight train that crosses Mexico. It is estimated that half a million central Americans ride the beast annually and it is the cheapest way to cross Mexico, otherwise and the fastest at times. Otherwise, it can take up to 15 different trains to make the journey. It is also used by people that don't have a lot of resources to take other routes or buses or other forms of transportation. There's also not, it's not really like a passenger train, so people are forced to ride on top of the trains or in the recess between them. As you can see here in the picture, thousands of people died every year, with injuries from falling from the train while they're sleeping. Also frequent derailments of the old freight train. Unimaginable dangers there too, but when it's not the train itself or these accidents or falling off people often, are also having to deal with smugglers, thieves, policemen or soldiers who frequently threaten or blackmail people on board. Also, many report, being raped on board.

And the last example and despite us or many of our clients having been familiar with arrivals of Cubans and Haitians via the Florida shoreline, this has not really been the trend over the last decade. However, because of the increased restrictions in land borders and the ongoing political unrest in Haiti, the reports of Haitian, attempting to make this journey is on the rise, which is also a very serious concern given the challenges with drowning and disappearing and yeah, some of the examples we have here. Lastly, we will discuss the extortion and violence, and this has been soaring in recent years. Asylum seekers along the journey through Mexico and increasingly at within, once they arrive at the northern cities in Mexico, face many reports, or face kidnapping, extortion. Sometimes they're kidnapped as soon as they land into place and the organized crime in the area have taken migrants as a target. So increasing this level of violence is what we are seeing and people are trying to report. UNHCR did a report earlier, last year that also highlights this, that 53% of the people interviewed had seen and were facing a lot of incidents of extortion and violence even before getting into Mexico but also upon their journey through Mexico.

Reports of Discrimination

ET: In the next slide, as if this wasn't bad enough already and complicated asylum seekers face more violence and discrimination at the U.S.-Mexico border. Black asylum seekers in particular, including Haitian nationals, have been a prime target. This is documented in several reports, including one called *The target is on us*, which was released by the Mexican Institute for Women in Migration or IMUMI for its initials in Spanish.

Case Scenario: Esther

ET: Going back to Esther's case, Esther and her children trekked through The Darién for almost a week. After two more weeks, they arrived in southern Mexico before they can make their way up north. They were stranded in Tapachula for several days. This is also, a very common situation. Eventually, the family arrived in Matamoros, a border town in northern Mexico across from Brownsville, Texas. As soon as they got off the bus, they were kidnapped and extorted by local organized crime targeting asylum seekers. Esther and her children were eventually released and they were able to present themselves at the port of entry. The U.S., the CBP officers, the U.S. immigration officers at the port did not, said to Esther that they did not have capacity to receive her and her family at the time, but Esther and her family had nowhere else to go. According to Esther, traveling through Mexico was one of the worst experiences of her life, and she could not envision doing it again. So instead, she and her children waited in Matamoros while they lived in an encampment across the port of entry.

Discussion Question

Which risk(s) that Esther and her family faced surprised you?

ET: Here, we ask you to once again, use the Slido to share, which of the risks that Esther and her family faced surprised you the most? What was something perhaps you were not, expecting to hear that they had to face that was new maybe? New to you, great kidnapping. Yes. The journey denial at the border. Absolutely. No capacity at the border. Yes. Oh, these are great answers. And not totally unexpected, right? That some of these is new to us and that we may not be familiar with. All the challenges, the denial, The Darién. These are great answers. Thank you all.

Changes at the Border

ET: So we'll move on to the next slide, and we'll talk about the changes and the challenges. In addition to the violence and everything at the U.S.-Mexico border, and we'll do so by talking about the changes in policies over the years, over the past eight years. These policies that I depict here with these images show more or less the impact that they have for asylum seekers at the border. I like to use this image precisely because of that. I envision it being this machine-like system that sometimes just compounds or interacts with one another and creates almost like a limited or less access to the border itself, right? Almost in essence, a wall of policies that impact our clients. So whether it is the CBP practices at the very local level, two people having to stay longer in Mexico, let's say with the remaining Mexico policy a few years back, title 42, which limited people's access into the interior or into the U.S. because of using the pandemic, as a policy, immigration policy, even though it wasn't. And so all of this, it interacts with how, our clients gain access to this and it's ever shifting and ever changing and ever tightening. And again, I like to use this visual to highlight that. And at the end of the day, this is going to also help us understand other components that impact what we see with our clients once we welcome them into our office because of the way these policies impact how they were processed.

Processing at the Border

ET: So we'll go into the next slide and talk a little bit more about the, what the processing at the border looks like. So I, added this picture. This is a picture taken in the U.S.-Mexico border here in my border town Juárez

and El-Paso. And sometimes it's the very first time that people see what a port of entry can look like or what that physical space looks like. And it is not uncommon for people to not be aware of what it means to present yourself at the border, whether you're presenting at a port of entry, which this is a part of the port of entry, or whether you go in between ports of entry, right? People often don't know like what to do, what the process is. And it is important to remember that legally it doesn't matter where asylum seekers present this themselves, it is legal for them still to seek asylum and to have protection.

I'll talk a little bit about the newer trend. Since January of 2023, DHS has been promoting the use of CBP One appointments. CBP One appointments are made by downloading an app on your phone and navigating a complex form to register. Then people have to wait months, weeks to get this appointment. It also means that, these appointments do not guarantee anything but access to the port of entry. It is not the asylum hearing. It is not, it's just an initial part to be processed and to really start sort of the journey into the interior. And oftentimes.

Clients do not understand this, and they think that that's going to be their appointment, but in fact it's not. And again, the number of slots available in the entire border I think will shed some light as to how this can also be a challenge. Every day, 1,450 slots are available along the entire U.S.-Mexico border. That means people coming through Tijuana, Nogales, El Paso, and all the way to the Rio Grande Valley...

So that means that most places only really taken between 100 to 200 people, and that includes children. They counted as number of slots, that are taken into account. So this is just a little bit of context because it is a change. And I wanted to, to make sure that we include it in this, but at the end of the day, most of the CBP officers have a lot of discretion as to how they process individuals. When they come through CBP one or whatever happens in their initial meeting with them. There's a lot of discretion as to what's going to happen next, whether they're going to be detained, they're going to be released into the community. They might be given parole, especially if they came in through CBP one, it is more likely that they'll get a parole, through that.

But overall it can be on a case by case scenario. And that scenario in the discretion is held by CBP officers. And I like to also remind people that this is a time where a lot of the family separation cases that we see take place and it takes place at times because of this discretion. So I have an example that, of a case of a family that I worked with a few years back. And this was a family of five that included a three-year-old who had recently had open heart surgery. When they presented, finally presented at port of entry, the CBP officer asked her to pick which parent she would want to go with, and for them to go with her and her siblings while the other parent was sent to detention.

Again, this discretion is something and it can be a variety of reasons, but this is something where we do see a lot of this family separation and in this case, the family did have to choose, right? And, it's quite a sad story to think of putting that sort of pressure on a three-year-old, and the entire family. And so people are paroled at the border, like I said, increasingly those with CBP one appointments. Other than that, the parole process at the border has been rarely used in quite some years.

Cuban/Haitian Encounters

ET: And we'll go on to the next slide. So despite some of the fluctuation, that we see here from 2022 to now, we can see that overall encounters at the southern border have increased. And again, this reflects some of the ongoing situations in each country. Up until now. In addition, in 2023, the government, began a special parole program. You might be familiar with. It's called the Cuban Haitian Nicaraguan and Venezuelan parole Program. I like to highlight here the difference, for that parole program. The numbers are not reflected in the southern border numbers of encounters because they do not come through the southern border. And so they are reflected in the national count, nationwide count. So this particular graph shows for Cuban and Haitian, the National Encounters. So we see that it includes those coming through the border as well as those coming through the parole program. But overall, we see that it's at times there's cyclical dips, but overall it's on the rise. And this is something that you may be feeling already in your office and with the clients that are coming in to request services.

Designation Requirements

ET: So here, again, it's kind of the crux of why we wanted to do this presentation. And it is understanding what the eligibility or what the definition of a Cuban Haitian is, and especially as it relates to these process at the border, right? Whether someone was released with a notice to appear, whether they were paroled. And it is understanding, what the definition is and what that looks like in practice. So remembering the definition, for Cuban Haitian entrant is a Cuban or Haitian national who has been granted parole or someone who is in removal proceedings or with a pending asylum application. And lastly, it is important to highlight that, it does not include anyone that has already been given a final order of removal, also known as deportation orders. So this is someone who's already either gone through their entire case or didn't show up to court and has a deportation order.

But anyone besides that point, whether again, you're in waiting to go to court or you already have submitted, but you're waiting for the judge to make a decision, you can, you are still under the definition of a Cuban Haitian entrant being given parole and being in removal proceedings are also not necessarily mutually exclusive. We have seen, especially those coming through the southern border, those who have, come through the CBP one appointments are given a parole, but they're also placed in removal proceedings. So I just kind of want to highlight that, as it can be new and different from the clients that, we see coming through the CHNV parole program.

Benefits

ET: Next slide. A lot of what we see here in terms of the benefits that are given through the Office of Refugee Resettlement are most likely very familiar to you. You might be the agency or you know, the caseworker providing, information or connecting them to these services. So what I wanted to highlight here is that the access to the benefits, can vary state by state. And another component that we often see and hear from offices is that, the fact that legal services are often not part of the ORR funded services, but because of the increase of people facing removal proceedings, we see this truly as a gap for our clients. We'll go over to our next point.

Key Points about Cuban/Haitian Entrants

ET: So here we really wanted to highlight a few things that we believe are crucial in really making sure that we're doing the best that we can in serving our clients. And it is understanding that having the Cuban Haitian entrant status or not status but definition or meeting the definition, it is not an immigration legal status. So that means that they are very vulnerable to be in deportation proceedings. And it also means that they have port that they may have to go to. And that port, as we'll see a little bit later on, could be months or years away from now, right? So in the meantime, they're going to be very vulnerable to deportation and to other challenges. And it is important to prioritize referrals for legal services to clients to get a consultation because it may not always be clear to them that where they are along this journey in the legal process.

And yes, accessing benefits is crucial and important, but we also want to remember and remind clients that they still have this is not a permanent status, right? That this is something that needs to be tended to and by professionals. So we go into the next slide where we talk again about the importance of understanding that it is not a permanent legal status, that it's not a legal status to begin with. And we want to make sure that they understand the process and we want to make sure that they seek legal advice.

Legal Advice

ET: But we also have to be very mindful and aware that if we are not lawyers, if we are not accredited representatives, we should not be the ones providing this legal advice or legal information. That we should instead be providing them with resources in our community, whether it's within our own organization or with others, so that they can go into the details and the specifics of their case. And we don't make a mistake that could be well-meaning.

We're trying to support the client do something, but because we're not well-versed in the immigration legal system, we could ultimately end up harming them. So we want to avoid that at all costs and make sure that we are never using our own experience or another client's experience to talk about what they could face. That it should always be done so by those who are accredited and unable to do so with the best knowledge.

And I'll note here just quickly that the DOJ accredited rep is not an attorney, but it is a trained professional that is trained and authorized to provide the immigration legal services before the federal immigration agencies. Just wanted to note that before we moved on. And here again, we want to center our client, right? We want to make sure that we understand how all these challenges are not forgetting about the ones that we learned earlier about the journey, but really focusing on what they're facing now here as part of this integration into our community in seek of protection.

Challenges in the U.S.

ET: This means that they could also be faced with some of the challenges we highlight here having or benefits that may be a little bit harder to access or there's a wait list, right? Being or waiting years for the immigration court, their first court, not finding an attorney because the demand is just too high. And unfortunately there aren't that many lawyers in the area, depending on where you are. I'll highlight a few statistics here that can paint a better picture as well at the by April of this year, the backlog for immigration court hearings or proceedings was 3.5 million. So we have 3.5 million active cases that are pending before the immigration court. So again, this means that someone could wait years before they even go to their very first court appearance. It doesn't mean that it's going to be the one where the decision is made.

It just means for the very first time they're going to see the judge. And that could be four years from now, but it could also be 30 days from now. Sometimes we have seen some of the newer or being given more quickly, but the norm has been that it is years in the process.

And in that meantime, people are in this limbo, right? Of being Cuban-Haitian entrance, but not having this permanent status, which makes them vulnerable challenges with work authorizations. We have seen some just recent years or last year that we had heard work authorizations taking nine months. Now we're seeing them being sped up or more expedient.

And we see them maybe in three months, maybe in one month. So, but it really varies from case to case and the location. So again, not having access to a work authorization, not really having the legal component sorted out, really puts people in a very precarious situation.

And it could just be one individual, but it often means that the entire family could be more vulnerable because of all these challenges in the interior. And this is highlighted or we visualize it in the next slide a little bit more, where we see this compounded challenges and barriers in accessing some of the services, really complicates things for our Cuban-Haitian clients. And ultimately, if we go to the next slide, we see that the lack of status, the lack of services exposes clients to harm.

So this could be again, even if a service is available, there could be some limitations because of space, because of wait lists, a variety of factors. They may have to wait months before they're able to access these services. And that could put people not sometimes having somewhere to sleep, somewhere to live that is permanent or more permanent and that meets just basic needs. It forces sometimes people to find themselves in situations of exploitation. And so, again, all of this really, really undermines our client's ability to thrive and to be in a stable place to continue their journey. And a lot of times, because of these all additional barriers, one that I like to highlight even more is that not knowing and not knowing that they are still in an immigration legal process, they can fail to appear to this court, and that will automatically give them a deportation order in absentia, which means that they may not be aware that they have it. And this could cause a lot of issues and barring them from relief down the line.

3. Trauma-Informed Approaches

Poll Question

What are some trauma-informed practices you have used in your work with Cuban and Haitian Entrants?

ET: So I ask in the next slide, I ask us to go back to Slido once again and share with us what are some of the trauma-informed practices that you've already been using with Cuban/Haitian entrant clients or clients in general. This is also a great opportunity for us to sometimes think about what we're doing. Yes, like active listening. That's something that, we do sometimes just because we're good at our jobs and, want to do this. So it could also mean that we're learning new ones and we're sharing best practices, educating self on culture, I think. Yeah, that's great. Listening, listening is so important and very much a pillar of trauma-informed practices, cultural humility, active listening, what they need. These are incredibly accurate and there's so much wealth. If information.

I'll give it one more, few more minutes for people to chime in. I like seeing the responses. Thank you all for participating. Having refreshments and tissues ready? Absolutely. Great. Thank you all. So we'll go ahead and go over to the next question, but feel free to continue adding.

What is Trauma

ET: So we want to talk about, again, what is trauma, right? What is trauma? Trauma is having to leave your home. Trauma is also crossing the Darien gap with your newborn baby, not knowing if you'll survive, not knowing if you're going to be sexually assaulted, or rather, when. Trauma is not knowing, well, you'll be tomorrow or in a month. It is being extorted. It is being kidnapped, it is watching your children normalize this fear of being extorted and kidnapped. Trauma is being a three-year-old being asked if she'll rather stay with her mom or her dad by an immigration official, because the other one is likely going to be detained or even deported. And all of that is trauma, right?

And more we see, obviously on the screen you can see more of the definition, but it's all of these factors, all of these events, all of these fears and feelings at times. And it is likely that our clients will continue to be impacted by the trauma, not only of why they left, not only about what they endured and survived in the journey, but also increasingly as they integrate into the community in the U.S.

The Triple Trauma Paradigm

ET: And as we go into the next slide, we call this the triple trauma paradigm, right? Where we have, as I mentioned, the trauma that caused or the events that caused the initial action to flee the dangers along the journey as we're integrating, being separated by family, not knowing again, how the system works in the U.S. being acquainted with new systems, the bus everything, school, all of that can have trauma components there or there are triggers we may be triggered by what we are experiencing that takes us back to previous trauma. And the, again, the goal of this webinar has been to really think about this triple trauma paradigm and seeing how are we now going to use it or use the knowledge of it and how that's going to shape the way that we interact with our clients and the services that we provide to them. And this is really the goal of it. We're not necessarily mental health experts, but obviously we ask you to consult if your office, if your agency has a team that is has a lot of expertise in this, you can go more in depth. But overall, the goal is to sort of connect the dots, right? For us to think about how all of this is ultimately going to impact the client that we have in front of us. We also have some resources, and I'll mention we will go over some of the resources more in the end, but Switchboard does have incredible resources related to the trauma-informed care and the trauma-informed principles. And we can share with those, we can share those with you shortly.

Principles of Trauma-Informed Care

ET: So the next slide highlights what the principles are for this care and trauma-informed care and services that we're going to be incorporating into our every day, I think, we can go over the pillars that we have here. The principles safety, trustworthiness, peer support, mutual collaboration empowerment of voice and choice. All of this has a lot to do also with how we consider how gender, cultural, the historic context that we were mentioning. All of this should inform how we built those responses, how we built those interactions, how we better listen, how we draft our response to clients. We'll go over to the next slide and we highlight how we are going to integrate them into our job. This could be at the agency level, it could be very much at a local, more office level. And even at the personal level. Here, we can again talk about how we are speaking to our staff and to our clients.

We know at times giving them challenging news or information that it's not happy news. Maybe they have to wait a few months for this service. All of this is part of our job, but it is also how we talk about it and how we engage with, engage almost how our client is responding that is part of integrating trauma enforce and trauma informed care. Thinking about the layout of the office may not necessarily be the most obvious, but again, think about what they just went through. And let's say, if you have who the staff that you have at the front of the office, is it culturally appropriate for all of this of the clients that you're receiving? If you have a security person, are they dressed as police?

Are they, could that trigger something that they just went through when they've been extorted by law enforcement or by military? So, again, not to say that it's going to be exactly the same for every client, but just things to think about many of us may have the ability and the say and how we incorporate them into our work at the very top, at the agency level. But if not it can go down as granular as what we do and how we are incorporating this.

And finally, again, we go back and think about how we are recognizing symptoms, how we are using our physical space, how we are interacting, how we are having conversations. And one component that I always like to highlight here as well is that we should never intentionally, of course, but it is the intentional part that sometimes can be hard. We do not want to trigger any trauma, and that may come sometimes not knowingly. If we ask too many questions, or details, especially for details that may not necessarily pertain to the service that we are providing. So in the recommendations are always to be very conscious of the limitations of our role and making sure that if, unless we need to know specific information, we should avoid asking it. We don't know how the person's going to react.

We may not always have someone at hand who's going to be able to respond and treat the client. I'll share an example I've used before, even myself when talking to people when I've asked something, and, I'll use this example. I was working, trying to provide information for people who were waiting at the border, and I would ask some simple question, and many times the client or the person wanted to share or wanted to explain why they were there, and I would often sort of say, this is not the space, I'm not the person that you want to be sharing your experience with. And I use this metaphor of a scab and so, many of us have wounds and we have a scab sometimes that is just barely protecting it.

And we don't want to put our clients in a situation where we remove the scab until we absolutely have to. And we have the tools and resources to tend to the wound. So unless we're able to do that, we encourage people to really be conscious about what could be triggering and avoid factors or components that could trigger people. And I'll go into the next slide that can talk about how some, or what some of these examples could be of those responses or how we make sure that we address and we don't trigger people or trigger our client. So again, this is not an exhaustive list, there are many more, and some of the resources in switchboard have... We took this from one of those slides, and there's some examples that can be specific to a service, this could be a template, think of it as a template that you can change according to your context, to your needs, to your services. At the end of the day, what is important to highlight is that that they're rooted in the trauma-informed principles. I'll leave those one for a second while you—if you want to read through it while I sip some water.

Transparency and Trustworthiness

ET: Okay. If you want to move on to the next slide. I like to really highlight the transparency and trustworthiness principle. They're all very important and we should all think of them as a complete package. But I like to

highlight this one in particular because it really helps us put into practice daily. Especially when we think about what it means to be transparent with our client and potentially earn their trust, which is the goal for many of us to be able to serve them better. And there's no better way to be that transparent and earn trust than to be really honest and practice setting boundaries for yourselves, practice, making sure that you are... And let them know what your role is, what you can and cannot do. We do not want to overpromise, we don't want to be rude or we don't want to be harsh in explaining some situation, but we also don't want to say yes, no, everything is going to be okay.

It's part of that, making sure that the information is clear, that we're listening, that we are making time to hear their fears and validate that, again, within your role and setting your boundaries. And that is one of the best services that we can do for ourselves and for our clients. And ultimately it's going to make a difference as to how you establish that rapport or that connection with the client. And again, be able to better provide them services for what you're there to provide. When you're not the person to respond to that, you should refer them to the experts. And this is particularly true, as you have seen, and you've seen me really focus on the legal process part, and it's because we know that Cuban-Haitian entrants can be very vulnerable to this, and they're in their journey of seeking this protection or this adjustment of status and that they are in that process of wanting to know more questions.

So we want to highlight that if we're not the ones that are going to be representing or doing legal orientation or whatnot, that we make the referral, that we provide them with the resources in our community to be clear with them, that what are our boundaries and what we are able to provide to them. Again, we don't want to do the unauthorized practice of legal advice and go into that a quite tricky situation. So this is why the transparency and trustworthiness is crucial to me is, it makes sure that you as a service provider also protect yourself and what you're able to really commit to and are exposed to, we know many of us are also prone to vicarious trauma and whatnot.

But it also makes sure that the client seeks the services that they need and they go to the person that they need to see when it's not you, that needs to be happened.

Case Scenario: Esther

ET: So with that, we're going to move on to the last section of Esther's story and here we find Esther some years later after she and her children have finally been able to enter the U.S. and this happened around 2021. She was given a notice to appear and released in Brownsville. She then traveled with her children up to New Jersey to be reunited with some distant cousins they have in the area. Esther heard through word of mouth of a local organization that helps Haitians, and so she booked an appointment and went to see them. When she met with her caseworker, Esther asked the caseworker what to do more broadly, she did not understand what her documents meant, and she turned to her and asked for her to explain the documents she had in front of her.

Discussion Question

Based on what we learned today, if you were Esther's case worker, how would you respond to her?

ET: So with this, we do not have a slide up for this, but I would want to hear from you either on the chat and the Q&A or just think about it, what would your response be based on today's discussion? And again, the goal here is to focus on the trauma-informed principles, like boundary setting and the scope of services. This is not about trying to define or explain or even know about the status, the legal or evaluating the legal status, but it is about how we are able to not to give it away, but to make that referral for legal services. And we've come to the end of the presentation, but before we move on to questions, I hope that we we're able to have—or now that we're able to have a better understanding and awareness of the journey that our clients are making, one that is fraught with challenges, that has dangers that range from the Darien Gap to fences, and that it is complex at all levels. I hope that with the exploration of the journey, that we're able to also understand some of the drivers that led people to originally flee and that we also have a better sense of the challenges they face throughout. And as service providers and as advocates, I hope that we continue to learn from each other and we

collaborate, we educate, and we advocate for the rights and dignities of our Cuban/Haitian entrants and really all of our clients. And then we ensure that we are able to and better prepare to provide them with the services that they need. And hopefully together we can create a more welcoming society for us all. Thank you so much for your patience. I know it was a long presentation, but I hope it was useful.

So with this, I will go ahead and open it up for questions and I'll be joined on camera here by Katie.

Q&A Panel

Katie Picker: Hi everybody, and thank you Edith for a really, really eye-opening and informative and information packed presentation. We've been getting lots of questions in the Q&A.

ET: Thank you so much for your support on that.

KP: No problem, it's keeping me on my toes. I've answered quite a few of them in writing, but we can go through a couple of questions that you might be better placed to answer or at least know where we might be able to find an answer. I'll just take them from the top, the first one was:

Why do Cubans predominantly go to Brazil and Chile? Do we have any idea why that might be?

ET: I have some idea though it's not—but it's Haitians, Haitians.

KP: Just Haitians, yeah the question pertains just to Haitians.

ET: Yeah, so Haitians, we have seen and again, this has been found in some academic literature and as well as some humanitarian organizations that have been supporting the area. And initially there was some evidence that highlighted that after the 2010 earthquake in Brazil in particular, there was a lot of employment because of the construction for the Olympics. So a lot of people went there, they were displaced because of the hurricane. So they found somewhat stable job there. But again, as with the case with Esther, whether, I mean not all of them had the dangers of the relative but lack of permanent status, discrimination of the sort, sort of led them to be displaced again and again. But a lot of that more economic opportunities in the South America component, Chile and Brazil was one factor also that wasn't an adoption for all of them, but we did see a large number, particularly around those leading up to the Olympics that took place in Brazil.

Are there any recommendations in the Middlesex and Somerset County areas?

KP: Great. This is a question I don't know you're going to be able to answer, and I don't know that we necessarily have an answer. Once families arrive, housing assistance for those who are undocumented is nearly impossible. Social services 211 are very difficult to navigate nine times out of 10. Are there any recommendations in the Middlesex and Somerset County areas? I'm going to guess we're talking about Middlesex and Somerset counties in New Jersey. I do not know of any resources in particular for undocumented individuals...

ET: But I would like... Can I make one clarity for... That's a great question, and you're right, I don't know the specific resources there, and we might be able to tap into other organizations, but the vast majority of the clients that we're seeing coming through the southern border are not necessarily undocumented, they do have their notice to appear and a series of documents, so they've gone through an initial process at the border that has left them with some documents that are used as identification and whatnot. So we also do have population that is undocumented. But for this, for the purpose of the information in the webinar today, just to make that nuanced comment that they are documented, they just they don't have a permanent status, but we can look into...

KP: Yeah, we can look into that. I guess the question is specifically about housing assistance, I'm aware of a directory of legal services providers and refugee resettlement agencies. So even if as Edith they may have

some sort of documentation, frankly, I'm not aware specifically of housing resources, obviously there are shelters and whatnot, but I'm afraid we simply don't have.

ET: And this points to another crucial component is that for clients, whether Cuban or Haitian or not, they're going to face a lot of these needs, access to these needs. And if we think about it, our Cuban and Haitian entrant clients are the exception compared to most because they do have access to some of these benefits that can make a difference between getting cash assistance and being able to rent an apartment and have a work authorization versus those that are not yet able to are not eligible for ORR benefits. And as you can see, even those that do have access to benefits at times can be not enough to get them to be more stable.

KP: Yeah. So, I would just say that if there is a chance that they may be eligible for ORR benefits they may want to either contact a local refugee resettlement agency or department of social services.

[Will there be somewhere we can access the statistics that you cited about the Darien Gap?](#)

ET: Sure, when we share the slides, we do have a lot of the references listed on the notes. Maybe we can also include... Later we have a section where we talk about the resources, we can update that and make sure that we make links to them.

KP: Okay.

ET: But they also, In the meantime Google search for UNHCR or IOM's Protection Reports of the Darien can get you some of those stats.

KP: Okay, and yeah, UNHCR is the United Nations High Commission for Refugees, and IOM is the International Organization for Migration, those are great resources for statistics on migration. Okay. In the numbers, I guess at the beginning of the presentation.

[Is it only those who came through the Mexico border or have we also got numbers of Haitians that arrived to Puerto Rico or other U.S. territories?](#)

ET: That is a really good question. What I can share is that the number that... And what I use is the CBP, the Customs and Boarder Protection part of the department and Homeland Security Agency of the government. They release statistics monthly. And so you can go to their website and you can play with their little, like data tool, and you can have them divided by sector. So whether it's at the southern border, which is where I get our numbers for the southern border, as I mentioned for the, we want to include for those coming through the airport, so not the border, but we look into the national numbers that reflect those coming through the special parole program. I don't think that we have any stats, but I may ask, and I may even go as far asking CBP, if we can find any information related to people accessing territories, U.S. territories.

KP: Great question. Okay.

[Apologies if this was already mentioned, but do you have a sense of how many Haitians coming to the U.S. currently or in recent months are coming straight from Haiti versus other third countries? For example, Brazil, where they may have been living for a while first.](#)

ET: I don't necessarily know if we have a specific number, but we have been seeing in recent months more Haitians trying to come through the sea, through water to the shore. We have seen an increase of that, which we had not for the previous decade before that was a very normal practice that had sort of changed, but we're seeing that again. And the numbers there, what I can say is that there are different numbers that are reported for encounters, but not all the people who leave Haiti through that route, unfortunately make it to the shore.

[Do asylum seekers face deportations during the journey?](#)

KP: And I understand this to mean are they subject to deportations from other countries that they may happen to enter on their way to the U.S.? And I suspect the answer is yes. I don't believe in the statistics.

ET: And increasingly so. Yes, unfortunately, we have seen that. We have seen, yeah, we unfortunately see that quite a bit in Mexico predominantly I would say is the, is the country where a lot of the deportations do take place.

KP: Okay, there's a question here.

Are there any plans for increased regulation of CBP officers?

KP: I'm not aware of anything that would change with respect to how CBP officers are supervised or the scope of their responsibilities. I don't know if you have anything add to that.

ET: No, I know that there have been efforts and there are, I think, always efforts to bring a lot more accountability and transparency with the agency, whether these are efforts at the congressional level, right? And having none of them, unfortunately, none of these have passed so far. So a lot of this is always kind of on the constant turnover for proposals. What I will say is that we often hear and DHS is an agency that is one of the most highly funded by the government, and oftentimes there's no accountability and transparency levels in terms of the use of the budget. What I can say is that the—well, they have opportunities to provide trainings to provide other conditions for the initial detention cells where they hold people, they haven't really taken place and instead, oftentimes hire more people and more of an enforcement component to the job other than training. There is an excellent report, a little bit old at this point, it was released as the second edition or the second part, in 2017 and it was done by the U.S. Commission for Religious, Freedom I believe...again, you can Google it is called, Barriers to Protection, and it tracks and it highlights, again, this was commissioned actually by Congress and the people in the commission were able to observe for many years, CBP and border patrol officers do their jobs, their duties and whatnot. And they highlight the findings there and provide recommendations that include, anything from including some trauma-informed practices, and how they meet, how they interview clients, as well as other series of quite, egregious errors that take place. So if you're curious about that, I encourage you to look at that report again, it's called Barriers to Protection 2017, US Commission for Religious Freedom, I believe, and their recommendations and their findings now, almost six years later hold true.

KP: Okay, let's see. We have a lot of questions here. Let's see, where am I? I lost my place. Okay, we've had a lot of questions along these lines and I've answered quite a few of them, but we can talk about this a bit.

One of the most common issues my team has been seeing with Cuban/Haitian entrants is some come with conditional parole, are not eligible for work authorization, as stated on their form I220A, that's the release from on reconnaissance form. However, others with conditional parole are work authorized. Is there something that Cuban/Haitian entrants are doing at the border for this to happen?

KP: And first I just want to clarify that what is considered conditional parole is not parole for the purpose of work authorization eligibility, so generally speaking, people who receive conditional parole they really should call that something else because it's not parole and it's very confusing.

But having said that, there's a lot of variation in the way individuals are processed at the border depending on where they enter and how they enter and other factors, Edith touched on in the presentation, and all of this, just goes to say, you can see two individuals who may have everything in common except one of them may have been granted, 212D5 parole, which is the right kind of parole. And the other one may have been granted, release on reconnaissance or conditional parole, which is the wrong kind of parole for work or authorization purposes.

ET: And I would say just add that many times, again, the CBP officer's discretion can influence that or sometimes not knowing, not knowing the Cuban/Haitian entrants is a category. So I would say that this is not something that the Cuban/Haitian intern clients we're seeing or doing specifically, I think that this is just the norm across people being processed at the border.

[Are Cuban/Haitian immigrants a target for violence more often because of the benefits that they may be eligible for?](#)

KP: And here's an interesting question. I'm not aware of any statistics showing that they are targeted more frequently than other migrant groups or.

ET: No, also I'm not, and I would sometimes even add that even Cuban Haitian nationals coming in eligible for communication entrants are not aware, themselves, or their families, that they have this benefit, so it would be hard to say.

KP: Right. I don't know how many people are actually aware of who's eligible for what, including Cubans and Haitians themselves, so it's an interesting question. Okay.

[Our office learned in the last month or so, that Cuban, Haitian, Nicaraguan, Venezuelan parolees, I'm assuming, can now be sponsored through Welcome Corps with full refugee status, if approved. Will Switchboard be sharing any resources we can provide to our partners on this new pathway?](#)

KP: I don't know what resources are going to be available on Switchboard. I don't know if...

ET: But that's something we can definitely take back to the Switchboard team and think about how we are able to produce something. It's not so far, that particular, nuance or the case is not on the upcoming resources, but it's not to say that, we can think about incorporating it or laying it out for the near future.

KP: Okay.

[How does a Haitian minor receive these types of assistance?](#)

KP: And I've seen a number of questions in the chat about the kind of intersection of benefits and services for unaccompanied refugee minors and Cuban and Haitian minors and entrants, I'm not an expert in programming for unaccompanied minors, but I believe that when an unaccompanied minor is identified, through an encounter at the border, they're typically taken into ORR custody and are eligible for specialized programming, through the Office of Refugee Resettlement, whether or not Cuban and Haitian minors, have access to additional programming, I'm not sure.

ET: Yeah, I'm also not an expert in the unaccompanied minor programming, but what I can say is that I have heard of cases where they have for refugee cash assistance, and maybe medical, where they are seeing unaccompanied minors that are living with relatives. And again, this is something that we can also take back and make sure that we do a little bit of outreach to those who are the experts and incorporate some of the responses to the material that we'll be sharing with you all in the coming weeks and months.

Conclusion

ET: And I think that we are definitely, almost at time, thank you Katie again for supporting with the Q&A. And I really appreciate all the interest in the questions, so I'm sure that we'll have planning to look through.

[Feedback Survey](#)

ET: But for now, I leave you with this QR code for you to take a look and engage and provide us some much needed feedback for us to be able to learn from this experience, be able to, yeah to sort of hear what you have thought of this. And again, hope that we incorporated in the resources that we have in the coming months. We're going to hold here for some time. Again, thank you all for... I know we're might be going slightly over, thank you for staying on and being super engaged, it's been a pleasure spending my afternoon with all of you.

KP: Yes. And thank you all for the questions unfortunately, we just weren't able to get to all of them. We have well over 100 questions, so, thank you so much for your interest and thank you Edith for a really informative presentation.

Stay Connected

ET: Thank you. And again, just here some of the recommended resources. We'll be sharing them as well. We do have some on the navigating RR eligibility benefits, particularly to Cuban and Haitian entrance and many more. So we'll be adding to some of this list as we send the email with all the slides and everything. And we ask you and encourage you to stay connected, you can visit us on the website, switchboardta.org. We have I guess X previously known as Twitter, you can also email at Switchboard@rescue.org or do, I guess is that LinkedIn for the other questions and thank you again, for your time and stay connected.

The IRC received competitive funding through the U.S. Department of Health and Human Services, Administration for Children and Families, Grant #90RB0052. The project is 100% financed by federal funds. The contents of this document are solely the responsibility of the authors and do not necessarily represent the official views of the U.S. Department of Health and Human Services, Administration for Children and Families.