News



Migrant children taking part in a caravan toward Mexico's northern border rest at a school in Los Corazones, Oaxaca state, Mexico, Jan. 8, 2024. The U.S. Justice Department has found that the largest housing provider for unaccompanied migrant children had systemic sexual abuse and harassment of children in its care. (OSV News/Jacob Garcia, Reuters)

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Catholic immigration and anti-trafficking advocates are expressing grave concern over alleged systemic sexual abuse of unaccompanied migrant children by staff of a private contractor for the U.S. government.

The Department of Justice filed a lawsuit July 17 against Southwest Key Programs, an Austin, Texas-based nonprofit that provides housing for unaccompanied minors, as well as services for youth, family and job seekers.

Operating 29 shelters in Texas, Arizona and California, Southwest Key is the largest housing provider for unaccompanied children in the U.S., receiving over $3 billion in grants from the U.S. Department of Health and Human Services' Office of Refugee Resettlement between fiscal years 2015-2023. The children remain at such shelters until they can be reunited with immediate family, a relative or a vetted sponsor amid immigration proceedings.

The DOJ's complaint, filed in the U.S District Court for the Western District of Texas, alleges that Southwest Key violated the Fair Housing Act by permitting employees to engage in systemic sexual abuse and harassment of more than 100 unaccompanied children in the nonprofit's care.

The incidents named in the suit are alleged to have taken place "from 2015 through at least 2023" and involve "multiple Southwest Key employees," including supervisors, according to the complaint.

Among the offenses listed in the complaint are "sexual contact and inappropriate touching, solicitation of sex acts, solicitation of nude photos, entreaties for inappropriate relationships and sexual comments."

The DOJ noted in its complaint that "Southwest Key's own documents report numerous examples of sexual abuse and harassment of children by employees."

In one case, a teenage girl reported being repeatedly raped, abused and threatened by a Southwest Key supervisor during her 2019 stay at a facility in Channelview, Texas. She eventually managed to pass a note to a teacher about the supervisor's abuse, writing, "El puede hacer lo que se la plaza porque es chiflider el manda" ("He can do whatever he pleases because he is a shift leader, he's the boss").

Another Southwest Key report details a worker's 2022 abuse of three girls — ages 5, 8 and 11 — at an El Paso shelter. The worker threatened to kill the children's families if they revealed the abuse.

Multiple Southwest Key reports documented the 2020 case of an agency staffer taking one 15-year-old boy to an Arizona hotel for several days, paying the teen for sex acts. In 2022, the worker later pleaded guilty in court to felony attempted sexual conduct with a minor.

The DOJ said in the filing that Southwest Key failed to prevent and to take sufficient action against such abuse, "despite ORR having issued multiple corrective actions to Southwest Key."

Katie Boller Gosewisch, executive director of the Alliance to End Human Trafficking — an anti-trafficking advocacy group founded by U.S. women religious — told OSV News she was "deeply troubled" by the allegations against Southwest Key.

"The safety and well-being of vulnerable populations, particularly children, should always be our paramount concern," said Gosewich. "These allegations highlight a distressing breach of trust and duty of care that we, as a society, owe to those seeking refuge and protection."

The "deeply troubling pattern of misconduct that spans multiple states and facilities … demands immediate and decisive action to protect these vulnerable children from further harm," wrote Aimée Santillán, policy analyst for the Hope Border Institute in El Paso, Texas, in a July 23 newsletter for that organization.

Hille Haker, a chair of Catholic moral theology at Loyola University Chicago and co-editor of "Unaccompanied Migrant Children: Social, Legal and Ethical Perspectives," told OSV News that the DOJ's lawsuit is only a start in addressing the problem.

"The lack of response by Southwest Key (over something that) has been going on for so long raises a lot of questions that need to be completely … investigated," she told

OSV News, adding that Southwest Key has to be "audited completely."

Haker said her immediate concern was "how vulnerable are the kids right now who are sent there."

"Why did they not close down at least the facilities where abuses or assaults, taking photos, trafficking took place?" she asked. "Why could that go on for so long?"

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HHS Secretary Xavier Becerra said in the DOJ's July 18 announcement of the suit that his agency has "a zero-tolerance policy for all forms of sexual abuse, sexual harassment, inappropriate sexual behavior, and discrimination," and that HHS will work with the DOJ and other agencies to hold Southwest Key accountable.

"And we will continue to closely evaluate our assignment of children into care-giving programs to ensure the safety and well-being of every child in HHS custody," said Becerra in the DOJ statement.

Yet both Haker and Santillán pointed to a broad erosion of protections for unaccompanied minors.

Santillán cited Texas Gov. Greg Abbott's June 2021 decision to revoke state licenses for child care facilities contracting with the federal government to shelter undocumented immigrants.

"The revocation of licenses by Texas, purportedly in response to the surge in border crossings, has created an oversight void that has exacerbated the problem," wrote Santillán.

Haker told OSV News that the Biden Administration's ending of the Flores settlement — agreed in 1997 to stipulate the terms and conditions under which the federal government can hold migrant children — pose a further risk, despite the administration's replacement of the agreement with a rule.

Haker said the government argued it had transformed Flores into "a stricter regulation."

"But I'm not entirely sure how they will do it," she said, questioning whether the new rule, effective July 1, "really applies to all these private and not-for-profit institutes or shelter organizations such as Southwest Key."

Santillán wrote that "the response from Health and Human Services must be followed by concrete actions."

"We must act decisively to dismantle the structures that allowed such abuses to thrive and build a system that truly safeguards the rights and dignity of all children under its care," she wrote.

Gosewich said the Alliance to End Human Trafficking is calling on the relevant authorities to investigate the allegations thoroughly, and if proven true, hold accountable those responsible.

"This lawsuit showcases the urgent need for rigorous oversight and accountability in facilities housing migrant children," said Gosewisch, adding the organization is calling for "stronger safeguards and protections to prevent such egregious incidents from occurring."

"Every child deserves a safe and supportive environment," she said, "and it is our collective responsibility to ensure their rights and dignity are upheld."