



CHEDC Position Statement:

Use of Clinical Notes Against Migrant Children

March 4, 2020

The Cultural Humility, Equity, and Diversity Committee (CHEDC) of the North American Drama Association (NADTA) seeks to bring awareness to an unethical agreement between the Office of Refugee Resettlement (ORR) and ICE to share details about children in their care, including confidential material shared in clinical sessions. The APA noted, "The American Psychological Association expressed shock and outrage that the federal Office of Refugee Resettlement has been sharing confidential psychotherapy notes with U.S. Immigration and Customs Enforcement to deny asylum to some immigrant youths" (2020).

Not only does this violate the fundamental confidential nature of therapy, but those most egregiously affected are unaccompanied children in shelters, all of whom are required to undergo therapy. The very system that was originally put in place to support minors in dealing with trauma and other vulnerabilities that emerge during the migration process is harming children even further. These unethical practices of using confidential therapists' notes have been used to detain youth, deny asylum, and overturn granted asylum of minors, as reported by the Washington Post and National Public Radio.

This is in direct violation of the NADTA Code of Ethics on ethical practices. Furthermore, the individuals misusing this information are not credentialed clinicians, thus diminishing the paradigm between client and therapist and the confidentiality needed to create a level of safety and trust in psychotherapy.

CHEDC and the NADTA implore the Office of Refugee Resettlement (ORR) and Immigration and Customs Enforcement (ICE) to discontinue these horrific practices immediately.

Sources:

- <https://www.nadta.org/assets/documents/updated-nadta-code-of-ethics-2019.pdf>
- <https://www.washingtonpost.com/graphics/2020/national/immigration-therapy-reportsice/>
- <https://www.npr.org/2020/02/18/806886958/washington-post-therapy-notes-are-being-used-against-migrant-children>
- <https://www.psychiatry.org/newsroom/news-releases/apa-condemns-unethical-sharing-of-therapist-records-in-immigration-cases>