

June X, 2015

President Barack Obama  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

Dear Mr. President:

We, the undersigned human service providers, faith, civil rights, labor, and other policy and advocacy organizations, write to call for an end to your administration's practice of family detention.

This month marks the one-year anniversary of your administration's [announcement](#) to expand family detention for refugee mothers and children fleeing from extreme violence in Central America. As of June 2015, the administration will operate almost 3,700 family detention beds—a 4,300% increase from early June 2014, when only 85 beds were in existence.

Your administration closed the Hutto Family Detention Center in 2009 after litigation and reports of the trauma of incarceration. For years, families seeking asylum met their legal requirements without the harm of detention. Now, a federal judge has ruled tentatively that detaining mothers and children violates the 1997 [Flores v. Reno](#) settlement, with negotiations taking place now with the Department of Justice to attempt to satisfy the court's concerns. Another [court ruling](#) in February blocked the use of detention of asylum-seekers as a means of deterring future migrants.

Reverting to mass detention despite the body of research and legal proceedings demonstrating its harm is immensely troubling to us. Though Immigrations and Customs Enforcement (ICE) [announced](#) enhanced oversight of conditions of confinement inside its family detention facilities on May 13, 2015, these measures cannot fix the underlying wrong of detaining children and mothers seeking asylum. The only way for the administration to address the inhumanity of family detention is for ICE to release these families to the community, under individually determined terms of release or supervision, while their immigration cases make their way through the courts.

Over the past year, overwhelming evidence has shown again that there is no humane way of detaining families. First-hand accounts from detained mothers and media reports confirm that detention is psychologically damaging and inappropriate for children and victims of trauma. At a press conference led by House Members on May 21, 2015, one formerly detained mother spoke of how her son, who was detained with her for six months, said that he wanted to jump off the roof of the facility and kill himself to be free. Similarly, detained mothers at Karnes County Residential Center wrote to you earlier in May, stating that “what worries us the most is that they say that they are going to throw themselves off the top of the building because they won't let us leave. Other adolescents say that they prefer to tie a sheet around their necks and kill themselves because they no longer want to be detained here.... We have been despised, humiliated, deceived, and rejected.” In March 2015, one [Honduran mother](#), who had fled death threats from gangs, attempted to commit suicide while detained with her four-year-old daughter at the South Texas Family Residential Center, because she could not afford to pay bond.

After interviewing 10 mothers and 23 children detained at the Karnes facility, Luis Zayas, Dean of the School of Social Work at the University of Texas at Austin concluded that the “psychological traumas experienced by these mothers and children – in their home countries, during their travel to the United States, and after their arrival in the United States when they found themselves locked up in immigration detention facilities – will require years of mental health services to alleviate. The ongoing stress, despair, and uncertainty of detention compromises children’s intellectual and cognitive development and contributes to the development of chronic illnesses. Institutionalized children and the threats they face are similar to those of trauma, and result in recurrent, distressing memories, nightmares, dissociative reactions, prolonged psychological distress, and negative alterations in cognition.” Dean Zayas, based on his interviews and his extensive knowledge of the scientific literature concerning trauma, stated in a legal filing “...I can unequivocally state that the children in the Karnes facility are facing some of the most adverse childhood conditions of any children I have ever interviewed or evaluated. Untold harm is being inflicted on these children by the trauma of detention.”<sup>1</sup>

Moreover, though children and families require specialized medical, educational, and legal support, there have been reports that those in family detention facilities are not receiving the care they need. Detention already prohibits due process by cutting off access to legal support that families need to navigate the extremely complex U.S. immigration laws. [Media reports](#) and accounts from advocates suggest that many facilities are not only neglecting their duties to provide these services, but they may be barring advocates and volunteers from entering facilities.

Yet, DHS continues to support family detention, despite recommending against the detention of mothers, children, and vulnerable populations to its field offices. A Nov. 20, 2014 [memorandum](#) on “Policies for the Apprehension, Detention and Removal of Undocumented Immigrants” states grounds for alternatives to detention when asylum-seekers are primary caregivers of children or an infirm person, suffering from serious mental or physical illness, disability, or other conditions, including status as a victim in a criminal proceeding or other humanitarian factors. Many of the mothers and children in family detention facilities are victims and have fled horrific sexual assault, intense physical violence, kidnapping, and sex trafficking. In fact, a very high percentage of these families who have had the opportunity to present their stories to either an immigration judge or an asylum officer have been granted asylum or have been found to have a credible fear of persecution.

We urge you to listen to the thousands of voices that have already called on the administration to end this practice for humanitarian and legal reasons. On June 1, 33 U.S. senators [wrote](#) to Department of Homeland Security (DHS) Secretary Jeh Johnson urging him to “end the practice of presumptive detention...” That followed a May 27 [letter](#) to Secretary Johnson signed by 136 House members stating that the “Department...has not fully grasped the serious harm being inflicted upon mothers and children in custody,” and that “the only solution to this problem is to end the use of family detention.”

We strongly agree. Please end family detention now.

Sincerely,

---

<sup>1</sup> Luis H. Zayas, Dean of the School of Social Work, University of Texas at Austin, Declaration of his competency as an expert witness, filed December 10, 2014.