



NEWS RELEASE

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Women's Refugee Commission Urges Support for Critical Legislation to Protect Immigrant Children and Families

Congress Should Act on H.R. 3531 and H.R. 1215

FOR IMMEDIATE RELEASE

WASHINGTON, D.C., November 5, 2009 — The rapid increase in immigration enforcement in recent years has had an adverse impact on hundreds of thousands of children – both those who come to the United States alone and those who are separated from their parents because of immigration detention and deportation. In a briefing in the U.S. House of Representatives today, the Women's Refugee Commission urged Members of Congress to act on H.R. 3531, "The Humane Enforcement and Legal Protections for Separated Children Act" (HELP) and H.R. 1215, "The Immigration Oversight and Fairness Act," critical pieces of legislation that would protect children and families from the unintended, and long-lasting, effects of immigration enforcement. The briefing was held in cooperation with First Focus, Legal Momentum and Lutheran Immigration and Refugee Service.

"Children are the most vulnerable members of our society," said Michelle Brané, director of the Detention and Asylum Program at the Women's Refugee Commission, "yet the Department of Homeland Security frequently fails to consider child welfare during the detention and deportation process and at times does not even provide for children's most basic needs."

Since 1998, the Women's Refugee Commission has been on the front lines of efforts to raise awareness of how immigration law impacts children, women and families. In 2002 it successfully advocated for the transfer of children's custody from the Immigration and Naturalization Service to the more child welfare-experienced Office of Refugee Resettlement. More recently, its groundbreaking exposure of conditions of confinement for immigrant families led to the end of family detention at the T. Don Hutto medium security prison in Texas.

"When we visit women in immigration detention we are encountering an increasing number of detained parents, especially mothers, who simply do not know where their children were taken after they were apprehended and detained," says Brané. "Shockingly, we have spoken with women who did not even know that their children were placed into foster care, or that the state was challenging their custody rights, until they received notification that their child had been adopted."

As reports of family separation increased, the Women's Refugee Commission worked with members of Congress to draft legislation that would prevent the separation of children from their parents whenever possible and facilitating access to family court proceedings, travel documents and communication between parents and children in cases where parents have to be detained.

The HELP for Separated Children Act would help ensure that there are no more situations like that of two-year-old Carlos Bail Romero, a U.S. citizen whose mother was apprehended during a 2007 immigration

(more)

raid in Missouri. Carlos, just six months old at the time, was adopted by an American couple while his mother was detained, despite her objections and desperate attempts to maintain contact with him.

The HELP for Separated Children Act puts in place simple measures to ensure that parents are considered for release or alternatives to detention, and if they must be detained are able to communicate with their children and can participate in custody proceedings.

The Women's Refugee Commission hears of new cases of family separation weekly and the impact on children in every single case is devastating, according to Brane'. "Children can suffer years of trauma from witnessing their parents' arrest or believing that they have been abandoned. When children end up in the foster care system they become a financial burden to the state and are more likely to experience poverty and instability later in life."

Children who are separated from their parents are not the only young people who are placed in jeopardy by our immigration enforcement system. Brane', along with staff and volunteers, has seen and spoken with hundreds of children who are held in border patrol stations for days, and sometimes weeks, after they are apprehended along the southern border of the United States. "The majority of unaccompanied children we speak with at border patrol stations tell us stories of being held in appalling conditions: sleeping in frigid concrete cells without blankets or beds, being denied all but the most basic medical care, being physically or emotionally abused by border patrol agents and suffering from a lack of adequate or appropriate food and water," she said.

Approximately 8,000 children a year are apprehended without parents or guardians and are then transferred to the Office of Refugee Resettlement's Division of Unaccompanied Children's Services (DUCS). There they can pursue their immigration case and may be reunited with their families. However, about 90,000 children are apprehended by border patrol each year. The long-term well-being of children who are never transferred to DUCS, or who lose their case, is anything but certain. In 2008, the Center for Public Policy Priorities found that many are repatriated or deported with little regard for their safety, and are extremely likely to suffer exploitation and poverty in the future.

The Women's Refugee Commission has worked to insert provisions into the Immigration Oversight and Fairness Act that would vastly improve the treatment of children in border patrol stations. These provisions, coupled with provisions of the William Wilberforce Trafficking Victims Protection Act of 2008, which its staff is actively working with the federal government to implement, would ensure a wide-reaching and effective protection structure for unaccompanied alien children.

The Women's Refugee Commission urges Members of the House of Representatives to co-sponsor the HELP for Separated Children Act and the Immigration Oversight and Fairness Act. "As we reform our immigration laws we have a responsibility to ensure that enforcement does not undercut the safety and stability of children," said Brane'.

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For more information or to arrange an interview with Encarnación Bail Romero, the mother of Carlos, contact Emily Butera (English, Spanish): +1-202-822-0166 x25 or EmilyBu@wrcommission.org