

March 15 2023

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue
NW Washington, D.C. 20500

Dear President Biden:

We write to express grave concern over reports that your administration is considering returning to the policy of family detention which has subjected hundreds of families to abusive, inhumane and racially discriminatory practices. The long dark history of detaining families in Immigration and Custody Enforcement (ICE) facilities provides all the evidence necessary to show the U.S. government should never return to this inhumane practice. Directly impacted families, advocates, attorneys, whistleblowers, and medical and other experts have condemned this practice for years, and fought to close down the facilities used to detain families. Your administration took the important and widely lauded step of ending the detention of families in ICE detention in late 2021. Reinstating a policy of detaining families in ICE or Customs and Border Protection (CBP) custody, even for short periods of time, would be a horrifying reversal of your past policies and commitments.

No version of family detention, whether referred to as a detention facility, short-term processing center, emergency family staging center, or by any other name, is acceptable. We call on you to stand by your commitment as President, to turn the page from the horrors of prior administrations, and pursue humane policies that do not involve incarcerating families. The well-documented inherent problems with family detention leave no room for doubt that re-starting this policy in any form will inflict suffering on children and their parents—and should never again be considered a viable government policy. In fact, the detention of immigrant children, whether accompanied or unaccompanied, is prohibited in international law as it is not in their best interests.

Immigration detention, regardless of the duration of detention or the type of facility used, inflicts irreversible trauma, especially on children. Medical experts agree that detention is harmful and causes toxic stress that can be life-long for children, *regardless of the duration of stay*. Numerous professional medical associations, including the [American Academy of Pediatrics](#), have documented the harm it causes both children and their parents, including potentially life long neurological damage to children such as

post-traumatic stress disorder, emotional and mental health issues, including depression and anxiety, and weight loss among other physical, emotional and behavioral health problems. DHS's own medical experts who served as whistleblowers to document their alarm about the harm caused to children by family detention stated clearly in their [2021 disclosure to Congress](#) that "any amount of detention can be harmful to children." Regardless of whether it's called "processing" or "short-term detention," confining families is unacceptable.

Like all ICE detention, family detention centers have a well-documented history of [abusive conditions](#), including inadequate [medical](#) and [mental health care](#), lack of access to water and other necessities, and inappropriate disciplinary tactics including threats to separate families. In 2001, ICE opened the first family detention center, the [Berks Family Residential Center](#) and later began detaining families at the notorious [T. Don Hutto Detention Center](#). In spite of documented abuses, widespread opposition and [warnings](#) at these facilities, the Obama administration opened three additional facilities in 2014, the [South Texas Family Residential Center](#), the [Karnes County Residential Center](#), and the [Artesia Family Residential Center](#), which it was forced to close in the same year due to [abusive conditions](#). An advisory committee convened by DHS itself [determined in 2016](#) that family detention was neither appropriate nor necessary. Still, the Obama administration continued to [send](#) families to [detention](#), with long-term ramifications that resonate today.

Because of the nature of confinement, families have [limited access to counsel](#) at these facilities, making it nearly impossible to pursue protection claims under U.S. immigration law. These due process and access to counsel concerns will be magnified if the administration's recently promulgated [asylum ban](#) rule goes into effect, heightening the evidentiary standard for families to access the ability to seek protection.

Family detention became a core aspect of the Trump administration's [cruel](#) and punitive approach to immigration. During your campaign in 2020, you [said](#) that families should not be detained in ICE detention. Your campaign [pledged](#) to end prolonged detention. In a welcome move, your administration stopped using the three facilities that were being used at the time for family detention.

We call on you to not lock up immigrant families. We are also gravely concerned that DHS will attempt to push families through the new expedited removal process laid out in the recently proposed [asylum ban rule](#) during their 20 days in family detention. We urge you to reverse course on the proposed asylum ban rule, and are horrified that the punitive policy could be coupled with family detention. This will essentially mean that these facilities will become deportation factories as families scramble to defend their

asylum eligibility while trying to protect their children from the agony of detention. There are alternative solutions for managing migration at the border that do not require detaining families and removing them so quickly as to undermine their meaningful opportunity to seek asylum or other legal relief.

At the beginning of your administration, you pledged to end family detention and to pursue just, compassionate, and humane immigration policies. We are deeply troubled that you are now considering restarting policies that have proven to be cruel, inhumane and racially discriminatory. Pursuing this path will exact terrible and lasting trauma on children and families that will become the legacy of your administration. We urge you not to return to this practice and to take steps to end the use of immigration detention altogether.

Sincerely,

American Civil Liberties Union
American Immigration Council
Amnesty International USA
Black Alliance for Just Immigration
Detention Watch Network
Freedom for Immigration
Human Rights First
Immigrant Legal Resource Center
National Immigrant Justice Center
National Immigration Project (NIPNLG)
18 Million Rising
Abortion Access Front
Acacia Center for Justice
Advocates for Basic Legal Equality
Afghans For A Better Tomorrow
African Communities Together (ACT)
African Immigration Initiative of the courageous Resistance
Al Otro Lado
Aldea - The People's Justice Center
Alianza Sacramento
All-Options
Alliance for Quality Education
America's Voice
American Friends Service Committee (AFSC)
American Gateways

American-Arab Anti-Discrimination Committee (ADC)
Americans for Immigrant Justice
Arizona Asian American Native Hawaiian Pacific Islanders for Equity
Arizona Justice for Our Neighbors
Asian American Advocacy Fund
Asian Americans Advancing Justice - Asian Law Caucus
Asian Americans Advancing Justice - Atlanta
Asian Americans Advancing Justice | AAJC
Asian Pacific Community in Action
Asian Pacific Institute on Gender-Based Violence
Asian Prisoner Support Committee
ASISTA Immigration Assistance
Asylum Seeker Advocacy Project (ASAP)
AVAN Immigrant Services
Ayuda
Bay Area Professional Family Child Care Network
Bend The Arc
Bend the Arc: Jewish Action
Benedictine Sisters of Baltimore
Berks Stands Up
Bethany House of Hospitality
Birth In Color RVA
Black Women for Wellness
Black Women for Wellness Action Project
Border Kindness
Border Workers United
Boston University Immigrants' Rights and Human Trafficking Program
Bridges Faith Initiative
Buen Vecino
California Coalition For Women Prisoners
California Immigrant Policy Center
Caravan for the Children
Caring Across Generations
Carolina Migrant Network
CASA
Casa Freehold
Casa Mariposa Detention Visitation Program
Catholics for Choice
Center for Gender & Refugee Studies
Center for Immigration Law and Policy at UCLA School of Law

Center for Law and Social Policy
Center for the Study of Social Policy
Center for Victims of Torture
Central American Minors (CAM) Working Group
Central American Resource Center of Northern CA
Centro de Trabajadores Unidos: United Workers Center
Centro Legal de la Raza
CGI Srs. Of St. Dominic Caldwell, N.J.
Chicana Latina Foundation
Child Labor Coalition
CHILDREN AT RISK
Children's HealthWatch
Children's Rights
Chula Vista Partners in Courage
Church World Service
Civil Rights Education and Enforcement Center
Coalición de Derechos Humanos
Coalition for Humane Immigrant Rights (CHIRLA)
Coalition of Latino Leaders-CLILA-
Collective Power for Reproductive Justice
Colorado Children's Campaign
Columbia Law School Immigrants' Rights Clinic
Communities United for Status & Protection (CUSP)
Community Asylum Seekers Project
Community Change Action
Community EsTr(EI/La)
Community for Children
Community Justice Exchange
Community Organizing and Family Issues
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Conversations with Friends
Cooperative Baptist Fellowship
Cornell Asylum and Convention Against Torture Appeals Clinic
CSUCI
Diocesan Migrant & Refugee Services, Inc.
DIRE
Disability Rights Advocates
Dolores Street Community Services
Dominican Sisters ~ Grand Rapids
Drsm

Drug Policy Alliance
El Calvario Immigrant Advocacy Center
El Refugio
End Rape On Campus
ERA Coalition
Esperanza Immigrant Rights Project
Faith in New Jersey
Faith In New Jersey
Faithful Friends/Amigos fieles
Families For Freedom
Family Values@Work Action
Fellowship Southwest
Fight for the Future
FIRM Action
First Focus on Children
First Friends of NJ & NY
FL National Organization for Women
Florence Immigrant & Refugee Rights Project
Florida Immigrant Coalition
Foreign Policy for America
Free Migration Project
Free Them All SD Coalition
Freedom Network USA
Freedom University
Futures Without Violence
GALEO Impact Fund
Galería de la Raza
Georgia Detention Watch
Global Justice Center
Government Accountability Project
Grandmothers for Reproductive Rights (GRR!)
Grassroots Leadership
Greater Orlando National Organization for Women
Guadalupe Presbyterian Church, USA
Hartford Deportation Defense
HIAS
Home is Here NOLA
Houston Immigration Legal Services Collaborative
Human Impact Partners
Human Rights Initiative

Human Rights Watch
ICNA Council for Social Justice
Iglesia Bautista Victoria en Cristo (Fort Worth, TX)
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Action Alliance
Immigrant Allies of Marshalltown
Immigrant Defenders Law Center
Immigrant Defense Advocates
Immigrant Legal Advocacy Project
Immigrant support committee of St. Andrew's Presbyterian
Immigrant Welcoming Working Group, Plymouth Congregational Church, Minneapolis
Immigration Counseling Service
Immigration Hub
Immigration Law & Justice Network
Immigration Working Group, Southwestern Pennsylvania Synod - ELCA Pennsylvania
In Our Own Voice: National Black Women's Reproductive Justice Agenda
Indivisible
Indivisible Brooklyn
Indivisible Marin
Indivisible Sonoma County
Inland Coalition for Immigrant Justice
Innovation Law Lab
Inter-Faith Committee on Latin America
Interfaith Campaign for Just Closures
Interfaith Movement for Human Integrity
Interfaith Welcome Coalition - San Antonio
International Detention Coalition (IDC)
International Refugee Assistance Project (IRAP)
International Rescue Committee
Iowa Migrant Movement for Justice
Ipas
Janice Vanderhaar Pax Christi Memphis
Japanese American Citizens League
Japanese American Citizens League Philadelphia Chapter
Japanese American Citizens League, Seattle Chapter
Jewish Activists for Immigration Justice
Jewish Women International
JUNTOS Philadelphia
Just Neighbors
Justice Action Center

Justice and Peace Advocacy Center
Justice for Migrant Women
Justice for Our Neighbors Michigan
Justice in Motion
Justice Strategies
Kern Welcoming and Extending Solidarity to Immigrants
Kids in Need of Defense (KIND)
La ColectiVA
Laredo Immigrant Alliance
Las Americas Immigrant Advocacy Center
Latin America Working Group (LAWG)
Latina Institute Texas
Latino Community Fund (LCF Georgia)
Latinx Therapists Action Network
Lawyers for Good Government
Legal Aid Justice Center
Lighthouse Immigrant Advocates
Long Beach Immigrant Rights Coalition
Louisiana Advocates for Immigrants in Detention
Louisiana Organization for Refugees and Immigrants
Make the Road New Jersey
Make the Road New York
Make the Road PA
Marianist Social Justice Collaborative
Mariposa Legal, program of COMMON Foundation
Massachusetts Immigrant and Refugee Advocacy Coalition
Maternal Mental Health Leadership Alliance
Mennonite Central Committee U.S.
Miami Coalition to Advance Racial Equity
Michigan Coalition on Black Civic Participation
Michigan Immigrant Rights Center
Michigan United
Migrant Equity Southeast
Mijente
Minnesota Freedom Fund
Minnesota Interfaith Coalition on Immigration
Missionarie Sisters of Saint Charles Borromeo Scalabrinians
MomsRising
Movement for Justice in El Barrio
MoveOn

MPower Change
Mujeres Unidas y Activas
Muslim Advocates
Mutual Aid Diabetes
National Advocacy Center of the Sisters of the Good Shepherd
National Center for Lesbian Rights (NCLR)
National Council of Jewish Women
National Crittenton
National Disability Rights Network (NDRN)
National Education Association
National Employment Law Project
National Immigration Law Center
National Latina Institute for Reproductive Justice
National Lawyers' Guild- SF Bay Area chapter
National Network for Immigrant and Refugee Rights
National Organization for Women
National Partnership for New Americans
National Partnership for Women & Families
National Religious Campaign Against Torture
National Women's Law Center
NETWORK Lobby for Catholic Social Justice
Never Again Action
Never Again Action Boston
New Jersey Alliance for Immigrant Justice
New Mexico Dream Team
New York Immigration Coalition
Nigerian Center
NM CAFE
NMHU
No Detention Centers in Michigan
NorCal Resist
Northern New Jersey Sanctuary Coalition
Northwest Immigrant Rights Project
Oakland Forward Action Fund
Oasis Legal Services
Occupy Bergen County
OCRRN
Office of Peace, Justice, and Ecological Integrity/Sisters of Charity of Saint Elizabeth
Ohio Immigrant Alliance
OneAmerica

Or Hamidbar, Palm Springs
Our Children Oregon
Oxfam America
ParentsTogether
Parishioners for Peace & Justice of St. Peter Claver Church, Montclair, NJ
Pax Christi Florida
Pax Christi Little Rock
Pax Christi New Jersey
Pax Christi New York State
Pax Christi Northern CA
Pax Christi Northwest
Pax Christi Rhode Island
Pax Christi South Dakota
Pax Christi USA
Physicians for Reproductive Health
Pineros Y Campesinos Unidos del Noroeste (PCUN)
Planned Parenthood Federation of America
Poder Latinx
Poligon Education Fund
POWER-PAC IL
Pregnancy Justice
Presbytery of the Pacific, PCUSA
Pro-Choice North Carolina
ProgressNow New Mexico
Project Lifeline
Project On Government Oversight
Public Citizen
Public Law Center
Qdep
Refugee Health Alliance
Refugee Women's Network
Refugees International
Religious of the Sacred Heart of Mary, Western American Area
Religious Sisters of Charity
Reproductive Health Access Project
Restaurant Opportunities Centers United
Rights Behind Bars
Robert F. Kennedy Human Rights
Rocky Mountain Immigrant Advocacy Network
Sanctuary and Resistance to Injustice

Save the Children
Scalabrini Immigrant and Refugee Services
Services, Immigrant Rights and Education Network (SIREN)
Showing Up for Racial Justice
Shut Down Berks Coalition
SÍ - Serving Immigrants
Sisters of Mercy of the Americas - Justice Team
Sisters of St. Joseph of Carondelet, LA
SisterSong Women of Color Reproductive Justice Collective
Society of the Flora, fauna & friend
Sojourners
SOLACE San Diego
Somos South GA
South Bay People Power
Southern Border Communities Coalition
Southern Poverty Law Center
Southern Poverty Law Center Action Fund
STRANGERS NO LONGER (Michigan)
Student Clinic for Immigrant Justice
Sunrise PA
Supermajority
Surveillance Technology Oversight Project
Survived & Punished
T'ruah
Tahirih Justice Center
Tennessee Justice for Our Neighbors
Texas Freedom Network
Texas Impact
The Advocates for Human Rights
The Black Alliance for Just Immigration (BAJI)
The Bronx Defenders
The Children's Defense Fund - Texas
The Children's Partnership
The Coalition on Human Needs
the devi co-op
The Education Trust
The Festival Center
The Mami Chelo Foundation
The Sikh Coalition
The Workers Circle

The Young Center for Immigrant Children's Rights
Trans Empowerment Project
True Colors United
Tsuru For Solidarity
U-Lead Athens
UltraViolet
UltraViolet Action
Unidad Latina en Acción NJ
Union for Reform Judaism
Unitarian Universalist FaithAction NJ
Unitarian Universalists for Social Justice
United African Organization
United Parent Leaders Action Network (UPLAN)
United We Dream
Unity Fellowship of Christ Church-NYC
UnLocal
USOW
Value our Families
Vecindarios901
Vera Institute of Justice
VOCAL-NY
#VOTEPROCHOICE
Voto Latino
Washington Office on Latin America (WOLA)
Washtenaw Interfaith Coalition for Immigrant Rights (WICIR)
We Are All America
We Testify
Wellington UCC Immigrant Justice Task Force
Westchester Jewish Coalition for Immigration
Western New York Child Care Action Team
Win Without War
Wind of the Spirit Immigrant Resource Center
Winged Spirit Focus Ministry
Witness at the Border
Women Watch Afrika
Women's Refugee Commission
Women's March
ZERO TO THREE

Traducción de carta

Honorable Joseph R. Biden
Presidente de los Estados Unidos
La Casa Blanca
1600 Pennsylvania Avenue
NW Washington, D.C. 20500

Estimado presidente Biden:

Le escribimos para expresar nuestra grave preocupación por los informes de que su administración está considerando regresar a la política de detención familiar la cual ha sometido a cientos de familias a prácticas abusivas, inhumanas y racialmente discriminatorias. La larga y oscura historia de detención de familias en centros de detención del Servicio de Inmigración y Custodia (ICE, por sus siglas en inglés) brinda toda la evidencia necesaria para demostrar que el gobierno de los EE. UU. nunca debe volver a esta práctica inhumana. Las familias directamente afectadas, defensores, abogados, denunciantes y expertos médicos y de otro tipo han condenado esta práctica durante años y han luchado para cerrar las instalaciones utilizadas para detener a las familias. Su administración dio el paso importante y ampliamente elogiado de poner fin a la detención de familias bajo ICE a fines de 2021. Restablecer una política de detención de familias bajo custodia de ICE o Aduanas y Protección Fronteriza (CBP), incluso por períodos cortos de tiempo, sería una reversión horrible de sus políticas y compromisos pasados.

Ninguna versión de la detención familiar es aceptable, ya sea que se le refiera como centro de detención, centro de procesamiento a corto plazo, centro de preparación familiar de emergencia o cualquier otro nombre. Le exhortamos a que mantenga su compromiso como presidente, pase la página de los horrores de las administraciones anteriores y busque políticas humanas que no impliquen encarcelar a las familias. Los problemas inherentes bien documentados con la detención familiar no dejan lugar a dudas de que reiniciar esta política en cualquier forma infligirá sufrimiento a niños y sus padres, y nunca más debe considerarse una política gubernamental viable. De hecho, la detención de niños inmigrantes, ya sea que estén acompañados o no, está prohibida por el derecho internacional porque no es lo mejor para ellos.

La detención de inmigrantes, independientemente de la duración de la detención o el tipo de instalación utilizada, inflige un trauma irreversible, especialmente en los niños. Los expertos médicos están de acuerdo en que la detención es dañina y causa estrés tóxico que puede durar toda la vida de los niños, independientemente de la duración de

la estadía. Numerosas asociaciones médicas profesionales, incluida la [Academia Estadounidense de Pediatría](#), han documentado el daño que causa tanto a los niños como a sus padres, incluido el posible daño neurológico de por vida en los niños, como el trastorno de estrés postraumático, problemas de salud emocional y mental, incluida la depresión y la ansiedad, y pérdida de peso, entre otros problemas de salud física, emocional y conductual. Los propios expertos médicos del DHS lo han denunciado públicamente para documentar su alarma sobre el daño causado a los niños por la detención familiar [en su declaración de 2021 al Congreso](#) que “cualquier cantidad de detención puede ser perjudicial para los niños”. Independientemente de si se llama “procesamiento” o “detención a corto plazo”, confinar a las familias es inaceptable.

Como toda detención bajo ICE, los centros de detención familiar tienen un historial bien [documentado de condiciones abusivas](#), que incluyen atención [médica](#) y [salud mental](#) inadecuada, falta de acceso al agua y otras necesidades, y tácticas disciplinarias inapropiadas que incluyen amenazas de separar a las familias. En 2001, ICE abrió el primer centro de detención familiar, el [Centro Residencial Familiar Berks](#) y luego comenzó a detener familias en el notorio [Centro de Detención T. Don Hutto](#). A pesar de los abusos documentados, la oposición generalizada y las [advertencias](#) en estos centros de detención, la administración Obama abrió tres instalaciones adicionales en 2014, el [Centro Residencial Familiar del Sur de Texas](#), el [Centro Residencial del Condado de Karnes](#) y el [Centro Residencial Familiar Artesia](#), que se vio obligado a cerrar el mismo año debido a [condiciones abusivas](#). Un comité asesor convocado por el propio DHS [determinó en 2016](#) que la detención familiar no era apropiada ni necesaria. Aún así, la administración Obama continuó [enviando](#) a familias a ser [detenidas](#), con ramificaciones a largo plazo que resuenan hoy.

Debido a la naturaleza del confinamiento, las familias tienen [acceso limitado a un abogado](#) en estas instalaciones, lo que hace que sea casi imposible presentar reclamos de protección bajo la ley de inmigración de los EE. UU. Estas preocupaciones sobre el debido proceso y el acceso a un abogado se magnificarán si la regla de [prohibición de asilo](#) promulgada recientemente por la administración entra en vigencia, elevando el estándar probatorio para que las familias accedan a la capacidad de buscar protección.

La detención de familias se convirtió en un aspecto central del enfoque [cruel](#) y punitivo de la administración Trump hacia la inmigración. Durante su campaña en 2020, [usted dijo](#) que las familias no deberían ser detenidas por ICE. Su campaña [se comprometió](#) a poner fin a la detención prolongada. En un movimiento bienvenido, su administración dejó de usar las tres instalaciones que se usaban en ese momento para la detención de familias.

Hacemos un llamado a no encerrar a las familias inmigrantes. También estamos muy preocupados de que el DHS intente canalizar a las familias bajo el nuevo proceso de deportación acelerado establecido en la regla de [prohibición de asilo](#) durante sus 20 días en detención familiar. Lo instamos a revertir el curso de la regla de prohibición de asilo, nos horroriza que la política punitiva pueda combinarse con la detención familiar. Básicamente, esto significará que estas instalaciones se convertirán en fábricas de deportación a medida que las familias se esfuercen por defender su elegibilidad para asilo mientras intentan proteger a sus hijos de la agonía de la detención. Existen soluciones alternativas para gestionar la migración en la frontera que no requieren detener a las familias y expulsarlas tan rápido como para socavar su oportunidad significativa de buscar asilo u otro alivio legal.

Al comienzo de su administración, se comprometió a poner fin a la detención de familias y buscar políticas de inmigración justas, compasivas y humanas. Nos preocupa profundamente que ahora esté considerando reiniciar políticas que han demostrado ser crueles, inhumanas y racialmente discriminatorias. Seguir este camino provocará un trauma terrible y duradero en los niños y las familias que se convertirá en el legado de su administración. Le instamos a que no vuelva al uso de esta práctica y que tome medidas para poner fin por completo al uso de la detención de inmigrantes.

Atentamente,