

# FAMILY DETENTION IN THE U.S.

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## THE INCARCERATION OF UNDOCUMENTED MIGRANT FAMILIES

### WHAT IS IT?

Family detention is the practice of holding families (mothers and their children) at incarceration centers by the United States government.

Families typically enter detention after being arrested by local law enforcement or Immigration and Customs Enforcement (ICE) and are held there while they await deportation hearings.

### INHUMANE TREATMENT

Several advocacy groups have called on the U.S. to stop this practice due to the noted human rights violations that have occurred at these facilities.

- Children housed in one center were required to wear prison garb
- Families were detained in small cells with little privacy and were prohibited from keeping food, toys, or writing utensils in their cells.

Significant advocacy and coordinated community efforts, including local and national protests and lawsuits based on reports of severe abuse and poor living conditions, forced the closing of that facility in September 2009.

Another facility in Artesia was later closed in part due to the multiple allegations of abuse and mistreatment. However, many of its detainees were transferred to a newly built detention center in Dilley, TX.

### PSYCHOSOCIAL IMPACTS

While research on the family detention experience is limited, especially in the U.S., the information available suggests that family detention impacts families and communities in several ways.

- Children of parents who have been detained tend to experience feelings of depression, anxiety, and even post-traumatic stress symptoms.
- The mere threat of deportation is associated with negative emotional well being, decreased financial

stability, poor parent-child relations and poor academic performance.

Fear of ICE and the threat of detention were found to have shaped the behavior of the people in communities as well.

- Increases in crime, fewer filed reports of crimes, direct and indirect health issues and increased instability within businesses, schools, and human services have resulted.

### EXPANSION OF THE PRACTICE

Despite the documented human right violations at several detention centers and research on the deleterious effect on families, in the summer of 2014, the U.S. government massively expanded its detention of immigrant families.

While the United States upholds itself as a beacon of hope for those seeking freedom from persecution and oppression, the current U.S. immigration policies and their enforcement have detrimental effects on migrant adults, children, families and communities.

## THE PRICE OF DETENTION

It will cost taxpayers an estimated \$298 per bed per day or approximately \$261 million annually to operate just one of these family detention facilities; alternatives to detention are estimated to cost 17 cents to \$17 per person per day including intensive monitoring at a cost of \$10.55 per day.

## ALTERNATIVES TO DETENTION (ATD)

Detained migrants may be released on a bond set by an immigration official or released on their own recognizance.

- A regular check-in time with immigration (in person or by phone, weekly, monthly, or in another frequency) has proved effective.
- Alternatives to detention can also include more intensive monitoring (ex: GPS locators), though these more restrictive and less desirable conditions should only be used when absolutely necessary

ATDs have been widely reported as effective. In FY 2010, the federal government's ATD programs yielded a 93.8 percent appearance rate for immigration hearings. Research confirms that treating migrants with dignity and respect, as well as providing them with clear and timely information, increases cooperation and compliance.



## WHAT CAN WE DO?

### CALL TO ACTION

**We assert that there is no way to humanely detain children and families.** Therefore we:

- Urge the government to close all of its family detention facilities and promote reasonable and humane alternatives to incarceration of mothers and children that guarantee the human rights of these migrant families
- Recommend the improvement of the screening procedures to identify families in need of protection, and the revision of U.S. policy of high bonds for migrant families, especially those seeking refuge in the US;
- Call on the government to implement several cost-effective alternatives to detention that are successful in ensuring that migrant families appear for scheduled court hearings;
- Call on our professional organizations to better prepare professionals in order to address the needs of these migrants and to collaborate in the development of public education campaigns about their fate and the need for policy reform.

**Having reviewed the available scientific evidence on the negative effects of family incarceration and the alternatives to detention, we believe these actions will help alleviate the negative impact the current U.S. policy of incarceration is having on the wellbeing and mental health of migrant family members and their communities. See a copy of the full policy statement at: <http://www.scra27.org/what-we-do/policy/policy-position-statements/statement-th/>**