

December 18, 2014

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

Dear Mr. President,

We, the undersigned civil rights and civil liberties, human rights, faith, immigration, labor, criminal justice, legal, children's rights, and domestic violence advocacy organizations, oppose the opening of the new family detention facility in Dilley, Texas. While Congress and the Administration prepare for a joyful holiday season, many children will be spending this holiday season in jail instead of with relatives here in the U.S. who are already willing to care for them and for their mothers. The Dilley facility will be the largest immigration detention facility in the country, with a planned 2,400 beds to incarcerate children and their mothers who are fleeing extreme violence in El Salvador, Honduras and Guatemala and rush them through the deportation process without due process.

The regional refugee crisis in Central America demands a humanitarian response by the United States, not a show of force. These mothers have faced unimaginable suffering and danger and have come to the U.S. seeking protection, often with close relatives in the U.S. who are willing and able to provide for them. They are not evading law enforcement; they are seeking out Border Patrol officers.

These families are not a border security problem. They are among the most vulnerable immigrants, seeking safety and the opportunity to tell their story to a judge. They should not be the centerpiece of a continued "surge" of border enforcement strength.

The evidence is undeniable that many of these families qualify for protection under U.S. law. Extremely high percentages of these detained women and their children have been granted asylum by immigration judges or been found to have a credible fear of persecution by asylum officers. We take issue with the Administration's message that locking up mothers and children at the border is justified to deter others from attempting a journey that may be necessary to save their lives. This rhetoric belies our nation's legal obligation to protect asylum seekers and is inhumane. These children and mothers are not tools for a border messaging campaign.

As the Dilley facility opens, immigration attorneys volunteering from across the country to provide free representation to families isolated in detention centers at Artesia, New Mexico and Karnes, Texas are making a tremendous difference in the lives of these families and the outcomes of their cases. We all know the importance of legal counsel to immigrants who are trying to express their fears and navigate our complex immigration system. But the massive outpouring of pro bono efforts that have resulted in so many asylum victories for families in Artesia, New Mexico and Karnes, Texas is neither sustainable nor easily replicable, especially for a facility the size of Dilley. We fear that many of the women and children detained in Dilley will

go without representation. Without counsel, women are less likely to be found having a credible fear of persecution—the first step to seeking asylum. Credible fear grant rates will fall. And children and mothers who need protection will be returned to danger.

The closure of Artesia as Dilley opens is a clear bait-and-switch. Many families currently detained at Artesia will be transferred to Karnes or to Dilley, not released. As relieved as we are that families will no longer be held at Artesia – a facility in the middle of the desert where repeated violations of human rights and due process occurred – the opening of Dilley signals a ramp up, not a reduction, in family detention.

Detention makes it extremely difficult for traumatized asylum seekers and other vulnerable immigrants to ask for and receive the protections of our laws and the services they need. A detained family may only have a matter of days to seek help before being summarily deported without the opportunity to see a judge. Moreover, your Administration has made it uniquely difficult for these mothers and children to obtain a fair and reasonable release on bond – even when they have absolutely no criminal history and pose no public safety threat, even when they are facing severe medical and psychological difficulties in detention. Furthermore, no satisfactory explanation has been provided as to why proven alternatives to detention (ATDs) are not being considered in those cases where a family cannot otherwise be released, since it would save taxpayers hundreds of millions of dollars and accomplish the goal of compliance with removal proceedings. ATDs would also increase access to counsel and therapeutic services for those who experienced trauma.

Detaining mothers and children and rushing them through to deportation is wrong. The public scandal and lawsuit that ended family detention at the T. Don Hutto facility in 2009 demonstrated that detention is a wholly inappropriate place for children and their mothers. But by the middle of next year, your Administration will be detaining nearly 4,000 mothers and children, a forty-fold increase in the use of detention on immigrant families.

With your Executive Actions, you have pledged to protect families. But Dilley will force many families back directly into harm's way. We urge you to reverse course on family detention and close Dilley.

Sincerely,

National

American Civil Liberties Union

American Immigration Council

American Immigration Lawyers Association

Americans for Immigrant Justice

Asian & Pacific Islander Institute on Domestic Violence

Asian Americans Advancing Justice

Asian Pacific American Labor Alliance

ASISTA Immigration Assistance
Center for Community Change
Center for Gender & Refugee Studies
Center for Human Rights & International Justice, Boston College
Christian Church (Disciples of Christ) Refugee & Immigration Ministries
Columban Center for Advocacy and Outreach
Detention Watch Network
Disciples Home Missions
Disciples Home Missions Family and Children's Ministries
First Focus
Franciscan Action Network
Friends Committee on National Legislation
Futures Without Violence
Grassroots Leadership
HIAS
Human Rights First
Jesuit Conference
Justice Strategies
Kids in Need of Defense
Leadership Conference of Women Religious
Leadership Team of the Felician Sisters of North America
Lutheran Immigration and Refugee Service
Mennonite Central Committee U.S. Washington Office
NAFSA: Association of International Educators
NAKASEC
National Asian American Pacific Islander Mental Health Association
National Asian Pacific American Women's Forum
National Coalition Against Domestic Violence
National Council of Jewish Women
National Council of La Raza (NCLR)
National Day Laborer Organizing Network (NDLON)
National Immigrant Justice Center
National Immigration Forum
National Immigration Law Center
National Latin@ Network: Casa de Esperanza
National Queer Asian Pacific Islander Alliance
National Religious Campaign Against Torture
New Sanctuary Coalition

Presbyterian Church (U.S.A.)
Salvadoran American National Network
Sex Workers Project at the Urban Justice Center
Southeast Asia Resource Action Center (SEARAC)
Southern Border Communities Coalition
Stone Grzegorek & Gonzalez LLP
Tahirih Justice Center
United We Dream
We Belong Together
Wheaton Franciscans
Women's Refugee Commission
Young Center for Immigrant Children's Rights at the University of Chicago

International

American Jewish Committee
Disciples Home Missions
Disciples Justice Action Network
Disciples Women
Human Rights Watch
Missionary Servants of the Most Holy Trinity
Physicians for Human Rights
Sisters of Mercy of the Americas
Sisters of the Sorrowful Mother
The Advocates for Human Rights
The Episcopal Church
US Committee for Refugees and Immigrants

State/Local

Advocates for Basic Legal Equality (ABLE)
Asian Law Alliance
Bill of Rights Defense Committee-Tacoma
Border Action Network
Causa Oregon
Coalition for Humane Immigrant Rights (CHIRLA)
Collaborative Center for Justice
Community Legal Services in East Palo Alto
Conversations With Friends (MN)
Florence Immigrant & Refugee Rights Project

Florida Immigrant Coalition
Franciscans for Justice
Gibbs Houston Pauw
Human Rights Initiative of North Texas
Humane Borders
Illinois Coalition for Immigrant & Refugee Rights
Immigrant Law Center of Minnesota
Immigrant Law Group PC
Immigrant Rights Clinic
Immigration Center for Women and Children
Immigration Clinic, University of North Carolina School of Law
Immigration Task Force, Southwestern Pennsylvania Synod, Evangelical Lutheran Church in America
Inter-faith Coalition on Immigration (MN)
Kentucky Coalition for Immigrant and Refugee Rights
Kentucky Immigration Reform Committee
Kino Border Initiative
Las Americas Immigrant Advocacy Center
Los Angeles Center for Law and Justice
MAIZ
Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA)
Michigan United
Mountain View Dreamers
New Mexico Immigrant Law Center
New Sanctuary Coalition of NY
North Carolina Justice Center
Northwest Immigrant Rights Project
OneAmerica
Palabra Santa Barbara
Pangea Legal Services
People Acting in Community Together
Proyecto Azteca
Redwood Justice Fund
Safe Passage Project
Services, Immigrant Rights, and Education Network (SIREN)
Stop The Checkpoints
Tennessee Immigrant and Refugee Rights Coalition
The Queer Detainee Empowerment Project

University of California Davis School of Law Immigration Clinic

University of Texas School of Law Civil Rights Clinic

University of Texas School of Law Immigration Clinic

VACOLAO - Virginia Coalition of Latino Organizations

Walker Gates Vela PLLC

Washington State Coalition Against Domestic Violence

cc: Cecilia Munoz, Director of the Domestic Policy Council

Lynn Rosenthal, White House Advisor on Violence Against Women

Jeh Johnson, Secretary of Homeland Security

Alejandro Mayorkas, Deputy Secretary of Homeland Security

Eric Holder, Attorney General

Juan Osuna, Director, Executive Office for Immigration Review

Shelly Pitterman, UNHCR Regional Representative for the USA and the Caribbean