

SCHOOL OF SOCIAL WORK
Office of the Dean

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DECLARATION OF LUIS H. ZAYAS

I, Luis H. Zayas, declare as follows:

I make this declaration based on my own personal knowledge based on my visits to the Karnes detention facility to interview families on behalf of attorneys representing said families and based upon my review of declarations provided by Assistant Director of the Custody Management Division of Enforcement and Removal Operations (ERO), Tae D. Johnson, and by Unit Chief of Juvenile and Family Residential Management of ERO, Stephen M. Antkowiak. If called to testify I could and would do so competently as follows:

I. Qualifications

1. I am a licensed psychologist and licensed clinical social worker in the State of Texas. Previously, I held psychology licenses in New York and Missouri and a clinical social work license in New York. I hold a master of science degree in social work (1975), and a master of arts (1984), master of philosophy (1985), and PhD (1986) in developmental psychology, all from Columbia University in the City of New York. I have been a practicing clinician since 1975 in child and adolescent psychiatry and primary care medicine.

2. I am presently the Dean of the School of Social Work at the University of Texas at Austin. I also occupy the Robert Lee Sutherland Chair in Mental Health and Social Policy.

3. Previously, I provided a declaration dated 14 December 2014 in which I discussed the effects of detention on the psychological and emotional health and well-being of children and mothers.

4. In the present declaration, I affirm my earlier findings.

II. Summary of Findings and Opinions

5. The declarations provided by Johnson and Antkowiak describe in favorable terms the conditions and services that are offered at both the Dilley and Karnes facilities, and the effort made by the government to provide adequate facilities and activities for detainees.

6. Assistant Director Johnson's declaration states that the standards followed at Karnes "promote a unique, open, and stimulating environment in which the residents are free to move about the center." Johnson Dec. ¶ 16. Unit Chief Antkowiak's declaration describes and provides photographs depicting the services offered by the Karnes facility to detainees and states that "ICE's Family Residential Centers permit free movement of residents from morning until dusk." Antkowiak Dec. ¶ 25. The pictures show a controlled environment that is made to appear as cheerful and livable as possible.

7. The statements made in and photos attached to the two declarations do not alter the conclusions I reached in my initial submission. The freedom to move, during the day, within a strictly controlled confinement does not mitigate or alleviate the damaging effects of detaining children and their mothers.

8. Confinement *per se* inflicts psychological harms, as described in my initial declaration. For example, the children and mothers do not know how long they will be in detention or if, when, how, and to where they will be released. Children witness the belittlement of their mothers by staff employed at the facility. These children do not have the liberty to see and talk to others in the outside world or to interact with it. These children are missing essential developmental experiences of interacting with the world outside of Karnes. Their confinement will assuredly lead to serious mental health problems and chronic illnesses.

9. Detention of parents, in this case mothers, and their children, even for periods of several weeks to several months, has serious and long-lasting detrimental effects on the psychological health and well-being of parents and children. The experience of detention and institutionalization raises the risk for behavioral, social, emotional, and educational maladaptation. Altogether, confinement and its attendant stresses add to the extreme adverse childhood experiences that are known to have long-range effects.

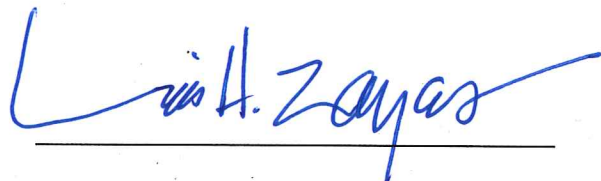
10. I reaffirm my initial conclusion that the stress and uncertainty of detention experienced at the Karnes facility—and the emotional, psychological, and behavioral sequelae of detention—compromises children’s intellectual and cognitive development and contributes to the development of chronic illnesses that may be irreversible.

11. I stand by my earlier declaration that expressed my concern that children at the Karnes detention facility are facing adverse childhood experiences unlike those of any other category of children in the United States. Such detention will have mental health and physical effects on these families for decades to come.

III. Conclusion

I declare under penalty of perjury under the laws of the United States and the District of Columbia that the foregoing is true and correct.

Executed this 13th day of April, 2015, at Austin, Texas



Luis H. Zayas, Ph.D.