



# Family Detention

CNS/Reuters

## What is Family Detention?

The U.S. government currently confines certain asylum-seeking women and children in large-scale detention facilities. Immigrant mothers and children who are apprehended together at the U.S./Mexico border by U.S. Customs and Border Protection (CBP) are placed into Immigration and Customs Enforcement (ICE) custody. During the summer of 2018, DHS [separated](#) many families that it apprehended at the U.S./Mexico border. While the majority of these families were later reunified in DHS custody pursuant to a court order, most were not placed into family detention facilities by ICE.

Family detention facilities are described by ICE as “residential facilities” with families considered to be “residents.” In the facilities, however, mothers and their children have limited freedoms and are forced to live in a restrictive detention setting. While at these facilities, mothers and their children fight deportation in their immigration proceedings. As many of these [mothers](#)<sup>1</sup> and [children](#)<sup>2</sup> are fleeing violence and persecution in their home countries, many are seeking asylum.

## Where Are Families Being Detained?

There are currently three facilities in the United States that detain immigrant families. The Karnes County Residential Center (“Karnes”), located in Karnes City, Texas, has 830 beds. The South Texas Family Residential Center (“Dilley”) in Dilley, Texas has 2,400 beds. A third facility in Berks County, Pennsylvania has 96 beds.<sup>3</sup> There is an expansion planned for the family detention center in Karnes as well as a recent [extension](#) of the contract for Dilley until 2021.<sup>4</sup>

## How Much Does it Cost Taxpayers to Detain Immigrant Families?

The two family detention facilities in Dilley and Karnes City, Texas are operated by for-profit companies. Dilley is operated by the Corrections Corporation of America, recently [rebranded](#) to the

name CoreCivic,<sup>5</sup> and Karnes is operated by GEO Corporation. The reliance on for-profit contractors to operate family detention facilities reflects a larger trend in the immigrant detention system in the United States, which costs taxpayers over \$2 billion/year to maintain. Currently, it costs [\\$319/day/individual](#) to detain individual immigrant family members in family detention.<sup>6</sup> This means it costs taxpayers approximately \$950/day to detain an asylum-seeking mother with her two children in a family detention facility.

## **Catholic Social Teaching and Family Detention**

Immigrant detention is an explicit and longstanding concern of the Catholic Church. The U.S. Catholic Bishops have addressed immigrant detention in [Responsibility Rehabilitation and Restoration, A Catholic Perspective on Crime and Criminal Justice](#), stating: “We bishops have a long history of supporting the rights of immigrants. The special circumstance of immigrants in detention centers is of particular concern. [The government] uses a variety of methods to detain immigrants some of them clearly inappropriate.”<sup>7</sup> Additionally, Bishop Eusebio Elizondo, then-Chairman of the U.S. Conference of Catholic Bishops’ Committee on Migration, wrote to former Department of Homeland Security (DHS) Secretary Jeh Johnson in 2015 opposing family detention, declaring that “it is inhumane to house young mothers with children in restrictive detention facilities as if they are criminals.” Recently, other Bishops have [spoken out](#) against proposed expansion of family detention facilities in South Texas—Archbishop Gustavo Garcia-Siller of San Antonio stated that “[c]onfining children and their mother in such detention centers has proven to be damaging to them. Many of these women are fleeing violence, in fear of their lives and the safety of their children. They need mercy and compassion, not derision and detention.”

## **Why is Detaining Immigrant Families Particularly Harmful?**

A majority of the families who have been apprehended at the U.S./Mexico border are fleeing extreme violence and persecution in El Salvador, Guatemala, and Honduras. These women and children seek protection in the United States, risking increasingly dangerous journeys north to find safety. Instead of receiving refuge, however, ICE often places these families in confining detention facilities. This practice continues despite the fact that detaining children is psychologically and physically damaging and is against international human rights law and general child welfare principles.<sup>8</sup> Many of these detained mothers and children have legitimate protection claims meriting a grant of asylum relief as demonstrated by the [rate](#) at which they are able to prove credible fear of persecution.<sup>9</sup> Accordingly, these vulnerable women and children should be offered protection not detention.

## **Are There Alternatives to Detaining Families?**

Yes. Instead of relying on for-profit contractors, the government should increase utilization of alternatives to detention (ATDs), which are more humane and cost-effective. ATDs that employ unique case management and are community support-based models are able to provide legal and social services to enrollees. These types of ATDs facilitate community support to vulnerable individuals such as asylum seekers, torture victims, pregnant women, families with young children, primary caregivers, elderly, and victims of crime who would otherwise be detained. Community-based ATDs run by NGOs also offer unique data collection, case management experience, and customized case-by-case evaluation methodology implemented by expert staff to ensure humane treatment of enrollees and their compliance with immigration legal requirements. Over the years, there have been [several examples](#) of effective community-based ATD programs.<sup>10</sup>

# What Can I Do to Combat Family Detention?

- **Educate** your community about family detention by sharing this backgrounder and hosting an event at your parish to discuss family detention.
- **Volunteer** with the [CARA Project](#) to assist arriving Central American families (in order to apply for volunteer opportunities, you will need to create an account with the Immigration Justice Campaign and then follow the instructions on their site).
- **Contact** your federal [Representative](#)<sup>11</sup> and [Senators](#)<sup>12</sup> and urge them to increase funding for ATDs rather than family detention.
- **Read** our [Backgrounder The Real Alternatives to Detention](#).<sup>13</sup>

(Revised 2/14/19)

## Endnotes

1 Karen Musalo & Eunice Lee, *Seeking a Rational Approach to a Regional Refugee Crisis: Lessons from the Summer 2014 “Surge” of Central American Women and Children at the US-Mexico, Border*, 5 JOURNAL ON MIGRATION AND HUMAN SECURITY 137137-8 (2017), available at [https://repository.uchastings.edu/cgi/viewcontent.cgi?article=2583&context=faculty\\_scholarship](https://repository.uchastings.edu/cgi/viewcontent.cgi?article=2583&context=faculty_scholarship); See also UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR), WOMEN ON THE RUN (2015).

2 Musalo & Lee at 137-8; see also UNHCR, Children on the Run - Stories (April 1, 2016), <http://www.unhcr.org/en-us/news/stories/2016/4/56fe41a3125/children-onthe-run-stories.html>.

3 Apprehension, Processing, Care, and Custody of Alien Minors and Unaccompanied Alien Children, 83 Fed. Reg. 45,468 (Sept. 7, 2018).

4 Jamie McGee, *CCA Announces ICE Contract Extension*, THE TENNESSEAN (Oct. 18, 2016), <http://www.tennessean.com/story/money/2016/10/18/cca-announces-ice-contract-extension/92355068/>.

5 Dave Boucher, *CCA Change Name to CoreCivic Amid Ongoing Scrutiny*, THE TENNESSEAN (Oct. 28, 2016), <http://www.tennessean.com/story/news/2016/10/28/cca-changes-name-amid-ongoing-scrutiny/92883274/>.

6 DEP’T OF HOMELAND SECURITY, *U.S. Immigrations and Customs Enforcement Budget Overview Congressional Justification, Fiscal Year 2018*, 128 (2018), available at [https://www.dhs.gov/sites/default/files/publications/CFO/17\\_0524\\_U.S.\\_Immigration\\_and\\_Customs\\_Enforcement.pdf](https://www.dhs.gov/sites/default/files/publications/CFO/17_0524_U.S._Immigration_and_Customs_Enforcement.pdf).

7 *Responsibility Rehabilitation and Restoration, A Catholic Perspective on Crime and Criminal Justice*, A Statement of the Catholic Bishops of the United States (Nov. 15, 2000).

8 See, e.g., J. M. Linton, et al., *Detention of Immigrant Children*, 139 PEDIATRICS 1-13 (2017).

9 U.S. CITIZENSHIP AND IMMIGRATION SERV., *Credible Fear Workload Report Summary FY 2018 Total Caseload*, 1 (2018), available at [https://www.uscis.gov/sites/default/files/USCIS/Outreach/Notes%20from%20Previous%20Engagements/PED\\_CFandRFstatsJan2018.pdf](https://www.uscis.gov/sites/default/files/USCIS/Outreach/Notes%20from%20Previous%20Engagements/PED_CFandRFstatsJan2018.pdf) (showing that according to the Workload Summary for FY2018, 76% of individuals established credible fear in their interview as of January 2018).

10 U.S. Conference of Catholic Bishops/Migration and Refugee Serv. et al., *The Real Alternatives to Detention*, JUSTICE FOR IMMIGRANTS, available at <https://justiceforimmigrants.org/2016site/wp-content/uploads/2017/07/The-Real-Alternatives-to-Detention-FINAL-06.27.17.pdf> (last visited Jan. 3, 2019).

11 *Directory of Representatives*, U.S. HOUSE OF REPRESENTATIVES, <https://www.house.gov/representatives> (last visited on Jan. 3, 2019).

12 *Senators of the 116th Congress*, U.S. SENATE, [https://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](https://www.senate.gov/general/contact_information/senators_cfm.cfm) (last visited on Jan. 3, 2019).

13 U.S. Conference of Catholic Bishops/Migration and Refugee Serv. et al., *supra* note 10.

