

January 10, 2012

Open Letter in Response to the Closing of the Berks County Family Shelter Care Center and Solicitation of New Family Detention Beds

Attention John Morton, Director of Immigration and Customs Enforcement:

In November of 2011, Immigration and Customs Enforcement (ICE) announced that the Berks County Family Shelter Care Center in Pennsylvania will be closing. The Obama Administration took positive steps in rolling back family detention in 2009 by releasing families from the T. Don Hutto Family Residential Facility in Taylor, Texas, and canceling a solicitation for three new family detention centers. The closure of the Berks facility is an excellent opportunity for the administration to continue to demonstrate its commitment to detention system reform by ending the practice of detaining families.

In late November ICE issued a solicitation for new family detention beds in Texas. Because families and children require specialized educational, medical, and legal support, family detention in closed facilities is both inappropriate and imposes a significant financial cost on the federal government. The Performance Work Statement issued in November calls for a shelter-like, non-penal setting that is appropriate for families with young children.

We applaud ICE's acknowledgement that a traditional detention setting is inappropriate for this population. In fact, detaining families departs from ICE's current enforcement priorities. Congress has repeatedly expressed its preference for release over family detention. The 2005 House Committee on Appropriations Report (H. Rep. 109-79) accompanying the Department of Homeland Security (DHS) Appropriations Act, 2006, maintained that "[t]he Committee expects DHS to release families or use alternatives to detention...whenever possible." Congress further opposed the use of family detention centers one year later in the 2006 House Committee on Appropriations Report (H. Rep. 109-476) accompanying the 2007 DHS appropriations bill :

"The Committee encourages ICE to work with reputable non-profit organizations to consider allowing family units to participate in the Intensive Supervision Appearance Program, where appropriate, or, if detention is necessary, to house these families together in non-penal homelike environments until the conclusion of their immigration proceedings."

We call on the administration to prioritize *release* of immigrant families in all cases. We urge the administration to assign social workers to manage families' cases rather than placing them in detention. For families without housing, the administration should partner with non-profit shelter or child welfare organizations experienced in supporting asylum-seeking and immigrant families to resolve any issues preventing the direct release of families. Social workers with proven track records providing family and child welfare services offer the only appropriate expertise for supporting families in civil

immigration proceedings.

For questions or to follow-up on this letter, please contact Bob Libal at Grassroots Leadership at [blibal@grassrootsleadership.org](mailto:blibal@grassrootsleadership.org) or (512) 971-0487 or Michelle Brané at the Women's Refugee Committee at [MichelleB@wrcommission.org](mailto:MichelleB@wrcommission.org) or (646) 717-7191.

Signed by the following organizations:

**National organizations**

American Civil Liberties Union  
America's Voice Education Fund  
Catholic Legal Immigration Network, Inc.  
Center for Constitutional Rights  
Detention Watch Network  
DreamActivist.org  
Grassroots Leadership  
Human Rights First  
Human Rights Defense Center  
Justice Strategies  
Lutheran Immigration and Refugee Services  
National Day Laborer Organizing Network  
National Immigration Forum  
National Latina Institute for Reproductive Health  
Religious Institute  
Rights Working Group  
Southern Poverty Law Center  
United Methodist Church, General Board of Church and Society  
Women's Refugee Commission

**Local & State organizations**

All of Us or None, San Francisco, CA  
American Gateways, Austin, TX  
ACLU of Texas  
The Advocates for Human Rights, Minnesota  
Americans for Immigrant Justice (formerly Florida Immigrant Advocacy Center), Miami, FL  
Austin Immigrant Rights Coalition  
Austin Tan Cera de la Frontera  
Border Network for Human Rights, El Paso, Texas  
Casa Esperanza, Plainfield & Bound Brook, NJ  
Casa Guadalupana Catholic Worker, St. Paul, MN  
Coalition of Latino Leaders-CLILA, Dalton, GA  
Cobb Immigrant Alliance, Cobb County, Georgia

Community to Community Development, Bellingham, Washington  
Central American Resource Center (CRECEN), Houston, TX  
Detention Dialogues, Berkeley, California  
FaithAction International House, Greensboro, NC  
Families for Freedom, New York, NY  
Florida Immigrant Coalition  
Florida Coastal School of Law Immigrant Rights Clinic  
Georgia Detention Watch  
Houston Peace and Justice Center  
Houston United/Unidos  
Human Rights Law Society at the University of Texas School of Law  
Illinois Coalition for Immigrant and Refugee Rights  
Immigrant Legal Advocacy Project, Portland, ME  
Interfaith Alliance of Colorado  
Interfaith Coalition on Immigration, Minnesota  
The Interfaith Center of New York  
IRATE & First Friends, Elizabeth, NJ  
Jesuit Social Research Institute/Loyola University New Orleans, Louisiana  
Jewish Community Action, St. Paul, MN  
Legal Services for Prisoners with Children, San Francisco, CA.  
NC Immigrant Rights Project  
New Sanctuary Coalition of New York City  
No More Deaths, Tuscon, AZ  
Peace with Justice Committee of Holy Trinity Lutheran Church, Minneapolis, MN  
People Organizing in Defense of the Earth and her Resources, Austin, TX  
Political Asylum/Immigration Representation Project, Boston, MA  
Reformed Church of Highland Park, NJ  
Reform Immigration for Texas Alliance  
San Antonio Immigrant Youth Movement  
Social Justice Guild of the First Existentialist Congregation of Atlanta  
Texas Civil Rights Project  
Texas Criminal Justice Coalition  
Texas Dream Alliance  
Texas Indigenous Council  
Texas Jail Project  
University Leadership Initiative, Austin, TX  
Who is My Neighbor, Inc., Highland Park, NJ  
WilCo Justice Alliance, Williamson County, Texas

**CC:**

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