



Protecting Immigrant
Women and Girls
Fleeing Violence

**Statement of the Tahirih Justice Center
Opposing Increased Appropriations for Immigration Detention**

**United States House of Representatives Appropriations Committee
FY2018 Department of Homeland Security Appropriations Bill
Markup on July 18, 2017**

The Tahirih Justice Center (“Tahirih”) respectfully submits this statement to the House of Representatives Appropriations Committee as it considers the FY2018 Department of Homeland Security (“DHS”) Appropriations bill (“The Bill”). Tahirih is a national, nonpartisan organization that has assisted over 22,000 immigrant survivors of gender-based violence over the past 20 years. Our clients include women and girls who have endured horrific abuses such as rape and human trafficking and are in dire need of humanitarian relief.

Tahirih urges the Committee to reject the Bill’s proposed increase in appropriations for immigration detention. Detaining immigrant women and mothers with children with legitimate claims for humanitarian relief is inhumane, costly, unnecessary, and contrary to international human rights standards.

Women and children fleeing Central America are experiencing astounding levels of violence. In 2016, one out of every four (or 25%) of all those arriving at the southern border were children.ⁱ The majority have endured severe trauma and are fleeing sexual assault and other gender-based violence committed with complete impunity, particularly by gangs.ⁱⁱ Among those women and mothers with children who are given a chance to ask for asylum, an overwhelming majority – 88% – demonstrate to a U.S. asylum officer that they may win asylum when they ultimately appear before the immigration judge.ⁱⁱⁱ This number is so high because the humanitarian crisis facing women and children in their home countries is real and as yet unresolved.^{iv}

Those who are allowed to see an immigration judge are detained in prison-like conditions with minimal access to lawyers, counselors, and trauma-informed health care. It is well-documented that prolonged detention of women asylum seekers and their families is detrimental to their health; as trauma survivors and witnesses, they need to be cared for as vulnerable refugees, not treated like criminals. As a result, the American Medical Association (AMA) recently adopted a policy opposing detention of families seeking refuge in the United States and any

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proposals for its expansion. The AMA emphasizes that “[T]he physical and psychological distress of detention can continue, particularly for children” even after release.^v

Detention of women with children is inefficient and squanders valuable government resources. Family detention costs \$343 per day per person (or \$125,195 per year) and is not necessary to ensure appearance in court. When represented by counsel there is a 98% compliance rate with court orders by those in deportation proceedings.^{vi} Releasing families and providing them with access to lawyers actually ensures that they will show up for court while also allowing the United States to conserve critical resources, and fulfill its international and domestic law obligations to provide a full and fair opportunity for refugees to access asylum protections.

We appreciate the opportunity to offer this statement opposing additional funding for immigration detention and we urge the Appropriations Committee to unequivocally reject subjecting survivors of gender-based violence to re-traumatization in detention.

Sincerely,



Archi Pyati
Director of Policy and Programs

ⁱ<http://www.pewresearch.org/fact-tank/2014/07/22/children-12-and-under-are-fastest-growing-group-of-unaccompanied-minors-at-u-s-border/>.

ⁱⁱTahirih Justice Center, “Righting the Wrong: Why Detention of Asylum-Seeking Mothers and Children in America Must End Now,” 2015, available at: <http://www.tahirih.org/wp-content/uploads/2015/10/Righting-the-WrongWhy-Detention-of-Asylum-Seeking-Mothers-and-Children-Must-End-Now-Web-Copy.pdf>.

ⁱⁱⁱ Tahirih Justice Center, “Summary of February 13, 2017 Asylum Division Lesson Plan Implementing Executive Orders,” 2017, available at: <http://www.tahirih.org/wp-content/uploads/2017/03/Tahirih-Summary-of-CFI-RFChanges-3.6.17.pdf>.

^{iv}United Nations High Commissioner for Refugees, “Women on the Run,” 2015, available at: <http://www.unhcr.org/en-us/publications/operations/5630f24c6/women-run.html>.

^v <https://www.amaassn.org/amaadoptsnewpoliciesimprovehealthimmigrantsandrefugees#>.

^{vi}Human Rights First, “Myth vs. Fact: Immigrant Families’ Appearance Rates in Immigration Court”, available at: <http://www.humanrightsfirst.org/sites/default/files/MythvFact-Immigrant-Families.pdf>.