

CONTACT: Danny Hajjar
dhajjar@mrss.com, 202-478-6182

TAHIRIH STATEMENT ON FLORES REGULATION

Today the administration announced finalization of a rule to allow indefinite incarceration of immigrant families with children, including survivors of gender-based violence. The Tahirih Justice Center is strongly opposed to the rule, under which survivors could languish for years in detention, waiting for their immigration cases to be heard. The rule also permits the government to set its own standards for appropriate conditions within detention facilities. Experts are unanimous that children should never be unnecessarily incarcerated even when held along with their parents.

“Many children and families arriving at the border are seeking safe haven from unspeakable violence that few of us could ever imagine. They are escaping horrors such as rape, severe domestic abuse, and human trafficking. Survivors of violence need access to trauma-informed care, not indefinite incarceration,” said Tahirih Senior Immigration Policy Counsel, Irena Sullivan. “The Department of Homeland Security (DHS) has claimed that the basic principle of the rule is consistent with the Flores Agreement—that the government should treat children with ‘dignity, respect, and special concern for their particular vulnerability as minors’. However, with the new rule, this is far from the truth.”

The Flores Agreement has historically limited the amount of time that minors could be held in custody and required the least restrictive setting necessary given its traumatizing impact. This rule will implement increased frequency and length of incarceration for migrant children and their parents. It is the administration’s attempt to do an end run around the Agreement’s clear prohibitions against routinely detaining kids.

“Increased incarceration is unnecessary, costly to taxpayers, and survivors facing horrific abuses are undeterred—yet unjustly penalized—when deciding to flee for their lives. Most of all, it is inhumane and punishes individuals who cannot live safely at home and are leaving everything behind in search of refuge,” commented Sullivan.

Irena Sullivan is available for comment on this topic. Please contact dhajjar@mrss.com to arrange an interview.

About the Tahirih Justice Center

The Tahirih Justice Center is the largest national direct service and policy advocacy organization focused on assisting immigrant women and girls fleeing violence. Tahirih will continue to monitor policy shifts that impact women and girls fleeing violence and advocate for the United States to honor its legal obligations to protect those fleeing human rights abuses.

Tahirih Justice Center is a national non-profit that protects courageous immigrant women and girls who refuse to be victims of violence through free legal and social services, public policy advocacy, and training and education. Visit www.tahirih.org for more information.