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CGRS Applauds Court Ruling That the U.S. Must Stop Detention of Migrant Women and Children

The Center for Gender & Refugee Studies (CGRS) welcomes the July 24, 2015 order from U.S. District Court Judge Dolly M. Gee in favor of releasing women and children, many of whom are asylum seekers, from immigration detention. The ruling found that the Department of Homeland Security (DHS) violated its obligations under the 1997 *Flores* settlement in its family detention policy, and was in material breach of *Flores* by categorically detaining children traveling with their mothers. Additionally, the court states that DHS's use of secure and unlicensed facilities to hold children and its failure to provide safe and sanitary conditions in Border Patrol detention were clear violations of the *Flores* agreement.

In its order, the court highlighted the “egregious conditions” of Border Patrol detention facilities and cited evidence showing that *any* confinement of children causes them “long-lasting psychological, developmental, and physical harm.” CGRS has documented the domestic violence, rape, physical assaults, and other forms of persecution that caused the women and children currently held in family detention to flee their countries of origin. As the court describes, the mental health problems often experienced by survivors of violence are exacerbated by detention conditions. Women and children in detention also face challenges in finding legal representation, critical to having a fair chance to win an asylum claim in complex immigration proceedings. A coalition of legal service providers recently sent a letter to DHS detailing a variety of due process concerns observed within the family detention facilities. Refugee women and children arrive in the United States seeking safety and dignity and should be afforded the chance to claim protection through our legal channels with full due process.

CGRS applauds the court's order that the practice of detaining children and their mothers who pose no danger must end. We are hopeful that the ruling will allow families to escape the harms of detention and exercise their right to seek asylum in the United States. Though the Obama administration has until August 3 to explain why it is unable to implement the court's decision within ninety days, prolonging and defending family detention would be contrary to our global leadership on refugee protection. CGRS calls on the administration to act immediately to end inhumane family detention practices as an expression of our national commitment to human rights and the basic principles of justice.

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Read the [full order](#) from the court

Read our May 2015 [statement](#) calling for the end to family detention

See what others are saying about the court ruling:

[American Immigration Lawyers' Association](#)

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