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New York County Lawyers Association Statement on the Detention of Immigrant Children

New York, New York (6/28/2019) – Recently, attorneys reported that nearly 350 children were being held in an overcrowded federal immigration detention facility in inhumane conditions, including the lack of basic medical treatment and access to rudimentary hygiene necessities. These children include both unaccompanied minors who traveled to the United States alone and children who were separated from family members at the border. The detention of these children violates the American rule of law and, more fundamentally, moral decency.

Current law requires that children be released from immigration detention without unnecessary delay (within 72 hours) to parents or other adult relatives, if possible, or to licensed programs willing to accept custody. The U.S. government is obligated to place children for whom a suitable placement with relatives or a licensed program is not immediately available in licensed facilities that are appropriate to the age and any special needs of each child, and where they are not held in custody and prohibited from leaving. Additionally, the government is required to implement standards for the care and treatment of children in immigration detention, including adequate food, clean drinking water, and sanitary and safe living conditions.

The recent treatment of the most vulnerable human beings among us by our government should shock the conscience of each us. NYCLA commends the work of the attorneys who seek to ensure the protection of the rule of law for these children and calls upon the U.S. government, and specifically the executive branch, to properly and faithfully execute the laws of our country in accordance with its constitutional duties and to immediately correct any inhumane conditions that may exist in the country's immigration detention facilities.

About the New York County Lawyers Association

The New York County Lawyers Association (www.nycla.org) was founded in 1908 as one of the first major bar associations in the country that admitted members without regard to race, ethnicity, religion or gender. Since its inception, it has pioneered some of the most far-reaching and tangible reforms in American jurisprudence and has continuously played an active role in legal developments and public policy.

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