

## Top 10 Reasons Family Incarceration is Not a Solution

The Trump Administration is attempting to replace its failed policy of family separation with the failed policy of family incarceration. ICE already detains families at three facilities in Dilley and Karnes, Texas and Reading, Pennsylvania, but the Trump Administration wants to lock up families even longer and overturn [legal rules](#) that protect children from lengthy detention. Detaining families is neither humane nor necessary. In fact, the plan to hold families in detention longer:

1. **Hurts Children:** The nation's leading pediatricians [warn](#) detention is "no place for a child, even if they are accompanied by their families," finding family detention centers do not meet [basic standards](#) for the care of children. Locking up children is associated [with](#) "poorer health outcomes, higher rates of psychological distress, and suicidality." DHS's own [advisory](#) committee recommended family detention be discontinued as "detention or the separation of families...is never in the best interest of children."
2. **Damages Parent-Child Bonds:** Detention [damages](#) families by forcing parents to give up their parental roles. Officers have prevented parents from comforting children who wake up at night and barred even young toddlers from sleeping in their mother's bed. In at least one facility, children are woken up every 15 minutes by guards flashing lights into their faces.
3. **Increases Risks of Sexual Assault:** A guard at one family detention center was [convicted](#) of sexually assaulting a 19-year-old mother. Complaints of guards' sexual misconduct at another facility also prompted an [investigation](#).
4. **Is Not the Solution:** [ICE's Family Case Management Program](#)—a program that provided support to families released from detention—resulted in 99% attendance for ICE check-ins and appointments, as well as 100% attendance at court hearings. DHS's own advisory committee [recommended](#) expansion of community-based programs rather than detention.
5. **Massively Wastes Government Funds:** Family detention costs over \$300 tax-payer dollars per person, per day. The cancelled Family Case Management Program [cost around \\$12 per person, per day](#). Other alternative programs cost as low as [30 cents to \\$8.04 per person, per day](#).
6. **Is Unnecessary to Ensure Court Appearance:** Government data indicates [97% of represented mothers](#) show up to their court hearings after being released from detention. [A new comprehensive study](#) confirms that protection-seeking families who have legal representation overwhelmingly appear for their hearings.
7. **Obstructs Legal Representation and Asylum Grants:** About 86% of people in immigration detention [lack](#) representation because of their remote locations, long wait times to enter facilities, and the speed of proceedings. But asylum seekers who have legal representation are [ten times more likely](#) to prove their eligibility for asylum.
8. **Will Not Stop Families Fleeing Violence:** Former DHS Secretary Jeh Johnson, who revived the use of family detention in 2014, [stated](#) that "[s]o long as the powerful 'push factors' of poverty and violence" exist in the Northern Triangle countries of Central America, families will continue to flee. Numerous studies [have shown](#) that using detention to deter genuine asylum seekers from seeking protection is a failed policy.
9. **Sets a Bad Example for Countries Hosting Most Refugees:** The UN Refugee Agency [has documented](#) that families and children fleeing violence in Guatemala, Honduras, and El Salvador have urgent protection needs, [reporting](#) a significant increase in numbers fleeing to neighboring countries. If the United States continues using harsh policies, other nations that host many more refugees may follow suit, triggering additional displacement.
10. **Violates Law:** Detaining families, often for extended periods, violates the [1997 Flores Settlement Agreement](#) which governs the treatment of children in immigration custody. It also [violates U.S. legal obligations](#) under the International Covenant on Civil and Political Rights, the Refugee Convention, and the Convention Against Torture.