

April 21, 2008

U.S. House of Representatives
Washington, DC 20515

Dear Representative:

We, the undersigned organizations, write to express our strong opposition to the Secure America through Verification and Enforcement (SAVE) Act, H.R. 4088, and highlight its significant negative impact on children. The bill, sponsored by Reps. Heath Shuler (D-NC), Brian Bilbray (R-CA), and Tom Tancredo (R-CO), explicitly calls for the creation of a family detention facility modeled after the T. Don Hutto Family Residential Facility, which for all, intents and purposes, leads to the “incarceration” of innocent children. We urge you to oppose the SAVE Act and decline to sign the petition to discharge the bill.

The SAVE Act runs counter to recommendations made by Congress in relation to the detention of families and children. The 2005 House Committee on Appropriations Report (H. Rep. 109-79) accompanying the Department of Homeland Security (DHS) Appropriations Act, 2006, maintained that “[t]he Committee expects DHS to release families or use alternatives to detention...whenever possible.” Congress further opposed the use of family detention centers one year later in the 2006 House Committee on Appropriations Report (H. Rep. 109-476) accompanying the 2007 appropriations bill funding DHS:

The Committee encourages ICE to work with reputable non-profit organizations to consider allowing family units to participate in the Intensive Supervision Appearance Program, where appropriate, or, if detention is necessary, to house these families together in non-penal homelike environments until the conclusion of their immigration proceedings.

The SAVE Act disregards these recommendations and instead encourages the practice of detaining children, who are often caught in the crossfire of U.S. immigration policy, in facilities that resemble prisons instead of nurturing home environments.

A 2007 report by the Women’s Commission for Refugee Women and Children and the Lutheran Immigration and Refugee Service that examined Hutto and a similar facility in Pennsylvania concluded that “[t]he penal setting at Hutto is clearly an inappropriate and disturbing setting in which to hold families” and that both facilities “place noncriminals in facilities modeled on the criminal justice system, with little regard to national and international standards for the care and protection of children and families.” Children detained in Hutto were forced to the following:

- sleep in prison cells where there is no partition separating the beds from the toilet, sometimes separated from their parents
- go without toys, stuffed animals, crayons, pencils, and pens in their cells, and refrain from keeping or posting the pictures they have drawn or colored in their cells
- withstand as many seven head counts a day, in which even toddlers were forced to remain in place, sometimes as long as one hour
- make due with limited and inadequate education (children received only one hour of education at Hutto until recently), and in elementary classes, children “just sing and color”

- make due with one hour of recreation Monday through Friday (none on the weekends)
- wear scrubs as clothing
- make due with inadequate or unresponsive medical care, including inadequate prenatal care
- suffer threats of separation from their parents as a means of discipline
- make due with inadequate nutrition, including being denied food at night outside of regular meal times, where reports of children losing weight were not uncommon

In late last year, the American Civil Liberties Union reached a settlement with the U.S. Immigration and Customs Enforcement, which resulted in some improvement of the living conditions for children and families detained in Hutto. Nonetheless, Hutto and other family detention centers, which have been constructed for use as prison facilities for adults, continue to be an inappropriate means of detaining families and their innocent children awaiting the outcome of their immigration cases. The extensive changes that have had to be implemented are evidence that Hutto is not an appropriate model for detaining immigrant families. The T. Don Hutto Family Residential Facility is instead an exemplification of policies affecting children deeply gone awry. So, too, is the SAVE Act, which identifies Hutto as a model for further replication.

Again, we urge you to oppose the SAVE Act and decline to sign the petition to discharge the bill from its committees of jurisdiction.

Sincerely,

National Organizations

ACORN

American Immigration Lawyers Association

Campaign for Youth Justice

Center for Community Change

Center for Law and Social Policy

Child Welfare League of America

Children's Defense Fund

Coalition on Human Needs

Evangelical Lutheran Church in America

Fair Immigration Reform Movement

First Focus

Irish Apostolate USA

Jewish Labor Committee

Lutheran Immigration and Refugee Service

Mennonite Central Committee Washington Office

Mexican American Legal Defense and Educational Fund

National Advocacy Center

National Black Child Development Institute

National Council of La Raza
National Education Association
National Head Start Association
National Lawyers Guild, National Immigration Project
National Migrant and Seasonal Head Start Association
National Puerto Rican Coalition, Inc.
NETWORK, a National Catholic Social Justice Lobby
The Episcopal Church
United Church of Christ, Justice and Witness Ministries
USAction
Voices for America's Children
Wider Opportunities for Women
Women's Commission for Refugee Women and Children
Workmen's Circle/Arbeter Ring
Xaverian Brothers USA

State and Local Organizations

Advocacy and Training Center, Cumberland, MD
Arizona Advocacy Network, Phoenix, AZ
ATAP Services, Raytown, MO
Blauvelt Dominican Sisters Ministry of Social Justice, Blauvelt, NY
Catholic Charities, Houston, TX
Catholic Charities of Onondaga County, Syracuse, NY
Center for Public Policy Priorities, Austin, TX
Citizen Action/Illinois, Chicago, IL
Citizen Action of New York, Albany, Binghamton, Massapequa, New York, Syracuse, Buffalo, Rochester, NY
Citizen Action of Wisconsin, Madison, Milwaukee, Green Bay, Eau Claire, WI
Colorado Progressive Action, Denver, CO
Colorado Progressive Coalition, Denver, CO
Communities United Against Police Brutality, Minneapolis, MN
Connecticut Citizen Action Group, Hartford, CT
Delaware Alliance for Health Care, Newark, DE
Department of Peace, Houston, TX
Florida Consumer Action Network, Tampa, FL
Georgia Rural Urban Summit, Decatur, GA
Greater Bridgeport Section, National Council of Jewish Women, Fairfield, CT
HIV/AIDS Services for African Americans in Alaska, Anchorage, AK

IHM Justice, Peace and Sustainability Office, Monroe, MI
Iowa Citizen Action Network, Des Moines and Iowa City, IA
Maine People's Alliance, Portland, Bangor, and Lewiston, ME
Maryknoll Sisters, Ossinig, NY
Michigan Citizen Action, Kalamazoo, MI
Missouri Progressive Vote Coalition, St. Louis, Columbia, Kansas City, and Springfield, MO
National Council of Jewish Women, Connecticut, Avon, CT
NDPeople.Org, Bismarck, ND
New Hampshire Citizens Alliance, Concord and Manchester, NH
New Jersey Citizen Action, Newark, Passaic, Highland Park, Toms River, and Camden, NJ
New Mexico Progressive Alliance for Community Empowerment, Albuquerque, NM
New York Immigration Coalition, New York, NY
Oakland County Welfare Rights Organization, Pontiac, MI
Ocean State Action, Cranston, RI
Oregon Action, Portland and Medford, OR
Pax Christi Metro New York, New York, NY
Pax Christi Northeast Florida, St. Augustine, FL
Philadelphia Jewish Labor Committee, Philadelphia, PA
Progressive Democrats of America, 14th District Progressives Chapter, DeKalb, IL
Progressive Maryland, Silver Spring and Baltimore, MD
Public Citizens for Children and Youth, Philadelphia, PA
Social Justice Center at Stony Brook University SSW, Stony Brook, NY
Spirit of Oneness, Inc., Dunwoody, GA
Tennessee Citizen Action, Nashville, TN
Transitional Living Services of Onondaga County, Inc., Syracuse, NY
United Methodist Appalachian Ministry Network, Hagerstown, MD
United Vision for Idaho, Boise, ID
United Way of Beaver County, Monaca, PA
Washington Community Action Network, Seattle, WA
Washington Defender Association's Immigration Project, Seattle, WA
West Virginia Citizen Action Group, Charleston, WV