



Legislation Text

File #: Res 0955-2011, **Version:** *

Res. No. 955

Resolution urging the United States Department of Homeland Security to end the practice of detaining youth under eighteen years of age.

By Council Members Dromm, Brewer, Chin, James, Rose, Williams, Mark-Viverito and Rodriguez

Whereas, According to the Department of Homeland Security (DHS), there are approximately 1.2 million undocumented immigrant youth in the United States;

Whereas, New York State is home to approximately 400,000 undocumented youth, making it the fourth largest such population in the nation; and

Whereas, DHS's Customs and Border Protection agents and Immigration and Customs Enforcement agents collectively apprehend approximately 80,000 immigrant youth annually; and

Whereas, Many of these immigrant youth accompany their families to the United States to escape poverty and persecution in their home countries; and

Whereas, The number of detained youth also includes undocumented and unaccompanied youth who escaped abuse, neglect, and persecution in their home countries, or who may have been forced to travel to the United States by their families; and

Whereas, Many of these undocumented youth may have paths to United States citizenship through asylum, Special Immigrant Juvenile Status, or other immigration benefits; and

Whereas, Immigrant youth are often found in detention for the following reasons: (i) apprehension at the border by Customs and Border Protection; (ii) interaction with the criminal justice system through the

problematic cooperation of state and local law enforcement agencies with Immigration and Customs Enforcement; or (iii) failure to leave the United States once they or their families are ordered deported or removed; and

Whereas, The current state of many immigration detention facilities fails to meet the standard of care required by the Flores settlement agreement, which resolved the Reno v. Flores case, concerning the physical, mental health, and education needs of youth in detention; and

Whereas, For example, the Congressional Research Service accused DHS of deliberate misclassifications of undocumented immigrant youth, inaccurate age determination techniques, and the use of unsafe deportation practices; and

Whereas, Detaining immigrant youth has a deleterious impact on the health and well-being of this vulnerable population with no discernible benefit to society at large; now, therefore, be it

Resolved, That the Council of the City of New York urges the United States Department of Homeland Security to end the practice of detaining youth under eighteen years of age.

JSM
7/21/2011
LS# 2479