



**FOR IMMEDIATE RELEASE**

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**Detained Refugees and Asylum Seekers Forcibly Separated  
from their Children File Lawsuit to Reunify and Address  
Harmful Trauma Inflicted by Government**

*Complaint Asks for Intervention into the Flores Settlement Agreement and Calls for the  
Reunification of Families and the Mental Health Services Required to Heal from the  
Significant Trauma Caused by the U.S. Government*

**Los Angeles, CA** – Today, three refugee mothers who were forcibly separated from their children, filed a Complaint in Intervention in United States District Court for the Central District of California. The complaint seeks to allow the mothers to intervene in the ongoing implementation of the *Flores* Settlement Agreement—a decades-old court settlement that governs the federal government’s procedures for detaining refugee children. The complaint challenges the government’s cruel and unnecessary policies of separating refugee parents from their children, holding each in prolonged detention, and denying them access to mental health services that they desperately need to address the consequences of such inhumane separation.

The parent-plaintiffs are mothers who are currently being held in detention in California and Washington, and whose children—all daughters—are being detained in Arizona and Texas. Each came to the United States with a child under the age of 18, fleeing from persecution in her native country, and seeking asylum here as permitted under the well-established laws of the United States. The mothers and children were detained, then separated in a chaotic and cruel way, where the mothers received little or no information about their children’s whereabouts or well-being and no explanation as to whether or when they would see their children again.

Through this lawsuit, the parents seek to ensure the following relief is part of the *Flores* settlement:

- To be reunited immediately with their children;
- To obtain mental health services for themselves and their children appropriate to address the trauma of separation;
- Release, so they can obtain these mental health services outside detention, which is how they will be effective.

Upon separation from their parents, children experience acute psychological distress. During the moment of separation, a child can experience extreme stress, as well as feelings of anxiety, fear, hopelessness, and a sense of doom. These effects may be exacerbated by the additional trauma caused when witnessing a parent’s reaction to separation. The longer the parent and child are separated, the greater the harms the child experiences.

Papers filed today with the federal court include statements testifying to the trauma suffered by the children separated from their parents from many of the nation’s leading child trauma experts, including:

- **Dr. Marleen Wong**, Senior Vice Dean, the David Stein/Violet Goldberg Sachs Endowed Professor of Mental Health, Director of Field Education, Executive Director of the USC Telehealth Clinic, Clinical Advisor, Family Nurse Practitioner Program and former clinical Advisor to the Cohen Military Clinic
- **Dr. Bruce C. Perry**, Senior Fellow of the ChildTrauma Academy, Adjunct Professor, Department of Psychiatry and Behavioral Sciences at the Feinberg School of Medicine at Northwestern University in Chicago
- **Kenneth Berrick**, Founder and Chief Executive Officer, Seneca Family of Agencies
- **Dr. John Sprinson**, Clinical Director, Seneca Family of Agencies
- **Dr. Jill Duerr Berrick**, Zellerbach Family Foundation Professor at the School of Social Welfare at the University of California, Berkeley
- **Dr. Kevin Campbell**, Founder of the Center for Family Finding and Youth Connectedness
- **Dr. Jose Hidalgo**, Board-Certified Psychiatrist, Massachusetts General Hospital, Instructor of Psychiatry at the Harvard Medical School and Massachusetts General Hospital
- **Dr. Luis Zayas**, Dean of the Steven Hicks School of Social Work at the University of Texas at Austin, Robert Lee Sutherland Chair in Mental Health and Social Policy, Professor of Psychiatry at the Dell Medical School of the University of Texas at Austin
- **Dr. Dylan Gee**, Assistant Professor of Psychology at Yale University

The Plaintiffs are represented by a group of attorneys from **Public Counsel and Sidley Austin LLP**.

“Every minute that these children continue to be held in detention and separated from their parents, the emotional harm builds,” said **Mark Rosenbaum, director of Public Counsel Opportunity Under Law**. “What these children are experiencing is unconscionable and contrary to who we are as a people. We are asking the court to demand that the government address the harm they have deliberately inflicted, following mental health best practices, and immediately release from detention all separated families and provide appropriate care to address the harmful trauma cause by this inhumane detention. The bond between parent and child is to be protected at all costs, not to be severed by government for use as a bargaining chip.”

When the government detains children, it must comply with the *Flores* settlement agreement, regardless of whether the children arrive unaccompanied or with their families. *Flores* requires the federal government to do two things: to place children with a close relative or family friend “without unnecessary delay,” rather than keeping them in custody; and to keep immigrant children who *are* in custody in the “least restrictive conditions” possible. The Government is required by *Flores* to “treat minors with dignity, respect, and special concern for their particular vulnerability,” and any such facility in which minors are held by the Government following arrest must provide for “contact with family members who were arrested with the minor.”

Plaintiffs bring this complaint as one in intervention with the *Flores* settlement agreement because their participation in the implementation is essential to fully vindicate their children’s rights under *Flores* and the parents own rights. Additionally, the interdependent nature of the harm imposed on both parent and child by prolonged family separation requires a coordinated response, as determined by the *Flores* agreement.

“The Constitution forbids the federal government from separating parents and children as punishment for seeking refuge in our country,” said **Mark Haddad, Lecturer in Law at USC School of Law, and retired partner at Sidley Austin LLP**. “The parents bringing this lawsuit need to be reunited with their children immediately. These families should be released from detention and should promptly receive the services they urgently need to address the trauma the government deliberately and needlessly imposed.”

“I have been an asylum attorney for 25 years, and I could never have imagined what is happening inside our country today,” said **Judy London, directing attorney of Public Counsel’s Immigrants’ Rights Project**. “We have been inside the detention centers and have spoken with mothers who have not been able to speak with their children for weeks. These parents are terrified for their children and want nothing more than to ensure

the scarring that this experience has already caused does not continue to inflict irreparable harm. We will work tirelessly to see families united and given the care they need to heal.”

The lawsuit also seeks to have the parent’s own rights vindicated in response to the harm of family separation, including the right to be released to be with their minor children while they await the conclusion of their asylum application.

“This complaint follows directly from the government’s extraordinary decision to separate asylum seeking parents from their children in circumstances that traumatize both parent and child,” said **Amy Lally, partner with Sidley Austin LLP**. “It is critical that parents join their children both by being released together from detention and in court. Through this complaint we are trying to ensure that they receive the mental health services they need to somehow begin to recover from this horrific ordeal.”

In conjunction with the filing of the complaint, **Public Counsel is making bilingual members of its staff available to hear if other members of the public are aware of similar injustices of detained refugee parents whose children were forcibly removed**. Families directly harmed by this policy should contact: 213-385-2977 ext. 316.

To review the Complaint in Intervention in full, please click [here](#).

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