

April 29, 2016

The Honorable Loretta E. Lynch
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Lynch:

We, the undersigned 177 children's rights, civil rights, human rights, faith-based, and immigrants' rights organizations and legal service providers, write to express our strong objections to the government's ongoing practice of pursuing deportation proceedings against children who do not have counsel. We urge you to halt this practice and to guarantee that every child facing deportation is provided a lawyer.

Every day the government brings children into immigration court where they are forced to defend themselves without counsel. Last month the *Washington Post* reported that a senior Department of Justice ("DOJ") immigration official had stated in a deposition, "I've taught immigration law literally to three-year-olds and four-year-olds. It takes a lot of time. It takes a lot of patience. They get it. It's not the most efficient, but it can be done....You can do a fair hearing."ⁱ

This testimony came from the DOJ official charged with setting standards and policies for immigration courts and for training immigration judges nationwide. This testimony represents the official DOJ policy and practice with respect to children in deportation proceedings.

Every day in immigration courts throughout the country, children as young as toddlers are forced to appear for deportation hearings without legal representation. A system that deports children who do not have counsel is a system that is willing to sacrifice integrity and justice in the name of expediency.

Children, by definition, lack the competency to represent themselves in court proceedings. Most children appearing in immigration court do not speak English and have no understanding of any legal system.

Moreover, many immigrant children are fleeing lethal violence in their home countries and have strong claims for asylum and humanitarian protection. For these children, an attorney can be a matter of life and death.ⁱⁱ In nearly three quarters of cases where children had legal representation, the immigration judge decided to allow the child to remain in the U.S.ⁱⁱⁱ

Given these high stakes, it is essential that the government appoint counsel for all children facing deportation. They are the most vulnerable in our midst. Our humanity and sense of justice demand nothing less.

We thank you in advance for your prompt attention to this urgent issue. We would greatly appreciate having the opportunity to meet with you to discuss this further. Please do not hesitate to contact Bruce Lesley, President of First Focus, at brucel@firstfocus.org or (202) 657-0672; or Linda Hartke, President and CEO of Lutheran Immigration and Refugee Service, at LHartke@lirs.org or (410) 230-2762.

Sincerely,

Advocates for Basic Legal Equality, Inc. (ABLE)
The Advocates for Human Rights
Alianza Americas
Alliance San Diego
American Academy of Pediatrics
American Civil Liberties Union
American Federation of Teachers, AFL-CIO
American Friends Service Committee (AFSC)
American Gateways
American Immigration Council
American Immigration Lawyers Association
American Psychological Association
Americans for Immigrant Justice
America's Voice Education Fund
Amnesty International USA
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice- Los Angeles
Austin Jewish Voice for Peace
Border Action Network
Border Network for Human Rights
Boston College Law School Immigration Clinic
Capital Area Immigrants' Rights Coalition
Casa de Esperanza (New Jersey)
casa michoacan
Catholic Legal Immigration Network, Inc
Center for Community Change
Central American Resource Center
Central American Resource Center (CARECEN) DC
Central American Resource Center-LA
Central New York-Cajibío, Colombia Sister Community
Child Welfare League of America
Children's Defense Fund
Children's National Health System
Christ United Methodist Ministry Center
Church of the Nazarene
Church World Service
COALICION DE LIDERES LATINOS-CLILA
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)

Coalition for Juvenile Justice
Communities United for Restorative Youth Justice
Community Development Initiatives
Community for Children
Community Legal Services in East Palo Alto
Cornell Asylum and Convention Against Torture Clinic
Council for Christian Colleges & Universities
Detention Watch Network
Dolores Street Community Services
Dreamers' Moms
Durango Unido en Chicago
El Centro Hispano
Espoir, Inc.
Fair Immigration Reform Movement (FIRM)
Farmworker Justice
First Focus
The Florence Immigrant & Refugee Rights Project
The Florida Center for Fiscal and Economic Policy
Florida Immigrant Coalition (FLIC)
Florida Institutional Legal Services Project of Florida Legal Services
frebimich
Friends Committee on National Legislation
Friends of Broward Detainees
Frontera de Salud, San Antonio Chapter
Fun Zone Reading Club 4 Homeless Kids
GA Not1More Deportation Coalition
Georgia Detention Watch
Georgia Latino Alliance for Human Rights
The Global Immersion Project
Greater Lawrence Family Health Center
HealthRight International
HIAS
Human Rights Defense Center
Human Rights First
Human Rights Watch
Illinois Coalition for Immigrant and Refugee Rights
Imagination Stage
Immigrant Defense Project
Immigrant Justice Corps
Immigrant Law Center of Minnesota
Immigrant Law Group PC
Immigrant Legal Resource Center
Innovation Law Lab
Interfaith Center for Worker Justice of San Diego County
Interfaith Coalition on Immigration, MN
ISAAC

Jesuit Refugee Service/USA
Jesuit Social Research Institute/Loyola University New Orleans
Jewish Voice for Peace--Portland, OR Chapter
Justice for Families
Justice Strategies
Kids in Need of Defense
Kino Border Initiative
Korean Churches for Community Development
Latin America Working Group
Latino Commission on AIDS
Lawyers' Committee for Civil Rights
Leadership Conference of Women Religious
League of United Latin American Citizens
Legal Services for Children
LOS PADRES de BLAIR
Lutheran Immigration and Refugee Service
MAAC
MALDEF
Mundo Maya Foundation
NAACP
National Asian Pacific American Bar Association (NAPABA)
National Association of Evangelicals
National Council of La Raza (NCLR)
National Education Association
National Hispanic Christian Leadership Conference
National Immigrant Justice Center
National Immigrant Solidarity Network
National Immigration Forum
National Immigration Law Center
National Immigration Project of the National Lawyers Guild
National Juvenile Justice Network
National Latina Institute for Reproductive Health
National Network for Immigrant and Refugee Rights
National Women's Law Center
Nazarene Centro de Refugio
New Mexico Pediatric Society
North County Immigration Task Force
North Georgia Immigrant Justice
Northwest Immigrant Rights Project
Ohana Partners, The Navigators
Palm Beach County Coalition for Immigrant Rights
Pennsylvania Immigration Services Center (PIRC)
Philadelphia Southasian Collective
Polaris
Project South
Proyecto Azteca

Proyecto Juan Diego
Public Counsel
Reformed Church of Highland Park
Refugee and Immigrant Center for Education and Legal Services (RAICES)
Resurrection Catholic Church
Safe Passage Project
San Diego Immigrant Rights Consortium
San Diego Organizing Project
San Juan Bautista School of Medicine
School Social Work Association of America
SEIU FL
The Sentencing Project
Service Employees International Union (SEIU)
Sisters of Mercy South Central Community
Sisters of Mercy West Midwest Community
The Sisters of the Mercy of the Americas, Institute Justice Team
SOA Watch
Sojourners
Southeast Asia Resource Action Center (SEARAC)
Southeast Immigrant Rights Network
Southern Border Communities Coalition
Students Organizing a Multicultural Open Society
Survivors of Torture, International
Syracuse Peace Council
Tahirih Justice Center
Taos Refugee Advocacy Collective
Texas Pediatric Society
The 270 View
The Door's Legal Services Center
Trans Queer Pueblo
U.S. Committee for Refugees and Immigrants
Unitarian Universalist Service Committee
United Farm Workers
United We Dream
University of California San Francisco Department of Pediatrics
University of Houston Law Center Immigration Clinic
UnLocal, Inc.
Virginia Organizing
We Belong Together
WeCount!
Wilco Justice Alliance (Williamson County, TX)
Women Watch Afrika, Inc.
Women Working Together USA
Women's Refugee Commission
World Relief
Young Center for Immigrant Children's Rights at the University of Chicago

Youth Law Center

Cc: Jeh Johnson, Secretary, Department of Homeland Security
Sylvia Burwell, Secretary, Department of Health and Human Services
John King, Secretary, Department of Education
Cecilia Munoz, Assistant to the President and Director of the Domestic Policy Council,
Executive Office of the President, White House

ⁱ Jerry Markon, *Can a 3-year old represent herself in immigration court? This judge thinks so.*, WASH. POST, Mar. 5, 2016, https://www.washingtonpost.com/world/national-security/can-a-3-year-old-represent-herself-in-immigration-court-this-judge-thinks-so/2016/03/03/5be59a32-db25-11e5-925f-1d10062cc82d_story.html; See also Transcript of Deposition of Hon. Jack H. Weil at 69-70, 161, J.E.F.M. et al. v. Lynch, et al., 2015 WL 9839679 (W.D. Wash. 2015), available at https://www.aclu.org/sites/default/files/field_document/honorable_jack_h._weil_mini.pdf.

ⁱⁱ Sibylla Brodzinsky, Ed Pilkington, *US government deporting Central American migrants to their deaths*, THE GUARDIAN, Oct. 12, 2015, <http://www.theguardian.com/us-news/2015/oct/12/obama-immigration-deportations-central-america>.

ⁱⁱⁱ TRANSACTIONAL RECORDS ACCESS CLEARINGHOUSE ("TRAC"), REPRESENTATION FOR UNACCOMPANIED CHILDREN IN IMMIGRATION COURT (2014), available at <http://trac.syr.edu/immigration/reports/371/>.