

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."<sup>i</sup>

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.<sup>ii</sup> 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.<sup>iii</sup>

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](mailto:brucel@firstfocus.org) or (202) 657-0672; or Linda Hartke, President and CEO of Lutheran Immigration and Refugee Service, at [LHartke@lirs.org](mailto: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 NotIMore 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

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<sup>i</sup> 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](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](https://www.aclu.org/sites/default/files/field_document/honorable_jack_h._weil_mini.pdf).

<sup>ii</sup> 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>.

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