



Tornillo: Punishment, not Protection

- Tornillo is being run as an emergency facility. The government ran emergency facilities in 2014 during a surprise influx of children seeking protection arriving at our border.
- There is no crisis of unaccompanied children entering the U.S. in large numbers, as was the case during the influx of 2014.
- As an “emergency influx facility,” Tornillo does not have to adhere to the same child welfare and licensing standards as other ORR shelters and group homes. For example, children at Tornillo have no access to school or classes, and limited access to legal and medical services, including mental health care.
- There is no official definition of an “emergency” that would trigger the opening of and housing children in emergency facilities. Children can therefore be held in unlicensed facilities with substandard services at the government’s will.
- ORR must have the flexibility and funding to stand up emergency facilities when there is a true emergency. This is not a true emergency.
- The Trump Administration created the need for an emergency influx facility by implementing numerous barriers to the release of children to sponsors. As a result, the time the children are spending in ORR care has increased from an average of 30 days to 75 days.
- The arrest in September 2018 of undocumented sponsors who came forward to sponsor children has created a chilling effect on the willingness of potential sponsors to come forward.
- By targeting sponsors and potential sponsors, as well as members of the household, the Administration clearly shows that it prioritizes law enforcement over child protection.
- Thorough background checks are very important to ensuring children are placed with safe sponsors, but the immigration status of the sponsors, most of whom are parents or other family members, is not relevant to their fitness or suitability to care for a child and should not override the child’s best interests.
- The abrupt transfer of children to these facilities, at times in the middle of the night, and limited access to counseling and other mental health services, compound the trauma of children, many of whom have fled harrowing violence.

- The longer these children are held in detention, the more they will suffer both long- and short-term harm to their development and physical and mental health.
- Holding children in tents in the middle of the desert for no reason is punishment, not protection.
- Facilities like Tornillo are not suited for the long-term care of children.
- With so many children in one facility, it is very difficult to address the needs of all the children.
- This is indefinite detention with substandard services – just what the *Flores* Settlement Agreement was created to prohibit.