



MALDEF

The Latino Legal Voice for Civil Rights in America.

Testimony Before the Waco City Council

February 18, 2020

Mayor and City Council members:

My name is Fátima Menéndez, and I am a legislative attorney for MALDEF (the Mexican American Legal Defense and Educational Fund), a national civil rights law firm, testifying against the permit request by VisionQuest, an out-of-state entity, to open and operate a for-profit immigrant children's detention facility. I have testified against VisionQuest in Universal City and San Antonio where their requests consistently had strong opposition and were ultimately rejected in both cities. I urge the City of Waco to accept the planning commission's recommendation to reject VisionQuest's permit request.

The issue of immigration reform and detention has been greatly politicized for decades, but especially in the last few years. It is critical we remember what is at stake before us today. I speak from a long history of experience with the type of facility VisionQuest seeks to open and operate. Prior to my work with MALDEF, I worked as an immigration attorney representing detained children for 4 years. I visited my clients in this type of facility multiple times per week during those 4 years. The children are contained through various security measures, including tall fences, security cameras and barred doors and windows. Although the children detained in these facilities are typically awaiting reunification with family members in the United States, the process can take months and years. During this time, the children are allowed a short phone call with a family member once a week and denied access to most activities that children need to continue to develop mentally, as well as activities that bring them joy. I had several children attempt suicide while detained in this type of facility. Part of this can be attributed to the lack of sufficient mental health treatment available to these detained children.

VisionQuest has a history of child abuse, both physical and verbal, by staff in their facilities. In 2017, VisionQuest closed a facility in Philadelphia after several staff members were shown to have physically abused detained children in their custody.¹

¹ Accused of harming children at its North Philly Shelter, VisionQuest now plans to house immigrant youth here. <https://www.inquirer.com/philly/news/visionquest-immigrant-children-philly-shelter-abuse-20181026.html>.

This is a problem that persists throughout immigrant detention facilities and the inability of detained immigrant *children* to be able to report this type of abuse to staff or family members allows this problem to occur many times off the radar. These facilities also curtail the mental development and educational advancement of detained children. This reality could worsen if the Trump Administration is successful in its proposal to detain immigrant children for an indefinite amount of time. This plan, along with the President's recent announcement that he would seek to take away recreational and legal aid programs, as well as educational services for detained immigrant children, places these children at even greater risk.

In addition to the detained children, this type of facility puts facility staff and surrounding residents at risk. Just two months ago, several reports, including from The New York Times² and The Washington Post³, revealed that the United States Customs and Border Patrol has blatantly refused to provide immigrant children in federal custody at the border flu vaccinations and other crucial medications. As a result, several children have died from the flu while in federal custody. This failure by the federal government makes this type of facility, where children, immigration officials, staff and outside service providers must interact in close quarters, a risk to not only those inside, but those nearby and who interact with these individuals. This does not promote the public health, safety, or general welfare of current and future Waco residents.

MALDEF urges this city council to accept the planning commission's recommendation to reject VisionQuest's zoning request to open and operate a for-profit immigrant child detention center.

Thank you for your time.

² Why Border Patrol Refuses to Offer Flu Shots to Migrants.

<https://www.nytimes.com/2019/12/11/us/migrants-flu-vaccines-border-patrol.html>.

³ CDC recommended that migrants receive flu vaccine, but CBP rejected the idea.

https://www.washingtonpost.com/immigration/cdc-recommended-that-migrants-receive-flu-vaccine-but-cbp-rejected-the-idea/2019/11/25/8aba198e-0fb8-11ea-b0fc-62cc38411ebb_story.html.