THE SCARS OF FAMILY DETENTION AND SEPARATION IN THE U.S. IMMIGRATION SYSTEM

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INTRODUCTION

All children belong in their homes with their families, at school with their teachers, at the park with their friends, and in their communities. They do not belong in detention settings that research unequivocally confirms is detrimental to their well-being.

In March 2025, the federal government re-opened and re-instituted family detention centers or "family residential centers" (**FRCs**) managed by ICE and operated by private prison corporations, where children are detained, often with their mothers and separated from their fathers who might also be at the facilities. Since then, the number of families in detention centers has more than tripled, detaining children of all ages, starting in infancy. The amount of time children are spending in these detention centers has more than doubled between October and December of 2025.

At the same time, deportation enforcement of immigrants, including children, parents, and other primary caregivers, have swept across the nation. Preliminary data show a new population of children who were forcibly made "unaccompanied" via parental deportations. This group of children now join other children who arrived in the U.S. unaccompanied, or without a parent, family member, or guardian, and are now in government custody and housed in shelters or foster care funded by the federal Office of Refugee Resettlement (**ORR**).

A plethora of research, and common sense indisputably point to the fact that both detention and family separation are traumatic for children of all ages, and harm children's wellbeing, development, mental health, and education.

This research brief describes the developmental impacts of child separation and detention, and provides context to this research using available data on the number of children currently separated and detained and the now widely reported conditions in these detention centers. We highlight gaps in standards, compliance, and accountability in such institutions, and provide key recommendations to prioritize child health and wellbeing in immigration policies.

On January 20, 2026, Immigration and Customs Enforcement (**ICE**) agents detained Adrian Conejo Arias and his 5-year-old son, Liam, shortly after arriving home from their walk from Liam's preschool in a Minneapolis suburb, despite the family having an active asylum claim and no deportation order. Adrian and Liam were transported more than 1,300 miles to the South Texas Family Residential Center in Dilley, Texas. Their story drew widespread outrage after viral images showed Liam in a bunny hat and Spider-Man backpack in custody.

Liam is one among thousands of children caught in the web of immigration enforcement (**See Box 1**). His release after two weeks of confinement, ordered by a federal judge who criticized the government's actions as harmful to children and potentially unconstitutional, was a reprieve, not a resolution. Thousands of children remain in custody away from their homes and communities, their futures uncertain, their stories less visible.

Liam and his dad's story did not unfold in isolation. Their story exploded into the national consciousness at the same time that the country was witnessing individuals, including parents, children, teenagers, even preschool teachers, being detained across the U.S. Federal immigration agents have been involved in multiple shootings, including the tragic killing of community members in Minneapolis. Across social media and communities across the country, protests erupted, including student-led school walkouts, demanding accountability for violent federal enforcement and the release of detained children and families.

For many across the country, seeing a 5-year-old's face on screen- vulnerable, bewildered-taken into federal custody, was more than a moment of outrage and sadness. It became an American horror story- one that is not unique to this moment in history in our society.

Source: https://www.cnn.com/2026/01/23/us/liam-conejo-ramos-ice-wwk

FAMILY DETENTION

The United States currently operates two family detention centers — The South Texas Family Residential Center and the Karnes County Immigration Processing Center — both in Texas and both operated by for-profit corporations that operate prisons and rehabilitation centers.

The Flores Settlement established the current standards for the federal government's care of both accompanied and unaccompanied immigrant children in its custody (**see Box 2**). It both limits the amount of time children can be held in secure facilities and the types of facilities children may be housed in. The agreement stipulates that children be housed in non-secure, state-licensed facilities that are safe, sanitary, and provide sufficient food and water within five days, absent emergency or an influx of minors. However, previous court cases have allowed children to be held in secure, unlicensed immigration detention centers for a maximum of 20 days in times of "emergency" (Flores v. Lynch, 2015).

Box 1. Family Detention: The Case of Elizabeth Zuna Caisaguano

Photo Credit: Provided by Columbia Heights Public Schools

On January 6, 2026, in Minnesota, 4th grader Elizabeth Zuna Caisaguano was detained by ICE on the way to school with her mother. Elizabeth's father rushed to the school in search of her, but Elizabeth was not there. She and her mother were taken to the South Texas Family Residential Center in Dilley, Texas, and as a result, Elizabeth was separated from her father, who was still in Minnesota. [1]

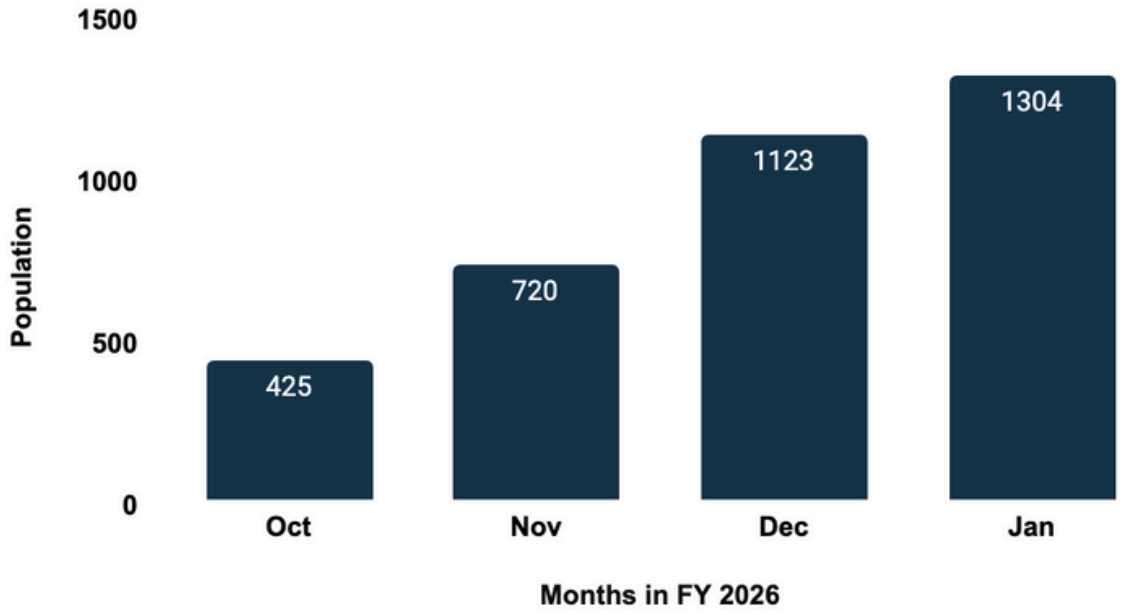
"That image of Elizabeth's father will stay with me forever," said Tracy Xiong, a school social worker at a press conference on Tuesday with Minnesota Governor, Tim Walz. "I watched him sit in his car, bury his head in his hands and cry uncontrollably." [2]

Elizabeth and her mother were released in early February, after spending nearly a month in the detention center. Additionally, before their release, there were multiple reports of a measles outbreak at the detention center.[3] Elizabeth, whose family has an active appeal to their asylum case, was the first child in her Columbia Heights School District to be detained by ICE. Since then, at least three other children in the district have been taken by ICE, including Liam. It is important to note that the impacts of trauma and separation can be long lasting, even after release.

In 2016, ICE's own Advisory Committee on Family Residential Centers stated: "Detention or the separation of families for purposes of immigration enforcement or management are never in the best interest of children." [4]

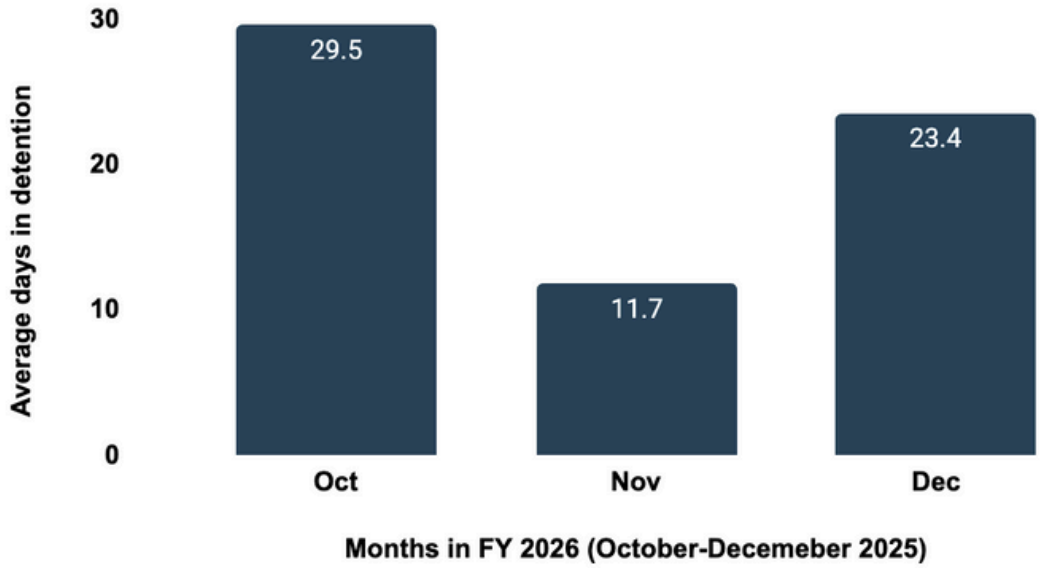
Still, based on an analysis by the Marshall Project, at least 3,800 children under the age of 18, including 20 infants, have been booked into these family detention centers since they re-opened in March 2025.[5] From October 2025 to January 2026, the number of family units including children and at least one parent in family detention centers has grown from 425 in October to 1,304 in January, representing an increase of more than 200% (**Figure 1**).[6]

Figure 1: Monthly Population at Family Detention Centers in FY 2026 (Oct 2025 - Jan 2026)



In two of the three most recent months where data are available, children were detained for longer than 20 days, on average, in violation of the Flores Settlement Agreement (**Figure 2**).[7]

Figure 2: Average Length of Days in Detention at Family Detention Centers



Box 2. The Flores Settlement Agreement

The Flores Settlement Agreement of 1997 is a legal agreement that sets a bare minimum for detention, care, and release of immigrant children under age 18 in U.S. custody, including those who are unaccompanied[8] and those who are accompanied by their families.[9] The Flores agreement establishes a floor, not a gold standard; that is, it establishes minimum conditions. The Flores agreement underscores the principles of family unity and the Flores court has ruled that children should not be detained for more than 20 days, absent emergency.

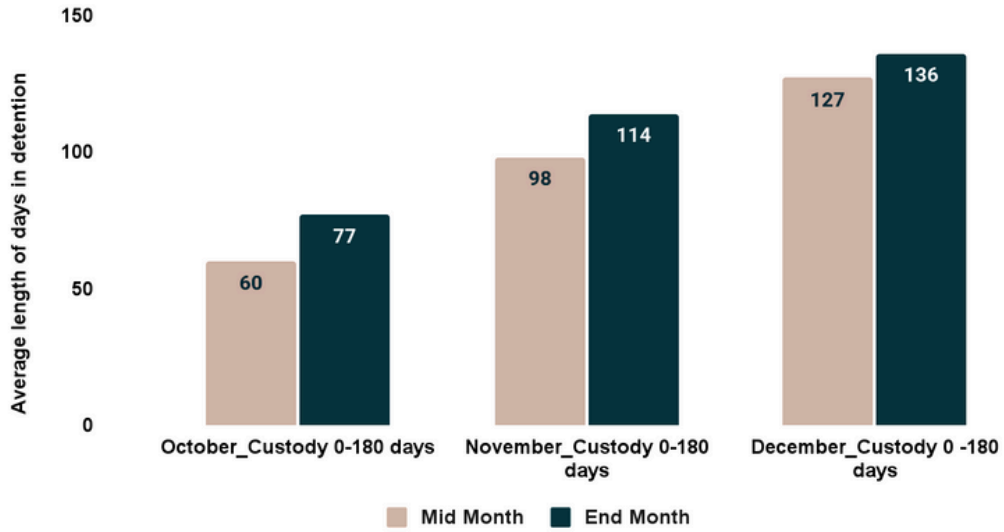
The Flores Settlement Agreement and orders of the Flores court require that 1) children be released from custody without unnecessary delay, with a preferred release to the parent, except when needed to secure timely appearance in immigration proceedings or ensure the safety or the minor of others and 2) if the child is going to be in federal custody for more than 20 days, the placement must be in a state-licensed facility.

Family detention centers do not comply with the Flores Settlement Agreement because they are not a least restrictive environment and it is unclear if the currently operating FRCs are state licensed. Yet, because the agreement does not apply to parents, this can create a very difficult scenario for families, who may be asked to make the impossible choice between waiving their children's rights under Flores or having children be released and separated from their parents if they are detained longer than their children. Alternative to detention (**ATD**) programs where families can remain together as a unit in the community while awaiting their immigration hearings are more appropriate to maintain the well-being of children and honor the principle of family unity in the Flores Settlement Agreement.

In August 2025, a federal court rejected a new government effort to terminate the agreement, noting a lack of new facts or laws to justify termination .[10]

For detained children and families who were screened as having a credible threat of return to their home country, the length of detention is much longer, growing from 60 days in October - already triple the allowable number of days under Flores- to 136 days in December 2025 (**Figure 3**)[11].

Figure 3: Average Length of Days in Detention for Families Who Have Been Determined to Have a Valid Fear of Returning to Home Countries Due to Danger for FY 2026



Impacts of Detention on Children

A robust body of research and common sense indicate that detention is bad for children and of course, is associated with an array of deleterious outcomes that deeply impact child safety, health, and wellbeing. The American Academy of Pediatrics, the nation's organization of more than 67,000 pediatricians, has stated that: "there is no evidence indicating that any time in detention is safe for children."[12]

A recent study by Massachusetts General Hospital and Harvard University found that children detained in these facilities had inadequate access to health screening, quality healthcare, and management of acute and chronic health issues.[13]

Since 2018, at least 12 children have died in CBP, ORR, or ICE custody.[14] There have been many additional reports of children not receiving necessary healthcare.[15] Reports have documented that CBP has confiscated children's medication, leading to more severe symptoms of their chronic illnesses and prompting hospitalization of children in pediatric intensive care units.[16] In 2019, CBP received emergency supplemental funds to improve medical care for those in its custody. Unfortunately, a report from the U.S. The Government Accountability Office (**GAO**) found more gaps, indicating that CBP was inconsistent in their oversight of enhanced medical screening and care procedures, and that they had misused about $25 million for purposes other than medical care.[17] More recently, H.R.1 (2025) included a significant increase in ICE's detention budget - for a total of $45 billion - for adult facilities and FRC; the law also says that individuals may be detained at FRCs pending a deportation decision.[18]

There is a broader literature base of the impacts of detention on children in other countries. In a British study of immigrant children who had been detained with their parents, nearly all children assessed by a pediatrician exhibited new or increased symptoms of physical health problems since being detained.[19] Beyond physical health, children's development and mental health suffers greatly in detention. Research has found high rates of mental health challenges among detained children in Canada, England, and Australia, including sleep problems, anxiety, aggression, oppositionality, traumatic stress symptoms, and suicidal ideation.[20] Studies comparing mental health outcomes of detained immigrant children and immigrant children living in the community found that detained children show greater levels of negative affect, internalizing problems, trauma symptoms, conduct problems, and hyperactivity.[21] Pediatricians have documented developmental regression across an array of developmental domains (e.g., bedwetting, loss of ability to count or name colors, etc.) in children detained with their families in a British immigrant detention center.[22] It goes without saying that being detained, even with a parent, is an extremely stressful experience for a child of any age. Neuroscience has indicated that stress experienced in-utero and in the early years of life can impact a child's long-term stress response.[23] Prolonged exposure to stress or extreme stressors can contribute to dysregulation of the hypothalamic–pituitary –adrenocortical (HPA) axis, which can result in physiological and psychological damage.[24]

Children detained at the Karnes County Residential Center line up for lunch.
(Credit: Eric Gay, Associated Press)

Source:
https://www.ksat.com/news/national/2025/06/21/new-insight-into-texas-family-detention-reveals-adults-fighting-kids-for-clean-water/

Another area that may be impacted by current federal immigration policies is children's academic development. When children are detained, they are pulled out of their communities and their schools. Recent reports from news outlets and elected officials indicate that, even though FRCs are required to provide education to detained children, there are no educational services being provided currently.[25] A 1982 Supreme Court ruling determined that all children in the U.S. have a right to a free public education, regardless of their or their parents' immigration status.[26] Legislation passed by Congress and codified into U.S. law are in line with this Supreme Court decision. The Equal Educational Opportunities Act (EEOA) of 1974 prohibits states from denying equal educational opportunities on the basis of race, color, sex, or national origin. This legislation also specifically identifies the failure to provide adequate language services that allow students to "overcome language barriers that impede equal participation" in educational programs as a form of discrimination (20 U.S.C. §1703(f)). Children with disabilities also have the legal right to a free appropriate public education (FAPE) in the least restrictive environment (LRE). [27]

Combined, this research and the increasing number of reports from currently and formerly detained families of the inadequate and likely unlawful conditions in these detention centers, point to the fact that these facilities are not suitable for children and can have extremely negative, long term impacts on their health, development, education, and wellbeing.

"Around 3,500 detainees, more than half of them minors, have cycled through the center since it reopened, more than the population of the town of Dilley itself."

-Mica Rosenberg, Pro Publica Report, "The Children of Dilley"

Source: Getty Images

FRC Requirements: ICE Standards, ICE Directives, and State Licensing

It is also important to understand standards, monitoring, and accountability standards of FRCs. FRCs are required to operate in compliance with a set of standards, ICE National Detention Standards, most recently updated in 2025[28] and ICE Family Residential Standards, most recently updated in 2020. FRC standards include requirements to:

- Preserve and promote family unity, allowing children and families unrestricted access to each other.
- Provide children with access to school and special education services.
- Provide children with access to recreation.
- Provide children with access to medical and mental health care.
- Provide language access for those who do not speak English, including access to facility programs and activities through language interpretation and translation services.
- Equal access to all programs, services and activities and for people with disabilities.
- Free movement for adults throughout the facility, at a minimum from 8 am until dusk.

It is important to note that there is very little transparency into FRCs and the extent to which they are following all required standards. **Recent stories by detained children and families, reviewed below, suggest many of these standards are not being implemented.** There is also very little insight into how these facilities are monitored and whether there are accountability systems in place for non-compliance.

In July of 2025, DHS issued ICE Directive 11064.3, Interests of Noncitizen Parents or Legal Guardians of Minor Children or Incapacitated Adults, a memo intended to provide guidance and procedures on detaining parents with children or adults with disabilities. This guidance reduces protections for parents from the previous Directive in place. Some of these provisions are summarized below. **Many videos and documented cases of arrests of parents, however, show apparent violation of these standards. Public transparency, oversight, and accountability for following these standards appears to be lacking.**

- Unless ICE is effectuating an enforcement action against the minor child(ren), ICE personnel should not, under any circumstances, take custody of or transport the minor child(ren). ICE should remain on the scene with the parent until the designated third party, or the local child welfare authority or law enforcement agency assumes physical custody of the minor child(ren).
- Where a minor child whose physical custody is being transferred to a third party by the parent was or is determined to be an Unaccompanied Child (UC), ICE personnel must contact the local Department of Health and Human Services (HHS) office to advise them of the transfer.
- In the event a parent is detained, ICE is required to facilitate a means of regular visitation with the minor child(ren).
- Detained parents should not be transferred to facilities away from their initial detention site if that is where their children are; if it is not where their children are, ICE must consider transfer to a facility nearer to the parent's children.

There are also requirements that these facilities be licensed by the state as child residential facilities. Texas state licensing standards for child residential facilities apply to FRCs, with few modifications that take into account co-location of parent and child, unlike other child residential facilities where children are without parents or family members. The extent to which these standards are implemented to fidelity as well as the extent of state oversight and accountability for adherence to the standards is unclear. The standards themselves are wide ranging, and include access to health and mental health screening and care, educational and developmental services for children, protection from abuse and neglect, and specific staffing and personnel training requirements.[29]

Source: https://www.themarshallproject.org/2025/12/17/children-immigration-detention-dilley-ice.

The South Texas Family Residential Center in Dilley, Texas, in 2019. (Credit: Ilana Panich-Linsman)

Source: https://www.texasobserver.org/seeking-asylum-karnes-city/.

"Resident advisors" stand just outside a security gate at the Karnes County Civil Detention Center in Karnes City, Texas. (Credit: Bob Owen / San Antonio Express-News/ZUMA Wire)

Source: https://www.thenation.com/article/archive/dilley-texas-immigration-detention/

A 2021 report by the Children's Equity Project closely examined state licensing standards for child residential facilities caring for unaccompanied migrant children through a developmental lens.[30] The report examined several domains of operations that can directly impact children, including personnel qualifications, whether or not basic needs were met, access to healthcare and developmental services, discipline policies, and monitoring and accountability. Every set of state standards, including Texas', had gaps in its care for children, especially younger children, and every set of state standards, had "red flags" that could pose harm to children. Notably, Texas, Michigan, New York, and Oregon all have alarming gaps in their discipline policies, including allowing young children to be secluded upwards of an hour or for an unlimited amount of time in some settings. The report also found major gaps in accountability and compliance policies, with 14 out of 16 states, allowing broad, non-specific waivers from compliance with part or all of the licensing standards.

Domain Deep Dive:

Summary of State Performance Across Domains

	Admission, Orientation, Assessment, Release	Personnel	Basic Needs		Health Care		Behavior Management and Discipline		Developmental and Educational Services	Accountability, Monitoring, and Waivers		Total
	Indicators met	Indicators met	Indicators met	Red flags?	Indicators met	Red flags?	Indicators met	Red flags?	Indicators met	Indicators met	Red flags?	Indicators met across all domains
Arizona	2/2	1/5	2/4	Yes	0/3	Yes	0/3	Yes	0/3	1/2	Yes	6/22
California	2/2	2/5	4/4		1/3	Yes	2/3	Yes	1/3	1/2	Yes	13/22
Colorado	1/2	1/5	0/4	Yes	1/3	Yes	1/3	Yes	1/3	2/2	Yes	7/22
Connecticut	0/2	0/5	4/4		0/3	Yes	0/3	Yes	1/3	2/2	Yes	7/22
Florida	0/2	0/5	3/4	Yes	1/3	Yes	2/3	Yes	2/3	2/2		10/22
Illinois	1/2	2/5	3/4	Yes	1/3	Yes	1/3	Yes	1/3	1/2		10/22
Kansas	1/2	2/5	2/4	Yes	1/3	Yes	0/3	Yes	1/3	0/2	Yes	7/22
Maryland	2/2	1/5	3/4	Yes	2/3	Yes	2/3		2/3	1/2	Yes	13/22
Michigan	1/2	1/5	2/4	Yes	1/3	Yes	2/3	Yes	0/3	1/2	Yes	8/22
New Jersey	0/2	1/5	2/4	Yes	0/3	Yes	0/3	Yes	0/3	0/2	Yes	3/22
New York	1/2	1/5	4/4	Yes	1/3	Yes	0/3	Yes	1/3	0/2	Yes	8/22
Oregon	1/2	1/5	2/4	Yes	2/3	Yes	1/3	Yes	0/3	1/2	Yes	8/22
Pennsylvania	1/2	1/5	2/4	Yes	2/3	Yes	1/3	Yes	1/3	0/2	Yes	9/22
Texas	2/2	3/5	2/4		3/3	Yes	3/3	Yes	2/3	2/2	Yes	17/22
Virginia	0/2	0/5	2/4	Yes	1/3	Yes	1/3	Yes	0/3	2/2	Yes	6/22
Washington	1/2	2/5	3/4	Yes	1/3	Yes	1/3	Yes	1/3	0/2	Yes	10/22

Federal Policy and State Licensing Standards for the Operation of Residential Facilities Housing Unaccompanied Migrant Children
Produced by the Children's Equity Project

Source:
https://cep.asu.edu/resources/unaccompanied-migrant-children

Conditions Inside FRCs

Although FRCs are required to follow standards and state licensing requirements, relatively little is known about the implementation of these standards, compliance monitoring, and accountability systems, as ICE makes only limited information about these facilities publicly available. However, accounts of formerly detained families during previous periods of family detention, and more recently, media reports in the last year provide some information.

PBS NewsHour (2026)[31] reported that Rep. Joaquin Castro, who visited the family detention center in Dilley, Texas in January 2026, described the children he saw as "despondent and depressed."

> "There were other kids there who said that they had food allergies, for example, that are not taken seriously, that they're served the same food over and over again. People did complain of things like worms occasionally in their food. And remember, these are jails. They're a type of prison. And we shouldn't have a 5-year-old who's committed no crime and a 2-month-old baby. We should not have them in prison in the United States of America,"
>
> — **Rep. Castro added in his interview with PBS NewsHour (2026)**

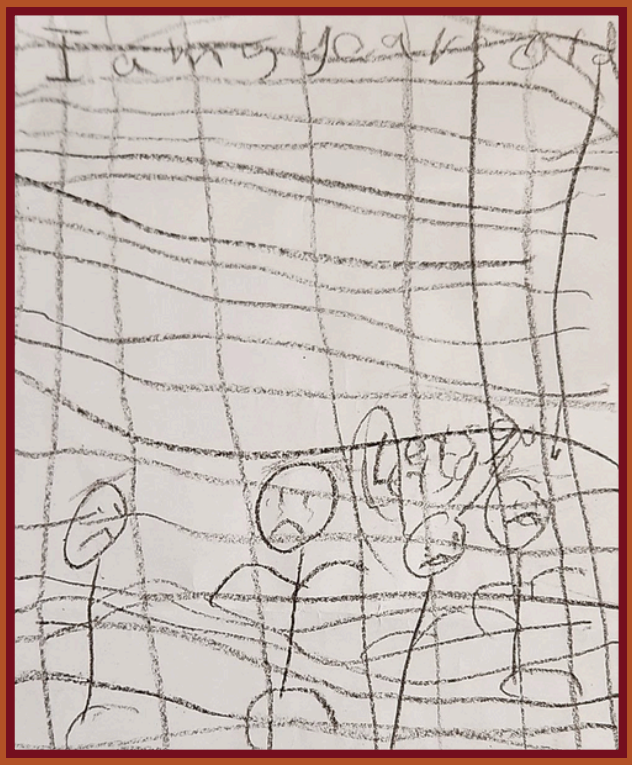
Rep. Jasmine Crockett, who also visited the facility with Rep. Castro, noted that many of the children at the facility were not receiving any schooling, even though many of them had been in the facility for months.[32]

It is important to note, that while official language frames these facilities as residential centers, the experience inside resembles incarceration. FRCs are fenced-in, monitored, and structured like carceral environments rather than spaces of care. And perhaps most critically, these facilities are operated by private prison corporations, not social service providers.

Source: https://www.pbs.org/newshour/politics/administration-open-detention-centers-families-caught-crossing-border

Eric Lee, an immigration lawyer shared a drawing from a child who spent their 5th birthday at the South Texas Family Residential Center. The child has been in detention with their family for eight months. In a recent interview,[33] Lee recounted, "The child drew a family with the children inside and it's a drawing of sad children behind bars saying, let us out." (**Figure 4**).

Figure 4: Drawing Gathered from a Child who Turned 5 Years Old in the South Texas Family Residential Center in Dilley, TX



Images show a family crying behind bars with a speech bubble that says "Let's go! Let's Go!" [34]

The South Texas Family Residential Center is the largest family prison in the country and is located roughly 70 miles southwest of San Antonio on a 50-acre site in Dilley, Texas. It has a capacity of about 2,400 people and was originally built in 2014 to hold families under contract with U.S. Immigration and Customs Enforcement.[35] After a period of closure under the Biden administration, it was reopened in 2025 under the Trump administration with a renewed contract with CoreCivic, a major private prison corporation.

Though marketed with language about recreation, medical care, and structured services, the site is an enclosed facility with fencing, monitored gates, and routines that resemble incarceration more than community life. Children and adults alike are physically contained, and movement is restricted.[36] The "metal containers" that house families, small units meant for up to eight people, are not home; meals are prepared by staff, and families are prohibited from cooking for themselves.[37] In February of 2026, DHS reported that there were cases of Measles within the facility,[38] causing alarm as to the health conditions in the facility and the danger posed to children and families.

In August 2018, a 21-month-old died shortly after being released with her mother from the South Texas Family Residential Center.[39]

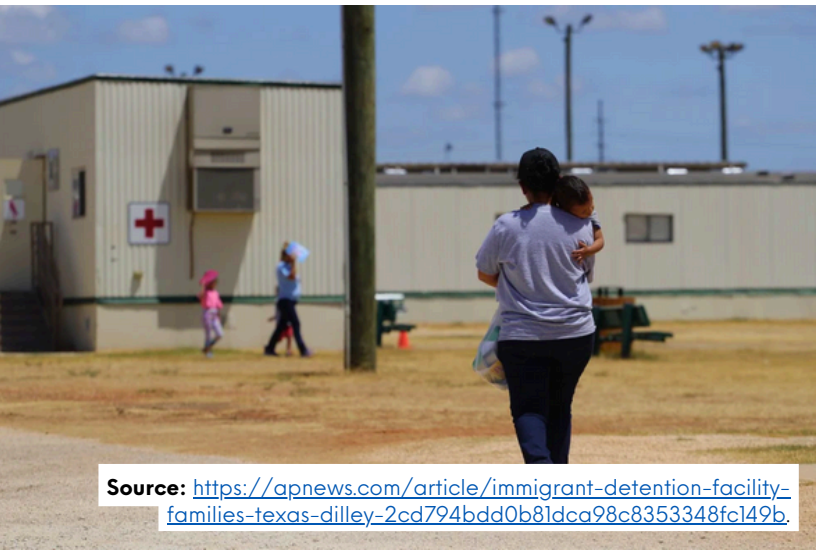
Source: https://www.texastribune.org/2025/06/21/texas-family-detention-adults-kids-fighting/.

South Texas Family Residential Center, an ICE detention center in Dilley, on Sept. 30, 2020. (Credit: Jordan Vonderhaar for The Texas Tribune)

About 60 miles southeast of San Antonio, the Karnes County Residential Center houses families in a confined setting. Like Dilley, Karnes reopened in 2025, and is managed by the GEO Group, a private prison company. The facility has a 530 person capacity.

In both facilities, attorneys, detained families, and Congress people who have visited the facilities have documented troubling conditions, including inadequate medical care, limited access to clean water, and extended detention beyond what the Flores Settlement was designed to allow.[40] In legal filings, families described situations where adults and children were forced to compete for limited clean water, and children became sick, in addition to other medical concerns (**See Box 3**).

In March 2020, a 27-year-old father died by suicide in the Karnes Residential Center, days after a judge upheld the decision that he had failed his initial asylum screening (Aleaziz, 2020).



Source: https://apnews.com/article/immigrant-detention-facility-families-texas-dilley-2cd794bdd0b81dca98c8353348fc149b.

Immigrants seeking asylum walk at the ICE South Texas Family Residential Center, Aug. 23, 2019, in Dilley, Texas. (Credit: AP Photo/Eric Gay, File)

Source: https://www.elpasotimes.com/picture-gallery/news/2018/08/28/ice-detention-facility-dilley-texas/1118350002/

Box 3. Family Detention: The Case of Nicolle Orozco Forero and Her Family[41]

Nicole Orozco Forero is the mother of two boys, Daniel Estaban and Juan David, ages 5 and 7 years old, respectively. She, along with her children and husband, Juan Sebastian Moreno Acosta, moved to Seattle from Colombia in 2023 after her husband experienced threats of violence from a cartel when he was a street vendor. During the two years they lived in Seattle, Nicole worked at a preschool for children with disabilities. Her eldest son, Juan David, was experiencing kidney issues and receiving care at the Seattle Children's Hospital. His doctor wrote a note to ICE requesting they not be detained so he could receive a biopsy and life-saving kidney treatment. Unfortunately, the letter was not effective. They were detained and handcuffed at their monthly ICE appointment.

After being arrested by ICE, the family was sent to South Texas Detention Center in Dilley, TX. Once detained, the boys stayed with Nicole but were separated from their father. Juan David's kidney condition worsened quickly, increasing his risk of his condition turning critical. Although the medical professionals at Dilley assessed Juan David, they noted there was not much they could do for him, and gave him Ibuprofen. This lack of care of medically complex cases is similar to those of three other children in the same facility. Staff told the caregiver of one child who was vomiting blood to "just give the girl a cracker."[42]

Nicole and her family were later deported to Colombia, where they have very limited resources or family left. They are working as street vendors again, and struggling to find appropriate medical care for Juan David.

Source: https://www.kut.org/texas/2014-08-06/a-private-prison-group-runs-texas-new-immigrant-detention-center

A Timeline of State-Sanctioned Detention and Separation of Children and Families in the United States

"THERE IS A DIFFERENCE BETWEEN WHAT IS LEGAL AND WHAT IS JUST."
- GREGORY J. VINCENT

1619-1865 | Slavery and the Legal Destruction of Black Family Life

Family separation was part of the design of chattel slavery. Black people, including children, were legally defined as property. Because of this, Black children were sold away from their parents at any time and without warning.[43] The law recognized ownership, not kinship. The residue of slavery still lingers across timelines and generations.

1870s–1960s | Indigenous Boarding Schools and Forced Assimilation

Through federal policy and Christian missionary partnerships, Indigenous children were removed from their families and placed in boarding schools designed to "kill the Indian, and save the man."[44] Children were punished for speaking their languages, stripped of cultural identity, and subjected to neglect and abuse.[45] Recent archeological investigations documented thousands of deaths of Native American, Alaska Native, and Native Hawaiian children in the more than 400 boarding school institutions on record, triple the number reported by the U.S. government.[46]

1930s–1950s | Immigration Raids and Mass Deportations

U.S. immigration enforcement repeatedly targeted Mexican and Mexican American families through raids, deportations, and forced removals. During Operation Wetback (1954), a federal deportation campaign whose name itself reflects the racialized dehumanization embedded in U.S. immigration enforcement, families were separated, children, including U.S. Citizens were deported to countries they did not know, and due process routinely ignored.[47] Immigration enforcement operated with sweeping discretion, racial profiling, and little regard for family unity.

1942–1945 | Japanese American Incarceration

Following Executive Order 9066, more than 120,000 Japanese Americans, two-thirds of them U.S. citizens, were forcibly removed from their homes and incarcerated in government camps.[48] Entire families, including children, were confined behind barbed wire under the justification of national security.

1970s–Present | Mass Incarceration and the Normalization of Family Rupture

The expansion of policing and incarceration disproportionately impacted Black and Brown communities, removing parents from households at massive scale.[49] Children of incarcerated parents experience higher rates of trauma, economic instability, and long-term health and educational harms.[50] Family separation became normalized as a collateral consequence, and rarely, if ever, named as policy harm, even as its effects accumulated.

1985–Present | Immigration Detention and the Flores Settlement

As immigration detention expanded, children increasingly found themselves in federal custody. The Flores Settlement Agreement (1997) established limits on how long children could be detained and required minimum standards of care. Flores became one of the few legal barriers preventing the indefinite incarceration of children, and, as a result, a repeated target of political efforts to weaken or eliminate child-specific protections.

2018 | "Zero Tolerance" and the Explicit Use of Family Separation

Under the Trump administration's "zero tolerance" policy, family separation was used deliberately as a deterrent for immigration. Thousands of children were taken from their parents, often without adequate documentation to ensure reunification. More than 1,000 families remain separated today. Public outrage forced a partial retreat, but not accountability for the harm inflicted.[51]

2001-Present | Detention of Immigrant Children and Families

Since 2001, family detention of immigrant families with children has continued on and off. See detailed timeline of major milestones in the 21st century below. Most recently, after the Biden Administration closed all family detention facilities in 2022, two have been re-opened by the Trump Administration and are detaining families today. Efforts to weaken Flores protections persist, including attempts to loosen licensing requirements and limit independent oversight. [52]

Over the course of history, the U.S. government has repeatedly established and implemented policies that harm children and fracture families, from Indigenous children torn from their parents and placed in boarding schools to the forced separations of families under slavery, to the mass incarcerations of the late twentieth century, to the Japanese American incarceration camps of World War II, and beyond. Policies and actions of family separation and detention are tragically not new; they have only taken different forms throughout history.

A Timeline of State-Sanctioned Separation and Detention of Children and Families in the U.S.

FAMILY SEPARATION

Family detention and family separation are strongly interlinked in U.S. immigration policy. Family separation in the context of this report is the policy and practice of separating children from their parents and caregivers, either at the border or ports of entry through Customs and Border Patrol or via parental detentions and deportations inside the U.S. through ICE. Family separation, regardless of where it happens or whether it's via CBP or ICE, is traumatic for children and is associated with an array of short and long term deleterious impacts on children.[53]

During the first Trump administration, DOJ and DHS enacted a "Zero Tolerance" policy between April to June 2018 where any adult crossing the border, including asylum seekers, would be detained without inspection to deter immigration at the Mexico-U.S. border.[54] Adults traveling with children would have their children taken and placed in U.S. government custody via shelters or foster care funded by the federal Office of Refugee Resettlement. In many cases, these children were placed in shelters thousands of miles away from their parents without having a way to contact them. Although the policy was formally in place for four-months, data indicate separations occured before and after that period. Data published in 2024 by the U.S. Department of Homeland Security (DHS), indicated that between 2017 and 2021, 4,656 children were separated from their parents.[55]

It should be noted the number of children separated from their parents differs across sources due to challenges in tracking separated children, poor recordkeeping, and a lack of communication across agencies.[56]

Six years later, it is estimated that as many as 1,401 children have never been reunited with their parents. This difficulty in reuniting children to their families was in part due to poor data collection, a lack of inter-agency communication, and tracking and policies prohibiting parents who were deported once detained from re-entering the U.S. to reunite with their children.

Based on calculations years later, the impacts of family separations as a result of the Zero Tolerance policy were still felt.[57]

- Based on the most recent DHS data reported in 2024, between 2017 to 2021 4,656 children were separated.
- According to the same 2024 DHS report, 1,401 children were never reunited with their parents.

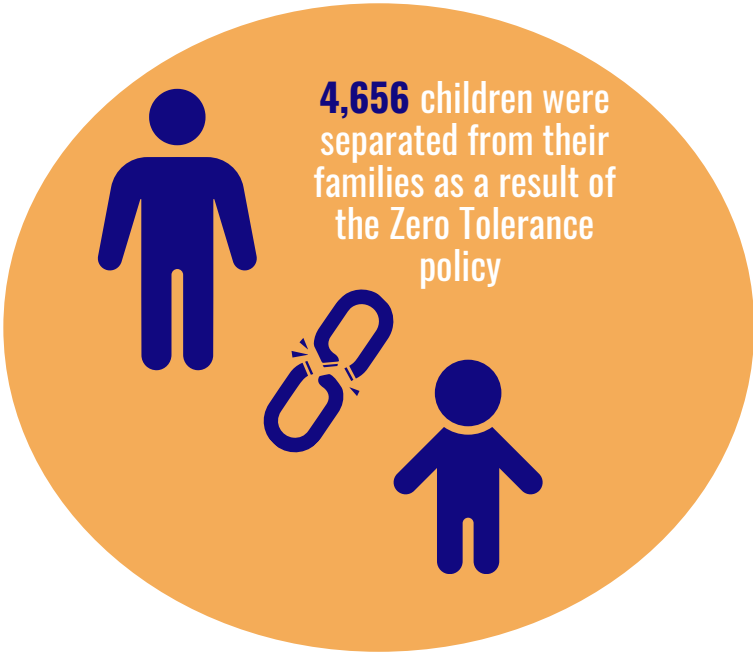


Figure 5: Number of Children Separated from their Parents Between May and June 2018 during the formal Zero Tolerance Policy by Age Group

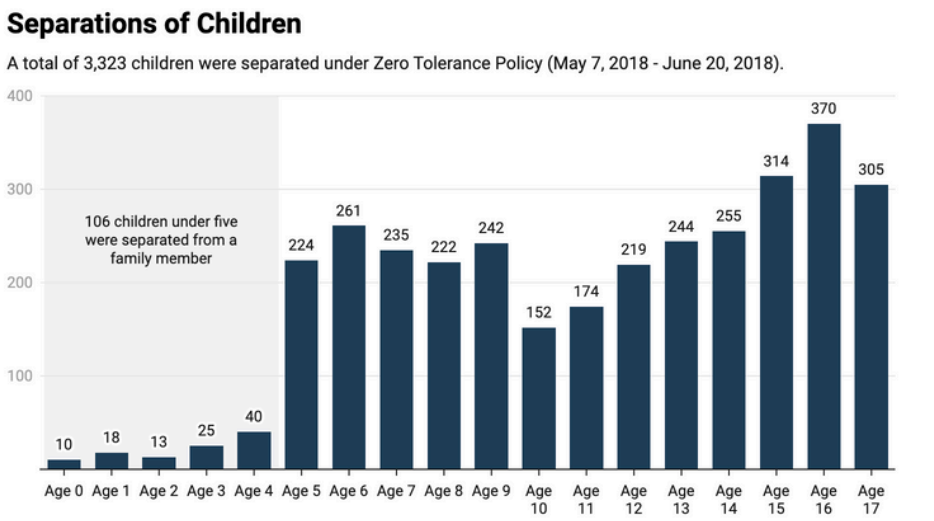
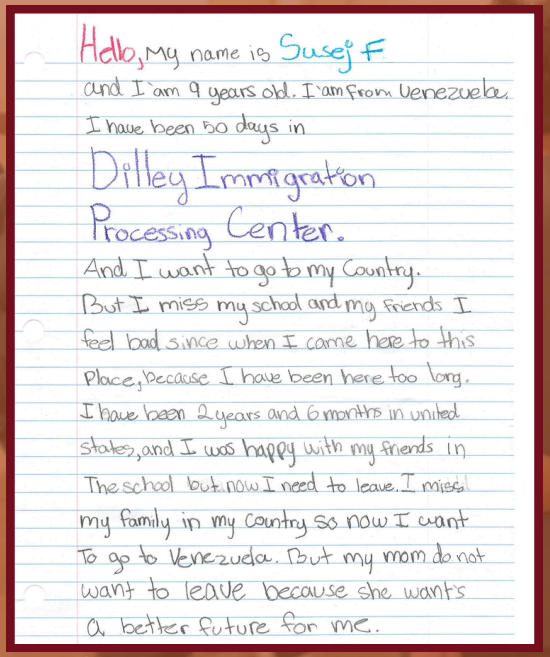


Figure originally published by the American Immigration Council.

The American Immigration Council conducted an analysis on family separations by child age, during the formal or official period of the Zero Tolerance policy, between May and June of 2018 **(Figure 5)**.[58] These data indicate that 3,323 children were separated during this time, with 330 being children age five and under. Their analysis was informed by data published by HHS and DHS.[59]

Public outcry and a lawsuit (i.e., Ms. L v. ICE) ended the Zero Tolerance policy in 2018.[60] However, although the lawsuit led to limits on family separations at the border, it did not address family separations inside the country as a result of ICE detentions, enabling a rapidly growing number of family separations once again today.


Hello, My name is Susej F
and I am 9 years old. I am from Venezuela.
I have been 50 days in
Dilley Immigration
Processing Center.
And I want to go to my Country.
But I miss my school and my friends I
feel bad since when I came here to this
Place, because I have been here too long.
I have been 2 years and 6 months in united
states, and I was happy with my friends in
The school but now I need to leave. I miss
my family in my country so now I want
To go to Venezuela. But my mom do not
want to leave because she wants
a better future for me.

-Letter by Susej F., a 9-year-old from Venezuela who was living in Houston, Texas detained for 50 days at the South Texas Residential Center in Dilley, TX.

-Drawing by Luisanney Toloza, 5 years old, detained at the South Texas Residential Center in Dilley, TX.

Source: https://www.propublica.org/article/ice-dilley-children-lettershttps://www.propublica.org/article/ice-dilley-children-letters

Presently, more children are experiencing family separation as a result of ICE arrests within the country, and courts have found that these detentions do not always comply with due process.[61] Although data specific to the number of children under ICE detention that were referred to ORR as a result of family separations is not available, an analysis from the Marshall Project estimated that since January of 2025, the number of children detained by ICE has increased sixfold.[62]

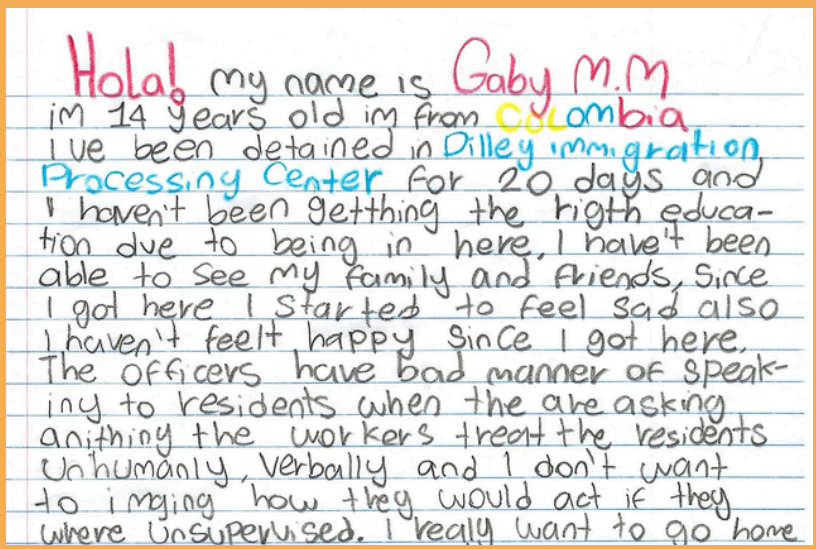
"Detention of innocent children should never occur in a civilized society, especially if there are less restrictive options, because the risk of harm to children simply cannot be justified."

- Drs. Scott Allen and Pamela McPherson from the Department of Homeland Security's Office of Civil Rights and Civil Liberties (CRCL) in a **letter to senators of the whistleblowing caucus in 2018**.

Source: Getty Images

According to the **Post Traumatic Stress Network,** a scary event in the context of parent-child separation, such as seeing a parent be handcuffed or arrested, can cause post- traumatic responses that manifest in many forms, such as:

- Intrusive thoughts, nightmares, and disturbing images of the separation reenacted in play or depicted in art
- Emotional distance, trouble with relationships, and avoidance of people, places, or things that remind the child of the traumatic event
- Negative beliefs about oneself, others, or the event and self-destructive thoughts, plans, or actions
- Negative changes in mood, including sadness, anger, fear, guilt, or shame
- Changes in behavior such as increased anger, irritability, sleep problems, or withdrawal
- Difficulty thinking, paying attention, or concentrating
- Physical symptoms such as stomach aches or headaches



Hola! my name is Gaby M.M
im 14 years old im from Colombia
I've been detained in Dilley immigration
Processing Center for 20 days and
I haven't been getthing the higth educa-
tion due to being in here, I have't been
able to see my family and friends, Since
I got here I started to feel sad also
I haven't feelt happy since I got here,
The officers have bad manner of speak-
ing to residents when the are asking
anithing the workers treat the residents
Unhumanly, Verbally and I don't want
to imging how they would act if they
where Unsupervised. I really want to go home

An excerpt of the letter Gabby, a 14-year old, wrote from inside the Dilley Immigration Processing Center. Obtained and originally published by ProPublica.

Box 4. Unprecedented Justification for Family Separations

Since January 2025, the reasons why children have been placed in shelters and separated from their families have been unprecedented. A recent report from **Pro Publica**[63] describes that children have been placed in shelters after routine activities that would have never warranted family separation in the past, including hospital visits, and immigration court hearings and appointments.

For example, in South Carolina, a Colombian family of five were separated after the parents were detained at a government office for a fingerprinting appointment. The children–ages 5, 11, and 15-were sent to a shelter for four months.[64] In Florida, a Guatemalan 17-year-old was taken into custody after he had a traffic stop and the officers could not contact his father–who is deaf. In Maryland, a 17-year-old youth from Mexico ended up in a shelter after making a wrong turn at a military property.

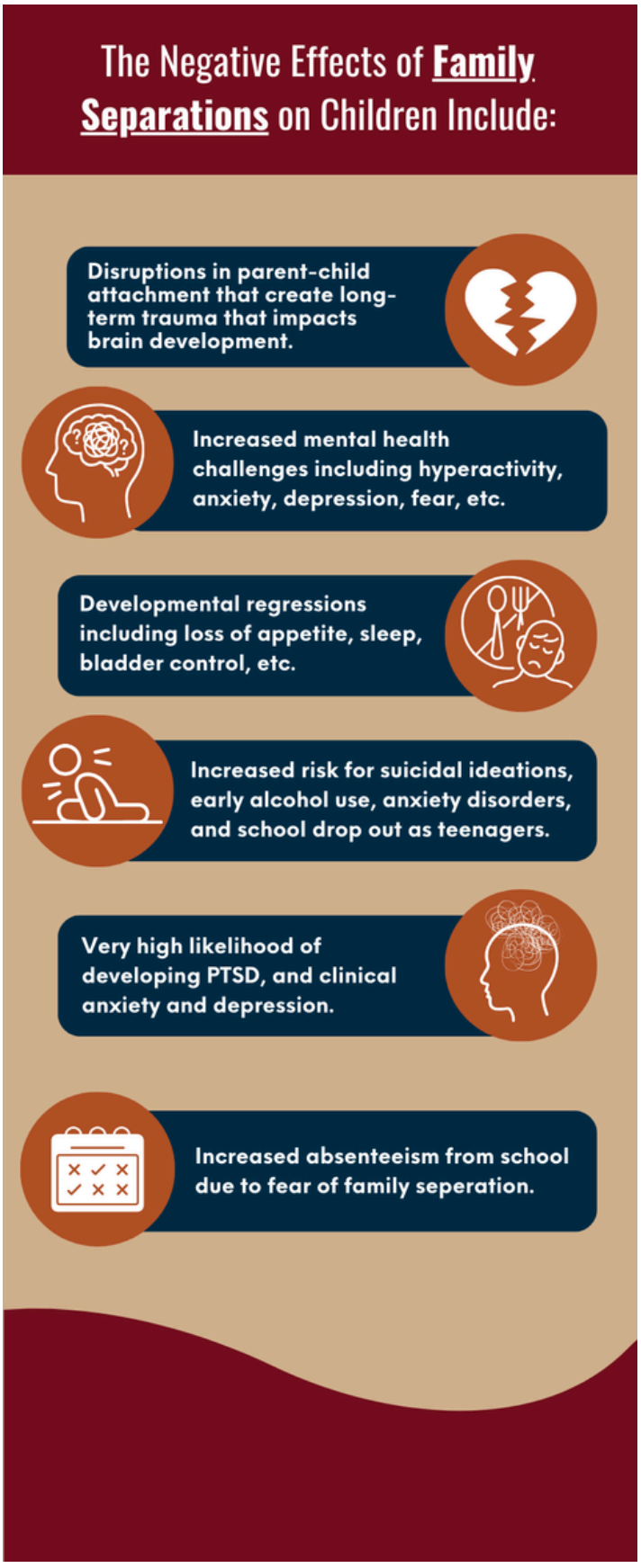
The director of Legal Services at the Los Angeles-based Immigrant Defense Law Center, Marion 'Mickey' Donovan-Kaulost, describes what is currently happening to children like "many small zero tolerances."[65] He warns that these family separations are immensely traumatic and harmful to children.

Impacts of Family Separation on Children and Families

Attachment to a primary caregiver, usually a parent or family member, is the foundation of healthy child development, mental health, and wellbeing.[66] Rupturing this primary attachment is stressful, can be traumatic, and has major impacts on children of all ages, especially the youngest.[67]

Neuroscience finds that traumatic stress can impact brain development, structurally and functionally, which can impact mental health, learning, and psychological challenges later in life.[68]

Research finds that separating children from their parents and communities impacts health, mental health, education, and socioeconomic conditions that impact food and housing stability.[69] The impacts of forced separation manifest in different ways for children, some of whom may not have the ability to verbally communicate their thoughts or feelings. Research has found that family separation is associated with increased mental health challenges in children,[70] including more externalizing[71] (e.g., hyperactivity) and internalizing behaviors[72] (e.g., feelings of unhappiness, anxiety, withdrawal, and crying); developmental regression (e.g., inability to sleep independently, clinging to caregivers, altered eating patterns, loss of bladder control); and higher levels of fear, anxiety, and serious emotional and behavioral difficulties.[73] Research conducted during and after the U.S. government's "Zero Tolerance" policies were put into place found severe mental health impacts on children, including higher likelihood PTSD, especially for children under age 12.[74] One study of families who had been separated during this time found that nearly the entire sample of children in the study were clinically diagnosed with PTSD, depression, or generalized anxiety disorder.[75] A recent review found that Latino/a adolescents who had a family member deported were more likely to have suicidal thoughts, early alcohol use, and engage in behaviors that may lead to school failure and serious health problems later in life.[76]



The negative effects of parent-child separations on children's mental health have been documented to persist even after parent-child reunification.[77] Some research has found that any length of separation was associated with poor outcomes,[78] and other research has found that longer separations were associated with greater negative repercussions on children's psychological well-being.[79]

Parent-child separations are also associated with mental health consequences for parents, including heightened likelihood to experience post-traumatic stress disorder (**PTSD**), anxiety, depression symptoms, and suicide ideation.[80] Research has found that parents separated from their children during the Zero Tolerance policy era, were extremely distressed, and most subsequently met diagnostic criteria for PTSD, depression, or anxiety, if not multiple conditions.[81]

Importantly, there is a lack of clarity regarding re-unification processes after separation. Indeed, once separation happens, undocumented immigrant parents face barriers to reunification and to regaining custody of their children.[82] A recent report by Human Rights Watch, the Texas Civil Rights Project, & Lowenstein International Human Rights Clinic at Yale Law School using DHS data found that an estimated 4,656 children were separated from their parents during the first term of the Trump Administration, with more than 1,000 children who, as of 2024, had not been reunified.[83]

Finally, it is important to consider the educational impacts that immigration related fear, trauma, and anxiety have on children. A survey conducted in 2019, during the first Trump administration, found that more than 80% of teachers reported that their immigrant students were expressing immigration related fear, anxiety, and behavioral changes. Almost 2 in 3 reported greater levels of absenteeism and declines in academics.[84] Preliminary information from 2025 show that families are again afraid of sending their children to school, and absenteeism has increased.[85] Another recent study found that early childhood providers reported observing children express constant fear about being separated from their parents.[86]

Major Milestones in U.S. Family Detention and Separation Immigration Policies in the 21st Century[87]

2001: The Bush Administration opens the Berks Residential Facility in Pennsylvania, the first family detention center in the United States to exclusively house families.

2006: Under the Bush Administration, a former medium-security prison in Texas begins detaining families.

2014: Obama Administration briefly opened the Artesia Family Detention Center in New Mexico, closed it and replaced it with the Residential Center in Dilley, Texas, the nation's largest family detention center. That same year, an adult immigration detention center in Karnes County, Texas was converted to a family detention center.

2015: Federal District Court finds that DHS under the Obama Administration is in violation of Flores and orders the release of children and their parents from detention, establishing that the Flores settlement applies to unaccompanied and accompanied children.

2018: Trump Administration begins the "Zero Tolerance" policy of family separation. It is estimated that 4,656 families are separated in total.

2018: President Trump signed Executive Order 13841: Affording Congress an Opportunity to Address Family Separation, rolling back the Zero Tolerance policy, but not outright prohibiting it. A court issued an order prohibiting automatic separations and directing the administration to reunite separated children.

2018: The DOJ under the Trump Administration repeatedly sought to amend or withdraw from the Flores Settlement in order to develop new regulations that would allow the detention of immigrant children and families indefinitely.

2019: The Trump Administration announced a new regulation that would allow indefinite detention of migrant families apprehended crossing the border unlawfully. A federal judge rejected the proposed changes, stating that any changes to Flores must be enacted by Congress through legislation.

2021: Biden Administration formed a task force to reunite separated families. A 2024 report found that as many as 1,360 children remain separated, never reunited with their families.

2021: Biden Administration closed all three operational family detention facilities, ending family detention for a period of time.

2025: Trump Administration re-opened two family detention facilities and restarted detaining families.

2025: Trump Administration DOJ filed a motion to terminate the Flores agreement entirely. This motion was blocked by a court.

2025: Congress passed H.R. 1 that includes funds to expand ICE detention, including family detention.

COMMUNITY-BASED CASE MANAGEMENT

Family detention and parent-child separation are not the only options in enforcing immigration laws. Many families do not need increased supervision at all. Many documented cases show families being detained while going to regularly scheduled immigration check-ins or to court. In cases where heightened supervision may be needed, there are alternatives to detention (**ATD**),[88] which refer to policies and practices that avoid detaining people solely due to immigration status. There is a spectrum of ATD programming, including release on bail and release with conditions; electronic tagging or tracking; community-based supervised release or case management; and more.[89]

Between January 2016 to June 2017, the U.S. government piloted a new program for families seeking asylum at the U.S. border called Family Case Management Program (**FCMP**).[90] Instead of detaining families or releasing them using ankle monitors, families were enrolled in the FCMP. This FCMP was funded by ICE, making it the first time this agency invested in an ATD model and attempted to follow internationally-upheld principles for the humane treatment of immigrants. FCMP operated under the idea that if immigrants received case management support, that they would comply with case requirements, regardless of the final outcome of the immigration proceedings.

Although short-lived, FCMP was considered highly successful, with more than 99% appearance rates at ICE appointments and immigration hearings. What's more, FCMP costs about $38 a day to run- a fraction of the cost of family detention, which is estimated to cost $960-$1000 per day for a family of 3.

The FCMP was successful in part because it contained the following elements:[91]

(1) comprehensive case management for each family member;
(2) highly experienced case managers;
(3) an individualized family service plan;
(4) assistance connecting with low-cost or pro-bono legal assistance;
(5) outreach to make connections with community resources; and,
(6) orientations on the legal immigration process.

Unfortunately, despite its success, appropriateness for children, and cost effectiveness, FCMP, the pilot program was only in effect for a year and a half, instead of the initially planned five years.[92] Yet, in a short period of time, it enrolled 952 heads of households and over 2,000 participants in Baltimore/Washington D.C., Chicago, Los Angeles, Miami, and New York. The FCMP represented a major paradigm shift on how the U.S. government could more humanely treat immigrant families.

The government can build on this momentum and evidence. They can improve on this initial pilot by contracting with social and human service focused entities with child expertise and case management experience to operate the program, instead of private entities that operate detention facilities and no case management experience, as was the case during the pilot period.[93]

In addition, FCMP can inform a community-based model for immigrants already living inside the U.S., as the program was initially designed for families apprehended by CBP at the border. Improving and expanding the reach of FCMP can be a sound alternative for families with children who do not need punitive placements in jail-like facilities, but rather dignified services to reduce and prevent harms to children.[94]

CONCLUSION & RECOMMENDATIONS

There is no legal obligation to detain children or separate them from their families, especially when lacking immigration documentation is the only offense. There is, however, a moral obligation to avoid these practices and policies in order to protect children. There are clear policy directions that would center children's humanity, well-being, and that of their parents.

Research is abundantly clear that no amount of time in detention is safe for children. Continuing to detain children will cause more trauma, impacting the health, development, and long-term wellbeing of impacted children. Instead, the government should move toward community-based case management models, such as the evidence-based FCMP, where children can stay in their communities, with their families, and in their schools and routines. Importantly, the government should ensure that an entity or entities with social service, case management, and child/family professional expertise operate ATD programs, including FCMP, instead of corporations operating prisons and detention facilities that are ill suited to support children. They can also expand on the success of FCMP at ports of entry and explore similar models for families who are already living in the U.S.

Research has also found that family separations are traumatic and harmful, rupturing the critical attachment relationship that is the foundation for child health, development, and wellbeing. Research has found lasting consequences of forced family separation, including severe mental health issues. Again, the government should prioritize community-based solutions, especially when there are children involved and in cases where the only offense is lacking immigration documentation. In cases where a parent is detained, DHS should ensure adherence to policies that avoid detention of children, ensure an alternate caregiver is available to care for the child, and prioritize family visitation.

It is also alarming that oversight, monitoring, and accountability in existing family detention facilities lacks transparency. Congressional oversight should be increased, ensuring adherence to laws, policies, standards, including those in Flores, and requiring systems that ensure accountability for violating laws, policies, and human rights. It is clear that more data is required to ensure transparency and accountability, especially for children who are being separated or detained by ICE, including children who are transferred to ORR facilities by ICE.

At the state level, licensing systems should improve standards for child residential facilities, ensuring alignment with child health, development, and wellbeing, as outlined in a previous report by the Children's Equity Project, here. Importantly, waivers to avoid standards that protect child health, safety, and wellbeing should not be allowed.

The current state of affairs for children in immigrant families is not a foregone conclusion. It is a policy choice with little oversight and lacking accountability. There are clear policy alternatives that uphold immigration laws, while protecting children and the family unit. It is possible to change course. For the sake of children, we must.

ADDITIONAL RESOURCES

Supporting Mental Health & Wellbeing: Immigrant Children & Families in Early Care and Education Settings

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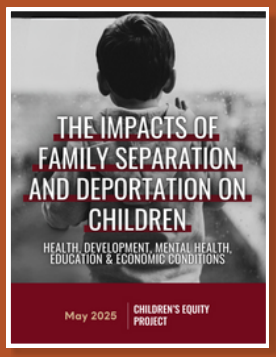

The Impacts of Family Separation & Deportation on Children: Health, Development, Mental Health, Education & Economic Conditions

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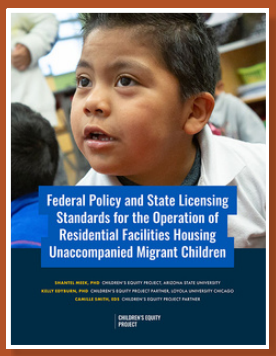

Federal Policy & State Licensing Standards for the Operation of Residential Facilities Housing Unaccompanied Migrant Children

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