



American Federation
of Teachers, AFL-CIO

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March 23, 2016

U.S. House of Representatives
Washington, DC 20515

Dear Representative:

On behalf of the 1.6 million members of the American Federation of Teachers, we urge you to support H.R. 4646/S. 2540, the Fair Day in Court for Kids Act.

As it's widely known by now, Central America is facing a humanitarian crisis. Specifically, the countries that make up the region's Northern Triangle—El Salvador, Honduras and Guatemala—are three of the world's most violent countries, where rape, torture, murder, extortion, organized crime and aggressive gang recruitment have become commonplace. Because of this violence, thousands of unaccompanied children have fled the region.

These refugees have embarked on dangerous journeys through Central America and Mexico, in many cases confronting human trafficking networks and extortionists. Their extraordinary journeys are rooted in a desire to seek asylum and reunite with family members in hopes of a better future in the United States.

Since 2014, more than 100,000 unaccompanied children have sought refuge in the United States, and more than half of them do not have legal representation in court. The Fair Day in Court for Kids Act addresses this serious issue by providing counsel to unaccompanied children and vulnerable individuals in deportation proceedings.

The *Los Angeles Times* has reported that of the more than 18,600 Central American families who have received deportation notices, 85 percent of them didn't have attorneys. And worse, more than 7,000 unaccompanied children were ordered deported without ever appearing in court.

Moreover, in January, Secretary of Homeland Security Jeh Johnson announced a large-scale series of immigration raids targeting Central American families. Several of those targeted by the Department of Homeland Security were unaccompanied children and women who never had access to legal counsel. The department's increased enforcement and the immigration raids that swept through Georgia, North Carolina and Texas this year have triggered widespread fear within immigrant communities, creating a chilling effect that, among other things, has kept children away from schools. Several reports of Immigration and Customs Enforcement raids detaining students on their way to school have been particularly troubling.



The American Federation of Teachers is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

Unfortunately, many have been denied the opportunity to make their case before a judge with legal representation, hurting their chances of receiving asylum and possibly resulting in death by deportation. From January 2014 to October 2015, as many as 83 individuals deported to Central America have been killed.

The Fair Day in Court for Kids Act recognizes that more must be done to ensure Central American refugees are protected once they are in the United States. The legislation also requires the Department of Homeland Security to ensure immigrants at detention and border facilities have access to legal counsel and are provided legal orientation programs so that they understand their rights.

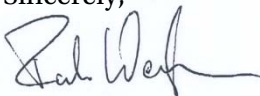
In an effort to improve accountability, this bill would require the department to report how many qualifying individuals actually receive counsel. These measures will help ensure that the credible claims of asylum seekers are heard and not ignored. Studies show that 9 out of 10 unaccompanied minors who navigate the system without an attorney are deported, while those who do have counsel are five times more likely to be granted protection. Barriers to legal counsel should not determine whether an individual, and especially a child, lives in peace or in fear for his or her life.

Central America is facing a serious humanitarian crisis that has forced thousands families and children to turn to our country and seek asylum. We must respond with empathy and in accordance with our American values. We cannot erode fundamental protections for asylum seekers, who are often victims of persecution and trafficking, and we cannot violate the principles of fairness and due process that are the foundations of the American legal system.

Congress must find a better way to address the humanitarian crisis at the U.S. southern border, and this legislation offers a constructive, positive solution. We commend Sen. Harry Reid (D-Nev.), Rep. Zoe Lofgren (D-Calif.) and Rep. Linda Sanchez (D-Calif.) for their strong leadership on this bill. Please join them by supporting this much-needed legislation and calling for its immediate passage. These children deserve no less.

Thank you for considering our views on this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Randi Weingarten". The signature is fluid and cursive, with a long horizontal stroke at the end.

Randi Weingarten
President

RW:emc opeiu#2 afl-cio