



COMMITTEE ON HOMELAND SECURITY

FOR IMMEDIATE RELEASE

Hearing Statement of Border Security, Facilitation, and Operations Subcommittee Chairwoman Kathleen Rice (D-NY)

Assessing the Adequacy of DHS Efforts to Prevent Child Deaths in Custody

January 14, 2020

Jakelin Caal Maquin. Seven years old. Felipe Gómez Alonzo. Eight years old. Darlyn Cristabel Cordova-Valle. Ten years old. Juan de León Gutiérrez. Sixteen years old. Wilmer Josué Ramírez Vásquez. Two years old. Carolos Hernandez Vásquez. Sixteen years old. These six children died in the custody of the United States' government in the past eighteen months. These children were migrants from Central America, who died of preventable conditions that went untreated. And three of these children spent the last hours of their lives in detention facilities on our southern border. We must never forget their names, their suffering, or the terrible losses their families had to endure. So, we are here this morning to examine the conditions that led to these avoidable tragedies.

We've seen a dramatic increase in the numbers of families and children arriving on the southern border over the past several years. Most of these families and children arrived from Central America, fleeing vicious cartels, gang violence, and extreme poverty. And after surviving long, dangerous journeys, these families should have been met with safe refuge. But instead, they encountered this Administration's myriad of inhumane border policies, like family separation, "zero tolerance" detention, and the Remain in Mexico policy. These policies and management decisions by the Administration have contributed to mass overcrowding and widespread inhumane conditions at Customs and Border Protection facilities across our southern border.

Numerous reports by the DHS Office of Inspector General and court observer attorneys confirm these intolerable conditions. I have seen the problems with these facilities with my own eyes, along with several of my Congressional colleagues on this panel today. Yet when pressed about these conditions, DHS has consistently failed to maintain transparency by stymying Congressional inquiries. This raises concerns that they are hiding serious issues with management, in addition to the leadership vacancies at the top of the Department. One example of this is the Department's decision to conceal information on the death of Carlos Hernandez Vásquez. Carlos was a teenage boy from Guatemala, who died tragically in U.S. custody on the morning of May 20, 2019. CBP issued a press release later that day calling the death a tragedy, and declaring that they consider the health, safety, and humane treatment of migrants to be of the highest priority.

However, despite information requests by this Committee, it was not until a ProPublica report was released seven months later that Congress and the public learned the truth about what happened to Carlos. That his death may have been caused by the failure to provide urgently-needed medical care and the failure to follow the most basic procedures – to simply check on a sick child. While I understand that this specific case is still under investigation, this lack of transparency by the Department is completely unacceptable. The Office of the Inspector General must be doing everything in its power to examine the factors that led to these tragedies. And that's why I am extremely disappointed that the current DHS Inspector General declined our invitation to testify this morning. Especially given the recent news that his office closed its investigations into the first two child deaths in Border Patrol custody. The publicly available summaries of these investigations are extraordinarily narrow in scope. They focus only on whether DHS personnel committed malfeasance and NOT whether the Department's policies and resources could properly protect the children in its care.

For instance, even with these two completed reports, we still do not know why Felipe Gómez Alonzo and his father were in CBP custody for six days before Felipe passed away. I, along with several other Members on this Committee, remain concerned that DHS still isn't doing enough to protect the children in its custody. Reporting over this past weekend indicates that CBP continues to detain families with young children in need of medical attention well beyond the 72 hours allowed by the agency's own protocols. This is a disturbing pattern that needs to be remedied immediately, or we risk losing more children to preventable deaths in the future. We must act urgently to ensure that the policies and decisions that contributed to these tragic deaths are addressed. I hope the witnesses here today are prepared to explain whether the Department's current approach incorporates the lessons learned after these tragedies, and how they intend to safeguard children in DHS custody going forward. As Members of Congress, we may disagree about immigration policy, but there should be no disagreement that the Federal government must take responsibility for the human beings in its custody, particularly young children. We must never forget Jakelin, Felipe, Darlyn, Juan, Wilmer, and Carlos. And we must never let this happen to another child again.

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