

October 5, 2021

ATTORNEY GENERAL KWAME RAOUL URGES FEDERAL GOVERNMENT TO PRESERVE STATE LICENSING PROTECTIONS FOR FACILITIES SERVING UNACCOMPANIED IMMIGRANT CHILDREN

Chicago — Attorney General Kwame Raoul, as part of a coalition of 18 attorneys general, today urged the U.S. Office of Refugee Resettlement (ORR) to preserve state licensing protections for facilities that serve unaccompanied immigrant children in any future rulemaking. In a letter submitted to the ORR, in response to the federal government's request for information, Raoul highlights the importance of retaining state licensing schemes that safeguard the health and safety of children, as well as immigrant communities.

"Federal facilities have repeatedly failed to maintain adequate levels of care for immigrant children," Raoul said. "I urge the ORR to preserve state licensing of such facilities to allow states to continue to provide quality care for vulnerable immigrant children and families."

[In the letter](#), Raoul and the coalition note that ensuring child welfare, including establishing and enforcing standards of care when licensing residential placements for children, is a police power vested in the states. States have a long history of enacting child welfare laws that guide the care and protection of minor children who cannot remain safely at home. These comprehensive standards and licensing procedures ensure that residential placements for children provide the care and services necessary to support children's healthy development in settings that further the best interests of the child.

Raoul and the coalition explain that states follow a policy of placing children in the least restrictive setting to meet their particular needs and have developed comprehensive standards to protect the personal rights, health, and safety of children in residential facilities. These protections can include the right to visit and contact siblings and family members, attend religious services, participate in extracurricular activities, go to school in the community, receive prompt, comprehensive medical care, and to be placed in out-of-home care in accordance with their gender identity.

Raoul and the coalition argue that the failure to respect the carefully crafted protections in state licensing requirements can unacceptably put the health and safety of children at risk, and the ORR's previous use of non-state licensed facilities to house unaccompanied children has raised serious concerns about the health and safety of children detained in those facilities.

Protecting immigrant children is important to states across the country. Every year, thousands of children are released from immigration custody and reunited with family members or placed with other adult sponsors who are residents of the coalition states. These children become members of their communities and neighborhoods. Nearly half of all children who will be released from immigration custody by the federal government this year are expected to be placed in the coalition states. In order to protect the welfare of these children, it is critical that the ORR work directly with the states to collaboratively care for unaccompanied immigrant children.

Joining Raoul in the letter are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Virginia and Washington.