

December 20, 2021

The Honorable Ron DeSantis
Governor of Florida
400 S. Monroe Street
Tallahassee, FL 32399

Governor DeSantis:

The 73 undersigned experts in child welfare and well-being write to you with alarm regarding your September 28 [Executive Order](#) and the state's subsequent December 10 [emergency rule](#) related to unaccompanied children who reside in group homes and with foster families in Florida. As organizations based in Florida and around the country, we urge you to safeguard the health, safety, and well-being of unaccompanied children by continuing to license shelters that care for them, regardless of whether or not the state has an agreement with the federal government.

We share your concern about the [particular vulnerability](#) of unaccompanied children, as do the American people. In a [poll](#) published in April, the majority of Americans agreed that the federal government's highest immigration priority should be to provide safe treatment for unaccompanied children at the border. The American people also [agree](#) that every policy should be governed by a "best interest of the child" standard.

Yet, your policy on unaccompanied children misapprehends who these children are and how they come to live in the state, and crudely asserts that unaccompanied children should bear higher risks of harm. Specifically, the Executive Order and the emergency rule:

- Undermines children's need for safe placements
- Disrupts their connection to family, and
- Disregards what American law distinctly codifies as the needs of unaccompanied children.

The Florida Chapter of the American Academy of Pediatrics, an association of more than 2,500 pediatricians, put it well when they [said](#) this policy "will harm children, not help them." We vigorously urge you to reconsider your position and withdraw the Executive Order and emergency rule for the following reasons:

- 1. Children need safe placements and basic services until they are reunited with family.**

State licensing standards and oversight are critical elements for child safety and proper care. [Licensing standards](#) exist to ensure the physical site, staffing levels, and services in group homes and foster families are safe for children. Licensing standards also provide benchmarks for the state to make sure that facilities are advancing children's well-being. By threatening to prohibit existing shelters from welcoming new unaccompanied children, and denying new licenses and license renewals for any facility or foster family that cares for unaccompanied children where the state does not have an agreement with the federal government, the Executive Order and emergency rule endanger the safety and well-being of unaccompanied children.

Unaccompanied children arrive at our border from all over the world without a parent or legal guardian, and have unique needs. Many have experienced [persecution, trafficking, and abuse in their home countries](#) and had no choice but to flee and find safety in the United States. These children generally have been separated from family, are not English-speaking, and are adjusting to a culture and environment different from that in which they grew up. Licensed, community-based placement and appropriate care ensures that unaccompanied children get the care [any child separated from their family needs](#) and care specific to their needs and experiences.

2. Families need community support to keep children safe and meet their needs.

Like all children, unaccompanied children are best cared for by family. The vast majority of unaccompanied children—between [85% and 90%](#)—will reunite with a close relative. More than 40% will reunite with a parent. Their caregiving families are located all over the country, including Florida — since 2015, [35,000](#) Florida families have reunited with unaccompanied children. By forcing Florida families to travel long distances on short notice — often taking unpaid leave from work without community services and support to rebuild family relationships, the Executive Order will put unnecessary strain on families.

The Executive Order and related regulations further burden families by requiring check-ins, appointments, and unwanted phone calls. While we share your desire to ensure children's well-being upon release from government custody, such unnecessary government interference will make families afraid to come forward and sponsor children's release, prolong children's time in custody and separation from family, and compound their trauma. The harder it is for families to reunite and access services, the worse the outcomes will be for the state, for families, and for children.

3. Our laws reflect what unaccompanied children and their families need.

Lawmakers developed the current system of care for unaccompanied children, which is separate and distinct from the domestic child welfare system, in response to national outrage over the previously unsafe and inhumane conditions inflicted on immigrant children: Jail-like settings that left children with unrelated adults for indefinite periods, without educational or recreational services.

Today, laws such as the bipartisan Trafficking Victims Protection Reauthorization Act (unanimously approved by Congress and signed by President George W. Bush), the 2002 Homeland Security Act, and the Flores Settlement Agreement have set the standard of care for unaccompanied children. Since the 1990s, state-licensed providers with demonstrated expertise in the needs of unaccompanied children and family reunification have provided care to these children. While imperfect, this system of care reflects a shared set of national values: That all children should have what they need to grow and thrive.

For all the reasons given above, we urge you to withdraw the Executive Order and the emergency rule and direct that Florida continue to license facilities for unaccompanied children and implement policies that advance their safety, health, and well-being. Thank you for your consideration, and we look forward to working with you for the best interests of all of Florida's children.

Signed,

Florida Organizations

ACLU of Florida
Advanced Health Family Practice
Alcee L. Hastings Broward Black-Jewish Alliance
Americans for Immigrant Justice
CHILDREN AT RISK
Farmworker Association of Florida
Farmworker's Self-Help
FCAAP Immigrant Health Task Force
FLIC
Florida Asian Services
Florida Association of School Nurses
Florida Center for Fiscal and Economic Policy
Florida Chapter of the American Academy of Pediatrics
Florida Gulf Coast Chapter - National Association of Pediatric Nurse Practitioners
Florida Immigrant Coalition
Florida People's Advocacy Center
Florida Policy Institute
Florida PTA
Florida Rising
His House Children's Home
Hispanic Services Council
Hispanic Unity of Florida, Inc.
Hope CommUnity Center
Iglesia De Dios Pentecostal MI
Iglesia Rescate
LULAC Council 7258
Mujeres Latinas Impulsando Mujeres
National Council of Jewish Women Palm Beach Section
National Council of Jewish Women Sarasota Manatee
NCJW- Miami Section
North Florida Educational & Development Organization
Orlando Health- Arnold Palmer Hospital
Pasco County Schools

Peacemaker Family Center
RCMA
Rescate Retreat Center
Sant La Haitian Neighborhood Center
South Florida LCLAA
Westchester Jewish Coalition for Immigration

National Organizations

Alianza Nacional de Campesinas
American Academy of Pediatrics
Association of Children's Residential & Community Services (ACRC)
Bethany Christian Services
Center for Law and Social Policy (CLASP)
Children's Rights
Church World Service
Congregation of Our Lady of Charity of the Good Shepherd, U.S Provinces
Disciples Refugee & Immigration Ministries
First Focus on Children
Immigrant Legal Resource Center
Immigration Hub
Interfaith Alliance for Immigrant Justice
International Rescue Committee
IRUSA
Justice in Motion
Kids in Need of Defense (KIND)
LULAC
Lutheran Immigration and Refugee Service
National Advocacy Center of the Sisters of the Good Shepherd
National Association of Counsel for Children
National Association of Pediatric Nurse Practitioners
National Center for Youth Law
National Haitian American Elected Officials Network
National Immigrant Justice Center
National Youth Advocate Program, Inc.
Salvadoran American National Network (SANN)
Save the Children
Southern Poverty Law Center
The Humanity Project
UndocuBlack Network
VECINA
Witness at the Border
Young Center for Immigrant Children's Rights