



NEW YORK STATE SENATOR

Brian Benjamin

State Senator Brian A. Benjamin Introduces Legislative Response to Family Separation with Assemblymember Harvey Epstein

BRIAN BENJAMIN July 25, 2018

| ISSUE: **IMMIGRATION, FAMILY SEPARATION, IMMIGRANT RIGHTS**

(New York, NY) - To address the crisis of forcibly separated children at the border, New York State Senator Brian A. Benjamin today announced legislation to increase accountability of the federal government's detention of children being held in facilities in New York state. Next week, August 4, 5, & 6, the faith community across the state will be lifting up the moral argument of this legislation to ensure that the New York State Legislature acts quickly to pass it.

"The Trump administration's response to the humanitarian crisis they have caused at the border and at child detention center across the nation has been wildly inadequate. After being forcibly separated from their families, many young children have been brought to our state, and, despite a court order to return these children to their parents, there is no public or transparent record of the number of such children separated from their parents, their status, or ever whether or not they have been returned," **said State Senator Brian A. Benjamin.** "Along with Assemblymember Harvey Epstein, I have introduced legislation to address this by forcing such entities to report to the state such information. These families belong together and we will continue to stand up and speak out until this becomes a reality."

"The lack of transparency and public information around how many kids Trump's nightmarish immigration policies have stripped away from their families and displaced to agencies across our state is truly appalling," said **Assembly Member Harvey Epstein**. "We refuse to be kept in the dark by this morally bankrupt presidential administration: with this legislation we are clawing back the information we need to understand the scale of this crisis and hold agencies accountable so we can focus the necessary resources to reunite families."



This bill adds new subsection 9 of the Social Services Law §372 that requires reporting every fifteen days of the following data by a child welfare agency with custody of immigrant minors separated from alien parents to the Commissioner of Children and Family Services:

- The number of unaccompanied alien minors newly accepted into the authorized agency's care within the previous thirty days under a contract, grant, or other agreement with the

federal government,

- the number of unaccompanied alien minors released from the authorized agency's care within the previous thirty days under a contract, grant, or other agreement with the federal government,
- the number of unaccompanied alien minors currently under the authorized agency's care under a contract, grant, or other agreement with the federal government at the time of the report,
- the median and mean number of days unaccompanied alien minors have spent in the care of the authorized agency under a contract, grant, or other agreement with the federal government,
- the number of unaccompanied alien minors in the authorized agency's care who were forcibly removed from the custody of their parents,
- the number of unaccompanied alien minors previously forcibly removed from the custody of their parents and placed in the authorized agency's care that have been restored to the custody of their parents,
- the number of unaccompanied alien minors in the authorized agency's care whose primary language is not English, including the number of minors speaking each language and the primary language spoken by such children; and
- any other information the commissioner deems necessary

Failure to report this information completely and accurately will be punishable as filing a false instrument under the Penal Law. The Commissioner of the Office of Family and Children's Services may revoke the license of any authorized agency for failure to provide information as described her. The data collected by the Commissioner of the Office of Family

and Children’s Services shall be made public in real-time and to government officials upon request.

“The faith community must bring light to the Trump administration’s efforts to keep separated children in the shadows,” said **Ravi Ragbir, Executive Director at New Sanctuary Coalition**. “We applaud the efforts of State Senator Brian Benjamin and Assemblymember Harvey Epstein to introduce this bill that will create an important step in advancing accountability and transparency for our children.”



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