

The role of medicine in family detention

Scott A. Allen, MD, FACP

Sara H. Goza, MD, FAAP

Patrice A. Harris, MD, MA



Disclosure

Dr. Allen is a paid *subject matter expert* for the **Department of Homeland Security** for the *Office of Civil Rights and Civil Liberties* (CRCL)

The opinions expressed today **do not** represent the position of the department or the U.S government.

Medicine *as a* profession

- Knowledge & Skills *plus* an **ethical code**
- Civic Engagement
- Dignity
- Autonomy
- Justice (particularly in health)

AMA Principles of Medical Ethics

- I. A physician shall be dedicated to providing competent medical care, **with compassion and respect for human dignity and rights.**
- III. A physician shall respect the law and also recognize a responsibility to **seek changes in those requirements which are contrary to the best interests of the patient.**
- VII. A physician shall recognize a responsibility to participate in activities contributing to the improvement of the community and the **betterment of public health.**
- VIII. A physician shall, while caring for a patient, regard **responsibility to the patient as paramount.**
- IX. A physician shall support **access** to medical care for all people.



Fundamental Flaw



- Institutional detention of innocent children and exposure to **toxic stress**
- Risk of harm is exacerbated by **indefinite** nature of detention



DILLEY, TX, UNITED STATES 04.29.2015 Photo by Charles Reed



Practical Issues

- Remote location of facilities
- Lack of pediatric expertise
- Poor coordination among agencies



DILLEY, TX, 08.9.18 Photo by Charles Reed

Documented harms

- Infant at Artesia – unrecognized severe dehydration
- Finger injuries at Karnes from prison doors
- Peri-natal injury diagnosis missed at Karnes
- Punitive confinement in medical isolation of toddlers for hitting other children at Dilley

The New York Times

July 18, 2018

Whistle-Blowers Say Detaining Migrant Families 'Poses High Risk of Harm'



Children line up in the cafeteria of a temporary home for women and children detained at the Texas border in 2014. Two physicians who studied such facilities told the government that children can suffer adverse health impacts even when confined with a parent. *Eric Gay/Associated Press*

By Miriam Jordan

July 18, 2018



| What is a Whistleblower?

Whistleblowers are those who witness wrongdoing in the workplace and decide to speak up rather than stay silent to expose serious violations of public trust.

Legally, a common definition of a whistleblower is someone, typically an employee, who discloses information, either internally (to managers, organizational hotlines, etc.) or externally (to lawmakers, regulators, the media, watchdog organizations, etc.), that he or she reasonably believes evidences:

- a violation of law, rule or regulation;
- gross mismanagement;
- a gross waste of funds;
- abuse of authority; or
- a substantial and specific danger to public health or safety.



This definition captures two key points about whistleblowers. First, whistleblowers typically are current or former employees with direct, credible information about wrongdoing that they became aware of while on the job. Second, the concerns are serious and their disclosure promotes legal compliance or protects the public interest.



DILLEY, TX 04.29.2015 Photo Charles Reed





Now what?



Caring for Immigrant Children and Families

American Academy of Pediatrics
DEDICATED TO THE HEALTH OF ALL CHILDREN®





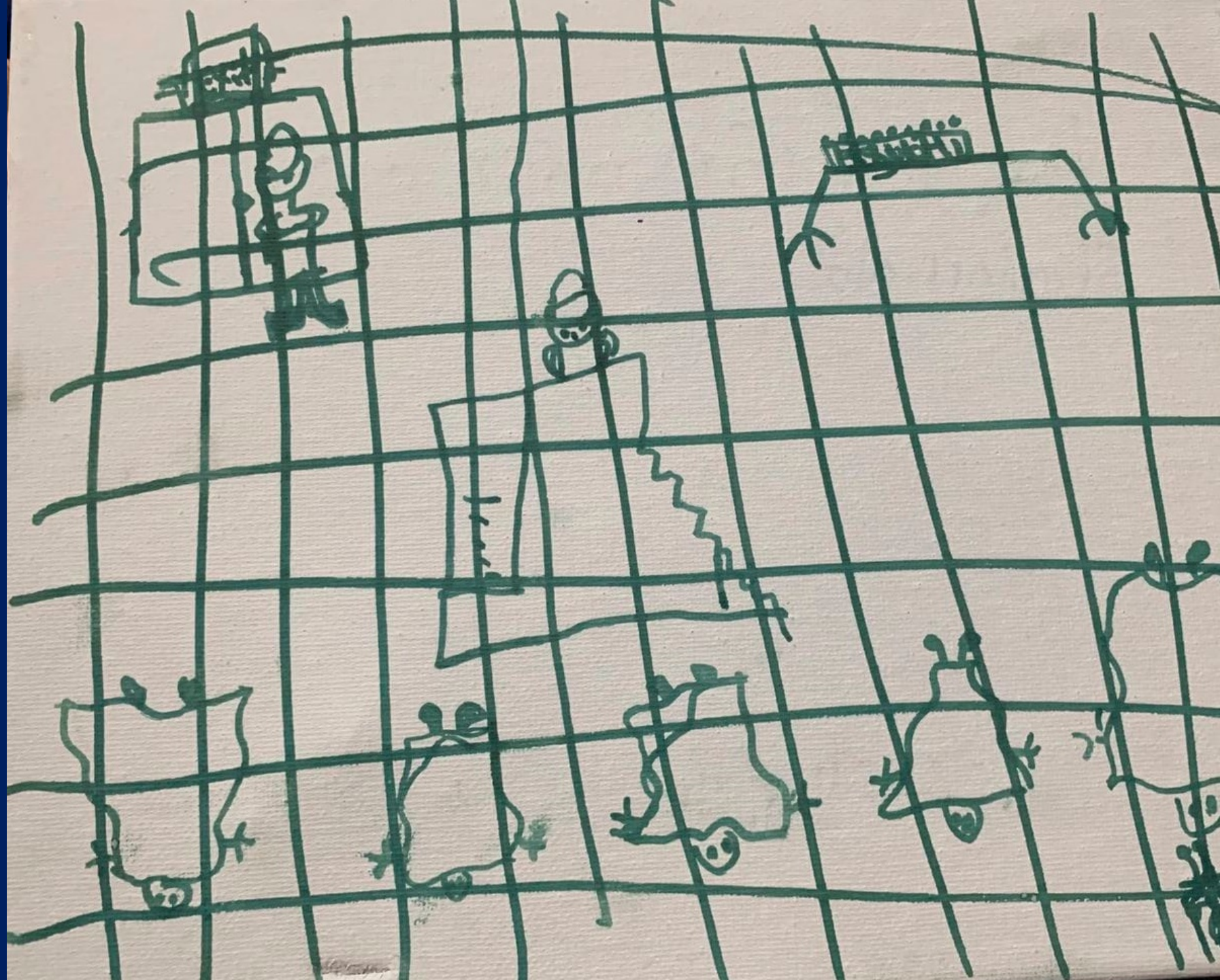








Figure 3. Overcrowding of families observed by OIG on June 11, 2019, at Border Patrol's Weslaco, TX, Station. *Source: OIG*









Southwest Key Programs
Casa Padre



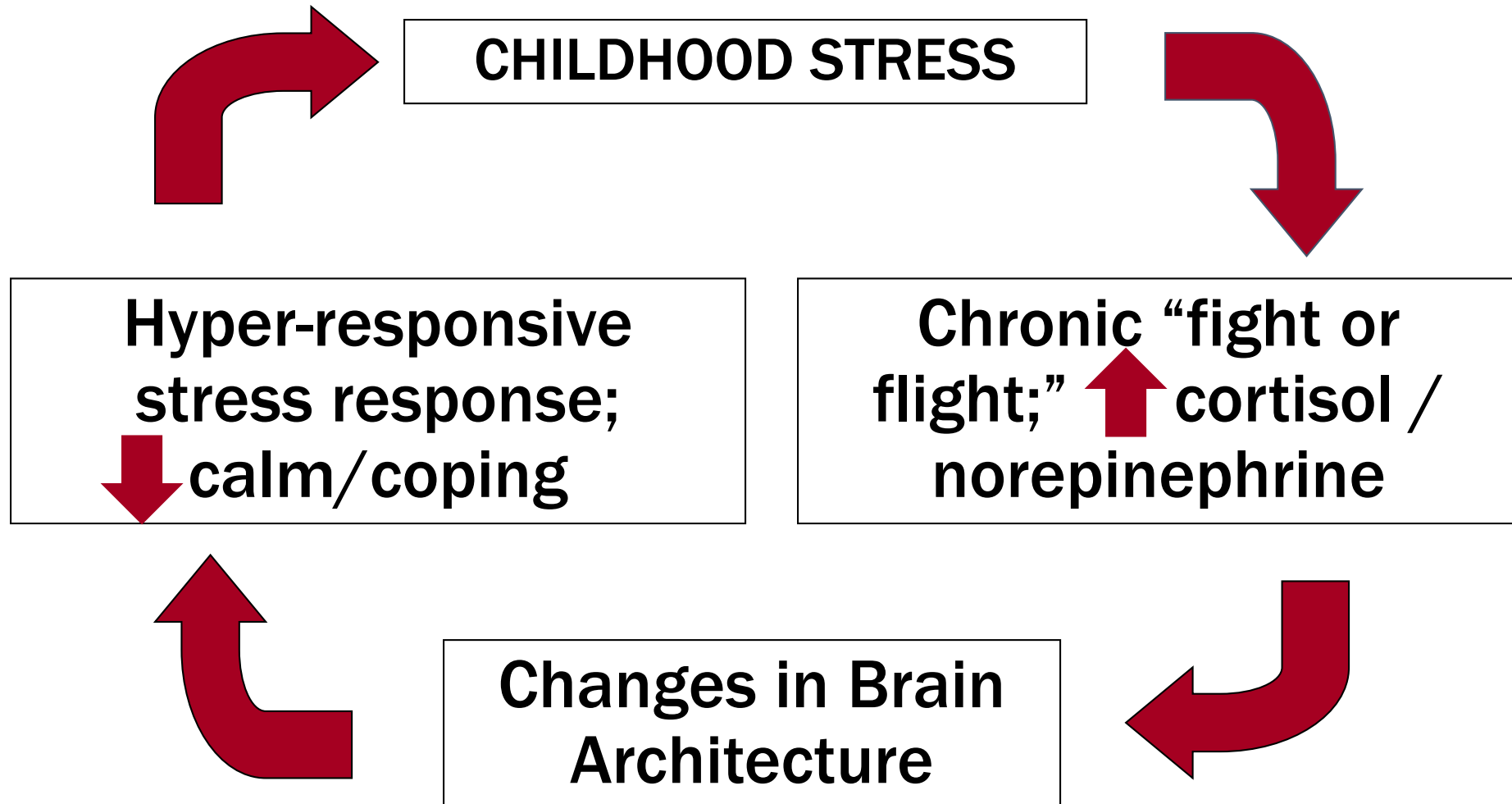
Early Experiences Are Crucial



- By age 3, 80% of synaptic connections are already made
- By the second decade of life growth levels off and pruning begins
- Increased experiences define the wiring of an infant's brain



Impact of Early Stress



OPINION

WE VISITED THE SOUTHERN BORDER. THE CHILDREN WE SAW THERE NEED ACCESS TO PEDIATRICIANS. NOW | OPINION

SALLY GOZA AND KIM SCHRIER

ON 8/2/19 AT 1:03 PM EDT



"NO PLACE FOR ANY CHILD"
TOP PEDIATRICIAN DESCRIBES "HEARTBREAKING" DETENTION





They're ALL our Children

American Academy of Pediatrics

DEDICATED TO THE HEALTH OF ALL CHILDREN®





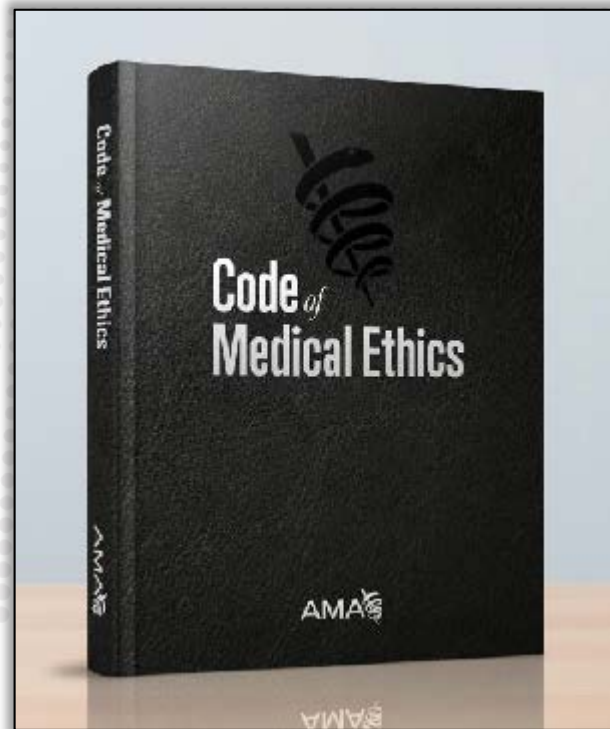
MEMBERSHIP
MOVES
MEDICINE™

Family Detention in U.S. Immigration: The Interface of Medical Ethics and Advocacy

Patrice A. Harris, MD, MA
President
American Medical Association
November 2019

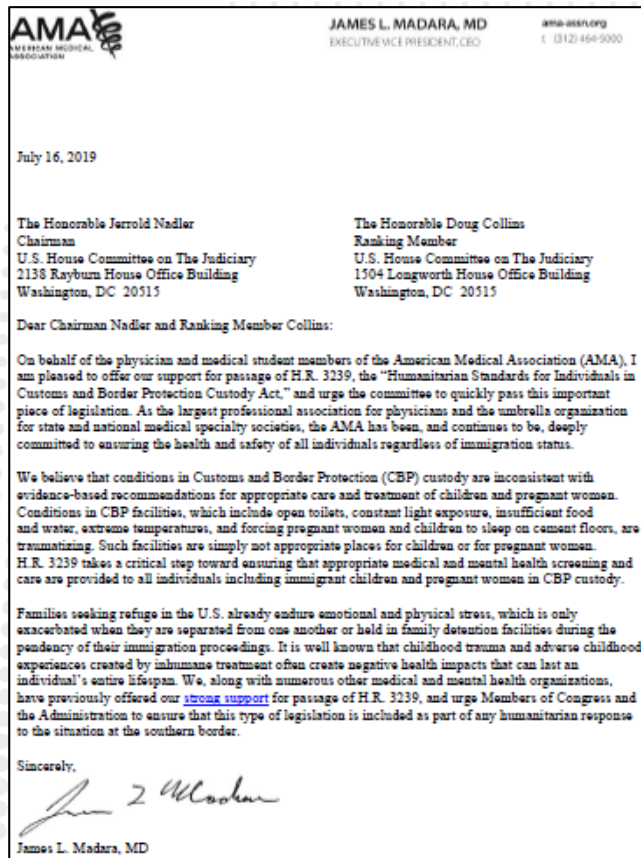
Health care is a basic human right

- A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.
- A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.
- A physician shall support access to medical care for all people.



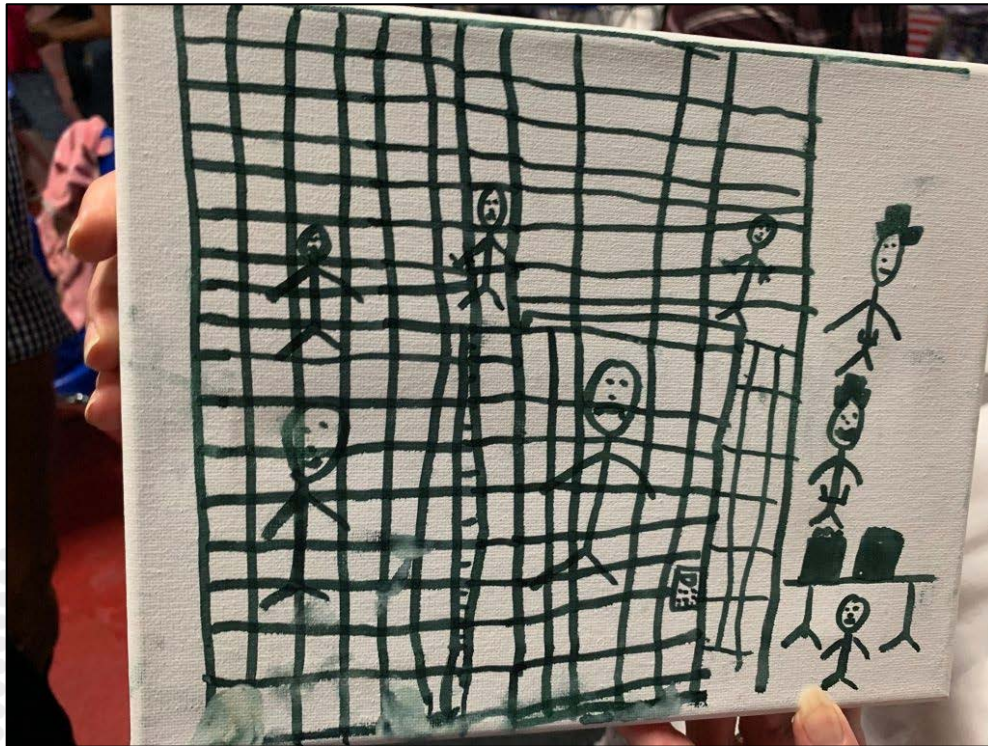
Areas of AMA advocacy

- Health and safety at the southern border
- Asylum-seekers and vaccines
- Mental health of children in DHS custody
- Family detention policies
- Deferred action for critically ill children
- Inadmissibility on public charge grounds



The lasting impact of childhood trauma

This drawing was completed by a child held at an immigration detention center.



Source: Georgia Health News

