

# Assembly Bill 163

## Detention Facilities: Undocumented Children Assemblymember Cristina Garcia (D – 58)

### CURRENT LAW

Recent immigration enforcement policies have highlighted the need for adequate resources in detention facilities for undocumented minors who have been separated from their families, as well those undocumented minors that arrive in the United States, unaccompanied. In light of the incidents where children have died or been abused while under the care ICE or U.S. Customs and Border Protection, it's apparent our current systems are not designed to safely detain children.

All of these children endure traumatic experiences over the course of their journey. They are vulnerable, they need to be protected and their legal rights, ensured. However, because they are minors, California has unique avenue to ensure these kids get the resources they need- through licensing. Current law already provides for the licensure and regulation of the facilities housing undocumented minors, through the California Community Care Facilities Act.

Nationally, 4,000 children are being held in detention centers, while an additional 6,000 or more child have fallen through the cracks. This legislation will assert already existing authority of operational oversight and mandates to ensure these kids' mental, emotional and physical health and safety.

### THIS BILL

AB 163 is a reintroduction of language amended into AB 1663 (Garcia) in 2018, that leverages existing state licensing authority to:

1. Report the number and length of placement of undocumented minors placed in detention facilities.
2. Provide those placed in detention facilities access to legal services.
3. Provide mental health assessments and services to detained undocumented minors.
4. Requires facilities to be inspected quarterly to ensure standards.

We can't undo the trauma these children have already endured but together we can work within our current regulatory system to make sure these children have access to resources they need and deserve.

### STATUS

January 24 – referred to Assembly Human Services Committee

### CONTACT

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