



News for Immediate Release

Dec. 11, 2019

Auditor General DePasquale Urges Federal Government to Stop Using Berks County Facility to Hold Immigrating, Asylum-Seeking Families

HARRISBURG – Auditor General Eugene DePasquale today called on the federal government to stop holding immigrating and asylum-seeking families at the Berks County Residential Center in Leesport.

The county-owned, 96-bed facility is leased by U.S. Immigration and Customs Enforcement (ICE). It's one of only three such facilities in the United States and the only one owned by a government entity.

"If the federal government will not withdraw from its lease, I am urging Berks County to reconsider whether it wants to profit from the practice of detaining families who have not broken any laws," DePasquale said in releasing a new report on the center.

"The center costs U.S. taxpayers nearly \$12 million a year to incarcerate people who are not facing criminal charges. Most are, in fact, taking the legally defined steps for asylum because of dangerous conditions in their home countries," DePasquale noted. "Why these families are forced to stay in this facility while other families in identical legal situations are free to reside in the community is puzzling."

Some former detainees have expressed concerns about conditions inside the facility where families are held while they await the outcome of administrative immigration proceedings.

"While my team's request to tour the facility was denied, reports on the conditions inside the center vary widely," DePasquale said. "Although no one being held there has been charged with a crime, the center still essentially functions as a jail in which adults and children are housed together."

The state Department of Human Services (DHS), which revoked the center's license as a child residential facility in 2016, continues to perform monthly inspections. DHS has found no violations of state regulations since June 2018. The status of the center's license is now pending before the DHS Bureau of Hearings and Appeals after several years of litigation.

"The state should continue to inspect the facility so there is some independent verification of the actual conditions inside and ensure the safety of the children being detained," DePasquale said.

DePasquale's report notes that no one knows how ICE determines which families are detained and which are released into communities with oversight and support. Research has also shown that 96 percent of asylum-seeking families who are placed into the community with supports attend their immigration hearings.

DePasquale also said the center appears to be routinely violating the Flores Agreement, a 1997 federal legal settlement that says immigrant children may not be detained for more than 20 days. In 2016, the U.S. Office of the Inspector General found that most families being held in the Berks center had been there for more than six months.

"It's essential to remember the people being held in the center are not criminals," DePasquale said.

"Families seeking to enter the country through legal means should not be imprisoned while they await the outcome of their immigration hearings."

Review the [Berks County Residential Center report](#) and learn more about the Department of the Auditor General online at www.PaAuditor.gov.

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