

**Family Detention Under the Second Trump Administration**

The second Trump administration has moved quickly to restore and expand family detention, [reopening](https://www.npr.org/2025/03/07/g-s1-52674/trump-detention-families) two family detention centers that had remained shuttered since 2021. This rapid operationalization, which was initiated in the first weeks of the new administration, forbodes a fundamental shift toward indefinite family detention, supported by the administration’s efforts to undermine [the Flores Settlement](https://humanrightsfirst.org/library/the-flores-settlement-and-family-incarceration-a-brief-history-and-next-steps/) agreement that has governed the treatment of immigrant children since 1997. The U.S. Department of Justice (DOJ) is seeking to [terminate](https://www.cbsnews.com/news/trump-administration-seeks-to-end-flores-agreement/) the agreement entirely, arguing that it constitutes an outdated constraint on immigration enforcement. Already, concerning [reports](https://apnews.com/article/migrants-child-supervision-texas-e4994b2b6786717ea79a4be230e476bf) have emerged about [detention conditions](https://immigrationforum.org/article/explainer-u-s-immigration-detention-and-custody-standards/) in the newly-reopened family detention facilities, a situation that would only worsen in if the Flores agreement is ended. The expansion of family detention threatens to impact an increasing number of vulnerable families, including children.

**Which family detention facilities are currently operating in the U.S.?**

As of June 2025, there are two family detention centers in operation managed through contracts between Immigration and Customs Enforcement (ICE) and private prison operators.[[1]](#footnote-1) The [South Texas Family Residential Center](https://www.texastribune.org/2025/03/06/texas-dilley-immigration-detention-center-families-reopen/) (STFRC) in Dilley, Texas, operates as the largest facility with 2,400 beds and is managed by CoreCivic. The [Karnes County Immigration Processing Center](https://www.geogroup.com/facilities/karnes-county-detention-facility/) (Karnes) in Karnes County, Texas, has 830 beds and is operated by GEO Group. Both facilities maintain the fundamental character of detention centers despite efforts to create “campus-like” appearances, with security measures and movement restrictions that underscore their purpose as places of confinement.

The STFRC in Dilley spans a more than fifty-acre area where officials use golf carts to navigate between five housing neighborhoods composed of modular housing units, sometimes described as “[cottages](https://www.cbsnews.com/news/south-texas-immigration-detention-center-set-to-open/).” The facility sits in a rural area surrounded by minimal infrastructure. The site contains 80 small, tan-colored, two-bedroom, one-bathroom cottages arranged in distinct neighborhoods connected by dirt roads. Each cottage accommodates up to eight people with bunk beds and baby cribs, although cooking is prohibited to prevent fires. The campus has recreational facilities including soccer fields, basketball courts, and classrooms, but, as a detention facility, it is surrounded by tall fencing with constant guard surveillance and residents face strict rules governing daily movement and behavior.

In contrast, Karnes, located approximately 60 miles southeast of San Antonio, features a more compact [design](https://www.npr.org/2012/03/14/148538183/ice-opens-immigrant-detention-center-in-rural-texas) with interconnected buildings surrounding courtyards on a 29-acre property. The facility, constructed largely of concrete blocks, houses families in rooms with bunk beds, private bathrooms, individual televisions, and microwaves. While the facility includes recreational areas such as an indoor gymnasium and artificial turf soccer field, the interconnected building design creates a [barrack-like](https://www.theatlantic.com/national/archive/2016/05/immigration-childcare/481509/) environment.

**What standards must these family detention facilities adhere to?**

A complex set of [standards](https://immigrationforum.org/article/explainer-u-s-immigration-detention-and-custody-standards/) apply to all immigration detention and custody facilities in the U.S. Through their contracts with ICE, family detention centers are required to follow the revised [2020 Family Residential Standards](https://www.ice.gov/doclib/frs/2020/2020family-residential-standards.pdf) (FRS), which were promulgated by ICE during the first Trump administration. The FRS establish specialized guidance for safety, security, order, care, activities, justice, administration, and management of immigration detention facilities holding immigrant children and their parents. Under the FRS, family detention facilities must provide structured daily programming and serve three meals per day, along with access to snacks at all hours. Daily programming is required to include recreational activities such as art, music, and physical exercise to help detainees manage. Family detention facilities are also required to provide educational services to children in custody, and they must have classrooms where teachers hold daily classes for children.

Each ICE field office has a [Field Office Juvenile Coordinator](https://www.ice.gov/doclib/foia/policy/handbooikFOJC_Nov2021.pdf) (FOJC) serving as a subject-matter expert on children and families, and each family detention facility is required to maintain an additional on-site compliance officer to identify and resolve issues. Monthly inspections and annual extended reviews are conducted by ICE’s Juvenile and Family Residential Management Unit (JFRMU), which contracts inspectors to check compliance with FRS standards, but these inspection results are not routinely made public. The oversight of these facilities is currently mandated by [the Flores settlement](https://humanrightsfirst.org/library/the-flores-settlement-and-family-incarceration-a-brief-history-and-next-steps/) and visits conducted by [counsel](https://medium.com/ncyl-news/the-flores-settlement-why-its-important-and-what-the-gov-t-is-required-to-do-before-ending-it-b886021131d7) help ensure compliance with standards and overall transparency.

Despite the comprehensive framework established by the FRS, significant gaps seemingly exist between the mandated standards and their actual implementation in family detention facilities. Court filings [seeking](https://www.centerforhumanrights.org/post/trump-administration-moves-to-end-settlement-that-protects-immigrant-children-flores-counsel-vow-to) enforcement of the Flores settlement have repeatedly exposed potential non-compliance with the FRS across multiple facilities, with decades of litigation documenting systematic failures to meet basic standards for the care of detained children and families. Most recently, court [filings](https://www.texastribune.org/2025/06/21/texas-family-detention-adults-kids-fighting/) by Flores counsel in June 2025 have brought to light alarming substandard conditions in currently operating family detention centers. [Testimony](https://www.childrensrights.org/wp-content/uploads/2025/06/Declarations-of-Children-and-Their-Families-in-Support-of-Motion-to-Enforce.pdf) from these filings describe adults fighting children for access to clean water, inadequate medical care, and overcrowded housing conditions. These documented deficiencies underscore the persistent challenges in ensuring that the well-outlined standards translate into actual protection and care for some of the most vulnerable individuals in the immigration system.

**How have prior presidential administrations approached family detention?**

Although the practice of detaining families together began under the George W. Bush administration, resulting in the initial implementation of the FRS in 2007, it was the Obama administration that dramatically expanded family detention during the 2013-14 [influx](https://obamawhitehouse.archives.gov/the-press-office/2014/08/01/obama-administration-s-government-wide-response-influx-central-american-) of Central American families. In response to this unprecedented influx of parents traveling to the U.S. border with their children to seek asylum, the Obama administration rapidly [increased](https://www.washingtonpost.com/national/migrant-families-border/2021/03/28/355c59a2-8d70-11eb-aff6-4f720ca2d479_story.html) family detention capacity from 90 to 3,700 beds, opening the STFRC and converting Karnes to a facility that would specifically accommodate families.

The Obama administration’s expansion of family detention had at first operated without Flores-imposed constraints impacting children, including limiting detention of children to twenty days and requiring facilities to meet Flores’ specified child welfare requirements. In a pivotal decision in June 2015, U.S. District Court Judge Dolly Gee [held](https://www.americanimmigrationcouncil.org/press-release/court-orders-prompt-release-immigrant-children-family-detention/) that the maximum time of detention permitted under [the Flores Settlement](https://humanrightsfirst.org/library/the-flores-settlement-and-family-incarceration-a-brief-history-and-next-steps/) extended to children held in detention with their families, not only unaccompanied children. Thus, despite establishing the foundational framework for the “family residential center” (FRC) model that DHS continues to use today, this period was marked by widespread [criticism](https://cmsny.org/publications/jmhs-weeping-playtime-others/) from immigration advocates as the practice expanded.

Subsequently, the first Trump administration sought to significantly relax protections for children in detention. Most notably, the administration implemented the controversial "zero tolerance" [family separation policy](https://immigrationforum.org/article/factsheet-family-separation-at-the-u-s-mexico-border/) in April 2018, which resulted in the separation of nearly 2,000 minors from their families during a six-week period. When public outcry forced an end to family separations through executive order in June 2018, the administration shifted its focus back to family detention. However, faced with the Flores constraints, it attempted to terminate Flores by issuing [proposed regulations](https://immigrationforum.org/article/summary-of-proposed-regulations-regarding-children-and-immigration-detention/) that would have allowed indefinite family detention with lowered standards of care for children. These efforts were [blocked](https://youthlaw.org/news/ninth-circuit-hears-oral-argument-regarding-flores-settlement-agreement) in the federal courts.

The Biden administration [halted](https://www.wsj.com/politics/policy/biden-to-close-dilley-detention-center-shift-resources-amid-border-crack-down-2b2cfcb5) the practice of family detention in 2021, transitioning all facilities away from long-term family detention. The administration first [shuttered](https://norrismclaughlin.com/ib/detention/pennsylvanian-immigration-detention-center-shuts-down-raising-questions/) a family detention facility in Pennsylvania that had been in operation since 2001, converting it to an adult-only facility, before [repurposing](https://www.texastribune.org/2021/03/04/texas-detention-centers/) both the STFRC and the Karnes facility as short-term processing centers designed to hold families for less than three days. By December 2021, DHS's total family detention population [reached zero](https://www.axios.com/2021/12/16/biden-ends-migrant-family-detention-border-immigration) for the first time in 20 years, with the department [eliminating](https://www.dhs.gov/sites/default/files/2022-03/22-%201835%20-%20FY%202023%20Budget%20in%20Brief%20FINAL%20with%20Cover_Remediated.pdf) the budget for family detention entirely by FY 2023 and [closing](https://www.ice.gov/news/releases/ice-announces-ongoing-work-optimize-enforcement-resources) the STFRC in 2024. This approach emphasized [alternatives to detention](https://immigrationforum.org/article/fact-sheet-electronic-monitoring-devices-as-alternatives-to-detention/) (ATDs) including case management programs, electronic monitoring, and community-based support services, which have proven to be successful as cost-effective, humane methods of ensuring compliance with immigration proceedings.

**What changes have occurred under the second Trump administration?**

Upon returning to office in 2025, the second Trump administration promptly revived family detention, [reopening](https://www.npr.org/2025/03/07/g-s1-52674/trump-detention-families) both the facility in Karnes and the STFRC to detain families while simultaneously launching a renewed legal assault on the Flores Settlement agreement. On April 12, 2025, DOJ [filed](https://www.cbsnews.com/news/trump-administration-seeks-to-end-flores-agreement/) a motion to terminate the Flores agreement entirely, arguing that updated FRS meet child welfare requirements and therefore justify prolonged confinement without current legal constraints. A group of immigration lawyers [filed](https://san.com/cc/attorneys-file-lawsuit-to-preserve-migrant-childrens-rights-in-detention/) a lawsuit on June 20 to block this action, citing interviews with detainees at the STFRC and Karnes facilities that exposed problematic conditions at both facilities, including inadequate access to water and medical treatment.

On July 4, President Trump [signed](https://www.reuters.com/legal/government/trump-sign-major-tax-cut-spending-bill-into-law-friday-2025-07-04/) a [massive tax and immigration](https://immigrationforum.org/article/one-big-beautiful-bill-act-immigration-provisions/) legislative package that appropriates funds for the expansion of family detention. The bill provides $45 billion in funding for expanded immigration detention capacity over four years, including for family detention, which is framed as “promoting family unity.” It also includes additional language that experts argue [violate](https://www.latimes.com/politics/story/2025-07-01/how-trumps-big-budget-bill-would-jumpstart-his-immigration-agenda) Flores protections by allowing families to be detained indefinitely, pending a removal decision, making future litigation a [strong possibility](https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/05/Rapid-Analysis-Senate-House-Reconciliation-Bills-072025.pdf).

**Why are advocates concerned about the expansion of family detention under the second Trump administration?**

Advocates have expressed concern that the return of large-scale family detention is [likely to harm](https://www.aila.org/library/aila-trump-administration-restarts-family-detention-guaranteeing-harm-and-trauma-to-children-and-parents) impacted parents and children. Observers have long [contended](https://childrenthriveaction.org/2025/03/advocates-condemn-revival-of-family-detention-as-a-direct-attack-on-childrens-safety-and-well-being/) that family detention “harms children's health and well-being, undermines the parent-child relationship, obstructs children and families from accessing legal counsel, and runs contrary to basic principles regarding the protection of children.” In 2016, DHS Advisory Committee on Family Residential Centers issued its own 159-page [report](https://www.ice.gov/sites/default/files/documents/Report/2016/ACFRC-sc-16093.pdf) that strongly criticized the practice of family detention, highlighting its harmful effects on children’s mental and physical well-being. In 2023, the Forum warned that the practice “is not in line with American values.”

Advocates continue to worry that a system of deportation reliant upon family detention facilities will struggle to balance aggressive immigration enforcement objectives with basic standards of care for children and families. Some point to the availability of effective [alternatives to family detention](https://immigrationforum.org/article/infographic-alternatives-to-detention/), such as the [Family Case Management Program](https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-22-Nov17.pdf) (FCMP) which, in the past, achieved a 99 percent compliance rate with immigration proceedings at a significantly lower taxpayer cost. In an April 2025 letter, Democratic congressional representatives [argued](https://jayapal.house.gov/2025/04/11/jayapal-thompson-raskin-escobar-call-on-trump-to-end-the-detention-of-immigrant-families/) that “multiple administrations have tried to use family detention, only to find it does nothing to [prevent](https://www.americanprogress.org/article/family-separation-detention-deter-immigration/) families from seeking safety here and instead serves only to traumatize new generations of children”.

Given ongoing litigation and legislative developments, the system of family detention in the U.S. will undergo further transformation and likely expansion. But, given this history, the second Trump administration's expansion of family detention is also likely to inflict harms on vulnerable children and families, especially if longstanding oversight and constraints under the Flores Settlement agreement are curtailed.

1. Migrant families with young children are also temporarily held in U.S. Customs and Border Protection (CBP) facilities near the border. Per the Flores Settlement, CBP is not allowed to detain children for more than 72 hours, but recent court filings [suggest](https://www.cnn.com/2025/06/17/politics/migrant-families-children-detention) that many children and families have been held in CBP-run facilities in excess of this requirement since January 2025. [↑](#footnote-ref-1)