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ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

E. Scott Lloyd
Director, Office of Refugee Resettlement
U.S. Department of Health & Human Services
330 C Street, S.W.
Washington, D.C. 20201
ORRDirector@acf.hhs.gov

Dear Mr. Lloyd:

I am outraged to learn that the Office of Refugee Resettlement (“ORR”), and you personally, are attempting to interfere with the constitutional rights and medical care of unaccompanied minors in ORR’s custody. Unaccompanied minors who arrive in the United States often are fleeing threats to their life and safety in their countries of origin. Some of them may be victims of sexual assault or abuse, or have significant medical issues. They are legally entitled to access to adequate medical care, including abortion services, while in U.S. custody. Yet, according to filings and supporting exhibits submitted in the matter of *Garza v. Hargan*, 17-cv-2122 (TSC) (D.D.C.), *appeal filed*, you have adopted a policy that subjects these children to attendance at anti-abortion “crisis pregnancy” centers, and that prevents them from accessing abortion services, even at their own expense.

Even more troubling, it appears you have gone so far as to intervene personally in these children’s health care decisions, contacting them directly in an effort to intimidate them into unwillingly carrying their pregnancies to term. Unaccompanied pregnant minors escaping difficult circumstances in their home countries require medical care from trained doctors and clinicians; you have no qualifications and, as Director of a \$2 billion agency with thousands of staff throughout the nation, no appropriate role in these individual medical decisions.

This conduct is unconstitutional, *see, e.g., Whole Woman’s Health v. Hellerstedt*, 136 S. Ct. 2292 (2016), it is inhumane, and it is abhorrent. It is inconsistent with prior practice of your agency, and as I understand it, with the practices of other federal agencies responsible for detention.¹ In addition, it appears from filings in the case that the plaintiff in *Garza* is not the only child who has been subjected to your institutional and personal assault on her rights, and that these illegal practices may be occurring nationwide, including in New York State.

¹ *See, e.g.*, 28 C.F.R. § 551.23; ICE Guidelines, Detention Standard 4.4, available at <https://www.ice.gov/doclib/detention-standards/2011/4-4.pdf>.

Please be advised that my office will not hesitate to use all of its powers to protect the constitutional rights of unaccompanied minors in New York, and to ensure that ORR ceases executing this radical and unlawful policy.

A handwritten signature in black ink, appearing to read "Eric T. Schneiderman". The signature is fluid and cursive, with a long horizontal flourish at the end.

Eric T. Schneiderman
Attorney General, State of New York