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Feinstein, Colleagues Introduce Legislation to Halt Separation of Immigrant Families (/public/index.cfm/press-releases?ID=4C678FA3-F7A5-42FF-B8B5-D7ED4DD1F3CB)

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Washington—Senate Judiciary Committee Ranking Member Dianne Feinstein (D-Calif.) and 31 of her colleagues have introduced legislation to keep immigrant families together by preventing the Department of Homeland Security from taking children from their parents at the border.

The *Keep Families Together Act* (https://www.feinstein.senate.gov/public/_cache/files/8/7/8757edf1-4c26-44ad-be6d-3e62b4875d59/8E980D047182BB87CF73EEAD252B3F78.keeping-families-together-act.pdf) was developed in consultation with child welfare experts to ensure the federal government is acting in the best interest of children. The bill is supported by the American Academy of Pediatrics, Kids In Need of Defense (KIND), Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA), Children's Law Center, Young Center for Immigrant Rights and the Women's Refugee Commission.

In addition to Senator Feinstein, the bill is cosponsored by 31 senators, including Senators Chuck Schumer (D-N.Y.), Dick Durbin (D-Ill.), Patty Murray (D-Wash.), Patrick Leahy (D-Vt.), Kamala Harris (D-Calif.), Bernie Sanders (D-Vt.), Jeff Merkley (D-Ore.), Brian Schatz (D-Hawaii), Ed Markey (D-Mass.), Jack Reed (D-R.I.), Richard Blumenthal (D-Conn.), Michael Bennet (D-Colo.), Cory Booker (D-N.J.), Tom Carper (D-Del.), Amy Klobuchar (D-Minn.), Mazie Hirono (D-Hawaii), Elizabeth Warren (D-Mass.), Bob Menendez (D-N.J.), Tim Kaine (D-Va.), Angus King (I-Maine), Catherine Cortez-Masto (D-Nev.), Bill Nelson (D-Fla.), Ron Wyden (D-Ore.), Bob Casey (D-Pa.), Mark Warner (D-Va.), Jeanne Shaheen (D-N.H.), Chris Murphy (D-Conn.), Tammy Baldwin (D-Wis.), Kirsten Gillibrand (D-N.Y.), Tom Udall (D-N.M.), Martin Heinrich (D-N.M.) and Maria Cantwell (D-Wash.).

"The United States must not be a country that traumatizes young children by separating them from their parents. Young children have been taken from their parents' arms and federal law enforcement hasn't given parents even the most basic information about their children's whereabouts," Feinstein said. **"Congress has a moral obligation to take a stand and say that families should not be forcibly separated. Many of these families are fleeing terrible violence, traveling thousands of miles on foot for the chance to file an asylum claim and save their lives. To traumatize them further is unconscionable, and I hope that our Republican colleagues will work with us to put an end to this immoral policy."**

"Let me be clear: there is no law requiring this Administration to separate children from their parents— Attorney General Sessions and Secretary Nielsen are choosing to tear families apart to intimidate those who are lawfully seeking asylum in our country. It's extreme, heartbreaking, un-American, and has to stop," said Durbin.

"Separating children from their parents is both cruel and immoral," said Bennet. **"These families are fleeing violence and instability and leaving their homes in search of safety and security. The administration's inhumane separation policy exacerbates the trauma these children and their parents face. It also does nothing to make us safer and violates what we stand for as a country. Congress must take a stand and end this policy immediately."**

"These children are being ripped from the arms of their parents for one reason: to terrorize them," said Blumenthal. **"This policy is deeply cruel and fundamentally antithetical to our values, as Americans and as decent human beings. Congress cannot stand idly by – we must stand up against this senseless, punishing policy."**

“Matthew 25 calls to care for the least among us, including welcoming strangers in our land. This administration, however, is callously choosing to enforce a policy that not only targets vulnerable migrants who are fleeing unspeakable violence in their home countries, but also inflicts further trauma by separating children from their parents,” said Carper. “This is a completely unacceptable policy in any nation, let alone one that has, for centuries, led the world by example. It is unprecedented, it is cruel, it is entirely unnecessary and it must stop. The legislation I have introduced with my House and Senate colleagues would keep families from being needlessly ripped apart, which is, without a question, the right and humane thing to do.”

“This administration’s policy of separating children and parents at the border speaks of their inhumanity and does not reflect our values as a nation,” said Cortez Masto. “Most of these families are fleeing extreme violence and come here because their lives are threatened. I urge my colleagues to act now and support this legislation. Congress cannot stand idly by while an overwhelming number of children stay in crowded detention facilities and their parents are left in the dark as to their whereabouts and wellbeing.”

“Ripping children from the arms of their parents is not border security,” said Harris. “Our government should keep families together not tear them apart. This policy can result in lasting trauma for those children and their parents. We can keep America safe without being callous.”

“My mom brought my brother and me to this country when I was only seven years old. All of our possessions were packed into a single suitcase and we shared a single room. But at least we had each other,” Hirono said. “The Trump administration’s new policy of separating immigrant children from their families is reprehensible and unconscionable. This bill stops ICE from taking this unnecessary and cruel action.”

“The Trump Administration’s policies trample on American values by tearing families apart and demonizing people seeking refuge,” Kaine said. “This bill is an effort to protect kids from unnecessary harm by keeping families together and putting in place safeguards for children who have been separated from their parents.”

“America cannot just live by its national values when convenient – it has to be a full-time commitment,” said King. “The DHS policy that purposely separates children from their parents falls far short of our principles, and it should be stopped immediately.”

“There is simply no way to sanitize the cruelty of the Trump Administration’s policy of forcibly separating families at the border,” said Leahy. “The anguish we are inflicting is evident in the story of each parent who is losing a child – parents who often are fleeing indescribable violence in their home countries. Americans must stand together in condemning family separation, and I am proud to support this legislation to put a stop to it.”

“We are not going to stand by as the Trump Administration continues to find ways to forcibly separate immigrant families from seeking refuge in our country – pulling a child from a mother seeking asylum in our country is wrong,” said Menendez. “We have a responsibility to ensure children and families are able to apply for asylum, trafficking protection and other specialized forms of relief without the paralyzing fear of being separated and shipped off to different facilities across the country. Only in the Trump era would forcibly tearing children away from their parents be considered an acceptable policy to uphold our values as a nation of immigrants. This is shameful, un-American and must stop.”

“This administration is choosing to use the suffering of children and families as political leverage. Let’s not go any further,” said Schatz. “Every single member of Congress should be on this bill, because every single member should be against separating children from their parents. It is inhumane, immoral, and un-American.”

“Separating children from their parents at the border, many of them coming here desperate to escape the terrible violence in their countries, is a policy that is directly at odds with the fundamental values of this nation,” said Warner. “This unprecedented and inhumane practice has been condemned by the U.N., is not rooted in any law, and could end today should President Trump choose to do so. Instead, the president has used this new policy to terrorize innocent families as a means of deterring those who are legally seeking asylum in our country. In the absence of moral leadership from the White House, Congress should make it clear that the United States of America will continue to stand proud as a country welcoming of those seeking refuge from violence, poverty, and prejudice.”

“Because of President Trump’s cruel immigration agenda, children are being torn out of the arms of their mothers,” said Warren. “Many of these families are fleeing persecution and violence, and seeking refuge in our borders. Ripping families apart is immoral and un-American. I’m glad to work with Senator Feinstein to put a stop to this dangerous Administration policy.”

“The American Academy of Pediatrics (AAP) urges an immediate end to the policy that separates children from their parents at the border. Separating children from their parents contradicts everything we stand for as pediatricians – protecting and promoting children’s health. We know that highly-stressful experiences, like family separation, can cause irreparable harm to children’s health, disrupting their brain architecture and affecting short- and long-term health. The *Keep Families Together Act* takes important steps forward to protect families, and the AAP thanks Senator Dianne Feinstein (D-Calif.) for her leadership on this issue,” said American Academy of Pediatrics President Colleen Kraft MD, MBA, FAAP.

On May 7, 2018, Attorney General Jeff Sessions announced that all adults who arrive at the border would be prosecuted for illegal entry, even if they attempt to seek asylum. This policy, which has never before been pursued, has resulted in parents being separated from their children.

Prosecuting individuals who are seeking asylum may also violate the United States’ obligations under international law, including the U.N. convention on refugees and its Protocol.

At a May 24, 2018, Senate Judiciary Committee hearing, Customs and Border Protection informed Senator Feinstein that 658 children were taken from 638 parents during a 14-day period in May, an average of 47 children being taken from their parents each day.

To ensure the bill protects the welfare of children, it allows children to be separated from their parents only in the event they are being trafficked or abused by their parents. To provide an additional layer of protection, the bill provides for an immediate review by a superior upon the recommendation to separate, and only after consultation with a child welfare expert.

Declarations from court filings from immigrant parents separated from their children follow:

Statement by Mirian, part of a class-action lawsuit:

“My name is Mirian. I am a citizen and national of Honduras and my birth date is December 17, 1988. U.S. border officials separated me from my 18-month-old son when we arrived at the border on February 20, 2018. I brought my son to the United States so we could seek protection from government violence in Honduras.

“I had no idea that I would be separated from my child for seeking help. I have not seen my baby for more than a month. I’m so excited to be reunited with him.

“The immigration officers made me walk out with my son to a government vehicle and place my son in a car seat in the vehicle. My son was crying as I put him in the seat. I did not even have a chance to try to comfort my son, because the officers slammed the door shut as soon as he was in his seat. I was crying, too. I cry even now when I think about that moment when the border officers took my son away.

“While at the Port Isabel Detention Center I was wondering what had happened with my son. I was very worried about him and did not know where he was.”

Statement by Mrs. C, part of a class-action lawsuit:

“I am a citizen of Brazil and am seeking asylum in the United States. When I came to the United States, I passed my initial asylum interview (“credible fear interview”), and am now in immigration proceedings before an immigration judge to seek asylum.

“Although I was seeking asylum, I was convicted of the misdemeanor of entering the country illegally. When a border guard approached me a few feet after I entered the country, I explained I was seeking asylum. I was still prosecuted. I spent 25 days in jail for the misdemeanor.

"My biological son, J., is 14 and came with me from Brazil. He is also seeking asylum. When I was sent to jail for my conviction, my son was taken from me and sent to a facility in Chicago.

"I have now been out of jail and have been in immigration detention since September 22, 2017. I am desperate to be reunited with my son.

"I worry about J. constantly and don't know when I will see him. We have talked on the phone only a five or six times since he was taken away from me.

"J. is having a very hard time detained all by himself without me. He is only a 14-year -old boy in a strange country and needs his parent."

Statement by J.I.L., part of a class-action lawsuit:

"I am a citizen of El Salvador and am seeking asylum in the United States. I arrived at the Texas/Mexico border with my two biological sons on March 13, 2018, seeking protection from violence in El Salvador. My son J.S.P.L. was born on August 3, 2007 and is ten years old. My son D.A.P.L. was born on March 30, 2014 and is four years old.

"My sons and I were apprehended with three other women near Roma, Texas by border officials on the morning of March 13th, 2018. The officers put us in the back of their vehicle and drove us to the border station. Everyone referred to the station as an 'icebox' or '*hielera*.'

"That day, March 13, a woman came to pick up my kids. I was given only five minutes to say goodbye before J.S.P.L. and D.A.P.L. were torn from me. My babies started crying when they found out we were going to be separated. It breaks my heart to remember my youngest wail, 'Why do I have to leave? Mami, I want to stay with you!'

"My youngest cried and screamed in protest because he did not want to leave my side. My oldest son was also confused and did not understand what was happening. In tears myself, I asked my boys to be brave, and I promised we would be together again soon. I begged the woman who took my children to keep them together so they could at least have each other. She promised she would, and she left with my boys. I was transferred to the Laredo Detention Center. I have been in this detention center since then and am heartbroken.

"I do not know where my sons are, and I am very worried about them. I called the Office of Refugee Resettlement to learn about my children, but the office only told me that the boys are in a shelter in San Antonio.

"The separation from my sons has been incredibly hard, because I have never been away from them before. I do not want my children to think that I abandoned them. J.S.P.L. and D.A.P.L. are so attached to me. D.A.P.L. used to sleep in bed with me every night while J.S.P.L. slept in his own bed in the same room.

"Back in El Salvador, my kids became nervous every time I was out of their sight. They would calm down as soon as they saw me, and I assured them that I would not leave them. It hurts me to think how anxious and distressed they must be without me."

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