

End Family Separation and Detention

JCPA urges the Administration to immediately rescind its new “zero tolerance” policy and stop detaining and separating families. Traumatizing children and treating immigrants and asylum seekers as criminals by prosecuting them, tearing apart their families, or imprisoning them in dangerous conditions violates the values of family unity, dignity, and justice we hold dear as both Jews and Americans.

In just under two months, the Administration’s “zero tolerance” policy of criminally prosecuting all adults who cross the border, including families and first-time offenders, led authorities to separate over 2,300 children from their parents. Although a federal court ordered the Administration to halt most separations, stop deporting parents without their children, and reunite separated children, the Administration has already failed to meet the court-mandated July 26 reunification deadline. Hundreds of children remain without their parents. Instead the government is circumventing the court by increasing short-term family detention and expediting deportations without adequate due process.

- **Congress must urge the Administration to end the “zero tolerance” policy, which remains in force, and immediately reunify all separated families.** The Administration can end “zero tolerance” at any time, without legislation. Separating children inflicts irreparable psychological trauma on both parents and children, many of whom have already experienced trauma. Most of these families are fleeing violence or coercion in El Salvador, Honduras, and Guatemala, countries with the world’s highest murder rates. In the face of such suffering, the United States should maintain support for fair and generous immigration policies as an expression of our country’s core value of refugee protection.
- **Members must cut funding for family detention and reject all proposals that would expand child detention, with or without their parents.** Jailing asylum seekers and children is inhumane and cruel. The Administration is pushing Congress to overturn the health and welfare standards that protect children from long-term detention so that Immigration and Customs Enforcement (ICE) can jail families indefinitely, despite widespread opposition from medical professionals and ongoing reports of abuse.
- **Abuse in immigration detention is systemic and has been for years according to Department of Homeland Security’s Office of Inspector General.** Recently, the [bipartisan leaders of the Senate Judiciary Committee called](#) for a federal investigation into the “extremely disturbing” reports of physical, [sexual](#), and emotional abuse of detainees, including [minors in ICE custody](#). More [people died in immigration detention in 2017](#) than any year since 2009, which experts believe were linked to substandard medical care. [Children and parents have detailed ongoing issues](#), such as inadequate medical care, denial of food and clean water, and lack of access to basic sanitation in ICE and Customs and Border Protection (CBP) detention facilities.
- **Congress must enhance oversight and accountability of immigration enforcement agencies.** A recent [Inspector General report](#) found that ICE’s inspections and monitoring of

detention facilities are ineffective and inadequate, which is particularly disturbing given the long-term pattern and severity of abuse allegations in immigration detention. JCPA is also concerned about ICE's failure to keep records of the people it was separating and where it sent them, with no reunification plan in place. The agency's practices have forced absurd policies, such as toddlers representing themselves in immigration court and officials deporting hundreds of parents without their children. There are also pending lawsuits alleging that ICE and CBP agents routinely engage in fraud and abuse to expedite deportations and prevent immigrants from applying for asylum.

- **Congress should reinstate and fund effective, humane community-based alternatives to detention.** For example, the Family Case Management Program, which the Administration ended in 2017, released families together, without ankle monitors, and ensured compliance by providing them with case management and legal counseling to help them navigate the asylum application process and immigration court proceedings. The program had a 99.6% appearance rate at immigration court hearings and a 75% appearance rate for deportations, at a cost of just \$36 a day per family. Meanwhile, detaining a family costs almost \$800 a day.

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