

National Association of Counsel for Children Call to Action Regarding the Separation of Immigrant Families at the U.S. Border

The National Association of Counsel for Children (NACC) calls on the Trump administration and congress to take immediate action to reunite the more than 2300 children separated from their families before the executive order was signed on Wednesday, June 20, 2018. As child welfare lawyers we see first-hand the effect of separating children from parents. Child protection laws permit the removal of a child only when there are no other reasonable means to protect the child precisely because of the lasting negative impact that separating children from their parents has on children. The wholesale separation that occurred at the U.S. border violates this basic principle that is entrenched in federal child welfare law. It is abhorrent. The executive order halting the practice this week was an important and necessary first step in preventing more harm.

The children who are victimized by the 'zero-tolerance' policy are housed, via the Office of Refugee Resettlement, in congregate care placements and temporary shelters (including 'tent cities') across the country. These temporary shelters are deplorable and an embarrassment to all who have participated in allowing them to exist. The trauma inflicted upon these children is exacerbated every day that they are kept from their parents. The continued separation of these children from their parents is a human rights violation and goes against all precepts of justice and fairness.

The process to act within the Flores settlement, keeping children with their parents, and housing them in the least restrictive placement options available already exists; this was the routine practice for Immigrations and Customs Enforcement (ICE) prior to the recently instituted automatic separation of families. Alternative release (aka monitored release) requires less resources and is less expensive than the current 'zero-tolerance' option.

We join with the voices renouncing the inhuman practice of family separation and call on our leaders to immediately ensure that all the children in ICE custody or ORR placements as a result of this 'zero-tolerance' policy be reunited with their parents as quickly as the transportation can be arranged. We also call for the immediate closure of the 'tent cities' where children are being temporarily housed. That any American would allow a child to be held in this type of placement is a tragedy. Please do not let this horror that is now part of these children's history, and ours, exist for even one more day.

Founded in 1977, the National Association of Counsel for Children (NACC) is a membership and advocacy organization supporting attorneys representing children and families involved in the child welfare system. We remain committed to the well-being of children and healthy families.

June 26, 2018