

Dear Attorney General Sessions and Secretary Nielsen:

We write in strong opposition to the newly enacted “zero-tolerance” policy of the Department of Justice, in coordination with the Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE), which calls for the prosecution of all migrants entering the United States and the forced separation of any children from their families.

Over the last few weeks, considerable attention has been brought to the plight of children at the Southern border. As of April 2018, the Department of Health and Human Services (HHS) reported that ICE had already separated more than 700 children from their parents since October 2017, including more than 100 children under age four.

With the recent Department of Justice adoption of a “zero tolerance” policy towards individuals apprehended at the border, ICE will separate even more children from their families. While parents and caregivers are processed in the criminal court system and held in federal jails, their children will be classified as unaccompanied minors and housed in shelters awaiting placement with a US-based adult who can assume their care. If the Office of Refugee Resettlement (ORR) cannot locate a US-based adult able to care for the child, the child will stay in federal custody, separated from family, indefinitely.

We see that this increase has already begun: The number of children in HHS custody has grown by nearly 2,000 over the past month alone. Shelters for migrant children are reportedly at 95% capacity, and HHS is preparing to add potentially thousands of beds in the coming weeks to accommodate the rising number of detained children. We find these statistics extremely disturbing.

Separating children from their families in this manner is an insult to American family values. Many of these families are fleeing violence in their home countries, and it is inhumane to punish them for seeking safety and invoking their right to seek asylum in the US. Separating children from their parents and caregivers exacerbates the trauma that many have already suffered before coming to the United States.

Additionally, by adopting a policy that forcibly separates immigrant families, DOJ and ICE fuel the climate of hostility experienced by many immigrants and refugees residing here, which causes many to feel alienated and avoid contact with government agencies. As mayors, we are deeply troubled by the culture of fear perpetuated by the federal government that discourages immigrants from contacting local police and other public agencies.

We implore your agencies to reverse this destructive policy. Families apprehended should be able to remain together to the extent possible, to help avoid the irreversible trauma of forced separation. The “zero tolerance” policy enacted by your respective agencies has the potential to be incredibly disruptive and will have far-reaching negative impacts on children and families.

Please end this “zero tolerance” policy and do the right thing: keep families together.