



For Immediate Release

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Civil and Human Rights Organizations File Joint Complaint With DHS on Behalf of Families Forcibly Separated in Customs and Border Protection (CBP) Custody

Tearing children from parents when seeking protection at the border violates standards, legal norms, and is cruel and unnecessary

Washington, DC - Today, a [complaint](#) on behalf of family members who have been forcibly separated while in custody at the southern border of the United States was filed with the Department of Homeland Security's (DHS) Office of the Inspector General (OIG) and Office of Civil Rights and Civil Liberties (CRCL) by the American Immigration Council (Council), the American Immigration Lawyers Association (AILA), the Women's Refugee Commission (WRC), Lutheran Immigration & Refugee Service (LIRS), the Refugee and Immigrant Center for Education and Legal Services (RAICES), Kids In Need Of Defense (KIND), Al Otro Lado, and the Florence Immigrant & Refugee Rights Project (FIRRP).

The complaint highlights an alarming number of instances in which family members who arrived together at the U.S. border appeared to have been separated by U.S. immigration officials without a clear or reasonable justification, as a means of punishment and/or deterrence, and with few mechanisms to locate, contact, or reunite with family members.

According to Katharina Obser with the Women's Refugee Commission, "Forcibly separating vulnerable women, children, and families at the U.S. border is both unnecessary and un-American. The current practice of family separation, as documented in the complaint, does not make America any safer, but instead punishes those who are fleeing violence and lawfully seeking access to protection. Separating families is also particularly cruel when DHS could be using alternatives like the recently terminated Family Case Management Program, rather than turning to separation or detention. These practices represent a continuation of this administration's attack on the most vulnerable individuals in the U.S. immigration system—protection-seeking children and their families."

As has been repeatedly documented, separation traumatizes those involved and has significant implications on the ability to seek protection and legal relief. Legal and advocacy organizations are particularly concerned about the rising number of cases in which a parent is not only separated from his or her child, but also referred for criminal prosecution, which can

exacerbate the obstacles and harm separation already causes. The complaint includes case examples of separation involving toddlers as young as two years old who were effectively rendered “unaccompanied” due to separation from their parents.

Katie Shepherd, National Advocacy Counsel with the Immigration Justice Campaign, a joint initiative between the Council and AILA, said, “The efforts of the Trump administration to separate vulnerable caregivers and their children is antithetical to rudimentary human rights, and flies in the face of American values. This complaint provides overwhelming evidence demonstrating why the ongoing, exploitative enforcement actions must be addressed. We urge the DHS Office for Civil Rights and Civil Liberties and the DHS Office of the Inspector General to recognize the overt inhumanity and unconscionability of these actions and undertake measures to halt them immediately.”

The increase in cases of family separation is consistent with the Trump administration’s practices and policies regarding immigrant families. In fact, just last week the National Immigration Justice Center (NIJC) and seven partner organizations [filed](#) a complaint with DHS on behalf of some of the 400 people swept up this summer in an Immigration and Customs Enforcement (ICE) operation targeting relatives of unaccompanied children trying to reunite with their families.

Below is one of many examples of forced family separation that are cited in the complaint:

- Anna’s and Antony’s cases are completely unrelated, but both are examples of family separation involving young toddlers. Anna is a two-year-old Guatemalan girl who was separated from her father at the U.S.-Mexico border and transferred to Office of Refugee Resettlement (ORR) custody. Antony is a two-year-old Guatemalan boy who was also separated from his father at the U.S.-Mexico border and encountered by legal service providers in ORR custody. Both were too young to be able to communicate with legal service providers about their arrests, separation, or reasons why their families left Guatemala. In Antony’s case, legal service providers were able to determine that his father had been prosecuted for illegal entry 8 USC §1325(a)(1) in the Western District of Texas. This separation occurred despite records indicating that the father had no prior immigration history or known criminal history.

Find the complaint in its entirety [here](#).

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