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May 11, 2018

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
Washington, DC 20530

The Honorable Kirstjen Nielsen  
Secretary of Homeland Security  
Department of Homeland Security  
Washington, DC 20528

Dear Attorney General Sessions and Secretary Nielsen:

On behalf of the Anti-Defamation League (“ADL”), we write to express our deep concern and strong opposition to the new expansion upon your “zero-tolerance” policy for migrant families seeking to cross the border. In your announcement of the policy, you indicated that all border crossings would be referred to the Department of Justice (DOJ) for prosecution of a crime and that children would be deliberately separated from their parents to be held at juvenile shelters with the adults at adult detention facilities. This policy undermines our country’s history and values as being welcoming to refugees and immigrants fleeing dangerous conditions. It is also cruel, draconian, and poses significant harm to thousands of children and families.

As you may know, ADL, founded in 1913 to stop the defamation of the Jewish people and to secure justice and fair treatment to all, represents a community that has experienced the plight of living as refugees throughout its history. ADL has advocated for fair and humane immigration policy since its founding and has been a leader in exposing anti-immigrant and anti-refugee hate that has poisoned our nation’s debate.

Reasonable people can differ about immigration enforcement policies, but on this there should be no disagreement: the United States should not be actively working to tear children apart from their parents seeking asylum and fleeing violence at our border. In large part, families seeking entry at the border are fleeing violence in Central America and are seeking asylum in the United States. The government’s attempt to deter immigrants from seeking asylum by threatening to take their children away is unconscionable and contrary to the values of our country.

Prior to this policy announcement, data revealed that hundreds of children had been taken from their parents while attempting to cross in the United States in 2018. Studies revealed that since October, more than 700 children, including more than 100

**ADL Community Support Center**

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younger than four years old were removed from adults they were accompanying at the border.<sup>1</sup> Such practices have the effect of causing unnecessary trauma to children- many of whom have already suffered significant traumatic experiences- negatively impacting their physical and mental health and increasing the risk of early death.<sup>2</sup> Adopting such disturbing practices into policy will only further backlog deportation cases and legal challenges in federal courts, put thousands more immigrants in detention facilities and shelters, endanger the lives of more children, and instill additional fear in immigrants seeking safety in our country. In addition, separating family members at the border would impact their ability to present their case for asylum or other legal protection.

Our nation's immigration policies should take into account the importance and values of family unity- a fundamental human right. Your "zero tolerance" policy undermines this human right and is cruel and unjust. It also does not represent the values and ideals of this nation. By turning our backs to children and families seeking asylum, our country risks letting fear and prejudice predominate over reason and compassion, which will result in devastating consequences.

We urge you to withdraw plans for implementation of this policy, respect family unity and our nation's core values, and allow immigrants the right to seek safety and asylum without fear that their children will be torn from them as cruel punishment simply for seeking a better life.

Sincerely,

Jonathan A. Greenblatt  
CEO

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<sup>1</sup> "Hundreds of Immigrant Children Have Been Taken from Parents at U.S. Border," NY Times, April 20, 2018, available at <https://mobile.nytimes.com/2018/04/20/us/immigrant-children-separation-ice.html>; see also "ACLU sues Trump administration to stop family separation," The Boston Globe, March 9, 2018, available at <https://www.bostonglobe.com/news/nation/2018/03/09/aclu-sues-trump-administration-stop-family-separation/SFemN2pVSAnYYQCxaoC3RL/story.html>.

<sup>2</sup> Michael MacKenzie, Emily Bosk, and Charles Zeanah, "Separating Families at the Border- Consequences for Children's Health and Well-Being," New England Journal of Medicine, June 15, 2017, available at <https://www.nejm.org/doi/pdf/10.1056/NEJMp1703375>.