

Hundreds of immigrant children remain separated from parents as court deadline passes

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In one of the cruelest and most outrageous violations of human rights in American history, the Trump administration has refused to reunite nearly a thousand of the immigrant children forcibly separated from their parents under the “zero tolerance” policy Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) began to carry out in early May.

The deadline of Thursday, July 26, elapsed for the court-ordered reunification of the more than 3,000 children separated from their parents, with the Trump administration declaring at least 711 families “ineligible” for reunification, affecting nearly a thousand children. The administration now claims that it has met the burden of the court order, issued by District Judge Dana Sabraw of the Southern District of California, but only by classifying as “ineligible” all the families it failed to reunify.

In the Orwellian terminology of the spokesmen for Trump’s immigration Gestapo, families are rendered “ineligible” when the US government deports them to another country, loses track of them in its vast system of prisons and detention camps, or releases the parents while keeping the children in detention. The parents are “ineligible” because the US government has made it impossible for them to find their children. Many of these parents will never see their children again.

As for the children and parents restored to each other, most of these reunifications have taken place behind prison walls. According to the official filing with the court in San Diego, of the 2,551 children aged five years or older who have been taken from their parents since early May, 1,442 have been reunited with their parents within the detention system. In other words, the parents and children are now being held in the same

prison, instead of different ones.

Only 378 of the children aged five or older have been released from custody entirely, either placed with another family member or friend living in the United States, or restored to parents who have themselves been released from custody. This represents only 15 percent of the total.

Lawyers for the parents and children have given numerous accounts of the horrific conditions facing both those who continue to be separated and those now reunited behind prison walls. Leah Chavla described the impact of reunification on an 11-year-old boy in an interview with CNN: “The boy would barely speak through the entire interview, only sometimes slightly nodding or shaking his head to answer simple—yes or no—questions. He only stared forward with an intent expression that looked like he was concentrating so as to not cry. His mother repeatedly told him to speak to us, but he could not speak.”

In a conference call with reporters, officials of the Department of Health and Human Services, which has custody of the children, and ICE, which holds the parents, arrogantly defended the conduct of the administration, and even complained that the government was spending far too much time and money on the plight of these families.

Matthew Albence, chief of the Enforcement and Removal Operations division of ICE, said his unit had been working “24/7” to reunify families. “ICE and especially ERO has made a concerted effort and dedicated an inordinate amount of resources to ensure these reunifications did occur,” he said.

He claimed that parents who were deported without their children “did so after being provided an

opportunity to have that child accompany them on the way home,” which they had “declined.” He added cynically, “We cannot force a parent to take a child with them.”

According to the American Civil Liberties Union, many of the deported parents had signed forms agreeing to be deported without their children, without understanding the documents, which they could not read. In many cases these immigrants, mainly refugees from Central America, are illiterate, or speak indigenous languages like Mayan, rather than Spanish.

In some cases, ICE agents have told parents that signing the form is the only way to ensure that their children stay in the United States where they will be safe from the violence of drug gangs and military death squads in their home countries from which the families originally fled.

In response to the question of how ICE would locate these parents in order to restore their children, Albence said callously, “They’ve been deported. We don’t keep track of individuals once they’ve been deported to foreign countries.”

Such statements only confirm the conclusion that must be drawn from the entire experience of the past three months. The family separations that followed the announcement of “zero tolerance” were not an inadvertent consequence. Just the opposite: “zero tolerance” was declared in order to initiate large-scale family separations in order to terrorize immigrants and asylum seekers and provide a “disincentive” for them to cross the border into the United States.

Even more cruel, it is clear that the failure to collect the information necessary to ensure family reunification was not a matter of disorganization or incompetence, but a deliberate effort to ensure that the “zero tolerance” policy was implemented with the maximum of trauma for both the children and the parents. It was politically motivated savagery, an act of mass kidnapping that constitutes a crime against humanity and meets the legal definition of “genocide.”

Federal officials and ACLU lawyers will meet in Judge Sabraw’s courtroom this afternoon to discuss the various categories of reunified and separated parents and children. The ACLU is seeking a further court order to halt the deportation of reunited parents and children for seven days in an attempt to forestall the Trump administration’s plan to deport nearly all the

reunited families as soon as physically possible.

Deportations have been temporarily stayed since July 16 pending a decision by the judge on the ACLU motion. A total of 223 reunited families are now awaiting deportation at an ICE center in south Texas.



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