



May 2, 2018

Dear Secretary Nielsen,

The Steering Committee of the National Taskforce to End Sexual and Domestic Violence (NTF) comprises national leadership organizations advocating on behalf of sexual and domestic violence victims and women's rights. We represent hundreds of programs, service providers and community organizations across the country dedicated to making sure that **all** survivors of violence receive the protections and services they need and deserve. With the announcement that the Department of Homeland Security is considering expanding the detention and criminal prosecution of parents seeking to cross the border with their children we urge you consider the impact these policies will have on immigrant victims of sexual assault, domestic violence, and trafficking, as well as the long-term trauma that will be caused by separating these parents from their children.

Children separated from their parents often have more social and emotional problems and are more likely to suffer poor health and less educational success due to the impacts of trauma on their development. Attachment to a parent or caregiver in early childhood is one of the most important milestones in the life trajectory. The bond between parent and child is essential in building resilience in a child, even one growing up in difficult circumstances. Undermining this protective factor in children by detaining and prosecuting their parents who are trying to protect them from harm will only serve to harm these children's health and stability, both in the short term and the long term, with implications for not only them but their communities at large.

The countries from which these families and children escaped remain extremely dangerous. Detention and removal will result in more domestic violence, sexual abuse, or even death. In recent years, women and children fleeing rampant violence in El Salvador, Guatemala and Honduras, have fled to the United States, seeking refuge. According to a recent United Nations High Commissioner for Refugees (UNHCR) study, on Northern Triangle women seeking asylum in the United States, prolonged instances of physical, sexual and psychological abuse in the home are common reasons for flight. In recent years, the Northern Triangle countries of El Salvador and Honduras have alternated in ranking as the murder capital of the world, and El Salvador, Guatemala, and Honduras are in the top five globally for rates of female homicides.¹ Domestic violence is reportedly the leading form of abuse against women and girls in El Salvador and Honduras.²

¹ Geneva Declaration, *Global Burdens of Armed Violence* (Geneva: Geneva Declaration, 2015).

² United Nations High Commissioner for Refugees, "Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from El Salvador" (March 2016) and UNHCR, "Eligibility Guidelines for Assessing the International Protection Needs of Asylum Seekers from Honduras" (July 2016).

In Guatemala, every 46 minutes a new case of sexual violence is reported, but the number of incidents is likely much higher as many go unrecorded.³ The Northern Triangle countries have areas that are highly controlled by gangs, and women are often coerced into joining. A woman's duty to gang members is to "provide" sex for the members, and initiation rituals for women frequently consist of being sexually assaulted on a regular basis.

In many cases, the risk of domestic violence, sexual assault, and/ or trafficking in their countries of origin remain unabated and victims subsequently attempt to enter the U.S. to protect themselves and their children. Frequently, because of inadequate access to legal representation, victims are unable to establish their eligibility for legal protections in the United States, resulting in their removal. The Administration's efforts to detain and prosecute parents for seeking refuge with their children is unnecessarily cruel and will serve to retraumatize and harm victims as well as their children whose crime is merely that of seeking lives free of violence.

We Urge You to Cease the Prosecution of Parents

Survivors of domestic violence, sexual assault, and trafficking and their children should not be further endangered based on their inability to access justice or in hopes of deterring others from escaping life-threatening circumstances in search of safety and hope. For more information, please contact Grace Huang, Asian Pacific Institute on Gender Based Violence at gjuang@api-gbv.org and Kiersten Stewart, Futures Without Violence, at kstewart@futureswithoutviolence.org or Archi Pyati, Tahirih Justice Center, at ArchiP@tahirih.org. Thank you.

Sincerely,

The National Task Force to End Sexual and Domestic Violence

³ Claudia Palma, "Cada 46 minutos se comete una violación" *Prensa Libre*, May 16, 2016, <http://www.prensalibre.com/guatemala/justicia/cada-46-minutos-se-comete-una-violacion>