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EXECUTIVE ORDER ENDS SEPARATION BUT LOCKS UP CHILDREN

The Tahirih Justice Center condemns the President's decision to end the separation of families only to require that the Department of Homeland Security jail children along with their parents while criminal prosecutions proceed.

"We're not fooled by this bait and switch," said Archi Pyati, Chief of Policy at Tahirih. "It was barbaric to separate children from their parents; family detention is also inhumane and harmful to children. Prison is no place for kids."

Incarcerating children has been shown to be harmful to the mental and physical health and development of children, and U.S. courts have agreed. In the Executive Order the President mandates the Attorney General to challenge these judicial findings to make it legally possible for children to be jailed.

In addition, families cannot find legal representation in far-off jails, which results in many who may qualify for asylum losing their cases simply because they are detained and unrepresented. With few immigration judges located in remote facilities, applicants for asylum have to testify about the details of their persecution over video conference, which is unacceptable. And sending judges to the border senselessly compounds already unreasonable delays for everyone with applications before the immigration courts.

"Children should no more be locked up in jail with their parents than they should be separated from them," said Pyati. "Every one of us knows that prison is no place for children. The harm this administration is doing to the physical and emotional well-being of children is going to last their lifetimes. And if being jailed deters them from seeking asylum, or causes them to have no lawyer or mental health care, they may lose their cases. For some, that will mean being sent home to face persecution or even death."

Jailing children costs taxpayers dearly while much cheaper, more humane, and more effective programs exist and have been proven to work. This administration terminated such programs unnecessarily and did not reinstate them as alternatives to detention in the Executive Order.

The prosecution of incoming asylum seekers under the President's "zero tolerance" policy goes against international standards and is a waste of critical law enforcement resources. Separating families has traumatized thousands of kids and parents, yet the Executive Order provides no clue as to how or when these thousands of families will be reunited.

[Archi Pyati](#), Chief of Policy, is available for comment on this topic. Please contact tstewart@mrss.com to arrange an interview.

About the Tahirih Justice Center

The Tahirih Justice Center is the largest national direct service and policy advocacy organization focused on assisting immigrant women and girls fleeing violence. Tahirih will continue to monitor policy shifts that impact women and girls fleeing violence and advocate for the United States to honor its legal obligations to protect those fleeing human rights abuses.