April 2019


Since our report was published in January 2019, additional noteworthy developments include:

• During a visit to Calexico in early April, President Trump said of immigrants, “We can’t take you anymore. We can’t take you. Our country is full.” This statement runs counter to data collected by expert demographers and economists, which shows that many U.S. cities and towns are underpopulated due to aging and declining birth rates, The New York Times, April 9, 2019.

• Despite Trump’s false claims that Obama created the family separation policy and Trump put an end to it, the President is considering a return to the family separation policy. In addition to urging Trump to reinstate the family separation policy, advisors close to the President, including Stephen Miller and Kris Kobach, have also pushed for even tougher policies like the so-called binary choice policy which would force asylum-seeking parents to choose between “voluntary” separation from their children or indefinite family detention together, The New York Times, April 8, 2019.

• In late January 2019, DHS announced the implementation of the Migrant Protection Protocols (MPP) to force many asylum seekers, including those who arrive legally, to wait in Mexico while their immigration proceedings are pending. In early April, U.S. District Judge Richard Seeborg found “the policy was not supported by federal immigration law and did not sufficiently safeguard the lives and freedom of migrants,” Politico, April 8, 2019.

• Thousands more children were separated from their parents than the administration has previously acknowledged. Given this development, a federal judge ruled in March that all families separated from the time the policy was initially implemented, in July 2017, should be included in the class-action lawsuit. In response to the suit, the government released a proposed plan for reunification of separated families, estimating it could take up to 2 years to identify all separated families, CNN, April, 6, 2019.

• In a statement to the press on April 5, President Trump remarked, “They have to get rid of the whole asylum system because it doesn’t work. And, frankly, we should get rid of judges.”

• Following the death of two young children while in Customs Border Protection (CBP) custody last December, CBP Commissioner McAleenan promised sweeping changes to address serious health care inadequacies at the border. Despite these promises, two additional immigrants have died in CBP custody since the children’s deaths.

• On March 6, 2019, the U.S. Senate introduced a Fair Day in Court for Kids Act of 2019, which would guarantee appointed lawyers for unaccompanied children and strengthen legal orientation programs.

• As of early March 2019, over 10,000 children whose cases were pending in the Miami immigration court were without lawyers. “Juveniles—Immigration Court Deportation Proceedings,” Transactional Records Access Clearinghouse (TRAC), accessed March 5, 2019.

• Health and Human Services (HHS) documents reveal that during a four a year span (October 2014 to July 2018) the federal government received over 4,500 complaints of sexual abuse of immigrant children held in government-funded detention facilities. There was a notable increase in complaints while the family separation policy was in place. Matthew Haag, “Thousands of Immigrant Children Said They Were Sexually Abused in U.S. Detention Centers, Report Says,” The New York Times, February 27, 2019.

• The largest temporary shelter housing unaccompanied minors, in a “tent city” in Tornillo, Texas held as many as 2,700 children, including many who were separated from their parents. Conditions there were harsh and in early January Tornillo was closed. Madlin Mekelburg, “Official: No migrant children remain at Tornillo tent shelter as it heads toward closure,” El Paso Times, January 11, 2019.