



The American
Professional Society
on the Abuse of Children™

Strengthening Practice Through Knowledge

In partnership with



APSAC POSITION STATEMENT

SEPARATING IMMIGRANT CHILDREN FROM THEIR FAMILIES AT THE UNITED STATES BORDER

The American Professional Society on the Abuse of Children (APSAC) is an interdisciplinary organization of professionals working in the field of child maltreatment. APSAC is deeply concerned and profoundly dismayed at the maltreatment of immigrant children by the United States government that is taking place along the Southern border. On May 7th, the federal government implemented a new policy of pursuing criminal prosecution for every person who crosses the US border unlawfully, including parents traveling with minor children. This has resulted in separation of children from their families and the housing of thousands of children in makeshift shelters. Further, Immigration and Customs Enforcement has been separating and detaining parents and children who lawfully present themselves at the border seeking asylum. This traumatic separation of children from their parents is unnecessary. Each day, infants and children are being needlessly separated from their mothers and fathers. Older children are being housed at detention centers in cage-like structures. In some cases, younger children are being placed thousands of miles from their parents. These children are being left unattended without any of the support services that are necessary for children who face separation from their caregivers. Families are left without any information about when, or if, they will be reunited. The recent change in long-standing policy leaves these children and youth at risk for serious and long-term physical, social, and emotional injury.

Psychology/Mental Health

The unnecessary and coercive separation of a child from their parents is a form of child maltreatment that can cause catastrophic physical and mental health consequences. Children who are traumatically separated from a parent often develop severe physiological distress and emotional pain. Many children will go on to develop mental health disorders such as Acute Stress Disorder, Post-Traumatic Stress Disorder (PTSD), and Major Depressive Disorder. The youngest children will be at high risk for Reactive Attachment Disorder, which

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can cause permanent emotional disturbance. Traumatized children can develop numerous medical problems. Media reports suggest that immigration officials have been directed not to touch crying babies. Since John Bowlby's groundbreaking work in the 1950's, the psychological and medical communities have known that babies deprived of physical contact may suffer grave consequences.

Child Welfare

The Honorable Kirstjin Nielson, Secretary of Homeland Security has said that the process for separating children from parents at the border will be “no different than what we do every day in the United States when a parent is prosecuted for a crime.” This is not true. For American children, when the government determines a child must be separated from his or her parents to assure the child's safety and wellbeing, child welfare agencies are required to act in the “best interest of the child.” Children are placed with relatives or other adults with whom they have a preexisting relationship whenever possible to minimize the trauma of removal and maintain children's emotional connections. Potential caregivers are subjected to rigorous background checks to ensure they do not pose a threat to the child's well-being. Children are placed with strangers as a last resort. These non-familial caregivers must be licensed foster families with special training in providing therapeutic care for children who have been traumatized. Young children and infants are placed in family settings, not in institutions. Foster families are given information about a child's history, development, routines, likes and dislikes, medical conditions, and special needs so they can maintain continuity and stability for the child. Legal proceedings are instituted to protect the child's interests. Children are provided with specialized medical, mental health, educational and social services. Trained caseworkers provide interventions to help children reunite with their parents as soon as possible.

Law

In February, the American Civil Liberties Union filed suit against the Department of Homeland Security and the Department of Health and Human Services. The plaintiff in *Mrs. L. v. ICE* has informed the federal courts that over 1,000 children have had their Constitutional rights violated by the actions of the federal government. In a preliminary ruling, the District Court upheld the longstanding rule that the Constitution applies to all persons on U.S. soil regardless of immigration status, and that there is a fundamental legal right to family integrity for all persons present in the U.S. If the government seeks to separate families, there must be a compelling reason, such as abuse or neglect of the child by the parent. There must also be due process of law. APSAC believes that the federal government's separation of children from their parents with no notice, no hearing, and especially, no reason is an outrageous violation of the United States' Constitution and the fundamental rights of these children. Indeed, the District Court recently found the government's conduct to be “brutal, offensive” and said that it “shocks the conscience” of an ordinary person.



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Ethics

APSAC's issue is not with the government enacting comprehensive reform of current US immigration law. Instead, APSAC believes that any immigration practice or policy must be consistent with the developmental needs of the children who will be impacted by such reform. Our society's responsibility to children is perhaps its most basic moral obligation. Children are totally dependent on the goodwill of others. Unnecessarily separating children from their families is a troubling social concern in need of immediate corrective action.

Immediate Call for Action

Separation of children and parents, when the children are not in danger from their parents, is unconscionable. APSAC calls upon our government to immediately end this abusive practice.