



June 20, 2018

RE: THE PRESIDENT’S EXECUTIVE ORDER ON FAMILY SEPARATION FAILS DOMESTIC VIOLENCE & SEXUAL ASSAULT SURVIVORS

Dear Senators and Representatives,

As the Steering Committee of the National Taskforce to end Sexual and Domestic Violence (“NTF”), a national leadership coalition advocating on behalf of the rights of sexual and domestic violence survivors, we represent thousands of organizations across the country dedicated to ensuring that **all** survivors of violence are able to access the safety and justice they deserve. **We write to denounce** the White House’s Executive Order issued in response to the outcry from our communities and from Members of Congress regarding the ‘zero-tolerance’ policy of separating families. The inhumane response of continuing to detain children, by placing them alongside their parents in detention, will continue to traumatize children and harm survivors of sexual and domestic violence. The NTF, along with our partners, has long expressed our disagreement with the cruel practice of detaining immigrant families and we continue to denounce these policies due to the negative impact on victims of domestic and sexual violence and their children.

Not only is family detention for prolonged periods of time cruel, it is also costly and senseless, particularly when humane and cost-effective alternatives to detention have been demonstrated to be effective. The NTF calls for the end of family detention to prevent further harming and re-traumatizing survivors of violence; to provide families in detention meaningful access to legal services, counseling, and mental health services; and to develop a plan to reunify parents and children who have already been separated, especially in situations where a parent has been ordered removed.

Detention is re-traumatizing to survivors of violence.

Women and children are fleeing rampant violence, including domestic violence, sexual assault, and human trafficking, in El Salvador, Guatemala and Honduras and are seeking safety in the United States. Criminalizing the actions of those pursuing asylum is contrary to international human rights laws and contrary to the basic principles of this country. This Executive Order will likely have the effect of jailing, for months or even years, immigrant survivors and their children seeking safety in the U.S. Given the intense restrictions and disciplinary rules within detention facilities, mothers retain limited autonomy, weakening authority which weakens their ability to effectively parent their own children. For young mothers who have faced domestic and/or gang violence and sexual abuse, a detention setting often exacerbates the trauma they and their children have already experienced due to their victimization.

Detained families need adequate access to legal services, counseling, and mental health services.

Family detention facilities are frequently in remote locations, far from communities that have the capacity to provide services to survivors of domestic and sexual violence.

Legal, counseling, and mental health services are critical for women and children recovering from trauma suffered in their home countries and on their journey to the United States. In addition, in light of the complexities of the immigration process, it will be critical for detained families to obtain legal counsel and representation to navigate the byzantine immigration process. Moreover, it is often difficult in remote communities to ensure detained families have access to services in their own languages.

The Executive Order Fails to Address Currently Impacted Families

In the past month, more than 2,000 children were separated from their parents, and many more were separated in the previous month. This Executive Order does nothing to provide direction on reunifying traumatized children with their parents, including parents who have already been removed from the United States. Trading family separation for family detention is not an appropriate solution. Detention in itself is re-traumatizing and hinders the willingness and ability of survivors to share the experiences that may demonstrate their eligibility for vital legal protections. Courts, child development experts, medical professionals, and many others have clearly found that family detention traumatizes and harms children.

For this reason we ask Congress to terminate funding used to implement the Administration's "Zero Tolerance" policy and limit funding for the use of family detention centers, and instead allocate funding for non-intrusive alternatives to detention. Additionally, we call on Congress to preserve and defend provisions in our asylum laws that enable immigrant victims of domestic violence and sexual assault to seek life-saving refuge and protection when their countries' officials fail to protect them from targeted violence.

We thank you for taking these important steps to help survivors of domestic violence and sexual assault and their children who are fleeing persecution in their home countries attempting to find safe haven in the United States of America.

For more information, please contact Grace Huang, Asian Pacific Institute on Gender-Based Violence at gjuang@api-gbv.org, Rosie Hidalgo, Casa de Esperanza: National Latin@ Network, rhidalgo@casadeesperanza.org, Kiersten Stewart, Futures Without Violence, kstewart@futureswithoutviolence.org, or Archi Pyati, Tahirih Justice Center, at ArchiP@tahirih.org.

Sincerely,

The National Task Force to End Sexual and Domestic Violence