

# US to separate all families charged with illegal border crossing

By Patrick Martin  
8 May 2018

The Trump administration announced a policy of unprecedented cruelty in its persecution of immigrant families Monday. Family groups caught crossing the U.S. border without authorization will be immediately broken up, with the parents detained and prosecuted for illegal entry while their children are taken away from them.

Enforcement of the new policy was triggered by a memorandum sent out last Friday by the secretary of the Department of Homeland Security, Kirstjen Nielsen, directing both Immigration and Customs Enforcement and the Border Patrol to refer all suspected border crossers to the Justice Department for prosecution under a federal statute that prohibits illegal entry.

“Those apprehended will be sent directly to federal court under the custody of the US Marshals Service, and their children will be transferred to the custody of Health and Human Services’ Office of Refugee Resettlement,” a DHS official said in elaborating the policy.

Publicly announcing the policy in a speech to a police conference in Scottsdale, Arizona, Attorney General Jeff Sessions declared, “If you are smuggling a child, then we will prosecute you and that child will be separated from you as required by law. If you don’t like that, then don’t smuggle children over our border.”

By “smuggling,” Sessions was referring to parents bringing their children with them as they flee the violence-torn, poverty-stricken countries of Central America, seeking refuge in the United States. The vast majority of family groups detained at the US border come from Guatemala, El Salvador and Honduras, where right-wing, military-backed regimes and gangs involved in the US-fueled drug trade hold sway, with

the approval and assistance of Washington.

By the standard of Sessions, Trump, and the other bigots and maniacs who direct U.S. immigration policy, the Jewish parents fleeing Nazi Germany in the 1930s were also engaged in “smuggling” because they brought their children with them. So too, the millions who have fled US-devastated war zones in Syria, Iraq, Afghanistan and other countries in the Middle East.

The Trump administration has been actively preparing a policy of family separation since Trump entered the White House, although officials denied they were doing so when initial reports appeared in the press last year. But according to press reports today, officials in the White House, the Department of Homeland Security and the Department of Justice have long believed that jailing everyone caught crossing the border illegally was the best means to intimidate and discourage prospective immigrants.

Trump and Sessions would be quite willing to jail the children too, but this was barred by prior court decisions that overturned a similar (though undeclared) practice of the Obama administration. As a result, adopting a policy of universal jailing of adults requires the separation of children from their parents.

However, from the standpoint of the Trump administration, the sheer cruelty of such measures, with infants only a few months old torn away from their mothers, was a positive feature, since it would serve as an additional “deterrent” to crossing the border illegally.

According to the *Wall Street Journal*, once the Border Patrol separates the parents, the children will be classified as “unaccompanied minors” and sent to shelters, unless family members can be found living legally in the United States who are able to take care of them.

Sessions said that additional resources, including dozens of prosecutors and immigration judges, were being mobilized to the four border states in the Southwest: Texas, New Mexico, Arizona and California. He cited a doubling of detentions for illegal entry along that border in April 2018, compared to the same month last year.

Criminal prosecutions at the border have skyrocketed over the past 25 years, from 10,000 a year in the mid-1990s to a peak of more than 90,000 in 2013 under the Obama administration, which also deported more immigrants than any other administration in history. The number of such prosecutions declined to 60,000 in the last fiscal year, which ended September 30, 2017, but it is expected to increase dramatically and perhaps break the Obama record this year.

First-time “offenders,” convicted of “improper entry by an alien,” have usually been prosecuted for a federal misdemeanor punishable by up to six months in prison. A second conviction for illegal border crossing would likely be a felony “illegal reentry,” with a prison term of up to two years. A third conviction can mean a prison term as long as 20 years. There are similarly savage penalties for aiding immigrants, making false statements to an immigration official, or acts classified as fraud, such as working under a false Social Security number.

Sessions pointed to the broad range of potential charges in his speech in Arizona. “If you smuggle illegal aliens across our border, then we will prosecute you,” he declared. “If you make false statements to an immigration officer or commit fraud in our system to obtain an immigration benefit, that’s a felony. We will put you in jail. If you help others to do so, that’s a felony, too.”

The entire speech of the attorney general was devoted to “law-and-order” demagoguery, portraying the United States as a country under assault. “We are not going to let this country be invaded,” he said. “We will not be stampeded. We will not capitulate to lawlessness.”

The truth is that the United States has invaded more countries than anyone since Hitler. The vast majority of the world’s refugees and displaced persons have lost their homes and been forced to flee for their lives because of American bombs, missiles and other armaments, whether employed directly by American troops, by US-backed puppet regimes (Afghanistan and

Iraq) or by their US allies like Saudi Arabia (in Yemen), or France (across North Africa).

To contact the WSWP and the  
Socialist Equality Party visit:

<http://www.wswp.org>