



June 19, 2018

ATTORNEY GENERAL MADIGAN CALLS ON SESSIONS TO IMMEDIATELY END ENFORCEMENT OF INHUMANE IMMIGRATION POLICIES

Chicago — Attorney General Lisa Madigan today demanded that U.S. Attorney General Jeff Sessions immediately withdraw and stop enforcing two inhumane immigration policies that tear children away from families while seeking asylum entry at the border and deny asylum to survivors of domestic and gang violence.

"It is horrific and shameful that the federal government is tearing children away from their parents as they attempt to enter our country for a better and safer life. Turning away survivors of domestic violence is no less merciless," Madigan said. "Our country's ideals are rooted in empathy, justice and compassion. The federal administration's complete disdain for women and children betrays American values."

In a [letter](#) to Attorney General Sessions today, Madigan said the federal administration's "zero-tolerance policy" toward immigrants that began in April has no legal basis. As far back as 2005, Congress has cautioned the Department of Homeland Security (DHS) against separating immigrant families. It stated that "[c]hildren who are apprehended by DHS while in the company of their parents are not in fact 'unaccompanied;' and if their welfare is not at issue, they should not be placed in ORR [Office of Refugee Resettlement] custody."

Madigan said the administration's policy of separating families who are attempting to enter the U.S. violates that directive. The "zero-tolerance policy" has led to widespread criminal prosecutions of individuals suspected of committing misdemeanor illegal entry, but also detention of those who lawfully apply for asylum at the border. In both cases, U.S. Immigration and Customs Enforcement (ICE) agents are taking children away from their detained parents, sometimes through unimaginably deceitful means, and sending them to facilities that can be thousands of miles away.

Since 2014, it has been U.S. policy to grant refugee status to victims of domestic violence. The Board of Immigration Appeals ruled that "married women in Guatemala who are unable to leave their relationship can constitute a cognizable particular social group that forms the basis of a claim for asylum or withholding of removal..." The Board's decision recognized that domestic violence can rise to the level of past persecution warranting the grant of asylum.

On June 11, in an unprecedented shift, Sessions overruled that policy, apparently uninterested in the heightened abuse that women and children can face in countries where their suffering is ignored. Sessions dismissed domestic violence as "private criminal activity" and a "purely personal matter." This is a depraved characterization of domestic violence without any empathy for victims of a crime that is often rooted in cultural norms and acceptance of abuse towards women. The new policy requires an asylum applicant to "show that flight from her country is necessary because her home government is unwilling or unable to protect her," setting a cruel precedent that ignores a sad reality for many refugees. The effect of the ruling is that persecuted individuals are prohibited from obtaining asylum unless they can show the government sponsored or enabled the persecution.

In addition to her letter today, Madigan also joined with 20 other state attorneys general in sending a similar multistate letter to Sessions today.

-30-

[Return to June 2018 Press Releases](#)