



Separation of Families on the U.S.-- Mexican Border as a form of Torture

I have worked with refugee survivors of torture from many countries since 1990. My work has been as psychotherapist, social worker, and founder and administrator of clinics devoted to work with these survivors, both in San Francisco and San Jose, California.

This work has included survivors of torture from many countries, and also has included dealing with many types of torture, including forced disappearances (called “enforced disappearance” by the United Nations International Convention for the Protection of all Persons from Enforced Disappearance).

Forced disappearance—the unwanted physical separation of family members to places unknown, for instance—has been recognized and clinically treated as a form of torture for years in torture treatment clinics. In forced disappearance, those from whom someone is taken alternate between hope and despair, they do not know when, if ever, the disappeared will return. In the United States, the most recent public experience of the power of disappearance has been the unending sad search of families for soldiers missing in action in Vietnam. However, the use of forced disappearance as a weapon in war is now virtually everywhere—to threaten, to extort, to intimidate individuals and even entire communities to control them for political reasons. The usual trauma symptoms resulting from torture are any or all of the 17 PTSD symptoms plus major depression, though even psychotic episodes are possible. Children are especially vulnerable for symptoms lasting years.

What is happening with the ICE separation of children from parents or other caretakers is one form of forced disappearance—in this case, the kidnapping of two parties instead of one. Even if the parent or caretaker knows enough of the prison staffs’ language (presumably usually English), they don’t really know most of the time where the children are, who is responsible for them and whether they care, how the childrens’ health is, and if and when they will ever see the children again.

For the children, the separation is even worse—are the parents or caretakers alive? what are the guards in the prisons saying in a new language?, what does “Chicago” mean?, how can they survive bullying or sexual predation? And of course, if and when will they ever again see their families or caretakers? An adult may sometimes temporarily have a rough idea of the location of a childrens’ prison, but without language, constant contact, and all the education required to understand geography children have an impossible task. For the reader here, look at the clinical literature on the outcome of kidnapping or holding children as hostages.

President Trump has been clear that the act of disappearing children at the border is a tactic to get families—and indeed all Mexicans—to give up trying to cross the border into the U.S. And the agreement the Bush administration made with Canada to refuse entry into Canada of refugees coming across the U.S. means further entrapment of refugees, who are then returned to their countries of origin—and danger. Trump has said Mexicans are

criminals, rapists, drug dealers, murderers—but to forcibly return refugees to a dangerous environment is, ironically, for the U.S. Administration to force those who are innocent into the well-known environment of gang violence—that is, the President is cooperating with the very criminals he says he opposes by sending innocent people into torture and murder. This is a second way torture comes from U.S. border policy.

Gerald Gray, MSW, MPH
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The writer's relevant education for work with torture led to diplomas and degrees at the London School of Economics, the University of California, Sacramento State University as well as postgraduate clinical training.

Family Separation Fact Sheet

1. [The right to unity and integrity of families is a basic human right](#)¹ that has long been recognized as central to U.S immigration policy and to immigration laws globally, and is reflected as a central tenet in [faith traditions](#) in diverse cultures throughout the world, including [Catholic Social Teaching](#).
2. UNICEF, the American Academy of Pediatrics (AAP), the DHS Advisory Committee on Family Residential Facilities, and clinicians specialized in treating victims of trauma related to experiences of migration and refugees, have described policies promoting the separation of families as [“harsh and counterproductive,”](#) [“cruel and traumatic,”](#) and as a form of torture and “forced disappearance” (Gerald Gray).
3. The Trump administration has proposed the imminent implementation of a [“zero tolerance” policy](#), providing for the referral for prosecution of 100% of adults detained at the border, [“including those initially arriving or apprehended with minors”](#), which will further intensify the increasing numbers of families separated as a central part of its overall immigration enforcement initiatives.
4. This new [policy was first tested in the El Paso sector between July and November 2017](#), as documented in [Sealing the Border](#), which confirms the border region’s continuing role, and El Paso in particular, as a laboratory for intensified enforcement efforts.
5. Recent [DHS data](#) confirms that the [number of family units and unaccompanied minors](#) detained at the border has increased to some 700 per day- the [highest levels since 2016](#)- during the week of April 16, 2018, at the same time as the overall number of illegal [border crossers has decreased to the lowest numbers since 1971](#); given these increased flows of family units and unaccompanied minors, the new policy will necessarily result in commensurate increases in the numbers of families separated.
6. Health and Human Services (HHS) acting Assistant Secretary Steven Wagner has testified that HHS and DHS, which coordinate foster care for migrant youth who have been separated from

¹ The International Convention on the Rights of the Child (CRC) provides in Article 9 section 1 that “a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence”, and in Article 9 section 4 that “[w]here such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child.

their families, have [“lost track” of at least 1,475 migrant children](#) initially placed under their auspices.

7. More than 700 children [“have been taken from adults claiming to be their parents since October, including more than 100 children under the age of 4”](#), some as young as 18 months old.