

STATE OF NEW JERSEY

GOVERNOR PHIL MURPHY

AG GREWAL SUES FEDERAL GOVERNMENT OVER BORDER TACTICS; COMPLAINT CITES REFUSAL OF ASYLUM SEEKERS, SEPARATION OF FAMILIES

From the New Jersey Office of the Attorney General:

TRENTON – Attorney General Gurbir S. Grewal joined a lawsuit today challenging the federal government's border enforcement policies, including its refusal to accept immigrants seeking asylum and its "cruel and unlawful" practice of forcibly separating families.

In a five-count federal complaint led by Washington state and joined by 16 other states and the District of Columbia, New Jersey alleges the Trump Administration is traumatizing children, violating the U.S. Constitution and undermining the sovereign interests of states in order to "create a public spectacle designed to deter potential immigrants" from seeking asylum in America.

"The Administration's practice of separating families is cruel, plain and simple," said **Attorney General Grewal**. "Every day, it seems like the Administration is issuing new, contradictory policies and relying on new, contradictory justifications. But we can't forget: the lives of real people hang in the balance. Hundreds of children remain forcibly separated from their parents. Our country deserves better."

"We should be protecting families, not traumatizing them. We should be safeguarding children, not using them as leverage in a half-baked effort to deter illegal immigration," the **Attorney General said**.

According to the lawsuit, federal border enforcement tactics had resulted in the separation of more than 300 children from their parents as of June 19. And President Trump's recent Executive Order – which ostensibly ended the family separation policy – contains no plan to reunite separated families.

The suit alleges that immigration enforcement authorities have separated "children as young as toddlers from their parents -- often with no warning or opportunity to say goodbye, and providing no information about where the children are being taken or when they will next see each other."

In addition to the "zero tolerance" immigration policy's human toll, the complaint alleges, it is adversely impacting New Jersey and the other participating states by "forcing States to expend resources to remediate the harms" inflicted on families.

"State programs, including child welfare services, social and health services, courts and public schools, are all experiencing fiscal impacts that will only increase," the complaint asserts.

The federal policy also undermines States' sovereign interests "in enforcing their laws declaring the family unit to be a fundamental resource of American life" -- one that should not be disrupted or Sundered "unless the child's right to basic nurture, health and safety is jeopardized."

New Jersey law declares that "the preservation and strengthening of family life is a matter of public concern" and includes a mandate "to make reasonable efforts ... to preserve the family in order to prevent the need for removing the child from his or her parents."

"Moreover," the lawsuit says with regard to New Jersey law, "any proceeding which may result in even a temporary loss of custody of a child implicates a parents' State constitutional right to appointed counsel."

The lawsuit notes that some fathers who were forcibly separated from their children at the border are currently being detained at the Elizabeth Detention Center in Elizabeth, New Jersey, while children who were forcibly separated from their parents have been placed at the Center for Family Services in Camden. The suit explains that the family separation policy and the resulting "inflow" of fragmented immigrant families harms the ability of the Plaintiff states – including New Jersey – to protect the well-being, civil rights and liberties of all their residents.

"Providing the necessary services to address the physical, psychological and legal needs of parents and children who have been separated will burden state systems including, but not limited to, burdens on the States' foster care systems, juvenile welfare and court systems, health care systems and publicly-funded education systems," **the complaint contends**.

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