



## Action Items for the 7/20/18 Planning Council Meeting

**Action Item 1:** Endorse First 5 Immigration Zero-Tolerance Policy and S. 3036 and HR 2572 Keep Families Together Act and Protect Family Values at the Border Act  
Recommended by the Public Policy Committee

**Background:** Performance Measure #1—Increased Access to ECE. The Planning Council platform prioritizes “taking positions and making recommendations on federal ...issues that significantly impact ECE ...access...and racial disparity,” advocating for family centered, inclusive...and culturally appropriate practice for children in all ECE programs, and protecting access for immigrant families, among other priorities.

Last year, the Planning Council hosted a meeting for child care providers with an immigration expert on how to help immigrant families in their programs know their rights. The ECE Committee has also convened two trainings on how to support children experiencing trauma in ECE settings.

Numerous governments and organizations and individuals have opposed recent federal separation of young children from their parents at the border of the United States. Complaints filed with the DHS Office of Civil Rights and Civil Liberties (CRCL) and the Office of Inspector General (OIG) confirm that DHS is separating minor children from their parents at border crossings, in a practice that contradicts policy and, potentially, international law in the instances of families seeking asylum. Reportedly, the practice is justified by officials as a deterrent to family migration. The complaints document instances of children as young as one and two years old being needlessly separated from their parents. Once separated, the children are deemed “unaccompanied,” and parents are either confined in ICE adult detention facilities or transferred to U.S. Marshals Service custody to await criminal prosecution.

Alameda County has officially endorsed Senator Feinstein’s S. 3036, and First 5 Alameda County has issued a statement that is included in the meeting packet. The Public Policy Committee is recommending that the Planning Council oppose recent federal action at the border as an atrocity that will have damaging, traumatic effects on children and families for generations. S. 3036, the “Keep Families Together Act,” prohibits the removal of a child from his or her parent or legal guardian at or near the port of entry or within 100 miles of the border of the United States, unless one of the following has occurred: (1) A State court, authorized under State law, terminates the rights of a parent or legal guardian, and determines that it is in the best interests of the child to be removed from his or her parent or legal guardian; (2) An official from the State or county child welfare agency with expertise in child trauma and development makes a best interests determination that it is in the best interests of the child to be removed from his or her parent or legal guardian because the child is in danger of abuse or neglect at the hands of the parent or legal guardian, or is a danger to herself or others; or (3) The Chief Patrol Agent or the Area Port Director in their official and undelegated capacity, authorizes separation upon the recommendation by an agent or officer, based on a finding that— (A) the child is a victim of trafficking or is at significant risk of becoming a victim of trafficking; (B) there is a strong likelihood that the adult is not the parent or legal guardian of the child; or (C) the child is in danger of abuse or neglect at the hands of the parent or legal guardian, or is a danger to themselves or others. An agency may not remove a child from a parent or legal guardian solely for the policy goal of deterring individuals from migrating to the United States or for the policy goal of promoting compliance with civil immigration laws.



**Pros:** The separation of families is inhumane, undermines child development, and stopping it requires unprecedented activism.

**Cons:** The Planning Council should limit our advocacy to child care program issues.

**Next Steps:** Send letters from LPC to First 5 and County Board of Supervisors detailing support for two items, above, and requesting collaboration to make training on legal rights of immigrants to child care providers and families in their care.