



Written by [Luis Miguel](#) on December 9, 2023

Judge Bans Government From Separating Migrant Families at Border

The courts have given a win to the Left and a major blow to migration hawks.

On Friday, a federal judge blocked — for the next eight years — the separation of families at the border for purposes of border enforcement.

U.S. District Judge Dana Sabraw, who issued the ruling, said the separation of migrant families “represents one of the most shameful chapters in the history of our country,” according to [Politico](#).

Sabraw, who sits on the District Court for the Southern District of California, was appointed to the position by President George W. Bush. In June 2018, he halted migrant family separations, directing the government to reunite parents with their children within a 30-day window — which provoked disorder because government databases were not linked and children had been sent to shelters that did not have information about who the parents were or where to locate them.

The latest decision is part of a settlement of a lawsuit brought against the government by many migrant families represented by the American Civil Liberties Union (ACLU). While the exact number of affected families and children isn’t known, it’s estimated that the settlement will cover between 4,500 and 5,000 children.

Under the deal reached, families who were affected by the separation policy will be allowed to seek work in the United States and gain access to housing, as well as legal and medical benefits. The families will not be paid any money under the settlement, even though the Biden administration initially considered compensating the families hundreds of thousands of dollars each.

Moreover, Customs and Border Protection (CBP) agents will be unable to separate families for eight years’ time. That means the type of policy by which children were separated from their parents *because their parents were arrested after having crossed the border illegally* will be banned from implementation — even if Trump wins the 2024 election — until December 2031. And in another major shake-up: CBP officials will not be allowed to refer parents for prosecution for immigration-related offenses unless the child is traveling with another guardian.

In a [statement](#), the ACLU lauded the settlement: “While this settlement alone can’t fix the unfathomable damage done to these children, it does provide hope and support that didn’t exist before. But there



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remains enormous work ahead to implement this settlement, including reuniting the hundreds of children who are still separated from their loved ones after all these years.”

President Trump, in an [interview with Univision](#) last month, defended the policy, claiming that it “stopped people from coming by the hundreds of thousands.”

“When you hear that you’re going to be separated from your family, you don’t come. When you think you’re going to come into the United States with your family, you come,” Trump said.

Politico further reported:

The government and volunteers have yet to locate 68 children who were separated under the policy to determine if they are safe and reunited with family or loved ones, according to the ACLU. Sabraw said those children who are unaccounted for was “always my greatest fear and concern.”

... Children may still be separated but under limited circumstances, as has been the case for years. They include if the child is believed to be abused, if the parent is convicted of serious crimes or if there are doubts that the adult is the parent.

As President Trump noted, the family separation policy had more rationale than the mainstream media would like to admit: Migrant families were not being separated arbitrarily or simply because the government wanted to be cruel. Rather, it was because the adult migrants were committing a legitimate crime: Entering the country illegally contrary to United States federal law. They were being arrested for their crime, and logically the children were not going to be arrested along with their parents, but rather placed in shelters suitable for children.

What the latest ruling from the Bush-appointed judge does is effectively take the teeth out of U.S. border and immigration law; adult migrants now are free from being arrested and punished for violating the law so long as they bring children with them. On the contrary, they will be rewarded for their law-breaking with medical benefits, housing, and other perks paid for by American taxpayers.

And if that weren’t incentive enough for migrants to cross the continent and take their chances at illegally crossing the border into the United States, the Biden administration is making it easier still.

As [The New American](#) previously reported, Biden’s Department of Homeland Security wants to expedite border crossings by sending Customs and Border Protection agents to parts of Mexico that have heavy populations of migrant arrivals. Once in Mexico, federal agents would commence the screening process for migrants in order to get them across the border into America sooner.

At this point, the American border is virtually nonexistent, as it is clear to anyone thinking about illegally migrating to the United States that the federal government has no intention of enforcing the law. For all intents and purposes, America now has an open border — and is already suffering the consequences.

[Click here](#) to learn more about the immigration invasion, and what can be done about it.



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