

Todd Stockton From Colorado Explains The Zero Tolerance Policy On Immigration

SARASOTA, FL, UNITED STATES, June 28, 2018 /EINPresswire.com/ -- Before President Donald Trump arrived in Duluth, he signed a new executive order that would stop the heavily criticized family separation policy. This policy separated children from their parents when they cross the border illegally. [Todd Stockton](#) has taken a more in-depth look at the existence of this policy.

[Todd Stockton From Colorado](#) on the Nature of the Zero Tolerance Immigration Policy

He explains that this policy means that for those who are apprehended when crossing the border, they will automatically face prosecution by the Department of Justice, as they are charged with unlawful entry. This is a misdemeanor offense. This means that the maximum prison sentence is six months. However, in most cases, the sentence is a time served one.

Recent Changes to the Policy

Before April of this year, those caught illegally crossing the border who would claim asylum would not face criminal charges. Instead, they would be referred to the Department of Homeland Security who would determine whether they had a genuine claim for asylum. Should the individuals be a family unit, the children would remain in the care of at least one parent. Then, the entire unit would be processed and screened together. If their application would be deemed genuine, they would be released and made to wear an ankle bracelet until their official hearings.

What has changed is that parents became forcefully separated from their children and they would face criminal prosecution. The children, meanwhile, would be looked after by the Office for Refugee Resettlement (ORR) and then eventually, after several days or weeks, placed with a sponsor family. This law was first instated in 1996. However, President Trump's Administration is the first to actually decide to prosecute asylum seekers, including those who enter as a family.

According to Todd Stockton, child separation as a policy is completely exclusive and new and has never been done before the Trump Administration. Clearly, the law has long been in place but only the current administration has interpreted that as making it legal to separate children from their families. This is part of the 'zero tolerance policy', which means that anyone, irrespective of their circumstances, is treated exactly the same way.

What this also means is that anyone who crosses the border, whether as an asylum seeker, an economic migrant, someone who has already tried before, will be prosecuted. Before, the decision to prosecute was at the discretion of the administration. Unfortunately, it now also appears that the Trump Administration has separated children from their families for at least 12 months. It was only recently, according to Todd Stockton, that this has become public knowledge due to the fact that there has been such a focus on the zero-tolerance policy. This has caused a significant rise in the number of children being separated from their family, which in turn has led to increased national and international condemnation of the administration's policy.

Todd Stockton on the Obama Administration

Under the Obama Administration, it was standard practice to process families as a unit. That said, there were long-term detention problems during the Obama regime as well. In fact, they faced legal prosecution in relation to this. However, children would remain in the care of at least one parent while their applications were being processed or their removal proceedings were ongoing. [Todd Stockton explains](#) that a California judge reached a federal government settlement in 1997 that was in relation to the treatment of unaccompanied minors attempting to cross the border, which also related to children who had been apprehended and were kept in family detention. The result was that children were no longer allowed to remain in detention for more than 20 days, regardless of whether they are unaccompanied minors or whether they are there with their family.

President Trump has now signed an executive order that will end the separation of children from their parents and carers. However, it is possible that this order will modify the settlement that was reached under the Obama Administration. Essentially, the Attorney General may petition that the Flores Settlement, as it is known, will be modified so that children will be able to remain in detention for 20 days or more. Todd Stockton explains that this means that children could be in detention for an indefinite period of time, albeit together with their families. It is unclear whether this will receive further condemnation or whether people will feel that this new settlement would be acceptable both in terms of morals and ethics and in terms of the zero-tolerance policy that President Trump has put in place.

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