



Three Years Later, Title 42 Continues to Cause Major Harm Amongst the Most Vulnerable

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San Diego – The third anniversary of Title 42 is a sobering reminder of the continued harm being inflicted on vulnerable people seeking asylum. Since its inception on March 20, 2020, Title 42 has been used to justify the expulsion of millions of people and families without due process or the opportunity to seek protection from persecution and violence in their home countries. Instead, at risk asylum seekers have been stranded in some of the most dangerous border cities in the world where over 13,480 instances of kidnapping, rape, torture and other violent attacks have been reported since Biden took office, with disproportionate harm to Black, Indigenous and LGBTQ+ asylum seekers.

As a coalition of organizations that work on both sides of the border, [The California Welcoming Task Force](#) has witnessed these harms first-hand. We look forward to the end of Title 42 no later than May 11, the date on which the U.S. government's public health emergency is set to end. However, we know that an end to Title 42 does not end the need for humane asylum border policies.

The fight is not over as the Biden administration pursues an asylum ban to further restrict access to protection in the United States. And there are news reports that the Biden administration may revive the abhorrent practice of family detention. As we move forward, it is imperative that we continue to push for the implementation of fair and humane immigration policies that prioritize the well-being and safety of all individuals.

California Welcoming Task Force member organizations offered the following statements:

“For three years, Title 42 has caused immeasurable pain and suffering. Too often, our border policy is reduced to numbers – how many people are apprehended at the border, how many asylum seekers are turned away. But lest we forget, these

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numbers represent real human beings. They are individuals and families—including children—that we have forced back to danger in their countries of origin or as they wait in Mexico for the fundamental right to apply for asylum. Expelling people to places where they risk being killed is not only unlawful, it goes against everything we should stand for as a nation. On the anniversary of Title 42's implementation, may we not lose sight of all those people fleeing persecution. The ones we could have helped. And the ones we still can," said **Lindsay Toczylowski Executive Director at Immigrant Defenders Law Center.**

"Every day Title 42 is in place vulnerable individuals and families are unable to access protection in the U.S. in contravention to international law and the U.S.'s longstanding tradition of welcoming people seeking safety and protection. Immigration is the foundation of this country. We must get back to centering humanity. The vulnerable individuals and families at our border seeking protection in the U.S. are not the enemy; our broken asylum system is," said **Michael Hopkins, CEO, Jewish Family Service of San Diego.**

"The promise of asylum is an enshrined right under federal law and international agreements meant to respond to tyranny and despair that forces thousands of people to flee their home countries. The United States undermines that promise every day that Title 42 remains in place, and it endangers the lives of those seeking shelter from harm. On this third anniversary since its implementation, we call on the Biden Administration to reject efforts that undermine the right to asylum, including its own expansion of Title 42 that endangers the lives of asylum seekers. It must proactively work with, and provide resources to, local, state, and civil society organizations to respond to the humanitarian needs of asylum seekers," stated **Pedro Rios, director of the American Friends Service Committee's US-Mexico Border Program.**

"For the past three years, Title 42 has made U.S. territory unreachable for families and individuals fleeing dire situations in search of safety and protection. This policy actively returns individuals to dangerous and violent situations including kidnapping, extortion and assault. Rather than welcoming with dignity, asylum seekers' right to seek asylum is continuously violated. On the third anniversary of this harmful policy we urge the Administration to restore access to asylum, immediately revoke Title 42 and any policies that restrict individuals' right to seek protection." said **Deanneka Flores, Interim Executive Director, IRC San Diego.**

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“Policies that expel refugees to prevent the spread of COVID feel like a cruel joke designed to punish migrants, with pandemic-related border closures that now only apply to them. Blocked from seeking asylum or joining family in the U.S., they fill dangerous border camps and overwhelm shelters, where they suffer from lack of access to medical care and violence directed toward migrants. Al Otro Lado and our partner organizations working in Mexico have seen many of our refugee clients die, including infants, after being blocked or expelled by Title 42. By keeping these cruel and ineffective policies in place, Biden not only managed to deeply anger immigration advocates, he also failed to draw any ceasefire from Republicans who only just doubled down on promoting “open borders” hysteria – a hysteria that couldn’t be farther from the truth. The anticipated end of the Title 42 policy comes far too late and will not bring back the refugees who lost their lives as a direct result of the policy,” said **Erika Pinheiro, Executive Director of Al Otro Lado.**

“For three years, Title 42 has wrought unspeakable pain and suffering on migrants at the southern border, trapping them in dangerous conditions and stripping them of their legal right to seek asylum. Rather than do everything in its power to undo this harm, the Biden Administration has expanded Title 42 and other restrictive policies designed to limit access to protection at the border. We urge the Biden Administration to make good on its campaign promises to restore access to asylum at the border, beginning with ending Title 42,” said **Monika Y. Langarica, Center for Immigration Law and Policy at UCLA Law.**

“It is extremely disappointing to see that Title 42 has been in place for three years, two of those under the Biden Administration. Title 42, already contemplated previously as a border closure tool by Stephen Miller, was finally used as a pretextual anti-immigrant weapon at the onset of the COVID-19 pandemic. While border and travel restrictions were eventually lifted for commerce and tourism, they were kept in place against the most vulnerable seeking asylum,” said **Angelica Salas, Executive Director of the Coalition for Humane Immigrant Rights (CHIRLA).**

Salas continued, “Title 42 disproportionately harms Black, Indigenous, and Latinos, particularly from Central America, and Haiti, who are forced to make unimaginable decisions as to what dangerous conditions they want to risk living through. The quick processing of over 20,000 Ukrainians at the southern border proved that this is a racist policy and that the lack of Customs and Border Protection capacity was also a pretext used to justify Title 42. We call on the Biden administration to stop

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criminalizing and vilifying immigrants and fueling further border militarization. We believe that this Administration has a legal and moral obligation to welcome people with dignity. The solution to addressing migration concerns is not to invest in policies and programs that block or restrict access to the asylum process in the U. S. Policies such as the Asylum Transit Ban and the threat of family detention are the opposite of humane and are guaranteed to result in more discrimination, trauma and irreparable harm. Instead, we must robustly fund and rebuild the asylum system.”

The fact that Title 42—a policy based on a lie and motivated by hate—has been used every single day for three long years...will go down in history as a shameful act of violence so despicable that future generations will gasp in horror to learn what was done under the false pretense of public health. Title 42 exposes people seeking safety to murders, kidnappings, sexual assaults and targeted attacks that could be prevented by respecting the human right to apply for asylum. The blood of all harmed by Title 42 is not only on Trump’s hands. It is on Biden’s hands, Mayorkas’ hands, and the hands of all who have defended and continue to defend this indefensible policy,” said **Ian Philabaum, Co-director of Anticarceral Legal Organizing with Innovation Law Lab.**

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The **California Welcoming Task Force** is a binational coalition dedicated to re-envisioning how the U.S. can welcome people seeking asylum safely and expeditiously at our border by coordinating across sectors (humanitarian & health, legal, advocacy and communications). More info at www.rapidresponsesd.org/cawtf