

MEMORANDUM

Amended
Agenda Item No. 11(A)(31)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging President
Joseph R. Biden, Jr. and
Secretary of Homeland Security
Alejandro Mayorkas to cease all
deportations of Haitians, expedite
the release of Haitian immigrants
held in U.S. immigration
facilities, and provide due
process to Haitians seeking
refuge

Resolution No. R-969-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime and Co-sponsor Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/jp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 11(A)(31)

RESOLUTION NO. **R-969-21**

RESOLUTION URGING PRESIDENT JOSEPH R. BIDEN, JR.
AND SECRETARY OF HOMELAND SECURITY ALEJANDRO
MAYORKAS TO CEASE ALL DEPORTATIONS OF
HAITIANS, EXPEDITE THE RELEASE OF HAITIAN
IMMIGRANTS HELD IN U.S. IMMIGRATION FACILITIES,
AND PROVIDE DUE PROCESS TO HAITIANS SEEKING
REFUGE

WHEREAS, thousands of Haitian migrants have recently crossed the Rio Grande and are sleeping outdoors under a border bridge in South Texas; and

WHEREAS, hundreds of migrants trekked through both knee-high and waist-deep water carrying their personal belongings, ice, plates of food, and other supplies, bathing in the nearby river in order to cool off from the intense heat; and

WHEREAS, this influx of migrants creates a crisis that must be appropriately handled by the Biden administration (the “Administration”); and

WHEREAS, instead, the Administration has sought to continue to use alternative emergency authorities under Title 42 of the U.S. Public Health Code to rapidly expel the Haitian migrants; and

WHEREAS, the Administration’s decision to immediately expel Haitian migrants is concerning given that it has already granted Temporary Protected Status (“TPS”) for Haitians in the U.S. as of May 21, 2021; and

WHEREAS, the Administration rationalized that TPS was an appropriate remedy for Haitians based on the country's instability after the assassination of its president, the August 14, 2021 7.2 magnitude earthquake that struck southwest Haiti leaving more than 2,200 people dead and an estimated 650,000 people in need of assistance, and the disastrous hurricane that immediately followed; and

WHEREAS, these events in conjunction with increased gang violence in Haiti support the position that Haiti is not stable; and

WHEREAS, in fact, Secretary Mayorkas stated that "Haiti is currently experiencing serious security concerns, social unrest, an increase in human rights abuses, crippling poverty, and lack of basic resources, which are exacerbated by the COVID-19 pandemic;" and

WHEREAS, thus, these expedited deportations must cease, and the migrants must be afforded due process to determine their asylum status; and

WHEREAS, approximately 21 flights have been sent to Haiti since the U.S. government's massive expulsion operation began; and

WHEREAS, UNICEF estimates that over two-thirds of those deported were women and children, including newborn babies; and

WHEREAS, in addition to the expedited deportation of over 2,000 Haitian migrants, the Biden administration has since expelled all migrants from the encampment in Del Rio, Texas, moving many into detention centers for processing; and

WHEREAS, studies show that Black immigrants are more likely to suffer longer periods in immigration detention and six times more likely to be placed in solitary confinement while detained; and

WHEREAS, far more disturbing is the treatment of the Haitian migrants at the Del Rio border; and

WHEREAS, videos and images have surfaced of U.S. Customs and Border Patrol agents on horseback with what appeared to be whips in hand; and

WHEREAS, these agents can be heard spewing expletives, using their horses as a form of force and intimidation, and most alarmingly, whipping migrants as they stumbled and fell into the river; and

WHEREAS, these troubling images reflect America's storied past in its treatment of people of African descent; and

WHEREAS, an immediate investigation into the inhumane and deplorable actions of the agents must be conducted and appropriate punitive measures imposed; and

WHEREAS, considering the current conditions in Haiti, this Board urges President Joseph R. Biden, Jr. and Secretary of Homeland Security Mayorkas to cease all deportations of Haitians and provide due process to Haitians seeking refuge in Del Rio, Texas,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges President Joseph R. Biden, Jr. and Secretary of Homeland Security Mayorkas to cease all deportations of Haitians, expedite the release of Haitian immigrants held in U.S. immigration facilities, and provide due process to Haitians seeking refuge.

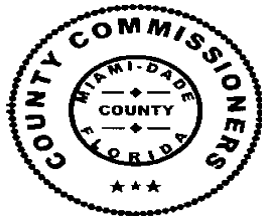
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the President of the United States, to the Members of the Florida Congressional Delegation and to the Secretary of the United States Department of Homeland Security.

Section 3. Directs the County's federal lobbyists to advocate for the action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime and the Co-Sponsor is Kionne L. McGhee. It was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** and upon being put to a vote, the vote was as follows:

	Jose "Pepe" Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of October, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency.

APP

Altanese Phenelus