



City of Philadelphia

City Council
Chief Clerk's Office
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Philadelphia, PA 19107

Legislation Text

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Condemning the inhumane treatment of Haitian migrants at the border and urging the Biden administration to immediately suspend all deportations of Haitians, expedite the release of Haitian immigrants held in U.S. immigration facilities, uphold the right to seek asylum, and ensure a clean pathway to citizenship for essential workers, Dreamers, Temporary Protected Status (TPS) holders, and their families in all economic recovery legislation including through budget reconciliation.

WHEREAS, Seeking asylum is legal; and

WHEREAS, The treatment of migrants crossing the U.S.-Mexico border has been inhumane and deplorable for decades; and

WHEREAS, Compounding crises in Haiti, including the aftermath of a presidential assassination, a catastrophic earthquake, and internecine violence, have resulted in dangerous conditions for people who deserve political stability and investments to repair and restore the infrastructure and economy of a neighboring nation; and

WHEREAS, Haiti is still in the process of recovering from a 2010 earthquake, which displaced over a million individuals and caused widespread infrastructure damage to countless roads and buildings and closed hospitals and ports; and

WHEREAS, In recent weeks, over 14,000 Haitians seeking asylum took shelter at the Del Rio encampment along the U.S.-Mexico border. The Biden administration has since expelled all migrants from the encampment, deporting over 2,000 Haitians and moving many more into detention centers for processing. UNICEF estimates that over two-thirds of deported Haitian migrants are women and children, including newborn babies; and

WHEREAS, Horrifying images of mounted Customs and Border Patrol (CBP) agents whipping and assaulting Haitian migrants attempting to join the Del Rio encampment have circulated through the media, demonstrating the violent and abusive practices of CBP which have escalated through successive administrations; and

WHEREAS, Human Rights First has catalogued over 6,000 reports of violent attacks including rape, kidnapping, and assault in the first seven months of the Biden administration and documented that nearly one in 5 Haitian asylum-seekers is a victim of police abuse in northern Mexico; and

WHEREAS, Following the earthquake in 2010, the U.S. government halted all deportations of Haitian migrants for a year. Removals were also temporarily halted in October of 2016 following devastation from Hurricane Matthew. Four months ago, the Department of Homeland Security redesignated Haiti for temporary protected status, acknowledging the country was 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, Despite all this, the Biden administration has deported thousands of Haitians and other immigrants using a rule established by the Trump administration based on Title 42 of the Public Health Service Act. The

“Title 42” policy authorized the expulsion of noncitizens without any procedural protections, including the right to seek asylum, under the pretext of protecting the public health from the spread of the COVID-19 virus despite opposition from a broad array of doctors and public health experts. Under former President Trump, “Title 42” was used to remove nearly half a million migrants; the Biden administration has not only failed to reverse this policy but has already used it to deport nearly 700,000 individuals and recently appealed a court ruling limiting its use; and

WHEREAS, The shocking abuse of Haitian migrants at our border has its roots in over three decades of failure to enact common sense immigration reform and a path to citizenship for millions of residents of the U.S. who remain undocumented, and the increasing violence and profiteering of indefinite detention and abusive deportation practices; and

WHEREAS, Haitian activists and Black immigrant rights advocates have repeatedly called out and protested against our nation’s historic and present unequal treatment of Black people, including Black immigrants, who have been disproportionately impacted by our restrictive immigration laws and abusive enforcement practices. Black immigrants are more likely to suffer longer periods in ICE detention and six times more likely to be placed in solitary confinement while detained. Haitian migrants seeking asylum in the U.S. have faced particularly inhumane and unequal treatment, from being falsely reclassified as “economic migrants” rather than refugees in the 1970s to suffering in extended detention in Guantanamo Bay during the 1990s among other discriminatory actions; and

WHEREAS, The chairs of the House Committees on Homeland Security and Foreign Affairs, along with many other Congressional Democrats, have called for a humanitarian moratorium on the deportation of Haitian migrants. This call has been echoed by Cities for Action, a coalition of 150 U.S. mayors and county executives that includes Philadelphia, as well as hundreds of immigrant and civil rights organizations including the ACLU, NAACP Legal Defense Fund, National Immigrant Justice Center, Haitian Bridge Alliance, Local Progress, and many others; and

WHEREAS, The City of Philadelphia has welcomed immigrant families and is a proud home to 30,000 individuals of Haitian descent who have brought economic and cultural vitality to our City. Over 14% of Philadelphia's residents were born in another country and Philadelphia has reversed five decades of population decline in part due to immigrants and refugees; and

WHEREAS, There are approximately 55,000 Haitians with Temporary Protected Status across the United States, many of whom are serving as essential workers in construction, agriculture, food services and production, transportation, healthcare, childcare, and other essential industries and have risked their lives and the lives of their families to keep our nation running during one of the most challenging periods in modern history. Providing a path to citizenship for these individuals and their families not only recognizes the sacrifices they have made for all Americans over the past year, but also the important role they continue to play in America’s economic recovery and long-term global competitiveness; and

WHEREAS, Our nation must take a humanitarian approach and welcome migrants with dignity in line with our stated values as a nation of immigrants and our recognition of fundamental human rights. Our laws require that any person who arrives at the border or is within the United States must be given an opportunity to seek asylum. We must ensure that harsh deterrence tactics and administrative policies do not undermine this fundamental right and result in the denial of due process, separation of families, lengthy detention, or other harsh consequences for people seeking refuge. Beyond ending inhumane deterrence policies, the federal government must adopt immigration policies and strategies that respect the basic human rights of asylum

seekers by taking actions such as providing legal counsel for people facing removal; increasing the capacity of asylum officers to process cases; expanding alternatives to detention; and working with countries to address the root causes of forced migration; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Condemns the inhumane treatment of Haitian migrants at the border and urges the Biden administration to immediately suspend all deportations of Haitians, expedite the release of Haitian immigrants held in U.S. immigration facilities, uphold the right to seek asylum, and ensure a clean pathway to citizenship for essential workers, Dreamers, Temporary Protected Status (TPS) holders, and their families in all economic recovery legislation including through budget reconciliation.