

Aug 19, 2021

Contact Kylie Mason

Phone 850-245-0150



OFFICE OF
ATTORNEY GENERAL
ASHLEY MOODY
— Stronger, Safer Florida —

Attorney General Ashley Moody News Release

AG Moody Urges Sheriffs to Resume Transfer of Criminals in U.S. Illegally to Feds

TALLAHASSEE, Fla.—Following a nationwide court-ordered injunction, Attorney General Ashley Moody is urging Florida sheriffs to transfer criminals in the country illegally to federal authorities for deportation, upon the completion of their sentences. The guidance comes after the U.S. District Court for the Southern District of Texas ruled against President Joe Biden’s failed immigration policies. The ruling orders the U.S. Department of Homeland Security to follow federal law that requires the deportation of certain criminals in the country illegally.

Attorney General Ashley Moody said, “This is an important public safety ruling. Since his first day on the job, President Biden has refused to deport serious criminal offenders here illegally—making Floridians and the rest of the country less safe. I am grateful for today’s ruling that forces President Biden to do his job, and I am asking all our great sheriffs to resume the transfer of custody of criminals in the country illegally to the federal government for deportation.”

The prevailing arguments in the Texas case are similar to a lawsuit brought by Attorney General Moody earlier this year. On March 9, Attorney General Moody filed a complaint and a motion for a preliminary injunction against the Biden administration over directives to suspend the arrests and deportations of certain criminals in the country illegally—many of them violent or convicted on drug trafficking charges.

The lawsuit highlights President Biden’s Executive Order 13993, Revisions of Civil Immigration Enforcement Policies and Priorities. Following the order, DHS released a memo ordering Immigration and Customs Enforcement to cease virtually all civil immigration enforcement with few specified exceptions. The DHS directive also paused the removal of any noncitizen with a final order of removal for 100 days. A subsequent memo from ICE on Feb. 18 largely reiterates the previous directives.

The court’s ruling invalidates both memos, stating essentially that the Biden administration cannot pick and choose which immigration laws to enforce.

The court order states, “The Court inquires whether the Executive Branch may direct officials to enforce a law enacted by Congress in a way that is contrary to the plain language of the law. That inquiry yields a clear answer: it may not. The Executive Branch may not instruct its officers to enforce a statute in a manner contrary to the law itself.”

To read the order, click [here](#).

Attorney General Moody's [memo to Florida sheriffs](#) outlines the ruling and urges the law enforcement leaders to work with federal agents to resume the transfer of custody of criminals in the country illegally upon completion of their sentences.

Attorney General Moody's memo states, "For the safety of our communities throughout Florida, I encourage you to immediately resume coordinating with your law enforcement partners at ICE, who are now required by court order to follow federal law and cooperate with you in getting criminals in the country illegally off the streets. If you become aware of any officer of the federal government refusing to do so, please bring it to the attention of my office."

Attorney General Moody's immigration litigation is on appeal in the U.S. Court of Appeals for the 11th Circuit.

For more information on Attorney General Moody's lawsuit, click [here](#).