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Florida Attorney General's Office News Release

AG Moody Files Legal Action Against Biden Administration



TALLAHASSEE, Fla.—Attorney General Ashley Moody is taking legal action to immediately halt new federal immigration policies jeopardizing the safety of Floridians and immigrant victims. Attorney General Moody today 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.

Attorney General Ashley Moody said, “As Attorney General, my job is to protect Floridians. Every day I work tirelessly to make Florida stronger and safer. Whether it is fighting the opioid epidemic, combating human trafficking or helping domestic violence victims, we are confronted with these real-life problems.

“The Biden administration’s reckless policy of refusing to do their jobs and deport criminals, places all those gains and Floridians' public safety at risk. Until President Biden’s inauguration, presidents of both parties detained and deported criminals. This is a radical shift that places Floridians and our law enforcement officers in greater danger,and that is why I filed suit.”

On Jan. 20, President Biden issued Executive Order 13993, Revisions of Civil Immigration Enforcement Policies and Priorities. Following the order, the U.S. Department of Homeland Security 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.

As a result of the reversal of President Donald Trump's and President Barack Obama's immigration policies, convicted criminals in the country illegally—including drug traffickers, sex offenders and those convicted of domestic violence—will no longer be deported but instead remain in Florida free to commit further offenses.

According to Attorney General Moody's motion for a preliminary injunction, the Florida Department of Corrections reports at least seven instances of ICE refusing to take custody of serious criminals upon release from state custody. These convicts, a number of whom have already been released, are in the country illegally and served prison sentences for burglary, cocaine trafficking, heroin trafficking and other crimes.

For more information on these criminals, click here.

The motion also outlines how the Biden administration's changes are affecting Florida counties where criminals in the country illegally were previously detained by federal authorities. This year in Pasco County, ICE refused to take custody of three inmates whose crimes included domestic violence, violating a restraining order and a warrant for an accused sexual predator.

To read the complaint, click here.

To read the motion for preliminary injunction, click here.

Attorney General Moody is asking the court to immediately halt the Biden administration's anti-deportation policies and hold Biden's actions and subsequent DHS and ICE memos unlawful.