Jan 9, 2023

Contact Kylie Mason

Phone 850-245-0150

OFFICE OF THE ATTORNEY GENERAL STATE OF FLORIDA

Florida Attorney General's Office News Release

New Evidence Before Florida's Immigration Trial



TALLAHASSEE, Fla.—On day one of Attorney General Ashley Moody's trial to hold President Joe Biden responsible for the border crisis, the Florida Attorney General's legal team is presenting bombshell new evidence that the federal government wrongfully withheld until just before trial. If not for a Freedom of Information Act request by the Florida Attorney General's Office, the damning evidence would not come to light or be part of the State's vital litigation to force the Biden administration to follow the law, secure the border and protect the American people.

Previously withheld U.S. Department of Homeland Security emails contain talking points for the Commissioner of U.S. Customs and Border Protection for a briefing with the Acting Secretary of the Department of Homeland Security, and detail that the Biden administration's destruction of the Trump administration's immigration structures left the U.S. Border Patrol with no other options except to release almost all immigrants encountered. The messages, sent just eight days after Biden took office, state that the surge of illegal immigrants caused by Biden's destructive immigration policies will "immediately overwhelm" federal detention capacity.

One email from a DHS official sent on Jan. 28, 2021 states: "The pause on processing pathways (MPP, ACA, PACR) and recent policy changes have also impacted USBP's ability to expeditiously process and remove those encountered…The USBP will be required to promptly process and release family units and single adults due to lack of adjudication pathways."

The U.S. Department of Justice should have disclosed the emails to the State of Florida as part of the discovery process. However, DOJ withheld the evidence. Attorney General Moody obtained the messages through a separate FOIA request and subsequent litigation, just in time to be prepared and presented today in the state's case.

Attorney General Ashley Moody said, “Biden’s willingness to hide evidence and lie to the American people about the border crisis he created is deeply concerning. The records we obtained through our aggressive litigation efforts prove the Biden administration knew—as early as eight days after taking office—its destructive immigration policies were creating a colossal public safety crisis. The evidence that we fought ferociously to obtain is damning for the Biden administration, and we will continue to use his administration’s own actions and words against them in an attempt to force the president to follow the law.”

To view the emails, click here.

Attorney General Moody’s legal team presented the evidence today in Florida’s case, No. 3:21-cv-1066 in the U.S. District Court for the Northern District of Florida. The messages are just one piece in a pile of bombshell evidence uncovered by Attorney General Moody’s legal team that includes depositions of DHS officials, memos dictating that USBP stand down in the event the border is overrun by migrants and much more.

For an outline of some of the additional damning evidence and for more information about Florida’s case, click here.

Biden’s immigration policies pose a threat to people in all 50 states as deadly drugs, illegal immigrants, criminals and those on the terrorist watch list flood into the country. USBP encountered a record 2.76 million illegal immigrants during the federal fiscal year ending in September 2022. USBP encountered nearly 100 people on the terrorist watchlist in FY 2022, a 276% increase when compared to the past five years combined. Since February 2021, authorities seized nearly 25,000 pounds of illicit fentanyl, enough to kill every man, woman and child in the U.S. more than 17 times over—as overdose deaths skyrocket past 100,000 a year.

To view the amended complaint, click here.