

# The Miami Herald

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## Halt Haitian deportations

The resumption of deportations to Haiti revives a senseless and inhumane policy by the Department of Homeland Security. The last time this occurred, in late January, at least one of the deportees died within days, prompting a nearly three-month hiatus in deportations that has now been lifted for no good reason.

Conditions in Haiti remain appalling as the nation struggles to overcome a severe humanitarian crisis. An estimated 680,000 people are still stuck in camps for the displaced 15 months after the powerful earthquake that destroyed much of Port-au-Prince in January of 2010. A cholera epidemic has affected 234,000 people and caused a reported 4,500 deaths. A recent article in the British medical journal *The Lancet* estimated that, "absent new interventions," the epidemic could sicken some 800,000 people and kill 11,000.

The Obama administration is extending financial and material aid to Haiti, along with governments from around the world and numerous aid agencies. Aid workers are racing against the clock in a heroic effort to save and protect lives as another hurricane season approaches. Yet Mr. Obama's own government is working at cross-purposes with them — and with itself — by casting more Haitians back into this scenario of misery.

Officials from Immigration and Customs Enforcement (ICE) say the deportations were resumed because of a rigid timeline: Courts have ruled that those with a final order of removal must be released if they are not removed — that is, deported — within 180 days of detention. They say all 19 deported last week were convicted of at least one serious felony in the United States and that the list includes "those whose serious criminal histories mean they would pose a significant threat to local communities if released."

Haitian advocates challenge that assessment as "inaccurate and misleading." In a letter written to President Obama last month, they said: "Far from being limited to 'violent felons,' the people slated for deportation include people with only nonviolent misdemeanor records and nonviolent drug offenses. Many have family members, including young children, who are United States citizens and who rely on them for support."

Moreover, they note, Haitians are discriminated against by a double standard

that does not allow them to benefit from the flexibility shown to other nationals. The deportations can be stopped while still keeping the public safe, they insist. "ICE has robust supervision and electronic monitoring programs that it routinely uses to monitor noncitizens with criminal backgrounds who cannot be deported — including people from Cuba and other countries to which deportation is not possible and people who are stateless."

The larger issue involves human rights violations. Earlier this year, the Inter-American Commission on Human Rights took note of the deplorable, inhumane conditions in Haitian jails, particularly the complete lack of medical attention, and said the deportations should be halted, at least until the Haitian government can guarantee improvement. As it stands, the Haitian government can't guarantee anything of the sort. It can't even guarantee acceptable living conditions for hundreds of thousands of displaced earthquake victims, much less jail inmates.

DHS Secretary Janet Napolitano should order a halt to deportations until conditions in Haiti improve. She should also consider granting deferred action and stays of removal for Haitians based on the humanitarian crisis in that country. It's the right thing to do.

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