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LDF Issues Statement on Treatment of Haitian Asylum Seekers at U.S. Border

Over the last few days, Haitian migrants near the southern border of Texas have faced heightened and shocking abuse from U.S. Border Patrol agents while attempting to seek asylum in the United States. Photos show agents on horses chasing and whipping Haitian migrants.

In addition, the Biden administration has started deporting the migrants to Haiti, a country facing serious political and humanitarian crises. This government action occurring under the purview of public health ordinance Title 42, which was first adopted during the COVID-19 pandemic by former President Trump, allows for the rapid expulsions of migrants—without granting them an opportunity to apply for asylum. President Biden has continued to enforce the order, despite pushback from civil rights groups and Haitian-American community organizations.

In response to the migrant crisis, NAACP Legal Defense and Educational Fund, Inc. (LDF) President and Director-Counsel Sherrilyn Ifill issued the following statement:

“The ongoing treatment of Haitian migrants by agents of the United States government—as seen most dramatically this week in photos of brutality at the border and the mass deportations of desperate Haitians—must be addressed directly and quickly by this administration. Haitian migrants who arrive in our country seeking safety and security are fleeing a country ravaged by a devastating earthquake and violence following the assassination of the country’s leader this summer. They deserve to be treated with humanity and compassion. LDF is calling on the Biden administration to halt deportations of Haitians, and to provide the support and resources needed to create humane conditions in Haitian migrant camps in Texas. In addition, any agent of the U.S. government engaged in the brutality we saw yesterday perpetrated by officials on horseback menacing and corralling Black migrants must be immediately suspended, and their conduct investigated. This includes investigating the orders and policies that resulted in such conduct.

“When the Trump administration removed Temporary Protected Status for Haitian immigrants, LDF challenged the now-rescinded decision in court, arguing that the Department of Homeland Security intended to discriminate against Haitian immigrants living in the United States because of their race and national origin. Now, the Biden administration is using Title 42 as a mechanism to facilitate the rapid deportation of migrants at the U.S. border to Haiti. Let’s be clear, Title 42 deportations are illegal and a violation of human rights.

“In 1985, LDF founder and Supreme Court Justice Thurgood Marshall condemned this country’s unwillingness to welcome Haitian migrants in his groundbreaking dissent in *Jean v. Nelson*. He called for equal protection to apply to Haitian immigrants and highlighted the United States’ frequent use of policy to discriminate against Black immigrants. This

repetition of an enduring historical wrong must end. We urge President Biden to cease all Title 42 expulsions, take the necessary steps to ensure safe passage for all asylum seekers, and bring this horrific violation of civil rights to an end.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF. Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).