

RESOLUTION 14-100

Illegal persons being located in Gilmer County by the Federal Government

WHEREAS the citizens of Gilmer County, Georgia recognize their duty as law-abiding citizens to act in accordance with the U.S. Constitution and the Georgia Constitution, and are endowed with rights to life, liberty, and the pursuit of happiness, which our government has been instituted to secure; and

WHEREAS the federal government is failing to protect the borders of our country in accordance with Article 1, Section 8 of the U.S. Constitution which states that the role of Congress includes the power "to establish an uniform Rule of Naturalization ... throughout the United States", and

WHEREAS the Federal Immigration and Nationality Act Section 8 USC 1324(a)(1)(A)(iv)(b)(iii) states that, under the federal Immigration and Nationality Act, INA 274A(a)(1)(A) passed by said Congress,

It is a violation of law for any person to conceal, harbor, or shield from detection in any place, including any building or means of transportation, any alien who is in the United States in violation of law. **HARBORING MEANS ANY CONDUCT THAT TENDS TO SUBSTANTIALLY FACILITATE AN ALIEN TO REMAIN IN THE U.S. ILLEGALLY.** It is also a felony to encourage or induce an alien to come to or reside in the U.S. knowing or recklessly disregarding the fact that the alien's entry or residence is in violation of the law. This crime applies to any person, rather than just employers of illegal aliens. ...The fact that the alien is a refugee fleeing persecution is not a defense to this felony, since U.S. law and the UN Protocol on Refugees both require that a refugee must report to immigration authorities without delay upon entry to the U.S.

The penalty for felony harboring is a fine and imprisonment for up to five years, and

WHEREAS State and local law enforcement officials have the general power to investigate and arrest violators of federal immigration statutes without prior INS knowledge or approval, as long as they are authorized to do so by state law. There is no extant federal limitation on this authority. The 1996 immigration control legislation passed by Congress was intended to encourage states and local agencies to participate in the process of enforcing federal immigration laws. Immigration officers and local law enforcement officers may detain an individual for a brief warrantless interrogation where circumstances create a reasonable suspicion that the individual is illegally present in the U.S., and

WHEREAS it is estimated that more than 90,000 illegal alien minors will arrive in the United States during 2014 and an additional 145,000 illegal alien minors during 2015, with some expected to be placed in Georgia towns and communities, and

WHEREAS incentivizing minors to enter the United States illegally puts those minors at risk of physical danger, including violence and sexual abuse, which has resulted in injury and death to multiple unaccompanied minors; and

WHEREAS the federal government is transporting and placing illegal alien minors into Georgia towns and counties, to accommodate the unprecedented overflow of illegal aliens and unaccompanied minors; and

WHEREAS the influx of school-age illegal minors will have an adverse effect on local school district educational funding, resources, campus security, public health, and safety; and

WHEREAS the U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention require legal immigrants to receive a comprehensive medical exam and vaccination for a wide range of diseases, but these requirements are not being equally applied to illegal alien minors being admitted to the country; and

WHEREAS the Executive Director of the Association of American Physicians and Surgeons recently warned that by admitting large numbers of minors who come from countries where medical screenings are minimal and hygiene is poor, the United States is at risk for epidemics of serious diseases and viruses that the nation has not seen in years; and

WHEREAS the increasing volume of illegal aliens can be financially crippling in some cities and counties in the State of Georgia by overwhelming the local medical, educational, law enforcement, and judicial systems; and

WHEREAS the State of Georgia has the right and obligation to protect its citizens in accordance with Article 1 of the Georgia Constitution which provides:

“Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws”, and.

“All citizens of the United States, resident in this state, are hereby declared citizens of this state; and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, privileges, and immunities due to such citizenship.”

Now, Therefore, Be it Resolved that the **Board of Commissioners, Gilmer County, Ellijay, Georgia** hereby finds that the housing of illegal persons in Gilmer County, Georgia is not in the best interest of the public.

Be it Further Resolved that the Board of Commissioners, Gilmer County, Ellijay, Georgia direct all county law enforcement officers who have sworn to uphold the U.S. Constitution and its duly created laws to enforce the immigration laws as outlined above


Be it Further Resolved that the Board of Commissioners, Gilmer County, Ellijay, Georgia denies the federal government permission to locate illegal persons within Gilmer County,

Be it Further Resolved that the Board of Commissioners, Gilmer County, Ellijay, Georgia hereby encourages the Georgia State Legislature to enhance state smuggling and human trafficking laws and provide civil and criminal liability protections for Georgia citizens.

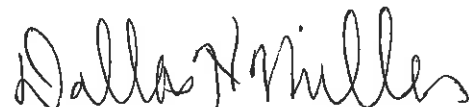
Be it Further Resolved that copies of this Resolution be spread upon the minutes of this Court and provided to Gilmer County's state and federal elected legislative representatives.

Upon motion duly made and seconded, the above Resolution was

SO RESOLVED this 9th day of October, 2014.



JC Sanford
Chairman



Dallas H. Miller
Commissioner – Post 1



Danny R. Hall
Commissioner – Post 2

Attest:



Kim Rogers, County Clerk

VOTE ON 14-100

	YES	NO	ABSTAIN/ABSENT
JC SANFORD, CHAIRMAN	<u>2nd</u>	_____	_____
DALLAS H. MILLER, POST 1	<u>M</u>	_____	_____
DANNY R. HALL, POST 2	<u>*</u>	_____	_____