



Arizona House of Representatives

May 11, 2023

Via email and hand-delivery

Hon. Katie Hobbs
Governor of Arizona
1700 W. Washington St., 9th Floor
Phoenix, Arizona 85007

Re: Expiration of Title 42 and Activating All Available State Resources

Dear Governor Hobbs:

In February 2022, Arizona Attorney General Mark Brnovich issued a comprehensive legal opinion documenting the federal government's failure to uphold its duty to defend the States from invasion—particularly at Arizona's border with Mexico—by drug cartels and gangs' violence, lawlessness, and trafficking of deadly illicit drugs, such as fentanyl.

In May 2022, the Arizona House of Representatives denounced the current crisis at the southern border, again documenting the unprecedented number of people attempting to enter the country illegally and the soaring increase in criminal activity and violence. The House declared that "an uncontrolled border is a security and humanitarian crisis" and that "the smuggling of illegal drugs, weapons, and human beings poses a direct threat to our communities and innocent Americans." Legislative Proclamation, 5/25/22 (enclosed).

By all accounts, the crisis at Arizona's southern border has only worsened since then. Arizona's law enforcement agencies are overwhelmed with this endless flood of illegal activity, and those threats have been magnified with President Biden's reckless decision to abandon Title 42.

The State of Emergency in Arizona's border counties that former Governor Ducey declared on April 20, 2021, is still in effect and continues as long as these conditions exist. And over \$240 million remains in the Border Security Fund, which the Legislature established to prevent illegal entry into the country, solidify infrastructure, and combat other harms at the border.

We call upon you to take immediate action and activate all available state resources to keep our communities safe from these dangerous and unprecedented threats.

Respectfully,

Handwritten signature of Gail Griffin in black ink.

Gail Griffin
Representative LD 19

Handwritten signature of Tim Dunn in black ink.

Tim Dunn
Representative LD 25

Handwritten signature of Lupe Diaz in black ink.

Lupe Diaz
Representative LD 19


Handwritten signature of Michael Carbone in black ink.

Michael Carbone
Representative LD 25

Handwritten signature of Michele Peña in black ink.

Michele Peña
Representative LD 23

State of Arizona



Legislative Proclamation

DENOUNCING THE CURRENT CRISIS WITH RESPECT TO THE SOUTHERN BORDER

Whereas, the United States-Mexico border consists of 1,954 miles of varied terrain, including deserts, rugged mountainous areas, forests and coastal areas; and

Whereas, officially established in 1924 by an act of Congress in response to increasing illegal immigration, the United States Border Patrol has primary responsibility for securing the border between ports of entry; and Whereas, Border Patrol agents patrol international land borders and waterways to detect and prevent the illegal trafficking of people, narcotics, and contraband into the United States; and

Whereas, on March 7, 2022, the Western States Sheriffs' Association unanimously passed Resolution 22-1, which outlines the alarming issues facing our nation due to the unchecked illegal immigration crises at our southern border; and

Whereas, the southern border of the United States is currently experiencing an unprecedented number of people attempting to enter the country illegally, with the past fiscal year seeing a 379% increase of border encounters as compared to the previous fiscal year. These 1.7 million individuals represent 164 countries, including countries with suspected terrorist ties, and 63% of them are from countries other than Mexico; and

Whereas, there has likewise been a major increase in apprehensions, expulsions and "gotaways" on the southwest border, with one million encounters and 300,000 getaways between October 1, 2021, and April 11, 2022; and

Whereas, in the past fiscal year, the number of illegal drugs seized has skyrocketed, including 10,000 pounds of fentanyl, 180,000 pounds of methamphetamine, 86,000 pounds of cocaine, 5,000 pounds of heroin and 311,000 pounds of marijuana. Likewise, criminal activity has soared, with law enforcement documenting 60 homicides, 1,178 assaults, 2,138 drug-related or drug trafficking arrests, 825 burglaries, 1,629 DUIs, 336 weapons arrests and 488 sexual assaults; and

Whereas, in a new effort to boost their operations, criminal cartels are using social media platforms as a recruiting tool for human smuggling. Drivers are lured by social media posts promising payment of \$1,500 to \$2,000 for every migrant a person can transport by vehicle to Tucson or Phoenix. Known as "load-car drivers," these individuals are mainly young people, some as young as fourteen years old, who are enticed to pick up undocumented migrants at the border and ferry them to their destinations in exchange for money. Arizona Governor Doug Ducey has called on four social media giants to better monitor their platforms and ban these recruitment posts on their sites; and

Whereas, for individuals who are smuggled into the United States by Mexican and South American cartels, their arrival marks the beginning of years of drug distribution, modern-day slavery, and sex trafficking to pay back the criminal cartels to which they are indebted; and

Whereas, an estimated 8% of the 1.7 million encounters last fiscal year were unaccompanied minors; and

Whereas, tragically, the prior year saw 162 migrant deaths in Southern Arizona; and

Whereas, an uncontrolled border is a security and humanitarian crisis, and the increased violence and the smuggling of illegal drugs, weapons and human beings poses a direct threat to our communities and innocent Americans; and
Whereas, the current administration has halted construction of a southern border wall, and there are numerous unfinished sections in Arizona; and

Whereas, this administration is not working collaboratively or in good faith with local law enforcement agencies and other state leaders to address the serious issues related to the border; and

Whereas, in April 2021, Arizona Governor Doug Ducey declared a state of emergency at Arizona's southern border; and

Whereas, in February 2022, Arizona Attorney General Mark Brnovich issued a legal opinion determining that the current crisis at Arizona's southern border with the violence and lawlessness of cartels and gangs legally qualifies as an "invasion" under the United States Constitution.

Therefore, Representative Gail Griffin and the following members of the House of Representatives of the State of Arizona denounce the continued breach of our nation's southern border and support safe communities, immediate, decisive action to secure the border and alleviate the security and humanitarian crises associated with illegal immigration.

Dated this 25th day of May 2022



Gail Griffin

Representative Gail Griffin

Rusty Bowers

Speaker of the House Rusty Bowers

Ben Toma

Majority Leader Ben Toma

Leo Biasiucci

Majority Whip Leo Biasiucci

Travis Grantham

Speaker Pro Tempore Travis Grantham

Brenda Barton

Representative Brenda Barton

Walter Blackman

Representative Walter Blackman

Shawna Bolick

Representative Shawna Bolick

Judy Burges

Representative Judy Burges

Frank Carroll

Representative Frank Carroll

Neal Carter

Representative Neal Carter

Joseph Chaplik

Representative Joseph Chaplik

Regina Cobb

Representative Regina Cobb

David Cook

Representative David Cook

Lupe Diaz

Representative Lupe Diaz

Tim Dunn

Representative Tim Dunn

John Fillmore

Representative John Fillmore

Mark Finchem

Representative Mark Finchem

Jake Hoffman

Representative Jake Hoffman

Joel John

Representative Joel John

Steve Kaiser

Representative Steve Kaiser

John Kavanagh

Representative John Kavanagh

Teresa Martinez

Representative Teresa Martinez

Quang Nguyen

Representative Quang Nguyen

Joanne Osborne

Representative Joanne Osborne

Jacqueline Parker

Representative Jacqueline Parker

Kevin Payne

Representative Kevin Payne

Beverly Pingerelli

Representative Beverly Pingerelli

Michelle Udall

Representative Michelle Udall

Jeff Weninger

Representative Jeff Weninger

Justin Wilmeth

Representative Justin Wilmeth