

FOCUS LATIN AMERICA

Judge Refuses to Second-Guess Family Separations at Border

by Elliot Spagat

A U.S. judge ruled the Trump administration is operating within its authority when separating families stopped at the Mexico border, rejecting arguments that it was quietly returning to widespread practices that drew international condemnation.

The American Civil Liberties Union argued that the administration was splitting families over dubious allegations and minor transgressions, including traffic offenses.

It asked the judge in July to rule on whether the government was justified in separating 911 children during the first year after the judge halted the general practice in June 2018.

U.S. District Judge Dana Sabraw indicated he was uncomfortable second-guessing government decisions to separate children on grounds that parents were considered unfit or dangerous, or in other limited circumstances such as criminal history, communicable diseases and doubts about parentage. He found no evidence that the government was abusing its discretion.

"It is an invitation that is potentially massive in scope, invades an area that is particularly within the province of the executive branch to secure the nation's border, and goes beyond this court's class certification and preliminary injunction orders, which were focused on the administration's practice of separating families at the border for the purpose of deterring immigration, and failing to reunify those families," Sabraw wrote in a 26-page decision.

In a partial victory for the ACLU, the judge said the government must settle any doubts about parentage before separating families by using DNA tests that deliver results in about 90 minutes.

The ruling was a rare instance of the San Diego judge siding with the administration. In June 2018, he halted the practice of separating families under a "zero tolerance" policy to deter illegal immigration and ordered that about 2,800 children be quickly reunited with family. Lack of adequate tracking sys-



ALEJANDRO CEGARRA/BLOOMBERG NEWS

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tems at the time made reunification a monumental task.

The judge later ordered the administration to identify more than 1,500 additional children who were separated earlier in Trump's presidency, starting in July 2017. The government is providing information to the ACLU, which, in some cases, has volunteers going door to door in Guatemala.

The ACLU said it was considering its next move.

"The court strongly reaffirmed that the Trump administration bears the burden if it attempts to separate families based on an accusation that the adult is not the child's parent," said ACLU attorney Lee Gelernt. "We are evaluating the decision to determine next steps on how to ensure that children are not separated from their parents based on minor infractions."

The Justice Department didn't immediately respond to a request for comment.

The judge noted that the administration acknowledged it erred by separating a mother who needed emergency surgery and a father who was HIV-positive. He rejected the ACLU's contention that some accusations of gang affiliation were unfounded, saying that the government relies on "objective evidence, not allegations or intuition."

Elliot Spagat reports for the Associated Press.

UN Envoy for Colombia: Peace Depends on Stopping Killings

by Edith M. Lederer

The U.N. envoy for Colombia warned that peace won't be achieved if former combatants who laid down their weapons and social leaders continue to be killed.

Carlos Ruiz Massieu said Sunday's announcement by Colombian authorities that they thwarted a planned attempt to kill Rodrigo Londono, who had been the top military commander of the country's largest rebel group and now heads its legal political party, "underscored the risks" facing former rebels "and the peace process itself."

He told the U.N. Security Council it also underscores "how crucially important it is to guarantee ... security" of former rebels from the Revolutionary Armed Forces of Colombia or FARC.

Ruiz Massieu stressed that "perpetrators of attacks against social leaders and former combatants must be brought swiftly to justice, including both material and intellectual authors." He also stressed that "more effective measures are still imperative to protect these individuals, and their communities."

Colombia's Foreign Minister Claudia Blum told the council that the recent thwarting of the plan to attack FARC's Londono "is the result of robust measures which are being adopted by the government."

U.N. Secretary-General Antonio Guterres said in his recent report to the Security Council that 2019 was the most violent year for former FARC fighters since it signed a peace deal with the government in 2016.

Edith M. Lederer reports for the Associated Press.

MIAMI BEACH

NOTICE BY THE CITY OF MIAMI BEACH, FLORIDA, OF THE CITY'S INTENT TO USE THE UNIFORM METHOD OF COLLECTION OF NON-AD VALOREM ASSESSMENTS

NOTICE IS HEREBY given that the City of Miami Beach ("City") intends to use the uniform method for collecting the non-ad valorem assessments to be levied by the City pursuant to Section 197.3632, Florida Statutes, with regard to the Biscayne Beach Security Guard Special Taxing District ("Special Taxing District"). The City Commission will hold a Public Hearing on this matter on **February 12, 2020 at 2:01 P.M.** at City Hall, 1700 Convention Center Drive, 3rd Floor, Commission Chambers, Miami Beach, Florida, 33139.

The purpose of the Public Hearing is to consider the adoption of a Resolution authorizing the City to use the uniform method of collecting non-ad valorem assessments to be levied by the City pursuant to Section 197.3632, Florida Statutes. The City intends to use the uniform method for collecting non-ad valorem assessments after the transfer of control of the Special Taxing District from Miami-Dade County to the City in accordance with Section 18-3.1 of the Miami-Dade County Code.

The City may levy non-ad valorem assessments for the purpose of the continued operation and maintenance of the Biscayne Beach Guard Special Taxing District, including but not limited to the making of infrastructure and security improvements. The area or boundaries of Biscayne Beach Security Guard Special Taxing District are as follows:

A portion of Sections 3, Township 53 South, Range 42 East, Dade County, Florida; being more particularly described as follows:

Lots 1 thru 52, Block 15; and Lots 5 thru 58, Block 16 of "Biscayne Beach Second Addition" according to the Plat thereof, as recorded in Plat Book 46 at Page 39.

All the aforementioned plats being recorded in the Public Records of Dade County, Florida.

The City intends to use the uniform method of collecting non-ad valorem assessments for a period of more than one year. This non-ad valorem assessment will be levied by the City for the first time; however, Miami-Dade County has previously levied the non-ad valorem assessment for the Special Taxing District.

The City's non-ad valorem assessments shall be subject to the same discounts and penalties, and the issuance and sale of tax certificates and tax deeds, for non-payment as for the non-payment of ad valorem taxes. The non-payment of such non-ad valorem assessments will subject the property to the potential loss of title.

INTERESTED PARTIES may appear at the Public Hearing, or be represented by an agent, to be heard regarding the use of the uniform method of collecting such non-ad valorem assessments, or may express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This item is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This item may be continued and, under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, a sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

City of Miami Beach
Rafael Granado, City Clerk
305-673-7411