



Written by [Bruce Walker](#) on January 24, 2012

## “Do Not Deport” Policy Presents Problems

Our nation’s ability to defend its borders against the ongoing onslaught of illegal immigrants has been severely compromised by our government’s granting of “do not deport” status to illegal aliens based upon their country of origin.

The “do not deport status” applies to immigrants from several nations and it includes illegal immigrants. In 1999, immigrants from Honduras and Nicaragua received this status in the aftermath of Hurricane Mitch. El Salvadoran immigrants were given this status in 2001, after a deadly earthquake. Although both of these natural disasters occurred more than a decade ago, the Temporary Protected Status remains in place. Obama immigration officials earlier this year extended this status again. The case of Kessler Dufrene highlights the problem with this policy.



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Dufrene was an immigrant from Haiti. He was sent to prison for five years in 2006 for burglary, but that was just the tip of the iceberg of Dufrene’s misconduct. The Haitian immigrant had long history of arrests, more than 10 since he was 14 years old, including an assault on a teacher in school. In February 2006 Dufrene was arrested for stealing a car (while he was on probation for burglary), and then in July 2006, he was arrested for burglarizing a home.

In November 2006, Dufrene was sent to prison for five years. Nine months later an immigrant judge ordered him deported back to Haiti. But when Dufrene was released from state prison in September 2010, and he was turned over to immigration custody, he was not deported. President Obama had ordered a moratorium on deportations to Haiti because of the January 2010 earthquake in that nation. A few months after his release, in January 2011, Dufrene murdered three people, including a 15-year-old girl. Eighteen days after the murder, Dufrene killed himself after he was cornered by Manatee County sheriff’s deputies.

A spokeswoman for immigration authorities has tried to explain how Dufrene, a career criminal who was supposed to have been deported, was allowed to stay in the United States: “Because of the moratorium on removals to Haiti in effect when Dufrene came into ICE custody, his removal to Haiti was not likely in the reasonably foreseeable future.”

Family members of the victims of his slayings were angry. Audrey Hansack, who lost her daughter, said: “This guy shouldn’t be in America. I’m so upset with the whole situation. Because of immigration, my daughter is not alive.” None of the murder victims — 15-year-old Ashley Chow, 26-year-old Harlem



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Peralta, and 35-year-old Israel Rincon, themselves immigrants — appeared to have had any connection to Dufrene.

Currently six nations — Haiti, El Salvador, Nicaragua, Honduras, Somalia and Sudan — all have citizens who may request Temporary Protected Status and two more nations, Guatemala and Pakistan, have formally requested this status for their own nationals. This status, provided for under the Immigration Act of 1990, actually afforded some provisions which might have saved the lives of Dufrene's three victims. An individual immigrant is not eligible for protection under the act if he has been conviction of a felony or two or more misdemeanors.

The immigration judge who ordered Dufrene deported understood the law, but the Immigration authorities ignored the ruling of this judge. Three people are dead as a result.



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