



POSTED: July 19, 2023
AT 3:40 P. M.
ZONIA G. MORALES
COUNTY AND DISTRICT CLERK
JIM HOGG COUNTY, TEXAS
BY Zonia Morales DEPUTY

DECLARATION OF RENEWED LOCAL STATE OF DISASTER
RELATED TO SURGE OF MIGRANTS UNLAWFULLY
CROSSING TEXAS-MEXICO BORDER

WHEREAS, on May 31, 2021, Texas Governor Greg Abbott certified that the ongoing surge of individuals unlawfully crossing the Texas – Mexico border poses an ongoing threat of widespread and severe damage, injury, and loss of life and property, including property damage, property crime, human trafficking, violent crime, threats to public health, and a violation of sovereignty and territorial integrity, in certain Texas counties, including Jim Hogg County; and

WHEREAS, Governor Abbott has certified in a number of subsequent proclamations that the surge of individuals unlawfully crossing the Texas-Mexico border continues to pose an ongoing and imminent threat of disaster for Texas counties, including Jim Hogg County; and

WHEREAS, Jim Hogg County Judge Juan Carlos Guerra declared a Local State of Disaster on April 21, 2021, declaring that the surge of migrants into Jim Hogg County poses an ongoing and imminent threat of disaster to the residents of Jim Hogg County; and

WHEREAS, the Jim Hogg County Commissioners Court in subsequent declarations, renewed the Local State of Disaster declared by Jim Hogg County Judge Juan Carlos Guerra pursuant to Section 418.108 of the Texas Government Code; and

WHEREAS, pursuant to Section 418.108(g), the Jim Hogg County Judge may control ingress and egress from a disaster area under the jurisdiction and control the movement of persons and the occupancy of premises in that area; and

WHEREAS, the continued surge of undocumented migrants has resulted in an increased number of high-speed chases, bailouts, thefts, assault, robbery, damage to property, including a high number of broken ranch fences, and poses an imminent threat of widespread injury or loss of life to the citizens of Jim Hogg County and migrants alike; and

WHEREAS, the continued surge of transient migrants crossing the Texas – Mexico Border and entering Jim Hogg County has the potential of endangering lives and damaging property on a large scale; and

WHEREAS, the public health and safety of the residents of Jim Hogg County is under an imminent threat of disaster from an elevated risk of exposure to unknown variants of COVID-19 resulting from the human trafficking; and

WHEREAS, the limited resources of Jim Hogg County cannot adequately furnish the necessary procedures and facilities set forth by the Centers for Disease Control and Prevention for the testing and quarantining of hundreds of undocumented migrants who may be infected with unknown variants of COVID-19, or other infectious diseases that residents have not been vaccinated for; and

WHEREAS, there are significant public safety and security concerns related to surge of transient migrants in the Jim Hogg County community, including a lack of infrastructure and resources to accommodate a surge of transient migrants; and

WHEREAS, the increased risk of violence, human trafficking, and illegal drugs, including fentanyl, threatens the health and safety of the residents of Jim Hogg County; and

WHEREAS, Jim Hogg County is a rural and underserved Texas County with unique challenges related to infrastructure, health, land use, environment, and community preservation; and

WHEREAS, the creation of shelters to accommodate transient populations in County residential neighborhoods erodes the stable residential character of the community and threatens the health, safety, and welfare of such County residents; and

WHEREAS, the renewed declaration of such a disaster authorizes the imposition of controls on activities that tend to increase the likelihood of injury to the public; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat to the health and safety of citizens and migrants caused by the influx of migrants crossing the Texas-Mexico Border and occupying residential areas for the purposes of seeking transient and shelter; and

County Judge of Jim Hogg County, Texas, has determined that extraordinary measures must be taken to ensure the protection of the health, safety, and welfare of county residents.

NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE AND COMMISSIONERS OF Jim Hogg County, Texas:

1. That a local state of disaster is hereby renewed for Jim Hogg County, Texas, pursuant to Section 418.108(a) of the Texas Government Code.
2. Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless renewed by the County Judge or continued by the Commissioners' Court of Jim Hogg County, Texas.

3. Pursuant to Section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk of Jim Hogg County, Texas.
4. Pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Jim Hogg County emergency management plan.
5. Pursuant to Section 362.003(a) of the Texas Local Government Code, this renewed local state of disaster is intended to authorize, and does hereby declare, that a state of civil emergency exists in Jim Hogg County, Texas, and requests the assistance of additional law enforcement to uphold the sovereignty and territorial integrity of the county.
6. Pursuant to Section 433.00 of the Texas Government Code, this renewed local state of disaster is intended to request, and does hereby request, that the Governor of Texas provide state military forces to aid in controlling conditions in the county by assisting the County Sheriff in the enforcement of law and the preservation of the sovereignty and territorial integrity of the county.
7. That this renewed declaration hereby authorizes the use of all lawfully available resources and authority granted under both the Constitution of Texas and the Constitution of the United States.
8. Pursuant to Section 418.108(g) of the Texas Government Code, this renewed local state of disaster authorizes the County Judge to control the occupancy of premises within the County, including prohibiting the conversion of premises for the purpose of creating a facility to provide housing or shelter for transient migrants.
9. That this declaration shall take effect immediately from and after its issuance and, upon approval by the Jim Hogg County Commissioners' Court, shall continue in effect until terminated by the County Judge. Pursuant to this declaration, additional directives may be issued by the County Judge at any time deemed necessary.

ORDERED this 19th day of July 2023.



Juan Carlos Guerra

Jim Hogg County Judge





Attest: Zonia G. Morales

Jim Hogg County Clerk

