

LIMIT WARRANTLESS DETENTION

Local governments do not have to have a 287(g) agreement with ICE to comply with state law. They do have a duty to serve their communities and prioritize local public safety concerns over political rhetoric. They can do this by reducing entanglement with federal immigration enforcement, preserving local policing resources to address local crime, and protecting their communities by proactively adopting policies that standardize any immigration enforcement activities they feel they must perform under the law.

BEST PRACTICES

- » Adopt a policy to formalize processes around detainer requests.
- » Prohibit government employees from detaining someone on behalf of ICE beyond the requested 48 hours, including preventing the person from posting bail or bond based on immigration status or the detainer.
- » Adopt a policy that if someone held on behalf of ICE claims to be a U.S. citizen or legal permanent resident, local government staff will be alerted and reasonably assist the individual in obtaining documentation.

WHY?

- » ICE detainer requests are not supported by a judge or neutral third-party's finding of probable cause.
- » ICE has a history of detaining U.S. citizens under warrantless suspicion of civil immigration violations.
- » Local entanglement with ICE erodes public confidence in local authorities and harms public safety.

BUT WHAT ABOUT...

The Rule of Law

- » Immigration enforcement is a function of the federal government, not local police.

Public Safety

- » Undocumented immigration is not a criminal offense and numerous studies show it does not increase crime.

54% of Floridians oppose a state law requiring local police hold people in jail whenever requested by federal immigration authorities.

