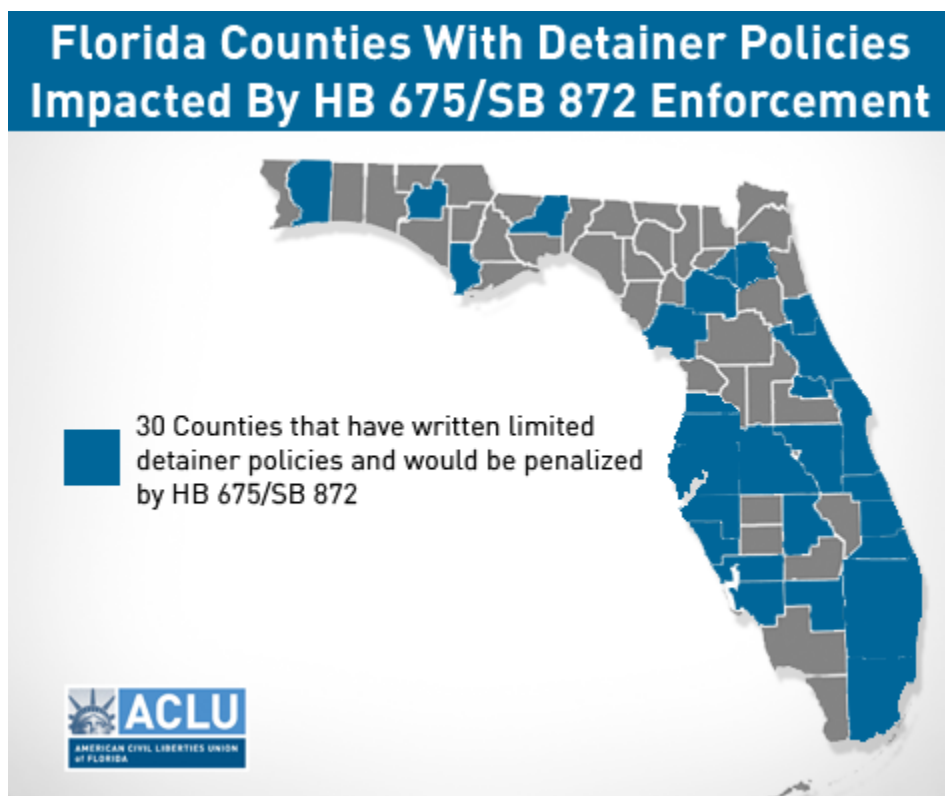


The bills in the Florida Legislature, HB 675/SB 872, would outlaw the policies of these 30 localities by tarring them as “sanctuary” policies and would instead force each and every Florida county and law enforcement agency to honor ICE detainer requests in the absence of probable cause. Passage of these bills would make a mockery of the rule of law by forcing localities and local law enforcement agencies to violate the constitution or else face draconian financial penalties. Entities may be fined up to \$5,000 for every day they do not fulfill every immigration request made of them. Further, through a vast and unconventional expansion of tort law, localities will also be perpetually and civilly liable for any bad acts committed by someone released by local law enforcement despite a detainer request. Local agencies will not fully be reimbursed for the cost of detaining these individuals and will continue to be liable in federal court for constitutional violations. In effect, law enforcement will be conscripted to prioritize immigration enforcement over any local needs to address crime or keep communities safe and will be forced to pick up the bill for it too.

Each of the 30 counties, sheriffs’ offices, and county jails listed below would be severely penalized for their fidelity to the Fourth Amendment, by HB 675/SB 872.



confirm the written policies of 13 jurisdictions—namely Baker County, Bay County, Dixie County, Escambia County, Gilchrist County, Holmes County, Jackson County, Madison County, Marion County, St. Johns County, Sumter County, Suwannee County, and Taylor County—and some jurisdictions without written policies may have a practice of requiring a warrant to detain someone with a detainer request even if they do not have a written policy enumerating their practice, omission of a county or sheriff’s office does not necessarily indicate that the county honors ICE detainers without limit.