



STATE OF FLORIDA

JAMES UTHMEIER
ATTORNEY GENERAL

April 14, 2025

The Honorable Buddy Dyer
Mayor of Orlando
400 South Orange Avenue
Orlando FL 32901

Dear Mayor Dyer

On April 7, 2025, at the Orlando City Council meeting, you stated that the Orlando Police Department (OPD) will not be proactive in immigration enforcement and will instead adhere to the 'Trust Act Policy'—an unlawful and, as of 2019, void policy adopted by the City of Orlando that prevents city employees, including law enforcement officers, from inquiring about a person's immigration status. This letter serves as notice that this office will take legal action against the City of Orlando and any city employee or agent thereof that violates chapter 908 of the Florida Statutes.

Chapter 908 of the Florida Statutes contains provisions outlining state law regarding the enforcement of federal immigration law in Florida. Specifically, section 908.103, Florida Statutes, prohibits law enforcement and local government entities from adopting or having in effect any sanctuary policy. "Sanctuary policy" means a law, policy, practice, procedure, or custom adopted or allowed by a state or local governmental entity that prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in, or prohibit the agency from participating in a federal immigration operation with a federal immigration agency as permitted by federal and state law (§§ 908.102(6), 908.102(6)(h), Fla. Stat.). Additionally, any official responsible for directing or supervising state and local law enforcement agencies shall use best efforts to support the enforcement of federal immigration law when acting within the scope of his or her employment (§ 908.104(1) Fla. Stat.). Moreover, a state entity, local governmental entity, or law enforcement agency, or an employee, an agent, or a representative of the entity or agency, may not prohibit or in any way restrict a law enforcement agency from recording and maintaining an individual's immigration status (§ 908.104(2)(b), Fla. Stat.).

By prohibiting law enforcement officers from inquiring about a person's immigration status, the City of Orlando is unlawfully implementing a sanctuary policy and blatantly violating the law. Law enforcement must be able to attain information regarding an individual's legal status in order to comply with state and federal immigration laws and assist in federal immigration operations. They are authorized to collect this information without hindrance under Florida law. As the mayor of the City of Orlando and as an official responsible for directing OPD, you must use best efforts to support the enforcement of federal immigration crimes as required by Florida law.

Sanctuary policies are not tolerated or lawful in Florida. Failure to abide by state law may result in the enforcement of applicable penalties, including but not limited to being held in contempt, declaratory or injunctive relief, and removal from office by the Governor pursuant to section 908.107, Florida Statutes and the Florida Constitution.

Sincerely



JAMES UTHMEIER, Attorney General

cc: Jim Gray
Tony Ortiz
Robert Stuart
Patty Sheehan
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