



STATE OF FLORIDA

JAMES UTHMEIER ATTORNEY GENERAL

July 29, 2025

Orange County Commissioners
Honorable Jerry L. Demings, Mayor
Hon. Nicole H. Wilson, District 1
Hon. Christine Moore, District 2
Hon. Mayra Uribe, District 3
Hon. Maribel Gomez Cordero, District 4
Hon. Kelly Martinez Semrad, District 5
Hon. Michael Scott, District 6
201 South Rosalind Avenue
Orlando, FL 32801

Dear Mayor Demings and Commissioners:

It has come to my attention that on June 26, 2025, Orange County Corrections, at the direction of Mayor Demings, rejected an addendum requested by the United States Immigration and Customs Enforcement (“ICE”) and the Florida Sheriffs Association that would have modified your existing 287(g) Warrant Service Officer (“WSO”) Agreement. The Addendum would have, among other things, amended your existing 287(g) WSO Agreement to grant your corrections officers the power and authority to transport arrested aliens to an ICE-approved facility when requested by ICE. By rejecting this addendum presented by ICE and Florida Sheriffs, you adopted a sanctuary policy and failed to exercise best efforts in support of the enforcement of federal immigration law.

Section 908.103, Florida Statutes, prohibits law enforcement and local government entities from adopting or having in effect any “sanctuary policy”—a law, policy, practice, procedure, or custom adopted or allowed by a state or local governmental entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. § 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.¹ Section 908.104(1), Florida Statutes, requires state and local jurisdictions to “use best efforts to support the enforcement of federal immigration law.”²

By rejecting the ICE-proposed Addendum, Orange County has adopted a sanctuary policy. Prohibiting your corrections officers from transporting arrested aliens to ICE-approved

¹ §§ 908.102(6), 908.102(6)(h), Fla. Stat.

² § 908.104(1), Fla. Stat.

detention facilities squarely prevents your corrections officers from cooperating with ICE and participating in federal immigration operations. And the County's outright rejection of an addendum to its existing 287(g) WSO Agreement—an addendum ICE requested because it would enhance local assistance in the enforcement of federal immigration law—constitutes a failure to use "best efforts" to assist with federal immigration enforcement.

The County's actions are particularly puzzling because illegal aliens represent an obvious danger to the County. In January, Florida Highway Patrol arrested an illegal alien for hitting and killing a 6-year-old Orange County kindergarten student.³ In February, the Orange County Sheriff's Office, in collaboration with the Osceola County Sheriff's Office, arrested five Colombian nationals involved in a series of residential burglaries.⁴ This dangerous group of illegals is suspected to have been operating in multiple western states and are linked to numerous burglaries across the country. These cases clearly show the danger that illegal aliens pose to Orange County. The Commission should always prioritize the safety of its residents over the misguided views of left-wing activists.

Florida law unequivocally forbids sanctuary policies. And it requires local governments to use "best efforts" to assist with federal immigration enforcement. Your recent action violated both laws.⁵ The Commission must immediately adopt the June Addendum and allow Orange County Corrections Officers to transport illegal aliens to ICE-approved detention facilities. Failure to take corrective action will result in the enforcement of all applicable civil and criminal penalties, including removal from office by the Governor pursuant to section 908.107, Florida Statutes, and the Florida Constitution.

Sincerely,



James Uthmeier
Attorney General

³ WDBO, *FHP: Man Accused of Killing Orange County 6-year-old is Undocumented*, Jan. 24, 2025, wdbo.com/news/local/fhp-man-accused-killing-orange-county-6-year-old-is-undocumented/XE4WZUFW5RANTOYK32E7XFSVNI/.

⁴ WFTV, *Colombian Nationals Arrested in Orange and Osceola County Residential Burglary Ring*, Mar. 3, 2025, wftv.com/news/local/colombian-nationals-arrested-orange-osceola-county-residential-burglary-ring/MI7FTGISURHIRDS6VCYKMJNPSM/.

⁵ It also appears that you might violate Florida law again soon. At the Commission's meeting on July 15, 2025, you discussed modifying or rescinding the County's existing Intergovernmental Service Agreement ("IGSA") with the United States Marshals Service to exclude its existing immigration provisions. As you know, section 908.106, Florida Statutes, expressly requires that "[e]ach county correctional facility shall enter into an agreement or agreements with a federal immigration agency for temporarily housing persons who are the subject of immigration detainees and for the payment of the costs of housing and detaining those persons." A county can satisfy this requirement with an IGSA agreement and/or with a basic ordering agreement ("BOA")—but an agreement providing temporary housing for illegals must always be in place. See § 908.106, Fla. Stat. Consequently, if you choose to eliminate the IGSA's immigration provisions providing temporary housing for illegals, Florida law would require you to immediately enter a BOA. Considering that this IGSA Agreement has been in place since 2011—under both Democrat and Republican administrations—it appears the motivation for the proposed change is entirely political. You should think twice before modifying or rescinding it.