



STATE OF FLORIDA

JAMES UTHMEIER
ATTORNEY GENERAL

July 2, 2025

Key West City Commissioners
Monica Haskell, District 1
Samuel Kaufman, District 2
Donald Lee, District 3
Lissette Carey, District 4
Mary Lou Hoover, District 5
Aaron Castillo, District 6
1300 White Street
Key West, FL 33040

Dear City Commission:

On June 30, 2025, the Key West City Commission voted to void the City of Key West Police Department's 287(g) agreement with the United States Immigration and Customs Enforcement ("ICE"). In doing so, you directly violated Florida Law.

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 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 co-operating 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, section 908.104(1), Florida Statutes, requires state and local jurisdictions to "use best efforts to support the enforcement of federal immigration law."

By declaring the Department's existing 287(g) agreement void, Key West has made itself a sanctuary city. Prohibiting its police officers from receiving the necessary federal training to adequately enforce U.S. immigration laws not only prevents city police from enforcing current federal immigration law but also effectively prevents the city police department from participating in federal immigration operations. In this instance, however, it's even worse. The Commission didn't merely prevent the Police Department from entering a 287(g) agreement;

it affirmatively voided an existing 287(g) agreement under which the Police Department was actively operating. Bad policy, and illegal.

Illegal aliens represent a significant danger to Key West. As an example, consider the month of March. ICE arrested 10 illegal aliens in the Florida Keys, all of whom were previously convicted sex offenders.¹ These illegals' criminal records include convictions for lewd and lascivious acts on a child under age 16; lewd and lascivious sexual battery with a victim 12-15 years old; statutory sexual seduction; and solicitation of a child. Later that month, border patrol arrested two more illegal aliens in the Keys: one with a history of violent crime—including homicide—and another who was previously arrested for animal abuse.² To close out the month, the Key West Police Department, working with ICE, arrested seven illegal aliens, each with an extensive criminal record, including elder abuse, driving under the influence, and trafficking drugs like methamphetamine and oxycodone.³ These brutal facts clearly show the danger criminal aliens pose to the City of Key West. We think those facts are far more compelling than the nonsensical sloganeering of misinformed protestors.

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. The City Commission must immediately reverse its June 30, 2025, action and allow the Police Department to resume cooperative engagement with ICE under its 287(g) agreement. 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

¹ Press Release, U.S. Customs and Border Protection, *10 Sex Offenders Arrested in Florida by U.S. Border Patrol Agents in the Miami Sector*, Mar. 17, 2025, cbp.gov/newsroom/local-media-release/10-sex-offenders-arrested-florida-us-border-patrol-agents-miami-sector.

² Keys Weekly, *Federal Agents Arrest 10 Undocumented Migrants Convicted of Sex Crimes in Florida Keys Sweep*, Mar. 19, 2025, keysweekly.com/42/federal-agents-arrest-10-undocumented-migrants-convicted-of-sex-crimes-in-florida-keys-sweep/.

³ Press Release, U.S. Customs and Border Protection, *U.S. Border Patrol - Miami Sector Arrest Seven Illegal Criminal Alien Offenders During one-day Operation in Florida Keys*, Mar. 24, 2025, cbp.gov/newsroom/local-media-release/us-border-patrol-miami-sector-arrest-seven-illegal-criminal-alien.