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March 18, 2025

The City of Fort Myers
2200 Second Street
Fort Myers, FL 33901

RE: Immediate Compliance with State Immigration Laws

Dear City Council:

On March 17, 2025, the Fort Myers City Council voted not to approve the Fort Myers Police Department's 287(g) agreement with the United States Immigration and Customs Enforcement. This action constitutes a serious and direct violation of 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 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.).

By failing to approve the Department's 287(g) agreement, Fort Myers is implicitly implementing a sanctuary policy. Prohibiting city 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 effectively prevents the city police department from participating in federal immigration operations.

Sanctuary policies are not tolerated or lawful in Florida. Immediate corrective action is required. Failure to correct the Council's actions will result in the

enforcement of all applicable civil and criminal 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,

A handwritten signature in blue ink, appearing to read "James Uthmeier". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "Uthmeier".

James Uthmeier
Florida Attorney General