



Written by [Bob Adelman](#) on June 17, 2019

Florida Governor Signs Ban on Sanctuary Cities; President Trump Approves

Florida Governor Ron DeSantis [said he was fulfilling a campaign promise](#) on Friday when he signed into law a bill prohibiting local municipalities from adopting “sanctuary city” laws. The new law, which becomes effective next month, also requires law-enforcement officials in the state to “cooperate” with federal ICE (U.S. Immigration and Customs Enforcement) officials when they present a “detainer request” on individuals being held on criminal charges in the state. The new law also provides sanctions for law-enforcement officials who don’t comply.



Tweeted DeSantis:

Earlier this year I made a promise that we would ban sanctuary cities in Florida and today we are delivering on that promise.

I am proud to sign the bill ... to uphold the law and ensure that our communities are safe.

Then the governor compared sanctuary cities to “gun-free zones”:

Sanctuary cities basically created law-free zones where people can come to our state illegally and our country illegally, commit criminal offenses and then just walk right out the door and continue to do it.

Upon learning about the action of DeSantis, President Trump tweeted: “Florida Governor Ron DeSantis just signed a bill banning Sanctuary Cities ... & forcing all law enforcement agencies to cooperate with Federal Immigration authorities.”

Trump added: “More and more states want to do this but their governors and leaders don’t have the courage to do so. The politics will soon mandate, however, because people ... are demanding that Sanctuary Cities be GONE.”

On the other hand, Thomas Kennedy, the political director at Florida Immigrant Coalition, called it “harsh” and “horrible” and is considering suing to keep the law from taking effect.

Florida joins nine other states with similar sanctuary laws, while 10 states have declared themselves to be sanctuary states.

At the moment no Florida municipality has declared itself to be a sanctuary city, but the Alachua County Sheriff’s Office (in central Florida) has declined ICE requests in the past unless they had a court order or a federal criminal warrant. As State Senator Joe Gruters, a sponsor of the bill, explained: “This is not about illegal aliens.... This is about criminal illegal aliens who have broken additional laws while they’re here.”



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As a result, the impact in Florida will scarcely be noticeable, according to Pinellas County Sheriff Bob Gualtieri: “It doesn’t change anything because we’ve been doing that [cooperating with ICE] for years,” he pointed out.

The debate in the Florida legislature was noisy and lengthy as both sides made their positions known. Those opposed claimed that if the bill were passed the state’s economy would be damaged, that its reputation would be tarnished, that visitor traffic would be diminished, that relations between local police and immigrant communities (one-fifth of Florida’s residents were born elsewhere) would be negatively impacted, and local law-enforcement efforts would become more difficult. The House passed the bill 68-45 and the Senate passed it 22-18.

Florida joins Alabama, Arizona, Georgia, Iowa, North Carolina, Mississippi, Missouri, Tennessee, and Texas in passing the law requiring law enforcement to cooperate with ICE officials.

At this writing no challenges to the new law have been filed. But if there are challenges, they would likely be based on the Fourth Amendment to the U.S. Constitution, which prohibits unreasonable searches and seizures in the absence of a probable cause warrant. Since the Fourth Amendment originally applied only to the federal government, there is little case law to guide any court. It wasn’t until *Mapp v. Ohio* (1961) that the Supreme Court applied the due process clause of the 14th Amendment to the Fourth Amendment to the states.

As a result the issue divides the country and is far from settled.

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