



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Scott Morgan, Interim City Manager

THRU: Mariano Augello, Chief of Police

DATE: April 3, 2025

RE: Consideration of entering into a Memorandum of Agreement with the United States Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE) 287(g) Task Force Model Program.

SUMMARY:

In compliance with the Florida Governor's mandate regarding immigration enforcement, The Palm Bay Police Department is requesting consideration for entering into a Memorandum of Agreement (MOA) with U.S. Immigration and Customs Enforcement (ICE) under the 287(g) Task Force Model. This agreement is intended to formalize our department's role in assisting with immigration enforcement while maintaining our primary responsibilities in local law enforcement.

The Police Department recognizes the necessity of adhering to state and federal laws while also ensuring that our operational scope remains aligned with community policing principles and public safety priorities. This MOA will enable certified designated officers within our department to assist ICE when necessary while ensuring that we are not independently conducting self-initiated immigration enforcement.

The Palm Bay Police Department will operate under Florida Statutory requirements in fulfilling its obligations under this agreement. As such, our role will be strictly defined to supporting ICE-led enforcement actions and responding to detainees encountered during routine law enforcement duties, such as;

1. No Independent Immigration Raids or Targeted Enforcement
 - The Palm Bay Police Department will not conduct self-initiated immigration enforcement operations, workplace raids, or targeted investigations based solely on immigration status.
 - Enforcement actions related to immigration will only be conducted under the leadership and direction of ICE and within the scope of federal immigration law.

2. Assistance with ICE-Led Enforcement Actions

- Palm Bay officers may be requested to assist ICE in enforcement actions occurring within our jurisdiction.
- This assistance will be provided in coordination with ICE and will not extend beyond supporting ICE-led operations.

3. Detainer Enforcement as Part of Routine Duties

- Officers may come into contact with individuals who have ICE detainers during normal, day-to-day duties, including traffic stops, arrests, or other routine law enforcement encounters.
- In these cases, officers will coordinate with ICE and follow proper procedures, including confirming detainers and ensuring proper documentation before any custodial action is taken.

4. Training and Certification of Designated Immigration Officers (DIOs)

- Several Palm Bay Police Department officers, including patrol and traffic officers, will undergo specialized training to become Designated Immigration Officers (DIOs).
- These officers will be trained and certified by ICE to legally perform limited immigration enforcement duties under ICE supervision.
- DIOs will ensure compliance with all federal and state regulations while safeguarding civil rights and upholding community trust.

To ensure that all activities remain within the boundaries of state and federal law, the Palm Bay Police Department will:

- Strictly adhere to ICE's supervision and operational guidelines, ensuring that our officers only exercise delegated immigration functions as authorized in the MOA.
- Follow all required complaint and oversight procedures, ensuring transparency and accountability in all immigration-related interactions.
- Coordinate with neighboring agencies and ICE to avoid jurisdictional conflicts and ensure seamless enforcement operations.

This Memorandum of Agreement will enable the Palm Bay Police Department to comply with the Governor's mandate while ensuring that our primary focus remains community safety and public trust. By entering into this agreement, we will provide structured support for ICE operations without overextending our role into independent immigration enforcement.

REQUESTING DEPARTMENT:

Police

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FISCAL IMPACT:

No fiscal impact at this time.

STAFF RECOMMENDATION:

Motion to approve the acceptance of the Memorandum of Agreement (MOA) with U.S. Immigration and Customs Enforcement (ICE).

ATTACHMENT:

1. Memorandum of Agreement (MOA) between the City of Palm Bay Police Department and the U.S. Immigration and Customs Enforcement (ICE)