

Resolution #25-001

The State Immigration Enforcement Council, per FSS 908.1032(4)(b) and FSS 908.1032(4)(e), recommends to the State Board of Immigration Enforcement the following expenses, in priority order, that should be reimbursable under the Local Law Enforcement Immigration Grant Program:

1. Costs associated with **training programs** directly related to supporting the enforcement of federal immigration laws, primarily the **Warrant Service Officer** (WSO) training, **Jail Enforcement Model** (JEM) training, and the 287(g) **Task Force Model** (TFM) training. The **Warrant Service Officer** program provides certification for law enforcement personnel to perform limited functions of an immigration officer within a jail or corrections facility to assist ICE in ensuring that unauthorized aliens are not released into the community. The **Jail Enforcement Model** authorizes ICE to delegate to state and local law enforcement officers the authority to perform specified immigration officer functions under the agency's direction and oversight in a jail or corrections setting. Trained staff partners with ICE to identify and process criminal aliens from the U.S. The **Task Force Model** allows ICE — through the delegation of specified immigration officer duties — to work with local law enforcement agencies to enforce limited immigration authority during routine police enforcement duties. This model allows state and local agencies to carry out immigration enforcement activities in non-custodial settings while under ICE supervision and oversight.
 - a. Reimbursable training costs should be additional costs associated with training materials, travel, personnel costs associated with training (overtime cost incurred up to time and a half of the member's hourly pay); reimbursement for backfilling is not permitted.
 - b. Overtime costs, including associated fringe benefits, for hours spent in training. All overtime reimbursements shall be in accordance with the participating agency's established pay policy/procedures and shall not exceed time and a half of the officer's hourly pay.
 - c. We recommend the Board limit total reimbursement to a fixed percentage of the sworn or certified workforce for larger law enforcement or detention agencies to ensure equitable access to legislated funds. This will help ensure that multiple agencies, particularly small and medium-sized agencies, as well as those from fiscally restrained counties in Florida, can benefit from the program. We propose the following reimbursement limits:
 - **Large agencies** (over 75 sworn/certified personnel): up to **20%**
 - **Medium agencies** (31–75 sworn/certified personnel): up to **30%**
 - **Small agencies** (30 and under sworn/certified personnel) or agencies located in fiscally constrained counties: up to **50%**

All agencies may receive reimbursement for up to 10 sworn/certified personnel, regardless of participating agency size above.

2. Costs associated with **detaining/housing unauthorized aliens** on behalf of the United States Immigration and Customs Enforcement.
 - a. Facilities with a Basic Ordering Agreement (BOA):
 - i. \$75 per day if the facility **will receive or apply** for ICE reimbursement.
 - ii. \$100 per day if the facility **will not receive or apply** for ICE reimbursement.
 - b. Facilities with an Intergovernmental Service Agreement (IGSA):
 - i. *Facilities with an Intergovernmental Service Agreement (IGSA) shall be reimbursed the difference between their daily IGSA bed rate and the established maximum of \$100 per day allocation under this program.*
 - c. Reimbursement eligibility shall be only for the time between when an unauthorized alien is released from custody for state charges until the time the unauthorized alien leaves a jail facility or into ICE custody.
 - d. For reimbursement purposes, one day may include a partial day of 12 hours or more.

3. Costs associated with **transporting unauthorized aliens** on behalf of the United States Immigration and Customs Enforcement.
 - a. We recommend round trip reimbursement at the federal IRS approved mileage rate from the point of departure to the return; and
 - b. *Overtime costs, including associated fringe benefits, for a maximum of two agency sworn/certified personnel conducting the transport of an unauthorized alien. All overtime reimbursements shall be in accordance with the participating agency's established pay policy/procedures and shall not exceed time and a half of the officer's hourly pay.*

4. FSS 908.1033 allows for **reimbursement for equipment, travel, and lodging** related to 287(g) of the Immigration and Nationality Act, 8 U.S.C. s. 1357, program.
 - a. We recommend the State Board of Immigration Enforcement prioritize and reimburse these categories only to the extent that the equipment, travel, and lodging **are directly related to detaining and transporting unauthorized aliens or directly related to active participation in ICE task force activities.**
 - b. We further recommend that the State Board of Immigration Enforcement **prioritize reimbursement for actual additional travel and lodging costs incurred related to ICE task force activities.**
 - c. All equipment purchases must receive prior approval before the purchase is made, and reimbursement is requested. Requests will be reviewed by the Executive Director and must be approved by the State Board of Immigration.
 - d. No vehicle, vessel, or aircraft will be approved for reimbursement.
 - e. All equipment submitted for approval or reimbursement must have a direct nexus to immigration enforcement.

5. **Bonus Payments:** FSS 908.1033 already describes the basic criteria for the bonus funding:
- “A local law enforcement agency may apply to the State Board of Immigration Enforcement to provide bonus payments for the agency’s local law enforcement officers who participate in United States Department of Homeland Security at-large task force operations. The local law enforcement agency may apply for a bonus of up to \$1,000 (once in a lifetime) for each local law enforcement officer employed within that agency. The local law enforcement agency must certify to the board that the local law enforcement officer participated in one or more operations and provide any information required by the board.”
- a. A local law enforcement agency may apply for a bonus of up to \$1,000 for each local law enforcement officer who is credentialed as a designated immigration officer **and** the officer participated in at least one U.S. Department of Homeland Security task force operation under section 287(g) of the Immigration and Nationality Act (8 U.S.C. s. 1357).
 - b. The bonus shall include an additional 7.65% to cover the officer’s share of the Federal Insurance Contribution Act (FICA) tax on the bonus.
 - c. A local law enforcement agency may not apply for more than one bonus payment for any particular law enforcement officer.
 - d. The total bonus payment reimbursement is based on the following fixed percentages of budgeted sworn/certified positions within the participating agency:
 1. We recommend the following reimbursement limits by a percentage of the total number of sworn law enforcement members in the agency (limiting the number of members per agency who would be able to receive the \$1,000 bonus): 20% for large agencies (over 75 officers); 30% for medium agencies (31 – 75 officers) and 50% for small agencies (30 and under officers) or agencies located in fiscally constrained counties: up to **50%**
 - e. All agencies may receive reimbursement for up to 10 sworn/certified personnel, regardless of participating agency size above.
6. **Hardware and Software:** FSS 908.1033 allows for reimbursement for “hardware or software essential to assisting the Federal Government in its enforcement of federal immigration laws.” **We recommend that this be a lower priority for reimbursement.** IT costs can quickly diminish available grant funds and most agencies already have in place robust IT systems that already connect with state and federal law enforcement databases. If smaller or mid-sized agencies have hardware or software needs, the Board can certainly fund those if the agency demonstrates a direct need regarding immigration enforcement.

The State Immigration Enforcement Council, per FSS 908.1032, also recommends to the Board the following funding criteria for the Local Law Enforcement Immigration Grant Program:

- 1) Whenever possible, Fiscally Constrained Counties as defined by Florida Statute 218.67 will be prioritized.

- 2) No agency may receive an award of more than \$1,000,000 in grant funds during through June 30, 2026, without prior approval through the statutorily required application/award process.
- 3) Reimbursement for overtime expenses shall not exceed \$500,000 per participating agency through June 30, 2026, without prior approval through the statutorily required application/award process.
- 4) The Board may authorize increases in funding allocations, subject to the availability of unexpended grants funds through the issuance of a supplemental grant award amendment.

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