County of Monterey
Board Policy Manual

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Prohibiting the Use of County Property for Civil Immigration Enforcement Activities	G-271	1 of 3
Policy Category Government and Administration		

I. Purpose

a. This policy establishes limitations on the use of County of Monterey owned or County-controlled property for civil immigration enforcement activities.

b. The County is committed to promoting the orderly use and preservation of public property for the safety and benefit of the general public. By implementation of this policy, the County is making clear its intent to create and maintain a safe environment for the peaceful enjoyment of all. Unauthorized use of County resources, property, or personnel jeopardizes the County's ability to protect the health, safety, and welfare of the general public and it diverts County resources.

II. Definitions

a. "Operations Base" shall mean an area that is used to plan, coordinate, and execute civil immigration enforcement activities.

b. "Processing Location" shall mean an area that is used for the identification, intake, processing of documentation, detention, arrest, or temporary holding of individuals in connection with civil immigration enforcement operations.

c. "Property" shall include but not be limited to any County-owned or County-controlled land, vacant lot, parking lot, parking garage, park, open space, or other facility, building, or structure.

d. "Staging Area" shall mean an area that is used to assemble, mobilize, and deploy vehicles, equipment, or materials, and related personnel, for the purpose of carrying out civil immigration enforcement operations.

III. Prohibitions on Use of County Property for Civil Immigration Enforcement Activities

a. No County-owned or County-controlled Property shall be used as a Staging Area, Processing Location, or Operations Base for civil immigration enforcement purposes.

b. No County department, agency, officer, or employee shall give consent for federal or state officials to use a County-owned or County-controlled parking lot, vacant land, or parking garage as a Staging Area, Processing Location, or Operations Base for civil immigration enforcement activities, and no such purported consent by a County department, agency, officer, or employee shall be deemed consent by the County for any such use.

c. No County department, agency, officer or employee shall give consent for federal or state officials to access or use non-public areas of County facilities for purposes of civil immigration enforcement without a valid arrest warrant signed by a federal or state judicial officer, or other signed writ or order from a federal or state judicial officer authorizing such access, and no such purported consent by a County department, agency, officer, or employee shall be deemed consent by the County for any such access or use.

d. The County Administrative Office shall ensure implementation of this policy.

IV. Limitations on Scope

a. Existing Agreements. This policy does not apply to Property that is subject to an existing lease, license, operator agreement, or other contractual restriction entered into with the County, unless otherwise agreed to by the parties to that existing agreement.

b. Criminal Law Enforcement. Nothing in this policy shall be construed as restricting or interfering with the execution of lawful judicial warrants or the enforcement of criminal law by any federal, state, or local law enforcement agency.

c. Other Rights Under Federal or State Law. Nothing in this policy shall be construed as limiting the rights of any person or entity under federal or state law.

d. Other Lawful Uses. This policy does not prohibit the lawful use of County Property for purposes other than the civil immigration enforcement activities expressly prohibited hereunder, nor does it restrict any person or entity, including, without limitation, federal law enforcement agencies, from carrying out functions unrelated to those purposes on such Property.

V. Future Agreements

Wherever possible, and allowed by law, the County Administrative Officer or designee shall direct that the use limitations set forth in this policy be included in all future leases, licenses, operator agreements, or other contracts involving the use of County Property.

VI. Severability

If any portion of this policy or its application is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the same will either be reformed to comply with applicable law or stricken if not so conformable, so as to not affect the validity or enforceability of the remaining portions of this policy. To this end, the provisions of the Policy, and each of them, are severable.

VII. Review Date

This policy will be reviewed for continuance by September 29, 2030.

VIII. Board Action

Legistar File Number: RES 26-145, September 29, 2026.