

**RE: Formal Grievance Regarding Local  
Facilitation of Federal Immigration  
Enforcement, Civil–Rights Violations, and  
Public–Safety Harm  
Chief [Name]**

**[Police Department Name]  
[Department Address]**

**I submit this letter as a formal grievance and demand for clarification regarding reports and observed practices indicating that personnel within your department—and associated emergency responders operating under local authority—are facilitating or enabling federal immigration enforcement in a manner that infringes constitutional rights, violates federal civil–rights guidance, and undermines public safety.**

**I. Discriminatory Questioning and Equal Protection Violations**

Reports indicate that individuals with Latin or Hispanic surnames appearing in traffic court or during traffic stops are being questioned, flagged, or scrutinized in ways not applied to similarly situated individuals without such surnames.

Such conduct raises immediate concerns under:

The Equal Protection Clause of the Fourteenth Amendment, which prohibits selective enforcement of the law based on race, ethnicity, or national origin. See *Yick Wo v. Hopkins*, 118 U.S. 356, 373–74 (1886) (facially neutral practices applied discriminatorily violate equal protection). *Whren v. United States*, 517 U.S. 806, 813 (1996), which, while allowing pretextual stops, explicitly reaffirms that enforcement decisions based on race or ethnicity are unconstitutional.

*United States v. Brignoni-Ponce*, 422 U.S.

873, 885–87 (1975), holding that Hispanic appearance or ancestry alone does not constitute reasonable suspicion.

United States v. Montero–Camargo, 208 F.3d 1122, 1134–35 (9th Cir. 2000) (en banc), rejecting ethnicity as a factor in reasonable–suspicion analysis.

A surname, accent, language use, or perceived ethnicity cannot lawfully serve as a proxy for immigration status, nor can it justify interrogation or referral to federal authorities.

## II. Fourth Amendment and Due Process Violations

Local officers lack authority to detain, interrogate, or prolong encounters for civil immigration purposes absent a judicial warrant or valid statutory authorization.

Relevant authority includes:

Arizona v. United States, 567 U.S. 387, 408–10 (2012), which makes clear that

civil immigration enforcement is primarily federal and that state or local actions intruding into that field are preempted.

Rodriguez v. United States, 575 U.S. 348, 354–57 (2015), holding that prolonging a stop beyond its original mission absent independent reasonable suspicion violates the Fourth Amendment.

Morales v. Chadbourne, 793 F.3d 208, 217–18 (1st Cir. 2015), holding that local officials may be liable for unconstitutional detention based on ICE requests unsupported by judicial warrants.

Any practice of holding, questioning, or flagging individuals for immigration purposes during traffic or court-related encounters risks unlawful seizure and due-process violations.

### III. Improper Involvement of EMS and Fire Personnel

I am further concerned by reports that

EMS personnel or firefighters have been instructed, encouraged, or implicitly expected to contact federal immigration authorities if they believe a situation is “applicable.”

This practice is incompatible with federal civil-rights guidance and emergency-service obligations:

The U.S. Department of Justice Civil Rights Division has repeatedly emphasized that emergency services must be provided without discrimination based on race, ethnicity, or national origin, including under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d.

DOJ guidance warns that entangling emergency services with immigration enforcement creates discriminatory barriers to access and exposes jurisdictions to Title VI liability when federally funded programs are involved.

Courts have recognized that policies discouraging individuals from seeking emergency aid raise constitutional concerns under substantive due process where foreseeable harm results. See *DeShaney v. Winnebago County*, 489 U.S. 189, 195–97 (1989) (recognizing limits, but acknowledging government responsibility when it creates or enhances danger).

Emergency responders exist to preserve life and safety—not to act as auxiliary immigration agents. Any expectation otherwise is a breach of public trust and professional duty.

#### IV. Federal Civil–Rights and Policing Guidance

Federal authorities have consistently warned against local–federal entanglement that produces discriminatory outcomes:

**DOJ Guidance on Racial Profiling (2014, reaffirmed thereafter) prohibits law-enforcement actions based on race or ethnicity, except under narrowly defined suspect-specific circumstances.**

**DOJ and DHS guidance recognize that local immigration enforcement cooperation—particularly informal or discretionary cooperation—erodes trust, suppresses crime reporting, and undermines community policing goals. Jurisdictions have faced civil-rights investigations, consent decrees, and damages liability where such practices were found to exist.**

## **V. Public-Safety and Community Harm**

**These practices create predictable and well-documented harms:**

**Victims and witnesses avoid police contact.**

**Crimes—including domestic violence and**

exploitation—go unreported.

Emergency calls are delayed or never made.

Community networks and civic engagement deteriorate.

Public safety depends on trust. Selective or perceived immigration enforcement by local authorities destroys that trust.

## VI. Requests for Accountability

Accordingly, I request:

Written clarification as to whether your department permits or engages in immigration-related questioning or referrals based on name, language, ethnicity, or court appearance.

Disclosure of all written or unwritten policies, trainings, or directives involving cooperation with federal immigration authorities.

Confirmation that EMS and fire personnel are not instructed to act as immigration



informants.

Identification of safeguards ensuring compliance with the Fourth Amendment, Equal Protection Clause, Title VI, and DOJ civil-rights guidance.

Conclusion

Local law enforcement legitimacy rests on constitutional compliance and community trust. When public-safety institutions function as instruments of selective civil-status enforcement, the result is not security—it is fear, silence, and legal exposure.

This grievance is submitted for the public record. I expect a written response addressing each issue raised.

Respectfully,

[Your Name]

[City / County]

