



Written by [R. Cort Kirkwood](#) on December 11, 2024

San Diego County Votes to Defy Trump on Deportations; Sheriff Says She'll Follow State Law

Add the San Diego County Board of Supervisors to the list of far-left elected officials who had better follow incoming border czar Tom Homan's advice: Read the federal statute against harboring illegal aliens.

The supervisors voted 3-1 to make the county a "super sanctuary" and not cooperate with Immigration and Customs Enforcement (ICE) on mass deportations. Immediately, county Sheriff Kelly Martinez said the supervisors do not control her office and cannot forbid her from cooperating with ICE on deporting criminals.



demerzel21/iStock/Getty Images Plus

Unclear is whether supervisors would interfere with the deportations, which would violate the law against harboring illegal aliens. It could also possibly put the county in a state of rebellion or insurrection against the United States government.

https://twitter.com/BillMelugin_/status/1866659148072620070

Board Vote

Apparently believing they have unlimited power, the supervisors voted to block the use of county resources to help ICE. That includes even deporting dangerous criminals. [NBC affiliate 7 San Diego reported](#):

Board Chairwoman Nora Vargas said the policy "is designed to ensure local resources are focused on addressing the County's most urgent needs, while protecting families and promoting community trust."

"Immigration enforcement is a federal responsibility, and our county will not be a tool for policies that hurt our residents," said Vargas, who made the proposal.

The policy directs the chief administrative officer to "report back within 180 days on the data related to any transfers or notifications during the past year to federal immigration authorities and provide recommendations" on how to effectively carry out the policy, according to a board letter.

The board complained:

When federal immigration authorities ... [coerce] local law enforcement to carry out deportations, family members are separated and community trust in law enforcement and local government is destroyed.



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The board's lone Republican, [Jim Desmond](#), said the vote would make the county a "super sanctuary." Amazingly, the county is spending \$5 million of taxpayer money to pay for attorneys for illegal aliens about to be deported, their crimes regardless, the station reported, citing Desmond.

Sheriff's Response

Sheriff Martinez said her office will follow state law, as county supervisors don't control her office.

"Current state laws that regulate local law enforcement's ability to cooperate with immigration enforcement authorities have gone through tremendous discourse during their respective legislative process," [she said](#). "There is no loophole when it comes to what is placed in statute."

And state law, a [news release explained](#), permits law enforcement to turn over criminals to ICE:

State law allows for the Sheriff's Office to share release dates for individuals who are in Sheriff's custody only if they have qualifying convictions for specific serious, violent, or sex crimes [and] ... gives the authority for law enforcement to cooperate with immigration authorities, as prescribed. This includes the ability to provide information on individuals who have certain convictions which include but are not limited to sexual abuse, child abuse, battery, assault, [or] possession, sale, distribution, manufacture or trafficking of controlled substances.

Thus, "the Sheriff's Office will not change its practices based on the Board resolution and policy that was passed at today's meeting" because the supervisors do "not set policy for the Sheriff's Office."

https://twitter.com/TomHoman_/status/1866811817961705665

Incoming border czar Tom Homan said that Martinez is right — the county does not set policy for the sheriff's department.

"Tensions continue to rise over mass deportation responsibilities as we get closer to President Trump taking office," he wrote. "This time between the Sheriff and San Diego County Board of Supervisors." He continued:

Essentially, the Sheriff just called out the Democrats on the Board for virtue signaling, saying she had made her position clear and they knew she would not adhere to this policy before they voted 3-1 to approve it.

Good for Sheriff Kelly Martinez for being on the right side of history with President Trump.

We have 40 days left until Liberation Day begins, America!

Denver, Boston

San Diego supervisors apparently want to join Denver and Boston in openly defying federal authorities. Should ICE attempt a mass deportation in Denver, far-left Mayor [Mike Johnston warned](#), he would send police to the county line, along with "50,000" Denverites, to stop what most Americans clearly want done.

Boston's City Council, led by the daughter of Haitian immigrants, vowed to back Mayor Michelle Wu's warning that they too would block the mass deportations.

However, "She helps us or she gets the hell out of the way, because we're going to do it," Homan



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warned Wu:

There's a clear line here, and they can't cross that clear line. I will suggest she read [Title 8, United States Code 1324 III](#), that says you can't harbor or conceal an illegal alien from federal law enforcement officers. ...

They can not cooperate, but there are certain laws in place that they can't cross, and I hope she doesn't cross it.

<https://twitter.com/Acyn/status/1858701092055642162>

<https://twitter.com/GuntherEagleman/status/1858914840846176756>

Massachusetts Governor Maura Healey echoed Johnston's and Wu's promises.

Homan advised other far-left mayors to "educate themselves."

"They need to review this," he told Fox News:

Title 8, United States Code 1324 III. Read about that and don't cross that line because it is a felony to harbor and conceal an illegal alien from ICE. Read the statute. Don't cross that line.

If local officials interfere with federal immigration enforcement, they might also be charged [with rebellion and insurrection](#). According to [18 U.S. Code Section 2383](#):

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined under this title or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States.

Such an act would allow the president to call in the National Guard to enforce the law.



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