



LIZ MURRILL
ATTORNEY GENERAL

STATE OF LOUISIANA

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 94005
BATON ROUGE, LA
70804-9005

Superintendent Anne Kirkpatrick
New Orleans Police Department
1615 Poydras St.
New Orleans, LA 70112

December 05, 2025

Dear Superintendent Kirkpatrick:

As you know, on December 1, 2025, U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Patrol (CBP) began immigration enforcement operations in New Orleans.

I write to caution that the New Orleans Police Department's (NOPD) policies appear to conflict with current state law and also may be interpreted as "sanctuary" policies specifically designed and implemented to frustrate, hinder, and prevent cooperation and assistance to ICE as it fulfills its critical immigration enforcement mission in New Orleans. According to Chapter 41.6.1 of the NOPD Operations Manual, which has been in effect since 2016, NOPD officers are prohibited from assisting or cooperating with federal immigration enforcement agencies, except in three, narrow circumstances. NOPD officers "shall not engage in, assist, or support immigration enforcement except . . . [i]n response to an articulated, direct threat to life or public safety; or [w]hen such services are required to safely execute a criminal warrant or court order issued by a federal or state judge; [or] [s]ending to ICE, or receiving from ICE, information regarding the citizenship or immigration status of an individual as provided in [8 U.S.C. §1373(a)]." NOPD Operations Manual, Ch. 41.6.1, para. 6. Except in those limited circumstances, NOPD officers "are not permitted to accept requests by ICE or other agencies to support or assist in civil immigration enforcement operations, including but not limited to requests to establish traffic perimeters related to immigration enforcement. In the event [an officer] receives a request to support or assist in a civil immigration enforcement action he or she shall report the request to his or her supervisor, who shall decline the request and document the declination in an interoffice memorandum to the Superintendent through the chain of command."

ICE and CBP are federal law enforcement agencies authorized by Congress to enforce more than 400 federal statutes in matters related to counterterrorism, drug trafficking, transnational organized crime, child exploitation, and immigration enforcement, among others. The officers and agents of ICE and CBP are designated by federal statute as "immigration officers," authorized to make arrests for "a violation of any law or regulation made in pursuance of law regulating the admission, exclusion, expulsion, or removal of aliens, or to arrest any alien in the United States, if he has reason to believe that the alien so arrested is in the

United States in violation of any such law or regulation and is likely to escape before a warrant can be obtained for his arrest.” 8 USC § 1357(a)(2).

This statutory arrest authority does not require the additional necessity of a judicial arrest warrant. Immigration officers may make criminal and administrative arrests without a warrant in public places, just as any other law enforcement officer may arrest based upon an offense committed in his presence. Congress has declared that administrative removal proceedings are the sole and exclusive procedures for determining whether an alien may be admitted or removed from the United States. 8 U.S.C. §1229a. In such proceedings, administrative warrants may be issued. Congress has also authorized criminal prosecutions for certain immigration violations, such as alien smuggling, illegal entry, and illegal reentry after removal. *See* 8 U.S.C. §§ 1324, 1325, and 1326. Accordingly, ICE and CBP may arrest an alien for a criminal or civil violation of immigration laws when probable cause exists, just as NOPD officers make arrests every day. Thus, NOPD’s policy exceeds what is legally required of ICE as well as generally required of its own officers by demanding ICE or CBP produce a judicial warrant for an immigration violator. By exceeding the generally-applicable legal limits on ICE operations, NOPD policy hinders and/or obstructs ICE in apparent violation of state law as well as federal law.

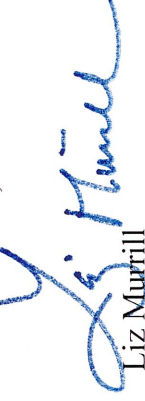
ICE and CBP are our law enforcement partners in New Orleans and across Louisiana, where public safety is our collective mission. Extremists have targeted ICE and CBP officers with threats of violence that have been carried out in other jurisdictions, and it is important that all law enforcement, including the NOPD, oppose such violence and uphold and enforce the rule of law. That is precisely why the Louisiana Legislature passed laws prohibiting municipalities in this State from establishing “sanctuaries” to harbor immigration violators. As you are aware, Louisiana Act No. 314 of the 2024 Regular Session created Part III of Chapter 1 of Title 33 of the Louisiana Revised Statutes, “Prohibition on Sanctuary Policies for Illegal Immigration,” and codified those provisions in La. R.S. §§ 33:81 through 85. The clear command of this legislation is: “A state entity, law enforcement agency, or local governmental entity may not adopt or have in effect a sanctuary policy.” La. R.S. § 33:82. The relevant provisions provide that a local government entity or law enforcement agency of this State or any employee or agent thereof, shall not prohibit a law enforcement agency from sending to, receiving from, or exchanging with a federal immigration agency information regarding an alien’s immigration status, or prohibit it from using the information to comply with an immigration detainer or confirming the identity of a detainee. La. R.S. § 33:83(B). A “[l]aw enforcement agency” includes “municipal police departments” in this State. La. R.S. § 33:81(4). Moreover, such “[l]aw enforcement agency” has an affirmative duty to “use its best efforts to support the enforcement of federal immigration law.” La. R.S. § 33:83(A). Finally, Act No. 314 authorizes the Attorney General, in consultation with the Governor, to file suit in the Nineteenth Judicial District Court to enjoin violations of its provisions. La. R.S. § 33:85. Louisiana Acts No. 399 of the 2025 Regular Session also makes it a felony offense (Malfeasance in office) for any public officer or employee to refuse a lawful request for cooperation submitted by ICE or CBP, “with the intent to hinder, delay, prevent, or otherwise interfere, ignore, or thwart federal immigration enforcement efforts.” La. R.S. § 14:134(A)(5).

As Superintendent of NOPD you are responsible for the issuance and implementation of departmental policies. Policies that fundamentally require officers and employees to refuse to

cooperate with ICE except in very limited circumstances violate Louisiana law and could subject the offender to felony prosecution for malfeasance in office pursuant to La. R.S. § 14:134. Further, a person commits a federal felony if they, "knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place . . ." 8 U.S.C. § 1324(a)(1)(A)(iii). There is no absolution in suggesting that immigration enforcement laws are a "civil issue," and, on that basis, NOPD cannot assist or support ICE and CBP in their enforcement efforts. Acts No. 314 and 399, cited above, make that abundantly clear. Moreover, elected officials take an oath of office to faithfully "support the constitution and laws of the United States and the constitution and laws of this state . . ." La. Const. Art. X, § 30. Every law enforcement officer in this State has a duty to support all duly enacted federal and state laws for the benefit of the communities we serve.

NOPD must "use best efforts to support the enforcement of federal immigration law." La. R.S. § 33:83(A). It is therefore incumbent on you to use best efforts to comply with Acts No. 314 and 399. Because we have a common interest in the safety and security of all New Orleans residents, I look forward to working with you and NOPD to ensure its policies and actions comply with state law. At this time, I recommend that you immediately direct NOPD officers and staff to fully cooperate with ICE and CBP.

For Louisiana,

A handwritten signature in blue ink, appearing to read "Liz Murrill". The signature is fluid and cursive, with the first name "Liz" and last name "Murrill" clearly distinguishable.

Liz Murrill

Attorney General