SANTA CRUZ COUNTY

Board of Supervisors move to ban immigration detention centers



Two ICE agents wait next to their vehicle in the Santa Cruz County Jail parking lot in October. The Santa Cruz County Board of Supervisors on Tuesday moved to begin the process to ban immigration detention centers in Santa Cruz County. Shmuel Thaler — Santa Cruz Sentinel

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SANTA CRUZ — Santa Cruz County is beginning the process to ban the construction and operation of immigration detention facilities in Santa Cruz County.

At its Tuesday meeting, the Santa Cruz County Board of Supervisors unanimously approved a motion directing staff to begin drafting an ordinance preventing the siting, construction, conversion and operation of any immigration detention facilities in Santa Cruz County, and bring it back to the board no later than March 23, 2027.

Third District Supervisor Justin Cummings, who brought the motion forward, said he did so because he worried the federal government was searching for new facilities to support their immigration enforcement activities, including in neighboring Santa Clara County and potentially Santa Cruz County. The county's zoning regulations do not include adequate provisions for regulating the constructions of such facilities, Cummings said.

The federal government currently has plans to open immigration detention centers near Gilroy and in the city of Dublin in Alameda County, though a preliminary injunction has paused construction at the Gilroy site. Cummings said he had also heard rumors of the federal government exploring sites in Santa Cruz County.

"These facilities would definitely come at a cost to public safety, public health and the welfare of our residents, especially our immigrant community members," Cummings said.

Neighboring jurisdictions in Monterey County, San Mateo County and the city of San Jose have all filed interim ordinances to halt the construction of immigration detention centers in their areas in the last three months.

Cummings said he explored the possibility of such an emergency ordinance for Santa Cruz, but county Counsel Jason Heath advised against it, explaining that it would require evidence of immediate threat to public health, safety and welfare. Without an active application to construct a detention center in Santa Cruz County, the county lacks the legal justification for such a move, Heath said.

Heath also pointed to Senate Bill 1367, a new California law taking effect Jan. 1, 2027, that prohibits local agencies from approving land uses for immigration detention facilities, which he said further underscores the lack of an urgency basis.

However, resident Will Lightbourne encouraged the county to revisit the possibility of an urgency ordinance, saying the motion leaves the county vulnerable with a four and a half month gap between now and March 2027 with no prohibition.

"Because the continuous and surrounding areas have put ordinances in place, it sort of leaves us as ground zero," Lightbourne said. "Please do the maximum that you can to ensure protection for the community."

Ajla Azevedo-Husic, immigration defense attorney with the Santa Cruz County Public Defenders Office, said research has found that immigrants living in counties with greater detention capacity were significantly more likely to be arrested by U.S. Immigration and Customs Enforcement.

"In other words, detention capacity just doesn't just respond to enforcement — it helps drive it," Azevedo-Husic said.

More than 1 in 5 people the Santa Cruz County Public Defenders Office represents are not U.S. citizens, Azevedo-Husic said, and her office is already seeing the effect of increased ICE activity around Santa Cruz County. People are afraid to show up to court, report a crime, seek medical care, go to school or go to work, she said.

Santa Clara County learned about the plan for a detention center near Gilroy only after the lease had been signed, and Azevedo-Husic said the ordinance gives Santa Cruz County the chance to do things differently and not be caught by surprise.

ICE agents have been increasingly present around Santa Cruz County in the past month, with agents stationing themselves outside the Santa Cruz County jail as recently as Tuesday evening, according to an Instagram post from Ycommunity alert network our Allied Rapid Response Santa Cruz County. With that, 2nd District Supervisor Kim De Serpa said she did not feel fully informed when agents are present in the region, and asked County Executive Officer Nicole Coburn how supervisors can be more aware of the situation.

Coburn said that when ICE agents are in the county and share their intentions with Santa Cruz County Sheriff Chris Clark, he often cannot share much information with the public or the board. However, Coburn said the county "is not in a position of wanting to be the holder of that information, in terms of it's not our activity or event, and the people shouldn't be looking to us to receive that information."

Additionally, Santa Cruz County's ordinance prohibiting the use of county property for ICE staging is intended to prevent ICE from using local facilities, moving in vans and equipment, and creating an ad hoc processing facility for immigration sweeps, Heath said, not barring ICE from parking in the same space that a member of the public is allowed to park in.

"We're not supporting ICE, we're not encouraging them or working with them in any capacity on county property," Cummings said. "Where we stand is that we stand firm by our commitment to not support ICE. That is reflective in the direction that is coming before us today, and we want to continue to work to figure out what role the county can have in terms of our ability to push back against ICE and illegal activities in our community."

Fifth District Supervisor Monica Martinez said the Safeguarding Health, Inclusion, Essential Services and Local Defense ad hoc subcommittee, which she serves on alongside 4th District Supervisor Felipe Hernandez, will provide additional recommendations during its Dec. 8 report. She said the committee has been working with regional partners and other local governing agencies on policies to address immigration enforcement.