

Minnesota attorney general's legal opinion could threaten some county agreements with ICE

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Agents from ICE and the DEA stand outside the door of Las Cuatro Milpas as a federal task force comprised of several agencies raid Las Cuatro Milpas in Minneapolis, Minnesota Tuesday, June 3, 2025. (Photo by Nicole Neri/Minnesota Reformer)

A new legal opinion from the Minnesota Attorney General's Office could jeopardize counties' participation in federal immigration enforcement.

The guidance, released Friday, says state law bars Minnesota sheriffs from unilaterally entering into agreements with federal immigration officials; those contracts can only be approved by county boards of commissioners.

ICE says it has agreements with eight Minnesota sheriff's offices — called "287(g) agreements" — to assist with immigration enforcement. It's unclear how many of those agreements have been approved by county boards.

The Crow Wing County Board did not approve the agreement between its sheriff's office and ICE, Capt. Adam Kronstedt from the Crow Wing County Sheriff's Office told the *Reformer* on Friday.

Cass County Administrator Josh Stevenson said Monday the sheriff's 287(g) agreement was never approved by the County Board, and that it would be up to the sheriff to decide whether to bring it to the board in the future.

"It's not a very regular occurrence, that something like that comes up with border patrol," Stevenson said.

Staff in the six other counties with ICE agreements were unable to immediately answer whether their county sheriff had sought board approval.

Brian Evans, press secretary for the Attorney General's Office, said the new legal guidance calls into question the existing 287(g) agreements that have not received county board approval, but did not respond to a question about what the impact would be on counties with such agreements.

"I cannot comment on individual agreements," Evans said.

Ramsey County Attorney John Choi requested the attorney general's opinion in November.

While ICE can delegate state and local law enforcement agencies the authority to perform certain immigration enforcement tasks, Minnesota Attorney General Keith Ellison said in a February legal opinion that they may not detain people solely on an ICE request, called a "detainer." That's true even in counties that have 287(g) agreements, Ellison's office clarified Friday.