



ASIAN AMERICANS
**ADVANCING
JUSTICE**
SOUTHERN CALIFORNIA

OPEN LETTER

October 27, 2025

Via Electronic Mail

Sheriff Don Barnes
Orange County Sheriff's Department
550 N. Flower Street
Santa Ana, CA 92703
ddbarnes@ocsd.org
Jhallock@ocsd.org

Re: OCSD's 2025 Special Elections Policies and Commitments

Dear Sheriff Barnes,

Asian Americans Advancing Justice Southern California, the nation's largest civil rights and legal services organization for Asian American and Pacific Islander (AAPI) communities, writes to you on behalf of AAPI communities in Orange County. At the outset of early voting, we request that the Orange County Sheriff's Department (OCSD) issue a public policy statement clarifying OCSD's position on the presence and conduct of federal agents or National Guard near vote centers.

In recent months, masked, armed, and unidentified federal agents conducted immigration raids near schools, community centers, and libraries where our neighbors gather and will vote. When voters must pass through armed pickets to reach a ballot box, our communities will experience voter intimidation, regardless of intent. AAPI residents with limited English proficiency, mixed-status families, or refugee experience will feel predictable and legitimate fear. The presence of armed agents will chill voter participation.

In February 2025, you told ABC7 that your department "do[es] not do federal immigration enforcement at the street level ... We have never done that, we have no intention of doing that, and we will not do that."¹ You've also noted your intent to comply with SB 54, the Values Act, while still cooperating with ICE "to the fullest extent provided by the law[.]"² That distinction – between cooperation and complicity – is essential. OCSD's distinction should be stated explicitly before Election Day to protect the right to vote, reduce confusion, and prevent conflict.

The law and OCSD's own values point in the same direction. California Government Code §26600 and Penal Code §830.1, charge sheriffs with the "the preservation of peace." OCSD's Code of Ethics pledges "to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder[.]"³ These are not ornamental words; they are promises to the public,

¹ <https://abc7.com/post/oc-sheriff-don-barnes-discusses-departments-immigration-enforcement-policy-abc7-interview/15898982/>

² <https://ocsheriff.gov/news/statement-sheriff-barnes-regarding-federal-immigration-enforcement?utm>

³ https://ocsheriff.gov/sites/ocsd/files/2021-03/2%20%20LAW%20ENFORCEMENT%20CODE%20OF%20ETHICS_0.pdf

including AAPI communities who have endured a documented surge in hate incidents, targeted harassment, and disinformation.

Local legitimacy is also at stake. Federal agencies do not answer to the Orange County electorate. Your office does. When federal agents operate in the county, they inevitably rely on the tolerance, coordination, or visible presence of local law enforcement. It is therefore both your right and your duty to determine when local support promotes peace and when it risks public safety and voter suppression.

Accordingly, we respectfully request that OCSD adopt and publish the following policy, or language substantially similar:

The Orange County Sheriff's Department's first duty is to protect Orange County residents and safeguard the right to vote. Federal immigration enforcement actions in or near community spaces have contributed to public fear and unrest. OCSD deputies will not assist Federal agents operating near polling sites. We fully expect Federal personnel to avoid any and all conduct that might endanger residents. On Election Day, OCSD will maintain peace and protect the right to vote.

To effectuate this policy, we urge four concrete commitments:

- Instruct all deputies that during early voting and on Election Day their core assignment is voter protection, not federal force protection;
- Report any uncoordinated federal presence or activity near polling sites to County Counsel and the California Attorney General;
- Coordinate with the Registrar of Voters, municipal police departments, and city managers to align on this policy and to establish clear protocols for advance notice by any federal agency planning operations that could affect election activity;
- Commit to timely compliance with California Public Records Act (CPRA) requests related to 2025 Special Election security, voter safety, and interagency coordination.

Our AAPI communities will meet this election with courage. Many will stand in line despite language barriers, past trauma, or fear stirred by armed federal presence. We ask OCSD to meet this moment with equal courage. A visible, public commitment now will deter misconduct, reduce confusion across agencies, and affirm that in Orange County, the Sheriff's Department is an instrument of local peace, not federal intimidation.

We ask that you protect the public from those who would do them harm, and we submit that you can do so by withdrawing from federal agents the veil of support that has previously allowed them to frighten and harm the residents of Orange County. We ask you to state clearly that OCSD will act – calmly, lawfully, and independently – to ensure no federal presence interferes, directly or indirectly, with the exercise of the franchise in Orange County.

Respectfully,

Sean F. Bigley, Esq.
Director of Litigation



Asian Americans Advancing Justice Southern California

CC: Bob Page, Registrar of Voters, County of Orange
District Attorney Todd Spitzer, Orange County District Attorney's Office
County Counsel Leon J. Page, Orange County Office of County Counsel
Doug Chaffee, Chair, Orange County Board of Supervisors
Chiefs of Police, All Orange County Municipal Police Departments
City Managers and City Clerks, All Orange County Cities
Hon. Dr. Shirley N. Weber, Ph.D., California Secretary of State
Hon. Rob Bonta, California Attorney General

