



IRLI Investigation of Chris Magnus – Nominee for Commissioner of U.S. Customs and Border Protection (CBP)

Career Background:

- Began his [law enforcement career](#) as a dispatcher in 1979 in Lansing, Michigan.
- He became a deputy sheriff at the Livingston County Sheriff's Department after attending the Lansing Community College Police Academy.
- Beginning in 1985, he served for 15 years as a police officer with the Lansing Police Department.
- He became the police chief of Fargo, North Dakota in 1999.
- He then became the police chief of Richmond, California in 2006.
- He was then appointed as the police chief of Tucson, Arizona in January 2016.
- President Joe Biden [nominated](#) him to be the next commissioner of Customs and Border Protection on April 14, 2021.

Open-Source Findings:

- While serving as police chief in Richmond, Magnus was [photographed](#) holding a "Black Lives Matter" (BLM) sign with demonstrators at a rally. After the Richmond Police Officers Association publicly complained that he was violating state law by politicking in uniform, Magnus replied, "I would do it again." BLM has actively campaigned to defund local police around the country, while Magnus has stressed his belief in community policing as an alternative to working with ICE. The group's leaders also [identify](#) it as openly Marxist, seek the breakdown of the nuclear family in America and helped foment the destructive and deadly riots across the country last summer.



- He penned a December 2017 [op-ed](#) in the New York Times accusing the Trump administration of implementing “anti-immigrant” policies, said he was “deeply troubled” by its campaign against sanctuary cities.
- In 2017, he [publicly rejected](#) an order from then-DHS Secretary John Kelly to prioritize enforcement actions for illegal aliens convicted of crimes, saying at the time: “We will not compromise our commitment to community policing and public safety by taking on immigration enforcement responsibilities that appropriately rest with federal authorities.”
- He gave testimony to the Senate Judiciary Committee [in 2018](#) regarding his views on immigration. Under the section of “Focusing on True Threats” he argued that because most drugs are caught at ports of entry (where the vast majority of cross-border transportation takes place) it makes less sense to build border wall between ports of entry. He agreed with another sheriff who called the concept of a wall “medieval.” He explicitly says that immigration enforcement should be left to the federal government – with no local assistance. Under the section of “Community Policing” he condemns basic enforcement actions such as courthouse arrests, claiming they “terrify the immigrant community.”
- In his [question-and-answer](#) testimony to the Senate Judiciary Committee in 2018, he explicitly says his police department is “not going to make inquiries about immigration status under most circumstances.” He claimed that then-President Trump’s executive order targeting sanctuary cities makes communities less safe.
- Also included in the question-and-answer section is a telling response from Magnus. For years, he has claimed that refusing cooperation with federal immigration authorities leads to greater trust between the immigrant community and police. How does he gauge this claim or verify that such trust comes from sanctuary policy? In an answer to Sen. Cory Booker, he says the following: “Our ongoing outreach efforts to assure our immigrant community that we are not the Border Patrol or ICE and that we are not going to make inquiries about immigration status under most circumstances has built confidence in these communities. As a result, we have not experienced reductions in persons reporting crimes such as sexual assault. We attribute this to the trust immigrant individuals have in our agency.” Magnus has not produced any evidence to support his years-long claims of increased confidence and trust in his police department by the community.
- In 2020, he [rejected](#) hundreds of thousands of dollars in federal border security grant money from Operation Stonegarden, with the Tucson government citing a need to serve the city’s immigrant community.
- He’s complained on Twitter about numerous issues, including topics related to immigration and DHS. Here is [a tweet](#) where he **condemns DHS for responding to dangerous rioters in Portland**, [a tweet](#) **downplaying the border crisis**, [a tweet](#) praising a book review about the life of illegal alien activist Antonio Vargas, [a tweet](#) purporting to show no connection between a rise in crime and illegal immigration, and [a tweet](#) appearing to support the issuance of more U visas (the controversial U visa program is primarily sought by illegal aliens and has led to a wave of false accusations).

Exclusive Findings from Richmond, California, Police Department Records:

- According to documents obtained by IRLI, Magnus edited policies for his staff that explicitly limited their cooperation and interaction with federal immigration authorities. We received from the Richmond Police Department two policy documents created during his tenure of which his staff was instructed to follow: Policy 428 and Policy 355.
 - o Policy 428 clearly spells out the limitations Richmond officers must abide when it comes to ICE or other federal immigration officials. They are to ignore ICE detainer requests and obtain prior approval before granting an ICE request for assistance. They are even instructed not to participate in any “activity” related to immigration unless in emergency backup situations.
 - o Policy 355 deals entirely with how to work with LEP (limited English proficient) individuals, so it's largely irrelevant. However, there's one directive Magnus included in this document that's worth highlighting. Provision “h” under 355.16 says the following: "The Interpreter shall never contact Immigration and Customs Enforcement (ICE), Citizenship and Immigration Services (CIS) or Customs and Border Patrol (CBP) to verify a person's immigration status."
- IRLI requested the Richmond Police Department provide all email communication to and from Magnus that pertained to the subject of immigration. RPD provided 14 email messages in total.
 - o In an email dated May 29, 2013, he asks a staffer to “take care” of a letter he penned to then-California Gov. Jerry Brown, in which he trashes ICE’s [Secure Communities](#) program and voices strong support for AB 4, or the Trust Act, a now-law in California which makes it more difficult for ICE to apprehend criminal non-citizens.
 - o In the aftermath of the death of bystander Kate Steinle, shot at the hands of a five-time deported non-citizen who had evaded federal apprehension thanks to San Francisco’s sanctuary policies, the Sacramento Bee published an [op-ed](#) in 2015 that cautioned the public not to rush to change sanctuary laws in the wake of this tragedy (as background, the shooter, Jose Inez Garcia Zarate, was under custody by San Francisco law enforcement. ICE issued a detainer for him, but because of a city ordinance, the San Francisco Sheriff’s Office ignored the detainer and ultimately released Garcia Zarate, despite his extensive criminal history.) The op-ed cautioned readers to “take a step back” and not end policies that limit local enforcement’s cooperation with ICE. The op-ed also perpetuated [the myth](#) that ICE needed a judicial warrant to keep Garcia Zarate detained, despite ICE having full authority by the Immigration and Nationality Act to issue detainer requests. In an email dated July 28, 2015, he forwarded the article to Christopher Whitmore, then-staffer to California Democratic U.S. Rep. Mark DeSaulnier. “Please share this with you [sic] folks and the Representative,” Magnus wrote on the email. The email was titled “Relevant, timely editorial on Sanctuary Cities and Community Policing.”
 - o The above email was a forward of an email blast Magnus sent out earlier. He had emailed it to members of the city council, the police commission, husband

Terrance Cheung (then chief of staff to the Richmond mayor) and numerous others in local government. “Former Richmond, San Jose, and San Diego Chief Bill Lansdowne makes strong points about the ongoing ‘Sanctuary City’ debate in this op-ed from the Sacramento Bee” Magnus wrote to his many email recipients.

- In an email dated November 4, 2009 and titled “Policy 428,” Magnus wrote to RPD staff of what appears to be his final version of Policy 428. This email confirms Magnus played an integral role in the formulation of this policy, which **restricts RPD staff from working with ICE**. Attachment is included in the email. “This is good to go. I made some revisions—mostly minor. Sorry, I forgot to use the ‘track changes’ feature this time,” he wrote to his staff. “This can also go to the Police Commission now.”
- In an email dated June 14, 2012 and titled “Revisions to Immigration Policy (#426),” Magnus emails staff on a revision to their Policy 428.3.5. The policy continues to clearly spells out how **staff are to not cooperate with ICE agents**. In the email, he explains what it does. “Please note the attached revision to our Immigrations Policy (Policy #426). This revision brings us into compliance with Richmond’s ‘Sanctuary City’ policy and further clarifies our Immigrations and Customs Enforcement (ICE) non-cooperation policy. This policy has been reviewed by our City Attorney and is consistent with all applicable laws.”

The IRLI investigation is continuing.