

	TYPE OF DIRECTIVE LINE PROCEDURE	NUMBER LP-54-20
	SUBJECT IMMIGRATION ENFORCEMENT	EFFECTIVE DATE 07/08/20
	REFERENCE LP-07	RESCINDS LP-54-16

POLICY

The enforcement of the nation’s immigration laws is the principal responsibility of Immigration and Customs Enforcement (ICE). The Division of Police shall not initiate immigration-related investigations and shall not routinely inquire into the immigration status of persons except when the person is reasonably suspected of participating in criminal activity.

DISCUSSION

Service provided to the citizens of Henrico County is unconditional and not contingent upon citizenship or immigration status. When requested by federal immigration officials, Division members will lend their cooperation. Members will notify federal officials when serious situations where a potential threat to the public is perceived.

PROCEDURES

I. INVESTIGATIVE INQUIRIES

No Police Division member shall in connection with the report, investigation, or prosecution of a criminal violation of state or local law, inquire into the immigration status of any person who reports that he is a victim of the crime, or is the parent or guardian of a minor victim of the crime, or is a witness in the investigation of the crime, or the parent or guardian of a minor witness to the crime in accordance with Code of Virginia §19.2-11.02.

Division members may make the appropriate inquiries about the immigration status, and request immigration-related documents from any individual meeting one or more of the following criteria:

- A. Arrested for any violent felony.
- B. Has been convicted of a felony, regardless of whether that felony involved violence.
- C. Arrested for a terrorism-related offense or is otherwise reasonably suspected of involvement in terrorism and/or subversive activities.
- D. Arrested for any offense involving the entry or fraudulent assimilation of undocumented foreigners into the country or is reasonably suspected of participating in an organized venture to bring or fraudulently assimilate undocumented foreigners into the country.
- E. Nothing in this directive supersedes an officer’s obligation to meet the requirement for the

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arresting and subsequent notification requirements regarding foreign diplomats or foreign nationals as outlined in LP-07 (Special Enforcement Situations)

II. NOTIFICATIONS

A. The following list of offices may be used as points of contact.

1. Immigration and Customs Enforcement: (540) 432-2358 (located in Harrisonburg, VA) or (866) 347-2423
FAX: (540) 432-3392
2. Passport/Visa Inquires: (571) 226-9303

B. Officers must have the following information available when contacting the above offices:

1. Name;
2. Date of birth;
3. Country of birth;
4. Current charge; and
5. Custody location

By Order of:

Humberto I Cardounel, Jr.
Chief of Police