

	FREDERICKSBURG POLICE DEPARTMENT DIRECTIVES	
	OPERATIONS	
317.00	APPROVED: <i>Brian F. Layton, Chief of Police</i>	Initiated: 01/24/2018
		Revised: 02/16/2024

IMMIGRATION STATUS/U-VISA

317.00 – Policy Statement – Members of the Fredericksburg Police Department shall treat all individuals equally and without regard to immigration status. To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of the Fredericksburg Police Department will not lead to an immigration inquiry and/or deportation.

317.01 – Immigration Status Inquiries – Members of the Fredericksburg Police Department shall not initiate an investigation or take law enforcement action on the basis of actual or perceived immigration status, including the initiation of a stop, an apprehension, arrest, or any other field contact.

While it may often be necessary to determine the identity of a victim or witness, consistent with applicable law, members shall not question, investigate, or inquire about the immigration status of any person, including a victim or witness unless that information is an essential component in their investigation (e.g., human trafficking, involuntary servitude, etc.).

Nothing in this policy is intended to limit the ability of personnel to collect the necessary information and facts to handle an investigation completely and to conclusion, nor shall it preclude a witness or victim from being asked to give alternate contact information outside of the United States for purposes of ensuring that they can be contacted in the future for further investigation or to testify in court should they voluntarily or involuntarily leave the United States.

317.02 – Immigration Status Notifications – If the immigration status of a victim or witness is discovered during an investigation, Department personnel will not forward that information to the United States Immigration and Customs Enforcement (ICE). If an individual is arrested and incarcerated by the agency, it is the responsibility of the Rappahannock Regional Jail to notify ICE if their immigration status may be in question. If a member of the agency feels that a

detainer is necessary for the investigation of a case the Detective Division Commander or their designee will be consulted. The Detective Division Commander / designee will review the fact of the investigation and make the determination on whether to notify ICE.

317.03 – Immigration Complaints – Persons wishing to report immigration violations should be referred to the local office of the U.S. Immigration and Customs Enforcement (ICE).

317.04 – Request for Assistance – If a specific request is made by ICE, or any other federal agency, for immigration enforcement; this Department will provide available support services, such as traffic control or peacekeeping efforts, during the federal operation. The Watch Commander will be the approving authority for such request.

Members of this Department should not participate in such federal operations as part of any detention team unless it is in direct response to a request for assistance on a temporary basis or for officer safety. Any detention by a member of this Department should be based upon the reasonable belief that an individual is involved in criminal activity.

317.05 – U-Visa/T-Visa – Under certain circumstances federal law allows temporary immigration benefits to victims and witnesses of certain qualifying crimes. Any request for assistance in applying for U-Visa/T-Visa status should be forwarded in a timely manner to the Detective Division Commander.