July 15, 2022

Arlington County Board 2100 Clarendon Blvd #300 Arlington, VA 22201 countyboard@arlingtonva.us

Dear Arlington County Board Chair Cristol, Vice-Chair Dorsey, and Members Karantonis, Garvey, and De Ferranti:

We, over 60 local and national organizations, and community members harmed by police collaboration with ICE and at risk of detention and deportation urge you to reconsider the County's proposed "Trust Policy" and amend it to ensure that the immigrant community in Arlington is protected from targeting by law enforcement and U.S. Immigration and Customs Enforcement ("ICE"). Although the proposed policy states Arlington County's commitment to "protect[] the rights of all residents, regardless of their immigration or citizenship status," it falls far short of ending Arlington County's longtime collaboration with ICE. This cooperation not only undermines public safety, but when local police – who lack expertise and knowledge of immigration laws –actively cooperate with ICE officers, the racial biases and discrimination of the criminal legal system are layered on top of the already racist enforcement of U.S. immigration law. Arlington County's immigrant community constantly live in fear that basic interactions with local police and government agencies will result in deportation and separation from their families and communities.

The <u>Communities of Arlington Protected from Abuse by ICE ("CAPA") Policy</u> was developed with and by community members impacted by Arlington County collaboration with ICE and will ensure that Arlington County ceases any voluntary cooperation with federal immigration enforcement officials and that Arlington County does not serve as a pipeline to deportation of community members. While we are glad that some of the protections under CAPA have been adopted by the Trust Policy, we continue to be extremely concerned that the Trust Policy is woefully inadequate when placing limits on Arlington County law enforcement's collaboration with ICE.

The County's Trust Policy reaffirms the <u>Arlington County Police Department's Directive Manual 523.04</u>—which is completely at odds with Arlington's commitment to not facilitate civil immigration enforcement. ACPD's Directive does little to end ACPD's collaboration with ICE, and instead gives police officers vast discretion to interrogate community members about their immigration status and then turn them over to ICE, merely because those community members are suspected of certain criminal activity (or in some cases even absent a suspicion of criminal activity). None of this is collaboration required under federal or state law and is completely at the discretion of ACPD. Instead, Arlington County's policy must reaffirm that Arlington law enforcement shall not contact ICE under any circumstances unless required by law. The County Board entered into this process in order to put restrictions on county collaboration with ICE immigration enforcement, but this draft policy totally defers to police and places no meaningful controls on their actions.

Moreover, the Trust Policy makes no mention of CAPA's proposal of ensuring that County employees accept a range of identification documents when delivering services and benefits to residents. It is imperative that the County's Policy adopts these provisions and explicitly applies them to law enforcement, as allowing people stopped for offenses to prove their identity with non-standard ID provides a way for undocumented individuals to be released or given citations rather than arrested. Reducing arrests mitigates the harsh consequences that can follow merely from being detained, such as loss of job or income, housing insecurity, inability to care for children, or transfer to immigration detention.

We also urge the County Board to use all means at its disposal to push the Arlington County Sheriff's Office to adopt CAPA's protections and end its voluntary collaboration with ICE. The Sheriff's Office <u>directly and consistently assists with federal immigration enforcement</u> by actively notifying ICE when an individual is being released from the Arlington County Jail. From January 2019 to October 2020, ICE arrested 104 people released from the Arlington County Jail because of this notification policy. The goals and aims of Arlington County's Trust Policy cannot be achieved without also ensuring that the Sherriff's Office ceases its cooperation with ICE.

We are concerned that absent these critical protections, the County Board's proposed policy does nothing to protect the migrant community in Arlington from ongoing criminalization and abuse by Arlington law enforcement and ICE. As currently proposed, the Trust Policy essentially serves as a blank check for further targeting of immigrant communities by Arlington law enforcement and ICE and continues to leave Arlington as an ICE-supporting jurisdiction.

As the ICE out of Arlington coalition engaged with community members in drafting CAPA, it was clear that the immigrant community in Arlington County wants to not only "trust" the County, but also wants the County to **trust and protect** them. Because the criminalization of migrant communities in Arlington County has led to Arlington police and Sheriff directly handing people over to ICE, there has been a breakdown of trust and restoring that trust requires Arlington County to affirmatively state that it will not cooperate with ICE unless it is forced to do so by law. However, by permitting extensive and unnecessary cooperation with ICE, Arlington County is sending a clear message to the immigrant community that it does not trust them and will not protect them from abusive and racist law enforcement. This policy, as written, is far less protective even than neighboring Fairfax County.

We appreciate Arlington County's commitment to the immigrant community. However, we strongly urge you to center people and communities who have been affected by or at risk of harm from policing and collaboration with ICE. CAPA is a reflection of these values and we look forward to achieving the strongest protections for our families, neighbors, and loved ones.

Sincerely,

Community members harmed by police collaboration with ICE and at risk of detention and deportation La ColectiVA
National Immigration Project (NIP-NLG)
Legal Aid Justice Center
#ICEoutofArlington Campaign partners

ACLU People Power Fairfax

<sup>\*</sup>Endorsing organizations are listed below in alphabetical order\*

ACLU Virginia

African Communities Together (ACT)

American Jewish Committee

AYUDA

Bread for the World

**CASA** 

Centreville Immigration Forum

Church World Service

Coalition of Asian Pacific Americans of Virginia

Congregation Action Network

Cornerstone

DC Never Again Action

**Detention Watch Network** 

Domestic Workers Alliance

**Dream Project** 

Dreamers Mothers In Action

Edu Futuro

**EMGAGE - Muslim Leaders** 

**Envision Freedom Fund** 

Families For Freedom

Free Them All Virginia

Freedom for Immigrants

Fuego Coalition

Hamkae Center

Hispanic Organization of Leadership and Action

Jewish Community Relations Council

Just Neighbors Ministry

Korean American Association of Northern Virginia

Latina Institute for Reproductive Justice-Virginia

League of United Latin America Citizens - National

Maryland Against ICE Detention

Multicultural Community Center

Muslim Counterpublics Lab

MU Saints Unafraid

National Immigrant Justice Center

Neighbor's Keeper

New Virginia Majority Education Fund

NoVA Branch DSA

Progress Virginia

**Respond Crisis Translation** 

Sacred Heart Catholic Community Center

**SEIU 512** 

SEIU32BJ

Shirlington Employment and Education Center

Sin Barreras

SURJ Northern Virginia

Tenants And Workers United

The Commonwealth Institute for Fiscal Analysis

Unitarian Universalist for Social Justice

United Food and Commercial Workers Local 400

United We Dream DMV

Virginia Civic Engagement Table

Virginia Coalition for Immigrant Rights

Virginia Coalition of Latino Organizations

Virginia Immigration Intercollegiate Alliance

Virginia Interfaith Center for Public Policy Virginia League of Planned Parenthood

Virginia Organizing