

Frequently Asked Questions

Below is an example of frequently asked questions and answers that can be found on the Police Department's web site at:

www.police.pwcgov.org

Q *Does the new policy require police officers to ask everyone they encounter for proof of legal residence or about their immigration status?*

A No. The policy directs police officers to inquire about immigration status if they have probable cause to suspect that a person is in violation of federal immigration laws AND if that person is lawfully detained for a violation of state or local law.

Q *Will police officers detain a person simply because they think he or she is here illegally?*

A No. Police officers are not authorized to arrest or detain a person solely on the belief that the person is in the country illegally. However, if the officer has probable cause to believe that the person has committed, or is about to commit, a crime, that person may be detained and arrested.

Additional Resources

PWC Police Immigration Enforcement Questions:

English: (703) 792-7245

Spanish: (703) 792-4159

E-mail us at policedept@pwcgov.org

PWC Police Department Web Site: www.police.pwcgov.org

Immigration and Customs Enforcement: www.ice.gov

1-866-347-2423

U.S. Immigration and Citizenship Services: www.uscis.gov



Prince William County Government is an organization where elected leaders, staff, and citizens work together to make our community the best.

PWC Vision Statement

Revised 03/102008 PWC

Local Enforcement Response to Illegal Immigration



Prince William County
Police Department

Charlie T. Deane
Chief of Police

Background

The Prince William Board of County Supervisors passed a resolution on July 10, 2007, that required the Police Department to undertake a greater role in immigration enforcement. This resolution directed the Department to do two things:

1. Develop a new policy, which instructs police officers to inquire into the citizenship or immigration status of persons who are lawfully detained for a violation of State or local law IF the officer has probable cause to believe that person is in violation of federal immigration law AND where the inquiry will not unreasonably extend the detention. If a violation exists, officers are required to cooperate with ICE to the fullest extent of the law.

2. Acquire federal immigration enforcement authority, which is obtained by signing a Memorandum of Agreement with U.S. Immigration and Customs Enforcement (ICE). As a result, the Police Department has created a specialized group called the Criminal Alien Unit. Members of this unit will receive specialized federal training that gives them the authority to enforce federal immigration laws.

New Area of Law Enforcement

Historically, local police agencies have not played a role in immigration enforcement. As a result, this is a new area of law enforcement for the Police Department. One of the greatest challenges facing the Department is the management of public expectations, and helping community residents understand what police officers can do, and also what they can NOT do regarding illegal aliens.

The Police Department is committed to enforcing immigration violations within the boundaries of its authority in a fair, lawful and reasonable manner.

Important Points to Understand

- Immigration enforcement is primarily a federal function and responsibility. Local law enforcement has limited legal authority to enforce federal immigration law.
- Routine enforcement will be based on probable cause of illegal immigration status during the course of a lawful detention.
- Enforcement action by the Criminal Alien Unit will address serious CRIMINAL activity.
- Immigration inquiries will not unreasonably extend the time of the detention.
- Police Officers WILL NOT conduct routine immigration checkpoints or round-ups.

Department Philosophy

The Police Department's immigration enforcement policy will be implemented in a manner that is **fair, lawful and reasonable**. Three key points of this policy are:

- **Police officers will focus on criminal aliens.** Criminal aliens are those who are in the United States illegally and who commit crimes that would make them eligible for deportation.
- **Police officers will protect victims of crimes and witnesses**, regardless of their immigration status or citizenship.
- **Racial profiling is expressly prohibited.** Police officers will not detain or arrest individuals based on their national origin, race, religion or creed. In addition to being morally wrong, racial profiling is a violation of federal law as well as existing Police Department policy.