

Arlington's Commitment to Strengthening Trust with Our Immigrant Community

I. Purpose

Arlington County recognizes that the County's ethnic, racial, and linguistic diversity is a key source of our strength. Our vision is to be a welcoming and inclusive community where every person is important, and every person thrives. The County is committed to protecting the rights of all residents, regardless of their immigration or citizenship status, and to ensuring every person in Arlington has an equal opportunity to participate in our economy. We believe it is important to reaffirm current County policy and improve community health, safety, welfare, and security and build trust by ensuring that immigrant residents can be assured of access to County benefits and services without fear that the information they share will be disclosed to federal immigration officials. It is not an appropriate use of Arlington County resources to engage in the enforcement of federal immigration law, which is the sole responsibility of the Federal government. The County will comply with all federal or state regulations mandating cooperation with Immigration and Customs Enforcement (ICE) and other federal immigration officials, as well as judicial warrants and subpoena mandating County cooperation or action, but will otherwise restrict sharing of personal identifiable information that could be used to further immigration enforcement efforts except as set forth in Arlington County Police Department Directive Manual Policy 523.04 (described in Section II.B)

II. Standards to Protect Confidentiality and Enhance Public Trust

A. Requesting, Accessing or Disclosing Information Prohibited

1. Citizenship or immigration status. No employee shall request, record, access in County records or disclose to any person or entity the citizenship or immigration status of an individual, unless the action is

(a) required by applicable state or federal law or regulation, judicial warrant, court order or subpoena or complies with 8 U.S.C. § 1373(a), which states that "[n]otwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual"

or (b) authorized by the individual or a guardian of the individual.

2. Nothing in this Trust Policy shall be construed to conflict with federal law.

B. Law Enforcement

Arlington County commits that enforcement of federal immigration law is the sole responsibility of the Federal government and that the use of Arlington County

resources in such enforcement is inappropriate as is cooperation with civil administrative immigration enforcement except as set forth in Arlington County Police Department Directive Manual 523.04.

- A person's right to file a police report, participate in police-community activities or otherwise benefit from police services is not contingent upon citizenship or immigration status, and their immigration status will not be requested, recorded or accessed pursuant to Section II.A.1 above.
- Arlington County does not monitor, detain, interview, or investigate a person solely for the purpose of determining immigration status.
- Arlington County does not enforce Federal Immigration law; and
- ACPD involvement in ICE actions is limited to those actions where a criminal warrant exists for the apprehension of a specific individual or individuals or the standards and procedures set forth in Arlington County Police Directive Manual 523.04 are met and followed.

C. Use of County Resources for Civil Immigration Enforcement Prohibited

Employees shall not utilize County resources (including but not limited to facilities, equipment, cell phones, office supplies, radios, emails, databases and employee time while on-duty) to provide access to any personal identifiable information to immigration enforcement officials, unless the employee's action is expressly authorized by Arlington County Police Directive Manual 523.04.

D. Threats or Conditioning Action Based on Citizenship or Immigration Status Prohibited

Employees shall not threaten, coerce, or intimidate anyone based on their citizenship or immigration status, actual or perceived, or the actual or perceived citizenship or immigration status of a member of the person's household. Employees shall not condition the provision of County benefits, opportunities or services on actual or perceived citizenship or immigration status unless required by state or federal law or regulation or court order.

E. Facilitation of Civil Immigration Enforcement

Employees shall neither participate in nor facilitate civil immigration enforcement operations, unless otherwise required by an applicable state or federal law, criminal judicial warrant, court order or subpoena deemed applicable by the County Attorney.

F. Participation in Federal Registries Prohibited

No County resources may be used to assist in the investigation or enforcement of any federal program requiring registration of individuals based on citizenship,

immigration status, race, national or ethnic origin, language proficiency, gender, gender identity, sexual orientation, religion, disability, or age. The County may collect and aggregate information for the purpose of providing certifications to applicable state/federal agencies in order to qualify for grants, certify compliance with grant conditions and/or agreements but such certifications shall not identify specific individuals or divulge personally identifiable information.

IV. Access to Public Services

Arlington County will provide equitable access to public services and facilities to all residents.

- Arlington County does not and will not require any resident to provide proof of legal presence in order to access county government services unless required by Federal or State law, including but not limited to: local police, fire, emergency medical services, parks, recreation, libraries, Arlington aging and disability services, emergency financial assistance, Arlington health, mental health, healthcare, food, shelter, educational or substance abuse services. Some federally funded programs and services require legal documentation to meet eligibility requirements