# Trust Policy

#### I. PURPOSE

One Fairfax recognizes that the County's ethnic, racial, and linguistic diversity is a key source of its strength. The County is devoted to protecting the rights of all its residents, regardless of their immigration or citizenship status, and to ensuring they have an equal opportunity to participate in our economic vitality. The Public Trust and Confidentiality Policy (Trust Policy) is being issued to reaffirm current County policy, improve community health, welfare, safety and security and build trust by ensuring that immigrant residents can access 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 Fairfax resources to facilitate enforcement of federal immigration law, which is the sole responsibility of the federal government. Cooperation with civil administrative immigration enforcement is especially problematic because it lacks the constitutional protections of criminal law, and ICE civil detention requests are frequently issued in error. The County will comply with all federal or state law and regulations mandating cooperation with Immigration and Customs Enforcement (ICE) and other federal immigration officials, as well as valid judicial warrants and subpoena, but will otherwise restrict sharing of personal identifiable information that could be used to further immigration enforcement efforts.

#### III. DEFINITIONS

Administrative warrant: A document issued by an immigration enforcement official, including those from the United States Department of Homeland Security (DHS), United States Immigration and Customs Enforcement (ICE) or an administrative immigration judge (U), relating to suspected violations of immigration law. The term includes civil administrative warrants, administrative subpoenas, detainer requests, removal orders, database entries (e.g., from the National Crime Information Center) and any similar civil order for the arrest or detention of an individual or for information. An administrative warrant is not a criminal judicial warrant.

Department: All Fairfax County government agencies, departments, and other County personnel authorized to act on behalf of the County.

Citizenship or immigration status: Citizenship refers to whether a person is a citizen of the United States (including individuals who hold United States citizenship in addition to citizenship of another country) or is solely a citizen of another country (a "non-citizen"). Immigration status refers to the type of authorization a non-citizen has for their presence in the United States (e.g., lawful permanent resident, conditional permanent resident, visa holder, temporary protected status or undocumented, among other types of status). Perceived citizenship or immigration status refers to characteristics that suggest a person may be a non-citizen or of uncertain immigration status, such as actual or assumed place of birth, country of origin, ancestry, native language, looking or sounding "foreign", any other national origin indicator or absence of a social security number. These characteristics are separate from, and not included in the term "citizenship or immigration status."

Personal Identifiable Information: Any information that can be used to distinguish or trace an individual's citizenship, immigration status, national origin, race, ethnicity, language proficiency, religion, sexual orientation, gender identity, disability, age, place and date of birth, marital status, status of domestic violence or as a veteran; and status government identifiers (driver's license, biometric data such as fingerprints and facial features, social security/taxpayer

# **Trust Department Policy Manual**

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