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ICE says Fairfax County and DC are rejecting detainers, releasing violent offenders

by Nick Minock
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The ICE Enforcement and Removal Operations (ERO) Washington Field Office Director said federal, state, and local law enforcement should be working together to make communities safer. (7News)

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FAIRFAX COUNTY, Va. (7News) — U.S. Immigration and Customs Enforcement (ICE) representatives said they want Washington, D.C. and Northern Virginia communities to work with federal immigration officials to remove violent criminals from their communities who are in the U.S. illegally.

The ICE Enforcement and Removal Operations (ERO) Washington Field Office Director said federal, state, and local law enforcement should be working together to make communities safer.

“Working with law enforcement is common sense, good government, and that is something we're going to continue to focus in on and leave the door open for our partners to come back at any point,” said Russell Hott, the ICE ERO Washington Field Office Director. “Ultimately, for public safety, in the interest of our communities, the intent is to work with our law enforcement partners on these orderly transfers of custody.”

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On Thursday morning, ICE arrested Marvin Mateo-Alberto in Herndon who they said was charged with child sex crimes in Fairfax County and is in the U.S. illegally.



The ICE Enforcement and Removal Operations (ERO) Washington Field Office Director said federal, state, and local law enforcement should be working together to make communities safer. (7News)

7News was there to watch the early morning arrests.

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7News' Nick Minock speaks to ICE's Washington Field Office director during an operation ride-along
ABC 7 News - WJLA

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ICE representatives said the two other men they arrested are illegally in the U.S. and one was previously deported.

their officers are up over 200%.

“Regrettably, the majority of Northern Virginia communities have taken the stance that they will not honor immigration detainers, and that is unfortunate,” said Hott.

Hott said it would have been safer to arrest the man in the Fairfax County Adult Detention Center.



The ICE Enforcement and Removal Operations (ERO) Washington Field Office Director said federal, state, and local law enforcement should be working together to make communities safer. (7News)

“An arrest in a jail is in a controlled environment and takes a minimal number of personnel to do where an at large enforcement initiative like today, we have 30 to 40 law enforcement officers working on apprehending three separate individuals,” said Hott, who was also referring to ICE’s operations in Prince William and Loudoun Counties on Thursday morning.

Hott said ICE issued a detainer against Mateo-Alberto when he was charged with child sex crimes, but Fairfax County Sheriff Stacey Kincaid’s Adult Detention Center didn’t honor the detainer and released him back into the community.

“Unfortunately, the majority of our detainers go unrequited at Fairfax County, and that is unfortunate because all that does is release people who go back into the community and re-victimize and re-offend along the way,” said Hott.



The ICE Enforcement and Removal Operations (ERO) Washington Field Office Director said federal, state, and local law enforcement should be working together to make communities safer. (7News)

The Center for Immigration Studies found Fairfax County has rejected more than 1,100 detainers in under two years, the third most in the country.

The Fairfax County Sheriff chooses to require ICE to obtain a judicial warrant, which Hott said is not what the U.S. Congress intended in federal laws that regulate ICE.

Meanwhile, the Fairfax County Board of Supervisors has what's called a Trust Policy---preventing the police department from sharing information with ICE.

"Do you think that handcuffs the Fairfax County Police Department from working with you?" Minock asked Hott.

"Policies like that undermine public safety and ultimately run contrary to law," answered Hott.

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"Does Washington D.C. cooperate at all with ICE?" Minock asked. *"If you had to put it on a scale of one to 10 or zero to 10, how much do they cooperate with ICE?"*

"Regrettably, we see on a scale of zero to 10, I would have to say zero," answered Hott. "We regularly see dangerous criminal aliens being released from central booking without any notification. In fact, we were just talking about a case in the District of Columbia, an individual was arrested for homicide. We lodged a detainer with the District of Columbia, and that individual was released without the detainer being honored. This is for a homicide. I really can't understand placing the well-being of a predator over that of a victim."

"Yes or no, do you think Washington, D.C. is a sanctuary city?" Minock asked.

"Yes, unequivocally," answered Hott.

"What about Fairfax County?" Minock asked.

"Arlington?" Minock asked.

"I would say, yes," said Hott.

ICE is seeing support from the Virginia State Police (VSP) after Governor Glenn Youngkin signed an executive order that entered the VSP and the Virginia Department of Corrections in the 287(g) program.

VSP officers helped ICE during their operation on Thursday.

"Has that been a game changer?" asked Minock

"Absolutely," Hott said while praising Youngkin's and the Virginia Attorney General's support for ICE's operations.

7News has requested interviews with Sheriff Kincaid several times to discuss this topic, but she has not responded.

Fairfax County Board Supervisor Pat Herrity told 7News he thinks the board of supervisors needs to repeal its Trust Policy.

"I voted against the Trust Policy and continue to call for it to be repealed or significantly revised because it fails to protect our immigrant communities from those that are in the country illegally that are committing crimes against them," said Herrity. "It also prevents the county from understanding the fiscal and other impacts of those in the County illegally. By not honoring ICE detainers for those that have committed violent crimes, the Sheriff is doing our residents and especially our immigrant communities and victims a huge disservice by allowing them back on our streets to commit additional offenses. When you have a Commonwealth Attorney that refuses to prosecute cases against illegal immigrants, a Sherriff that refuses to honor ICE detainers for those that have committed violent offenses, and a Board of Supervisors that support a Trust Policy that hampers our police department and obscures the impact of those in the County illegally, then by definition I think you are a Sanctuary County."

As of this story's publication, the other nine Fairfax County Board Supervisors and chairman and the D.C. Mayor's office did not respond to 7News' request for interviews and comment.

Arlington County also has a Trust Policy.

The Arlington County Board Chair does not define Arlington as a sanctuary jurisdiction.

"Arlington County has always defined itself as a welcoming and inclusive community where every person has the right to live, learn, work and play," Arlington Board Chair Takis Karantonis told 7News. "We do not use the term or define Arlington County as a "sanctuary jurisdiction" as we continue to comply with all federal and state laws and requirements. That said, Arlington has a TRUST policy, last updated in November 2024, which clarifies the circumstances in which our Police Department may initiate contact with federal immigration authorities. Arlington believes that federal immigration enforcement is the sole responsibility of the federal government."

The Arlington County Sheriff's Office said the Arlington Sheriff was unavailable for an interview on Friday

The Arlington Sheriff's Office provided 7News their booking process for people who are suspected of being in the U.S. illegally along with a fact sheet.

Hott said ICE sees some cooperation with Prince William County law enforcement.

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"We do have a better relationship with Prince William County," said Hott. "I think ultimately, they have committed to transferring custody of any individual with a felony arrest when there is an ICE detainer lodged on that individual. I think it's case in point, right? We had a top MS-13 gang leader calling shots, directing homicides and other illicit activity from Woodbridge, Virginia in our backyard, and that is indicative of

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"Does the Prince William County Police Department work with you guys?" Minock asked.

"Prince William County Police Department has offered to support us in emergency situations, and certainly it's part of our criminal enforcement activity," said Hott.

Hott said although the Prince William County jail honors detainers on people who are charged with felonies, they do not honor ICE detainers on people who are charged with misdemeanors.

"What about the City of Alexandria?" Minock asked Hott.

The City of Alexandria has a police department and a sheriff's office.

"I will say we have a great relationship with the sheriff's office in Alexandria," said Hott. "The sheriff does support and honor detainers."

"For both felonies and misdemeanors?" Minock asked.

"That is correct," said Hott. "The sheriff's office has a strong relationship with the U.S. Marshals Service as well, many high-profile cases arrested by other federal agencies are generally detained in Alexandria, and the sheriff's office has continued to support us from that standpoint."

"Let's take a look at Loudoun County because this morning you're looking for someone in Loudoun County. How is the Loudoun County Sheriff's Office working with ICE right now?" Minock asked.

"We recently entered into an agreement with the Loudoun County Sheriff's Office," said Hott. "We call it a warrant Service Officer Program. So this is kind of a new step forward in our relationship with Loudoun County is indicative of the sheriff's commitment to supporting public safety in the community."

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"Are Herndon police officers helpful with you and your mission?" Minock asked.

"I would say Herndon, the community of Herndon has been great to work with," said Hott. "Along the way, I would say we still face some frustration and obstacles in that arena. There's some room to grow, but ultimately, you know, the with the community facing such a significant MS-13 presence here, we are committed to working with any agency, and I think that's clear this morning. We have other federal partners. We have the Virginia State Police all working towards locating and apprehending these very dangerous folks."

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Hott said Stafford County, Spotsylvania County, Frederick County, Shenandoah County, Page County, and the majority of Virginia jurisdictions generally cooperate with ICE.

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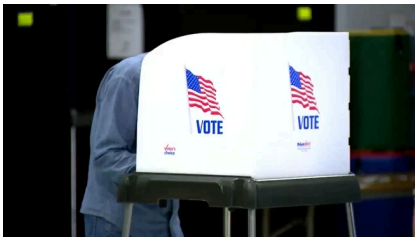
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