

2018 SESSION

INTRODUCED

18105113D

HOUSE BILL NO. 1515

Offered January 18, 2018

A BILL to amend and reenact § 19.2-83.2 of the Code of Virginia, relating to ascertaining citizenship of person taken into custody at a jail.

Patron—Watts

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-83.2 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-83.2. Jail officer to ascertain citizenship of inmate.

Whenever any person is taken into custody at any jail and such person's criminal history information includes a prior conviction for a felony offense or an offense that is the basis for the initiation of removal proceedings by the United States Immigration and Customs Enforcement, the sheriff or other officer in charge of such facility shall inquire as to whether the person (i) was born in a country other than the United States; and (ii) is a citizen of a country other than the United States. The sheriff or other officer in charge of such facility shall make an immigration alien query to the Law Enforcement Support Center of the United States Immigration and Customs Enforcement for any such person who (i) was born in a country other than the United States; and (ii) is a citizen of a country other than the United States, or for whom the answer to clause (i) or (ii) is unknown. The sheriff or other officer in charge shall communicate the results of any immigration alien query to the Local Inmate Data System of the State Compensation Board. The State Compensation Board shall communicate, on a monthly basis, the results of any immigration alien query that results in a confirmation that the person is illegally present in the United States to the Central Criminal Records Exchange of the Department of State Police in a format approved by the Exchange. The information received by the Central Criminal Records Exchange concerning the person's immigration status shall be recorded in the person's criminal history record.

INTRODUCED

HB1515