

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 273

An Act to amend the Code of Virginia by adding a section numbered 19.2-11.02, relating to inquiry into immigration status; certain victims or witnesses of crime.

[H 262]

Approved March 11, 2020

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 19.2-11.02 as follows:

§ 19.2-11.02. Prohibiting inquiry into the immigration status of certain victims or witnesses of crime.

A. No law-enforcement officer, as defined in § 9.1-101, shall, in connection with the report, investigation, or prosecution of a criminal violation of state or local law, inquire into the immigration status of any person who (i) reports that he is a victim of the crime or is the parent or guardian of a minor victim of the crime or (ii) is a witness in the investigation of the crime or the parent or guardian of a minor witness to the crime.

B. Nothing in this section shall prohibit a law-enforcement officer from inquiring into the immigration status of the parent or guardian of a minor victim if such parent or guardian has been arrested for, has been charged with, or is being investigated for a crime against the minor victim.

C. Nothing in this section shall affect the enforcement or implementation of § 18.2-59, subdivision 10 of § 18.2-308.09, or subdivision B 1 of § 18.2-308.2:2, or prohibit a law-enforcement officer from inquiring into a person's immigration status to enforce or implement such sections.