HOUSE JUDICIARY COMMITTEE

Chairman Jim Jordan

FAIRFAX COUNTY, VIRGINIA: THE DANGEROUS CONSEQUENCES OF SANCTUARY POLICIES

Interim Staff Report

Committee on the Judiciary
Chairman Jim Jordan

Subcommittee on Immigration Integrity, Security, and Enforcement
Chairman Tom McClintock

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EXECUTIVE SUMMARY

Democrats' open-borders policies at the federal level and sanctuary policies at the state and local level allow millions of illegal aliens to pour into the country and ensure that criminal aliens, after encountered by local law enforcement, are released back into American communities. For four years, the Biden-Harris Administration's open borders allowed over eight million illegal aliens to enter the United States, including six million aliens who were released into the country and another two million "gotaways" who avoided apprehension entirely.[1] Once in the country, sanctuary policies in Democrat-run jurisdictions like Fairfax County, Virginia, allow criminal aliens to stay, hurting public safety and endangering law-abiding Americans.

Many Democrat-run state and local jurisdictions prohibit law enforcement from cooperating with Immigration and Customs Enforcement (ICE) to ensure that criminal aliens are transferred to ICE custody and removed from the United States. Led by far-left officials and guided by radical immigration policies, these sanctuary jurisdictions provide a safe haven for criminal aliens. Democrat prosecutors in certain sanctuary jurisdictions provide foreign national criminals preferential prosecutorial treatment—leniency that similarly situated Americans do not receive—so that the criminal aliens may avoid immigration consequences for their criminality and can remain in the United States indefinitely.

The American people elected President Donald Trump and Congressional Republicans with a mandate to secure the border, restore immigration enforcement, and reverse Democrats' immigration agenda. President Trump's border enforcement agenda has worked, and illegal alien apprehensions at the southwest border are at historic lows.[2] Congressional Democrats, however, oppose the President's commonsense solutions to improve border security and immigration enforcement. To thwart this law-and-order approach and to protect criminal and illegal aliens, Democrats at the federal level shut down the federal government for months in 2025 and 2026. Their obstruction ensured that many of the hardworking men and women of the Department of Homeland Security were unpaid and unable to fully carry out their mission to protect the homeland.

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[1] Info. provided to the H. Comm. on the Judiciary by U.S. Dep't of Homeland Sec., Table 1: Detention Histories of CBP Encounters, January 20, 2021 – March 31, 2024 (Aug. 16, 2024); U.S. Customs and Border Prot., *Custody and Transfer Statistics*, U.S. DEP'T OF HOMELAND SEC. (last accessed July 8, 2025); Camilo Montoya-Galvez, *Biden-Harris Administration has admitted more than 1 million migrants into U.S. under parole policy Congress is considering restricting*, CBS NEWS (Jan. 22, 2024); *Latest UC Data, Total Monthly Discharges to Individual Sponsors Only*, U.S. DEP'T OF HEALTH AND HUMAN SERVS. (last accessed Aug. 7, 2026); Off. of Refugee Resettlement, *Unaccompanied Children Released to Sponsors by State*, U.S. DEP'T OF HEALTH AND HUMAN SERVS. (last accessed Aug. 7, 2026); U.S. Customs and Border Prot., *CBP Releases December 2024 Monthly Update*, U.S. DEP'T OF HOMELAND SEC. (Jan. 14, 2025); Immigr. and Customs Enf't, *Daily SWB Placemat*, U.S. DEP'T OF HOMELAND SEC. (May 2024-Jan. 2025) (on file with Comm.); Off. of Homeland Sec. Statistics, *Immigr. Enf't and Legal Processes Monthly Tables – Apr. 2024*, U.S. DEP'T OF HOMELAND SEC. (last accessed Aug. 7, 2026); Casey Harper, *Border crisis creates national security threat for U.S., observers say*, WASH. EXAMINER (Aug. 7, 2023); Bill Melugin (@BillMelugin_), X (June 20, 2024, 10:22 AM).

[2] *See, e.g.*, Press Release, Trump Administration Delivers 14 Straight Months of Zero Releases at the Border (July 16, 2026), https://www.dhs.gov/news/2026/07/16/trump-administration-delivers-14-straight-months-zero-releases-border.

Meanwhile, at the state and local level, Democrats' sanctuary policies continued to wreak havoc on American communities. Because sanctuary jurisdictions routinely refuse to cooperate with ICE, officials in these sanctuary jurisdictions release criminal aliens onto the streets instead of transferring them to ICE for removal from the country. According to ICE information, between October 2022 and early 2026, sanctuary jurisdictions declined to honor at least 41,085 detainers from ICE.[3] A detainer is the formal request that a state or local law enforcement agency notify ICE before releasing a criminal alien or that the agency maintain custody of a criminal alien for a short period until ICE is able to arrest them in a secure setting.[4] By refusing to honor ICE detainers, state and local jurisdictions guarantee that dangerous foreign national criminals—even illegal aliens who have been convicted of serious, violent crimes—are released into American communities and free to reoffend.

Sanctuary jurisdictions pose a significant threat to public safety and the enforcement of federal immigration law. The Committee on the Judiciary, with its Subcommittee on Immigration Integrity, Security, and Enforcement, has been conducting oversight of these sanctuary policies. Since January 2026, the Committee and Subcommittee have requested information relating to jurisdictions that restrict or prohibit cooperation with federal immigration officials, including their policies' devastating effects on public safety. To date, the Committee and Subcommittee have requested relevant material from 40 officials in 13 sanctuary jurisdictions across the country.

This interim staff report focuses on Fairfax County, Virginia, which has obstructed federal law enforcement with its sanctuary policies for years. Nonpublic documents and data obtained by the Committee and Subcommittee reveal the startling extent to which Fairfax County actively obstructs the enforcement of federal immigration law and shields foreign national criminals from accountability. The Committee and Subcommittee's oversight reveals:

- **Fairfax County treats illegal aliens differently than similarly situated American citizens.** Steve Descano, the Commonwealth's Attorney for Fairfax County, boasted for years about how he would make consideration of someone's immigration status a crucial component of his prosecution decisions.[5] For seven years, his campaign website promised that, "[w]herever possible," Descano "will make charging and plea decisions that limit or avoid immigration consequences."[6] He argued that "[i]f two people commit the same crime, but only one's punishment includes deportation, that's a perversion of justice and not a reflection of the values of Fairfax County."[7] Descano has fulfilled that promise and ensured that criminal aliens, including even repeat, violent offenders, can remain in the United States indefinitely.

[3] Info. provided to the H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Feb. 6, 2026) (on file with Comm.). The number of declined detainers is likely higher, given that ICE may not be aware that a detainer was declined until the agency encounters an alien who had previously been released.
[4] *See* Immigr. Detainers, U.S. Immigr. and Customs Enf't, https://www.ice.gov/immigration-detainers (last accessed Oct. 19, 2026).
[5] *See* Community: Protecting Immigr. Communities, Steve Descano, http://www.stevedescano.com/community (archived Mar. 10, 2026, at https://web.archive.org/web/20260310203213/http:/www.stevedescano.com/community).
[6] *Id.*
[7] *Id.*

- **Descano routinely fails to prosecute or under-prosecutes criminal aliens in Fairfax County and has *de facto* decriminalized numerous offenses in his jurisdiction**. In a preliminary review of nonpublic documents and public records, including more than 1,100 criminal cases, the Committee and Subcommittee have identified more than 100 previously unreported criminal aliens who benefited from Descano's repeated refusal to prosecute and his under-prosecution. The Committee and Subcommittee's initial review of a small subset of cases[8] reveals that the Fairfax County Commonwealth's Attorney's Office rarely pursues charges against criminal aliens arrested for driving under the influence, felony drug possession, felony grand larceny, larceny, shoplifting, fraud, trespass, destruction of property, and assault of a law enforcement officer, among numerous other crimes. In most cases reviewed by the Committee and Subcommittee, the criminal aliens reoffended—even escalating their criminal behavior to violent offenses and even murder.

- **The criminal aliens shielded by Descano's policies include serial fraudsters, domestic abusers, and violent offenders.** Descano dropped[9] more than 50 charges against a serial fraudster from China and allowed multiple aliens charged with malicious wounding, strangulation, and assault and battery to escape accountability and reoffend.[10]

- **Descano refuses to take accountability for the consequences of his policies and blames victims instead.** Despite ample opportunities to reform his policies and take accountability for the tragic consequences of his decisions, Descano has refused to do so. In a letter to the Committee in September 2026, Descano blamed multiple crime victims for his office's repeated lack of prosecution in certain cases.[11] He also has refused to identify the cases in which his office considered immigration consequences pursuant to his own written policy.[12] As a result, the Committee was forced to issue a subpoena for this information.[13]

- **Descano's pro-criminal alien policies apply to legal and illegal aliens alike, despite his testimony to the Immigration Subcommittee that indicated otherwise.** In public testimony before the Subcommittee in May 2026, Descano claimed his policies were

[8] The Committee and Subcommittee's initial review focused exclusively on aliens for whom ICE lodged formal detainers or requested advance notification of release and who were released from the custody of the Fairfax County Sheriff's Office from on or about January 2025 through June 2025. The Committee and Subcommittee's review of cases and documents remains ongoing. A formal detainer is based on a DHS determination that "probable cause exists that the subject is a removable individual." A Request for Advance Notification of Release is based on DHS's suspicion that the subject is a removable alien.

[9] This report refers to instances in which Descano's office moved to *nolle prosequi* a case as dropping charges in the case. Under Virginia law, *nolle prosequi* refers to an instance in which the Commonwealth's Attorney decides to "terminate further prosecution of the case." *See* Entering a nolle prosequi, Va. Prac. Criminal Procedure § 17:2 (2025-2026 ed.). *Nolle prosequi* "shall be entered only in the discretion of the court, upon motion of the Commonwealth with good cause therefor shown." Va. Code Ann. § 19.2-265.3.

[10] *See generally infra* notes 148-272 and accompanying text.

[11] Letter from Steve Descano, Fairfax Cnty. Commw. Att'y, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Sept. 7, 2026) [hereinafter Sept. 7 Letter] (on file with Comm.).

[12] *See id.*

[13] *See* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Steve Descano, Fairfax Cnty. Commw. Att'y (Sept. 16, 2026) (on file with Comm.).

"written with legal permanent residents in mind for minor crimes."[14] After months of refusing to clarify the categories of aliens to whom his policies apply, Descano finally admitted in his September 2026 letter to the Committee that prosecutors in his office may also consider immigration consequences for cases involving *illegal* aliens.[15]

- **Fairfax County's sanctuary policies have allowed thousands of criminal aliens to be released back into American communities.** From 2023 through 2025, the Fairfax County Sheriff's Office declined at least 1,670 ICE detainers and allowed the criminal aliens back onto northern Virginia streets instead of cooperating with ICE.[16]

- **One victim of Descano's policies appeared before the Subcommittee and blamed Descano and Fairfax County for failing her daughter.** Cheryl Minter is the mother of Stephanie Minter, who was murdered by an illegal alien who Descano repeatedly failed to prosecute and who the Fairfax County Sheriff's Office repeatedly released back onto the streets despite ICE detainers.[17] Cheryl testified that the system failed Stephanie, that Descano does not listen to victims, and that Stephanie's murder was preventable.[18]

Fairfax County's sanctuary policies threaten public safety and undermine the safe and effective enforcement of federal immigration law. The lack of criminal prosecution and prohibition on ICE cooperation have already led to multiple deaths and injuries and will no doubt continue to result in tragic consequences in Fairfax County and beyond.[19]

This interim report provides evidence of the ways in which just one local jurisdiction has implemented policies that allow dangerous foreign nationals to reoffend and avoid deportation. But Fairfax County and prosecutor Steve Descano are not outliers. They are indicative of a modern, radical, socialist Democrat Party that seeks to erase national borders and place illegal

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[14] *See Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't, H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (Mr. Descano testifying, "First of all, let me be clear. My policy that we're talking about was written with legal permanent residents in mind for minor crimes.").

[15] *See* Sept. 7 Letter, *supra* note 11.

[16] Info. provided to H. Comm. on the Judiciary from Fairfax Cnty. Sheriff's Off. (Mar. 11, 2026) (on file with Comm.).

[17] *See* Nick Minock, *Emails show Fairfax police warned prosecutor about suspect in Hybla Valley killing*, ABC 7 NEWS (Mar. 5, 2026, 8:48 AM), https://wjla.com/news/local/illegal-immigrant-with-long-criminal-record-accused-of-killing-woman-in-fairfax-county-abdul-emails-jalloh-stephanie-minter-commonwealths-attorney-steve-descano.

[18] *See Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't of the H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (testimony of Cheryl Minter).

[19] *See, e.g.*, Nick Minock, *Emails show Fairfax police warned prosecutor about suspect in Hybla Valley killing*, ABC 7 NEWS (Mar. 5, 2026, 8:48 AM), https://wjla.com/news/local/illegal-immigrant-with-long-criminal-record-accused-of-killing-woman-in-fairfax-county-abdul-emails-jalloh-stephanie-minter-commonwealths-attorney-steve-descano; Tom Roussey, *Man illegally in the US with criminal history now charged in Reston homicide*, ABC 7 NEWS (Dec. 18, 2025, 5:49 PM), https://wjla.com/news/local/reston-deadly-shooting-marvin-morales-ortez-el-salvador-ms-13-gunman-suspect-fairfax-county-police-department-manhunt-investigation-drone-unit-k9-special-operations-school-lockdown-dogwood-elementary-school. *See generally infra* notes 148-272 and accompanying text.

alien criminals ahead of law-abiding American citizens. The policies supported by these Democrats, including sanctuary policies, will have negative and lasting consequences for Americans. The Committee and Subcommittee will continue to conduct oversight of these sanctuary policies to inform potential legislative reforms to better protect American communities.

SANCTUARY JURISDICTIONS

A "sanctuary city" or "sanctuary jurisdiction" is a city or jurisdiction that refuses to cooperate, or limits cooperation, with federal authorities in the enforcement of federal immigration law.[20] Under the principle that "illegal aliens do not have the right to remain in the U.S. undetected and unapprehended,"[21] Congress has explicitly prohibited any restriction on communication between state or local entities and federal immigration authorities relating to an individual's immigration status.[22]

Despite the statute's clear prohibition on cities, counties, and states from restricting communication with federal immigration authorities, there are, according to an estimate from the Center for Immigration Studies, upward of 200 such sanctuary jurisdictions in the United States. These jurisdictions:

> [H]ave laws, ordinances, regulations, resolutions, policies, or other practices that obstruct immigration enforcement and shield criminals from [U.S. Immigration and Customs Enforcement (ICE)]—either by refusing to or prohibiting agencies from complying with ICE detainers, imposing unreasonable conditions on detainer acceptance, denying ICE access to interview incarcerated aliens, or otherwise impeding communication or information exchanges between their personnel and federal immigration officers.[23]

Sanctuary jurisdictions range from entire states—such as Colorado, California, New York, and Illinois—to major cities—such as Chicago; New Orleans; New York City; Newark, New Jersey; Washington, D.C.; Baltimore; and Seattle—to entire counties like Fairfax County, Virginia.[24]

Sanctuary jurisdictions' refusal to cooperate with ICE, including by not honoring ICE detainers, means that dangerous aliens are released back onto American streets. To ensure that criminal aliens are safely apprehended and deported, ICE issues detainers for aliens who have been arrested and who ICE has "probable cause to believe . . . [are] removable" from the United States.[25] With a detainer, ICE "sends a formal request to a law enforcement agency or correctional facility that has custody of a potentially dangerous alien" and asks the law enforcement agency to notify ICE "as early as possible before [the agency] release[s] a removable alien" and to "[h]old the alien for up to 48 hours beyond the time they would

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[20] *See* WILLIAM A. KANDEL, CONG. RSCH. SERV., IFI14328, "SANCTUARY" JURISDICTIONS: POLICY OVERVIEW (2020); *see also* SARAH PECK, CONG. RSCH. SERV., R44795, "SANCTUARY" JURISDICTIONS: FEDERAL, STATE, AND LOCAL POLICIES AND RELATED LITIGATION 3-4 (2019).
[21] H. Rep. No. 104-469, part 1, at 277 (1996).
[22] *See* 8 U.S.C. § 1373(a).
[23] Jessica M. Vaughan, *Map: Sanctuary Cities, Counties, and States*, CENTER FOR IMMIGR. STUDIES (June 29, 2026), https://cis.org/Map-Sanctuary-Cities-Counties-and-States (last accessed Oct. 19, 2026). The list of sanctuary jurisdictions compiled by the Center for Immigration Studies is broader than the Justice Department's list.
[24] *Id.*
[25] *Immigr. Detainers*, U.S. Immigr. and Customs Enf't, https://www.ice.gov/immigration-detainers (last accessed Oct. 19, 2026).

ordinarily release them so DHS has time to assume custody in accordance with federal immigration law."[26] Notably, these aliens are in the custody of a state or local law enforcement agency for a criminal offense—not because they entered the country illegally or otherwise lack lawful status.

Despite the effectiveness of detainers, in the first 12 months of President Trump's second term, state and local law enforcement agencies declined at least 17,864 ICE detainers, including for aliens charged with crimes ranging from sexual assault to murder, according to ICE data.[27] In its 2019 report, ICE again warned that sanctuary jurisdictions were "[o]ne of the biggest impediments to [ICE Enforcement and Removal Operations'] public safety efforts."[28] In addition to harming communities, refusing to honor ICE detainers also endangers law enforcement officers as they must resort to taking custody of the alien in an uncontrolled environment.[29]

The Biden-Harris Administration worked to weaken the first Trump Administration's efforts to hold sanctuary jurisdictions accountable for undermining immigration enforcement.[30] In addition to dropping federal litigation relating to sanctuary jurisdictions' policies,[31] the Biden-Harris Administration's Justice Department, beginning in April 2021, no longer required jurisdictions to cooperate with ICE as a condition of receiving federal grant funding.[32] The number of ICE detainers fell precipitously as a result, from a monthly average of 13,000 to 14,000 during the first Trump Administration to a mere 2,200 detainers in March 2021—just two months after President Biden took office.[33] Although the Biden-Harris Administration gradually increased its use of immigration detainers in response to public pressure against its immigration policies, it still issued 31 percent fewer detainers than the first Trump Administration.[34]

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[26] *Id.*

[27] Info. provided to the H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't, (Feb. 6, 2026) (on file with Comm.). The number of declined detainers is likely higher, given that ICE may not be aware that a detainer was declined until the agency encounters an alien who had previously been released.

[28] *See* U.S. Immigr. and Customs Enf't, Fiscal Year 2019 Enf't and Removal Operations Rep., at 17 (2020), https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf; *see also* U.S. Immigr. and Customs Enf't, Fiscal Year 2020 Enf't and Removal Operations Rep., at 17-18 (2021), https://www.ice.gov/doclib/news/library/reports/annual-report/eroReportFY2020.pdf (emphasizing the impact of non-cooperative jurisdictions).

[29] *See* U.S. Immigr. and Customs Enf't, Q&A: U.S. Immigr. and Customs Enf't Declined Detainer Outcome Rep. (DDOR) (Mar. 20, 2017), https://www.dhs.gov/news/2017/03/20/qa-us-immigration-and-customers-enforcement-declined-detainer-outcome-report.

[30] *See* Sarah N. Lynch, *U.S. Justice Department ends Trump-era limits on grants to 'sanctuary cities',* REUTERS (Apr. 28, 2021, 8:31 AM), https://www.reuters.com/world/us/exclusive-us-justice-department-ends-trump-era-limits-grants-sanctuary-cities-2021-04-28/.

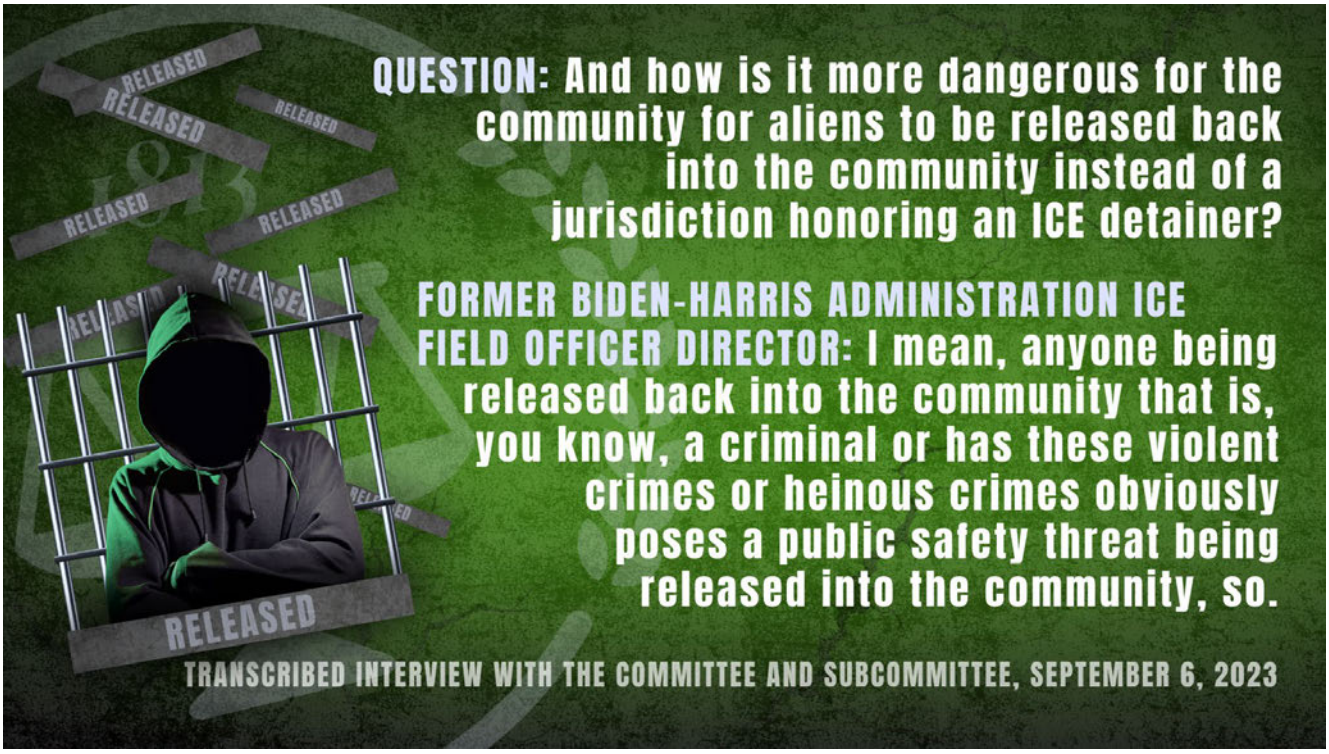
[31] Amy Howe, *Court dismisses "sanctuary cities" petitions*, SCOTUS BLOG (Mar. 5, 2021, 10:58 AM), https://www.scotusblog.com/2021/03/court-dismisses-sanctuary-cities-petitions/; *see* City Att'y of San Francisco, *Final victory for San Francisco in sanctuary city case against Trump administration* (Mar. 4, 2021), https://www.sfcityattorney.org/2021/03/04/final-victory-for-san-francisco-in-sanctuary-city-case-against-trump-administration/.

[32] *See* Lynch, *supra* note 30.

[33] *New Data on ICE Immigration Detainers Show Sharp Drop Since Start of Biden Administration*, TRAC IMMIGR. (June 20, 2023), https://trac.syr.edu/reports/719/.

[34] *See* U.S. Immigr. and Customs Enf't, Fiscal Year 2024 ICE Enf't and Removal Operations Rep., at 21 (Dec. 19, 2024), https://www.ice.gov/doclib/eoy/iceAnnualReportFY2024.pdf; U.S. Immigr. and Customs Enf't, Fiscal Year 2018 ICE Enf't and Removal Operations Rep., at 9, https://www.ice.gov/doclib/about/offices/ero/pdf/eroFY2018Report.pdf.

Even Biden-Harris Administration ICE officials criticized sanctuary policies for endangering the public and law enforcement alike. In a transcribed interview with the Committee in 2023, one former high-ranking ICE official testified that sanctuary jurisdictions' refusal to honor ICE detainers endangers ICE officers and undermines ICE's mission.[35] Another Biden-Harris Administration ICE official told the Committee how detainer noncompliance for violent criminals "poses a public safety threat being released into the community."[36] One former ICE official even attributed sanctuary policies to potentially undermining national security.[37] Another Biden-Harris Administration ICE official testified that ignoring ICE detainers endangers officers and the public because ICE is then forced to arrest criminal aliens at large in the community rather than in the secure setting of a jail or prison.[38]



Since the start of President Trump's second term, the federal government has acted swiftly against sanctuary policies. In an executive order signed on January 20, 2025, President Trump directed the Attorney General and DHS Secretary to "evaluate and undertake any lawful actions to ensure that so-called 'sanctuary' jurisdictions, which seek to interfere with the lawful exercise of Federal law enforcement operations, do not receive access to Federal funds."[39]

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[35] Transcribed Interview of Former ICE Official 1, U.S. Immigr. & Customs Enf't, at 79-80 (Sept. 22, 2023) (on file with Comm.).
[36] Transcribed Interview of Former ICE Official 2, U.S. Immigr. & Customs Enf't, at 36 (Sept. 6, 2023) (on file with Comm.).
[37] Transcribed Interview of Former ICE Official 3, U.S. Immigr. & Customs Enf't, at 23 (June 27, 2023) (on file with Comm.).
[38] Transcribed Interview of Former ICE Official 4, U.S. Immigr. & Customs Enf't, at 87-88 (Oct. 10, 2023) (on file with Comm.).
[39] Exec. Order No. 14159, Protecting the American People Against Invasion, 90 Fed. Reg. 8443 (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/.

President Trump also instructed the Attorney General and DHS Secretary to "undertake any other lawful actions, criminal or civil, that they deem warranted based on any such jurisdiction's practices that interfere with the enforcement of Federal law."[40] On February 19, 2025, President Trump signed an additional executive order to "ensure[] that Federal funds to states and localities will not be used to support 'sanctuary' policies or assist illegal immigration."[41]

On April 28, 2025, President Trump signed another executive order that directed the Attorney General to "publish a list of States and local jurisdictions that obstruct the enforcement of Federal immigration laws," "notify each sanctuary jurisdiction regarding its defiance of Federal immigration law enforcement and any potential violations of Federal criminal law," and "pursue all necessary legal remedies and enforcement measures to end these violations and bring such jurisdictions into compliance" with federal law.[42] The Justice Department produced its initial list of sanctuary jurisdictions in August 2025.[43] The most recent list from October 2025 identified 11 states, the District of Columbia, three counties, and 18 cities—meaning that, conservatively, about one-third of the U.S. population lives under dangerous sanctuary policies.[44] The number of Americans living under sanctuary policies may actually be much higher, however, as the Center for Immigration Studies estimates that the number of sanctuary jurisdictions is closer to 200.[45]

SANCTUARY POLICIES IN FAIRFAX COUNTY, VIRGINIA

Virginia Law

Virginia law authorizes cooperation with federal immigration enforcement; however, far-left Democrat officials have implemented policies that hinder ICE's actions in the state and have also rolled back former Governor Glenn Youngkin's efforts to strengthen relationships with ICE. Virginia law authorizes a "sheriff" or "other official in charge" of a facility in which a criminal alien is incarcerated to, "upon receipt of a detainer from [ICE], transfer custody of the alien to U.S. [ICE] no more than five days prior to the date that he would otherwise be released from custody."[46] Governor Youngkin issued an executive order in February 2025 directing "the Virginia State Police and the Department of Corrections" to sign 287(g) cooperation agreements

[40] *Id.*
[41] Fact Sheet, President Donald J. Trump Ends Taxpayer Subsidization of Open Borders, WHITE HOUSE (Feb. 19, 2025), https://www.whitehouse.gov/fact-sheets/2025/02/fact-sheet-president-donald-j-trump-ends-taxpayer-subsidization-of-open-borders/.
[42] Exec. Order No. 14287, Protecting American Communities from Criminal Aliens, 90 Fed. Reg. 18761 (Apr. 28, 2025), https://www.federalregister.gov/documents/2025/05/02/2025-07789/protecting-american-communities-from-criminal-aliens?.
[43] Press Release, Justice Department Publishes List of Sanctuary Jurisdictions, U.S. DEP'T OF JUSTICE (Aug. 5, 2025), https://www.justice.gov/opa/pr/justice-department-publishes-list-sanctuary-jurisdictions.
[44] U.S. Sanctuary Jurisdiction List Following Executive Order 14287: Protecting American Communities From Criminal Aliens, U.S. Dep't of Justice, https://www.justice.gov/ag/us-sanctuary-jurisdiction-list-following-executive-order-14287-protecting-american-communities (last accessed Oct. 19, 2026).
[45] *See* Vaughan, *supra* note 23.
[46] Va. Code § 53.1-220.2.

with ICE.[47] Under section 287(g) of the Immigration and Nationality Act (INA), the federal government may enter into written agreements with state and local agencies, through which law enforcement officers "may carry out" immigration enforcement-related functions "at the expense of the [s]tate . . . and to the extent consistent with [s]tate and local law."[48] The program is known as the 287(g) program.[49] According to ICE, the 287(g) program gives the agency the ability "to enhance collaboration with state, local, and tribal law enforcement partners to protect the homeland through the arrest and removal of aliens who undermine the safety of our nation's communities and the integrity of U.S. immigration laws."[50] Governor Youngkin's 287(g) program-related order "require[d] the Secretary of Public Safety and Homeland Security to contact every Director, Sheriff, or other official in charge of a local or regional jail in the Commonwealth of Virginia to certify their full cooperation with ICE in all Enforcement and Removal Operations . . . ."[51]

On her first day in office in January 2026, Democrat Virginia Governor Abigail Spanberger rescinded Governor Youngkin's executive order.[52] Instead of ensuring safer streets through immigration enforcement, Governor Spanberger directed multiple state agencies "to terminate any and all Section 287(g) Agreements and any related memoranda of understanding or similar agreements with ICE."[53] In early September 2026, a federal judge temporarily paused portions of Spanberger's directive.[54]

Fairfax County's Sanctuary Policies

Fairfax County, Virginia, is governed by a Board of Supervisors, which "establishes county government policy, passes resolutions and ordinances (within the limits of its authority established by the Virginia General Assembly), approves the budget, sets local tax rates, approves land use plans and makes appointments to various positions."[55] In 2021, the Board of

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[47] Pat Thomas, *Governor Youngkin signs order to protect Virginians from "dangerous criminal illegal immigrants"*, WDBJ 7 NEWS (Feb. 27, 2025, 2:57 PM), https://www.wdbj7.com/2025/02/27/governor-youngkin-signs-order-protect-virginians-dangerous-criminal-illegal-immigrants/.
[48] 8 U.S.C. § 1357(g).
[49] *See* ABIGAIL F. KOLKER, CONG. RES. SERV., THE 287(G) PROGRAM: STATE AND LOCAL IMMIGR. ENF'T, IF11898 (AUG. 12, 2021), https://crsreports.congress.gov/product/pdf/IF/IF11898.
[50] *Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act*, U.S. IMMIGR. AND CUSTOMS ENF'T, https://www.ice.gov/identify-and-arrest/287g (last accessed Apr. 27, 2026).
[51] Andrew R. Arthur, *Virginia Governor Signs ICE Assistance Order*, CENTER FOR IMMIGR. STUDIES (Mar. 3, 2025), https://cis.org/Arthur/Virginia-Governor-Signs-ICE-Assistance-Order.
[52] Va. Exec. Order No. 10 (2026), Rescission of Executive Order No. Forty Seven (2025) (Jan. 17, 2026), https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/eo/EO-10-RESCISSION-OF-EXECUTIVE-ORDER-NO.-FORTY-SEVEN.pdf.
[53] Va. Exec. Directive No. 1 (2026), Directing the Commonwealth's Law Enforcement Agencies to Terminate Any and All Section 287(g) Agreements (Feb. 4, 2026), https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/ed/ED-1-Directing-the-Commonwealth's-Law-Enforcement-Agencies-to-Terminate-Any-and-All-Section-287(g)-Agreements.pdf.
[54] *See* Charles Creitz, *Spanberger's ICE restrictions dealt major setback as judge warns other blue states*, FOX NEWS (Sept. 2, 2026, 3:32 PM), https://www.foxnews.com/politics/spanbergers-ice-restrictions-dealt-major-setback-judge-warns-other-blue-states.
[55] Board of Supervisors, Fairfax Cnty., Va., https://www.fairfaxcounty.gov/boardofsupervisors/ (last accessed Oct. 1, 2026).

Supervisors adopted the county's pro-illegal alien Trust Policy.[56] Under the guise of "ensuring that immigrant residents can access county benefits and services without fear that the information they share will be disclosed to federal immigration officials,"[57] the Trust Policy restricts cooperation related to federal immigration enforcement.[58] The policy states that "[c]ooperation 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."[59] Under the Trust Policy, Fairfax County claims it "will comply with all federal or state law and regulations mandating cooperation with [ICE] and other federal immigration officials, as well as valid judicial warrants and subpoena[s], but will otherwise restrict sharing of personal[ly] identifiable information that could be used to further immigration enforcement efforts."[60] The Trust Policy further states:

> 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 valid state or federal law or regulation, judicial warrant, court order or subpoena or complies with 8 U.S.C. § 1373(a) . . . or (b) has been authorized by the individual or guardian.[61]

The Trust Policy also prohibits ICE access to county facilities absent a criminal judicial warrant, prohibits the use of county resources to provide immigration-related information to federal officials, and forbids the Fairfax County Police Department's participation "in the service of administrative immigration warrants."[62] Although Fairfax County makes clear that it "does not and will not enforce civil federal immigration laws," it denies that it is a "sanctuary county."[63]

Fairfax County Sheriff's Office

Law enforcement officials in Fairfax County have enacted their own sanctuary policies to shield illegal aliens from accountability for their criminality. In 2018, Fairfax County Sheriff Stacey Kincaid terminated an agreement with ICE that directed the Fairfax County Sheriff's Office (FCSO) to comply with simple detainer requests.[64] Since then, Sheriff Kincaid has repeatedly endorsed the dangerous policy, despite its effects of undermining public safety

[56] Public Trust and Confidentiality Policy, Fairfax Cnty., Va., https://www.fairfaxcounty.gov/topics/trust-policy (last accessed Oct. 1, 2026).
[57] *Id.*
[58] Fairfax Cnty., Va., Trust Policy (Jan. 26, 2021), https://www.fairfaxcounty.gov/topics/sites/topics/files/Assets/Documents/PDF/Fairfax-County-Trust-Policy.pdf.
[59] *Id.*
[60] *Id.*
[61] *Id.*
[62] *Id.*
[63] Immigrants in Fairfax Cnty., Fairfax Cnty., Va., https://www.fairfaxcounty.gov/topics/immigrants-fairfax-county (last accessed Oct. 1, 2026).
[64] Press Release, Sheriff Terminates Intergovernmental Service Agreement with ICE, FAIRFAX CNTY., https://www.fairfaxcounty.gov/sheriff/sheriff-terminates-intergovernmental-service-agreement-ice.

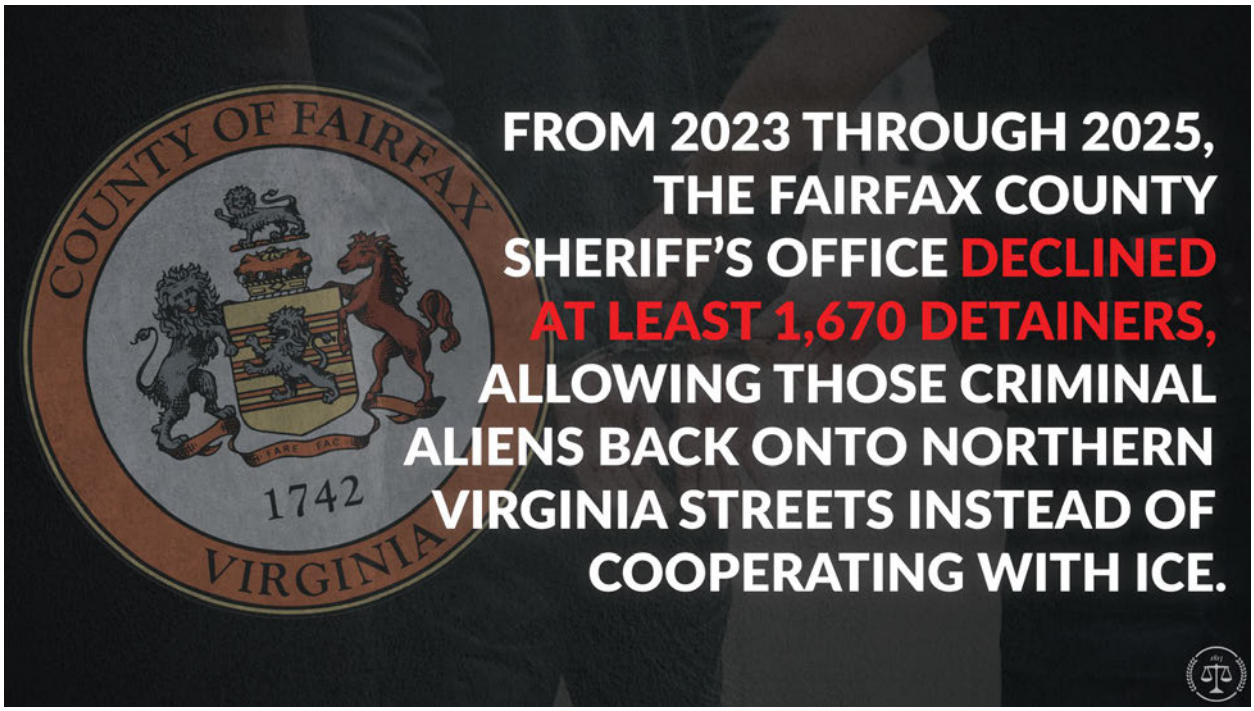
throughout northern Virginia.[65] Kincaid's policy forbids FCSO from "detain[ing] an individual based on an informal request or detainer."[66] Instead, Kincaid requires a judicial warrant,[67] which is not required under federal law and is not possible in the overwhelming majority of immigration cases unless a foreign national is charged with a *federal* crime.[68] In testimony to the Immigration Subcommittee in May 2026, former Virginia Attorney General Jason Miyares explained the impossibility of obtaining a judicial warrant for most criminal aliens:

> Q: Well, is a federal judicial warrant possible to obtain in a state crime?
>
> A: No, it's not, and they know this.
>
> Q: And if deportation is a civil matter, how does one get a federal judicial warrant?
>
> A: You can't. Again, they know this.
>
> Q: So, they're basically lying to the public? They are counting on the public not understanding that what they are asking for is legally impossible?
>
> A: It's legally impossible, yes, Mr. Chair.[69]

FCSO confirmed that, despite state law explicitly authorizing compliance with ICE detainers within five days of a criminal alien's release from custody, the office does not notify ICE about an alien's pending release.[70] Because of that policy, in 2025 alone, FCSO declined at least 448 ICE detainers, releasing those criminal aliens onto northern Virginia streets instead of transferring them to ICE.[71] In 2024, FCSO declined 705 detainers; in 2023, it declined 517 detainers.[72] In total, from 2023 through 2025, FCSO declined at least 1,670 ICE detainers.[73]

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[65] *See, e.g.*, Policy Statement Concerning Treatment of Undocumented Inmates, FAIRFAX CNTY. (July 25, 2024), https://www.fairfaxcounty.gov/sheriff/policy-statement-concerning-treatment-undocumented-inmates.
[66] Fairfax Cnty., Va., Sheriff's Office, Policy Statement Concerning Treatment of Undocumented Inmates (July 25, 2024), https://www.fairfaxcounty.gov/sheriff/policy-statement-concerning-treatment-undocumented-inmates.
[67] *Id.*
[68] *See Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't of the H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (testimony of former Va. Att'y Gen. Jason Miyares).
[69] *Id.*
[70] Phone call between H. Comm. on the Judiciary Staff and Fairfax Cnty. Sheriff's Off. Staff (Mar. 13, 2026).
[71] Info. provided to H. Comm. on the Judiciary from Fairfax Cnty. Sheriff's Off. (Mar. 11, 2026) (on file with Comm.).
[72] *Id.*
[73] *See id.*



Sheriff Kincaid's refusal to cooperate with ICE endangers northern Virginia communities. In October 2025, authorities arrested Roni Mendez-Escobar, an illegal alien from Guatemala, "on 15 felony counts of possession of obscene material and two felony counts of possession of child porn with intent to distribute."[74] FCSO released the criminal alien just four days after ICE lodged a detainer against him.[75] Months earlier, in March 2025, FCSO released a twice-deported Guatemalan national with a federal firearms conviction and previous charges for "felony abduction by force, felony strangulation, and misdemeanor assault on a family member."[76] Despite an ICE detainer for the dangerous alien, FCSO released him onto the streets, leading the victim to "fear[] for her safety and that of her children."[77] Earlier in 2025, FCSO also refused to honor a detainer for a criminal alien "charged with child sex crimes."[78] On May 1, 2026, ICE arrested Walvin Victor Hugo Garcia, an illegal alien charged with "rape of a child less than 13 years of age, aggravated sexual battery of a victim under 13 years of age, use of a computer to commit sex offense with a minor, and distributing drugs to a minor."[79] Despite an

[74] Nick Minock, *ICE arrests man charged with child porn previously released by Fairfax County*, ABC 7 NEWS (Apr. 23, 2026, 2:50 PM), https://wjla.com/news/local/ice-arrests-man-charged-with-child-porn-previously-released-by-fairfax-county-sheriff-stacey-kincaid-immigration-and-customs-enforcement.
[75] *Id.*
[76] Nick Minock, *ICE arrests man accused of assaulting woman after Fairfax Co. cuts plea deal, releases him*, ABC 7 NEWS (Apr. 30, 2025, 9:36 AM), https://katv.com/news/nation-world/virginia-crime-illegal-alien-person-guatemalan-native-wilmer-ramos-giron-violent-offender-arrest-ice-immigration-agents-charged-fairfax-county-stangulation-assault-woman-abduction-steve-descano-plea-deal-trump-administration.
[77] *Id.*
[78] Nick Minock, *ICE says Fairfax County and DC are rejecting detainers, releasing violent offenders*, ABC 7 NEWS (Apr. 14, 2025, 8:35 PM), https://wjla.com/news/local/washington-dc-maryland-northern-virginia-ice-detainers-fairfax-county-violent-offenders-ero-us-illegaly-child-sex-crimes-arrest-operation-field-office-mayor-office.
[79] Press Release, SANCTUARY CALAMITY: ICE Arrests Illegal Alien Child Rapist After Governor Spanberger and Fairfax Sanctuary Politicians RELEASED Him From Jail, U.S. Dep't of Homeland Sec. (May 5, 2026),

ICE detainer, Fairfax County's sanctuary policies enabled Hugo Garcia's release from law enforcement custody without notification to ICE.[80]

In a letter to the Committee in March 2026, Sheriff Kincaid blamed a lack of prosecution for the release of at least one criminal alien from her custody in December 2025. That alien, Marvin Morales-Ortez, was released from FCSO custody after Descano's office dropped charges against him.[81] One day later, Morales-Ortez allegedly murdered a man.[82] In her letter to the Committee, Sheriff Kincaid wrote:

> The system must work as a whole. When criminal defendants are prosecuted, authorities are better able to track court dates and monitor releases. In this instance, the unscheduled dismissal of criminal charges led to the release of an individual who had been discharged from violent felonies. As Sheriff of Fairfax County, I have no say in the prosecution of any inmate.[83]

Sheriff Kincaid has previously criticized the overall lack of prosecution in Fairfax County, stating, "It's shameful the way things have not been prosecuted."[84]

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https://www.dhs.gov/news/2026/05/05/sanctuary-calamity-ice-arrests-illegal-alien-child-rapist-after-governor-spanberger.

[80] *Id.*

[81] Tom Roussey, *Man illegally in the US with criminal history now charged in Reston homicide*, ABC 7 NEWS (Dec. 18, 2025, 5:49 PM), https://wjla.com/news/local/reston-deadly-shooting-marvin-morales-ortez-el-salvador-ms-13-gunman-suspect-fairfax-county-police-department-manhunt-investigation-drone-unit-k9-special-operations-school-lockdown-dogwood-elementary-school.

[82] *Id.*

[83] Letter from Stacey Kincaid, Sheriff, Fairfax Cnty., to Jim Jordan, Chairman, H. Comm. on the Judiciary (Mar. 11, 2026) (on file with Comm.).

[84] Nick Minock, *Victims, lawmakers, and law enforcement express concerns about Fairfax's top prosecutor*, ABC 7 NEWS (Aug. 5, 2025, 7:24 PM), https://wjla.com/news/local/fairfax-county-virginia-steve-descano-concerns-victim-lawmakers-law-enforcement-fair-oaks-glenn-youngkin-jason-miyares-prosecuting-cases-lenient-plea-deals-crimes-advocates-critics.



Office of the Fairfax County Commonwealth's Attorney

The Fairfax County Commonwealth's Attorney's Office, led by Stephen Descano since January 2020,[85] has enacted anti-immigration enforcement policies that empower criminal aliens at the expense of American citizens. The Justice and Public Safety PAC, a group primarily funded by far-left activist George Soros, has provided $627,653 to Descano's campaigns.[86] In office, Descano has pursued a radical leftwing agenda. For years, Descano's office has prohibited its employees from "assist[ing] federal agents with civil immigration enforcement."[87] This sanctuary policy prohibits prosecutors from sharing arrest information and immigration status details with federal immigration officials and bans employees from cooperating in the enforcement of federal administrative warrants for illegal and criminal aliens.[88]

[85] Leo Briceno, *Family demands far-left prosecutor be ousted from office after sister killed by repeat violent offender*, FOX NEWS (Mar. 10, 2026, 12:18 PM), https://www.foxnews.com/politics/family-demands-far-left-prosecutor-ousted-from-office-after-sister-killed-repeat-offender.
[86] Ashley Oliver, *Soros-backed prosecutor set for Capitol Hill grilling as sanctuary policies face reckoning*, FOX NEWS (Apr. 13, 2026, 12:47 PM), https://www.foxnews.com/politics/soros-backed-prosecutor-set-capitol-hill-grilling-sanctuary-policies-face-reckoning; Virginia Public Access Project, Top Donors, All Years, Descano for Fairfax County Commonwealth's Attorney – Steve: Committee, https://www.vpap.org/committees/324420/top_donors/#:~:text=Amount (last accessed Oct. 19, 2026).
[87] Commonwealth's Att'y Procedure Memo., Steve Descano (Mar. 23, 2021), https://www.fairfaxcounty.gov/commonwealthattorney/prohibition-assisting-federal-agents-civil-immigration-enforcement.
[88] *Id.*

The Fairfax County Commonwealth's Attorney's Office routinely fails to prosecute cases against criminal aliens, allowing them to reoffend and terrorize new victims.[89] Descano's policies require prosecutors in his office to "consider immigration consequences where possible and where doing so accords with justice."[90] Prosecutors must consider "(i) the collateral immigration consequences of the specific crime(s) the defendant is charged with, and (ii) the detrimental impact that deportation/removal has on the families and communities those removed or deported leave behind."[91]

14. Consideration of Immigration Consequences. ACAs shall consider immigration consequences where possible and where doing so accords with justice. Although not outcome determinative, prosecutors shall consider: (i) the collateral immigration consequences of the specific crime(s) the defendant is charged with, and (ii) the detrimental impact that deportation/removal has on the families and communities those removed or deported leave behind.[17] However, in some case, there will be significant limits as to what an ACA can do to avoid collateral immigration consequences. The weight accorded to potential adverse immigration consequences must be considered on a sliding scale. At one end of the scale, where the seriousness of the offense is significant and the harm to the victim is great, the weight accorded to potential adverse immigration consequences will be minimal. In a case where there is an act of violence and/or great harm done to a victim, the community's public safety interest in mitigating any future harm will likely outweigh other factors in the analysis. Conversely, where the offense is less serious and there is no identifiable victim, the ACA will have greater latitude in negotiating a resolution that takes adverse immigration consequences into account. The resolution will be different in a way that avoids or lessens the collateral immigration consequences, but will not be better than a resolution offered to a defendant that does not face such collateral issues.

As a predicate to any discussion or consideration of potential immigration consequences by an ACA, counsel for a defendant must first provide to the ACA a written and signed analysis on law firm letterhead: (i) identifying the potential adverse immigration consequence, (ii) setting forth a substantive analysis of the legal basis for the potential adverse immigration consequence (including appropriate citations to supporting statutes and case law), and (iii) identifying a suggested course of conduct that avoids the identified potential adverse immigration consequence with an accompanying substantive legal analysis.

Above: Descano's official office policy directs Fairfax County prosecutors to consider immigration consequences in cases involving foreign national defendants.

[89] *See, e.g.*, Jared Serre, *Virginia AG Miyares to investigate Fairfax's top prosecutor over abduction case*, FFX NOW (Aug. 4, 2025, 1:45 PM), https://www.ffxnow.com/2025/08/04/virginia-attorney-general-to-investigate-fairfaxs-top-prosecutor-over-abduction-case/.

[90] Guidelines for Plea Bargaining, Charging Decisions, and Sentencing, Commonw. Att'y Procedure Memo., at 10 (Dec. 15, 2020), https://www.fairfaxcounty.gov/commonwealthattorney/plea-bargaining-charging-decisions-and-sentencing-policy

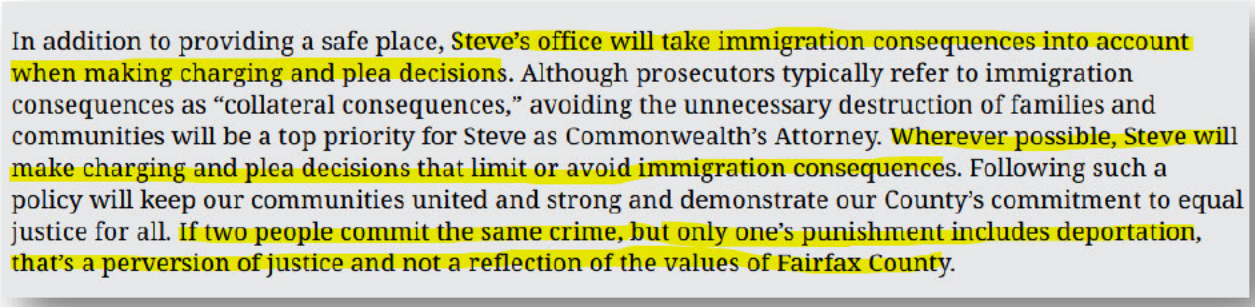
[91] *Id.*

Descano's official office policy supports his vision of "tak[ing] immigration consequences into account when making charging and plea decisions."[92] In fact, his campaign website promised that, "[w]herever possible," Descano "will make charging and plea decisions that limit or avoid immigration consequences."[93] He argued that, "[i]f two people commit the same crime, but only one's punishment includes deportation, that's a perversion of justice and not a reflection of the values of Fairfax County."[94] Following scrutiny from the Committee and Subcommittee, Descano scrubbed the statements from his website.[95] When asked about the removal, his office stated that its "official immigration policy. . . remains on [the office's] government website."[96] The office noted that the pro-illegal alien information was on a "campaign website" and "was taken down because it was being misinterpreted as the office's official policy."[97] Descano himself claimed that "the idea that [his office] favor[s] one group over another is completely wrong."[98]

In his testimony to the Subcommittee in May 2026, Descano claimed he changed his website because the statements on it were "not [his] policy."[99] He argued that he "could not believe that somebody, that people were so obtuse that they could not realize what the difference between a campaign statement and an actual office policy is."[100] In a letter to the Committee in September 2026, Descano again attempted to minimize the effects of the policies he long championed on his campaign website.[101] He claimed that the pro-criminal alien promises "were from 2019," *before* he enshrined the illegal alien agenda into his office's written policies in 2020.[102] He did not explain why the discriminatory statements remained on his website for seven

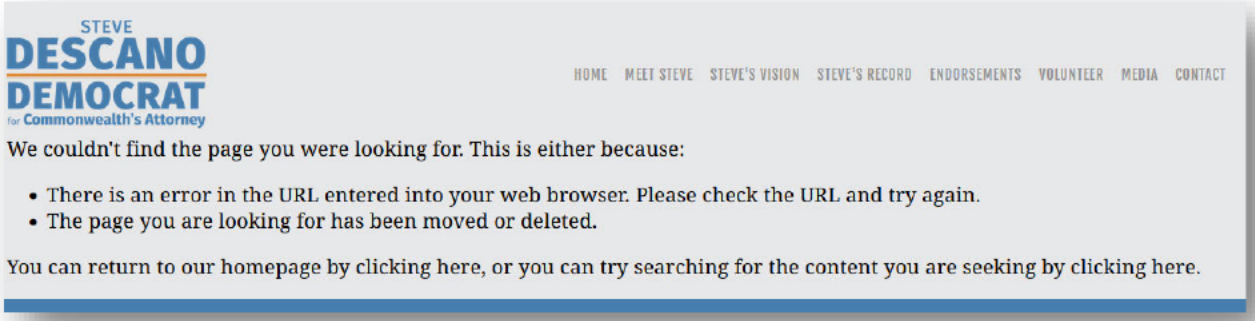
[92] *See* Community: Protecting Immigr. Communities, Steve Descano, http://www.stevedescano.com/community (archived Mar. 10, 2026, at https://web.archive.org/web/20260310203213/http:/www.stevedescano.com/community)
[93] *Id.*
[94] *Id.*
[95] Nick Minock, *Fairfax County prosecutor Steve Descano works with feds, ICE to arrest illegal immigrant*, ABC 7 NEWS (Apr. 24, 2026, 5:15 PM), https://wjla.com/news/local/fairfax-county-prosecutor-steve-descano-works-feds-ice-arrest-illegal-immigrant.
[96] *Id.*
[97] *Id.*
[98] *Id.*
[99] *See Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't of the H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (testimony of Steve Descano).
[100] *Id.*
[101] Sept. 7 Letter, *supra* note 11.
[102] *Id.*

years and through two elections—or why he only removed the statements following scrutiny from the Committee and Subcommittee.[103]



In addition to providing a safe place, Steve's office will take immigration consequences into account when making charging and plea decisions. Although prosecutors typically refer to immigration consequences as "collateral consequences," avoiding the unnecessary destruction of families and communities will be a top priority for Steve as Commonwealth's Attorney. Wherever possible, Steve will make charging and plea decisions that limit or avoid immigration consequences. Following such a policy will keep our communities united and strong and demonstrate our County's commitment to equal justice for all. If two people commit the same crime, but only one's punishment includes deportation, that's a perversion of justice and not a reflection of the values of Fairfax County.

Above: For years, Steve Descano promised on his campaign website to "make charging and plea decisions that limit or avoid immigration consequences."



STEVE DESCANO DEMOCRAT for Commonwealth's Attorney

HOME MEET STEVE STEVE'S VISION STEVE'S RECORD ENDORSEMENTS VOLUNTEER MEDIA CONTACT

We couldn't find the page you were looking for. This is either because:

- There is an error in the URL entered into your web browser. Please check the URL and try again.
- The page you are looking for has been moved or deleted.

You can return to our homepage by clicking here, or you can try searching for the content you are seeking by clicking here.

Above: Following scrutiny from the Committee and Subcommittee, Descano deleted the yearslong promises from his campaign website.

Northern Virginia communities suffer as a result of Descano's pro-illegal alien policies. In October 2025, authorities arrested Roni Mendez-Escobar, an illegal alien from Guatemala, "on 15 felony counts of possession of obscene material and two felony counts of possession of child porn with intent to distribute."[104] On April 22, 2026, Descano's office stopped prosecuting Mendez-Escobar.[105] The same day, ICE arrested the criminal alien following his court appearance.[106]

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[103] *See id.*

[104] Nick Minock, *ICE arrests man charged with child porn previously released by Fairfax County*, ABC 7 NEWS (Apr. 23, 2026, 2:50 PM), https://wjla.com/news/local/ice-arrests-man-charged-with-child-porn-previously-released-by-fairfax-county-sheriff-stacey-kincaid-immigration-and-customs-enforcement.

[105] *See generally* Fairfax Cnty. General District Court, General District Court Online Case Info. System, Search for Roni Mendez Escobar.

[106] Press Release, ICE Arrests Illegal Alien Charged with Possessing Child Pornography Who Was Released by Sanctuary Fairfax County (Apr. 23, 2026), https://www.dhs.gov/news/2026/04/23/ice-arrests-illegal-alien-charged-possessing-child-pornography-who-was-released.

In one case involving a twice-deported illegal alien from Guatemala, prosecutors in Descano's office "dropped his felony charge for allegedly strangling a woman in exchange for a guilty plea" to a misdemeanor offense.[107] The criminal alien's victim "feared for her safety and that of her children when she heard [the illegal alien] was back on the street so soon."[108] In August 2024, Descano's office also dropped charges against an illegal alien who had been charged with "aggravated sexual battery against a minor under 13 and felony indecent liberties."[109] Instead of taking accountability for the routine protection of criminal aliens, Descano blamed ICE for his failures.[110] In yet another case from 2025, the Fairfax County Commonwealth's Attorney's Office dismissed charges against an illegal alien from Honduras who had been charged with "alleged abduction of a person with intent to defile and alleged burglary with the intent to murder, rape, or commit another felony."[111] The dismissal came after a judge rejected a lenient plea deal offered by the office.[112]

Even when Descano's office prosecutes cases instead of refusing to proceed in court, criminal aliens oftentimes receive sweetheart deals or other preferential treatment that shield them from the harshest penalties. In 2024, two illegal aliens with criminal histories murdered a man in Fairfax County.[113] Two years later, Descano's office offered the criminal aliens a plea deal that means the men will only serve five years for the murder.[114] Descano's office attributed the deal to a lack of physical evidence and witnesses who "were terrified to come forward or assist with prosecution."[115] Other examples include:

- Reducing an illegal alien's charges from "Carnal Knowledge of a 13-14 year old to misdemeanor 'Consensual Sex w/ Child 15Y+' and offer[ing] him a 90-day suspended jail sentence."[116]

- Reducing an illegal alien's charges from "Rape by Force/Threat" to misdemeanor "Sexual Assault of Child 13-14" and "allow[ing] him to have a fully suspended jail

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[107] Nick Minock, *ICE arrests man accused of assaulting woman after Fairfax Co. cuts plea deal, releases him*, ABC 7 NEWS (Apr. 30, 2025, 9:36 AM), https://katv.com/news/nation-world/virginia-crime-illegal-alien-person-guatemalan-native-wilmer-ramos-giron-violent-offender-arrest-ice-immigration-agents-charged-fairfax-county-stangulation-assault-woman-abduction-steve-descano-plea-deal-trump-administration.
[108] *Id.*
[109] Aimee Cho & Julie Carey, *Officers detain man in ICE enforcement on National Mall as he screams for help*, NBC 4 WASHINGTON (Aug. 21, 2025, 4:36 PM), https://www.nbcwashington.com/news/local/officers-detain-man-in-apparent-ice-enforcement-on-national-mall-as-he-screams-for-help/3977693/.
[110] *Id.*
[111] Jared Wenzelburger, *ICE arrests Honduran national in Fairfax following dismissal of local criminal charges*, FAIRFAX TIMES (May 9, 2025), https://www.fairfaxtimes.com/articles/ice-arrests-honduran-national-in-fairfax-following-dismissal-of-local-criminal-charges/article_073b9d0a-734f-4050-aaa4-f0313721b5be.html.
[112] *Id.*
[113] Nick Minock, *2 illegal immigrants get 5 years for murder under Fairfax County plea deal*, ABC 7 NEWS (Apr. 3, 2026, 3:50 PM), https://wjla.com/news/local/illegal-immigrants-5-years-murder-fairfax-county-plea-deal-virginia-commonwealths-attorney-steve-descano-maldin-anibal-guzman-wis-alonso-sorto-portillo-ice-department-of-homeland-security.
[114] *Id.*
[115] *Id.*
[116] Off. of the Att'y Gen., Commw. of Va., Investigative Rep.: Fairfax Cnty. Commw.'s Att'y, at 33, https://files.constantcontact.com/d3e83e11901/ef28d4a6-6b90-4907-b606-4e11d0bf8777.pdf?rdr=true.

sentence."[117] Ten days later, the same illegal alien was charged "with eight counts of possession of child pornography."[118] Two weeks after those charges, he was "arrested for DUI with an elevated blood alcohol content."[119]

- Reducing an illegal alien's "charge of malicious wounding to unlawful wounding and agree[ing] to a sentence of time served, after dismissing charges of use of a firearm in the commission of a felony, endangering a child by leaving a loaded gun accessible, and reckless handling of a firearm."[120]

The Fairfax County Commonwealth's Attorney's Office's policies ultimately have had deadly consequences. On December 16, 2025, the Fairfax County Sheriff's Office released Marvin Morales-Ortez, an alleged MS-13 member from El Salvador, after the office "decided not to move forward with prosecuting him on charges of malicious assault and pointing/brandishing a gun stemming from an incident on September 12."[121] This came after the Fairfax County Commonwealth's Attorney's Office previously dropped a murder charge against the same alien, despite Descano's prosecutors "argu[ing] in court in 2021 that [Morales-]Ortez confessed that he was present during the murder, that he was with a few other people, that he ambushed the victim on a path, and that he struck the victim three times with a machete."[122] The office's decision to drop additional charges against Morales-Ortez paved the way for Fairfax County Sheriff Stacey Kincaid to refuse to honor an ICE detainer and release him into the community.[123] One day later, Morales-Ortez allegedly murdered a man in Reston, Virginia, and has now been charged with second-degree murder.[124]

Descano's preferential treatment of illegal aliens over American citizens based solely on immigration status has prompted significant civil rights concerns. A law enforcement group based in northern Virginia has "request[ed] the Justice Department investigate" Descano for being unfairly lenient to illegal alien criminals.[125] The Law Enforcement Legal Defense Fund claims that Descano's office "violated the civil rights of U.S. citizens by favoring illegal aliens

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[117] *Id.*
[118] *Id.*
[119] *Id.*
[120] *Id.*
[121] Tom Roussey, *Man illegally in the US with criminal history now charged in Reston homicide*, ABC 7 NEWS (Dec. 18, 2025, 5:49 PM), https://wjla.com/news/local/reston-deadly-shooting-marvin-morales-ortez-el-salvador-ms-13-gunman-suspect-fairfax-county-police-department-manhunt-investigation-drone-unit-k9-special-operations-school-lockdown-dogwood-elementary-school.
[122] Nick Minock, *Accused MS-13 member facing charges in Reston shooting has history of dropped cases*, ABC 7 NEWS (Dec. 19, 2025, 12:45 PM), https://wjla.com/news/local/accused-ms-13-member-facing-charges-in-reston-shooting-has-history-of-dropped-cases-marvin-morales-ortez-fairfax-county-commonwealths-attorney-steve-descano.
[123] Roussey, *supra* note 121.
[124] *Id.*
[125] Charles Creitz, *Pro-police group asks DOJ to probe Soros-backed Virginia prosecutor using Biden-era law once aimed at cops*, FOX NEWS (Dec. 26, 2025, 10:04 AM), https://www.foxnews.com/politics/pro-police-group-asks-doj-probe-soros-backed-virginia-prosecutor-using-biden-era-law-once-aimed-cops.

and non-citizens in charging, plea bargaining, and sentencing decisions."[126] Former Virginia Attorney General Jason Miyares reached similar conclusions in a 2025 investigative report.[127]

Stephanie Minter

In February 2026, illegal alien Abdul Jalloh stabbed to death Stephanie Minter at a northern Virginia bus stop.[128] Jalloh's criminal history includes "[a]n alleged rape in 2018 and then a series of four alleged stabbings" and "two alleged assaults."[129] Over the years, Jalloh had "more than 40 past charges in Fairfax County," with Descano's office dropping the charges "in almost every case."[130] Before the murder, the Fairfax County Police Department had warned Descano's office about the danger Jalloh posed to the community.[131] In November 2025, upon hearing about Jalloh's release from jail, the Fairfax County Police Department emailed the Chief Deputy Commonwealth's Attorney warning that "it is not a question of if, but rather when [Jalloh] will maliciously wound (or worse) again."[132] That email is below.



[126] *Id.*
[127] *See* Off. of the Att'y Gen., Commw. of Va., Investigative Rep.: Fairfax Cnty. Commw.'s Att'y, https://files.constantcontact.com/d3e83e11901/ef28d4a6-6b90-4907-b606-4e11d0bf8777.pdf?rdr=true.
[128] Press Release, Illegal Alien with More Than 30 Prior Arrests Fatally Stabs Woman at Virginia Bus Stop, ICE Requests Virginia Authorities Not Release This Public Safety Threat (Feb. 28, 2026), https://www.dhs.gov/news/2026/02/28/illegal-alien-more-30-prior-arrests-fatally-stabs-woman-virginia-bus-stop-ice.
[129] Julie Carey, *Long criminal history tied to Fairfax County bus stop stabbing suspect*, NBC 4 WASH. (Feb. 27, 2026, 8:07 PM), https://www.nbcwashington.com/news/local/northern-virginia/long-criminal-history-tied-to-fairfax-county-bus-stop-stabbing-suspect/4068060/.
[130] Nick Minock, *Emails show Fairfax police warned prosecutor about suspect in Hybla Valley killing*, ABC 7 NEWS (Mar. 5, 2026, 8:48 AM), https://wjla.com/news/local/illegal-immigrant-with-long-criminal-record-accused-of-killing-woman-in-fairfax-county-abdul-emails-jalloh-stephanie-minter-commonwealths-attorney-steve-descano.
[131] *Id.*
[132] E-mail from Jeffrey Mauro, Major, Fairfax Cnty. Police Dep't., to Jenna Sands, Chief Dep. Commw. Att'y, Fairfax Cnty. (Nov. 15, 2025); *see Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't of the H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (written testimony of Sean Kennedy).

From: [redacted]>
Sent: Saturday, November 15, 2025 5:20 AM EST
To: Sands, Jenna <[redacted]>
Subject: Re: RELEASED: Abdul Jalloh

Jenna,

Good morning. I hope things are well.

I wanted to bring Mr. Abdul Jalloh's release this week to your attention. Mr. Jalloh is one of the repeat (and violent) felony offenders I expressed concern about when we met. He has an extensive criminal history—he has stabbed multiple people, sexually assaulted at least one woman, and committed numerous other criminal offenses. Furthermore, his behavior appears to be escalating and becoming more violent and explosive.

I wanted to please get your background on why he is out again so soon and ask if his prior suspended sentence (of I believe 5 years) was pursued by your office?

Unfortunately, based on MTV Station's numerous dealings with him, again I want to share my concern that it is not a question of if, but rather when he will maliciously wound (or worse) again. Unfortunately my concern came true after you and I last met with his last violent attack.

Appreciate your input.

Major J. Mauro | Fairfax County Police Department
Mt Vernon District Station | [redacted]

Above: Following Abdul Jalloh's release from jail in November 2025, the Fairfax County Police Department shared its concerns that Jalloh would "maliciously wound (or worse) again." Three months later, Jalloh murdered Stephanie Minter.

The November 2025 warning followed a conversation between officials in the Commonwealth's Attorney's Office and the Police Department about Jalloh being a violent repeat offender and a May 2025 email explaining Jalloh's criminal history and noting that Jalloh "has shown a blatant disregard for human life and is a danger to the community."[133]

Jalloh, a native of Sierra Leone, "entered the U.S. illegally in 2012."[134] In 2020, ICE "lodged a detainer against Jalloh," and an immigration judge ordered him removed to a third country.[135] After ICE urged Fairfax County not to release Jalloh after Minter's murder, Governor Spanberger has said law enforcement would not honor an ICE detainer for him despite his repeated criminal activity.[136]

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[133] *Id.*; Email from James R. Curry, Captain, Fairfax Cnty. Police Dep't., to Jenna Sands, Chief Dep. Commw. Att'y, Fairfax Cnty. (May 5, 2025) (on file with Comm.).
[134] Press Release, Illegal Alien with More Than 30 Prior Arrests Fatally Stabs Woman at Virginia Bus Stop, ICE Requests Virginia Authorities Not Release This Public Safety Threat, U.S. Dep't of Homeland Sec. (Feb. 28, 2026), https://www.dhs.gov/news/2026/02/28/illegal-alien-more-30-prior-arrests-fatally-stabs-woman-virginia-bus-stop-ice.
[135] *Id.*
[136] Ashley Oliver, *Spanberger refuses to honor ICE detainer in murder case, escalating showdown with Trump DHS*, FOX NEWS (Mar. 6, 2026, 6:00 AM), https://www.foxnews.com/politics/spanberger-refuses-honor-ice-detainer-murder-case-escalating-showdown-trump-dhs.

Stephanie Minter's family has called for reform in Fairfax County, with one of her brothers stating, "Steve Descano completely failed Stephanie. He's failed other people, and he will continue to fail other people unless he is just voted out of office."[137] Cheryl Minter, Stephanie's mother, is "working with groups to begin a recall campaign against" Descano, who Cheryl has described "as dangerous as the criminals themselves."[138] In written testimony to the Immigration Subcomitttee in May 2026, Cheryl described the consequences of Descano's policies:

> I am not here for politics. I am here for accountability. I am here because a system failed my daughter. If not for these failures, I could be sharing a cup of coffee with Stephanie this morning, rather than speaking with you all today. When policies protect people who are a known threat, innocent lives are put at risk. When warnings are ignored, families like mine pay the price. This is not just about my Stephanie. This is about every mother. Every parent. Every child. Every person who waits at a bus stop, walks home, or goes to work, trusting they will be safe. We cannot ignore this. We cannot look away. Compassion should never come at the cost of public safety. Care for one group should not mean danger for another. We can be a community that is both caring and responsible. We can have policies that protect people and also keep our streets safe. But that means we must act. We must listen when there are warnings. We must take threats seriously. We must make sure that people who are dangerous are not released back into our neighborhoods.[139]

Instead of taking accountability for his office's repeated lack of prosecution of Jalloh, Descano has blamed the lack of prosecution on Jalloh's previous victims and those who witnessed his criminal activity.[140]

The Committee and Subcommittee's Investigation into Fairfax County's Preferential Treatment of Criminal Aliens

On January 15, 2026, the Committee and Subcommittee requested relevant material from Descano related to his office's sanctuary policies, including his lack of prosecution of criminal aliens.[141] Despite boasting about his pro-criminal alien policies for years, Descano has recently

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[137] Leo Briceno, *Family demands far-left prosecutor be ousted from office after sister killed by repeat violent offender*, FOX NEWS (Mar. 10, 2026, 12:18 PMM), https://www.foxnews.com/politics/family-demands-far-left-prosecutor-ousted-from-office-after-sister-killed-repeat-offender.

[138] Nick Minock, *Family of murdered mother pushing for recall of Fairfax County prosecutor Steve Descano*, ABC 7 NEWS (Apr. 3, 2026, 7:03 PM), https://wjla.com/news/local/family-murdered-mother-recall-fairfax-county-prosecutor-stephanie-minter-steve-descano-abdul-jalloh.

[139] *See Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't of the H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (testimony of Cheryl Minter).

[140] Sept. 7 Letter, *supra* note 11 (blaming one victim and two witnesses).

[141] *See* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Steve Descano, Fairfax Cnty. Commw. Att'y (Jan. 15, 2026)

attempted to minimize the scope and effects of his office's collateral immigration consequences policy. In a July 2026 letter to the Committee, Descano characterized certain cases of criminal aliens as "a few individual criminal cases . . . out of over 10,000 cases" prosecuted by the office each year.[142] More recently, Descano argued for the first time that the policy does not apply to another subset of cases—those involving dropped charges[143]—a limitation that is not included in a plain reading of his policy or in a basic understanding of Virginia criminal law. In fact, Virginia case law makes clear that dropping charges is closely connected to the plea bargaining process, to which Descano's immigration policies clearly apply.[144]

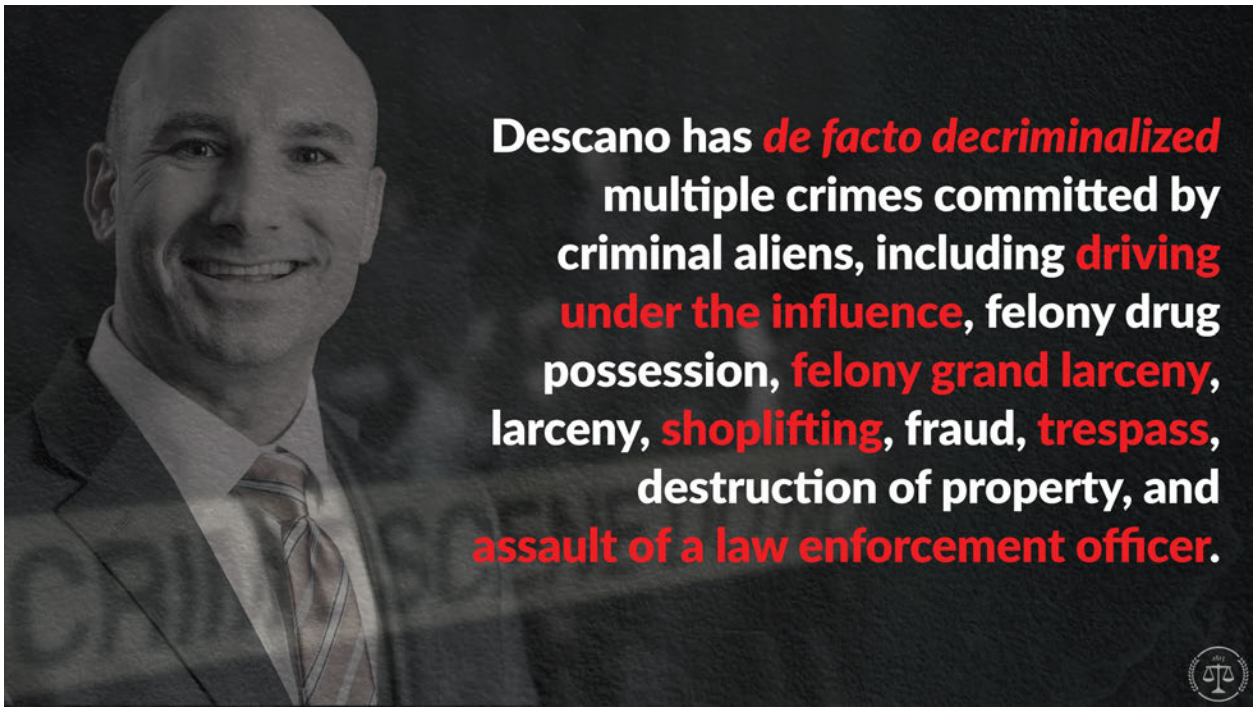


Descano also recently admitted that his policy applies to both legal *and* illegal aliens, seemingly contradicting his testimony before the Subcommittee. In his sworn testimony to the Subcommittee in May 2026, Descano stated that his immigration policy is "narrow" and was "written with *legal permanent residents* in mind for minor crimes."[145] After months of refusing to clarify whether his policy applies to illegal aliens as well, Descano finally admitted that his office's consideration of collateral immigration consequences is "not limited to any category of immigrants."[146]

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[142] *See* Letter from Steve Descano, Fairfax Cnty. Commw. Att'y, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (July 2, 2026) (on file with Comm.).
[143] *See* Sept. 7 Letter, *supra* note 11.
[144] *See, e.g.*, *Commonwealth's Att'y of Stafford Cnty. v. Serrano*, 84 Va. App. 571, 580, 914 S.E.2d 635, 639 (2025) ("On February 16, 2023, the defendant in the criminal case entered into a plea agreement with the Office of the Commonwealth's Attorney in which the strangulation and prevention of calling 911 charges were nolle prossed in exchange for him pleading guilty to the assault and battery charge."); *Francis v. Commonwealth*, No. 0389-24-4, 2025 WL 2772901, at *2 (Va. Ct. App. Sept. 30, 2025) ("In January 2019, Francis agreed to plead guilty to that charge in a written plea agreement. In exchange, the Commonwealth agreed to a two-year sentence with all but time served suspended and to nolle prosequi a second count of failing to register."); *Casco v. Commonwealth*, No. 0626-24-4, 2025 WL 1298502, at *2 (Va. Ct. App. May 6, 2025) ("Under the terms of a written agreement, Casco pleaded guilty to two counts of robbery, use of a firearm in the commission of robbery, and attempted carjacking. In return, the Commonwealth agreed to nolle prosequi two counts of abduction and two counts of use of a firearm in the commission of a felony.").
[145] *See Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't, H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (emphasis added).
[146] Sept. 7 Letter, *supra* note 11.

The Committee and Subcommittee's oversight has also revealed the shocking extent to which Descano's routine failure to prosecute and his under-prosecution of criminal aliens in Fairfax County has *de facto* decriminalized numerous offenses in his jurisdiction. In a preliminary review of nonpublic documents and public records, including more than 1,100 criminal cases, the Committee and Subcommittee have identified more than 100 previously unreported criminal aliens who benefited from Descano's repeated refusal to prosecute and his under-prosecution. The Committee and Subcommittee's initial review of just a small subset of cases[147] reveals that the Fairfax County Commonwealth's Attorney's Office rarely pursues charges against criminal aliens arrested for driving under the influence, felony drug possession, felony grand larceny, larceny, shoplifting, fraud, trespass, destruction of property, and assault of a law enforcement officer, among numerous other crimes. In most cases reviewed by the Committee and Subcommittee, the criminal aliens reoffended—even escalating their criminal behavior to violence and even murder.

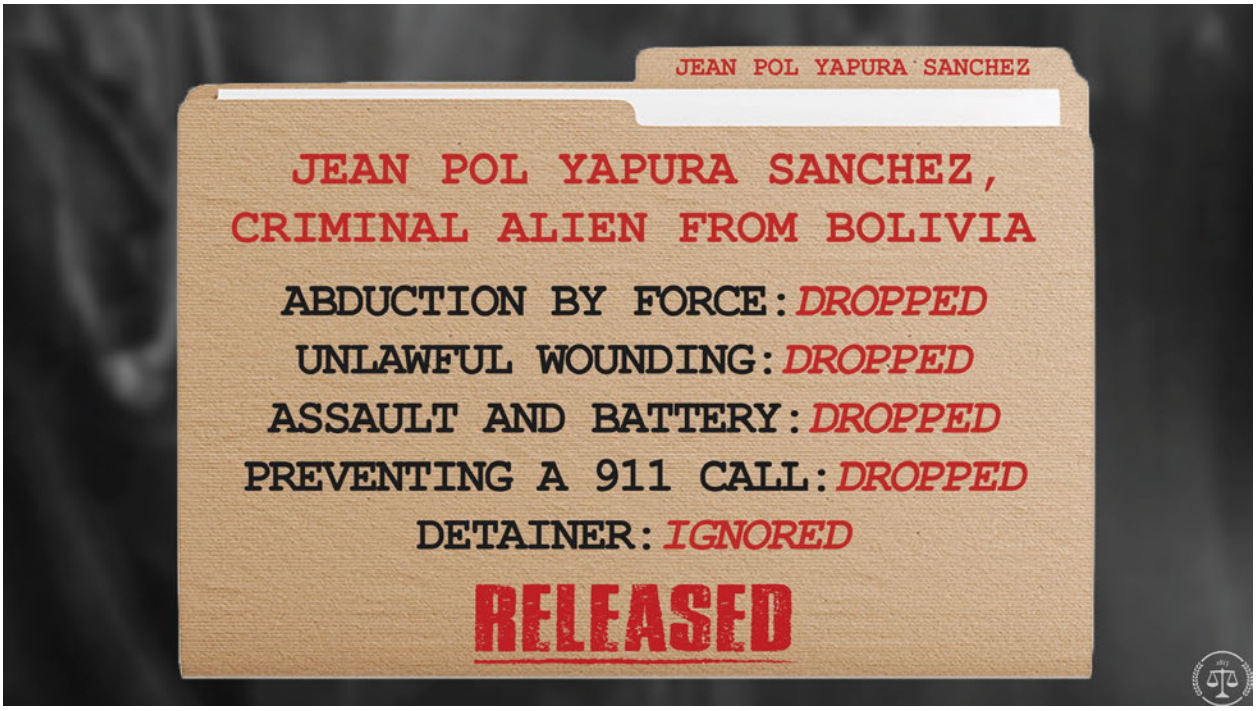


The Committee's and Subcommittee's review included cases involving the following criminal aliens, the majority of whom are presumed to be at large somewhere in the United States:

- **Jean Pol Yapura Sanchez**, a criminal alien from Bolivia who was released into the United States by the Biden-Harris Administration.[148] In June 2025, ICE lodged a detainer

[147] The Committee and Subcommittee's initial review focused exclusively on aliens for whom ICE lodged detainers and who were released from the custody of the Fairfax County Sheriff's Office from on or about January 2025 through June 2025. The Committee and Subcommittee's review of cases and documents remains ongoing. A formal detainer is based on a DHS determination that "probable cause exists that the subject is a removable individual." A Request for Advance Notification of Release is based on DHS's suspicion that the subject is a removable alien.
[148] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).

for Yapura Sanchez after he was arrested and charged with abduction by force, unlawful wounding, strangulation, three counts of assault and battery, and damaging a phone line to prevent a 911 call.[149] Descano dropped every charge against him, the detainer was declined, and Yapura Sanchez was released from custody.[150] In February 2026, the Fairfax County Police Department arrested Yapura Sanchez for assault and battery on a family member.[151] Yapura Sanchez is presumed to be at large.[152]



- **Harold Isaias Alvarado Vigil**, a criminal alien from El Salvador who was released into the United States by the Biden-Harris Administration.[153] Following Alvarado Vigil's arrest for failure to stop at an accident, a felony, after he drove after drinking while underage, ICE lodged a detainer for him on January 19, 2025.[154] Descano dropped charges against him, and he was released from custody.[155] Less than one year later,

[149] *See* Documents provided to H. Comm. on the Judiciary by Fairfax Cnty. Sheriff's Off. (Aug. 4, 2026) [hereinafter Aug. 4 Document Production] (on file with Comm.); Fairfax Cnty. General District Ct., Case No. GC25092014-00, GC25092016-00, GC25092017-00, GC25092019-00, GC25092021-00, GC25092020-00, GC25092024-00.
[150] *See id.*; Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[151] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[152] *Id.*
[153] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[154] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case Nos. GT25009819-00, GT25009909-00.
[155] *See* Fairfax Cnty. General District Ct., Case No. GT25009819-00.

Alvarado Vigil was arrested for carjacking, a felony.[156] Descano dropped the charge against him, and he was rearrested for destruction of property in May 2026.[157]

- **Josue Israel Bojorge Miranda**, a criminal alien from Nicaragua who was released into the United States by the Biden-Harris Administration.[158] Between January 30, 2025, and June 19, 2025, ICE lodged three detainers against Bojorge Miranda and requested from FCSO advance notification of his eventual release from custody.[159] FCSO repeatedly released Bojorge Miranda, and Descano repeatedly dropped charges against him, including for grand larceny: auto theft, entering a structure to commit a felony, destruction of property, felony drug possession, trespass, and multiple counts of larceny.[160] On March 23, 2026, the Fairfax County Police Department responded to a report that Bojorge Miranda "was attempting to steal items from [Walgreens], and threw an item at the caller when confronted."[161] Less than one month later, Bojorge Miranda was arrested again—for robbery using force, a felony, which Descano reduced to misdemeanor assault and battery.[162] Between August 28, 2024, and April 14, 2026, the Fairfax County Police Department arrested Bojorge Miranda multiple times, and he was charged with 39 crimes.[163]

- **Jose Medardo Sanchez Montoya**, a criminal alien from El Salvador who has been removed from the United States at least four times and has been arrested at least 15 times in Maryland, New York, and Virginia.[164] On March 12, 2025, ICE lodged a detainer for Sanchez Montoya after he was arrested in Fairfax County for disobeying a previous court judgment.[165] Years earlier, in February 2023, Sanchez Montoya was arrested and charged with aggravated malicious wounding,[166] meaning that the victim was "severely injured" and was "caused to suffer permanent and significant physical impairment."[167] Despite the severity of the alleged offense, Descano dropped the felony charge against Sanchez Montoya, and he was released from custody.[168]

- **Ernest Dankwa Berkoh**, a criminal alien from Ghana who overstayed his tourist visa

[156] *See* Fairfax Cnty. General District Ct., Case No. GC26004723-00.
[157] *See id.*; Fairfax Cnty. General District Ct., Case No. GC26085930-00.
[158] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[159] *See* Aug. 4 Document Production, *supra* note 149.
[160] *See, e.g.*, Fairfax Cnty. General District Ct., Case Nos. GC24169792-00, GC25014293-00, GC25040897-00, GC25053866-00, GC25053831-00, GC25115338-00, GC25083033-00.
[161] Weekly Briefing, Mar. 23-29, 2026, City of Fairfax, Va. (Mar. 30, 2026), https://www.fairfaxva.gov/News-articles/Police-Weekly-Briefing/Q1-JanFedMar-WB/Q1-2026-WB/March-23-29-2026.
[162] Fairfax Cnty. General District Ct., Case No. GC26063164-00.
[163] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[164] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[165] *See* Fairfax Cnty. General District Ct., Case No. GT21002821-03.
[166] *See* Fairfax Cnty. General District Ct., Case No. GC23025349-00.
[167] *See* Va. Code Ann. § 18.2-51.2.
[168] *See* Fairfax Cnty. General District Ct., Case No. GC23025349-00.

during the Obama Administration.[169] Berkoh has roughly 40 arrests in Fairfax County and dozens of charges, including for larceny, public intoxication, destruction of property, and trespassing.[170] Despite this criminal history and a detainer lodged on January 4, 2025, FCSO repeatedly released Berkoh onto the streets, and Descano's office dropped more than 25 charges against him.[171] After FSCO ignored a January 2025 detainer, Berkoh was arrested in February 2025 for trespass and larceny, with Descano dropping the trespass charge and Berkoh being found guilty in absentia for larceny.[172] Berkoh was arrested again in May 2025 for larceny.[173] That charge was dismissed, and Berkoh was once again released.[174]

- **Gelver Oviel Vallecillo Romero**, a criminal alien from Honduras who was released into the United States by the Biden-Harris Administration.[175] Following an arrest on January 3, 2025, and charges for strangulation, assault and battery, and public drunkenness, ICE lodged a detainer for Vallecillo Romero.[176] FCSO released him from custody, with Descano's office dropping all charges.[177] Vallecillo Romero has a final order of removal and is presumed to be at large.[178]

- **El Moctar Mohamed M'Bareck**, a criminal alien from Mauritania who was released into the United States by the Biden-Harris Administration.[179] On April 16, 2025, the Fairfax County Police Department arrested Mohamed M'Bareck after a woman approached officers and "reported that she was walking nearby when a man approached her from behind and forced her into a vehicle."[180] The victim told officers that "inside the car, [Mohamed M'Bareck] attempted to sexually assault her."[181] Although Mohamed M'Bareck was initially charged with felony abduction with intent to defile, he was later released despite an ICE detainer, and Descano dropped the charge against him.[182] He is

[169] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[170] *See* Aug. 4 Document Production, *supra* note 149; *see, e.g.*, Fairfax Cnty. General District Ct., Case Nos. GC24000161-00, GC23135241-00, GC23093579-00, GC23092101-00, GC23077595-00, GC23057984-00, GC23057983-00, GC23010672-00, GC23006695-00, GC23006675-00, GC22112610-00, GC22112608-00, GC22047998-00, GC24054597-00, GC24152923-00, GC24177656-00, GC24152899-00, GC24067796-00, GC24053224-00, GC24000147-00, GC23109242-00, GC18044421-00.
[171] *See id.*
[172] *See* Fairfax Cnty. General District Ct., Case Nos. GC25026636-00, GC25026637-00.
[173] *See* Fairfax Cnty. General District Ct., Case No. GC25081086-00.
[174] *See id.*
[175] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[176] *See* Aug. 4 Document Production, *supra* note 149.
[177] *See* Fairfax Cnty. General District Ct., Case Nos. GC25000734-00, GC25000735-00, GC25000850-00.
[178] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 22, 2026) (on file with Comm.).
[179] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[180] FOX 5 DC Digital Team, *Man accused of abducting, attempting to sexually assault woman in Fairfax County*, FOX 5 DC (Apr. 16, 2025, 9:22 PM), https://www.fox5dc.com/news/man-accused-abducting-attempting-sexually-assault-woman-fairfax-county.
[181] *Id.*
[182] *See* Fairfax Cnty. General District Ct., Case No. GC25057588-00; *see also* Aug. 4 Document Production, *supra* note 149.

presumed to be at large.[183]

- **Jiaxing Feng**, a criminal alien from China who was released into the United States by the Biden-Harris Administration.[184] ICE lodged a detainer for Feng on April 13, 2025, after he was arrested and charged with multiple counts of credit card fraud, forgery, and theft.[185] Descano dropped more than 50 charges against him, including 27 counts of possession of a fake identification document, five counts of receiving goods by fraud, five counts of credit card forgery, five counts of credit card fraud, four counts of credit card theft, and three counts of identity theft.[186] Descano's office pursued charges on only a single count—felony identity theft—which he reduced to misdemeanor trespassing.[187] Feng was convicted and received a 30-day suspended sentence.[188] Feng was also arrested in California for driving under the influence in 2023.[189] He is presumed to be at large.[190]



- **Bryant Gilberto Ayala Rivera**, a criminal alien from El Salvador. ICE lodged a detainer for Ayala Rivera on March 11, 2025.[191] He had previously been arrested in October 2023

[183] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[184] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[185] *See* Aug. 4 Document Production, *supra* note 149.
[186] *See, e.g.*, Fairfax Cnty. General District Ct., Case Nos. GC25055345-00, GC25055327-00, GC25055326-00, GC25055314-00, GC25055307-00, GC25055300-00.
[187] *See* Fairfax Cnty. General District Ct., Case No. GC25055298-00.
[188] *See id.*
[189] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[190] *Id.*
[191] *See* Aug. 4 Document Production, *supra* note 149.

for manufacturing or distributing fentanyl, felony drug distribution, and carrying a concealed weapon, all charges that Descano dropped.[192] In March 2024, he was again arrested and charged with felony drug possession but only received a 90-day suspended sentence.[193] Within weeks of that arrest, he was arrested and charged with brandishing a machete, a charge that Descano dropped.[194] Descano has also dropped additional charges against Ayala Rivera for larceny, trespass, carrying a concealed weapon, and multiple counts of felony drug possession, including from an April 2026 arrest.[195] More recently, Ayala Rivera was arrested twice in August 2026 and charged with felony drug possession and carrying a concealed weapon.[196] His next court appearance is in November 2026.[197] In the meantime, Ayala Rivera has once again been released from local custody.[198] He also has a final order of removal and is presumed to be at large.[199]

- **Maximilliano Cabrera Marquez**, a criminal alien from El Salvador. On January 9, 2025, he was arrested for strangulation,[200] and ICE lodged a detainer for him.[201] Descano's office dropped the strangulation charge.[202] In 2019, he was arrested in Alexandria, Virginia, for felony assault on law enforcement, assault, and fleeing from law enforcement.[203] Cabrera Marquez is presumed to be at large.[204]

- **Daniel Eduardo Oliva Amaya**, a criminal alien from El Salvador. On January 10, 2025, following Amaya's arrest for assault on a family member,[205] ICE sent FCSO a request for advance notification of his release from Fairfax County custody.[206] Despite the request, FCSO released him, and he was rearrested in March 2025—again for assault and battery on a family member.[207] In May 2025, ICE removed Oliva Amaya to El Salvador.[208]

- **Kenia Rebeca Vaquerano-Amaya**, a criminal alien from El Salvador. On April 25, 2025, ICE sent FCSO a request for advance notification of her release from Fairfax

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[192] *See* Fairfax Cnty. General District Ct., Case Nos. GC23144812-00, GC23144810-00, GC23144809-00.
[193] *See* Fairfax Cnty. General District Ct., Case No. GC24046506-00.
[194] *See* Fairfax Cnty. General District Ct., Case No. GC24078051-00.
[195] *See* Fairfax Cnty. General District Ct., Case Nos. GC25111381-00, GC26024654-00, GC26070828-00, GC26096214-00, GC23144812-00. Ayala Rivera was convicted of a single count of carrying a concealed weapon following his February 2026 arrest and received a 90-day suspended sentence. *See* Fairfax Cnty. General District Ct., Case No. GC26024658-00.
[196] *See* Fairfax Cnty. General District Ct., Case Nos. GC26137376-00, GC26148441-00.
[197] *See id.*
[198] *See id.*
[199] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[200] *See* Fairfax Cnty. Juvenile and Domestic Relations District Ct., Case No. JA444944-01-00.
[201] *See* Aug. 4 Document Production, *supra* note 149.
[202] *See* Fairfax Cnty. Juvenile and Domestic Relations District Ct., Case No. JA444944-01-00.
[203] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[204] *Id.*
[205] *See* Fairfax Cnty. Juvenile and Domestic Relations District Ct., Case No. JA445089-01-00.
[206] *See* Aug. 4 Document Production, *supra* note 149.
[207] *See* Alexandria Cnty. Juvenile and Domestic Relations District Ct., Case No. JA029298-02-00.
[208] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).

County custody.[209] Following that request, authorities arrested Vaquerano-Amaya at least 10 more times, including for felony drug possession, trespass, malicious wounding, indecent exposure, and felony assault on a law enforcement officer.[210] ICE lodged a detainer for her on June 10, 2025, but Vaquerano-Amaya was repeatedly released and allowed to reoffend.[211] Descano dropped nearly every charge against her, including felony assault of a law enforcement officer, felony failure to appear, and felony drug possession.[212] She was most recently arrested in March 2026 and charged with felony drug possession—a charge that Descano quickly dropped.[213] On July 20, 2026, ICE removed Vaquerano-Amaya to El Salvador.[214]

- **Dominic Rivera Villanueva**, a criminal alien from Guatemala. On October 28, 2025, ICE lodged a detainer for Rivera Villanueva after he was arrested for felony drug possession and falsely identifying himself to law enforcement, both of which Descano dropped.[215] Within six weeks, Rivera Villanueva was arrested for grand larceny and larceny—charges that Descano dropped—and was released from custody.[216] Months earlier, in February 2025, police arrested Rivera Villanueva at a northern Virginia elementary school after "[s]everal students reported seeing two men on the school's property and one of the suspects displayed a handgun."[217] Although another man was charged with the brandishing a weapon offense, Rivera Villanueva was charged with trespassing on school property and felony destruction of property, which Descano reduced to a misdemeanor.[218] Rivera Villanueva was later found guilty in absentia on both charges.[219] Descano had previously dropped charges against Rivera Villanueva ranging from assault and battery to fleeing law enforcement to larceny.[220] In January 2026, ICE removed Rivera Villanueva to Guatemala.[221]

- **Ahmed Babiker Elkhalifa**, a criminal alien from Sudan with a final order of removal

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[209] Aug. 4 Document Production, *supra* note 149.
[210] *See* Fairfax Cnty. General District Ct., Case Nos. GC25063077-00, GC25081002-00, GC25087168-00, GC25112369-00, GC26018948-00.
[211] *See* Aug. 4 Document Production, *supra* note 149.
[212] *See, e.g.*, Fairfax Cnty. General District Ct., Case Nos. GC24154365-00, GC25152934-00, GC25182623-00, GC26018948-00.
[213] *See* Fairfax Cnty. General District Ct., Case No. GC26050586-00.
[214] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[215] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case Nos. GC25175174-00, GC25175177-00.
[216] *See* Fairfax Cnty. General District Ct., Case Nos. GC25196698-00, GC25196701-00.
[217] *See* FCPD Public Affairs Bureau, *Two Men Arrested After Brandishing at Elementary School in Hybla Valley*, FCPD NEWS (Feb. 28, 2025), https://fcpdnews.org/2025/02/28/two-men-arrested-after-brandishing-at-elementary-school-in-hybla-valley/; *see also* Paola Belloso, *Two arrested after bringing gun to Fairfax County elementary school, police say*, DC NEWS NOW (Mar. 3, 2025, 9:40 AM), https://www.dcnewsnow.com/news/local-news/virginia/fairfax-county/two-arrested-after-brandishing-gun-at-fairfax-county-elementary-school-police-say/.
[218] *See id.*; *see also* Fairfax Cnty. General District Ct., Case Nos. GC25029135-00, GC25029136-00.
[219] *See* Fairfax Cnty. General District Ct., Case Nos. GC25029135-00, GC25029136-00.
[220] *See* Fairfax Cnty. General District Ct., Case Nos. GC24167413-00, GC24167409-00, GC24167404-00.
[221] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).

from 2023.[222] On January 15, 2025, ICE lodged a detainer for Elkhalifa after his arrest for assault and battery, charges that Descano's office later dropped.[223] Descano previously dropped charges against him for grand larceny: auto theft, grand larceny, and larceny.[224] ICE lodged another detainer for him in May 2025.[225] He was also arrested multiple times in Ypsilanti, Michigan.[226] He is presumed to be at large.[227]

- **Dirlo Alexander Castro-Hernandez**, a criminal alien from Honduras. On January 17, 2025, ICE lodged a detainer for Castro-Hernandez, whose criminal history includes more than 50 charges in Fairfax County alone.[228] Descano dropped nearly all of the charges, including at least eight felony drug possession charges and charges for felony possession of burglary tools, larceny, felony failure to appear, fleeing from law enforcement, trespass, and shoplifting.[229] After FSCO ignored the January 2025 detainer, Castro-Hernandez was arrested the next month for fleeing from law enforcement and multiple counts of larceny, all of which Descano's office dropped.[230] Despite another detainer lodged on February 24, 2025, FCSO again released Castro-Hernandez.[231] Castro-Hernandez was arrested for larceny and felony drug possession less than two weeks later.[232] Descano's office dropped those charges as well.[233] In September 2025, ICE removed Castro-Hernandez to Honduras.[234]

- **Jose Dagoberto Gomez Carranza**, a criminal alien and documented MS-13 gang member from El Salvador.[235] FCSO repeatedly released Gomez Carranza despite multiple ICE detainers and a lengthy, yearslong criminal history.[236] From June 2023 through January 2026, Descano dropped malicious wounding, drug possession, larceny, and failure to appear charges against Gomez Carranza, while reducing felonies to misdemeanors in other cases to ensure that he served limited jail time.[237] During a three-year period, Gomez Carranza was arrested 19 times in Virginia and Washington, D.C.[238]

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[222] *Id.*
[223] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case No. GC25007356-00.
[224] Fairfax Cnty. General District Ct., Case Nos. GC24157642-00, GC24132235-00, GC24151041-00.
[225] *See* Aug. 4 Document Production, *supra* note 149.
[226] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[227] *Id.*
[228] *See* Aug. 4 Document Production, *supra* note 149; *see, e.g.*, Fairfax Cnty. General District Ct., Case Nos. GC25015495-00, GC25015493-00, GC25017552-00, GC23108095-00, GC23112490-00, GC23138216-00, GC23162333-00, GC24189433-00, GC25007791-00.
[229] *See id.*
[230] *See* Fairfax Cnty. General District Ct., Case Nos. GC25015495-00, GC25015493-00, GC25017552-00.
[231] Aug. 4 Document Production, *supra* note 149.
[232] *See* Fairfax Cnty. General District Ct., Case Nos. GC25031662-00, GC25031656-00.
[233] *See id.*
[234] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[235] *Id.*
[236] *See* Aug. 4 Document Production, *supra* note 149.
[237] *See, e.g.*, Fairfax Cnty. General District Ct., Case Nos. GC23078367-00, GC23110900-00, GC24000243-00, GC24006876-00, GC25179059-00.
[238] *Id.*

ICE removed him from the United States in May 2026.[239]

- **Estefany Esmeralda Aldana Chavarria**, a criminal alien from El Salvador. Following a January 16, 2025, arrest for assault on a law enforcement officer, ICE lodged a detainer for Aldana Chavarria.[240] Descano had previously dropped charges against her for robbery and assault and battery.[241] Descano also dropped her most recent charge for assaulting law enforcement.[242] In May 2026, ICE removed Aldana Chavarria to El Salvador.[243]

- **Tenneh Samura**, a criminal alien from Sierra Leone who was released into the United States by the Biden-Harris Administration.[244] ICE lodged a detainer for Samura following a January 2025 arrest for felony abduction by force/intimidation and assault or battery by mob.[245] Samura was released from custody, and Descano eventually dropped both charges.[246] Samura is presumed to be at large.[247]

- **Khanh Ngoc Le**, a criminal alien from Vietnam with a decades-long criminal history in the United States.[248] ICE lodged a detainer for Le on March 7, 2025, following his arrest for trespass and felony drug possession, which Descano reduced to misdemeanor drug possession.[249] Within six weeks of his March 2025 arrest and the declined detainer, Le was arrested again for larceny in April 2025.[250] Descano's office previously dropped charges against Le for multiple counts of felony drug possession, providing a false identity to law enforcement, felony failure to appear, larceny, assault on a law enforcement officer, obstructing justice/resisting arrest, and fleeing from law enforcement.[251] Authorities previously identified Le as "the suspect who had burglarized an Eden Center restaurant on two occasions" in 2022 and another burglary in Eden Center in 2021.[252] Despite repeated arrests and criminal charges, Le has avoided significant jail time because of Descano's lack of prosecution and under-prosecution[253]

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[239] *Id.*
[240] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case No. GC25007785-00.
[241] *See* Fairfax Cnty. General District Ct., Case Nos. GC24178413-00, GC24183640-00.
[242] *See* Fairfax Cnty. General District Ct., Case No. GC25007785-00.
[243] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[244] *Id.*
[245] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case Nos. GC25012062-00, GC25012063-00.
[246] *See* Fairfax Cnty. General District Ct., Case Nos. GC25012062-00, GC25012063-00.
[247] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[248] *Id.*
[249] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case Nos. GC25032754-00, GC25032759-00.
[250] *See* Fairfax Cnty. General District Ct., Case No. GC25061355-00.
[251] *See* Fairfax Cnty. General District Ct., Case Nos. GC20040887-00, GC20040888-00, GC20103611-00, GC22001466-00, GC22001468-00, GC22071233-00, GC22071235-00, GC23079679-00, GC23079682-00, GC23111415-00, GC23124677-00, GC24100474-00, GC24169779-00.
[252] Press Release, Arrest Made in Connection with Eden Center Commercial Burglaries, City of Falls Church, Va. (Sept. 9, 2022), https://mailchi.mp/fallschurchva/eden_center_burglaries_update.
[253] *See* Fairfax Cnty. General District Ct., Case Nos. GC25061355-00, GC25032754-00, GC25032759-00, GC22001464-02.

and was free to reoffend. He is presumed to be at large.[254]

- **Yoani Martinez Alberty**, a criminal alien from Cuba who was released into the United States by the Biden-Harris Administration.[255] On July 1, 2023, authorities arrested Martinez Alberty and charged him with rape and assault and battery on a family member.[256] Descano dropped both charges.[257] In October 2025, ICE removed him to Mexico.[258]

- **Menas Abade Velasquez**, a criminal alien from El Salvador. On June 23, 2025, ICE requested advance notification of Velasquez's release from custody after he was arrested for attempted malicious wounding.[259] Descano dropped the felony charge against him, and he was released.[260]

- **Wilmer Elijio Paxtor Maldonado**, a criminal alien from Guatemala. On June 8, 2025, ICE requested advance notification of Maldonado's release from custody after he was arrested for attempted breaking and entering of a house, a felony, and peeping into a dwelling through a door.[261] Descano dropped both charges against Paxtor Maldonado, and he was released from custody.[262] Three months later, he was arrested and charged with felony failure to appear and obstructing justice/resisting arrest—charges that Descano dropped.[263] He again failed to appear in court, was arrested in April 2026, and was charged with misdemeanor failure to appear.[264] Descano also dropped that charge against Paxtor Maldonado, who was again released from custody.[265] Paxtor Maldonado is presumed to be at large.[266]

- **Cristian Alejandro Maradiaga Poso**, a criminal alien from Honduras. On March 15, 2025, ICE lodged a detainer for Maradiaga Poso following his arrest for malicious wounding.[267] He received bond and was released from custody.[268] In March 2025, ICE

[254] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 23, 2026) (on file with Comm.).
[255] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[256] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. Juvenile and Domestic Relations District Ct., Case Nos. JA440212-04-00, JA440212-05-00; Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[257] *See id.*
[258] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[259] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case No. GC25096060-00.
[260] *See* Fairfax Cnty. General District Ct., Case No. GC25096060-00.
[261] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case Nos. GC25085766-00, GC25085785-00.
[262] *See id.*
[263] *See* Fairfax Cnty. General District Ct., Case Nos. GC25144944-00, GC25149846-00.
[264] *See* Fairfax Cnty. General District Ct., Case No. GC25149846-02.
[265] *See id.*
[266] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[267] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case No. GC25035453-00.
[268] *See* Fairfax Cnty. General District Ct., Case No. GC25035453-00.

removed Maradiaga Poso to Honduras.[269]

- **Fabricio Mateo Delgado Gonzalez**, a criminal alien from El Salvador who was released into the United States by the Biden-Harris Administration.[270] On February 5, 2025, ICE lodged a detainer for Delgado Gonzalez after he was arrested for malicious wounding by mob, a felony.[271] Descano reduced the charge to misdemeanor simple assault or battery, and Delgado Gonzalez was sentenced to 11 months in jail, with all but one month suspended.[272] He is presumed to be at large.[273]

CONCLUSION

Democrats' open-borders policies and sanctuary jurisdictions have had devastating consequences for U.S. citizens. Even after the American people resoundingly rejected Democrats' pro-illegal alien policies in November 2024, Democrats across the country reinforced sanctuary policies to ensure that the millions of illegal aliens who entered the U.S. are never removed from the country. Fairfax County, Virginia, is just one example of Democrats' efforts to erase national borders and undermine immigration enforcement. Meanwhile, President Trump and House and Senate Republicans continue to work on commonsense solutions to secure the border, enforce federal immigration law, and protect American communities.

On March 5, 2026, the Committee favorably reported H.R. 7640, the Shut Down Sanctuary Policies Act. The Shut Down Sanctuary Policies Act protects American communities by prohibiting state and local laws and policies that restrict cooperation with federal immigration officials. The bill also would defend cooperative jurisdictions from frivolous lawsuits from sanctuary officials, allow jurisdictions to receive federal funding if they do not thwart federal law, and give much-needed relief to victims of sanctuary policies. The Committee will continue its oversight into sanctuary jurisdictions that prioritize the comfort of illegal alien criminals over the safety of U.S. citizens.

[269] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).
[270] *Id.*
[271] *See* Aug. 4 Document Production, *supra* note 149; Fairfax Cnty. General District Ct., Case No. GC25017553-00.
[272] *See id.*
[273] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Sept. 24, 2026) (on file with Comm.).