

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

January 15, 2026

The Honorable Stacey A. Kincaid
Sheriff
Fairfax County Sheriff's Office
4110 Chain Bridge Road
Fairfax, VA 22030

Dear Sheriff Kincaid:

The Committee on the Judiciary is conducting oversight of state and local jurisdictions that endanger American communities through their refusal to cooperate with federal immigration officials. The Fairfax County Sheriff's Office's immigration-related policies prioritize illegal aliens over American citizens and threaten public safety. We write to request information about your office's sanctuary policies, including your refusal to cooperate with Immigration and Customs Enforcement (ICE), to ensure that dangerous aliens are not released onto American streets.

To protect communities from criminal aliens in law enforcement custody, ICE uses detainers, which are simple requests that a law enforcement agency "notify [ICE] as early as possible before [the agency] release[s] a removable alien" and "[h]old the alien for up to 48 hours beyond the time [the agency] would ordinarily release them so [the Department of Homeland Security] has time to assume custody in accordance with federal immigration law."¹ In 2018, you terminated an agreement with ICE that directed the Fairfax County Sheriff's Office to comply with these simple detainer requests.² Since then, you have repeatedly endorsed this dangerous policy, despite its known effects to undermine public safety throughout your own community.³

Your office's pro-illegal alien policies have 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 Fairfax County Commonwealth's Attorney's Office decided not to move forward with prosecuting him on charges of malicious assault and

¹ U.S. Immigr. and Customs Enf't, *Immigr. Detainers* (May 13, 2025), <https://www.ice.gov/immigration-detainers>.

² Press Release, Sheriff Terminates Intergovernmental Service Agreement with ICE, FAIRFAX CTY., <https://www.fairfaxcounty.gov/sheriff/sheriff-terminates-intergovernmental-service-agreement-ice>.

³ See, e.g., Policy Statement Concerning Treatment of Undocumented Inmates, FAIRFAX CTY. (July 25, 2024), <https://www.fairfaxcounty.gov/sheriff/policy-statement-concerning-treatment-undocumented-inmates>.

pointing/brandishing a gun stemming from an incident on September 12.”⁴ Despite an ICE detainer on Morales-Ortez, your office refused to briefly detain him until ICE could arrest him and failed to even notify ICE about his imminent release.⁵ As a result, Morales-Ortez was released freely into northern Virginia.⁶ One day later, Morales-Ortez allegedly murdered a man in Reston, Virginia, and has now been charged with second-degree murder.⁷ Even now, however, you continue to defend your failed sanctuary policies and refuse to take accountability for their consequences.⁸

Despite your claim that your office “endeavor[s] to protect public safety,”⁹ your sanctuary policies endanger the communities you serve. In March 2025, your office 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.”¹⁰ Despite an ICE detainer on this dangerous alien, your office released him onto the streets, leading the victim to “fear[] for her safety and that of her children.”¹¹ Earlier this year, the Fairfax County Sheriff’s Office also refused to honor a detainer for a criminal alien “charged with child sex crimes.”¹²

Given the dangerous nature of sanctuary jurisdictions and their active role in thwarting federal immigration enforcement, the Committee is concerned about the Fairfax County Sheriff’s Office’s role in shielding criminal aliens and undermining public safety. Accordingly, to assist the Committee with its continued oversight of federal immigration policy and to inform potential legislative reforms to address sanctuary policies, we ask that you provide the following information:

⁴ 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>.

⁵ *Id.*; see Nick Minock, *‘Blood on their hands:’ DHS blasts Fairfax County prosecutors over deadly Reston shooting*, ABC 7 NEWS (Dec. 19, 2025, 2:32 PM), <https://wjla.com/news/local/blood-on-their-hands-dhs-blasts-fairfax-county-prosecutors-over-deadly-reston-shooting-trump-administration-virginia-marvin-morales-ortez-illegal-immigrant-steve-descano>.

⁶ See Roussey, *supra* note 4.

⁷ *Id.*

⁸ See Sarah Beth Guevara, *Fairfax County Sheriff responds to DHS, defends actions in deadly Reston shooting case*, ABC 7 NEWS (Dec. 20, 2025, 11:44 AM), <https://wjla.com/news/local/fairfax-county-sheriff-reston-shooting-marvin-morales-ortez-el-salvador-ms-13-gunman-gang-member-fan-shell-court-dhs-murder-ice-immigration-customs-enforcement-homeland-security>.

⁹ Policy Statement Concerning Treatment of Undocumented Inmates, *supra* note 3.

¹⁰ 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>.

¹¹ *Id.*

¹² 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-illegally-child-sex-crimes-arrest-operation-field-office-mayor-office>.


1. All documents and communications referring or relating to the Fairfax County Sheriff's Office's interaction with Immigration and Customs Enforcement for the period January 1, 2018, to the present;
2. The number of ICE detainees that the Fairfax County Sheriff's Office has declined to honor from January 1, 2018, to the present; and
3. All documents and communications between or among the Fairfax County Sheriff's Office and the Fairfax County Commonwealth's Attorney's Office referring or relating to Immigration and Customs Enforcement for the period January 1, 2018, to the present.

Please provide the information requested as soon as possible but no later than 5:00 p.m. on January 29, 2026. The Committee is authorized to conduct oversight of federal immigration law pursuant to the Rules of the House of Representatives.¹³ If you have any questions, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan
Chairman



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

cc: The Honorable Jamie Raskin, Ranking Member
The Honorable Pramila Jayapal, Ranking Member, Subcommittee on Immigration
Integrity, Security, and Enforcement

¹³ Rules of the U.S. House of Representatives, R. X (2025).