

Testimony of Sheriff Stacey A. Kincaid

Fairfax County, Virginia

May 14, 2026

Chairman McClintock, Ranking Member Jayapal, and distinguished members of the Subcommittee, thank you for the opportunity to appear before you today.

My name is Stacey Ann Kincaid and I am the Sheriff of Fairfax County, Virginia. I was sworn in as a Deputy Sheriff in 1987, and I worked my way through the ranks of my agency, serving in every division with distinction. After achieving the rank of Captain, I ran for Sheriff in 2013 and have since been re-elected three times with overwhelming majorities. As Sheriff, it has been an honor to serve Fairfax County.

The safety and security of Fairfax County have been my absolute priority for the past 38 years. I entered law enforcement to serve my community and to help protect the vulnerable. I believe all those that commit crimes should be held accountable and I sympathize with all victims of crime.

I am proud of the role my agency plays in the Fairfax County criminal justice system by ensuring the safe and orderly administration of justice. Simply put, the justice system comes to a halt without our agency. We are tasked with serving every document issued out of our court system, including protective orders and subpoenas. We are responsible for providing security for the Courthouse and ensuring the safety of hundreds of thousands of courthouse visitors every year, including judges, victims, and witnesses. We operate a secure and humane Adult Detention Center. The Fairfax County Sheriff's Office holds certifications from the American Correctional Association, the Virginia Law Enforcement Professional Standards Commission, the Virginia Department of Corrections, and the National Commission on Correctional Health Care. In addition to our accreditation, I am proud of the groundbreaking, nationally recognized programs that run daily in my jail. These efforts are critical to reducing recidivism and making our community safer.

The functions of my agency are carried out daily to ensure the safe and orderly administration of justice in Fairfax County. My agency is not staffed for, budgeted

for, or mandated to perform the duties of the federal government. My operating budget is approved by the state and local government and is allotted specifically to carry out state and locally mandated functions... maintaining a safe and secure detention center, serving civil process, and ensuring the safety of the courthouse. It is simply not the job of the Fairfax County Sheriff's Office to engage in federal immigration enforcement.

Despite this, we work with ICE in significant ways. We treat them like every law enforcement agency we interact with. They are allowed into our facility at any time. ICE is notified of every undocumented individual booked into our jail and knows their location. If there is an individual, they want to take custody of, they can do so by obtaining a judicial warrant, calling to ask when the individual will be released, tracking the individual's court date, or taking custody of the individual up to 5 days prior to their release. When ICE does call, we even coordinate high-risk transfers with ICE to ensure their safety. We have no problem with ICE conducting its lawful business. But it is their business to conduct, not ours.

However, increased ICE presence in the community has had a chilling effect on participation in the criminal justice process by victims and witnesses.

Fairfax County is one of the top 50 most diverse counties in the entire nation. Over 30% of Fairfax County's population is foreign-born, and over 40% speaks a language other than English at home. I am the Sheriff for each one of the residents of Fairfax County, no matter their national origin, native language, or citizenship status. Ensuring trust between the community and my agency is a key component of effective law enforcement.

To encourage all victims to put their faith in law enforcement and report crimes, a clear separation between local law enforcement and federal immigration authorities is of vital importance. Local law enforcement must offer a safe place for victims and witnesses to cooperate without fear of consequences. This is the only way to hold violators of the law accountable.

Any violent crime or crime against children is a tragedy. Unfortunately, we live in a time when such tragedies are used for political gain. It is easy to point fingers at a time of sadness or crisis and to look for blame for a terrible outcome. Even when everyone in the criminal justice system does their job, terrible people will do

terrible things. We are doing our job by following the law and will continue to do so. Hopefully, the other agencies involved will do their jobs as well. I look forward to continuing this conversation with anyone who wishes to find real solutions devoid of politics.