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## FEDS LIST MONTPELIER AS NONCOMPLIANT ON IMMIGRATION

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A report published by U.S. Immigration and Customs Enforcement identifies Vermont's capital as a jurisdiction that has policies limiting cooperation with federal immigration authorities.

Montpelier is listed among more than 100 cities and counties across the country with such policies.

Though Montpelier adopted "sanctuary" status late last year, the [ICE report](#), billed as the first of a series of weekly reports, identifies the city's policy on fair and impartial policing, adopted in June, as the policy that restricts collaboration with the federal agency.

The policy includes a section on "due process and immigration enforcement," which says immigration enforcement is a federal responsibility and instructs Montpelier officers not to detain people for suspected civil immigration violations.

The document tells members of the department that administrative warrants, detention requests and requests for notification issued by ICE "have not been reviewed by a neutral magistrate and do not have the authority of a judicial warrant. Therefore, officer shall not comply with such requests."

Montpelier officials say the city's policing policy was adopted in line with a statewide model policy drafted and put out by the Vermont Criminal Justice Training Council in June.

The state's [model policy](#) includes elements that are marked as essential as well as elements that agencies may adopt at their discretion. One of the nonessential elements contains



Montpelier Mayor John Hollar. File photo by Roger Crowley

language about civil immigration warrants similar to that in the Montpelier policy.

ICE did not respond to questions about why other Vermont jurisdictions were not on the list and the implications for jurisdictions that are included.

Montpelier Mayor John Hollar said the city's policy on fair and impartial policing is not unique in the state.

"Our policies in Montpelier are not any different from that of many other communities around the state," Hollar said. "I don't believe there's any basis for singling out Montpelier."

"There are many things about the Trump administration that concern me," Hollar said. "The notion that they would highlight one community arbitrarily is certainly not surprising. It also raises concerns."

Assistant Attorney General Julio Thompson doesn't believe the list issued by ICE of noncompliant departments has any legal implications.

The reports appear to be an attempt to "publicize departments that (the Department of Homeland Security) considers to be noncooperative," he said.

"I think it's equally accurate to say Montpelier and other agencies are simply following the Constitution," Thompson said.

Documents called "immigration detainers" and administrative warrants issued by ICE do not meet Fourth Amendment standards of probable cause, he said. "They're really requests," he said.

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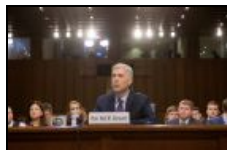
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