

What the FIP Policy Accomplishes

- Creates a definition for “Biased policing” (Sec. 1, Definitions)
- Ensures personal characteristics or immigration status alone are not used as a basis for law enforcement actions. (Introduction)
- States clearly that all law enforcement actions are to be based on reasonable suspicion or probable cause. (Sec. II.a)
- Clarifies that biased policing will constitute grounds for discipline, up to and including loss of license. (Sec. VI.c)
- Recognizes importance of police/community relations (Sec. III; Sec. X)
- States that VT law requires agencies to conduct internal investigations, even if the officer leaves. (Sec. VI.c)
- States that VT law enforcement officers do not have the authority to enforce civil immigration offenses. (Sec. VIII)
- Prohibits inquiring of an individual about their immigration status except where necessary to investigate a crime. (Sec. VIII.a).
- Prohibits officers from prolonging stops for the purpose of investigating civil immigration offenses or allowing federal authorities to do so. (Sec. VIII.c)
- Prohibits agencies from holding individuals for civil immigration offenses. (Sec. VIII.d)
- Prohibits personal characteristics or immigration status alone from being considered factors in referrals to pre-charge pre-court processes. (Sec. VIII.h)
- Prohibits profiling on the basis personal characteristics at the Canadian border. (Sec. IX)
- Establishes protections and assurances for crime victims that their immigration status will not be investigated (except under narrow circumstances), and that they have full access to victim services. (Sec. X)
- Establishes parameters around working with federal immigration authorities, sweeps for the sole purpose of detaining undocumented immigrants prohibited without Governor’s approval. (Sec. XI)