



MARK HERRING

INCUMBENT - CANDIDATE FOR ATTORNEY GENERAL (D)

Will you stand by opinions that affirm that students with DACA (Deferred Action for Childhood Arrivals) and citizen children of people here without legal status are eligible for in-state tuition?

Yes - In 2014, I issued such legal guidance, and I am proud to stand with my fellow state attorneys general and will do everything in my power to defend DACA and fight for Virginia DREAMers.

Will you stand by the Attorney General opinion that says detainers issued by Immigration Custom Enforcement (ICE) cannot justify holding a person in a state jail or prison beyond their term?

Yes - Numerous federal and state courts have also determined that an ICE detainer does not provide legal authority to hold a person beyond their sentence.

Should any age-eligible individual who passes the driving exam be allowed a driver's license, regardless of immigration status?

Yes - It is a matter of practicality and public safety. It's just not a good idea to have unlicensed, uninsured drivers on the road. It puts other motorists and members of the public at great financial risk.

Should college in-state tuition rates be available to any student who graduated from a Virginia high school, regardless of immigration status?

Yes, current Virginia law bases qualification for in-state tuition on whether a student is domiciled in Virginia and whether they are lawfully present. Those students with DACA and refugees with "temporary protected status" are not precluded from qualifying for the in-state rate as long as they meet the other qualifications.





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What steps would you take to address the problem of wage theft and payroll fraud?

I have been engaged in wage theft and misclassification issues for years while Attorney General. Intentional worker misclassification often exploits vulnerable populations - especially the undocumented - at the expense of credentialed and licensed workers. We have worked creatively with our state and federal agency partners, lending resources and manpower to combat the problem, and recently won a settlement with a contractor accused of payroll fraud. My team works with Governor McAuliffe's Worker Misclassification Task Force, providing advice and strategy to those agencies that can most directly take administrative action against misclassifiers. We also work with federal and local law enforcement when possible to share information and provide support for investigations, as well as encourage prosecutions.

What steps would you take to improve immigrants' language access, such as Korean materials for Korean Americans, to state documents and agencies?

We've worked to ensure that major documents that are made by our office and distributed statewide are offered in multiple languages. We also have a language translation line available to constituents.

*photo taken from Mark Herring Facebook page

