The Commonwealth of Massachusetts

PRESENTED BY:

Marc T. Lombardo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to clarify the jurisdiction of law enforcement officials on immigration issues.

PETITION OF:

<table>
<thead>
<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marc T. Lombardo</td>
<td>22nd Middlesex</td>
</tr>
<tr>
<td>Shaunna L. O'Connell</td>
<td>3rd Bristol</td>
</tr>
</tbody>
</table>
By Mr. Lombardo of Billerica, a petition (accompanied by bill, House, No. 3371) of Marc T. Lombardo and Shaunnna L. O'Connell relative to the jurisdiction of law enforcement officials on immigration issues. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act to clarify the jurisdiction of law enforcement officials on immigration issues.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by inserting after section 28 the following new section:-

Section 28A. Any law enforcement officer shall have authority, with or without warrant, to enforce the criminal laws of the United States, including those enumerated in Title 8 of the United States Code, provided that there is probable cause to believe that a violation of the law has occurred. Such probable cause may be based on the personal observations and belief of the officer, or may be based on information provided by reliable sources, including other federal, state or local law enforcement officers.

Any law enforcement officer shall additionally have the authority to arrest and detain a person, without having a warrant for such arrest in his possession, if the officer making such arrest and detention, or the agency or department in which the officer serves, possesses an Immigration Detainer lawfully issued by the United States Department of Homeland Security.
whereby said federal agency has indicated that it has determined that probable cause exists that
that person is a removable alien. Any detention under this section shall not exceed 48 hours
beyond the time that the person would otherwise be released from custody or admitted to bail.
Said person must be served with a copy of the Immigration Detainer for such arrest and detention
to be lawful.