

HOUSE No. 2573

The Commonwealth of Massachusetts

PRESENTED BY:

Nicholas A. Boldyga

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 enhance public safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>1/17/2025</i>

HOUSE No. 2573

By Representative Boldyga of Southwick, a petition (accompanied by bill, House, No. 2573) of Nicholas A. Boldyga for legislation to require mandatory cooperation with U.S. Immigration and Customs Enforcement by local and state law enforcement agencies. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to enhance public safety.

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

1 Section 1. Definitions

2 (a) "Local and State Law Enforcement Agency" shall mean any police department,
3 sheriff's office, or other law enforcement entity established by the Commonwealth of
4 Massachusetts or any of its political subdivisions.

5 (b) "ICE" shall refer to U.S. Immigration and Customs Enforcement, an agency within
6 the Department of Homeland Security responsible for immigration enforcement.

7 (c) "Immigration Detainer" shall mean a request by ICE to a local or state law
8 enforcement agency to hold an individual believed to be subject to removal from the United
9 States for an additional period beyond when they would otherwise be released from custody.

10 Section 2. Mandatory Cooperation

11 (a) All local and state law enforcement agencies shall:

12 (1) Honor and comply with ICE immigration detainers, which include requests to notify
13 ICE of the release of an individual and to maintain custody of such individuals for up to 48 hours
14 beyond the time they would otherwise be released to facilitate ICE's assumption of custody.

15 (2) Share pertinent information with ICE regarding the immigration or citizenship status
16 of any individual in their custody, when such information is requested by ICE in the performance
17 of its duties.

18 (3) Participate in joint task forces with ICE when requested for operations aimed at
19 immigration enforcement, provided that such participation does not impede the primary duties of
20 local law enforcement.

21 (b) Exceptions:

22 (1) This cooperation shall not extend to situations where state or federal law explicitly
23 prohibits such actions or where the cooperation would contravene an individual's constitutional
24 rights.

25 (2) Local and state law enforcement may decline to detain an individual solely on an ICE
26 detainer if no probable cause exists for a criminal charge independent of immigration status.

27 Section 3. Training and Resources

28 (a) The Peace Officers Standards and Training Commission shall develop training
29 programs for local and state law enforcement on the legal obligations and procedures for
30 cooperation with ICE.

31 (b) The Commonwealth shall provide resources or seek federal assistance to support local
32 agencies in complying with these requirements, including the costs associated with holding
33 individuals pursuant to ICE detainers.

34 Section 4. Reporting

35 (a) Each local and state law enforcement agency shall report annually to the Secretary of
36 Public Safety and Security on:

37 (1) The number of ICE detainers received and honored.

38 (2) The number of individuals transferred to ICE custody.

39 (3) Any significant issues or legal challenges encountered in the process of cooperation.

40 (b) The Secretary shall compile these reports and submit an annual summary to the
41 Governor and the General Court.

42 Section 5. Enforcement

43 (a) Failure by a local or state law enforcement agency to comply with this act may result
44 in:

45 (1) Review by the Attorney General of Massachusetts, who may seek judicial remedies to
46 enforce compliance.

47 (2) Potential withholding of state funding or grants related to law enforcement activities