

Committee on Public Safety and Homeland Security

Bill Summary

Bill Number: H2701

Name: An Act to promote and protect safety in the Commonwealth

Sponsor(s): Representative Micheal Sotor

Hearing Date: November 25th at 11:30AM in Gardner Hall

Prior History: First Time File

Summary:

Section 1: This section would amend Chapter 276 of the General Laws by adding Section 20S, which would allow court officers and law enforcement officers in lawful custody to detain individuals upon a written request from U.S. Immigration and Customs Enforcement (ICE), if there is probable cause that the individual is a removable alien. The detention can last up to 36 hours to transfer custody to ICE. The detained person must be given a copy of the written request, but the detention cannot exceed 36 hours. This section clarifies that it does not create a private right of action or make lawful arrests unlawful.

Section 2: This section seeks to add Section 104 to Chapter 276, requiring judicial officers to consider an ICE detainer request when determining original bail or modifying bail during hearings. If ICE requests detention based on probable cause that the person is a removable alien and an ICE warrant (arrest or removal) exists, the judicial officer may withhold or modify bail until ICE acts on the request.