

END ICE DETENTION AGREEMENTS

H.1401 & S.997 | Rep. Antonio F. D. Cabral & Sen. Adam Gomez

CURRENT LAW

ICE Detention

Every day, U.S. Immigration and Customs Enforcement (ICE) jails hundreds of immigrants in Massachusetts while they go through their immigration proceedings. This detention is purely civil — not because a crime was committed — yet it can last months or years.

Current law allows local sheriffs to sign contracts with ICE, renting bed space for civil immigration detention in local jails. Right now, only Plymouth County has such a contract. However, there is nothing preventing sheriffs from signing new contracts with ICE at any time in the future.

287(g) Agreements

Sheriffs and the Massachusetts Department of Correction (DOC) have also signed contracts with ICE under Section 287(g) of the Immigration and Nationality Act. Under 287(g) contracts, state and local prisons donate their officers' time to work as deputized ICE agents. **ICE does not pay for that time; the local government foots the bill.**

The DOC is currently the only agency in Massachusetts — or even New England — with a 287(g) agreement. However, there is nothing preventing sheriffs from signing new 287(g) agreements at any time in the future.

THE ISSUE

- Our immigration system locks up hundreds of thousands of immigrants unnecessarily every year, separating people from their loved ones and exposing them to inhumane conditions of confinement.
- ICE detention agreements entangle state and local agencies with federal immigration enforcement, propping up an unjust system and undermining the sovereignty of the Commonwealth.
- Across the country, 287(g) agreements turn local police and sheriffs into de facto ICE agents. This means even the most minor interactions with local law enforcement can lead to detention, deportation, and family separation.

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THE SOLUTION

An Act relative to Massachusetts state sovereignty would:

- Ensure that Massachusetts money and resources are used for state and local priorities, not federal immigration enforcement
- Prohibit all Massachusetts entities, including sheriffs, from starting or renewing contracts with ICE to rent bed space for immigration detention
- Prohibit all Massachusetts entities from donating state employee time to ICE via 287(g) agreements
- Require local law enforcement to seek and receive written authorization from the Governor before signing any other contracts with the federal government
- Empower state officials to ensure a proper, lawful, and productive relationship with the federal government that promotes the interests of the Commonwealth

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