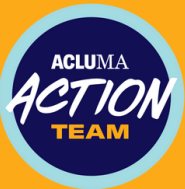
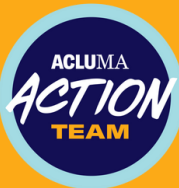


ICE Out of Massachusetts



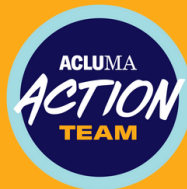
ICE detention 101

- “Civil Detention” – waiting for a hearing to determine whether someone can legally remain in the country or waiting to be deported
- Either ineligible for bond or cannot afford bond
- No Sixth Amendment right to government counsel in immigration proceedings. People are held in 200+ prisons and prison-like detention centers across the country, ranging from private prisons to county jails, as well as dedicated facilities run by ICE
- Forty+ years ago this system did not exist



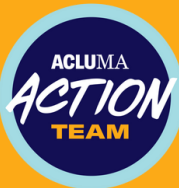
Brief History

- Early 1980s: thousands of Cuban & Haitian refugees arriving in FL were swept into newly opened detention facilities
- Late 1980's: Congress amended the Immigration and Naturalization Act to require the mandatory detention of immigrants with certain criminal convictions
- 1996: U.S. enacted The Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) vastly increased the scope of who could be subject to detention.
- After September 11, 2001: moved immigration services/enforcement from the DOJ to the newly created DHS. Immigration was now a national security issue.
- Both Democratic and Republican administrations since then have continued the trend of enacting policies to expand the enforcement/detention system



National Statistics

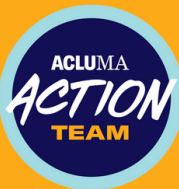
- The number of people in ICE detention & subject to other punitive “alternatives” has generally increased over the last 30 years.
- 1994: ~6,800 people were locked up
- 2019: during the Trump administration the detained population reached a record 55,000+ people
- February 2021 (pandemic): 13,000 people (the lowest detention numbers)
- During FY23, which runs through Sept. 2023, Congress approved funding for 34,000 daily beds
- ICE held 20,506 in ICE detention according to data current as of January 1, 2023



Conditions

Common abuses reported:

- medical
- nutrition
- prolonged detention
- legal issues
- solitary confinement
- family abuse
- lack of cleanliness
- lack of phone access
- detainee worker issues
- religious issues
- sexual abuse



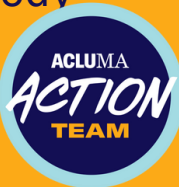
Types of Contracts

Intergovernmental Service Agreements (IGSA):

Contracts between the federal government and state or local governments where local agencies agree to provide space in their jails and prisons for the detention of immigrants

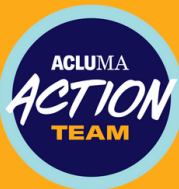
287(g) agreements:

Contracts that authorize local law enforcement to act as federal immigration enforcement authorities, including interrogating individuals about their immigration status and issuing immigration detainers to hold individuals until ICE takes custody



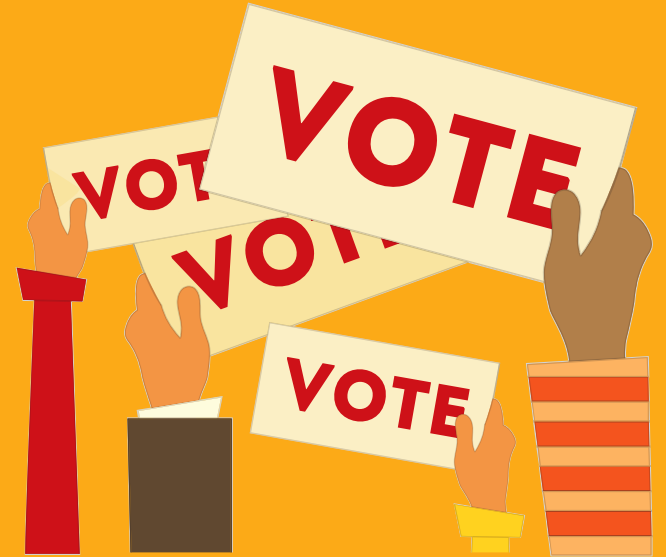
ICE Detention in Massachusetts

- The landscape 5 years ago:
 - 4 counties with IGSA agreements
 - 3 counties and the Department of Corrections with 287g agreements
- Th landscape today:
 - ICE detention landscape in MA has shifted thanks to many forms of advocacy
 - Advocacy has included: litigation, federal oversight complaints, complaints to the AG, protests, hunger strikes, pro se resources, bonding out, letters to legislators, etc.
 - Plymouth County is the last county in Massachusetts with an IGSA agreement
 - There are no county 287(g) agreements
 - **Sheriff Buckley terminated the Barnstable County 287(g) agreement**
 - Department of Corrections contracts with DHS remain in effect



Elections Matter

- Know Your Sheriff Campaign 2022
- Increased voter education and voter turnout
- Contested Elections
- Sheriffs are elected every 6 years



An Act Relative to Massachusetts State Sovereignty

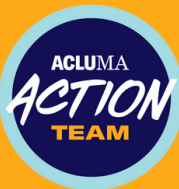
HD3902 & SD506 | Rep. Antonio F. D. Cabral & Sen. Adam Gomez

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.

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 Solution

Ensure that Massachusetts money and resources are used for state and local priorities, not federal immigration

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 ICE detention 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

