



February 20, 2026

**Prisoners' Legal Services of Massachusetts Statement on Recent Executive and Legislative
Actions in Support of Immigrants' Rights**

The Governor, Black and Latino Legislative Caucus, and allied legislators' recent actions in support of Massachusetts immigrant communities come as a welcome development at this critical time. Their restrictions on new 287(g) agreements and law enforcement collaboration with ICE are a step in the right direction. So, too, are their reaffirmation of detained immigrants' rights and efforts to remove ICE from local courts.

The moment we are in calls for more, however. Amid escalating ICE violence and a rapidly expanding detention and deportation system, our leaders on the state and local level must take the strongest and most robust available measures to protect their constituents. To this end, we urge our elected officials to:

- 1. End Massachusetts' only existing 287(g) and ban all voluntary state and local law enforcement cooperation with ICE;**
- 2. Set a concrete timeline for ending Plymouth County's IGSA, and prohibit any new detention contracts in Massachusetts;**
- 3. End federal task forces and fusion centers, and refuse federal funding that is conditioned on complicity with detention and deportation.**

As advocates for the civil rights of people incarcerated in jails and prisons across the Commonwealth—including those in ICE detention—Prisoners' Legal Services of Massachusetts has a broad perspective on the relationship between criminalization, incarceration, and deportation. As Governor Healey acknowledged in her 2023 Executive Clemency Guidelines, stark racial disparities and systemic biases embedded in the criminal legal system disproportionately harm Black and Brown people.¹ “Ethnic and cultural minorities, migrants, veterans, people with disabilities, women, those who are LGBTQ+, those who are poor, and others continue to face unequal treatment” under the law.²

For non-U.S. citizens, this unequal treatment does not end with their criminal sentence—instead, they face the double punishment of detention and deportation. Unlike their U.S. citizen peers, noncitizen prisoners are seldom able to return home to their families and communities after they have served their criminal punishment; instead, they are re-incarcerated by ICE, under conditions

¹ Governor Maura T. Healey, *Executive Clemency Guidelines*, 3 (Oct. 31, 2023), <https://www.mass.gov/doc/october-31-2023-executive-clemency-guidelines/download>.

² *Id.*

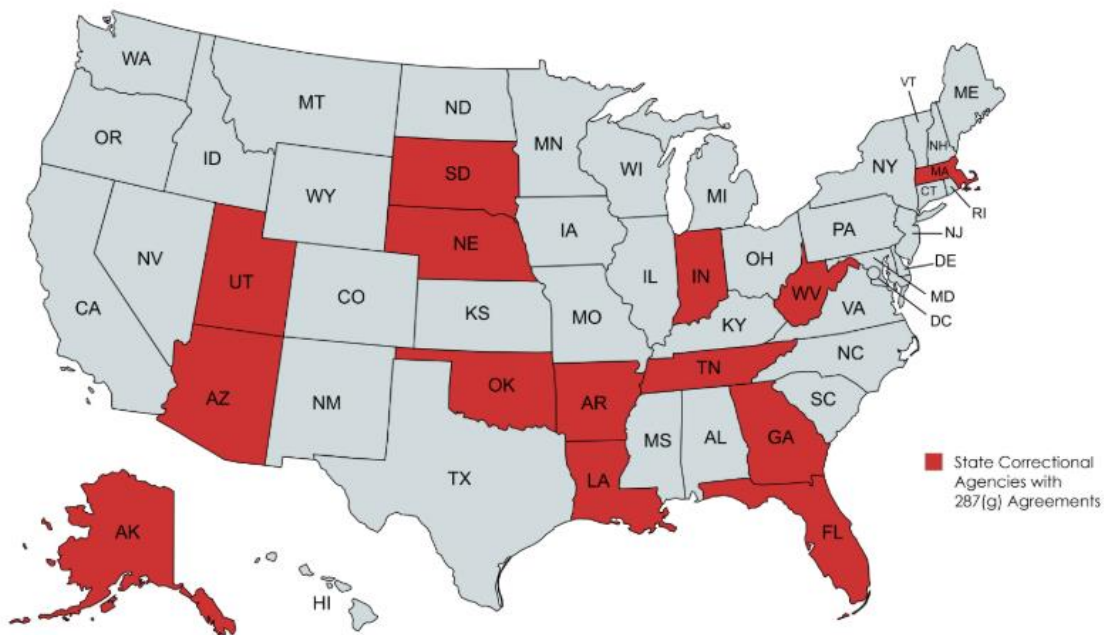


our clients describe as worse than prison. Many face permanent exile to places they left as children and barely remember or never knew at all.

In recognition of the interwoven and compounding harms of the criminal legal and immigration systems, distributed largely along race and class lines, we urge our elected officials to adopt the following measures:

- 1. End Massachusetts' only existing 287(g) agreement and ban all voluntary state and local law enforcement cooperation with ICE.**

ICE enters into 287(g) agreements with state and local law enforcement to use these agencies' resources for immigration enforcement. The Governor's Executive Order prohibits all new 287(g) agreements between state executive agencies and ICE. The PROTECT Act proposes a slightly broader ban against all new 287(g) agreements. But both of these measures leave untouched the only current and actually existing 287(g) contract in Massachusetts, between ICE and the Department of Correction. Both also carve out concerningly vague "public safety" loopholes, through which state and local law enforcement agencies may nonetheless enter into future, time-limited 287(g)s.



Massachusetts is one of only fourteen states whose Department of Correction holds a 287(g) agreement.³ Recently, New York introduced sweeping measures to end 287(g) agreements statewide with no “public safety” carveouts, recognizing that “federal immigration agents have carried out unspeakable acts of violence... under the guise of public safety.”⁴ The Governor of Virginia took similarly comprehensive action, observing that 287(g) agreements “improperly cede accountability and discretion over [state] law enforcement to the federal government.”⁵ Our Governor and legislators have issued similar statements condemning the violence and overreach of ICE.⁶ Unfortunately, the refusal to break all severable ties with the federal agency renders these condemnations hollow.

Massachusetts residents do not cease to be constituents upon incarceration. Nor do the tens of thousands of their parents, siblings, spouses, children, and friends who live, work, and vote in Massachusetts. If Massachusetts’ executive and legislative branches do not believe that prisons and jails are adequately preparing incarcerated people for re-entry, they have the tools to address this head-on. But collaborating with ICE to disappear a subset of the re-entering population, based solely on immigration status, is not an appropriate solution.

Even absent formal 287(g) agreements, many local law enforcement agencies, including county sheriff departments, can and do share information about those in their custody with ICE.⁷ In addition to banning formal information sharing, the PROTECT Act proposes crucial prohibitions on informal cooperation as well as formal agreements. Sections 64(b) and (c) would explicitly ban information sharing to facilitate a person’s transfer from local or state custody to ICE custody, including information related to release date, time, and location. These provisions

³ See U.S. Immigr. and Customs Enf’t., *287(g) Participating Agencies* (last updated Feb. 17, 2026), available at <https://www.ice.gov/identify-and-arrest/287g>. The other thirteen states are Alaska, Arizona, Arkansas, Florida, Georgia, Indiana, Louisiana, Nebraska, Oklahoma, South Dakota, Tennessee, Utah, and West Virginia. The Northern Mariana Islands Department of Corrections additionally has a 287(g) agreement with ICE.

⁴ Governor Kathy Hochul, *Keeping New Yorkers Safe: Governor Hochul Introduces the Local Cops, Local Crimes Act to Stop ICE from Co-Opting Local Law Enforcement*, New York State (Jan. 30, 2026), <https://www.governor.ny.gov/news/keeping-new-yorkers-safe-governor-hochul-introduces-local-cops-local-crimes-act-stop-ice-co>.

⁵ Governor Abigail Spanberger, *Executive Directive 1 (2026): Directing the Commonwealth’s Law Enforcement Agencies to Terminate Any and All Section 287(g) Agreements* (Feb. 4, 2026), [https://www.governor.virginia.gov/media/governorviriniagov/governor-of-virginia/pdf/ed/ED-1-Directing-the-Commonwealth%E2%80%99s-Law-Enforcement-Agencies-to-Terminate-Any-and-All-Section-287\(g\)-Agreements.pdf](https://www.governor.virginia.gov/media/governorviriniagov/governor-of-virginia/pdf/ed/ED-1-Directing-the-Commonwealth%E2%80%99s-Law-Enforcement-Agencies-to-Terminate-Any-and-All-Section-287(g)-Agreements.pdf).

⁶ Grace Zokovitch, *Massachusetts Gov. Maura Healey continues war of words against ICE*, MSN (Feb. 16, 2026), <https://www.msn.com/en-us/news/us/massachusetts-gov-maura-healey-continues-war-of-words-against-ice/ar-AA1WrEOM>; Rosanna Marinelli and Liza Martin, *Black and Latino Caucus introduces bill to curb ICE activity in Massachusetts courts*, MassLive (Jan. 29, 2026), <https://www.masslive.com/news/2026/01/black-and-latino-caucus-introduces-bill-to-curb-ice-activity-in-massachusetts-courts.html>.

⁷ Sarah Betancourt, *Some local police, sheriff and DA offices are communicating often with ICE, records show*, WGBH (Feb. 19, 2026), <https://www.wgbh.org/news/local/2026-02-19/some-local-police-sheriff-and-da-offices-are-communicating-often-with-ice-records-show>.

should be expanded to a comprehensive ban on voluntary information sharing with ICE across all state and local law enforcement agencies—including the DOC—without exception.

Lawmakers have a duty to ensure that state resources are not being funneled into a violent and unaccountable federal agency that has harmed thousands of Massachusetts residents. Now is the time to take a courageous and unified stand against ICE, on behalf of all Massachusetts residents and constituents. Accordingly, we call on lawmakers to end the DOC’s 287(g), ban all future 287(g)s, and expand the PROTECT Act’s prohibition on informal collaboration with ICE.

2. Set a concrete timeline for ending Plymouth County’s ICE detention contract, and prohibit any new detention contracts in Massachusetts.

On February 13, Governor Healey released a statement calling reported plans to convert a Merrimack, New Hampshire warehouse into an ICE detention center “outrageous” and excoriating New Hampshire Governor Kelly Ayotte for “allowing ICE to build new human warehouses when they can’t be trusted to keep people safe.”⁸ The Governor voiced her opposition to the possibility of this new detention center “in the strongest possible terms,” “demanding that Governor Ayotte do everything in her power to block” it.⁹

Nowhere in this statement did Governor Healey recognize that her own state is home to the largest *currently* existing detention center in all of New England,¹⁰ with its own extensive track record of abuses.¹¹ Nor did she acknowledge the \$25 million that the state of Massachusetts expects to receive in revenue from Plymouth County Sheriff’s Department’s detention contract with ICE in fiscal year 2026—fifteen times the anticipated combined revenue from the other twelve county sheriff’s departments in our state.¹² As Massachusetts continues to profit from the detention of its own residents, the Governor and legislature’s silence on the subject of ending ICE detention in our state is notable: neither the Governor’s proposed budget appropriations nor the PROTECT Act seek to reduce or limit the expansion of ICE detention bedspace in Massachusetts. We are calling on elected officials to set a concrete timeline for ending ICE’s

⁸ Gov. Maura Healey and Lt. Gov. Kim Driscoll, *Gov Healey Calls on Governor Ayotte to Oppose New ICE Detention Center in New Hampshire*, Mass.gov (Feb. 13, 2026), <https://www.mass.gov/news/governor-healey-calls-on-governor-ayotte-to-oppose-new-ice-detention-center-in-new-hampshire>.

⁹ *Id.*

¹⁰ As of February 5, 2026, the interval average daily population of individuals detained by ICE at Plymouth County Correctional Facility was 480 people. Relevant Research, *ICE Detention Facility Statistical Report: Plymouth County Correctional Facility*, ICE Detention Reports (accessed Feb. 19, 2026), https://detentionreports.com/facility/PLYMOUTH_COUNTY_CORRECTIONAL_FACILITY.html.

¹¹ Prisoners’ Legal Servs. of Mass. and Bos. U. Sch. of Law Immigrants’ Rights and Hum. Trafficking Program, *Chronicling 25 Years of Violations: ICE Detention at Plymouth County Correctional Facility* (Sep. 2024), <https://www.bu.edu/law/files/2024/09/ICE-detentions-plymouth.pdf>.

¹² 194th Gen. Ct. of the Commw. of Mass., *FY 2026 Final Budget* (accessed Feb 19, 2026), <https://malegislature.gov/Budget/FY2026/FinalBudget%201661512>.

contract with the Plymouth County Sheriff's Department and to pass legislation prohibiting future detention contracts in Massachusetts.

Within many immigrants' rights advocacy spaces, the belief persists that maintaining ICE detention contracts locally is a net benefit to immigrant communities. This assertion is premised on the idea that detained individuals will thus remain closer to loved ones and lawyers, with a better chance at defending against deportation. However, as enforcement intensifies and the availability of relief narrows, we urge our leaders and partners alike to interrogate their assumptions about the value and impact of maintaining ICE beds locally.

The best defense against deportation is not to be detained in the first place. But Plymouth plays a key role in allowing ICE to detain more people, an increasing number of whom do not have legal avenues for relief. The sprawl of detention across the rural South depends directly on urban and coastal bedspace as an intermediary between the volume of people arrested in our communities and the volume detained and deported. ICE acknowledged as much in its recent Detention Reengineering Initiative for Fiscal Year 2026, which identified smaller Regional Processing Centers as essential to staging transfers and deportations nationwide.¹³ In this context, Plymouth is not a safe harbor; it is a major port of entry into a system that fewer and fewer people are returning home from.

Initial detention close to home does not guarantee that a person will remain detained nearby. Within the immigration detention system, transfers have long been a core feature of ICE's violence. In the vast majority of cases, ICE has legal standing to move detained people between facilities and across state lines at will, and without justification.¹⁴ Over the past year, as enforcement and detention capacity have increased, so, too, has the frequency of transfers. According to the American Immigration Council, 77% of detained people were transferred at least once during the first half of 2025, while 12% were transferred four or more times.¹⁵ In the first nine months of 2025, the Vera Institute similarly found that 82% of detained people had been transferred at least once, and 52% had been transferred across state lines.¹⁶

To fully understand the role of detention centers in the northeast, it is critical not only to identify the frequency of transfers, but their directionality as well. A September 2025 Los Angeles Times analysis identified the ICE Enforcement and Removal Operations Field Office in Burlington,

¹³ U.S. Immigr. and Customs Enf't, *ICE Detention Reengineering Initiative* (Feb. 12, 2026), <https://www.socialcirclega.gov/home/showpublisheddocument/1520>.

¹⁴ See INA § 241, 8 U.S.C. 1231; U.S. Immigr. and Customs Enf't, *Policy 11022.1: Detainee Transfers* (Jan. 4, 2012), https://www.ice.gov/doclib/foia/policy/11022.1_DetaineeTransfers.pdf; U.S. Immigr. and Customs Enf't, *Standard 7.2: Detainee Transfers*, 2025 National Detention Standards, 198 (last updated Jun. 18, 2025), <https://www.ice.gov/doclib/detention-standards/2025/nds2025.pdf>.

¹⁵ Am. Immigr. Council, *Immigration Detention Expansion in Trump's Second Term*, 30 (Jan. 2026), <https://www.americanimmigrationcouncil.org/wp-content/uploads/2026/01/immigration-detention-report.pdf>.

¹⁶ VERA INSTITUTE OF JUSTICE, *Detention Trends to Watch*, at 21:46 (YouTube, Jan. 22, 2026), <https://www.youtube.com/watch?v=sBfP6VhS25g>.

Massachusetts as one of the 25 most common "first stops" in the ICE detention system nationwide.¹⁷ Likewise, both the Los Angeles Times and the Vera Institute found that the net rate of transfers out of Massachusetts far exceeds the rate of transfers into Massachusetts.¹⁸ Collectively, these statistics do not paint a picture of detention in Massachusetts as a static, protective container. Rather, they reveal Massachusetts as an entry point through which ICE is able to funnel a tremendous number of people into the system-- a comparatively small percentage of whom remain close by for the duration of their detention.

The impacts of maintaining bedspace locally extend far beyond those currently in detention. In 2022, researchers who studied the relationship between detention space and enforcement found that the existence of a detention center increases the likelihood that individuals in the surrounding area will be arrested and detained.¹⁹ We have seen this dynamic play out firsthand in multiple waves over the past year, with abrupt transfers moving dozens of people out of Plymouth in preparation for immigration enforcement surges in Massachusetts and Maine.²⁰

The truth is that ICE would not continue to pay Plymouth close to \$40 million per year to maintain detention bedspace if it did not serve their goal to deport as many people as possible — despite the heroic efforts of advocates across our state and region.²¹ Calling for more lawyers and more legal protections for those already in detention does nothing to change the fact that a growing subset of detained people has no legal pathway to relief, as pathways that previously existed are rapidly being foreclosed. The limited, short-term harm reduction of maintaining Plymouth's contract fails to justify the cumulative long-term consequences of doing so. Accordingly, we urge lawmakers to take decisive action to cut Plymouth's contract with ICE and prevent any new detention centers from being established in Massachusetts.

¹⁷ Gabrielle LaMarr LeMee, *How ICE detainees are moved miles away from families and attorneys*, Los Angeles Times (Sep. 26, 2025), <https://www.latimes.com/politics/story/2025-09-26/faster-more-frequent-transfers-of-immigrant-ice-detainees-sow-fear-and-cut-off-resources>.

¹⁸ *Id.*; VERA INSTITUTE OF JUSTICE, *Detention Trends to Watch*, 23:02 (YouTube, Jan. 22, 2026), <https://www.youtube.com/watch?v=sBfP6VhS25g>.

¹⁹ Gabriela Viera, Rose Cahn, Lena Graber, and Grisel Ruiz, *If You Build It, ICE Will Fill It: The Link Between Detention Capacity and ICE Arrests*, Immigr. Legal Resource Ctr. and Detention Watch Network (2022), https://www.ilrc.org/sites/default/files/resources/if_they_build_it_ice_will_fill_it_report_2022.pdf.

²⁰ Sarah Betancourt, *At least 40 ICE detainees transferred to border states in overnight flight*, WGBH (Feb. 12, 2025), <https://www.wgbh.org/news/local/2025-02-12/at-least-40-ice-detainees-transferred-to-border-states-in-overnight-flights>; Ari Snider, Susan Sharon, and Patty Wight, *What we know about the Mainers arrested during the January ICE surge*, Maine Public (Feb. 3, 2026), <https://www.mainepublic.org/immigration/2026-02-03/what-we-know-about-the-mainers-arrested-during-the-january-ice-surge>; Todd Wallack, *As ICE ramps up arrests, Plymouth sheriff's office shuttles men from jail to Hanscom airport*, WBUR (Jun. 17, 2025), <https://www.wbur.org/news/2025/06/17/plymouth-county-sheriff-ice-immigration-detentions-flights>.

²¹ See Relevant Research, *Plymouth County Correctional Facility: ICE Detention Facility Statistical Report*, Detention Reports (Jan. 22, 2026), https://detentionreports.com/facility/PLYMOUTH_COUNTY_CORRECTIONAL_FACILITY.html (calculating an average daily population of 500 people across Plymouth's ICE units); U.S. Dep't of Homeland Sec. U.S. Customs and Immigr. Enf't and Plymouth Cty. Corr. Facility, *70CDCR24DIG000025 Intergovernmental Service Agreement* (Sep. 25, 2024) (contracting for a negotiated rate of \$215 per person detained, per day) (on file with authors).

3. End federal task forces and fusion centers, and refuse federal grants conditioned on state and local complicity in immigration enforcement.

Neither the PROTECT Act nor the Governor's Executive Order and proposed legislation acknowledge the undercurrent of federal funding, task forces, and fusion centers that is quietly fueling immigration enforcement against Massachusetts communities. If elected officials are serious about protecting immigrant communities, their efforts cannot begin and end with access to counsel and due process for those already detained-- they must do everything in their power to *prevent* people from being pulled into the detention and deportation machine in the first place. This requires targeting the surveillance and information-sharing mechanisms that enable ICE to weaponize information gathered by state and local law enforcement, with or without formal contracts.

The Department of Homeland Security, which presides over ICE and CBP, has long been a primary source of funding for information-sharing agreements between state, local, and federal law enforcement agencies. These agreements, in the form of fusion centers and task forces, have a documented history of surveilling marginalized communities and social movements in Massachusetts.²² Fusion centers and task forces have been particularly harmful to Black, Muslim, and Latine communities, and have disproportionately targeted these communities for racial profiling, allegations of terrorism or gang involvement, and immigration enforcement.²³

Starting in 2025, DHS began to explicitly condition its federal emergency response funding on grantees' willingness to aid federal immigration enforcement.²⁴ Specifically, the Homeland Security Grant Program's (HSGP) requires grant recipients to allocate at least 10% of the funds received to DHS-approved "Border Crisis Response and Enforcement" activities.²⁵ Such activities include immigration detention expansion, participation in 287(g) programs, cooperation with ICE detainers, and technology and information sharing.²⁶

²² Muslim Justice League, *Get The BRIC Out Of Boston* (last accessed Feb. 10, 2026), <https://muslimjusticeleague.org/our-work/get-the-bric-out-of-boston/>.

²³ Eleni Manis, Nina Loshkajian, Leah Haynes, Shivam Saran, Andrew West, and Corinne Worthington, *Deportation Data Centers: How Fusion Centers Circumvent Sanctuary City Laws*, Surveillance Tech. Oversight Project (Nov. 19, 2024), https://static1.squarespace.com/static/5c1bfc7eee175995a4ceb638/t/673b7bdc7bfa22584f88e956/1731951581156/2024.11.19_STOP+Report_Deportation+Data+Centers_final.pdf; Amith Gupta, *Spying on the Margins: The History, Law, and Practice of U.S. Surveillance Against Muslim, Black, and Immigrant Communities and Contemporary Strategies of Resistance*, Project South (Feb. 2021), https://projectsouth.org/wp-content/uploads/2021/04/FINAL-Project-South_Spying-on-the-Margins_04.26.2021.pdf.

²⁴ Off. of Grants and Rsch., *Notice of Availability of Grant Funds – State Share*, Commw. of Mass. Exec. Off. of Pub. Safety and Sec., 5 (Sep. 10, 2025), <https://www.mass.gov/doc/homeland-security-grant-program-state-share-agf/download>.

²⁵ *Id.*

²⁶ *Id.*

For fiscal year 2025, DHS allocated approximately \$16.8 million in HSGP grant money to the “Boston-Cambridge-Newton” area to fund the Boston Regional Intelligence Center (BRIC) as well as surveillance technology and information-sharing infrastructure.²⁷ DHS additionally allocated approximately \$5.4 million in HSGP funds to the state of Massachusetts—\$1 million of which was earmarked for the State Police’s Commonwealth Fusion Center, and \$2 million of which was made available to other state agencies through a competitive grant application process.²⁸

In the past, elected officials have sought to justify state and municipal cooperation with federal law enforcement agencies by insisting that the agencies and subagencies in question—namely, ICE Homeland Security Investigations and the FBI—do not engage in immigration enforcement.²⁹ This is no longer a defensible claim.³⁰ As long as these fusion centers and task forces remain in place, ICE will continue to use them as an end run around state and municipal protections. Our state must fully divest from funding conditioned on complicity with detention and deportation and dismantle the fusion centers and task forces that enable ICE to surveil and target marginalized communities.

Massachusetts communities do not need more strongly worded statements or symbolic gestures of solidarity. We need lawmakers to take decisive action to cut off the contracts, bedspace, funding, and interagency collaboration that will continue to fuel ICE’s violence across the Commonwealth for as long as they are allowed to persist. We call upon our Governor and legislature to ban all 287(g) and detention contracts, prohibit informal state and local law

²⁷ The BRIC is perhaps best known for its problematic gang database, which advocates and courts alike have criticized as flawed, unreliable, and racially biased. See *Unmasking the Boston Police Department’s Gang Database: How an Arbitrary System Criminalizes Innocent Conduct*, 137 Harv. L. Rev. 1381 (Mar. 2024), <https://harvardlawreview.org/print/vol-137/unmasking-the-boston-police-departments-gang-database-how-an-arbitrary-system-criminalizes-innocent-conduct/>; *Diaz Ortiz v. Garland*, 23 F.4th 1, 40-42 (1st Cir. 2022); Shannon Dooling, *Here’s What We Know About Boston Police’s Gang Database*, WBUR (Jul. 26, 2019), <https://www.wbur.org/news/2019/07/26/boston-police-gang-database-immigration>.

²⁸ U.S. Dep’t. of Homeland Sec., *Notice of Funding Opportunity (NOFO) - Fiscal Year 2025 Homeland Security Grant Program*, 54 (2025), https://files.simpler.grants.gov/opportunities/4d66b22d-90b7-489c-b009-f958c5e357e1/attachments/756a6d1e-fe87-4770-aa2c-1c3619c21481/Fiscal_Year_2025_Homeland_Security_Grant_Program_NOFO_508.pdf; Off. of Grants and Rsch., *Notice of Availability of Grant Funds – State Share*, Commw. of Mass. Exec. Off. of Pub. Safety and Sec., 3 (Sep. 10, 2025), <https://www.mass.gov/doc/homeland-security-grant-program-state-share-agf/download>.

²⁹ Piper French, *Bid to Renew Federal Grant Sparks Concern Boston May Help Trump’s DHS on Immigration*, Bolts Magazine (Sep. 29, 2025), <https://boltsmag.org/boston-police-bric-dhs-immigration-enforcement/>; Boston City Council, *Council Reaffirms the Trust Act* (Dec. 6, 2024),

<https://www.boston.gov/news/council-reaffirms-trust-act> (“The Trust Act distinguishes between ICE’s Enforcement and Removal Operations and Homeland Security Investigations, allowing BPD to collaborate with ICE-HSI on issues of significant public safety... while refraining from involvement in civil immigration enforcement.”).

³⁰ See Exec. Order No. 14159, 90 C.F.R. 8443 (2025); Off. of Grants and Rsch., *Notice of Availability of Grant Funds – State Share*, Commw. of Mass. Exec. Off. of Pub. Safety and Sec., 5 (Sep. 10, 2025), <https://www.mass.gov/doc/homeland-security-grant-program-state-share-agf/download>; U.S. Immigr. and Customs Enf’t., *ICE, federal partners arrest nearly 1,500 illegal aliens in Massachusetts during immigration enforcement operation* (Jun. 2, 2025), <https://www.ice.gov/news/releases/ice-federal-partners-arrest-nearly-1500-illegal-aliens-massachusetts-during>.

enforcement collaboration with ICE, withdraw from fusion centers and federal task forces, and refuse all funding conditioned on continued cooperation with federal immigration enforcement.