

The MA TRUST Act

S. 1258 and H. 1228



The “Massachusetts Trust Act” is a bill that aims to rebuild the trust lost between communities and local law enforcement, increase public safety, ensure that local tax dollars are well spent, and avoid entangling local agencies in unconstitutional detention that has the potential of creating legal liability. It does this by limiting voluntary local cooperation with ICE’s deportation dragnet, and drawing a clear line between the roles of federal immigration enforcement and local public safety officials.

To date, over 300 localities and two states have taken similar steps, limiting voluntary cooperation with federal detention requests known as “ICE detainers” or “ICE holds,” and limiting ICE’s reach into local communities.

What is in the Massachusetts Trust Act?

→ Taking back local control over local resources and community policing

- Once a person is released from local custody, local law enforcement agencies and jails will not hold him or her solely on the basis of an ICE detainer.
- ICE will no longer have indiscriminate access to certain information about people in local custody. ICE may not use local facilities to interview people for immigration purposes. Police will not use local resources to transport people on behalf of ICE.
- Local agencies will not arrest a person based solely on an ICE detainer.

→ Constitutional protections

- No one can be denied bail simply because of the existence of an ICE detainer.
- Individuals who are subject to ICE detainers will receive notice and a copy of the detainer.

→ Transparency

- Law enforcement agencies will keep information about ICE detainers, and report it to the Attorney General and the public.