

Interim Policy on Immigration and Customs Enforcement Detainers and Related Immigration Enforcement Actions by the Federal Government.

As voted on by the Board of Selectmen on March 7, 2017

The Board of Selectmen of the Town of Brookline, in consultation with the Police Chief and pursuant to authority granted under Massachusetts General Laws, c. 41, §97, hereby adopts the following policies relative to the Brookline Police Department and the enforcement of federal immigration laws.

I. Special Order #2012-6.

Brookline Police Department Special Order #2012-6, to the extent that it is still in effect, is hereby rescinded, effective immediately.

II. Use of Town Resources for Immigration Enforcement.

No Brookline Police Officer or other Brookline Police Department personnel shall be authorized to perform any federal immigration law enforcement functions, including those specified in section 287(a) of the Immigration and Naturalization Act (INA); the Department and the Town of Brookline shall not enter into any memorandum of understanding or other agreement, written or oral, under section 287(g) of the INA, with the U.S. Attorney General, Immigration and Customs Enforcement, or any other federal agency for the performance by local law enforcement or other personnel of federal immigration law enforcement functions, including those specified in section 287(a) of the INA.

III. General Orders. The following policies shall be embodied in the General Orders of the Brookline Police Department, effective immediately:

1. No person shall be held in custody by the Department based on the existence of an Immigration and Customs Enforcement (“I.C.E.”) detainer. The Department shall adhere to General Order 3.0 pertaining to the arrest of persons.
2. The Department shall provide a copy of the General Order pertaining to this policy and training on the procedures related to such General Order, to all police officers employed by the Brookline Police Department.