HOUSE JUDICIARY COMMITTEE

Chairman Jim Jordan

BOSTON: THE DANGEROUS CONSEQUENCES OF SANCTUARY POLICIES

Interim Staff Report

Committee on the Judiciary
Chairman Jim Jordan

Subcommittee on Immigration Integrity, Security, and Enforcement
Chairman Tom McClintock

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EXECUTIVE SUMMARY

Democrats' open-borders policies at the federal level and sanctuary policies at the state and local level allow millions of illegal aliens to pour into the country and ensure that criminal aliens, after encountered by local law enforcement, are released back into American communities. For four years, the Biden-Harris Administration's open borders allowed over eight million illegal aliens to enter the United States, including six million aliens who were released into the country and another two million "gotaways" who avoided apprehension entirely.[1] Once in the country, sanctuary policies in Democrat-run jurisdictions like Boston, Massachusetts, allow criminal aliens to stay, hurting public safety and endangering law-abiding Americans.

Many Democrat-run state and local jurisdictions prohibit law enforcement from cooperating with Immigration and Customs Enforcement (ICE) to ensure that criminal aliens are transferred to ICE custody and removed from the United States. Led by Democrat officials, these sanctuary jurisdictions provide a safe haven for criminal aliens. Democrat prosecutors in certain sanctuary jurisdictions provide foreign national criminals preferential prosecutorial treatment—leniency that similarly situated Americans do not receive—so that the criminal aliens may avoid immigration consequences for their criminality and can remain in the United States indefinitely.

The American people elected President Donald Trump and Congressional Republicans with a mandate to secure the border, restore immigration enforcement, and reverse Democrats' immigration agenda. President Trump's border enforcement agenda has worked, and illegal alien apprehensions at the southwest border are at historic lows.[2] Congressional Democrats, however, oppose the President's commonsense solutions to improve border security and immigration enforcement. To thwart this law-and-order approach and to protect criminal and illegal aliens, Democrats at the federal level shut down the federal government for months in 2025 and 2026. Their obstruction ensured that many of the hardworking men and women of the Department of Homeland Security were unpaid and unable to fully carry out their mission to protect the homeland.

Meanwhile, at the state and local level, Democrats' sanctuary policies continued to wreak havoc on American communities. Because sanctuary jurisdictions routinely refuse to cooperate

[1] Info. provided to the H. Comm. on the Judiciary by U.S. Dep't of Homeland Sec., Table 1: Detention Histories of CBP Encounters, January 20, 2021 – March 31, 2024 (Aug. 16, 2024); U.S. Customs and Border Prot., *Custody and Transfer Statistics*, U.S. DEP'T OF HOMELAND SEC. (last accessed July 8, 2025); Camilo Montoya-Galvez, *Biden-Harris Administration has admitted more than 1 million migrants into U.S. under parole policy Congress is considering restricting*, CBS NEWS (Jan. 22, 2024); *Latest UC Data, Total Monthly Discharges to Individual Sponsors Only*, U.S. DEP'T OF HEALTH AND HUMAN SERVS. (last accessed Aug. 7, 2026); Off. of Refugee Resettlement, *Unaccompanied Children Released to Sponsors by State*, U.S. DEP'T OF HEALTH AND HUMAN SERVS. (last accessed Aug. 7, 2026); U.S. Customs and Border Prot., *CBP Releases December 2024 Monthly Update*, U.S. DEP'T OF HOMELAND SEC. (Jan. 14, 2025); Immigr. and Customs Enf't, *Daily SWB Placemat*, U.S. DEP'T OF HOMELAND SEC. (May 2024-Jan. 2025) (on file with Comm.); Off. of Homeland Sec. Statistics, *Immigr. Enf't and Legal Processes Monthly Tables – Apr. 2024*, U.S. DEP'T OF HOMELAND SEC. (last accessed Aug. 7, 2026); Casey Harper, *Border crisis creates national security threat for U.S., observers say*, WASH. EXAMINER (Aug. 7, 2023); Bill Melugin (@BillMelugin_), X (June 20, 2024, 10:22 AM).

[2] *See, e.g.*, Press Release, Trump Administration Delivers 14 Straight Months of Zero Releases at the Border, U.S. Dep't of Homeland Sec. (July 16, 2026), https://www.dhs.gov/news/2026/07/16/trump-administration-delivers-14-straight-months-zero-releases-border.

with ICE, officials in these sanctuary jurisdictions release criminal aliens onto the streets instead of transferring them to ICE for removal from the country. According to ICE information, between October 2022 and early 2026, sanctuary jurisdictions declined to honor at least 41,085 detainers from ICE.[3] A detainer is the formal request that a state or local law enforcement agency notify ICE before releasing a criminal alien or that the agency maintain custody of a criminal alien for a short period until ICE is able to arrest them in a secure setting.[4] By refusing to honor ICE detainers, state and local jurisdictions guarantee that dangerous foreign national criminals—even illegal aliens who have been convicted of serious, violent crimes—are released into American communities and free to reoffend.

Sanctuary jurisdictions pose a significant threat to public safety and the enforcement of federal immigration law. The Committee on the Judiciary, with its Subcommittee on Immigration Integrity, Security, and Enforcement, has been conducting oversight of these sanctuary policies. Since January 2026, the Committee and Subcommittee have requested information relating to jurisdictions that restrict or prohibit cooperation with federal immigration officials, including their policies' devastating effects on public safety. To date, the Committee and Subcommittee have requested relevant material from 40 officials in 13 sanctuary jurisdictions across the country.

This interim staff report focuses on Boston, which has obstructed federal law enforcement with its sanctuary policies for years. Nonpublic documents and data obtained by the Committee and Subcommittee reveal the startling extent to which the city of Boston actively obstructs the enforcement of federal immigration law and shields foreign national criminals from accountability. The Committee and Subcommittee's oversight reveals:

- **Boston's sanctuary policies allow repeat and dangerous criminals to be released back into Boston communities.** Despite Boston's attempts to keep the extent of its pro-criminal alien policies shrouded in secrecy, data provided to the Committee and Subcommittee reveal that in 2026 alone, the Boston Police Department (BPD) has received 54 detainers and has not honored one.[5] Since 2021, BPD has not transferred a single foreign national criminal to ICE custody based off an ICE detainer.[6]

- **Because of Boston's sanctuary policies, the city has attracted and harbored dangerous criminal aliens from around the world.** Data and information provided to the Committee and Subcommittee show that in the first 10 months of 2026, Boston law enforcement encountered illegal aliens from Colombia, Haiti, the Dominican Republic, Brazil, Mexico, Ecuador, China, Morocco, and Venezuela.[7] The aliens for whom ICE

[3] Info. provided to the H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Feb. 6, 2026) (on file with Comm.). The number of declined detainers is likely higher, given that ICE may not be aware that a detainer was declined until the agency encounters an alien who had previously been released.
[4] *See* Immigr. Detainers, U.S. Immigr. and Customs Enf't, https://www.ice.gov/immigration-detainers (last accessed Aug. 7, 2026).
[5] *See infra* note 65 and accompanying text.
[6] *See infra* note 66 and accompanying text.
[7] *See infra* note 67 and accompanying text.

placed detainers included numerous foreign nationals with final removal orders and previous criminal history, including criminal convictions.[8]

This interim report provides evidence of the ways in which just one city has implemented policies that allow dangerous foreign nationals to reoffend and avoid deportation. But the city of Boston and its leaders are not outliers. They are indicative of a modern Democrat Party that seeks to erase national borders and place illegal alien criminals ahead of law-abiding American citizens. The policies supported by these Democrats, including sanctuary policies, will have negative and lasting consequences for Americans. The Committee and Subcommittee will continue to conduct oversight of these sanctuary policies to inform potential legislative reforms to better protect American communities.

[8] *See infra* note 68 and accompanying text.

SANCTUARY JURISDICTIONS

A "sanctuary city" or "sanctuary jurisdiction" is a city or jurisdiction that refuses to cooperate, or limits cooperation, with federal authorities in the enforcement of federal immigration law.[9] Under the principle that "illegal aliens do not have the right to remain in the U.S. undetected and unapprehended,"[10] Congress has explicitly prohibited any restriction on communication between state or local entities and federal immigration authorities relating to an individual's immigration status.[11]

Despite the statute's clear prohibition on cities, counties, and states from restricting communication with federal immigration authorities, there are, according to an estimate from the Center for Immigration Studies, upward of 200 such sanctuary jurisdictions in the United States. These jurisdictions:

> [H]ave laws, ordinances, regulations, resolutions, policies, or other practices that obstruct immigration enforcement and shield criminals from [U.S. Immigration and Customs Enforcement (ICE)]—either by refusing to or prohibiting agencies from complying with ICE detainers, imposing unreasonable conditions on detainer acceptance, denying ICE access to interview incarcerated aliens, or otherwise impeding communication or information exchanges between their personnel and federal immigration officers.[12]

Sanctuary jurisdictions range from entire states—such as Colorado, California, New York, and Illinois—to major cities—such as Chicago; New Orleans; New York, Newark, New Jersey; Washington, D.C.; Baltimore; and Seattle—to entire counties like Fairfax County, Virginia.[13]

Sanctuary jurisdictions' refusal to cooperate with ICE, including by not honoring ICE detainers, means that dangerous aliens are released back onto American streets. To ensure that criminal aliens are safely apprehended and deported, ICE issues detainers for aliens who have been arrested and who ICE has "probable cause to believe . . . [are] removable" from the United States.[14] With a detainer, ICE "sends a formal request to a law enforcement agency or correctional facility that has custody of a potentially dangerous alien" and asks the law enforcement agency to notify ICE "as early as possible before [the agency] release[s] a removable alien" and to "[h]old the alien for up to 48 hours beyond the time they would

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[9] *See* WILLIAM A. KANDEL, CONG. RSCH. SERV., IFI14328, "SANCTUARY" JURISDICTIONS: POLICY OVERVIEW (2020); *see also* SARAH PECK, CONG. RSCH. SERV., R44795, "SANCTUARY" JURISDICTIONS: FEDERAL, STATE, AND LOCAL POLICIES AND RELATED LITIGATION 3-4 (2019).
[10] H. Rep. No. 104-469, part 1, at 277 (1996).
[11] *See* 8 U.S.C. § 1373(a).
[12] Jessica M. Vaughan, *Map: Sanctuary Cities, Counties, and States*, CENTER FOR IMMIGR. STUDIES (June 29, 2026), https://cis.org/Map-Sanctuary-Cities-Counties-and-States (last accessed Oct. 30, 2026). The list of sanctuary jurisdictions compiled by the Center for Immigration Studies is broader than the Justice Department's list.
[13] *Id.*
[14] *Immigr. Detainers*, U.S. Immigr. and Customs Enf't, https://www.ice.gov/immigration-detainers (last accessed Aug. 28, 2026).

ordinarily release them so DHS has time to assume custody in accordance with federal immigration law."[15] Notably, these aliens are in the custody of a state or local law enforcement agency for a criminal offense—not because they entered the country illegally or otherwise lack lawful status.

Despite the effectiveness of detainers, in the first 12 months of President Trump's second term, state and local law enforcement agencies declined at least 17,864 ICE detainers, including for aliens charged with crimes ranging from sexual assault to murder, according to ICE data.[16] In its 2019 report, ICE again warned that sanctuary jurisdictions were "[o]ne of the biggest impediments to [ICE Enforcement and Removal Operations'] public safety efforts."[17] In addition to harming communities, refusing to honor ICE detainers also endangers law enforcement officers as they must resort to taking custody of the alien in an uncontrolled environment.[18]

The Biden-Harris Administration worked to weaken the first Trump Administration's efforts to hold sanctuary jurisdictions accountable for undermining immigration enforcement.[19] In addition to dropping federal litigation relating to sanctuary jurisdictions' policies,[20] the Biden-Harris Administration's Justice Department, beginning in April 2021, no longer required jurisdictions to cooperate with ICE as a condition of receiving federal grant funding.[21] The number of ICE detainers fell precipitously as a result, from a monthly average of 13,000 to 14,000 during the first Trump Administration to a mere 2,200 detainers in March 2021—just two months after President Biden took office.[22] Although the Biden-Harris Administration gradually increased its use of immigration detainers in response to public pressure against its immigration policies, it still issued 31 percent fewer detainers than the first Trump Administration.[23]

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[15] *Id.*

[16] Info. provided to the H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't, (Feb. 6, 2026) (on file with Comm.). The number of declined detainers is likely higher, given that ICE may not be aware that a detainer was declined until the agency encounters an alien who had previously been released.

[17] *See* U.S. Immigr. and Customs Enf't, Fiscal Year 2019 Enf't and Removal Operations Rep., at 17 (2020), https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf; *see also* U.S. Immigr. and Customs Enf't, Fiscal Year 2020 Enf't and Removal Operations Rep., at 17-18 (2021), https://www.ice.gov/doclib/news/library/reports/annual-report/eroReportFY2020.pdf (emphasizing the impact of non-cooperative jurisdictions).

[18] *See* U.S. Immigr. and Customs Enf't, Q&A: U.S. Immigr. and Customs Enf't Declined Detainer Outcome Rep. (DDOR) (Mar. 20, 2017), https://www.dhs.gov/news/2017/03/20/qa-us-immigration-and-customers-enforcement-declined-detainer-outcome-report.

[19] *See* Sarah N. Lynch, *U.S. Justice Department ends Trump-era limits on grants to 'sanctuary cities',* REUTERS (Apr. 28, 2021, 8:31 AM), https://www.reuters.com/world/us/exclusive-us-justice-department-ends-trump-era-limits-grants-sanctuary-cities-2021-04-28/.

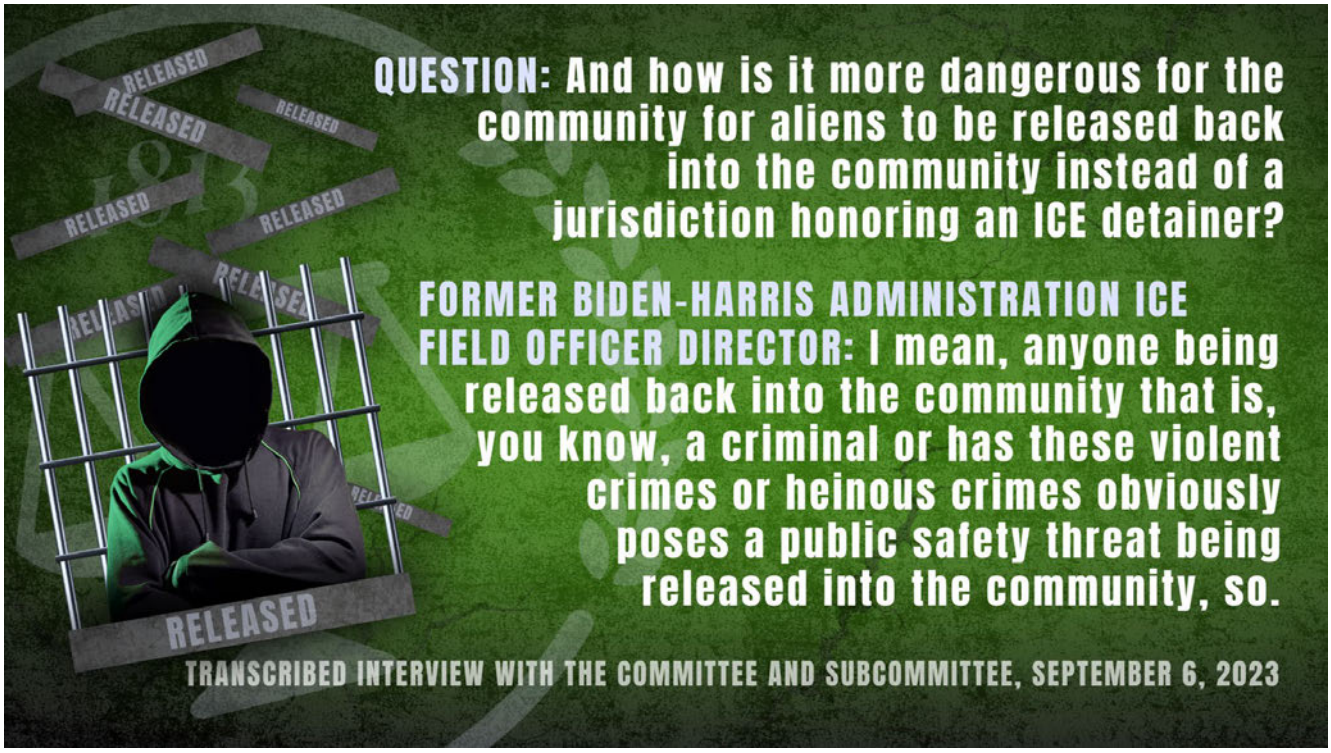
[20] Amy Howe, *Court dismisses "sanctuary cities" petitions*, SCOTUS BLOG (Mar. 5, 2021, 10:58 AM), https://www.scotusblog.com/2021/03/court-dismisses-sanctuary-cities-petitions/; *see* City Att'y of San Francisco, *Final victory for San Francisco in sanctuary city case against Trump administration* (Mar. 4, 2021), https://www.sfcityattorney.org/2021/03/04/final-victory-for-san-francisco-in-sanctuary-city-case-against-trump-administration/.

[21] *See* Lynch, *supra* note 19.

[22] *New Data on ICE Immigration Detainers Show Sharp Drop Since Start of Biden Administration*, TRAC IMMIGR. (June 20, 2023), https://trac.syr.edu/reports/719/.

[23] *See* U.S. Immigr. and Customs Enf't, Fiscal Year 2024 ICE Enf't and Removal Operations Rep., at 21 (Dec. 19, 2024), https://www.ice.gov/doclib/eoy/iceAnnualReportFY2024.pdf; U.S. Immigr. and Customs Enf't, Fiscal Year 2018 ICE Enf't and Removal Operations Rep., at 9, https://www.ice.gov/doclib/about/offices/ero/pdf/eroFY2018Report.pdf.

Even Biden-Harris Administration ICE officials criticized sanctuary policies for endangering the public and law enforcement alike. In a transcribed interview with the Committee in 2023, one former high-ranking ICE official testified that sanctuary jurisdictions' refusal to honor ICE detainers endangers ICE officers and undermines ICE's mission.[24] Another Biden-Harris Administration ICE official told the Committee how detainer noncompliance for violent criminals "poses a public safety threat being released into the community."[25] One former ICE official even attributed sanctuary policies to potentially undermining national security.[26] Another Biden-Harris Administration ICE official testified that ignoring ICE detainers endangers officers and the public because ICE is then forced to arrest criminal aliens at large in the community rather than in the secure setting of a jail or prison.[27]



Since the start of President Trump's second term, the federal government has acted swiftly against sanctuary policies. In an executive order signed on January 20, 2025, President Trump directed the Attorney General and DHS Secretary to "evaluate and undertake any lawful actions to ensure that so-called 'sanctuary' jurisdictions, which seek to interfere with the lawful exercise of Federal law enforcement operations, do not receive access to Federal funds."[28]

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[24] Transcribed Interview of Former ICE Official 1, U.S. Immigr. & Customs Enf't, at 79-80 (Sept. 22, 2023) (on file with Comm.).
[25] Transcribed Interview of Former ICE Official 2, U.S. Immigr. & Customs Enf't, at 36 (Sept. 6, 2023) (on file with Comm.).
[26] Transcribed Interview of Former ICE Official 3, U.S. Immigr. & Customs Enf't, at 23 (June 27, 2023) (on file with Comm.).
[27] Transcribed Interview of Former ICE Official 4, U.S. Immigr. & Customs Enf't, at 87-88 (Oct. 10, 2023) (on file with Comm.).
[28] Exec. Order No. 14159, Protecting the American People Against Invasion, 90 Fed. Reg. 8443 (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/.

President Trump also instructed the Attorney General and DHS Secretary to "undertake any other lawful actions, criminal or civil, that they deem warranted based on any such jurisdiction's practices that interfere with the enforcement of Federal law."[29] On February 19, 2025, President Trump signed an additional executive order to "ensure[] that Federal funds to states and localities will not be used to support 'sanctuary' policies or assist illegal immigration."[30]

On April 28, 2025, President Trump signed another executive order that directed the Attorney General to "publish a list of States and local jurisdictions that obstruct the enforcement of Federal immigration laws," "notify each sanctuary jurisdiction regarding its defiance of Federal immigration law enforcement and any potential violations of Federal criminal law," and "pursue all necessary legal remedies and enforcement measures to end these violations and bring such jurisdictions into compliance" with federal law.[31] The Justice Department produced its initial list of sanctuary jurisdictions in August 2025.[32] The most recent list from October 2025 identified 11 states, the District of Columbia, three counties, and 18 cities—meaning that, conservatively, about one-third of the U.S. population lives under dangerous sanctuary policies.[33] The number of Americans living under sanctuary policies may actually be much higher, however, as the Center for Immigration Studies estimates that the number of sanctuary jurisdictions is closer to 200.[34]

SANCTUARY POLICIES IN BOSTON

Massachusetts's Sanctuary Policies

Massachusetts has expanded its sanctuary laws since President Trump took office in January 2025. In August 2026, Massachusetts Governor Maura Healy signed into law the PROTECT Act, which "generally prohibits state and local law enforcement from using public resources to participate in federal civil immigration enforcement, restricts information and release-notification sharing with ICE, and bars continued detention based solely on an ICE civil detainer once an individual would otherwise be released."[35] The new law also "requires any [287(g) immigration partnership] agreement to be limited to criminal-law and expressly prohibits it from authorizing enforcement of Title 8, the federal immigration laws that 287(g) agreements are specifically designed to help enforce."[36] In other words, Massachusetts law now makes

[29] *Id.*
[30] Fact Sheet, President Donald J. Trump Ends Taxpayer Subsidization of Open Borders, WHITE HOUSE (Feb. 19, 2025), https://www.whitehouse.gov/fact-sheets/2025/02/fact-sheet-president-donald-j-trump-ends-taxpayer-subsidization-of-open-borders/.
[31] Exec. Order No. 14287, Protecting American Communities from Criminal Aliens, 90 Fed. Reg. 18761 (Apr. 28, 2025), https://www.federalregister.gov/documents/2025/05/02/2025-07789/protecting-american-communities-from-criminal-aliens?.
[32] Press Release, Justice Department Publishes List of Sanctuary Jurisdictions, U.S. DEP'T OF JUSTICE (Aug. 5, 2025), https://www.justice.gov/opa/pr/justice-department-publishes-list-sanctuary-jurisdictions.
[33] U.S. Sanctuary Jurisdiction List Following Executive Order 14287: Protecting American Communities From Criminal Aliens, U.S. Dep't of Justice, https://www.justice.gov/ag/us-sanctuary-jurisdiction-list-following-executive-order-14287-protecting-american-communities (last accessed Oct. 6, 2026).
[34] *See* Vaughan, *supra* note 12.
[35] Chris Pierce, *Massachusetts Codifies Bad Sanctuary Policies*, FAIR (Sept. 3, 2026), https://www.fairus.org/legislation/state-and-local/massachusetts-codifies-bad-sanctuary-policies.
[36] *Id.*

cooperation with ICE virtually impossible across the state. The new sanctuary measure expands upon existing restrictions. Massachusetts's highest state court held in 2017 that "Massachusetts law provides no authority for Massachusetts court officers to arrest and hold an individual solely on the basis of a Federal civil immigration detainer, beyond the time that the individual would otherwise be entitled to be released from State custody."[37]

Even prior to the expansive new sanctuary legislation, Massachusetts sheriff's departments willing "to cooperate with ICE [said] their hands [were] tied."[38] In one instance, a judge for the Massachusetts State District Court allowed an illegal alien to use a back exit in her courtroom to evade ICE custody.[39]

Because of Massachusetts's sanctuary policies, dangerous and violent offenders—including child abusers, armed robbers, and drug traffickers—have been bailed out and released back into Massachusetts society, free to reoffend with little to no consequences.[40] Criminal aliens know that they can operate with impunity in Massachusetts. On October 21, 2026, federal officials charged six Massachusetts residents with "conspiracy to harbor illegal aliens; harboring illegal aliens; conspiracy to commit marriage fraud; and marriage fraud."[41] The ringleader of the fraud enterprise, Jennifer Gonzalez, "ran a business in which illegal aliens paid her to arrange sham marriages for them so that they could fraudulently obtain immigration status."[42] In video and audio recordings between Gonzalez and a witness, Gonzalez took comfort in Massachusetts's status as a sanctuary state, saying, "I believe that you you [*sic*] can okay, because this state is a sanctuary, like Trump doesn't like this state because the government from here, the state defends us very much."[43] Gonzalez also promised the witness that "[y]ou get health insurance" and "get a lot of help as an immigrant here."[44]

Boston's Sanctuary Policies

Boston has passed and implemented ordinances limiting local cooperation with federal immigration enforcement.[45] This policy, known as the Trust Act, was signed into law by former

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[37] Lunn v. Commonwealth, 477 Mass. 517, 537, 78 N.E.3d 1143, 1160 (2017); Press Release, Statement of Att'y Gen. Maura Healey on SJC Decision Regarding ICE Detainer Requests, Off. of Mass. Att'y Gen. (July 24, 2017), https://www.mass.gov/news/statement-of-attorney-general-maura-healey-on-sjc-decision-regarding-ice-detainer-requests.

[38] Louisa Moller, *Is Massachusetts releasing immigrants charged with violent crimes, as Trump "border czar" claims?*, CBS NEWS (Mar. 24, 2025, 10:07 AM), https://www.cbsnews.com/boston/news/massachusetts-immigrants-charged-violent-crimes/.

[39] Press Release, DHS Issues Statement Condemning Judge Who Allowed Illegal Alien to Escape ICE in Her Courtroom, U.S. Dep't of Homeland Sec. (Sept. 14, 2026), https://www.dhs.gov/news/2026/09/14/dhs-issues-statement-condemning-judge-who-allowed-illegal-alien-escape-ice-her.

[40] Moller, *supra* note 38.

[41] Press Release, Six Charged in Large Scale Marriage Fraud Ring, U.S. Dep't of Justice (Oct. 21, 2026), https://www.justice.gov/usao-ma/pr/six-charged-large-scale-marriage-fraud-ring.

[42] *Id.*

[43] *Id.*

[44] *Id.*

[45] Phil Tenser, *Is Massachusetts a sanctuary state? Is Boston a sanctuary city?*, ABC WCVB5 (Jan. 28, 2025, 11:44 AM), https://www.wcvb.com/article/sanctuary-state-massachusetts-boston/63588124.

Mayor Marty Walsh and the Boston City Council in 2014.[46] The Trust Act "prohibits local police from working with ICE on civil immigration enforcement efforts."[47] The Boston Police Department (BPD) is "prohibited from asking people about their immigration status, sharing information with ICE, making arrests or holding someone based on ICE administrative warrants if there is no other criminal charge, transferring anyone to ICE custody[,] or otherwise 'performing the functions of an immigration officer.'"[48] The Trust Act also prohibits BPD from notifying ICE about an alien's release from BPD custody.[49]

Because of Boston's sanctuary status, BPD only honors detainer requests and will transfer an individual to immigration authorities if ICE has a judicial warrant, issued by a judicial officer, for the individual in question.[50] These requirements are impossible in the vast majority of cases. In testimony to the Immigration Subcommittee in May 2026, former Virginia Attorney General Jason Miyares explained the impossibility of obtaining a judicial warrant for most criminal aliens:

> Q: Well, is a federal judicial warrant possible to obtain in a state crime?
>
> A: No, it's not, and they know this.
>
> Q: And if deportation is a civil matter, how does one get a federal judicial warrant?
>
> A: You can't. Again, they know this.
>
> Q: So, they're basically lying to the public? They are counting on the public not understanding that what they are asking for is legally impossible?
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> A: It's legally impossible, yes, Mr. Chair.[51]

Boston Mayor Michelle Wu has openly defended the city's pro-illegal alien policies, stating that Boston is "not participating in the federal government's [immigration enforcement]

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[46] *Id.*; Tréa Lavery, *Boston's Trust Act: What it is and how it works*, MASS LIVE (Mar. 5, 2025, 5:30 AM), https://www.masslive.com/news/2025/03/bostons-trust-act-what-it-is-and-how-it-works.html; Boston Police Academy, Boston Trust Act City Ordinance Amendments (Mar. 12, 2020) (on file with Comm.).
[47] Lavery, *supra* note 46.
[48] *Id.*; *see* Boston Police Academy, Boston Trust Act City Ordinance Amendments (Mar. 12, 2020) (on file with Comm.).
[49] *See* City of Boston Municipal Code § 11-1.9.
[50] *Id.*
[51] *See Fairfax Cnty., Va.: The Dangerous Consequences of Sanctuary Policies: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf't of the H. Comm. on the Judiciary*, 119th Cong. (May 14, 2026) (testimony of former Va. Att'y Gen. Jason Miyares).

actions."[52] Last year, Mayor Wu baselessly compared ICE agents to neo-Nazis.[53] The Department of Homeland Security has reported that ICE officials face a more than 1,600 percent increase in assaults against them during the course of their duties.[54] This dangerous rhetoric and Boston's sanctuary policies intentionally prevent ICE from performing its lawful immigration enforcement duties in the city of Boston, which ultimately exposes Boston to more crime and lawlessness.[55]

In September 2025, the Justice Department sued the city of Boston, Mayor Wu, and BPD, claiming that the Trust Act violates the Constitution because the act "obstruct[s] the Federal Government from enforcing immigration laws."[56] While some elected officials in Massachusetts claim the Trust Act improves public safety,[57] surveys suggest that Bostonians feel unsafe in their own city.[58] A survey released in early October 2026 by the Downtown Boston Neighborhood Association "show[ed] a 22-percent increase in residents who feel unsafe downtown and on Boston Common, from 34 percent [in 2025] to 56 percent [in 2026]."[59] Ninety percent of survey respondents rated Boston public safety as an "urgent issue,"[60] with residents and business owners calling on more visible police patrols to counteract crime.[61]

As Boston residents feel unsafe in their own city, state and local sanctuary laws force law enforcement officers to release dangerous criminals back onto Boston streets where they are free to reoffend. Even worse, the Boston City Council has voted to keep the full detainer-related information, including the criminal histories of the aliens for whom the detainers were placed, hidden from the public.[62]

According to ICE, in 2025 alone, Boston policies forced BPD to not honor 167 detainers for aliens whose criminal histories included indecent assault and battery on a person 14 years or older, assault and battery on a family member, strangulation, felony assault, aggravated assault

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[52] Tenser, *supra* note 45.
[53] Press Release, DHS Calls on Sanctuary Politicians to Stop Violent Rhetoric Against ICE as Assaults Increase by More Than 1,600%, U.S. Dep't of Homeland Sec. (Sept. 24, 2026), https://www.dhs.gov/news/2026/09/24/dhs-calls-sanctuary-politicians-stop-violent-rhetoric-against-ice-assaults-increase.
[54] *Id.*
[55] *Id.*
[56] Asher Klein, *Justice Dept. sues Boston over 'sanctuary city' law; Wu says, 'We will not yield'*, NBC BOSTON (Sept. 5, 2025, 1:06 AM), https://www.nbcboston.com/news/local/boston-justice-department-sanctuary-city-lawsuit/3802952/.
[57] *See, e.g.*, Lavery, *supra* note 46 (noting that in December 2024 the Boston City Council reaffirmed its support for the Trust Act, stating that the law has "enhanc[ed] public safety and community trust" because "immigrants can engage with local law enforcement without fear of deportation").
[58] Gayla Cawley, *More than half of residents feel unsafe in downtown Boston amid crime spike, study shows*, BOSTON HERALD (Oct. 4, 2026, 5:45 AM), https://www.bostonherald.com/2026/10/04/more-than-half-of-residents-feel-unsafe-in-downtown-boston-amid-crime-spike-study-shows/.
[59] *Id.*
[60] *Id.*
[61] Diane Adame, *Downtown Boston business owners seek more police presence after survey finds people feel unsafe*, GBH NEWS (Oct. 5, 2026), https://www.wgbh.org/news/local/2026-10-05/downtown-boston-business-owners-seek-more-police-presence-after-survey-finds-people-feel-unsafe.
[62] Gayla Cawley, *ICE hits back at Boston, says police ignored 167 detainer requests in 2025, not 57*, BOSTON HERALD (Mar. 3, 2026, 10:31 AM), https://www.police1.com/federal-law-enforcement/ice-hits-back-at-boston-says-police-ignored-167-detainer-requests-in-2025-not-57.

with a weapon, and cruelty toward a child.[63] However, BPD claimed the number of declined detainers was only 57.[64] BPD has not released information about the number of detainers declined in 2026, but data provided to the Committee and Subcommittee reveal that in 2026 alone, BPD has received 54 detainers and has not honored even one.[65] Since 2021, BPD has not transferred a single foreign national criminal to ICE custody based off an ICE detainer.[66]

The data also reveal that because of Boston's sanctuary policies, the city has attracted and harbored dangerous illegal aliens from Colombia, Haiti, the Dominican Republic, Brazil, Mexico, Ecuador, China, Morocco, and Venezuela.[67] The aliens for whom the detainers were placed included numerous foreign nationals with final removal orders and previous criminal history, including criminal convictions.[68]

Like their BPD counterparts, for years the Suffolk County Sheriff's Department (SCSD), the county sheriff's department that includes Boston, has not complied with ICE detainers, with the office making clear that "[i]n no instance does [SCSD] hold anyone longer than their sentence prescribes, or past the time that it takes for them to post bail, based on the existence of a detainer."[69] In 2019, SCSD also "ended its contract to hold ICE detainees."[70] Nonetheless, SCSD has maintained at least some limited communication with ICE about foreign nationals in its custody.[71]

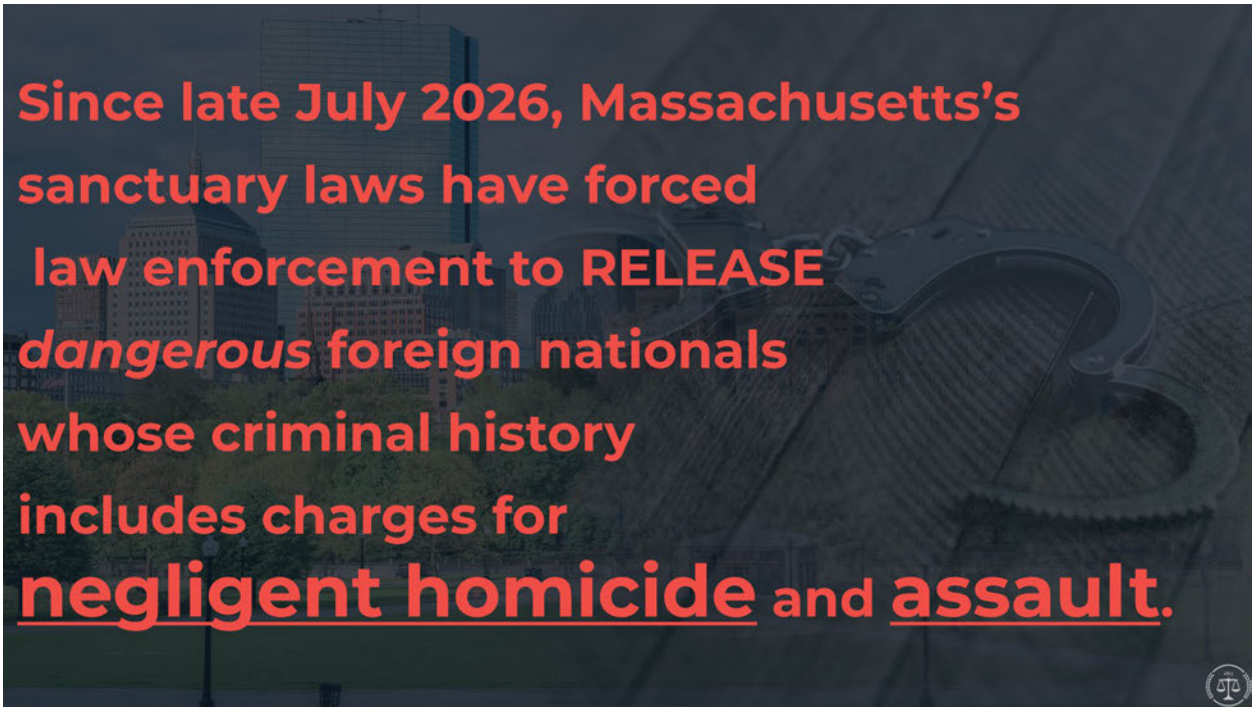
SCSD's pro-illegal alien policies, in line with Boston's and Massachusetts's sanctuary laws, mean that dangerous criminals are released from SCSD's custody and free to reoffend. In the past two years alone, ICE has arrested multiple criminal aliens that SCSD released back into Boston communities instead of honoring ICE detainers, including an illegal alien from El Salvador charged with "indecent assault and battery on a child under 14";[72] an illegal alien from

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[63] *Id.*
[64] *Id.*
[65] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Oct. 22, 2026) (on file with Comm.).
[66] *See id.*; BPD Detainer Reports, 2021 through 2024 (on file with Comm.); Letter from Off. of the Boston Police Commissioner to Alex Geourntas, City of Boston City Clerk (Jan. 12, 2026), https://boston.legistar.com/View.ashx?M=F&ID=15145718&GUID=E70ECE2D-B50C-41E8-B383-6A9C063182EC (reporting that BPD transferred zero individuals to ICE custody based off an immigration detainer).
[67] Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Oct. 22, 2026) (on file with Comm.).
[68] *See id.*
[69] Eve Zuckoff, *'To Boston Police Dept. From: ICE:' Late-night faxes pressing BPD to turn people over*, WBUR (Apr. 30, 2026), https://www.wbur.org/news/2026/04/30/boston-police-ice-detainers-fax-immigration. A Massachusetts Supreme Judicial Court decision forbids law enforcement from honoring ICE detainers. *See Lunn v. Commonwealth*, 477 Mass. 517, 537, 78 N.E.3d 1143, 1160 (2017) ("Massachusetts law provides no authority for Massachusetts court officers to arrest and hold an individual solely on the basis of a Federal civil immigration detainer, beyond the time that the individual would otherwise be entitled to be released from State custody.")
[70] Sarah Betancourt, *Some local police, sheriff and DA offices are communicating often with ICE, records show*, GBH NEWS (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.
[71] *See id.*
[72] Bill Melugin (@BillMelugin_), X (Dec. 23, 2024, 4:37 PM), https://x.com/BillMelugin_/status/1871309102665929145; *see* Press Release, ERO Boston arrests El Salvador national facing felony charges of indecent assault and battery on a child, U.S. Immigr. and Customs Enf't (Dec. 19,

Colombia charged with "enticing a child under 16, distribution of obscene matter, and lascivious posing and exhibiting a child in the nude";[73] and an illegal alien from Guatemala "charged with two counts of indecent assault and battery on a child."[74]

State and local law enforcement in Massachusetts are routinely prevented from honoring ICE detainers for dangerous foreign national criminals. The criminal aliens for whom state and local law have prohibited Massachusetts law enforcement agencies from honoring an ICE detainer since late July 2026 include an illegal alien from Brazil with pending charges for negligent homicide and two illegal aliens charged with sex crimes.[75]



CONCLUSION

Democrats' open-borders policies and sanctuary jurisdictions have had devastating consequences for U.S. citizens. Even after the American people resoundingly rejected Democrats' pro-illegal alien policies in November 2024, Democrats across the country reinforced sanctuary policies to ensure that the millions of illegal aliens who entered the U.S. are never removed from the country. Boston is just one example of Democrats' efforts to erase

2024), https://www.ice.gov/news/releases/ero-boston-arrests-el-salvador-national-facing-felony-charges-indecent-assault-and.

[73] Press Release, ERO Boston arrests Colombian citizen charged with sex crimes against a child, U.S. Immigr. and Customs Enf't (Nov. 1, 2024), https://www.ice.gov/news/releases/ero-boston-arrests-colombian-citizen-charged-sex-crimes-against-child.

[74] Press Release, ICE Boston arrests illegal Guatemalan alien charged with sex crimes against Massachusetts minor, U.S. Immigr. and Customs Enf't (Mar. 18, 2025), https://www.ice.gov/news/releases/ice-boston-arrests-illegal-guatemalan-alien-charged-sex-crimes-against-massachusetts.

[75] *See* Info. provided to H. Comm. on the Judiciary by U.S. Immigr. and Customs Enf't (Oct. 27, 2026) (on file with Comm.).

national borders and undermine immigration enforcement. Meanwhile, President Trump and House and Senate Republicans continue to work on commonsense solutions to secure the border, enforce federal immigration law, and protect American communities.

On March 5, 2026, the Committee favorably reported H.R. 7640, the Shut Down Sanctuary Policies Act. The Shut Down Sanctuary Policies Act protects American communities by prohibiting state and local laws and policies that restrict cooperation with federal immigration officials. The bill also would defend cooperative jurisdictions from frivolous lawsuits from sanctuary officials, allow jurisdictions to receive federal funding if they do not thwart federal law, and give much-needed relief to victims of sanctuary policies. The Committee will continue its oversight into sanctuary jurisdictions that prioritize the comfort of illegal alien criminals over the safety of U.S. citizens.