

FAQ:

INTERACTIONS WITH FEDERAL IMMIGRATION ENFORCEMENT AGENTS

In response to the recent escalation of U.S. Immigration and Customs Enforcement (ICE) activity and residents' questions, the Massachusetts Attorney General's office issued a "[Know Your Rights](#)" Guide for Immigrants, Families and Communities. In accordance with the AG's office, the Town of Lincoln is publishing this FAQ for the Lincoln Community.

The Role of Town Government

The Role of Bystanders

1 **Q. What is the Town's position on ICE activity?**

A. The Town of Lincoln supports the [Attorney General's guidelines](#), including efforts to educate and inform residents and to support their rights. The community has demonstrated its commitment to respect for human dignity, the rule of law, and due process.

2 **Q. What is the role of Lincoln Police?**

A. In the 2017 Lunn decision, the Massachusetts Supreme Judicial Court determined that Massachusetts police officers cannot legally hold someone solely because ICE has issued a civil detainer – a tool used by ICE when it wants to deport people. According to the ACLU, "most detainers are not supported by probable cause" (<https://www.aclum.org/en/what-are-ice-detainers>).

Lincoln police have no obligation to assist ICE agents and will not voluntarily assist unless agents are enforcing a criminal arrest warrant (signed by a judge), or if their presence is required to support public safety.

Lincoln police are trained in de-escalation tactics and are dedicated to supporting public safety and protecting citizens' rights.

3 **Q. If I see ICE arresting/detaining someone, what are my rights as a bystander?**

A. Maintain a reasonable distance from the encounter. **Anyone alleged to have obstructed, impeded, or assaulted an ICE agent may be criminally prosecuted.**

You have the Constitutional right to observe ICE agents and to take notes and/or video record the encounter from a reasonable distance.

If you're questioned by ICE agents, you have the right to remain silent. You are not required to answer questions about your own immigration status or the status of another person.

You have the right to refuse ICE agents entry to your home without a judicial warrant (an arrest warrant signed by a judge). See an example at <https://www.nilc.org/wp-content/uploads/2020/09/Warrants-v-Subpoena-Slides.pdf>.

Call or text 617-370-5023 the multi-lingual Immigrant Justice Network LUCE Defense hotline. Their trained volunteers are sent out to verify ICE sightings. For more information, please see <https://lucemass.org>.

The Role of Bystanders

4

Q. How can I assist if someone is being arrested/detained by ICE?

A. You may ask the ICE agent questions such as: Is this person being detained? Are they under arrest? What is the reason? Do you have a judicial warrant? Can I see it? Where are you taking them? What agency do you work for? What are your names and badge numbers? How can the person's family or lawyer contact you?

You may ask the detainee questions such as: Do you have an immigration lawyer I can call for you? Is there a family member you would like me to call?

5

Q. How can I help someone with uncertain immigration status?

A. Share with them this planning guide for families: <https://www.mass.gov/emergency-planning-guide-for-families>.

Share "Know Your Rights" cards (in English and Spanish, Portuguese, Creole, and many other languages). You can print these yourself for free from the Immigrant Legal Resource Center here: <https://www.ilrc.org/red-cards-tarjetas-rojas#item-4477>

6

Q. What other actions can I take to protect the civil rights of my family, my neighbors, and my friends?

A. Support the "[Safe Communities Act](#)", a bill currently in the [State House and State Senate](#) that would limit voluntary collaboration between local law enforcement and federal immigration law enforcement personnel; and [HD.5020](#), "An Act relative to ensuring emergency preparedness and responsible deployment of the Massachusetts National Guard" to ensure that the Massachusetts National Guard remains on State Active-Duty status except under clearly defined criteria.

To support these bills, please contact Representative Gentile (Precinct 1) or Representative Peisch (Precinct 2) and Senator Barrett.

See the complete text of the Attorney General's Know Your Rights guide here: <https://www.mass.gov/doc/ago-ice-guidance-05292025/download>

Lincoln Witness is a volunteer group that supports, educates, and advocates for civil and human rights. For a list of resources, information and organizations, please visit <https://lincolnwitness.org>