

**Massachusetts Immigration Coalition (IMCO) Policy Priorities for the  
Campbell Administration<sup>1</sup>**

1. U Visa Certification Authority: Issue policy guidance to state and local agencies affirming their obligations under M.G.L. ch. 258F, namely that all certifying agencies must issue a policy about U and T visa certification and respond to all requests for certification within 90 days absent exceptional circumstances. Adopt and distribute training materials from the Interagency Crime Victim Certification Steering Committee to state and local agencies to improve awareness about the U and T visa certification process. These measures create a safer local and state government by encouraging immigrant survivors to engage with law enforcement, and it protects victims of unlawful activity who would otherwise be afraid of coming forward because of their immigration status. This is consistent with the AG-elect's stated goal: "Work with state and local partners to make sure our immigrant communities can access not just the AGO, but all levels of government equally and without fear."
2. Unauthorized Practice of Immigration Law (UPIIL): Ramp up efforts to raise awareness about notario fraud and to protect vulnerable immigrants from predatory, fraudulent immigration law practices. Increase investigation efforts into notario practices and allow attorneys and other active members of the immigration community to inform the AG-elect about consistently fraudulent immigration law practices. Work in partnership with immigrant-serving organizations and legal services groups to raise awareness about the pervasive practice of notario fraud. This is consistent with the stated goals of the AG-elect: "Protect undocumented immigrants from abuse and fraud by prioritizing growing the AGO's language capacity to allow attorneys and staff to listen and address scams that are being perpetrated in languages other than English;" and "Build on existing partnerships with immigrant advocacy organizations and community organizations across the state to improve the AGO's ability to address the issues most affecting immigrants in the state."
3. Employment Authorization Documents: Issue guidance to state and local agencies explaining that certain immigrants (some TPS holders, individuals eligible for an automatic extension, etc.) are still work-authorized despite the fact that the expiration date on their Employment Authorization Document (EAD) has passed. This is consistent with the AG-elect's goal of ensuring that immigrants are not discriminated against when seeking employment.
4. Need-based Aid to Lawfully Present Students: Support efforts to create a new Board of Education/Department of Education policy extending state need-based and other

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<sup>1</sup> The Massachusetts Law Reform Institute respectfully submits this list of administrative and legislative priorities on behalf of the Massachusetts Immigration Coalition ("IMCO"), which consists of the 14 regional legal aid programs in the Commonwealth of Massachusetts and 140 other nonprofit immigration service providers, representing thousands of low-income immigrants in the state and the region.

aid without regard to federal Title IV requirements, consistent with the twin rulings in the *Commonwealth v. de Vos* and *Noerand v de Vos* decisions regarding the impropriety of imposing Title IV requirements on *federal* grants absent a statutory requirement. The attorney general-elect could issue an opinion clarifying why a similar state agency requirement is unlawful, thus paving the way for the agency to remove existing Title IV barriers on need-based aid in Massachusetts. Such a change will help thousands of low-income noncitizen youth in Massachusetts who hold TPS, DACA, U visa, and many other lawful statuses but are unable to afford college because they are denied need-based aid. This action is consistent with the AG-elect's stated goals: "Ensure that immigrant children have equal access to education regardless of their immigration status."

5. License/ID Issuance: Support agency policies and practices to ensure that license and ID issuance for immigrants will occur regardless of immigration status, consistent with the recently enacted Family and Mobility Act. With licenses and IDs becoming available to additional residents of the Commonwealth in 2023, it is particularly important that a well-implemented system prevents the Registry of Motor Vehicles from denying licenses and ID cards to eligible noncitizens, including those with lawful presence as well as the undocumented, given past problems at the agency level for decades regarding proper documentation and procedures. With respect to the undocumented, this is a stated priority of the AG-elect: "Support the provision of driver's licenses to all eligible residents of the Commonwealth, including those without documented legal status."
6. Ending Collaboration and Information-Sharing with ICE: Disentangling state government from immigration enforcement is a crucial step in restoring community trust in local institutions and a stated goal of the AG-elect: "Ensure that local law enforcement agencies are not collaborating or sharing information with ICE." We ask that AG-elect take the following steps:
  - a. Support all efforts to terminate the remaining 287(g) agreements between the Department of Homeland Security (DHS) and the Department of Corrections (DOC). Under the current 287(g) contract, deputized DOC officers are given the authority and broad discretion to perform several immigration enforcement functions typically reserved to federal ICE officers. The Massachusetts DOC is one of only four (4) departments of corrections in the country to have a statewide 287(g) contract. Support legislation to ban or limit future 287(g) contracts in Massachusetts.
  - b. Support oversight of and funding limitations on the Boston Regional Intelligence Center (BRIC), especially regarding the use and regulation of the Boston Police Department's (BPD's) gang database. The BPD's gang database continues to impact marginalized community members through racist, xenophobic, and Islamophobic policing practices, which are then used broadly in ICE enforcement actions against immigrants. As the First Circuit has found, the gang database is "an erratic point system built on unsubstantiated inferences," and that the "list of 'items and activities' that could lead to 'verification for entry into the Gang

Assessment Database' was shockingly wide-ranging." *Diaz-Ortiz v. Garland*, 23 F.1, 3 (1<sup>st</sup> Cir. 2022).

7. Supporting Immigrant Survivors of Human Trafficking: Encourage local and state agencies to provide immigrant survivors of human trafficking with access to eligible public benefits, health insurance, and victim compensation.
  - a. Encourage state and local agencies investigating human trafficking offenses to facilitate access to MassHealth Standard for eligible survivors and family members by issuing confirmation letters. Letters should confirm that the individual is a qualified noncitizen who falls within the following sub-category: "victims of severe forms of trafficking; and spouse, child, sibling, or parent of the victim, in accordance with the Victims of Trafficking and Violence Protection Act of 2000 (Pub. L. 106-386)." See 130 C.M.R. 504.003(A)(1)(a)(9).
  - b. Support prosecutorial agencies and law enforcement to assist immigrant survivors of a "severe form of trafficking" to apply for Continued Presence, a form of Deferred Action that allows eligible individuals to receive employment authorization and public benefits while the criminal investigation is ongoing.
  - c. Support state and local agencies in assisting immigrant survivors of human trafficking applying for victim compensation, and provide appropriate documentation of their eligibility in a timely manner to the Attorney General's Victim Compensation and Assistance Division.