

OFFERED BY COUNCILOR GABRIELA COLETTA ZAPATA



CITY OF BOSTON IN CITY COUNCIL

RESOLUTION IN SUPPORT OF BILL SD.3607: AN ACT PROTECTING ACCESS TO JUSTICE

- WHEREAS,** Equal access to the courts is a foundational principle of democracy and residents must be able to appear in court, seek protection, and resolve disputes without fear of civil arrest or intimidation; *and,*
- WHEREAS,** Over the past few months, there have been many reports of residents being detained by Immigration and Customs Enforcement (ICE), while entering or leaving courthouses across the City of Boston, including in East Boston, without a judicial warrant for their arrest, causing fear, separating families, and leaving communities feeling unsafe and unprotected; *and,*
- WHEREAS,** Deterring and terrifying residents from reporting crimes or seeking justice, undermines public safety and leaves entire communities vulnerable. Fear-driven barriers to the courts erode trust in public institutions and prevent survivors, witnesses, and families from accessing the protections they deserve; *and,*
- WHEREAS,** Senate Docket No. 3607, An Act Protecting Access to Justice, is an was filed on January 20, 2026 by Senator Lydia Edwards and Senator Patricia Jehlen, and is currently before the Massachusetts Legislature; *and*
- WHEREAS,** The legislation requires any local, state, or federal law-enforcement representative entering a courthouse to observe or detain an individual to self-identify, state their purpose, and provide any warrant or order for judicial review, prohibits arrests in courtrooms during proceedings, and bans face coverings that obscure identity in the courthouse, unless medically necessary; *and*
- WHEREAS,** The bill establishes that individuals attending court proceedings, whether as parties, witnesses, family, or household members, shall not be subject to civil arrest at or while traveling to or from court without a judicial warrant or order; *and*
- WHEREAS,** SD.3607 also includes public-safety exceptions for individuals convicted of specified serious violent offenses or identified through federal terrorist screening

processes; *and*

WHEREAS, The bill establishes transparency and accountability by requiring the Supreme Judicial Court to maintain copies of all warrants or orders presented, publish an annual public report, and adopt implementing rules; *and*

WHEREAS, Additionally, the legislation provides enforcement authority to the Attorney General, creates a civil cause of action for violations, and authorizes equitable relief and attorney's fees to prevailing parties; *and*

WHEREAS, Immigration and Customs Enforcement, like all law enforcement and public safety agencies, must be bound by the rule of law to ensure that community safety nets are preserved, constitutional rights are protected, and democracy itself remains a central pillar of American society; ***NOW, THEREFORE BE IT***

RESOLVED, That the Boston City Council hereby expresses its strong support for Senate Docket No. 3607, An Act Protecting Access to Justice. The Council urges the 194th General Court of the Commonwealth of Massachusetts to advance and enact this bill to safeguard access to justice, uphold due process, and protect the integrity of the Commonwealth's courts; and that a copy of this resolution be transmitted to the Chairs of the Joint Committee on Rules and the bill's sponsors.

Filed on: January 28, 2026