



General Assembly

February Session, 2026

Raised Bill No. 5439

LCO No. 2415



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING CIVIL IMMIGRATION DETAINERS FOR PERSONS WHO ARE CHARGED WITH THE COMMISSION OF A CLASS A, B OR C FELONY OR A FAMILY VIOLENCE CRIME.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-192h of the 2026 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2026*):

4 (a) For the purposes of this section:

5 (1) "Administrative warrant" means a warrant, notice to appear,
6 removal order or warrant of deportation issued by an agent of a federal
7 agency charged with the enforcement of immigration laws or the
8 security of the borders, including ICE and the United States Customs
9 and Border Protection, but does not include a warrant issued or signed
10 by a judicial officer; [.]

11 (2) "Civil immigration detainer" means a request from a federal
12 immigration authority to a local or state law enforcement agency for a
13 purpose including, but not limited to:

14 (A) Detaining an individual suspected of violating a federal
15 immigration law or who has been issued a final order of removal;

16 (B) Facilitating the (i) arrest of an individual by a federal immigration
17 authority, or (ii) transfer of an individual to the custody of a federal
18 immigration authority;

19 (C) Providing notification of the release date and time of an
20 individual in custody; and

21 (D) Notifying a law enforcement officer, through DHS Form I-247A,
22 or any other form used by the United States Department of Homeland
23 Security or any successor agency thereto, of the federal immigration
24 authority's intent to take custody of an individual;

25 (3) "Confidential information" means any information obtained and
26 maintained by a law enforcement agency relating to (A) an individual's
27 (i) sexual orientation, or (ii) status as a victim of domestic violence or
28 sexual assault, (B) whether such individual is a (i) crime witness, or (ii)
29 recipient of public assistance, or (C) an individual's income tax or other
30 financial records, including, but not limited to, Social Security numbers;

31 (4) "Federal immigration authority" means any officer, employee or
32 other person otherwise paid by or acting as an agent of ICE or any
33 division thereof or any officer, employee or other person otherwise paid
34 by or acting as an agent of the United States Department of Homeland
35 Security or any successor agency thereto who is charged with
36 enforcement of the civil provisions of the Immigration and Nationality
37 Act;

38 (5) "ICE" means United States Immigration and Customs
39 Enforcement or any successor agency thereto;

40 (6) "ICE access" means any of the following actions taken by a law
41 enforcement officer with respect to an individual who is stopped by a
42 law enforcement officer with or without the individual's consent,

43 arrested, detained or otherwise under the control of a law enforcement
44 official or agency:

45 (A) Responding to a civil immigration detainer or request for
46 notification pursuant to subparagraph (B) of this subdivision
47 concerning such individual;

48 (B) Providing notification to a federal immigration authority that
49 such individual is being or will be released at a certain date and time
50 through data sharing or otherwise;

51 (C) Providing a federal immigration authority nonpublicly available
52 information concerning such individual regarding release date or time,
53 home address or work address, whether obtained through a computer
54 database or otherwise;

55 (D) Allowing a federal immigration authority to interview such
56 individual under the control of the law enforcement agency;

57 (E) Allowing a federal immigration authority to use a facility or
58 resources in the control of a law enforcement agency to conduct
59 interviews, administrative proceedings or other immigration
60 enforcement activities concerning such individual; or

61 (F) Providing a federal immigration authority information regarding
62 dates and times of probation or parole supervision or any other
63 information related to such individual's compliance with the terms of
64 probation or parole;

65 "ICE access" does not include submission by a law enforcement
66 officer of fingerprints to the Automated Fingerprints Identification
67 system of an arrested individual or the accessing of information from
68 the National Crime Information Center by a law enforcement officer
69 concerning an arrested individual;

70 (7) "Judicial officer" means any judge of the state or federal judicial
71 branches and any federal magistrate judge. "Judicial officer" does not

72 mean an immigration judge;

73 (8) "Law enforcement agency" means any agency for which a law
74 enforcement officer is an employee of or otherwise paid by or acting as
75 an agent of;

76 (9) "Law enforcement officer" means:

77 (A) Each officer, employee or other person otherwise paid by or
78 acting as an agent of the Department of Correction;

79 (B) Each officer, employee or other person otherwise paid by or acting
80 as an agent of a municipal police department;

81 (C) Each officer, employee or other person otherwise paid by or
82 acting as an agent of the Division of State Police within the Department
83 of Emergency Services and Public Protection;

84 (D) Each judicial marshal, state marshal and adult or juvenile
85 probation officer;

86 (E) Each state's attorney, assistant state's attorney, supervising state's
87 attorney, special deputy assistant state's attorney and each officer,
88 employee or other person otherwise paid by or acting as an agent of the
89 Division of Criminal Justice; and

90 (F) Each officer, employee or other person otherwise paid by or acting
91 as an agent of the Board of Pardons and Paroles;

92 (10) "Bail commissioner or intake, assessment or referral specialist"
93 means an employee of the Judicial Branch whose duties are described in
94 section 54-63d; and

95 (11) "School police or security department" means any police or
96 security department of (A) the constituent units of the state system of
97 higher education, as defined in section 10a-1, (B) a public school, or (C)
98 a local or regional school district.

99 (b) (1) No law enforcement officer, bail commissioner or intake,
100 assessment or referral specialist, or employee of a school police or
101 security department shall:

102 (A) [Arrest] Except as provided in subdivision (2) of this subsection,
103 arrest or detain an individual pursuant to a civil immigration detainer;
104 [unless (i) the detainer is accompanied by a warrant issued or signed by
105 a judicial officer, (ii) the individual has been convicted of (I) a violation
106 of section 53-21, 53a-56a, 53a-64aa, 53a-71, 53a-72a, 53a-72b, 53a-90a,
107 53a-102a, 53a-196e, 53a-196f, 53a-196i, 53a-222 or 53a-223, or (II) any
108 class A or B felony offense, or (iii) the individual is identified as a
109 possible match in the federal Terrorist Screening Database or similar
110 database;]

111 (B) Expend or use time, money, facilities, property, equipment,
112 personnel or other resources to communicate with a federal
113 immigration authority regarding the custody status or release of an
114 individual targeted by a civil immigration detainer, except in a case
115 where the individual has been charged, after a finding of probable
116 cause, with a class A, B or C felony offense or a family violence crime
117 pursuant to section 46b-38h, or as provided in subsection (e) of this
118 section;

119 (C) Arrest or detain an individual based on an administrative
120 warrant, unless such individual has been charged, after a finding of
121 probable cause, with a class A, B or C felony offense or a family violence
122 crime pursuant to section 46b-38h;

123 (D) Give a federal immigration authority access to interview an
124 individual who is in the custody of a law enforcement agency unless the
125 individual (i) has been [convicted of (I) a violation of section 53-21, 53a-
126 56a, 53a-64aa, 53a-71, 53a-72a, 53a-72b, 53a-90a, 53a-102a, 53a-196e, 53a-
127 196f, 53a-196i, 53a-222 or 53a-223, or (II) any class A or B felony offense]
128 charged with, after a finding of probable cause, a class A, B or C felony
129 offense or a family violence crime pursuant to section 46b-38h, (ii) is

130 identified as a possible match in the federal Terrorist Screening
131 Database or similar database, or (iii) is the subject of a court order issued
132 under 8 USC 1225(d)(4)(B); or

133 (E) Perform any function of a federal immigration authority, whether
134 pursuant to 8 USC 1357(g) or any other law, regulation, agreement,
135 contract or policy, whether formal or informal.

136 (2) A law enforcement officer or bail commissioner may detain, for a
137 period not to exceed forty-eight hours, an individual pursuant to a civil
138 immigration detainer if:

139 (A) The detainer is accompanied by a warrant issued or signed by a
140 judicial officer;

141 (B) The individual has been charged, after a finding of probable
142 cause, with a class A, B or C felony offense or a family violence crime
143 pursuant to section 46b-38h; or

144 (C) The individual is identified as a possible match in the federal
145 Terrorist Screening Database or similar database.

146 (3) The provisions of this subsection shall not prohibit submission by
147 a law enforcement officer of fingerprints to the Automated Fingerprints
148 Identification system of an arrested individual or the accessing of
149 information from the National Crime Information Center by a law
150 enforcement officer concerning an arrested individual.

151 (c) Prior to responding to a request for notification of the release date
152 and time from custody of a law enforcement agency of an individual
153 suspected of violating a federal immigration law or who has been issued
154 a final order of removal, the law enforcement officer shall forward the
155 request to the head of the law enforcement agency for review.

156 (d) Any confidential information of an individual who comes into
157 contact with a law enforcement officer may be disclosed to a federal
158 immigration authority only if such disclosure is:

159 (1) Authorized in writing by the individual to whom the information
160 pertains, or by the parent or guardian of such individual if the
161 individual is a minor or not legally competent to consent to such
162 disclosure;

163 (2) Necessary in furtherance of a criminal investigation of terrorism;
164 or

165 (3) Otherwise required by law.

166 (e) (1) Upon receiving a civil immigration detainer, a law enforcement
167 agency shall provide a copy of the detainer to the affected individual
168 who is the subject of the detainer and inform the individual whether the
169 law enforcement agency intends to comply with the detainer. If a law
170 enforcement agency provides ICE with notification that an individual is
171 being, or will be released on a certain date, the law enforcement agency
172 shall promptly provide to the individual and to the individual's attorney
173 or shall make a good faith effort to contact one other individual who the
174 individual may designate, a copy of such notification as well as the
175 reason, in writing, that such law enforcement agency is complying with
176 the detainer.

177 (2) All records relating to ICE access maintained by law enforcement
178 agencies shall be deemed public records under the Freedom of
179 Information Act, as defined in section 1-200. Records relating to ICE
180 access include, but are not limited to, data maintained by the law
181 enforcement agency regarding the number and demographic data of
182 individuals to whom the agency has provided ICE access, the date ICE
183 access was provided to an individual, the type of ICE access provided
184 to an individual, the amount of resources expended on providing ICE
185 access and any communication between the law enforcement agency
186 and any federal immigration authority. No provision of this section
187 shall be construed to require disclosure of any record exempt from
188 disclosure under section 1-210 or 1-215.

189 (3) Beginning January 1, 2020, the legislative body of any

190 municipality with a law enforcement agency that has provided ICE
191 access to an individual during the prior six months shall provide to the
192 Office of Policy and Management, on an ongoing basis every six months,
193 data regarding the number and demographic data of individuals to
194 whom the law enforcement agency has provided ICE access, the date
195 ICE access was provided to an individual and whether the ICE access
196 was provided as part of compliance with a civil immigration detainer or
197 through other means. Data may be provided in the form of statistics or,
198 if statistics are not maintained, as individual records, provided
199 personally identifiable information is redacted.

200 (f) The Office of Policy and Management shall ensure that the
201 requirements of this section are disseminated to, and appropriate
202 training is provided for, all affected law enforcement agencies and
203 school police or security departments and employees and agents of such
204 law enforcement agencies and school police or security departments.
205 Such training may entail how law enforcement officers and other
206 officials performing similar duties will adhere to the provisions of this
207 section and how they will interact with crime victims, criminal suspects
208 and individuals cooperating with law enforcement officers.

209 (g) No provision of this section shall be construed to provide, expand
210 or ratify the legal authority of any law enforcement agency to detain an
211 individual based on a civil immigration detainer request, except in a
212 case where the individual has been charged, after a finding of probable
213 cause, with a class A, B or C felony offense or a family violence crime
214 pursuant to section 46b-38h.

215 (h) A municipality may be subject to an action by any aggrieved
216 person for injunctive or declaratory relief, including a determination of
217 past violations, if an officer, employee or other person otherwise paid
218 by or acting as an agent of such municipality's police department or of
219 any school police or security department described in subparagraph (B)
220 or (C) of subdivision (11) of subsection (a) of this section for the school
221 district of such municipality violates any provision of this section. Such

222 action may be brought in the superior court for the judicial district in
223 which the municipality is located. If an aggrieved person prevails in an
224 action under this subsection and an order of injunctive relief is issued,
225 such aggrieved person may be entitled to recover court costs and
226 reasonable attorney's fees associated only with an action or that portion
227 of an action concerning a request and order for injunctive relief. An
228 action under this subsection shall be privileged with respect to
229 assignment for trial.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	54-192h

Statement of Purpose:

To permit law enforcement to detain for a limited period a person charged, after a finding of probable cause, with a class A, B or C felony or a family violence crime for purposes of a civil immigration detainer.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]