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August 6, 2026

David Wesling
Boston Acting Field Office Director
U.S. Immigration and Customs Enforcement
Enforcement and Removal Operations
Boston Field Office
1000 District Avenue
Burlington, MA 01803

Dear Acting Director Wesling:

Since assuming office, the Trump administration has deployed Immigration and Customs Enforcement (“ICE”) to wage a campaign against the safety, health, rights, and dignity of Massachusetts residents. I previously wrote to ICE demanding transparency into the bleak conditions at ICE’s field office in Burlington and aggressive enforcement activities across the Commonwealth. ICE’s response to my inquiries yielded some answers, but also engendered further questions related to the Burlington field office’s operation, and ICE’s excessive use of force and arrest practices. I am writing again to request more information on these topics and others related to ICE’s activities in the Commonwealth.

On December 17, 2025, I wrote to you after inspecting the Burlington field office to demand answers about inadequate detention conditions and ICE’s arrest dragnet.¹ The next month, I followed up again after failing to obtain a response and after numerous reports that the field office had received a large shipment of unmarked vehicles.² I finally received a response from ICE to some of my questions,³ and I am following up to demand more complete answers. ICE’s response confirmed my concerns that it holds individuals at its Burlington field office in inhumane conditions, such as severe overcrowding and prolonged detention, and fails to provide detainees adequate access to medical care, legal counsel, and interpretation services. The

¹ Letter from Senator Edward J. Markey to David Wesling, U.S. Immigration and Customs Enforcement Boston Acting Field Office Director (Dec. 17, 2025), https://www.markey.senate.gov/imo/media/doc/letter_to_wesling_re_burlington_ice_visit.pdf.

² Letter from Senator Edward J. Markey to David Wesling, U.S. Immigration and Customs Enforcement Boston Acting Field Office Director (Jan. 30, 2026), https://www.markey.senate.gov/imo/media/doc/markey_letter_to_wesling_on_burlington_field_office_conditions.pdf.

³ Letter from John Cooper, U.S. Immigration and Customs Enforcement Office of Congressional Relations Assistant Director, to Senator Edward J. Markey (May 6, 2026), https://www.markey.senate.gov/imo/media/doc/ice_response_to_markey_5626.pdf.

agency's response also lacked critical information about its cruel enforcement campaign, which has targeted nonviolent individuals and minors, taken place in sensitive locations, and entailed excessive use of force.

The agency's response effectively acknowledged severe overcrowding at the Burlington field office and conceded violations of its own prolonged-detention policies. ICE failed to provide the total number of individuals processed at the field office or the peak number detained since early 2025. The limited data it did share for one week in January 2026—304 detainees between January 19 and 25—plainly demonstrates severe overcrowding. During my December 2025 inspection, I observed that the field office's four holding cells have a combined capacity of 140 people, meaning the field office held more than twice its capacity that single week. This overcrowding, spurred by ICE's overenforcement, has also caused long processing delays. The agency further admitted to violating its own detention-length policy by holding 412 people for more than 72 hours.⁴ ICE must fully disclose the remaining requested information to account for the full extent of its policy violations. But its own admissions thus far make unmistakably clear that conditions at the facility match what immigrant detainees and advocates have been sounding the alarm about for months.

Moreover, ICE's limited response regarding detainees' access to medical care is especially troubling given recent reporting. ICE stated that its personnel are responsible for responding to medical emergencies, yet a woman detained in Burlington at 24 weeks pregnant reported enduring abdominal pains for three days before being properly treated.⁵ The woman banged on the cell door requesting help before eventually being rushed to the hospital, where her symptoms included unbearable abdominal pain, nausea, vomiting, and decreased fetal movement. In its response, ICE also claimed that personnel conduct routine health inquiries and provide detainees with access to prescribed medications but omitted details of what these inquiries entail or how detainees can access their medication. Transparency is essential given that at least 20 people have died in ICE custody since the beginning of 2026,⁶ and more than 50 have died in ICE custody since the start of the second Trump administration.⁷ Reporting attributes many of these deaths to insufficient access to medical care.⁸ Emmanuel Damas, a Dorchester-

⁴ Memorandum from Monica S. Burke et al., Nationwide Hold Room Waiver, U.S. Immigr. & Customs Enf't. (June 24, 2025), <https://immpolicytracking.org/policies/ice-waives-the-12-hour-holding-cell-limit-allowing-detainees-to-be-held-for-72-hours/#/tab-policy-documents>.

⁵ Giulia McDonnell Nieto del Rio, *At 24 weeks pregnant, a Mass. woman was arrested by ICE. Days later, she was rushed to the hospital*, Boston Globe (Feb. 19, 2026), <https://www.bostonglobe.com/2026/02/19/metro/pregnant-woman-detained-ice>.

⁶ Detainee Death Reporting, U.S. Immigr. & Customs Enf't., <https://www.ice.gov/detain/detainee-death-reporting> (last visited July 30, 2026).

⁷ Sanjana Karanth, *ICE Marks Horrific Milestone With Record 50 Deaths In Custody Under Trump*, HuffPost (June 9, 2026), https://www.huffpost.com/entry/latest-news-live-updates_n_6a268329e4b0a2296d1b65dc/liveblog_6a285da1e4b0a8fe2cc84884.

⁸ Maanvi Singh et al., *2025 was ICE's deadliest year in two decades. Here are the 32 people who died in custody*, The Guardian (Jan. 4, 2026), <https://www.theguardian.com/us-news/ng-interactive/2026/jan/04/ice-2025-deaths-timeline>.

based Haitian asylum-seeker, died in custody after ICE failed to treat his toothache.⁹ National reporting has also uncovered an alarming rise in suicides among individuals held by ICE,¹⁰ suggesting inadequate mental health care screenings and treatment. Despite these outcomes, ICE insists that its personnel refer detainees to medical professionals “as appropriate,” but this assurance rings hollow given that ICE has stopped paying the contractors who provide this medical treatment.¹¹ By refusing to maintain a functional medical system inside its facilities, ICE is placing detainees’ health and lives at risk.

ICE’s response also reinforces accounts that individuals held in field offices lack proper access to interpretative services, legal counsel, and support systems. Although ICE indicated that it makes interpretative services available to individuals who need them, advocates report that requests may go unmet.¹² Communication barriers are also concerning because ICE does not offer a method for legal counsel, loved ones, and other advocates to confirm whether an individual is being held at the field office, given that its Online Detainee Locator System only covers long-term detention facilities. Even when lawyers or family members know an individual is at the field office, communication is not guaranteed. Although ICE claims to give detainees a list of pro bono legal listings during processing with their charging documents, the field office does not allow visits with legal professionals until after transfer to a long-term detention facility. Family and clergy visits are also only permitted on a case-by-case basis. ICE must change its policies so individuals subjected to the field office’s substandard conditions can seek outside support.

I also remain deeply alarmed by ICE’s enforcement campaign across the Commonwealth. The Trump administration has repeatedly claimed that it is targeting the “worst of the worst” for immigration enforcement,¹³ but ICE’s response belies that claim for individuals processed at the Burlington field office. ICE claimed that a “statistical reporting hold” blocked it from identifying the number of individuals processed at the field office in 2025 who committed violent crimes. Meanwhile, public reporting indicates that only 2% of individuals arrested during an

⁹ Letter from Senators Edward J. Markey and Elizabeth Warren and Representative Ayanna Pressley to Kristi Noem and Todd M. Lyons (Mar. 5, 2026), <https://www.markey.senate.gov/news/press-releases/markey-warren-pressley-slam-trump-admin-for-deaths-of-emmanuel-damas-other-detained-immigrants-in-ice-custody-demand-ice-provide-proper-medical-treatment-to-detainees>.

¹⁰ Ryan J. Foley et al., *ICE detainees are dying by suicide at an ‘alarming’ rate, an AP investigation finds*, Associated Press (May 27, 2026), <https://apnews.com/article/ice-suicide-deaths-detention-custody-d902169055292dfd27f5079e609e86ad>.

¹¹ Judd Legum, *ICE Has Stopped Paying Contractors for Detainee Medical Treatment*, Mother Jones (Jan. 20, 2026), <https://www.motherjones.com/politics/2026/01/ice-detainees-medical-treatment-denied-payments-contractors-va/>.

¹² See, e.g., Joe Charpentier, *ICE detainees from Maine being held under ‘inhumane’ conditions in Mass. facility, attorneys say*, Sun Journal (Feb. 7, 2026), <https://www.sunjournal.com/2026/02/07/ice-detainees-from-maine-being-held-under-inhumane-conditions-at-mass-facility-attorneys-say/>.

¹³ Melissa Goldin, *Trump says he wants to deport ‘the worst of the worst.’ Government data tells another story*, Associated Press (July 12, 2025), <https://apnews.com/article/fact-check-trump-immigration-crime-ice-criminal-dangerous-violent-99557d9d68642004193a9f4b7668162e>.

enforcement surge in Massachusetts in September 2025 had violent convictions.¹⁴ And the data ICE provided for 2026 arrests appears misleading, as ICE noted that it deems illegal entry sufficient grounds for arrest and that an individual need not commit any additional crimes—violent or not—to be subject to removal. Moreover, ICE’s response suggests that out of all the individuals it arrested with criminal convictions, a mere 15 percent were convicted of an offense ICE labeled as “serious.” It is imperative that ICE admit the extent of the Trump administration’s falsehoods by turning over the rest of the requested arrest data.

In my previous letters, I asked about ICE’s policies regarding arrests of minors and enforcement activity at sensitive locations. In its response, ICE admitted to arresting 179 minors in Massachusetts in early 2026—an incredibly high figure—and failed to disclose figures for 2025. ICE also reported that at least six enforcement actions in New England were located near a courthouse or school—an improbably low estimate in light of ICE’s escalating arrests at sensitive locations such as courthouses.¹⁵ ICE also stressed that arrests at sensitive locations are made on a case-by-case basis, but failed to provide much information about how these determinations are made. ICE’s increasing arrests of minors and its continued operations in sensitive locations underscore the urgent need for continued ICE oversight.

ICE’s written response stated that the agency strictly prohibits the use of excessive force by ICE employees. Yet a lawsuit alleges that ICE agents operating in Massachusetts choked a man, restricting his blood flow and caused him to lose consciousness and experience seizure-like involuntary movements.¹⁶ Another lawsuit alleges that ICE agents in Massachusetts forcibly dragged a different man out of his car and slammed him to the ground.¹⁷ Since my earlier letters, ICE has only escalated its use of excessive force and inappropriate tactics in New England. For instance, in early July, an ICE agent shot and killed Mr. Johan Sebastian Guerrero in Biddeford, Maine, the second fatal shooting by ICE nationwide in less than a week.¹⁸ This killing reflects a disturbing pattern: warrantless, aggressive, and indiscriminate ICE enforcement operations ending in the loss of life. Given the Burlington Field Office’s direct jurisdiction over enforcement operations in New England, I wrote to you to demand a full, transparent, and independent accounting of the killing.

ICE’s excessive use of force is even more concerning given the agency’s unprecedentedly swift hiring spree and its failures to properly discipline officers who engage in

¹⁴ Albert Sun, *Most Immigrants Arrested in City Crackdowns Have No Criminal Record*, N.Y. Times (Dec. 4, 2025), <https://www.nytimes.com/interactive/2025/12/04/us/ice-arrests-criminal-records-data.html>.

¹⁵ See, e.g., Sean Cotter, *Immigration enforcement is up in Massachusetts courthouses. Should it be allowed to continue?*, Boston Globe (Mar. 26, 2026), <https://www.bostonglobe.com/2026/03/26/metro/ice-immigration-massachusetts-courthouses/>.

¹⁶ Press Release, ACLU Massachusetts, Fitchburg resident sues ICE agent for unlawful use of excessive force during vehicle stop and arrest (Dec. 15, 2025), <https://www.aclum.org/press-releases/fitchburg-resident-sues-ice-agent-for-unlawful-use-of-excessive-force-during-vehicle-stop-and-arrest/>.

¹⁷ Press Release, Lawyers for Civil Rights, Dragging ICE to Federal Court (Mar. 5, 2026), <https://lawyersforcivilrights.org/our-impact/immigrant-rights/dragging-ice-to-federal-court>.

¹⁸ Madaleine Rubin, *What We Know About the ICE Shooting in Maine*, N.Y. Times (July 13, 2026), <https://www.nytimes.com/2026/07/13/us/ice-shooting-maine-guerrero.html>.

wrongdoing. In recent months, ICE has hired unfit applicants with questionable histories.¹⁹ As we have witnessed with Mr. Guerrero’s killing, hiring unfit and insufficiently vetted agents has had deadly consequences.²⁰ Moreover, ICE’s pattern of ignoring officer misconduct—or even abetting it—has further exacerbated public mistrust. Last year, I asked ICE about what actions it takes against agents who fail to follow proper protocols regarding the use of force. ICE responded that its Office of Professional Responsibility (“OPR”) investigates incidents and takes appropriate action where warranted, but OPR’s process lacks any transparency or accountability. Additionally, ICE failed to address my questions related to a delivery of unmarked cars and reports of a planned influx in staff and enforcement activity at the field office. I remain vigilant about expansions of ICE’s enforcement campaign in the Commonwealth and expect replies to these unanswered questions. Republicans also recently passed an additional budget of \$70 billion for the Department of Homeland Security which will likely exacerbate ICE’s growing campaign of misconduct.²¹

I am also seeking information related to ICE’s harmful, nontransparent operation of the Intensive Supervision Appearance Program (“ISAP”)—an alternative to detention program—in the Commonwealth. ICE’s website contains very little information about the program or the nongovernment contractors involved, despite perturbing incidents at these facilities that demand transparency into these contractors’ activities. This spring, I learned that personnel at the Framingham ISAP office told a woman her case was a “lost cause” and made her an unwanted deportation reservation via the CBP Home app. Last year, a Springfield man was detained at a routine appointment at the Burlington ISAP facility, which has been traumatizing for his seven-year-old daughter.²² Massachusetts residents deserve to know who is operating ISAP and what guardrails are in place to prevent nongovernment contractors from violating their rights.

Massachusetts residents are urgently demanding transparency and accountability about ICE’s actions. I expect written answers to the following questions by August 19, 2026.

1. What is the nature of the conditions that individuals processed at the ICE field office in Burlington (“field office”) are held under?
 - (a) How many individuals has the field office processed since January 2025?
 - (b) What is the highest number of individuals held at the field office since January 2025?

¹⁹ Ryan J. Foley, *ICE went on a hiring spree. Sterling credentials were not required, AP investigation finds*, Associated Press (Apr. 17, 2026), <https://apnews.com/article/ice-background-checks-vetting-immigration-8ae6b7b850f7c0265b3cb8b5060ef8fd>.

²⁰ See, e.g., Vanessa Romo and Alina Hartounian, *Ex-wife says ICE agent who killed man in Maine had racist beliefs, violent tendencies*, NPR (July 17, 2026), <https://www.npr.org/2026/07/17/nx-s1-5897460/maine-ice-shooting-brouillette>.

²¹ Press Release, Senator Edward J. Markey, Senator Markey Statement on Republican Passage of Billions More for ICE (June 5, 2026), <https://www.markey.senate.gov/news/press-releases/senator-markey-statement-on-republican-passage-of-billions-more-for-ice>.

²² Sarah Betancourt, *Labor trafficking visa applicant detained at routine ICE check-in*, GBH (Dec. 9, 2025), <https://www.wgbh.org/news/local/2025-12-09/labor-trafficking-visa-applicant-detained-at-routine-ice-check-in>.

2. What are the field office's policies and procedures regarding the medical care of detainees?
 - (a) Has the field office provided personnel with training regarding responding to medical emergencies?
 - (b) How may detainees access prescribed medications that they cannot keep on their person?
 - (c) What routine health inquiries do officers pose during processing?
 - (d) Does the field office have any guidelines or practices related to referrals to medical professionals? When do officers refer detainees to medical professionals? What is the average wait time for referred individuals to receive medical care?
 - (e) Does the field office have any guidelines or practices related to providing mental health care? Do the routine health inquiries during processing include mental health related questions?
3. What are the field office's policies and procedures related to detainee access to interpretive services, their support systems, and legal counsel?
 - (a) For the purpose of offering interpretation services, how does the field office determine if an individual being processed is illiterate or has limited English proficiency and speaks a language in which written material has not been translated? Has the field office provided personnel with training regarding identifying these individuals and offering them interpretation services?
 - (b) As the Online Detainee Locator System only has information about detainees in detention facilities, is there an alternative system or process for loved ones and legal representatives to determine if an individual is being held at a short-term or processing facility?
 - (c) Can the field office change its policy to allow detainees to contact their legal counsel, especially if they are being held longer than 72 hours?
4. What is the nature of the arrests of individuals processed at the field office?
 - (a) How many individuals processed by the field office since January 2025 have criminal convictions for violent offenses, defined by the Federal Bureau of Investigations as including murder and nonnegligent manslaughter, rape, robbery, aggravated assault, larceny/theft, motor vehicle theft, and arson?²³

²³ Fed. Bureau of Investigation, NIBRS User Manual 2025.0 182-83 (June 23, 2025), <https://le.fbi.gov/file-repository/nibrs-user-manual-2025-0-062625.pdf/view>.

- (b) How does the field office define a conviction? How does the field office define criminal history? Do these definitions include the offense of illegal entry into the country?
- 5. Since January 2025, how many minors (i.e., individuals under the age of eighteen) has ICE arrested in the Boston area of responsibility?
- 6. What are the field office's position and policies regarding arrests at or near protected locations?
 - (a) Since January 2025, how many immigration enforcement actions have taken place at or near 15 New Sudbury Street in Boston, Massachusetts (the street the Boston Immigration Court is located on)?
 - (b) Since January 2025, how many immigration enforcement actions have taken place at or near 150 Apollo Drive in Chelmsford, MA (the street the Chelmsford Immigration Court is located on)?
 - (c) Which addresses in Massachusetts have the field office determined to be protected locations?
- 7. After an ICE Office of Professional Responsibility investigation finds that a use of excessive force warrants action, what disciplinary actions can be taken against involved personnel?
- 8. Did the field office receive a delivery of unmarked vehicles earlier this year? If so, how many vehicles were delivered to the facility? What is the actual and intended use of these vehicles?
- 9. Has the field office increased the size of its staff since the beginning of the year? Has the field office received any directives of a surge in enforcement activity?
- 10. What role do contractors or non-ICE entities play in the operation of the Intensive Supervision Appearance Program ("ISAP") in the Commonwealth?
 - (a) Is ICE directly operating ISAP in the Commonwealth? Are any contractors or non-ICE entities involved in the operation or staffing of this program?
 - (b) If contractors are involved, what are the responsibilities and duties of these contractors? What activities and procedures do they conduct for ICE?
 - (c) If contractors are involved, what authority do they have? Do the contractors' personnel have the authority to conduct arrests?
 - (d) If contractors are involved, are they bound by internal ICE policies? Are there additional ICE policies that these contractors must follow? Will you issue an

advisory statement reminding these contractors of their duty to comply with ICE policies?

- (e) What policies and procedures does ICE have to ensure contractors are following applicable policies? What actions are taken against contractors who fail to comply with applicable ICE policies?

11. What are the field office's policies and procedures for vetting potential hires? What information beyond an individual's application is considered in the application process?

ICE is killing our neighbors and inhumanely detaining our loved ones without accepting culpability. Republicans' recent budget increases, combined with ICE's ever-growing campaign of terror, demand immediate transparency and accountability. As I noted in my previous letters, Congress has a statutory responsibility to oversee federal agencies, and ICE has a legal obligation to comply with that oversight. I pledge to continue using every oversight tool available to hold ICE accountable and stop these abuses.

Sincerely,

A handwritten signature in blue ink that reads "Edward J. Markey". The signature is written in a cursive, flowing style.

Edward J. Markey
United States Senator