



---

## DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION

# POLICE OFFICER STANDARDS & TRAINING

---

### GENERAL NOTICE 25 – 02

To: Chief Law Enforcement Officers

From: Thomas Wydra *Thomas Wydra*  
Executive Director, POST – Connecticut Police Academy

Date: January 22, 2025

Subject: **An update to General Notice 19-05; concerning Public Act Nos. 19-20 and 19-23, collectively known as the *Trust Act*<sup>1</sup>**

**Important note:** This General Notice serves as an update to and supersedes General Notice 19-05. This General Notice should not be construed as legal advice or formal training. **Law enforcement officers should consult with their own legal counsel for advice on how to comply with the requirements of the *Trust Act* and how the *Trust Act* may or may not apply to the specifics of any given case.**

The *Trust Act* establishes guidance about when state and local law enforcement officers and others may respond to requests from federal immigration authorities for information or assistance with immigration detainees.<sup>2</sup> Although the provisions set forth in the *Trust Act* apply to law enforcement officers, bail commissioners or judicial intake, assessment or referral specialists, or employees of a school police or security department, this General Notice focuses on municipal and state police.

The *Trust Act* provides as follows:

1. Law enforcement officers are prohibited from **arresting or detaining** an individual pursuant to an immigration detainer **unless**:
  - a. the detainer is accompanied by a warrant issued or signed by a judicial officer,
  - b. the individual has been convicted of a class A or B felony, **or**

---

<sup>1</sup> The *Trust Act* is codified in General Statutes § 54-192h.

<sup>2</sup> Under the *Trust Act*, “‘Federal immigration authority’ means any officer, employee or other person otherwise paid by or acting as an agent of ICE or any division thereof or any officer, employee or other person otherwise paid by or acting as an agent of the United States Department of Homeland Security or any successor agency thereto who is charged with enforcement of the civil provisions of the Immigration and Nationality Act.” General Statutes § 54-192h(a)(4).



---

## DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION

# POLICE OFFICER STANDARDS & TRAINING

---

- c. the individual is identified as a possible match in the federal Terrorist Screening Database or similar database.
2. Law enforcement officers are prohibited from giving a federal immigration authority **access to interview** an individual in custody **unless**:
  - a. the individual has been convicted of a class A or B felony,
  - b. the individual is identified as a possible match in the federal Terrorist Screening Database or similar database, **or**
  - c. the individual is the subject of a federal court order, pursuant to 8 U.S.C. § 1255(d)(4)(B), arising from a failure to comply with an immigration officer's subpoena or refusal to testify before an immigration officer.
3. Law enforcement officers are prohibited from **arresting or detaining** an individual based on **an administrative warrant**, which are not signed by judicial officers.<sup>3</sup>
4. Law enforcement officers are prohibited from **performing any function of a federal immigration authority**.
5. Upon receiving a civil immigration detainer, a law enforcement agency **must provide a copy of the detainer to the affected individual** who is the subject of the detainer and inform the individual whether the law enforcement agency intends to comply with the detainer. If a law enforcement agency provides a federal immigration authority with **information on an individual's release**, the law enforcement agency shall provide the individual and the individual's attorney a copy of that notification as well as the reason in writing that the agency is complying with the detainer. If the law enforcement agency cannot reach the individual or individual's attorney, then the law enforcement agency must make a good faith attempt to contact the detained individual's designee to provide said copy and written reason.
6. Law enforcement officers are prohibited from using **time or resources to communicate** with a federal immigration authority regarding the custody status or release of an individual targeted by a civil immigration detainer, **except** where the law enforcement agency provides a copy of said detainer to the individual, informs the individual of its intent to comply with the detainer, gives the reason in writing for complying with the detainer, and provides a copy to the individual (or the individual's attorney or designee) of the notification made to the federal immigration authority concerning the individual's release date.

---

<sup>3</sup> Under the *Trust Act* "Administrative warrant' means a warrant, notice to appear, removal order or warrant of deportation issued by an agent of a federal agency charged with the enforcement of immigration laws or the security of the borders, including ICE and the United States Customs and Border Protection, but does not include a warrant issued or signed by a judicial officer."



---

## DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION

# POLICE OFFICER STANDARDS & TRAINING

---

7. Before responding to a **request for notification of an individual's release from the agency's custody** of an individual suspected of violating a federal immigration law or who has been issued a final order of removal, a law enforcement officer must first **forward any such request to the head of the law enforcement agency**.
8. The legislative body of municipalities are required to report specified information every six months (beginning on January 1, 2020) to the Office of Policy and Management (OPM), if their law enforcement agency provided ICE access<sup>4</sup> to an individual, including:
  - a. data on the number and demographic characteristics of individuals to whom the agency provided ICE access,
  - b. the date ICE access was provided, and
  - c. whether the ICE access was provided as part of compliance with a civil immigration detainer or through other means.

The *Trust Act* has not changed processes for entering information into the Automated Fingerprints Identification system (AFIS) of an arrested individual or the accessing of information from the National Crime Information Center (NCIC) concerning an arrested individual.

The *Trust Act* makes clear that, while records relating to ICE access maintained by law enforcement agencies shall be deemed public records under the Freedom of Information Act (FOIA), the *Trust Act* must not be construed to require disclosure of any record that is exempt under FOIA.

The *Trust Act* specifies that confidential information<sup>5</sup> of an individual may be disclosed to a federal immigration authority if appropriate consent for disclosure is obtained, if disclosure is deemed necessary in furtherance of criminal investigation of terrorism, or if otherwise required by law.

On January 15, 2025, the Connecticut Office of the Attorney General issued a preliminary guidance memorandum on the *Trust Act*, which can be accessed here: [Trust Act Guidance Memo](#).

---

<sup>4</sup> "ICE access" is specifically defined under the *Trust Act*. The definition will not be recited here due to its length.

<sup>5</sup> Under the *Trust Act*, confidential information "means any information obtained and maintained by a law enforcement agency relating to (A) an individual's (i) sexual orientation, or (ii) status as a victim of domestic violence or sexual assault, (B) whether such individual is a (i) crime witness, or (ii) recipient of public assistance, or (C) an individual's income tax or other financial records, including, but not limited to, Social Security numbers."