

Senate Judiciary Committee

Brendan Bunnell 271-4063

SB 623-FN, relative to requirements for law enforcement officers assisting in immigration enforcement.

Hearing Date: January 27, 2026

Time Opened: 1:49 p.m.

Time Closed: 2:57 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Carson, Altschiller and Reardon

Members of the Committee Absent: None

Bill Analysis: This bill establishes requirements for law enforcement officers assisting the United States Immigration and Customs Enforcement pursuant to the federal 287(g) program.

Sponsors:

Sen. Altschiller

Sen. Rosenwald

Rep. Meuse

Who supports the bill: 686 individuals signed in support of this bill. For a complete list of those who signed in support please email Brendan.Bunnell@gc.nh.gov.

Who opposes the bill: Jesse Medeiros, Daniel Richardson, Judith Carnes, Thomas Forsyth, Erik Murphy, Julie K. Morissette, Gerald Henricksen, Charisse Henricksen, and Janine Bibeau.

Who is neutral on the bill: None.

Summary of testimony presented:

Senator Debra Altschiller (SD-24), introduced SB 623, the Granite State No Anonymity in Immigration Enforcement Act, in support of requiring New Hampshire law enforcement officers who participate in federal immigration enforcement under 287G agreements to follow state accountability standards.

- Explained that the bill responds to the growing use of masked and unidentified ICE agents nationwide and the risks this creates for public trust, officer safety, and constitutional policing.

- Cited FBI warnings about criminals impersonating federal officers, reports from Human Rights Watch and the Center for American Progress about anonymous ICE operations, and recent shootings involving ICE agents.
- Argued that when New Hampshire officers operate under ICE supervision, they may be required to follow federal policies that conflict with state standards, such as wearing masks, disabling body cameras, or refusing to identify themselves.
- The bill would require officers to display identification, prohibit face coverings, and require body cameras to remain active during such operations. She emphasized that the bill does not prevent participation in 287G, but ensures New Hampshire officers maintain state accountability standards.
- Senator Gannon asked whether participation in 287G is voluntary.
 - Senator Altschiller confirmed that agencies choose to participate.
- Senator Gannon then raised concerns about officer safety, asking whether requiring officers to show their faces and names could put them at risk when pursuing gang members or violent criminals.
 - Senator Altschiller responded that New Hampshire currently does not allow masked operations and that ICE uses masks in the vast majority of operations, not just in exceptional circumstances. She argued that masking creates confusion and undermines community trust.
 - Senator Gannon raised an example involving a church incident and suggested that masks might protect officers.
 - Senator Altschiller replied that New Hampshire officers are active community members and that masking does not make anyone safer.
- Senator Gannon then asked about unmarked vehicles.
 - Senator Altschiller clarified that unmarked vehicles are not addressed in the bill and that New Hampshire law enforcement already uses them when appropriate.
- Senator Gannon asked whether the bill would require body cameras for all departments.
 - Senator Altschiller explained that it only prevents officers from disabling cameras if they already have them.
- Senator Abbas asked whether New Hampshire police already conduct undercover operations and whether they have policies for that.

- o Senator Altschiller confirmed that they do and pointed to the state law enforcement manual.
- Senator Abbas then asked whether local officers assisting ICE under 287G would still be required to display identification even in undercover situations.
 - o Senator Altschiller responded that 287G operations do not involve undercover work and that New Hampshire officers do not go undercover for immigration enforcement.
- Senator Abbas followed up by asking whether local officers operating under ICE supervision are required to follow ICE policies.
 - o Senator Altschiller confirmed that the MOU places officers under ICE supervision but argued this is precisely why state standards must be protected.
 - Senator Abbas asked how local officers can assist federal officers if they cannot follow federal policies.
 - o Altschiller replied that New Hampshire routinely collaborates with federal agencies without violating state policies and that ICE is the only agency that asks officers to violate them.
- Senator Gannon asked why the 13 participating agencies should be restricted if they knowingly signed the agreements.
 - o Senator Altschiller replied that the bill does not block participation, but ensures agencies do not violate state policies and laws.
- Senator Gannon argued that federal officers face different risks and that anonymity might be necessary for national-scale threats.
 - o Senator Altschiller responded that if New Hampshire officers use their faces and names in all other serious criminal arrests, there is no justification for different rules under ICE.
- Senator Abbas asked whether local collaboration with ICE is helpful.
 - o Senator Altschiller responded that collaboration exists but that ICE seeks blanket MOUs rather than mission-specific cooperation and that this bill simply ensures state policies are not overridden.

David Trumble, of Weare NH, testified in support of SB 623, arguing that ICE operations should follow commonly accepted law enforcement standards in order to maintain public trust and uphold the rule of law.

- Said the bill reflects common sense transparency and fits within the long-term shift toward accountability in policing.
- Explained that body-worn cameras have become standard practice nationwide over the past 15 years, with about 80 percent of agencies using them by 2020, and that New Hampshire State Police adopted them in 2022, followed by the Department of Corrections in 2024. He said that body cameras protect both the public and officers by creating an objective record of encounters, and cited national studies showing they reduce complaints and use-of-force incidents while increasing accountability.
- Argued that the bill would improve trust among people of color, who he said increasingly feel unsafe in communities where ICE operates. He claimed many now feel compelled to carry passports or extra identification in public out of fear of being detained, even if they are legally present, which he said leads to people withdrawing from public life and avoiding contact with authorities.
- Said the bill was supporting the rule of law, not opposing it. He criticized ICE’s use of masked officers, lack of body cameras, and reliance on non-judicial warrants, comparing those practices to pre–American Revolution general warrants. He argued that anonymous enforcement without judicial oversight undermines constitutional principles and public confidence, and concluded that while New Hampshire cannot control federal policy, it can require its own officers to follow state standards when assisting ICE.
- Senator Abbas questioned his claim that people of color carry passports in public and asked for evidence.
 - Trumble acknowledged it was anecdotal and based on news reports and community experiences.
- Senator Altschiller then asked Trumble about the case of a U.S. citizen detained by ICE in California and asked whether he believed it was true.
 - Trumble said he had heard the story and similar cases and argued that body cameras and identification would prevent such abuses.

David Holt, a third-generation immigrant and lifelong New Hampshire resident, testified in support of SB 623, describing it as a simple and common-sense transparency measure.

- Said the bill does not prohibit immigration enforcement or prevent cooperation with federal authorities. Instead, he argued it ensures that when state or local officers assist in immigration enforcement, they do so in an open, visible, and accountable way. He said requiring officers to display a name or badge number, refrain from masking their identity, and use body-worn cameras protects civil rights, shields officers from false accusations, and preserves the integrity of state law enforcement.

- Emphasized that anonymous law enforcement creates fear and undermines public safety because people cannot tell who is exercising government authority. He said that Transparency builds trust and signals lawful authority and accountability, which he said is especially important in sensitive contexts like immigration enforcement where fear spreads quickly.
- Sated that New Hampshire has a strong tradition of open government and accountable policing, and that the state should not allow “secret policing.”

Executive Councilor Karen Liot Hill, testified in support of SB 623, noting that New Hampshire law already requires on-duty police officers to wear visible name tags and that in 2021 the Executive Council approved a \$3.4 million contract to equip State Troopers with body-worn cameras following recommendations from a commission convened by Governor Sununu.

- Said SB 623 addresses an urgent need for clarity when New Hampshire officers cooperate with federal immigration enforcement under 287G agreements, particularly in light of recent immigration operations involving masked officers without visible identification that have shaken public trust.
- Argued that the bill directly responds to these concerns by requiring officers to clearly identify themselves, prohibiting face coverings, and ensuring body cameras remain activated. Said that these are basic safeguards that protect the public, protect officers acting lawfully, and strengthen confidence in the rule of law. She stressed that accountability is not anti-law enforcement, but rather essential to legitimacy and public safety.
- Senator Gannon asked whether masks and unmarked vehicles might be justified when arresting dangerous gang members.
 - Karen Liot Hill responded that exceptions could be crafted but that the public expects identifiable policing and that any exceptions should be explicit and limited.
- Senator Gannon then asked why the 13 agencies should be restricted if they chose to participate.
 - Karen Liot Hill replied that immigration enforcement is new for New Hampshire police and that when ambiguity exists, the legislature should clarify standards.
- Senator Carson asked whether officers are being doxed and threatened and whether enhanced penalties should exist for people who harass officers.
 - Karen Liot Hill said she had not considered that and did not want to speculate.

- Senator Carson asked again, asking directly if enhanced penalties should apply.
 - Karen Liot Hill said she understood the concern but had not formed a position.

BMB

Date Hearing Report completed: January 30, 2026