

Everett, Massachusetts: Lawyers group calls for state probe into police role in ICE detention of 13-year-old

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Lawyers for Civil Rights (LCR) is calling for a state investigation after police detained a 13-year-old Brazilian child who was then abducted by US Immigration and Customs Enforcement (ICE) and transferred 500 miles away to a detention center in Virginia.

Seventh grader Arthur Berto was arrested by Everett Police at a bus stop outside the Albert N. Parlin School after a tip about him reportedly threatening another student, according to the police. The boy's mother, Joseiele Berto, was told to pick up her son at the police station, but after waiting for more than an hour, she was informed that ICE agents had arrived and taken the boy into federal custody.

LCR sent an open letter to Governor Maura Healey, Attorney General Andrea Joy Campbell, and Interim Secretary at the Executive Office of Public Safety and Security Susan Terrey. It urges the commonwealth to "take decisive steps to protect youth in custody."

The letter states:

Lawyers for Civil Rights (LCR) is deeply concerned about the role of the Everett Police Department in the recent detention and transfer of a 13-year-old child to ICE custody. This troubling incident underscores a broader pattern of escalating immigration enforcement in Massachusetts and calls for the Commonwealth's immediate investigation into potential violations of well-established precedent under *Lunn v. Commonwealth*.

The letter said that while facts were still unfolding, Everett police had violated "legal restrictions." It stated:

The fact that the boy's mother was notified that she should come to the police station to take her son home strongly suggests that police at that point were no longer authorized to continue to hold him in custody. Yet when she arrived at the police station, there was an hour-long delay—and then her son was taken by ICE. It appears that Everett police transferred custody of the boy directly to ICE, rather than releasing him as *Lunn* would require.

A press report on the LCR web site quotes Jillian Lenson, senior staff attorney at LCR: "This chilling incident exposes what may be a dangerous breakdown in legal protections for immigrants in our state—and the fact that it involves a child makes it even more alarming." Another staff attorney, Brooke Simone, wrote, "This kind of conduct destroys public trust and strikes fear in entire communities. In Massachusetts, it's not just wrong—it's unlawful."

According to LCR, "local police cannot prolong someone's detention or assist ICE in making an arrest." While Everett police denied having collaborated with ICE, Police Chief Paul Strong revealed that they had done precisely that when he described the department's procedures: "Once your fingerprints are taken, it goes to ICE and they determine if you're an illegal entry."

This “standard booking process” is automatically allowing ICE to seize people with no due process. LCR is demanding an investigation to “determine whether Everett police officers unlawfully extended [Berto’s] custody to facilitate an ICE arrest.”

The Everett events demonstrate the fraudulent character of “sanctuary cities,” promoted by the Democratic Party as a bulwark against federal overreach. These designations are politically worthless, providing a progressive cover for a state apparatus that continues to collude with federal agencies in the persecution of the working class.

While politicians posture, the police, who form the armed core of the capitalist state, continue to function as a pipeline for the federal government’s anti-immigrant terror campaign. This brutal collaboration is not an aberration, but a feature of the nationwide crackdown on the immigrant population.

Operation Patriot 2.0 is the latest escalation in the Trump administration’s war on immigrant workers in Massachusetts. Its strategic purpose is to terrorize immigrant communities, whip up xenophobia and divide the working class by scapegoating a vulnerable population for the deepening social crisis created by capitalism.

An October 16 press release from ICE stated that 1,400 arrests were made in Massachusetts in the first month of Patriot 2.0 in September. While federal authorities present this as a precision strike against violent criminals, documented cases from across the state show the indiscriminate attack on immigrants. Right-wing politicians justify these police-state roundups by claiming they target dangerous criminals.

The case of Everett teen Arthur Berto made national headlines, and is a high-profile example of the broad reach of the operation. Across the state, other detentions show a clear pattern of targeting that includes asylum seekers with legal status, community activists and workers with no criminal history.

While the Trump administration spearheads the current brutal offensive, its policies are the culmination of a decades-long, bipartisan war on immigrant workers. The groundwork for today’s mass deportations and militarized border was laid by Democratic and Republican administrations alike, demonstrating that both corporate-controlled parties are united in their defense of the capitalist state and its

repressive policies.

Another example of the assault on immigrants is the case of Ihsanullah Garay, a 38-year-old Afghan national with brain cancer who was arrested on September 14 in Methuen, Mass. and transferred to an ICE facility in Georgia.

Garay fell ill a couple of years ago after his doctoral studies in New York. Last winter he moved to Lowell, Mass. to be closer to a local family member and his radiation therapy appointments at Boston Medical Center. According to Garay’s lawyer, when he entered ICE custody he was well enough to stand but is now using a wheelchair.

Garay got lost while working as a food delivery driver and stopped to ask directions from what he thought was a police officer, but who turned out to be an ICE agent, who arrested him for an expired student visa. According to Garay’s lawyer Hans Bremer, Garay has an “exceptionally strong asylum claim.” Bremer told WBUR, “He’s doing everything correctly that we have always required for somebody who wants to seek asylum.”

Robin Nice, former chair of the American Immigration Lawyers Association of New England, told WBUR, “Garay’s case reflects how the Trump administration’s immigration agenda has reshaped detention policies.”

“Where’s the accountability?” Nice asked. “Who’s to say they can’t transfer someone to like five different detention centers and effectively make [posting bond] impossible?”



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