

STATE OF NEW YORK

8995

2025-2026 Regular Sessions

IN ASSEMBLY

August 13, 2025

Introduced by M. of A. CUNNINGHAM -- read once and referred to the
Committee on Codes

AN ACT to amend the executive law, the criminal practice law, the civil
practice law and rules, and the state administrative procedure act, in
relation to requiring federal immigration enforcement agents to iden-
tify themselves as such when conducting enforcement activities

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as
2 the "facial identification and transparency in immigration enforcement
3 act".

4 § 2. Legislative findings and intent. The legislature finds that
5 ensuring transparency and accountability in immigration enforcement
6 actions conducted within the state of New York is essential to public
7 safety and the protection of civil liberties. The use of unmarked agents
8 or masked individuals by federal agencies without clearly identifying
9 themselves contributes to fear, confusion, and potential violations of
10 constitutional rights. The purpose of this legislation is to ensure that
11 all individuals have the right to know who is conducting enforcement
12 actions and to protect the integrity of law enforcement procedures in
13 the state.

14 § 3. The executive law is amended by adding a new section 94-c to read
15 as follows:

16 § 94-c. Requirements for federal immigration enforcement activity. 1.
17 No agent, officer, or contractor acting on behalf of United States immi-
18 gration and customs enforcement (ICE) or any other federal immigration
19 enforcement agency shall conduct any enforcement activity within the
20 state of New York unless such agent, officer, or contractor:

21 (a) clearly displays a valid and current federal identification badge
22 and credentials which are visible to the individual or individuals
23 subject to enforcement; and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (b) does not obscure or conceal such officer, agent, or contractor's
2 face with a mask, shield, or any other facial covering unless required
3 for safety due to an imminent and articulable threat or as advised
4 following a public health emergency declared under state or federal law.

5 2. Any federal immigration enforcement officer, agent, or contractor
6 operating in New York shall, upon request by any individual subject to
7 such enforcement activity or any member of a state law enforcement agen-
8 cy, provide such officer, agent, or contractor's name, agency, and badge
9 number.

10 3. Any state or local law enforcement agency, officer, or employee who
11 becomes aware of a violation of this section shall document and report
12 such violation to the office of the New York state attorney general
13 within forty-eight hours. The department shall establish a telephone
14 hotline and may establish an internet form for members of the public to
15 report such violations.

16 4. The attorney general shall have the authority to investigate any
17 violations of this section and may bring a civil action for injunctive
18 relief or penalties, including a fine of up to five thousand dollars per
19 violation.

20 § 4. The criminal procedure law is amended by adding a new section
21 60.80 to read as follows:

22 § 60.80 Admissibility of evidence obtained by federal immigration agents
23 in violation of state transparency laws.

24 1. Any evidence obtained during an enforcement action by a federal
25 immigration enforcement agent who fails to comply with section ninety-
26 four-c of the executive law shall be presumptively inadmissible in any
27 criminal proceeding within New York state courts.

28 2. This section shall not apply to evidence obtained independently by
29 lawful means or if the court finds that such exclusion would result in
30 manifest injustice.

31 § 5. The civil practice law and rules is amended by adding a new
32 section 4552 to read as follows:

33 § 4552. Admissibility of evidence obtained by federal immigration
34 agents in violation of state transparency laws. 1. Any evidence
35 obtained during an enforcement action by a federal immigration enforce-
36 ment agent who fails to comply with section ninety-four-c of the execu-
37 tive law shall be presumptively inadmissible in any civil proceeding
38 within New York state courts.

39 2. This section shall not apply to evidence obtained independently by
40 lawful means or if the court finds that such exclusion would result in
41 manifest injustice.

42 § 6. Section 306 of the state administrative procedure act is amended
43 by adding a new subdivision 5 to read as follows:

44 5. (a) Any evidence obtained during an enforcement action by a federal
45 immigration enforcement agent who fails to comply with section ninety-
46 four-c of the executive law shall be presumptively inadmissible in any
47 criminal proceeding within New York state courts.

48 (b) This subdivision shall not apply to evidence obtained independ-
49 ly by lawful means or if the court finds that such exclusion would
50 result in manifest injustice.

51 § 7. Severability. If any provision of this act or its application to
52 any person or circumstance is held invalid, the remainder of the act or
53 the application of the provision to other persons or circumstances shall
54 not be affected.

55 § 8. This act shall take effect on the ninetieth day after it shall
56 have become a law. Effective immediately, the addition, amendment

1 and/or repeal of any rule or regulation necessary for the implementation
2 of this act on its effective date are authorized to be made and
3 completed on or before such effective date.