

OFFERED BY COUNCILOR MINIARD CULPEPPER



## **CITY OF BOSTON**

**IN THE YEAR TWO THOUSAND TWENTY SIX**

### **ORDINANCE PROHIBITING THE USE OF BOSTON CITY PROPERTY FOR CIVIL IMMIGRATION ENFORCEMENT ACTIVITIES BY UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT**

**WHEREAS,** Boston is a city of immigrants and is strengthened socially, culturally, and economically by the contributions of immigrant communities; *and*

**WHEREAS,** Access to public spaces, municipal services, and city-owned property without fear is essential to public safety, civic participation, and community trust; *and*

**WHEREAS,** Civil immigration enforcement activities conducted by United States Immigration and Customs Enforcement (ICE) have caused fear, disruption, and trauma in immigrant communities across the country; *and*

**WHEREAS,** The use of municipal property to stage, process, mobilize, or support civil immigration enforcement undermines Boston's long-standing commitment to being a welcoming city and erodes trust between residents and local government; *and*

**WHEREAS,** On January 29, 2026, the Governor of the Commonwealth of Massachusetts issued Executive Order No. 650, Protecting Access to Essential Services and Keeping Massachusetts Communities Safe, which prohibits federal civil immigration enforcement agencies from using state-owned or state-controlled property as staging areas, processing locations, or operational bases for civil immigration enforcement; *and*

**WHEREAS,** Executive Order No. 650 affirms that state and local resources exist to serve residents and essential public purposes and that the federal government may not compel state or local governments to administer or facilitate federal civil immigration enforcement; **NOW, THEREFORE**

***Be it ordained by the City Council of Boston as follows:***

The City of Boston Code, Ordinances, Chapter 16 amended by inserting the following:

#### **16.67 Use of City Property for Civil Immigration Enforcement Prohibited**

### Section 1. Purpose.

The purpose of this ordinance is to ensure that Boston City property is used solely to serve and support the residents of Boston and not to facilitate civil immigration enforcement.

### Section 2. Definitions.

(a) “City Property” shall mean any building, facility, parking lot, garage, park, street, or land owned, leased, or controlled by the City of Boston or any City department, agency, authority, board, or commission.

(b) “Civil Immigration Enforcement” shall mean any action taken to investigate, detain, apprehend, process, or remove individuals based solely on alleged violations of federal civil immigration law.

(c) “Federal Immigration Agency” shall include United States Immigration and Customs Enforcement (ICE) and any successor agency.

### Section 3. Prohibition of Use of City Property.

(a) No City Property shall be used by any federal immigration agency for civil immigration enforcement purposes, including but not limited to use as:

1. A staging or mobilization area;
2. A processing or detention site;
3. An operational base or debriefing location; or
4. A location for assembling, deploying, or parking vehicles, equipment, materials, or personnel related to civil immigration enforcement.

(b) No City department or employee shall grant permission, formal or informal, for such use of City Property.

### Section 4. Enforcement.

(a) Each City department, agency, authority, board, and commission shall adopt and implement policies and procedures consistent with this ordinance and shall ensure that relevant staff are informed of and trained on the requirements of this section.

(b) The Commissioner of Property Management, in consultation with the Corporation Counsel

and the Office for Immigrant Advancement, shall issue guidance to City departments regarding compliance with this ordinance and appropriate responses to requests by federal immigration agencies for use of City Property.

(c) Any authorization, permit, license, memorandum of understanding, or agreement that purports to allow use of City Property in violation of this ordinance shall be deemed void and unenforceable to the extent of such violation.

(d) No City funds, personnel, or resources shall be expended to assist or facilitate the use of City Property for civil immigration enforcement in violation of this ordinance.

#### Section 5. Severability.

The provisions of this ordinance are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

#### Section 6. Effective Date.

The provisions of this ordinance shall be effective immediately upon passage.

Filed on: February 4, 2026