

Eric D. Batista
City Manager



City of Worcester

AN EXECUTIVE ORDER CONCERNING LOCAL IMMIGRATION PROTOCOL

I, Eric D. Batista, by virtue of the authority vested in me as City Manager of the City of Worcester, and in accordance with the Mission and Values of the municipality, do hereby order and direct the following:

§ 1. PURPOSE

The City of Worcester (“Municipality”) is a welcoming city that provides services to all and is committed to creating a safe and inclusive community through its delivery of exceptional public services and municipal operations rooted in equity, innovation, and integrity, and centered on people.

This order establishes guidelines for local response and involvement in federal enforcement of immigration laws and operations including investigations and civil detentions performed by U.S. Immigration and Customs Enforcement (“ICE”) officers.

Enforcement of immigration laws is vested within the jurisdiction of the federal government, not the Municipality and as such, Municipal resources shall not be expended toward that end. The Municipality and the Worcester Police Department (“WPD”) are committed to promoting safety in the community regardless of immigration status.

§ 2. POLICY

Municipal employees and officers, hereinafter collectively referred to as “Municipal employees,” shall not inquire about immigration status nor shall immigration status impact the treatment of a resident, victim, suspect, arrestee, 911 caller, or other member of the public with whom a Municipal employee has contact.

In accordance with Massachusetts law, the WPD shall not initiate investigations or take law enforcement action solely on the basis of immigration status, including without limitation, the initiation of a stop, an apprehension, or arrest. No person will be arrested or held by the WPD solely on the basis of a federal civil immigration detainer, including extending the length of detention by any amount of time once an individual is released from local custody, or before being transferred to court or admitted to bail.

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Municipal employees shall not participate in an operation led by a federal agency solely for the enforcement of federal civil immigration laws, except in response to a request to assist with support services deemed necessary to ensure officer safety; public safety; to prevent a breach of the peace during a federal operation including requests to establish traffic perimeters, control traffic, or provide police escort; or for the assistance in the apprehension of any individual who is also wanted on the Criminal Arrest Warrant.

No WPD officer shall perform the functions of an immigration officer, whether pursuant to 8 U.S.C. section 1357(g) or any other law, regulation, or policy, whether formal or informal.

Municipal employees shall not provide access to records, information, or non-public areas of Municipal buildings, solely for the enforcement of federal civil immigration laws unless required by a valid judicial warrant, court order, or other applicable law.

§ 3. DEFINITIONS

Immigration and Customs Enforcement (“ICE”): A federal agency, charged with border and immigration control. ICE is responsible for the enforcement of federal immigration laws.

ICE administrative warrant: A warrant, notice to appear, removal order, warrant of deportation, or other ICE custody document (I-200, I-203, I-205, or another listed in the National Crime Information Database) issued by a federal immigration official, not a judicial officer, and not based on a finding of probable cause for an alleged criminal law violation.

§ 4. COMPLIANCE WITH THE LAW

The Municipality and the WPD will uphold the Constitution and civil rights of all persons, regardless of immigration status. Law enforcement officials in Massachusetts do not have the authority to arrest or carry out detention requests made in federal civil immigration detainers. The WPD shall not arrest, detain, or investigate an individual solely based on an alleged civil violation of federal immigration laws.

No Municipal employee, officer, or official shall interfere, prohibit, or prevent the federal enforcement of immigration laws, including federal investigations, enforcement operations, or ICE detainers.

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§ 5. Nothing in this order shall prevent the Municipality or the WPD from working with the federal government to comply with the law. Nor shall anything in this order prevent the WPD from working with ICE, or any federal agency, in their official capacity so long as the sole purpose is not the enforcement of civil federal immigration.

This Executive Order shall take effect on May 16, 2025, and shall remain in effect until repealed by a subsequent Executive Order.

ORDERED at City Hall the sixteenth day of May, 2025, by,

Eric D. Batista
City Manager