

EXECUTIVE ORDER OF MAYOR MICHELLE WU

An Executive Order To Protect Bostonians From Unconstitutional and Violent Federal Operations

WHEREAS: The City of Boston is the safest major city in America, and remains committed to ensuring public safety for all its residents and holding all perpetrators of crime accountable; *and*

WHEREAS: This commitment to public safety requires the pursuit of justice regardless of the identity of the victim or the perpetrator; *and*

WHEREAS: The U.S. Constitution reserves for state and local governments—not the federal government—certain “police powers,” including providing for public safety¹; *and*

WHEREAS: The Tenth Amendment enshrines this reality, establishing that state and local governments hold the authority to enact public safety policies, and prohibiting the federal government from commandeering state and local resources²; *and*

WHEREAS: Courts across the country have held that the federal government cannot compel the use of local resources for federal immigration enforcement³; *and*

WHEREAS: The Boston Trust Act—enacted in 2014, amended in 2019, and reaffirmed in 2024—reflects the City of Boston’s commitment to dedicating resources to

¹ See, e.g., *United States v. Morrison*, 529 U.S. 598, 617 (2000) (There is “no better example of the police power, which the Founders denied the National Government and reposed in the States, than the suppression of violent crime and vindication of its victims”).

² See, e.g., *Murphy v. Nat’l Collegiate Athletic Ass’n*, 584 U.S. 453, 473 (2018); *New York v. United States*, 505 U.S. 144, 181-82 (1992) (“[A] healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front.”) (citation omitted).

³ See, e.g., *United States v. New York*, No. 1:25-CV-00205, 2025 WL 3718641 (N.D.N.Y. Dec. 23, 2025) (“This court finds it unnecessary to spill further judicial ink on the issue” of interpreting 8 U.S.C. §§ 1373 and 1644); *United States v. New York*, No. 1:25-CV-00744, 2025 WL 3205011 (N.D.N.Y. Nov. 17, 2025); *United States v. Illinois*, 796 F. Supp. 3d 494 (N.D. Ill. 2025); *United States v. New Jersey*, No. 20-1364, 2021 WL 252270 (D.N.J. Jan. 26, 2021); *McHenry Cnty. v. Raoul*, 574 F. Supp. 3d 571 (N.D. Ill. 2021), *aff’d*, 44 F.4th 581 (7th Cir. 2022); *Cnty. of Ocean v. Grewal*, 475 F. Supp. 3d 355, 375 (D.N.J. 2020), *aff’d sub nom. Ocean Cnty. Bd. of Comm’rs v. Att’y Gen. of State of N.J.*, 8 F.4th 176 (3d Cir. 2021); *United States v. California*, 314 F. Supp. 3d 1077 (E.D. Cal. 2018), *aff’d in relevant part*, 921 F.3d 865 (9th Cir. 2019).

criminal law enforcement, not civil immigration enforcement, consistent with the Constitution, state law, and the City's dedication to the community policing that keeps its neighborhoods safe⁴; *and*

WHEREAS: The federal government has recklessly deployed immigration enforcement agents to American cities, including Minneapolis and St. Paul, Minnesota, and Portland and Lewiston, Maine, and in these deployments, federal agents have fomented chaos, violated residents' constitutional rights, and perpetrated egregious acts of violence, including the fatal shootings of Renee Nicole Good and Alex Pretti; *and*

WHEREAS: The International Association of Chiefs of Police, in recognition of the fear and tension this federal administration has caused nationwide, has called for a renewed "commitment to constitutional protections that safeguard individuals from unlawful or unreasonable searches and seizures, recognizing that public trust and effective policing depend on faithful adherence to these fundamental rights"⁵; *and*

WHEREAS: Federal officials may be subject to criminal prosecution for violations of state law,⁶ contrary to the dangerous, unfounded claim by seniormost Trump Administration officials that ICE agents enjoy "absolute immunity"; *and*

WHEREAS: The deployment of federal officials to Minneapolis and St. Paul constitutes an unlawful occupation of those cities, violating the constitution and subverting the Supreme Court's prohibition on the deployment of National Guard troops to achieve the same coercive goals⁷; *and*

WHEREAS: ICE officials have consistently employed tactics designed to create fear and escalate tension, including wearing masks and hiding their identities, refusing to identify themselves, claiming the right to enter private homes without warrants, and not using body-worn cameras, practices which are unfamiliar to Massachusetts law enforcement, below the high ethical standards reflected in our laws, and all of which jeopardize public safety and order in our communities; *and*

WHEREAS: The official response from senior federal officials to the death and violence caused by ICE operations demonstrates a callous disregard for human life and a

⁴ Bos., Mass., Mun. Code ch. 11, § 1.9 (2019), available at <https://perma.cc/6TOB-9NOP>.

⁵ IACP Calls on White House to Convene Joint Federal–State–Local Discussion on Public Safety, January 25, 2026, available at: <https://perma.cc/D94R-29KN>.

⁶ See *Johnson v. Maryland*, 254 U.S. 51, 56 (1920) ("Of course an employee of the United States does not secure a general immunity from state law while acting in the course of his employment.").

⁷ Brief of *Amici Curiae* Local Governments and Local Government Leaders in Support of Plaintiffs' Motion for Temporary Restraining Order, *Minnesota v. Noem*, No. 0:26-cv-00190, Dkt. No. 66-1. (D. Minn. 2026).

willingness to sanction violent attacks on innocent Americans, perpetrated without accountability to law, which undermines public safety in communities across this country; *and*

WHEREAS: In this moment of national crisis, the City of Boston shall continue to prioritize public safety, including protecting residents from violence and ensuring accountability for all who perpetrate it; *and*

WHEREAS: On January 29, 2026, Massachusetts Governor Maura Healey issued an executive order and introduced legislation that would prevent ICE from conducting operations in places of worship, courthouses, schools, child care facilities, and hospitals; prevent ICE from making civil arrests in nonpublic areas of state-owned properties; and prohibit ICE from using state-owned properties for staging, processing, and related civil immigration actions⁸; *and*

WHEREAS: The City of Boston has long led the fight against tyranny, rooted in the principle that the United States is a nation of laws, and that governments—federal, state, and local—must respect the law to protect the fundamentally American values of democratic accountability and respect for the dignity of all people;

NOW, THEREFORE, BE IT ORDERED:

Pursuant to the authority invested in me as the chief executive officer of the City of Boston by St. 1948, c. 452, s. 11, as amended, I, Michelle Wu, Mayor of Boston, hereby order and direct as follows:

Section 1: De-escalation of Federal Provocations and Provision of First Aid

In the event of federal operations, including a surge in ICE agents or other federal officials, the City of Boston, through its public safety agencies, shall ensure, consistent with long-standing practice, that established de-escalation protocols are used to protect peaceful protestors and ensure public safety across the City.⁹

In the event that any person is injured when City officials are present, City officials shall immediately summon emergency medical services. First responders shall make all reasonable efforts to render aid according to long-standing protocols established by Boston Emergency

⁸ See Mass. Executive Order No. 650; *see also* 2026 H. 5050.

⁹ See Boston Police Department Rule 200 (Critical Incident Management), available at: <https://police.boston.gov/rules-procedures/>.

Medical Services, the Boston Police Department, the Boston Fire Department, and the Office of Emergency Management.¹⁰

Consistent with the Trust Act and state and federal law, nothing in this section shall be interpreted to require or permit obstruction of federal immigration enforcement.

Section 2: Transparency in Federal Conduct

The City of Boston Public Records Department and the Chief Information Officer shall, consistent with the Massachusetts Public Records Law, work with the Boston Police Department to publicly release video footage of violence or property damage by federal officials captured by Boston Police Department body-worn cameras or other City-controlled surveillance cameras, provided that such release does not unduly interfere with an active criminal investigation, as determined by state and local law enforcement agencies.¹¹

Section 3: Investigation of Criminal Conduct by Federal Officials

The City of Boston Communications Department shall, in consultation with the Office of Neighborhood Services, issue guidance to all relevant City departments to provide for communications to residents, through all available channels, that consistent with its statutory authority and longstanding practice, the Boston Police Department shall investigate all violence, property damage, and allegations of criminal conduct, including by federal officials, and appropriately document such incidents; and such investigations shall be independent of parallel federal investigations, if any; and the Boston Police Department shall, whenever appropriate, work in collaboration with and make referrals to the Suffolk County District Attorney or the Massachusetts Attorney General.

The City of Boston Law Department shall work with the Boston Police Department in securing complete and timely cooperation from federal agencies, exercising all available legal avenues. Such cooperation shall include, but not be limited to, seeking access to all evidence collected by federal agencies and independent interviews with all involved federal officials and witnesses.

Section 4: De-escalation in Response to Suspected Trespassing

¹⁰ See, e.g., Boston EMS Policy & Procedure Manual, p. 3 (“The health and well-being of the patient is always our first priority”), available at: https://sop.bemsacademy.com/Boston_EMS_Policies_and_Procedures.pdf; see also Boston Police Department Rule 200, Section 3.0 (“The primary mission of the Department in any Critical Incident situation is the protection and preservation of life”), available at: <https://police.boston.gov/rules-procedures/>; see also Boston Fire Department Standard Operating Procedure No. 500, §§ 6.1-6.4.

¹¹ See G.L. c. 4, § 7(26)(f); Boston Police Department Rule 405 (Body Worn Camera Policy), available at: <https://police.boston.gov/rules-procedures/>.

The City of Boston Communications Department shall, in consultation with the Office of Neighborhood Services, issue guidance to all relevant City departments to provide for communications to residents, through all available channels, that calling 9-1-1 is an appropriate response to warrantless entry of private homes and businesses; and that the Boston Police Department shall employ de-escalation tactics in response to all such incidents, including by federal officials, in order to ensure the safety of all those present, consistent with its statutory authority, training, and established practices, including the use of body-worn cameras.

Consistent with the Trust Act and state and federal law, nothing in this section shall be interpreted to require or permit obstruction of federal immigration enforcement.

Section 5: Restriction on the Use of City Property

The City of Boston Property Management Department, and any other City department with authority over physical property, shall not allow any City-owned or City-controlled property—including but not limited to City-owned buildings, parks, parking lots, and any interior or exterior portion thereof—to be used as an unpermitted staging area, processing location, operations base, or any similar purpose in furtherance of civil immigration enforcement operations, unless federal officials have obtained a valid court order or judicial warrant. Prohibited uses of City-owned or City-controlled property include, but are not limited to, assembling, mobilizing, or deploying personnel, vehicles, equipment, or materials for the purpose of civil immigration enforcement.

City-owned and City-controlled property is not available to the general public for similar activities; civil immigration enforcement operations are not an exception.

The Chief of Operations and Commissioner of Property Management shall consult with leaders from the Boston Public Library, Boston Public Schools, Boston Planning Department, Boston Planning and Development Agency, Boston Water and Sewer Commission, Boston Public Health Commission, Boston Centers for Youth and Families, Boston Public Works Department, Boston Police Department, and Boston Fire Department to identify all City-owned and City-controlled property that is likely to be used for prohibited purposes described in this Section.

The Property Management Department shall ensure that signage is posted at all such locations indicating that the property is owned and/or controlled by the City of Boston and is restricted to municipally authorized uses.

Section 6: Protecting Residents in City Locations

The Chief of People Operations and Law Department shall provide updated guidance for front-line staff at municipal buildings and properties, including schools, libraries, senior centers, and community centers, reaffirming the City's long-held position that these locations are available to provide specific services to members of the public, and are to be accessed for those purposes only, and reiterating protocols for contacting department leadership and legal counsel, in the event that any non-City personnel, including federal officials, attempt to access the premises for other purposes, or access City-owned or City-controlled property in violation of Section 5.

Consistent with the Trust Act, the City shall not allow civil immigration enforcement officials into nonpublic spaces without a valid judicial warrant or court order.

The Chief of Operations and Commissioner of Property Management shall consult with leaders from the Boston Public Library, Boston Public Schools, Boston Planning and Development Agency, Boston Public Health Commission, Boston Centers for Youth and Families, Boston Police Department, and Boston Age Strong Commission to identify all City-owned and City-controlled nonpublic spaces that are likely to be targeted by civil immigration enforcement officials.

The Property Management Department shall ensure that signage is posted at all such locations demarcating nonpublic spaces and indicating that such spaces shall not be accessed without a valid judicial warrant or court order.

In addition, the Boston Public Schools shall remind all staff of guidance regarding appropriate procedures in the event of civil immigration enforcement actions at a school or school event. Consistent with Boston Public Schools' longstanding policies protecting student safety, school buildings are not accessible to the public during school days.¹²

Section 7: Signage for Private Property

The City of Boston Office of Neighborhood Services shall make the template of signage indicating no public access available to private property owners and leaseholders who seek to restrict private spaces from being used for civil immigration enforcement purposes. Property owners and leaseholders assume any legal responsibility associated therewith.

Section 8: Pursuit of Legal Remedies

¹² See, e.g. Boston Public Schools Policy on School Access for Visitors, available at: <https://www.bostonpublicschools.org/students-families/safety-services/about/school-access-for-visitors>

The City of Boston Law Department shall pursue all available legal avenues to contest federal actions that impair the City's municipal functions or jeopardize the collective health, safety, and welfare of City residents.

Section 9: Scope

Nothing in this Order shall be construed as restricting or interfering with the execution of court orders or lawful judicial warrants, or the enforcement of criminal law, nor as limiting the rights of any person or entity under state or federal law.

Section 10: Effective Date

This Executive Order shall take effect immediately.

SIGNED THIS ____ DAY OF FEBRUARY, 2026

Michelle Wu
Mayor of Boston