



Interactions with Civil Law Enforcement

Policy Number: RP-26-12

Release Date: August 21, 2026

Effective Date: September 1, 2026

Applicability: All Licensed Residential Programs

BACKGROUND

The Massachusetts Department of Early Education and Care (EEC) is committed to supporting residential programs to protect the safety, privacy, and care of residents and staff in responding to the presence of, or requests from, law enforcement officers engaged in civil law enforcement, including federal civil immigration officers. This policy governs all civil law enforcement interactions related to a program premises; residents served; employees and staff working in a program; and records and/or information maintained by the program.

AUTHORITY

- M.G.L. c. 15D, § 23 (as amended by Stat. 2026, c. 163, § 3)
- M.G.L. c. 6 §§ 224, 226
- 606 CMR 3.00

DEFINITIONS

For the purposes of this policy, the following definitions are used:

- **Civil arrest:** An arrest that is not for the purpose of preparing the person subject to such arrest for criminal prosecution for an alleged violation of a state or federal criminal law. Civil arrests may be authorized by, among other things: (1) a parole warrant issued under G.L. c. 127, § 149A, or a probation warrant issued under G.L. c. 279, § 3; (2) state law permitting protective custody for incapacitated and intoxicated persons, G.L. c. 111B § 8, or (3) an administrative

warrant issued by a federal agency like the Immigration and Customs Enforcement (ICE) agency for violations of the federal Immigration and Nationality Act, or related civil immigration enforcement efforts.

- Civil law enforcement: Efforts to investigate, enforce, or assist in the investigation or enforcement of civil law, including federal civil immigration law. For added context, civil law enforcement often relates to preventative detention for an individual's safety or security, enforcement of civil actions in court, or immigration law enforcement. In contrast, criminal law enforcement involves the investigation and enforcement of state or federal criminal laws (like theft or assault). Note that law enforcement officers can engage in civil law enforcement and/or criminal law enforcement.
- Designated Contact Person: The individual identified by the Program to have primary responsibility for responding to the presence of, or requests for information from, law enforcement officers engaged in civil law enforcement.
- Judicial Warrant or Judicial Order: An arrest warrant or other judicial order issued or signed by a judge or magistrate sitting in the judicial branch of a state or federal government and authorizing an arrest.
 - An administrative immigration warrant, immigration detainer, notice to appear, or other document issued solely by an executive-branch immigration agency is not treated as a judicial warrant or judicial order for purposes of this policy.
- Premises: The private residence or facility licensed by EEC, including applicable outdoor areas associated with the residence or facility.

POLICY STATEMENT

If not otherwise covered in the residential program's policies and procedures, programs must describe the plan for interacting with law enforcement officers engaged in civil law enforcement, including federal immigration enforcement. See Appendix A: Model Policy on Interactions with Civil Law Enforcement Officers.

Per M.G.L. c. 15D, § 23 (as amended by Stat. 2026, c. 163, § 3), except as required by state or federal law or as required for the Commonwealth related to the administration of a state or federally supported or funded program, arrests by officers engaged in civil law enforcement are not allowed on the premises of an EEC licensed residential program unless the officers have a judicial warrant or judicial order.

Interactions with Civil Law Enforcement Policy Content

The policy must:

- Designate a contact person and include procedures for informing the designated contact person of the presence of, and information requests from, law enforcement officers engaged in civil law enforcement. This individual must be onsite and is the person with the primary responsibility for responding to the presence of, or requests for information from, civil law enforcement officers. Different people may serve as the designated contact person at different times throughout the day and programs may consider identifying an alternate designated contact person.
- Include procedures for the program to follow when responding to requests relating to civil law enforcement.
- Include procedures for documenting all interactions with civil law enforcement. This includes when:
 - A civil law enforcement officers arrives at the program;
 - An officers requests access to a resident, family member, employee, or other person affiliated with the program;
 - An officers requests records or information about the program, a resident, family member, employee, or other person;
 - The program receives a judicial warrant, subpoena, judicial or court order, administrative warrant, detainer, or similar legal document relating to civil law enforcement; or
 - Staff otherwise become aware of civil law enforcement activity affecting the program, including the presence of civil law enforcement in the vicinity of the program.

Programs must ensure that staff and employees are aware of the procedures and how to reach the designated contact person.

Interactions with Civil Law Enforcement Training

EEC, in consultation with the Massachusetts Office for Refugees and Immigrations and the Massachusetts Office of the Attorney General, shall prepare and publish model trainings for interactions with civil law enforcement officers.

Posting and Notification

All programs must:

- Provide copies of the Interactions with Civil Law Enforcement Policy to all staff; and
- Share the Interactions with Civil Law Enforcement Policy with parents/guardians with resident enrollment.

Submission to EEC

Programs must submit an up-to-date Interactions with Civil Law Enforcement Policy to EEC by September 1, 2026, and :

- Prior to initial licensure; and
- Any time there are changes.

Programs will submit their Interactions with Civil Law Enforcement Policy through LEAD, EEC's online portal for all licensing functions.

SUGGESTED GUIDANCE

EEC recommends that programs consult and coordinate with their Local Emergency Management Director as they create their emergency preparedness plan with regard to natural or man-made disasters. The contact information may be found on the website of the program's municipal (city or town) government or the Massachusetts Emergency Management Agency (MEMA) [website](#). Programs may consult and coordinate with the Massachusetts Office for Refugees and Immigrants and the Massachusetts Office of the Attorney General as they create their emergency preparedness plan with regard to interactions with civil law enforcement officers. The contact information may be found on the Massachusetts Office for Refugees and Immigrants [website](#) and the Massachusetts Office of the Attorney General [website](#).

COMPLIANCE

EEC staff may confirm a policy is in place relative to the PROTECT Act.

ADDITIONAL INFORMATION

For additional information, please see:

- [Massachusetts PROTECT Act](#)

- M.G.L. c. 15D, § 23
- M.G.L. c. 6 §§ 224, 226
- 606 CMR 3.00, 606 CMR 7.00, 606 CMR 15.00, and 102 CMR 1.00
- [Executive Order No. 650: Protecting Access to Essential Services and Keeping Massachusetts Communities Safe](#)
- Massachusetts Office of the Attorney General (AGO): [Attorney General Guidance: General Information for Massachusetts Service Providers Regarding Immigration Enforcement](#)
- Massachusetts Governor's Office, Executive Office of Education, and EEC Guidance (August 2026): [Guidance for Child Care and Residential Providers Related to Interacting with Civil Law Enforcement](#)
- Massachusetts Office of the Attorney General (AGO): [For Massachusetts Service Providers: General Information on Immigration Enforcement](#)
- Massachusetts Office of the Attorney General (AGO): [Guidance for Early Education and Care \(EEC\) Programs on their Obligations to Protect Child, Family, and Employee Information](#)
- Massachusetts Office of the Attorney General (AGO): [Resources for Immigrants in Massachusetts](#)

OBSOLETE

- Executive Office of Education: [Guidance \(May 2026\): Recommendations for Entities Providing Education and Child Care Services Related to Interacting with Federal Immigration Officers](#)

Appendix A: Model Policy on Interactions with Civil Law Enforcement Officers

Program Name: _____

Program Address: _____

Program Phone Number: _____

Program Email: _____

General Policy

The program, including employees, administrators, interns, volunteers, and other individuals acting on behalf of a program, shall not permit arrests by law enforcement officers engaged in civil law enforcement on the premises of the program without a valid judicial warrant or judicial order, except as required by state or federal law or as required for the Commonwealth or any of its subdivisions to administer a state or federally supported or funded program.

Nothing in this policy prohibits appropriate cooperation with authorities, including police, fire departments, emergency medical services, child protective authorities, or other public safety officials responding to an emergency, investigating criminal conduct, protecting a resident from abuse or neglect, or otherwise exercising lawful authority unrelated to civil immigration enforcement.

Nothing in this policy alters the program's obligations to comply with state and federal laws or EEC policies or procedures.

This policy applies equally to all forms of law enforcement and should be focused on maintaining resident safety.

Designating a Contact Person

The program shall identify a designated contact person. The designated contact person must be onsite and is the individual identified by the program to have primary responsibility for responding to the presence of, or requests for information from, civil law enforcement officers. The designated contact person shall be the sole individual to make determinations about access to premises, persons, or records in relation to requests from civil law enforcement officers.

The program's designated contact person is:

Name: _____

Title: _____

Telephone: _____

Alternate Telephone: _____

Email: _____

[OPTIONAL]:

The program's alternate contact is:

Name: _____

Title: _____

Telephone: _____

Alternate Telephone: _____

Email: _____

[IF APPLICABLE]

Legal questions shall be directed to:

Program Legal Counsel/Legal Resource: _____

Telephone: _____

Email: _____

Notification to the Designated Contact Person

In the event that a program encounters or otherwise receives a request from a law enforcement officer engaged in civil law enforcement, including federal civil immigration enforcement, the program or staff shall immediately notify the program's designated contact person. This includes when:

- A civil law enforcement officer arrives at the program;
- An officer requests access to a resident, family member, employee, or other person affiliated with the program;
- An officer requests records or information about the program, a resident, family member, employee, or other person;
- The program receives a judicial warrant, subpoena, judicial or court order, administrative warrant, detainer, or similar legal document relating to civil law enforcement; or
- Staff otherwise become aware of civil law enforcement activity affecting the program, including the presence of civil law enforcement in the vicinity of the program.

Staff Conduct During Interactions with Civil Law Enforcement Officers

During interactions with civil law enforcement officers, program staff shall continue to supervise and care for residents. Whenever possible, staff who are not directly involved in responding to officers should remain with residents and maintain ordinary care routines.

1. If civil law enforcement officers arrive on site or request information, employees and staff should inform the law enforcement officers that the employees/staff will contact an administrator to assist them and that they should wait where they are (ideally outside or in an area separate from residents).
 - a. Examples of statements that may be used:
 - i. "I am not authorized to allow you to enter the program. Please wait here while I contact an administrator."
 - ii. "I am not authorized to discuss specific individuals or to speak with you about this resident/employee. I am going to contact an administrator who will discuss this further with you"; and
 - iii. "I am not permitted to discuss/disclose private information to you."
2. Staff should immediately notify the program's designated contact person.

Once notified, the designated contact person shall:

1. [IF APPLICABLE]: The designated contact person shall contact the program attorney prior to engaging with civil law enforcement officers and in review of any documentation, including any warrants.
2. Go to the entrance where the law enforcement officers are waiting.
3. Speak to the law enforcement officers and ask for identification.
4. Record the law enforcement officers' names, agencies, and badge numbers.
5. Ask the law enforcement officers to allow the designated contact to view any warrant or other documentation.
6. Review the documents to determine whether the law enforcement officers have a valid Judicial Warrant or Judicial Order.
 - a. If the law enforcement officers have a valid Judicial Warrant or Judicial Order authorizing an arrest or entry to search or both, the designated contact person should inform the law enforcement officers that they may enter the EEC Provider Premises; however, the designated contact person should request that, where feasible, civil law enforcement officers avoid areas where residents are present.
 - b. If the law enforcement officers do not have a valid Judicial Warrant or Judicial Order, or they have only an administrative warrant, the designated contact person must inform them that they are not authorized to enter the EEC Provider Premises or conduct a civil arrest on the Premises and must ask them to leave.
7. If the law enforcement officers proceed to conduct a civil arrest on the program premises in violation of the PROTECT Act, no one should attempt to physically interfere with them; rather, on-site staff should document an interaction, as detailed below.

Program staff, including the designated contact person, shall not:

- physically obstruct or interfere with a law enforcement officer;
- destroy, conceal, alter, or falsify records;
- knowingly provide false information;
- advise another person to evade a lawful arrest;
- sign documents on behalf of the program unless authorized to do so; or
- voluntarily provide access to any person or confidential information contrary to federal or state laws and EEC policies and procedures.

If there is an imminent threat to the safety of a resident, staff member, family member, or other person, program staff should not hesitate to call 9-1-1 for assistance.

Procedures for Documenting All Interactions with Civil Law Enforcement:

Each program staff who is involved in the interaction shall document all interactions, including requests for information, with civil law enforcement as soon as practicable and when they feel safe to do so. Documentation shall be maintained securely and shared only as permitted and required by law.

The documentation should include, to the extent known:

- Date and time when law enforcement officers arrived on the premises or made the information request;
- The names and badge numbers of the officers, and the agency they represented;
- The number of vehicles and license plate numbers, if visible;
- The names of witnesses, residents, or other staff involved;
- Steps taken to notify the designated contact person and/or attorney, as the case may be;
- The actions of the law enforcement officers, including whether the officers complied with instructions;
- Whether the law enforcement officers had a valid Judicial Warrant or Judicial Order, or some other documentation;
- Whether a civil arrest was made on the premises; and
- Impact on any residents/employees/staff (after any immediate issues have been addressed) and any follow up actions needed to support them.

Bystanders, including employees and staff, can openly (not secretly) videorecord the interaction, but they must not interfere.

Notifications of Interactions with Civil Law Enforcement

If law enforcement officers are attempting to reach or are seeking information about a resident, the program must immediately notify the resident's parent or guardian.

Program staff should otherwise follow its standard notification procedures, including notification to parents or guardians, EEC, and other relevant agencies.

The Program may also file a Civil Rights Complaint with the Massachusetts Attorney General:<https://www.mass.gov/how-to/file-a-civil-rights-complaint>
<https://www.mass.gov/how-to/file-a-civil-rights-complaint>

Appendix B: Sample Civil Law Enforcement Interaction Documentation

Date: _____

Time: _____

Program/Site: _____

Officer Name(s): _____

Badge/Identification Number(s): _____

Agency: _____

Supervisor/Contact Information: _____

Purpose stated by agent:

Person, records, or area requested:

Document presented:

- ☐ Judicial warrant
- ☐ Judicial order
- ☐ Subpoena
- ☐ Administrative immigration warrant
- ☐ Immigration detainer
- ☐ Other: _____
- ☐ No document presented

Designated Contact notified: ☐ Yes ☐ No

Legal counsel contacted: ☐ Yes ☐ No

Program response:

Information or records disclosed, if any:

Any arrest/detention or other enforcement action:

Impact on resident(s)/program operations:

Any other observations:

Staff completing report: _____

Date completed: _____

Appendix C: Sample Template for Notification to Families and Personnel About Confirmed Presence of Law Enforcement Officers Engaged in Civil Law Enforcement at EEC Provider Premises

Dear _____:

We are writing to inform you that civil law enforcement agencies, specifically [INCLUDE THE NAME OF THE AGENCY IF AVAILABLE], were present at [PROVIDER/LOCATION] on [DATE].

Per the PROTECT Act signed on August 5th, 2026, it is now the law in Massachusetts that civil arrests for civil law enforcement, including federal immigration enforcement, are not allowed on the premises of an EEC-licensed program during regular hours of care and program-sponsored events.

We have clear procedures and policies in place to follow the PROTECT Act.

If you are looking for additional legal assistance or information, please use the resources below.

For general legal help with this inquiry, please access legal assistance here:

- [Home | Massachusetts Legal Resource Finder](#)

For legal assistance with regard to immigration issues, please access legal assistance here:

- The Legal Representation Fund (LRF) -- For those recently detained by ICE.
 - Detained Hotline: (617) 637-8195
 - Family & Friends Hotline: (617) 396-7143
- The Massachusetts Access to Counsel Initiative (MACI) -- For those facing deportation currently in Immigration court proceedings.
 - Intake: 508-505-4588
- MIRA Immigration Helpline
 - miracoalition.org/news/immigration-helpline/
- Nationwide Immigration Lawyer Search
 - ailalawyer.com

Appendix D: Sample Template for Notifying Parents or Guardians About Specific Requests from Law Enforcement Engaged in Civil Law Enforcement

Dear _____:

As the parent or legal guardian of _____, this email is to notify you that Civil Law enforcement agencies, specifically [INCLUDE THE NAME OF THE AGENCY IF AVAILABLE] was [either trying to reach your resident OR sought specific information about your resident].

You may reach out to [CONTACT PERSON] at [PROGRAM] with any questions about this inquiry, but please be aware that our program may not have any more information than what has already been provided above.

For general legal help with this inquiry, please access legal assistance here:

- [Home | Massachusetts Legal Resource Finder](#)

For legal assistance with regard to immigration issues, please access legal assistance here:

- The Legal Representation Fund (LRF) -- For those recently detained by ICE.
 - Detained Hotline: (617) 637-8195
 - Family & Friends Hotline: (617) 396-7143
- The Massachusetts Access to Counsel Initiative (MACI) -- For those facing deportation currently in Immigration court proceedings.
 - Intake: 508-505-4588
- MIRA Immigration Helpline
 - miracoalition.org/news/immigration-helpline/
- Nationwide Immigration Lawyer Search
 - ailalawyer.com

Appendix E: Attestation of Compliance with PROTECT Act

I hereby attest that I have read and understand the requirements of the Massachusetts PROTECT Act, Stat. 2026, c. 163 §§ 1-24.

I further acknowledge that I have reviewed and understand EEC's requirements for licensed and funded programs to comply with the Protect Act as detailed in the Massachusetts Department of Early Education and Care Interactions with Civil Law Enforcement Policy.

- ☐ I agree to implement and adhere to EEC's Model Protect Act Policy; or
☐ I have an equivalent policy that meets the requirements of the PROTECT Act;

I agree to upload the required policy documentation into EEC's LEAD Licensing System.

I certify that the statements above are true and accurate. I understand that this attestation is made under the pains and penalties of perjury.

Program Name: _____

Licensee (Print Name): _____

Signature: _____

Date: _____