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Prohibited Use of State Facilities for Civil Immigration Enforcement Efforts

Executive Order 650: Protecting Access to Essential Services and Keeping Massachusetts Communities Safe

The Healey-Driscoll Administration is committed to ensuring that state-owned and state-controlled properties remain available to serve state purposes and residents of Massachusetts. To that end, Governor Healey issued Executive Order 650: Protecting Access to Essential Services and Keeping Massachusetts Communities Safe, to prohibit state facilities, including parking lots and parking garages, from being used by Federal Immigration Officers to facilitate civil immigration enforcement efforts.

This Guidance provides answers to frequently asked questions about the implementation of this part of the Executive Order.

What properties are covered by the Executive Order?

The Executive Order prohibits civil immigration enforcement efforts on “state facilities,” which means any buildings, or parts thereof, which are owned, leased, occupied, controlled by, or used for business by a state executive office or agency. This would include buildings, parking lots, parks, vacant lots, and other spaces used or controlled by executive offices, like the Executive Office of Health and Human Services, the Executive Office of Housing and Livable Communities, and the Executive Office of Veterans Services, and state agencies, like the Department of Conservation and Recreation and the Department of Transitional Assistance.

EO 650 does not apply to any buildings, or parts thereof, controlled or used by other branches of government, including the judicial branch, quasi-agencies, municipalities, sheriffs, schools or public colleges and universities, including the University of Massachusetts. By law, EO 650

applies only to state facilities under state Executive office or agency control. However, other branches of government and entities not subject to EO 650 are strongly encouraged to follow it.

What activities are prohibited on state facilities under the Executive Order?

Under the Executive Order, Federal Immigration Officers from Immigration and Customs Enforcement (ICE), Customs and Border Patrol (CBP), or any other federal law enforcement agencies assisting ICE/CBP may not use state facilities to facilitate civil immigration enforcement efforts. Prohibited uses include but are not limited to parking or waiting in a state facility to conduct civil immigration arrests, setting up a staging area or operations base in a state facility to execute civil immigration arrests, and bringing detained individuals back to a state facility for processing. This may look like:

- Multiple marked or unmarked ICE vehicles appearing in a parking lot owned or used by an Executive office or agency, and remaining there or returning over a period of time;
- Federal Immigration Officers convening at property owned or used by an executive office or agency.

What should I do if I see ICE or other Federal Immigration Officers using a state parking lot or other state facility for civil immigration enforcement activities?

- Do not approach or interfere with Federal Immigration Officers conducting civil immigration activities.
- If you feel safe doing so, you may observe and record what is happening. Important details to write down include the date, time and location of the incident, the names or identifying information of any Federal Immigration Officers, and the license plate number of official vehicles. You also may take photographs or videos, from a safe distance, and without interfering with the Federal Immigration Officers.
- Members of the public who believe they see Federal Immigration Officers using a state facility for civil immigration enforcement in violation of the Executive Order should report the activity to the Office of Refugees and Immigrants (ORI) by calling this **hotline: 617-988-2474** or emailing EO650-reports@mass.gov. ORI staff will review the reports, take down the necessary information and take actions consistent with the purpose and meaning of the Executive order. For reports of Federal Immigration Officers after the officers have left the facility, you can upload information here: <https://www.mass.gov/fedmisconduct>.
- When reporting the activity, please note the exact location (e.g., address, building name, intersection), the date and time of the activity, and a description of the activity. Please include your phone number so that we can follow up with any questions

- If you are a state employee, staffing a state-owned or state-controlled parking lot, garage, or other open space and you believe Federal Immigration Officers are using or attempting to use the state-controlled property for unauthorized purposes, you should follow your agency protocols for internal reporting or contact your supervisor.

Should I call 911 or the state police if I think ICE is violating or has violated the Executive Order?

- Generally, local and state police cannot intervene in federal immigration enforcement efforts, including violations of a state Executive Order. If you observe what you believe to be a violation of EO 650, you should follow the instruction above and report the activity to the Office of Refugees and Immigrants by calling this **hotline: 617-988-2474** or emailing EO650-reports@mass.gov. Additionally, anyone personally aggrieved by a violation of their constitutional rights may seek relief in state or federal court.

If you are in imminent danger or in need of immediate assistance, for any reason, you should not hesitate to call 911.

Remember

Members of the public should *never* attempt to physically interfere with law enforcement.

Members of the public should, if they feel safe and comfortable, write down details regarding an incident, including officer badge numbers and notes of conversations between staff and the officers as well as considering taking photos and videos from a safe distance.