

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES**

2026 Session
Ordinance No. __

1 SECTION 1. Authority.

2 (a) This Ordinance shall be known and may be cited as the “An Ordinance Ensuring Community
3 Safety and Lawful Federal Immigration Enforcement”.

4 (b) This Ordinance is adopted pursuant to the authority of the Cape Cod Regional Government to
5 regulate its internal affairs, control and manage its real and personal property, and provide for the
6 administration of County operations. The purpose of this Ordinance is to establish enforceable
7 standards governing the use of County property, the conduct of County employees, and the
8 protection of County facilities and services in connection with civil immigration enforcement
9 activities.

10 (c) Nothing in this Ordinance shall be construed to prohibit or interfere with the execution of
11 lawful judicial warrants or court orders, to regulate or obstruct federal enforcement conducted in
12 accordance with applicable law, or to require any County employee to take any action prohibited
13 by federal or state law.

14 SECTION 2. Definitions.

15 For purposes of this Ordinance, the following terms shall have the following meanings:

16 (a) “Civil immigration enforcement” shall mean enforcement of federal civil immigration law,
17 including the investigation, apprehension, detention, or removal of individuals for civil
18 immigration violations.

19 (b) “County property” shall mean any real property, building, facility, parking area, or land
20 owned, leased, or controlled by the Cape Cod Regional Government.

21 (c) "Nonpublic area" shall mean any portion of County property not open to the general public
22 without restriction, including offices, employee-only areas, secured or restricted areas,
23 administrative spaces, and operational areas.

24 (d) "Judicial warrant" shall mean a warrant issued by a federal or state court upon a finding of
25 probable cause and signed by a judge or magistrate; provided, however, that such term shall not
26 include administrative warrants issued by a federal agency.

27 (e) "Court order" shall mean a lawful order issued by a court of competent jurisdiction.

28 (f) "County employee" shall mean any officer, employee, agent, or contractor of the Cape Cod
29 Regional Government.

30 SECTION 3. Use of County Property.

31 (a) County property shall not be used for the purpose of staging, processing, detaining, or
32 otherwise conducting operations in furtherance of civil immigration enforcement except pursuant
33 to a valid judicial warrant or court order. Such prohibition shall apply to the assembling or
34 deployment of personnel, the parking or staging of vehicles or equipment, and the establishment
35 of temporary or ongoing operational bases. No County employee shall grant permission for such
36 use except as authorized herein, and County property shall not be made available for such
37 purposes under conditions more permissive than those applicable to members of the general
38 public.

39 (b) Access to nonpublic areas of County property shall be restricted. County employees shall
40 deny access to any nonpublic area to any federal immigration enforcement official seeking entry
41 for purposes of civil immigration enforcement unless presented with a judicial warrant or court
42 order. Administrative warrants, detainers, or other agency-issued requests shall not constitute
43 sufficient authority for entry. County employees shall not provide consent to such entry, and any

44 request for access shall be referred to the County Administrator or designee for review of the
45 legal sufficiency of the warrant or order presented.

46 (c) In any instance in which access to County property is requested for purposes of civil
47 immigration enforcement, County employees shall request identification and agency affiliation,
48 request a judicial warrant or court order, and promptly notify supervisory personnel and County
49 Counsel. No employee shall exercise discretion inconsistent with the requirements of this
50 section.

51 (d) Nothing in this section shall be construed to restrict access to areas of County property that
52 are otherwise open to the general public.

53 SECTION 4. Employee Conduct and Data Protection.

54 (a) No County employee shall use County time, funds, facilities, equipment, or other resources to
55 assist in civil immigration enforcement except where required by law.

56 (b) County employees shall not inquire into an individual's immigration status, collect or
57 maintain information regarding such status, or disclose nonpublic personal information for
58 purposes of civil immigration enforcement except where required by law.

59 (c) County departments shall not collect or retain information regarding immigration status
60 unless required by law or necessary for the provision of services. Any such information
61 maintained shall be treated as confidential and safeguarded against unauthorized access through
62 reasonable administrative, technical, and physical protections.

63 (d) County employees shall comply with all procedures established pursuant to this Ordinance
64 and shall not exercise discretion inconsistent with its requirements.

65 SECTION 5. Facility Designation and Signage.

66 (a) The County Administrator shall, within ninety (90) days of the effective date of this
67 Ordinance, ensure that all County facilities are reviewed for the designation of public and
68 nonpublic areas and that appropriate signage is installed stating that nonpublic areas are
69 restricted and that access to such areas requires a judicial warrant or court order. No County
70 facility shall be deemed compliant with this Ordinance until such signage has been installed.

71 (b) The Department of Facilities shall maintain an inventory of County properties and the
72 designation of public and nonpublic spaces.

73 SECTION 6. Courthouse Property.

74 (a) To the extent permitted by law and consistent with the operation of the courts, the provisions
75 of this Ordinance shall apply to County-controlled portions of courthouse facilities, including
76 administrative offices, employee workspaces, restricted corridors, secured areas, and adjacent
77 grounds and parking areas under County control. Such areas shall not be used for staging,
78 processing, or operational purposes in furtherance of civil immigration enforcement absent a
79 judicial warrant or court order.

80 (b) Nothing in this section shall be construed to interfere with the judicial branch or to expand
81 access beyond that permitted to members of the general public.

82 SECTION 7. Contracts.

83 All County contracts, leases, licenses, and use agreements shall, where practicable, include
84 provisions prohibiting the use of County property for civil immigration enforcement purposes
85 inconsistent with this Ordinance, and County departments shall ensure that vendors and
86 contractors operating on County property comply with applicable provisions herein.

87 SECTION 8. Incident Documentation.

88 (a) County departments shall document any known civil immigration enforcement activity
89 occurring on County property. Such documentation shall be transmitted to the Assembly of
90 Delegates and the Board of Regional Commissioners not later than fourteen (14) days following
91 the County's knowledge of such activity.

92 (b) The County Administrator shall establish uniform procedures governing the reporting,
93 documentation, and retention of such activity. All records created or maintained pursuant to this
94 section shall be handled in a manner consistent with applicable public records laws; provided,
95 however, that nothing herein shall be construed to require the disclosure of information exempt
96 from such laws.

97 (c) Any video or audiovisual recording of civil immigration enforcement activity occurring on
98 County property and in the custody or control of the County shall be preserved and, to the extent
99 not exempt from disclosure under applicable law, made publicly available not later than fourteen
100 (14) days following the County's acquisition of such recording.

101 SECTION 9. Implementation and Enforcement.

102 (a) The County Administrator shall be responsible for implementation and enforcement of this
103 Ordinance and shall issue such policies, procedures, and guidance as necessary to effectuate its
104 provisions.

105 (b) County departments shall adopt internal procedures consistent with this Ordinance, designate
106 responsible personnel for compliance, and adhere to any directives issued by the County
107 Administrator.

108 (c) Any known violation shall be reported to the County Administrator and reviewed in
109 consultation with County Counsel, and corrective action may be taken as necessary to ensure
110 compliance.

111 SECTION 10. Severability.

112 (a) If any provision of this Ordinance is held invalid, such invalidity shall not affect the

113 remaining provisions, which shall remain in full force and effect.

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115 Submitted by:

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121 Date: March 18, 2026