

MONTGOMERY COUNTY COMMISSIONERS*March 5, 2026*

On motion of _____, seconded by _____, it was adopted that:

BACKGROUND

1. The members of the Montgomery County Board of Commissioners each take an oath to support, obey and defend the Constitutions of the United States and the Commonwealth of Pennsylvania.
2. The Board of Commissioners' duties include protecting public safety and safeguarding the constitutional and human rights of all residents of Montgomery County.
3. The Montgomery County Board of Commissioners maintains a commitment to the rule of law, equal protection under the law, due process, and the constitutional protections that are accorded to all in the United States and Pennsylvania, including all residents of Montgomery County.
4. Across multiple jurisdictions, U.S. District Court judges, including judges appointed by Presidents from both political parties, have found that U.S. Immigration and Customs Enforcement (ICE) has engaged in activity that has violated the U.S. Constitution, federal law, and court orders.
5. In 2025, Congress allocated \$45 billion to ICE to build new immigration mass scale detention centers to meet increased daily quotas for detention, raising concerns of rapid expansion of ICE's operations.
6. The announced construction of two ICE detention centers in neighboring Berks County, Pennsylvania and nearby Schuylkill County, Pennsylvania further raises the likelihood of increased ICE activity in the region.
7. Montgomery County opposes the use of warehouses or similar industrial facilities not intended for human occupancy as facilities to hold, jail, detain, house, or otherwise store human beings; and foresees further likelihood of quota-driven violations of constitutional rights and due process.
8. Montgomery County is home to persons of diverse racial, ethnic, and national backgrounds, including more than 100,000 residents who have immigrated to the United States from countries across the globe.

9. Together the residents of Montgomery County form a diverse and strong community which the Board of Commissioners of Montgomery County believe should be able to confidently and safely engage in the business, civic, and cultural life of Montgomery County.
10. Montgomery County's commitment to the rule of law, equal protection under the law, due process, and constitutional protections have as a goal fostering trust with and support for all of our communities to ensure that County resources are utilized for ensuring the health, safety, and wellbeing of all County residents and visitors.
11. Montgomery County has long recognized that public safety is best achieved through trust and collaboration between residents and local government, which serves to meet the needs of local residents, not as a regional branch of the federal government.
12. Montgomery County applauds our local law enforcement, including our District Attorney and our Sheriff, for their tireless work to earn local public trust.
13. Montgomery County has established internal policies to ensure that County employees shall not assist in federal civil immigration enforcement except in response to judicial warrant, sufficient subpoena, or as otherwise required by law, and has provided trainings for County employees on appropriate actions to take when interacting with federal authorities in accordance with County policies.
14. Montgomery County finds that the use of County property and resources for federal civil immigration enforcement operations unrelated to criminal investigations will undermine public trust, discourage residents from seeking assistance or reporting crimes, disproportionately target individuals based on race, ethnicity, or perceived immigration status, and interfere with the County's efforts to serve all of Montgomery County's residents effectively.

NOW THEREFORE BE IT RESOLVED that the proper County Officials, in accordance with the authority conferred by law, subject to the approval of the County Solicitor, hereby permanently adopt the County's Policy on County Interactions with Federal Immigration Authorities, attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that no County property or resources shall be used, leased or otherwise lent for any purpose not expressly authorized by the County, including, for example, as a staging area, processing location, or operations base for the purpose of federal civil immigration enforcement operations and no such purported consent by a County department, agency, officer, or employee shall be deemed consent by the County for any such use, except as required by law.

The County shall not enter into a 287(g) agreement or any other voluntary agreement requiring the County to provide County resources to the Federal Government for the purposes of civil immigration enforcement.

The County Department of Assets and Infrastructure is authorized to (a) post clear signage on County-owned property designating that the property is owned and/or controlled by the County and cannot be used for any purpose not expressly authorized by the County and (b) provide private property owners with signage, at no cost, to delineate the non-public areas of private property on which owners may desire to restrict activities related to federal civil immigration enforcement operations, which owners may post at their own discretion and at their sole risk.

This resolution does not prohibit the lawful use of County-owned and controlled property or resources for purposes authorized by the County. Nothing in this resolution shall be interpreted as prohibiting any County officer or employee from complying with a lawful court order, judicial warrant, or other requirement of federal or state law, regulation, or court order.