

OFFICE OF THE MAYOR

EXECUTIVE ORDER HM 26-14

PROHIBITION AGAINST 287(g) ICE AGREEMENTS

WHEREAS, Act 399 of the 2025 Regular Session of the Louisiana Legislature makes it a crime punishable by imprisonment for any public official (a) to refuse a lawful request for cooperation submitted by federal immigration officials with the intent to hinder, delay, prevent, or otherwise interfere, ignore, or thwart federal immigration enforcement efforts; (b) to knowingly release a person, following arrest or booking, from local law enforcement custody without providing advance notice to federal immigration officials that the law enforcement agency effecting the release is aware that the person either illegally entered or unlawfully remained in the United States; or (c) to ignore a request or detainer alleging that a person in local custody be released either illegally entered or unlawfully remains in the United States; and

WHEREAS, Act 399 nevertheless makes clear that the law does not to limit, impede, or otherwise interfere with the duty of a sheriff, chief of police, or other executive law enforcement official in this state to exercise the powers of his office; and

WHEREAS, Section 287(g) of the federal Immigration and Nationality Act, 28 U.S.C. § 1357(g), authorizes U.S. Immigration and Customs Enforcement (“ICE”) to delegate to local law enforcement officers the authority to perform specified immigration officer functions, including investigation, apprehension, or detention, under ICE’s direction and oversight; and

WHEREAS, the local-delegation provisions in Section 287(g) require a written agreement between the U.S. Attorney General and the local political subdivision authorizing officers and employees of the political subdivision to carry out federal immigration activities; and

WHEREAS, 28 U.S.C. § 1357(g)(9) makes clear that a local-participation agreement is not required by law and that local participation requires voluntary agreement at the local level; and

WHEREAS, the Louisiana Constitution further protects the autonomy of home-rule jurisdictions like New Orleans in the deployment of scarce local resources; and

WHEREAS, the New Orleans Home Rule Charter makes the Mayor responsible for the direction and supervision of the Executive Branch and for ensuring the faithful and lawful administration of City operations in accordance with applicable federal and state law; and

WHEREAS, the Home Rule Charter vests in the Mayor the authority to enter into agreements requiring the assent of the City; and

WHEREAS, it is the policy of this administration that the limited resources of the New Orleans Police Department, which has made remarkable gains in reducing violent crime despite persistent understaffing and stark fiscal constraints, are better employed addressing violent crime in the City and that the vast resources of the federal government are sufficient to address federal immigration matters; and

WHEREAS, this Order is intended to provide clear guidance regarding the City's policy that local officials shall not be federalized through the City's consent,

NOW THEREFORE, I, HELENA MORENO, pursuant to the authority vested in me as the Mayor of the City of New Orleans by Section 4-206(3) of the New Orleans Home Rule Charter and other applicable law, **DO HEREBY ORDER AS FOLLOWS:**

1. **Effective Date.** This Order shall become effective upon execution.
2. **Definitions.** For purposes of this Executive Order:
 - A. "287(g) Agreement" means any memorandum of agreement, memorandum of understanding, contract, addendum, or other written instrument entered into pursuant to 28 U.S.C. § 1357(g) that delegates federal immigration enforcement authority or functions to City personnel.
 - B. "City Official" means any officer, employee, appointee, agent, or representative of the Executive Branch of the City of New Orleans, including without limitation any department, office, agency, board, or commission within the Executive Branch, when acting in an official capacity.
 - C. "Federal Immigration Agency" includes ICE and other federal agencies responsible for immigration enforcement.
3. **287(g) Agreements Prohibited.**
 - A. No City Official shall initiate, negotiate, execute, renew, extend, amend, or otherwise enter into any 287(g) Agreement.
 - B. No City Official shall sign or submit any application, letter of intent, certification, or other document intended to establish, implement, or participate in a 287(g) Agreement.

C. No City department or agency shall expend City funds or resources to support the development or implementation of a 287(g) Agreement.

4. **Revocation of Any 287(g) Agreements.** For avoidance of doubt, any existing 287(g) Agreement entered into on or before the effective date of this Order is hereby revoked.

5. **Compliance with State Cooperation Requirements; Construction.**

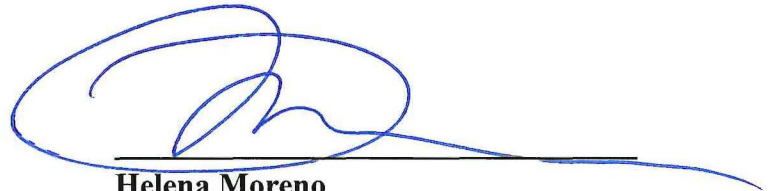
A. Nothing in this Order prohibits City Officials or City agencies from complying with Louisiana law requiring cooperation with federal immigration authorities, including the information-sharing and detainer-related provisions set forth in La. R.S. 33:83, and other applicable state and federal laws.

B. This Order shall be implemented consistent with applicable state law, constitutional requirements, and any binding court orders applicable to City operations.

C. This Order addresses only the City's executive-branch administration and does not purport to regulate independent constitutional officers or entities not subject to the Mayor's executive supervision.

6. **Duration.** This Order shall remain effective until amended, rescinded, or terminated in accordance with applicable law.

WITNESS MY HAND AND SEAL THIS 12TH DAY OF FEBRUARY, 2026 AT NEW ORLEANS, LOUISIANA.



Helena Moreno
Mayor
City of New Orleans