

EXECUTIVE ORDER NO.1 OF 2017

WHEREAS, immigrants have made significant contributions to every facet of the County's economic, educational, and cultural life; and

WHEREAS, meeting the needs of the County's immigrant population is important to maintaining public trust and confidence in County government and its agencies; and

WHEREAS, the County's Human Rights Law protects aliens from discrimination in the areas of employment, housing, and public accommodations, and the County is committed to enforcing those protections to the maximum extent permitted by law; and

WHEREAS, checking on the immigration status of Westchester County residents is not a local responsibility and is only carried out in compliance with requirements of federal or state law; and

WHEREAS, the obtaining of pertinent information, which is essential to the performance of a wide variety of governmental functions, may in some cases be difficult or impossible if some expectation of confidentiality is not preserved, and preserving confidentiality in turn requires the government to regulate the use of such information by their employees;

NOW, THEREFORE, I, ROBERT P. ASTORINO, County Executive of the County of Westchester, in light of the aforementioned and in accordance with my statutory duties, do hereby order that:

- I. As used herein,
 - a. "alien" means any person who is not a citizen or national of the United States;
 - b. "illegal activity" means unlawful activity but shall not include mere status as an undocumented alien.

 - II. A County officer or employee, other than law enforcement officers, shall not inquire about a person's immigration status unless:
 - a. such person's immigration status is necessary for the determination of program, service or benefit eligibility or the provision of County services; or
 - b. such officer or employee is required by law to inquire about such person's immigration status.
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III. 1. A police officer or peace officer including members of the Department of Public Safety and the Department of Correction:

a. shall not inquire about a person's immigration status unless such officer is required by law to do so or is investigating illegal activity other than mere status as an undocumented alien.

b. shall continue to cooperate with federal authorities in investigating and apprehending aliens suspected of criminal activity.

2. It shall be the policy of the County to not inquire about the immigration status of crime victims, witnesses, or others who call or approach the police seeking assistance.

IV. County law enforcement officers and other County agencies and employees shall not threaten to contact federal immigration authorities or threaten to transmit any information about any individual's citizenship, or immigration status to federal immigration authorities.

V. County police officers shall not stop, question, interrogate, investigate or arrest an individual based solely upon any of the following:

a. actual or suspected citizenship, or immigration status; or

b. actual or suspected country of birth.

VI. This Executive Order shall take effect on the date hereof, and shall remain in effect until otherwise superseded, repealed, modified, or revoked.

VII. Executive Order No. 4 of 2006 is hereby repealed and rescinded.



ROBERT P. ASTORINO
County Executive

Dated: September 20, 2017
White Plains, New York