

The Star-Ledger

N.J. rules that limit when police can work with ICE upheld by federal court

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NJ Advance Media for NJ.com and The Star-Ledger

Published Aug. 12, 2021

A federal court has ruled in favor of New Jersey restrictions on when local police can cooperate with federal immigration officers, a blow to the South Jersey counties that argued the policy was illegal.

The U.S. Court of Appeals for the Third Circuit said Monday the Garden State could block cops from asking about a suspect's immigration status and limit when jails can hand people over to U.S. Immigration and Customs Enforcement, known as ICE.

The decision upheld an earlier decision by another judge.

New Jersey's top law enforcement official praised the ruling and said the policy, known as the Immigrant Trust Directive, "has helped us to foster trust between New Jersey's police officers and the state's historically marginalized communities."

"I hope this brings an end to this years-long litigation," acting Attorney General Andrew Bruck said in a statement. "New Jersey residents should never be afraid that interacting with our cops as victims and witnesses will lead to their deportation."

Immigrant advocates have hailed the limits as a way to make undocumented residents feel safe when reporting crimes.

An ICE spokesman declined comment and a representative for Cape May's sheriff did not immediately respond to a request for comment.

The rules had also been contested by Ocean County and former President Donald Trump's administration.

Federal immigration officers previously said the policy threatened "the safety and security of the very people the New Jersey Attorney General is charged with protecting."

Bruck's predecessor, Gurbir Grewal, issued the rules in 2018.

They took effect in early 2019. Throughout the rest of that year, cooperation between New Jersey police and ICE was almost non-existent, according to the most recent state data available.

Cops only worked with federal immigration officers four times, data shows.

Far more cooperation occurred with jails and prisons. New Jersey let ICE conduct more than 550 interviews, told federal officials about upcoming releases nearly 780 times and held onto prisoners in more than 400 cases, according to the data.

Local leaders have since become more hesitant to work with the federal government.

Essex's jail is ending its contract with ICE to hold immigration detainees, and Gov. Phil Murphy is currently weighing whether to sign a bill banning all jails from signing similar agreements in the future.