



Raoul Joins Other Attorneys In Defending New Jersey Directive Of Limits In Regard To Federal Immigration Cooperation

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CHICAGO – Attorney General Kwame Raoul joined a group of 15 attorneys general in defending a New Jersey directive that limits when and how local law enforcement can cooperate with federal immigration authorities. The federal government is trying to block a 2018 law enforcement directive issued by the New Jersey attorney general that bars local law enforcement agencies from sharing certain information about detainees with immigration authorities or participating in federal immigration enforcement in most cases.

In an amicus brief filed in the U.S. District Court for the District of New Jersey, Raoul and the coalition argue that the court should uphold New Jersey's directive because states have the responsibility and authority to protect public safety, regulate law enforcement and decide how to use their limited resources.

“I will continue to stand with other attorneys general to fight the federal government’s continued efforts to utilize local law enforcement and states’ limited resources to enact anti-immigrant policies that further erode trust in law enforcement,” Raoul said. “As state attorneys general, we recognize that now more than ever, we must work with communities and law enforcement entities to develop constitutional policing policies to restore the public’s trust in police.”

Raoul and the coalition filed an amicus brief today in *United States v. New Jersey*. The federal government seeks to strike down New Jersey Attorney General Law Enforcement Directive 2018-6, which was issued to promote public safety, protect immigrant communities and prevent the federal government from using local law enforcement to assist with efforts to increase deportations. The directive prohibits local law enforcement from transferring individuals to federal immigration authorities without a judicial warrant unless that person has committed a serious crime. It also prevents local law enforcement from providing U.S. Immigration and Customs Enforcement with the release date of any detainee who has not been convicted of a serious crime or sharing any individual’s non-public information, including their home or work address, with immigration authorities.

In the amicus brief, the states collectively argue that New Jersey’s directive should be upheld because:

States have broad authority to protect public safety: The coalition argues that states have primary responsibility for protecting public safety within their borders and have broad authority to enact legislation for the public good. This responsibility includes a duty to implement policies that best address local conditions and policy preferences and a duty to determine how best to use limited local resources. States have reasonably exercised their power to disentangle local law enforcement from federal immigration enforcement based on studies, expert analysis and evidence that indicate such efforts can build community trust and promote public health and safety.

The directive does not interfere with the enforcement of federal immigration law: Raoul and the coalition argue that declining to use state and local resources to actively participate in federal civil immigration enforcement does not create an obstacle to federal immigration enforcement.

It is unconstitutional for the federal government to commandeer state resources: The basic principles of federalism enshrined in the Constitution mean that the federal government cannot directly order states to use their resources to enforce federal laws.

Joining Raoul in filing the brief are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Maryland, Massachusetts, Michigan, Minnesota, New Mexico, New York, Oregon, Rhode Island, Vermont and Washington.