

Immigrant Trust Directive

Highlights for the Public

While the federal administration is making changes to the enforcement of United States Immigration laws, Attorney General Matthew J. Platkin, each of the twenty-one county prosecutors, and the New Jersey State Association of Chiefs of Police, have reminded all New Jersey law enforcement officers that the Immigrant Trust Directive (Attorney General Directive 2018-6) is still in full force and effect.

The Immigrant Trust Directive, first issued in 2018, helps protect public safety, which is law enforcement's core mission. The directive has, for over six years, allowed state and local officials to work with federal authorities to remove violent criminals from this country, while otherwise ensuring that individuals who are victims or witnesses to a crime can safely come forward to New Jersey law enforcement officials, regardless of their immigration status. It allows New Jersey law enforcement to properly focus on preventing violent crime. It is also settled law. Federal and local officials challenged it years ago, and their claims were thoroughly rejected, by judges across the ideological spectrum up through the Third Circuit. The Directive has been helping foster trust between immigrant residents and law enforcement in our state for years.

The Directive can be read in its entirety [here](#). A summary of that directive is located [here](#) and our law enforcement resource guide is available [here](#). Additionally, the New Jersey Department of Human Services and Office of New Americans has made a Know Your Rights page available [here](#). Even with these publicly available resources, we thought a few points should be highlighted for the benefit of the public at large:

- The Immigrant Trust Directive seeks to strengthen the bond between law enforcement and immigrant communities.
- If you are a victim or witness of a crime, please come forward as state, county and local law enforcement's priority is to ensure the public's safety.
- No one should suffer in silence out of fear of being identified as a non-citizen.
- Some victims may qualify for special visas such as T or U Visas and should seek the advice of an immigration attorney to determine if they qualify. Procedures for how law enforcement agencies certify some of the forms used to apply for these visas are available on their websites.
- New Jersey law enforcement will not ask an individual about their immigration status unless, in limited circumstances, that information is necessary and relevant to pursue an indictable criminal investigation.
- New Jersey is NOT a sanctuary state to anyone who commits crimes in New Jersey.
- New Jersey law enforcement officers will investigate New Jersey state criminal offenses.
- Any person who violates New Jersey's criminal laws will be arrested and prosecuted for their actions regardless of immigration status.
- No state, county or local law enforcement officer shall stop, question, arrest, search or detain any individual based solely on actual or suspected citizenship, immigration status, or violations of federal civil immigration law.
- New Jersey law enforcement officers will not assist federal agents conducting civil immigration enforcement activities unless certain circumstances, outlined below, exist.
- New Jersey law enforcement can assist federal agencies with the enforcement of criminal investigations, or when exigent circumstances exist such as circumstances when the safety of fellow officers or the public is in jeopardy.
- New Jersey law enforcement will comply with and enforce arrest warrants only when the warrant is signed by a judge and not by ICE Officers, such as Form I-200.
- The Immigrant Trust Directive does not prohibit a law enforcement officer from requesting information to complete the necessary fields in the arrest database such as place of birth and country of citizenship.
- Officers shall not provide any "non-public personally identifying information" regarding an individual. (See N.J.S.A. 47:1A-1.1 and N.J. Court Rule 1:38-7(a) for a definition of this term).

For more information visit:

nj.gov/trust



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