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57 Criminal Justice Leaders Rally Behind Landmark NJ Policy
Limiting Local Entanglement in Federal Immigration Enforcement

Yesterday, 57 current and former elected prosecutors and law enforcement leaders filed an amicus curiae brief in support of New Jersey’s landmark Immigrant Trust Directive, a statewide policy that aims to fortify trust between immigrant communities and local law enforcement by limiting voluntary assistance in federal immigration enforcement activities. As noted by these national criminal justice leaders, when local law enforcement becomes involved in immigration enforcement it erodes public trust and exacerbates fear within immigrant communities, making them less likely to report crimes and cooperate with investigations, and overall leaving communities less safe. Thus, amici argue, New Jersey’s policy is essential to community policing models that encourage cooperation with law enforcement and promote public safety.

“The Trump Administration has spent the last four years talking about ‘law and order’ while simultaneously engaging in acts that fan the flames of distrust and make communities less safe,” said Miriam Krinsky, Executive Director of Fair and Just Prosecution and a former federal prosecutor. “Successful community policing models – an essential starting point in this moment of national pain and upset – depend on trust between the public and law enforcement. When local law enforcement is made to step into the role of immigration enforcers, they immediately erode the trust of the public and create untenable circumstances for some of our country’s most vulnerable residents.”

In the brief, amici also point to research showing that undocumented immigrants are particularly vulnerable to crimes such as robbery and domestic violence. In fact, the targeting of undocumented immigrants has become so common that they are often referred to as “walking ATMs,” and many studies have shown that abusive partners use the threat of deportation to maintain power and control. Further, undocumented immigrants are more likely to suffer workplace abuse in the form of wage theft and denial of medical care, or being fired when injured on the job. By removing the threat of deportation when undocumented immigrants report crimes and cooperate with local law enforcement, people are more likely to come forward and report crimes, making the entire community safer.

“Undocumented immigrants are vital members of our community whom prosecutors have an obligation to protect,” said Philadelphia District Attorney Larry Krasner, one of the signatories to the brief. “When local law enforcement is tasked with being de facto immigration officials, we erode public trust, make undocumented individuals more vulnerable to crime, and fail to execute our number one duty – to promote public safety through our actions.”

Amici further argue that local and state involvement in immigration enforcement diverts critical resources from public safety efforts necessary to promote community trust.
“The Trump Administration’s attack on New Jersey’s Immigrant Trust Directive threatens to divert critical resources from efforts to transform the relationship between law enforcement and the communities they serve,” said Mary McCord, Legal Director of Georgetown Law’s Institute for Constitutional Advocacy and Protection and a former federal prosecutor. “Particularly in light of recent events, these efforts are essential to public safety.”

The brief was authored by the Institute for Constitutional Advocacy and Protection, Hughes Socol Piers Resnick & Dym, Ltd, and Fair and Just Prosecution – a non-profit organization dedicated to promoting a justice system grounded in fairness, equity, compassion, and fiscal responsibility, who also organized the amicus effort in this and other similar cases.

Read the brief here, and for a list of amici, see below.

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*Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit [http://www.fairandjustprosecution.org/] or follow us on Facebook [@FairAndJustProsecution]*

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