



Immigration Trust Directive

Immigration Trust

Directive establishes important protections for New Jersey's Immigrant Communities.

The Immigrant Trust Directive is designed to strengthen trust between New Jersey's law enforcement officers and the state's diverse immigrant communities, thereby ensuring that victims and witnesses feel safe reporting crimes. The directive is intended to draw a clearer distinction between state, county, and municipal law enforcement officers, who are responsible for enforcing state criminal law and federal immigration authorities, (including Immigration and Customs Enforcement, or ICE), who enforce federal civil immigration law.

Nothing in the directive limits the ability of Sparta Township Police Officers to enforce state criminal law or suggests that New Jersey provides "sanctuary" to individuals who commit crimes.

New Jersey Attorney General Law Enforcement Directive No. 2018-6:

When a Sparta Township Police Officer makes an arrest for a violent or serious offense (including any crime of the 1st or 2nd degree or any domestic violence indictable offense), the officer will inquire on the defendant's citizenship, nationality and immigration status during the booking process. If there is reasonable belief that the defendant may not be in the United States lawfully, the arresting agency shall notify the Immigration and Customs Enforcement and the Sussex County Prosecutor's Office.

Sparta Township Police Officers Cannot:

- Stop, question, arrest, search, or detain any individual based solely on actual or suspected immigration status;

- Ask the immigration status of any individual, unless doing so is necessary to the ongoing investigation of a serious offense and relevant to the offense under investigation;
- Participate in ICE's civil immigration enforcement operations;
- Provide ICE with access to state or local law enforcement resources, including equipment, office space, databases, or property.

Any person that feels that a violation has occurred regarding these directives or policies may file a complaint through the Sparta Township Police Department Internal Affairs Unit. Anonymous complaints will also be thoroughly investigated.

What does not change about the state's law enforcement practices?

- Nothing in the Directive restricts officers from complying with the requirements of federal law, including 8 U.S.C. § 1373;
- Nothing in the Directive prevents officers from enforcing valid court orders, including search or arrest warrants signed by state or federal judges;
- Nothing in the Directive stops officers from assisting federal immigration authorities in response to exigent circumstances.

U and T Visas

Some immigrant victims of crimes may be able to get special visas called U and/or T visas. These visas protect victims of certain crimes who help law enforcement in the investigation or prosecution of those crimes. U and T visas provide the following benefits:

- Temporary status for up to 4 years;
- Allow you to apply for employment authorization;
- Allow you to apply for temporary status for certain family members;
- Allow U/T visa holders and family members to apply for permanent residence (sometimes known a "green card")