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# CIVIL LIBERTIES

REPORTER

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**ACLU**  
AMERICAN CIVIL LIBERTIES UNION  
New Jersey

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PHOTO CREDIT: ROBERT ZURFLUH

## IMMIGRANTS' RIGHTS

### ACLU-NJ and Partners File Suit to Safeguard Rights of Rutgers Students Targeted by ICE

The ACLU of New Jersey and co-counsel filed a federal lawsuit on April 22 on behalf of six international students attending Rutgers University who had their student status effectively terminated by Immigration and Customs Enforcement (ICE). As a result, the students were at immediate risk of detention and were prohibited from continuing their lab work and em-

ployment that is part and parcel of their education. The lawsuit argues that the Trump administration's abrupt termination of the students' immigration records, and effectively their student status, violated federal law and the Constitution. On May 8, a federal judge granted a preliminary injunction that requires

the government to fully restore the students' records retroactive to the original date of termination and provides due process protections by prohibiting the government from re-terminating the students' records without at least 20 days' notice. The order also prohibits ICE from directly or indirectly imposing any consequences on the students arising out of the prior decision to terminate their records.

“Like all other people in the United States, regardless of immigration status, our clients are entitled to the Constitutional guarantee of due process of law,” said ACLU-NJ Staff Attorney Molly Linhorst. The group of Rutgers students represented includes five international students and one recent graduate

who have remained in good standing with the university throughout their studies and employment training programs.

Our clients are part of a larger pattern occurring across the country. By the end of April, more than 1,800 international students had their student status terminated, according to reports from more than 280 colleges and universities.

The timing and uniformity of these terminations leave little question that the Department of Homeland Security has adopted a nationwide policy of mass termination of student status that resulted in the cancellation of hundreds – if not thousands – of students' status across the country.

“The Trump administration has been unlawfully targeting international students across the country in a concerted effort to chill academic freedom and undermine the next generation of leaders. Attacking this group of Rutgers students is clearly part of larger attempts to intimidate and terrorize immigrant communities,” said ACLU-NJ Legal Director Jeanne LoCicero.

The ACLU-NJ is partnering with the Rutgers Immigrant Community Assistance Project and attorneys from the John J. Gibbons Fellowship in Public Interest and Constitutional Law at Gibbons P.C. to represent the students. ■

## IMMIGRANTS' RIGHTS

### ACLU-NJ Responds to Events at Delaney Hall and Opposes Expanded Immigration Detention in New Jersey

lected officials have every right to exercise their legally authorized oversight responsibilities for expanded immigration detention in New Jersey.

Newark Mayor Ras Baraka and U.S. Representatives LaMonica McIver, Rob Menendez, and Bonnie Watson Coleman did exactly this when they visited Delaney Hall, a recently opened private immigration detention facility.

The opening of Delaney Hall for Immigration and Customs Enforcement (ICE) has presented a serious threat to New Jersey's immigrant communities and to immigrant communities across our region, as it is the largest immigration detention facility on the East Coast. About one in four New Jerseyans are immi-



Advocates rally outside of Delaney Hall in Newark.

grants, and approximately one in six are U.S. citizens with at least one immigrant parent.

The city of Newark has sued the GEO Group, Inc., the private prison company that owns Delaney Hall, claiming that the company does not have the proper operating permits.

During the Congressional oversight visit on May 9, Mayor Baraka was arrested by ICE for alleged trespass. The arrest prompted a confrontation between ICE agents and the protestors outside of the detention facility, and the Congressional representatives stood up to ICE's baseless arrest of the Newark mayor. The trespass charge was later dropped.

In the following weeks, however, the Trump administration announced it also filed charges against Representative LaMonica McIver. The charges filed are flagrant

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IMMIGRANTS' RIGHTS

# ACLU-NJ Joins Mahmoud Khalil's Legal Team

While walking home after an iftar dinner on the evening of March 8, Mahmoud Khalil – a Palestinian student at Columbia University and one of the lead negotiators on behalf of protestors at the Gaza solidarity encampments in spring 2024 – was illegally arrested by agents in plain clothes from the Department of Homeland Security (DHS) in direct retaliation for his advocacy in support of Palestinian rights.

**“IT IS UNCONSTITUTIONAL, UN-AMERICAN, AND UNDERMINES OUR DEMOCRACY FOR THE GOVERNMENT TO ARREST SOMEONE FOR THEIR BELIEFS.”**

—ACLU-NJ EXECUTIVE DIRECTOR AMOL SINHA

“It is unconstitutional, un-American, and undermines our democracy for the government to arrest someone for their beliefs,” said ACLU of New Jersey Executive Director Amol Sinha.

Mr. Khalil, a U.S. lawful permanent resident, was taken from the lobby of his apartment building as Dr. Noor Abdalla, his wife who was eight months pregnant at the time, recorded his arrest.

DHS proceeded to move Mr. Khalil to a detention center in New Jersey  
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Supporters gather outside of the U.S. District Court for the District of New Jersey in support of Mahmoud Khalil. PHOTO CREDIT: FABIENNE CALKINS



RACIAL JUSTICE

# As a New Member of Newark's CCRB, I'm Hopeful New Jersey will Prioritize a Future with Meaningful Community Oversight of Police

BY DAWUAN NORWOOD

In April, I was honored to be sworn in as a member of Newark's Civilian Complaint Review Board (CCRB), an independent body tasked with reviewing the policies, practices, and actions of local police to help ensure officers are held accountable to the communities they are meant to serve.

At the ACLU of New Jersey, we are committed to advancing racial justice for all New Jerseyans. That includes holding law enforcement accountable for their abuses of power, which disproportionately harm Black and brown communities. I'm hopeful that in serving on Newark's CCRB, I will be able to deliver the meaningful community oversight that the people of Newark deserve.

But, at the same time, I know that even in deploying every tool at its disposal, Newark's CCRB can – and should – have more power to act in the interest of the community.

At its inception in 2015, Newark's CCRB set a national example for its potential to provide comprehensive and meaningful checks on law



ACLU-NJ Policy Council Dawuan Norwood is sworn in as a member of Newark's Civilian Complaint Review Board.

enforcement in a city plagued by misconduct and abuse within its police department.

However, in ruling on a court challenge brought by the police lobby in 2020, the New Jersey Supreme Court placed limits on the powers of

Newark's CCRB – including restricting its ability to issue subpoenas and carry out simultaneous investigations. In its decision, the New Jersey Supreme Court made it clear that to ensure CCRBs retained those powers, a legislative fix would be required.

While Newark's CCRB has continued operating amid these limitations, these restrictions hinder its ability to provide comprehensive police accountability.

That's why the ACLU-NJ is calling on lawmakers to pass legislation that would empower all 564 municipalities across the state to create CCRBs with meaningful oversight authority, and restore the powers initially held by Newark's CCRB at its founding.

Creating CCRBs with meaningful community oversight of police is a critical step toward building a safer future for all New Jerseyans. Police misconduct is a nationwide epidemic, and community representation and departmental reform are just some of the efforts needed on the broader path to justice.

As a member of Newark's CCRB, I hope to work alongside community members to encourage accountability, reform, and transparency within the local police department. And I'm hopeful that one day soon every municipality in New Jersey will have the freedom to create their own CCRB, too. ■

CONSTITUTIONAL RIGHTS

# ACLU: The Rule of Law Is Non-Negotiable

BY AMOL SINHA, EXECUTIVE DIRECTOR

*This article was first published by Newsweek.*

In the first 100 days of the second Trump administration, we've witnessed unprecedented attacks on our rights, targeting vulnerable communities and undermining our democracy. In that time, the amount of overreach from the executive branch has been staggering. President Donald Trump has issued orders and actions that attempt to end birthright citizenship, end asylum, end climate protections, discriminate against transgender people, end diversity, equity, and inclusion (DEI) policies, expedite deportations without due process, undermine free speech rights for all, defund organizations or institutions that don't align with his administration, deport international students for their beliefs, and target law firms, lawyers, and judges for upholding the rule of law.

This list is only part of the larger onslaught of executive actions that are attempting to remove fundamental pillars of our free and democratic society.

I became a lawyer because of the Constitution's prescription that we the people have the power to hold our government accountable. Inspired by legendary figures who came before me, I became a civil rights lawyer to protect and defend the rights and liberties essential to our democracy.

Throughout grade school, college, and law school, I was taught that the Constitution lays out the structure and powers of each branch of government, and importantly, the limits of those powers—and the Bill of Rights describes our rights against the government.

Right now, these very rights, our values, and our communities are under attack by the current administration. In his effort to systematically eviscerate checks and balances on his own power, President Trump has

taken aim at the legal system, including lawyers and the judiciary. He's issued more than a half dozen directives targeting law firms and individual lawyers because they have represented clients he opposes, brought litigation he dislikes, or taken positions he sees as adversarial. He's targeting those who are filing lawsuits that attempt to hold him accountable for his unconstitutional actions. He's criticized judges that have ruled against him, calling them "radical left lunatics." And just days ago, the FBI arrested Milwaukee County Circuit Court Judge Hannah Dugan in a blatant effort to chill and intimidate.

At the ACLU, we and our partners across the ideological spectrum are using all of our tools to push back. Our work to uphold the rule of law is about more than defending colleagues in an industry we share; it's about recognizing that once

the president targets one firm, organization, or judge, he can—and will—target all. And once the precedent is set, future presidents can continue to abuse the office to demand loyalty from law firms and other institutions.

Core constitutional principles are at grave risk because of President Trump's actions. The First Amendment protects lawyers' advocacy on behalf of clients, and it prohibits the government from punishing advocacy with which it disagrees. In our adversarial legal system, due process and separation of powers require that judges rely on lawyers willing to challenge the government to assess whether there have been constitutional violations. By targeting those who disagree with him, the president is intending to chill advocacy against his positions, hoping to silence opposition through fear.

Constitutional rights are afforded to all, not just a select few. And the true strength of our rights is determined by how willing all of us are to safeguard them, especially in times of turmoil. Allowing the president to dictate what lawsuits are filed or what clients are represented undermines the rule of law and threatens the independence of our judiciary. That's one of the reasons it has been so disheartening to see some law firms acquiesce to the president's demands.

If the nation's most powerful law firms and civil society organizations don't stand up for our rights and our democracy, who will?

Our democracy, especially our historical adherence to the rule of law and an independent judiciary, has been the envy of burgeoning democracies around the world, and for good reason. Our laws exist to prescribe the bounds in which the government can operate. Executive overreach will quickly eradicate that fabric of our society.

In this unprecedented moment, all of us share an equal stake in preserving the fact that the rule of law is non-negotiable. Law firms, nonprofit organizations, universities, and the public at large must reject attempts to diminish our democracy.

This is not about our current president—it's about the future of our country. This is not about partisanship, it's about patriotism.

I have faith that our democracy will endure, as long as we the people are there to defend it. ■

**RIGHT NOW, THESE VERY RIGHTS, OUR VALUES, AND OUR COMMUNITIES ARE UNDER ATTACK BY THE CURRENT ADMINISTRATION.**



CREDIT: CHIEF ACTIVIST ROBT MARTIN SEDA-SCHREIBER AT BAYARD RUSTIN CENTER FOR SOCIAL JUSTICE

## Khalil's Legal Team

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before later transferring him to one in Louisiana – 1,400 miles away – all without notice to his family or attorneys.

Mr. Khalil's attorneys promptly filed a petition for writ of habeas corpus in federal court alleging that the government arrested and detained him as punishment for his speech and activism in violation of the Due Process Clause and the First Amendment.

Mr. Khalil's federal habeas case is pending in the District of New Jersey.

Meanwhile, Mr. Khalil's immigration case is unfolding in Louisiana, where the government must present charges and evidence in order to deport him.

The ACLU-NJ and Mr. Khalil's legal team will continue to seek his immediate release from custody so he can reunite in New York with his family, including his son who was born while he remained in ICE detention.

Additionally, Mr. Khalil's legal team is seeking a preliminary injunction. If granted, it would block President Trump's policy of arresting and detaining noncitizens who have engaged in First Amendment protected activity in support of Palestinian rights.

"Detaining Mr. Khalil and threatening to revoke his green card are blatantly illegal attempts to stifle constitutionally protected speech. The federal government must immediately release Mr. Khalil and end its attack on the fundamental freedoms at the very bedrock of our nation," said ACLU-NJ Executive Director Amol Sinha. ■

*Mr. Khalil is represented by Dratel & Lewis, the Center for Constitutional Rights, CLEAR, Van Der Hout LLP, Washington Square Legal Services, the New York Civil Liberties Union (NYCLU), the American Civil Liberties Union (ACLU), the ACLU of New Jersey, and the ACLU of Louisiana.*



Advocates rally outside of Delaney Hall in Newark.

## Delaney Hall

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intimidation attempts and counter to democratic principles. It is clear this administration is trying to bully people who oppose its authoritarian actions into silence.

Elected officials represent the people, not the administration's interests. Representatives LaMonica McIver, Rob Menendez, and Bonnie Watson Coleman were doing what they were elected to do by performing

an oversight visit at Delaney Hall and demanding accountability for their constituents.

For New Jersey to live up to its values of being fair and welcoming for all, it must not be complicit in the Trump administration's extreme mass detention and deportation agenda. Federal lawmakers have the right to inspect any federal facility, including immigration detention facilities, and take action to safeguard residents from policies and practices that place limits on fundamental democratic rights. ■

## TRIBUTES

**In honor of Noor Abdalla**

Julia Imbriaco

**In honor of the American People**

Michelle Desch

**In honor of Ann**

April Perez

**In honor of Senator Booker**

Rachel Greenberg

**In honor of Bobbie Carter**

Rabiya Kader

**In memory of Jimmy Carter**

Christopher Coucill

**In honor of Johannah Chase**

Emma Knapp

**In memory of Os Cruz**

Taylor Berkowitz

Eric Smith

**In memory of Clive Cummis**

Jerald & Jaclyn Baranoff

**In honor of Mariel Styles's Daughter**

Mariel Styles

**In memory of Austin deFlaun**

Mary deFlaun & Steven Rudnick

**In memory of Judge Dave Eynon**

Michael & Ruth Podolin

**In honor of Myrna Fichtenbaum**

Liz & David Cohen

**In memory of A. Vincent Field**

John & Judith Field

**In honor of Tony Forman**

Katrina Forman

**In honor of James Gallagher**

Ann & Rod Walker

**In honor of Joan Garry & Eileen Opatut**

Glenda Testone

**In memory of Ron Gittleman**

Dean Gittleman

**In honor of Susan Goldfarb-Grossman**

Dori Kavanagh

**In honor of Kamala Harris**

The Ballard Fund

**In memory of Stanley Leffler**

Anthony Balzano

**In honor of David Litt**

Sara Litt

**In memory of Alice & Umberto Mariani**

Rosa Marinzoli

**In honor of Gary Nissenbaum**

Rashaad Bajwa

**In honor of Dan O'Reilly**

Sara O'Reilly

**In honor of Oso**

Seth Cardinal

**In honor of Pat & Susie**

Miles Gilmore

**In memory of Geoffrey Penar**

AnnMarie Marinello

**In memory of Michaela Powell**

Linda Powell

**In honor of Kat Rachfalski**

Laurie Simpson AOIC, LLC

**In memory of Joyce Rigney**

Brian Friel

**In honor of Ezra Rosenberg**

Highland-Mills Foundation

Morton Rosenberg & Naomi Rosenberg

**In honor of Rutgers University's Production of ORLANDO**

Katie Rose McLaughlin

**In honor of Jan Scites**

Greta D'Agostino

**In honor of Alex Shalom**

Elena Delbanco & Nicholas Delbanco

Evelyn & Stephen Shalom

**In memory of Marty Sheffer**

Steve & Ina Kitchen

**In honor of Larry & Connie Skvir**

Carlton & Mary Ann Wood

**In honor of Maureen Smith**

Kathleen Meneses

**In memory of Susan Stein**

Cecilia deWolf

**In honor of Elizabeth Thurber**

John Thurber

**In memory of US Democracy**

Maureen Quap

**In honor of Liza Weisberg**

Anonymous

**In honor of Laurie Wurm**

Whitney Bodman

**In honor of Nahal Zamani**

Eileen Kurowski

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