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August 31, 2015
Mayor Lawrence D. Quattrone
Borough of Hightstown
156 Bank Street
Hightstown, NJ 08520

Re: Troubling Comments about Police Questioning of Immigrants in Hightstown

Mayor Quattrone:

We write with great concern about your recent public comments published in the *Times of Trenton* and *NJ.com* relating to the Hightstown Police Department's treatment of suspected immigrants.¹

It was reported that you stated at a public meeting: "If you get stopped for anything, [Hightstown police] will check your status . . . If you have wants [*sic*] or warrants against you, whether you're a U.S. citizen, Latino, Greek, or Italian, your status will be checked and if there's any problem, you will be turned over."²

New Jersey Attorney General Law Enforcement Directive 2007-3 instructs law enforcement officers to inquire about an individual's immigration status *when arrested* for indictable offenses and DUI offenses,³ but does not at any point direct officers to make inquiries about immigration status upon a traffic or pedestrian stop, as your comments suggest. A policy or practice in which Hightstown officers run immigration checks on individuals merely stopped by police raises serious civil rights concerns.

Unnecessarily involving your officers in immigration enforcement undermines public safety, rather than strengthening it. A recent study confirmed that Latinos, both documented and undocumented, often fear even minimal contact with the police, including for interactions as benign as reporting a crime or cooperating with a criminal investigation, because of fears about potential immigration consequences for themselves or their family members.⁴

Law enforcement experts throughout the country agree that when local police engage in immigration enforcement, immigrant communities' trust in and cooperation with police is eroded.⁵ New Jersey's

¹ Cristina Rojas, *Hightstown mayor: We are not a 'sanctuary city'*, TIMES OF TRENTON (Aug. 27, 2015), available at http://www.nj.com/mercer/index.ssf/2015/08/hightstown_mayor_we_are_not_a_sanctuary_city.html.

² *Id.*

³ See NEW JERSEY OFFICE OF THE ATTORNEY GENERAL, LAW ENFORCEMENT DIRECTIVE NO. 2007-3 § I(1) (2007), available at http://www.state.nj.us/lps/dcj/agguide/directives/dir-le_dir-2007-3.pdf.

⁴ UNIVERSITY OF ILLINOIS AT CHICAGO, DEPARTMENT OF URBAN PLANNING AND POLICY, INSECURE COMMUNITIES: LATINO PERCEPTIONS OF POLICE INVOLVEMENT IN IMMIGRATION ENFORCEMENT (2013), available at http://www.policylink.org/sites/default/files/INSECURE_COMMUNITIES_REPORT_FINAL.PDF.

⁵ See, e.g., Major Cities Chiefs Police Association, *Immigration Policy* (2013), available at https://www.majorcitieschiefs.com/pdf/news/2013_immigration_policy.pdf ("[Local police enforcing federal immigration

Attorney General Anne Milgram emphasized this principle in her Directive: “Public safety suffers if individuals believe that they cannot come forward to report a crime or cooperate with law enforcement.”⁶

We ask that you publicly clarify what the policy of the Hightstown Police Department is as it relates to inquiring about the immigration status of individuals interacting with officers. In particular, we urge you to make clear that policies of the Hightstown Police Department go no further in questioning individuals’ immigration status than is required by state or federal law.

The ACLU-NJ therefore requests, pursuant to the Open Public Records Act, *N.J.S.A. 47:1A-1 et seq.*, and the common law right of access to public documents, *South Jersey Publishing Co. v. New Jersey Expressway Auth.*, 124 *N.J.* 478, 487-89 (1991), copies of any regulation, policy, standard operating procedure, bulletin, or any other document of the Hightstown Police Department describing how the Department interacts with immigrants or suspected immigrants; when Department officers question individuals’ about their immigration status or national origin; or how the Department implements Attorney General Directive No. 2007-3. Please also include copies of any orders, directives, or officer training materials related to interacting with immigrants or suspected immigrants, enforcement of immigration law, questioning of individuals during traffic or pedestrian stops, or implementation of Directive No. 2007-3.

Thank you,



Ari Rosmarin
Public Policy Director



Alexander Shalom
Senior Staff Attorney

cc: Hightstown Police Department Lieutenant Frank Gendron
Acting Mercer County Prosecutor Angelo J. Onofri

law] undermines the trust and cooperation with immigrant communities which are essential elements of community oriented policing”); Police Foundation, (2009), available at http://www.policefoundation.org/wp-content/uploads/2015/06/Executive-Summary_0.pdf (“As police agencies move away from their core role of ensuring public safety and begin taking on civil immigration enforcement activities, the perception immigrants have of the role of police moves from protection to arrest and deportation, thereby jeopardizing local law enforcement’s ability to gain the trust and cooperation of immigrant communities.”).

⁶ See Directive No. 2007-3, *supra* note 3.