

County of Atlantic, New Jersey



Resolution No.: 447

Approved as to Form and Legality

Submitted By:

Roger C. Steedle, Legislative Counsel

Frank D. Formica  
Freeholder Sponsor

**RESOLUTION OF THE ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS SUPPORTING THE ATLANTIC COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ADULT DETENTION IN ITS COLLABORATIVE EFFORTS WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) AGENCY REGARDING THE HANDLING OF UNDOCUMENTED ALIENS**

WHEREAS, the Atlantic County Department of Public Safety, Division of Adult Detention, operates the Atlantic County Justice Facility (the County Jail); and

WHEREAS, the County Jail houses adult inmates awaiting trial for various crimes as well as convicted inmates who are sentenced to custodial terms of one (1) year or less; and

WHEREAS, among its adult population are undocumented aliens, who may be in the United States illegally, and have been arrested and charged with various criminal offenses; and

WHEREAS, the United State Immigration and Customs Enforcement (ICE) Agency is a federal agency operating under the direction of the United States Department of Homeland Security; and

I, Sonya G. Harris, Clerk of the Board of Chosen Freeholders of the County of Atlantic, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held

on the \_\_\_\_\_ day of \_\_\_\_\_ 2019

Signed \_\_\_\_\_  
Clerk of the Board

RECORD OF VOTE															
FREEHOLDER	MOVED	SECOND	YES	NO	ABS	REC	AB	FREEHOLDER	MOVED	SECOND	YES	NO	ABS	REC	AB
BENNETT								FORMICA							
BERTINO								KERN							
COURSEY								RISLEY							
DASE								GATTO, Chairwoman							
FITZPATRICK															

**ABS - Abstain**

**REC - Recuse**

**AB - Absent**



WHEREAS, ICE, by searching various law enforcement data bases attempts to locate undocumented aliens who are being held in various county detention facilities, including the Atlantic County Jail; and

WHEREAS, ICE employs a process whereby it issues detainers for such inmates who are being held at the County Jail awaiting the disposition of criminal charges and who are subject to deportation; and

WHEREAS, the administration of the County Jail has cooperated with ICE when that agency has issued detainers for undocumented aliens who are being held in the County Jail awaiting disposition of criminal charges; and

WHEREAS, on November 29, 2018 the New Jersey Attorney General issued the Attorney General Law Enforcement Directive No. 2018-6 (the Directive) which became operational as of March 15, 2019; and

WHEREAS, officials of the County Jail are cognizant of the Directive regarding ICE detainers and since the inception of the Directive have acted in conformity with its provisions; and

WHEREAS, while operating with the Directive, County Jail officials have been able to continue cooperation with ICE, including providing federal immigration authorities with information or assistance including access to non-public information, equipment or resources when required by exigent circumstances and also lodging a Final Order of Removal which has been signed by a Federal Judge and lodged with the County Jail where the detainee is being held, regardless of local or state charges; and

WHEREAS, continued cooperation with the ICE detainer process by County Jail officials serves a valid and necessary public safety purpose by removing undocumented aliens who were previously convicted of serious crimes or have been charged with same and may constitute a threat to the safety and wellbeing of Atlantic County citizens and residents; and

WHEREAS, County Administration and the Atlantic County Board of Chosen Freeholders deem the continued cooperation between County Jail officials and ICE to be in the health, safety and best interests of Atlantic County citizens and residents and wishes to affirm its support for same.

NOW, THEREFORE, BE IT RESOLVED, the Atlantic County Board of Chosen Freeholders hereby adopts this resolution supporting the continued collaborative efforts between County Jail officials and ICE within the Directive.