



CAPE MAY COUNTY SHERIFF'S OFFICE

ROBERT A. NOLAN

SHERIFF

JOHN D. MAHER
EXECUTIVE UNDERSHERIFF

FRANK H. SIPPEL
UNDERSHERIFF

DONALD J. LOMBARDO
WARDEN

4 MOORE ROAD, DN 301/501 CAPE MAY COURT HOUSE, NJ 08210-3097

TELEPHONE (609) 463-6420

FAX (609) 463-6464

WEBSITE: www.cmcsheriff.net

August 16, 2019

Via Electronic & Regular Mail

Veronica Allende
Director, Division of Criminal Justice
State of New Jersey
Department of Law and Public Safety
Division of Criminal Justice
P.O. Box 085
Trenton, NJ 08625-0085

Dear Ms. Allende:

Initially, I want to thank you for the extension that was granted to provide me a better opportunity to produce additional information responsive to your July 6, 2019 letter. I have been able to compile most of the information requested, and hope it meets your approval so that the Cape May County Sheriff's Office (CMCSO) can continue a program that I feel is important to protecting the residents of Cape May County.

The benefits of the 287(g) Program, as implemented in Cape May County, protect our residents from dangerous individuals and far outweigh the costs to CMCSO and the residents of Cape May County. This is supported by the attached list of five individuals deemed "egregious" by ICE standards. As you can see, these individuals committed violent acts that caused serious physical and/or emotional injuries to residents of our community, which certainly could have resulted in more serious offenses and, with two of them, the taking of a life.

It's important to note that CMCSO has integrated the 287(g) agreement with the Immigrant Trust Directive 2018-6 in an effort to achieve the goal of strengthening trust between New Jersey's law enforcement officers and the state's diverse immigrant communities. Examples of our efforts are depicted in the attached chart, which shows that no detainee has been held past midnight since March 15, 2019. I have put that procedure in place and made it part of our Standard Operating Procedure. CMCSO complies with all aspects of Directive 2018-6 as outlined in Section II, paragraph B, subparagraphs 1-6 (Enforcement of Federal Civil Immigration Law, Limitations on assisting federal immigration authorities in enforcing federal civil immigration law). Every item outlined in Directive 2018-6 is included in CMCSO SOP 1525 and has been actively complied with since the operational date of the Directive. Moreover, although there is reference in the 287(g) agreement of CMCSO officers having the authority to transport ICE detainees and assist ICE with arrests, CMCSO SOP 1525 expressly prohibits these activities. The 287(g) Program as implemented in Cape May County is strictly limited to the confines of the correctional facility. No exceptions.

SOP 1525 consists of 41 pages but most important to this matter is Appendix E, which provides the 287(g) processing procedures. I have attached that information for your review and trust that you will find we are committed to achieving the goals of 2018-6 while continuing to use resources like the 287(g) program to protect the residents of Cape May County. The final attachment provides the ICE Law Enforcement Statistical Analysis for FY2018 & FY2019.

As for the public forum, I have been working with the Cape May County Board of Chosen Freeholders in order to conduct a public forum that allows for proper advertising, location selection and public transportation concerns. It is not feasible to hold such an important event during the busy tourist season that transforms Cape May County population from an average of 94,000 residents to over a million. At present, I plan to host the forum in Cape May Court House on Tuesday, September 17, 2019 at 6:00pm. I believe this is the best course to gain a full and thorough understanding of the public's views. I will report those views to you by Friday, September 20, 2019.

I thank you again for your time and consideration.

Respectfully,

Robert A. Nolan

Sheriff Robert A. Nolan