

**RESOLUTION 26-194**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION OPPOSING AND SEEKING REPEAL OF RECENTLY  
ENACTED STATE LAWS AFFECTING LAW ENFORCEMENT  
OPERATIONS, FEDERAL-STATE COOPERATION AND PUBLIC  
SAFETY**

**WHEREAS**, the Township of Middletown (the “**Township**”) has a fundamental responsibility to protect the health, safety, and welfare of its residents and to support law enforcement officers in the lawful execution of their duties; and

**WHEREAS**, the Governor recently signed legislation impacting federal-state cooperation in immigration enforcement, creating sanctuary spaces for immigrants in the country illegally and impacting law enforcement operations; and

**WHEREAS**, A4071/S3521 restricts certain communications and cooperation between state and local law enforcement and federal immigration authorities; and

**WHEREAS**, SCS for S3114 and S3216/A1743 requires law enforcement officers, including ICE agents, to reveal their facial identity during certain public interactions and to present identification before arresting or detaining an individual, which this governing body believes may interfere with law enforcement operations and raise constitutional concerns; and

**WHEREAS**, A4070/S3522, described as the “Privacy Protection Act,” limits the collection and sharing of certain personal information, which the Township believes may hinder law enforcement investigations and interagency coordination; and

**WHEREAS**, the so-called “Safe Communities Act,” or S5036, prohibits sensitive locations from assisting or participating in federal civil law enforcement, and would also prohibit enforcement on the premises of those locations including hospitals, public schools, shelters, disaster and emergency response sites, funeral homes, courthouses, and places of worship, thus creating safe spaces for criminals to hide from law enforcement; and

**WHEREAS**, the Township recognizes the importance of constitutional rights, due process, lawful policing, and public accountability, but also finds that public policy should not jeopardize officer safety, operational effectiveness, intergovernmental cooperation, the ability of law enforcement agencies to respond

to evolving public safety threats, or negatively impact the safety of the public at large; and

**WHEREAS**, the Township is concerned that restrictions affecting communication, coordination, identification practices, and information-sharing, as well as policies that prohibit law enforcement from pursuing criminals at certain locations will create uncertainty for local law enforcement agencies, complicate interactions with federal authorities, increase risks to officers operating in volatile and rapidly developing situations and give sanctuary to criminals among the very communities these laws purport to seek to protect; and

**WHEREAS**, the Township further recognizes that immigration law and enforcement are federal functions under the United States Constitution and believes that legislation restricting federal-state cooperation in this area is subject to constitutional challenge under the Supremacy Clause; and

**WHEREAS**, the Township is concerned that enactments designed to restrict cooperation or disclosure may invite costly litigation, create preemption disputes, undermine consistent enforcement practices, and expose municipalities and their officers to legal uncertainty, financial burdens, and operational difficulties, observing that the federal government has already sued New Jersey twice since March 2026; and

**WHEREAS**, the Township is concerned that requiring officers to reveal facial identity without adequate operational exceptions may increase the risk of retaliation, harassment, doxxing, targeting of officers and their families, and compromise of undercover, tactical, or other security-sensitive functions; and

**WHEREAS**, the Township finds that limiting the collection or sharing of personal information may impede legitimate law enforcement investigations, interagency coordination, and emergency response efforts, including efforts involving individuals who may pose threats to public safety; and

**WHEREAS**, the Township therefore wishes to formally express its opposition to the foregoing enactments and to urge the Legislature and the Governor to repeal them; and

**WHEREAS**, New Jersey's sanctuary policies have directly resulted in two avoidable lawsuits initiated by the federal government challenging unconstitutional policies as well as violent unrest and disorder outside of Newark's Delaney Hall, a U.S. Immigration and Customs Enforcement's ("ICE") detention facility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey

that the Township hereby formally opposes the recently enacted laws identified above.

**BE IT FURTHER RESOLVED** that the Township finds that these laws, individually and collectively, raise substantial concerns regarding public safety, law enforcement officer safety, effective federal-state and interagency cooperation, and the ability of local law enforcement to carry out its responsibilities in a clear, coordinated and lawful manner.

**BE IT FURTHER RESOLVED** that as a matter of policy and legal concern, that state measures restricting cooperation, identification practices, or information-sharing in this area may create practical conflicts with legitimate law enforcement objectives, burden municipal operations, and contribute to costly and divisive disputes concerning the limits of state authority, federal supremacy in immigration matters, and preemption principles under the United States Constitution.

**BE IT FURTHER RESOLVED** that the Township urges the Governor and the Legislature repeal the laws identified above and to take such prompt executive and legislative action as may be necessary to eliminate the risks these laws may pose to officer safety, law enforcement effectiveness and sound intergovernmental relations.

**BE IT FURTHER RESOLVED** that the Township urges that any future legislation in this area respect the supremacy of the federal government under the United States Constitution in matters of immigration policy and enforcement, and include clear protections for officer safety and operations, workable standards for interagency coordination, and provisions that preserve the ability of law enforcement to respond effectively to threats to the public.

**BE IT FURTHER RESOLVED** that the Township encourages state, county, and local law enforcement, to the fullest extent permitted by law, to cooperate with other law enforcement agencies in securing our community against threats to public safety as well as assist federal authorities in safeguarding government installations located in the Garden State.

**BE IT FURTHER RESOLVED** that the Township Clerk is hereby directed to transmit a certified copy of this Resolution to the Governor, the President of the Senate, the Speaker of the General Assembly, the Township's representatives in the Legislature, the Attorney General, the State League of Municipalities, the Association of Counties, the United States Attorney for the District of New Jersey, and such other public officials and organizations as may be appropriate.