

RESOLUTION NO. 2026-298

A RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, OPPOSING CERTAIN RECENTLY ENACTED STATE LAWS AFFECTING LAW ENFORCEMENT OPERATIONS, FEDERAL-STATE COOPERATION, AND PUBLIC SAFETY, AND URGING THEIR REPEAL

WHEREAS, the Mayor and Township Committee 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 of New Jersey recently signed three (3) bills 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 this governing body believes may hinder law enforcement investigations and interagency coordination; and

WHEREAS, the so-called "Safe Communities Act," or S-5036, 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, this governing body 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, this Mayor and Township Committee 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, this Mayor and Township Committee 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, this Mayor and Township Committee is also 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, this Mayor and Township Committee is additionally 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, this Mayor and Township Committee also 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, this Mayor and Township Committee 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 (2) 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, and the injury of an ICE officer in Stafford Township;

NOW, THEREFORE, BE IT RESOLVED this 4th day of **August, 2026**, by the governing body of the Township of Barnegat, County of Ocean, State New Jersey, as follows:

1.- The Mayor and Township Committee hereby formally opposes the recently enacted laws identified above.

2.- This Mayor and Township Committee 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.

3.- The Mayor and Township Committee further finds, 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.

4.- The Mayor and Township Committee urges the Governor of New Jersey and the New Jersey Legislature to 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.

5.- The Mayor and Township Committee further 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.

6.- The Mayor and Township Committee 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;

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

CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Township Committee at their regular meeting held in the Municipal Complex, 900 W. Bay Avenue, Barnegat NJ 08005, on August 4, 2026

Donna M. Manno, RMC
Municipal Clerk