



U.S. Department of Justice

Office of Justice Programs

Washington, D.C 20531

November 15, 2017

Anthony Ambrose
Director of Public Safety
920 Broad Street
Newark, NJ 07102

Dear Mr. Ambrose,

Your FY 2016 Byrne JAG grant award required you to comply with 8 U.S.C. § 1373. Section 1373 compliance is an ongoing requirement that the Department of Justice monitors. The Department of Justice is concerned that the following Newark laws, policies, or practices may violate section 1373:

- City of Newark Executive Order No. MEO 17-0001. Part 2.C prohibits “[h]onor[ing] immigration detainer requests,” which is defined to include a “request[] [for] notice of release.” The Department is concerned that this appears to restrict the sending of information regarding immigration status, in violation of section 1373(a).
- City of Newark Executive Order No. MEO 17-0001. Part 3 prohibits “inquir[ing] about or request[ing] information about or otherwise investigat[ing] the citizenship or immigration status of any person.” The Department is concerned that this appears to restrict the requesting of information regarding immigration status, in violation of section 1373(b).
- City of Newark Executive Order No. MEO 17-0001. Part 6 prohibits “maintain[ing] and/or shar[ing] confidential personal information,” which is defined to include, among other things, national origin, criminal history, and release date from incarceration. The Department is concerned that this appears to restrict the maintaining and sending of information regarding citizenship and immigration status, in violation of section 1373(a) and (b).

By December 8, 2017, please submit a response to this letter that addresses whether Newark has laws, policies, or practices that violate section 1373, including those discussed above. In addition to your compliance in FY 2016, please address whether you would comply with section

1373 throughout the award period, should you receive an FY 2017 Byrne JAG grant award. To the extent Newark laws or policies contain so called "savings clauses," please explain in your submission the way these savings clauses are interpreted and applied, and whether these interpretations are communicated to Newark officers or employees.

The Department has not made a final determination regarding Newark's compliance with section 1373. This letter does not constitute final agency action and nothing in this letter creates any right or benefit enforceable at law against the United States.

Sincerely,

A handwritten signature in black ink that reads "Alan R. Hanson". The signature is written in a cursive style with a large initial "A" and "H".

Alan Hanson
Acting Assistant Attorney General