

EXECUTIVE ORDER NO. 29

WHEREAS, New Jersey is committed to protecting the legal rights of all of its residents, regardless of immigration status; and

WHEREAS, New Jersey has benefited economically and socially from our large and thriving immigrant community; and

WHEREAS, as the home of Ellis Island, New Jersey has been the door through which countless immigrants have traveled seeking a better life for themselves and their families; and

WHEREAS, the Trump administration instituted a "zero tolerance" policy in the spring of 2018 to intimidate undocumented immigrants and to deter border crossings; and

WHEREAS, this policy has led to the forced separation of more than 2,000 children from their parents or legal guardians; and

WHEREAS, the Trump administration has no apparent system for reuniting families, meaning some parents have been deported without their children and some children have been deported without their parents; and

WHEREAS, intentionally separating children from parents who are seeking a better life for their families is inhumane and cruel; and

WHEREAS, the American Psychological Association has stated that the Trump administration's forced separations "threaten[] the mental and physical health of both the children and their caregivers"; and

WHEREAS, the Trump administration's forced-separation policy is an affront to our values as New Jerseyans and as Americans;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. No State entity may use any state resources, including but not limited to monies, equipment, or personnel, for the purpose of separating any child from his or her parent or legal guardian on the sole ground that such child, parent, or legal guardian is present in the United States in violation of federal immigration laws.

a. Examples of circumstances where this provision would not apply include the following:

i. A State court, authorized under State law, determines that it is in the best interests of the child to be removed from his or her parent or legal guardian, or makes any similar determination that is legally authorized under State law;

ii. An authorized individual, including, but not limited to, a law enforcement officer or designated employee of Probation or Child Protection and Permanency, makes a determination that the child's life, safety or health is in imminent danger and the child must be removed from his or her parent or legal guardian pursuant to N.J.S.A. 9:6-8.29; or

iii. Law enforcement officials have probable cause to believe that the child is a victim, or is at significant risk of becoming a victim, of human trafficking as defined in N.J.S.A. 2C:13-8, or is a danger to themselves or others.

2. For purposes of this Order, "State entity" shall mean any of the principal departments in the Executive Branch of State government and any agency, authority, board, bureau, commission, division, institution, office, or other instrumentality within or created by any such department, and any independent State authority, commission, instrumentality, or agency over which the Governor exercises executive authority, as determined by the Attorney General.

3. Nothing in this Order shall be construed to supersede any state or federal law. Nothing in this Order shall be construed to cause interference with routine state law enforcement activities, even if such activity results in independent federal law enforcement involvement and enforcement of federal immigration laws.

4. This Order shall take effect immediately.

[seal] GIVEN, under my hand and seal this
19th day of June,
Two Thousand and Eighteen,
and of the Independence of
the United States, the Two
Hundred and Forty-Second.

/s/ Philip D. Murphy

Governor

Attest:

/s/ Matthew J. Platkin

Chief Counsel to the Governor