

RESOLUTION NO. 2004-R271

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON**

WHEREAS, the Borough of Princeton is comprised of immigrants from throughout the world who contribute to Princeton's social vigor, cultural richness, and economic vitality; and

WHEREAS, the Borough of Princeton has been a town that traditionally respects the rights of and provides equal services to all individuals, regardless of race, ethnicity, national origin, or immigration status; and

WHEREAS, the Borough of Princeton and its law enforcement agencies have made combating ethnic and racial profiling a priority; and

WHEREAS, the Borough of Princeton Police Department has made it a priority to gain the trust and confidence of the entire community as part of its law enforcement and public service mission and as part of its community policing program; and

WHEREAS, the September 11, 2001 terrorist attacks on the World Trade Center and the Pentagon were attacks on a nation of immigrants, with victims dying from more than 26 countries, including undocumented immigrants; and

WHEREAS, in the early hours of October 12, 2004, the Princeton Borough Police Department was informed by the U. S. Department of Homeland Security, Bureau of Immigration and Customs Enforcement ("BICE") that it would be serving warrants issued by a federal judge on certain undocumented immigrants residing at 153 Witherspoon Street; and

WHEREAS, the Borough Police did respond to the scene but did not directly participate in the BICE raid; and

WHEREAS, at approximately 5:30 on the morning of October 12, 2004, six (6) BICE officers undertook their raid by gaining entrance to 153 Witherspoon Street and arresting nine (9) Latino immigrants; and

WHEREAS, in gaining access to the residence of the immigrants, BICE officers only

identified themselves as “police”; and

WHEREAS, the manner in which the BICE raid was conducted and the wholesale arrest has caused fear and outrage among the Latino community in Princeton Borough; and

WHEREAS, by identifying themselves as “Police,” the BICE officers have created the erroneous appearance that they are part of, or associated with, the Princeton Borough Police, thereby substantially destroying the trust and confidence of the Latino community which the Borough and its Police Department have cultivated for the past several years; and

WHEREAS, the fear and outrage in the Princeton Latino community and the loss of trust and confidence of that community in the Borough police threatens the health, safety, and welfare of the entire Princeton community.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Princeton that it strongly disapproves of any conduct of BICE that creates needless mistrust and fear of the Princeton Borough Police Department and other municipal agencies which are committed to help, rather than harm, productive and valuable members of our community; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Princeton urges BICE, when BICE conducts immigration enforcement actions, to conduct its work in a humane and professional manner, which should include the following:

1. When seeking the detention of individuals with outstanding deportation orders at the individuals’ home or workplace, BICE officers provide targeted individuals with the opportunity to present themselves, before BICE officers enter a home or workplace;
2. Enter a home or workplace only with an arrest warrant;
3. Refrain from forcefully entering a home or workplace particularly when there is no search warrant;
4. Refrain from using force of any kind unless physically threatened;
5. Clearly identify themselves as “federal immigration officers,” not “police”;

6. Take into immigration custody only those listed on the arrest warrants;
7. Refrain from inquiring into the status of other individuals arrested during the enforcement action;
8. Encourage detained individuals, who do not have deportation orders, to seek a hearing before an immigration judge, rather than trying to dissuade these individuals from this constitutional protection; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Princeton will commit itself, and the resources of the Borough of Princeton, to restoring the trust Princeton Borough residents have in the municipal government and police department; and will work with the Police Chief to develop a policy consistent with the objective of restoring that trust so that all Princeton residents and visitors, including undocumented immigrants, can have the confidence to contact, and interact with, local police without fear of immigration consequences; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Princeton strongly encourages the U.S. Congress to pass rational and humane immigration laws that will provide undocumented immigrants with the opportunity to legalize their status based on the sponsorship of their family members and employers; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to United States Senators Frank Lautenberg and Jon Corzine and Congressman Rush Holt as well as the New Jersey Attorney General so that the counter-productive and damaging conduct of BICE can be investigated and corrected so as to avoid a repeat of the deplorable incident on October 12, 2004.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Ms. Trotman		X			X			
Mrs. Benchley		X			X			
Mr. Goldfarb		X	X		X			
Mrs. Karcher		X			X			
Mr. Koontz		X			X			
Mr. Martindell		X		X	X			
Mayor O'Neill		X						
<p>I, DELORES A. WILLIAMS, Deputy Borough Clerk of the Borough of Princeton, do hereby certify that the above is a true and complete copy of a resolution adopted by the Mayor and Council of said Borough at a meeting held November 9, 2004.</p> <p>IN WITNESS WHEREOF, I hereunto set my hand and affix the corporate seal of said Borough, this 10th day of November 2004.</p> <p>_____ DELORES A. WILLIAMS Deputy Borough Clerk</p>								