

A RESOLUTION REGULATING THE USE OF MUNICIPAL PROPERTY AND
RESOURCES IN CONNECTION WITH CIVIL IMMIGRATION ENFORCEMENT

WHEREAS, the Township Council recognizes that West Orange is home to a diverse community, whose residents and families contribute to the economic, civic, and cultural vitality of the Township, and that this diversity is a cornerstone of the community's vibrancy and strength; and

WHEREAS, the Township of West Orange affirms its commitment to fostering a community where all residents may live, work, attend school, and access municipal services with dignity; and

WHEREAS, the Township Council recognizes that municipal property exists to serve residents and must be used consistent with municipal purposes, and that schools, libraries, municipal offices, recreational facilities, and other public buildings are essential community spaces for West Orange families and are places where residents should feel safe accessing services and support; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township possesses authority to regulate and control the use of municipally owned property and resources in order to promote the public health, safety, and general welfare; and

WHEREAS, the State of New Jersey, through Executive Order No. 12 issued on February 11, 2026, established clear procedures governing the use of state property by federal immigration enforcement, including requiring a judicial warrant for access to non-public areas and prohibiting the use of state property as a staging or operational site; and

WHEREAS, the State of New Jersey, through the Immigrant Trust Act (S3521), which codifies the Attorney General's Immigrant Trust Directive into state law, has established boundaries separating local law enforcement responsibilities from federal civil immigration enforcement functions; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Orange, County of Essex, State of New Jersey, as follows:

1. Regulation of Township-Owned Property

The Township retains authority to regulate, manage, and control the use of Township-owned buildings, facilities, vehicles, equipment, parks, parking areas, and other municipal property.

Township property shall be used for its intended municipal purposes and shall not be used as a staging location, processing site, or operational base for civil immigration enforcement activities absent a valid judicial warrant or court order where required by law.

For purposes of this Resolution, a judicial warrant means a warrant issued by a federal or state judge or magistrate and shall not include administrative warrants issued by federal immigration authorities.

Access to non-public areas of Township facilities shall not be granted absent a valid judicial warrant issued by a court of competent jurisdiction. Township employees are directed to request and verify a lawful judicial warrant prior to granting access to non-public areas of municipal facilities.

This provision shall apply uniformly to all outside law enforcement agencies. Any outside law enforcement officer seeking access to non-public areas of Township property shall provide official government identification and state their agency affiliation prior to entry.

2. Designation of Safe Access to Public Services

The Township shall clearly identify and maintain designated private administrative areas within municipal facilities, including schools, libraries, and other public buildings, that are not open to the general public. These designated areas shall be treated as protected zones, and access by outside law enforcement agencies for civil immigration enforcement purposes shall require a valid judicial warrant or court order where required by law.

3. Data Privacy Protections

The Township shall limit the collection, retention, and sharing of personal information related to immigration status except as required by law.

4. Transparency and Reporting Requirements

The Township shall report to the Town Council any known immigration enforcement activities occurring within municipal boundaries, including the date, location, and nature of the activity, to the extent permitted by law. The Business Administrator, or designee, shall keep the Town Council informed by providing summaries of any requests from outside agencies seeking use of municipal property or access to non-public municipal facilities.

Reporting Chain: Any Township employee who witnesses the attempted or actual use of municipal property for such purposes shall immediately report to their supervisor, who shall report to the Business Administrator, who shall then notify the Township Attorney.

Such reports shall be informational in nature and shall not require the disclosure of confidential law enforcement information or records exempt from disclosure under applicable law.

5. Construction and Compliance with Federal Law

This Resolution governs only the conduct of Township employees and the use of Township property and resources and shall not be interpreted to interfere with lawful federal enforcement activity or to prohibit actions required by federal or state law. Nothing in this Resolution shall be interpreted to prohibit Township employees from complying with any lawful federal or state requirement concerning the exchange of information regarding citizenship or immigration status.

6. Severability

If any portion of this Resolution is determined invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

7. Effective Date

This Resolution shall take effect immediately upon adoption.