Board of Chosen Freeholders
County of Burlington
New Jersey

DETENTION CENTER
54 Grant Street
Mount Holly, NJ 08060
ADMINISTRATION (609) 265-5042
DETENTION (609) 265-5947 / 5979
ID SECTION (609) 265-5993
SOCIAL SERVICES (609) 265-5080
PURCHASING (609) 265-5818
INTERNAL AFFAIRS (609) 265-5812
FAX (609) 265-5805

CORRECTIONS DEPARTMENT
LAWRENCE ARTIS
Warden

Mailing Address
P.O. BOX 6000
MOUNT HOLLY, NEW JERSEY
08060-6000

WORK RELEASE CENTER
630 Pemberton-Browns Mills Rd.
Pemberton, NJ 08068
CENTER CONTROL (609) 726-7161
(609) 726-7162
WORK RELEASE (609) 726-7160
SOCIAL SERVICES (609) 726-7174
SECRETARY (609) 726-7250
FAX (609) 726-7167

August 14, 2014

Ari Rosmarin
American Civil Liberties Union of New Jersey
P.O. Box 32159
Newark, NJ 07102

Mr. Rosmarin,

In response to your letter of July 15th, enclosed is the current policy of the Burlington County Department of Corrections regarding immigration detainers.

Sincerely,

Lawrence Artis
Warden, Burlington County Department of Corrections

POLICIES AND PROCEDURES

TITLE: ADMISSIONS AND INTAKE PROCEDURE	NO: 1504	PG: 9 OF 11

POLICY OF THE COUNTY OF BURLINGTON REGARDING FEDERAL CIVIL IMMIGRATION DETAINEES

S. In Galarza v. Szalcyk, 745 F.3rd 634 (3rd Cir. March 4, 2014), the Federal Court of Appeals which covers the State of New Jersey, concluded that detainers issued by the Immigration and Customs Enforcement Division of the U.S. Department of Homeland Security, also known as "ICE holds", are not enforceable as warrants or commands to local prisons, including County detention facilities. Accordingly, the County of Burlington has no legal authority to honor "ICE holds" beyond the date and time that the person against which the detainer was issued would otherwise be eligible for release.

Notwithstanding the Federal Court's determination in Galarza, it is the desire and intention of the County of Burlington to cooperate with law enforcement agencies at the local, State and Federal levels, in order to assist in the enforcement of immigration laws and to ensure the safety of all Burlington County residents. To achieve that goal while complying with Federal law, the County of Burlington adopts the following policy:

When it has been determined that an ICE detainer has been placed upon an inmate of the Burlington County Department of Corrections (hereinafter referred to as "BCDC"), the BCDC will advise ICE of the date and time of the inmate's pending release so that ICE may have an opportunity to detain the inmate upon release. However, effective immediately, the BCDC shall not incarcerate individuals beyond the date and time they would otherwise be eligible for release (i.e. pursuant to a Court Order, after posting bail or release on their own recognizance, etc.).