

Federal Immigration Enforcement in NJ Challenges for Children and Families



New Jersey Consortium
for Immigrant Children

September 10, 2026

New Jersey Consortium for Immigrant Children



Mission & Vision

NJCIC is a **state-wide legal services** and **policy advocacy organization** dedicated to **empowering young immigrants**.

- We provide **holistic, youth-centered legal representation,**
- **drive systemic change to advance immigrant rights,**
- and **build community** through **collaboration and education.**

We envision a **just and equitable New Jersey** where **young immigrants** can **flourish** and **lead full, fearless lives.**

What's Happening on the Ground?

- Major uptick in immigration enforcement throughout the state
- Family separation
- Detention and Deportations
- Attempts to end existing legal protections and pathways to permanent status



Changes in Benefits Eligibility

H.R.1 – Limits the categories of immigrants who are eligible to receive certain benefits

“Qualified” Immigrants:

- Lawful Permanent Residents
- ~~Refugees/Asylees~~
- ~~Parolees~~
- Cuban-Haitian entrants
- ~~Survivors of DV/Trafficking~~
- COFA Migrants



Impacted Programs:

- SNAP
- Medicaid (Effective date – Oct 1)
- CHIP
- ACA Health Insurance – Premium tax credits
- Medicare

Pending Changes in Benefits Eligibility

Limiting Eligibility

- July 2025 – attempt to narrow immigrant eligibility for programs, including **Head Start**
- Ongoing litigation 
- 2 preliminary injunctions:
 1. Blocked completely in 20 states, including NJ
 2. Blocked Head Start restriction nationwide

Public Charge

- What is it?
- NOTE: Public Charge does not apply for most immigrants!
- **New Policy Starts September 18:**
 - Grants broad discretion to immigration officers on the factors to look at
 - Will cause confusion and arbitrary decisions



Impacts of Federal Immigration Policies on NJ Children and Families

- Fear keeps children and families from services like school and health care.
- Families forgo benefits due to confusion
- Stress and mental health impacts



Know Your Rights for Nonprofits and Organizations

CAVEAT

- This is general information, not legal advice
- General overview only – cannot address every issue or nuance
- Law is changing rapidly in this area
- If you have **specific concerns or questions** about how to manage the risk of immigration enforcement at your organization, **please speak with a lawyer** to get advice for your particular situation.



Strengthening Trust Between Law Enforcement and Immigrant Communities Act

Immigrant Trust Directive (2018) – limited assistance from NJ law enforcement to ICE:

- No participation in federal immigration raids.
- Unable to stop, question, arrest, search, or detain individuals based on immigration status
- Cannot ask about immigration status (exceptions exist)

Codified in law in 2026 

ICE Enforcement - Location Matters

	Private	Public
Examples	• Homes • Parts of workplaces only accessible to employees	• Walking on the street • Driving or riding in a car • Parts of workplaces open to the public
General Rules	ICE needs a warrant from a judge or consent to enter or search	ICE only needs reasonable suspicion to make an arrest

Judicial vs. Administrative Warrant

Judicial Warrant:

- Issued by a Judge
- If ICE has a judicial arrest or search warrant, state or local law enforcement generally must comply
- It authorizes actions like entering non-public areas, searching, or arresting a specific person.

A judicial warrant issued by a court;
Una orden judicial es emitida por una corte

→ **UNITED STATES DISTRICT COURT**

for the
District of New Jersey

In the Matter of the Search of
(Briefly describe the property to be searched or identify the person by name and address)

→ **123 Broad Street, Newark, NJ, Apt. 4**

A judicial warrant includes the address being searched;
Una orden judicial incluye la dirección de la búsqueda

Case No. 17-1234

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of New Jersey
(Identify the person or describe the property to be searched and give its location):

123 Broad Street, Newark, NJ: Apt. 4 and all common hallways and lobby of building

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (Identify the person or describe the property to be seized):

John Doe, A-123-456-789, a deportable alien with convictions for crimes involving moral turpitude; Goods stolen from XYZ Retail at 123 Commerce Street, Newark, NJ, on April 1, 2017, in a robbery allegedly involving John Doe.

A judicial warrant includes the time when the search must take place;
Una orden judicial incluye el tiempo cuando la búsqueda debe de ocurrir

YOU ARE COMMANDED to execute this warrant on or before **April 24, 2017** (not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to **Jane Smith, U.S.M.J.**
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for ___ days (not to exceed 30) ☐ until, the facts justifying, the later specific date of _____

Date and time issued: **04/10/2017 10:00 am**

City and state: **Newark, NJ**

Jane Smith
Judge's signature

Jane Smith, United States Magistrate Judge
Printed name and title

A judicial warrant must be signed by a judge;
Una orden judicial debe de estar firmado por una juez

Judicial vs. Administrative Warrant

Administrative Warrant:

- Issued by a federal immigration officer
- These do not require state or local police to assist.
- They do not authorize entry into private or non-public spaces without consent.

DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

An administrative warrant is issued by DHS or ICE, not a court;
Una orden administrativa de ICE es emitida por DHS o ICE, no una corte

File No: _____
Date: _____

To any immigration officer of the United States Department of Homeland Security:

(Full name of alien)

who entered the United States at _____ on _____
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

☐ an immigration judge in exclusion, deportation, or removal proceedings
☐ a designated official
☐ the Board of Immigration Appeals
☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

An ICE administrative warrant is signed by an immigration officer or an immigration judge;
Una orden administrativa de ICE es firmada por un oficial de inmigración o juez de inmigración

(Signature of immigration officer)

(Title of immigration officer)

(Date and office location)

Even if an ICE officer or immigration judge signs this document, it is not a judicial warrant and does not authorize ICE to enter your home without your consent;
Aunque un oficial de ICE o juez de inmigración firme este documento, no es una orden judicial y no autoriza que ICE entra a su hogar sin su permiso

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ICE Appearance at Org - What to Do?



Organizations should:

- Have a plan
- Consider signage
- Remain calm and professional
- **Remind clients of right to remain silent**
- Request warrant
- Film/observe
- Staff/Clients may ask if they are free to leave



Organizations should NOT:

- Lie
- Hide/Conceal clients from ICE
- Help a client escape
- **Instruct a client not to answer questions**
- Give client data to ICE without judicial warrant or subpoena



Resources



- Benefits Eligibility: [Protecting Immigrant Families \(PIF\) Toolkits](#)
- Lowenstein Sandler: [Advisory to Nonprofit Organizations and Social Service Providers Regarding Immigration Enforcement \(2025\)](#)
 - Model Policy and Procedures
 - Model Reporting Form to document ICE encounters
- Immigrants' Rights:
 - NJCIC: [Immigrants' Rights Toolkit](#)
 - [Know Your Rights Red Cards](#)



Thank you!

Any Questions?

(Learn about our upcoming
Immigrant Children and Youth Walk)

