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The ITA Will Stand Up in Court, We Need Mikie Sherrill to Stand Up for Us!

Plainfield, NJ — In a new interview, the Governor-elect says, of resisting Trump: “there’s this false assumption...that if you just duck your head and if you just go along, that you can kind of get through this. And that’s not the case. The hits are going to be coming. The attacks on our economy are coming. The attacks on our rights and freedoms are here.”

We couldn’t agree more, and urge her to apply this same stance to the attacks on our immigrant communities — which, in a state that is 25% immigrant, are attacks on the fabric of New Jersey’s safety and stability for all of us who live here together.

And yet, speaking with NJ Spotlight News, Gov.-elect Sherrill said of the Immigrant Trust Act: “I’ve been opposed to that because I’m very concerned about trying to put that through the courts. We know a ... Republican judge has already approved the Immigrant Trust Directive. It’s settled law that has better standing right now, and the idea of opening this up in courts right now, when...the courts seem to be very suggestible by the Trump administration’s suggestions. I don’t think that’s a good idea.”

This is not anyone’s idea of “running towards the fight,” and we already know it’s a fight we can win. The same principle on which the ITD won multiple court cases is what fortifies the ITA: the 10th Amendment’s rule that the federal government can’t compel state & local governments to perform federal functions (including immigration enforcement).

Trump already sued the City of Chicago, Cook County, and the State of Illinois over their ITA-like laws, and has ALREADY LOST: A federal judge in July dismissed all the suits, citing not only the 10th Amendment, but one of NJ’s own winning cases that defended the ITD. Trump is still suing the City of Hoboken over its “sanctuary” policy, and the city responded in August not by backing down, but by passing its own Hoboken Trust Act.

This is how not to duck your head. The attacks are here, and the question is whether and how our leaders will fight them on our behalf. It is up to our current leaders in Trenton to pass the Immigrant Trust Act, before the new Governor is even sworn in; it is the tool she needs to fight back against Trump’s assaults on law and due process. We know she has long been made aware of the facts listed above, we welcome her to a belated dialogue about it, and we urge her to endorse the ITA as the strongest means for protecting our communities.

For media inquiries, please contact Wind of the Spirit at communications@wotsnj.org