

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

COUNTY OF OCEAN, et al. Plaintiffs, v. GURBIR S. GREWAL, et al., Defendants. AND ROBERT A. NOLAN, et al., Plaintiffs, v. GURBIR S. GREWAL, et al., Defendants.	CONSOLIDATED CIVIL ACTION NO. 3:19-CV-18083-FLW-TJB DECLARATION OF ANGELO J. ONOFRI, MERCER COUNTY PROSECUTOR
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I, ANGELO J. ONOFRI, declare as follows:

1. I am the County Prosecutor for Mercer County, New Jersey.
2. I submit this declaration in support of Defendants' brief in opposition to Plaintiffs' motion for a preliminary injunction. I am familiar with the matters either set forth herein, from personal knowledge or based on documents and information that I have reviewed.

3. I have worked at the Mercer County Prosecutor's Office (MCPO) since 1998, beginning as an assistant prosecutor. On March 1, 2015, I was named Acting Mercer County Prosecutor. On December 28, 2016, upon being unanimously confirmed by the New Jersey Senate, I was sworn in as Mercer County Prosecutor. I also am the current president of the County Prosecutors Association of New Jersey.
4. I assisted with the formulation of the Mercer County Homicide Task Force and the Mercer County Shooting Response Team, as well as the expansion of the Mercer County Narcotics Task Force. I am also a member of the Attorney General's Body Worn Camera and Officer-Involved Shooting working groups, and I serve on the Attorney General's Trenton Violence Reduction Strategy Task Force. In conjunction with local, state, and federal partners, I have involved Mercer County with gun buyback programs, expungement seminars, and the Fugitive Safe Surrender program. I am also a certified instructor with the New Jersey Police Training Commission and have taught numerous courses at the Mercer County Police Academy.
5. As Mercer County Prosecutor, I oversee an office of approximately 200 assistant prosecutors, detectives, investigators, victim-witness advocates, and administrative staff members. My office is charged with successfully

detecting, investigating, and prosecuting criminal offenses within Mercer County; defending the rights of crime victims and according them with the highest level of dignity, respect, and sensitivity; working cooperatively with police and all law enforcement agencies; elevating public confidence in the criminal justice system; and forming partnerships with community groups and leaders to eliminate the conditions that precipitate crime.

6. Attorney General Directive 2018-6, also known as the Immigrant Trust Directive, was announced on November 29, 2018, and its requirements took effect on March 15, 2019. It was revised on September 27, 2019. I was part of the Attorney General's working group that drafted the Directive.
7. The Directive established new rules to help build trust between New Jersey's State, county, and local law enforcement agencies and the State's large and diverse immigrant communities. The Directive underscored that building trust promotes public safety because when communities do not believe that they can trust law enforcement, they are less likely to report crimes and cooperate as witnesses, which deprives officers and prosecutors of the necessary help in solving crimes and bringing suspects to justice. The Directive established clear lines between State, county, and local law enforcement officers, who enforce the State's criminal laws, and federal

immigration authorities, who enforce federal civil immigration law.

8. On the other hand, the Directive explicitly rejected the establishment of any “sanctuary” for criminals in New Jersey. The Directive empowers law enforcement to enforce state criminal laws, regardless of immigration status, and authorizes law enforcement, including corrections authorities, to notify Immigration and Customs Enforcement (ICE) about individuals in their custody who have been charged with violent or serious offenses and to transfer such individuals to ICE custody in a manner consistent with the Directive. To that end, the Directive authorizes law enforcement to notify ICE of the release date of any inmate who “in the past five years has been convicted of an indictable crime,” or who either was charged with or has ever been convicted of a wide range of significant crimes. The Directive, therefore, never requires New Jersey law enforcement agencies to release an individual who committed a violent or serious offense back into the community rather than into federal immigration custody.
9. Based on my experience and training, it is my opinion that individuals are less likely to report information concerning a crime if they fear that the responding officer will turn them over to immigration authorities. That opinion, to my understanding, is also supported by a substantial body of academic research. When immigrants or members of immigrant-heavy

communities are victims or witnesses to a crime, but nevertheless refuse to come forward to law enforcement officials due to fears of deportation, it hinders the State's ability to solve crimes and bring criminals to justice, which puts all residents of New Jersey at greater risk.

10. For example, recently but before the Directive went into effect, a young male from Guatemala was murdered in Mercer County. Yet, a full week following the murder, no one had yet come forward with any information. We reached out to a local Guatemalan association, simply to find someone who could identify the deceased so that we could return his remains to his family. Nobody was willing to do so. Only after taking great effort in assuring community leaders that cooperating individuals would not be deported did the MCPO receive relevant information regarding the victim's identity and information about his murder.

11. In conjunction with the Directive going into effect, my office, along with the 20 other county prosecutor's offices in New Jersey and other law enforcement leaders, engaged in a vast community outreach initiative. The purpose of this initiative was to meet with members of the community and community leaders face to face, spread the word about the Directive, and ask the communities to help ensure all of their members understand that they can always feel safe to report information about crimes.

12. We knew that this outreach initiative would require sustained efforts to be successful. My office, for example, held several community presentations. At our first presentation, only about 10 people attended. We believed this low turnout stemmed from misguided fear that the meeting was a ploy to capture undocumented immigrants. However, aided by local community leaders, word began to get out that our intentions were simply to build trust. We saw increasing attendance at each successive presentation. About 25 people attended our second presentation. About 60 people attended our third presentation. About 75 people attended our fourth presentation.
13. Based on my training and experience, it is my opinion that any claim that the Directive undermines public safety is inaccurate. I have seen no indication of any kind Mercer County has become less safe on account of the Directive. Rather, I have observed just the opposite—an increase in community cooperation with the criminal justice system.
14. For example, in Mercer County we have received an increased number of U-Visa applications. U-Visas are issued to undocumented immigrant victims of crimes who suffered substantial mental or physical abuse while in the United States and who are willing to assist law enforcement and government officials in the investigation of the corresponding crime.

15. We have also seen an increase in the number of civilian complaints made against local law enforcement officers. Although not all of these complaints are necessarily substantiated, they reflect that more members of the local communities have trust in the criminal justice system and are not afraid to raise complaints when they feel it is warranted.
16. It is my opinion, based on my experience and training, that striking down the Directive would have a destructive effect on the good will that my office and law enforcement agencies across the State have taken great effort to instill among our communities over the past few years, and specifically since the Directive went into effect. This, in turn, would suppress the quantity and quality of information about crimes that my office, and other local law enforcement agencies, receive from our communities.

I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct to the best of my personal knowledge.

Executed on January 21, 2020.



Angelo J. Onofri
Mercer County Prosecutor