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Governor Sherrill, Attorney General Davenport, Roxbury Township Sue ICE, DHS Over Plans to Convert Warehouse into Mass Detention Facility

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Bipartisan Complaint Joins Forces to Fight Plan that Bypasses Lawful Process, Disregards Environmental Impacts, and Demonstrates Indifference to State and Local Concerns

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TRENTON – Governor Mikie Sherrill and Attorney General Jennifer Davenport announced today that New Jersey and the Township of Roxbury are jointly suing U.S. Immigration and Customs Enforcement (ICE) and the U.S. Department of Homeland Security (DHS) to halt their illegal , to convert a vacant warehouse into a large-scale immigration detention facility. ICE plans to convert and operate a detention center without addressing serious State and local concerns about water, sewage, and public safety, accounting for the site’s sensitive environment, or considering if this warehouse is an appropriate place for detention.

The lawsuit seeks declaratory and injunctive relief under the Administrative Procedure Act (APA), the National Environmental Policy Act (NEPA), the Intergovernmental Cooperation Act (ICA), and the Immigration and Nationality Act (INA). To remedy these violations, New Jersey and Roxbury are asking the U.S. District Court to stop the federal government from implementing the decision to create a mass detention facility.

“The safety and well-being of New Jerseyans will always be my top priority, and the Trump Administration’s plans for a detention facility in Roxbury will not make our residents safer. Instead, this facility will overburden local services and infrastructure,” **said Governor Sherrill.** “These types of facilities also have a long track record of abuse, mistreatment, and unsafe conditions. This is not a partisan issue – Republican leaders in the community are similarly against this facility. That is why we are joining with Roxbury to stop this facility to protect the community and our Constitution.”

“Today, we join efforts to enforce the law and protect the rights of all New Jerseyans,” **said Attorney General Davenport.** “Federal laws require—and our State and towns deserve—that DHS and ICE consult with the State and the Township on major projects in their backyard. Instead, DHS and ICE are ramming through a secretive purchase and rushed renovation. We will not allow these ill-considered plans to happen. We have partnered with the Township of Roxbury, relying on the Township’s crucial local knowledge and efficiently combining our resources for this important bipartisan fight.”

Today’s lawsuit results from the cooperative working relationship between the Township of Roxbury and the Office of the Attorney General. The partnership ensures comprehensive factual development, strong legal arguments, and wide stakeholder engagement. The Township has quickly marshalled powerful facts that show why Roxbury is an inappropriate site for an ICE detention center. The joint effort saves taxpayers money by avoiding duplicative litigation.

“The Council and I commend the Governor and the Attorney General for their swift and decisive action to help prevent the placement of an ICE detention center within our suburban community,” **said Mayor Shawn Potillo.** “We remain confident that, through this process, it will be clearly demonstrated that this location is not appropriate for a facility of this nature, given the significant impacts it would have on our residents, local resources, and the surrounding environment. This partnership is also important for Roxbury residents, as the Office of Attorney General can provide significant legal resources that protects Roxbury’s local property taxpayers from shouldering most of this cost alone.”

The State and Township first learned of DHS’s plans for the Roxbury warehouse in a newspaper article. DHS and ICE never told Roxbury Township about the planned purchase and conversion until after the purchase was complete, and repeatedly rebuffed outreach. DHS’s sole official document outlining plans for this project was a two-page letter dated January 14, 2026, to the New Jersey Historic Preservation Office, asserting that no historic properties are affected by the planned conversion.

DHS’s decision to purchase, convert, and operate a detention facility in this warehouse is unlawful for several reasons. As alleged in the complaint:



- The site is currently a vacant warehouse located at 1879 Route 46 within the Township of Roxbury. The building consists largely of a single large room with concrete floors and only four toilets.
- The property lacks adequate water or sewage access to accommodate up to 1,500 detainees and 1,000 ICE staff.
- Converting the warehouse into a detention center would multiply the gallons of wastewater per day by more than 15 times the current approved limit. The sewer conveyance infrastructure cannot accommodate that great of an increase. If ICE exceeds the capacity of the existing infrastructure, there is a serious risk of damage to the sewer system and sewage overflows into nearby streets, land, and waterways. These waterways include Lake Musconetcong, which is 1,000 feet away and downhill from the warehouse, and Lake Hopatcong, the largest freshwater lake in New Jersey.
- The Highlands region provides drinking water for 70% of the State of New Jersey and is designated as a “landscape of special significance” by the New Jersey Legislature. If ICE and DHS attempt to draw water for the detention facility and thus further strain an already stressed water system, DHS and ICE threaten the system for the entire area. A large ongoing water withdrawal that was not previously anticipated poses a substantial risk of exceeding system capacity, which could in turn reduce water pressure and reliability for residents, impair flows needed for fighting fires, deplete groundwater, and diminish nearby wells.
- The warehouse is located right off of the Highway 46 interchange with Interstate 80, an already dangerous section of road that has been the site of multiple traffic fatalities. The federal government has not provided any details regarding expected traffic impacts, but it is expected that about 1,000 staff will work at the warehouse following its conversion, adding hundreds of new vehicles to nearby roads during rush hour.

Additionally, the warehouse will financially harm the local economy. By placing burdens on public water and sewage conveyance capacity, displacing other housing development, clogging roads and highways, and diverting emergency response resources, the warehouse will deprive the local community of other economic opportunities and deprive the township of an estimated \$1.8 million in annual tax revenue. ICE and DHS failed to adequately consider each of these important impacts on the state and local area as they were required to do under the APA, NEPA, the ICA, the INA, and other applicable law. As a result, the decision to arrange for mass detention of immigrants at the manifestly inappropriate location of the Roxbury warehouse – without taking a hard look at the environmental consequences, and without any consultation with State and local officials – violates federal law several times over.



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