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Mikie Sherrill refuses DOJ demand for data on NJ noncitizen voters, citing privacy laws

The New Jersey governor said the Trump administration's request 'had no legal basis,' escalating the fight over the state's voter rolls.



The Department of Justice had requested data on the 6,600 noncitizens mistakenly registered to vote in New Jersey, but Gov. Mikie Sherrill said her administration will not cooperate, citing privacy laws. | Eduardo Munoz Alvarez/Getty Images

By **JOEY FOX** and **DANIEL HAN**

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TRENTON, New Jersey — New Jersey will not cooperate with a federal demand for data on the approximately 6,600 noncitizens accidentally [added to the state's voter rolls](#) in 2023 and 2024, Gov. Mikie Sherrill's administration announced on Tuesday.

“Today, I informed [Assistant Attorney General Harmeet Dhillon] that New Jersey will not provide the personal information of thousands of New Jersey residents,” Sherrill [wrote on social media](#), citing several federal privacy laws. “The request had no legal basis, and I will always protect New Jerseyans’ personally identifiable information.”

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The decision escalates what has become a nationally watched dispute between Sherrill and the Trump administration, one that has exacerbated long-fraught debates over voter fraud and election integrity. Dhillon said the Department of Justice will continue to pursue the voter records “through all legal means,” though it’s not immediately clear what that might entail.

“Gov. Sherrill’s refusal to cooperate with federal law enforcement does nothing to protect law-abiding NJ voters,” Dhillon said in a reply to Sherrill’s post. “NJ has a legal duty to keep ineligible voters off its rolls, & our request is grounded in that legal authority.”

Sherrill announced last week that between June 2023 and June 2024 — when her predecessor, fellow Democrat Phil Murphy, was in office — a software error at the state Motor Vehicles Commission allowed thousands of noncitizens to register to vote, with around 400 subsequently casting ballots. The contractor at the center of the debacle has [denied the existence of an error](#), saying that the state’s own systems are to blame for allowing ineligible residents onto the voter rolls.

Regardless of who was at fault, the legal consequences for the voters themselves could be steep. Top Trump administration officials have indicated they may seek to [prosecute and deport](#) the noncitizens who voted — a potential outcome Sherrill has called “the utmost hypocrisy,” given that it was a government mistake that let them vote in the first place.

Shortly after Sherrill disclosed the error, [the DOJ asked for](#) the “full names, dates of birth, nationalities, residential addresses, and registration dates and locations” of the 6,600 mistakenly registered noncitizens, as well as information on the elections that included ballots cast by noncitizens. (Sherrill has said she does not believe any election results were swayed because of the error.)

“Not a single American vote should be diluted,” Dhillon, who leads the DOJ’s Civil Rights Division, said during a [Fox Business appearance](#) last week. “I don’t know what the next shoe is going to drop, but I can tell you that the DOJ is taking this very seriously.”

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Dhillon set a one-week deadline for Sherrill to respond, but the governor repeatedly signaled that she had little intention of complying, saying that she did not trust the Trump administration to handle the data properly.

Sherrill has commissioned an outside firm, CSG Law, to conduct an investigation into the incident, and Democrats in the state Legislature have indicated they’ll wait for that review’s conclusions to be released before taking any further action. At an unrelated event on Tuesday, Sherrill underscored that the investigation will be bipartisan, noting that one of CSG’s partners is Jeffrey Chiesa, who was the state’s attorney general under former Gov. Chris Christie and briefly served in the U.S. Senate as a Republican.

“We have a bipartisan, independent investigation going on right now because we have nothing to hide,” Sherrill said.

New Jersey Republicans, though, have insisted that more needs to be done. Rep. Jeff Van Drew, a South Jersey Republican who chairs a subcommittee of the House Judiciary Committee, told POLITICO on Monday that he plans on holding a hearing on the matter — likely when Congress returns from its August recess — and is looking into the possibility of [subpoenaing state records](#).

Van Drew, along with 18 of his House Republican colleagues, has set his own deadline of Aug. 21 for Sherrill to respond to a [detailed list of questions](#) about the circumstances of

the error and what the state plans to do going forward.

Sherrill also said in a separate statement on Tuesday that her administration has begun the process of removing “more than 4,500” noncitizens from the state’s voter rolls. The remaining 2,100 will be referred to county election officials, she said, because her administration believes some of them may in fact be citizens who were affected by the error for other reasons.

“We are taking this extra step because our initial review indicates that a number of these individuals may be citizens,” Sherrill said. “That has been the case in other states where clerical and administrative voter registration errors have occurred, and we’re determined to get this right.”

The Trump administration has alleged, however, that the true number of noncitizens on the state’s voter rolls is higher than has been disclosed. On July 16, Department of Homeland Security officials said they had found **35,152 noncitizens registered to vote** in New Jersey, though the basis for that claim isn’t clear.

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