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LDAD Files Amicus Brief Supporting Newark Mayor Ras Baraka's Allegations That His Arrest and Prosecution Were Politically Motivated

Lawyers Defending American Democracy (LDAD) has filed an amicus brief in support of Newark Mayor Ras Baraka against the then interim U.S. Attorney for New Jersey, Alina Habba, and U.S. Department of Homeland Security official Ricky Patel.

Mayor Baraka's suit alleges that defendants violated his Fourth Amendment right against "unreasonable searches and seizures" by falsely arresting and maliciously prosecuting him in connection with his efforts to accompany a May 2025 Congressional inspection of Delaney Hall, an ICE detention center in Newark.

LDAD's brief, which opposes the administration's motion to dismiss, highlights that Mayor Baraka's allegations "reflect a broader and well-documented pattern of using investigative, arrest and prosecutorial power to punish perceived political and/or personal opponents and protect political and/or personal allies." The brief argues that the circumstances surrounding Mayor Baraka's arrest and prosecution raise "profound concerns about the misuse of federal law enforcement power for partisan ends."

LDAD's brief further alleges that, because the arrest and prosecution of Mayor Baraka are part of a widespread practice of weaponizing the criminal justice system, the judicial deference normally afforded such law enforcement functions disappears.

Gershon ("Gary") Ratner, LDAD co-founder and Board member, said that the campaign against Mayor Baraka "strikes at the core of law enforcement impartiality and the rule of law and bears troubling resemblance to practices of authoritarian regimes. As the brief stated, 'this administration's use of the government's vast prosecutorial powers to retaliate against adversaries has eroded the independence of the DOJ and undermined public trust in the rule of law.'"

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Lawyers Defending American Democracy (LDAD) is a nonpartisan 501(c)(3) organization composed of attorneys, law professors, former judges, and former government officials dedicated to preserving the rule of law, constitutional democracy, and the independence of the legal profession. LDAD's work includes filing amicus briefs, authoring Calls to Action, presenting public education programs, and encouraging lawyers and the public to speak out against threats to the rule of law and our democratic institutions. LDAD's nationwide Meeting the Moment *initiative mobilizes lawyers across the country to engage with their communities in defense of constitutional democracy. For more information, visit* ***www.ldad.org***