

# Joint Statement Regarding Ballot Measure 105 From Washington County District Attorney and Sheriff

August 8, 2018

As District Attorney and Sheriff, we are the elected law enforcement leaders in Washington County. One of our primary obligations is to ensure public safety. We believe every member of our community has the right to live, work, and raise a family in safety and that an essential aspect of being safe is feeling safe and having access to justice.

Through our role as public safety leaders, we are aware of Ballot Measure 105 (formerly known as Initiative Petition 22). This measure seeks to repeal ORS 181A.820, a thirty one year-old Oregon law that controls when local law enforcement agencies may use local resources to enforce federal immigration laws. We are compelled to speak because we believe this ballot measure may negatively impact public safety.

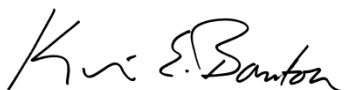
Oregon's legislature passed ORS 181A.820 in 1987 to provide structure regarding how and when local police can be involved in enforcing federal immigration law. This longstanding law states local police cannot use resources to detect or apprehend persons whose only law violation is federal immigration law. Importantly, this law does not prohibit local police from using resources to detect, apprehend, or even cooperate with immigration officials for people who have violated federal immigration law and committed a crime. In other words, the current law (ORS 181A.820) provides no sanctuary to an undocumented immigrant who commits a crime in Oregon. In fact, it specifically authorizes police to share information with federal immigration authorities.

ORS 181A.820 strikes the right balance. Under this law local police cannot enforce federal immigration laws but can cooperate and communicate with immigration authorities if an undocumented immigrant commits a crime. While there are certainly ways the current law could be improved or clarified, and there appears to be some misunderstanding regarding how this law works, repealing it altogether is not the answer.

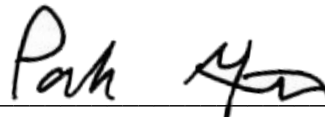
A repeal of ORS 181A.820 would likely create a chilling effect in our community. Certain members of the immigrant population may be less likely to report crimes, to access justice services such as restraining orders, or to even appear in court and testify as witnesses. Immigrant communities and families may become greater targets for criminals because they may be less likely to come forward or appear in court to testify. These are not hypothetical concerns; we have already seen these issues occur. If ORS 181A.820 is repealed, we believe these problems may increase.

Additionally, a repeal of the current uniform law that allows all law enforcement throughout Oregon to communicate with immigration authorities regarding criminal defendants would likely result in a patchwork of inconsistent ordinances and rules from various cities and counties.

Our community is safer when citizens and non-citizens alike report crimes and testify in court so we can arrest and prosecute criminals. We believe that ORS 181A.820 strikes the right balance to keep our community safe and we oppose the effort to repeal it.



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