

PRELIMINARY DISCUSSION DRAFT

Measure Number: IP 22

Subject: Repeals law limiting use of state/local enforcement resources to enforce federal immigration laws

Government Unit Affected: Oregon State Police

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Comments

This measure would repeal Oregon Revised Statute 181A.820 which prohibits (with exceptions) the use of state and local law enforcement moneys, equipment or personnel for the purposed of detecting or apprehending person(s) who's only violation of law pertains to their immigration status. The following are exceptions identified in the statute:

- Communicate with federal immigration authorities to verify immigration status of arrested persons or request criminal investigation information with reference to persons named in records of federal immigration officials.
- Arrest persons "charged by the US with criminal violation of federal immigration laws who are subject to arrest for the crime pursuant to a warrant of arrest issued by a federal magistrate.

Although the Initiative would repeal existing statute which prohibits the use of state and local law enforcement resources on certain activities, it would not require changes to current policies and procedures of law enforcement agencies.

Fiscal Impact Summary

Executive Branch Assumptions: IP 22 revenue and expenditure impact on Executive Branch agencies is indeterminate. The repeal of ORS 181A.820 does not require a change to current law enforcement practices.

Local Government Assumptions: IP 22 revenue and expenditure impact is indeterminate. The repeal of ORS 181A.820 does not require a change to existing local government practices.

Estimate of Financial Impact

The financial impact is indeterminate. The initiative repeals existing statute prohibiting the use of state and local law enforcement resources for enforcing federal immigration laws. The repeal itself would not require a change to current state and local law enforcement practices.