



Nicole Bales/The Astorian

Immigrant rights advocates want legal and political help against ICE.

## ICE: 'Tactics ... deter people from accessing justice'

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Immigrant Justice. "Every day, we're hearing reports of pepper spray in our courthouses. Every day, communities are living in fear because they're afraid to do their business at courthouses, which are supposed to keep us safe."

Hundreds of people formed a tight circle in front of the courthouse, where they called for Oregon Supreme Court Chief Justice Martha Walters to take action and lawyers announced their legal claim against ICE.

About 300 clergy leaders with the Interfaith Movement for Immigrant Justice signed a letter asking Walters to issue an emergency rule prohibiting ICE arrests at or near county courthouses.

The ACLU claims ICE agents unlawfully detained Andrade-Tafolla without a warrant, reasonable suspicion or probable cause, said Caitlin Mitchell, an attorney representing Andrade-Tafolla. The tort claim seeks \$100,000 in damages.

"Being a U.S. citizen working for the government itself, I just feel betrayed," said Andrade-Tafolla, a county road maintenance worker.

"Today I get to fight back through the legal system. These federal agents must be held accountable. Immigrants and people of color make this county great. Latinos make this country great. We are hard workers and folks that come here to provide for their families and to hope for a better future."

Many judges — including Judge Paula Brownhill, the presiding judge of the Clatsop County Circuit Court — have said ICE enforcement actions at courthouses could deter criminal defendants, crime

victims and witnesses from coming to court.

Two years ago, after the incident with Andrade-Tafolla outside the Washington County Courthouse, Bonamici was among the lawmakers behind the Protecting Sensitive Locations Act, which would make ICE's policy the law and cover courthouses.

"These overly aggressive tactics spark fear and deter people from accessing justice, and I was disturbed to see yet another aggressive ICE action inside the Clatsop County Courthouse," the Oregon Democrat said in an email.

"These types of incidents in and around courthouses are increasing in frequency and severity, sometimes getting physical and causing panic. This promotes fear and mistrust in law enforcement, which serves no one."

Wyden and Merkley introduced the Protecting Sensitive Locations Act in the U.S. Senate in July, but the Oregon Democrats are unlikely to be successful while Republicans control the Senate.

Bonamici believes the bill can pass in the House, where Democrats are in the majority.

"We will continue to provide needed oversight of ICE and other agencies, which my Protecting Sensitive Locations Act would help strengthen," the congresswoman said. "I'm also encouraged by efforts in Oregon to take action that complements my federal bill at the state level."

Under ICE's policy, enforcement actions should not occur at sensitive locations unless there are pressing circumstances, other law enforcement actions have led officers to the sensitive location, or prior approval is obtained from a supervisor.

ICE also has guidelines

for detentions at courthouses, but has strongly defended the practice.

Tanya Roman, an ICE spokeswoman, said in a statement after Zamora-Rodriguez's detention at the Clatsop County Courthouse that enforcement actions taken inside courthouses can reduce safety risks to the public.

"ICE does not make civil immigration arrests inside courthouses indiscriminately," she said. "As with all other federal agency planned enforcement actions, ICE arrests at courthouses are the result of targeted enforcement actions against specific, targeted aliens."

Zamora-Rodriguez's mother and partner appeared with immigrant rights advocates at a town hall Wednesday night at the First Presbyterian Church in Astoria. Advocates did not provide much more information on Zamora-Rodriguez's immigra-

tion status, but said he was being held at the federal detention center in Tacoma, Washington.

"Why are they coming into the courthouse and arresting people? Yes, Fabian has a criminal case, but (is) innocent until proven guilty," said Kendra Williams-Reyes, an immigrant rights advocate who was among those pepper sprayed while trying to shield Zamora-Rodriguez.

Williams-Reyes is also waiting for her husband to be released from the federal detention center in Tacoma, after he and his sister, who are immigrants from Mexico, were picked up by ICE last year in Pacific County, Washington, on their way to work at Willapa Bay canneries.

"This is why we were standing and protecting Fabian, is because he has the right to a fair trial," Williams-Reyes said. "Everybody does, just like us citizens."

## PERS: Pension changes lead to another battle

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The changes to the savings plan will impact workers such as Jennifer James, a secretary at Mulino Elementary School in Clackamas County.

James is the lead plaintiff in the lawsuit.

Due to Senate Bill 1049, James expects to have \$18,000 less at retirement than she previously thought.

"That's a lot of money out of my retirement," said James, who has been working at the school for 20 years.

James took the job when her kids were young.

The hours meant she didn't need to send her kids to child care, and she knew that while she would make less money than she could in the private sector, the retirement benefits would be "good" and "solid," she said.

"I love our families and our students," James said. "Working at an elementary school with young children, it's very gratifying. You get to watch little kids grow up."

James said she expected those benefits.

"Maybe it's naïve in hindsight," James said, "But when you get a job working for the state, you just assume that your benefit is a guarantee, that the state is going to keep its word and this is what you're gonna get."

Changes to Oregon's enormously complex retirement system are often politically contentious.

Democrats hold the majority of legislative seats, and public employee unions make up a powerful lobbying and campaign bloc. Unions are paying for the lawsuit.

The Legislature has tried a variety of cost-saving measures over the years. The most recent reforms in 2013 led to another legal battle.

In that case, *Moro v. Ore-*

gon, the Oregon Supreme Court essentially said that the state could not retroactively change retirement benefits already earned by public employees.

Lawmakers aimed to abide by *Moro* by targeting future benefits only in Senate Bill 1049. But, Aruna Masih, the attorney representing the employees said, that case looked specifically at changes to employees' cost of living adjustment.

The case filed Friday, instead, looks at other parts of the state's retirement benefits — the savings plan and the final average salary.

"It is a different part of the law," Masih said. "And we think we can make a strong case to the court why, based on the text, context and legislative history of the provisions ... that the court should find that these are core benefits that are required to be protected."

Facing mounting debt in the retirement system, Senate Bill 1049 also created new financial maneuvers to try to tame the impact that debt is having on government year to year.

By and large, state and local government entities such as cities and schools have to pay more money toward employee retirements every year.

Combined with limits on local property taxes, proponents of the law say, the situation is putting the squeeze on government services, diverting money to pension costs instead of local services.

"Vital services and public sector jobs would be at risk," said state Rep. Tiffany Mitchell, D-Astoria, in a letter explaining her vote for the bill. "Not only that, but the long-term viability of our pension system would be threatened if the Legislature didn't act."

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## Fattori: 'Everyone needs to know what's going on'

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Her proudest moment at the Port came less than two months after being hired when Mike Weston, a former staffer who worked his way up to interim executive director, elevated her to be his executive assistant. In that role, she has served as a liaison between the Port Commission and the executive director, while making sure the agency follows public meetings law.

"I think transparency is important," she said. "I feel everyone needs to know what's going on."

Fattori has lasted through three executive directors, including a short stint under Weston, nearly five years under Jim Knight and her last couple of months under Will Isom,

who was appointed to lead the agency after Knight's resignation in June.

The Port is the longest — and the favorite — installment of Fattori's career. But with a project to digitize many of the Port's documents back to the agency's founding in 1915 largely wrapped up, she said she didn't feel as needed in the office. Her next stop is managing the business office of a local senior assisted living community.

Fattori said she isn't done with the Port yet, though, with intentions of one day running for a seat on the Port Commission.

"When I first started, I decided within 15 years I'd be on the commission," she said. "I'm five years in, so maybe in 10 years."

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