

MEASURE 105

Sanctuary law faces repeal in November

By **ANTONIO SIERRA**
STAFF WRITER

In the month following the 2016 presidential election, Selene Torres-Medrano helped organize an immigration forum at Umatilla High School.

Torres-Medrano said the audience filled the cafeteria to hear from local leaders on the issue, including Umatilla County Sheriff Terry Rowan. She said Rowan assured the crowd that his deputies would not target undocumented immigrants.

A 31-year-old state law prevents state and local law enforcement from using resources to enforce federal immigration law if a person's only crime is their legal status, but a measure on the November ballot looks to change that.

In August, Rowan signed onto a public letter written by Clatsop County Sheriff Tom Bergin supporting Measure 105, which would repeal Oregon's "sanctuary state" law. In an interview at the time, he said his concern was not immigration status, but those who are here illegally who are committing other crimes.

The daughter of an undocumented mother, Torres-Medrano remembers trips to the grocery store were canceled and driving would cease if her family suspected U.S. Immigration and Customs Enforcement was in town. She said she was disappointed when Rowan signed onto the letter, not for herself, but for her family that would be affected by Measure 105.

Oregon's "sanctuary state" law may prevent police from engaging in immigration enforcement, but it has several exceptions. Law enforcement can still "exchange information" with ICE or another federal immigration enforcement agency to verify an individual's immigration status if they're



Sheriff Terry Rowan, left, explains his stance on Measure 105 during a Hispanic Advisory Committee meeting at Hermiston City Hall on Sept. 17.

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arrested for a criminal offense or request criminal investigation information,

They can also still arrest people with criminal violations of federal immigration law and execute warrants related to immigration crimes issued by federal courts.

The "sanctuary state" law arose from a 1977 incident where police officers approached four Latino men who were eating at a restaurant in Independence and interrogated them about their legal status. The encounter led to a lawsuit and 10 years later, a "sanctuary state" law that passed with overwhelming bipartisan support.

Measure 105 would repeal the law, potentially allowing local law enforcement agencies across the state to reengage in immigration enforcement.

Torres-Medrano joined Deschutes County District Attorney John Hummel and Andrea Williams, executive director of immigrant-advocacy organization CAUSA, on a recent conference call with the *East Oregonian* editorial board to oppose Measure 105.

Williams said a repeal of the "sanctuary state" law would revert Oregon to the days when police could profile Latinos if they thought they were in the country illegally

— a "show me your papers" state instead of a sanctuary.

The group referenced several studies that show that immigrants actually commit crimes at lower rates compared to the native-born population, and talked about the potential "chilling effect" it could have on undocumented victims and witnesses to crimes. That's the reason Dan Primus, Umatilla County's district attorney, said he could not support Measure 105.

Primus said the "sanctuary state" law doesn't prevent ICE from doing operations in Oregon, nor does it prevent local law enforcement from arresting and prosecut-

ing an undocumented immigrant who committed a crime. But he believes it could prevent undocumented residents who have been criminal targets or have knowledge of crimes from reporting them.

Stop Oregon Sanctuaries, the group supporting Measure 105, can distill its message into a few sentences on its website's home page.

"Illegal aliens can and do harm the American citizens to whom Oregon owes its foremost responsibility," the website states. "For this reason, enforcement of U.S. immigration law is central to the duties of Oregon's police departments and sheriff's offices."

Jim Ludwick, a spokesman for the Stop Oregon Sanctuaries campaign, said the group is targeting illegal immigration in the measure, but it also wants reduced legal immigration because it would benefit the state "environmentally, socially, fiscally and politically."

Ludwick said he's seen no evidence of racial profiling and he pushed back against the "chilling effect" espoused by some district attorneys.

"That's a flat out lie," he said.

Ludwick said victims and witnesses could apply for "U visas," a four-year visa from U.S. Citizenship and Immigration Services that allows undocumented immigrants who have "suffered substantial physical or mental abuse" or have information about criminal activity to stay in the country, provided they collaborate with prosecutors. He said a population that's afraid to report a crime shouldn't be in the country.

He referenced multiple Oregon cases where a "criminal alien" that could have been deported before they committed their crimes, and the millions of dollars the state spent prosecuting and incarcerating an undocumented immigrant could be avoided with deportation.

MEASURE 30-128

Gun rights measure puts power in sheriff's holster

By **PHIL WRIGHT**
STAFF WRITER

Pro-Second Amendment activist Jesse Bonifer of Athena wants the oversight of Constitutionally-protected gun rights to become local.

"We're trying to bring everything back to the county level," he said, "and have it checked by the people who are actually policing it."

Bonifer headed up the effort that placed Measure No. 30-128 Umatilla County Second Amendment Preservation Ordinance on the local ballot for the Nov. 6 election. The proposal would restrict Umatilla County from using resources to enforce state or federal laws that will infringe on the Second Amendment right to keep and bear arms.

Chad Jacobs, a Portland attorney, said the measure also designates the sheriff as "the guy to decide if it's unconstitutional or not."

Jacobs is an attorney with the firm Beery Elsner Hammond, which works with the intersection of local, state and federal constitutional issues. He said these proposals, in large part, define what the county does with public money.

"I would frame it as this is a statement of policy for the county to decide how they want to prioritize the use of their resources," Jacobs said. "I think it's completely legal for a local government to say here is where we put our resources."

In that vein, the ordinance is like other policy or funding deci-

sions. But, Jacobs said, there are problems of enforcement.

Umatilla County Sheriff Terry Rowan said he had discussed implementing a similar rule with the board of commissioners a few months ago, after finding out that some other Oregon counties are proposing ordinances that place oversight of gun rights in local control.

Columbia County has collected enough signatures to place a measure on the ballot next month, and some counties, like Willowa and Wheeler, got an ordinance passed through the board of county commissioners.

"I'm certainly very supportive of our Second Amendment rights," Rowan said. "I don't think our forefathers would appreciate people meddling with the words they defined as important to the people of this county."

Violating the ordinance carries a maximum fine of \$2,000 for an individual or \$4,000 for a corporation. Rowan said he and his deputies swear to uphold all parts of the constitution, and the Second Amendment is no exception.

"If there are alleged violations of any part of the constitution, we will thoroughly investigate them," he said.

Bonifer said he sees no immediate threat to gun rights in Umatilla County, but that could change. He said people are moving here from large cities and California, and they could bring more liberal views, so the local law would protect gun rights from what could happen.

Abortion access contested on ballot

By **JADE MCDOWELL**
STAFF WRITER

Abortion will be on the Oregon ballot in November with Measure 106, which would ban the state from using taxpayer money for abortions.

Currently, Oregon taxpayers are on the hook for abortions for women on the Oregon Health Plan, Oregon's version of Medicaid for people in poverty. According to *The Oregonian*, a public records request revealed during 2015-2016 the Oregon Health Plan paid \$2.4 million for 3,769 abortions.

Measure 106 would no longer allow state tax revenue to go toward funding abortions except in cases of rape, incest, ectopic pregnancies or when a qualified physician determines the mother

will be seriously harmed or killed by continuing the pregnancy.

It would affect the Oregon Health Plan and state employees who receive their health insurance through the state. Depending on how the law is interpreted, it could also affect coverage for public employees such as teachers.

Supporters of the measure say no one should be forced by the government to pay for something they find morally reprehensible. Peggy Willis, a member of Pendleton's Right to Life chapter, believes "in life from the time of conception until natural death." To people who believe life begins at conception, abortion is taking an innocent life.

"I believe life is a God-given gift, and it isn't up to

anybody to pull the plug," she said.

Deanna Leonard of Hermiston's Right to Life group said she feels Measure 106 is not extreme. Instead, she said, it protects Oregonians' rights not to pay for something they find "horrific."

"People can still get an abortion for any reason they choose, they just can't do it with my tax money," she said.

Opponents of Measure 106 take a different view. They say Measure 106 is a "backdoor ban on abortion" that blocks access to medical care for low-income women.

An Do, communications director for the anti-106 coalition No Cuts to Care, said the measure would essentially create two categories of access to "the full spectrum of reproductive care" based

on a woman's income level. She said that women who are on the Oregon Health Plan often have the biggest barriers to accessing health care, and the measure could put an abortion out of their reach.

"A right is not a right unless you can afford to access it," she said.

Measure 106 would be a step in the opposite direction for Oregon, she said. The state has a long history of protecting abortion access and does not limit when in the pregnancy an abortion can occur.

Do said restrictions on abortion access take away a woman's right to choose when to start a family.

"Abortion is a really personal, serious medical decision that should be kept between a woman and her doctor," she said.

MEASURE 103

Grocery tax ban would amend state constitution

By **JAYATI RAMAKRISHNAN**
STAFF WRITER

Oregon has long been known as the "no-sales-tax" state. In November, voters will decide if they want to keep it that way when it comes to groceries.

Measure 103 proposes a constitutional ban on taxing all grocery items within the state of Oregon. The measure, introduced by grocers and marketing executives from the industry, defines groceries as "any raw or processed food or beverage intended for human consumption." It does not apply to alcohol, marijuana or tobacco, or non-food items like toiletries, medicine or paper products.

A "yes" vote on Measure 103 supports the prohibition of any tax on groceries by state or local governments, and would prevent those taxes from ever being imposed. A "no" vote opposes that prohibition, and would allow state or local governments to impose taxes on grocery

items.

The measure, which would amend the state constitution, would apply to any tax on food or beverages (except alcohol) that has been enacted between October of 2017 and the election.

Many local grocers and market managers did not want to comment on the measure. But on the "Yes on 103" official website, several local businesses have officially endorsed the measure. Listed businesses from Umatilla County include the Pendleton Market, J & D's Food Mart in Pilot Rock and the Hermiston Chamber of Commerce, as well as national chains that have stores in the area, such as Safeway.

Dave Meade, the manager of Umatilla's Columbia Harvest Foods, said it's a concern for small and large businesses.

"If you're a border town and your store is located at or near the border, I think if there's a tax on food, it would cause folks to spend a little more money in the Tri-Cit-

ies," he said.

But he said the bigger concern for him is not the impact on businesses, but on customers.

"For us it's kind of a pass-through," he said. "But the main thing is that it would just be problematic for low and middle-income families."

He said people come from about a 10-mile radius to shop at Columbia Harvest Foods, and many of those customers fall into the low- and middle-income brackets.

"We're more concerned for our customers," he said. "Everyone eats. It would be a tax on everyone."

He noted that even those who get some sort of food assistance, like EBT (electronic benefits transfer) cards, will still be affected by a food tax.

Katherine Driessen, the communications director for the "No on 103" campaign, said the measure is much more than a ban on taxes for groceries.

"There is no sales tax on

groceries now, and no one is proposing one," she said. "If that's all the measure did, prevent a sales tax on groceries, we'd support that."

Instead, Driessen said the measure provides sweeping exemptions to food and beverages at every stage of production, transportation and sale, while leaving out items that are important to many consumers, like medicines, diapers and feminine products.

"The measure is so broadly written, it includes the whole supply chain," she said. "A trucking company that carries food to a store or a restaurant [...] could argue that they should be exempt from a gas tax."

Driessen said the biggest concern for those in the "No" campaign is the removal of local control.

"When we change our constitution, it should be really deliberate, and the policy should be simple and clear, and address an urgent crisis," she said. "Measure 103 fails to meet all those requirements."