



Vote **YES** on Measure 105 to Repeal Oregon's Sanctuary Law Stop Oregon Sanctuaries

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FAQ: Frequently asked questions about Stop Oregon Sanctuaries Measure 105

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What Makes Oregon a Sanctuary State for Illegal Aliens?

Over 30 years ago the Oregon Legislature passed a well-intentioned statute (ORS 181A.820) to help stop racial profiling in the public arena and in law enforcement.

Unfortunately, this statute has morphed into a mechanism to shield people who are in the country illegally from immigration law enforcement. Specifically, the statute limits (with exceptions) the use of state and local law enforcement money, equipment and personnel for "detecting or apprehending persons whose only violation of law" pertains to their immigration status.

Read more about [Oregon's history as a sanctuary state \(https://www.stoporegonsanctuaries.org/info/oregon-history-sanctuary-state\)](https://www.stoporegonsanctuaries.org/info/oregon-history-sanctuary-state).

What is Sanctuary policy?

In a nutshell, Sanctuary policy is when a criminal [illegal alien \(#illegal-alien\)](#), currently in custody for a non-immigration related crime, is released from a local jail, even though Immigration and Customs Enforcement (ICE) has issued a "hold" detainer on the alien. This allows the alien to return to the community and evade ICE apprehension and possible deportation. Cities and states implement this policy as "Sanctuary" policy.

Why should Oregon voters repeal Oregon's sanctuary law?

Oregon's sanctuary law handcuffs police and sheriffs in their ability to fulfill their primary responsibility: protecting those within their jurisdictions from crime. People who willingly violate laws pertaining to a nation's very sovereignty will be prone to break and undermine other of its laws as well.

Illegal entry is a precursor to other crimes - crimes that harm everyday Oregonians. For example, illegal entry precedes unlawful employment, via which illegal aliens get and keep jobs that Oregonians - especially the lower-skilled among them - need.

Should Oregon enforce U.S. immigration law?

In *United States v. Vasquez-Alvarez* (1999), the Tenth Circuit Court of Appeals recognized what it called the "pre-existing general authority of state or local police officers to investigate and make arrests for violations of federal law, including immigration laws." In *United States v. Santana-Garcia* (2001), the same court affirmed that federal law "evinces a clear invitation from Congress for state and local agencies to participate in the process of enforcing federal immigration laws."

To the detriment of Oregonians' safety, Oregon's sanctuary law circumscribes Oregon police and sheriffs' "inherent power" and "pre-existing general authority," and negates Congress' "clear invitation" to them to enforce immigration law.

A Yes vote on Measure 105 will allow Oregon law enforcement to cooperate with federal immigration authorities, but it will *not* require Oregon law enforcement to take over the job of federal immigration authorities.

Can states make their own immigration laws?

The regulation of immigration is an [entirely federal](http://www.fairus.org/sites/default/files/2017-08/The%20Role%20of%20State%20%26%20Local%20Law%20Enforcement%20.pdf) (<http://www.fairus.org/sites/default/files/2017-08/The%20Role%20of%20State%20%26%20Local%20Law%20Enforcement%20.pdf>) area of responsibility, under the jurisdiction of the Federal Government. The United States Supreme Court has repeatedly held that state laws and policies are preempted when they conflict with federal law. Sanctuary laws, ordinances, and policies shield aliens from the administration of federal law, thereby frustrating the execution of federal immigration law.

[U.S. Attorney for Oregon Billy Williams](https://www.stoporegonsanctuaries.org/info/facts-about-2018-oregon-ballot-measure-105#williams) (<https://www.stoporegonsanctuaries.org/info/facts-about-2018-oregon-ballot-measure-105#williams>) says: "Simply put, Oregon's sanctuary status declaration directly contravenes federal immigration law and threatens public safety. This has put many sheriffs in the position of choosing whether to violate state or federal law. It's an untenable position. The [U.S.] Department of Justice takes this issue very seriously"

Is there a Constitutional conflict with Oregon's Sanctuary law?

The supremacy clause of the U.S. Constitution, Article 6, clearly states that the laws made pursuant to the U.S. Constitution take precedence over any laws enacted by any of the states. This means that Oregon's Sanctuary State law is in direct violation of federal law. Why are our leaders working to undermine our federal immigration law?

Will Measure 105 turn local law enforcement into immigration enforcement agents?

No. Law enforcement officers are trained to enforce the law equitably, while adhering to well-established policies regarding discrimination. Measure 105 will allow local law enforcement to cooperate and work seamlessly with federal immigration authorities, but local law enforcement will not preempt federal responsibility.

Are Oregonians for Immigration Reform and Stop Oregon Sanctuaries hate groups?

No. We are mainstream American citizens concerned about immigration law enforcement and the damage caused to our country by lack of enforcement. Listen to this [7 minute interview: "Name calling is just about all our opponents have at this point"](https://www.stoporegonsanctuaries.org/info/multimedia-video-and-audio-oregon-measure-105-and-sanctuary-policies#kendoll-2018jul) (<https://www.stoporegonsanctuaries.org/info/multimedia-video-and-audio-oregon-measure-105-and-sanctuary-policies#kendoll-2018jul>).

Is Measure 105 about racial profiling?

Measure 105 is not about racial profiling, or about fear of the police, or about *legal immigrants*. It is about allowing state and local law enforcement officers to more easily work with federal immigration authorities in the removal of criminal illegal aliens from our communities. Listen to a [30 second explanation of Measure 105](https://www.stoporegonsanctuaries.org/sos-multimedia/repeal-oregon-sanctuary-law-vote-yes-on-105.mp3) (<https://www.stoporegonsanctuaries.org/sos-multimedia/repeal-oregon-sanctuary-law-vote-yes-on-105.mp3>).

"... most nonsensical and insulting of all to the men and women who have sworn to preserve the peace, is the assertion that sanctuary repeal would unleash a wave of profiling against Hispanics." - [Clatsop County Sheriff Tom Bergin](https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters) (<https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters>).

Will Measure 105 cause immigrants to live in fear?

Repealing Oregon's sanctuary law will not give *legal* immigrants reason to be concerned at all. It should, however, cause illegal alien criminals to be concerned that they will no longer be shielded by Oregon's sanctuary law.

As Oregon State Representative Greg Barreto has stated, "If I were to illegally enter another country, had no documents, no visa or work permit, I would think it perfectly just for the government of that country to arrest me, detain me, impose any consequences due for breaking their laws, suffer those consequences and then be immediately deported. I would not expect special protections because of my actions."

Will Measure 105 help law enforcement?

Illegal immigration, though a federal offense, harms Oregonians at the local level - the level at which police and sheriffs work. Local police and sheriffs should be able to take the initiative and use their resources to detect and apprehend illegal aliens on the basis of their illegal presence alone.

Why is it important to include illegal aliens in law enforcement efforts?

Oregon's sanctuary law perpetuates the idea that illegal aliens who have not been charged or convicted of crimes beyond their immigration violations are likely innocent of further transgressions. This is a dangerous misconception. People who break laws pertaining to a nation's very sovereignty will be prone to break other laws as well.

Illegal immigration is not a victimless crime.

For example, a recent Federation for American Immigration Reform study of foreign nationals incarcerated by states and localities - the great majority of whom are here illegally - found that "their share of the prison population was 50 percent higher than the prison share of natives." And their crimes are serious: In one recent month, three-quarters of the nearly 1,000 criminal aliens confined in Oregon prisons were in for homicide, assault, robbery, kidnapping, rape, sodomy and sex abuse.

Is Measure 105 really what America is about?

America is a country that was founded upon the rule of law. Our immigration laws give us the right - and indeed the obligation - to select who we allow in to our country, and whether or not we support them financially while they are here.

If someone doesn't like our laws, work to change the law; don't break the law.

Isn't it racist to enforce American immigration laws?

Enforcing immigration laws is not a matter of race. All races are equally subject to enforcement of American laws. Suggesting that enforcing immigration laws is racist is often the *only* argument open borders advocates have.

What do illegal aliens cost Oregonians?

Illegal aliens and their children drain Oregonians' pocketbooks. Per FAIR's estimate, in 2017 state- and local-government expenses for education, health care, public assistance, law enforcement and corrections for illegal aliens and their children cost Oregon's taxpayers \$1.22 billion - \$789 per household headed by a U.S. citizen.

All this spending on behalf of illegal aliens and their children means less money available for, among other vital public services, police departments and sheriffs' offices. Notes FAIR: "By giving [illegal aliens] a place to live and work where they can go undetected, sanctuary policies encourage further illegal immigration that only serves to increase these costs."

Doesn't Oregon benefit from illegal aliens?

Quite simply, in order for American wages to rise, illegal immigration has to fall.

Will Measure 105 increase costs to taxpayers?

No. Measure 105 will not cause local and state resources to be diverted to take over federal obligations. In fact, the Oregon Secretary of State has determined that "The financial impact is indeterminate." In other words, there will not be a significant fiscal cost associated with voting Yes on Measure 105.

In fact, there is the likelihood that total taxpayer costs could go down. In the case of Sergio Martinez, if he would have been handed over to federal authorities when requested, two women would not have been brutally attacked. We would not have had the expense of his trial for criminal actions, his defense attorneys, and the cost of incarcerating him for the next 35 years, which is estimated to be over \$1 million dollars.

How will Measure 105 help protect Oregonians?

In a country of 325 million containing perhaps 20 million or more illegal aliens, the U.S. Department of Homeland Security's interior enforcement-and-removal agents number only a few thousand - 5,800 in fiscal year 2016 and barely more than that today. With current estimates, illegal aliens outnumber ICE agents by 2,000 to 1.

State and local law enforcement are much more likely to encounter criminal illegal aliens than are federal ICE agents. Thus, state and local law enforcement is a vast potential force multiplier in immigration law enforcement.

As attorney Charles Smith has noted, "They have regular, day-to-day contact with lawbreakers in the routine enforcement of their duties, and are therefore in a very advantageous first-line-of-defense position to help enforce the nation's immigration laws on a day-to-day basis."

Why should we be so unfair to undocumented immigrants?

Aliens who sneak into America most often go on to commit a multitude of other crimes to conceal their illegal presence. Obtaining false documents, and taking jobs from American workers by undercutting wages are consequences of not enforcing our immigration laws. It is unfair to American workers to protect illegal aliens.

Will Measure 105 tear apart immigrant families?

"Immigrant" families could be comprised of legal immigrants, visa holders, illegal aliens, and their U.S. born children. While this complicates the situation, it is not justification for sheltering illegal aliens and not enforcing American immigration law.

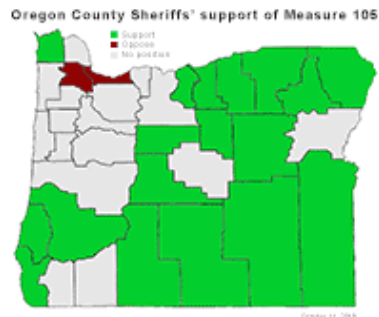
Those who came here illegally are aware of the risks and potential consequences of their actions. Lack of immigration law enforcement encourages more illegal immigration because of the perceived lack of consequences.

Will Measure 105 make illegal aliens afraid to report crime?

No, that's a dangerous myth (https://fairus.org/sites/default/files/2018-03/IssueBrief_Sanctuary-Cities-and-Alien-Cooperation.pdf) . Can a sanctuary supporter cite a single instance of an illegal alien being deported for reporting a crime? The answer is almost certainly no. When people step forward to volunteer information about criminal activity, law enforcement officers do not refocus their efforts on the immigration status of the individual reporting the crime.

Furthermore, illegal aliens can qualify for federally-issued nonimmigrant visas ("S", "T", "U", and "VAWA" visas, or deferred action, or parole. Illegal aliens, without disclosing their identities, can easily report crimes via law-enforcement agencies' anonymous telephone and online "tip lines."

Does Oregon's sanctuary law inhibit local law enforcement?



(<https://www.stoporegonsanctuaries.org/sites/default/files/images/various/map-oregon-counties-sheriff-support-800w.gif>)

[Read important endorser letters](https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters) (<https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters>)

[View a larger image](https://www.stoporegonsanctuaries.org/sites/default/files/images/various/map-oregon-counties-sheriff-support-800w.gif) (<https://www.stoporegonsanctuaries.org/sites/default/files/images/various/map-oregon-counties-sheriff-support-800w.gif>)

Mike Reese, Sheriff of Multnomah County, supports Oregon's sanctuary law. Yet the county which he is tasked with protecting has the [third highest foreign national crime rate in the state](https://www.oregonir.org/issues/oregon%E2%80%99s-multnomah-county-third-foreign-national-crime-july-2018) (<https://www.oregonir.org/issues/oregon%E2%80%99s-multnomah-county-third-foreign-national-crime-july-2018>). As a case in point, Reese allowed criminal illegal alien [Sergio Martinez](https://www.oregonir.org/issues/portland-sex-attack-suspects-12-deportations-inflame-immigration-debate) (<https://www.oregonir.org/issues/portland-sex-attack-suspects-12-deportations-inflame-immigration-debate>) to be released back into the community to commit two brutal attacks on Portland woman, citing Oregon's sanctuary statute as the reason for releasing him - even though ICE had issued a "hold" order on Martinez.

Indeed, [18 Oregon Sheriffs have endorsed Measure 105](https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters#bergin) (<https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters#bergin>). [The Western States Sheriffs Association has endorsed Measure 105](https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters#wssa) (<https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters#wssa>) - 16 western states, including Oregon, California, and Washington.

What is the difference between a legal immigrant and an illegal alien?

These terms officially define immigration status. An *immigrant* is an invited guest - a person who comes to a country where they are not a citizen in order to settle there. The term "immigrant" implies permanent, legal, residency. See [8 U.S.C. § 1101: US Code - Section 1101](http://codes.lp.findlaw.com/uscode/8/12/I/1101) (<http://codes.lp.findlaw.com/uscode/8/12/I/1101>).

An *alien* is defined as "any person not a citizen or national of the United States." The term *alien* was used in United States law just after our country was founded. For example, the Alien and Sedition Acts of 1798 consisted of four bills enacted into law.

An *illegal alien* is defined in the Department of Homeland Security Media Resources Glossary as "A foreign national who (a) entered the United States without inspection or with fraudulent documentation or (b) who, after entering legally as a non-immigrant, violated status and remained in the United States without authority" - e.g., overstayed their visa.

Should safety of Oregonians take precedence over the act of shielding illegal aliens from law enforcement?

Yes.

Learn more:

- [What you need to know about Oregon Ballot Measure 105 \(https://www.stoporegonsanctuaries.org/info/facts-about-2018-oregon-ballot-measure-105\)](https://www.stoporegonsanctuaries.org/info/facts-about-2018-oregon-ballot-measure-105)
- [What Makes Oregon a Sanctuary state? \(https://www.stoporegonsanctuaries.org/info/what-makes-oregon-sanctuary-state-illegal-aliens\)](https://www.stoporegonsanctuaries.org/info/what-makes-oregon-sanctuary-state-illegal-aliens)
- [Multimedia about Stop Oregon Sanctuaries Measure 105 \(https://www.stoporegonsanctuaries.org/info/multimedia-video-and-audio-oregon-measure-105-and-sanctuary-policies\)](https://www.stoporegonsanctuaries.org/info/multimedia-video-and-audio-oregon-measure-105-and-sanctuary-policies)
- [Important Measure 105 endorser letters \(https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters\)](https://www.stoporegonsanctuaries.org/endorsers/important-measure-105-endorser-letters)
- [\(https://www.stoporegonsanctuaries.org/sos-docs/fiscal-burden-illegal-immigration-oregon-fair.pdf\) Graphic: The fiscal burden of illegal immigration on Oregon \(https://www.stoporegonsanctuaries.org/sos-docs/fiscal-burden-illegal-immigration-oregon-fair.pdf\), FAIR. Print this one-page sheet](https://www.stoporegonsanctuaries.org/sos-docs/fiscal-burden-illegal-immigration-oregon-fair.pdf)



- [Sanctuary Policy is Bad Public Policy \(https://www.stoporegonsanctuaries.org/sos-docs/sanctuary-policy-is-bad-public-policy-fair.pdf\)](https://www.stoporegonsanctuaries.org/sos-docs/sanctuary-policy-is-bad-public-policy-fair.pdf), FAIR. Print this one-page sheet
- [Arguments in favor of Ballot Measure 105 \(http://oregonvotes.gov/voters-guide/english/votersguide.html#Arguments%20in%20Favor\)](http://oregonvotes.gov/voters-guide/english/votersguide.html#Arguments%20in%20Favor) - Oregon Secretary of State Voters' Pamphlet, Oregon General Election 2018.
Navigate to: Measures -> Measure 105 -> Arguments in Favor
- [References and data on Sanctuary Cities and Mass Immigration \(https://www.stoporegonsanctuaries.org/info/facts-about-2018-oregon-ballot-measure-105#references\)](https://www.stoporegonsanctuaries.org/info/facts-about-2018-oregon-ballot-measure-105#references), Stop Oregon Sanctuaries
- [References on sanctuary policies for illegal aliens \(https://www.oregonir.org/immigration-topics/references-sanctuary-policies-illegal-aliens\)](https://www.oregonir.org/immigration-topics/references-sanctuary-policies-illegal-aliens), Oregonians for Immigration Reform

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