

# House Bill 3551

Sponsored by Representative SKARLATOS

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Tells public bodies and bodies that enforce state laws to help enforce the nation's immigration laws. Applies only to persons who are convicted of certain crimes. (Flesch Readability Score: 60.2).

Requires public bodies and law enforcement agencies to enforce federal immigration laws with respect to any individual who is convicted of a violent felony or Class A misdemeanor or felony sexual offense.

## A BILL FOR AN ACT

1  
2 Relating to the enforcement of federal immigration laws with respect to individuals who are con-  
3 victed of a crime.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) As used in this section:**

6 (a) **"Federal immigration authority" means the United States Department of Homeland**  
7 **Security, the United States Immigration and Customs Enforcement, the United States Citi-**  
8 **zenship and Immigration Services, the United States Customs and Border Protection or a**  
9 **successor agency, any other federal immigration agency or official or any other entity to**  
10 **which a federal immigration agency delegates or assigns the authority to detect, investigate**  
11 **or enforce violations of immigration law.**

12 (b) **"Law enforcement agency" means:**

13 (A) **County sheriffs, municipal police departments and police departments established by**  
14 **a university under ORS 352.121 or 353.125;**

15 (B) **The Oregon State Police; and**

16 (C) **Corrections officers.**

17 (c) **"Officer" means an individual employed or contracted as an officer of a law enforce-**  
18 **ment agency whether or not the individual is on duty.**

19 (d) **"Public body" has the meaning given that term in ORS 174.109.**

20 (e) **"Violent felony" means a felony offense in which there was an actual or threatened**  
21 **serious physical injury to the victim.**

22 (2) **Notwithstanding ORS 181A.820 and 181A.822 to 181A.829, a public body or law**  
23 **enforcement agency shall, with respect to an individual who is convicted of a violent felony**  
24 **or Class A misdemeanor or felony sexual offense:**

25 (a) **Enforce federal immigration laws against the individual; and**

26 (b) **Cooperate with federal immigration authorities to enforce federal immigration laws**  
27 **against the individual.**

28 (3) **In carrying out subsection (2) of this section, a public body or law enforcement agency**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **may:**

2 (a) Enter into a formal or informal agreement with federal immigration authorities re-  
3 lating to the detention of individuals described in subsection (2) of this section who are in  
4 violation of federal immigration laws;

5 (b) Exchange information with federal immigration authorities in order to request and  
6 share criminal investigation information with reference to individuals described in subsection  
7 (2) of this section who are named in records of a federal immigration authority; and

8 (c) Arrest any individual described in subsection (2) of this section who:

9 (A) Is charged by the United States with a criminal violation of federal immigration laws  
10 under Title II of the Immigration and Nationality Act or 18 U.S.C. 1015, 1422 to 1429 or 1505;  
11 and

12 (B) Is subject to arrest for the crime pursuant to a warrant of arrest issued by a federal  
13 magistrate.

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