

AGENDA ITEM FOR ADMINISTRATIVE MEETING () Discussion only
(X) Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Letter of Clarification

<p>Background:</p> <p>As the result of receiving a subpoena for records from ICE, Marion County has initiated a declaratory judgment action asking the court to clarify what the law requires in producing the records. The Sheriffs have signed a letter requesting the judge in the case to issue an opinion to clarify the legal position for counties. County commissioners are being asked to sign a similar letter to ask for clarification on the legal issue.</p>	<p>Requested Action:</p> <p>Provide guidance if Umatilla County should join other counties in signing the letter to ask for a decision to clarify what the law requires</p>
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ATTACHMENTS : Proposed Letter

*****For Internal Use Only*****

Checkoffs:

() Dept. Heard (copy)
() Human Resources (copy)
(X) Legal (copy)
() (Other - List:)

To be notified of Meeting:

Needed at Meeting:

Scheduled for meeting on: September 17, 2025

Action taken:

Follow-up:

Dear Oregon Attorney General Dan Rayfield and United States Attorney General Pam Bondi,

Legal uncertainty harms everyone and benefits no one. It is currently unclear how Oregon’s Sanctuary Promise Act, Oregon’s Public Records Act, and federal laws interact and apply due to apparent conflicts, including in situations where a local government is served with an administrative subpoena pursuant to 8 USC §1225.

The undersigned Oregon counties encourage the parties in *Marion County v. Kotek et al* (Case 6:25-cv-01464-MC) to ask the federal court to issue a detailed opinion that provides the type of clarity that will help all local governments ensure they are properly following federal, state, and local laws.

Regards,

Marion County

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