



DEPARTMENT OF JUSTICE
Civil Rights Unit

Suggested Language for Law Enforcement to Comply with Oregon Sanctuary Laws

This guidance is for law enforcement officers who have little experience or familiarity with Oregon's sanctuary laws and/or working with immigrant, refugee, asylee, parolee, student/work/U/T visa holders, Lawful Permanent Residents (LPRs), Deferred Action for Childhood Arrivals (DACA), undocumented and non-citizen community members. This may be a refresher for those who would like to be updated regarding community member interactions related to Oregon's sanctuary laws pursuant to [ORS 180.805](#), [ORS 180.810](#), and [ORS 181A.820 et seq.](#)

The way law enforcement brings up and inquires about national origin, immigration, and citizenship status impacts how community members feel, respond, and cooperate with law enforcement. Body language, verbal language, and tone all send messages that can make community members feel safe or intimidated to approach law enforcement, disclose or withhold victimization, or otherwise report crimes.

Suggested language for LE regarding national origin, immigration, and citizenship status information:

- **Inquiries about national origin, immigration, and citizenship status should be explained in plain and direct language:**

"I need to ask you about your [place of origin] because I think that you may be the victim of a state or local crime. Your [place of origin] may be a relevant fact in investigating that particular crime. You don't have to share your [place of origin] with me. You have the choice whether or not to share this information with me."

- **Communicate clearly about potential implications of sharing:**

[**Note:** This statement would be permissible **after** providing the required **written** consular notice in the person's language pursuant to ORS 181A.823(3).]

"Because you have been arrested/detained, if you do disclose nationality, citizenship or immigration status information to me, it could be used in

civil or criminal immigration enforcement, and could result in your removal from the United States.”

- **If someone decides to share information about their national origin, immigration or citizenship status information, inform them if and how that information will be stored or used:**

[**Note:** Public bodies and LEAs cannot inquire or collect national origin, immigration and citizenship status information as a general prohibition, unless it is for

a) an investigation related to a state or local crime,

b) the information is required to be submitted to a court, or

c) the information is required to be provided to a federal immigration authority pursuant to a judicial subpoena issued as part of a court proceeding or court-issued legal process.

Unless it's for one of these three exceptions, LEAs should not be putting national origin, immigration and citizenship status information, even if voluntarily provided by a person, in police reports, as that would be “collection” of such information.]

*“I’m **not** writing down your [place of origin] or including this information in the police report I’m writing because it’s not necessary for my investigation and Oregon law does not permit me to ask about it, collect it, or store it anywhere. This is a legal protection afforded to individuals in Oregon.”*

Or

“I’m writing down your [place of origin] and including this information in the police report I’m writing because it’s necessary for [cite reason a/b/c above]. The police report will be shared with a local prosecutor to see if a crime can be charged against the person who did this to you. My police department is not allowed to share this information with ICE or any other immigration enforcement agency unless a judge tells me I must. My police department does not allow community members to see this part of my police report to protect your safety.”

LE should pay special attention to accessibility needs such as:

- **Language needs:** “Would you prefer to use an interpreter to talk to me?”
- **Fear of law enforcement:** “I understand this might be scary or confusing; I will try as best as I can to explain the situation.”

- **Information gaps:** *“If there is any word I use or anything I say that you are confused about, please feel free to ask me what I mean.”*
- **Acknowledge potential trauma:** *“I am sorry for what happened. I want to help you feel safe. I will pace my communication so that I do not overwhelm you.”*
- **Connect to resources:** *“There is a [name the resource] that can help support you.”*
- **Explain next steps:** *“Can I tell you what will happen next?”*
- **Expressing appreciation and acknowledging community members:** *“Thank you for speaking with me. We take this matter seriously.”*

Disclaimer: The links and information provided in this document are for information only, are not exhaustive, and do not constitute legal advice. To create agency policy or to obtain advice regarding a specific communication or request from a federal immigration authority, consult your agency counsel. For information about your rights and legal options, [consult an attorney](#).

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