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From: Rich Stolz [mailto:Rich@weareoneamerica.org]
Sent: Friday, January 31, 2020 2:24 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: Comment on General Rule 38

January 31, 2020

On behalf of OneAmerica, Washington's largest organizing, civic engagement and advocacy organization grounded in immigrant and refugee communities, I thank the Supreme Court of Washington State for the opportunity to submit comments on General Rule 38, which would prevent federal immigration agents from operating immigration enforcement actions at and near Washington State court houses. OneAmerica works with immigrants across Washington State regardless of their immigration status. As reports continue to surface about ICE agents at court houses, there is a growing and legitimate fear that going to court could lead to detention, deportation, the disruption of lives and the separation of families.

There is a fundamental principle at play here. All individuals should have free and open access to Washington's courts, regardless of immigration status. Furthermore, individuals should not fear that they may be taken into custody by federal agents due to their immigration status. Such a situation undermines access to equal justice for victims of crime and damages the legal system itself, with individuals who would testify or otherwise participate in judicial hearings withdrawing from these situations.

GR 38 would counter the chilling effect that Immigration and Customs Enforcement and Customs and Border Protection presence is having on immigrants interacting with the judicial system. In the current context, immigrants are afraid to appear as witnesses, face charges and even pay fees and fines out of concerns that they may encounter an immigration agent. This fear – driven by the growing number of arrests of immigrants at courthouses – is causing damage to the legal system itself, undermining its normal operation and making it more difficult for our Courts to do their important work. GR 38, if adopted, would promote access to justice and protect due process and equal protection. Access to courts is a constitutional right available to all residents of the United States. Though this may be a principle not respected by ICE or CBP, Washington State has an obligation to do everything in its power to uphold justice.

Sincerely,

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