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Subject: FW: Comment on RPC 4.4 Commentary Amendment
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From: Rich Stolz [mailto:Rich@weareoneamerica.org]
Sent: Friday, January 31, 2020 2:14 PM
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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 the Rules of Professional Conduct (RPC 4.4) with regard to sharing information with federal immigration authorities. 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, as is the case now, 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.

It is vitally important that lawyers engaged in civil and criminal proceedings not be viewed as a tool of federal immigration authorities. At best, by collaborating with immigration authorities they contribute to a climate of fear and effectively discourage participation in the legal system. At worst, it allows immigration status to be used as a weapon against individuals at the expense of justice.

We strongly urge adoption of the rule that would protect immigrants in our state, and by extension, protect the legal system from being disrupted and undermined by federal immigration enforcement authorities.

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