



Office of the City Attorney
City of Bellingham

July 27, 2022

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**Re: City of Bellingham's Response to Keep Washington Working Act Cease
and Desist**

Dear Ms. Davis, Mr. Adams, Ms. Rodriguez, and Ms. Woerner:

The City of Bellingham is committed to the compliance and the spirit of the Keep Washington Working Act (KWWA). In response to the KWWA, the City established an Immigration Advisory Board (IAB) in March of 2021. The IAB reviews and evaluates existing policies and makes specific recommendations relating to immigration matters. Simply put, the City is committed to following the KWWA and has taken steps to ensure its compliance by forming the IAB.

In your cease-and-desist letter, you demand the City change the interlocal agreement term: "The City shall provide direct call transfer service to the U.S. Border Patrol Center Dispatch Center in Blaine through which all emergency calls for police service within the corporate boundaries of Sumas shall be directed for dispatching."

The quoted language is obsolete and left over from when Sumas contracted its police dispatch to Customs and Border Protection (CBP). Currently, What-Comm dispatches for

Sumas. The obsolete language will be removed from the interlocal at the next What-Comm Board meeting in September.

Your cease-and-desist letter also demands that What-Comm stop using CBP for interpretation services. The City agrees that the KWWA prohibits the use of CBP for interpretation services. In response to your cease-and-desist letter, What-Comm and the Bellingham Police Department have updated their policy manuals to prohibit contacting or using CBP for interpretation services. Additionally, all What-Comm employees have been provided a training on utilizing approved and contracted interpretation services for interpretation services.

Lastly, the cease-and-desist letter states that the City and What-Comm should "stop sharing information with immigration authorities." The KWWA prohibits What-Comm from sharing personal information with federal immigration authorities in non-criminal matters except as required by state or federal law. Therefore, the City and What-Comm may provide personal information to immigration authorities in criminal matters and when required by state or federal law.

The safety and well-being of Whatcom County's residents is most important to the City and What-Comm. While never providing information to federal immigration authorities would ensure that the City and What-Comm comply with the KWWA, it would also increase safety risks to the residents of Whatcom County. Coordinating with federal law enforcement authorities regarding criminal matters allows the communities close to the border to get assistance in criminal matters when the local officer's or the community's safety is at risk. Furthermore, coordinating with federal law enforcement prevents duplication of efforts in investigation of serious criminal offenses. The City's and What-Comm's goal is to comply with the KWWA without sacrificing the community's safety.

Whenever federal law enforcement is contacted by the City or What-Comm, the person making the contact is required to log the interaction. To ensure compliance with the KWWA, the logged interactions are submitted to the IAB for review. The IAB makes recommendations regarding the City's and What-Comm's contacts with federal law enforcement.

Thank you for bringing these issues to the City's and What-Comm's attention. The City has provided training to its What-Comm dispatchers and updated its policy manual pursuant to the cease-and-desist letter demand regarding interpreters. Further, the outdated language from the interlocal agreement will be removed at the next What-Comm board meeting. Complying with the KWWA is important to both the City and What-Comm.

Sincerely,



Michael Good
Assistant City Attorney