



City of Stevenson

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May 16, 2019

Skamania County Commissioners
PO Box 790
Stevenson, WA 98648

RE: Enforcement of Initiative 1639

Dear Commissioners,

The City of Stevenson respectfully requests enforcement of the provisions of I-1639 as passed by a vote of the people, unless a court rules it is unconstitutional.

Sheriff Brown has voiced concerns with the department's ability to enforce I-1639 due to "potential lack of staffing and budget to meet the requirements of the initiative, legality of the initiative..."¹. The Sheriff has broad discretion to set priorities and direct staff and resources to where it is most needed. However, some sections of I-1639, such as enhanced background checks, are not discretionary.² City Attorney Ken Woodrich has stated, "...the statute is presumptively constitutional unless and until proven otherwise 'beyond a reasonable doubt.'"³ For these reasons the city considers the enforcement of I-1639 required.

Sincerely,

Scott Anderson, Mayor

¹ Approved minutes from April 16-17, 2019 Commissioners meeting. Pages 3-4
http://www.skamaniacounty.org/minutes/Minutes_Files_2019/Min_April_2019.pdf

² WA State Office of the Attorney General, May 14, 2019 <https://www.atg.wa.gov/initiative-1639#5%20transfer%20requirements>

³ February 27, 2019 Memo from Ken Woodrich to Dave Scott and Washougal City Council. Page 3
https://www.cityofwashougal.us/sites/default/files/fileattachments/administration/page/5893/memo_re_i-1639_enforcement_mattersrev.pdf