REPUBLIC OF THE MARSHALL ISLANDS
OFFICE OF THE ATTORNEY-GENERAL

MEMORANDUM

DATE : **September 11, 2024**

TO : **Honorable Brenson S. Wase**
Speaker

CC : **Morean Watak**
Clerk of the *Nitijela*

FROM : **Bernard J. Adiniwin**
Attorney-General

SUBJECT : **Release of the Deportees List**

The Office of the Attorney-General has received your letter dated September 10, 2024, regarding the above subject matter.

The issue in publicizing the list of deportees is the possible violation of privacy rights protected under the Constitution. Article II, Section 13, provides everyone the right "…from unreasonable intrusions into their privacy", exposing the Government to civil action for breach of this rights. This is particularly true as the RMI does not yet have any privacy or related laws. The list has been compiled by the Government, namely the Ministry of Justice, for data purposes, but has been utilized for two years now in relation to requests for police clearances by the private sector when vetting prospective employees.

The safety and security of our communities is and should be our utmost concern, particularly as it involves Marshallese deported from the U.S. for committing crimes of "moral turpitude". Violent and other high crimes are included, but relatively minimal crimes are also included such as missing a court date. However, it bears reminding that these are Marshallese returning to their country who may never leave—rehabilitation and reintegration into our communities is a priority to ensure that they become contributing members of our society.

In this regard, the current Cabinet, in February of this year, established a Deportee Task Force to develop policies and programs for the reintegration of deportees into our communities as well as rehabilitation and counseling, amongst other functions. Rehabilitation and reintegration may take time, but the first steps have been taken.

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