

X Opposition to HB-1134 Albright.docx

Opposition to HB17-134

I am submitting this written testimony, today, February, 22, 2017.

HB17-1134 is one of most anti-immigrant bills of the past decade. The language of this bill is full of bigotry and xenophobia and seeks to punish elected officials with a two year jail sentence, including sheriffs, who do not cooperate with federal immigration enforcement.

This bill also brings back SB-90m Show Me Your Papers Law, forcing local law-enforcement agents to investigate immigration status in routine policing operations.

This bill would also allow victims of crimes committed by non-citizens in sanctuary jurisdictions to sue elected officials for damages and compensation.

I agree wholeheartedly with state Rep. Joe Salazar, who called the bill "grounded in ridiculousness, surround by ignorance, covered in prejudice and overall is tone deaf."

I believe this bill is driven by hate, fear and rhetoric. We, as Coloradans, don't operate in this manner. We cannot encourage the idea that Coloradans must be protected from dangerous and violent criminals. This bill is not based in policy but in fear.

I also believe this bill is unconstitutional. It disallows for the state's judicial review and it threatens county sheriffs with lawsuits and criminal charges and forces them to be in violation of the Fourth Amendment.

The Show Me Your Papers law is a waste of tax payers money, undermines community trust and makes Coloradans feel less safe in the long run.

Finally, there is no legal precedent to sue elected officials. Through James Steinle v. City, a conclusion was made that there is no legal theory by which city officials would be held liable.

In conclusion, this bill undermines state's rights, is dangerous to our state, is a waste of resources, has no legal precedent and the severability clause makes is dangerous legislation.

I urge you to kill this bill and not allow it to be introduced into the Senate should is not pass the House.

This is bad for Colorado and bad for a nation that is watching.

Thank you for your consideration.

Kathleen Albright
515 N Beaver Rd
Black Hawk, CO 80422
303-956-9320

Dear Honorable Legislators on the House State Affairs Committee,

I am writing to urge you to vote no on HB17-1134. It is shocking that discriminatory bills such as these are now surfacing all over the country. It is also very shocking that many have forgotten that this country was founded on the premise that all people are created equal.

If you are not a native American, then you, yourself are an immigrant. I am so saddened that we are at a point in history where we can't see the beauty in the diversity of our nation. I live in the mountains of Boulder County where we have a predominant white community. We have been blessed with a strong Nepali community who have made Nederland their home and who have enriched our global perspective in this small town. We have watched them build something from nothing, creating a wonderful cultural experience through their restaurants and we love them here in our community.. We are horrified that this kind of bill could impact the very positive relationships we all have in our mountain community.

I am disgusted and saddened that there seem to be white supremacists who have infiltrated our country, even in the great state of Colorado. Bring back the SB-90 Show Me Your Papers Law, forcing local law-enforcement agents to investigate immigration status in routine policing operations is in violation of the spirit of what this country has been built on: people from all over the world who have contributed so much throughout the years to make America great. What an insult that people should be stopped simply because of the color of their skin.

It is shocking that this bill suggests we should punish elected officials with a two year jail sentence, including sheriffs, who do not cooperate with federal immigration enforcement. This is outrageous. We need to trust our elected officials who believe in civil rights and believe that all citizens should be held to the letter of the law... and not because they have simply moved from another country.

I urge you to stand by the people of this country who have come from all over the world to make America great. Again, if you are not Native American, you too are an immigrant.. Let's treat each other, ALL of us, with respect and hold each other accountable for enacting the laws that support civil rights.

~Jill Dreves
Nederland, Colorado

On Tuesday, February 21, 2017, Deb DAndrea <debdandrea@gmail.com> wrote:

Good afternoon,

Vote "NO" on House Bill 17-1134.

There is much focus on immigrants across the globe, across many countries, and here in the United States; a country whose majority are immigrants from a historical perspective. In reading Bill 17-1134 it becomes apparent that we are continuing to use the same failed methods over and over again in the United States, and in other countries, when determining solutions to deal with immigrant issues.

In developing software, we look to determine the time vs money vs feature set, and what the various benefits are if we spend more money, throw more people at a problem or look to reduce the features given time constraints. It seems plainly visible that throwing more money and time at the immigrant issue hasn't worked, so it's time to change the feature set.

House Bill 17-1134 is no different than the failed methods used in the past. Instead of continuing down this proven failed and expensive path, it is time to stand up and spend some serious energy determining how we can solve the root problem of why these people are fleeing other countries; it's time to determine how we can embrace them and help them be productive individuals within our country; and even more, how we can help their countries become stable so people are no longer fleeing for their lives.

Many of the issues we see with immigrants are no different than issues witnessed with American citizens; think crime, drugs and domestic abuse; but also think awesome food, culture and diversity. The issues being discussed cross many cultures, many centuries and even governments which now lie in crumbled ruins. What we experience is something much greater than just shipping people back over the line; we experience empathy, compassion and an understanding of what it takes to walk in their shoes. What if we were able to set a new world precedent where we embraced those, where we created a system in which they partake to help flap their new wings with others to lift all. Sometimes we all need a helping hand.

House Bill 17-1134 is a slippery slope introducing much power unto few where subjective views can be misaligned with the desired result. The bill incorporates several facets which quite possibly could lead to many legal battles, resulting in several expensive Supreme Court cases. I highly recommend going back to the drawing board and taking a hard look into the root cause of immigration issues and how we can make America great by including immigrants in our vision moving forward.

Thank you.
cheers,
deb d'andrea
80466



Close

Compose

Send

To:  Deb DAndrea

Cc/Bcc:

Subject:

HB17-1134 PLEASE VOTE NO!

Mr. Chair, Members of the Committee, I apologize I could not be here in person today to testify against this bill. I appreciate the opportunity to share my input with you. My name is Barbara Binder. I live in unincorporated Adams County, 80023-7436.

I would like to start off by stating that i am offended by the term "illegal alien" that is used in the bill. I would urge you to read the following excellent explanation of how the phrase illegal alien/ immigrant is inaccurate, derogatory & **has been used to shape public opinion on immigration policy.**

<http://nohumanbeingsillegal.com/Home.html>

Elie Wiesel, Nobel Peace Prize Winner and Holocaust Survivor himself stated "You who are so-called illegal aliens must know that no human being is illegal. That is a contradiction in terms". In addition, most linguists argue that the phrase "illegal immigrants" is neither "accurate nor neutral". Other law-breakers are not referred to as illegal, making immigrants an outlier in the naming system.

Second, this bill is a clear attempt to subvert democracy by punishing legislators for voting in a particular way.

Justice Thomas, in *Bogan vs Scott-Harris*, writing for a unanimous Supreme Court, explained, "The principle that legislators are absolutely immune from liability for their legislative activities has long been recognized in Anglo-American law."

There are so many things wrong with this bill -in addition to criminalizing legislative activity, there are blatant problems related to Fourth Amendment issues, separation of powers, & the supremacy clause.

This xenophobic bill is the antithesis of the core values of my faith. Many of my fellow church members were shocked when I shared this bill with them and we discussed how this impacts our faith community. There are so many social, economic, and political forces that forcibly displace immigrants and compel them to come to the United States. This bill is an affront to basic human rights, decency and compassion, as well as a potential constitutional disaster.

Please vote no.

Thank you for listening to my input.

Regards,
Barbara Binder

Statement on HB17-1134
Hold Colorado Government Accountable Sanctuary Jurisdictions
House State, Veterans, and Military Affairs

Alyssa Alpe
P.O. Box 544
Walden, CO 80480

I would be remiss in not submitting testimony in opposition of this proposed bill by Rep. Dave Williams and Sen. Vicki Marble. I am from rural Colorado and have a Joint M.A. Degree from Central Michigan University and the University of Strathclyde in Glasgow, Scotland with doctoral coursework up to ABD status in immigration and refugee history. I have direct experience working with both populations in Colorado and it is disturbing to hear the rhetoric coming from lawmakers and politicians about these people, because yes, they are PEOPLE in our communities.

There are inflammatory remarks on both the left and the right surrounding these issues and it is impacting the lives of individuals in our state. There are victims of crimes of all statuses in this country and scapegoating an entire group of people for actions of few is inexcusable. Our immigration system at the federal level has been in disarray for decades with little political motivation to fix it at the expense of people trying to follow the paths in place to correct their status, and at the expense of local communities tasked with band-aiding issues that arise from the failure of these laws. And that is exactly what this bill is, a bureaucratic band-aid and even worse, a dangerous attack on local elected officials who would be monetarily liable and potentially charged with a Class 4 felony, for casting a vote in a free society?

It undermines the work of law enforcement officials whose task is to investigate crimes locally and who have worked to build relationships with immigrant communities who may not report crimes because of (especially now) justifiable fears of retribution and deportation even while working through current pathways to legalization that are backlogged and broken. Are the statistics on crimes committed by people here without documentation so exorbitant that it justifies this action? I would argue this bill would, in practice, de-stabilize the effectiveness of law enforcement to regulate crime at the local level.

Finally, is the "problem" of "sanctuary cities" so huge in Colorado that it justifies setting this precedent of trampling legislative immunity, separation-of-powers, federal supremacy doctrines, and the fourth amendment? The only city I have been able to find with an actual policy on the books is the City of Boulder, hardly the travesty and partisan politics of fear that Rep. Williams is making this out to be by proposing this bill.

HB17-1134 is unnecessarily punitive and dangerous, a local band-aid to a broken system, and frankly a poorly conceived and written bill. Colorado is better than this and our lawmakers should certainly be better than this too.

February 21, 2017

Dear Members of the State, Veterans and Military Committee:


I am writing to express my serious concerns with HB17-1134, "Concerning Holding Colorado Government Accountable for Creating Sanctuary Jurisdiction Policies". As a physician who serves our community in Denver, I aim to providing the best care possible for my patients. My views expressed here do not reflect those of my institution or other affiliations and are solely my own opinions.

A central principle in medicine is "primum, non nocere" which means "first, do no harm". Often in medicine we face situations with our patients in which the treatment that is available will cause great suffering and could have unintended consequences. When this occurs the better option is to avoid that treatment altogether, otherwise we risk inflicting more suffering on our patients than causing true benefit.

HB17-1134, clearly violates primum non nocere for the vast majority of immigrants in our community. While seemingly written to penalize immigrants who are convicted of a crime, this bill will lead to the systematic dismantling of sanctuary communities and lead to excess harm. Fostering a safe space for immigrants seeking new opportunities for personal and economic growth facilitates crime no more than creating a safe and supportive home for our children encourages them to steal from the neighbor. If anything, creating a safe and supportive home for our children guards against such behavior. While the former example is clearly speculative, we don't have to speculate on the impact of the looming threat of dismantling sanctuary jurisdictions. As with the prior "Show Me Your Papers" legislation would demonstrate, laws such as this harm not only immigrants who are fearful of reporting crimes but interfere with our local law enforcement's ability to do their job and costs millions of taxpayer dollars. Furthermore, data have shown that when individuals are fearful of an immigration raid, this can delay the diagnosis of infectious diseases that pose a public health threat.

Creating a community ruled by fear which criminalizes being a good Samaritan could paradoxically lead to increased crime, increased costs and worsen the health in our community. I am certain that the authors of this bill do not want to see the health and security of their families negatively impacted if this bill is passed, nor do they want to waste taxpayer dollars. I would strongly encourage a vote of No to strike down this bill. Furthermore, I urge the authors to examine and apply the principle of "first, do no harm" in the future lest they continue to create harmful legislation that will have far-reaching negative effects for our community.

Sincerely,


Michelle Haas, M.D.
Physician, Denver Metro Area

I will send a version of this to the other 8 now

----- Forwarded message -----

From: **Gina McAfee** <gina.mcafee6@gmail.com>

Date: Sun, Feb 19, 2017 at 9:23 AM

Subject: Opposition to HB 17-1134

To: edie.hooton.house@state.co.us, "Gina L. McAfee"

<gina.mcafee@hdrinc.com>, Gina McAfee <gina.mcafee6@gmail.com>

I am in Boulder County so you are my House representative and I trust you to come out strongly in opposition to HB 17-1134. I am strongly against this bill for the following reasons:

- This bill reinforces the belief that immigrants are criminals. There is simply no data that backs up this assertion.

- This bill is incredibly inhumane. As the editorial in today's Denver Post states, "In Denver alone, there are 55,000 people living here illegally. Many of these people have put down deep roots in their communities. They go to church and work and of course, their kids go to schools with American kids. If you remove them swiftly there would be serious and devastating social and economic disorder."

- This bill would only reinforce terror. The Trump Administration has broadened the definition of criminality so broadly as to encompass virtually any undocumented immigrant charged with a crime. Under the Obama Administration, ICE and the Border Patrol only focused on arresting serious criminals and national security risks. This bill would only undermine community trust in local law enforcement.

- Colorado's economy is dependent on immigrants. Immigrants make up 25 percent of practicing physicians. The tech industry is dependent on immigrants. Our institutes of higher education are dependent on the dollars brought in by immigrant students. Many of the engineering employees at our government institutions or in private industry are immigrants. Our tourist industry would definitely suffer by this bill, when it became clear how Colorado treats its foreign born residents. Our ski areas and other tourist industries are dependent on the low skilled labor provided by immigrants. So are our agriculturally based industries. Contrary to what HB 17-1134 attempts to do, Colorado should be going out of its way to support immigrants.

Please do not let this bill advance.

Thank you Mr. Chairman and Committee members for allowing me to testify on HB 17-1134. My name is Lisa Witlen, and I am representing myself.

As a proud resident of Colorado, I was saddened to learn that through the introduction of this bill some of our elected officials are now promoting the xenophobia which has been recently reintroduced in America. Our state has a history of not supporting xenophobic laws. Governor Ralph Carr publicly opposed a federally mandated resettlement of Japanese Americans evicted from the West Coast to a camp near Granada, Colorado. He urged racial tolerance and protection of constitutional rights for those who were impacted by the resettlement.

This bill is in direct contrast to our American values for which Governor Carr stood. It should not become law.

There are many aspects of this bill that are troubling, but some of the most troubling aspects are:

- It brings back the repealed Show Me Your Papers law which forced local law enforcement to report suspected immigrants to ICE. Data has shown that Show Me Your Papers laws have eroded community trust in law enforcement. People who are targeted tend to mistrust law enforcement, leading to lower reporting of criminal activity.
- The ability to successfully sue elected officials has no legal precedent in the US. A lawsuit was brought against San Francisco's city council after a resident was murdered by an undocumented person living in the city. A federal court dismissed the lawsuit, because there was no legal theory by which city officials could be held liable. If this bill is enacted cases brought against Colorado elected officials will likely have the same result.
- The provision which states that the bill is not subject to judicial review appears to be illegal. The purpose of the courts is to determine the legality of laws enacted, and this provision attempts to remove the ability of the judicial branch to do its job.

In conclusion, please vote no on the Colorado Politician Accountability Act as it is bad public policy which targets immigrants and their communities.



HB1134



Search

Annie, me 3 Draft 8:52 am

testimony against HB17-1134
On Tuesday, February 21, 2017, Annie Bie...

Doug, me 3 Yesterday

Way up in the mountains
Good knowing I'm not the only her... Inbox



cindyk edwards Yesterday

Attention Laura Freeman Re: HB17-1134
Thank you for taking public input regardin...

lisawitlen Yesterday

Testimony
Attached is a draft of my testimony for We...

me .. Lisa; RnR 34 Friday

February 16th StateLegislation Minutes
Okay gotch On Tue... Education Environ...

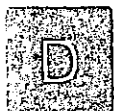
me .. Mindy, LaVonne 35 Friday

Talking Points and Link to HB1134
Section 5 specifically s... Inbox State, Mi...

Elliot, me, Kyle 11 Wednesday

Rep Williams anti immigrant bill
Thanks! Talk to you tomorrow!... Fred Car..

HB17-1134 HB1134



Doug Dunkle

Sent emails to the committee similar to this I am incensed and outraged to need to



Laura Freeman

to Doug
18 hours ago Details

Excellent Doug would you mind adding your name and address information so it can be submitted

On Mon, Feb 20, 2017 at 3:17 PM Doug Dunkle <coachdugger@gmail.com> wrote:

Sent emails to the committee similar to this I am incensed and outraged to need to voice my absolute opposition toHB 17-1134. As a resident of Colorado for almost 70 years having served my nation in the Army during Vietnam I am embarrassed that the ideals expressed in this bill are opposite to those I honored by that service.



Reply



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Send

To:  Annie Bielecki

Cc/Bcc:

Subject:

On Tuesday, February 21, 2017, Annie Bielecki <anniebielecki@gmail.com> wrote:

I would like to register my deep disagreement with HB17-1134. This bill seems to be mean spirited, and also needlessly bureaucratic. Are we going to empower local police to enforce federal laws? That seems like a gross over-reach.

Our city's problems will not be solved by adopting the federal administration's idea of MORE law and order. We need to work with our immigrant community and not criminalize it.

Even the fact that this bill uses the term "illegal alien" instead of the far more neutral and correct term "undocumented immigrant" is cause for concern.

I hope you will kill this bill in committee and work on a more sensible reaction to any issues someone might have with the undocumented immigrants in our community.

Thank you,
Annie Bielecki
Denver, CO 80249

Send