

**Ralph Carr Freedom Defense
Act HB17-1230
Rep. Salazar & Rep. Esgar**

The Tenth Amendment to the U.S. Constitution Guarantees States' Rights to Curtail Federal Overreach

- The Tenth Amendment reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."
- Every member of the state legislature swore to uphold both our state and our U.S. constitution when they took their oaths of office.

The Ralph Carr Freedom Defense Act Upholds State's Rights

- The Ralph Carr Freedom Defense Act protects Colorado's state rights by mandating that Colorado law enforcement officers not assist any federal overreach that would set up a registry for Muslims, create internment camps, or attempt to identify individuals by their race, religion, nationality, or color of their skin—all of which go against our American and Colorado values and our US and state Constitutions.
- National security must never again be permitted to justify wholesale denial of constitutional rights and protections.

Colorado Has a Long History of Resisting Federal Overreach

- By Presidential Executive Order 9066 issued by President Roosevelt in 1942, at least 7,318 detainees, mostly American citizens of Japanese descent, were forcibly imprisoned at the **Amache Relocation Center** near Granada, Colorado from 1942-45.
- Republican Colorado Governor Ralph Carr staunchly defended the Constitution, and vigorously opposed the creation of the Japanese internment camps in Colorado. He said, "*An American citizen of Japanese descent has the same rights as any other citizen.... If you harm them, you must first harm me.*"¹

Registries Do Not Work and Are Costly

- Between 1942 – 1945, over 110,000 Japanese Americans (62% of whom were U.S. citizens) were forcibly detained in internment camps.² President Reagan signed the Civil Liberties Act of 1988 which provided financial redress of \$20,000 for each surviving detainee, totaling \$1.6 billion in payments.³
- Following the September 11, 2001 terror attacks, the Bush administration created the controversial National Security Entry-Exit Registration System (NSEERS), which required foreign nationals from 25 mostly Muslim countries to check in with the government before entering and leaving the country, and obliged some foreigners living in the United States to report regularly to immigration officials.
- While over 80,000 individuals registered, NSEERS did not reduce terrorist activity. By 2011, nearly a decade after the program was enacted, NSEERS had not resulted in a single terrorism conviction.⁴ Instead, the Dept. of Homeland Security found that the NSEERS program **undermined trust** in law enforcement and instilled fear in communities.⁵

"Extreme Vetting" Already Exists for Immigrants from Countries Impacted by Terrorism

- The US government already vets potential refugees through a rigorous program that has existed since 1980. It involves multiple federal intelligence and security agencies as well as the United Nations. Refugee vetting typically takes one to two years and includes numerous rounds of security checks.⁶

¹ Schragger, Adam. *The Principled Politician: The Ralph Carr Story*. Fulcrum Publishing; Golden, Colorado; 2008. Chapter 10: "Late March 1942," p. 193.

² *Semiannual Report of the War Relocation Authority, for the period January 1 to June 30, 1946*, not dated. Papers of Dillon S. Myer. Scanned image at trumanlibrary.org.

³ Densho Encyclopedia: <http://encyclopedia.densho.org/Civil%20Liberties%20Act%20of%201988/>

⁴ CNN Politics: <http://www.cnn.com/2016/12/21/politics/schneiderman-obama-muslim-registry-nseers/>

⁵ Attorney General Schneiderman: <https://ag.ny.gov/press-release/ag-schneiderman-calls-president-obama-dismantle-ineffective-and-discriminatory-federal>

⁶ White House: <https://obamawhitehouse.archives.gov/blog/2015/11/20/infographic-screening-process-refugee-entry-united-states>