

House State, Veterans & Military Affairs Committee  
HB19-1124 Protect Colorado Residents from Federal Government Overreach  
Thursday, March 28, 2019

Hello Chairman Gray and distinguished members of the Committee; my name is Ingrid Moore, from Longmont. I'm speaking on my own behalf in support of House Bill 1124, *Protecting Colorado Residents from Federal Government Overreach*.

I am happy that Representative Benavidez proposed this legislation. It's important that we codify these legal principles into Colorado law end confusion about what local law enforcement can legally do regarding cooperation with federal immigration.

We all want our communities to be safe. We have that in common, no matter which side of this issue we are on. In 2016 this issue caused a split among the populace of Longmont. Almost everyone had a position either way, even though we were all concerned for community safety. Some couldn't understand why a sheriff could not hold a person for pickup by ICE, and the others did not support sheriffs conducting ICE holds. The law around this issue was not clear, people didn't understand it, and the arguments devolved into a referendum on whether immigrants were criminals, or people.

The crux of that debate, and what is clarified in this bill, is the legal difference between a Warrant signed by a judge and an ICE request for detainment. People don't seem to understand that. A warrant shows that a federal judge has been convinced by evidence that there is probable cause, and it is also a 4<sup>th</sup> amendment requirement. A request for detainment from ICE is just a request, not a signed warrant or legally recognized due process for the detained person.

All people in this country have constitutionally guaranteed rights, regardless of immigration status. One of these is the 4<sup>th</sup> amendment right to not be held indefinitely without charges or a judicially signed warrant. This bill correctly prohibits a law enforcement officer from arresting or detaining an individual beyond their detention date solely on the basis of an immigration detainer.

Two other quick points I will make:

Law enforcement personnel are not trained to enforce complex federal immigration laws. Most don't want the added burden or responsibility.

Local law enforcement deals with community crime and safety, not immigration. They are not normally interested in someone's immigration status. Their valid concern is that communities will become less safe if immigrants are afraid to report crimes or domestic abuse or seek medical attention.

This is important legislation. Please vote YES. Thank you for your time and attention.

Ingrid Moore  
925 Little Leaf Ct.  
Longmont, CO 80503