

Senate State, Veterans, & Military Affairs

04/08/2025 02:00 PM

SB25-276 Protect Civil Rights Immigration Status

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Valdamar Archuleta Against themselves	<p>Thank you State, Veterans, & Military Affairs Committee for taking the time to read my concerns about Bill SB25-276.</p> <p>My name is Valdamar Archuleta and I'm representing myself.</p> <p>Colorado is grappling with a billion-dollar budget shortfall, and our lawmakers are scrambling to fund their proposed programs. The Taxpayer's Bill of Rights (TABOR) is under scrutiny. This is not the moment to divert funds and resources from Colorado residents to support illegal immigrants.</p> <p>The financial burden and safety risks imposed on Coloradans are reaching a breaking point. Last year, I attended numerous meetings around Denver where citizens voiced their worries about the toll illegal immigration is taking. From reduced recreation center hours to the potential conversion of a local school into a shelter, people are anxious. They feel like our state leaders are treating them as an afterthought.</p> <p>Moreover, we're encouraging desperate individuals from struggling countries to embark on a perilous trek. Women and children frequently endure sexual assault, and thousands enrich criminal cartels, fueling their drug and human trafficking operations that endanger lives. Too often, these immigrants, seeking a brighter future, find themselves alone and shivering on the streets of an unfamiliar land. Promoting this journey is not compassionate.</p> <p>The label "Sanctuary State" is deeply unpopular in our community—so much so that our politicians dodge the term entirely and work hard to assure the public we aren't one. It's a status few embrace. Yet, this bill would effectively broaden Colorado's sanctuary policies, defying the will of the people.</p> <p>I urge you to vote no and halt SB25-276 from taking effect.</p> <p>Thank you.</p> <p>Valdamar Archuleta</p>

<p>Carmela Enriquez For themselves</p>	<p>Good afternoon, thank you to the committee and sponsors of SB25-276.</p> <p>My name is Carmela Enriquez. I live in Greeley, I am a mother of 4 children and a child care provider for 20 years.</p> <p>I am a CSPC community leader and I support this proposal because while taking care of children I realized how fragile the little ones are, adults sometimes believe that they do not have concerns and that they do not realize what is happening around them, how wrong we are, I believe that every child regardless of their status deserves to have a study environment and a place of care where they feel safe and protected.</p> <p>What kind of people would let something of this magnitude disrupt the stability of our children in Colorado and not only those not born in this beautiful state but their own children who would be watching in the front row as their playmates are singled out.</p> <p>You have the power to protect our children, now all I ask is that you put a hand on your heart and think of those children as if they were your own.</p> <p>That is why I am kindly asking for your support of SB25-276.</p> <p>Thank you for taking the time to listen to my testimony and I hope I can count on your support and vote for this important cause.</p>
<p>Amy Diamond For themselves</p>	<p>Hello Senator Ball,</p> <p>I am writing to urge an aye vote on SB25-276 today. As a psychiatric mental health nurse practitioner working in a community health clinic, there is no question as to the explicitly intended effects of the Trump administration's inducement of fear in targeted populations and the nation generally. It is insidiously destabilizing and debilitating our communities on multiple levels, resulting in patients who stop coming to appointments and taking their medications and workers whose distress pulls them from their jobs so that ICE can't.</p> <p>It's not enough to hope that the current President's regime will know when it has gone too far, because that moral deficiency is the hallmark of its sociopathology, as history, scholars, and mental health professionals have been warning for decades. It's certainly not prudent or realistic to err on the side of assuming the best about anyone who could be tempted to indulge violent impulses by virtue of their position</p>

	<p>or power; again, historical precedence, scholarship, and clinical notes indicate that we know better.</p> <p>Colorado must remain staunchly resistant to any and all opportunities to deprive anyone within our borders of compassionate, constitutional, and just treatment, including due process. This means it is incumbent on the legislature to provide safeguards through laws such as SB25-276 in this time of constitutional, sociopolitical, and imminently, economic crisis.</p> <p>It is up to all of us to defend and protect everyone’s humanity and dignity, because any such compromise made against others compromises our own humanity as well.</p> <p>Thank you for your consideration,</p> <p>Amy Diamond, MA, MSN, APRN, PMHNP-BC</p> <p>Broomfield, CO 80020</p>
<p>Amy Diamond For themselves</p>	<p>Hello Committee Members,</p> <p>I am writing to urge an aye vote on SB25-276 today. As a psychiatric mental health nurse practitioner working in a community health clinic, there is no question as to the explicitly intended effects of the Trump administration’s inducement of fear in targeted populations and the nation generally. It is insidiously destabilizing and debilitating our communities on multiple levels, resulting in patients who stop coming to appointments and taking their medications and workers whose distress pulls them from their jobs so that ICE can’t.</p> <p>It’s not enough to hope that the current President’s regime will know when it has gone too far, because that moral deficiency is the hallmark of its sociopathology, as history, scholars, and mental health professionals have been warning for decades. It’s certainly not prudent or realistic to err on the side of assuming the best about anyone who could be tempted to indulge violent impulses by virtue of their position or power; again, historical precedence, scholarship, and clinical notes indicate that we know better.</p> <p>Colorado must remain staunchly resistant to any and all opportunities to deprive anyone within our borders of compassionate, constitutional, and just treatment, including due process. This means it is incumbent on the legislature to provide safeguards through laws such as SB25-276 in this time of constitutional, sociopolitical, and imminently, economic crisis.</p>

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<p>Mary Lawless For themselves</p>	<p>Members of the State, Veterans & Military Affairs Committee,</p> <p>My name is Mary Patricia Lawless. I have been a Denver resident since 1978. My two children and five grandchildren are proud Colorado natives. Our family has experienced the impact of our broken immigration system for the past 45 years. My children’s father came to the US as an undocumented immigrant seeking asylum from the war in El Salvador in 1981. Even though we were married and had an infant child, his residency application was denied in the mid-1980s. He finally got his residency under the Reagan amnesty of the late 1980s. He was a hard working window cleaner his entire life and a proud father and grandfather until his death of cancer in 2016. We have had many other experiences as a family with the challenges of legal immigration over the years. And we know firsthand the fear and uncertainty that come with having to move through society in the shadows.</p> <p>I am writing to express my unequivocal support of SB25-276, Protect Civil Rights Immigration Status. The opportunity to strengthen Colorado’s protections of our immigrant neighbors must be taken in these challenging times for the immigrant community. By closing data privacy loopholes, fortifying constitutional protections at sensitive locations like hospitals, schools, and childcare centers, and prohibiting local law enforcement from honoring ICE detainer requests without a judicial warrant, SB25-276 will make our communities and our families safer.</p> <p>Please vote yes on SB25-276.</p>
<p>Shannon Doyle For themselves</p>	<p>I am writing in support of SB25-276. Everyone in Colorado deserves to live without fear. In my position as an educator, I take my responsibility to my students seriously, particularly when it comes to providing a safe learning environment. Students cannot learn when they are scared. Parents need to know their children are safe with me and my colleagues. My immigrant students enrich the lives of their classmates and are treasured members of our school community.</p>

	<p>This legislation helps me do my job for all of my students and is crucial in affirming Colorado's commitment to strong and safe communities for everyone.</p> <p>Thank you.</p>
<p>Teresa Buttler For themselves</p>	<p>I support this bill.</p>
<p>Jeany Rush Against themselves</p>	<p>TO: STATE , VETERANS, & MILITARY AFFAIRS COMMITTEE RE: SB25-276 Protect Civil Rights Immigration Status Sponsors: Gonzales, Weissman, Velasco, Garcia FROM: Jeany Rush, Colorado Springs Constituent 4-8-25 VOTE: NO</p> <p>So, here we go again. You would not pass SB25-047 which would have given our law enforcement the ability to protect the LEGAL citizens of the state of Colorado. You had tons of your connections show up and play sad "scare songs" as to why illegal migrants should be given MORE rights than the citizens of this nation. Then you insulted the Sheriffs and our federal authorities by ignoring their need and right to protect us by being able to identify and detain illegal migrants who were already breaking laws, in jail, or courts, etc., and stopped them from contacting ICE for this category.</p> <p>Now you want to further extend rights for illegal migrant by extending their ability to stay longer. Worse, you want to give them actual Constitutional Rights, as if they were legal, tying the hands of our law enforcement, and all agencies that may connect to these folks, and you want to even erase misdemeanors, or certain law breaking by these people' due to some language, or misunderstanding barriers? To vacate certain guilty pleas' as you put it.</p> <p>You want to further limit certain governmental agencies, law enforcement from collecting potentially critical data, which may be needed to identify people who are here illegally.</p> <p>You are making it easier to Harbor criminals who have poured through our borders due to your ignorance of REALITY!</p> <p>No one is saying deny basic human rights, but people who have come here without going through the system, ARE HERE ILLEGALLY. THEY do not get to have the same rights as the lawful citizens of America. Even the current law ties the hands of our law enforcement due to this body operating under a lense of either insanity, Marxist confusion, or outright malice.</p> <p>Either way, you have overstepped once again. The sad part is I believe you know it as it is your agenda to harm the people of the state, and open the doors for your "Sanctuary Minded" delusions that our rights in Colorado are less important than</p>

	<p>those here illegally. More Nonsense bills and manipulation of our communities will not make this acceptable. THIS IS ALL WRONG!</p>
<p>Martha Espinoza For themselves</p>	<p>SB25 Act 276</p> <p>My name is Martha, and I am a family child care provider.</p> <p>I provide services to every family that requests child care regardless of their legal status.</p> <p>My priority is the well-being and safety of the children so that parents can go to work, to school, to contribute to the economic well-being of their families and community. I cannot do my job with the fear that immigration officers are in my neighborhood terrorizing families in supermarket hospital schools.</p> <p>The children and students in my school district should only be concerned about preparing for a successful life.</p> <p>I am concerned about all the fear in our community. Families are afraid to do the essential things in life like going to a doctor's appointment, getting our children to and from school. Appointments for any legal paperwork are causing so much terror. People who are here to work and provide a better quality of life for our children know the terror of encountering immigration agents.</p> <p>We know what this can change from one moment to the next in our lives. And the impact on our children and society.</p>

My name is Donna Werner. I live in Boulder and I facilitate a group of almost 200 people who are in the Forever Indivisible group here in Boulder. We have been meeting on issues that directly affect our neighbors, and state since 2017.

I am writing to you to say I support SB 25-276.

Colorado's and Boulder's success is rooted in policies that ensure everyone can live, work and contribute fully. The state has made significant strides in supporting immigrant communities and now is the time to strengthen these policies to allow for everyone in Colorado to participate in community institutions and contribute without fear.

SB 25-276 is a critical step in ensuring fair treatment under the law. This bill will strengthen public trust in government institutions, encourage cooperation with law enforcement and lead to a more prosperous community for all of us.

In my work with Forever Indivisible, I have had an opportunity to set up volunteers to hand out Know Your Rights cards, to attend trainings by the Colorado Rapid Response Network and to set up presentations with such people as Phil Weiser and Mike Dougherty, our Boulder County DA. From this kind of activity, I know that our immigrant communities still live in fear. They are afraid to drop their children off at school, to seek medical care and to report crimes to local law enforcement.

The specific provisions in SB 25-276 will alleviate these fears, because they require critical legal protections for people's private data, require certain procedures at schools, clinics and daycare centers to protect families and strengthen the boundaries between civil immigration violations and criminal law enforcement. I know that Mike Dougherty strongly supports this bill because it will make our county and all of Colorado safer.

Please join me in supporting this bill

Donna Werner



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

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April 8, 2025

The Honorable Mike Weissman
Chair
State, Veterans, and Military Affairs Committee
Colorado State Senate
200 E. Colfax Avenue
Denver, CO 80202

Re: SB25-276, Protect Civil Rights Immigration Status, Data Privacy Issues, TechNet Amend

Dear Chair Weissman and the Honorable Members of the Senate State, Veterans and Military Affairs Committee:

I write on behalf of TechNet and its members to share our proposed changes to the data privacy provisions of SB25-276.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over 4.5 million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Harrisburg, Olympia, Sacramento, Silicon Valley, Tallahassee, and Washington, D.C.

TechNet is concerned that the amendments in the bill to C.R.S 6-1-1308 will create changes to standing law that will cause problems for businesses both local and national already complying with the Colorado Privacy Act (CPA). The comprehensive privacy law was thoroughly debated by the General Assembly and the Office of the Attorney General conducted a thoughtful and deliberative rulemaking process of the course of a year and a half. The data minimization language is a thoughtful balance which ensures the highest level of consumer protection with clear guidance for businesses and a pathway to innovate, and we do not think it should be amended to create a more ambiguous standard.

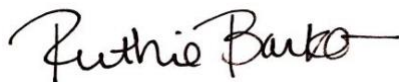
Limiting data collection to provide or maintain a specific product or services requested by the consumer will not allow companies to use data to innovate, improve products for customers, or develop new products. This will hinder innovation and put Colorado

out of step with most of the country, as the language in the Colorado Privacy Act is consistent with the consensus language found in comprehensive privacy laws in 18 other states. It is also critical to note that save for one, all other states that have considered the proposed language in SB25-276 have rejected it, because it is not balanced.

The proposed changes to the data minimization language of the CPA could have significant unintended consequences, and expands far beyond what this bill is aiming to achieve. In fact, SB25-276 will still provide civil rights protections without making these changes to the data minimization provisions of the CPA. The risk to businesses in Colorado is far greater than any perceived benefits to consumers that these restrictions on data may provide.

For the above stated reasons, TechNet respectfully asks that the Committee Amends this bill to remove the amendments to 6-1-1308 and not make Colorado an outlier with overly restrictive data privacy regulations for businesses. If you have any questions, please contact me at rbarko@technet.org.

Best regards,



Ruthie Barko
Executive Director, Colorado & Central U.S.
TechNet



Mr. Chair and Committee Members,

I wanted to provide the committee with my written testimony of our agency's amend position on SB25-276, "Concerning measures to prevent the violation of the civil rights of persons in Colorado based on immigration status." We are still reviewing the bill since it was just introduced on April 4th, 2025, and will likely have additional comments or observations on second reading based on our analysis.

We share the sponsor's goal of protecting all Coloradans and appreciate the sponsors' continued dialogue with us and other stakeholders, and the adoption of stakeholder feedback in the introduced version of the bill. We still have outstanding concerns, however, and want to ensure we're providing the sponsors and legislature our thoughts on the introduced legislation. We are working with our staff, the Governor's Office, local partners, and the bill sponsors to determine what specific changes are necessary to address our outstanding items.

We are most concerned with the following sections:

- Delay of Defendant Release (Section 4). Current law sets clear expectations around the timing to release a person from jail, which is to the benefit of those being released as well as jail administrators.
- Improperly Entered Guilty Pleas - Vacatur (Section 5). Colorado law already provides an opportunity for everyone who has entered a guilty plea to seek to vacate that plea if they were improperly advised, so this is not necessary here.
- Extension of State PII laws to local governments (Sections 6-9). We have concerns with how the bill expands PII laws to local governments and believe that more stakeholding with relevant organizations is necessary. We are interested in better understanding the impact on local governments across Colorado and questions and concerns they have with these specific requirements.
- Policies (Section 13). We are generally supportive of the requirement for school districts, public health care facilities, publicly funded child care, and public institutions of higher education to create policies and procedures concerning this issue. However, the bill's language continues to be problematic as it relates to access and enforcement action.
- Limitation on access in detention facilities and civil detainers (Sections 14, 15, and 17). We have concerns these sections in the bill could interrupt current practices at the local level. We welcome amendments that would better identify what access is permissible to align with existing practice consistent with how access is treated across the board, as well as ensuring safe handoffs of inmates when required.

We are also still working through other provisions in the bill and will work closely with sponsors to request clarification and further refinement to prevent any unintended consequences. We previously expressed to the sponsors that we are comfortable with various sections, including 2, 3, 19, 20, and 21.

We hope the bill can address some of our fundamental concerns as it moves through the process; however, if certain issues remain unaddressed, we may need to reconsider our amend position. In closing, we ask that we can continue to work with the sponsors on addressing these concerns and also continue to work through sections where we seek to clarify, change, or further refine the proposed language.

Sincerely,
Stan Hilkey



Stan Hilkey, Executive Director

Colorado Department of Public Safety





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Sincerely,
Stan Hilkey



Stan Hilkey, Executive Director

Colorado Department of Public Safety



SB25-276: Protect Civil Rights Immigration Status

Written Committee Testimony

Senate State Veterans & Military Affairs Committee

April 8, 2025

Sarah Barnes, Senior Director of Policy and Economic Security

Chair and members of the committee, my name is Sarah Barnes, and I am the Senior Director of Policy and Economic Security at the Colorado Children's Campaign. The Children's Campaign is a nonpartisan policy organization that leverages data and research to unapologetically advocate for kids.

Our main areas of focus include early childhood and economic security, which is why I am submitting testimony in support of SB 276. Thank you to Senators Gonzales and Weissman for sponsoring this bill.

Colorado is home to 1.2 million children. Their well-being is our shared responsibility.

We believe that every child needs and deserves stability and safety in order to thrive. For young children, experiencing trauma can inhibit early brain development and development of social-emotional skills.

The federal government recently ended immigration enforcement protections for schools, health clinics, child care centers, and other sensitive spaces that serve children. Federal officials also announced and began implementing plans to detain and deport thousands of people. These and other immigration-related orders have created fear and confusion for many Colorado children, families, and the people who serve them.

These changes could lead to profound and damaging disruptions for kids and their families. Together, we must do what we can to prevent harm and push for what's right for kids.

SB 276 would ensure that Colorado has in place reasonable, common-sense policies that protect young children from experiencing trauma and instability while they are being cared for by trusted adults in child care settings. It would provide clarity to child care providers about what they can do to protect the children in their care.

The provisions of SB 276 will also allow all parents to work in order to care for their children, while knowing that they are safe.

All children deserve safe places to learn and grow. The national policy landscape is changing. Many children, families, and people who serve them are confused and deeply worried. As a community, we must hold steady and work together to protect and uplift kids.

We urge your support of SB 276. Thank you.

Testimony in Support of SB 276

My name is Rachel Kogan, and I am submitting this testimony on behalf of myself and the Colorado Women’s Bar Association in support of SB 276 which ensures Colorado agencies require federal officials to follow their constitutional Due Process obligations and protect the sensitive data of all Colorado residents, including immigrants.

I. SB 276 Ensures Colorado Protects the Fourth Amendment and Due Process Rights of ALL of its residents

All Colorado residents, including immigrants, enjoy both federal and state Constitutional protections against unlawful searches and seizures as well as the right to due process of law. The protections in the Fourth, Fifth, and Fourteenth Amendments are foundational to the rule of law in the United States. These constitutional protections ensure *all* individuals residing in the United States are not subjected to arbitrary searches and detention. The Fourth and Fifth Amendments were included in the Bill of Rights in 1791 as foundational underpinnings of our new Republic seeking to shed the tyranny of British rule. The Fourteenth Amendment ensured these important protections also applied to state actions, rather than just the federal government to “exact[] from the States for the lowliest and the most outcast all that is ‘implicit in the concept of ordered liberty.’”¹ The Supreme Court has repeatedly reaffirmed that non-citizens possess Fourth Amendment and Due Process rights that must be respected by federal officials.²

Due process of law is a cornerstone of justice in the United States that protects individuals from arbitrary government actions, guaranteeing that decisions affecting their life, liberty, or property are made based on established legal procedures rather than whims or bias. A judicial warrant ensures that an independent and neutral fact finder has determined there is probable cause to arrest, detain or deport someone. SB 276 appropriately ensures that agents of the State of Colorado who possess large amounts of sensitive personal data respect these constitutional principles and ensure Colorado resident information is only surrendered when law enforcement agents obtain a properly considered judicial order, warrant, or subpoena.

II. Arbitrary Detention and Separating Families Has Devastating and Enduring Consequences on the Wellbeing of Immigrant Families

¹ *Wolf v. Colorado*, 338 U.S. 25 (1949), (quoting *Palko v. Connecticut*, 302 U. S. 319, 325 (1937))

² *Almeida-Sanchez v. United States*, 413 U.S. 266 (1973); *INS v. Lopez-Mendoza*, 468 U.S. 1032 (1984); *Kwong Hai Chew v. Colding*, 344 U.S. 590, 596 n.5 (1953) (quoting *Bridges v. Wixon*, 326 U.S. 135, 161 (1945) (Murphy, J., concurring))

Through my pro bono work, I personally witnessed the tragic consequences of immigration enforcement officials separating families. In the summer of 2018 as a law student, I translated legal interviews of detainees at the Port Isabel Detention Center in Brownsville, Texas who were subjected to President Trump's Zero Tolerance policy. I spoke with multiple individuals desperate to locate their children who were torn from their arms with no explanation. Ultimately, the trauma of being separated from their children drove some of them to attempt suicide. While my clients were ultimately reunited with their children, the psychological damage has lasted far beyond the separation. Their children exhibit signs of PTSD including nightmares and panic attacks, and at least one of my client's children blamed their parent for the separation, causing irreparable damage to their relationship. Family separation has devastating consequences, and the federal government must be held accountable to meeting the requirements set out by our Constitution in matters as consequential as deportation proceedings.

Additionally, the current immigration enforcement climate has already had a chilling effect on the use of government services that support critical state policy goals. Research suggests that immigration enforcement increases school absenteeism and reduces school enrollment, which we are already seeing anecdotally in Colorado.³ Concerns about immigration enforcement can also lead immigrant families to avoid seeking health care for communicable diseases which may have deleterious public health consequences and lead to avoidable negative health outcomes for immigrant families. Immigrants may also be less inclined to assist law enforcement with criminal investigations for fear their information will be sent to ICE. For decades, immigrants have dutifully registered for individual tax identification numbers (ITINs), but now they fear, rightfully so given ongoing DHS requests for IRS data⁴, that filing taxes puts them in jeopardy of being deported.

Protecting the personal information of immigrant families in Colorado is critical to ensuring all Colorado families can send their kids to daycare, school and the doctor without fear of deportation. In addition to the state's fundamental obligation to uphold rule of law as discussed above, SB 276 also supports many important public policy goals in the state of Colorado.

III. The Colorado Women's Bar Association Supports SB 276 as part of its Commitments to the Rule of Law and Colorado Women and Families

³ Kirksey, J. J. (2024). Weeks After the Raid: The Immediate and Sustained Changes in Student Attendance Rates Following Immigration Arrests. *Educational Evaluation and Policy Analysis*, 0(0). <https://doi.org/10.3102/01623737241288838>; Bucheli, J. R., Rubalcaba, J. A.-A., & Vargas, E. D. (2021). Out of the Class and Into the Shadows: Immigration Enforcement and Education Among U.S.-Citizen and Foreign-Born Hispanics. *AERA Open*, 7. <https://doi.org/10.1177/23328584211056349> (Original work published 2021); Gabriela Vidal, Migrant Families Fear Sending Their Kids to Colorado School Amid Immigration Concerns, CBS Colorado (Jan. 27, 2025), <https://www.cbsnews.com/colorado/news/migrant-families-fear-sending-kids-colorado-school-immigration-concerns/>.

⁴ Jacob Bogage, DHS Officials Ask IRS to Use Tax Data to Locate Up to 7 Million Immigrants, *The Washington Post* (Apr. 5, 2025), <https://www.washingtonpost.com/business/2025/04/05/irs-tax-data-immigration-enforcement/>

As noted by Justice Robert Jackson, Fourth Amendment rights “are not mere second-class rights, but belong in the catalog of indispensable freedoms. Among deprivations of rights, none is so effective in cowing a population, crushing the spirit of the individual and putting terror in every heart. Uncontrolled search and seizure is one of the first and most effective weapons in the arsenal of every arbitrary government.”⁵

The CWBA strongly supports SB 276’s efforts to ensure the maintenance of the rule of law by requiring Colorado government agents only provide information to federal law enforcement officers who follow proper procedures for obtaining the records of individuals they target in their investigations. Part of the CWBA’s mission is to defend the rule of law and protect the civil rights and liberties of individuals who may be otherwise profiled or targeted for loss of rights without due process of law. As attorneys and legal paraprofessionals admitted to the Colorado bar, our members take an oath to support the Constitution of the United States and the Constitution of the State of Colorado. This is an oath we take seriously, and we believe our support of SB 276 is consistent with this oath and holds our state accountable to the fundamental principles of those constitutions.

Additionally, the CWBA advocates for the interests of women and children in Colorado. The arbitrary release of sensitive information to immigration enforcement officials threatens the safety and wellbeing of women and children in Colorado. By limiting cooperation with federal officials to situations where such cooperation is required by law in accordance with appropriate legal procedures, these families can have some assurance that they can send their children to school and the doctor without being deported without cause.

For all of the above reasons, the CWBA and I are testifying in support of this bill.

⁵ *Brinegar v. United States*, 338 U. S. 160, 338 U. S. 180 (Jackson, J., dissenting).

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II. Arbitrary Detention and Separating Families Has Devastating and Enduring Consequences on the Wellbeing of Immigrant Families

¹ *Wolf v. Colorado*, 338 U.S. 25 (1949), (quoting *Palko v. Connecticut*, 302 U. S. 319, 325 (1937))

² *Almeida-Sanchez v. United States*, 413 U.S. 266 (1973); *INS v. Lopez-Mendoza*, 468 U.S. 1032 (1984); *Kwong Hai Chew v. Colding*, 344 U.S. 590, 596 n.5 (1953) (quoting *Bridges v. Wixon*, 326 U.S. 135, 161 (1945) (Murphy, J., concurring))

Through my pro bono work, I personally witnessed the tragic consequences of immigration enforcement officials separating families. In the summer of 2018 as a law student, I translated legal interviews of detainees at the Port Isabel Detention Center in Brownsville, Texas who were subjected to President Trump's Zero Tolerance policy. I spoke with multiple individuals desperate to locate their children who were torn from their arms with no explanation. Ultimately, the trauma of being separated from their children drove some of them to attempt suicide. While my clients were ultimately reunited with their children, the psychological damage has lasted far beyond the separation. Their children exhibit signs of PTSD including nightmares and panic attacks, and at least one of my client's children blamed their parent for the separation, causing irreparable damage to their relationship. Family separation has devastating consequences, and the federal government must be held accountable to meeting the requirements set out by our Constitution in matters as consequential as deportation proceedings.

Additionally, the current immigration enforcement climate has already had a chilling effect on the use of government services that support critical state policy goals. Research suggests that immigration enforcement increases school absenteeism and reduces school enrollment, which we are already seeing anecdotally in Colorado.³ Concerns about immigration enforcement can also lead immigrant families to avoid seeking health care for communicable diseases which may have deleterious public health consequences and lead to avoidable negative health outcomes for immigrant families. Immigrants may also be less inclined to assist law enforcement with criminal investigations for fear their information will be sent to ICE. For decades, immigrants have dutifully registered for individual tax identification numbers (ITINs), but now they fear, rightfully so given ongoing DHS requests for IRS data⁴, that filing taxes puts them in jeopardy of being deported.

Protecting the personal information of immigrant families in Colorado is critical to ensuring all Colorado families can send their kids to daycare, school and the doctor without fear of deportation. In addition to the state's fundamental obligation to uphold rule of law as discussed above, SB 276 also supports many important public policy goals in the state of Colorado.

III. The Colorado Women's Bar Association Supports SB 276 as part of its Commitments to the Rule of Law and Colorado Women and Families

³ Kirksey, J. J. (2024). Weeks After the Raid: The Immediate and Sustained Changes in Student Attendance Rates Following Immigration Arrests. *Educational Evaluation and Policy Analysis*, 0(0). <https://doi.org/10.3102/01623737241288838>; Bucheli, J. R., Rubalcaba, J. A.-A., & Vargas, E. D. (2021). Out of the Class and Into the Shadows: Immigration Enforcement and Education Among U.S.-Citizen and Foreign-Born Hispanics. *AERA Open*, 7. <https://doi.org/10.1177/23328584211056349> (Original work published 2021); Gabriela Vidal, Migrant Families Fear Sending Their Kids to Colorado School Amid Immigration Concerns, CBS Colorado (Jan. 27, 2025), <https://www.cbsnews.com/colorado/news/migrant-families-fear-sending-kids-colorado-school-immigration-concerns/>.

⁴ Jacob Bogage, DHS Officials Ask IRS to Use Tax Data to Locate Up to 7 Million Immigrants, *The Washington Post* (Apr. 5, 2025), <https://www.washingtonpost.com/business/2025/04/05/irs-tax-data-immigration-enforcement/>

As noted by Justice Robert Jackson, Fourth Amendment rights “are not mere second-class rights, but belong in the catalog of indispensable freedoms. Among deprivations of rights, none is so effective in cowing a population, crushing the spirit of the individual and putting terror in every heart. Uncontrolled search and seizure is one of the first and most effective weapons in the arsenal of every arbitrary government.”⁵

The CWBA strongly supports SB 276’s efforts to ensure the maintenance of the rule of law by requiring Colorado government agents only provide information to federal law enforcement officers who follow proper procedures for obtaining the records of individuals they target in their investigations. Part of the CWBA’s mission is to defend the rule of law and protect the civil rights and liberties of individuals who may be otherwise profiled or targeted for loss of rights without due process of law. As attorneys and legal paraprofessionals admitted to the Colorado bar, our members take an oath to support the Constitution of the United States and the Constitution of the State of Colorado. This is an oath we take seriously, and we believe our support of SB 276 is consistent with this oath and holds our state accountable to the fundamental principles of those constitutions.

Additionally, the CWBA advocates for the interests of women and children in Colorado. The arbitrary release of sensitive information to immigration enforcement officials threatens the safety and wellbeing of women and children in Colorado. By limiting cooperation with federal officials to situations where such cooperation is required by law in accordance with appropriate legal procedures, these families can have some assurance that they can send their children to school and the doctor without being deported without cause.

For all of the above reasons, the CWBA and I are testifying in support of this bill.

⁵ *Brinegar v. United States*, 338 U. S. 160, 338 U. S. 180 (Jackson, J., dissenting).

Hello Chairman Weissman and members of the Committee,

My name is Heller McDermott. I am a member of the Denver Immigration Protection Teams.

I am here to speak in favor of SB 276.

While my daughter was in elementary school, I met and befriended many immigrants. I heard the stories of what they left behind and what they hoped for in their new country. These immigrants are housekeepers, roofers and cement layers. Their children are now our accountants, nurses and home care workers. All much-needed members of our community. Last year I completed an LPN nursing program through Community College of Denver. The majority of the graduates were either immigrants themselves or the children of immigrants. These are the people who are going to help fill the critical nursing shortage in our state and keep our hospitals, clinics and long-term care facilities running. I, myself, am the child of an immigrant. My father arrived from Ireland at the age of 21 without even a high school diploma and went on to become a highly respected deep tunnel engineer. His grandchildren are doctors, veterinarians, and university professors. These experiences showed me first hand that immigrants are indeed the backbone of our country.

Today we need to stand up for immigrants, both because it's the right thing to do and because we rely on them. Do employers of immigrants wish to wonder if their employees will show up to work? The unpredictability of ICE raids leaves members of our community having to make the tough decision of whether they should go to work, school, medical appointments and church.

By strengthening data privacy, we increase trust in our state government, thus making individuals more confident to access services they need, like medical care, law enforcement and school. Having schools and medical care institutions establish guidelines regarding immigration enforcement will encourage families to continue to use these services.

I urge you to vote in favor of this bill.

Sincerely,
H McDermott
3373 W 29th Ave
Denver CO 80211
April 8, 2025

What Does SB 25-276 Do?

SB 25-276 seeks to strengthen Colorado's policies affecting our immigrant populations. Major provisions include:

- **Strengthens Policies Regarding Personally-Identifying Information:** Expands the prohibition of sharing personally-identifying information collected by state agencies with immigration enforcement to also including cities and counties and their employees.
- **Requires Policies for Public Schools, Public Childcare Centers, and Public Healthcare Facilities:** Requires public childcare centers, public schools and local education providers, public institutions of higher education, and public healthcare facilities to establish policies for the unique consideration of immigration enforcement actions.
- **Keeps Critical Services Going for ALL Coloradans:** Establishes policies that will strengthen data privacy protections for all no matter their status. This will ensure that immigrants - the vast majority of whom live in mixed-status families - access vital services, fostering trust between the public and government, and improving quality of life for all Coloradans.
- **Reduces Post-Bond Hold Time and Prohibits Release Delays:** The bill seeks to prohibit the delay or denial of an individual's release from custody based on a civil immigration detainer or for the purpose of immigration enforcement. It also reaffirms longstanding law that the continued detention of an individual after bond is posted and processed is considered an unconstitutional and warrantless arrest.

Other provisions:

- Repeal outdated affidavit requirements to access a Colorado driver's license or identification card, and in-state tuition
- Set forth policies to ensure that local and state resources are not commandeered by federal immigration enforcement officials, except where explicitly required by law
- Uphold Coloradans' Constitutional Rights

SB 25-276

For more information contact:

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SB 25-276: Concerning measures to prevent the violation of the civil rights of persons in Colorado based on immigration status



Sponsors: Senators Gonzales and Weissman | Representatives Velasco and Garcia

Background

Colorado's success is rooted in policies that ensure everyone can live, work, and contribute fully. The state has made significant strides in supporting immigrant communities, and now is the time to strengthen civil rights, expand opportunities, and improve quality of life for all Coloradans. SB 25-276 is a crucial step toward a future where everyone, regardless of status, can participate in community institutions and contribute without fear.



Why This Matters

SB 25-276 is a critical step in ensuring fair treatment under the law, reaffirming the state's commitment to upholding the civil liberties of all Coloradans, and fostering a more just community for everyone, regardless of immigration status. A fair and just legal system strengthens public trust in government institutions, encourages cooperation with law enforcement, and leads to more prosperous communities, while ensuring equal access to education and healthcare allows all residents to continue to contribute fully to Colorado's economy. Ultimately, SB 25-276 makes Colorado a stronger, more unified state where all individuals have the opportunity to thrive.