

Greetings from Colorado Springs and El Paso County

My name is Jerima King. I am a native of Panama. I became a citizen of the US in the 80's when there was a reasonable path to citizenship. Of course if you were to just look at me you couldn't tell if I am a citizen, a person of Native American descent, a legal resident, an asylum seeker, an undocumented immigrant, or a tourist from south of the border with Mexico. You wouldn't be able to tell if one of my family members is a citizen or a tourist. The reason I am bringing this up is that HB24-1128 also can't tell the difference. Law enforcement officers can't tell the difference. Other people living in Colorado cannot tell the difference.

How many of you carry your birth certificates with you? Of course most of you don't need to because you are of Caucasian descent. What does this mean? That HB24-1128 is **racist**. Just like in 2006 through 2013 only brown people were harassed by LE. Are there undocumented immigrants from Europe here in Colorado? Of course there are. But they have the matching skin color, hair color and eye color to protect them from harassment.

Do you pay local and state taxes? I do and so does everyone who buys groceries, gasoline, hygiene products, furniture, and cars or pays rent, regardless of their status. You know what I hate most about the taxes I pay? When they are used to pay for **lawsuits** against LE officers and agencies for-

1. Breaking laws [illegally detaining people for ICE after completing their sentence or posting bond];
2. Violating individual's constitutional rights [arresting victims of domestic abuse who called police, detained even after a judge had ordered their release].

There are other costs as well. There are countless undocumented immigrants who contribute in making lives for all of us better by working in agriculture, construction, landscape, restaurants, auto-mechanic shops, laying internet cables, and many other jobs throughout the state. Will farmers have to see their crops rot in the fields for lack of workers? These workers pay state and federal taxes for benefits they will never get. What is the benefit of harassing these workers? We would lose part of our **workforce**.

One of Colorado's industries is tourism. Do you think brown-skinned **tourists** will be encouraged to visit Colorado knowing they will be targets of profiling by law enforcement?

Will mix status families, whose parents have been productive members of our communities, feel safe from seeing their **families separated**? Will HB24-1128 in any way make children less fearful that they could be torn away from their parents?

How will crime be reduced when victims or witnesses fear coming forward because they **cannot trust law enforcement**? Statistics show immigrants are proportionally much less likely to commit crime than the general population of white people.

On the flipside, HB24-1128 repeals laws that were put in place to protect immigrants. This bill will cause much more harm than good.

House State, Civic, Military, & Veterans Affairs

02/22/2024 Upon Adjournment

HB24-1128 Enforcement of Federal Immigration Law

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Amy O'Dair For herself	<p>Dear Committee;</p> <p>I join with Sheriffs Roybal and Mikesell in their support of this extremely important bill. I speak for myself and my deceased husband. As the widow of an Air Force Veteran who was also a 45-year dedicated Colorado Businessman, this no longer is the state that we set up roots in after VietNam. I am horrified at what Colorado is becoming and am actually scared to live here in the home we built in 1979. People walking across our borders seem to feel they are entitled to what is not theirs legally. Our Federal and Local officials need to be allowed to work together to fix the many issues dealing with this massive problem!</p> <p>Looking at what used to be a beautiful state, feeling safe driving up and down the I-25 corridor and in our cities, being safe out "after dark". Our "Melting Pot" is no longer even safe for ANY of the LEGAL United States CITIZENS that LOVE it! Those that want to honor America with living by the rules and laws that have made/kept us a cohesive nation and have made us a nation that other countries can learn from. Living under OUR flag with PRIDE! Unfortunately, those that are choosing to come here illegally do not show that same desire. They leave their country of origin to find something better, but then turn OUR country into the crime-ridden unhealthy world they chose to leave. America will no longer be able to assist in HELPING other countries if we are TURNED into the very places that the illegal immigrants are fleeing from.</p> <p>Legal immigrants make up our country. People that come here legally to offer their skills and who want to work hard, raise a family, follow our Constitution and Laws and be a part of an amazing country they believe in.</p> <p>**Our Sheriffs need to assist the Federal Agencies to deport all peoples from ALL countries that are not here legally!!! Obviously, ANY peoples that are breaking our laws should be immediately sent</p>

	<p>back to their country. We now have such an immense problem that our local officials can not begin to handle even the small acts of crime; they NEED to communicate with ALL the Federal agencies for Immigration. ALL agencies, either public or private, that officially are working to cure our illegal problem and are working towards deportation and/or detention SHOULD be allowed to work and communicate together IN EVERY WAY to make our streets and homes safe again FOR OUR LEGAL CITIZENS!</p> <p>.</p>
<p>Mark Kaiser For themselves</p>	<p>If I break a law, I am held accountable. The same should be for "newcomers" better known as illegal immigrants. Our laws should be enforced not have a two tiered systems that effectively gives law breakers a free pass.</p>
<p>Wesley Scott For themselves</p>	<p>To the Colorado General Assembly,</p> <p>I believe that this bill helps to uphold the constitutional oath of office for our law enforcement by defending our republic "against all enemies, foreign and domestic". Please enact this bill so that our sheriff's and police can protect their jurisdictions WITHOUT LEGAL IMPEDIMENT.</p>

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FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest.



FEDERATION FOR AMERICAN
IMMIGRATION REFORM

The Honorable Steven Woodrow, Chairman
State, Civic, Military, and Veteran Affairs Committee
Colorado General Assembly
346 200 E Colifax
Denver, CO 80203

Dear Chairman Woodrow and other distinguished members of the Committee:

Thank you for the opportunity to submit testimony in strong support of House Bill (HB) 1128 on behalf of the Federation for American Immigration Reform (FAIR). FAIR is a non-profit, non-partisan organization of concerned individuals who believe that our immigration laws must be reformed to serve our nation's interests.

Founded in 1979, FAIR has three million members and supporters nationwide including nearly 10,000 in Colorado. FAIR opposes the reckless lawlessness of sanctuary policies and recognizes that reinstating Colorado's anti-sanctuary law by enacting HB 1128 makes the state much safer.

If enacted, HB 1128 would prohibit jurisdictions from employing dangerous policies that provide a safe haven, or "sanctuary," in which illegal aliens can work and live without fear of apprehension by federal immigration authorities.

Sanctuary policies not only lead to more crimes but they are also a magnet for illegal immigration. Most everyone is familiar with Kate Steinle's story, the young woman walking with her father on the San Francisco pier who was gunned down by Juan Francisco Sanchez-Lopez, an illegal alien with seven prior criminal convictions and five previous deportations. Sanchez-Lopez admitted that he chose to live in San Francisco because he knew its sanctuary policy would protect him.¹

¹ Breitbart, "Murderer: I chose SF because it is a 'Sanctuary City,'" July 6, 2015.



The fact that sanctuary policies shield criminal aliens was clearly evident in El Paso County where a Colorado Springs man was murdered in June 2022. Three of the four individuals that pled guilty to the killing were in the country illegally. Two of them (Ector Sarabia-Cabrera and Barron-Rubio) had been previously convicted of crimes and the third (Isidrio Sarabia-Gonzalez) had charges pending at the time of the murder. Additionally, Isidrio Sarabia-Gonzalez and Barron-Rubio had been previously removed from the country. The bottom line is this murder was preventable because none of these individuals should have still been in the U.S. State and local officials cooperate with federal law enforcement in every other aspect of federal law, immigration enforcement should not be an exception.

While I am not saying that everyone who is in the United States illegally intends to harm Americans, individuals who come through our back doors have not been vetted so their intentions are unknown. Even those who have entered legally, such as students or tourists, and then overstay their visas remaining in the United States illegally have not had the same thorough background check as is performed on an individual who is legally immigrating to the United States.

Even more distressing, the porous border based on the Biden administration's immigration policies pose both a national security and public safety risk. According to US Customs and Border Protection (CBP), in Fiscal Year 2023, 169 individuals on the terrorist watch list were encountered on the southern border between ports of entry². With agent pulled off the northern border to help address the crisis at the southern one, the northern border was left more vulnerable. There were 484 individuals on the terrorist watch list encountered at ports of entry at the northern border in Fiscal Year 2023³. Additionally, CBP encountered 35,433 individuals with criminal convictions in Fiscal Year 2023, up from 29,021 in the previous fiscal year⁴.

Sanctuary policies bar state or local officials, including law enforcement, from asking lawfully stopped or detained individuals about their immigration status, and from reporting or otherwise cooperating with federal immigration officers. Moreover, they place a greater emphasis on the welfare of illegal aliens than the welfare and safety of citizens and legal residents in their own communities. For example, just days prior to the infamous 9-11 attacks, two of the hijackers were stopped on separate occasions by police. If their backgrounds and immigration

² CBP Enforcement Statistics: <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics#:~:text=In%20Fiscal%20Year%202020%2C%20CBP,percent%20of%20arriving%20international%20travelers.>

³ Ibid

⁴ Ibid

status had been checked, their plot might have been uncovered before this tragedy occurred.

Sanctuary jurisdictions claim that they do not interfere with federal law enforcement but simply leave immigration enforcement to federal agencies. However, this is simply a matter of semantics since they actively impede the enforcement of federal immigration laws and often attempt to block or bar free communication between state and local officials and federal immigration officials.

Opponents of the bill will say this anti-sanctuary legislation will once again require Colorado to enforce immigration laws which is the responsibility of the federal government. This legislation ensures that the state and localities cannot block or prohibit communication and cooperation with federal immigration officials, which was envisioned by Congress when it passed the Illegal Immigration Reform and Immigrant Responsibility Act.

According to U.S. Sentencing Commission data provided at a U.S. House of Representatives hearing on immigration enforcement, over 35 percent of the individuals who are sentenced for federal crimes are illegal aliens.⁵ Given that illegal aliens are an estimated 3.5 percent of the population, this means that illegal aliens are ten times more likely to be sentenced for a federal crime than legal residents.

Furthermore, shielding illegal aliens needlessly endangers innocent lives. As of 2017, there were already roughly three million criminal aliens living in the United States—that is, illegal aliens with criminal records in addition to their unlawful presence in this country—and nearly 1 million of these aliens have final orders of removal.⁶ These criminals should not be able to continue to live in communities and engage in further criminal activity.

Likewise, the assumption that illegal aliens commit crimes at a lower rate than American citizens is simply not true. FAIR's 2019 study of data from the federal government's State Criminal Alien Assistance Program (SCAAP) found that illegal aliens are more likely to be incarcerated in state prisons and county jails than U.S. citizens and legal immigrants.⁷ In fact, this report found that in the states examined, illegal aliens are incarcerated up to five and a half times as

⁵ United States Sentencing Commission Interactive Sourcebook

⁶ The Washington Examiner, "ICE: 950,000 Illegals With 'Removal Orders', Raids Get Just A Sliver, Feb 20, 2017

⁷ Federation for American Immigration Reform, "SCAAP Data Suggest Illegal Aliens Commit Crime at a Much Higher Rate Than Citizens & Lawful Immigrants," February 3, 2019.

frequently as citizens and legal immigrants.⁸ Additionally, the report found that states with the highest incarceration rates of illegal aliens are also the states that boast numerous sanctuary jurisdictions.⁹

In fiscal year 2023, which ended in September, Immigration and Customs Enforcement (ICE) arrested 170,590 illegal immigrants inside the country, almost 45 percent with criminal records. The criminal aliens had an average of four charges and convictions each, including more than 33,209 charges or convictions for assault, 7,520 for weapons offenses, 1,713 for homicide-related crimes and 1,615 for kidnapping. Removals also included 3,406 known or suspected gang members, 139 known or suspected terrorists, seven human rights violators, and 108 foreign fugitives wanted by their government for crimes including homicide, rape, terrorism, and kidnapping.¹⁰ Opponents of anti-sanctuary policies justify shielding illegal aliens from our immigration laws by saying it is necessary for law enforcement to build trust within the community. But by “community” they mean the community of people who violate our nation’s immigration laws – not the community of people whom those laws were meant to protect.

Moreover, state and local cooperation with ICE does not reduce the number of non-citizens reporting crimes or coming forward with testimony about being criminalized. Besides the fact that anonymous tips can be given, there are already a number of programs that allow state and local police to encourage victim and witness cooperation by granting lawful status to illegal aliens who aid in the prosecution of criminals. If illegal aliens provide helpful information to police, they may qualify for a “U,” “T,” “S” or “VAWA” nonimmigrant visa, which, in turn, would ultimately allow them to apply for permanent legal status in the U.S. Sanctuary policies actually prevent illegal alien victims of crime from taking advantage of these programs.

In addition, according to a recent report by the Center for Immigration Studies, the data from the Department of Justice’s National Crime Victimization Survey (NCVS) shows that immigrant victimizations are just as likely, and in some cases more likely, to be reported to police than crimes against the native-born.¹¹

ICE has just 20,000 employees, only half of whom are dedicated to the apprehension and removal of illegal aliens. The cooperation of state and local law enforcement, who number about 900,000 strong, is a force multiplier vital to

⁸ *Id.*

⁹ *Id.*

¹⁰ ICE Annual Report, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2023.pdf>

¹¹ Center for Immigration Studies, “Are Immigrants Less Willing To Report Crime”, October 14, 2021

ferreting out those among us who wish to cause us harm. If ICE is forced to go into communities rather than the secure environment of local jails, many who wish us harm will not be removed, and others may be put at risk. HB 1128 ensures this cooperation.

Finally, sanctuary policies tell individuals that despite violating federal laws, law enforcement and other government officials will ignore them. Just because the regulation of immigration is a federal issue does not mean that state and local law enforcement agencies must overlook immigration violations that harm their communities.

To protect both public safety and national security, state and local law enforcement must cooperate with federal immigration authorities, not impede and undermine them. The Colorado legislators who first adopted the state's anti-sanctuary law understood that, and this legislature now must ensure that law is reinstated. For these reasons, FAIR strongly supports HB 1128.

Sincerely,

A handwritten signature in black ink that reads "Shari Rendall". The signature is written in a cursive, flowing style.

Shari Rendall
Director of State and Local Engagement