



Members of the Colorado House Judiciary Committee

April 19, 2015

Re: House Bill 15-1356

Together Colorado is a non-partisan, multi-racial, multi-faith organization comprised of more than 60 congregations, schools, and youth communities from Pueblo to Fort Collins.

We strongly urge you to vote yes on the IMPACT Bill, HB 15-1356. This bill is the result of several months of collaboration between grass roots organizations and the County Sheriffs of Colorado Legislative Committee and several individual sheriffs.

Together Colorado supports this bill because we believe that this strengthens trust of law enforcement by immigrants. Immigrants will be more likely to report crimes and testify in court as a result of the efforts made by the sheriff's association and by police chiefs.

Together, we share the common values of human dignity, justice and the love. Supporting immigrant communities is a sacred expression of God's love--that means continuing the fight to protect families and children.

Sheriffs and their offices are important to all residents of Colorado. This bill clarifies the current state of law regarding immigration holds and administrative holds. It also resolves issues regarding the right to bail or bond. As a result, local jurisdictions are protected from unnecessary liability for civil rights violations.

At the same time that local law enforcement benefits from this bill, those that Together Colorado supports and defends are protected from violations of the fourth amendment and are able to be released on bond when appropriate without fear of losing their bond monies. This bill enables families to stay together and children to benefit from the presence of their parents.

To the community, more than ever we need to stand together in solidarity with all persons of faith, workers and others who want solutions to keeping our families together. Thus, we believe that passage and enactment of this bill is good for our community and for county sheriffs who are also part of our greater community.

Sincerely

Patty Lawless  
Together Colorado

# Aurora Sentinel

## **Arapahoe County settles for \$30k with woman held for ICE**

*By BRANDON JOHANSSON, Staff Writer, Updated: June 20, 2014 7:23 am*

AURORA | Arapahoe County will pay a woman \$30,000 after jailers, acting on a request from federal immigration authorities, held her for three days after she should have been released.

Claudia Valdez was arrested by sheriff's deputies in July 2012 on domestic violence charges, which were dropped the following day, according to the American Civil Liberties Union of Colorado, which threatened to sue the county on Valdez's behalf.

Still, even though she should have been released, jailers kept her for another three days after officials from Immigration and Customs Enforcement filed an "immigration detainer" against her saying she may be in the country illegally.

ICE took Valdez into custody after three days and a few hours later released her on bond. Arapahoe County Sheriff Dave Walcher said that for years the county jail, like jails around Colorado and the country, regularly held inmates at the request of ICE after the inmates would have otherwise been released.

That was standard practice, he said, until some recent court decisions said those ICE detainer requests were not a valid reason for a jail to hold an inmate.

As a result, Walcher said the county will no longer hold inmates at the request of ICE unless there is a signed court order, similar to a warrant.

"The Arapahoe County Sheriff's Office has come to the conclusion that we are not going to recognize these detainers," he said.

Settling with Valdez and the ACLU for \$30,000 made sense considering the time and money that would have been used defending a lawsuit, Walcher said.

According to the ACLU, Valdez, who has been in the country for 15 years and has three children who are US citizens, is still facing deportation.

## Immigration officers detain citizen for days without formal charges



Written by Mark Reaman

Wednesday, 04 March 2015

Taken to Alamosa, Colorado Springs and Denver before being released

At the end of January, a 21-year-old Gunnison County man went through what might be described as an Orwellian ordeal that seems to have been a result of racial profiling.



Bernardo Medina was picked up and detained by U.S. Immigration and Customs Enforcement (ICE) officers on January 27 following an unrelated hearing in Gunnison County court. The officers seemed to believe Medina was an undocumented immigrant.

According to Marketa Zubkova, a Gunnison organizer for the non-profit organization Hispanic Affairs Project, Medina produced a Colorado ID that Tuesday afternoon but the officers did not believe it was real. In fact, Medina was born in Montrose but grew up in Mexico when his family returned to Jesus Maria, Nayarit when he was just nine months old. "He doesn't carry his birth certificate around with him," Zubkova said.

Medina doesn't speak English very well and this reporter doesn't speak Spanish very well, so Zubkova related the incident.

The ICE officers took Medina to a processing center in Alamosa the afternoon of January 27 where they told him he would have to answer some more questions. He called his aunt and uncle who live in Gunnison that night and told them where he was. But they couldn't reach the ICE office. Zubkova tried to help as well. She too left several messages at the Alamosa office. The calls were not returned.

Finally on Thursday, Zubkova was able to track down Medina, who had been transferred to the Front Range, first to Colorado Springs and then to Aurora. She was connected with an ICE officer and was able to get an email where she could send a copy of Medina's birth certificate. After receiving the

birth certificate the ICE officers questioned Medina further and then finally Friday told him he was free to leave.

"It took us three days to find him in the system and send his U.S. birth certificate to a deportation officer in Aurora," explained Zubkova. "He was released in the evening on January 30 with \$5 in his pocket in a city he hardly knew and his cell phone battery was just about to die. His family from Gunnison made a hotel reservation in Aurora for him for one night and picked him up the next day. No one from the ICE office even apologized to him.

"I don't think the detention impacted him as much as being released into a city he didn't know. It was a place where he knew no one and he had \$5 to his name," Zubkova said. "That was hard for him. And they didn't say they were sorry or anything. They just told him he was free to leave."

Relatives arranged for Medina to be picked up and driven back to Gunnison that weekend.

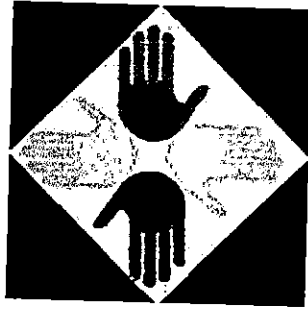
Zubkova said ICE agents come to Gunnison County a few times a month. "Sometimes they come to the court, which creates a lot fear in the immigrant community," she explained. "It is sad but true." Phone calls and messages to the Alamosa ICE office, the Denver field office for the Department of Homeland Security and the public affairs office for the Department of Homeland Security along with an email were not returned to the News.

While Zubkova said it is not a frequent occurrence to have U.S. citizens picked up and detained by ICE for as long as Medina was, it does happen. Of the hundreds of thousands of men detained by ICE each year, hundreds of men with South American heritage who are actually U.S. citizens, mostly in their 20s and 30s, are picked up and held without charges. She said figures indicate that 1 percent to 1.5 percent of such detentions involve U.S. citizens.

Hispanic Affairs Project promotes social integration of the immigrant and refugee communities in western Colorado through leadership development, community organizing, advocacy and services.

**Close Window**

# Hispanic Affairs Project



Grand Junction, CO \* (970) 249-4115

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May 1, 2015

Honorable Senator Scott and Members of the Senate State Affairs Committee,

Thank you for taking the time to listen to my testimony in regards to HB 15-1356.

Today I am not representing myself but my community as a whole. I have lived in Grand Junction since I was 12 years old and I have seen it grow. I remember growing up believing that our local law enforcement was the force that kept our community safe as they were well respected and honored. Time has gone by and some actions related to immigration enforcement and the role of our local law enforcement have deleted that perspective in our community and our state. But now is not the time to talk about the issues, now is the time to talk about THE SOLUTIONS, or the beginning of that moment where we remember we are all human beings and that all Coloradans deserve trust, public safety, and dignity.

This year the Hispanic Affairs project was able to establish a new transformational relationship with the County Sheriffs, the Police Chiefs and the State Patrol officers who like us believed this was the time to change the past and forge a new future with a shared vision of public safety and trust. We came together to create the Law Enforcement Latino Alliance. LELA has hosted different meetings and community forums with the vision that trust will be restored in our communities.

All this work has come together in this bill, HB-1356. The Colorado County Sheriffs are in support of this bill. Our own Mesa County Sheriff, Matt Lewis supports this bill. In Sheriff Lewis' own words: "This bill is a step in the right direction."

Serving as a documenter in the Unite Colorado Campaign that has worked towards the draft of this bill together with the County Sheriffs, I would like to tell you that I have heard many stories and have changed people's lives, it is time for us to take those stories and demonstrate that we care about the public safety of all Coloradans. Because our character, integrity, judgement, loyalty, knowledge, and courtesy is honor, and through this bill we honor the constitution of the United States. Senator Scott and distinguished members of the Committee, we respectfully ask you to please join with law enforcement and community to vote Yes on HB 1356.

Thank you for your time and the opportunity to testify remotely from Grand Junction today.

Nelly Garcia

HISPANIC AFFAIRS PROJECT MEMBER, GRAND JUNCTION, CO