

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

REDRAFT
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Double underlining
denotes changes from
prior draft

DRAFT

LLS NO. R19-0727.01 Jerry Barry x4341

HOUSE Joint Resolution

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

(None),

BILL TOPIC: "Paths For Sanctuary Immigrants"

HOUSE JOINT RESOLUTION

101 CONCERNING NEEDED FEDERAL AND STATE ACTION TO CREATE A PATH
102 TO LEGAL RESIDENCY FOR COLORADO RESIDENTS ARACELI
103 VELASQUEZ, INGRID ENCALADA LATORRE, SANDRA LOPEZ, AND
104 ROSA SABIDO.

1 WHEREAS, Immigration and Customs Enforcement (ICE) is
2 focusing its extensive resources on the state of Colorado, and Colorado
3 has the second highest deportation rate in the country, with ICE
4 detentions and arrests doubling in Colorado and Wyoming in the fiscal
5 year 2017; and

6 WHEREAS, Colorado families, businesses, and local communities
7 are experiencing crisis due to inaction at the federal level; and

8 WHEREAS, The more than 71,000 United States citizen children

1 whose parents are undocumented Coloradans are powerless to apply for
2 relief; and

3 WHEREAS, Our current immigration policies bar a path to legal
4 residency for four Colorado women who are representative of thousands
5 of other residents of the state of Colorado; and

6 WHEREAS, All four women have complied with all requested of
7 them by our immigration system, short of deportation, and participated to
8 the fullest extent in their lives in Colorado; and

9 WHEREAS, All four women are engaged in extraordinary
10 sacrifice by claiming sanctuary to keep their families together and remain
11 in their communities; and

12 WHEREAS, All four women have significant and widespread
13 support across Colorado for their significant contributions to our
14 community; and

15 WHEREAS, Araceli Velasquez arrived in the United States
16 seeking asylum in 2010 and faces a direct threat to her life if forced to
17 return to El Salvador; she and her husband, Jorge, are raising three United
18 States citizen children: Jorge Jr. (6), Christopher (4), and Kevin (2); her
19 previous lawyers did not sufficiently prepare her asylum defense; ICE
20 denied her stay application in 2017; and

21 WHEREAS, Current law does not allow Araceli's husband, who
22 has Temporary Protected Status, to apply for her to adjust her status, and
23 current law does not allow her to apply through her minor children; and

24 WHEREAS, Ingrid Encalada Latorre has lived in Colorado more
25 than half her life, arriving at age 17 in 2000; she and her partner, Eliseo,
26 are raising two United States citizen children: Bryant (10) and Anibal (3);
27 Ingrid is a well-known leader across the country and the state; her only
28 infraction has been to work to sustain herself, and even though she
29 completed all restitution and rehabilitation required of her, has expressed
30 deep remorse for the impacts of our laws on the person impacted, and
31 leads an educational campaign known as "No Mas Chuecos", her
32 deportation proceedings continued; and

33 WHEREAS, Current law does not include a path for Ingrid to
34 apply to adjust her status through her minor children nor through her

1 citizen aunt; it is inhumane to further punish people beyond the penalties
2 imposed by the criminal justice system, and the Illegal Immigration
3 Reform and Immigrant Responsibility Act of 1996 (IIRIRA) removed the
4 power of discretion from immigration judges to consider evidence of
5 actual personal character, closing a path to status for mothers like Ingrid;
6 IIRIRA is a failed and inhumane experiment, denying fairness to so many
7 like Ingrid; and

8 WHEREAS, Sandra Lopez has lived in the United States
9 continuously since 2001; Sandra is a well-known member of the Roaring
10 Fork Valley community in Colorado, living there with her husband and
11 raising their three United States citizen children: Areli (3), Edwin (14),
12 and her oldest son, Alex (20), who completed his first year at Colorado
13 Mesa University in Grand Junction, studying mechanical engineering
14 until having to leave school due to Sandra being in sanctuary; Sandra's
15 deportation proceedings began with a wrongful arrest when one of her
16 young kids dialed 911 and hung up; although all charges were
17 immediately dropped, local police reported Sandra to ICE, and after 10
18 months in sanctuary, Sandra returned home after ICE delivered a written
19 commitment not to detain Sandra while her motion is pending, but the
20 possibility of her deportation continues; and

21 WHEREAS, Current law does not allow Sandra to apply to adjust
22 her status through her minor children; immigration proceedings continue
23 against people even when criminal charges are dropped or they are found
24 innocent, and there is no path to legal residency status for long-term
25 residents of Colorado; and

26 WHEREAS, Rosa Sabido has lived the vast majority of the last 30
27 years in Colorado with her citizen stepfather and mother; Rosa is
28 well-known and a fixture in southwest Colorado, between her catering
29 business and position as a pool secretary for the Catholic Church; Rosa
30 is the main support for her aging citizen parents; Rosa complied with the
31 terms of ICE's Order of Supervision between 2008 and 2017 and received
32 stays of removal between 2011 and 2017; last year, without explanation,
33 ICE denied her 7th application for a stay; Rosa has been the approved
34 beneficiary of her mother's immigration petition since 2001, but current
35 law has delayed her mother's application for her by 17 years; this summer,
36 Rosa's mother died and Rosa's application through her stepfather is now
37 facing an even longer backlog; it will still be many years before Rosa will
38 be able to adjust to lawful permanent residency; and

1 WHEREAS, Araceli Velasquez, who claimed sanctuary August 8,
2 2017, at Park Hill United Methodist Church and Temple Micah to keep
3 her family together, has shown that she belongs here; and

4 WHEREAS, Ingrid Encalada Latorre, who began publicly fighting
5 her case in November 2016 and is currently in sanctuary at the Unitarian
6 Universalist Church of Boulder to keep her family together, has shown
7 that she belongs here; and

8 WHEREAS, Sandra Lopez, who began publicly fighting her
9 deportation years ago and claimed sanctuary at the Two Rivers Unitarian
10 Universalist Parsonage in Carbondale to keep her family together, has
11 shown that she belongs here; and

12 WHEREAS, Rosa Sabido, who claimed sanctuary in June of 2017
13 at Mancos United Methodist Church to remain with her aging parents, has
14 shown that she belongs here; and

15 WHEREAS, The bipartisan Colorado delegation in Congress has
16 a responsibility to work toward solutions and to recognize the
17 contributions of these four women to their communities; now, therefore,

18 *Be It Resolved by the House of Representatives of the*
19 *Seventy-second General Assembly of the State of Colorado, the Senate*
20 *concurring herein:*

21 That we, the General Assembly, strongly encourage the Colorado
22 Congressional delegation to work to:

23 (1) Create a path to citizenship for all persons with Temporary
24 Protected and Deferred Action for Childhood Arrivals (DACA) status;

25 (2) Maintain our commitment to human rights by protecting
26 asylum seekers;

27 (3) Restore paths to permanent residency for parents of United
28 States citizen children by repealing IIRIRA; and

29 (4) Create a transparent and timely path to legal permanent
30 residency and beyond, fulfilling our promise to families, by eliminating
31 quotas that mean decades of waiting for millions of parents and their
32 children.

1 *Be It Further Resolved*, That we, the General Assembly, strongly
2 encourage the governor, the state, and all of its subdivisions to:

3 (1) Uphold the United States and Colorado constitutions by
4 requiring ICE to show a judicial warrant before receiving information
5 about or detaining any person in Colorado;

6 (2) Allow for equal access to the justice system meant to serve all
7 Colorado residents by creating and maintaining a bright line between law
8 enforcement and ICE, including between probation officers and ICE; and

9 (3) Safeguard Coloradans against IIRIRA's devastating double
10 jeopardy and deportation impacts through public advocacy and mercy.

11 *And Be It Further Resolved*, That copies of this Joint Resolution
12 be sent to President Donald Trump; Vice President Mike Pence; Speaker
13 of the House Nancy Pelosi; House Majority Leader Steny Hoyer; Senate
14 President Pro Tempore Charles Grassley; Senate Majority Leader Mitch
15 McConnell; Colorado's Congressional delegation; and Governor Jared
16 Polis.