



County Sheriffs of Colorado

9008 N US Hwy. 85 Unit C

Littleton CO. 80125

Telephone: 720-344-2762

Fax: 720-344-6500

Web: www.csoc.org

Executive Director Chris Johnson

2015 EXECUTIVE BOARD:

PRESIDENT

Sheriff Rick Dunlap
Montrose County

1st VICE PRESIDENT

Sheriff Bruce Hartman
Gilpin County

2nd VICE PRESIDENT

Sheriff Justin Smith
Larimer County

SECRETARY/TREASURER

Sheriff Chad Day
Yuma County

PAST PRESIDENT

Sheriff James Casias
Las Animas County

2015 BOARD OF DIRECTORS:

Sheriff Garrett Wiggins
Routt County

Sheriff Mike Ensminger
Teller County

Sheriff Shayne Heap
Elbert County

Sheriff James Beicker
Fremont County

Sheriff David Walcher
Arapahoe County

September 3, 2015

Dear Senator Gardner,

The County Sheriffs of Colorado are very concerned about proposed federal legislation under H.R.-3009 and S. 1814, ("Sanctuary Cities"), which would require county sheriffs to detain suspected illegal immigrants based upon an Immigration and Customs Enforcement (ICE) detainer. Federal courts in Oregon and Pennsylvania have recently ruled that ICE detainers are not warrants, as they are not judicially reviewed for probable cause. They are administratively issued and do not have the power of law or afford due process. County sheriffs in those jurisdictions have been found liable for violating inmate's civil rights, for holding individuals based on these ICE detainers.

H.R.-3009 and S. 1814 threaten to withhold millions of dollars in federal grants and aid from jurisdictions who refuse to honor these detainers, despite the fact that federal courts are likely to hold sheriffs liable for civil rights violations if we do honor these detainers.

This proposed legislation would put county sheriffs in an impossible position. We are happy and duty-bound to detain criminal aliens based upon a judicially reviewed and issued arrest warrants. We should not be put in the position of choosing between federal law and the constitutional rights of detainees in our jails, which is exactly what H.R.-3009 and S. 1814 would force us to do. We urge a "no" vote on H.R.-3009 in the House, and no on S. 1814 in the Senate.

Sincerely,

Sheriff Rick Dunlap
President County Sheriffs of Colorado