

**First Regular Session
Seventy-first General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. M17-0516.01 Jery Payne

SM17-001

SENATE SPONSORSHIP

Crowder,

Senate Committees

SENATE MEMORIAL 17-001

101 **MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO SUPPORT**
102 **VETERANS WHO HONORABLY SERVED IN THE UNITED STATES**
103 **MILITARY.**

1 WHEREAS, Veterans of the United States military are not always
2 citizens, some are legal residents of the United States; and

3 WHEREAS, Many veterans fought for the United States in the
4 United States military during World War II, the Korean war, Vietnam,
5 Afghanistan, the Persian Gulf, and Iraq as well as other conflicts, and
6 many of these veterans served with honor and distinction; and

7 WHEREAS, Over 500,000 foreign-born veterans of the United
8 States military resided in the United States in 2016; and

9 WHEREAS, According to department of defense data, more than
10 65,000 immigrants born outside the United States were serving on active
11 duty in 2008, and this represents approximately 5% of all active-duty
12 personnel; and

13 WHEREAS, Each year, around 8,000 noncitizens enlist in the

*Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 military; and

2 WHEREAS, Over 4% of all military casualties between September
3 11, 2001, and December 31, 2013, were foreign-born service members;
4 and

5 WHEREAS, Some of these veterans, of whom most are honorably
6 discharged, and in some cases decorated, have received deportation
7 notices from the Department of Homeland Security because of old or
8 minor misdemeanor records, including those that predate their military
9 service; and

10 WHEREAS, President Bill Clinton signed the "Illegal Immigration
11 Reform and Immigrant Responsibility Act of 1996", which increased the
12 list of misdemeanor crimes that could result in deportation of a legal
13 resident; and

14 WHEREAS, About 3,000 military veterans have been deported
15 under the law since it passed twenty years ago; and

16 WHEREAS, The fact that a legal resident of the United States has
17 honorably served in the United States military is not taken into account
18 when determining whether to deport a legal resident for a misdemeanor;
19 and

20 WHEREAS, Honorable service should be weighed in the balance
21 when making the decision as to whether to deport a legal resident; now,
22 therefore,

23 *Be It Resolved by the Senate of the Seventy-first General Assembly*
24 *of the State of Colorado:*

25 That we, the members of the Colorado Senate:

26 (1) Hereby declare our support for addressing this situation in a
27 way that recognizes the sacrifices made by veterans and honors their
28 service;

29 (2) Recognize the need to uphold our nation's values and the high
30 standards for our citizens and immigrant population;

31 (3) Recognize that the criminal justice system, particularly

1 veterans' courts, have moved on a path toward restorative justice;

2 (4) Urge that misdemeanor convictions for acts that are not crimes
3 against persons or violent misdemeanors, and particularly misdemeanor
4 convictions for which an honorably discharged veteran has participated
5 in a restorative justice program, should be excused in evaluating whether
6 to deport an honorably discharged veteran who is a legal resident; and

7 (5) Further request that President Donald J. Trump, the
8 Department of State, and the Department of Homeland Security adopt
9 protocols to thoroughly evaluate, based on the above considerations and
10 on a case-by-case basis, honorably discharged veterans who are legal
11 residents and have old or minor misdemeanor offenses before making the
12 decision to deport them.

13 *Be It Further Resolved*, That a copy of this Memorial be sent to
14 President Donald J. Trump, Secretary of State Rex W. Tillerson,
15 Secretary of Homeland Security John F. Kelly, and the members of the
16 congressional delegation representing the State of Colorado.