



SENATE MEMORIAL 17-001

BY SENATOR(S) Crowder, Aguilar, Baumgardner, Cooke, Coram, Court, Donovan, Fenberg, Fields, Garcia, Gardner, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Zenzinger, Grantham.

MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO SUPPORT VETERANS WHO HONORABLY SERVED IN THE UNITED STATES MILITARY.

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

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

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

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

WHEREAS, Each year, around 8,000 noncitizens enlist in the military; and

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

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

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

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

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

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

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

That we, the members of the Colorado Senate:

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

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

(3) Recognize that the criminal justice system, particularly veterans' courts, have moved on a path toward restorative justice;

(4) Urge that misdemeanor convictions for acts that are not crimes against persons or violent misdemeanors, and particularly misdemeanor

convictions for which an honorably discharged veteran has participated in a restorative justice program, should be excused in evaluating whether to deport an honorably discharged veteran who is a legal resident; and

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

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

Kevin Grantham
PRESIDENT OF
THE SENATE

Effie Ameen
SECRETARY OF
THE SENATE