

**MOFFAT COUNTY BOARD OF COUNTY COMMISSIONERS**

Resolution No. 2024-34

**Resolution Declaring Moffat County as a Non-Sanctuary County, Setting Priorities and Expectations in Response to Asylum Seeking Immigration Influx**

**WHEREAS**, Moffat County is a legal and political subdivision of the State of Colorado for which the Board of County Commissioners (“Board”) is authorized to act: and,

**WHEREAS**, communities at the southern border have for decades provided reception services to help asylum seeking individuals with their immediate needs; there is less structured support provided in interior U.S.A. communities. There is currently no established, coordinated system nor a harmonized legal framework for this type of forced reception in cities and counties across the U.S.A.: and,

**WHEREAS**, asylum seekers are being moved within the borders of the U.S.A. with no communication with and therefore, without the knowledge of local elected officials prior to those relocations: and,

**WHEREAS**, there are provisions in 8 U.S.C. § 1624 giving Authority of States and political subdivisions of States to limit assistance for aliens. Further, in the Immigration Chapter of the US Code, asylum cannot be granted until the identity of the applicant has been checked against all appropriate records or databases maintained by the Attorney General and by the Secretary of State. Moffat County does not have the resources to gather, process or maintain such records: and,

**WHEREAS**, the City of Denver, with a population of 713,000 people, has declared itself a sanctuary city and has served more than 37,000 asylum-seeking migrants at a cost of 38 million dollars and growing: and,

**WHEREAS**, in the past two months, Denver has seen a dramatic uptick in asylum-seeking arrivals and is currently sheltering over 4,500 people. This influx – the fourth significant surge in arrivals since late 2022 – is straining capacity and based on current projections, could force the city to cut as much as \$180 million from its annual budget: and,

**WHEREAS**, the City of Denver faces an accelerated budget shortfall and agency budget cuts to fund asylum-seeking migrant services: and,

**WHEREAS**, Denver’s safety-net hospital, Denver Health, has seen at least 9,000 asylum-seeking migrant patients in the past year, costing at least \$10 million in unreimbursed care: and,

**WHEREAS**, Denver schools face a shortfall of \$17.5 million in funding due to the continuous influx of asylum-seeking migrants in the Denver area: and,

**WHEREAS**, the City of Denver has established policies constraining individual asylum-seeking migrants to 14 days of shelter and families to 42 days of shelter: and,

**WHEREAS**, both Denver and Carbondale plan to close their shelters in March and April of 2024: and,

**WHEREAS**, Moffat County supports legal immigration into the United States of America: and,

**WHEREAS**, Moffat County recognizes the plight of those seeking refuge and asylum from oppressive governments in other parts of the world: and,

**WHEREAS**, Moffat County respects the history of the United States of America as a beacon of freedom and opportunity in the world: and,

**WHEREAS**, those who enter the country illegally can pose a significant public health and safety risk to a community when there is an increase in crime, communicable disease, and accelerating demand and unsustainability on public infrastructure such as services, public safety, schools, and the justice system: and,

**WHEREAS**, the cascading impacts of asylum-seeker relocations from Denver pose a risk to MOFFAT County, its citizens, and service providers: and,

**WHEREAS**, Moffat County does not have the resources or infrastructure to address the human needs it is currently facing: and,

**WHEREAS**, over 3,150 Moffat County residents (nearly 24% of the entire county population) are currently receiving one or more public benefits, with an average of 180 new applications each month: and,

**WHEREAS**, while Moffat County is seeing a record need for public benefits due to high inflation, we are also experiencing cuts in federal and state funding along with increased expectations and unfunded mandates from the federal and state governments: and,

**WHEREAS**, our community hospital, Memorial Regional Health, had an uncompensated care total of \$4,754,818 in 2023; and **WHEREAS**, Moffat County schools do not have unlimited resources; currently, over 30% of students are economically disadvantaged: and,

**WHEREAS**, Moffat County Sheriff's Office has established policy stating that the Moffat County jail will not be used to hold detainees of US Immigration and Customs Enforcement (ICE) who have not been criminally charged. The Moffat County Sheriff's Office will continue to cooperate with ICE to the extent Colorado law will allow. This policy has been misinterpreted to suggest that Moffat County is a sanctuary county, leading to its erroneous inclusion on websites claiming such status.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS of MOFFAT COUNTY AS FOLLOWS:**

- 1) The Board declares that Moffat County is NOT a sanctuary county and will not open shelters or provide services, other than emergency services, to uninvited asylum-seeking individuals and/or illegal immigrants that may arrive in unincorporated Moffat County.
- 2) The Board will continue to prioritize the needs of our local citizens, uphold the laws of the State of Colorado that uphold the principles of the United States Constitution.