

Date of Testimony: 11 February 2018
Bill Number: Bill SCR1611
Testimony by: Christopher E. Renner

In Opposition
Testimony: Written Only

Dear Chairman Bud Estes and the members of the Senate Committee on Federal and State Affairs:

I am writing to voice my opposition SCR1611: Making application to the U.S. Congress to call a convention of the states.

Calling a new constitutional convention under Article V of the U.S. Constitution is a threat to every American's constitutional rights and civil liberties.

An Article V convention is a dangerous threat to the U.S. Constitution, our democracy, and our civil rights and liberties. There is no language in the U.S. Constitution to limit a convention to one issue and there is reason to fear that a convention once called will be able to consider any amendments to the constitution that the delegates want to consider. There are also no guidelines or rules to govern a convention. Due to the lack of provisions in the Constitution and lack of historical precedent, it is unknown how delegates to a convention would be picked, what rules would be in place, what would happen in the case of legal disputes, what issues would be raised, how the American people would be represented, and how to limit the influence of special interests in a convention.

Because there is no way to limit a convention's focus, any constitutional issue could be brought up for revision by a convention. This includes civil rights and civil liberties, including freedom of speech, freedom of religion, privacy rights, the guarantee of equal protection under law, the right to vote, immigration issues, and the right to counsel and a jury trial, among others. Basic separation of executive, legislative, and judicial powers would be subject to revision as well. A convention might not preserve the role of the courts in protecting our constitutional rights. Even the supremacy of federal law and the Constitution over state laws could be called into doubt.

The money behind this effort is the Koch brothers and was exposed in detail in *Democracy in Chains*. This effort seeks to destroy our democracy and impose an oligarchy of the right. It is directly in opposition to the ethics and principles on which our nation was founded. Even the late Supreme Court Justice Antonin Scalia also warned of the dangers of a constitutional convention. "I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?," Scalia said in 2014.

I ask that you oppose SCR1611. The way we amend the US Constitution has worked well for over 200 years and we should keep amending it in the same way.

Thank you for your consideration,

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