

Good evening, Madam Chair and Committee Members,

My name is Melissa Ogburn and I am testifying today on behalf of United Community Leaders of Colorado, a Colorado nonprofit corporation.

I am also an attorney and a mom of 3.

Even with the amendments to HB25-1312, there are grave concerns with the bill.

I'm here today to ask that you vote NO on HB25-1312.

This bill is far too extreme, harms families in Colorado, and I fear that it is unconstitutional.

Justice Ruth Bader Ginsburg herself was a champion of parental rights, recognizing the fundamental right for parents to direct the upbringing of their own children.

In *Troxel v. Granville*, the Supreme Court cited now 100 years of jurisprudence, Recognizing that the "liberty" protected by the Due Process Clause includes the right of parents direct the upbringing of their own children.

In *Pierce v. Society of Sisters*, the Supreme Court held that the "liberty of parents and guardians" includes the right "to direct the upbringing and education of children under their control."

And the Court explained in *Pierce* that "[t]he child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

In *Prince v. Massachusetts*, the Supreme Court held, "It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder."

The Supreme Court in *Troxel* concluded, "In light of this extensive precedent, it cannot now be doubted that the Due Process Clause of the Fourteenth Amendment protects the fundamental right of parents to make decisions concerning the care, custody, and control of their children."

HB25-1312 defies the very fundamental nature of our country.

Every legislator should be fighting to protect, support, nurture, and promote parental rights in Colorado, which are also intertwined with the education of children in our state.

By my testimony, I ask each of you to vote NO on HB25-1312.