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JAY T. ARMBRISTER
SHERIFF

STACY SIMMONS
UNDERSHERIFF

To: House Committee on Federal and State Affairs

From: Sheriff Jay Armbrister

Date: 03.13.2022

Re: Testimony in Opposition of HB2717

I have read this bill and frankly, I cannot read what is trying to be accomplished with this bill. As a local law enforcement official, it is my duty to provide security and protection for ALL members of my community, no matter their race, ethnicity, religious beliefs, sexual preference, age, physical handicap, etc. I take this very seriously and what I see written between the lines of this bill is you will in essence 'knee-cap' my ability to do this. This bill would immediately place a fear into the heart of any person who may be present in my community not through the fullest of legal means and processes.

I feel like this conversation needs to be split directly in two. On one hand, you have a person who did not follow all procedures to obtain "legal" citizenship, and this is a problem separate from this bill. I have my own personal opinions on how our immigration systems need to be revamped to protect the person and not the system, but that is NOT what this bill is about. Then, on the other hand, you have a human being in your community who has been the victim of a crime, of which it could very well be a heinous crime, but due to the victim's or a family member's immigration status, they fear contacting their local law enforcement to report the crime for fear of deportation or detainment. Now, imagine the child of a family here in our country who has fallen victim to a predator in our community. Now, this child has to live with this crime, or worse yet, the ongoing crime simply for the worry of their immigration status. On top of that, this predator will remain in our community to re-offend and build his or her list of victims. I cannot abide by this, nor should we as law enforcement be a part of any system that would allow this to happen. This example alone goes against my pledge to my community to support and protect them from all enemies, both foreign and domestic.

Now, I ask you all... what is this bill intended to do? Is it your intention to wield local law enforcement as your 'club' to strike down "illegal immigration" in our state? Or, does this scenario I described above not bother you because the fear of this one scenario does not overcome your fear of our communities being overrun by persons who look and speak differently from you? In my community, I have not seen this and I find this national narrative to be wholly untrue. Do we have undocumented immigrants commit crimes in my community? Yes. Do our own community members and other citizens of this state and country commit crimes in my community at an exponentially higher rate? Absolutely!

Please allow each community the ability to decide what is best for OUR community. We live here everyday and we love our community like no others. Please let us take care our community members.

Much Love, Sheriff Jay Armbrister

Testimony in Opposition to HB 2717

Chair Barker and members of the House Federal and State Affairs Committee, I write today in opposition to HB 2717. I am Dr. Shannon Portillo and, for eighteen months, from June 2020 through December of 2021, I co-chaired Governor Laura Kelly's Commission on Racial Equity and Justice. The Commission, which brought together 15 Kansans with backgrounds in law enforcement, education, advocacy, health care, and local government, was tasked with identifying ways to address racial disparities across Kansas. We hosted 27 learning sessions and 37 Commission meetings, culminating in over 150 recommendations for state agencies, the legislature, and local governments to address barriers within local governments, state agencies, and state statutes. For the first twelve months, we focused on reforms in the criminal justice system. Having spent the entirety of my career studying local government and issues of criminal and administrative justice, this work was incredibly important to me.

In our first report, we directly addressed immigration and law enforcement (pg. 26: https://governor.kansas.gov/wp-content/uploads/2020/12/CREJ-Report-December-1-2020_FINAL-1.pdf). You will see that we not only urge that local law enforcement not duplicate the work of federal immigration agencies, but we also advocate for driver's licenses for non-citizen residents. This aligns with current research on criminal justice in two important ways. First, when immigrant communities know that local law enforcement is focused on community safety, and not immigration enforcement, they are more likely to trust law enforcement and cooperate with them. This leads to safer communities for everyone. Second, allowing IDs and driver's licenses for non-citizens leads to more insured drivers and less administrative burden for law enforcement officers who interact with immigrant communities. HB 2717 would move us away from these recommendations. HB 2717 would make it harder for local law enforcement to do their jobs, by shifting their role from community safety to enforcement of civil violations of federal immigration law.

Additionally, I serve as a County Commissioner for Douglas County's Third District. In this capacity I have been able to put into practice much of what I have studied over the past two decades. I get to see how important it is that people have the governments closest to them making decisions regarding the criminal justice system. I was elected to represent a community that favors sanctuary policies and strives to create an environment where we respect our neighbors regardless of documentation status.

HB 2717 takes away local communities' ability to govern themselves. This type of preemption from the state undermines trust in government by moving it further from the people and erodes the role of local government in local communities. Our citizens have spoken, and this is not how they want to use local resources. I urge the committee to retain local control, respect home rule by not advancing this bill.

Respectfully submitted,

Shannon Portillo, sportillo@douglascountyks.gov
Co-Chair, Governor Kelly's Commission on Racial Equity & Justice
Commissioner, Douglas County, KS
Professor, School of Public Affairs & Administration

Dear Chairman Barker, Vice Chair Arnberger, Ranking Member Ruiz, and members of the House Federal and State Affairs Committee: **I am contacting you to urge that you oppose HB 2717.**

I am writing you today as an elected Douglas County Commissioner, as well as a Court Advocate for victims of domestic violence & human trafficking. And I am also a lifelong Kansan who knows how integral immigrants and migrants have always been to building, farming, and serving communities across this state. I'm hopeful you too will recall that reality of our state's rich history, and realize that Kansas cannot function without those residents. **So I believe it is our responsibility as leaders to provide access and opportunity for them to live here safely.** My concerns about this proposed legislation are varied and numerous, I truly hope that this Committee will kill the bill. I urge you to please remain focused on the many real issues affecting Kansans today; I hope for our state officials to move forward together on policies & budget choices that are fundamentally focused on creating equity, opportunity, and vitality for all Kansans. **Consider how powerful it is to make the choice to create (rather than destroy) such opportunities, along with increased public safety – that is the work.**

As a County Commissioner who works on behalf of a community that believes in sanctuary policies, I do hope that elected officials in our state's Capitol respect local home rule authority. Our local community leaders know the needs and wishes of our residents best, please let us govern locally and do not allow for state government to interfere with carefully crafted local ordinances. It is evident to me that HB 2717 will effectively erode trust built amongst residents with varied citizenship and documentation statuses, and I urge each of you to think carefully about the varied implications of that consequence. It will also have a worsening effect on already escalating worker shortages across industries. Our state cannot afford to – nor should it aspire to – scare away anyone willing to accept low-wage and hard-labor jobs that businesses are most desperate to fill right now, especially while actively pursuing new industry and labor opportunities for Kansas. **I implore each of you to appreciate the value of letting people provide for their families while also actively contributing to our economy. Appreciate how much immigrants do to sustain our agricultural, building, and hospitality industries in particular.** Consider how the failure of federal government to pass immigration reform has put them, along with state/local officials, in a position of constant confusion and nuanced choices. We need you to apply more pressure on Congress to proactively legislate solutions, rather than preempt local legislation and promote unconstitutional profiling.

Trust local governments to understand the clear delineation of civil and criminal law, and what local police have a duty to enforce and respond to. The City of Lawrence ordinance in fact does *not* ban cooperation with federal immigration authorities if the safety of the public is at risk, it simply asks officers to distinguish between federal, state, and local laws as well as criminal vs. civil violations. The ordinance is about prioritizing public safety along with respecting the capacity limits of police. **Please truly consider the burden of an unfunded state mandate on local law enforcement officers to actively enforce federal immigration law, which is not what they have been trained to do.** I expect that you also realize how overstretched most agencies already are with responding to daily threats on public safety such as gun violence, domestic & sexual abuse, untreated mental health crisis, etc.

The passage of HB 2717 would in fact harm public safety by creating an increase in unreported crime, deepening fear and distrust of law enforcement amongst current Kansas residents who happen to also be foreign-born. **Those Kansas residents deserve the same level of access to systems & protection of the law that we enjoy.**

This legislation, if passed, would dial back local community efforts toward addressing family violence, property theft, employment violations, consumer exploitation, and a long list of other crimes that pose real danger to Kansans every day. Consider instead the beauty of creating more safe & welcoming communities across Kansas. Thank you for your service to our state, and for your careful consideration today. Please kill this bill now.

In Gratitude,
Shannon Reid (sreid@douglascountyks.org / cell: 785.331.9635)
Chair, Board of Douglas County Commissioners



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Suzanne Valdez
District Attorney

Joshua D. Seiden
Deputy District Attorney

March 14, 2022

Rep. John Barker
Chair
Kansas House Committee on Federal and State Affairs

Dear Chairman Barker,

My name is Suzanne Valdez, and I am the Douglas County District Attorney. I have been an attorney for 25 years and taught law at the University of Kansas more than 20 years. I am the co-author of the book "Prosecutorial Ethics."

At the Douglas County DA's Office, our mission is to create a safe and just community. With this in mind, I must wholeheartedly object to HB 2717 in language and intent.

U.S. residents who do not have federal documentation live in constant fear of being detained, dehumanized and deported back to the dire circumstances from which they fled. Because of this fear, these hard-working, foreign-born people are unlikely to contact law enforcement when they are victims of crime. I cannot condone actions that make my community less safe and further victimize survivors and witnesses of violence and property offenses.

Additionally, HB 2717 is another example of the continued overreach of the attorney general, who purports to support local control but cannot stop himself from meddling when local governments disagree with his anti-humanitarian views and pandering to racists. Our community has chosen to be a sanctuary city, reflecting the values of our residents.

As a society, we must invest in strengthening public trust of law enforcement. HB 2717 not only weakens that trust but leaves us all less safe while persecuting people whose only "offense" is wanting a better life for themselves and their families.

Sincerely,

Suzanne Valdez
Douglas County District Attorney