



Senate Committee on Federal and State Affairs Opposition to Senate Bill 157 Eric Stafford, Vice President of Government Affairs, Kansas Chamber

Chairman LaTurner and Members of the Committee.

My name is Eric Stafford. I'm the Vice President of Governmental Affairs for the Kansas Chamber of Commerce. Today, I'm representing the Chamber and the 25 other members of the Kansas Business Coalition for Immigration Reform.

Our group was formed over nine years ago when anti-immigrant, anti-business proposals were brought to the legislature. Those proposals were viewed as threats to the economic and business climate of Kansas at a time when the state was entering a significant economic crisis.

The Kansas Business Coalition opposes SB 157 because the bill is unnecessary, it circumvents the process for state and federal cooperation for the enforcement of immigration laws, and will likely cost the taxpayers of Kansas significant money.

On January 25, 2017 President Trump issued Executive Order 13768 (see 82 Federal Register No. 18, 8799 January 30, 2017). The Order, entitled Enhancing Public Safety in the Interior of the United States, outlines steps the new administration will be taking to enforce immigration laws and policies. Section 8 of the order provides:

**Sec. 8**. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

- (a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (<u>8 U.S.C. 1357(g)</u>).
- (b) To the extent permitted by law and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g) of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.
- (c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in a manner that provides the most effective model for enforcing Federal immigration laws for that jurisdiction.

The Order clearly directs the Department of Homeland Security to work with the Governor and local officials. The Governor, not the superintendent of the Kansas highway patrol, is the appropriate authority to enter into such agreements. Clearly the Governor is in the best position to know what type of agreement would work best for all Kansans, and all state agencies and local units of government. It is also critical that the Governor, in consultation with the legislature, enter into these negotiations with a clear understanding of costs and risks associated with state troopers performing the functions of immigration officers.

"...to continually strive to improve the economic climate for the bene citizen and to safeguard our system of free, competitive Attachment #\_/O

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Date <u>2-/5-20/7</u>
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The Coalition asks that before ANY state entity enters into an agreement to "deputize" local law enforcement as immigration officers, they hold extensive public and private meetings with communities. Asking state law enforcement to act as (Immigration and Customs Enforcement) ICE officers must be done after careful consideration of the role they will have. If troopers are asked to participate in **civil** immigration matters without a nexus to a criminal act the potential costs are significant. State policy makers and law enforcement need to consider the effects of trooper involvement in immigration matters on community relations; victimization and exploitation of immigrants; training to avoid police misconduct and civil liability for violations of civil liberties; and budgets.

Our concern is that any negotiation with the federal government be done with consideration of the costs of the program on Kansas troopers and Kansas taxpayers. Today, the Kansas Highway Patrol struggles with recruiting and retaining troopers. It is likely that adding another role will discourage some potential employees or encourage existing troopers to reconsider their career. As taxpayers, we appreciate the fine work of the Kansas Highway Patrol. We also understand their funding challenges. However, we do not want to pay for the costs of immigration enforcement at the state and local level when we have and will pay for it at the federal level. This appears to be another example of the federal government shifting costs to the states.

The Kansas Chamber, along with the other 25 members of the Kansas Business Coalition for Immigration Reform, appreciate the opportunity to provide these remarks in opposition to SB 157.

City of Wichita

Corporate Immigration Compliance Institute

Greater Kansas City Chamber of Commerce

**Greater Topeka Chamber of Commerce** 

Kansas Agribusiness Retailers Association

Kansas Building Industry Association

Kansas Chamber of Commerce

**Kansas Contractors Association** 

Kansas Cooperative Council

Kansas Corn Growers Association

**Kansas Dairy Association** 

Kansas Economic Progress Council

Kansas Farm Bureau

Kansas Grain and Feed

Kansas Livestock Association

**Kansas Manufactured Housing Association** 

**Kansas Pork Association** 

**Kansas Restaurant and Hospitality** 

Association

Kansas Society for Human Resource

Management

Kansans for Sensible Immigration Policy

**Manhattan Area Chamber of Commerce** 

Mid-America Green Industry Council

**Overland Park Chamber of Commerce** 

Travel Industry Association of Kansas

**Unified Government of Wyandotte County** 

Wichita Independent Business Association