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**Testimony in Opposition to SB 254, An Act Concerning Immigration
by Msgr. Stuart Swetland, President, Donnelly College and KIFA Board Member**

Senate Committee on Federal and State Affairs, Sen. Mike Thompson, Chair

February 27, 2025

Mr. Chair, Members of the Committee:

Good morning. My name is Msgr. Stuart Swetland. I am a resident of Kansas City, Kansas and serve as president of Donnelly College and pastor of Our Lady and St. Rose Catholic Church there. I speak on my own behalf and also on behalf of Kansas Interfaith Action, the statewide, multifaith issue-advocacy organization on whose board I serve. I stand in opposition to SB 254.

Christians look to the example and teaching of Jesus of Nazareth as our guide. Recently, a fellow Christian, Pope Francis, wrote to the Catholic bishops of America reminding them that Jesus also lived what he called “the drama of immigration” as a refugee in Egypt. He also reminded them of the words of one of his predecessors, Pius XII, who spoke of treating every immigrant as we would Jesus, Mary and Joseph in exile: “The family of Nazareth in exile, Jesus, Mary and Joseph, emigrants in Egypt and refugees there to escape the wrath of an ungodly king, are the model, the example and the consolation of emigrants and pilgrims of every age and country, of all refugees of every condition who, beset by persecution or necessity, are forced to leave their homeland, beloved family and dear friends for foreign lands.”¹

Politically, Christians, similar to elected officials in the State of Kansas, are called to serve the common good: “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment”.² This proposed legislation does not live up to our moral obligations to treat the resident alien as we would Christ and it does not serve the common good. Moreover, it fails to live up to the basic tenets of neighborliness and the Golden Rule to treat others as you would want to be treated.

In other words, this bill is ungodly in several ways. Here are three of them:

First, as a college president, I know the value of education in terms of making people productive members of society, whatever their legal status. An educated workforce is good for Kansas' future. Repealing in-state tuition for undocumented students would negatively impact educational attainment and harm the Kansas economy. When talented students can achieve their college goals in Kansas, they stay in Kansas, bringing their knowledge and skills to our communities. Their college graduations and the jobs they qualify for with those degrees facilitate their economic mobility. They also contribute to overall prosperity in Kansas. We recognize that education serves the common good when we do not exclude the undocumented from elementary or secondary education. Why

¹ Vatican, Letter of the Holy Father Francis to the bishops of the United States of America, <https://www.vatican.va/content/francesco/en/letters/2025/documents/20250210-lettera-vescovi-usa.html>, Feb 10, 2025

² Vatican, Gaudium et spes, 26, https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.htm, Dec 7, 1965

would we wish to exclude the most talented from further formation as college students? According to the University of Kansas' Institute for Policy and Social Research, "Kansas needs to produce 34,000 additional degrees than projected to meet demand in the next decade".³ Our communities and our economy need more fully educated people if we are to grow and flourish.

Second, undocumented students do not receive public benefits to attend college. Current state policy only gives them a chance to pay full price by offering in-state tuition for undocumented students (including DACA recipients). These students do not receive public (federal or state) grants and scholarships—or even subsidized student loans. Benefits such as SNAP and Medicaid require a social security number to even apply; something that undocumented individuals DO NOT have. The notion that undocumented students receive extensive public resources is false and not based in existing law/statutes.

Third, our legal system relies on the presumption of "innocent until proven guilty"; an automatic "rebuttable presumption of flight risk" undermines this principle, implying that immigrants are "guilty until proven innocent." Being presumed a flight risk means significantly higher bond amounts, which can result in bond as a detention method due to inability to pay, which is unconstitutional. It can also lead to undocumented folks being held indefinitely without release and without bond until their trial. This can cause them to lose employment or break up their families, which is a significant negative consequence for the person, their family, and their community. It is also very expensive to the public, as the costs associated with such detentions are high -- especially given how crowded many of our correction facilities are.

But beyond these reasons, there is a fundamental flaw in this bill. Unlike some other states, Kansas and Kansans have historically been known for their neighborliness and common sense. The parish where I serve as pastor contains within it the Quindaro ruins, a stop along the underground railroad and a place where Native Americans and settlers of all races lived as neighbors and friends.

According to Pew research, there are approximately 80,000 undocumented Kansans -- almost 3% of our population.⁴ Surely, no one is foolish enough to want to see Kansas' population and workforce significantly shrink. We would become poorer in every way imaginable. And we would have failed in our commitment to the common good and to our neighbors. This is why the US Conference of Catholic Bishops have said, "We call upon all people of good will, but Catholics especially, to welcome the newcomers in their neighborhoods and schools, in their places of work and worship, with heartfelt hospitality, openness, and eagerness both to help and to learn from our brothers and sisters of whatever religion, ethnicity, or background".⁵ Kansas Interfaith Action believes that this bill is in direct contravention of the Biblical directive to "love your neighbor as yourself." It is punitive and mean-spirited, and will disrupt communities throughout the state, as well as treating productive members of society as criminals. It is not worthy of us as Kansas, as Christians, or as Americans.

We urge you to vote no on SB 254. Thank you for your attention.

³ University of Kansas Institute for Policy and Social Research, Jobs and Degree Requirements 2030, https://www.kansasregents.gov/resources/Website_-_Donna_Ginther_presentation_and_report.pdf, Sept 20, 2023

⁴ Pew Research Center, Unauthorized immigrants and characteristics for states, 2022, https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.pewresearch.org%2Fwp-content%2Fuploads%2Fsites%2F20%2F2024%2F07%2FSR_24.07.22_unauthorized-immigrants_table-3.xlsx&wdOrigin=BROWSELINK, July 22, 2024

⁵ United States Conference of Catholic Bishops, Welcoming the Stranger Among Us: Unity in Diversity, <https://www.usccb.org/committees/pastoral-care-migrants-refugees-travelers/welcoming-stranger-among-us-unity-diversity#:~:text=We%20call%20upon%20all%20people,race%2C%20religion%2C%20ethnicity%2C%20or>, Nov 15, 2000