

February 14, 2012

House Federal and State Affairs Committee  
Room 149-South  
Kansas Capitol  
Topeka, Kansas 66612

Chairman Brunk and Honorable Members of the Committee,

I submit this testimony to offer my perspective on the implications of HB2578 on local law enforcement.

First, such a law threatens public safety because it will cause immigrant communities to distrust the police and refuse to communicate with them. That creates a vacuum in law enforcement because it will embolden criminals who will have less reason to be concerned about being reported as criminals by their victims or their families.

Second, it creates a resource allocation problem for law enforcement because now it will be required to undertake the complicated task of verifying federal immigration status of people they come in contact with. It also gives the right to sue to anyone who believes that a particular law enforcement agency is not vigorously enforcing federal immigration law. That will create all sorts of problems for the local government.

Third, from a law enforcement perspective it will likely lead to constitutional rights violations because the law most likely cannot be enforced in a race-neutral manner. In addition, a new racial profiling bill has been introduced in this session of the Kansas legislature which makes racial profiling a criminal act in Kansas. Law enforcement officers in this state will be placed in the untenable situation of balancing the new immigration law enforcement requirements against the new racial profiling law enforcement prohibition and penalties. This clearly will not work.

Sincerely,

Ron Miller  
Topeka Police Chief  
320 S. Kansas Ave.  
Topeka, Kansas 66603-3914  
O-785-368-9437  
F-785-368-9458

House Federal & State Affairs

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