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Testimony by Rabbi Moti Rieber in opposition to SB 158

Senate Federal and State Affairs Committee—February 15, 2017

Thank you Mr. Chairman, Members of the Committee—

I refer you to my written testimony in opposition to SB 157 for a full accounting of the religious principles and teachings behind my testimony today. I will spare you a repetition, except to say that both scriptural tradition, and the principals and teachings of the mainline Protestant, Catholic, Jewish, and Unitarian Universalist denominations, are steadfastly in opposition to the type of legislation before you here today.

When I heard the term “sanctuary cities,” I assumed it referred to municipalities that had in some way declared their intention to resist enforcement of immigration law, perhaps as a form of civil disobedience to national policy. But looking at this bill, I see this is not the case. Rather, this bill would mandate that legal authorities must inspect and report the immigration status of everyone they interact with, and if, for reasons of effective law enforcement, they choose not to do so, their municipality will be punished by the withholding of state funds. The term “sanctuary cities” in this law is, in fact, intended to mischaracterize and inflame.

There are a number of reasons why local law enforcement would find it unwise to act as an arm of the national immigration authorities:

- a. It is contrary to public safety. An immigrant is less likely to report criminal activity if they believe their immigration status will be questioned without cause, with the potential for severe disruption of home and work life. This could allow illegal activity, or domestic abuse, to continue for fear of going to the authorities
- b. It is expensive. Forcing municipal police departments to question and, if necessary, detain undocumented immigrants will add people to the system—incarceration and court time—at a time when our localities are already dealing with stretched budgets and our courts are backed up.
- c. It breaks up families. There is no compelling societal interest in breaking up hardworking, taxpaying, law-abiding families because of the immigration status of one of the members.
- d. This is yet another overreach by state government into the practices of municipalities and their police departments. Localities are far better equipped to prioritize their law enforcement practices than are state elected officials in Topeka.
- e. The Supreme Court has held that undocumented immigrant resident in our country are entitled to many Constitutional rights and protections, including the right to not be detained without probable cause.

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One last point. It is not the job of this legislature to support or enable the Secretary of State's obsession with undocumented immigrants. Many hundreds of thousands of dollars that the state can ill afford have been spent in court cases occasioned by the actions of secretary of state. The minimal threat posed by hard-working, tax-paying immigrants—and again I remind you, being in the United States without proper status is a misdemeanor—is not enough of a problem to cause this legislature to prioritize it to this degree.

This bill has been introduced in past years and it hasn't passed. That shouldn't change now. National circumstances have changed and the federal government has embarked on what the faith community considers damaging and unjust enforcement of an immigration system that we have known for years to be broken. This legislature has the chance to stand against this by the simple inaction of not passing SB 158. For the sake of Scripture; for the sake of the contemporary teachings and policies of our denominations; for the sake of the practical impact of the proposed legislation on local enforcement, on the cohesion of immigrant families, and on the dignity of the immigrant, I urge the committee to do just that—vote down SB 158

Thank you for your attention, I will be happy to answer questions at the appropriate time.