

**TESTIMONY TO THE KANSAS HOUSE FEDERAL & STATE COMMITTEE
ON HB 2717
MARCUS WINN ON BEHALF OF THE SAFE & WELCOMING COALITION**

Mr. Chairman, members of the Committee: My name is Marcus Winn, I live in Wyandotte County and work for a community organization called MORE², a coalition of congregations of faith working together to better our communities. MORE² is just one of over two dozen local organizations that form the Safe and Welcoming Coalition, which pushed for passage of the Safe and Welcoming Act on February 10, 2022. I am representing our coalition with this testimony. We are strongly opposed to HB 2717.

The Safe and Welcoming City Act was vetted extensively by the Unified Government attorneys, negotiated with local law enforcement at the table, supported by Mayor Tyrone Garner, and passed by a margin of 60% of commissioners with about a hundred supporters attending the Commission meeting.

HB 2717 misunderstands the Safe and Welcoming Act and, in doing so, has the potential to undermine the public safety of all Kansans. The purpose of the Safe and Welcoming Act is to build trust among our community with local law enforcement. We know, because many other municipalities have passed similar local laws across the nation and they have the data, that such common sense measures not only increase trust with local law enforcement, but crime is also measurably lower because residents are more likely to report it. Poverty and reliance on public assistance is measurably lower, because families are not separated.

In Wyandotte County we are fond of highlighting our diversity as a strength, especially the irreplaceable contributions of our immigrant community. Yet, the entire state benefits greatly, both economically and culturally, from our immigrant population, whether they work in the medical field or the agricultural fields, work in factories or offices. We cannot fathom why our government would want to make their lives and their families' lives more precarious than they already are.

Yet, this hearing should not be a referendum on the Safe and Welcoming Act recently passed in Wyandotte County. I'd be happy to share with anyone interested why that local act is beneficial for all Wyandotte residents, but we need not agree on the merits of that bill in order to recognize the dangerous overreach in HB 2717. As I'm sure the representatives are aware, Article XII of the Constitution of the State of Kansas says, "Cities are hereby empowered to determine their local affairs and government." This power was enhanced in both legislation and decisions of the State Supreme Court which ruled in 2004 that cities have broad home rule powers granted directly by the people of the State of Kansas and that the constitutional home rule powers of cities

shall be liberally construed to give cities the largest possible measure of self government.¹

We believe that we, the residents of Wyandotte County, know our local conditions, and we know what will help our children grow and our community prosper. But HB 2717 would reach into every community in Kansas, creating unfunded mandates on already overworked and underfunded local law enforcement agencies.

Where will they find the funding to fulfill the new “duty” imposed by the bill? Will the state pay for it? Will the state pay for the training necessary for understanding and enforcement of what are widely seen as a complicated and constantly changing set of rules and definitions in federal immigration policy? Will the state pay for the inevitable liabilities created? This bill necessitates new spending, cleverly hidden just beneath the surface. Yet, it offers absolutely no return, undermining public safety and worsening an already historically tight labor market.

If the Attorney General, who seems to be the source of this proposal, really wants to change local policy in Wyandotte County, he should immediately cease his campaign for governor, move to our community, and run for mayor instead. State officials, however, should not spend their time seeking to restrict the freedoms of local communities.

Local communities know the local issues, and should retain the liberty to decide for themselves how to address those issues locally. HB 2717 deeply undermines the principle of home rule, relying instead on unfunded, big-brother mandates on matters traditionally left to local municipalities. Whether you agree with the local decision, we hope that this body will stand up for the freedom of local communities and not encroach upon our local decision making. **Do not pass this bill!**

¹ <http://www.kslegresearch.org/KLRD-web/Publications/2015Briefs/2015/P-1-HomeRule.pdf>