

Judy Ancel representing The Cross Border Network  
HB 2717 – Opposed  
Virtual

When I heard that the Attorney General and certain Senators and Representatives wanted to pass a bill to preempt an ordinance that a number of residents of Wyandotte County had spent five years working on, talking to our elected commissioners, canvassing neighborhoods, negotiating language with city attorneys and doing all the things we're told in civics classes make for good government, when I heard that Derek Schmidt wanted to take all that away so he could sew fear among Kansans of my neighbors and my family members so that he can boost his campaign for Governor, when I heard all that, I was outraged.

So when I finally saw the bill, it didn't surprise me that it's a very bad bill, a bill based on demagoguery a bill that is extremely ungrateful to the people who put food on your tables and his, a bill that cynically abuses the most vulnerable people in our state and which threatens children with loss of their parents and won't keep them safe.

So let's take it apart:

Just last October the League of Kansas Municipalities celebrated sixty years since Kansans amended the state's constitution to give our cities Home Rule. The League explained that home rule "allows local officials the flexibility to adapt to a constantly changing world. . . Uniform state laws don't always serve the diverse needs of our communities, and Home Rule allows many of those decisions to be made by local officials elected by the people."<sup>i</sup>

And so it is with the Safe and Welcoming City Act passed by the Unified Government Commission. They know that we have the most diverse community in Kansas. They know that is one of our strengths, but they also know that many among us are afraid to go to parent-teacher meetings, have trouble cashing a check for lack of ID, don't report crimes committed against them, and have many other obstacles to being full members of our community. They know this and that's why they passed the Safe and Welcoming ordinance. That's also why we are supposed to have home rule: to be able to have good local government which fits the needs of our people. But the Attorney General is asking you to override our own constitution and violate home rule by passing a one-size-fits-all approach to public safety, government and community building.

In designing the Safe and Welcoming Act we worked with the police, DA, city attorneys to make it fit our needs, and all welcomed a municipal ID needed by the houseless, ex-offenders, people who lost their ID, those who never had a birth certificate, the elderly who no longer drive and others who simply do not have the resources to produce the documents needed for a state ID.

The Act limits police and city employee cooperation with ICE to instances where ICE presents a warrant signed by a judge or where public safety is at risk. In no way does the ordinance stop the police from fighting crime. Yet I hear that proponents of this bill are doing a lot of fear-mongering about immigrants. First, I hope you understand that unlawful presence in the US is a civil violation. It is not criminal. Second, a majority of undocumented immigrants entered the country with visas, and even if they crossed illegally or overstayed a visa, that doesn't make them a danger to the public. Studies show over and over that immigrants in fact commit fewer crimes than citizens. <sup>ii</sup>

So why is the Safe and Welcoming City Act necessary? Because many immigrants are afraid to call the police to report a crime for fear of deportation. Thus, women suffer domestic violence in silence, victims of car theft and even of violent crimes say nothing, and the perpetrators continue to commit crimes. If the Attorney General were truly interested in law enforcement, as his title implies, he would be supporting the Safe and Welcoming Act as a crime fighting tool.

We ask why it is that the AG came after us in Wyandotte County, but he did nothing when Roeland Park passed a similar ordinance in December, 2020 or when Lawrence adopted ICE noncompliance, so why now go after Wyandotte County? Is he trying to draw attention away from the legislature's failure to give us grocery tax relief, or is it a more sinister attempt to divide Kansans by sewing fear and mistrust?

Although this bill aims at us, there will be substantial collateral damage if it passes. A number of Kansas cities have municipal photo IDs. HB 2717 is changing the rules on what ID registered voters can use to identify themselves at the polls. Since many citizens lack photo IDs, HB 2717, by barring municipal IDs at the polls, has turned itself into another voter suppression bill.

Some Kansas cities have policies, which also limit police interaction with ICE. HB 2717's language saying, "A municipality shall not limit or restrict the enforcement of federal immigration laws" will eliminate policies which aim at encouraging police to build relations of trust with all residents so they can concentrate on the job for which they are trained: protecting residents and nurturing safe communities. Police and sheriffs are not trained or funded to understand and enforce immigration law. In fact, often when they try to do so, the city gets sued for false imprisonment.

Just a brief look at Kansas today shows us that HB 2717 with its one-size-fits-all preemption is a bad and hastily written reaction solely drawn up for political opportunism. Even worse, passage will slap an Unsafe and Unwelcome sign on Kansas, and families that include immigrants, whether documented or not, will leave and certainly not come here because they know that despite the bill's nondiscrimination amendment which was tacked on, it will inflame racial profiling.

How will this affect our economy, so dependent on farm, livestock and meat packing labor at a time when employers are desperate for workers? How will this affect our rural communities, which are losing population as youth leave? Why would Kansas not be welcoming families who bring both hard workers to our workplaces and families with children to our small towns?

It's time our legislators celebrate our diversity and support a Safe and Welcoming Kansas!

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<sup>i</sup> [https://www.lkm.org/page/Home\\_Rule](https://www.lkm.org/page/Home_Rule)

<sup>ii</sup> <https://www.pnas.org/doi/10.1073/pnas.2014704117>; <https://www.cato.org/blog/new-research-illegal-immigration-crime-0>