

Karla Juarez  
Advocates for Immigrant Rights and Reconciliation, AIRR  
Written Opponent Testimony of SB 452  
For the House Federal & State Affairs Committee

February 24th, 2026

Chair Kessler and members of the committee,

Thank you for the opportunity to provide testimony in opposition to HB 2771.

While presented as a public safety measure, HB 2771 would undermine community trust, shift significant legal and financial risk onto Kansas taxpayers, and weaken local democratic oversight. Public safety depends on trust between law enforcement and the communities they serve. When immigrant families fear that any interaction with local law enforcement could lead to immigration detention, they are far less likely to report crimes, cooperate with investigations, or seek help in emergencies. This bill would authorize local jails to detain individuals based solely on ICE administrative detainers, even when those individuals would otherwise be released. This effectively transforms local law enforcement into an extension of federal immigration enforcement, which erodes trust and makes communities less safe overall.

ICE detainers are administrative requests issued by a federal agency, not criminal warrants signed by a judge. Federal courts across the country have found that detaining individuals solely on the basis of an ICE detainer without a judicial warrant raises serious constitutional concerns under the Fourth Amendment. HB 2771 attempts to shield law enforcement from liability by requiring the Kansas Attorney General to defend officers and by shifting financial responsibility for certain legal judgments to the state. However, this does not eliminate constitutional violations; it simply transfers the financial burden to Kansas taxpayers. Kansans should not be placed in a position where they are financially responsible for potential unlawful detention resulting from federal administrative requests.

This bill also weakens local democratic oversight by allowing sheriffs to enter immigration enforcement agreements without approval from county commissioners. County commissioners are elected to represent their communities and provide oversight of decisions that carry financial and legal consequences. Removing their authority in these matters undermines local governance and accountability and takes important decision-making power away from the communities most directly affected.

HB 2771 will also increase the likelihood that individuals will be held for immigration enforcement even when they pose no threat to public safety. People arrested for minor offenses, or those who would otherwise be released, may instead be detained longer and transferred into immigration custody. This can lead to unnecessary family separation, economic instability, and harm to Kansas families and communities. Many of those affected may be long-time residents, parents, workers, and community members who contribute meaningfully to our state.

[ICE Violates the Fourth Amendment When It Detains People Without Probable Cause, Court Rules - American Immigration Council](#)

Finally, local law enforcement resources should be focused on promoting public safety and addressing serious crime. Immigration enforcement is a federal responsibility. Requiring local agencies to take on this role diverts limited resources, time, and jail space away from their primary duties and does not improve public safety outcomes.

For these reasons, HB 2771 increases constitutional risk, shifts financial liability to taxpayers, undermines community trust, and weakens local oversight without providing clear public safety benefits. I respectfully urge the Committee to vote no on HB 2771.

Thank you for your time and consideration.