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**Written-Only Proponent Testimony in Support of HB 2771
By Kris Kobach, Kansas Attorney General
House Fed & State Affairs
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Chairman Kessler and Members of the Committee,

Thank you for the opportunity to provide testimony in support of House Bill 2771, which addresses critical aspects of immigration enforcement cooperation between state and federal authorities. This legislation is a vital step toward ensuring that Kansas law enforcement can more effectively collaborate with federal immigration officers to uphold the rule of law, enhance public safety, and protect our communities from threats posed by illegal immigration.

House Bill 2771 establishes clear guidelines for county sheriffs operating jails to honor facially sufficient immigration detainers issued by U.S. Immigration and Customs Enforcement (ICE). It authorizes detention for illegal immigrants to facilitate the transfer of individuals to federal custody, while incorporating safeguards such as notification requirements and provisions for release if the detainer is invalid or if the individual proves U.S. citizenship or lawful immigration status. Additionally, the bill mandates that municipal insurance pools provide liability coverage for law enforcement agencies enforcing federal immigration laws, requires the state to cover certain judgments in federal civil actions, and directs my office to provide legal representation in related litigation when local law enforcement agencies act in good faith. It also updates the interlocal cooperation act to streamline sheriffs' ability to enter into ICE Section 287(g) agreements without unnecessary bureaucratic hurdles.

I support this bill for two reasons. First, it reinforces Kansas's commitment to federal immigration laws, which are essential for maintaining national security. By recognizing the inherent power of sheriffs to detain individuals subject to valid ICE detainers, HB 2771 helps prevent the release of criminal aliens who may pose risks to our residents. This facilitates removing dangerous offenders from our streets.

Second, the bill provides protections for our dedicated law enforcement officers and agencies. By ensuring insurance coverage and representation from the Attorney General's office, HB 2771 removes financial and legal barriers that might otherwise deter sheriffs from fulfilling their duties. This is particularly important in rural counties where resources are limited.

I have presented a balloon amendment to refine and strengthen the original bill while preserving its core objectives. These changes reduce ambiguity for law enforcement to better protect individual rights through clear due process steps, and ensure constitutional compliance without weakening enforcement authority. Most importantly, the balloon amendment improves the bill's defensibility in court. These changes will make the bill a more robust tool for safe and effective cooperation with federal immigration authorities.

Section 287(g) agreements are a crucial tool in protecting Kansans. I initiated one of the first Section 287(g) agreements of the second Trump Administration with the KBI. Under that agreement, our KBI officers have already removed more than 10 sex offenders and other violent illegal aliens who are convicted felons. This bill will facilitate and encourage our local law enforcement agencies to take similar steps to make Kansas safer.

For these reasons, I urge the committee to pass House Bill 2771 favorably after amending it as I have requested. This legislation will strengthen Kansas's role in national security, support our law enforcement heroes, and ultimately make our state safer for all citizens.