

**Statement of Mike Johnson**  
**Rules Committee Hearing**  
**H.R. 3003 – No Sanctuary for Criminals Act/**  
**H.R. 3004 – Kate’s Law**  
**June 27, 2017**

Mr. Chairman, thank you for allowing me to testify today regarding H.R. 3003, the “*No Sanctuary for Criminals Act*” and H.R. 3004, “*Kate’s Law*.”

*Kate’s Law* addresses the illegal reentry of deported criminal aliens. We have heard from too many victims and family members of victims whose lives were forever altered by such criminal aliens. The bill is named in memory and in honor of Kate Steinle. Two years ago, Ms. Steinle was enjoying an evening out with her father at a popular attraction in San Francisco. Three shots were fired and she collapsed on the ground. Kate’s father performed CPR until paramedics arrived but she died hours later. Her murderer was identified as a criminal alien who had been removed from the U.S. multiple times but had always unlawfully returned.

No legislation can prevent every tragedy but we have a duty to take every action possible to mitigate danger to the public caused by our immigration system. *Kate’s Law* enhances the maximum sentences for deported criminal aliens who illegally reenter the United States. While any alien reentering this country is currently subject to a sentence of up to two years, current law only subjects certain criminal returnees to enhanced penalties. *Kate’s Law* provides that a criminal alien previously convicted of any three misdemeanors or any felony would, upon conviction for illegal reentry, be subject to a maximum sentence of 10 years. Aliens previously convicted of a crime for which they were sentenced to at least 30 months

would be subject to a maximum sentence of 15 years. Aliens previously convicted of a crime for which they were sentenced to at least 60 months, would be subject to a maximum sentence of 20 years. And aliens previously convicted for murder, rape, kidnapping, a peonage offense, or any three felonies, would be subject to a maximum sentence of 25 years. These are significant enhancements to our immigration laws and are long overdue.

Nothing that this Congress can pass will ever bring Kate Steinle back to her family. But *Kate's Law* may save other families the anguish that Kate's has gone through.

Let me turn to the *No Sanctuary for Criminals Act*. The Obama Administration encouraged, or at the very least turned a blind eye, to jurisdictions nationwide that implemented "sanctuary" policies designed to prevent U.S. Immigration and Customs Enforcement from being able to effectively enforce federal law. Foolhardy jurisdictions continue to pass legislation and implement policies aimed at stymying and maligning ICE. Let me give two examples:

Earlier this year, a Baltimore City Council member introduced a resolution calling on ICE to only arrest those aliens violating our immigration laws if they posed a "serious risk." In discussing this initiative, the council member repeatedly likened ICE officers to Nazis. Such rhetoric is reprehensible – creating a moral equivalence between a nation engaging in genocide and one exercising a fundamental right and obligation of national sovereignty.

And San Francisco announced that it would no longer participate in the Joint Terrorism Task Force because of concerns that the task force's duties may coincide with immigration enforcement. Given that the city's Transamerica skyscraper was the subject of a 9-11-like plot, this truly boggles the mind.

Sanctuary policies often focus on flouting ICE detainers, which allow ICE to take custody of aliens in law enforcement custody so it can initiate removal proceedings. This has led to a sharp drop in ICE's intake of aliens from criminal detention facilities, forcing ICE agents to engage in the far more time-consuming and dangerous task of picking them up on the streets. And it has led to a drop in the number of criminal aliens removed from the United States, from almost 87,000 in fiscal year 2014 to approximately 63,500 the following two fiscal years.

We must discourage, not encourage, sanctuary policies and practices. H.R. 3003 accomplishes this objective. For two decades, federal law has barred jurisdictions from prohibiting their officers from communicating with federal immigration officials regarding individuals' immigration status. However, the Justice Department has never enforced this law and sanctuary jurisdictions have found loopholes, such as prohibiting their officers from even inquiring of persons' immigration status.

H.R. 3003 closes these loopholes. However, to be clear, it imposes no affirmative duty to act on the part of any jurisdiction. And the bill provides that jurisdictions not in compliance will not be eligible for grant programs administered by the Departments of Justice and Homeland Security related to immigration and law enforcement.

The U.S. government will substitute itself as the defendant when jurisdictions that do comply with detainer requests are sued. This ensures that jurisdictions are not put at jeopardy for doing the right thing and enhancing public safety. As to those sanctuary jurisdictions that refuse to honor detainers, and thereby release criminal aliens onto the streets, if those aliens go on to commit additional crimes, the bill allows the victims or victims' families to sue the jurisdictions.

H.R. 3003 also ensures that ICE only places detainers on aliens for whom it has probable cause to believe are deportable.

The final section of H.R. 3003 is named for Sarah Root and Grant Ronnebeck, two young people whose lives were suddenly extinguished by criminal aliens who remain at large today. It provides that aliens who are arrested or charged with serious crimes, including those resulting in death or serious bodily injury, and illegal aliens convicted of a drunk driving offense, must be held without bond, during the pendency of their removal proceedings.

Mr. Chairman and Members of the Committee, thank you for your time, and I look forward to answering your questions.