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February 9, 2012

Senator Brunhart
Federal & State Affairs
Committee
Kansas Senate
Topeka KS

Re: SB399

Dear Senator Brunhart and Committee:

My name is Angela J. Ferguson, and I am an immigration attorney, a community activist, but also a Kansan, born and raised in Haven, Kansas. I am a graduate of Wichita State University and the University of Kansas School of Law and for the past 25 years, I have practiced law in Kansas and Missouri, specializing in immigration law. I have represented many Kansas residents in the immigration process, either being sponsored by employers, family members, self-sponsoring, becoming citizens, or in the removal process. I am a Board member of the Missouri Immigrant & Refugee Advocates, a Member of All Souls Unitarian Universalist church, a Board member of Jewish Vocational Services, the former Chair of the Missouri/Kansas American Immigration Lawyers Association, and a founder of an organization called AIRR, Advocates for Immigrant Rights and Responsibility, a faith-based coalition in Wyandotte and Johnson counties. Immigration advocacy is my life's work and passion. It is for this reason that I am here today to state support for SB 399 and ask that you consider supporting this bill that will benefit all Kansans.

Today, I want to address one narrow issue of SB 399: why would an immigrant want to come forward and apply for this parole/temporary status? Because I have a current caseload of around 500 open files, all of them immigration cases, and I routinely meet with 5-10 clients/families each day, I have a solid understanding of the plight of immigrants in our communities in Kansas. In Kansas, we have immigrants from all over the world, not just Mexico. They vary in the path taken to get here *and* the path they are on, moving towards citizenship. But the majority *do* have that goal, and in some manner, are working towards permanent residence and citizenship. The process is often long and complicated, with long visa lines and delays.

Undocumented and Waiting

While an undocumented person is living in Kansas, waiting for the immigrant visa, that person cannot live without the daily fear of apprehension and removal. A driver's license is not currently available.

Sn Fed & State
Attachment 1

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yet most undocumented people have to drive, and work, and go about the necessities of daily life. The immigration laws are such, that the immigrant cannot leave the U.S., or he/she may risk losing the ability to immigrate. Loss of employment, home and family is always a prominent concern. Many of our undocumented immigrants have been here for years, they are raising families, they are buying homes and paying taxes. Most of these clients/immigrants would gladly come forward to become more "normal", to be able to assimilate.

Undocumented and in Removal Proceedings

The Immigration Court in Kansas City has an extremely crowded docket and many of those people in removal proceedings are living in Kansas. People have to come from Liberal, Garden City, Dodge City, Ulysses, etc. to the Kansas City immigration court. Under the new Prosecutorial Discretion policies of Immigration and Customs Enforcement, the Court can simply close the removal process and allow that individual to apply for the Kansas program, if they meet the eligibility criteria. Most immigrants going through the removal process would be willing to work to stop the removal process.

This bill, SB399, would provide a way for an undocumented immigrant to work legally while waiting in the visa line. With this proposal, the State of Kansas will have a legal workforce of immigrants who intend to stay in Kansas, invest in our communities and assimilate. For most, coming forward and applying for one of these jobs in a labor shortage area, means that they can continue on the path towards permanent residence, as they were before, but without the fear of apprehension and with the knowledge that they belong and can be an integral part of our communities. This proposal envisions workers, who have passed criminal background checks, who have resided in Kansas for a period of time, and who are willing to stay, work and invest in our communities and their future. Undocumented immigrants in Kansas will be willing to apply for this program because it will be a step forward, a way to become a visible part of the community. They will be able to drive legally; will be able to open bank accounts; able to buy health insurance, earn a living wage, file taxes, and participate in local schools, churches, and government without fear. These are the kinds of positive results that you can bring about for our towns, for Kansas, by passing this legislation.

At the same time, local agencies/faith organizations will benefit by being a part of the process. The proposal provides for monetary support to local agencies that will offer English courses and counseling. This will truly be a partnership for our State – working in tandem with DHS to provide the temporary work authorization cards, working with the Secretary of Labor to identify the labor shortage needs for Kansas, working with local employers who will be committed to employing legal workers, working with churches and advocacy groups that will help employees to learn English and assimilate, and with the local governments to provide drivers licenses, social security cards and other personal necessities of daily life.

I truly envision the job of the members of this committee as one that works to improve the lives of Kansans by passing intelligent laws that benefit the State of Kansas. This proposed legislation that we

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are here discussing today, is a great example of cooperation and backbone to find solutions to the immigration problem. I will be available to answer any questions about immigration laws and immigrants in Kansas and thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela J. Ferguson". The signature is fluid and cursive, with a large loop at the end.

Angela J. Ferguson
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