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January 8, 2025

Oppose S. 5, the Laken Riley Act

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, I urge you to oppose S. 5, the Laken Riley Act. The senselessness of the murder of Laken Riley does not justify making unprecedented changes to immigration detention laws that – like all mandatory incarceration provisions – will only result in more discrimination while doing little to increase public safety.

S. 5 would require the mandatory detention – without any possibility of bond – of any undocumented person who is merely *arrested for or charged with* property-related offenses, including misdemeanor shoplifting. It does not require conviction of such an offense. There is no statute of limitations, and the bill does not specify any process by which a person might contest either their immigration detention or the underlying criminal charges (if charges are even pursued). Mandatory immigration detention on the basis of a mere arrest is unprecedented, and it would invite abuses that almost certainly would disproportionately impact people of color.

We are also concerned with language in the bill that would give states standing to sue the federal government over any allegation that the federal government is improperly implementing immigration laws, such as detention and removal provisions, visa provisions, or its discretionary parole authority. This language would open the floodgates to litigation, and it would enable individual states to shape federal immigration policies.

We urge you to vote against S. 5. **The Leadership Conference intends to include your position on S. 5 in our voting record for the 119th Congress.** If you have any questions, please contact Senior Counsel Rob Randhava at randhava@civilrights.org.

Sincerely,

Jesselyn McCurdy
Executive Vice President of Government Affairs