



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2844		DATE: 3/11/2024
COMMITTEE: Special Committee on Homeland Security		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ADAM HASLETT		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: haslett_33@hotmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/11/2024 6:21 AM

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Missouri needs to be a border state! We don't know who is coming in but can guarantee that there are many criminals. In my small town of 10k I've seen many foreigners who are homeless and can't speak English. This was unheard of just a few years back. Please help protect our children and ourselves. It's time to be bold.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: CARI ROGERS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: caricae@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/10/2024 9:46 PM
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My name is Cari Rogers and I'd like to support HB2844. Thank you, Representative Hudson and the Special Committee on Homeland Security for making Missouri safer and protecting children.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: MICHAEL		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: libertytree.cottage976@passinbox.com	ATTENDANCE: Written	SUBMIT DATE: 3/11/2024 1:06 PM
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I SUPPORT HB 2844 as originally introduced.If passed, this bill would very likely deter illegal immigrants from coming into Missouri, and as a result, likely prevent a lot of the problems associated with illegal immigration from coming to Missouri. This bill would very likely disincentivize illegal immigration. The solution to illegal immigration (at any level of government) needs to be 2-prong:1. Prevent new illegal immigrants from coming in.2. Deport/prosecute the illegal immigrants who are already here. HB 2844 seems to address both of these prongs.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: SAVANNAH STARK		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: agapeacademy2014@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/10/2024 9:13 PM
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I support this bill.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: arniedienoff@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 3/11/2024 11:55 PM
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I am Opposed to this Bill. This is a duplication that is already being performed by the Federal Government.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: DON BICKHAUS		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: doniibecky@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 3/9/2024 11:12 AM

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NO SUPPORT...Too weak of a bill and leaves too many doors open for abuse.**



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: DR. GUILLERMO VILLA TRUEBA		PHONE NUMBER: 573-635-7239	
REPRESENTING: MISSOURI CATHOLIC CONFERENCE		TITLE: HISPANIC OUTREACH MANAGER	
ADDRESS: 600 CLARK AVE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL: villatruebag@mocatholic.org	ATTENDANCE: In-Person	SUBMIT DATE: 3/11/2024 10:42 AM	
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The Missouri Catholic Conference opposes HB 2844 because it would violate the inherent God-given dignity of undocumented migrants by treating them as dangerous criminals just for committing minor civil transgressions; for instance, they would face up to 4 years in prison and deportation for driving under the speed limit on an interstate highway. The Catholic Church acknowledges both that people have the right to migrate to sustain the lives of their families and that countries have the right to regulate their borders and to control immigration, as long as they do so with justice and mercy. However, laws that are overly punitive and disproportionate can never be just or merciful.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: GABRIELE EISSNER		PHONE NUMBER: 920-627-5996	
BUSINESS/ORGANIZATION NAME: INTER-FAITH COMMITTEE ON LATIN AMERICA (IFCLA)		TITLE: CO-DIRECTOR	
ADDRESS: 5021 ADKINS AVE.			
CITY: ST. LOUIS		STATE: MO	ZIP: 63116
EMAIL: gabby@ifcla.net	ATTENDANCE: Written	SUBMIT DATE: 3/8/2024 1:17 PM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Dear Honorable Committee Members, On behalf of the Inter-Faith Committee on Latin America, I urge this committee to reject HB 2844. HB 2844 creates an E-verify mandate for employers and creates a new state crime for civil violations of federal immigration law. We are seriously concerned about the way HB 2844 will negatively impact workers in Missouri, including those who have work authorization. From October 2005 to March 2019, E-verify has given tentative non-confirmation responses to approximately 760,000 workers who are lawfully present, including 179,103 people who received final non-confirmations that cost them a job. These individuals were eligible to work in the United States but were barred from working due to mistakes in the spelling of names, the use of a married name, or other database discrepancies. These grave mistakes disproportionately affect people who follow non-Western naming practices and women who have gone through marriage-related name changes. There is also a lack of sufficient due process provisions to support individuals who are wrongly denied by the system. Almost half of the workers who received non-confirmations from E-verify lost partial or complete days of work. Many of these workers were also forced to make multiple trips to a Social Security Administration office and wait in long lines to correct their records. Not only is the process burdensome for workers, it can also be dangerous. Employers have been noted to use E-verify as an excuse to obtain information about their workers during wage negotiations, block efforts by workers to exercise other labor rights, and to shift towards and engage in worker exploitation and off the books operations. The demand for unauthorized workers will not go away with this bill. Instead it will have the adverse effect of pushing some individuals further into the underground economy and decreasing the state's tax payroll revenue. Arizona, for example, enacted a law that requires every employer to enroll in E-verify and creates state penalties for employers that do not comply. Unscrupulous employers, however, have found ways around the system. They have moved their operations off the books into the underground economy. A year after Arizona's law was passed, income tax collection dropped 13% from the year before, while sales tax dropped much less. Analysts concluded that workers weren't paying income taxes but were still earning money to spend. Despite Missouri not having an international border, HB 2844 also includes a so-called "Border Security Enhancement Act." This act creates disproportionate punishments for minor offenses. Undocumented immigrants who experience even the slightest brush with the law would find themselves subject to a felony charge. We do not believe that simply because someone does not have papers, they should be subject to a two-tier legal system. A felony, and subsequent deportation, should not be the mandatory minimum for minor offenses, like speeding, littering, or failure to use your blinker. This bill imposes a harsh and unfair double punishment on certain people in our community. When I asked a lawyer about class C misdemeanors, she said that they are considered less serious offenses, and most of them should not pose much danger to a person's reputation or their job prospects. However, for people who are undocumented,

such a minor offense is punishable with family separation. Currently, there are 36,312 Missourians with U.S. citizenship that live with undocumented family members, which means that HB 2844 would promote the cruel and inhumane practice of separating children from their parents. After a family member has been deported, family income drops by 70% on average. Children face an increased risk of homelessness and food insecurity, as well as an increased risk of depression, anxiety, and post-traumatic stress disorder. There are thousands of children in foster care who have a parent who has been detained or deported. Punishing minor offenses, like speeding, by tearing apart families is egregious. HB 2844 will hurt Missouri workers and tear families apart, not fix our nation's immigration concerns, and so, I urge you to reject this bill. Respectfully, Gabriele Eissner Co-Director and Community Organizer Inter-Faith Committee on Latin America



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: KARA CORCHES		PHONE NUMBER: 573-634-3511	
REPRESENTING: MISSOURI CHAMBER OF COMMERCE & INDUSTRY		TITLE:	
ADDRESS: 428 EAST CAPITOL AVENUE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/11/2024 12:00 AM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: LARY MOHL		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL: Lary.Mohl@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/10/2024 12:47 AM

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The initial problem with this bill is that it appears to be a solution in search of a problem. Where is the Missouri data that supports the passage of this bill and the consequential burden on Missouri businesses, law enforcement, the courts, and the taxpayers? Is this bill really addressing a need not currently addressed by Missouri and federal law or does this bill have political motives in an election year? This bill would expand the E-Verify tool to ALL Missouri employers, rather than just to those with State contracts. State loans, etc. We know that the federal E-Verify tool originated as a voluntary tool to employers in complying with existing laws governing the hire of non-citizens. Later, by Executive Order, the federal government required use of E-Verify by contractors, etc. dealing with the federal government. Currently, Missouri law at 285.530 RSMo is similar to the federal approach. If the federal government has seen no need to expand required use of E-Verify to the private sector, what unusual, special incidents in Missouri justify this bill? Consider the cost burden placed on Missouri businesses by this bill. Testimony by businesses regarding a similar bill, HB188 (2023), in the last session highlighted their concern because they don't do hiring on a daily basis. They testified that retraining on E-verify is required for each new hire. In addition, there have been some complaints that E-Verify is inaccurate. Some states have barred their employers from using E-verify, partly in response to such complaints. Reportedly, employees or potential employees are entitled to a period of about 8 workdays to contact USCIS or the SSA to resolve discrepancies when the Form I-9 data does not match the records of the Department of Homeland Security and the Social Security Administration. The ability of employees or potential employees to exercise that opportunity needs to be strengthened. Perhaps there needs to be an independent ombudsman or other governmental entity available to help explore mismatches in a timely fashion. HB2844, if somehow is found to be necessary and cost effective, should be strengthened by an amendment to support the resolution of mismatches. The proposed offense of sexual trafficking of an illegal alien child seems unnecessary in view of current Missouri law, specifically 573.023 and 573.024 and other statutes in Chapter 573 RSMo. Note that the proposed 566.216 could result in a life sentence and that it prohibits the defense that a defendant did not know that a person was 12 years of age or younger or was an "illegal alien." In contrast, current 573.024 has much milder penalties and allows a defense of lack of criminal negligence. Perhaps an authentic desire for much stricter laws in this area should apply to protect all Missouri children, not just to the trafficking of "illegal alien" children. Otherwise, current Missouri law appears sufficient. A central problem with the proposed 569.089 is that it encroaches on federal law related to immigration and foreign commerce, areas of law for which the federal government has exclusive responsibility under the Supremacy Clause of the U.S. Constitution. Federal laws already exist that deal with unlawful entry, harboring, refusal to comply with a court order, etc. The proposed bill applies only to persons lacking authorization to remain in the U.S., a conclusion strictly governed by federal law. This bill clearly considers federal criminal statutes/penalties and enforcement insufficient. However, the

Department of Justice sued the State of Texas for trying to impose new State laws that encroached on federal jurisdiction contrary to the Constitution. Consider the fiscal impact on Missouri if it would be forced to defend this bill in the courts. For the above reasons, I urge you to decline to move HB2844 forward.Lary MohlSt. Louis County



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: RACHEL POZZO		PHONE NUMBER: 316-207-6977	
BUSINESS/ORGANIZATION NAME: IMMIGRANT HOME ENGLISH LEARNING PROGRAM		TITLE: ADULT PROGRAM COORDINATOR	
ADDRESS: 5021 ADKINS AVE			
CITY: ST. LOUIS		STATE: MO	ZIP: 63116
EMAIL: rpozzo@ihelpstl.org	ATTENDANCE: Written	SUBMIT DATE: 3/8/2024 4:19 PM	

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Testimony on HB 2844Special Committee on Homeland SecurityMar 8, 2024Dear Honorable Committee Members, I appreciate the opportunity to write to you today. I am an Adult Program Coordinator at the Immigrant Home English Learning Program (IHELP), and have worked with immigrants for many years. On behalf of IHELP, I urge you to reject HB 2844.I appreciate the provisions around sex trafficking, however they are unnecessary. Involving undocumented children in sex trafficking is thankfully already a crime punishable “life imprisonment without eligibility for probation or parole until the defendant has served not less than twenty-five years of such sentence,” under RSMo 566.211.Additionally, use of the federal work authorization program, E-Verify should not be required of Missouri businesses. “Innocent until proven guilty” is a tenet of American society. E-Verify operates on the opposite assumption. It requires a person to prove that they have work authorization, rather than requiring the government to prove that they don’t. Therefore, a worker is guilty until proven innocent. The system’s inaccuracy makes this extremely troubling. In FY 2017, 52,280 cases of tentative non confirmation (TNCs) were successfully contested, meaning that 52,280 people who are authorized to work in the US were flagged as unauthorized, and had to consult with the SSA and DHS to prove that they were. The burden was on the innocent, authorized worker to navigate huge bureaucratic systems, just to prove what those systems should have already confirmed. Some have even had to hire attorneys to get the errors corrected and be able to work. Oftentimes, E-Verify errors are the results of small mistakes, like adding blank spaces after someone’s name, or misspelling it. This affects native born citizens, but authorized immigrants are affected at rate 20 times higher because of the complexities of the immigration process, and errors that arise from the transliteration of names from different alphabets. Name changes are also one of the major causes of errors, meaning that it is likely that women are disproportionately affected, as well. There were likely far more than 52,280 mistakes in FY2017 identifying authorized workers as unauthorized, because many people don’t know that they can contest a TNC result. It is up to the employer to tell them their rights, and many don’t. E-Verify makes it harder for authorized employees to work in America and places on them an unfair burden to prove their authorization as a result of bureaucratic mistakes. This is unacceptable. Additionally, E-Verify is not effective in screening out unauthorized workers, as many use “loaned ” SSNs of family or friends who are authorized to work. If someone uses the information of an authorized worker, the system authorizes them. Studies have also shown that in states with E-Verify mandates, only 60%-70% of required businesses actually use it. E-Verify does little to prevent unauthorized workers from working, and causes tens of thousands of authorized workers who receive TNCs every year to correct the problems. USCIS does not even report the number of erroneous final non-confirmations (FNCs), meaning we have no idea how many authorized workers are prevented from working all together.Under federal law, being

undocumented in the United States is not a crime, but a civil offense. Federal law preempts state law, meaning that Missouri's authority to criminalize being undocumented is dubious, at best. Furthermore, there is no valid reason to criminalize being undocumented in Missouri. This will only force already vulnerable people even deeper into the shadows, making life much more difficult and uncertain. Under the law proposed in this bill, undocumented people face wildly disproportionate punishment for minor violations. This law would allow a person to be torn from their family, held for an undetermined length of time, and ultimately deported as a result of speeding, rolling through a stop sign, or using fireworks. That is not justice. This law will increase instances of racial profiling and undoubtedly lead to the detention of documented immigrants and citizens who accidentally leave home without their wallet. If a person gets pulled over but forgot their ID, they can be detained for an undetermined amount of time, until they can prove their legal status. This will surely happen more frequently to people of color and people with limited English proficiency. This law would put a target on the backs of certain individuals and exacerbate differences in how people are treated by law enforcement based on race, speech, English language proficiency, etc. Many people cite safety as a reason to imprison and expel undocumented immigrants. This is empty fear mongering. According to data gathered in Texas between 2012-2018, and updated in 2022, native born citizens commit crimes, including violent crimes, at a significantly higher rate than undocumented immigrants. Multiple studies have shown that increases in the undocumented population have no effect on crime rates. Imprisoning and deporting undocumented immigrants merely for being undocumented has no effect on public safety. Additionally, the immigration system is extremely complex. Most local law enforcement officers are not experts in immigration law. Expecting local law enforcement to be able to determine a person's legal status in a complex case is unfair. This will waste time and money that should be spent addressing and preventing violent crime. Federal agents are the experts, so we should leave immigration enforcement to them. The intent of this bill seems to be to drive undocumented people out of our state. While I hate to use the economic argument for what is really a human issue, money is what matters most to many. The loss of the undocumented population in Missouri would come at a huge price. In 2021, undocumented people paid over \$49 million dollars in state and local taxes in Missouri. Losing out on this money would not be good for the state, or anyone living in it. Additionally, this bill is unconstitutional, and will open Missouri up to lengthy and expensive legal battles that the taxpayers will have to fund. This bill will harm Missouri workers, families, communities, and our state's economy. For these reasons, I urge this committee to reject HB2844. Thank you, Rachel Pozzo
Adult Program Coordinator
Immigrant Home English Learning Program



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: RAY MCCARTY		PHONE NUMBER: 573-634-2246	
BUSINESS/ORGANIZATION NAME: ASSOCIATED INDUSTRIES OF MISSOURI		TITLE: PRESIDENT/CEO	
ADDRESS: 3234 W TRUMAN BLVD			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL: rmccarty@aimo.com	ATTENDANCE: Written	SUBMIT DATE: 3/11/2024 1:05 PM	

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Associated Industries of Missouri opposes the provisions of this bill requiring employers with more than 50 employees to use the EVerify federal work authorization system. We oppose imposing state level mandates that are not required by federal law.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: SAGE CORAM		PHONE NUMBER: 314-669-3425	
REPRESENTING: AMERICAN CIVIL LIBERTIES UNION OF MISSOURI		TITLE:	
ADDRESS: 906 OLIVE ST., #1130			
CITY: ST. LOUIS		STATE: MO	ZIP: 63101
EMAIL: scoram@aclu-mo.org	ATTENDANCE: Written	SUBMIT DATE: 3/11/2024 4:02 PM	

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Special Committee on Homeland Security -- Chairman Adam Schnelting
Dear Honorable Committee Members: Thank you for the opportunity to submit testimony today. On behalf of the American Civil Liberties Union of Missouri and our approximately 15,000 members statewide, I would like to express our strong opposition to HB 2844. The ACLU of Missouri stands for the fundamental constitutional protections of due process and equal protection embodied in our Constitution and Bill of Rights as they apply to every person, regardless of immigration status. By creating a new felony offense, HB 2844 targets undocumented immigrants and severely increases penalties, including the threat of deportation, for otherwise minor offenses or infractions. The impact of this bill carries disproportionate risks for mixed-status families as well as vulnerable populations that face barriers to obtaining or renewing documentation, opening the door for increased discrimination and racial profiling in Missouri. This bill also expands work authorization verification to private employers, increasing burdens on both employees and employers. HB 2844 threatens the licensure and permitting of private employers and increases surveillance of immigrant workers who are lawfully present. While E-verify has been used in Missouri before, E-verify has been found to be unreliable, inaccurate, and an ineffective program. Workers injured by data errors need a means of quickly and permanently resolving data errors, so they do not become presumptively unemployable. HB 2844 lacks sufficient due process provisions to aid workers who are wrongly denied the right to start their next job. Simply put, HB 2844 would impose a harsh punishment on certain community members and their families while presenting a flurry of concerns about privacy, cost, and discrimination and should be opposed. For these reasons, and to affirm the dignity and worth of every person, the ACLU of Missouri and our membership urge you to vote no on HB 2844.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: SUSAN GIBSON		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: Onesuegibson@protonmail.com	ATTENDANCE: Written	SUBMIT DATE: 3/9/2024 2:55 PM

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The only piece of this bill I would support is the paragraph about sex trafficking of a child. The rest of it is hateful.