

Legislative Testimony

In Opposition to Senate Bill 452
Senate Committee on Federal and State Affairs
February 12, 2026

Written-Only Testimony

Chair Thompson and Members of the Committee,

My name is Logan DeMond, and I am the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas is a nonprofit, nonpartisan organization with more than 35,000 supporters statewide that works to protect and strengthen the civil rights and liberties of all Kansans. On behalf of the ACLU of Kansas, I strongly oppose Senate Bill 452, which significantly expands the authority of federal law enforcement in Kansas, weakens accountability, and threatens the Kansans' right to engage in lawful dissent. Put simply, this bill disregards states' rights and hands federal agents unchecked power to run amok in our state.

Expanding Federal Authority Under State Law

SB 452 goes far beyond clarifying existing law; rather, it would change how Kansas law applies to federal law enforcement. This bill rewrites state statutes to treat federal officers as state and local law enforcement, extends Kansas criminal penalties to interactions with federal agents, and arbitrarily broadens tort immunity to cover enforcement of federal laws and executive orders. These changes—which embed federal enforcement power directly into Kansas law and elevate federal officers' status within our state's legal framework—are anything but minor. Individually, they offer federal agents expanded protections and privileges under state law without corresponding accountability. Together, they fundamentally alter the careful balance between federal authority and state oversight.

Limiting Accountability and Legal Remedies

Equally concerning is this bill's expansion of immunity under the Kansas Tort Claims Act, which would shield government entities and employees from liability related to the enforcement or failure to enforce federal laws and executive orders. In doing so, this bill closes off important pathways for people who have been harmed to seek justice. If someone is injured, wrongfully detained, or subjected to unconstitutional conduct at the hands of federal law enforcement, SB 452 makes it harder for them to hold these bad actors accountable in Kansas courts. Accountability is not an obstacle to public safety; it is essential to maintaining public trust and preventing abuse of power, especially when that power rests with the government. When lawmakers expand immunity without strengthening oversight, they send the message that misconduct will be tolerated and that victims' rights come second to institutional protection.

Chilling Lawful Protest and Dissent

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In addition to these harms, SB 452 threatens the constitutional rights of Kansans who engage in protest, advocacy, and public dissent. By expanding interference and obstruction laws to include federal officers and federal buildings, this bill increases the likelihood that peaceful protestors, journalists, and community members will face criminal charges for lawful activity. Because of the overly broad language in this bill, demonstrations near federal buildings could be more easily criminalized; protests involving immigration, labor, environmental, or civil rights issues could expose participants to heightened risk of arrest; and ordinary acts of protest could be reclassified as “interference” with federal business. Throughout history, broad statutory language regarding interference has been used to suppress unpopular speech, particularly speech that challenges government power. SB 452 would give state prosecutors new tools to target those exercising their First Amendment rights in moments of political controversy, chilling lawful speech.

Concerns About Federal Enforcement and Community Trust

SB 452 must also be viewed in the broader context of federal enforcement, particularly immigration enforcement. Communities across Kansas have already experienced the fear and distrust that follows federal law enforcement and ICE agents. SB 452 risks deepening that divide by signaling that the State of Kansas will protect unchecked federal power without meaningful safeguards. Local law enforcement isn’t exempt from these strained relationships, either. When communities believe that law enforcement is unaccountable and insulated from consequences, trust erodes, cooperation declines, and public safety suffers.

Conclusion

Kansas should not be in the business of expanding federal power through state law, especially when that expansion comes at the expense of civil liberties. Rather than protecting Kansas from the abuses seen elsewhere, SB 452 expands federal authority in our state.

This legislation does not meaningfully improve public safety. It adds another layer of protection that shields misconduct, limits legal remedies, and weakens public oversight while rewriting fundamental principles of jurisdiction and threatening the constitutional right to engage in civic life without fear of retaliation. In doing so, it makes government less accountable and communities less secure. For these reasons, on behalf of the ACLU of Kansas, I respectfully urge you to reject SB 452.

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