

Amendment to Improve the *Laken Riley Act*

U.S. Senators Tim Kaine (D-VA), Michael Bennet (D-CO), John Hickenlooper (D-CO), Angus I. King (I-ME), Jeff Merkley (D-OR), Jeanne Shaheen (D-NH), Chris Van Hollen (D-MD), Mark Warner (D-VA), and Peter Welch (D-VT) introduced an amendment to improve the *Laken Riley Act*.

The amendment would do the following:

- Remove a provision from the original bill that would give state attorneys general standing to sue the federal government on immigration policies or decisions that they dislike, and expedite those cases at the expense of other criminal and civil cases in federal court.
- Use limited immigration detention resources efficiently by mandatorily detaining people who entered the U.S. without inspection or documents *and*:
 - Have been convicted of theft, larceny, or burglary. If an individual failed to appear before an immigration or criminal court, then the person would be mandatorily detained even if only arrested for or charged with theft, larceny, or burglary.
 - Have been convicted of a crime involving the commission of serious bodily injury, such as a DUI that resulted in death or injury.
- Protect immigrant children from unnecessary and harmful mandatory detention under this bill.
 - No mandatory detention for theft, burglary, or larceny for children ages 0-16.
 - Detention for children ages 17-18 only if the child is a danger to the community and/or a flight risk (i.e. failing to appear before an immigration court).
 - Immigrant children who have been convicted of a crime involving serious bodily injury would be subject to mandatory detention under this amendment.
- Provide due process by allowing an individual who has been detained under the *Laken Riley Act* for more than three months to receive a custody hearing before an Immigration Judge. The Immigration Judge shall determine bond or other conditions for release only after finding the individual does not pose a danger to the community. People who are true dangers to the community will continue to be detained.