

February 18, 2015

The Honorable Charles E. Grassley
Chairman
United States Senate Committee on the Judiciary
Washington, DC 20510

The Honorable Patrick J. Leahy
Ranking Member
United States Senate Committee on the Judiciary
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Leahy:

Enclosed please find my responses to the Questions for the Record that I received from Senator Cruz.

Thank you again for your consideration of my nomination to be United States Marshal for the District of Kansas.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Miller". The signature is written in dark ink and has a fluid, connected style.

Ronald Lee Miller

Enclosure

Senate Committee on the Judiciary
Questions for the Record from Senator Cruz to Ronald Lee Miller
Nominee to be U.S. Marshal for the District of Kansas

1. In 2003, you testified before the Kansas State Senate Judiciary Committee in support of HB 2039.

- a. Were you aware that the bill would have allowed all residents, regardless of lawful residence, to apply for and obtain state driver's licenses?

Answer: My recollection is that I did not testify, but that I sent a letter to the Kansas State Senate Judiciary Committee. The letter, dated February 7, 2003, is attached. I stated in the letter that the "legislation would make Kansans safer by reducing accidents caused by drivers unfamiliar with driving laws and would protect our citizens in the event of an accident by reducing the number of uninsured drivers." HB 2039 proposed the issuance of a "temporary resident license" for three (3) years with considerable restrictions on the issuance and use of this temporary document. The proposed bill stated that the application for a temporary resident license was not considered a driver's license application and that the license holder could not transfer the license or rely on the license to obtain a driver's license in another state.

- b. Do you believe that allowing illegal aliens to obtain a driver's license undermines the federal government's ability to enforce the law?

Answer: In my experience, driver's licenses are one of the tools used by law enforcement to identify and locate individuals. A robust ability to identify and locate individuals is good for public safety, and protecting public safety is, and has always been, my top priority. During my law enforcement career, I have not had the occasion to become familiar with the policy implications of state driver's license issuance on federal immigration law enforcement. If confirmed, I will follow the law.

2. You are listed as a consultant to a 2009 report entitled "The Role of Local Police: Striking a Balance Between Immigration Enforcement and Civil Liberties," which recommended, among other things, that police should be prohibited from arresting and detaining persons solely to investigate immigration status in the absence of probable cause of an independent crime. Do you support this recommendation?

Answer: This report was prepared by The Police Foundation in Washington, DC in 2009. I do not recall that I was a consultant on this report, and I played no part in its drafting or findings. My recollection is that my involvement in this project was limited to participation in a community listening session in Topeka/Shawnee County, Kansas when I was the City of Topeka, Kansas Chief of Police. In my experience, a range of factors,

including evidence of probable cause, resources, and statutory authority, play a role in arrest and detention decisions. If confirmed, I would participate in such decisions in a manner consistent with federal laws and policies and the responsibilities of my position.

3. If confirmed, would you be reluctant to ask for assistance from state and local authorities in carrying out immigration laws?

Answer: No, I would not hesitate to ask for or give assistance in areas where it is necessary and appropriate for me to do so, consistent with federal laws and policies.

4. If confirmed, will you accept delivery of illegal immigrants that were in the custody of state and local law enforcement?

Answer: Yes, in accordance with federal laws and policies.



POLICE DEPARTMENT

OFFICE OF THE CHIEF OF POLICE



Ronald Miller
Chief of Police

February 7, 2003

Representative Michael O'Neal, Chairman
House Judiciary Committee
Kansas State Capitol Building 170-W
Topeka, Kansas 66612

Dear Chairman O'Neal,

As a Kansas Chief of Police I am concerned about public safety as are many other Chiefs and Sheriffs in Kansas. I want to express support for legislative proposals making non-citizens eligible for drivers' licenses in order to reduce the number of unlicensed and uninsured drivers in our state. Legislation that makes knowledge of Kansas driving laws, positive identity, and ability to safely operate a motor vehicle effectively serves the citizens of the state of Kansas.

This legislation would make Kansas safer by reducing accidents caused by drivers unfamiliar with driving laws and would protect our citizens in the event of an accident by reducing the number of uninsured drivers. In addition, the change would have positive fiscal impact for the state, including potentially lower auto insurance premiums, additional revenue from licensing fees, and potentially reducing public expenditures for medical care for the uninsured. This law also recognizes economic realities in this state. Expanding opportunities to obtain drivers' licenses is not incongruent with homeland security considerations; on the contrary, allowing law enforcement to positively identify individuals within our state will help law enforcement to identify potential threats and reduce our vulnerability and raise the feeling of security of citizens and non-citizens alike.

Possession of a drivers' license should not entitle the holder to any benefits related to employment, voter registration, or public benefits. The state is not empowered to make immigration laws but it can take legislative action to protect the safety of its residents and to effectively administer its transportation system. A bill to allow non-citizens access to licenses is a measure designed to respond to concerns of law enforcement and protect drivers and passengers on our roads.

This law should specifically address that immigrant applicants applying for a driver's license must present proof of positive identity. Specifically, an original birth certificate, passport, or other government issued identification should be required as well as a social security number or an individual taxpayer identification number pending application for a social security number used to double-check against the identity document. In addition, an address in the state of Kansas supported by a utility bill, official school record or other government document should be a requirement. Standard written testing, a demonstration of proficiency driving a vehicle and an understanding of enough English to pass the road, as well as the ability to understand road signs should also be a requirement.

Sincerely,

Ronald Miller
Chief of Police

H. JUDICIARY

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2-11-03

Attachment: 14