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U.S. Senate Passes Law Mandating Detention and Deportation of Illegals Charged With Theft and Assault

The Laken Riley Act requires ICE to detain and deport illegal immigrants charged with theft, burglary, larceny, assault of law enforcement officers, and crimes causing death or serious bodily harm.

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Laken Riley, a 22-year-old nursing student, was tragically killed while jogging in Athens, Georgia, by an illegal immigrant with a prior theft conviction who had violated immigration laws.

The United States Senate has passed the Laken Riley Act, legislation that requires Immigration and Customs Enforcement (ICE) to detain illegal immigrants charged with theft, burglary, or

larceny. The Act also empowers state attorneys general to hold federal officials accountable for failing to enforce immigration laws, granting states the authority to sue the federal government for non-compliance. If enacted, the legislation aims to close enforcement gaps, ensuring individuals who commit serious crimes are detained and deported promptly.

Passed by a bipartisan vote of 64 to 35, the legislation was named after Laken Riley, a 22-year-old nursing student [tragically killed by an illegal immigrant in Athens, Georgia](#). The bill includes provisions introduced by Senator Joni Ernst (R-IA) mandating the detention of individuals charged with crimes causing death or serious bodily harm. An amendment by Senator John Cornyn (R-TX) adds mandatory detention for those who assault law enforcement officers.

The Act was reintroduced earlier this month by U.S. Senators Kevin Cramer (R-ND), Katie Britt (R-AL), Ted Budd (R-NC), John Fetterman (D-PA), and Majority Leader John Thune (R-SD). It seeks to address the systemic failures that allowed Riley's killer—an illegal immigrant with a prior theft conviction who had violated immigration parole requirements—to remain in the United States.

ICE data highlights the urgency for such legislation, revealing that as of July 2024, nearly 650,000 criminal illegal immigrants were on ICE's Non-Detained Docket, including approximately 15,000 charged with or convicted of murder, over 20,000 of sexual assault, and more than 105,000 of assault.

The Act empowers state attorneys general to act when federal authorities fail to enforce immigration laws, granting states standing to sue the federal government for damages exceeding \$100 caused by non-compliance. Proponents of the bill argue that this provision will ensure accountability and prioritize public safety.

The Laken Riley Act previously passed the House of Representatives with a vote of 264 to 159 and now heads back to the House for further consideration of the Senate's amendments. Legislators supporting the bill argue that it provides vital tools for immigration enforcement while protecting American communities from individuals who pose serious threats.

"Every crime committed by illegal immigrants is preventable because they should not be here in the first place," said Senator Kevin Cramer. "This legislation gives immigration authorities the tools they need to detain and deport those who break our laws, ensuring atrocities like Laken Riley's murder don't happen again."

Co-sponsor Senator James Moylan (R-Guam) called the legislation "a step in the right direction" to address disparities in immigration enforcement and protect U.S. residents.