

University of Missouri-Kansas City School of Law

Kris W. Kobach

RECENT FACULTY SCHOLARSHIP

The Quintessential Force Multiplier: The Inherent Authority of Local Police to Make Immigration Arrests, 69 ALB. L. REV. 179 (2005).

Referendums and Plebiscites, in GOVERNMENTS OF THE WORLD: A GLOBAL GUIDE TO CITIZENS' RIGHTS AND RESPONSIBILITIES (Farmington Hills, MI.: Thomson Gale, 2005).

State and Local Authority to Enforce Immigration Law: A Unified Approach for Stopping Terrorists, CENTER FOR IMMIGRATION STUDIES BACKGROUNDER, Washington D.C. (June 2004).

Taking Shelter Behind the First Amendment: The Defense of the Popular Initiative, in REGULATING THE INITIATIVE PROCESS (Carolina Academic Press, 2001) (M. Dane Waters ed.).

Lessons Learned in the Participation Game, in DIRECT DEMOCRACY: THE EASTERN EUROPEAN EXPERIENCE (Ashgate Pub, Ltd., 2001) (Andreas Auer ed.).

Professor Kobach also writes opinion pieces regularly for major national publications--most frequently the *New York Post* and *Human Events*. From time to time, he also writes for local publications like the *Kansas City Star*. He has written more than a dozen such pieces in the last five years, usually on constitutional law or immigration law subjects. An example of one his recent *New York Post* pieces may be found at

http://www.nypost.com/php/pfriendly/print.php?url=http://www.nypost.com/postopinion/opedcolumnists/supreme_fudge_opedcolumnists_kris_w_kobach.htm. For a listing of Professor Kobach's most recent opinion pieces, see <http://www.law.umkc.edu/faculty/kobach.htm>.

RECENT FACULTY ELECTRONIC PUBLICATIONS

Courting Chaos: Senate Proposal Undermines Immigration Law, The Heritage Foundation, (2006),

<http://www.heritage.org/Research/Immigration/wm1083.cfm>

Terrorist Loophole: Senate Bill Disarms Law Enforcement, The Heritage Foundation, (2006),

<http://www.heritage.org/Research/Immigration/wm1092.cfm>

RECENT FACULTY PROFESSIONAL ACTIVITY

Counsel to the Attorney General John Ashcroft, U.S. Department of Justice, Washington, D.C. (Served as the Attorney General's chief legal and policy advisor on immigration law, border security, and the immigration court system in the immediate wake of 9/11.), Aug. 2002-Aug. 2003.

White House Fellow, Washington, D.C., 2001-02.

Appointed by the Kansas Attorney General Phill Kline to the Community Advisory Committee of the Sunflower Foundation, Apr. 2005-present (Counsel and Advisor).

Testified before the U.S. Senate Committee on Judiciary, Subcommittee on Immigration, Border Security and Claims, regarding H.R. 2933, June 28, 2005 (Expert Witness).

Testified before the Utah Joint Interim Committee on Education, regarding the legality under federal law of a state statute providing in-state tuition rates to illegal aliens, June 15, 2005 (Expert Witness).

Testified before the U.S. Senate Committee on Judiciary, Subcommittee on Immigration, Border Security and Citizenship, regarding coordinated enforcement of immigration laws to stop terrorists, Apr. 22, 2004 (Expert Witness).

Testified before the Kansas State Senate on Judiciary, regarding human trafficking, Feb. 16, 2005 (Expert Witness).

Testified before the Utah State House Committee on Education, regarding the legality under federal law of a state statute providing in-state tuition rates to illegal aliens, Feb. 11, 2005 (Expert Witness).

Testified before the Kansas State House Committee on Federal and State Affairs, regarding marriage amendment to state constitution, Jan. 25, 2005 (Expert Witness).

Testified before the House Subcommittee on Immigration, Border Security, and Claims, regarding the CLEAR Act and the legal authority for state and local law enforcement officers to make immigration arrests, Oct. 23, 2003 (Expert Witness).

Testified before the City House Judiciary Committee, Subcommittee on Immigration, Border Security, and Claims, regarding local enforcement of immigration laws, Oct. 1, 2003 (Expert Witness).

Foreign Press Center Briefing, *National Security Entry-Exit Registration System (NSEERS)*, Washington, DC, Jan. 18, 2003 (<http://fpc.state.gov/16739.htm>).

The Kris Kobach Show, a weekly talk radio program addressing current legal issues on Kansas City's largest news radio station, 980 KMBZ, Jan. 2005-present (Host).

Lead Attorney for Plaintiffs, *Sebelius v. Day*, Hearing of Federal case before Kansas US District Court, Senior Judge Richard D. Rogers, challenging Kansas's unlawful granting of in-state tuition rates to illegal aliens, 2004-present.

National Television Appearance, *Kansas Doctor May Be Aborting Down Syndrome Fetuses*, The O'Reilly Factor, Fox News Network, Kansas City, Missouri, June 8, 2005.

National Television Appearance, *Why Should Law be Changed?*, Fox News Network, University of Nebraska-Lincoln, May 13, 2005 (Live National TV Debate).

National Television Appearance, *Kansas' Immigrant Tuition Law Challenged*, MSNBC, May 11, 2005.

National Television Appearance, *Granting Illegal Aliens In-State Tuition*, Lou Dobbs Tonight, CNN, May 10, 2005.

National Television Appearance, *Students File Lawsuit Over Illegal Aliens*, Lou Dobbs Tonight, CNN, May 9, 2005.

National Television Appearance, *How Bad is Illegal Alien Crime?*, The O'Reilly Factor, FOX News Network, Kansas City, Missouri, May 4, 2005.

National Television Appearance, *State of Kansas One of Nine: Discrimination Against "U.S. CITIZENS and LEGAL IMMIGRANTS"?*, Lou Dobbs Tonight, CNN, May 2, 2005.

National Television Appearance, *Mexican Gov. Position, Minuteman Project*, The O'Reilly Factor, FOX News Network, Kansas City, Missouri, Apr. 7, 2005.

National Television Appearance, *The MS-13 Gang*, The O'Reilly Factor, FOX News Network, Kansas City, Missouri, Mar. 15, 2005.

National Television Appearance, *Court a Bastion of Private Deliberations*, MSNBC, Apr. 27, 2004.

National Television Appearance, *Southern Borders*, The O'Reilly Factor, FOX News Network, Kansas City, Missouri, Feb. 23, 2004.

National Television Appearance, *Kansas College Tuition for Illegal Immigrants*, The O'Reilly Factor, FOX News Network, FOX News Network, Kansas City, Missouri, May 21, 2004.

National Television Appearance, *Enforcing Immigration Law: The Assistance of State and Local Police in the Enforcement of Immigration Laws*, The O'Reilly Factor, FOX News Network, Kansas City, Missouri, Apr. 22, 2004, 2004 WL 75788643.

National Television Appearance, *America's Woeful Border*, The O'Reilly Factor, FOX News Network, Kansas City, Missouri, Feb. 23, 2004, 2004 WL 60345110.

National Television Appearance, *The Deployment of the National Guard to the Southern U.S. Border*, The O'Reilly Factor, FOX News Network, Kansas City, Missouri, Jan. 23, 2004.

National Radio Interview, *Local Law Enforcement and Immigration*, NPR Los Angeles, Apr. 26, 2005.

National Radio Interview, *Immigration and Terrorism*, NPR, Nov. 23, 2004.

Discussion on Immigration, KIXZ 940AM, CLEAR Channel, Salem Radio Network, May 15, 2005 (Radio Interview).

Debate on the USA PATRIOT Act, 710 KCMO FOX News & Talk Radio, hosted by the ACLU, Uptown Theater, Kansas City, Apr. 6, 2004 (Radio Interview).

Regarding the Marriage Amendment, 710 KCMO FOX News & Talk Radio, Apr. 4, 2005 (Radio Interview).

Regarding the Schiavo Case, News Radio 980 KMBZ, Mar. 24, 2005 (Radio Interview).

Kline Investigation of Abortion Clinics, News Radio 980 KMBZ, Feb. 27, 2005 (Radio Interview).

The Federal Marriage Amendment, The Complete Story, KCCV Bott Radio Network, Overland Park, Kansas, May 7, 2004 (Radio Interview).

Justice Byron R. White: The Legend and the Man, hosted by the Historical Society of the Tenth Judicial Circuit, Judges Ebel and Tacha, Earl O'Connor US Courthouse, Kansas City, Kansas, May 31, 2005.

The Federal Challenge of Unlawful Granting of In-State Tuition, FAIR Conference, Nashville, TN, May 7, 2005 (Panelist).

Debate on Embryonic Stem Cell Research, Kansas City Municipal Bar Association, Lake of Ozarks, Missouri, Apr. 28, 2005.

Guest lecturer on Post 9/11 immigration measures, Yale Law School, New Haven, CT, Mar. 22, 2005.

Chertoff: A Top Choice, NEW YORK POST, Jan. 12, 2005, at 29.

An Ideal Leader In Tough Times, KAN. CITY STAR, Nov. 17, 2004.

Debate on the USA PATRIOT Act, Hosted by the Dole Institute of Politics, University of Kansas, Lawrence, Kansas, May 8, 2004.

Thurgood Marshall's Coming!, The John B. Gage Lecture Series, hosted by UMKC Continuing Education, Kansas City, Missouri, Apr. 15, 2004.

A Subway Bomb?, NEW YORK POST, Mar. 26, 2004, at 29.

The Patriot War, KAN. CITY STAR, Mar. 01, 2004, at 29.

Debate on the Future of Immigration Policy, Hosted by the Mid-America Immigration Reform Coalition and the UMKC student chapters of the Federalist Society and the ACLU, University of Missouri, Kansas City, Kansas City, Missouri, Jan. 22, 2004.

Lefties for Terrorism, NEW YORK POST, Jan. 09, 2004, at 31.

A Phony 'Freedom Ride', NEW YORK POST, Oct. 01, 2003, at 29.

Principle drafter of numerous post 9/11 anti-terrorism regulations promulgated by the Bush Administration. Primary architect of NSEERS and special registration, Served as the Attorney General's chief legal and policy advisor on immigration law, border security, and the immigration court system, Aug. 2001-Aug. 2003.

Immigration Law and Border Security after 9/11, Represented the U.S. Department of Justice in the Holmes Debates, held at the Library of Congress, June 17, 2003.

Progress under NSEERS, Migration Policy Institute, Washington, DC, Apr. 25, 2003 (Panelist).

Civil Liberties in a Time of Terror, The John B. Gage Lecture of the UMKC School of Law, Kansas City, Missouri, Apr. 9, 2003.

Quoted, *Security Measures Slow Border Traffic Mayors Blame 9-11 Aftermath*, The CAPITAL TIMES (Madison, WI); June 18, 2002.

Quoted by the U.S. Supreme Court in *Cook v. Gralike*, 121 S. Ct. 1029, 1037, n. 15 (2001).

Amicus Curiae, *Cook v. Gralike*, and participated in oral arguments before the United States Court of Appeals-Eighth Circuit, on behalf of the State of Missouri, June 2001.

The Pardon Power's Not The Problem, NEW YORK POST, Mar. 12, 2001.

(Too) Much Ado on Church and State, NEW YORK POST, Feb. 20, 2001 at 39.

Ignoring Hamilton's Warning, KAN. CITY STAR, Jan. 23, 2001 at B-7.

Ashcroft's Real Record, NEW YORK POST, Jan. 8, 2001 at 29.

At Last, An A.G. of Integrity, NEW YORK POST, Jan. 2, 2001.

The Framers' Design, NEW YORK POST, Dec. 20, 2000 at 45.

Judicial Power Play, NEW YORK POST, Dec. 9, 2000 at 29.

Al's Supreme Doom, NEW YORK POST, Nov. 29, 2000 at 33.

To Misread a Statute, NEW YORK POST, Nov. 21, 2000 at 45.

U.S. Federalism Displays its Merits, KAN. CITY STAR, Nov. 21, 2000 at B-8.

Upcoming First Amendment Decisions with Implications for Municipal Law, Kansas City Municipal Bar Association CLE Presentation, Kansas City, Missouri, Nov. 17, 2000.

Recent Supreme Court Decisions in Municipal Law, Kansas City Municipal Bar Association, Kansas City, Missouri, July 18, 2000.

A Summary of the October 1999 Supreme Court Term, Overland Park Kiwanis Club, Overland Park, Kansas, June 22, 2000.

Cook v. Gralike (amicus brief regarding the constitutionality of Missouri's voter instructions and accompanying ballot notations regarding term limits) (U.S. Supreme Court, June 2000).

A Comparative Analysis of Voter Participation Rates, Center for Direct Democracy: International Conference on the Eastern and Central European Experience, Budapest, Hungary, Feb. 26, 2000.

Petroleum Use and the Impacts on Society, Environmental Forum of the UMKC School of Law, Kansas City, Missouri, Feb. 17, 2000 (Moderator).

Clarifying the Limits of Washington's Authority, KAN. CITY STAR, Jan. 23, 2000 at B-8.

City Council Member, Overland Park, Kansas, Apr. 1999-Aug. 2001.

Appeared on more than 100 national or local television/radio programs to explain constitutional and legal issues, on the following topics: the constitutional rights of juveniles, racial bias in the cutting of municipal basketball courts, noise ordinances, the Timothy McVeigh case, constitutional and privacy issues raised by the use of personal monitoring and thermal imaging devices, the constitutionality of community and faith-based initiatives, the role of law in American culture, school desegregation cases, partisan v. non-partisan elections, the Supreme Court Case of *Widmar v. Vincent*, the constitutional limits of the pardon power, the constitutionality of impeaching a President who has left office, the Bush Administration, electoral reform, and the Supreme Court, the Ashcroft confirmation hearings, the decision of the U.S. Supreme Court in *Bush v. Gore*, analysis of the various legal challenges in the Florida Presidential election, the decision of the U.S. Supreme Court in *George W. Bush v. Palm Beach County Canvassing Board*, legal issues in the wake of the 2000 election, First Amendment constraints on anti-soliciting ordinances, the law regulating Missouri's Senate race in the wake of Governor Mel Carnahan's death, important decisions of the October 1999 Supreme Court Term, the decision of the Supreme Court in *United States v. Morrison*, gun control, the insanity defense, civil forfeiture statutes, student-led prayer at football games, the

applicability of state anti-discrimination law to the Boy Scouts, *Roe v. Wade* and the Constitution, the historical development of the British and American legal systems, Second Amendment issues, the status of *Miranda* warnings, the use of confessions in criminal cases, the impeachment trial in the U.S. House and Senate, perjury, what the Framers of the Constitution meant by “High Crimes and Misdemeanors,” hate crimes, executive privilege, Kenneth Starr’s report to Congress, eminent domain and condemnation controversies, and various other analyses of recent decisions by the U.S. Supreme Court, 1998-present.

Periodic guest on *The Walt Bodine Show*, KCUR Radio (NPR), Kansas City, Missouri, as part of the Word Mavens group, covering such topics as: overused and underused words, the language of love, common grammatical errors, fighting words, the origins of weather and season words, the origins of crime and police words, word play and jokes, the incorporation of foreign words into the English language, the origins of drinking words, legal words and phrases in common parlance, puns and other forms of word play, the origins of clothing words and phrases, the origins of sports words and phrases, the origins of food words and phrases, the origins of political words and phrases, the origins of animal phrases, and the origins of English words and phrases, Aug. 1999-present.