



STATE OF KANSAS

Tenth Judicial District Steve Howe, District Attorney

Today, the United States Supreme Court affirmed the convictions of three individuals prosecuted by the Johnson County District Attorney's Office for identity theft and related offenses.

The three men were convicted of identity theft for using social security numbers belonging to other people on employment forms used to withhold wages for tax purposes. Following the convictions, the defendants appealed their cases to the Kansas Supreme Court, arguing federal immigration law prevented the State from prosecuting such cases.

In 2017, the Kansas Supreme Court voided the convictions of the three workers, finding that a 1986 federal immigration law known as the Immigration Reform and Control Act prevented states from pursuing such prosecutions. Our office, in partnership with the Kansas Attorney General, petitioned the United States Supreme Court for review of that ruling, arguing that while immigration-related employment is a federal matter, these prosecutions were not immigration-related and did not conflict with federal law. Ten other states and the United States Solicitor General joined our effort.

Today the United States Supreme Court affirmed this office's approach at combatting identity theft by reversing the Kansas Supreme Court's ruling. The United States Supreme Court concluded federal law does not prevent the States from prosecuting these identity theft cases. This reversal is a victory for victims of identity theft and states' rights to protect their citizens.

The case is *Kansas v. Garcia*, No. 17-834. The opinion can be found here: https://www.supremecourt.gov/opinions/19pdf/17-834_k53l.pdf