

KRIS KOBACH: THE ARCHITECT OF HATE

INTRODUCTION

Kansas Secretary of State Kris Kobach has been a notorious member and architect of the anti-immigrant movement for the past fifteen years. Among the leadership roles that he plays is serving as legal counsel to a network of organizations founded by John Tanton, a white supremacist, and includes the Federation for American Immigration Reform, a designated hate group.¹ In 2010, Kobach was elected Secretary of State in Kansas and re-elected in 2014. He holds the position today² even while he continues to personally profit from advancing and defending policies aimed at severely restricting immigration in the United States.

Kobach has drafted, advanced and defended some of the most offensive anti-immigrant laws and policies in the country. He has built his career trying to pass laws aimed at limiting the rights of immigrants, Muslims, and communities of color. His pattern looks something like this: he drafts a piece of anti-immigrant or anti-voting legislation and advocates for the bill's passage. When a law is inevitably challenged in court, Kobach offers his private legal services to municipalities faced with defending the measure. As a result of pushing these unconstitutional measures forward, Kobach has collected close to a million in legal fees,³ while cities in several states have collectively spent more than 7 million in taxpayers' dollars defending these laws.⁴

Not only has Kris Kobach worked assiduously to advance an anti-immigrant agenda, he has also recently focused his efforts on making it hard for people of color to vote. His *Crosscheck* program, which has been used nationally, disproportionately affects non-White communities and has disenfranchised thousands of Americans. As Secretary of State in Kansas, he has instituted voter suppression measures – including providing incorrect information on Spanish-language voter materials and pushing proof of citizenship laws and dual-voter systems, both of which have been ruled unlawful by multiple courts.

In addition to denying people the right to vote and advancing unconstitutional laws, and while serving as Secretary of State, notable ethical lapses by Kobach have been documented, including lying under oath in connection with his personal real estate; using taxpayer dollars on activities unrelated to his duties in Kansas; and violating campaign finance laws.

Today, Kris Kobach is strongly influencing our nation's immigration policy. During the 2016 presidential campaign, Kobach served as Donald Trump's chief advisor on immigration. Among Kobach's policy ideas were

¹ Southern Poverty Law Center [11/2/15](#); Talking Points Memo, [11/3/15](#)

² Immigration Reform Law Institute [website](#) accessed 3/24/17

³ Center for American Progress, [Jan. 2011](#)

⁴ The New Yorker, [1/22/16](#)

proposals of “extreme vetting” of Muslims⁵ and forcing Mexico to pay for construction of a wall along the Southern border.⁶ Kobach has also been cited as a source for the so-called “evidence” behind Trump’s lies about massive election fraud allegedly perpetrated by undocumented immigrants, a falsehood which has been widely debunked.⁷

It is not surprising, then, that Trump’s immigration agenda is the dream of white supremacists, including former Klan leader David Duke.⁸ In Trump, the nativist network has found the perfect ally. Within the first week of his administration, Trump announced a ban on refugees and the “extreme vetting” of Muslims as well as plans to deport millions of undocumented immigrants, incarcerate border crossers, and repeal enforcement discretion guidelines and other immigration-related actions by the Obama Administration so as to facilitate large-scale deportations. Trump has also declared his intention to “build the wall” between the U.S. and Mexico.

It is clear that Kobach and his white nationalist colleagues have significant influence over Trump. These groups, including the Federation for American Immigration Reform, have openly advocated for Kobach to be designated as a White House “czar” on immigration. Despite pressure from the White House, Kobach was not named Deputy Secretary for the U.S. Department of Homeland Security (DHS) amidst reported opposition from DHS Secretary John Kelly. Notwithstanding, according to public reports, Kobach has provided input on the executive orders issued on immigration so far.⁹

Most recently, Kobach has announced that he is considering a run for Governor of Kansas, a position that will no doubt provide him with a significant state level platform with which to advance his anti-immigrant, voter suppression agenda.

This report provides background information about Kris Kobach and the ways he has designed and advanced a structure of hate as a framework for governance in our country. The Fair Immigration Reform Movement is alarmed that Kobach continues to play a critical role advising Donald Trump and is considering making a run for Governor of Kansas. FIRM is strongly opposed to any efforts to appoint him to a governmental post for the reasons stated in this report. Simply put, Kris Kobach is unfit to serve in office.

KRIS KOBACH: PROMOTING “ANGLO SAXON DOMINANCE” FOR OVER A DECADE

Kobach has a history of provoking animus against immigrants, Muslims and people of color. While at Harvard, Kobach’s views were likely shaped by his student advisor and mentor, the late Samuel P. Huntington, a controversial professor who once claimed that immigrants from Mexico and Latin America posed a threat to “American identity.”¹⁰ Huntington clearly influenced Kobach: in 2007, while a professor at the University of Missouri-Kansas City Law School, Kobach required excerpts from Huntington’s book, *Who Are We?: The Challenges To America's National Identity* in one of the immigration law classes he taught.

⁵ CNN, [11/21/16](#)

⁶ Topeka Capital-Journal, [4/10/16](#)

⁷ Kansas City Star, [12/2/16](#); Brennan Center for Justice, [1/31/17](#); Associated Press, [2/10/15](#); USA Today, [1/26/17](#)

⁸ NPR, [5/8/16](#); Talking Points Memo, [1/31/17](#)

⁹ Talking Points Memo, [1/31/17](#)

¹⁰ Lawrence World Journal, [11/27/16](#)

A vocal member of the birther conspiracy¹¹ (which claimed that former President Barack Obama was not a U.S. citizen), Kobach joked that the President and God had one thing in common: *“Neither has a birth certificate.”*¹² In 2012, Kobach attempted to keep President Obama off the Kansas ballot until the President provided a “long form” birth certificate.¹³

When immigrant rights activists staged a non-violent protest at his house in 2013, Kobach claimed their demonstration was *“a reason we have the Second Amendment”* and said, *“[t]here are situations like this when you have a mob and you need to be able to protect yourself.”*¹⁴ He also suggested it wasn’t a “huge jump” to think President Obama might stop prosecuting African-Americans because of race.¹⁵ In 2016, he went so far as to attack a Muslim-American Gold Star military family on his radio show stating, *“It is maddening to be lectured about our Constitution and about what American law should be by aliens in the United States.”*¹⁶

Kobach began his professional crusade against immigrants and Muslims during a two-year stint at the U.S. Department of Justice. From 2001 to 2003, Kobach worked under former Attorney General John Ashcroft and led efforts to create a national registry requiring certain Muslims to report to the federal government. The registry, known as National Security Entry-Exit Registration Systems “NSEERS”, went into effect in 2001.¹⁷

Kobach’s Decade Working With White Supremacist Organizations

Kobach left the Department of Justice in 2003 and joined the legal arm of a designated hate group, the Federation for American Immigration Reform in 2004 – a position he retains to this day.¹⁸ The Federation for American Immigration Reform, Numbers USA (the lobbying arm of the Federation for American Immigration Reform), and the Center for Immigration Studies are all nativist groups established by John Tanton, a white nationalist¹⁹ who believes immigrants are a threat to the environment.²⁰ Tanton once wrote, *“[f]or European American society and culture to persist requires a European-American majority and a clear one at that.”*²¹ Tanton also wrote in a letter: *“One of my prime concerns is about the decline of folks who look like you and me.”*²²

Kobach’s colleagues at the Federation for American Immigration Reform have repeatedly expressed virulently anti-immigrant sentiments. For example, Michael Hethmon, senior counsel for the Federal for American Reform, openly argues that the United States’ transition to a country where the majority of its citizens are people of color would not be “peaceful”.²³ Federation for American Immigration Reform president Dan Stein

¹¹ New York Times Editorial, [9/14/12](#)

¹² Lawrence Journal-World, [07/14/09](#)

¹³ CBS News [9/14/12](#)

¹⁴ HuffPo, [6/18/13](#)

¹⁵ The Kansas City Star, [3/5/15](#)

¹⁶ The Kris Kobach Show aired [7/31/16](#)

¹⁷ President Obama suspended use of the registry in 2011 and formally terminated NSEERS in 2016.

¹⁸ [IRLI website](#) last accessed [3/24/17](#)

¹⁹ [Southern Poverty Law Center](#)

²⁰ Pittsburgh Post Gazette [2/15/2015](#)

²¹ New York Times, [4/17/11](#)

²² New York Times, [4/17/11](#)

²³ Washington Post, [4/24/12](#)

stated that many immigrants hate America²⁴ and attacked the 1965 Immigration and Naturalization Act, which ended years of racist immigration quotas, as retaliation “against Anglo-Saxon dominance.”²⁵

In addition to his long association with the Tanton network, Kobach was a featured speaker at a white nationalist event in 2015 organized by the *Social Contract Press*,²⁶ an online magazine, also founded by Tanton, that publishes the writings of neo-Nazis, white supremacists, and Holocaust deniers.²⁷ Among the theories advanced by this publication is a claim that Latinos want to occupy and “reclaim” the American Southwest and a belief that no Muslim immigrants should be allowed into the United States.²⁸

These groups -- founded by a white nationalist and espousing white nationalist ideas -- now have access to the White House. In 2016, Kobach was tapped by Donald Trump to serve as his key campaign advisor on immigration policy. Not surprisingly, Trump’s platform was arguably the most extreme anti-immigrant platform of any presidential candidate. Following the 2016 presidential election, Kobach continued advising Trump on immigration policy. Among the core policy ideas being moved forward are a ban on refugees and individuals from six predominantly Muslim countries, (which has been blocked in federal courts), mass deportations, the increasing incarceration of individuals who cross the border and the construction of a wall along the southern border. Kobach has also strongly advocated for the new administration to reinstate the Muslim registry program and engage in the “extreme vetting” of potential Muslim visitors.²⁹

White Nationalists Helped Fund Kobach’s Failed Bid for Congress

During his failed bid for Congress in 2004, Kobach received \$10,000 in contributions from the U.S. Immigration Reform PAC, chaired by Mary Lou Tanton, wife of John Tanton.³⁰ His campaign also accepted contributions from Hans von Spakovsky, a former Justice Department lawyer in the Bush administration who was accused of voter suppression of minority voters.³¹

Kobach Is Responsible For Racist, Unconstitutional Laws Around The Country

Kobach has been at the forefront of the nativist movement for much of his career.³² A proponent of “attrition through enforcement,”³³ he was behind anti-immigrant measures in several states over the years, including Alabama, Georgia, South Carolina, Utah; and local ordinances in Pennsylvania, Texas, and Nebraska. Most provisions of those laws have been found unconstitutional and blocked by federal courts or by lawsuit

²⁴ [Southern Poverty Law Center, 4/18/11](#)

²⁵ [Southern Poverty Law Center, 4/18/11](#)

²⁶ [Kansas City Star, 11/3/15](#)

²⁷ [The SocialContract.com](#) accessed 3/24/17

²⁸ [Southern Poverty Law Center, 11/2/15](#)

²⁹ [Reuters, 11/16/16](#)

³⁰ [Jackson Free Press, 10/24/12](#)

³¹ [Kansas City Star, 4/9/12](#)

³² [Mother Jones, March/April 2012](#)

³³ [Washington Post, 4/24/12](#)

settlements. Kobach's extremist agenda has also included efforts to push for measures denying citizenship to children born in the U.S. to undocumented parents, a right guaranteed by the Fourteenth Amendment of the U.S. Constitution.³⁴

Although he is most notorious for his role behind SB 1070, Arizona's "*show me your papers law*" that passed in 2010, Kobach has been steering immigration law in Arizona since 2006, when he began working in the state to defend a smuggling law that created state criminal penalties for bringing undocumented people into Arizona. The law was a way for Kobach to see his anti-immigrant agenda in action and was championed by Joe Arpaio, the disgraced former sheriff renowned for human rights violations,³⁵ who used the law to rustle up a 250-man posse to patrol for suspected human smugglers.³⁶

After successfully defending Arpaio's smuggling law in federal court, Kobach continued to advise Arpaio on ways he could deport more people. In 2007, he helped craft another highly controversial Arizona law that fined employers for not checking the immigration status of their employees.³⁷ It was around this time that Kobach also began working with then-state senator Russell Pearce on the passage of SB 1070. Together, Kobach and Pearce developed what many consider to be "*the most racist law in modern American history.*"³⁸

SB 1070 required law enforcement officials to check the immigration status of people they suspected were in the country illegally. If you could not show documents proving you were here legally, you could be arrested. The law also allowed immigrants to be arrested without a warrant and made it a crime to seek work if you were undocumented. The U.S. Supreme Court ultimately struck down much of SB 1070 and the remaining provisions of the legislation have been largely gutted through settlements with civil rights groups.

KOBACH'S REPEATED ATTEMPTS TO DISENFRANCHISE VOTERS

As Secretary of State in Kansas, Kobach has devoted significant resources toward voter suppression in Kansas and nationwide. As a result of Kobach's efforts, voters in states across the country – disproportionately voters of color – have been disenfranchised. He has attempted to justify his attacks on voting rights through unsubstantiated claims of widespread voter fraud. Kobach is also a vocal supporter of Trump's assertion that "millions" of people voted illegally in the 2016 election. As proof, Kobach has pointed to an Old Dominion University paper that claimed voting by non-citizens could affect close races.³⁹ None of the authors of this report believe that their data supports Trump and Kobach's claim.⁴⁰

In 2015, Governor Brownback signed a bill giving Kobach the power to "pursue allegations of voter fraud in court."⁴¹ According to records detailing staff salaries provided to Kansas State Representative John Carmichael, Kobach spent at least \$200,000 on salaries for new staff whose duties include rooting out

³⁴ Talking Points Memo, [8/20/15](#)

³⁵ Arpaio would go on to face criminal contempt charges in 2016 for violating a judge's order to stop unlawfully engaging in federal immigration enforcement activities and lose re-election in November 2016.

³⁶ Fox News, [5/11/06](#)

³⁷ Mother Jones, [5/7/10](#); McClatchy DC, [5/26/11](#)

³⁸ Daily Kos, [11/10/16](#)

³⁹ Wichita Eagle, [11/30/16](#)

⁴⁰ Associated Press, [11/30/16](#)

⁴¹ Topeka Capital-Journal, [6/8/15](#)

imagined voter fraud. As of 2017, Kobach has filed charges of voter fraud against only nine individuals in Kansas, none involving immigrant voters despite his repeated claims of massive voter fraud among immigrant community members.⁴² With only nine prosecutions, (one of which was dismissed because it was an innocent error),⁴³ that works out to over \$22,000 per case.

While Kobach pursues his anti-voter crusade, Kansans are facing drastic budget cuts including in K-12 education, services for the aging and those with disabilities, higher education, and medical services. The state has already slashed funding for mental health centers and Medicaid.⁴⁴

Such is the extent of Kobach's voter fraud obsession that it has been noted and commented on by public officials and newspapers in Kansas. Federal Judge Jerome Holmes, a George W. Bush appointee, called Kobach's argument about non-citizens voting in Kansas "*pure speculation*."⁴⁵ In a write up of Kobach's many failures to prove voter fraud, the Kansas City Star Editorial Board called Kobach "*a money-wasting, publicity-seeking, incompetent officeholder*."⁴⁶

In 2015, in response to public concerns, a bipartisan advisory panel to the U.S. Commission on Civil Rights voted unanimously to conduct an investigation into the civil rights impact of Kobach's voting restrictions in Kansas. In 2017, the panel issued a report that detailed concerns that the law "may have been written and implemented with improper, discriminatory intent."⁴⁷

Judges Have Repeatedly Ruled Against Kobach's Unconstitutional Attacks On Voting Rights

In 2011, Secretary of State, Kobach drafted and led Kansas to pass one of the nation's strictest laws on voting requirements. The law requires Kansas voters to show photo ID when voting and documentary proof of citizenship when registering to vote. It also allowed for the creation of a two-tier voting system for Kansas residents whereby if a resident registers to vote at the Department of Motor Vehicles or by using a federal form (neither of which requires proof of U.S. citizenship), they can only vote in federal elections, not in state or local elections.⁴⁸

Not surprisingly, courts have repeatedly blocked Kobach's efforts to dismantle voting rights in Kansas, with a number of judges ruling against his radical efforts to suppress the vote. In 2015, Judge Franklin Theis ruled against Kobach in a lawsuit, stating that Kobach's proposal to prohibit voters from voting in state and local elections (if they did not provide proof of citizenship at the time they registered to vote) would result in "*an overwhelming majority of U.S. Citizens*" losing their right to vote.⁴⁹ In 2016, Judge Larry D. Hendricks placed a permanent injunction on Kobach's proposal, stating that permanently blocking the program was "*overwhelmingly in the public interest*."⁵⁰

⁴² KMUW, [1/20/17](#)

⁴³ Wichita Eagle, [1/25/16](#)

⁴⁴ The Topeka Capital-Journal, [1/23/17](#)

⁴⁵ McClatchy DC, [11/30/16](#)

⁴⁶ Kansas City Star, Editorial, [4/11/16](#)

⁴⁷ Kansas City Star, [2/6/17](#)

⁴⁸ Associated Press, [4/25/16](#)

⁴⁹ Wichita Eagle, [7/26/15](#)

⁵⁰ WIBW, [11/4/16](#)

As Secretary of State, Kobach Approved Spanish-Language Voting Guides In Kansas That Provided INCORRECT INFORMATION

In 2016 Kobach issued voting guides in Spanish ***with incorrect information about the deadline to register to vote***.⁵¹ Critics accused Kobach of deliberately creating the misinformation in order to disenfranchise Spanish-speaking voters.⁵²

Kobach Is Responsible For Purging Voter Rolls Across The Country

Kobach is behind attempts to purge voter rolls in states around the country through a program he designed known as *The Interstate CrossCheck Program*. Crosscheck scans 100 million voter records from states around the country to purge registration rolls of dual registrations in multiple states.⁵³ The program was first implemented in Kansas in 2005 and then expanded to 30 states.⁵⁴ Although Crosscheck has tagged nearly 7.2 million voters for purging from voter rolls, *no more than four prospective voters had actually been charged with double voting or deliberate double registration*.⁵⁵

Crosscheck was found to disproportionately impact people of color. Crosscheck has flagged and disenfranchised:

- 1 in 6 Latino voters
- 1 in 7 Asian-American voters
- 1 in 9 African-American voters⁵⁶

Kobach Had The Help Of Longtime Colleague and Ally, Brian Newby At The Election Assistance Commission

In 2016, less than two months into his tenure as the federal Election Assistance Commission's (EAC) executive director, Brian Newby unilaterally made the decision to allow Kobach's request for a "proof-of-citizenship requirement" on voting instructions in Kansas. Kobach's proposal had twice been rejected by the EAC prior to Newby's decision.⁵⁷ Newby allowed the same proof-of-citizenship requirements in Georgia and Alabama at the request of each state's secretary of state.⁵⁸ The requirement prevented residents from registering to vote unless they provided documentation proving their citizenship. A federal court ultimately struck down the requirement as unconstitutional.⁵⁹

⁵¹ The Pitch, [4/8/16](#)

⁵² The Pitch, [4/8/16](#)

⁵³ Topeka Capital-Journal, [4/21/14](#)

⁵⁴ WIBW, [11/4/16](#); District Sentinel, [12/19/16](#)

⁵⁵ Rolling Stone, [8/24/16](#)

⁵⁶ Rolling Stone, [8/24/16](#)

⁵⁷ MSNBC, [2/4/16](#)

⁵⁸ Washington Post, [04/6/16](#)

⁵⁹ Mother Jones, [9/16/16](#)

Newby and Kobach have a long history, with Kobach described as a Newby “benefactor” who played a critical part in helping Newby advance to positions of power.⁶⁰ In fact, Newby worked for Kobach as a county election commissioner in Kansas until 2015 and was recommended by Kobach for the post at the EAC. In emails between Newby and Kobach obtained by the Associated Press, Newby expressed his gratitude to Kobach for helping to get him the job at the EAC and told Kobach he could “count” on him making reference to Kobach’s prior “issues” with the EAC.⁶¹

Newby admitted to speaking privately to Kobach and to the secretaries of state of Georgia and Alabama before he allowed the changes on voter registration requirements to go through.⁶² Watchdog groups have called for an internal investigation into whether Newby violated agency policy when he communicated with other secretaries of state shortly before helping them impose the changes.⁶³

Newby is no stranger to allegations of ethical lapses. In 2016, Newby was the subject of a state audit in Kansas and accused of misuse of state funds at taxpayer expense.⁶⁴

A 2016 lawsuit filed in federal court by the ACLU and the League of Women Voters of the United States challenged the changes to voter registration Newby allowed in Kansas, Georgia, and Alabama. In response to the lawsuit, Kobach, while speaking at a “Kansans for Life” prayer breakfast in 2016, said, “*The ACLU and their fellow communist friends, the League of Women Voters — you can quote me on that, the communist League of Women Voters — the ACLU and the communist League of Women Voters sued.*”⁶⁵

KRIS KOBACH SPENT ALMOST \$60,000 OF TAXPAYER MONEY ON POLITICAL EVENTS, DEFENDING HIS FRIEND IN A LAWSUIT, AND OTHER TRAVEL OUTSIDE KANSAS

While serving as Secretary of State, Kobach has spent weeks outside the state pushing his own extremist agenda around the country instead of addressing the needs of Kansans. At the same time that Kansas legislators had to slash education funding to make up for budget shortfalls⁶⁶, Kobach was spending several thousands of taxpayer dollars on travel unnecessary to his role as Secretary of State.⁶⁷ According to public records, from 2011 and 2015, Kobach spent more than **\$47,000 on travel outside of Kansas.**⁶⁸

\$5,300 Billed To Taxpayers For Kobach To Use The State’s Private Plane For His Own Agenda

Based on “open records” requests for Kobach’s daily logs and emails from Jan. 1, 2015 to March 24, 2016, the Associated Press identified several flights Kobach took on the state plane to attend Republican Party functions and other events. On a number of occasions his family flew with him. He often scheduled minor events in his “official capacity,” such as appearing in a local parade or meetings with county clerks, to coincide with the

⁶⁰ Talking Points Memo, [4/1/16](#)

⁶¹ Mother Jones, [9/16/16](#)

⁶² MSNBC, [4/7/16](#)

⁶³ MSNBC, [4/7/16](#)

⁶⁴ Mother Jones, [9/16/16](#)

⁶⁵ Lawrence Journal-World, [2/20/16](#)

⁶⁶ Associated Press, [7/2/16](#)

⁶⁷ Associated Press, [7/2/16](#)

⁶⁸ KanView, Secretary of State Budget, 2011; 2012; 2013; 2014; 2015

DATE	DESTINATION	AMOUNT
1/23/2015	Testified at a hearing on potential adoption of Nebraska voter ID law; accompanied by his wife Lincoln, NE	\$807.00
5/8/2015	Republican Luncheon with his daughter McPherson, KS	\$386.00
8/6/2015	Republican Ice Cream Social Newton, KS	\$360.00
8/8/2015	Republican Party Fundraiser, Wichita, KS	\$524.00
2/27/2016	Funeral with pastor and Archery banquet, Hutchinson, KS	\$3,290.00
	Total:	\$5,367.00

Associated Press, [7/2/16](#)

\$6,600 Billed To Taxpayers So Kobach Could Travel To Washington, DC To Defend His Buddy, Brian Newby

On two separate occasions in 2016, Kobach was unable to book the state plane to fly to Washington, D.C. for a hearing and deposition in the lawsuit he joined in support of Brian Newby.⁷⁰ Kobach and a staff member spent \$6,594 on commercial flights and other travel expenses.⁷¹

KANSAS PAID OVER \$34,000 IN LEGAL FEES WHEN KOBACH TRIED TO INTERFERE IN A 2014 U.S. SENATE RACE

In 2014, Kobach refused to take a Democratic Senate candidate off the ballot after the candidate formally withdrew from the race. The former candidate sued Kobach for refusing to remove his name from the ballot and the state was forced to pay the Hinkle law firm \$295-an-hour to defend Kobach. The state also retained the same law firm when Kobach tried to intervene in a separate lawsuit to force the Democratic Party to name a replacement candidate in the same Senate race. **The state spent \$34,627.57 on the two cases.**⁷²

The Kansas City Star Editorial Board criticized Kobach's interference in the 2014 U.S. Senate race in Kansas,

⁶⁹ Associated Press, [7/2/16](#)

⁷⁰ The Wichita Eagle, [7/2/16](#)

⁷¹ Associated Press, [7/2/16](#)

⁷² Wichita Eagle, [10/27/14](#)

stating that Kansas residents “*would be better served if their Secretary of State worked on ensuring a smooth-running election instead of trying to interfere in one of its races.*”⁷³

KOBACH HAS PERSONALLY PROFITED FROM LAWSUITS AGAINST HIS ANTI-IMMIGRANT LAWS AT TAXPAYER EXPENSE

As outlined in this report, Kobach has a history of drafting unconstitutional laws. As if this were not enough, Kobach has in the past capitalized on these losses by offering up his private legal services when municipalities are inevitably taken to court. In a 2010 editorial, the *Sand Mountain Reporter* in Alabama (another state where Kobach pushed an anti-immigrant law blocked by the court) described Kobach’s pattern well.

Ben Shurett, publisher of the *Sand Mountain Reporter*, wrote: “*I fear Mr. Kobach targets town like ours, and towns like Hazleton, Pa., Valley Park, Mo., and Farmers Branch, Texas, as financial windfalls. I think he comes to our towns and says things to imply Albertville is paying an additional \$6 million to \$10 million to educate children of illegal immigrants and incite people into hiring him. I think he preys on the legitimate concerns, the irrational fears and even some bigoted attitudes to convince cities to hire him to represent their interests in lawsuits that may not be winnable.*”⁷⁴ A clear example of what Shurett describes can be found in Farmer’s Branch, TX. Kobach represented Farmer’s Branch in a string of challenges to its anti-immigrant law, which he himself had written and helped to pass. The city was sued over the measure and repeatedly lost in court. Kobach received \$100,000 in legal fees despite assurances made by the mayor to the Farmer’s Branch City Council that Kobach’s services would be free.⁷⁵

KOBACH DOESN’T HAVE A GOOD TRACK RECORD WITH CAMPAIGN FINANCE LAWS EITHER

Kobach Failed To Accurately Report Campaign Contributions...

Kobach ran for Congress in 2004 and failed to file the legally required campaign finance reports for his campaign.⁷⁶ In 2011, he was fined \$5,000 for inaccurately reporting more than \$75,000 in contributions and expenditures from his campaign for Secretary of State in Kansas in 2010.⁷⁷

...And Also Mismanaged The Kansas Republican Party’s Finances

After an investigation, the Federal Election Commission criticized Kobach for campaign finance violations as well as mismanaging the Kansas State Republican Party’s finances while he was chairman in 2007 and 2008.⁷⁸

⁷³ Kansas City Star Editorial, [9/30/14](#)

⁷⁴ Sand Mountain Reporter, [4/27/10](#) via Southern Poverty Law Center, [1/29/11](#)

⁷⁵ Kansas City Star [11/15/11](#)

⁷⁶ Parsons Sun, [1/23/12](#)

⁷⁷ The Topeka Capital-Journal, [10/26/11](#)

⁷⁸ The Topeka Capital-Journal, [10/26/11](#)

KOBACH LIED UNDER OATH AND VIOLATED SAFETY CODES

Kobach's abuse of power has also extended to his personal property. In a 2013 sworn statement, Kobach told officials that a building on his property was for agricultural use and not a residence. However, "a county inspector found Kobach building a two-bedroom residence" while not obtaining the necessary permits.⁷⁹ One county inspector alleged Kobach had committed "at least 30 administrative code violations, several life safety code violations and seven questionable zoning items."⁸⁰

The building Kobach claimed was for agricultural use only included "a 1,250-square-foot, two-bedroom home with electrical hookups and plumbing for a kitchen, laundry room and bathroom."⁸¹ Although Kobach's building did not have a water source or approved plumbing, he was issued a certificate of occupancy because Kobach had plans to hook up a water supply someday.⁸²

An expert on the county's codes said, "*Kobach was obviously treated with kid gloves.*"⁸³ Even before the code violations, it appears Kobach received special treatment when his building was incorrectly assessed at a lower value, resulting in a cheaper building permit.⁸⁴ As a result of Kobach's case, Douglas County paid a consultant, the Austin Peters Group, \$9,180 to commission a study on their department. The Austin Peters Group report identified the "*'Kobach case' as behind the recognized need to identify reforms in the department.*"⁸⁵

CONCLUSION

FIRM believes Kobach is not fit to serve in any capacity as a public official. His record paints a picture of an opportunistic zealot who has spent the past fifteen years trying to strip immigrants of their civil rights and to suppress voting rights for everyone else. He has used his position of power time and again for his personal agenda and has cost the residents of Kansas and states around the country millions of dollars in legal fees as a result.⁸⁶

America must stand up and unite against Kobach, an Architect of Hate and a man who has demonstrated that he is a threat to our democracy and the rule of law.

⁷⁹ Lawrence Journal-World, [5/23/15](#)

⁸⁰ Lawrence Journal-World, [6/4/15](#)

⁸¹ Lawrence Journal-World, [9/1/15](#)

⁸² Lawrence Journal-World, [9/1/15](#)

⁸³ Lawrence Journal-World, [5/23/15](#)

⁸⁴ Lawrence Journal-World, [5/23/15](#)

⁸⁵ Lawrence Journal-World, [4/11/16](#)

⁸⁶ Dallas Observer, [6/21/12](#)