



Written by [Veronika Kyrylenko](#) on January 8, 2025

House Passes Laken Riley Act

The House of Representatives passed H.R. 7511, the [Laken Riley Act](#), on Tuesday, a bill named after a Georgia student slain by an illegal immigrant from Venezuela last year. The bill mandates detention of migrants arrested for theft. The legislation reflects a renewed focus on border security by the Republican-led chamber, marking the first major legislative effort of the 119th Congress.

The bill passed with bipartisan support in a 264-159 vote, with 48 Democrats joining all House Republicans. The Senate, now under Republican control, is expected to consider the legislation later this week, potentially coinciding with what would have been Riley's 23rd birthday.



Oli London/X
Laken Riley

Legislative Context

The act is named in memory of Laken Riley, a 22-year-old nursing student [killed](#) by Jose Ibarra. Ibarra is a Venezuelan migrant who had previously been arrested for shoplifting and paroled.

The bill was initially introduced by Rep. and House Speaker Mike Johnson (R-La.) on February 15, 2024, as part of a broader Republican effort to tighten immigration enforcement following high-profile cases like Riley's.

The bill seeks to address gaps in the system by requiring the detention of migrants accused — not necessarily convicted — of crimes such as theft, burglary, or shoplifting.

House Majority Leader Steve Scalise (R-La.) lauded the measure as a commitment to public safety, stating, according to [The Hill](#),

We've been very focused on border security; the Laken Riley Act makes it clear, if you're committing crimes in America against people, it's not going to be tolerated.

The measure has faced significant pushback from advocacy organizations such as the [Leadership Conference on Civil and Human Rights](#) and the American Civil Liberties Union (ACLU). It also faces opposition from some Democrats, who argue it undermines due-process protections and raises other concerns.

Key Provisions

The Laken Riley Act introduces stricter immigration enforcement measures. It focuses on mandatory detention for migrants charged with theft and empowering state-level action against federal immigration practices. Key elements include:

Mandatory Detention for Theft-related Charges. The bill requires the Department of Homeland



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Security (DHS) to detain migrants charged with or admitting to burglary, theft, larceny, or shoplifting, regardless of conviction status. Definitions for these offenses align with local laws.

State Lawsuits to Enforce Immigration Laws. State attorneys general can sue the federal government for non-enforcement of detention or deportation rules if they can show harm, such as financial damages exceeding \$100. Courts must expedite such cases to ensure swift resolution.

Stricter Parole Rules. The act limits federal parole authority, allowing states to challenge cases where parole is granted outside strict humanitarian or public-benefit guidelines.

Expanded State Role in Immigration Enforcement. States are granted authority to ensure federal compliance with detention requirements during the removal process. That would further embed state-level oversight in immigration policy.

Proponents argue that the bill closes loopholes that allowed individuals like the killer of Laken Riley to remain in the United States despite prior arrests.

Overall, the bill's provisions mark a significant shift in immigration policy. Debate is expected as it moves to the Senate.

Criticism

Critics of the bill argue it undermines due process by requiring the detention of migrants based solely on charges or arrests for theft-related offenses, bypassing the need for a conviction. This shifts away from the legal principle of "innocent until proven guilty," raising concerns about potential abuses.

Key objections include:

Detention Without Conviction. The act mandates detention based on allegations, leaving individuals vulnerable to incarceration or deportation before having their day in court.

Erosion of Constitutional Protections. Critics assert the legislation diminishes fundamental due-process rights by imposing punitive measures without judicial findings of guilt.

Community Impact. Opponents also warn the act may foster fear and mistrust among immigrant populations, reducing cooperation with law enforcement and undermining community safety.

In addition to that, organizations such as the [National Immigration Law Center](#) warn that granting states sweeping powers to sue the federal government over nearly any immigration-related decision could significantly disrupt the executive branch's authority to shape immigration policy. The center also argues that by granting states automatic standing to sue on immigration matters, the bill disregards the constitutional principle of "standing," which prevents courts from intervening in cases without clear harm. This risks overwhelming federal courts with frivolous lawsuits, creating chaos the Constitution sought to avoid, warns the organization

Political Implications

House Republicans view the passage of the Laken Riley Act as a continuation of their campaign promises to tighten border security. Speaker Johnson framed the legislation as a reflection of voters' priorities, [stating](#),

As promised, we're starting today with border security. If you polled the populace and the



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voters, they would tell you that that was top of the list.

Johnson criticized those Democrats who voted “No,” accusing them of “ignoring the demands of the American people.”

At the same time, the bipartisan nature of the vote signals potential traction in the Senate, where Republicans, along with Sen. John Fetterman (D-Pa.), [reintroduced](#) the bill today.

Besides Fetterman, Democratic Senators Ruben Gallego (D-Ariz.) and Gary Peters (D-Mich.) have expressed support for the legislation.

It remains uncertain whether the bill will reach the 60-vote threshold needed to overcome a filibuster.

Voter Dynamics

Notably, as appears from the analysis done by [The Hill](#), the Act reflects a shifting political landscape where the crackdown on illegal immigration is finding broader acceptance among Democrats. Thus, seven House Democrats, including Reps. Brendan Boyle (D-Pa.) and Lucy McBath (D-Ga.), flipped their votes to support the bill after opposing it last March. Additionally, 11 freshmen Democrats voted “yes.” Four prior supporters were no longer in the House. Rep. Jared Moskowitz (D-Fla.) also voted in favor after abstaining previously, while Rep. Josh Gottheimer (D-N.J.), a former supporter, did not vote this time.

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