

**U.S. Senate Committee on Homeland Security and Governmental Affairs  
Immigration Enforcement Hearing  
March 1, 2017**

**Ranking Member Claire McCaskill**

**Opening Statement**

Thank you Mr. Chairman.

This morning we will hear from a constituent of mine named Julie Nordman, who on the morning of March 8, 2016, was forced to run to the attic of her home in Montgomery County, Missouri, while her husband, Randy, struggled with a stranger with a gun downstairs in the couple's garage. The man who allegedly shot and killed Randy and four other men the night before in Kansas City, Kansas, never should have been in this country. According to the information I have, Pablo Antonio Serrano-Vitorino, who is set for trial in a capital murder case, was deported in 2004, after serving a year in prison for a felony conviction in California. At some point, Mr. Serrano illegally re-entered the country, and, despite his prior felony, he somehow managed to slip through the cracks during at least three run-ins with Kansas police.

I'm told that, in one case in Coffey County, Kansas, in 2014, Mr. Serrano was arrested for DUI, but his fingerprints were never taken, so a match was never made with the Department of Homeland Security's immigration database. After

again being arrested and charged with domestic assault in Wyandotte County, Kansas in June 2015, Mr. Serrano's fingerprints *were* sent to DHS, but Immigration and Customs Enforcement (ICE) did not take him into custody before he was released. Just three months later, when Mr. Serrano showed up at Overland Park, Kansas Municipal Court to pay a traffic fine, his fingerprints were taken again. ICE was notified that they had an undocumented individual with a history of violent offenses within their grasp. ICE issued a detainer requesting that Mr. Serrano be held until federal authorities could get there, but, amazingly, the detainer was sent to the wrong place: It went to the Johnson County, Kansas, Sheriff's Office instead of the Overland Park Municipal Court Building. How did that happen? I don't know. Why didn't ICE pursue Mr. Serrano further? I don't know.

What I do know is that, six months later, Mr. Serrano allegedly shot and killed five men in Kansas and Missouri, including Randy Nordman. And it appears that while the local authorities were doing their jobs, the federal government – specifically ICE – dropped the ball.

Now Mrs. Nordman, I know: None of this is going to bring your husband back. I'd be lying if I said it would. Mr. Serrano should not have been in this country. Randy Nordman should still be here today. I want to know how this was

allowed to happen. And Mrs. Nordman, I'm sure you have the very same questions.

That's why I'm so disappointed that someone with ICE couldn't be here today. As you know, I invited Director Homan or, when I found out that he wasn't available, anyone in his organization to come this morning and testify. I had hoped he would be able to speak to some of the specifics of the Serrano case and the other cases we will be hearing about this morning.

I have also asked for a copy of Mr. Serrano's case file from ICE, but, at every turn, my staff and I have been met with resistance. The agency told us that, due to privacy concerns, Mr. Serrano's case files cannot be released. But that flies in the face of the Trump Administration's new policy that, and I quote, "The Department will no longer afford Privacy Act rights and protections to persons who are neither U.S. citizens nor lawful permanent residents." How can you hide behind the shield of privacy and then, in the same breath, say that noncitizens have no privacy rights?

One of the reasons I have devoted so much of my time here in the Senate to oversight is that I truly believe that, as legislators, we have an obligation to understand the problems before we try and pass new laws. What happened in this case was an absolute tragedy. But was it caused by a failure in our immigration laws or policies, or was it instead the result of human beings failing to follow the

rules? Unfortunately, ICE – the only people capable of answering that question – has refused to either provide information to my office or participate in today’s hearing.

Mrs. Nordman, despite the resistance from ICE, I’m going to do everything I can to get you some answers.

Thank you Mr. Chairman, and I look forward to hearing from the witnesses.