

United States Senate
Committee on
Homeland Security and Governmental Affairs

Testimony of
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INTRODUCTION:

Chairman Lieberman, Ranking Member Collins, thank you for inviting me to this hearing. It is good that we meet here today to discuss the very dire conditions that exist along our nation's southern border that threaten the security of our nation. It is sad that part of this discussion is precipitated by the murder of Rob Krentz, an Arizona rancher who was senselessly gunned down on his own property. His murderer was tracked to the Mexican border, and has since evaded capture.

BACKGROUND:

One year ago to the day, this committee convened a hearing on border violence in Phoenix, Arizona to take testimony from various State and local government officials. There was lengthy discussion about the violence in Mexico and the threat of that violence spilling over into this country. It was clear from that testimony that it already had, in many forms. Rob Krentz's killing put an exclamation point on that.

In each of my previous appearances before Congressional Committees, I have mentioned the fact that in 1987, then Tucson Border Patrol Sector Chief Jondal is quoted in a Sheriff's magazine that "Congress has mandated that we get control of our border. And that is exactly what we are going to do. Whether it is illegal aliens, drugs, terrorists, or whatever, we are going to get control of our border." Clearly, some 23 years later, that mandate is far from being achieved. In fact the Border Patrol Tucson Sector today accounts for almost 50% of all illegal aliens apprehended along the entire border and almost 50% of all the marijuana that is seized in the nation.

Agents on the ground will tell you that they estimate that they catch about one of every 3 to 5 illegal border crossers. About one quarter of a million people were caught last year in the Tucson region alone and about half a million overall.

WHAT WE KNOW:

One of the most startling reported facts is that 17% of the people caught illegally crossing our borders have previous serious criminal records in this country. In other words, they have been charged and sometimes prosecuted for serious crimes and were either deported or escaped to their homeland and have returned. That means, that at least 17% of those who evade capture upon re-entry are criminal aliens. If you consider that a significant part of the "getaway" population also have criminal records in their country of origin, then a very large number of illegal entrants are dangerous predators.

Violence associated with drug and people smuggling is increasing. It comes in many forms. People attempting to enter this county illegally are regularly subjected to robbery, assault, rape, kidnapping and all other kinds of atrocities. Much of this occurs before they ever cross the border. Competing organizations rob, steal and murder, also on both sides of the border. In Arizona, the transportation hub cities, Tucson and Phoenix experience these events daily. Kidnappings and murders south of the border are

occurring at an alarming rate and some of it is migrating north as vulnerable groups move their families out of Mexico.

Smugglers working on the U.S. side of the border are more inclined to fight than to flee, have better telecommunications than many border law enforcement agencies, and have extremely sophisticated networks that challenge the best we have to offer in response.

RESPONSE AND INTEROPERABILITY:

The good news is that cooperation, communication and planning activities between the various federal, state and local law enforcement agencies on the border are more common today than ever before. A recognition and emphasis of these activities should remain a priority.

However, following the discovery of Rob Krentz's body, multiple agencies, federal, state and local engaged in the attempt to locate the shooter. During this effort, we were reminded again of the severe handicap we face by not being able to communicate quickly with each other. None of the participating agents could talk to each other via radio and cell phone coverage was non-existent. This led to much confusion and greatly hampered our ability to coordinate efforts. Until this deficiency is fixed, the bad guys will continue to win.

FISCAL IMPACTS:

One federally funded program has proven to be very useful and effective. "Operation Stonegarden" enhances border enforcement and cooperation by funding overtime and fuel costs for local law enforcement officers to support and enhance Homeland Security efforts. An expansion of this project, to include the permanent hiring of additional officers and deputies would significantly help mitigate the effects of crime committed by illegal aliens and drug smugglers.

Over the past 12 years, as much as 37% of local jurisdiction criminal justice system resources have been diverted to matters illegal alien related. We have always had to deal with the dynamics of drug smuggling, but the alien traffic has presented a whole new dimension of challenges. Property damage, theft, burglary and the trail of garbage and human waste left behind by countless numbers of illegal border crossers are the order of the day. Those who commit these crimes and who are housed in county jails and state prisons add to the cost. Since they cannot pay bond, declare indigence and often have serious medical problems, all this expense is shifted to local taxpayers.

In 1995, Congress authorized reimbursement to state and local jurisdictions through the State Criminal Alien Assistance Program, (S.C.A.A.P). This program is woefully under funded and needs to receive its full allocation of \$950 million.

No U.S. citizen should have to live like they currently do in our border environment. Our

forefathers would not have tolerated this situation and neither should we. If I have learned anything in my 34 years of law enforcement, it is that if I do not do my job someone will do it for me. Citizens of Cochise County and all of Arizona will no longer abide the lack of meaningful action by our Federal Government to end this crises.

CONCLUSION:

Sheriffs on the border have no interest in becoming immigration enforcement agents. But we cannot sit by while our citizens are terrorized, robbed and murdered by ruthless and desperate people who enter our country illegally. Herein lies the real daily threat to the security of our homeland.

No U.S. citizen should have to live like we do today in our border environment. Our forefathers would not have tolerated this situation and neither should we. If I have learned anything in my 34 years of law enforcement, it is that if I do not do my job, someone will do it for me. Citizens of Cochise County and all of Arizona, for that matter, will no longer abide lawlessness in their back yards nor the lack of meaningful action by our Federal Government.