



# Homeland Security COMMITTEE

CHAIRMAN MARK E. GREEN, MD

## **FACT SHEET: HOW SECRETARY MAYORKAS' OPEN BORDERS HELPED UNLEASH A NATIONAL CRIME WAVE**

**BACKGROUND:** In the wake of the tragic death of Georgia nursing student Laken Riley at the hands of [a Venezuelan illegal alien who was paroled](#) into the country in 2022, many on the Left are [desperately trying to downplay](#) the public safety threats posed by DHS Secretary Alejandro Mayorkas' unlawful open-borders agenda. However, the facts clearly show that increased crime from illegal aliens is a direct consequence of his actions. Criminal illegal aliens are increasingly crossing the border under Secretary Mayorkas, and are less likely to be deported. More than [600,000 non-detained criminal illegal aliens](#) are present in the country today, regularly committing crimes like assault, rape, and murder. House Republicans should not be afraid to point out the facts—because they're on our side.

### **KEY FACTS**

- *“Studies” that make claims about the illegal alien crime rate are often deeply flawed.*
  - Many jurisdictions [simply do not collect or publish data on criminals' immigration status](#), rendering any definitive conclusions about the crime rate suspect.
  - More importantly, every single crime committed by inadmissible aliens is preventable.
  - Some data shows that illegal alien crime rates are higher than those of American citizens.
    - Based on publicly available data from border states and others with high illegal alien populations, published by the federal State Criminal Alien Assistance Program (SCAAP), [“illegal aliens are incarcerated at a much higher rate](#) than citizens and lawfully-present aliens,” and “illegal aliens are typically at least three times as likely to be incarcerated than citizens and lawfully-present aliens.”
- *Criminals and hardened gang members are exploiting Secretary Mayorkas' open border.*
  - [“Hardened criminals often hide in smuggled migrant groups,”](#) seeking to take advantage of overwhelmed Border Patrol officials who may not be able to verify their identities or backgrounds, according to now-Border Patrol Chief Jason Owens.
  - The Laredo Sector Border Patrol chief tweeted in April 2021 that gang members “attempt to evade arrest [by exploiting the influx of migrants attempting to enter our country.](#)”
  - Per a 2022 internal DHS intelligence report, agents [were instructed to look for recently released Venezuelan inmates](#) amid the thousands of illegal aliens crossing the border daily.
  - According to Texas DPS veteran Jaeson Jones in his July 2023 testimony before the House Committee on Homeland Security, “[W]hen you wonder today why you are being overrun with drugs, it is because the Tier-1 gangs and U.S.-based street gangs [are contracting and working directly with these cartels...](#)”
  - Secretary Mayorkas' crisis has also [empowered the cartels' and gangs' human trafficking operations](#) in the United States.
    - The resurgence of MS-13 in the Washington, D.C., area, for example, [“has brought an increase in cases of brutal sex trafficking](#) in the area,” per one immigration expert.
    - Secretary Mayorkas' directives have also facilitated opportunities for criminal organizations, such as the Venezuelan gang [‘Tren de Aragua,’](#) to establish new footholds in the United States.
  - [In Fiscal Year \(FY\)19](#), ICE removed 5,497 known or suspected gang members, but just 3,406 in FY23.



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- *The Biden administration has reversed many of the Trump-era policies that reduced illegal immigration. Unsurprisingly, encounters of illegal aliens have skyrocketed ever since.*
  - For example, [total convictions for DUI](#) among those apprehended decreased every year under the Trump administration, to a low of 364 in FY20, but jumped to 2,493 in FY23.
  - Since the start of FY21, [the Border Patrol has recorded 43,674 arrests](#) of illegal aliens with criminal backgrounds, a 99% increase from FY17-FY20 combined.
  - By October 2023, agents were catching [47+ aliens with “serious criminal histories” per day](#).
  - The deputy chief patrol agent for the Yuma Sector told the Committee in 2023, “[A]ny crime that can be committed, we do encounter people who have committed them.”
  - Nearly [two million known and unknown gotaways](#) have crossed without being apprehended.
    - For this population, which exceeds the size of the state of Nebraska, law enforcement has no idea of their identity, criminal background, or intentions.
    - Among them are an unknown number of criminals, gang members, or other threats, as those seeking to avoid apprehension “[pay premium rates](#)” for the “privilege.”
- *In numerous instances, overwhelmed Border Patrol agents are releasing illegal aliens who are criminals in their home countries, but whom agents are unable to adequately vet.*
  - In May 2021, [a Brazilian national wanted for aggravated homicide of a minor](#) in Brazil entered the United States, was released, and was not arrested by ICE until October 2023.
  - In April 2021, a Venezuelan national was apprehended and later paroled. Four months later, a Venezuelan court issued an arrest warrant for him on multiple charges, including financing of terrorism, but [he remained at large in the United States until August 2023](#).
- *Under Secretary Mayorkas’ non-enforcement directives, ICE is not arresting as many criminal illegal aliens as they were under prior administrations.*
  - [In his restrictive September 2021 ICE guidance](#), Secretary Mayorkas wrote that DHS would prioritize apprehension and removal of those “who are a threat to our national security, public safety, and border security.” The numbers show that the reverse is true.
    - In FY19, out of more than 143,000 administrative arrests by Enforcement and Removal Operations (ERO), [123,128 arrests \(86%\) were of criminal aliens](#).
    - In FY20, even in the midst of the COVID-19 pandemic, [90% of ERO’s 103,603 administrative arrests were of criminal aliens](#).
    - In FY22, out of 142,750 total arrests, [only 32% had criminal histories](#).
    - In FY23, though administrative arrests increased, [only 43%](#) were of criminal aliens.
- *This massive and sustained surge of illegal aliens is leading to explicit increases in criminal activity.*
  - According to one New York county executive, “[We have seen an increase in crime](#), basically because you have these organized gangs that are part of the drug cartels from Mexico and other countries who have come to the metropolitan area. ... Some of the patterns that we’ve found on the burglaries of residential and commercial properties have been done by migrants who came here through the current migrant policy.”
  - According to Bradley Schoenleben of the Orange County, California, District Attorney’s Office, “We know transnational criminals, including Colombian nationals, [are intentionally](#)



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- [being arrested at the California border to gain entry into the United States](#), knowing they will be released quickly. Upon release, they commit residential burglaries and other thefts...”
- As massive numbers of illegal aliens surged through Eagle Pass, Texas, in September 2023, one local sheriff noted [break-ins, burglaries, and drug seizures occurring in the community](#).
  - Sheriff Mark Dannels of Cochise County, Arizona, testified in February 2023 that “border-related crime” was “[at an all-time high](#)” in his county.
  - Brad Coe, sheriff of Kinney County, Texas, told the House Committee on Homeland Security that his deputies arrested 741 human smugglers in 2022, up from 169 in 2021, and that the department [was on pace to apprehend more than 900 in 2023](#). These arrests often follow dangerous vehicle pursuits that [put the officers, migrants, and local citizens in danger](#).
- *The unprecedented flood of illegal aliens threatens the safety of communities across this country.*
    - Venezuelan Daniel Hernandez Martinez, who arrived in New York City on June 27, 2023, [has since committed at least 14 crimes leading to six arrests](#), including the day after he arrived. In one case, he “grabbed a stranger by the hair, dragged her across the floor and kicked her.”
    - According to one NYPD officer, “These migrants are getting arrested quite often here, and [some of them are committing some of the most violent crimes](#) here.”
    - In a July 2023 letter to Chicago Mayor Brandon Johnson, Alderman Raymond Lopez wrote that in the areas where migrants were being housed, “[there has been a significant uptick in illicit and illegal activities](#) at all locations...Reports of migrant asylum-seekers participating in drug sales and usage, male and female prostitution and associated human trafficking, as well as gang recruitment, have been witnessed by law enforcement and community alike.”
    - According to figures from the Chicago Police Department, arrests of Venezuelan-born individuals in 2023 were [up more than 11,000% compared to 2021](#).
  - *The individual stories of crimes committed and tragedies caused by illegal aliens are heartbreaking.*
    - In February 2024, a Venezuelan national was arrested in Campbell County, Virginia, for sexual offenses against a minor. [He crossed illegally in September 2023 and was released](#).
    - In August 2023, a police officer in Chesapeake, Virginia, [was struck by a Nicaraguan national](#) driving under the influence. She had only been in the country [for seven months](#). He suffered [a skull fracture and a fractured vertebrae](#).
    - In May 2023, Honduran national Grevi Geovani Rivera-Zavala [raped a teenage girl](#) in a restaurant bathroom in Prattville, Alabama. He had a prior criminal record in Honduras when he was apprehended crossing illegally in November 2021, [but was released](#).
    - In September 2022, [an illegal alien struck and killed Sheriff Mike Hartwick](#) of Pinellas County, Florida. The man, Juan Ariel Molina-Salles, entered the country illegally in October 2021 in Eagle Pass, Texas and was sent back to Mexico. He [later re-entered as a getaway](#).
    - Kayla Hamilton, a 20-year-old Maryland woman, [was raped and murdered by a teenage illegal alien in July 2022](#). Her murderer was also a member of MS-13, [who was caught and released into the interior](#) because he was an unaccompanied minor. Law enforcement investigating Hamilton’s murder observed the individual had tattoos “affiliated with gang activity,” but there was [“no indication” DHS had noted or documented those tattoos](#).