

Written Statement for the Record

Jonathan F. Thompson
National Sheriffs' Association
Alexandria, VA

Before the Committee on Homeland Security
Subcommittee on Emergency Management and Technology
United States House of Representatives

December 10, 2024

Chairman D'Esposito, Ranking Member Carter, and distinguished members of the Subcommittee, thank you for holding this hearing on the critical issue of "Given the Green Light: Open Border Policies and Threats to Law Enforcement" and for the opportunity to testify.

I am Jonathan Thompson, Executive Director and CEO of the National Sheriffs' Association (NSA), a non-profit organization that represents more than 3,000 elected sheriffs and over 20,000 public safety professionals, including deputies, chiefs of police, and other law enforcement officials across the United States. The NSA is committed to elevating professionalism in law enforcement through education, training, and support. Our mission is to ensure that sheriffs and law enforcement officers at every level—local, state, and federal—are well-equipped to protect our communities.

Today, I am here to talk about a growing threat: the Venezuelan-based criminal organization Tren de Aragua (TDA). This gang has become a severe public safety threat to U.S. communities, and its rise is a direct consequence of failed border policies. The danger posed by TDA, coupled with the challenges of an open border, should prompt immediate action from both Congress and the Administration to protect our nation's law enforcement officers and the American people.

The Threat of Tren de Aragua

Tren de Aragua (TDA) originated in Venezuela's prison system and has since grown into a powerful transnational criminal organization with an estimated 5,000 members. Amid the Venezuelan refugee crisis, TDA expanded its operations throughout Latin America and, unfortunately, into the United States. This gang is known for its involvement in human smuggling, human trafficking, extortion, kidnapping, and narcotics trafficking.

In early September 2024, four members of the violent Tren de Aragua gang were arrested in Aurora, Colorado, in connection with a shooting and attempted murder on July 28 at the

Fitzsimons Place apartment complex, an incident that made national headlines. Earlier this summer, TDA was linked to a violent armed robbery in Denver, where a jewelry store owner was brutally attacked. This incident is a chilling reminder that TDA is not just a distant foreign threat—it is operating within our communities and targeting innocent civilians. The American Sheriff Alliance has expressed grave concerns about the growing influence of TDA and the real possibility that more such violent acts will occur if their presence is not curtailed. These violent acts underscore TDA’s presence within our communities and their willingness to engage in open violence on U.S. soil.

Sheriff Tyler Scott Brown of Arapahoe County, CO has said "The large influx of transnational individuals crossing our borders brings with it a heightened risk of organized crime activity. We are seeing significant participation in organized criminal enterprises like the Tren de Aragua. These groups are involved in drug trafficking, money laundering, and other serious offenses. Local law enforcement agencies are utilizing every available resource to address this threat, but we need Congress to act. Bipartisan legislation is crucial to provide the necessary funding and support for our local jurisdictions to effectively combat these criminal networks and protect our communities."

What has made TDA particularly alarming is the credible intelligence that surfaced in July of this year. In July, the Office of Intelligence and Analysis at the Department of Homeland Security issued a bulletin to state and local law enforcement partners regarding reported threats from Tren de Aragua (TDA) against law enforcement personnel. Homeland Security Investigations (HSI) reported that TDA had issued a “green light” directive to its members in Denver and New York to attack law enforcement officers.

These threats are considered credible, and they signify a new level of brazenness from this criminal organization. The bulletin reminded agents and officers to remain aware of their surroundings, maintain a heightened sense of vigilance, and always wear their body armor. Since March 2023, U.S. Customs and Border Protection (CBP) has apprehended at least 70 known TDA members in the United States. However, intelligence estimates suggest that more than 1,000 TDA members may be operating within our borders, posing a severe risk to law enforcement and public safety.

Border Security Failures and Criminal Exploitation

The rise of Tren de Aragua in the United States can be attributed in part to our nation’s failure to secure its borders adequately. Since fiscal year 2021, more than 10.5 million illegal immigrants have been encountered by CBP, with over 8.5 million encounters at the southwest border alone. Additionally, there are an estimated 2 million “got-a-ways” who have evaded border agents and are now in the United States. Among those crossing our borders illegally are not just vulnerable

migrants but also members of dangerous criminal organizations like TDA and terrorist organizations.

The current policies of apprehension and release—where individuals who cross the border illegally are released into the U.S. to await immigration court hearings—have created a loophole that allows criminals to exploit our system. Many of these hearings are delayed by up to 11 years due to the lack of immigration judges. This delay provides ample opportunity for criminal organizations to operate, recruit, and spread violence in our communities.

Tren de Aragua's presence highlights a larger pattern of criminal exploitation. They are just one of many transnational criminal organizations taking advantage of the porous southern border to infiltrate the United States, recruit new members, and carry out violent crimes. Without stronger border security measures, more dangerous individuals will continue to enter our country unchecked.

TDA's Connection to Drug Trafficking and Human Smuggling

The illegal activities of TDA extend beyond violence and gang-related crime; they are also involved in the trafficking of dangerous drugs, including fentanyl. The flood of illicit narcotics into the U.S., particularly fentanyl, has had devastating effects on communities across the country. Over the last three years, the U.S. has seen an average of 107,000 drug overdose deaths per year, most of which are related to fentanyl. TDA and other gangs have contributed to this epidemic by smuggling drugs across the U.S.-Mexico border, where cartels like Sinaloa and Jalisco New Generation are capitalizing on weak border controls.

Additionally, TDA is heavily involved in human smuggling and human trafficking operations, victimizing migrants in their pursuit of profit. Migrants often pay large sums to criminal organizations like TDA, only to be subjected to further exploitation. The U.S. government must recognize that this is not just a border issue but a humanitarian crisis, exacerbated by the involvement of violent gangs.

Recommendations for Addressing the Threat

In light of the clear and present danger posed by Tren de Aragua and the broader issue of border security, I urge Congress and the Administration to take the following steps:

1. **Strengthen Border Security:** Reinstating policies like the Migrant Protection Protocols (MPP), commonly known as the "Remain in Mexico" policy, which worked effectively in the past to deter illegal immigration. Completing the physical barriers along the southern border and increasing the personnel and resources available to CBP and Immigration and Customs Enforcement (ICE) is crucial.

2. **Support for Local Law Enforcement:** As TDA and other gangs expand their operations into American communities, sheriffs' offices and local law enforcement agencies are on the front lines of defense. Congress must provide additional funding and resources to help sheriffs hire more deputies, obtain advanced technology, and provide the necessary training to combat these transnational criminal organizations.
3. **Target Transnational Criminal Organizations (TCOs):** I commend the U.S. Treasury Department for designating Tren de Aragua as a Transnational Criminal Organization (TCO) and the State Department for offering rewards for information leading to the arrest of TDA leadership. However, more aggressive action is needed to dismantle these gangs. Congress should pass legislation that ensures federal agencies have the authority and resources to target and dismantle TCOs effectively.
4. **End Apprehension and Release Policies:** The current system of releasing individuals who cross the border illegally is unsustainable. Congress must address the backlog in immigration court cases by increasing the number of immigration judges and prioritizing the adjudication of cases involving known criminals or gang members.
5. **Support Bipartisan Bills to Help Law Enforcement Investigate Fentanyl:** H.R. 3148/S. 1507 Providing Officers with Electronic Resources (POWER) Act aims to establish a new grant program under the U.S. Department of Justice (DOJ). This program would support state and local law enforcement agencies in obtaining portable, high-tech screening devices that use laser technology to identify potentially dangerous substances.
6. **Enhance Access to Encrypted Communication for Law Enforcement:** Criminal organizations like Tren de Aragua rely on encrypted communication to carry out illicit activities. Law enforcement must have lawful access to these devices to effectively investigate and prevent crimes. Providing the necessary tools and legal authority to access encrypted communications is crucial for combating organized crime and protecting our communities.

Conclusion

The threat posed by Tren de Aragua is clear and urgent. Their presence within our borders, combined with the broader issue of failed border security policies, places law enforcement officers and American communities at grave risk. Now is the time for Congress and the Administration to take meaningful, bipartisan action to secure our borders, dismantle criminal organizations like TDA, and provide the resources our law enforcement agencies need to keep the American people safe.

Thank you again for the opportunity to testify, and I stand ready to work with this Committee to address these critical issues.



POLICE DEPARTMENT

COUNTY OF NASSAU

WRITTEN STATEMENT FOR THE RECORD

Patrick J. Ryder
Police Commissioner

1490 Franklin Avenue
Mineola, New York 11501

BEFORE THE COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEE ON EMERGENCY MANAGEMENT AND TECHNOLOGY

UNITED STATES HOUSE OF REPRESENTATIVES

December 5, 2024

Introduction

Thank you, Chairman Green, Chairman D’Esposito, Ranking Member Carter, and distinguished members of the Subcommittee on Emergency Management and Technology, for affording me the opportunity to testify at this important hearing regarding “Given the Green Light: Open Border Policies and Threats to Law Enforcement”.

I am Patrick J. Ryder and I have served the people of Nassau County as Police Commissioner for eight years. This year is my forty-second in law enforcement. Throughout my tenure, I’ve witnessed the crack wars of the 1980s, the increased cocaine usage in the 1990s, and the more recent, devastating effects of heroin and fentanyl. Last year, NCPD administered Narcan three hundred thirty-five times saving our residents from fatally overdosing. However, despite our efforts, Nassau County still lost over one hundred citizens to substance abuse. Nevertheless, these times pale in comparison to the lawless society we are policing today. This turbulent environment emerged due to the lack of penalty for criminal activity which directly effects the quality of life of our residents. Security measures taken by corporate security to enter New York business facilities is far greater than what is required to enter this country. At our border, migrants are stopped, checked as best as possible, review whatever papers are presented, then offered a court date in excess of one year. In the interim, there is nothing stopping these undocumented person(s) from entering our communities, committing crimes, whether violent or petty, or joining gangs, and preying on Nassau County residents. Today, I will testify to several examples of crimes committed by migrants, but please know, there are many more.

Resources in Safeguarding Nassau County Residents:

Nassau County spans approximately two hundred eighty-four miles and is a home to almost 1.5 million residents. The ethnic and racial diversity of Nassau County citizens closely resembles that of our great nation. 55.8% of Nassau County’s population is White/Non-Hispanic and 18.4% is Hispanic/Latino, compared to the United States which is 57.8% and 18.7% respectively.

New York City being a sanctuary city has a ripple effect on non-sanctuary Nassau County. Nassau County Police Department is the nearest eastern jurisdiction to NYCPD. While New York City addresses the migrant housing crisis, it is reasonable to predict migrants would begin to journey away from the city leaving Nassau County Police Department to protect the border spanning approximately fourteen miles. The NCPD employs resources to address the increased number of undocumented persons within county borders:

- Addressing quality of life concerns reported by Nassau County citizens for an overwhelming amount of peddling and soliciting in malls and shopping centers near the NYC border.
- Increase in aided and intoxicated person calls involving undomiciled aided(s) who state they traveled from NYC. Most of these calls result in aided transport to one of Nassau County's hospitals.
- Nassau County Police Department utilizes Language Line for language translation services whether in person or telephonically. There has been a 95% increase in Hispanic calls to Language Line from 2020 to 2023.
- Emerging trend of summonses to electronic mopeds which are not considered street safe in Nassau County. Moped operators travel to Nassau from NYC where these vehicles are legally allowed to operate in traffic. Since, July 2023 NCPD has seized approximately one hundred fifty mopeds for reasons such as: no insurance, no registration, non-licensed operator, and traveling at speeds in excess of twenty miles per hour.
- Uptick in auto accidents in uninsured and/or unregistered vehicles where vehicle operators reside in NYC.

There are two major categories of migrant crimes where the majority of allocated NCPD resources are utilized. These categories are affected by patrol and not affected by patrol.

Migrant Crimes Affected by Patrol

Crimes that could be affected by patrol are instances where the presence of a police officer would have deterred the crime. Crimes affected by patrol are burglaries, robberies, auto crimes, gang activity, drug sales, and other violent crimes. Over the past few years, Nassau County Police Department has seen an increase in crimes committed by migrants. With bail reform law changes in 2020, the NCPD is unable to utilize incarceration as a crime deterrence for the overwhelming majority of offenses, including many felonies. With no incarceration post apprehension, no ICE notification without arraignment, and no threat of deportation, criminal migrants could be repeat offenders leaving defenseless Nassau County residents to be victims. The following are a sample of crimes affected by patrol committed by migrant defendants:

- Acting on intelligence provided by Homeland Security, detectives conducted a car stop where defendant, an undocumented migrant, was in possession of three kilos of pure fentanyl. The NCPD has made arduous efforts in combating the opioid epidemic. Nassau County fatal overdoses have been trending down from 2021 through 2024. The amount of fentanyl seized had the potential to kill millions of people. NCPD narcotics enforcement will be fruitless if our borders are not secured.
- Nassau County has a notable increase in gang violence involving migrants aligning with MS-13 and Latin King gangs since July of 2021. These crimes include stabbing, vehicular assault, shootings, and assault with a weapon. Three incidents are affiliated with MS-13 / Latin King "war" and all arrestees are migrants, some were here illegally.

- Since October 2022, a total of forty-three undocumented migrants, here in this country illegally, have been arrested and charged with ninety-three counts of burglary. These arrests are considered to be a part of the South American Theft Group (SATG).
 - o SATG jewelry store burglary: Six South American illegal migrants were arrested for a jewelry store burglary in Nassau County and are suspected of targeting numerous jewelry stores along the east coast. Of the six arrestees, one was remanded and five were released without bail. The whereabouts of all five released defendants is unknown. Two never reported to receive their ankle monitors and three cut off their devices.

Migrant Crimes Not Affected by Patrol

The Nassau County Police Department also utilizes resources in an effort to combat crimes committed by migrants that are not affected by patrol. Crimes not affected by patrol would not be deterred by visual police presence such as domestic incidents, sex crimes, and any other crimes that occur outside an officer's field of view. To reduce crimes not affected by patrol, the NCPD relies heavily on crime trends and intelligence gathering. NCPD implements a focused deterrence strategy in identifying known offenders by analyzing prior police contacts, gang affiliations, major crime and felony arrests, as well as arrests involving weapons and reckless endangerment. Undocumented persons who have not been properly vetted before crossing the border, pose a threat to the residents of Nassau County because their intentions are unknown. Illegal migrants render NCPD unable to make an intelligence assessment of character based on the lack of prior knowledge. A lifetime of potential PD contacts such as school incident reports, domestic reports, traffic stops, field interviews, calls for service, and aided reports are missed. The following crimes not affected by patrol have been committed by migrants here illegally:

- In 2014 an undocumented migrant, entered the United States illegally in the vicinity of the Rio Grande Valley, Texas. This subject was placed under arrest and released, then failed to appear for his immigration court hearing. Ten years later, the same undocumented, twenty-seven year-old, illegal migrant, raped a five year-old girl in the confines of his bedroom.
- Defendant, a migrant and MS-13 gang member, raped his domestic partner on two separate occasions. Victim continued the relationship in fear for her safety. Defendant continued violently threatening victim who knew defendant was in possession of multiple firearms. Subsequent to arrest, a search warrant was conducted and several firearms were recovered.

The above-mentioned crimes are atrocities committed by migrants who took advantage of our Country's sanctuary status. The deluded migrant programs and the inadequacy in the vetting process leaves undocumented persons, whose true intentions are unknown, free to wander about our communities. The system has failed the victims of these crimes. The lives of a young child and a young woman are forever altered, not because of failure to deter the crime, but because the perpetrators should have never been in this Country in the first place.

Nassau County is not a sanctuary county, yet we are still faced with defiance. The alternative would create an insurmountable challenge.

Thank you for your time and attention on this consequential matter.

Committee on Homeland Security
Subcommittee on Emergency Management and Technology
“Given the Green Light: Open Border Policies and Threats to Law Enforcement”

Testimony of Sheriff Michael L. Chapman
on Behalf of Major County Sheriffs of America
December 10, 2024

Good morning, Mr. Chairman and members of this committee. I am Sheriff Mike Chapman of Loudoun County, Virginia. I am here representing the Major County Sheriffs of America.

As a 46-year career law enforcement professional having served in local and federal law enforcement, including 23 years with the DEA, as a four-time elected sheriff of Virginia’s largest full-service sheriff’s office, as former Vice President of Homeland Security for the Major County Sheriffs of America, and as two-time Chairman of the Washington-Baltimore HIDTA, I am astonished at how any elected official would support practices that would make their communities less safe.

The safety of our citizens should always be the number one priority of government. Unfortunately, over the past four years, the United States has seen an unmitigated flow of undocumented and criminal aliens enter this Country, with many localities throughout the United States encouraging their sanctuary despite minimal, if not a total lack of proper vetting. This has nothing to do with the efforts and desires of the brave men and women doing their best to secure our border.

Most notable are the of millions of illegal entries to this Country, that include those associated with MS-13 and 18th Street gangs from El Salvador, the Venezuelan gang known as Tren de Aragua (TDA), and known terrorists. No single issue has had more of an impact on crime throughout the United States, than our open borders. The impacts are stark from years in which over 100,000 citizens lost their lives each year due to fentanyl poisonings; to the increase in human trafficking; to unconscionable murders; to deadly threats against law enforcement, to major retail theft operations, the scope of crime and violence related to undocumented criminal aliens cannot be understated.

In Loudoun County, one of the safest localities in the entire US, we have seen an increase in unprecedented violence in recent years. Of our last five homicides, three were committed by suspects in this Country illegally, two of which were by a self-proclaimed MS-13 gang member. Just this week, a previously affiliated MS-13 gang member opened fire on another vehicle resulting from a simple “road rage” incident.

Addressing these increasing threats takes an “All Hands-on Deck” approach, one that requires all law enforcement to work together and respect the specific missions of our fellow agencies. First and foremost, cooperation with Immigration and Customs Enforcement (ICE) is a must. Border Patrol and ICE are the front lines, with the next line of defense being our locally elected sheriffs. It is imperative that we get the resources we need to work with our federal partners to keep our communities safe.

But it cannot stop there. All our federal law enforcement agencies are part of the mix. Working with the DEA, for example, in “Operation Angel’s Envy,” our Sheriff’s Office was able to arrest a multitude of violators, many in this Country illegally, who were working with the Sinaloa Cartel to distribute fentanyl to the Washington, DC area – enough fentanyl to kill every man, woman and child in Loudoun County two times over.

Working with ATF, we have been able to focus on the guns being used – and shared by MS-13 gang members. Working with Postal Inspectors, we track packages and conduct controlled deliveries to stop this deadly scourge of drugs being distributed by mail. It is critical that our federal partners work more closely with local counterparts to put an end to this scourge that has killed hundreds of thousands of people over the past several years.

Starting with the border, we must continue to build a wall, refuse illegal entries, enhance technology, and encourage “Remain in Mexico” policies. If an “All Hands-on Deck” approach is not aggressively pursued, these problems will continue to migrate to our most populated areas, to our cities that were once beautiful which have now become unsafe. As law enforcement enforcers, we have a duty and responsibility to work together to protect our citizens and keep them safe – and Congress has a duty to support these efforts.

Consequently, sheriffs throughout this Country support the following policy initiatives of the incoming Administration. Just this week, Sheriff Mark Dannels of Cochise County, Arizona summarized the incoming Administration’s Rule of Law: Prevention, Enforcement, and Consequences.

Our requests consist of the following:

1. Congress must prioritize our efforts to secure the border, enforce immigration laws, and strengthen information sharing among federal, state, local and tribal law enforcement.
2. Congress must increase our access to technological investigative tools among law enforcement agencies. For example, facial recognition software, license plate readers, and social media analytical tools are integral to generating investigative leads and preventing crime and acts of terrorism.
3. Congress must support and adequately fund federal law enforcement agencies to partner with, and aid local law enforcement in solving crime.
4. Finally, all of us involved in enforcing the law and supporting our enforcement of the law, must work together in the fight against cartels and illicit drug trafficking, and provide enhanced funding for federal, state, and local narcotic enforcement efforts.
5. Only by working together toward a common goal can we make America safer.



Testimony of
David J. Bier
Associate Director of Immigration Studies
at
The Cato Institute
Before
The House of Representatives
Committee on Homeland Security
Subcommittee on Emergency Management and Technology
December 10, 2024
RE: Given the Green Light: Open Border Policies and Threats to Law
Enforcement

Chairman D'Esposito, Ranking Member Carter, and distinguished members of the subcommittee, thank you for the opportunity to testify.

My name is David Bier. I am the Director of Immigration Studies at the Cato Institute, a nonpartisan public policy research organization here in Washington, D.C.¹

For nearly half a century, the Cato Institute has produced original research showing that a freer, more orderly, and more lawful immigration system makes the United States a wealthier, freer, and safer place to live. Our view is inspired by America's founding principles: in a free society, people, regardless of their background, ancestry, or birthplace, are directed toward activities that benefit mankind. In the words of the late great economist Julian Simon, people are the ultimate resource because it is only people's creativity and work ethic that turn natural resources into human resources.

Nearly all immigrants come to America seeking the freedom to improve their lives through hard work in their new country. As one recent immigrant said, "You have to come here to work. To work hard, long days, to work harder than you've ever been used to working."² The primary reason for the surge in immigration since 2021 was that Americans demanded more workers than were available domestically, leading job openings to surge to unprecedented levels. Recent immigrants went to states with more open jobs and are already employed at higher rates than the US-born population.³

The new immigrants have prevented the decline in the US labor force, helped stabilize the economy as we recovered from the pandemic, and are contributing \$1 trillion more in federal taxes than they are receiving in benefits.⁴ They provide essential services in health care, elder care, childcare, construction, agriculture, manufacturing, and much else.⁵ America is fortunate to have so many people who want to join us and contribute to this great country.

Immigration Does Not Threaten Law Enforcement

Immigrants are coming to work and contributing to US society, making the country safer. Murders surged in 2020 when immigration inflows were lower than at any point in a generation, and the recent surge in immigration inflows has coincided with the fastest decline in murders on record. With respect to law enforcement threats specifically, the evidence shows:

- 1) noncitizens are less likely to murder police than US citizens;
- 2) noncitizens commit fewer serious crimes, reducing risks to police;
- 3) noncitizens impose lower per capita fiscal costs on law enforcement; and
- 4) noncitizens work with police to stop crimes, convict criminals, and protect police.

Noncitizen crime could be even lower if the US immigration system explicitly focused on the exclusion and removal of public safety threats rather than peaceful people seeking safety, work, or family reunification. Mass deportation would not make the country safer.

Not only would it remove people who are making the country safer, it would divert substantial resources away from tackling serious threats to the public.

The Cato Institute reviewed records related to each individual arrested for shooting and killing a police officer as recorded on the Officer Down Memorial Page in 2024.⁶ From January 1, 2024, to November 29, 2024, 45 officers were shot and killed in the line of duty. This review did not identify any illegal immigrant perpetrators.

Separately, the Cato Institute also reviewed records related to each officer of the New York City Police Department (NYPD) killed in duty from 2014 to 2024, and it also identified no illegal immigrant cop killers.⁷ This implies that illegal immigrants are significantly less likely to murder police officers in New York and nationally than U.S. citizens. Appendix Table A contains the list of officers killed in New York (2014-24) and nationwide (2024). Meanwhile, multiple slain members of NYPD were immigrants themselves. Immigrants were more likely to be killed as NYPD officers than they were to kill NYPD officers.

Of course, there have certainly been tragic instances in US history where immigrants have killed police officers. The purpose of this systemic review was to provide evidence regarding whether illegal immigrants elevate the risk of violent deaths for law enforcement compared to the US-born population. They do not. Illegal immigration is adding a population less threatening to law enforcement than US-born Americans, reducing the risk that the average officer faces on the job.

Immigrants Commit Fewer Serious Crimes

These conclusions about crimes against officers are not surprising given that a substantial body of evidence indicates that immigrants are less likely to commit murder and other serious crimes than US-born people. The following datasets that contain direct information on immigrants demonstrate immigrants' lower rates of criminality:

- U.S. Census Bureau's American Community Survey;
- National Longitudinal Survey of Youth 1997 (NLSY97);
- National Longitudinal Study of Adolescent to Adult Health;
- General Social Survey;⁸
- Texas's Department of Public Safety arrest and conviction records; and
- The Department of Homeland Security's Automated Biometric Identification System (IDENT)

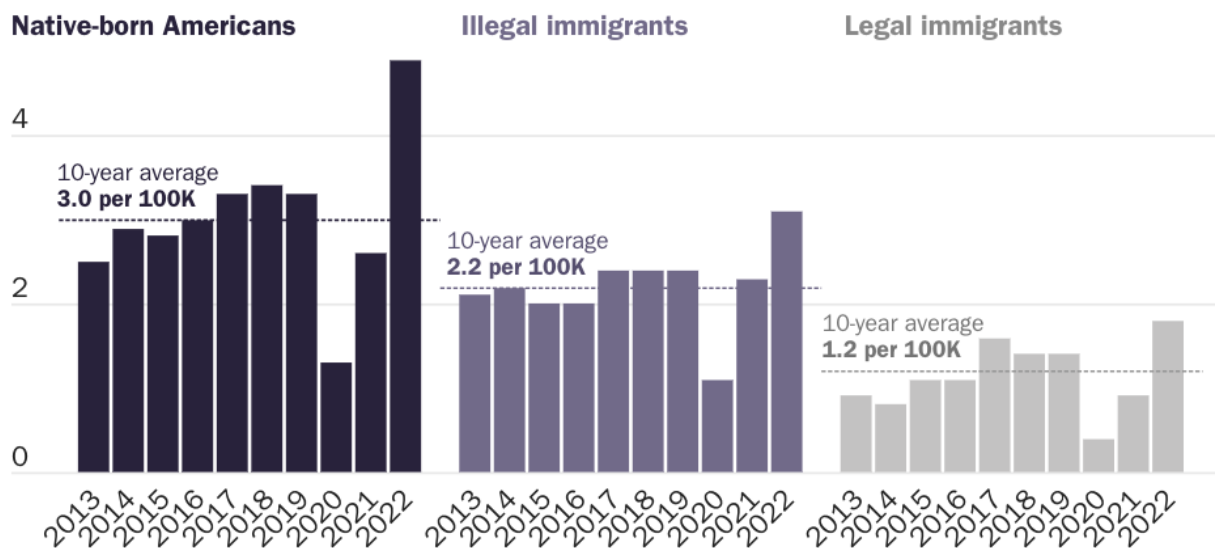
The best evidence concerning murder comes from the state of Texas, which is the only state that records both citizenship and immigration status for each arrest, as determined by investigations by the Department of Homeland Security (DHS) and Texas.

The Cato Institute's analysis of this dataset shows that from 2013 to 2022, illegal immigrants were 26 percent less likely than native-born Americans to be convicted of homicide in Texas, and legal immigrants were 61 percent less likely (Figure 1). In 2022, homicide conviction rates for illegal immigrants and legal immigrants were 35.6 percent

and 62.3 percent, respectively, below those of native-born Americans. It is important to emphasize that the estimate of the number of total illegal immigrants is more uncertain than the number of illegal immigrants convicted of murder. If the number of illegal immigrants in Texas was higher than the Census Bureau data indicate—which is possible, especially given Texas’s location near the border—the murder rate for illegal immigrants would be lower.

Cato's findings are also remarkable because they do not control for age, education, income, race, ethnicity, or any other variables correlated with higher crime rates. If such controls were introduced, which are common in criminology research, then the gap between illegal immigrant and native-born American homicide conviction rates would be even greater because illegal immigrants are more likely to be younger, less well-educated, poorer, and be members of racial and ethnic groups who have higher criminal conviction rates on average.

Homicide conviction rates by immigration status in Texas per 100,000 residents in each subpopulation, 2013–2022



Sources: Author’s analysis of data from the Texas Department of Public Safety and the American Community Survey.

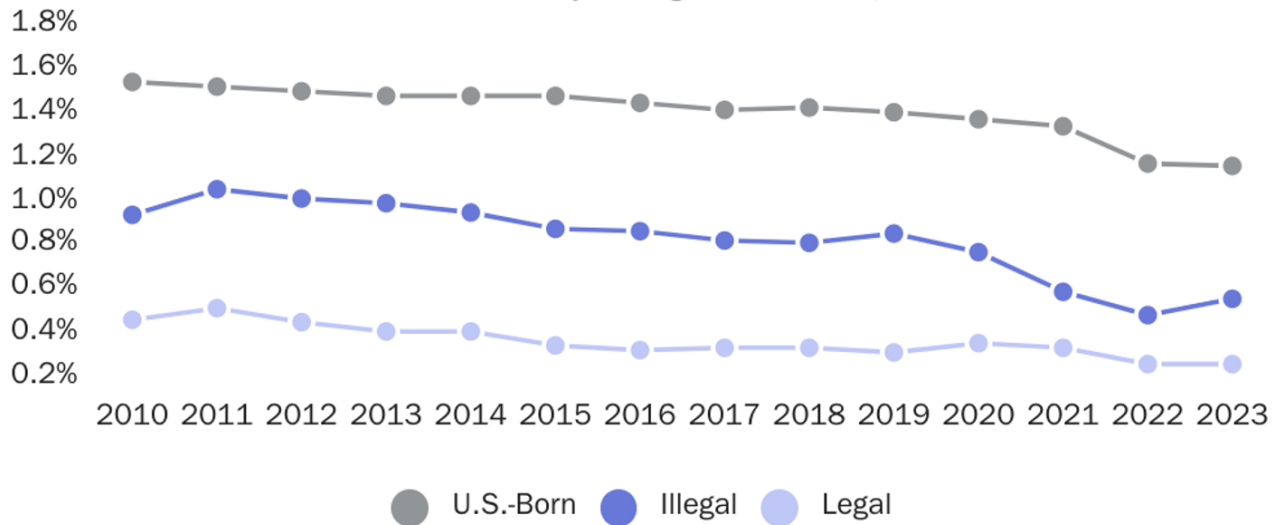
The second important source for information on major crimes comes from the Census Bureau’s American Community Survey (ACS), which surveys prisoners and supplements responses with administrative records on citizenship status.⁹

The Cato Institute identified illegal immigrant prisoners in the Census ACS data, using a statistical technique that rules out likely legal noncitizens. The results indicate that legal and illegal immigrants were significantly less likely to have committed an offense serious enough to be incarcerated in the United States every year from 2010 to 2023. In 2023, illegal immigrants were 50 percent less likely to have committed an offense serious enough

to be incarcerated, while legal immigrants were 74 percent less likely. As Figure 1 shows, the rate of incarceration has fallen for all groups since 2019 but has fallen much faster for illegal immigrants than for others.

Although the data still indicate higher rates of incarceration for illegal immigrants than legal immigrants, many illegal immigrants are incarcerated solely for lacking legal status or crossing the border illegally. These are offenses that U.S. citizens and legal immigrants cannot commit. Removing these offenses would nearly eliminate the gap between legal and illegal immigrants. Moreover, the incarcerated illegal population is much easier to determine than the illegal population generally. If the Census ACS data understates the overall illegal population, the illegal immigrant incarceration rate would be even lower than it appears.

Share of U.S. residents incarcerated by immigration status, 2010-23



Notes: Ages 18-54

Source: American Community Survey, 1-Year Estimates, 2024 analysis by Landgrave, Michelangelo, and Alex Nowrasteh. "Illegal Immigrant Incarceration Rates, 2010–2023: Demographics and Policy Implications," Cato Institute, 2024, Forthcoming.

A variety of other datasets and surveys confirm the findings that criminality is lower among immigrants, including among young immigrants and children.¹⁰ A Cato Institute analysis of IDENT records showed that DACA applicants are about 85 percent less likely than the general public to have been arrested.¹¹ By contrast, about 30 percent of Americans have been arrested,¹² and about 5 percent will be imprisoned for a crime.¹³

Immigrants' lower crime rate has been considered a surprising "paradox" because immigrants have various demographic characteristics that correlate with higher crime rates.¹⁴ They have lower levels of education, lower incomes, younger ages, and reside more frequently in higher-crime urban areas. However, immigrants also have a variety of characteristics that make them less likely to commit crimes, including higher rates of fertility, marriage, employment, business creation, and church attendance.¹⁵

Because immigrants commit fewer crimes, they lower the crime rate. When Americans victimize immigrants in their communities, the mere presence of immigrants can prevent an American from becoming a victim. For instance, an Afghan immigrant was killed during a botched carjacking in D.C. last year.¹⁶ There is every reason to believe that had the immigrant not been there, an American would have been killed instead.

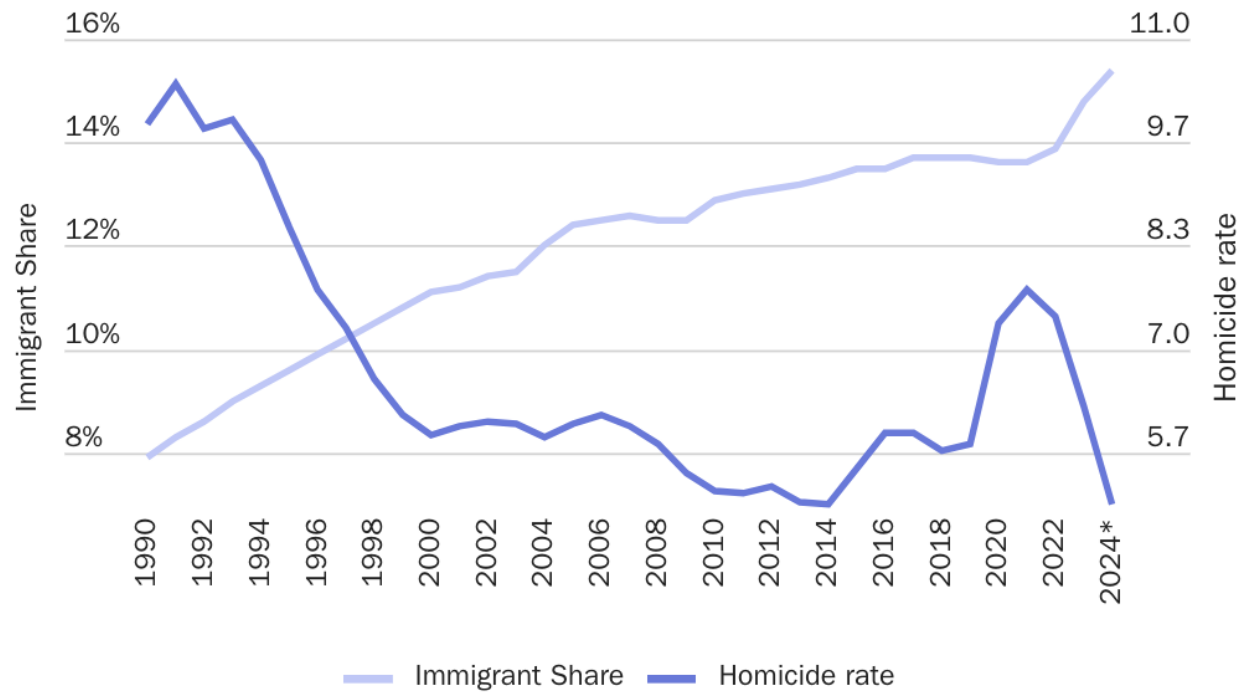
Immigration Reduces Crime

Another way to determine whether immigrants are causing more crime is to look at the overall crime rate. The rapid increase in the immigrant population in the 1990s and 2000s—legal and illegal—coincided with a rapid decline in violent crime in the United States. The homicide rate halved from 1990 to 2010, while the immigrant share of the population nearly doubled. In many U.S. cities, the increase was even more significant.

Immigration contributed to the great crime decline. Cities with larger increases in immigrants saw bigger declines in crime in the 1990s.¹⁷ New York City, for instance, saw its homicide rate fall 69 percent from 1990 to 2010.¹⁸ More than a dozen studies have confirmed this negative association between immigration and crime.¹⁹ Research on more recent periods has also found an association between higher levels of immigration and lower homicide rates.²⁰

Following the 1990s, the homicide rate remained low until the summer of 2020, when it spiked at a time when immigration—legal and illegal—was at a historic low. The murder rate has fallen since peaking in the second half of 2020. From 2020 to 2024, the immigrant share of the US population increased faster than at any time on record, and homicides fell at the fastest rate ever recorded in 2023. Data from a large subset of cities shows that 2024 has continued the precipitous downward trend in homicides.²¹

US homicide rate and immigrant share of the U.S. population



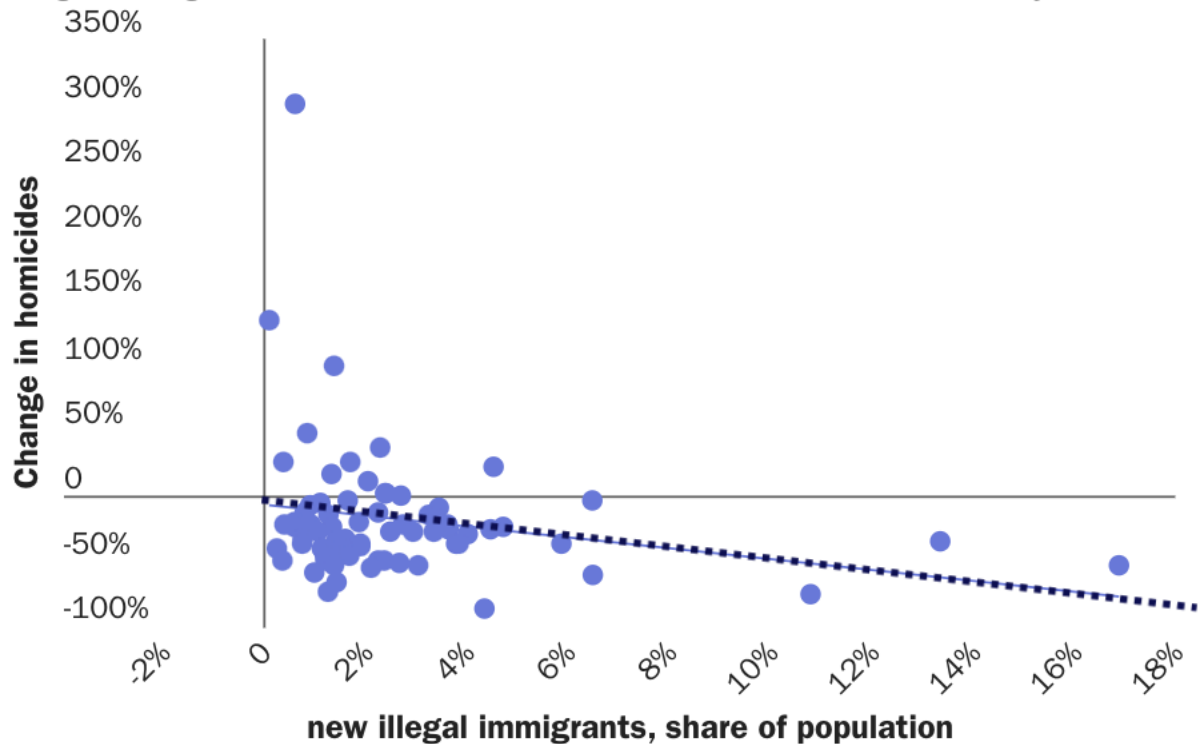
Sources: FBI via [Jeff Asher](#); AH Datalytics, "YTD Murder Comparison," 2024; Current Population Survey, ASEC, US Census Bureau, 2023; US Census Bureau, Decennial Census, 1990 and 2000, interdecadal years interpolated.

To extend this analysis further, I reviewed the number of homicides in 72 major cities where the vast majority of notices to appear in immigration court have been filed for illegal immigrants entering from 2021 to 2024. The figure below compares the number of new immigrants as a share of the city population to the change in homicides in those cities, using the new Real Crime Index that collects data on crime rates directly from local governments.

From January 2021 to June 2024, 83 percent of the 72 cities saw a drop in the city’s homicides measured over the prior six months (which makes sense since the 2020 spike started in mid-2020). Cities with more new immigrants saw somewhat larger declines in homicides, though the relationship is not statistically significant.

Nonetheless, nine of the top 10 cities with the most new immigrants saw declines in murders, and eight of ten saw above-average declines. Salt Lake City was the top city with immigration court filings equaling 16 percent of its population, and its murders fell 53 percent—twice as fast as the national average. Newark and San Bernardino were the next two, with illegal immigrant population increases of more than 10 percent of their populations and murder declines of 35 percent and 76 percent, respectively. Murders in Boston (#10) fell the farthest, 85 percent, from January 2021 to June 2024.

Illegal immigrants are not associated with more homicides in 72 major cities



Source: TRAC Immigration, "New Proceedings Filed in Immigration Court," Syracuse University, 2024; Real Time Crime Index, "Reported UCR Part One Crimes by Month," 2024.

Notes: Homicides are measured on a 6-month cumulative basis.

Immigrants also lower the crime rate indirectly. Research published in the *Journal of Criminal Justice* has shown that just filling abandoned buildings makes residents less likely to commit crimes,²² and immigration is associated with fewer vacancies.²³ Research by economist Jacob Vigdor has shown that immigrants seek out areas where real estate prices are low or falling, which prevents community decay.²⁴ For example, over the last two decades, refugees and asylum seekers entered Buffalo's lower-cost and higher-crime West Side. They took over vacant lots and businesses, and crime fell by 70 percent.²⁵ This pattern has been observed in New York, Chicago, Los Angeles, and other cities.²⁶

Immigrants also bring more businesses to these areas as both consumers and entrepreneurs. Immigrants are 80 percent more likely to start businesses than the U.S.-born population,²⁷ and they make up a disproportionate 28 percent of brick-and-mortar "main street" businesses nationwide.²⁸ Immigrants account for about half of all main street businesses in many major metropolitan areas.

Immigrants Help Law Enforcement to Stop Crimes

Immigrants can also stop crimes by helping law enforcement bring criminals to justice. Immigrants are generally more likely to report crimes to police than the US-born population.²⁹ This may be because they trust US institutions more than other US

residents.³⁰ A significant source of funding for local police comes from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Byrne was a New York City officer killed guarding a Guyanese immigrant who had repeatedly reported criminal activity in New York.³¹ The immigrant then again risked his life to testify against Byrne's killers.

There are numerous examples of immigrants helping law enforcement stop criminals or prevent crimes. Two international students stopped a sexual assault at Stanford, testifying against the rapist at trial.³² Another immigrant (Patricio Salazar) lost his life stopping a rape in Virginia.³³ A video filmed on the phone of Feidin Santana, an immigrant from the Dominican Republic, was the basis of a homicide conviction in South Carolina.³⁴ William Ramirez, a Colombian immigrant working boat maintenance in Miami in 2015, drove his van between an officer and an active shooter, saving the officer's life.³⁵

In New York, two recent asylum seekers from Venezuela stopped a stabbing and held the perpetrator until the NYPD could arrive.³⁶ An illegal immigrant acting as a convenience store nightwatchman stopped a burglary in Texas.³⁷ Another in New Mexico chased down a child abductor, returning a 6-year-old girl to her parents.³⁸ This type of aid is not uncommon. About 100,000 illegal immigrants have obtained legal status through their cooperation with law enforcement over the last decade,³⁹ and local agencies have about 355,000 requests pending for illegal immigrants to receive legal status based on their cooperation with them right now.⁴⁰

Many jurisdictions have created special programs to make it easier for immigrants to report crimes. Nassau County, New York has an Office of Immigrant Affairs that helps immigrant witnesses and victims.⁴¹ Immigrants to New Jersey helped turn around South Paterson, an area once beset by crime and corruption. The Paterson police commissioner pointed to the willingness of immigrant business owners to work with police as one major reason why its crime rate fell.⁴²

Immigrants can also affect the crime rate by becoming members of law enforcement. Over 80,000 immigrants served as detectives and police officers in 2021, and about 350,000 immigrants in protective service roles, including corrections officers, bailiffs, private security, firefighters, and other similar positions.⁴³ Training more police officers is a proven way to reduce crime,⁴⁴ yet many cities find it difficult to fill open jobs. In Tulsa, Oklahoma, for instance, there are 160 officer jobs unfilled.⁴⁵ In 2015, Nashville Police Chief Steve Anderson convinced legislators in Tennessee to open police recruitment to noncitizens with military service to help address the shortage, and other departments are opening to immigrants as well.⁴⁶

Because of their lower crime rate, immigrants are less costly to police than the US-born population. Looking at the cost of incarceration, felony courts, and felony policing, noncitizen immigrants impose law enforcement costs per capita of about \$350 compared to \$528—34 percent lower.⁴⁷ This compares with tax revenues of \$8,147 per person. The average noncitizen contributed about \$80 billion more in taxes than they imposed in state and local costs in 2023.

Mass Deportation Will Not Increase Security.

A policy of mass deportation would undermine public safety in three ways:

1. Mass deportation would remove a population less likely to commit serious crimes, increasing crime and victimization rates for the US population.
2. Mass deportation would undermine collaboration between immigrants and law enforcement in targeting serious criminals.⁴⁸
3. Mass deportation would *deprioritize* serious noncitizen offenders for removal by not requiring agents to target nonserious offenders.

Immigrants have just as much of a stake in safe communities as Americans. Immigrants do not want thieves, rapists, and murderers free in their neighborhoods. When immigrants do commit crimes, their victims are usually other immigrants.⁴⁹ When people say, “If mass deportation was carried out, this crime would never have happened,” it is usually wrong. The crime would have just happened in their home country because mass deportation would deport both the victim and the perpetrator.⁵⁰ Mass deportation means deporting victims of crimes.

Policies that indiscriminately target reduce the already higher-than-average cooperation among immigrants with police.⁵¹ If we want to root out the bad apples, we should want to create policies that make it easier for immigrants to cooperate with law enforcement. That means providing a path to legal status for law-abiding immigrants and assuring that future immigrants can legally enter and reside in this country.

One negative side effect of attempting mass deportation is that it encourages cities with large immigrant populations to refuse to cooperate with federal immigration enforcement. In 2017, for instance, New York City responded to the Trump administration’s mass deportation promises by banning any communication between local law enforcement and Immigration and Customs Enforcement.⁵² Other cities adopted similarly extreme policies.

Throughout the last four years, the Biden administration has attempted to restore trust between those cities and ICE⁵³ and has had several successes. Baltimore and Montgomery County in Maryland now notify ICE before releasing serious criminals who are in the country illegally.⁵⁴ The New York City mayor has also come out in favor of reversing the categorical ban on communication.⁵⁵

Mass Deportation Deprioritizes Serious Offenders

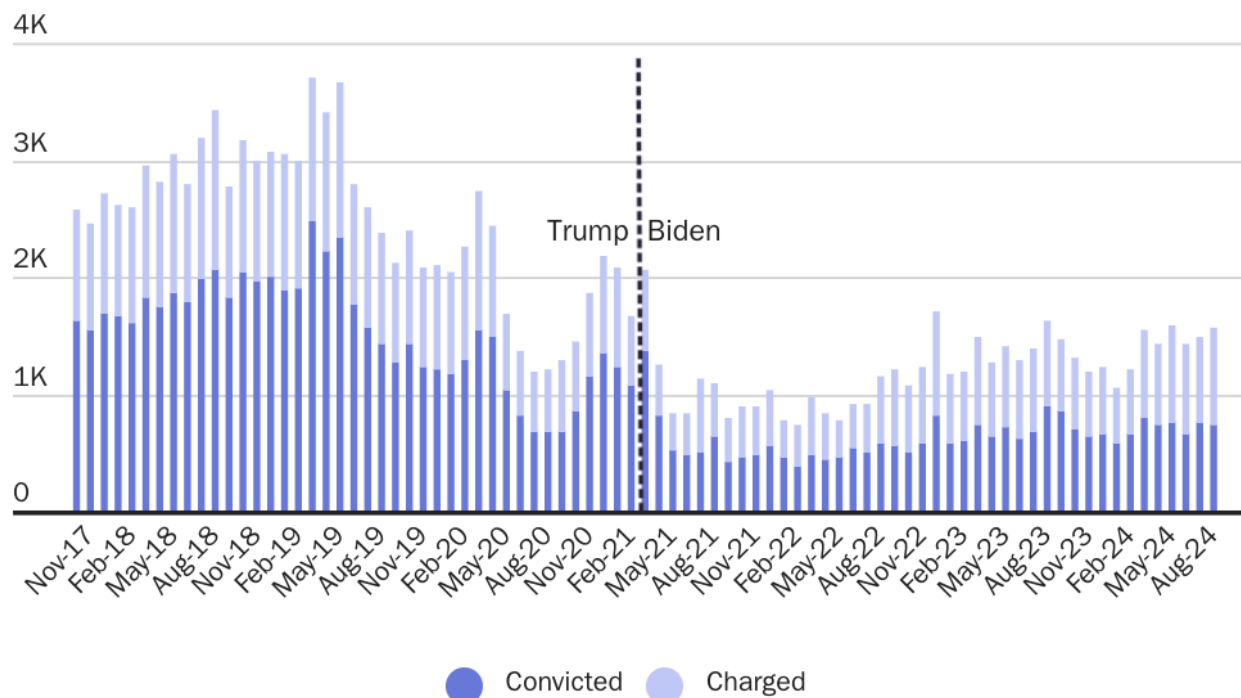
On his first week in office in 2017, President Trump removed requirements for Immigration and Customs Enforcement (ICE) to target only recent border crossers and public safety threats. In response, ICE doubled arrests of noncriminals, including pizza delivery drivers, domestic violence victims, and spouses of U.S. citizens.⁵⁶

President Biden reversed this decision to deprioritize criminals. As the figure below shows, the Trump administration released more than twice as many convicted criminals from custody as the Biden administration. These releases included numerous individuals

convicted of violent felonies.⁵⁷ The Biden administration has also reduced the percentage of criminals released. Matt Elliston, Director of ICE's Baltimore Field Office, told CBS News this year that “it doesn’t make sense to waste a detention bed on someone like that [with no criminal history] when we have other felons to go out and get today. We use immigration law to enhance public safety.”⁵⁸

ICE has reduced releases of people charged or convicted of crimes

Immigration and Customs Enforcement (ICE) releases by month



Sources: DHS, "Immigration Enforcement and Legal Processes Monthly Tables"

At the border, Border Patrol officials under President Trump separated children from their parents by targeting prosecutions against parents. They only ever prosecuted 32 percent of crossers at most, allowing numerous adults without children to avoid prosecution to prioritize locking up parents.⁵⁹ They deliberately targeted children. The courts found this policy of targeting children to be unconstitutional.⁶⁰ Worse still, U.S. attorneys reported that “sex offenders were released” to make room for prosecuting parents with children.⁶¹ The Department of Justice Office of Inspector General explained:

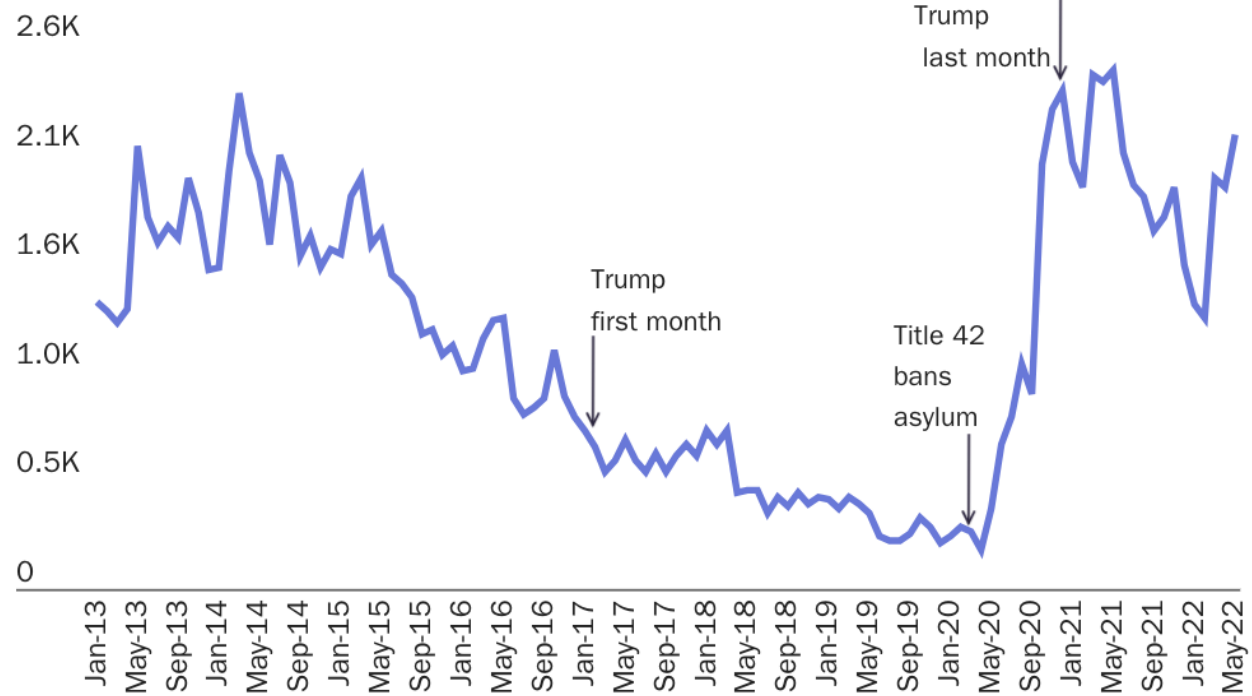
When we asked the AUSA about this issue, he explained that the Border Patrol’s intake processing was overloaded and there was insufficient “capacity to identify and screen the most serious offenders out because they were so pressed to do the [illegal entry cases].” In interviews with the OIG, multiple SDTX officials, including U.S. Attorney Patrick, raised similar concerns about the Border Patrol not identifying criminal histories after apprehension.⁶²

Because DHS had no way to track separated children, it could not reunite them with their parents after prosecution.⁶³ It wasted enormous resources undertaking the tedious process of identifying separated family units under court order. As it separated families for crossing illegally, it blocked asylum-seeking families from entering legally, imposing more work on the entire agency.⁶⁴ The policy also failed in its goal of ending the release of asylum-seeking families into the United States.⁶⁵

ICE ultimately replaced family separation with the Title 42 expulsion to Mexico policy in 2020. Although justified as a public health measure, the actual purpose of the Title 42 policy was to ban asylum and mass expel all crossers to Mexico. This meant that Border Patrol no longer singled out criminals for prosecution, detention, and deportation to their home cities, instead returning them immediately to the other side of the border with asylum-seeking families. This policy deterred families from crossing, but not criminals. Instead, it reversed a decade of progress in deterring criminals from crossing, causing an eightfold increase in criminal arrests from February 2020 to December 2020.⁶⁶

A decade of progress on deterring criminal crossings reversed under Trump

Convicted criminals encountered by Border Patrol, monthly, Title 42 and Title 8
January 2013–May 2022



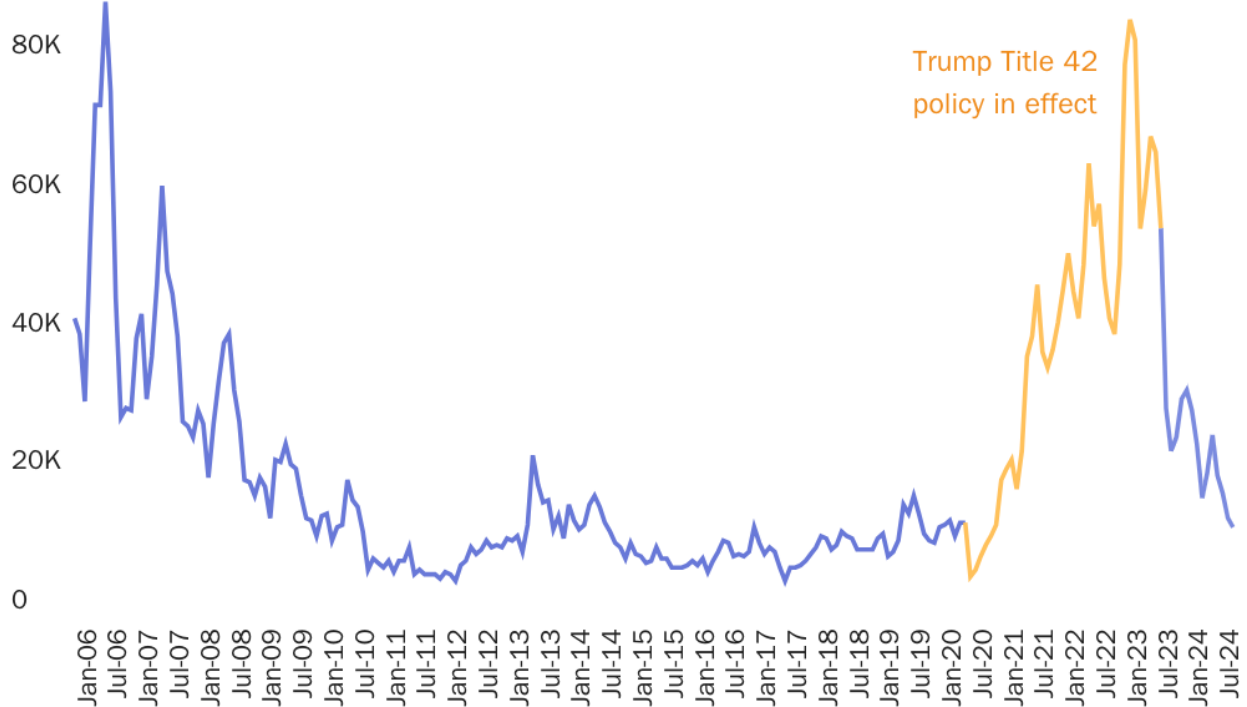
Sources: Customs and Border Protection, Freedom of Information Act request, August 8, 2022, August 3, 2022.

During Title 42, criminals who were crossing illegally could hide amongst many other people who would have turned themselves in to seek asylum but instead had to try to sneak in. As a result, Title 42 led to a sixfold increase in “known gotaways” or successful evasions of Border Patrol recorded through border surveillance. When President Biden

ended the Title 42 policy, gotaways fell by 80 percent.⁶⁷ Biden’s action was the most significant improvement in border security in decades.

Trump's Title 42 policy increased evasions of Border Patrol in 2020

Border Patrol known "gotaways," Oct. 2005-Jul. 2024



Sources: Customs and Border Protection (CBP), Cato Institute, Freedom of Information Act request; Townhall via CBP sources (Jan. 2021 to August 2021); CBP via Benedict Smith and Ben Butcher, "The true scale of migrant crossings under Kamala Harris revealed," *Telegraph*, October 28, 2024.

Immigrants aren't responsible for fentanyl deaths.

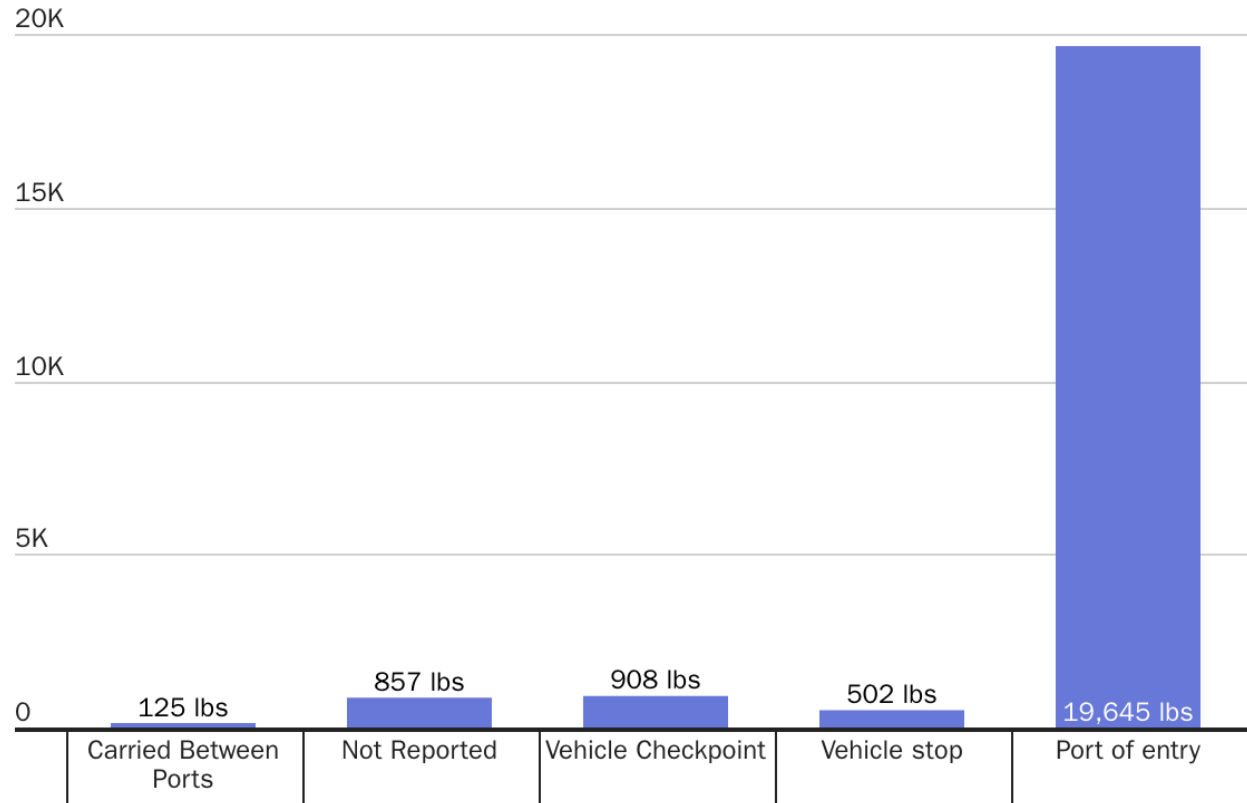
Immigrants are also not responsible for fentanyl trafficking. Fentanyl consumers fund fentanyl trafficking, and nearly 99 percent of the users are U.S. citizens.⁶⁸ It is not surprising that research has shown that “increases in immigration are associated with significantly lower homicide and lower overdose death rates overall and across substance type.”⁶⁹ U.S. citizens are also the primary smugglers of fentanyl. In 2023, at southwest border courts, U.S. citizens accounted for 80 percent of fentanyl traffickers.⁷⁰ The same year, they accounted for 80 percent of the individuals stopped with fentanyl. Cartels employ U.S. citizen traffickers because smuggling is significantly easier at ports of entry than between them, and U.S. citizens have legal access to the United States and are subject to less scrutiny at ports of entry.

For this reason, from fiscal year 2019 to June 2023, 93 percent of fentanyl seizures by CBP have occurred at ports of entry or vehicle checkpoints, not along illegal migration routes.⁷¹ The following graph displays the available data on seizure location for fiscal year 2023.

About 96 percent was seized from vehicles at checkpoints, traffic stops, or ports of entry, while one-half of a percent was seized on people carrying the drug over the border.

Customs and Border Protection Fentanyl Seizures by Type

Southwest Border, Fiscal Year 2023 (as of June 2023)



Sources: Customs and Border Protection, "CBP Enforcement Statistics Fiscal Year 2023," February 10, 2023; CBP, "Drug Seizure Statistics FY2023," February 8, 2023; CBP, "Border Patrol Seizes \$4 Million in Narcotics in One Day," January 27, 2023; CBP, "Border Patrol Agents Seize Over \$500,000 Worth of Fentanyl," October 19, 2022; CBP, "Del Rio Sector Agents Seize over \$100,000 in Mixed Narcotics," October 24, 2022; Chief Agent Gloria I. Chavez, Twitter, November 15, 2022; John Modlin, U.S. Border Patrol Chief TCA, Twitter, November 21, 2022.

Although CBP's data does not include the fentanyl that escapes their detection—both at ports and between them—CBP's seizures provide a sample to estimate the rate at which people who evade detection are carrying fentanyl. As of June 2023, Border Patrol had arrested about 9,000 people for every single event where fentanyl was seized at a location away from vehicle checkpoints. The people who are crossing between ports of entry are primarily seeking safety and opportunity, not smuggling fentanyl.

CBP has not estimated the quantity of fentanyl successfully smuggled through ports of entry, but for several years, it has calculated the probability of seizure for cocaine at ports of entry. In 2020, CBP estimated that it seized just 2 percent of the cocaine entering the country at ports.⁷² Given its potency, significant amounts of fentanyl are even easier to conceal than cocaine. By contrast, CBP estimates that it interdicts a majority of the people

crossing the border illegally.⁷³ Thus, it is more than 90 percent easier to enter the country legally with hard drugs than cross the border illegally with them.

Border Patrol also does not seize any more fentanyl when arrests fall. Notably, despite a 42 percent drop in arrests in January 2023, Border Patrol seized almost no fentanyl (just 4 pounds) not at vehicle stops or checkpoints, the same amount as the prior month.⁷⁴ In June 2023, arrests again fell 42 percent, and the amount of fentanyl seized by Border Patrol not at checkpoints went down 67 percent.⁷⁵

Qualitative assessments based on law enforcement intelligence also indicate that trafficking organizations understand that hard drugs are more easily smuggled through ports. The Drug Enforcement Administration's (DEA) National Drug Threat Assessment 2021 has said drug traffickers "exploit major highway routes for transportation, and the most common method employed involves smuggling illicit drugs through U.S. POEs in passenger vehicles with concealed compartments or commingled with legitimate goods on tractor-trailers."⁷⁶ DEA testified that its investigations have found that "the vast majority of fentanyl is coming in the ports of entry."⁷⁷ CBP and other agencies have made similar assessments.⁷⁸ It is precisely because these ports of entry are both scarce and incredibly valuable that cartels war for control over them.⁷⁹

The reasons for the ease at which drugs enter through ports are multifaceted. Only as much as 17 percent of commercial trucks and 2 percent of passenger vehicles are scanned for any drugs.⁸⁰ CBP reports of drug interdiction arrests indicate that it is most often the driver's behavior that tips off agents to conduct a search, meaning that interdiction is dependent on a factor almost entirely outside of the agency's control.⁸¹ The motivation for traffickers to innovate to evade detection is much stronger than the motivation to innovate to detect drugs crossing the border, which results in increasingly sophisticated smuggling techniques that quickly defeat interdiction efforts.

Even when a drug is easier to detect, the massive difference between the cost of production abroad and its value in the United States means that trafficking organizations can respond to greater interdiction simply by increasing production and smuggling more. From 2003 to 2009, for instance, Border Patrol more than doubled its staffing and built hundreds of miles of fences. As a result, Border Patrol marijuana seizures doubled, but cartels smuggled more to compensate, and the effort made no difference to the availability of Mexican marijuana in the United States.⁸² In fact, the effort backfired. During the Border Patrol's hiring surge, the potency of marijuana increased by 37 percent.⁸³

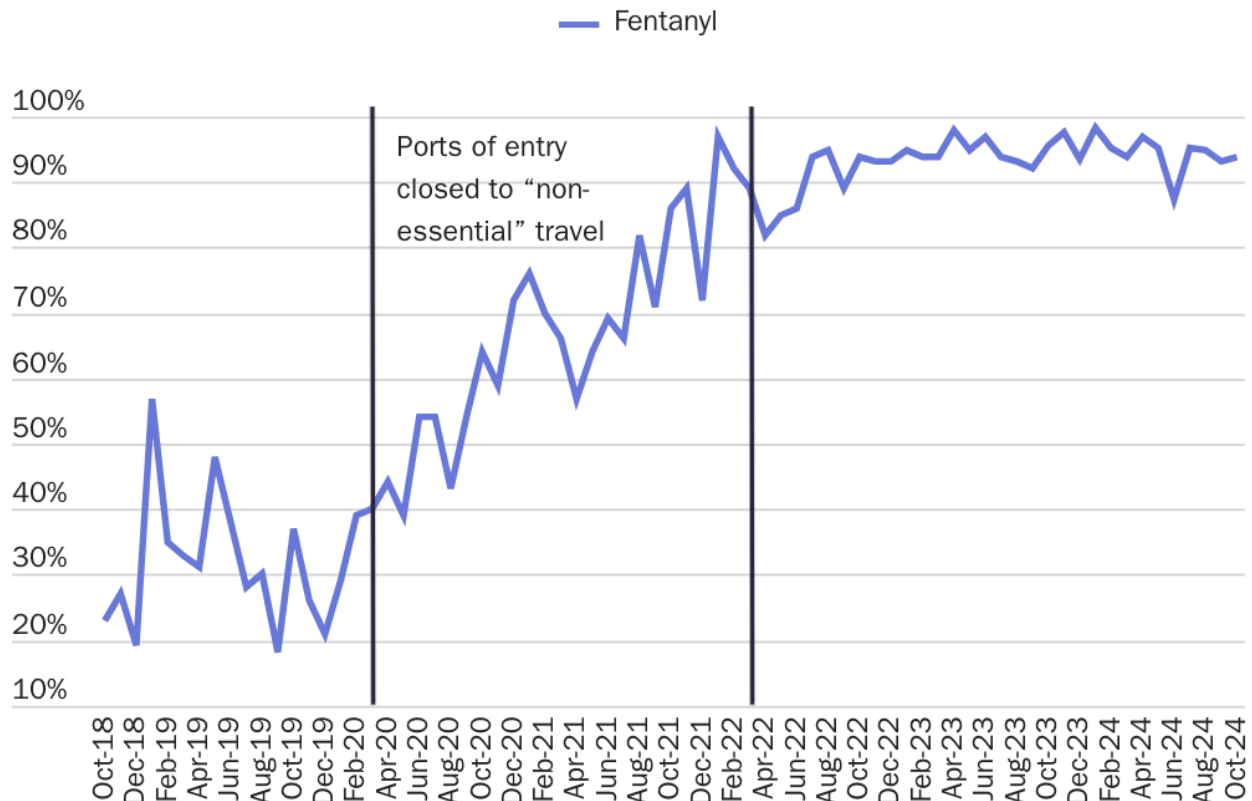
Fentanyl trafficking itself developed as a border-evasion measure to supply the market for heroin and other opioids. It initially had little natural demand because the fentanyl experience is so fundamentally different from that of heroin.⁸⁴ But fentanyl has 50 times the potency of heroin, which means that the same weight can supply 50 times as many consumers, creating a massive economic incentive for smugglers to prefer it to heroin.

“Closing the border” increased fentanyl deaths.

Despite fentanyl’s built-in economic advantage, it took the massive restriction on imports and travel during the pandemic—particularly the U.S. policy of limiting travel with Mexico—to force U.S.-Mexico border traffickers to shift from heroin to fentanyl. Within two months of the pandemic, fentanyl seizures overtook heroin by weight, and by the time the restrictions were lifted, fentanyl accounted for over 90 percent of the seizures.

Fentanyl smuggling became more important after most legal travel was banned

Fentanyl share of fentanyl/heroin seizures at ports of entry, October 2018–June 2024



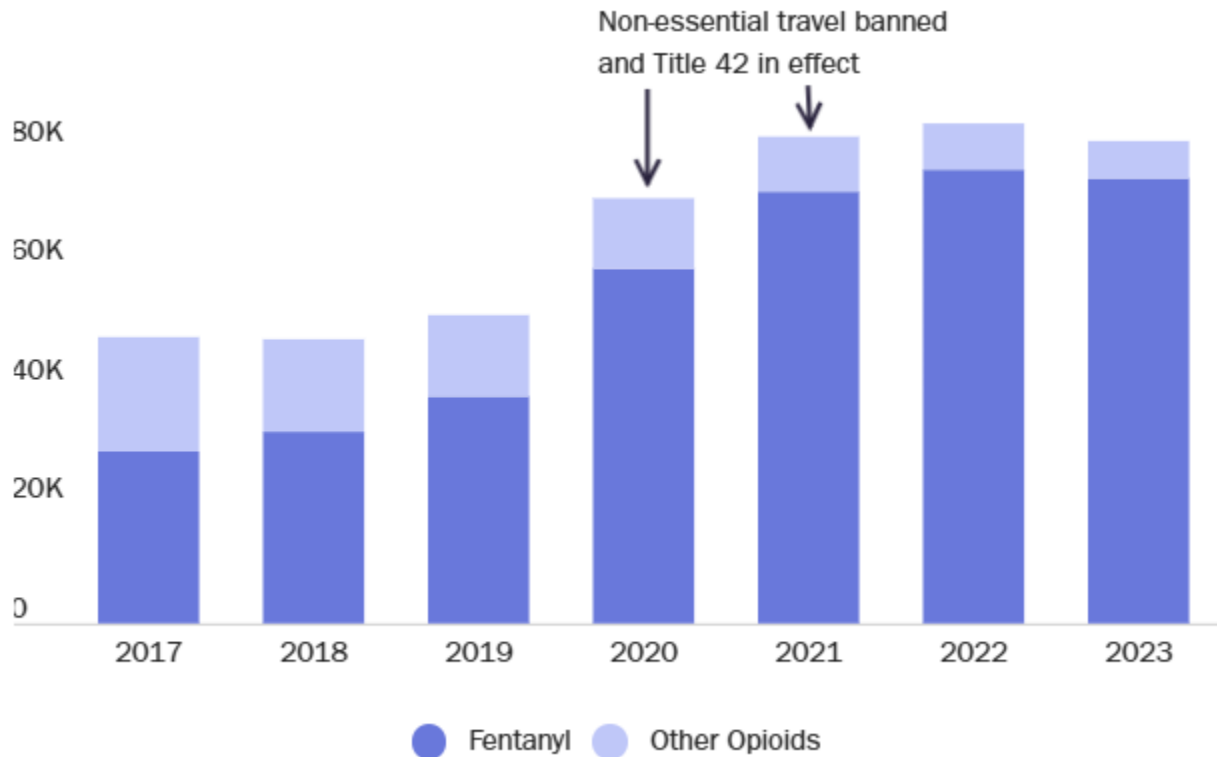
Source: “Drug Seizure Statistics,” Customs and Border Protection, 2024.

Tragically, the shift toward fentanyl and away from heroin caused a spike in fentanyl deaths. From 2019 to 2021, fentanyl deaths nearly doubled as trade and travel were restricted with Mexico. Unfortunately, additional efforts to restrict the trade in fentanyl will likewise backfire. There are already synthetic opioids many times more potent than fentanyl that cartels could switch toward if fentanyl trafficking becomes more difficult. For instance, the Tennessee Department of Health reported a fourfold increase in deaths in 2021 from Nitazenes—synthetic opioids 10 to 20 times more potent than fentanyl.⁸⁵

This process of enforcement increasing the potency of prohibited items is called the “Iron Law of Prohibition.” It occurred under Alcohol Prohibition when liquor dominated wine and beer, and it has repeatedly played out under drug prohibition: crack cocaine as a substitute for powdered cocaine, heroin as a substitute for prescription drugs, and fentanyl

as a substitute for heroin. To stop drug deaths, policymakers must focus on demand, not supply.

Deaths from fentanyl and other opioids, 2017-2023



Sources: "Provisional Drug Overdose Death Counts," Centers for Disease Control and Prevention, 2024.

Note: 12-month periods before each January.

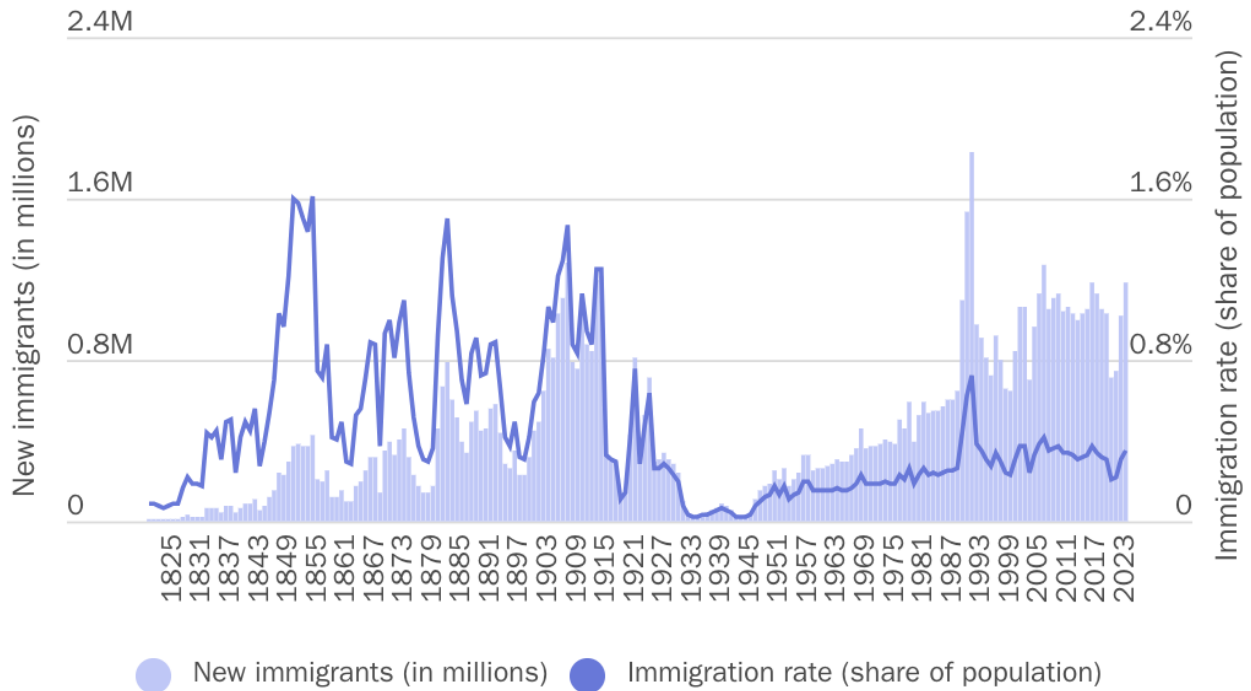
Legal immigration increases security.

Legal immigration would free law enforcement to focus exclusively on public safety threats. ICE should remove criminals, and Border Patrol should block their reentry. Despite the positive economic and social benefits of immigration, Congress's caps on legal permanent immigration will block about 97 percent of applicants in 2024—just 3 percent of applicants will receive a green card.⁸⁶ This restrictive system is the primary cause of illegal immigration, which diverts law enforcement resources away from serious threats to the country. America is just concluding a century of immigration restrictions that replaced America's traditional system of legal immigration.

Currently, the United States has a legal immigration rate—the number of new permanent residents as a percentage of its population—of just 0.3 percent. As Figure 13 shows, this rate was dramatically lower than in the late 19th and early 20th centuries, when it was consistently two to three times higher.

The legal immigration rate never recovered from the restrictions in the 1920s

Immigrants becoming legal permanent residents, share of population, 1820–2023



Source: Department of Homeland Security, “Yearbook of Immigration Statistics,” 2023.

Legal immigration improves security by directing people to enter through a process in which they are vetted and screened before they enter. This is one reason why the legal immigrant incarceration rate is so low. DHS has made some efforts to increase the ability to vet people before they enter by creating parole sponsorship processes for Cubans, Haitians, Nicaraguans, and Venezuelans. Unfortunately, the process’s low cap of 30,000 per month and the uncertainty about its long-term future have undermined its effectiveness. Parole is only a temporary status, which may be canceled at any time.

Nonetheless, the process has still greatly increased legality among the four targeted countries. In March 2024, a majority of entries by all four nationalities were lawful. Cuban and Haitian illegal immigration has greatly diminished, with 96 percent of Cuban and 99 percent of Haitian entries being lawful. This processing change has given Border Patrol more resources to focus on other crossers.

Congress should make the parole sponsorship programs permanent, allow parolees to obtain permanent status, and require DHS to expand the process to other nationalities with a high likelihood of crossing illegally. These reforms would benefit the country’s security while removing illegality and chaos from the border.

Conclusion

People who commit crimes that violate the rights of others should be punished, including through deportation if they are not citizens of the United States. However, each person should be treated equally. In America, we believe in individual accountability. We say, “You do the crime, you do the time.” We don’t lock up their families for what their relatives do. We don’t target entire races, religions, or ethnicities. We don’t ban childbirth for Americans just because they have higher rates of crime.

When a terrible crime occurs, justice demands that the person who committed it pays. Blaming whatever category an individual can fit into is not justice. It is unjust. Everyone knows this when the category is one they fit into or sympathize with, but it's quite easy to forget when it's not. It's one reason to have strong limits on power to force the government to only target those who violate others' rights.

It is also just bad policy to waste law enforcement resources going after entire races or categories of people. It's common sense to try to stop violence by catching and prosecuting violent criminals. Our justifiable fear of criminality should not cause us to forget the upside of people who, despite their flaws, are the basis of the greatest economy and society in the world. It is exactly because of this fact that so many people want to come to this country. We should create ways for them to do so legally.

Table A

List of New York Police Department members killed in action

2014-2024

Date	Officer Title	Officer Name	Killed By
3/25/24	Detective First Grade	Jonathan E. Diller	Guy Rivera
10/10/23	Community Coordinator	Krystyna Naprawa	Hector Yepes
4/29/23	Detective	Troy D. Patterson	Tracy Clark
2/23/22	Detective Second Grade	Lawrence Bromm	William Ross Wakefield
1/25/22	Detective First Grade	Wilbert D. Mora	Lashawn J. McNeil
1/21/22	Detective First Grade	Jason Rivera	Lashawn J. McNeil
4/27/21	Detective First Grade	Anastasios Tsakos	Jessica Beauvais
9/29/19	Detective First Grade	Brian Mulkeen	6 NYPD Officers
2/12/19	Detective First Grade	Brian Simonsen	Jagger Freeman/NYPD officers
7/5/17	Detective First Grade	Miosotis Familia	Alexander Bonds
1/10/17	Detective First Grade	Steven D. McDonald	Shavod Jones
11/4/16	Sergeant	Paul J. Tuozzolo	Manuel Rosales
12/12/15	Sergeant	Donald Scott Conniff	Benjamin Feld
10/20/15	Detective First Grade	Randolph Holder	Tyrone Howard
5/4/15	Detective First Grade	Brian R. Moore	Demetrius Blackwell
12/20/14	Detective First Grade	Wen Jian Liu	Ismaaiyl Abdullah Brinsley
12/20/14	Detective First Grade	Rafael L. Ramos	Ismaaiyl Abdullah Brinsley

Source: NYPD, "Fallen Heroes," 2024.

Table B

List of law enforcement shot and killed in action, nationwide, part 1

2024

Date of Death	State/City	Officer	Name of Perpetrator
11/29/24	Oak Park, IL	Allan Reddins	Jerell Thomas
11/25/24	Greenville, TX	Cooper Dawson	Christian Robert Sparger
11/4/24	Chicago, IL	Enrique Martinez	Darion McMillian
10/12/24	Jacksonville, FL	Brad NcNew	Demaurea Grant
9/16/24	Rusell County, KY	Josh Phipps	Joshua Arnold
9/11/24	Newton County, IN	Brandon Schreiber	Andrew Roselius
9/10/24	Philadelphia, PA	Jaime Junior Roman	Ramon Rodriguez-Vázquez
9/6/24	Phoenix, AZ	Zane Tristan Coolidge	Saul Aaron Bal
8/29/24	Dallas, TX	Darron Lee Burks	Corey Cobb-Bey
8/23/24	Carroll County, GA	Taylor Jaimeson Bristow	Christopher Bly
8/17/24	Paulding County, GA	Brandon Tyler Cunningham	James Samuel Atkins
8/9/24	Smyth County, VA	Hunter Reedy	Timothy Wayne Goodman
8/8/24	Summit, MS	Troy Floyd	Usher Leonard
8/3/24	Lake County, FL	Bradley Michael Link	Julie Ann Sulpizio
7/30/24	Cook County, IL	Rafael Wordlaw	Cordarrow Thompson
7/25/24	Lafayette, LA	Segus R. Jolivette	Nyjal Hurst
7/21/24	Melvindale, MI	Mohamed Said	Michael Lopez
7/11/24	Harris County, TX	Fernando Esqueda	Dremone Francis, Ronald Palmer
7/4/24	Cleveland, OH	Jamieson Ritter	Delawnte Hardy
6/27/24	Hillsdale County, MI	William Butler, Jr.	Michael Eric Fiddler
6/22/24	Oakland County, MI	Bradley J. Reckling	Raymone Raylee Debose, Marquis Lamar Goins, Karim Blake Moore
6/1/24	Gila River Indian Reservation, AZ	Joshua Briese	Joseph Nicholas Notah
5/30/24	Minneapolis, MN	Jamal Mitchell	Mustafa Ahmed Mohamed
5/11/24	Euclid, OH	Jacob Derbin	Deshawn Vaughn
4/29/24	Charlotte-Mecklenburg, NC	Joshua Eyer	Terry Clark Hughes Jr.
4/29/24	NC	Samuel Poloche	Terry Clark Hughes Jr.

Source: Officer Down Memorial Page

Table B

List of law enforcement shot and killed in action, nationwide, part 2

2024

Date of Death	State/City	Officer	Name of Perpetrator
4/29/24	NC	William "Alden" Elliott	Terry Clark Hughes Jr.
4/29/24	NC	Thomas M. Weeks	Terry Clark Hughes Jr.
4/24/24	Corpus Christi, TX	Kyle Hicks	Colton Foster
4/21/24	Ada County, ID	Tobin Bolter	Dennis Mulqueen
4/21/24	Chicago, IL	Luis M. Huesca	Xavier L. Tate
4/14/24	Syracuse, NY	Michael E. Jensen	Christopher Murphy
4/14/24	Onondaga County, NY	Michael Hoosock	Christopher Murphy
4/12/24	Memphis, TN	Joseph Russell McKinney	Jaylen Lobley
3/29/24	Puerto Rico	Eliezer Ramos-Velez	
3/25/24	New York, NY	Jonathan Diller	Guy Rivera
3/15/24	New Mexico	Justin Hare	Jaremy Smith
2/29/24	Independence, MO	Cody Allen	Larry Acree
2/28/24	Lauderdale County, AL	John Randall McCrary	Timothy Murphy
2/18/24	Burnsville, MN	Paul Elmstrand	Shannon Gooden
2/18/24	Burnsville, MN	Matthew Henke Ruge	Shannon Gooden
2/13/24	Sheridan, WY	Nevada Krinkee	William Franklin Lowery
2/8/24	Blount County, TN	Greg McCowan	Kenneth DeHart
1/4/24	George County, MS	Jeremy Malone	Rickey Powell
1/2/24	Stone County, AR	Justin Smith	Clinton Hefton

Source: Officer Down Memorial Page

Citations

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- ¹ Much of this testimony revises my past testimony on these issues.
- ² Jonathan Blitzer, "[The Immigrants Most Vulnerable to Trump's Mass Deportation Plans Entered the Country Legally](#)," *The New Yorker*, December 5, 2024.
- ³ David J. Bier, "[Biden's New Immigrants: Employment, Education, Jobs, and Industries](#)," *Cato at Liberty* (blog), November 14, 2024.
- ⁴ Congressional Budget Office, "[Effects of the Immigration Surge on the Federal Budget and the Economy](#)," *CBO*, July 2024.
- ⁵ David J. Bier, "[Biden's New Immigrants: Employment, Education, Jobs, and Industries](#)," *Cato at Liberty* (blog), November 14, 2024.
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- ⁸ "[GSS 1972-2021 Cumulative Datafile](#)," *UC Berkeley Survey Documentation and Analysis (SDA)*, 2024.
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- ¹⁰ Hoan N. Bui, "[Parent-Child Conflicts, School Troubles, and Differences in Delinquency Across Immigration Generation](#)," *Crime & Delinquency* 55, no. 3 (2008): 412-441.
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