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Judiciary's Subcommittee on Immigration  
And Border Security

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Good morning Chairman Gowdy and distinguished members of the Subcommittee on Immigration and Border Security. My name is Charles Jenkins, Sheriff of Frederick County, Maryland, a rural county just an hour from here. Thank you for the opportunity to be here this morning to testify on the serious issue of criminal alien gangs infiltrating American communities, including my county. Open borders, reckless sanctuary policies, and failure to enforce our immigration laws have greatly impacted public safety and national security throughout every jurisdiction of this country. Every single day, more Americans are becoming victims of senseless crimes, being injured and killed by criminal aliens, many are transnational gang members.

The Frederick County Sheriff's Office is committed to enforcement, partnering with Homeland Security / ICE in the 287g Delegation of Authority Program since 2008, is a part of our mission to ensure public safety. This program is very effective in the identification, detention, and removal of criminal aliens. Through our cooperation and partnership with ICE, we have very effectively built a wall around Frederick County, given the fact that most surrounding jurisdictions do nothing or very little to cooperate with ICE.

The consequence of these policy failures is the rapidly growing presence of criminal alien gangs. The criminal alien gang numbers are growing, and the serious crimes being committed are increasing. There is also a nexus between the deferred action on unaccompanied minors and the increases we are seeing in gang crimes.

Statistics (2014-2015 stats were provided) and hard facts demonstrate the impact on public safety and the seriousness of the crimes committed by criminal alien gang members:

\* There are over 75 active known validated transnational criminal gang members in Frederick County, many more suspected of gang affiliation. We also

believe that MS-13 and 18<sup>th</sup> Street alien gangs are recruiting, locally, in our schools, in the region, and out of country.

- \* Of the 52 validated criminal alien gang members identified since the inception of the 287g Program in 2008, 25 of the 52 (48%), were identified since late 2014.

- \* 18 of the 25 (72%) gang members encountered since 2014 have been charged with felonies.

- \* 7 of 11 (64%) of the criminal alien gang members encountered in 2015 were unaccompanied juveniles when they entered the U.S and eventually located to Frederick County, Maryland. Now they are adults committing serious felonies.

- \* Crimes committed include; 5 occurrences Attempted 1<sup>st</sup> and 2<sup>nd</sup> Degree Murder, Armed Robbery, 1<sup>st</sup> Degree Assault, Home Invasion, Armed Carjacking, Kidnapping, Use of a Firearm in the Commission of a Violent Felony, Carrying Concealed Deadly Weapons.

- \* In 2014, 8 criminal aliens charged with rape and sexual assault of children ages 5-14, with two of the girls impregnated.

- \* One of my deputies was the victim of an unprovoked physical attack/assault by an MS-13 gang member while sitting in his cruiser doing paperwork.

- \* The U.S. District Court recently indicted a known alien gang member for involvement in a 2013 MS-13 hired killing in Frederick. The victim in the killing fled El Salvador to live in Frederick because of an MS-13 hit for him there, but the hit order carried to a local MS-13 clique. The victim was lured to a wooded area where he was shot in the head and stabbed to death.

- \* The growing alien gang problem has spread into one high school where fights and violence between MS-13 and 18<sup>th</sup> Street are routine.

Transnational alien gangs are structured criminal enterprises involved in drug and human trafficking, crimes of violence over turf, retaliation, money laundering, and other serious crime. As these gangs are recruiting locally and increasing in number, so does the associated crime within communities.

Since 2008, this Administration has weakened immigration enforcement by dismissing deportation cases, rescinding 287g agreements, encouraging sanctuary policies, and watering down detainer policies. ICE directives have limited enforcement priorities, suspended many thousands of removals, granted deferred actions, and suspended removals for aliens who falsely claimed to be victims.

Case by case amnesty, back door amnesty, DACA programs, and the Dream Act were pushed through by executive order. Policy shifts by President Obama weakened and ruined Secure Communities, and did not allow action by ICE when Sheriffs and police departments ignored detainers, allowing criminal to be released back on the streets. In effect, criminal aliens that should have been deported have been allowed to remain and commit more serious crimes becoming violent offenders.

The effectiveness and value of local law enforcement partnering or at least simply cooperating with ICE is beyond measure to local public safety. Failure to cooperate and detain known criminal aliens for ICE has lead to American citizens being killed, wounded, injured, and sexually victimized in jurisdictions everywhere.

In 2014, I visited the McAllen border sector of Central Texas and saw for myself the impact of an unsecured border to a jurisdiction. It is my belief that if this Congress and the next President do not take action to close and secure the border with Mexico and simply enforce the federal immigration laws that exist, every county in America will become a border county.

In Frederick County, Maryland our partnership with ICE is very effective, having placed 1400 criminal aliens into removal proceedings since 2008. We honor ICE detainers so that criminals are NOT released back on the streets, assuring the safety of my citizens. Criminal aliens are deported!

It's imperative that local law enforcement honor ICE detainers, and is allowed if not mandated to assist ICE with enforcement efforts. Congress should pass Chairman Gowdy's bill H.R. 1148, The "Michael Davis Jr. and Danny Oliver In Honor of State and Local Law Enforcement Act," that the Judiciary Committee passed this Congress. The act will strengthen immigration enforcement and every Sheriff and Police Chief in America should support and assist with enforcement action.

In 2009, I testified before Congress the "the cost of doing nothing is enormous", now in 2016 we have seen that doing nothing has jeopardized Public Safety in America. Immediate Congressional action is imperative right now to protect Americans!!!

