

Restoring Enforcement of our Nation's Immigration Laws

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Introduction

Illegal immigration is the most dangerous issue facing legal residents of the United States and national security.

The cost in dollars is staggering.

The human cost and emotional impact of crimes committed by illegals is beyond measure.

The time has come to protect Americans by having lawmakers and law enforcement, Washington and Main Street, officials and neighbors all work together to secure our borders and enforce immigration law.

The future of our country depends on it.

Illegal immigration by the numbers

Illegal immigration has an incredible strain on every level of our nation's infrastructure, which is backed up by data from the Federation for American Immigration Reform (FAIR) and the Center for Immigration Studies (CIS):

- **Jobs:** All net new jobs went to immigrants from November 2007 to November 2015, according to the CIS. That's less jobs for legal U.S. residents.
- **Education:** Educating the children of illegal aliens in grades K-12 costs U.S. taxpayers \$51.3 billion a year, according to FAIR.
- **Poverty:** According to FAIR, 71 percent of households with children headed by illegal aliens used at least one welfare program. Families with illegal alien members are the fastest growing family group in the Temporary Assistance for Needy Families (TANF) program.
- **Health care:** About 60 percent of illegal aliens are uninsured (twice the number of legal immigrants; four times the number of U.S.-born).
- **Taxes:** FAIR estimates that in 2010, after deducting taxes paid by illegal aliens, the cost to U.S. taxpayers from illegal immigration was \$99.2 billion.

Criminal illegal aliens

Last summer, a twice-deported illegal alien named Walter DaSilva shot and killed his 19-year-old daughter, Sabrina, in a small parking lot outside her residence. Walter was previously convicted of attempted murder in 2002 and sentenced to 8-10 years in prison.

The Boston Globe reported that, aside from confessing to the crime, The Brazilian native smiled ear to ear at his arraignment.

This tragedy occurred in New Bedford, Massachusetts, which is in my district in Bristol County.

He is one of hundreds of thousands of illegal aliens committing crimes and victimizing U.S. citizens from coast to coast. According to FAIR, almost 300,000 criminal illegal aliens are in U.S. jails and prisons, costing U.S. taxpayers, between federal and local levels, more than \$15 billion annually.

There are three main areas immigration law needs to attack and the laws need to be enforced to protect our citizens: Sanctuary cities, border security and law enforcement programs.

Sanctuary cities

As a sworn Sheriff, as a sworn law enforcement officer, as a sworn elected official and public servant, I took an oath to protect the citizens of my county and uphold the U.S. Constitution. I am binded by oath and duty to follow and enforce the law regardless if I disagree with it or not.

This law includes immigration law, which some around the country turn a blind eye to. Our federal government is just as guilty. The title of this hearing is, after all, "Restoring Enforcement of our Nation's Immigration Law," with the key word being "restoring."

The law in question is Title 8 Chapter 12 of the U.S. Code which states specifically that it is illegal to "knowing(ly) or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation."

That is exactly what these elected officials are doing by declaring their states, counties, cities and towns as sanctuaries for illegals.

These officials pledge not to cooperate with federal immigration enforcement, Immigration and Customs Enforcement (ICE), on detaining criminal illegal aliens.

Imagine that. A person elected to lead by his or her peers, a person who the public put their trust in, telling those people that they will not cooperate with federal law enforcement, they will not do all they can to keep them safe.

These sanctuary communities are magnets for illegals who are looking to lay low, not be bothered, and commit crimes or plan terrorist attacks.

I received a call from a U.S. border agent in San Diego a few years ago when I was pushing for the Secure Communities program in Massachusetts. This border agent, calling out of the blue because he read about my position on immigration in media reports, called to say that the word in the illegal immigrant community is to cross the border and go to Massachusetts and other areas that have sanctuary cities.

At best, these sanctuary policies are a direct breach of the oath these elected and appointed officials took to protect their constituents at all costs. At worst, they are careless, illegal and extremely dangerous acts done for the sake of political pandering.

Longstanding immigration law is crystal clear. It's a jail-able offense to harbor or conceal criminal illegal aliens from ICE. Those that do so and obstruct federal law enforcement should be arrested and charged.

No one is above the law, and the officials of these sanctuary cities who obstruct law enforcement should be held to the same legal standards and face the same punishment as would you or I.

Law enforcement programs and 287(g)

In January, the Bristol County Sheriff's Department became the second organization in New England to sign a memorandum of agreement with ICE to officially enter into the 287(g) immigration enforcement program.

I stood in front of a room full of TV cameras and reporters and answered every tough question from the mostly liberal media about immigration enforcement. The questions weren't tough for me to answer, because I believe in my heart of hearts that there needs to be more cooperation among law enforcement, more sharing of intelligence, and more sharing of resources.

The program allows Bristol County correctional officers to receive extensive training to identify, process and assist in all immigration enforcement functions.

If someone is arrested by local or state police, brought to one of my jail facilities and is identified as foreign-born, these specially trained officers have full authority and training to conduct immigration screenings and report the results to regional ICE supervisors. They can then assist ICE in whatever direction the supervisors want to take, from releasing the person to detaining them to getting the deportation process rolling.

These officers will get access to the ICE databases where they can see and add intelligence on criminal illegal aliens in real time. The faster information is shared, the more information is shared, the safer the citizens of our communities will be.

ICE officials will be installing some technological upgrades to our facility soon, and this summer, our officers will travel to South Carolina for four weeks of training. Upon completion of this training, they will be de facto ICE officers. This not only helps increase public safety in my county, but helps ICE redistribute its limited resources to more areas of need.

More than 400,000 illegal immigrants were identified for deportation through the 287(g) program from 2006-2015, according to the Department of Homeland Security.

About 13,000 foreign-born individuals have been processed in our jail facilities over the last five years.

If the 287(g) program can help us identify, detain and possible deport even one dangerous criminal illegal alien, it will be a smashing success and a huge boost to public safety.

Border security

Walter DaSilva was deported twice before killing his daughter in Bristol County. If our borders and points of entry were secure, he never would have had the opportunity to commit this heinous crime.

Securing the southern border is of utmost importance to the safety and security of the American people. The United States needs a combination of physical and electronic barriers to protect our citizens.

The wall is a no-brainer. I've been to the border three times. I've seen first-hand how illegals are pouring into our country. Our nation needs a strong physical structure at the southern border, where applicable, to protect our safety and security.

Not all the terrain down south is conducive for a wall. Therefore, we need biometric sensors, drones and other technology to reinforce the weak points in the physical structure.

Let's bring in the Israelis, the masters of border security and policy, and work with them to create a comprehensive border security plan.

People with very limited resources cross the border illegally every day in droves. And the ones we do catch are being sent here, there and everywhere with a summons to appear in court at a later date. How many of them actually show up?

Progress is starting to be made on this front as immigration judges have recently been dispatched to the border. Illegals who are caught entering the country will now have a hearing right at the border and sent back in very little time.

These ideas stretch beyond the southern border to other ports of entry such as airports and seaports. They need to be as secure as possible.

Our nation is a nation of immigrants. My father was an immigrant from England who came here and became a citizen the right, legal way. We need to continue accepting immigrants who follow the rules and go through the legal process, not reward those who come here illegally.

Solutions

Illegal immigration is such a huge and dangerous problem that solving it overnight is not going to happen. However, starting today, we can take some steps to stem the tide of illegals flooding into our country, and apprehend and deport those illegals who are committing crimes and victimizing our legal residents.

How can we do that? Some suggestions:

- **End sanctuary cities:** Issue arrest warrants and charge these officials who pledge to violate federal law by harboring and concealing illegals. Sanctuary cities will start to fade if their leaders start running into legal trouble.
- **Expand the 287(g) program:** This partnership between local and federal law enforcement should be hailed as a model, not by the liberals as a disaster. Every corrections facility should have staff trained to identify criminal illegal aliens to keep them off the streets. ICE has a tremendously hard job ahead of it as President Trump's immigration ideas move forward, and the organization needs as many resources as it can get. By working with our federal teammates, we can keep our communities safe and help ICE keep our country safe.
- **Have immigration judges available at night:** Some sanctuary communities say they won't honor ICE detainer requests because there is no criminal warrant. Well if immigration judges were available beyond business hours, when most crimes are committed, we could send affidavits to judges and, if granted, turn them into warrants in little time. This could prevent the bail or release of a dangerous criminal illegal alien.
- **Secure the border:** Physical and technological structures must be constructed along the southern border where the hordes of illegals are coming from. Once we stem the tide, we can focus on the problem here without it getting worse.