

111TH CONGRESS
1ST SESSION

H. CON. RES. 90

Expressing the sense of the Congress regarding the removal from the United States of aliens charged under State law with aggravated felonies.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2009

Mr. FRELINGHUYSEN submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the removal from the United States of aliens charged under State law with aggravated felonies.

Whereas in April 2008, a 20-year-old foreign national was arrested and charged with endangering the welfare of a child and aggravated sexual assault following an alleged attack on a 12-year-old girl;

Whereas the suspect was remanded to Morris County, New Jersey, jail;

Whereas the suspect posted \$50,000 bail in August 2008, to secure his release prior to his preliminary hearing and subsequent trial;

Whereas the Morris County Sheriff's office transferred custody of the suspect to U.S. Immigration and Customs Enforcement ("ICE") that month;

Whereas in September 2008, the suspect was transferred to an ICE detention center in Louisiana where he appeared before an immigration judge and was ordered removed;

Whereas the suspect failed to appear for his preliminary hearing in November 2008, in Morris County, New Jersey, prompting a warrant to be issued for his arrest;

Whereas a Morris County grand jury indicted the suspect on aggravated sexual assault charges in December 2008;

Whereas appropriate officials in Morris County, New Jersey, were never informed that this potentially dangerous suspect was about to be or was subsequently removed from the United States;

Whereas the removal of this suspect will delay, if not prevent, the suspect from answering these serious charges in an appropriate court in the United States; and

Whereas a New Jersey victim and her family have been denied justice: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of the Congress that the
 3 Secretary of Homeland Security should develop an effective and efficient system of communication with State and
 4 local law enforcement officials that allows such officials
 5 to know, in a timely manner, when suspects charged in
 6

- 1 their jurisdictions with aggravated felonies are in the final
- 2 stages of the removal process.

