

# THE BIDEN-HARRIS BORDER CRISIS: CALIFORNIA PERSPECTIVES

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## HEARING

BEFORE THE

COMMITTEE ON THE JUDICIARY

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

SECOND SESSION

FRIDAY, SEPTEMBER 6, 2024

**Serial No. 118-94**

Printed for the use of the Committee on the Judiciary



Available via: <http://judiciary.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2024

56-700

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## **THE BIDEN–HARRIS BORDER CRISIS: CALIFORNIA PERSPECTIVES**

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**Friday, September 6, 2024**

HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY

*Washington, DC*

The Committee met, pursuant to notice, at 9 a.m., in Santee City Hall, Council Chambers, 10601 Magnolia Avenue, Building 2, Santee, CA 92071, the Hon. Darrell Issa presiding.

*Present:* Representatives Issa, Biggs, and Fitzgerald.

Mr. ISSA. The Committee will come to order.

Without objection, the Chair is authorized to declare a recess at any time. We welcome everyone here today to this hearing on California's perspectives of the Biden–Harris border crisis.

The Chair will now recognize the gentlelady from—I am sorry, the gentleman for the Pledge of Allegiance.

ALL. I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mr. ISSA. Somewhere in my notes it is going to say that this is not an audience participation type of a hearing but, the appropriate hurrah or hoo-rah, depending on your branch, is always accepted.

I will now recognize myself for a short opening statement.

The House Judiciary Committee has for the last two years gone around the country trying to gain a perspective on the growing crisis.

In each location whether it is Texas, Arizona, all the way up in Ohio, Maine, or here on the border of California we have sought to find individuals who will understand and who are impacted by it.

Today we are pleased to have Mayor John Minto, the city manager Maureen Best, and the entire city of Santee staff at the hearing.

Santee is a border community as is El Cajon, Chula Vista, and Alpine and many other cities in and around my district. They know firsthand the impact.

We also have representatives of law enforcement not from the border, but the border does not end just at the line between Mexico and the United States.

We are pleased to have Undersheriff Sharp who is from what would not be considered a border district except in Riverside we actually have a secondary border crossing that everyday deals with

people who get past the first border and that number continues to grow.

This hearing has the purpose to highlight the unique challenges we face in San Diego and, as I said, Riverside communities as a result of the unprecedented border crisis which—began in 2021 and today has displaced what would otherwise be openings in housing and jobs of more than 14 million Americans.

Illegal immigration is something that is used lightly. We are not using it lightly. The fact is that—among the millions who have come here illegally there are people legitimately seeking asylum.

There are people who legitimately, more than a million a year, who have gone through the process to come to America legally.

It is our goal to restore the rule of law and to in fact recognize that we can have immigration in our country. We can have prosperity for all. We can only do so if we can control our borders.

Today we will also become acutely aware further of the impact of crime, whether it is the growth of illicit drugs including fentanyl or the border crime now that goes back and forth including the trade in human trafficking.

This hearing will tell the truth directly from people who will testify as to their experience of what the difference between the last administration and the policies of the last 3½ years and how they have influenced them.

On day one of the administration halted border security. As a matter of fact, I was a witness four years ago to the administration stopping the construction of the last phases of the new border here, and as a result the border fence was not completed and even today is not completed but was not continued as the materials rusted and the world became aware you could just walk into America.

We will try to keep decorum here. We will try to make this not partisan. There is no question at all there is a right direction and a wrong direction and it is clear we will hear from the testimony today that we have been going in the wrong direction.

Too many stories for too long have not been told. It is the reason we brought people here today, and I want to note that none of our witnesses are in fact political appointees. None of our witnesses here today are per se partisans.

We have nonpartisan mayors. We have our District Attorney. We have people who in fact represent people without a partisan persuasion and in fact whose only interest is the welfare of their community and the safety of that community.

With that, I got to the right page—with that I am going to extend my warm welcome to everyone in the audience and thank you for being here. The fact is, our witnesses are just as important both here and around the world.

With that, I would like to introduce our panel—distinguished panel of witnesses.

The Honorable Michael Hestrin has served as the District Attorney of Riverside County since 2015. Prior to that he was a line prosecutor in the District Attorney's office for over 20 years.

The Riverside County District Attorney's office under his leadership prosecutes fentanyl dealers aggressively and even charges them with murder if evidence supports such a charge.

He has a bachelor's degree from the University of Arizona and a law degree and master's degree in Latin American Studies from Stanford.

Mayor John Minto is the longtime resident of San Diego area and is the Mayor of our host city. As a matter of fact, I am sitting at his seat.

Mayor Minto had 29 years as a San Diego Police Officer prior to his work—he worked at San Diego Gas and Electric. The Mayor was first elected to Santee City Council back in 2002 and has served as the Mayor for the last eight years.

He serves on the San Diego Association of Governments and the League of California Cities Board of Directors.

Mayor John Franklin is the Mayor of a city—again, a little further from the border—the city of Vista of which I was a longtime resident.

He was first elected to the Vista City Council in 2014 and served—has served as Mayor since 2022. He is the owner of a family business, worked in the U.S. House of Representatives for two Members of Congress.

Mayor Franklin holds a bachelor's degree from American University, and I might comment that Mayor Franklin has also been one of the leading innovators in how to deal with homelessness in and around his city and I think all of us are aware of his work.

Undersheriff Don Sharp has served in the Riverside County Sheriff's Office since 1996 after several years in the Los Angeles County Sheriff's Department which, if I am correct, that is the largest sheriff's department in the country and now you have the second largest.

He has been a Patrol Officer, a Field Training Officer, a member of multiple narcotics teams, a Sergeant, Chief Deputy, and has served as Undersheriff since 2019.

He holds a bachelor's degree in organizational leadership and is a graduate of the Sherman Block Supervisorial Leadership Institute, and we welcome him.

Mr. Cory Gautereaux is a founding member of the nonprofit G-O-A-T—GOAT for short—an initiative which aims to combat human trafficking along the Mexican border through comprehensive intelligence gathering and strategic collaboration with local, State, and Federal law enforcement agencies.

Mr. Gautereaux began his career in the United States Army as a UH-60 Black Hawk helicopter crew chief and door gunner—I might note the most dangerous position to stand in. He then served as a respiratory therapist before beginning his work with a nonprofit.

Last, Ms. Nicole—I am going to mess this up. I know I would. Cardinale. Is a mother, a wife, a Navy veteran, and a resident here of Dulzura, California.

She currently works in the medical field and is the Vice President of the Jamul Little League Board of Directors. Her son plays baseball, and I might note she has very valiantly come forward to talk to us today about direct history herself of growing up along the border and of what her child has faced just recently at the border.

We welcome all our witnesses for appearing today. We would under the rules of the committee begin by asking all of you to rise, raise your right hand to take the oath.

Do you solemnly swear or affirm under the penalty of perjury that your testimony you give today will be true and correct to the best of your knowledge, information, and belief so help you God?

[All witnesses answer in the affirmative.]

Mr. ISSA. Please be seated. Let the record reflect that the witnesses have answered in the affirmative.

For all of you who may not have testified before, we do limit opening statements to five minutes. We then try to limit as much as we can our questions to being questions.

However, anything that you have done in way of a prepared written statement or any additional collateral information you want us to have will be included in the record so you can summarize or even go off script.

The important thing is we want to hear from you and your entire testimony will be in the record.

We will now begin with our District Attorney. I am not sure we have your mic on it. If you have got a green you are good.

#### **STATEMENT OF THE HON. MICHAEL HESTRIN**

Mr. HESTRIN. There we go. Thank you.

Chair Issa and the distinguished Committee Members, thank you for coming to San Diego to address important public safety and border security.

My name is Mike Hestrin, and I am the elected District Attorney of Riverside County, serving in that role since 2015. Riverside County, located to the East of Los Angeles and North of San Diego County, is not on the U.S.-Mexico border but is significantly impacted by border issues, particularly drug trafficking and illegal immigration.

Due to its proximity to border adjacent counties Riverside County is heavily affected by the movement of drugs such as fentanyl. Several major freeways in Riverside County are known as drug trafficking corridors, providing direct routes from the border to Southern California and beyond.

Interstate 15, in particular, serves as a critical North-South corridor for traffickers moving illicit drugs from the border area through our communities and then further on into the United States.

To combat this threat law enforcement agencies like the Riverside County Sheriff's Department, California Highway Patrol, actively monitor these corridors and conduct interdiction operations.

For example, on August 20th, U.S. Border Patrol agents from the Newton-Azrak Border Patrol station confiscated 81 pounds of cocaine during a traffic stop on Interstate 15 in Temecula.

The Newton-Azrak Border Patrol station located in Murrieta, also in Riverside County and overseen by the San Diego sector patrol, reported seizing 2,437 pounds of cocaine this fiscal year, an increase of 300 pounds from the previous year.

Agents also confiscated 3,627 pounds of methamphetamine, 31 pounds of heroin, and 475 pounds of fentanyl. On a national level, the data from the Department of Homeland Security shows that

fentanyl seizures have risen dramatically. In Fiscal Year 2021, U.S. Customs and Border Protection seized over 11,000 pounds of fentanyl, nearly double the amount seized in 2020, and this we are seeing all across Riverside County. Our seizures are going up significantly.

Fentanyl smuggling across the U.S.–Mexico border has profoundly impacted Riverside County with significant increases, as I just said, in drug seizures.

The State's Southern border has become a critical entry point for fentanyl entering the U.S., largely driven by the Sinaloa and Jalisco new generation cartels which dominate the Mexican States adjacent to California.

Although we know the quantity of fentanyl seized, we do not know how much gets passed and how much gets in, but we can only assume that those numbers are incredibly large.

The devastating impact of fentanyl on Riverside County is clear. In 2016, the county had only two fentanyl-related deaths. Since 2020, these deaths have increased 1,291 percent just in Riverside County.

In collaboration with law enforcement agencies the District Attorney's office investigates every fentanyl death as a potential homicide. Beginning in 2021, we were the first District Attorney's office to file murder charges under the unique circumstances of charging second degree murder for a fentanyl-related death.

One such case, *People v. Romero*, resulted in a conviction of second-degree murder with a sentence of 15 years to life in prison. Despite our efforts, fentanyl remains a pervasive public safety threat in Riverside County. Our office leads the State in these prosecutions, and we are proud to do so.

We have more than 30 fentanyl-related homicide charges that we have filed since 2021. However, it is not enough to combat fentanyl locally after it has already entered our communities and causes the death and destruction of the people that live in Riverside County.

Fentanyl production begins in Mexico where it is manufactured by Sinaloa and Jalisco cartels in covert, unsanitary labs. The cartels are expanding their marketing of fentanyl to children via social media apps.

They produce counterfeit pills, and they are lacing all other drugs in Riverside County with fentanyl. In 2021, four out of ten illicit drugs—pills, excuse me—found on our streets contained fentanyl. That number has now risen to seven out of ten.

The Mexican drug cartels recently attempted a public relations campaign by calling for a ban on fentanyl in Mexico including hanging banners in Sonora and Baja, California.

However, this is merely a distraction tactic. Ongoing seizures and fentanyl-related deaths show that production and trafficking of fentanyl into our country and into our county has not ceased. It has not diminished.

The failure to control the illegal border crossings and address the influx of fentanyl into the U.S. is taking a devastating toll on people of Riverside County. We urgently need comprehensive and tough Federal action and robust initiatives to address this issue effectively.

We need stronger border policies, enhanced law enforcement, and other measures that are essential to curbing fentanyl trafficking which is fueling a crisis across the country and certainly in Riverside County.

This fight cannot be waged by local officials alone. We need resources and enforcement at the border to stop this lethal threat before it reaches our communities, before it takes its toll on our people.

Thank you.

[The prepared statement of the Hon. Hestrin follows:]



TESTIMONY OF

Michael A. Hestrin  
District Attorney  
Riverside County District Attorney's Office  
Riverside County, California

BEFORE

U.S. House of Representatives  
Committee on the Judiciary

ON

"The Biden-Harris Crisis: California Perspectives"

September 6, 2024  
San Deigo, CA

Chairman Jordan and Distinguished Committee Members, thank you for coming to San Diego to address the critically important public safety issue of border security.

My name is Mike Hestrin, and I am the elected District Attorney of Riverside County, serving in this role since 2015.

Riverside County, located to the east of Los Angeles County and north of San Diego County, is not on the U.S.-Mexico border, but it is significantly impacted by border issues, particularly drug trafficking and immigration. Due to its proximity to border-adjacent counties, Riverside County is heavily affected by the movement of drugs such as fentanyl. Several major freeways in Riverside County are known drug trafficking corridors, providing direct routes from the border to Southern California and beyond. Interstate 15, in particular, serves as a critical north-south corridor for traffickers moving illicit drugs from the border area through our communities and further into the United States.

To combat this threat, law enforcement agencies like the Riverside County Sheriff's Department and California Highway Patrol actively monitor these corridors and conduct interdiction operations. For example, on August 20, U.S. Border Patrol agents from the Newton-Azrak Border Patrol Station confiscated 81 pounds of cocaine during a traffic stop on Interstate 15 in Temecula.

The Newton-Azrak Border Patrol Station, located in Murrieta and overseen by the San Diego Sector Patrol, reported seizing 2,437 pounds of cocaine this fiscal year, an increase of 300 pounds from the previous year. Agents have also confiscated 3,627 pounds of methamphetamine, 31 pounds of heroin, and 475 pounds of fentanyl.

On a national level, data from the Department of Homeland Security (DHS) shows that fentanyl seizures have risen dramatically. In Fiscal Year 2021, U.S. Customs and Border Protection (CBP) seized over 11,000 pounds of fentanyl, nearly double the amount seized in 2020. This trend has continued, with over 27,000 pounds seized in Fiscal Year 2024 — a 145% increase from 2021. This amount is enough fentanyl to kill six billion people, equivalent to killing every American 18 times over.

Fentanyl smuggling across the U.S.-Mexico border has profoundly impacted Riverside County, with significant increases in drug seizures. The state's southern border has become a critical entry point for fentanyl entering the U.S., largely driven by the Sinaloa and Jalisco New Generation Cartels, which dominate Mexican states adjacent to California. Although we know the quantity of fentanyl seized, the amount successfully entering the country remains unknown.

The devastating impact of fentanyl on Riverside County is clear. In 2016, the county had only two fentanyl-related deaths. Since 2020, these deaths have increased by 1,291%. Our office, in

*Written Testimony of Michael A. Hestrin, Riverside County District Attorney*

collaboration with local law enforcement agencies, investigates every fentanyl death as a potential homicide. Beginning in 2021, we were the first District Attorney's Office to file murder charges under the unique circumstances of charging second-degree homicide for a fentanyl-related death. One such case, *People v. Romero*, resulted in a conviction of second-degree murder with a sentence of 15 years to life.

Despite our efforts, fentanyl remains a pervasive public safety threat in Riverside County. Our office leads the state in prosecution efforts, with more than 30 fentanyl-related homicide charges filed since 2021. However, it is not enough to combat fentanyl locally, after it has already entered our communities, causing death and destruction. Fentanyl production begins in Mexico, where it is manufactured by the Sinaloa and Jalisco cartels in covert, unsanitary labs. The cartels are expanding their marketing of fentanyl to children via social media apps, counterfeit pill production, and lacing other illicit drugs. In 2021, four out of ten illicit pills contained fentanyl; that number has now risen to seven out of ten.

The Mexican drug cartels recently attempted a public relations campaign by calling for a ban on fentanyl in Mexico, including hanging banners in Sonora and Baja California. However, this is merely a distraction tactic. Ongoing seizures and fentanyl-related deaths show that production and trafficking into our communities has not ceased.

The failure to control illegal border crossings and address the influx of fentanyl into the U.S. is taking a devastating toll on Riverside County. We urgently need comprehensive federal action and robust initiatives to address this issue effectively. Stronger border policies and enhanced law enforcement measures are essential to curbing fentanyl trafficking, which is fueling a crisis across the country, particularly in Southern California and counties like Riverside County. This fight cannot be waged by local officials alone; we need resources and enforcement at the border to stop this lethal threat before it reaches our communities.

Mr. ISSA. Thank you.  
Mayor Minto?

**STATEMENT OF THE HON. JOHN MINTO**

Mr. MINTO. Good morning, Chair.

Mr. ISSA. Same thing, and this is your courtroom.

[Laughter.]

Mr. MINTO. I wanted to see if you were paying attention, sir.

Good morning, Chair and the Committee Members. Welcome to the city of Santee. We appreciate this opportunity for the Committee to hear our region's concerns.

The Biden–Harris Administration approach to border security and immigration has significantly impacted California with San Diego County at the forefront of these challenges.

Between September 2023 and May 2024, San Diego County received between 125,000 and 154,000 street releases of migrants. Many were placed on a trolley and sent and released into East County.

These numbers are based on daily reports to the county's Economic Development Government Affairs office. These unofficial figures underscore the unprecedented and grave scale of the region's border crisis.

The influx of migrants has strained local resources including overcrowding at local hospitals, prompting San Diego County officials to respond with a coordinated effort involving Federal, State, and regional support.

In response, the San Diego County Board of Supervisors allocated \$6 million in Federal American Rescue Act funding to establish a migrant center processing in San Diego.

This center, which operated from October 2023–February 2024, served as a temporary and stopgap solution to help manage the influx of migrants and mitigate the impact on local communities.

During its operation the center processed over 80,000 individuals of whom 99 percent continued their journey to reunite with sponsors throughout the United States. The services provided at the center were critical in facilitating onward travel.

They included translation assistance, transportation services, and access to communication tools and WiFi to connect with U.S. sponsors. The temporary center was instrumental in providing much needed support to individuals released by Customs and Border Protection. It helped reduce the number of street releases directly into local communities, alleviating some of the immediate pressure on public safety and community resources.

However, the center's closure in February 2024 left San Diego County in dire need of more sustainable long-term solutions to manage the migrants, underscoring the critical importance of strategic planning and foresight.

To address these ongoing crises our region secured a \$19.6 million grant from FEMA to support its response to the migrant influx. This funding is in addition to \$19 million already granted to Catholic Charities, reflecting the critical need for resources to handle the situation effectively.

The funds are being used to establish a migrant transit day center operated by Jewish Family Services. The center will offer essen-

tial services to migrants released from the Department of Homeland Security custody.

The services will provide and include temporary shelter, legal assistance, travel coordination, and other forms of support to facilitate safe and organized transitions for migrants as they continue their journey in the United States.

The situation underscores the urgent need for a comprehensive long-term strategy with improved coordination between Federal, State, local governments, and nonprofit organizations. I hope this emphasis on urgency demonstrates the gravity of the situation.

So, in conclusion, San Diego County's response to the border crisis highlights the critical role that local governments play in addressing the challenges associated with increased immigration.

County supervisors, mayors, and city councils continue to work together in efforts to provide essential services and support migrants, demonstrating a strong commitment to humanitarian assistance and public safety.

I want to reassure you that the region is dedicated to moving forward. Our success relies on continued collaboration and adequate funding. San Diego County remains resilient in the face of these challenges.

Thank you.

[The prepared statement of Mr. Minto follows:]

September 6, 2024

**Testimony of Mayor John W. Minto, City of Santee**

Subject: The Committee on the Judiciary testimony titled “The Biden-Harris Border Crisis: California Perspectives.”

Good morning, Chairman and Committee members,

The Biden-Harris administration's approach to border security and immigration has significantly and directly impacted California, with San Diego County at the forefront of these challenges. Between September 2023 and May 2024, San Diego County received between 125,000 and 154,000 street releases of migrants. Many were placed on a trolley and released into the East County region.

Based on daily reports sent to the County's Economic Development and Government Affairs (EDGA) office, these unofficial figures underscore the unprecedented and grave scale of the region's border crisis. The influx of migrants has strained local resources, including overcrowding at local hospitals, prompting San Diego County officials to respond with a coordinated effort involving federal, state, and regional support.

In response, the San Diego County Board of Supervisors allocated \$6 million in federal American Rescue Plan Act (ARPA) funding to establish a migrant processing center in San Diego. This center, which operated from October 2023 to February 2024, served as a temporary and stopgap solution to help manage the influx of migrants and mitigate the impact on local communities.

During its operation, the center processed over 80,000 individuals, of whom 99% continued their journey to reunite with sponsors throughout the United States. The services provided at the center were critical in facilitating onward travel. They included translation assistance, geographic information, transportation services, and access to communication tools and Wi-Fi to connect with U.S. sponsors.

The temporary migrant processing center was instrumental in providing much-needed support to individuals released by Customs and Border Protection (CBP). It helped reduce the number of street releases directly into local communities, alleviating some of the immediate pressures on public safety and community resources. However, the center's closure in February 2024 has left San Diego County in dire need of more sustainable, long-term solutions to manage the continued arrival of migrants, underscoring the critical importance of strategic planning and foresight.

To address the ongoing crisis, our region secured a \$19.6 million grant from FEMA to support its response to the migrant influx. This funding is in addition to the \$19 million already granted to Catholic Charities, reflecting the critical need for resources to handle

the situation effectively. The funds are being used to establish a Migrant Transition Day Center operated by Jewish Family Services.

The center will offer essential services to migrants released from the Department of Homeland Security custody. The services provided will include temporary shelter, legal assistance, travel coordination, and other forms of support to facilitate safe and organized transitions for migrants as they continue their journeys in the United States.

The Biden-Harris administration's border policies have led to increased numbers of asylum-seeking migrants entering California, with San Diego County serving as a primary entry point. The local government's proactive measures, supported by federal funding, have been vital in managing the immediate impacts of these policies.

The situation underscores the urgent need for a comprehensive, long-term strategy with improved coordination between federal, state, and local governments and non-profit organizations. I hope this emphasis on urgency demonstrates the gravity of the situation.

In conclusion, San Diego County's response to the border crisis highlights the critical role that local governments play in addressing the challenges associated with increased migration.

The county's efforts to provide essential services and support for migrants demonstrate a strong commitment to humanitarian assistance and public safety.

I want to reassure you that the region is dedicated to moving forward. Our success relies upon continued collaboration and adequate funding to manage the ongoing impacts of the border crisis and ensure San Diego County remains resilient in the face of these challenges.

Thank you.

Mr. ISSA. Thank you, Mayor.

We now go to Mayor Franklin, and I want to note thank you so much for being with us yesterday to see the fentanyl and drug locker. You and the minority leader were very helpful to be in attendance.

Thank you. You may proceed.

#### **STATEMENT OF THE HON. JOHN FRANKLIN**

Mr. FRANKLIN. Thank you, Mr. Chair, and Members of the Committee. That was, indeed, informative and educational to see an entire warehouse full of seizures as part of the regular drug traffic coming across our border.

My name is John Franklin. I am the Mayor of the city of Vista in Northern San Diego County. Vista is known as the climatic wonderland. It is a beautiful city with middle-class and working-class families.

We are also a community made up overwhelmingly of immigrants. Fifty percent of the people in my city are of Latino or Hispanic origin, nearly a third speak Spanish, and 13 percent speak only Spanish.

I believe that America is and must always remain a beacon of hope for immigrants from all around the world. We honor our immigrant heritage, and we welcome those who come to our country to contribute to our society.

We recognize our obligation to mankind to provide safe harbor for those who are persecuted in their home countries and have legitimate asylum claims. I fully support those who come here lawfully.

The United States of America affords more opportunities for lawful immigration than the rest of the Nations of the world combined. We also have a right to expect that the persons in our society abide by our laws.

The President is required by the Constitution to take care to faithfully execute the laws. Unfortunately, President Biden and Vice President Harris have decided to ignore our border and immigration laws, and I want to tell you today what the Biden–Harris open border has done to my community.

The San Diego County medical examiner reported recently 1,203 people died last year of drug overdose. That is double the rate from just a few years ago. Fentanyl is being smuggled across our border by the drug cartels every single day, yet the administration refuses to take decisive action.

One of these victims was my own friend's son. He died taking what he thought was Adderall. He bought it from a dealer whose product has certainly killed others.

We are also dealing with high rates of crime. Statistics on crimes committed by illegal immigrants in California are not available because, unlike in Texas, California State policymakers refuse to allow our local law enforcement to collect these data.

Over 441,000 criminal noncitizens were booked into Texas jails in recent years including more than 542,000 criminal offenses recorded by noncitizen criminals.

Those included a thousand homicide charges, 69,000 assault charges, 9,700 for burglary, 63,000 for drug charges, 1,200 for kid-

napping, 27,000 for theft, 42,000 for obstruction of police activities, 3,000 for robbery, 6,800 for sexual assault, 7,800 for sexual offenses, and 6,600 for weapons charges.

The San Diego border sector receives approximately 20–26 percent of the traffic that the Texas sector does so we can extrapolate that tens of thousands of crimes are committed in our community, the same as in Texas, that would not have occurred if we had a secure border.

In Vista I organized an antiretail theft task force to address the epidemic of shoplifting that we are facing in our community. As we arrested shoplifters and we discovered that these are not people in need.

These are people who are part of organized criminal organizations. They are stealing compact valuables that they can easily convert to cash. Several of the stores in my community, including some grocery stores and drugstores, have been forced to close in the last couple of years, creating food deserts in working class communities.

Another impact of the open border—illegal workers are driving down the wages of American citizens. They take jobs often that pay below market rate and work without the protection of our U.S. labor laws.

I want to make a point that illegal labor is unfair to our American workers, and it is also unfair to illegal laborers. I have toured our open and porous border numerous times in recent years and I have watched with puzzlement when the Biden–Harris Administration took office as the prefabricated sections of the border fence remained on the ground and rusted and laid to waste after President Biden and Vice President Harris refused to complete the fence, leaving some 37 holes in the San Diego border sector through which, as you saw on your tour yesterday, people walk through every day by the thousands.

I have seen, as you probably saw yesterday, the discarded ladders, and so when we talk about people buying a taller ladder to climb over that fence, I hear that, but I also hear from U.S. Border Patrol agents directly that the fence as a wall is a force multiplier, allowing just several agents to patrol a mile of walled border where hundreds are required to patrol a mile of open border.

A Nation without borders is no Nation at all. We must always be a Nation that honors our heritage as a land of immigrants but also one that expects everyone in our society, including newcomers, to abide by our laws equally.

I call today on President Biden and Vice President Harris to enforce and uphold our border, to secure our border, and enforce our laws for the safety of our community.

Thank you.

[The prepared statement of the Hon. Franklin follows:]

**Testimony of John Franklin, Mayor of Vista, CA**  
**The Biden-Harris Border Crisis: California Perspectives**  
**Committee on the Judiciary**

**U.S. House of Representatives**

**September 6, 2024**

Good morning, Mr. Chairman and members of this committee. My name is John Franklin. I'm the Mayor of the City of Vista in San Diego's North County.

Known as the climatic wonderland for our outstanding weather, Vista is a beautiful city of middle-class and working families.

Vista is also a community made up overwhelmingly of recent immigrants. 50% of the people in Vista are Latino or Hispanic. Nearly a third of my city speaks Spanish and 13% of the residents of Vista only speak Spanish. I want to make clear that America always has been and must always remain a beacon of hope for immigrants from all over the world. We honor our immigrant heritage and we welcome those who come to our country to contribute to our society and we recognize our obligation to mankind to provide safe harbor for those who are persecuted in their home countries and have legitimate asylum claims. I fully support those who immigrate to the United States lawfully and I believe it bears repeating that the United States of America affords more opportunities for lawful immigration than the rest of the nations of the world combined.

At the same time that we honor our legal immigrants, we also have a right to expect that all persons in our society abide by the laws of our nation and our state.

The President is required by our constitution to "take care that the Laws be faithfully executed." It isn't an option or a suggestion. He is bound by his oath of office to do this.

Unfortunately, The Biden-Harris Administration, has decided not to "take care that the laws be faithfully executed" with respect to the border and our immigration laws.

I want to talk to you today about what this Administration's open border has done to my community.

The San Diego county medical examiner has reported 1,203 people died last year of an accidental drug overdose.<sup>1</sup> This is double the rate that it was just a few years ago. Double. Yet the administration refuses to take action. The drug – fentanyl – is being smuggled across our open border by drug cartels. Last year, over 700 people died from fentanyl alone. This crisis is killing at a higher rate than we've ever seen before. Why? Many unwitting victims don't realize they are consuming fentanyl. They have no opioid tolerance, and when they consume a substance laced with fentanyl, they' overdose immediately.

One of these individuals was my friend's son who died this year. He thought he was taking Adderall. He bought it from a drug dealer whose product has likely killed others. These drugs come from all over the world, but they only arrive in our country through one source – our open borders.

Just a few years ago and extended family member of mine spent months unconscious in the ICU after ingesting what she thought was a prescription drug, which was laced with fentanyl.

We're also dealing with high rates of crime. Statistics on crimes committed by illegal immigrants are unavailable, because unlike in Texas, California state policy makers refuse to collect these data.

According to Texas DPS, over 441,000 criminal noncitizens have been booked into local Texas jails between 2011, and 2024, of which over 312,000 were classified as illegal noncitizens by DHS.

These 312,000 illegal noncitizens were charged with more than 542,000 criminal offenses which included arrests for 1,006 homicide charges; 69,515 assault charges; 9,736 burglary charges; 63,438 drug charges; 1,277 kidnapping charges; 27,292 theft charges; 42,259 obstructing police charges; 3,093 robbery charges; 6,850 sexual assault charges; 7,882 sexual offense charges; and 6,696 weapon charges.

Because we know that the California border sector experiences approximately 26% as many illegal border crossings that Texas experiences, it is reasonable to extrapolate that we are experiencing these crimes at approximately 26% of the rate. This means that my

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<sup>1</sup> <https://www.sandiegouniontribune.com/2024/08/29/overdose-deaths-in-san-diego-county-decrease-but-fentanyl-and-meth-remain-key-culprits/>

community has been subjected to tens of thousands of crimes that would not otherwise have occurred if not for an open border.

In Vista I organized an anti-retail theft task force to address an epidemic of shoplifting that has forced multiple grocery and drug stores to close in my city. I stood with the deputies in the security office monitoring the store. In less than 10 minutes, we identified our first shoplifter. As we arrested them and looked into their background, we were shocked to discover the people stealing from our stores were not troubled individuals down on their luck, but members of organized criminal organizations with connections south of our border who were stealing and looting from not just Vista's businesses, but businesses across our region in a methodical fashion – exploiting not only the fact that they could travel freely across our border, but also that in California we have allowed people to steal with impunity as long as they take \$950 or less. Businesses and grocery stores in our city have closed – usually in our poorest neighborhoods because of victimization by these organized criminals.

Finally, we have to deal with the fact that illegal immigrants put negative wage pressure on our job market. When illegal immigrants come into our country, many are exploited by violations of our labor laws. They often take jobs that pay below the market rate, many don't pay taxes, and now our state legislature is even considering allowing illegal immigrants to be employed in our state government.<sup>2</sup> This is insane. If you broke the law when you came to our country, certainly we should all agree that you shouldn't get a job paid for by our taxpayers. I am the Mayor of a working-class city with a large Latino population. They elected me for a reason – because I gave voice to their concerns and promised to be their champion. I appreciate the opportunity to be here to speak to my community's concerns and my city feels the economic effects of illegal immigration.

I have toured our porous border numerous times throughout the past 20 years, including at least a half a dozen in the past 5 years. I've watched as multiple generations of fencing proceeded the existing wall. And I watched with puzzlement when the current administration took office as the materials to complete 37 holes in the San Diego sector fence rusted and laid the waste unused after President Biden and border czar Kamala Harris refused to complete the wall and then sold the completed sections for scrap instead of installing them to complete the wall. Taxpayers invested in those materials to complete a wall that is vitally important. Yes, I have seen the many discarded ladders, and I know it is possible to climb this wall, but I hear directly from our US border patrol agents that the wall is an essential force multiplier. Making it possible to patrol a mile of border with as few as two agents instead of hundreds required to patrol one mile of open border. A nation without

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<sup>2</sup> [California to Give Illegal Immigrants Jobs in State Government \(reformcalifornia.org\)](https://reformcalifornia.org)

borders is no nation at all. We must always be a nation that honors our heritage as a land of immigrants, but one that expects all citizens, including newcomers to follow our laws equally.

The President and Vice-President must adhere to their oaths to take care that the law is faithfully executed. They swore these oaths before God and our Nation. My city needs them to uphold the law. I ask President Biden and Vice-President Harris to please start enforcing our laws beginning with securing our border. Thank you for letting me speak before you today.

Mr. ISSA. Thank you.  
Sheriff Sharp?

**STATEMENT OF THE HON. DON SHARP**

Mr. SHARP. Good morning, Honorable Chair Issa and the Members of the Committee.

As Undersheriff of Riverside County, the fourth largest county in the State and tenth largest county by population in the United States serving more than 2.5 million residents, our agency covers this expansive region with a staff of over 4,100 who are dedicated to serving citizens of the communities with integrity and professionalism.

Riverside County neighbors the border counties in California. We are a major artery of highways utilized by cartels and other bad actors to facilitate the trafficking of narcotics and human smuggling to other major cities and criminal hubs across the State and Nation.

In Riverside County alone our narcotics investigation unit seized 359 pounds of fentanyl and over 2.3 million fentanyl pills in 2023. This does not cover other multiagency task forces or other police agencies in the county.

This is a staggering statistic of poison seized. What did we miss? We know we missed plenty. The current border crisis sanctioned by this administration has impacted all areas of the country. I spent over 10 years of my career in the assignment of narcotics enforcement.

Our communities today are facing an unbelievable flow of fentanyl and fentanyl-laced drugs to suppliers, dealers, and tragically, addicted individuals.

Our deputies and emergency response personnel respond to dozens of overdoses and overdose fatalities daily. The flood of deadly fentanyl to our streets is overwhelming and only made possible by complete border security failures under the current administration.

I frequently must answer questions as to what we in law enforcement are doing to combat this fentanyl epidemic. I have toured the border and spoken to my U.S. Border Patrol partners.

They are overwhelmed by the task of dealing with illegal migrants flooding our border. They have had to abandon their normal duties of protecting our borders from criminal smuggling; instead, babysitting the flood of unvetted migrants knocking down our doors.

I have always known in working narcotics and analyzing cartel actions that the price of drugs goes down and the shipments across the border grow larger with weak border protection.

When our Border Patrol agents are diverted from their proper duties and the border is wide open there will always be larger drug and human smuggling loads. The risk of detection and loss of illicit contraband becomes less and the shrinking risk easily worth the reward of cartels and criminals.

When border security is strong and robust we see smaller loads and more fearful cartels, as they should be when breaking our laws and harming society.

The problem must be corrected immediately, including the apprehension of dangerous substances and criminals that have already crossed our open borders.

In Riverside County we are in the forefront of the movement of humans being exploited and victimized in sex and labor trafficking. We often hear on the news of migrants paying thousands of dollars to get passes to the United States.

Paying does not mean paid up front. Many are brokered into deals of slavery by means of labor and sex trafficking.

The lack of true vetting of the adults bringing a child into our country is horrific. The current administration could be complicit in the delivery of a child into the sex trafficking world.

The thought of compassion and humanitarian passage often not as all what we have delivered as a country. The current administration emboldens the cartels to send misinformation and promises of funding and a better life to potential migrants and the cartel can now exploit them for their own criminal gain.

These policies create victims more often than the humanitarian effort promised. We are fearful the current open border policies have allowed for many to enter our country with the intent to carry out terrorist acts.

Our region is a frequent destination for current and past Presidents and government VIPs. Our concerns have grown to the possibility these terrorists may target our region in an effort to disrupt government and U.S. leadership.

As a member of the law enforcement community making policy decisions, I am sick of battling the deeply flawed changes being made by California politicians and the current Presidential administration.

The Drugs, human trafficking, and the unknown number of terrorists and bad actors entering unchecked is eye opening and terrifying to our citizens.

The current administration has lost their understanding of the job of government and public safety. I can only hope and pray the obvious necessary actions needed to protect and strengthen the border are taken seriously and repaired immediately, that our Border Patrol agents are again allowed to do the work they are experts at, and the misguided politics is removed. Weak borders do mean a weak country, one to evade and abuse.

I appreciate the opportunity to share my experience and insights as a leader in Riverside County.

Thank you.

[The prepared statement of the Hon. Sharp follows:]



**Riverside County Sheriff's Office**  
*Chad Bianco, Sheriff-Coroner*

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4095 Lemon Street • Riverside • California • 92501  
[www.riversidesheriff.org](http://www.riversidesheriff.org)

RE: The Biden-Harris Border Crisis: California Perspectives

Dear Chairman Jordan, and members of the Committee,

I am Undersheriff Don Sharp of the Riverside County Sheriff's Office in California. I have been in law enforcement for 35-years and have worked for the Sheriff's offices of Los Angeles and Riverside counties. My dedication to my duties, and that to our citizens, compels me to testify to the important matter of border security.

Riverside County is the fourth largest county in the state of California covering over 7,300 square miles and the tenth largest county by population in the United States, serving more than 2.5 million residents. The Riverside County Sheriff's Office covers this expansive region with a staff of over 4,100 who are dedicated to serving the citizens of its communities with integrity and professionalism. Riverside County is not a border county, but we are neighbors to the border counties in California. We are a major artery of highways utilized by cartels, and other bad actors, to facilitate the trafficking of narcotics and human smuggling to other major cities and criminal hubs across our state and nation.

The current border crisis has impacted all areas of our country, and Riverside County has felt the devastating effect of a weak border sanctioned by this administration. I spent over 10-years of my career in the assignment of narcotics enforcement. The catastrophic impacts cartels have on our communities is, and has always been, abundantly apparent. Our communities are facing an unbelievable flow of Fentanyl, and Fentanyl laced drugs, to suppliers, dealers, and tragically addicted individuals. Deputies and emergency response personnel in Riverside County respond to dozens of overdoses and overdose fatalities daily. The flood of deadly Fentanyl to our streets is overwhelming and only made possible by complete border security failures under the current administration. As a public safety leader in Riverside County, I frequently must answer questions as to what we in law enforcement are doing to combat this growing Fentanyl epidemic. In order to do so, I have toured the border and spoken to my United States Border Patrol (USBP) partners. The USBP is overwhelmed by the task of dealing with illegal migrants flooding our border. This has caused them to abandon their normal duties of protecting our borders from criminal smuggling, to instead babysitting the flood of unvetted migrants knocking down our doors. The one thing I have always known in working narcotics and analyzing cartel actions, is that the price of drugs goes down and the shipments

across the border grow larger with weak border protection. When our Border Patrol agents are diverted from their proper duties, and the border is wide-open, there will always be larger drug and human smuggling loads. The risk of detection and loss of illicit contraband becomes less, and the shrinking risk is easily worth the reward for cartels and criminals. When border security is strong and robust, we see smaller loads and more fearful cartels, as they should be when breaking our laws and harming society. Our border security is important to the citizens of Riverside County, and it makes a difference if the strategy is to harden our borders, not weaken them.

In Riverside County alone, our narcotic investigation units seized 359 pounds of Fentanyl and 2,322,533 Fentanyl pills in 2023. This does not cover other multi-agency taskforces or other police agencies in Riverside County. This is a staggering statistic of poison seized. What did we miss? We know we missed plenty. We continue to wish the current administration understood what the full effect of their actions has created. The problem must be corrected immediately. Including the apprehension of dangerous substances and criminals that have already crossed our open borders.

Another issue we must face is the terrible reality of human trafficking. In Riverside County we are on the forefront of the movement of humans being exploited and victimized in sex and labor trafficking. We often hear on the news of migrants paying thousands of dollars to get passage to the United States. Paying does not mean they paid upfront! Many are brokered into a deal of slavery by means of labor and sex trafficking. The lack of true vetting of the adults bringing a child into our country is horrific. The current administration could be complicit in the delivery of a child into the sex trafficking world. The thought of compassion and humanitarian passage is often not at all what we have delivered as a country. The current administration emboldens the cartels to send misinformation and promises of funding and a better life to potential migrants, and the cartels can now exploit them for their own criminal gain. These policies create victims, more often than the humanitarian aid promised. In Riverside County the migrant surge only stretched our community-based organizations and county resources to the limit and diverted them from other community concerns like homelessness and addiction. Every business and government agency must have a plan for success and recognize when the plan is not working. This administration does not understand this and has only doubled down on failed policies. Riverside County, like many others, continues to feel the negative effects.

In Riverside County we are extremely aware of terrorist activity and fear the current open border policies have allowed for many to enter our country with the intent to carry out attacks on our people and communities. Our region has always been a frequent destination for current and past presidents and government VIPs. Our concerns have grown to the possibility these terrorists, and other criminal elements, may target our region in an effort to disrupt government and U.S. leadership. Wide-open borders do not work. The lack of appropriate border security clearly endangers the lives of our citizens and our leaders.

As a member of the law enforcement community and a leader making policy decisions, I am sick of battling the deeply flawed changes being made by California politicians and that of the current presidential administration. Our state and nation matter, and our citizens are afraid of the consequences of an open border. Drugs, human trafficking, and the unknown number of terrorists and bad actors entering unchecked is eye opening and terrifying. It puts our county and communities in jeopardy. Duty in government is easy to understand and it starts with the core responsibility of the job you have accepted to do. The current administration has lost their understanding of the job of government and public safety.

I can only hope and pray the obvious and necessary actions needed to protect and strengthen the United States border are taken seriously and repaired immediately. That our United States Border Patrol is again allowed to do the work they are experts at, and the misguided politics is removed. Weak borders DO mean a weak country; one to invade and abuse.

I appreciate the opportunity to share my experience and insights as a leader in Riverside County. We are a solid and dedicated Sheriff's Office, here to assist alongside our partners, in the pursuit of our county, state, and national safety.

Respectfully,

A handwritten signature in black ink, appearing to read "Donald Sharp", written in a cursive style.

**Donald Sharp**  
Undersheriff  
Riverside County Sheriff's Office

Mr. ISSA. Thank you, Sheriff.  
Mr. Gautereaux?

**STATEMENT OF CORY GAUTEREAUX**

Mr. GAUTEREAUX. Congressman, thank you for prioritizing this critical issue. I am going to breeze through this because, as my wife and my mom would attest, I have more to say.

What has occurred over the past nearly four years at the Southwest border has led to a crisis that every member of this country should be made aware. What I have seen in terms of the exploitation of migrants by cartels is horrifying, but awareness of the true crisis at the border must be understood.

I have firsthand knowledge of how this crisis is destroying lives because for the last year I have led an operation and most recently a nonprofit organization in the San Diego County area.

San Diego County has become ground zero for the unmitigated incursion into the United States by undocumented migrants being smuggled here by cartels.

There is a misconception that the over 10 million undocumented people coming across the border in the last four years are just looking for a better life. While that is true in many cases, the U.S. Government policy at the border is facilitating a multibillion-dollar smuggling operation by the cartels.

The cartels are not simply providing transportation for a cost. They are sexually assaulting women and children, and they are taking the lives of people without any fear of retribution.

I grew up in this county. My family is here. My business is here. My friends are here behind me, and I am terrified each and every single day by what is happening with no regard for our safety.

For the last year my team and I personally collected hundreds of discarded passports and driver's licenses—I have some here today from individuals all over the world.

Most of these IDs I find are crudely destroyed, lit on fire, ripped apart, or folded and buried. There are thousands of these travel documents floating around the border and many people behind me have just as much as I do.

We deserve security. We deserve honesty from our government. How have cartels been permitted to act with impunity at our California border for so long? Why are immigration laws not being enforced?

Why am I finding the identifications of young children and newborns at the border who are being smuggled and trafficked here on a daily basis?

Many of these children come here unaccompanied. This is because the cartels have realized that they can profit through the failed Federal Government's Office of Refugee Resettlement program that delivers children to unvetted sponsors that are part of a transnational criminal organization.

While on the border my team located an abandoned cell phone. We accessed the cell phone and discovered it was from someone who traveled from Wuhan, China, to San Gabriel, California.

I found around 40 different chat groups via an app on the phone that provide instructions on how to get smuggled into the U.S. The most prominent chat groups are Chinese, but my team has infil-

trated Russian, Ukrainian, Azerbaijan, and other Middle Eastern chats as well.

The chats do not stop. They run 24/7. They contain a treasure trove of intelligence information. This research has led to chats that are associated with a sophisticated network of CCP operatives working in our country.

In addition to infiltrate the border, I have discovered detailed information on our country's nuclear posture. My team and I have discovered many cases of sexual assault at the border.

The cartels are so emboldened that they leave what they call trophies that depicts the sexual exploitation they are responsible for along the route they smuggle migrants. I have seen it firsthand.

My research has uncovered that children who speak a different language arrive with parents who speak a different language than they have. My research has also discovered a case where a Guatemalan national with a counterfeit visa sexually assaulted the child of a local Navy SEAL.

I have attempted to share content that I found on the border that is a matter of national security. I have been told that due to the political climate Federal agents would be retaliated against for actively investigating this material.

Now, my stuff is out of order. Again, this is a bipartisan issue. I am going to—I was told by people a lot smarter than myself to stick to the script, but on my drive here today I realized that if I stuck to the script I would not be here.

So, I am very confused at things like the DNA program where they would check the DNA of the child and compare it to that of the adult they were with. We are not doing that anymore.

The Biden Administration did not renew that program. From what I remember, approximately 30 percent of those children were not related to the people that were coming across.

That is when we were doing the DNA testing. We are no longer doing it. So, what is the number now? We have no idea. These people behind me deserve an answer as to why that program was not reinstated.

Tim Tebow sat up here and explained that 20,000 kids were missing. Then, Tara Rodas came along and explained that 85,000 children were missing—migrant children were missing in this country.

I am here today to explain that we now have approximately 300,000-plus children missing in this country. That is unacceptable. The greatest country in the world. That is unsat.

We need this to be a bipartisan issue, and I know you said this was a bipartisan hearing, Congressman. I do not see any Democrats here.

[The prepared statement of Mr. Gautreaux follows:]

**Cory Gautereaux**  
**President and Founder of the G.O.A.T. Initiative**  
**Written Statement of Proposed Testimony**

Chairman Jordan, Ranking Members, and distinguished members of this important Judiciary hearing, thank you for giving this critical issue the attention it deserves.

Over the past four years, the situation on the Southwest Border has escalated into a crisis that every U.S. citizen must recognize. While the impact on the United States has been severe, the human toll on the Mexican side of the border is equally devastating. Migrants, unable to pay the additional fees demanded by cartels, face violence and, in many tragic cases, are left in shallow graves. These fees often arise from unexpected delays, bribes, and other forms of extortion.

The exploitation of migrants by these criminal organizations is deeply disturbing. It is essential that the true magnitude of this crisis is fully understood and that is my purpose here today.

I have firsthand knowledge of the devastating impact of this crisis, having spent the past year working as a concerned citizen and now as the leader of a non-profit organization in the Jacumba, CA area. My team and I are committed to safeguarding vulnerable communities by providing real-time intelligence to law enforcement, dismantling trafficking networks, and advocating for critical policy reforms.

San Diego County has become the epicenter of the border crisis, with unchecked incursions of undocumented migrants being smuggled into the United States by cartels and other bad actors. There is a common misconception that the over 10 million individuals who have crossed the border in the past four years are simply seeking a better life. While that is true in many cases, the current U.S. border policies are enabling a multi-billion-dollar smuggling operation run by cartels. These criminal organizations are not merely transporting people for a fee, they are brutally exploiting migrants, sexually assaulting women and children, and taking lives with no fear of the consequences.

I grew up in this county. My family is here, my business is here, my friends are here, and I am terrified every single day by what is happening with no regard for our safety and security.

Sadly, I lost a friend during this mission, Giorgio "Gio" Kirylo. Gio was a retired U.S. Marine Corps veteran who made it his mission to help me expose the invasion at our

southern border. Tragically, Gio—a special operations veteran who gave everything for our country—took his own life, leaving a void in the hearts of many. I will never forget the words Gio used to encourage me when I felt disheartened by the dereliction of duty by our government: “Keep going.” Those two words are powerful, and they continue to motivate me. I would not have made it this far without Gio’s support, and his name will live on in the congressional testimony I give here today.

### **Identification**

Over the past year, my team and I have collected hundreds of discarded passports, phones, driver’s licenses, and voter IDs—some valid, many forged—just miles from my home. These documents, belonging to individuals all over the world, are often found crudely destroyed—burned, torn apart, or buried. Thousands of these travel documents litter the border, sometimes piling up in alarming quantities.

This has been happening for years, and while the risk to my family is significant, the risk to our nation is even greater. San Diego is home to one of the largest military concentrations in the United States, and our active-duty families are our neighbors. The military bases and the defense industry are integral to our way of life. There isn’t a neighborhood here that doesn’t display a flag representing a branch of our military. The American flag flies proudly in front of my home. I wore the uniform to defend our nation against foreign threats, and I am disheartened to see that my service now feels in vain. This must stop.

Why is this significant? It exposes the unsettling reality that many individuals are intentionally erasing their identities and entering our country under false identities, posing a serious national security threat to law enforcement and our country’s safety.

An additional consideration in this identity-washing process is the range of motives behind it. Some individuals seek to erase their personal histories or conceal their country of origin. However, there are deeper concerns, particularly when the erased identities involve children, raising critical questions about their safety and exploitation.

Hundreds of thousands of these children have arrived in the U.S. unaccompanied. The cartels have exploited this vulnerability, recognizing that they can profit from the flawed federal Office of Refugee Resettlement (ORR) program, which places children with unvetted sponsors—many of whom are connected to transnational criminal organizations. I’ve personally seen countless discarded IDs at the border, bearing the faces of these vulnerable children.

Two researchers from Florida recently joined me for a tour of the border. We located the passport of a five-year old Colombian national discarded approximately twenty yards into the U.S. side of the border. We have since learned that she did not have the required parental consent of her father to leave Colombia. She was not processed by Border Patrol. I have a child the same age. I can't imagine. This child is likely in grave danger within the U.S. borders because of the power of the cartels. Where is this child? This little girl is just one example of a recovered ID which demonstrates a child who has gone missing at the border.

### **CCP Cell Phone**

Early in our investigation, one of my colleagues, Dan Conchas located a cell phone. Cartel members or coyotes typically discard and destroy their phones upon reaching their destination, much like they do with the IDs. These phones often contain crucial personal information, travel routes, and other sensitive details from their journey. However, this phone was not properly destroyed; it remained operational with all stored data intact. The phone revealed a significant amount of sensitive information, including multiple Telegram chats with thousands of members in each of the chats. There are ongoing communications on a variety of subjects, including, but not limited to direct travel routes into the US from various points of origin across the world, photographs, videos and communication consistent with criminal behavior. In one instance, the cell phone showed a migrant's journey from Wuhan, China to San Gabriel, California. San Gabriel has a large Chinese population. Further, with information from these chats, my team has been made aware of numerous cases of rape and molestation of women and men along their trip to the United States.

The chats clearly depict "normal" migrants trying to exploit our current immigration policies, as well as operatives trying to intimidate people who are speaking badly of their homeland. There are also CCP operatives in the chats who post graphic images and videos as a show of force in order to scare those who wish to speak out against the Chinese government.

I am currently in approximately 40 different chat groups within an encrypted app, most of which provide instructions on how to be smuggled into the U.S. While many of these groups were in Chinese that contain information regarding a sophisticated network of CCP operatives working within the U.S., my team has also infiltrated chats in Russian, Ukrainian, Azerbaijani, and other Middle Eastern languages. Group chats appear to be contingent on where people live or come from. These chat rooms are active 24/7 and contain a cache of intelligence that law enforcement could use to initiate investigations to protect our homeland.

Within the chats, Chinese nationals are speaking about firearms & ammunitions acquisition, human trafficking, sex trafficking, child trafficking, unaccompanied minors and the likelihood of children crossing the border without adults or parents. There are also attorneys and their law firms communicating in these chat rooms giving clear direction on how to utilize the CBP-1 app to apply for asylum and specific direction on how to avoid detection by U.S. officials. There is other sensitive data such as US phone numbers, addresses, bank information, directions on opening bank accounts and acquiring loans and specific banks. One of the chats also included a document of the 2022 United States Nuclear Posture.

Additionally, the chats discuss narcotic trafficking with photos of vehicles and clearly displayed license plates of narcotic traffickers in, specifically in Los Angeles County. Individuals also share PDF documents containing information about thousands of NGO's which are offered as migrant resources. These NGO documents explain to migrants specific locations of where to cross the border and what to do once they have entered the US. The sophisticated network of NGO's is alarming considering they are facilitating the mass invasion of our southern border at the expense of taxpayers. Some of these NGO's are worth nearly \$1 billion with executive salaries that far exceed the federal maximum salary cap. If that weren't enough, my team and I have witnessed NGO's moving children around the County.

**Chats:**

**Below are examples of chat communication in which are only a representative sample of thousands of texts:**

- "Recruit three spies and train as undercover agents"
- "Ding Pangzi Square (located in Monterey Park, CA) has now become a gathering place for illegal Chinese smugglers. The square brings together many Chinese fugitives, gang members, and terrorist extremist organizations. These people come to the United States and don't work. They have sex in high-end hotels arranged by the government every day, give birth to American babies, and eat welfare." (This text is under a picture of a group of Chinese males standing in Ding Pangzi Square).
- "The problem is that no one stopped this idiot from bombing the Chinese embassy or killing senior Chinese officials visiting the United States."
- "The Mexican Army escorts you across the border."
- "This idiot deliberately posted this video. You must delete the chat history when you enter the United States. It is a felony if this video is seen."
- "I want revenge on society, I want to drive my car into someone."
- "Where is the better place to crash?"
- "I want to hit the students."

- "The illegal immigrants coming to the United States want to kill people."
- "I plan to hit the elementary school students near the school."
- "Long live Xi Jinping, long live the Communist Party."
- "The accident killed five or six elementary school students, leaving their parents devastated. This is what I planned."
- "Buy a black gun."
- "I'm serious, I want to drive on the road and hit someone."
- "I support you in China."
- "Don't be deceived by freedom and democracy."
- "China is about to be revived." (Under this message someone wrote "CCP")
- "If this spreads to the United States, it will shock the whole country."
- "Biden's coming to power has caused the value of the US identity to plummet."
- "In Los Angeles, you can drive a Mercedes and kill most illegal immigrants in seconds."
- "Please recommend a dark web to me, thank you."
- "Information location that cannot be accessed on mainstream websites. For example, you want to. Buy weapons, women, and internal organs, you can find it on the dark web. The portal browser to enter the dark web is onion browser. This is the beauty of the dark web."
- "After the election, do you guys want to form a team and go along the line? Vote for China Democratic Party."
- "After 64, Biden realized that more and more Chinese people were defrauding the US government to apply for asylum. Now all the Chinese asylums will be strictly reviewed, and terrorist organizations and spies in the United States will be severely cracked down."
- "Arrange an undercover agent. Come out to be a protective umbrella."
- "I don't want to argue with you. You asked me to learn from the instructor's operation."
- "I'm a spy at best."
- "How much does the Communist Party give you?"
- "The CCP before Xi Jinping is definitely much better than the United States after Biden."
- "If they give birth to a child, they will become Americans, which will help them get their citizenship."
- "The New York government would rather give money to refugees than clean up the streets of Flushing."
- "Your counterattack method in the United States has been told to you. Hurry up and find a girl who has come to you illegally to have more children. The US government will support you, and you can go back to China to study at Tsinghua University and Peking University at the age of 18."

- "Those who do not contribute anything in socialism and cannot live well, how much can they live well and contribute in capitalism? Can you make an extra contribution to capitalism by cursing your father, mother, and Xi Jinping every day. How many more American futures can the CCP provide for the United States every day. I dream every day to be Xi Jinping!"

**Border Patrol Complacency:**

Our Border Patrol has been severely restricted by their leadership. They have been issued directives, often perceived as a "gag order," which prevent them from speaking openly and honestly about the situation they have been put in. These orders, in some respects, may even be considered unconstitutional. As a result, the agents are unable to fully perform their duties, particularly due to directives supporting a large-scale, government-sanctioned asylum operation. This has led to a decline in public perception, low morale, and a growing staffing crisis within the agency. Having spent nearly my entire life in San Diego County, I firmly believe in the necessity of border agents. However, it is increasingly frustrating to witness these same agents, many of whom are my friends, being tasked with transporting illegal immigrants into the interior of our country. To those agents, I pose this question: While we universally acknowledge the evil of figures like Hitler, it is crucial to reflect on the moral responsibility of those who operated the trains transporting Jews to their tragic fate.

**De-arrest Primer:**

While searching for more intel along the border with another team member, retired police officer Nick Wilson, he located a pamphlet ("De-arrest Primer"). Screenshots below.

**intro** A de-arrest, aka an unarrest, is the act of freeing someone who has been seized by Law Enforcement Officers (LEOs). Often its police that repress protests and make arrests, but federal agents, like BORTAC who were deployed in 2020, have done riot control and also have arresting powers. A de-arrest can look like physically removing an arrestee from LEOs' grips, opening the door of a car, or pressuring LEOs to release an arrestee. Being arrested can have drastic negative life altering affects, especially for targeted populations like people who aren't white, Muslims, LGBTQ people, and certain radicals. It follows then that reversing an arrest can be well worth the risks involved.

There are many situations where a de-arrest is worth the risk, but please don't skip the considerations section at the end.



**tactic 1** Using a secure grip like the Gable grip that's illustrated above, hug the arrestee and pull them out of danger.

**considerations** All de-arrest tactics, are best done with the backing of a at least a handful of people. Not only does having more people make it easier to overpower the officers' holds if you're physically intervening, but also so that those performing the de-arrest can be de-arrested themselves as trying to pull an arrestee away from LEOs can result in officers grabbing and trying to arrest the people who are performing the de-arrest. This also applies to tactic 4 as mentioned previously where a critical mass can be a deterrent and better at blocking a vehicle that contains an arrestee. If you feel you need more people during a de-arrest yelling to fellow protesters for help can break people out of the passive observer role.

Being arrested, jailed, and catching charges are all awful experiences, but many, if not all, protest arrests are catch and release so

it's important to think about the consequences of particular kinds of de-arrests. Criminal charges for physically intervening during an arrest range from misdemeanor interference charges to felony escape and assault on an officer charges. In some states "anti-bystander laws" have been used to repress anti-racist activists who attempted de-arrests. It is also the case that LEO use of force varies. At the scene of a protest lethal force is often tempered, but on the streets on a "normal day" an officer could easily resort to lethal force with relative impunity if they feel remotely threatened. That being said, a hostile crowd at protest that's shown its willingness to act often makes officers think twice as opposed to a pacified crowd that can be steam-rolled.

Something else to consider is how identifiable you or the person you plan to de-arrest

are. Are your faces visible? Are you wearing identifiable clothing? Did the police already take identifying information from the arrestee? Will you be easily tracked down later?

Another thing to take into account is that arrestees can be placed into metal handcuffs or plastic zip-tie handcuffs aka quick-cuffs like Flex Cuffs and Cobra Cuffs. It can be pretty awkward for the arrestee to maneuver and make it home with those in place so consider carrying a handcuff key for conventional metal handcuffs or something less conspicuous like proper wire cutters or a bobby pin for the roller locks for the plastic handcuffs.

All in all de-arresting can be an important part of ones direct action tool kit. Neglected here is how to de-arrest yourself, a future

draft may include such a tactic, but at this point it would get too into the weeds with grappling and this guide for our purposes. On the ground it could be suggested to try and get your hips free and work to your knees then leaning into the officer try and work to a standing position with your hands attempting to control their hands or breaking their grip if they've bear hugged you. As you can see without illustrations it can get pretty complicated pretty fast. Consider taking a couple months of grappling classes or setting up more targeted grappling games with your comrades. If you have the chops for it there's instances of one person backed by a couple friends pull comrades after comrade away from the police lines with minimal wrestling experience.

Also worth noting that if you do get arrested for attempting or successfully performing a

ready fully escalated, which very well may be the case if you're at a protest and officers begin making arrests. But risk is also always contextual and an arrest or even a general pacified attitude can lead to greater harm than not taking the risk and acting decisively when you see repression take place.

Technically speaking for pushing off form you should have a low center of gravity and a wide base and push with explosive power with your head up at all times if possible. You could also try pulling the officer off using a similar hugging technique to tactic 1 this time you can also utilize the leverage of a hip twist. For breaking a grip try striking the grip. All that being said you can see why this can get construed as assault in court. Note that similar effects can be had via tactic 1, but also that tactic 1 easily slips into this tactic of direct contact with officers.

**tactic 3** Opening a door to let the arrestee(s) go free.

LEOs will leave their patrol cars or prisoner transport vans unlocked from time to time, even when there's an arrestee's sitting in said vehicles. In this case one can simply sneakily or quickly open the door of one of these vehicles and let the arrestees out. Of course this is could be considered a crime, but in terms of risk level it would fall lower in most cases than something like directly putting hands on an officer or someone they're physically arresting.

**tactic 4** Pressuring police to release the arrestee(s).

Last, but not least, this tactic can often be done with the lowest level of risk out of all the tactics mentioned here. One basic and pretty effective implementation of this tactic is totally surrounding the officers who have the arrestee or otherwise blocking them and/or their vehicle and chanting "Let them go!" and the like until the LEOs cave to the mounting pressure. As we're writing this a couple instances of such a use of this tactic have come out of the Palestine solidarity campus occupations.

This tactic has also been used with some success via surrounding police stations and uses online pressure campaigns, though this is less wide spread and requires more specific circumstances than having someone release before they're processed at a station or jail.

The benefit of this tactic is that its the police themselves consenting to the unarrest so while they are in some sense being forced to release the arrestee(s) so the dearresters and the ex-arrestee won't have to face escape or assault charges if they are tracked down later. If you don't have a crowd asserting pressure there may be some interference charges that come with blocking a police vehicle that may be more easily handed down for only one or two people blocking a police vehicle, but in many cases these are misdemeanor offenses and catch and release.

**Kai/Gun Range Property**

During several trips to properties adjacent to the border, my team and I have encountered numerous sites that unmistakably indicate the sexual assault of women and children. The cartels have become so emboldened that they now establish 'trophy' sites along their smuggling routes. These sites serve to both flaunt the sexual exploitation they perpetrate and to intimidate others regarding unpaid debts. A 'trophy' site might be marked by items such as undergarments hung on trees, bushes, shrubs, or even abandoned vehicles or buildings. I have seen these disturbing sites firsthand.

Much of what I have shared today, including critical national security information discovered on the border, has been attempted to be communicated to law enforcement at local, state, and federal levels. However, I have been informed that, due to the current political climate, federal agents face the risk of retaliation for actively investigating the discarded materials found at the California border under this administration.

**Jose Confesor/Sanctuary Laws:** My team received information about an individual named Jose Confesor; who illegally entered the United States using a counterfeit visa from Guatemala and arrived in San Diego. According to the San Diego Police Department, "Alejandro Jose Confesor was arrested for lewd and lascivious acts with a child under 14 with force, sex crimes under specific circumstances, assault with intent to commit rape or other sexual acts during a residential burglary, burglary, and trespassing." After learning about these charges, Immigration and Customs Enforcement (ICE) assigned a detainer to Confesor and attempted to take him into custody. However, due to California's sanctuary state and city laws, the detainer was denied. ICE's initial attempts to interview Confesor were also denied, although they were eventually granted an interview after a third attempt. During this process, the Internet Crimes Against Children (ICAC) Task Force was involved to search through his phone. What they discovered should have led to prosecution and immediate deportation.

It is crucial to highlight that Confesor molested the child of a local U.S. Navy SEAL. This appalling incident has been concealed from the public by local, state, and federal law enforcement agencies, including the SEAL command. I am urging an immediate congressional review of California's sanctuary laws, as they ultimately harm our Republic as a whole.

**Closing**

This is a bipartisan issue that transcends political affiliations. The missing children do not consider political divides; they are victims regardless of our political views. We must come together to protect lives and the border, citizens within our country and the urgent issue of children who are at risk of being exploited for sex or forced to work in deplorable conditions. Our collective action is crucial to addressing these urgent concerns.

Thank you for your time and I welcome your questions.

Mr. ISSA. The Chair would note that all the Members of the Committee were invited and those who were able to make it showed up. I appreciate your testimony.

We will followup with questions, and I appreciate your deviating from the script to give us your personal perspective. I think that is extremely important.

Ms. Cardinale, you are recognized.

#### **STATEMENT OF NICOLE CARDINALE**

Ms. CARDINALE. Thank you for having me here today.

I, Nicole Cardinale, am fourth generation on our ranch in Dulzura, California. Dulzura is a small rural town on Highway 94 founded in the 1800s. I reside in Dulzura with my husband, son, and my parents.

As previously stated, I am a Navy veteran currently working in the medical administration and I spend my free time volunteering with my son's Little League and other sports.

On Wednesday, August 28, 2024, a group of migrants traveling through Dulzura attempted to board the Jamul-Dulzura Union School District's bus transporting young children. One of these young children was my eight-year-old son Apollo.

The children were both confused that a large group of adults were attempting to ride their bus, as well as completely terrified. On the investigation from the school it was discovered that migrants disrupted another bus route the day prior. The school's immediate safety plan included a police and U.S. border agent escort for the bus.

While I am extremely grateful for the swift planning from the school's administration and the law enforcement escorts, this is a very disruptive way for a child to have to start their day.

Apollo and other children did not ride the bus for several days after Wednesday's unpleasant incident out of immense fear that migrants would attempt to board his bus again.

Many parents like me not only rely on the bus for transportation but pay a yearly fee for our children to be safely transported to school. That feeling of safety has forever been tarnished for parents as well as the children.

A large concern is not all migrants are properly background checked or vetted. How can we be sure that these migrants do not have a criminal record or have ill intent?

The children on the bus and the bus driver could have been very seriously injured had these 20 migrants been violent, hostile, or had the motive to enter the bus by force.

Living in Dulzura for 24 years we are not strangers to migrants attempting to use our property to pass through. On many occasions we have had migrants trespass onto our property to ask us for resources, water, or to offer us money to traffic them to nearby cities.

On one horrific occasion a beloved family horse was released from his corral by migrants crossing through our property. The horse was tragically struck by a vehicle and killed.

The sad reality is the bus incident is a small part of a much larger issue. The border crisis has not only become an economic burden to the United States but has become a substantial safety concern.

It should not take extreme circumstances such as children being injured by administrators to see the problems occurring at the border. The border crisis is detrimental to the well being of American citizens and our generations to follow.

Thank you.

[The prepared statement of Ms. Cardinale follows:]

Nicole V. Cardinale

Dulzura, California resident

The Biden-Harris Border Crisis: California Perspectives

I, Nicole Cardinale, am 4<sup>th</sup> generation on our ranch in Dulzura, California. Dulzura is a small rural town on Highway 94, founded in the 1800's. Our road is named after my founding family, Hatfield Road.

On Wednesday, August 28<sup>th</sup>, 2024, a group of 20 migrants traveling through Dulzura attempted to board the Jamul-Dulzura Union School District's bus transporting young children. One of these young children was my 8-year-old son, Apollo. The children were horrified!

Upon the school's investigation of the incident on Wednesday, it was discovered that migrants disrupted another one of the school's bus routes the day prior. The school's immediate safety plan included the bus being escorted by police. A police escort is far from the way a child should begin or end their school day. A child should feel safe in their school environment and be able to enjoy learning.

Apollo, as well as other children did not ride the bus for several days after migrants attempted to board the bus out of fear that the terrifying interaction would happen again. My child's life has been changed and he is only in 3<sup>rd</sup> grade.

Living in Dulzura for the 24 years, we are not strangers to migrants attempting to cross through our ranch.

Migrants have woken us up at odd hours of the morning to ask for resources, offer us up to \$10,000 to traffic them to nearby cities, or work on our property in exchange for various things. One horrific morning, our beloved horse was released from his corral by migrants crossing through our property. He was tragically struck by a vehicle and killed.

We have survived four generations on this ranch, which included losing everything in the fire of 2007. We rebuilt, and do not intend to lose our love, life and safety to migrants hijacking four generations in Dulzura.

It is reported that a dozen men, women and children from Nepal, a cluster of families from Peru, Ecuador and Colombia, along with half a dozen Chinese, men from India, and couples from Azerbaijan and Kazakhstan carrying infants, migrants kept arriving at the top of a steep dirt road in our area to surrender to the U.S. border agents to claim asylum.

San Diego County has become the most popular spot for migrants illegally entering the United States. There has been a lot of pressure on key migration routes to Texas, and that may be forcing people to try other routes further west, like Dulzura.

The Border Crisis is not only an economic burden to the United States, but it has become a massive safety concern. It is safety concern to American citizens and our generations to follow.

Mr. ISSA. Thank you.

We will now go in order of seniority starting with Mr. Biggs.

Mr. BIGGS. Thank you, Mr. Chair, and thank you to the witnesses for being here. Thank you to the city of Santee for hosting us and we appreciate all the folks from the public being here today.

To Mr. Hestrin, bear down. Let us talk for a moment about the State's support. Are they supporting you in your effort?

Because you are prosecuting as a County Attorney. State charges of illegal aliens who come into your county and violate the—I assume the State law. That is where you are focused, right?

Mr. HESTRIN. Yes.

Mr. BIGGS. Is the State of California supporting that effort?

Mr. HESTRIN. Not at all.

Mr. BIGGS. How about the Federal Government?

Mr. HESTRIN. The Federal Government has been supportive. The U.S. attorney for the central district Martin Estrada has been. We collaborate with him, cooperate with him and his office and they have been supportive of Federal drug trafficking causing death is a 20-year minimum in prison, and we have had several prosecutions.

My office actually embeds a Deputy District Attorney in the U.S. Attorney's Office and that is how we do these prosecutions.

Mr. BIGGS. I am glad to hear that. I hope that you are also able to work with CBP and I hope that you carry your program out. We have two counties—at least two counties—in Arizona—I could probably name you more but Cochise County, Yuma County, doing the same type of thing, prosecuting on State charges. They might not be getting the assistance from our State either. So maybe State-to-State contact would be helpful.

Ms. Cardinale, I just want to just question, is the police escorts still necessary for the busses that your son has to travel on?

Ms. CARDINALE. They have now stopped.

Mr. BIGGS. They have not stopped?

Ms. CARDINALE. They have stopped.

Mr. BIGGS. They have now stopped the police escorts?

Ms. CARDINALE. Yes.

Mr. BIGGS. Is your son back on the bus?

Ms. CARDINALE. He is.

Mr. BIGGS. Well, we are concerned about that, and we are concerned about the safety of not just your son, but all the kids going back and forth to school in this time, and there is lots of questions to ask all of you and our time is going to go fast.

So, I wanted to just point out, Mayor Minto, when you talked about the resource center you are talking about over a five-month period you had 80,000 people go through there, 99 percent of which were released into the country.

There were between 125,000–154,000 over about a seven-month period that San Diego—that were street released into San Diego County. Is that right?

Mr. MINTO. That is correct. So, if you look at it the math does not really add up.

Mr. BIGGS. Right.

Mr. MINTO. We had about 80,000 that made it to that center, and if it had not been for having that center and the foresight of our

county supervisors to actually put that there, all of them would have been released to the streets and had that negative impact on all our communities.

Mr. BIGGS. Part and parcel of that is because there is so many people that are coming through that are being processed by CBP. Detention facilities cannot hold them. They are releasing them into the streets, and we see the same thing in Arizona, by the way.

So, what happens is it strains your resources—your local resources—and there is not adequate vetting. Some of you pointed that out, and that is why they are throwing the cards down because we do not have agreements with many countries on who will actually let us take them back or send them back.

So, I appreciate your testimony today.

Mayor Franklin, we were talking beforehand about these cards that have gone through there and I appreciate your strong statement because—and Sheriff Sharp, because if you do not enforce the law, you cannot get a handle on this very, very serious problem.

I will just say, Mr. Gautereaux, your testimony is enlightening as well, and I want all of you to know I have read all of your testimony and I just want to make a few comments here.

So, to help you understand, so Yuma County is right on the Colorado River between California and here. I was looking this up here—in 2020, the last year that Donald Trump was the President, that administration we saw a total of 8,774 encounters in that county, in that sector—in the whole Yuma sector, which is a huge sector.

Then after the Biden team came on, and I should call it the regime, not the team—by February they had already seen them get to 5,000 in one month.

In March, they had 12,000. They had 12,000 in that March, and there has not been—you can go until a couple of months ago. There has not ever been a month under the Biden regime that has been lower than the entire year, last year, and what was that?

So, I am sorry, I am going over. I know you are going to gavel me down. He wants to pull the hook on me. I am hurrying, Mr. Chair.

Here is the—

Mr. ISSA. This is the kinder, gentle Darrell. You are just not ready for it.

Mr. BIGGS. Yes, I was not used to that. Was not used to that, sir.

Mr. ISSA. The gentlemen may continue for a time.

Mr. BIGGS. Yes, I will hurry.

So, you got in Manhattan 75 percent of violent crimes now are reported to be committed by illegal aliens. You have seen what happened in Aurora, Colorado, two apartment complexes taken over by Tren de Aragua.

So, they have done it violently. What did the Governor say of Colorado? He said, “this is all imagination. It is not real.” Do not believe what your lying eyes are telling you.

It happened in Chicago recently. Thirty-two armed gang members from that Venezuelan violent gang called Tren de Aragua took over an apartment complex. This is permeating throughout the country. You are experiencing it here. You are like some of our Ari-

zona counties which are transits. So, these people are coming in and they are going throughout the country.

So, how do you resolve some of that? I would just say we need to reinstitute Title 42. We need to reinstate MPP. We need to make sure ICE is actually removing the 1.5 million people who have had due process and have removal orders from our courts.

This administration will not let them be removed. They need to be removed. We need to find the more than 300,000 children.

Now, by the way, when we talk about unaccompanied minors, if you are 17 years old or if you are 25 and tell them you are 17 you will be treated as an unaccompanied minor. So, you have a wide range there.

We have misplaced—this administration has misplaced 300,000. You remember what the media did to the previous administration that misplaced a couple thousand, and they found everyone but about 50 of those. I was on the committee that was investigating that so I can tell you.

DNA testing—we stopped that. We cannot vet. So, if you have thrown down your ID you are a blank sheet of paper to the CBP and you can create a whole new legend for yourself, and we need to have our detention facilities and use those because if you are removing, you are doing hands-on stopping at the border, and you are detaining people rather than releasing them throughout the U.S. you make the country safer, first, but you also stop the incentive factor to come over here.

There is so much more to be said about this, Mr. Chair. I am grateful that we are holding this hearing, and I thank you for your indulgence, and I have so much more to say on this topic, but I will yield back.

Thank you.

Mr. ISSA. I thank the gentleman. We now recognize the gentleman from Wisconsin, Mr. Fitzgerald.

Mr. FITZGERALD. Thank you, Chair Issa.

I certainly appreciate Mayor Minto hosting us here today. I made numerous visits to the border since I have been a Member of Congress, and you always walk away with a unique experience or something different that makes an impression on you.

Everything that I have seen certainly causes more concern for any of us who find ourselves in a position of either being on Judiciary Committee—I will mention I am also a Member of Financial Services as well and there is a nexus, believe it or not, between the two Committees as we continue to see an infiltration of those that are not necessarily considered somebody that is just crossing the border for—whether it is asylum or even if they say they are here to look for employment or whatever reason they might offer. So, this is becoming bigger and bigger and bigger every day that passes.

So, I represent the far Western suburbs of Milwaukee, still a fairly rural district in Wisconsin. A lot of agricultural related industry in and around there. Still many dairy farms in Wisconsin.

I would say three or four years ago we were not really feeling the impact, certainly not as significant as what we are hearing about today or what I have heard about whether you are in McAllen, Texas, or if you are in the Tucson sector, which we were

a couple months ago, and some of the other border visits that we have done.

I wanted to start with a quick question for the DA and actually these are numbers from the U.S. Attorney's Office.

In the first nine months of Fiscal Year 2022, San Diego and the surrounding area accounted for 60 percent of all fentanyl seizures nationwide. Not my number. Like I said, that is the U.S. Attorney's number.

I am wondering, and based on what we have known before and what we saw yesterday, as the Chair brought up in the vault, which I have now been able to visit on two separate occasions, all the evidence being held related to the Ninth Circuit and the cases that they are prosecuting, managing, this is a great concern, obviously, across the Nation.

I have parents that had children that have died from fentanyl use. Obviously, these stories continue to kind of percolate out there as we hear them, sometimes with a cloud of mystery as to what exactly happened.

District Attorney, can you tell us specifically about what you see related to fentanyl crimes right now?

Mr. HESTRIN. Yes. Fentanyl is overwhelming Riverside County just as you mentioned, Congressman. It is pouring in across our Southern border and it is coming through Riverside County.

Riverside County is a pass through to other destinations. Los Angeles is the largest market for illicit drugs, so it comes to Riverside County. Many of the drug gangs use Riverside County as sort of a holding.

They will get homes, fill it up with fentanyl and other drugs and then ship it out to other parts of the country as the orders come in. They are running a business. The cartels are running a business, and they are essentially using our open border as a business opportunity.

The heartbreaking thing, and I am glad you mentioned it, Congressman, I gave statistics in my opening statement about the number of deaths going up since 2020, 1,200 some percent, and I always hesitate to do that because it sort of clouds the reality.

The reality is that these are real people, real families with a son or daughter that has been taken from them by these criminals and I cannot go anywhere in Riverside County without being stopped by a family that wants to talk to me about and tell me the story of their child being taken from them and cut down in the spring of their life.

What is happening, unfortunately, is that the cartels have moved into the counterfeit pill business and, as I mentioned, 70 percent of the illegal pills on our streets are containing fentanyl.

So, these people are dying. They think they are taking an Adderall. They think they are taking a Percocet. Obviously, we do not condone illegally buying Percocet or Adderall on the internet, but they are being killed and it is murder. To me, it is murder. I think it should be murder across this country.

A criminal who poisons an American with fentanyl belongs in prison and what we are seeing is just a wave of these deaths.

Last year in 2023, we had 554 deaths in Riverside County fentanyl related. As I said, as recently as 2016 we had two, and

if we did not have Narcan in the hands of every police officer and sheriff's deputy you could probably add a zero to those number of deaths.

So, this is a tidal wave of death and destruction that is coming across our open Southern border. We have to get a handle on this fast. It is wrecking our communities.

Mr. FITZGERALD. Thank you.

Mayor Minto, you talked a little bit about—and I would ask the same type of question to Mayor Franklin, because we are seeing in our own communities where there is an absolute depletion of resources related to trying to fight this.

I am talking about a community in Wisconsin where there are a number of law enforcement actions related to—it can be anything from a fender bender in the parking lot, but if you have got an illegal involved in that incident suddenly it escalates and blooms into a much bigger deal than otherwise it would be.

So, specifically for your law enforcement, that portion of your budget, what kind of constraints and how difficult has that been for you to manage?

I will ask Mayor Minto first and then Mayor Franklin.

Mr. MINTO. I do have to give full disclosure here. We are a contract city with the sheriff's department, so we are very fortunate in the fact that we do not always have to come up with extra money out of our budget—our city.

Mr. FITZGERALD. OK.

Mr. MINTO. So, the question is what happens at the county level? How much money do they have to come up with?

I talked a little bit about in my statement is that if we were not putting money into these transit centers then there would be a lot more money that was needed when the DA was actually spot on when he said how impacted we are by not having things like Narcan or some of the other types of drugs.

Can you imagine how much money we would have saved and been able to put into other resources if we did not have to buy all that medicine just to keep people alive who took something that they did not know what they were taking?

That is what is really important, and so for us we are very fortunate we do not have to come up with a lot of extra money.

I do not know about Mayor Franklin, if he has that same type of experience or not, but the only thing we really come up with more money is to, for instance, a lot of these people become homeless on our streets. So, we have to address it from that angle.

Mr. FITZGERALD. Right.

Chair, are you going to indulge Mayor Franklin?

Mr. ISSA. Of course.

Mr. FRANKLIN. So, we are also a contract city but, of course, we pay \$273,000 to the county for each deputy that we employ and the number we employ is a decision of our council. So, we do spend more money on law enforcement than any other budget item, and my city is the single busiest sheriff station in the entire county of the 12 cities that are policed by the sheriff.

We have a major issue with availability of jail beds and one of the biggest problems that we face is that our deputies and police officers in other parts of the county when they are making arrests,

they do not have the capacity in the jail-to-jail folks. We have made some really, really horrible decisions as a State and some bad decisions in the county.

The A.B. 109 that released half of our prison population and put about 25 percent of that population in our county jails has taken beds and space away.

The whole problem of border crime, and as I talked about in my statement, we know that tens of thousands of these crimes are initiated or originated by people who are here unlawfully.

Clearly, it is placing a significant burden on all our law enforcement resources that would not be there if we had a secure border.

Mr. FITZGERALD. Thank you.

Chair, I yield back.

Mr. ISSA. Thank you. I recognize the gentleman from Arizona for unanimous consent.

Mr. BIGGS. Yes, Mr. Chair. I have three articles I would like to be submitted into the record for—by unanimous consent.

The first is a piece recently entitled “Illegal alien MS-13 gang member wanted for murder found living in Texas.” The second is “Kamala’s America: Violent Venezuelan mob reportedly beat helpless young man in Dallas parking lot as gunshots are fired.” The third one is from *Telemundo*.

[speaks in Spanish.]

Mr. ISSA. In spite of not knowing what you said, without objection so ordered.

Mr. BIGGS. Thank you.

Mr. ISSA. I will try to pick up—recognize myself and pick up a few questions that I think will add to what my two colleagues have already asked about.

District Attorney Hestrin, you are unique in that you prosecuted the deceptive dissemination of what appeared to be a prescription drug to a young woman, a young girl who died as a result of taking just half of that pill.

There was a successful prosecution but there is no specific State law that empowered you to do that. So, as I understand you had to work around to put together the facts so that you could get that second-degree murder charge.

Would it be helpful if both the State in a perfect world and the Federal Government in what we hope will be a fairly perfect world were to give you specific charges that would allow you to have manslaughter, second-degree murder, or whatever is appropriate based on the normal knowledge of somebody who knowingly provides a deceptive drug that leads to a mortality?

Mr. HESTRIN. Yes, Chair, it would be incredibly helpful, and I do want to point out that this strategy that we have embarked on a couple years ago we have filed 36 homicide cases against drug traffickers for murder and second-degree murder. This has now been sort of emulated by DAs across the State of California.

So, I was proud to lead that effort but my colleagues across the State with some exceptions are also doing the same thing. They do not have the numbers because they have not been doing it as long, but they are moving in that direction.

Yes, we have to use existing second-degree murder law, especially the laws around DUI murders. That is essentially what this

is. It is saying that someone who knowingly deals and traffics in fentanyl, knowing the risks, disregarded that risk and did it anyway, we can proceed under a second-degree murder theory.

It is very difficult. It is legally difficult. It is difficult to collect the evidence, and so we formed a task force with the sheriff's department in our county. We are very blessed to have a sheriff's department that works with us like that, and we have been successful.

The last thing, because we are listening to criminal organizations on wiretaps, we know it is having an effect. My critics say, oh, that does not matter. That is just the old war on drugs. It is ineffective.

It is a bunch of nonsense. The criminals, we hear them saying, we cannot go into Riverside County with drugs because they prosecute people there. We are going to go into Los Angeles and do the deal there. I have heard that over and over.

Now, I do not wish the people of Los Angeles any ill, but I want them out of my county, and so that makes me happy when I hear that. It is working. We need to do this across California, across this country. It will have an effect.

Mr. ISSA. Thank you.

[Applause.]

Mr. ISSA. For both of my mayors, both of you represent districts that have high immigrant populations. Would it be fair to say that virtually every family that you deal with has some loved one on a list wanting to come to the United States?

In other words, almost all your constituents who are immigrant families also have further relatives that legally they are trying to get to the United States.

Mr. FRANKLIN. Congressman, thank you for that question because I almost on a monthly basis am talking to families who are generally in tears wanting to get family members here. They have been waiting for years, and to watch people who cross the Southern border—to go down and see it in person, who do it without any waiting, without going through any of the lawful process, and then to see the families who do it the right way, who are investing tens of thousands of dollars in attorneys to guide them, the level of unfairness and injustice in that is off the charts.

It is wrong, and I appreciate you bringing that up.

Mr. ISSA. Thank you. Thanks for making the case on that because this is the Committee that desperately wants to make sure that our legal immigration system works, which we all know takes longer when you go through the front door, obviously, than it does the back door.

Mr. Gautereaux, I am going to ask you two things at least. One of them is will you take time with the Committee to allow us to digitize as many of those documents with annotations as possible so that we, unlike other Federal entities, are willing to pursue and to help you get to some satisfaction for all your hard work?

Mr. GAUTEREAUX. Yes, with the caveat that I would like to discuss all that in a closed setting.

Mr. ISSA. Absolutely, and we want to do it in an appropriate way. You did share with me before we came on something of great concern that I would like to make public here.

If I understood correctly, you have a number of documents there that show Afghan nationals who have been given Turkish documentation and then threw them away so we would not know that what we had were people from a country that in fact destroyed our country on 9/11, people from a country that we cannot and do not have any ability to trace, and by throwing those documents away that they used to get from Turkey to here they concealed who they were when they turned themselves at the border.

Mr. GAUTEREAUX. Yes, sir.

So, my team and I have collected a lot of these documents, and some of the people on my team were able to look into these different documents, albeit passports, ID cards, and driver's licenses.

I have a credit card from a company that was dropped at the border. It is an Indian company, and the person on the credit card I decided—it was the name of the company on the card, so I decided to Google it.

That person has a Dun & Bradstreet number. None of this stuff makes sense, Congressman. We are having a hard time figuring it out and my team is working tirelessly. That is—I apologize for getting a little emotional in my testimony, but my team is unpaid.

They are law enforcement, current/prior military, and we are trying to figure out what is going on because we are having a hard time, like you said, finding someone or an agency. All the different task force—I have talked to most of them, and they really do not know what to do with this stuff.

It seems—and I may be wrong—we never were ready for this to happen, I will call it an invasion because of what I have seen, and we do not have a task force to look into a possible invasion of our country. We were not ready for it.

Mr. ISSA. Well, we are trying to get ready for it and I appreciate your testimony.

Ms. Cardinale, I want to thank you for your testimony, and it is my hope that we will assert some pressure to see that those escorts continue including Federal officers.

As much as I object to the Border Patrol being asked to be Uber drivers for illegal immigrants I would rather that they see them at those stopping points, that they take them into custody even if I, sadly, know that they will be released.

So, we were with the Border Patrol yesterday and Customs. They are very dedicated, and I will personally take time to speak with them to see if we cannot free up enough manpower to use that as a technique not just for your child but for all the children in the district. So, thank you.

Sheriff, I have a hundred questions for you, but I am going to followup on the one I gave the DA. From your decades of experience, if you had a pretty straightforward we are going to charge you with second-degree murder—we are going to put you away for the rest of your life—if you had that tool when you were apprehending even a low-level pusher/seller does that give you—the fact that you could charge that does that give you a lot more oomph to move up the chain to actually apprehend as many of the people involved?

In other words, does the ability to prosecute at the highest level give you a tool that usually works well in your experience as a narcotics investigator?

Mr. SHARP. I think over my time in law enforcement it is obvious that whenever there is any level of accountability by way of holding somebody criminally accountable for their actions, when there is accountability, they want to protect themselves at some level.

They may even want to change the way their actions are and that does give us investigative leads, move up the chain, and as DA Hestrin mentioned, then we are on wiretaps and seeking the people that are really at the core of the problem, the ones that keep the business going.

Mr. ISSA. Well, I will tell you the three of us up here are convinced that we need to work hard to give you some additional tools, at least at the Federal level.

I will note that our U.S. Attorneys both in Riverside and San Diego County have tried hard to do as much as they can with a California that often does not make something a crime that should be and that is on a Federal level.

Do either of the Members have a quick followup?

Mr. Biggs?

Mr. BIGGS. Thanks, Mr. Chair.

I think the thematically what we have heard today is that if you enforce the laws, you provide the deterrent and take away the incentive to violate the law, which so many are doing.

I have one more unanimous consent, Mr. Chair.

Mr. ISSA. Without objection, tell me it.

Mr. BIGGS. It is “Kamala’s”—or Que Mala’s—“Border Chaos: San Diego sector out of control. Illegals arriving from Jordan, China, and India.”

I will just point out that yesterday in a—

Mr. ISSA. Without objection that will be placed in the record in its entirety.

Mr. BIGGS. Thank you, Mr. Chair.

As we were on the border just getting to a gap in the wall—I have been to many times that very gap—and every time there is people coming. There were five people coming. We had two from Guatemala, two from Colombia, and one from India.

So, just in this small group of five they told us that they did not know each other. They had met the day before in a hotel in Tijuana with a coyote who arranged for them to get together, drop them off, and that is the norm now across the Southern border and that has got to stop.

We want to help you all because I know that everybody here is sincerely trying to figure out remedies. Mr. Chair, again, thank you for letting me speak.

Mr. ISSA. You are most welcome.

Mr. Fitzgerald?

Mr. FITZGERALD. Thank you, Chair.

Mayor Minto, during your response to the first question you talked a little bit about the NGO’s. Can you tell us kind of what is your overview on—and Mayor Franklin, I am sure you have an opinion on this too—because we get a mixed message out there,

right, and Catholic Charities takes kind of the brunt of the criticism related to the NGO's.

What is your experience right now with the give and take with the NGO's and what they are providing and the resources they are providing?

Mr. MINTO. Well, what I would like to do first is give you a little background on my experience with nongovernment organizations, and during the 2000s, I will say, as I was a police officer my job was to create programs to keep kids out of trouble, out of the justice system, and we relied heavily on nongovernment organizations because when you encumber your police officers and your probation officers, they are not doing a job that they can be doing elsewhere.

So, if you bring them into the fold—the NGO's into the fold—and they are able to perform just basic services especially then you know what? Then, your police officers, your probation officers, and others can actually do the job they were hired for.

It is better to find out what the cause is for an issue. We know that kids, for instance, do a lot of things, everything from boredom to being abused, and if you can find out why they are doing that you can fix the problem.

So, nongovernment organizations usually have the resources because they get grants from everywhere you can think of, especially large ones like Jewish Family Services. So, why not let them do the work and then we can take care of the actual line work that needs to be done.

I guess that is the best way of doing it. Today by having them on board that still is the way that the work can be done best, in my opinion.

Mr. FITZGERALD. OK. Mayor Franklin?

Mr. FRANKLIN. There are 6,000 people living unsheltered on the streets of our county. A hundred and seventy of those are living homeless on the streets of my city.

Until I have got every single person who is an American off the streets and into a place of shelter the idea of spending Federal or county money to welcome immigrants who have come unlawfully—I visited that center funded by the Federal taxpayer through the county of San Diego. They were spending \$43,000 a week on transportation services.

Now, one of the untold stories that did not get talked about today people are paying between \$2,000–\$15,000 to the cartels. If they do not pay many of them are murdered if they try and cross without paying that extortion.

They come across oftentimes, as you have seen, in their best new clothes and they are here to start a new life in the United States. Probably most of them that could afford the \$15,000 or whatever they paid probably also had a few thousand dollars in their pocket to get where they are going.

Now, I do not have a problem with Catholic Charities and other NGO's providing some assistance on a compassionate, humanitarian basis but why the taxpayer would address the needs of people who have entered unlawfully who seem to have some money before we would address the needs of those who are living without shelter, who are homeless, defies explanation. So, that is that is my experience.

Mr. FITZGERALD. Thank you. I yield back.

Mr. ISSA. Thank you.

In closing, I want to point out for the District Attorney—I know he knows this—that Alexandra’s Law was introduced last year. It is working through Congress.

The intent is, with perhaps even some enhancements, to begin to give you specific laws that would allow the U.S. attorney to join in aggressive prosecution.

Hopefully, as we are seeing other States who have looked at it and have introduced it, it would become something that would be both a State and Federal tool because I do believe strongly that for law enforcement this type of death through deception has to be attacked in an overt—in a specific overt way.

Yesterday we also introduced to the House of Representatives the Sanctuary City Accountability Act. I do not want to make this political, but we live in a sanctuary city area—Los Angeles and San Diego. We live in a sanctuary State.

As a result, in many cases the problems you have all told us about today are exacerbated by the actions and the Federal Government is estimated to have spent—be spending over \$152 billion a year in direct relation to these new and unasked for immigrants.

Last, one of the things that I found hardest to understand that I want to make sure is in the record, we are talking today exclusively about people who entered the United States through the Mexican border.

Mexico has an immigration policy that requires Afghans, Turks, Chinese, and the list goes on and on—virtually every country on the planet must have a visa to come into Mexico. International law requires if someone is seeking asylum or refugee status that they must do so at the first entry to the next country, which in every case was Mexico. If not the first sometimes the second or third, but certainly we were never the first.

Under Mexican law if someone leaves China and wants to come to the United States via Turkey they arrive in Turkey, a country which will not admit them without a visa unless they say they are going to the United States but do not have a visa.

They then fly to Mexico where Mexico admits them, although they would not admit them without a visa unless they say they are going to United States without a visa.

They then transit unescorted throughout the process other than perhaps coyotes to the Mexican border, completely free to Remain in Mexico, but with the knowledge that they are coming to the United States.

That is the present State of affairs. Not one person we have described today was lawfully admitted to the United States under international law.

Every one of them had been admitted to Mexico in violation of Mexico’s law and international agreements and then presented at the border where our Border Patrol is required to bring them in.

NGO’s are paid to help them and in fact we give them transit throughout the United States. That is the undeniable situation that I have dealt with since I returned to Congress.

It is one that I know must end and I want to thank all of you for your testimony and helping make the record complete. Next

week the Committee will meet in Washington, DC, and I am assured that we will prepare an interim report summarizing our many hearings including this one today.

As is the policy of the Committee, you will have five days, all of you, to present additional information, extraneous information—that information we talked about getting—so that we may make the record complete.

Again, I want to thank all of you, and I want to thank our audience and those who covered this for the U.S. and international press.

Without objection now this meeting is adjourned.

[Whereupon, at 10:23 a.m., the Committee was adjourned.]

All materials submitted for the record by Members of the Committee on the Judiciary can be found at: <https://docs.house.gov/Committee/Calendar/ByEvent.aspx?EventID=117607>.

