

THE BIDEN-HARRIS BORDER CRISIS: WISCONSIN PERSPECTIVES

HEARING BEFORE THE COMMITTEE ON THE JUDICIARY U.S. HOUSE OF REPRESENTATIVES ONE HUNDRED EIGHTEENTH CONGRESS SECOND SESSION

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THE BIDEN-HARRIS BORDER CRISIS: WISCONSIN PERSPECTIVES

Thursday, October 24, 2024

HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY

Washington, DC

The Committee met, pursuant to notice, at 10:06 a.m., in the Milwaukee Federal Building and U.S. Courthouse, Room 190, 517 E. Wisconsin Ave., Milwaukee, WI, the Hon. Thomas P. Tiffany [Chair of the Committee] presiding.

Present: Tiffany, Gaetz, McClintock, Fitzgerald, and Bentz.

Also present: Van Orden, Steil, and Grothman.

Mr. TIFFANY. The Committee will come to order.

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

Without objection, Representatives Steil, Van Orden, and Grothman will be permitted to participate in today's hearing for the purpose of questioning the witnesses and will receive five minutes to do so.

Without objection, I will now recognize myself for an opening statement.

Well, good morning. I want to thank my colleagues for making the trip from all parts of the country and my fellow Wisconsinites for hosting us here today.

The Committee is conducting a series of these hearings to hear from Americans across the U.S. about how the Biden-Harris Administration's open border policies, which impede immigration enforcement and encourage illegal immigration, are affecting their communities and we have been having these hearings this entire session of Congress from McAllen, Texas, Yuma, Arizona, San Diego, and now we are here in Milwaukee as every State is a border State.

Since taking office on January 20, 2021, the Biden-Harris Administration has allowed at least 7.6 million illegal aliens into the United States, more than the entire population of Wisconsin and 36 other States.

President Biden and borders czar Vice President Kamala Harris created this crisis by systematically dismantling effective border measures and their refusal to enforce our immigration laws in the interior of the United States.

They have released millions of illegal aliens stopped at the border into our country and abused our laws to fly millions more directly into American communities, making every State a border State.

The results have been tragic with foreign migrants flooding into American communities from coast to coast, straining social services and leaving a trail of innocent victims in their wake.

The price tag alone is staggering, reaching into the hundreds of billions. Even worse, most of these costs are borne by State and local governments, many of which now face catastrophic strains on their hospitals, schools, and social safety net programs, which are supposed to take care of Americans, not a never-ending tidal wave of illegal aliens.

In Arizona, I learned that a border hospital spent \$26 million in a single year on uncompensated care for the illegal aliens pouring in. In New York City, they expect to spend \$12 billion over the next three years on housing, food, healthcare, and other services for illegal aliens.

Wisconsin is not immune as we have seen in Whitewater where local resources have been strained by an influx of migrants after the Biden-Harris Administration flooded the town with nearly a thousand migrants.

It is about more than just dollars and cents. It is also about the human cost. Over the past three years Americans have been confronted with countless reports of brutal rapes, kidnappings, and murders of women and girls by illegal aliens in States far from the Southern border, Maryland, Missouri, New York, Georgia, Florida, and Wisconsin. No one is immune.

In Prairie du Chien, Wisconsin, a Venezuelan illegal alien released by Biden and Harris sexually assaulted a woman and abused a child after sanctuary jurisdictions like Minneapolis failed to report his crimes to ICE for deportation.

In Fond du Lac, Wisconsin, an illegal alien from Nicaragua who was released by Biden-Harris Administration tried to sexually assault a 12-year-old girl.

In Abbotsford, Wisconsin, my district, an illegal alien stabbed three people over 15 times, killing two children.

In Rusk County, Wisconsin—that is near Ladysmith for those of you who are familiar with Rusk County—an illegal alien whose license had already been revoked for a previous Operating While Intoxicated (OWI) conviction, but was not deported tragically killed a father of three.

Under Joe Biden and Kamala Harris fentanyl deaths in Wisconsin have also reached an all-time high, claiming thousands of lives. In Green Bay an illegal alien was busted after selling fentanyl-laced pills near a middle school and at a Boys and Girls Club—a Boys and Girls Club.

While these are just a few tragic stories resulting from borders czar Kamala Harris' open border it is clear that these dangerous individuals should not be here. While the Biden-Harris Administration misleadingly claims that its policies are working, the administration has made America less safe and less secure.

The fact of the matter is the President has the authority to stop this. Trump did, Biden did not, and Harris will not.

Today, we will hear from officials and residents in Wisconsin who have had firsthand experience with the chaos being inflicted on their communities because of President Biden and borders czar Kamala Harris' open border.

We will take a brief recess. We are having some AV issues. We will stand in recess for a moment.

[Recess.]

Mr. TIFFANY. The Committee will come to order. We are now going to introduce today's first panel.

The Hon. Ron Johnson, the Senior Senator from Wisconsin, was elected to the U.S. Senate in 2010. Prior to that for 30 years he ran a successful manufacturing business in Oshkosh.

He serves on the Senate Budget Committee, Finance Committee, and formerly on Homeland Security and Governmental Affairs Committee, which he chaired from 2015–2021.

Senator, we welcome you to this hearing this morning and you may begin your testimony.

STATEMENT OF THE HON. RON JOHNSON

Senator JOHNSON. Thank you, Mr. Chair, Members of Committee, and Members of Congress.

I really want to thank the Judiciary Committee for agreeing to hold this field hearing here in Wisconsin where we can highlight the tragedies that are occurring as a result of the Biden–Harris open border policy right here in our State of Wisconsin.

It is often said that every State is a border State and that is absolutely true, and you are going to be hearing some powerful testimony from local sheriffs, from Rick and Erin Rachwal who tragically lost their son to a fentanyl overdose.

So, rather than concentrate on those tragic stories, because that is going to be well covered in your second panel, what I thought I would do is, basically, utilize my time as Chair—the former Chair of Homeland Security.

Over six years we held something like three dozen hearings on some aspect of our illegal immigration when it was far less worse than it is today.

So, what I would like to do is use basically three charts that tell the story of how we ended up in this place right now and we will start with the first chart I began preparing as Chair of Homeland Security had to do with the unaccompanied children.

You can see by this chart 2009, 2010, and 2011, and we had a kind of a normal number of unaccompanied children coming to this country, somewhere under 4,000.

Then, what is the spark to all these crises ever since was the improper misuse of prosecutor discretion, the Deferred Action on Childhood Arrivals.

The former President Obama issued those memorandums in 2012 and you can see how all of a sudden the number of unaccompanied children coming to this country spiked—went up to 10,000 and the following year 20,000. In 2014, it hit a high for that point in time. Over 51,000 unaccompanied children came to this country.

What was happening over those couple years is people in Central America and elsewhere around the world realized that something had changed in America's immigration policy. I remember Senator

Cornyn coming to Senate lunches talking about how he is hearing that in Central America they are being told that you are going to get a white piece of paper called a permiso to come to this country. It was not a permission; it was a notice to appear. That is how they basically took this change because of DACA and sparked a crisis.

The next thing that happened is, in addition to unaccompanied children, people got wise and they started coming into the country with their children or somebody else's child.

So, we had a huge spike in family units. In 2014, over 68,000 family units exploited our asylum laws. So, the former President Obama noticed that, and he took action. He started detaining families and it worked because the next year in 2015 family units declined almost in half to 39,800.

Then, the immigration groups took the Obama Administration to court because they did not like anybody being detained. They are all in for catch and release, and you had a reinterpretation of the 1997 *Flores* settlement agreement which stated that the DHS had to also consider accompanied children as part of that *Flores* agreement.

In other words, they had to release into the custody of HHS children even if they are accompanied by their parents within 20 days. So, the Obama Administration had a decision to make. Were they going to—and by the way, the court would allow them to release the child to the custody of HHS and detain the parents or release the entire family. The Obama Administration decided to release the family and the result sparked the crisis that we are still living today.

If we can go on to my next chart. By the way, one of the things that we were supposed to do in terms of the whole family unit was we were supposed to do DNA testing to make sure that those actually were their children.

The DHS has never fully implemented DNA testing. I would say they are actually violating laws on the books to force them to do that and we are not doing it. We actually held a hearing in June 2019.

Vice President Harris was on my Committee at that point in time. We heard testimony of a child being sold for \$84 to create a fake family unit to exploit our asylum laws. So, the Biden Administration knows what they are causing.

This is a chart that I have been developing and updating on a monthly basis, the one I gave to President Trump in April 2024, that he has been using at his rallies. What I have always liked about this chart is it shows the cause and effect and so I would like to just walk through it.

Again, you can see 2012 DACA was announced. In 2014, the height of that crisis, former President Obama declared a humanitarian crisis when they were dealing with 2,000 illegal immigrants coming across the border a day being encountered—2,000.

I remember DHS Secretary Jeh Johnson at that point in time said, “a thousand a day was a really bad day.” He was going to be in a really bad mood. In 2015, you had the *Flores* interpretation, and when Trump took office after campaigning to close the border people in Central America took that seriously and so you saw a

pretty dramatic dip in people trying to come to this country illegally.

Unfortunately, the laws did not change and Congress would do nothing to change the laws. They would not do anything to strengthen the President's authority to secure the border, and so President Trump had deal with his own surge.

He dealt with it. In 2018, the Supreme Court ruled that the President has—it exudes deference. Current law exudes deference to the President to deal with the border, and he did so.

So, he initiated the Migrant Protection Program, otherwise known as Remain in Mexico. Initiated and did agreements in Central America, the safe third countries. Threatened tariffs against the president of Mexico to make sure that he got cooperation in Mexico and you will see the dramatic results.

In 12 months President Trump went from his high of about 4,500 people per day—again, all sparked because of DACA, but 4,500 people a day to less than 600 a day.

In addition to that, and here is the updated chart now—let us take this one. Yes.

In addition, President Trump, because of COVID, initiated returns under Title 42, and one of the reasons I modified the chart here is because I have seen how Democrats have been claiming that President Biden now has gotten numbers down to where it was under Trump.

Well, it is true the encounters are down about the same level. By the way, the reason the encounters went up from a low point of April 2020, is on the Presidential campaign trail every Democrat candidate for President said they were going to end deportations, offer free healthcare, and you saw single adults starting to creep back into this country because they thought it was going to be an open border, which they thought right.

Because President Trump instituted Title 42 you can see the very small number. It is that little gap there of people being led to the borders. Matter of fact, it was so low in December 2020, even though it went from 17,000 in the month of April to 74,000 in December, only 580 people were released that month under parole—0.8 percent, 19 people a day.

So, again, Trump had the border under control and then President Biden used the exact same Executive authority that President Trump used to close the border to open it up even though he denied it for 3½ years until the media started reporting on this crisis at the border because Mayor Adams and Mayor Johnson started saying it was going to destroy the country—destroy their cities. The media could no longer ignore it.

All of a sudden now President Biden was forced to acknowledge this problem. He kept saying, well, Congress has to do something. Well, obviously Congress has not, because under political pressure he started using the same Executive authority and he has brought the numbers down a little bit, but he is releasing we do not know exactly how many, about 80 percent.

In addition to that, what I have also added to this chart is he has also legalized pathways under the CBP One App he has released 800 and—I am trying to find it. Well, I do not know where it went on my numbers here, but under the CBP One App I think

it is 800,000 some. Under the CHNV, Cuba, Haiti, Nicaragua, and Venezuela, it is about 500,000–30,000 a month for 18 months.

So, that is just the new legalized way so they can claim that oh, this is not illegal immigration. They have just legalized a separate pathway. That is what Vice President candidate J.D. Vance was talking about when he was fact checked by the debate moderators.

Anyway, this is a huge problem. The open border it is facilitating a multibillion-dollar business model of some of the most evil people on the planet. Let us face it, the human trafficking, the sex trafficking, and the drug trafficking—again, you are going to hear about the rapes, the murders, and the vehicular homicides but we have also have terrorists entering this country.

Are they just as sleeper cells? What is it with tens of thousands of military-aged Chinese men, transnational criminal organizations, again, the drug traffickers?

If you go to Central America and you talk to law enforcement there who are under the sway of the drug cartels, if you are a new police officer there you are going to be bribed, but you are also going to get a little DVD that shows your children and your wife going to church or going to school.

So, you can either accept the bribe and do the cartels' bidding and leave them alone or they are going to threaten your family. If you are a taxi driver, the extortion, the kidnappings—if you are a taxi driver you either pay the extortion or they put a bullet in your head and they put your—they light your car on fire.

So, the fact that now we are seeing Venezuela gangs taking over apartment buildings and it is unbelievable that a CBS—I think a CBS commentator on Sunday morning would talk about only a few, just a handful of apartment buildings being taken over by Venezuelan gangs like that is acceptable.

We are just seeing the tip of the iceberg in terms of these gangs, these cartels, infiltrating smaller communities, intimidating police officers, and probably not many, but probably bribing some under threat of killing their children or themselves.

You can see where this is going. The gang activity, by the way, those unaccompanied children, when I was the Chair, 70 percent were over the age of 15 and male, perfect age for gang members, right?

So, again, this is an unmitigated disaster. We have only seen the tip of the iceberg of the mayhem, of the depredations that we are going to see long term.

We are going to be dealing with this for years and decades. My suggestion is we do turn the page on this and we actually elect a President who is serious about using that Executive authority to secure the border.

We are happy to strengthen that authority. We can somewhat by the Florida settlement reinterpretation. We are happy to strengthen that. We just do not have partners on the other side that are willing to do it.

Again, I truly appreciate you holding this field hearing and definitely looking forward to hearing from the other witnesses. I am happy to take any questions you might have.

Mr. TIFFANY. Yes, thank you very much Senator Johnson. I suspect there will be a few questions. I want to ask a couple to kick this off.

So, you go to the very right side of that chart there and you see some of those numbers that are dropping and you alluded to that.

Could this be tied at all—we are hearing reporting now that there are tens of thousands of people staging in Southern Mexico that are—some beginning their movement to the Northern border of Mexico as with us getting toward election day we suspect.

Are you familiar with the reporting that is out there that there are tens of thousands of people that are staging down in Southern Mexico?

Senator JOHNSON. Well, I know you have done good work going down to the Darien Gap and seeing the camps of Chinese military-age men. I do not know exactly what is happening, and that is part of the problem is we do not have a transparent government.

The DHS—these numbers we are using is as good estimates as we can have. We have 12 million people coming in this country illegally, 10 million, 5.7 released. Nobody really knows. Two million got-aways.

So, exactly what is happening I wish we had an administration that was transparent and honest with the American public, but we do not have that and we certainly do not have a news media that is inquisitive and do investigative reporting as well.

Mr. TIFFANY. The other question I have is we are hearing from some that—what was referred to as the Lankford bill was an answer to securing the border.

We passed H.R. 2 through the House of Representatives, came out of this Committee and would have the Lankford bill would have been better at securing the border?

Senator JOHNSON. The House bill by far, and I appreciate you asking me about that because there have been so many lies told about what happened there.

That bill tanked itself. For whatever reason, Leader McConnell decided to seek negotiations utilizing James Lankford as the negotiator. Would not be forthright in terms of what they are negotiating with the conference. I finally requested a conference meeting to finally get the information. What are you negotiating?

That was a week before they introduced the bill. Our jaws dropped when we heard about the threshold—the 4,000 a day threshold—to give the President discretion to stop processing asylum claims. Then, the 5,000 threshold where it would make it mandatory for him to start doing that.

That got leaked over that week. When they finally introduced that bill by Sunday that bill was dead on arrival. I do not know of any Republican Senator that President Trump called up to tell him to vote against that bill because on Monday morning Mitch McConnell came in and said he is going to advise—even though this is the bill he negotiated, probably got Border Patrol to sponsor—“because they were looking for any port in a storm.”

That Monday following the introduction of this thing on Sunday, McConnell comes into a conference meeting and said, “well, politics have changed. We got a Presidential candidate. I am going to recommend voting against—voting no on cloture.”

Again, it kind of surprised all of us because that was his negotiated bill. He knew it had no chance. It was such an awful bill and, again, they established those thresholds, basically codified an awful lot of—half of President Biden's open border policy.

By the way, during the Biden Administration the average encounters is over 7,700 a day. You tack on got-aways it is over 9,000 people a day coming into this country or attempting to come in. Nine thousand people a day.

The former President Obama called 2,000 a day a humanitarian crisis. So, that would have codified 4,000–5,000 a day. Plus, by Congress saying that the President does not have discretion to stop processing asylum claims until he reaches 4,000, you actually would have weakened what authority the President already had.

So, on both fronts—codifying what President Biden has done to this country, this clear and present danger, and weakening Presidential authority that bill was a disaster. It was dead on arrival and, quite honestly, President Trump, I know he spoke out against it but he had nothing to do with tanking that bill, from my standpoint.

Mr. TIFFANY. Yes, that was my question. Senator Johnson, did President Trump expressing displeasure with the bill make up your mind as far as whether you were to support or oppose?

Senator JOHNSON. None whatsoever, and I do not think that however many of us voted against it—there are only a couple that did—I do not think that had any influence whatsoever. President Trump was absolutely right coming out against the bill, but we were already against it.

Mr. TIFFANY. Members who have any other questions?

Representative Gaetz?

Mr. GAETZ. Thank you for that excellent presentation and for your expertise in this matter, Senator Johnson.

I only take exception with one part, when you described the law enforcement dilemma in Central America to take the bribe or endure the threat, and I am grateful that in El Salvador there has been a third way.

Through strong leadership and the State of exception President Bukele has actually created security there where now if you are a Salvadorian killer it is a more permissive environment in the United States of America than it is in El Salvador, and we see President Mulino in Panama endeavoring on an improvement there as well.

I want to get to know what is going on with some of your constituents. What is happening in Whitewater, Wisconsin?

Senator JOHNSON. Well, you are going to hear an awful lot of testimony so I will let them testify. It is a small community. About a thousand migrants all of a sudden showed up and law enforcement is being overwhelmed by it. Their schools are being overwhelmed by it.

Congressman Steil and I went there a number of months ago to hear the tale of woe and it is but, again, that is just one little community. This is being replicated across the country in large cities and small communities where we primarily recognize the harm of the open border is more in drug trafficking, though.

We do not have a huge migrant population from what I can discern traveling around talking to local law enforcement and White-water is somewhat of an outlier from that standpoint. We used to have meth labs not that many years ago. That was a big problem for law enforcement.

We do not have meth labs anymore because you can get meth a lot cheaper and of higher quality coming across the Southwest border now. We used to have a central drug trafficking hub in Chicago. Now, we have multiple hubs in Wisconsin.

So, you are going to hear again the tragic story from the Rachwals in terms of the loss of their son from, again, thought it was a pain pill and it was fentanyl laced and died by himself in his room. This is just tragic.

Mr. GAETZ. What I observed was that even in circumstances where local law enforcement was able to seize substantial cartel funds they could not interest ICE in cooperation to go after the cartels that were establishing a presence in your State.

There has been a lot of question and discussion about how to effectuate the largest deportation in American history, which is needed.

Would not some of those experiences that you have observed as a Senator in Wisconsin provide a pathway to do that where when folks are doing the right thing from an investigative standpoint?

A community did not choose to be a sanctuary city. There is this theory that, well, the only places being overrun are the places that have chosen the sanctuary status. I think in your State you have observed that it is more broad.

Senator JOHNSON. Again, I think the Biden Administration has pretty well dismantled the ability of ICE to really detain and cooperate effectively with local law enforcement. Again, that is going to require a new President. That is going to require new leadership at ICE within DHS that actually want to enforce laws.

By the way, the law enforcement officers within ICE and within CBP they will welcome that. They want to enforce the law. They want to protect U.S. citizens. They are really beside themselves.

That is part of the problem. We are seeing a high level of retirements. We cannot hire—we cannot recruit law enforcement, whether it is local law enforcement after the defund law enforcement movement, but certainly CBP and ICE. It is just so dispiriting to sign up to protect the public and then basically be prevented from doing the job by this administration.

Mr. GAETZ. Thank you, Mr. Chair. I yield back.

Mr. TIFFANY. Members—Representative McClintock?

Mr. MCCLINTOCK. Thank you.

Senator Johnson, first, thank you so much for your leadership on this issue. You have been sounding the alarm on crisis since the day it began.

You mentioned the *Flores* settlement and the dangers that confront these hundreds of thousands of unaccompanied minors. The H.R. 2, which passed the House last year, would have fixed the *Flores* settlement. It would have required the safe return of unaccompanied children back to their own homes and their own families.

Why has the Senate not taken that bill up?

Senator JOHNSON. Because the Senate is right now under the majority rule of Democrats and the last thing they want to do is fix this problem.

People need to understand Democrats, Biden–Harris, they want an open border. They caused this problem. By the way, I do appreciate you bringing back up the UACs and trying to be somewhat succinct.

I completely left out some of the field hearings we have had with Senator Grassley with the HHS whistleblowers. *The New York Times* article—85,000 UACs turned over to HHS completely unaccounted for, and that is a low number.

We had an HHS whistleblower that said, again, this was a detailee into HHS. They were trying to handle this and they were so frustrated in terms of the sponsors that they could not find or that seemed completely unqualified.

Sponsors with the addresses of storage units or a sponsor sponsoring thousands of children. She went to her supervisor and the supervisor said,

I think you need to understand we only get sued if we keep kids in our care too long. We do not get sued by traffickers. Are you clear? We do not get sued by traffickers.

The fact of the matter is HHS is taking these kids. They have to get rid of them within 20 days, and they are turning them over to sponsors that they know are operated by transnational criminal organizations that are sex trafficking, human trafficking, and they know what is going to happen and they are doing it, and they are turning a blind eye toward it.

Of course, the media except for *The New York Times*—I give them credit—a blind's eye toward it as well.

Mr. MCCLINTOCK. This is completely incomprehensible to me. If a little waif showed up on your doorstep the first thing you are going to do is get that little child back to its family and its home.

You are not going to take that child three doors down to a crack house and drop them off there, and yet that is exactly what our government is doing, is it not?

Senator JOHNSON. Yes, and it is shameful.

Mr. MCCLINTOCK. When we abandoned Afghanistan we released 5,000 of the most dangerous terrorists on the planet that were being held at Parwan Detention Facility. We know where one of those terrorists went. Ten days later they went to the Abbey Gate at Kabul airport and detonated a bomb that killed 13 U.S. service members. We do not know where the other 5,000 are, do we?

Senator JOHNSON. Not to my knowledge, and what is even more egregious about that is they did not have identification and we just created identities for these people.

Mr. MCCLINTOCK. Is it conceivable that some of those 5,000 terrorists are among the 1.9 million known got-aways that we watched cross the border, but could not intercept because the Border Patrol was completely overwhelmed taking names and changing diapers at the border?

Senator JOHNSON. Yes. It is almost certainly that is the case, and understand we have apprehended—we have encountered people on the terrorist watch list. Those are the ones we have apprehended.

The real bad people I am sure take advantage of these surges of thousands of people at one border crossing so you have no nobody on the line, and they are going to be part of that known and unknown got-away population. There is just no doubt that there are terrorists who we have let into this country, members of transnational criminal organizations. Again, it is just a ticking time bomb.

Mr. MCCLINTOCK. When we were at the Yuma border a year ago we talked to a group of rank and file Border Patrol agents and one thing I said is, look, we are the Congress. We cannot enforce the laws. We write laws so what laws do you need us to write?

Unanimously, they responded we do not need new laws. We need to enforce the laws that we have. The Chief of the Border Patrol told us at Eagle Pass that he says,

I am standing in front of an open fire hydrant with a bucket. I do not need more buckets. I need somebody to shut off the fire hydrant.

Is this all—President Trump proved that using the existing law he could secure the border. The laws did not change on January 20, 2021. The Presidency changed. So, is that ultimately in the hands of the American people whether we are going to secure our border or not?

Senator JOHNSON. Again, the Supreme Court ruled the President—the current law exudes deference to the President so he has got enormous power. Trump used it to secure the border. President Biden used it to open it up.

I would say that it would be nice to address the *Flores* settlement reinterpretation. Secretary Jeh Johnson completely disagreed with that. It makes no sense. You cannot detain a child with their family. That makes no sense. That could be fixed.

We absolutely have to increase the credible fear standard. The standard ought to be do you have a valid asylum claim or not.

Mr. MCCLINTOCK. H.R. 2 has—

Senator JOHNSON. It ought to be just as—

Mr. MCCLINTOCK. H.R. 2 does that, too.

Senator JOHNSON. So, there are things that we could certainly strengthen and we would be happy to do that. That is not what Democrats want to do. They basically want to codify this open border.

Mr. MCCLINTOCK. As you pointed out, the Lankford bill would have made it impossible, would have forbidden a president to take the actions that Trump did until illegal border crossings reached at least 4,000 a day.

Senator JOHNSON. Four thousand. Yes. Now, again, that is incomprehensible.

You mentioned the border in Texas. I remember going down—I think this is when—before I became Chair in 2014 during the Obama's humanitarian crisis and we were all singing the praises of CBP who created this facility in McAllen, Texas.

Because, again, you have all these family units. You are really not sure. They were not sure. Is this really the father? So, they separated within that unit in a very humane way. They had chain link fences and stuff and we were all celebrating that. We were saying and singing the praise of CBP for going outside normal government rules and responding to this crisis.

Of course, a year or two later under President Trump that exact same facility with the exact same chain link fences all of a sudden was kids in cages. Again, a grotesque double standard.

Mr. TIFFANY. Represent Fitzgerald?

Mr. FITZGERALD. Thank you.

Mr. TIFFANY. Representative Van Orden? OK. Representative Grothman, you are recognized.

Mr. GROTHMAN. Just a general—I want your opinion. I really appreciate the graphs you have up here and, obviously, as you just mentioned the unaccompanied minors coming here is 8,000–9,000 a month.

Why do you believe you have a situation that these minors are separated from their parents, probably are never going to see their parents again, and we had a short period of time in which kids were separated from their parents under the Trump Administration.

Now, we have wildly more minors all going up here. Why does the press not consider this a scandal and why does the average American not know about it?

Senator JOHNSON. Because the press, like our Democrat colleagues, they are supportive of an open border.

Mr. GROTHMAN. So, that is why the American public does not know all the unaccompanied minors who we have streaming across our border?

Senator JOHNSON. Yes, and again, the media—I quit calling them mainstream media. The legacy of the corporate media they are cheerleaders for the Democrat Party. They are the comms department for Democrats. They wanted Biden president, so they did everything they could to get somebody who campaigned from his basement elected president. They were certainly cheerleading when Biden was replaced on the ticket with Kamala Harris. They put her on a pedestal and declared her the Second Coming.

They are trying to do everything they can to get her elected as well. So, again, they are absolutely supportive of all these radical left policies, and one of those radical left policies is literally the clear and present danger of a wide-open border.

Mr. GROTHMAN. Thank you.

Mr. TIFFANY. Members, anyone with a question?

Mr. VAN ORDEN. Yes, sir.

Mr. TIFFANY. Representative Van Orden, you are recognized.

Mr. VAN ORDEN. Thank you, Mr. Chair.

I would also like to thank Representatives Moore and Pocan for showing up here at this incredibly important hearing as immigration goes in between the top one and two issues for all Wisconsinites and American citizens.

Our folks are literally being kidnapped, raped, and murdered here in the State of Wisconsin and around the country and we have two Members of Congress who could not bother showing up today. I think that that speaks volumes.

The criminal illegal alien that Congressman Tiffany referred to earlier made his way across the border with Venezuelan gang tattoos, and those are not a “Live to ride, ride to live” tattoo.

It is either you are a member of that gang and you have that tattoo or they will cut it off you while you are living. So, that should

have been taken for what it is at the border. This person ever should have been allowed in the country.

Made his way to Minneapolis, arrested for crimes after the Dane County sheriff had warrants out for strangulation, some other violent crimes. Did not bother following up with it because both of those places are sanctuary cities.

Then, he came to a place a half mile away from where four of my grandchildren live and brutally raped a mother and assaulted a daughter over a period of days, and this could have been stopped at any point during this chain and solely because the Biden Administration is pushing this incredibly horrible political agenda is that going to keep happening over and over and over again.

So, Senator Johnson, I just found this out this last week and I want to know if you are tracking this.

We went to the Federal prison in Oxford—excuse me, Oxford. It is in my district, and half of the prisoners in this Federal prison—half—are illegal aliens. Are you tracking the volume of what is taking place with it?

This is the second, third order effect of opening up these borders. When half of an institution is occupied by illegal aliens that is something that I am hoping we are going to be looking at here under a Trump Presidency. Are you tracking this, sir?

Senator JOHNSON. I am not but it is not surprising. It is not just going to be Federal prisons, it is going to be local prisons and they are going to be bearing the brunt of the cost of this.

I think the House Committee said that the cost of dealing with this crisis is about \$150 billion per year across all governmental units. That is a massive cost imposed on us by the Biden–Harris Administration.

You said that gang members never should have been let into this country. The vast majority of these people, as sympathetic as I am of people who want to come here for opportunity, they do not qualify for asylum.

Asylum is a very tough standard. You have to be persecuted by your government or threatened with persecution under some very limited—I cannot remember all of them, but race, gender, part of a club, some kind of social group, or political group.

Again, it is a very tough standard. Most people coming to this country, other than the criminals, are economic migrants and, again, we might welcome them in a legal system, which is one of the travesties, by the way of this open border. It has set back establishing a functioning legal immigration that is controlled, that brings people in to improve our economy.

I am for a robust legal immigration system and we need one. We certainly need one here in Wisconsin, certainly in your district, with all the farmers. We need workers. We need laborers.

Immigrant laborers do a great job. They come in here, they work their tail off. It has to be a legal system and cannot establish that until you secure the border. So, Biden has set back establishing that legal system I do not know how many years. It is a travesty.

Mr. VAN ORDEN. It is, and just for a couple stats out of the—at one point they had 17,000–20,000 some rotating through Afghan refugees at Fort McCoy, which I represent.

We went back and looked at every single Afghan that came here that was eligible for a special immigrant visa. They worked with the U.S. Government during the war. Guess how many of those people qualified for SIVs?

Senator JOHNSON. Probably not many.

Mr. VAN ORDEN. Zero.

Senator JOHNSON. Not many.

Mr. VAN ORDEN. The answer is zero, Senator.

Senator JOHNSON. I was right.

Mr. VAN ORDEN. That is less than not many. The last thing is we are looking at about 250,000 missing children, correct? The Biden Administration has lost—

Senator JOHNSON. Yes, that is what the whistleblowers are talking about in our hearings. Yes, 85,000—as I said, that is a low number.

Mr. VAN ORDEN. Yes. Let us make sure that is in the record, that the Biden Administration under the Harris border czarism is solely responsible for losing almost a quarter of a million children into the United States that are most likely being trafficked—

Senator JOHNSON. Knowing full well that they were releasing them to the hands of probably members of transnational criminal organizations, human sex traffickers, knowing full well that—again, it was not a surprise to them.

Mr. VAN ORDEN. With that, I yield back, Mr. Chair.

Mr. TIFFANY. Thank you. I now recognize Representative Steil.

Mr. STEIL. Thank you very much, Mr. Chair.

Senator Johnson, thank you for being here with us today. Thanks for coming to Whitewater as we discuss the issue. We are going to get into that in the second panel.

I just want to come back to your chart here. Both of us come—if we can keep the chart up, if you would. Can we keep that same chart?

That chart has everything except one thing. What would that chart look like during the Biden–Harris Administration if you added got-aways?

Senator JOHNSON. About a couple million more people.

Mr. STEIL. I think as we are stage setting here—

Senator JOHNSON. These are encounters. So, yes—

Mr. STEIL. I am supportive of the chart.

Senator JOHNSON. I would have a different scale.

Mr. STEIL. That is what I wanted to do in the stage setting of this because we are going to get into a great next panel. This only captures part of the problem. It is a huge problem. This captures part of the problem.

In addition to that, you have millions of got-aways, and if we just think intuitively some individuals, as you have noted, turn themselves in to abuse our parole system, to abuse the catch and release policies of the Biden–Harris Administration.

Other individuals are not interested in turning themselves in and allowing the abused system of the Biden–Harris Administration to give them paperwork to be released into the United States. If we think intuitively who might those individuals be that do not want to be caught in the first place?

Senator JOHNSON. Those would be the bad hombres, I guess. You talked about abuse. I mentioned when it came to the UACs and the DACA that it was an abuse of prosecutorial discretion. What this administration has done with parole, it is a strange term, and what parole means for immigration is you are allowed in the country for a special purpose, like to get a medical treatment, or you have got a family member that died and you are coming in very short term for that medical treatment or to attend that funeral.

They have granted that to well over a million people. Again, it is supposed to be case-by-case basis and they just expanded it. So, again, it is a lawless, like, the President—like the Obama Administration these are lawless administrations. They are afraid for our democracy? They are the danger to our democracy.

Mr. STEIL. I totally agree. I think when we also think about the got-aways, when we think about those individuals who are crossing who have a criminal background, who have previously been deported, who may be trafficking drugs, those are the individuals likely to try to avoid the encounter, that are coming into the United States in large numbers.

Then, when we think about the policies of sanctuary cities and we know Dane County operates as a sanctuary city because ICE makes it clear that Dane County does not coordinate with them, we know the danger that poses into our communities as was pointed out by Congressman Van Orden, the impact that is having in our State.

There has been State legislation where we could have had an opportunity to ban sanctuary cities here in the United States and we have not been successful in doing that under Democratic leadership in this State.

Senator JOHNSON. By the way, something you know the border with Mexico is 100 percent secure on the Mexican side. You do not cross that until you pay the trafficking fee.

OK. So, the cartels they will funnel hundreds of thousands of people into one area so they can probably the higher value—you probably get a higher trafficking fee for trafficking the bad hombres as known or unknown got-aways.

Mr. STEIL. I appreciate your testimony. I look forward to the second panel.

Mr. Chair, I yield back.

Mr. TIFFANY. I now recognize Represent Bentz for questioning.

Mr. BENTZ. Thank you, Mr. Chair.

Senator, thank you so much for being here. When I first saw your chart I thought it was something showing us inflation. That is what I thought that was.

Here is the point. The point is the Biden Administration suggests that now that inflation has eased off a bit all the consequences somehow evaporated and they did not and that is—the same is true for your chart on immigration, is it not?

It is way down but what about all those 7–9 million people that now are here? So, there seems to be—we had the head of Homeland—former head of Homeland Security in front of us the other day, and he was talking about how there might be some means of removing people from the United States but then he admitted it would be extraordinarily expensive and extremely difficult.

So, the challenge is it not—and that is why I am looking forward to the second panel—of how in the world do we now deal with these folks that are here and probably never going to leave?

That, to me, is where our discussion is going to go. We can talk about who caused this—the Biden Administration, your chart shows. Now what?

So, that is my question to you. Now what?

Senator JOHNSON. Well, for those of you who have been to the border you also probably saw what I saw is so many young pregnant women in their eighth or ninth month. Of course, they come here and that child is a U.S. citizen which, personally, I believe we ought to do away with birthright citizenship. We are in the minority of countries that grant that and that is just another magnet to come here.

I hope under a serious administration deporting criminals will be reasonably easy but past that point it is going to be very difficult. Because of birthright citizenship are you going to really separate a child from—an infant from their mother and father?

So, no, this is something we are going to have to grapple with. I hope as Republicans we do it with a great deal of humanity. Take a look at how people—again, they were welcomed in. Yes, they came in illegally but they were welcomed in by the Biden Administration.

So, I think we have to factor that in and figure out in some way, shape, or form how do we deal with these people with humanity, the ones who have behaved, that are working, they are not a burden on society.

That is something we are going to have to grapple with. That would be a very serious issue and I hope it does not break down on party lines. I hope this is something we can work with on a bipartisan basis. We have got a real problem on our hands.

Mr. BENTZ. We do. The \$150 billion a year into the indefinite future of cost and one in 10 being entitled to asylum, at least, that is what our hearing record shows one in 10.

The other nine they should not have come across even though, as you say, they indeed were welcomed in by the Biden Administration. Thank you, Senator, so much for being here today.

Senator JOHNSON. Thank you.

Mr. TIFFANY. If there are no further questions, Senator Johnson, thank you so much for joining us today. We appreciate it.

Senator JOHNSON. Thank you so much.

Mr. TIFFANY. We are now going to move on to our—by the way, thank you for creating that chart and saving a person's life.

We are now going to move on to our second panel, and as it is set up I am going to do the introductions of the people that are going to be on this next panel.

First, we have the Hon. Eric Toney. He is in his 12th year as District Attorney for Fond du Lac County and is the former President of the Wisconsin District Attorneys Association, currently serving as past president. Prior to being elected district attorney, he was in private practice focused on mental health, juvenile criminal defense, and bankruptcy law.

District Attorney Toney manages an office that files thousands of criminal cases each year and has personally prosecuted hundreds

if not thousands of those cases including cold case homicide, sexual assault, drug conspiracies, gang crime, domestic violence, drunk driving, violent crime, racketeering, human trafficking, and election fraud.

Jacob Curtis is a General Counsel and Director of the Center of the Investigative Oversight at the Institute for Reforming Government. He was appointed by Governor Walker to serve as Chief Legal Counsel at the Wisconsin Department of Natural Resources.

He also previously served as Deputy Legal Counsel at the Wisconsin Institute for Law and Liberty. Was a policy advisor to a State Senator and served as an elected County Supervisor. Mr. Curtis also serves in the Wisconsin Air National Guard.

Rick Rachwal is the cofounder and Vice President of the Board of the Love, Logan Foundation. Mr. Rachwal and his wife Erin founded the organization in August 2022, following the fentanyl poisoning of their 19-year-old son Logan.

The foundation educates and informs communities around the country about the impact of fentanyl and how education and awareness can save lives.

Rick is also a lead engineer for the Eaton Corporation located in Waukesha, Wisconsin. We want to thank Erin for having appeared a 1½ years ago before our Committee to testify and we appreciate Rick is here today.

Henri Kinson was born and raised in Whitewater, Wisconsin, grew up attending Whitewater public schools, served on the Whitewater school board for seven years and has four sons, all of whom have attended Whitewater public schools.

He holds a bachelor of Business Administration and a master of Business Administration. He is a certified Public Accountant and a certified Information Security Auditor.

Sheriff Dale Schmidt has served in the Dodge County Sheriff's Office since 2004, first as a Patrol Deputy, then a Sergeant, finally taking over as Sheriff in 2015.

Prior to 2004 he served as a police officer in multiple Wisconsin jurisdictions including the village of Winneconne and Horicon. He also currently serves as the President of the Badger State Sheriff's Association.

Sheriff Schmidt holds an associate's degree in Police Science from Fox Valley Technical College and is a nationally certified drug recognition expert and a standardized field sobriety test master instructor.

We welcome our witnesses and thank them for appearing today and we are going to begin by swearing all of you in. Would you please rise and raise your right hand?

Do you swear or affirm under penalty of perjury that the testimony you are about to give is true and correct to the best of your knowledge, information, and belief so help you, God?

[All witnesses answer in the affirmative.]

Mr. TIFFANY. I notice that each of the witnesses proclaimed in the affirmative. You may be seated.

Please know that your written testimony will be entered into the record in its entirety. Accordingly, we ask that you summarize your testimony. We are going to have Sheriff Schmidt go first with his testimony. You have five minutes, sir.

STATEMENT OF SHERIFF DALE J. SCHMIDT

Mr. SCHMIDT. Thank you, Mr. Chair, and the thank you, the Members of the Committee, for having me here today.

I really do appreciate the opportunity to be able to speak not only as the Dodge County Sheriff, but on behalf of many of the sheriffs. I understand I am the President of the Sheriffs Association. Some of the things—

Mr. TIFFANY. Would you pause for just second? I would ask the other Members on the panel please silence your mic and you will see with the light. It might eliminate some feedback. We will see what happens.

Mr. SCHMIDT. Certainly.

Mr. TIFFANY. Sheriff Schmidt, continue.

Mr. SCHMIDT. Thank you. I represent many opinions of the sheriffs of the Sheriffs Association, not all, so I am not speaking as the president here today, but I do have a number of incidents that I would like to share with everybody.

As you know, being the sheriff is a very tasking job. There is a lot of work that I have to do. This morning I was out looking for a young lady who was missing. Found her, thankfully.

Right now I am supposed to be back where—I have 17 individuals doing a search warrant on a homicide investigation. There is a lot of things that we have to do. I thank you for taking your time to be here in your home State or come from across the country to be here.

I do note, along with Mr. Van Orden, what he indicated earlier—I am disappointed that we do not have individuals here to hear what we have to say here today.

We are your constituents and we have concerns, and I thank you for hearing them. I hope you can take them back to the other side and share them, but it is very important stuff for you to hear, and I really thank Senator Johnson for being here. Where is Senator Baldwin and the other Members of the other side?

That is very concerning to me as a constituent. I elect you to be here just as Congressman Fitzgerald elects me to be his sheriff. I have a responsibility to him, you have a responsibility to me, and I appreciate you hearing what we have to say.

With that being said, some of the sheriffs have shared some very serious things with me. If Trump does not win this election we are screwed. That is a quote from one of our sheriffs.

Another sheriff—people do not understand how bad it is. If you would have asked me 10 years ago when I became sheriff if I would be sitting here in front of you talking about a border crisis I would have said no way. No way. We are not in a position where it is going to be this bad.

I am here to tell you that is not the case. You, obviously, know that is not the case. In my 24 years of law enforcement I have never seen the type of criminal element from outside of our borders in our home State here of Wisconsin—our border State of Wisconsin—like we are seeing now.

It did not take me long to reach out to our fellow sheriffs and say, hey, what have you got around the State, for them to come back to me with some incidents, and there is crimes of all kinds from around the country—around the State.

I am going to start with a couple of them in my own county that happened here recently. The first one—really, the first arrest took place under President Trump at the very end of his first term.

The DEA in collaboration with our agency made an arrest of an individual from the Sinaloa drug cartel in which they seized 81 pounds of methamphetamine—81 pounds. That is a small human.

Five and a half ounces of fentanyl. Five and a half ounces of fentanyl will kill 156,000 people. From one person, from a cartel member that lived in the city of Juneau, 3,000 people—my county seat.

I am here to tell you we have cartel members in every single one of the counties in Dodge County—I am sorry, in the State of Wisconsin. It is happening and we thought, OK, the DEA is here. The Federal Government is here to save us on this one.

No prosecution. He was arrested—no prosecution. They were going to work him. To this day, I do not know that this individual has ever been prosecuted for any of those offenses.

In November 2022, our drug task force came to me and said, “hey, we have got this guy again.” I said, “What do you mean we got this guy again?” I thought—why is this guy not in prison?

No, we have got this guy again, and they had some controlled buys into him, made an additional arrest and ended up with four pounds of methamphetamine—another four pounds—2.1 pounds of marijuana and \$51,000 in suspected drug money, which was all seized.

My people did the right thing. I do not know what happened after that transition to power to the Biden Administration because under Trump’s Administration they were doing a good thing and then all of a sudden it just fell off the table and nothing happened.

Two years later into the Biden–Harris Administration we have to come back and arrest this guy and we have possession with intent to deliver more than 50 grams of meth, possession with intent to deliver marijuana, 200–1,000 grams, maintaining a drug trafficking place, possession of drug paraphernalia, three counts of manufacturing and delivery of methamphetamine.

Blows me away. We have him in prison now. The State is now paying for him to be in prison. He should not have been here in the first place and the State is going to pay for him to be in prison for 18½ years and then have him on supervised release for 10 years when he should not be here in the first place or should be in Federal prison.

That is a problem. That is a problem that is now on the Wisconsin taxpayers to take care of him.

Another comment that was made earlier about law enforcement in other countries, we do not have them taking a hold on our State here in Wisconsin, yet. It is coming.

We will have more cartel members coming into the State of Wisconsin. We will have more instances of individuals threatening our families. It is going to happen just like it happens in Mexico if this continues and if we do not stop this.

I am fearful for my family. I am fearful for the family of those that serve with me that when we have cartel members, and if we are going to arrest individuals that they are going to turn around

and say—they are going to hand us that DVD and say, what are you going to do, if we do not do something soon.

Other incidents—we had a scammer from India. Tried to scam somebody out of \$81,000 in Dodge County just last month. We were able to get in, intercept, and take this person into custody in the midst of a deal.

We do not always get to do that. This was really cool. We got him in custody. He is now in our court system and we are hopefully working on some kind of deportation process, but we got a \$100,000 cash bond.

We will take care of it here at the State because the Federal Government is not doing it, but I sure wish the Federal Government would.

Fond du Lac County incident. The individual on March 22, 2024—the individual was stabbed. An illegal alien left the victim for dead. Just left her for dead.

Fond du Lac County, in collaboration with two other counties, was able to take this individual into custody and on multiple charges—first degree intentional homicide, mayhem, first degree reckless injury, and aggravated battery. Those are all pending.

Another Fond du Lac County. Just over the county border, 12-year-old female had just shown up at somebody's door. She broke away from somebody who was sexually assaulting her. Had her bound, had her gagged, and had her blindfolded.

He broke—she broke away. She had enough power to get away and get to somebody's home and seek help. Here just—and he paid for her. He paid for her from her mother. Unbelievable stories that we are hearing right here in Wisconsin.

Oconto County—an individual who was found dead laying in a park in Green Bay Shore's State wildlife area. The Oconto County sheriff tells me that his staff worked really hard on this only to find out that this individual, the victim, was dealing and this individual owed the suspect money. The suspect is—it goes fine.

Someone picks him up at his home, takes him out to the park, couple rounds, puts him down and here we have a homicide in Oconto—quiet Oconto County in Northeast Wisconsin.

I could go on. Time after time there is all kinds of incidents. We have illegal driving—people not having licenses. We cannot identify them—incidents where we are stopping people on the side of the road and we cannot identify them. One incident on Highway 41 right in our county four individuals. None of them would identify themselves to us.

One of them we figured out who it was. Three of them we took to the jail. One we find out has a U.S. Marshal Service warrant and you know the U.S. Marshal Service warrants are not cheap warrants. They are felony warrants. We did not know who that was. A 40-minute ride to jail before we figured out who it was.

More and more of these individuals are coming into our county. Fentanyl is killing people. We have 1,500 people a year dying in Wisconsin because of fentanyl overdoses, and I would love to put up a border around Dodge County or around the State of Wisconsin. We need the Federal Government to do that at our Southern border.

I appreciate your time. I have got so much more, but I know I am out of time and welcome any of your questions.
[Prepared statement of Mr. Schmidt follows:]



United States House Committee on the Judiciary

“The Biden-Harris Border Crisis: Wisconsin Perspective”

Hearing Date: Thursday, October 24, 2024, at 10:00 am
Location: Milwaukee Federal Building and U.S. Courthouse
517 E. Wisconsin Ave, Milwaukee, WI 53202

Written Testimony of Sheriff Dale J. Schmidt
Dodge County Sheriff
President – Badger State Sheriffs' Association

Chairman Jordan, Ranking Member Nadler, and the distinguished Members of the Committee, my name is Dale Schmidt, and I am the Sheriff of Dodge County in the great state of Wisconsin. I also serve as the President of the Badger State Sheriffs' Association (BSSA) representing all 72 Wisconsin Sheriffs. Finally, I am Congressman Scott Fitzgerald's sheriff and am honored that both of us can be here representing Dodge County, the 5th Congressional District, and the State of Wisconsin.

If you had told me 10 years ago when I took office as Sheriff, that I would be sitting here today, in essence, as a southern border state on the far northern border of our great nation, I would not have believed it. This was especially true while under the Trump Administration when we were at a point where we had seen more progress in border security than I have ever seen in my 24 years in law enforcement. Make no mistake, the criminal element was already here, and it would have taken years to see significant progress in removing the criminal element that was already here. However, we were seeing positive efforts in shutting down the free movement of illegal drugs flowing across our southern border and making its way to Wisconsin.

Over the last 4 years, we have seen a huge increase in the amount of crime across our great state, crime which has been perpetrated by individuals who should never have been allowed entry into the country in the first place. These illegal aliens have caused death and despair for so many Americans, including right here in the State of Wisconsin.

DODGE COUNTY

Incident #1

The evidence of our southern border crisis and the criminal activity surrounding it making it to Dodge County, Wisconsin, couldn't have been clearer than in an investigation that happened right in the county seat of Dodge County, in Juneau. Juneau is a quiet bedroom community with very low rates of crime, but with less need for intense law enforcement, it apparently also means it is the perfect place for the Mexican Drug Cartels to set up shop.

In October 2020, it was clear that the United States Drug Enforcement Agency was on the right track as they arrested **Francisco "Chicho" Gonzales Diaz**, a member of the Mexican "**Sinaloa Drug Cartel**" who was located with 81.13 lbs. of methamphetamine and 5.5 ounces of fentanyl at his home.

You would think that after this federal arrest, an individual like this would not be able to maintain his status living in our community, especially with this kind of weight of a very deadly substance. To be clear, 5.5 ounces of fentanyl is enough to kill 156,000 people as a lethal dose is 2mg for a typical person ([dea.gov/resources/facts-about-fentanyl](https://www.dea.gov/resources/facts-about-fentanyl)). Unfortunately, **no action took place following this arrest**, and this individual was not charged. It is unclear if charges have ever been filed, even after he appeared on our radar again.

However, in November of 2022, the Dodge County Drug Task Force, after tracking new activity from **Francisco "Chicho" Gonzales Diaz**, controlled buys were made of an additional 172.09 grams of methamphetamine.

In late November of 2022, the Dodge County Drug Task Force executed a swear warrant on **Francisco "Chicho" Gonzales Diaz's** home and this time located 4 pounds of methamphetamine, 2.1 pounds of marijuana, and \$51,907 in suspected drug money.

Following our arrest, **Francisco "Chicho" Gonzales Diaz** was arrested for:

- Possession with intent to deliver more than 50g Methamphetamine
- Possession with intent to deliver Marijuana 200g-1000g
- Maintaining a drug trafficking place
- Possession of drug paraphernalia
- Three Counts Manufacture/Deliver Methamphetamine

Francisco "Chicho" Gonzales Diaz was sentenced in Dodge County Court to 18 ½ years of initial confinement and 10 years of supervised release as the state did its job in protecting the citizens of Dodge County. However, the state now must bear the burden of corrections for this individual when under the Biden/Harris Administration he should have been held accountable and removed from our country before he could continue his cartel work in our community.

Incident #2

A scammer from India was arrested for attempting to defraud a Dodge County Resident.

On Wednesday, September 18, 2024, the Dodge County Sheriff's Office was notified of a phone scam where the caller attempted to defraud a 61-year-old town of Lowell resident. Due to the immediate reporting of this violation, investigators were able to take over communications with the scammer and pose as the victim. The scammer identified themselves as an agent with the Federal Trade Commission (FTC) and requested for the victim to withdraw all their money from the bank in cash. The scammer claimed this was due to having a compromised social security number and bank accounts, and the scammer claimed that the FTC would issue a new social security number and new bank accounts to the victim.

The criminal organization sent a person from the Chicago, Illinois area to the victim's residence to pick up the funds. The Dodge County Sheriff's Office utilized an undercover law enforcement officer to complete the transfer to the suspect. Immediately after the transfer occurred, the suspect was arrested. This criminal organization attempted to defraud the victim of over \$81,000.

Laxit Devendra Patel, an 18-year-old man illegally here from India, had his initial appearance at the Dodge County Circuit Court. He was charged with conspiracy to commit money laundering and conspiracy to commit theft by false representation. He is currently being held in custody on a \$500,000 cash bond. As always, all persons are innocent until proven guilty in court.

FOND DU LAC COUNTY**Incident #3**

On March 22, 2024, in neighboring Fond du Lac County, Sheriff Ryan Waldschmidt's agency handled a stabbing. The suspect and reported illegal alien, Fermin Teodoro Lopez Mendoza, fled the scene after leaving the victim behind with life-threatening injuries.

On March 24, 2024, the Sheriff announced that an extensive manhunt took place in conjunction with 2 other sheriff's offices, and the subject was taken into custody after identifying additional criminal activity. Significant resources were expended by the 3 counties in this investigation and as a result, he is now facing charges for:

- First Degree Attempted Intentional Homicide
- Mayhem
- 1st Degree Reckless Injury
- Aggravated Battery

*This case is still pending and all persons are innocent until proven guilty in court. *

Incident #4

In another case in Fond du Lac County, on May 19, 2024, deputies were dispatched to a sexual assault. A 12-year-old female had just shown up at the door seeking help. She had just fled from a vehicle after a male subject, **Juan Carlos Rocha Mejia** had bound and blindfolded her and was attempting to assault her. Bravely, she fought back and broke free from the subject running for help. Due to outstanding work by Fond du Lac area law enforcement, they located the subject and took him into custody.

This investigation was complex and involved numerous serious potential crimes including sexual assault of a child, false imprisonment, child human trafficking, failure to protect a child, and others. It is alleged that the suspect paid the victim's mother, who he knew, in exchange for spending time alone with the victim. Detectives determined the suspect of the assault was a 30 or 31-year-old Nicaraguan man (legal identity yet to be determined based on multiple aliases) who entered the United States illegally from Mexico into Texas in October of 2021. At that time, he was apprehended by US Customs and Border Protection agents, processed at a federal facility, and released from their custody with instructions to follow per current federal immigration policy. The mother has also been arrested for numerous crimes related to this incident, and she also entered the country illegally.

Juan Carlos Rocha Mejia has been charged in court with the following offenses, but of course, all persons are innocent until proven guilty in court.

- 1st Degree Child Sexual Assault w/ Person under 16 – Use/Threat of Force/Violence
- Child Enticement – Sexual Contact
- False Imprisonment
- Strangulation and Suffocation

OCONTO COUNTY**Incident #5**

On Monday, February 22, 2021, at approximately 6:26 AM, the Oconto County Sheriff's Office Emergency Communications Center received a 911 call regarding a body being found in the parking area of the Green Bay Shores State Wildlife Area on Lade Beach Road which is located Oconto County.

Oconto County Sheriff's Office personnel responded to the scene. Sheriff's Office personnel arrived on the scene and confirmed there was a deceased male located in the parking area. Law enforcement believed the male had been there for some time due to being partially covered in snow.

While processing the scene, several fired 9mm ammunition cartridge cases were located near the decedent. Medical Examiner personnel advised the deceased male had injuries

consistent with gunshot entry and exit wounds. Law Enforcement teams did not locate a weapon at the scene and began investigating the death of the male as a homicide.

During the investigation, it was determined that the victim left a residence in the City of Green Bay. Witnesses indicated he left voluntarily with an unknown individual.

On Monday, May 17, 2021, a 32-year-old male Manuel Antonio Herrera-Hernandez, and a 30-year-old female both residing in the Green Bay area were arrested following a traffic stop in the City of Green Bay. Herrera-Hernandez and the female were arrested for numerous drug-related charges. During the initial interview with the female, she told investigators that Herrera-Hernandez admitted to her that he had shot and killed the victim.

Subsequently, investigators conducted another interview and during the interview, she admitted to being in the vehicle when Herrera-Hernandez shot and killed the victim. The female stated she and Herrera-Hernandez had picked up from a residence and drove to a secluded area where Herrera-Hernandez shot and killed the victim.

Investigators interviewed with Herrera-Hernandez. During the interview, Herrera-Hernandez admitted to shooting and killing the victim. Herrera-Hernandez stated they picked up the from a residence and then drove the victim to a remote location. Herrera-Hernandez admitted to having the firearm with him and stated the victim owed a drug debt. Herrera-Hernandez admitted to shooting several times. During the investigation, law enforcement also learned that the victim was involved in the sale and distribution of illegal narcotics in the Green Bay area.

A Charge of First-Degree Intentional Homicide is pending in the Oconto County Courts against **Manuel Antonio Herrera-Hernandez**. Of course, all persons are innocent until proven guilty in a court of law. **Manuel Antonio Herrera-Hernandez** has also entered the United States illegally.

COLUMBIA COUNTY

So far, the Columbia County Sheriff has reported to me the following types of incidents which have occurred in 2024:

Incident #6

- Many drivers, that are not citizens and with no valid driver's license are committing traffic offenses.

Incident #7

- Attempted homicide occurred at Alsum Produce. This was a stabbing of an ex's new friend, and the illegal alien suspect was arrested. (From Nicaragua)

Incident #8

- A fatal motor vehicle crash occurred where the suspect born in India, illegally here, ran a stop sign and killed a resident. He did have a valid California Driver's License and unknown how he got here.

CONCLUSION

The above 8 incidents span crimes including traffic violations, drug pedaling, sexual assault, attempted homicide, and homicide. In addition, the non-stop flow of fentanyl and methamphetamine has not simply made the drugs more accessible in our country, but the flow of illegal drugs has vastly increased the number of people who have died in our country because of overdose death. The number of hospitalizations in our country is staggering.

Our law enforcement does not have the resources needed to curb the crime that the southern border has allowed into our country. As you know, law enforcement is forced to wear many hats. We are asked to be law enforcement officers, health care workers, mental health professionals, and counselors, but we are now being asked to pick up the pieces because of a broken border. Our citizens are paying a heavy price as mothers and fathers are losing their sons and daughters to overdose death. Families are suffering as their loved ones are sexually assaulted by people who should not be in our country. Still, others have lost their loved ones because of evil acts of homicide. Finally, we have people here within our borders who are actively working to scam our citizens with their hard-earned money.

I thank you for the opportunity to testify before you. The examples listed above are a mere sampling of the incidents that are occurring every day here in Wisconsin by people who never should have been here in the first place. Law enforcement is fighting an uphill battle. We need your help in Congress to close the border, but to not allow the discussion to end there. Criminals who are in our country need to be deported and never allowed to return. Amnesty provisions of border security bills are dangerous and will only prolong the suffering our citizens are facing.

I will leave you with the 2025 priorities of the National Sheriff's Association and ask you for help and support in resolving these priority issues as they are not simply border state issues, they are national issues for sheriffs and police departments nationwide.

- Open borders result in unknown whereabouts of undocumented individuals in communities.
- There is an increase in documented cases of serious crimes including sexual assaults, aggravated assaults on officers, and homicides committed by undocumented individuals.
- Local law enforcement is overwhelmed with additional violent crime, gang, human trafficking, and drug-related issues

Mr. TIFFANY. Thank you, Sheriff Schmidt.
Mr. Curtis, you may begin.

STATEMENT OF JACOB J. CURTIS

Mr. CURTIS. Good morning, Mr. Chair and the Members of the Committee.

It happened fast and with little explanation or resources. In 2022, the city of Whitewater began to observe an increase in migrants from Central America. Whitewater Police Chief Daniel Meyer saw an increase in various law enforcement activity relating to issues not normally associated with local residents.

He noted in an email to a Walworth County official that, quote,

Within the last month or so our department has had contact with an increasing number of Nicaraguan migrants who have recently moved to our area.

I do not have much of an estimate of how many people have moved into the city at this point, but a number of the adults have found jobs at larger businesses in our area.

We recently have had a number of criminal investigations involving some of these individuals and we have also had children from some of these families within the school district who have been reported truant.

All told, from 2022–2023, the city estimates at least 1,000 migrants from Central America quietly established themselves in the sleepy college town of 15,000, a population increase of, roughly, seven percent.

The city has struggled to deal with the increasing strain on law enforcement resources, housing over capacity, and the challenges associated with educating children with no formal background in schooling and often lacking basic English skills.

These increasing burdens culminated in the police chief offering a letter to the White House on December 28, 2023, highlighting the strain that had been placed on existing resources and describing the challenge as, quote, “a critical humanitarian issue.” A nearly identical letter had been sent the previous week to DHS Secretary of Homeland Security Alejandro Mayorkas.

These letters resulted in additional communications from Wisconsin’s congressional Delegation and the Wisconsin legislature as well as a significant number of State and national media requests.

While many media outlets moved on to the next story the city of Whitewater has continued to struggle to meet the demands from the newcomers. To determine the full extent of the challenges on March 14, 2024, the IOG Center for Investigative Oversight submitted a series of public records requests to the police chief, who fully complied with the request and provided over 400 responsive records.

The IOG’s review of the records provided by the city uncovered numerous revelations which were detailed in a June report that is being provided to the Committee.

The eight key takeaways include the following.

(1) While numerous public officials have attempted to highlight the challenges, the Nation’s broken immigration system and open borders continue to place an unmanageable burden on local units of government. Nationally touted funding programs are either unavailable or insufficient.

(2) Unlike sanctuary cities, it does not appear the city of Whitewater sought the immigrants. Instead, the city’s theory explaining

the sudden influx revolves around a complex web of ample student housing following COVID, a need for farm and manufacturing labor, and the congregation of sponsor families in and around the city that were then identified by migrants at the border.

(3) Despite the presence of notorious MS-13 gang members from Nicaragua and investigations that have led to the seizure of significant cartel funds, confusion remains as to the processing and potential deportation of violent criminals.

Emails reflected uncertainty regarding the process for contacting ICE as migrants await immigration hearings in Chicago.

This is particularly troubling considering the identification of known international crime syndicate members within the city.

In December 2023, the police chief thanked ICE for, quote,

The recent assistance in our city removing an individual who had been identified as a wanted MS-13 gang member from Nicaragua.

A Member of this Committee in a January's letter to the police chief made reference to the infiltration of Mexico's gulf cartel in Whitewater, and while unrelated to the situation in Whitewater and was already mentioned by Congressman Van Orden it was recently reported that a woman was sexually assaulted in Prairie du Chien by a suspected member of Tren de Aragua, the violent criminal organization born a decade ago in Venezuelan prisons.

Simply put, while the exact scope and extent of these criminal operations in Wisconsin is not clear their very existence in the State should motivate every policymaker to secure the Nation's borders.

(4) At various points city leadership sought assistance from the State including the Governor's office. While meetings took place there was an emphasis on the private nature of the meeting and a request to keep the meeting, quote, "low profile to avoid the press."

(5) city officials were made aware of deplorable living conditions including children sleeping in sheds during subzero temperatures, children left at home unattended while parents worked, a 14-year-old being forced to work 30 hours per week by her father, and small apartment units where children were forced to cohabitate with 8-10 adults.

The pairing of nonfamily members has resulted in allegations of sexual assault involving young females and other acts against victims including the discovery of a deceased child discarded in a ditch in a bag.

At the time of the IOG report there were 10 open sexual offense cases involving migrants in the city.

(6) As a result of increased costs to the city's police department and school district, both taxing entities are considering property tax referendums possibly as soon as Spring 2025.

(7) Because of the focus on the unique law enforcement challenges associated with the migrant population such as violations for driving without a license, the police department has identified a significant decrease in proactive policing.

(8) In light of questions related to the legal status of migrants questions have been raised regarding how individuals should be identified. In particular, the city appears unsure how migrants can

obtain identification cards. Some members of the community have suggested paths for migrants to obtain driver's licenses.

Despite this lack of clarity, at least one record suggests certain migrants have been able to obtain temporary driver's licenses from the Wisconsin DMV.

In conclusion, while numerous public officials have attempted to highlight the challenges, the Nation's broken immigration system continues to place an unmanageable burden on local units of government.

Overall, many of the communications, particularly those from the police chief, make clear the city has attempted to balance maintaining an objective posture on a highly charged public policy debate, while recognizing the clear impact the influx of immigrants is having on the city's ability to protect its residents, ensure quality public education for the city's school children, and maintain fiscal solvency.

Unless and until the Federal Government secures the border and repairs the Nation's utterly broken immigration infrastructure, local units of government like those in Whitewater, Wisconsin, will be left to respond to the Federal Government's continued failures.

Thank you.

[Prepared statement of Mr. Curtis follows:]



INSTITUTE FOR REFORMING GOVERNMENT

House Committee on Judiciary
Thursday, October 24, 2024

“The Biden-Harris Border Crisis: Wisconsin Perspectives”

**Prepared Testimony of Jacob J. Curtis
General Counsel and Director of the Center for Investigative Oversight
Institute for Reforming Government
Delafield, Wisconsin**

Mr. Chairman and members of the Committee, my name is Jacob Curtis, General Counsel and Director of the Center for Investigative Oversight at the Institute for Reforming Government (“IRG”).

Background

It happened fast and with little explanation or resources. In 2022, the City of Whitewater began to observe an increase in migrants from Central America. Whitewater Police Chief Daniel Meyer saw an increase in various law enforcement activity relating to issues not normally associated with local residents. He noted in an email to a Walworth County official that “[w]ithin the last month or so, our department has had contact with an increasing number of Nicaraguan migrants who have recently moved to our area. I don’t have much of an estimate of how many people have moved into the city at this point, but a number of the adults have found jobs at larger businesses in our area ... We recently have had a number of criminal investigations involving some of these individuals and we’ve also had children from some of these families within the school district who have been reported truant.”

All told from 2022 - 2023, the City estimates at least 1,000 migrants from Central America quietly established themselves in the sleepy college town of 15,000, a population increase of roughly seven percent. The City has struggled to deal with the increasing strain on law enforcement resources, housing overcapacity, and the challenges associated with educating children with no formal background in schooling and often lacking basic English skills. These increasing burdens culminated in the Police Chief authoring a letter to the White House on December 28, 2023, highlighting the strain that had been placed on existing resources and describing the challenge as a “critical humanitarian issue.” A nearly identical letter had been sent the previous week to DHS Secretary of Homeland Security Alejandro Mayorkas. These letters resulted in additional communications from Wisconsin’s Congressional delegation and the Wisconsin Legislature, as well as a deluge of state and national media requests.

While many media outlets moved on to the next story, the City of Whitewater has continued to struggle to meet the demands from the “newcomers.” In order to determine the full extent of the challenges, on March 14, 2024, IRG’s Center for Investigative Oversight submitted a series of

public records requests to the Police Chief, who fully complied with the request and provided over 400 responsive records.

Key Takeaways

IRG's review of the records provided by the City uncovered numerous revelations, which were detailed in a June report that is being provided to the Committee. The key takeaways include the following:

- While numerous public officials have attempted to highlight the challenges, the nation's broken immigration system and open borders continue to place an unmanageable burden on local units of government. Nationally touted funding programs are either unavailable or insufficient.

In response to the City's December letters, on February 22, 2024 FEMA responded and indicated "entities in Wisconsin were not awarded [Shelter and Services Program] funding in FY 2023" because the agency had relied on an allocation model to award funding in FY 2023 to entities that previously received an Emergency Food and Shelter Program – Humanitarian award.

- Unlike "sanctuary cities," it does not appear the City of Whitewater sought the immigrants. Instead, the City's "theory" explaining the sudden influx revolves around a complex web of ample student housing following Covid, a need for farm and manufacturing labor, and the congregation of sponsor families in and around the City that were then identified by migrants at the border.
- Despite the presence of notorious MS-13 gang members from Nicaragua and investigations that have led to the seizure of significant cartel funds, confusion remains as to the processing and potential deportation of violent criminals. Emails reflected uncertainty regarding the process for contacting ICE as migrants await immigration hearings in Chicago.

For example, in one internal communication, a member of the Whitewater Police Department noted that "ICE agents told me that we can inform them of our felony arrests when the person is confined. I know we are not agents working on behalf of ICE but this email can be used to notify ICE and DHS of our felony arrests. They then decide if a detainee needs to be placed on the person. It gives ICE and DHS a head start with paperwork when they need to place a detainee on someone. They said they are notified by the jail but the person may be released before they can get the proper paperwork completed." In a separate communication, the Police Chief explained we often times don't necessarily know an individual's immigration status unless we are notified that they have an ICE detainee etc...to my knowledge we don't have access to any type of database other than contacting ICE."

This is particularly troubling considering the identification of known international crime syndicates operating within the City. In December 2023, the Police Chief thanked ICE for the "recent assistance in our City removing an individual who had been identified as a

wanted MS-13 gang member from Nicaragua.” A member of this Committee in a January letter to the Police Chief made reference to “the infiltration of Mexico’s Gulf Cartel in Whitewater.” And while unrelated to the situation in Whitewater, it was recently reported that a woman was sexually assaulted in Prairie du Chien by a suspected member of Tren de Aragua, the violent criminal organization born a decade ago in Venezuelan prisons. Simply put, while the exact scope and extent of these criminal operations in Wisconsin is not clear, their very existence in the state should motivate every policymaker to secure the nation’s borders.

- In light of language barriers and a complete unfamiliarity with basic Wisconsin law, the City and Police Department were forced to expend considerable time and resources in providing basic public education on legal standards, including educating the migrant population on driving standards, public conduct, and avoidance of various familial and sexual crimes.
- At various points, City leadership sought assistance from the state, including the Governor’s office. While meetings took place, there was an emphasis on the private nature of the meeting and a request to keep the meeting “low profile” to “avoid the press.”
- Due to the rapid increase in population, the housing market in the City has been unable to accommodate the influx of migrants. City officials were made aware of deplorable living conditions, including children sleeping in sheds during sub-zero temperatures, children left at home unattended while parents worked, a 14-year old being forced to work 30 hours per week by her father, and small apartment units where children were forced to cohabit with 8-10 adults.

The paring of non-family members has resulted in allegations of sexual assault involving young females and other acts against victims, including the discovery of a deceased child discarded in a ditch. In October 2020 police investigated multiple allegations of the same individual inappropriately touching victims, some of whom may have been minors. In November 2021, Whitewater police investigated allegations of a sexual assault by a student against another student on a school bus. According to summaries provided by the Police Department, at the time of the IRG report there were ten open sexual offense cases involving migrants in the City.

Some allegations went beyond assault. In October 2023, the Department responded to a situation involving the alleged kidnapping of a minor. Following a significant police response because the accused was believed to have access to firearms, the victim was secured and proceeded to communicate to officers that she had been held against her will for three days, had been thrown against a wall, choked, struck, and threatened with a firearm pointed to her head. Finally, in the worst example of all, a baby was found by a group of teenagers, wrapped in a garbage bag inside a box discarded alongside the roadside.

- As a result of increased costs to the City’s Police Department and School District, both taxing entities are considering referendums, possibly as soon as Spring of 2025.

- The increasing student population of “newcomers” has caused significant strain on the School District. In addition to language barriers associated with students that do not speak English and other barriers related to students that have no familiarity with U.S. education standards, school resource officers have spent considerable time locating students that either are uninterested in attending and are not being encouraged by working parents to do so or don’t have transportation options. One school resource officer noted “[m]any of the children are not even here with a biological parent, nor is there official ‘guardianship.’”
- Local businesses have been looked to for assistance in addressing some of the challenges faced by the City. Because of the need for labor from local farms and manufacturers, the City has encouraged employers to facilitate transportation to avoid unlicensed drivers traveling to and from their places of employment.
- The City has looked to local nonprofit organizations for assistance. While the City as a whole has appeared to take a nonpartisan approach to the challenge, certain nonprofit organizations may have partisan motivations. Planned Parenthood and organizations promoting increased immigration levels have been in communication with the City. Furthermore, at least one school board member in reference to Milwaukee Journal Sentinel coverage of the immigration debate asked that the story be “kept under the radar until publication, as one of my worries and concerns is that a certain political party is known to weaponize the topic of immigration as a political tactic.”
- Because of the focus on the unique law enforcement challenges associated with the migrant population, such as violations for driving without a license, the Police Department has identified a significant decrease in proactive policing. The issuance of violations for speeding and driving while intoxicated have decreased. Prior to 2021, the highest annual number of operating without a license (“OWL”) citations was 144 in 2019. In 2022, the City issued 305 OWL citations and another 282 in 2023. At the same time, while the City issued 191 operating while intoxicated (“OWI”) and absolute sobriety citations in 2018, it issued just 64 in 2023. With respect to overall traffic stops, the number of annual average stops from 2010-2021 was 2,437. In 2022 that number dropped to 1,719 and in 2023 it dropped even further to 1,447. In other words, as officers were forced to devote an increasing amount of time to issuing OWL citations and to responding to various living condition concerns at certain apartment complexes, the officers had proportionately less unobligated time to engage in proactive policing.
- In light of questions related to the legal status of migrants, questions have been raised regarding how individuals should be identified. In particular, the City appears unsure how migrants can obtain identification cards. Some members of the community have suggested paths for migrants to obtain driver’s licenses. It remains unclear how that is being accomplished under Wisconsin law.

For example, one officer noted some migrants “have stopped carrying these Nicaraguan voter ID cards with them to prevent themselves from being properly identified ... The officers feel that the drivers are now just making up names/DOB’s.” The officer also explained that searches incident to arrest have led to the discovery of documents in different

names and fraudulently obtained/made social security cards. According to summaries provided by the Police Department, at the time of IRG's report there were ten open fraud cases involving migrants in the City.

Despite this lack of clarity, at least one record suggests certain migrants have been able to obtain temporary driver's licenses from the Wisconsin Department of Motor Vehicles ("DMV"). The Police Chief himself explained he had "talked to staff at the DMV in Madison East and they were able to communicate with the Janesville DMV about servicing eligible immigrants who have passed the road test."

Conclusion

While numerous public officials have attempted to highlight the challenges, the nation's broken immigration system continues to place an unmanageable burden on local units of government. Overall, many of the communications, particularly those from the Police Chief, make clear the City has attempted to balance maintaining an objective posture on a highly charged public policy debate while recognizing the clear impact the influx of immigrants is having on the City's ability to protect its residents, ensure a quality public education for the City's school children, and maintain fiscal solvency.

Unless and until the federal government secures the border and repairs the nation's utterly broken immigration infrastructure, local units of government like those in Whitewater, Wisconsin will be left to respond to the federal government's continued failures.

IRG's June 2024 report, *Immigration Crisis in Wisconsin*, can be found here: [Immigration Crisis in Wisconsin - Institute for Reforming Government](#)

Mr. TIFFANY. Thank you, Mr. Curtis.
Mr. Rachwal, you may begin.

STATEMENT OF RICK RACHWAL

Mr. RACHWAL. Thank you, Chair, Members of Congress, and the Members of the House Judiciary Committee.

My name is Rick Rachwal. I am a husband. My wife Erin is here with me today. Father of two boys, Caden and Logan, and co-founder of the Love, Logan Foundation.

Today I share the heart wrenching story of my son Logan and the devastating impact that fentanyl has had on our family.

On Valentine's Day in 2021, my family's life changed forever. Nothing could have prepared us for the heartbreaking pain from the loss of a son and a brother.

Logan at just 19 years old died alone in his dorm room at the University of Wisconsin, Milwaukee. He took what he thought was a 30 milligram Oxycodone but, tragically, it was a counterfeit pill containing a lethal dose of fentanyl.

I will never get the image out of my head of our family walking into his dorm room and seeing his lifeless body on his bed. There was a stuffed animal next to him. He was just a child.

If there is anything as painful as the loss of a child I cannot begin to imagine what that might be. Our hopes and dreams for Logan and our family were shattered and we now live with the "what ifs" and the "what could have been."

We made it a priority to make our boys feel special, whether it was a birthday party, camping trip, family trip across the country, or cheering them on when they played their favorite sport, baseball. We were their biggest fans. Faith was also important to us and attending church together was a priority.

Logan was full of life. He had an infectious smile and was very passionate, passionate about things like our cats, music, reading, and drawing. Logan was very kind hearted and often helped others who were struggling.

Logan also had his share of struggles with anxiety, being bullied at school, and later depression. We sought out help for Logan at an early age and despite our best efforts Logan fell victim to fentanyl.

Logan was a bright and wonderful young man who deserved a future. We will always remember his smile, his spirit, and the love that he brought into this world.

As mentioned, the pill Logan took was laced with fentanyl, a substance so potent and addictive that as little as two milligrams, equivalent to just a few grains of salt, can be lethal. Fentanyl is the number-one killer in our country for ages 18–45 and has contributed to approximately 150,000 deaths between the years 2022–2023. This is over 200 deaths per day. Where is the urgent response from our elected officials?

In 2022, we lost an average of 22 teenagers per week from drug overdoses and poisonings primarily driven by fentanyl. That is like losing one classroom each week for an entire year. Again, where is the response?

Fentanyl overdoses and poisonings in Wisconsin from 2019–2021, the year Logan died, increased by almost 100 percent. Fentanyl

does not discriminate by race, gender, or financial status. Every parent and person in this room or any other room in America is at risk of being impacted by this epidemic.

You are likely to hear these tragic experiences shared from a parent's perspective like mine, but let us not forget the often overlooked impact this is having on those who have lost siblings. They have an entire lifetime with that brother or sister taken from them. Families are being torn apart.

There is also a battle against stigma associated with these deaths which I know hinders efforts to combat this poison. These are sons, daughters, grandchildren, brothers, and sisters we are losing.

They deserve a chance to recover or like Logan deserved a chance to learn from their mistakes. With fentanyl they die before they even get a chance.

This epidemic deserves more attention and a response as strong, bold, and determined as other issues have received in recent years. We secure our homes by locking doors and regulating who enters. Our government under the current administration is failing to do the same for our country.

Record numbers of unvetted migrants are entering the United States, overwhelming resources and allowing fentanyl to pour in. Mexican cartels are operating just South of our border and they are the main organizations manufacturing and distributing illicit fentanyl.

These cartels, driven by greed, have no regard for the lives lost from the poison they are pawing. These criminal organizations are in our own backyard, and yet our borders remain wide open.

Increasing awareness and education about this crisis is crucial. This responsibility has, largely, fallen on the families of victims like mine who have taken up the cause through advocacy and non-profits.

In 2022, my wife Erin and I founded the Love, Logan Foundation to raise awareness and support other families impacted by fentanyl. We want to end these tragedies, tragedies like the young man who died just nine months after Logan in the same dorm building from the same type of pill. Again, the same school, same dorm, nine months later. Where was the awareness?

Our government must also step up to educate and raise awareness to protect families from fentanyl. As I mentioned earlier, fentanyl is the number-one cause of death in our country for ages 18–45 with over 200 lives lost each day.

Given those numbers and the drastic increases in fentanyl-related deaths at even younger ages there is an urgent need for comprehensive strategies to combat this crisis.

Our families deserve better and that starts with better border policies and a commitment from our leaders to prioritize the fight against fentanyl. We cannot continue to lose our children to this preventable tragedy.

Erin and I learned the hard way that there is no level of involvement, number of vacations, Sunday school lessons, amount of money, or parental love that can eliminate the threat of fentanyl from our families.

We need our leaders, the guardians of our Nation, to honor their oath of office by protecting our country and keeping our families safe. I lost my son Logan, a wonderful human being who deserved to learn from that tragic mistake that took his life.

Please remember my son and every other American who has lost their life to fentanyl poisoning. They are more than numbers and data. Each number represents a life lost, a family torn apart, and a missed opportunity for the current administration to uphold their commitment to protect Americans.

Thank you again for this opportunity.

[Prepared statement of Mr. Rachwal follows:]

Written Testimony of Rick Rachwal
Father of Logan Rachwal (November 30th, 2001 – February 14th, 2021) and
Co-Founder and Vice-President of the Board of the Love, Logan Foundation
House of Representatives Committee on the Judiciary
The Biden-Harris Border Crisis: Wisconsin Perspectives

October 24, 2024

Good morning, Chairman Jordan and members of the House Judiciary Committee. Thank you for the opportunity to share my testimony and perspective regarding the impact the open border policies of the current administration is having on families in Wisconsin.

My name is Rick Rachwal, and I stand before you as a husband, a father of two boys, Caden and Logan, and as a co-founder of the Love, Logan Foundation. Today, I am here to share the heart-wrenching story of my son, Logan, and the devastating impact that fentanyl has had on my family.

Personal Tragedy

On Valentine's Day in 2021, my family was forever changed.

My wife, Erin, and I received a phone call that evening from Logan's best friend urging us to call the police department at the University of Wisconsin – Milwaukee, where Logan had been attending his first year of college. We knew the situation couldn't be good, but nothing could've prepared us for the gut-wrenching and heart-breaking pain we would experience from the loss of a son and a brother.

When calling back to the police department, I couldn't get anyone to talk to us. Erin and I decided we needed to make the 30-minute drive to campus to get answers. Our other son, Caden, was not at home so we called him home and proceeded to drive to the campus where we were told that Logan was found dead in his dorm room that evening.

I will never get the image out of my head of walking into his dorm room and seeing his lifeless body in his bed. There was a stuffed animal in his bed with him... a reminder that he was just a child!

That morning, while on a FaceTime call with his girlfriend, Logan took what he thought was a 30 mg Oxycodone pill. Tragically, it was a counterfeit pill containing a lethal dose of fentanyl disguised as a prescription Percocet.

Logan, only 19 years-old, died alone in his dorm room. On that tragic day, our hopes and dreams for Logan and our family were shattered and we now live with this tragedy and the "what-ifs" and the "what could have been".

Would Logan have married? Would we have become grandparents? What would Logan have chosen as a profession? Where would he have lived? Those are the lingering questions we will never have the answers for. Our son's life was cut short, denying us the opportunity to see his dreams come true. This is a story that is far too common today. The Biden-Harris administration's negligent approach to securing our borders has had a direct impact on the

amount of fentanyl that has made its way into our nation which continues to take the lives of our children.

If there is anything as painful as the loss of a child, I cannot begin to imagine what that might be. This grief will never go away. It is the most painful and devastating thing that I have ever experienced.

I remember the days immediately after Logan's passing, my heart truly ached. It felt like my chest was being crushed. I continue to carry the emotional pain with me as I stand before you today, and in every day that I live as a father who has buried his son.

I often wonder, could this tragedy have been averted? I do believe that it could have been if there were better border policies under the current president, vice-president, and their administration. What if the flow of fentanyl coming through America's border were more restricted? Would an urgent response to the known influx of fentanyl pouring in through our nation's open borders have spared my son?

I'd like to tell you a little bit about our son, Logan:

We always cherished the little moments and made sure every milestone felt like a grand celebration. Birthdays were a big deal in our family, complete with themed parties that filled our home with laughter and memories. Every year, we'd pack up and take the boys to Arizona, where Erin's grandparents' condo became our home away from home. We'd cheer together at sporting events, swim in the backyard pool we'd installed just so they could have a place to splash and play, and explore new places on family trips to Florida, St. Louis, and Washington, D.C. There was also the annual Labor Day camping trip—a tradition we never missed, no matter how busy life got.

Sundays were special for our family, we attended church together, followed by Logan and Caden heading off to youth group during the week. Our family meant everything. It wasn't just about the big occasions; it was about the everyday moments that shaped us, filled our hearts, and made our house a true home.

Logan, from the time he was little, had a happiness that shone through. His smile was like sunshine—it could light up a whole room. It wasn't just the smile that made him special; it was his kindness. He always seemed to notice when someone was having a challenging time and would go out of his way to help, especially those who were being picked on or struggling. He was passionate about many things, especially baseball, where we'd cheer him on as his biggest fans. He also loved our cats, his music, drawing, and the magic tricks that captivated him. He'd light up at the thought of visiting the local magic shop for a new deck of cards or a clever trick to master.

We noticed Logan's struggles with anxiety when he was a young boy. We did everything we could—enrolled him in therapy, social play groups, and did everything in our power to try to give him a fresh start. But as he grew older, the challenges deepened. He faced more intense anxiety and depression and was often the target of bullying for being sensitive. Despite our best efforts—talks about the dangers of drugs, therapy sessions, encouragement to take part in sports and youth groups—the burden was heavy for him.

Logan's struggles seemed to intensify after a knee surgery when he was 15. Reading his texts with friends after he passed away, we realized that his experimentation with substances likely took a serious turn around that time. We sought every possible avenue of help, including a three-month treatment program in Texas. We genuinely believed we were doing all we could to save him, but despite everything, it wasn't enough.

Logan was a bright light in our lives—a light that shone with a special warmth, even when the darkness started to creep in. We will always remember his smile, his spirit, and the love that he brought into our world.

Fentanyl Epidemic

There is no one thing that will stop the fentanyl epidemic. It requires a multi-faceted approach through reducing demand, enforcing laws, improving mental health programs and resources, educating, and increasing awareness, and stopping the supply. Our government's response to the fentanyl epidemic has been disappointing at best.

It is important to draw our attention to the fact that Fentanyl doesn't discriminate by race, gender or financial status. Every parent in this room, and any other room in America is at risk of being impacted by this epidemic. Fentanyl is affecting our entire country. Our elected officials must do more to make this an urgent priority and protect our citizens, especially our youth, from this poison. Families are being torn apart and precious lives that could have been saved are being lost.

In our middle school classrooms, children as young as 12 are being exposed to fentanyl—a deadly, highly addictive poison. This isn't just a drug problem; it's a crisis that is quietly seeping into the lives of adolescents who are still developing, both physically and emotionally. Fentanyl, even in the smallest dose poses a lethal threat, with as little as 2 milligrams capable of causing death. It is not only incredibly potent—up to 50 times stronger than heroin—but also highly addictive. Once introduced to this substance, a child can become dependent almost immediately, as fentanyl affects the brain's reward system far more intensely than other opioids. Again, this is a risk for every parent, everywhere.

Fentanyl is the number one killer of people aged 18–45 in our country. According to the CDC, over 218,000 individuals lost their lives to drug overdoses and drug poisonings between 2022 and 2023. Fentanyl contributed to approximately 150,000 of those deaths. 150,000 deaths in only two years! This is a terrifying statistic. This equates to over 200 deaths per day from fentanyl. Where is the urgent response from the government? That's equivalent to a plane crashing every day! We see the response when there is a mass shooting or an epidemic like covid. What about the urgency for fentanyl? In 2022, an average of 22 teenagers died each week from overdoses or drug poisonings, primarily driven by fentanyl. This is equivalent to losing one classroom of students per week. Again, if we lost one classroom of students every week, the response would be quite different. We are not responding to these losses with masks or government shutdowns, we do not see an increase in law enforcement, investigations, or securing of borders. The Biden-Harris administration has not made controlling the flow of fentanyl across our borders a priority. Fentanyl overdose and poisoning deaths in my home state of Wisconsin had a 97% increase between the years of 2019 and 2021 (one of those deaths was Logan), this increase happened

while the Biden-Harris administration was charged with overseeing the safety and wellbeing of American citizens.

There is also a stigma that needs to be erased. Many people who have not been affected by fentanyl hear about these deaths and just write it off to “just another addict that is off the street”. These are sons, daughters, grandchildren, brothers, and sisters being killed. These are people that deserve a chance to recover or, like Logan, people who deserve a chance to learn from their mistakes. With fentanyl, they die before they even get a chance. This stigma easily attaches itself to the victims of overdoses and drug poisonings, allowing the epidemic to continue unchecked.

The policies of this administration have resulted in free-flowing fentanyl into and throughout our country. The fentanyl epidemic deserves our attention. It deserves America's attention and a response as strong, bold, and determined as other issues have received in recent years.

Border Security and Government Responsibility

We secure our homes by locking doors and regulating who enters. Our government, under the Biden-Harris administration, is failing to do the same for our country. Record numbers of unvetted migrants are entering the United States, overwhelming resources, and allowing fentanyl to pour in.

The DEA identifies Mexico as the primary source of illicit fentanyl trafficked into the U.S., with chemicals often sourced from China. Mexican cartels operating just south of the United States, particularly the Sinaloa and Jalisco New Generation cartels, are the main organizations manufacturing and distributing illicit fentanyl. These cartels are driven by profit and greed. They have no regard for the lives lost due to the poison they are peddling. These criminal organizations are in our backyard and our borders stay wide-open under this current administration.

Fentanyl is an evil that we need to keep out of our country by all means possible. Our leaders in government must prioritize border security to prevent the overwhelming flow of fentanyl into our country. Not only is the current open border policy allowing for the increase flow of fentanyl across our border, but it is also allowing members of the cartels to enter our country to distribute these drugs to all corners of our nation.

Raising Awareness and Education

Because of the overwhelming flow of fentanyl and its high lethality, there is another critical, and unfortunately necessary, aspect to addressing the fentanyl crisis: increasing awareness and education about illicit fentanyl. This responsibility has also been lacking in our government. It has fallen onto families of the victims of fentanyl, families who have lost loved ones to this deadly substance. Family advocates and non-profits have taken up the slack because we don't want any other families to experience the tragic loss that we have faced.

This is why Erin, and I founded the Love, Logan Foundation in 2022 - to raise awareness and support other families who have lost loved ones to this epidemic. We believe that if we can prevent just one more family from going through the pain we have experienced, it is worth it. This should also be the government's motto. Our government must also do more in this area to raise awareness, educate, and protect families across the nation from the deadly effects of fentanyl.

Conclusion

As mentioned earlier, over 150,000 people in the United States lost their lives to fentanyl-related overdoses and poisonings between 2022 and 2023. Being the number one cause of death for those ages 18-45 in the United States and with drastic increases in fentanyl related deaths at even younger ages, there is an urgent need for comprehensive strategies to combat the crisis.

Our families deserve better and that starts with better border policies and a commitment from our leaders to prioritize the fight against fentanyl. We cannot continue to lose our children to this preventable tragedy.

Erin and I learned the hard way that there is no level of involvement, number of vacations, Sunday school lessons, amount of money, or parental love that can eliminate the threat of fentanyl from our families. We need our leaders, the guardians of our nation, to honor their oath of office by protecting our country and keeping our families safe. Our leaders have failed us. No number of speeches or lobbying for change will bring my son back. I stand here, in the gap, for every American child and family.

I lost my son, Logan, a wonderful human being who deserved to learn from that tragic mistake that took his life. Please remember my son, and every other American who has lost their life to fentanyl poisoning. They are more than numbers and data. Each number represents a life lost, a family torn apart, and a missed opportunity for the Biden-Harris administration to uphold their commitment to protect Americans.



Thank you for your time and attention,

Rick Rachwal
Husband and Father to Caden & Logan - Forever 19
Co-Founder of the Love, Logan Foundation

Mr. TIFFANY. Thank you, Mr. Rachwal. Your son will not be forgotten.

Mr. Kinson, you may begin.

STATEMENT OF HENRI KINSON

Mr. KINSON. Good morning. My name is Henri Kinson. I grew up in Whitewater, went to Whitewater School District, and then to undergrad at UW Whitewater.

I served on the Whitewater School Board for seven years and I am also the parent of four boys who have attended Whitewater public schools with one still a sophomore there.

I was asked to come here to testify as to the educational situation in my hometown of Whitewater due to the large recent influx of non-English speakers.

Put simply, educational outcomes by every metric are falling like a rock in Whitewater. When I attended Whitewater School years ago as a small university town our outcomes were great—certainly in the top third of the State, and always the best in the area.

Over the last four years Whitewater has had the biggest drop in academic achievement in the State for larger districts. Today, we rank in the bottom fifth of all districts across the State and are still falling.

The reasons for our falling test scores are no secret. All you have to do is go to Wisconsin's Department of Public Instruction website to see that the three drivers of academic achievement across the State are special needs kids, economically disadvantaged kids, and English learners, otherwise referred to as ESL. That is it.

The more a school district has of any of these kids the lower the academic results will be and vice versa, and it is true everywhere. Any district's test scores are basically a math problem.

So, what inputs have been changing at Whitewater? Our proportion of special needs kids, while high at about 20 percent—the State average is 14—has not been growing. Similarly, our proportion of economically disadvantaged kids is also high, but hovers around 50 percent whereas the State average is 45.

Which leaves English learners. As recently as 2021, the district had 236 English learners. Last year it was 352, an increase of 50 percent in just two years and growing. Migrant children are almost always both economically disadvantaged and ESL and sometimes special needs as well.

I just spoke with a friend who is a paraprofessional in the district whose job it is to care for special needs kids and she told me of a family that just moved here who has two out of their three kids being high special needs like having to have their diapers changed as kindergarteners.

This requires the district to transfer those kids to a special facility in Elkhorn, which costs the State even more money.

At Lincoln Elementary more than a quarter of the kids are ESL. Such a large and growing proportion of kids who are not native speakers invariably drives academic achievement down for everyone and we are no exception.

Last year, with 25 percent ESL kids in the school, Lincoln sent 80 percent of its fifth graders into middle school testing below

grade level in English. This data is public. It is from Wisconsin's own DPI.

To combat this the Whitewater school district spends hundreds of thousands of dollars trying to get the migrant kids up to speed, but these expenditures necessarily come at the expense of other things such as lowering teacher to non-ESL student ratios so overall test scores drop.

Another dynamic that many people do not think about is open enrollment. Here in Wisconsin we have public school choice so if you do not want your kid to go to your home district you can enroll them in another one.

As Whitewater's academics have declined the number of parents placing their kids out of the district has increased, which further depresses test scores and decreases revenue as the most involved parents are the ones most likely to move their kids somewhere else.

Hundreds of Whitewater parents do this every day with more than 200 kids going to schools outside the Whitewater district, more than 10 percent. This includes our own school board president who sends her kids to neighboring Elkhorn to attend school where they have less than five percent English learners and much higher test scores.

There is a boy who lives in the district who got a perfect ACT test result this spring but he does not go to Whitewater schools.

This movement of students outside the Whitewater district costs us almost \$2 million a year in revenue and illustrates the negative feedback loop that can occur as a district faces a large influx of English learners like the ones we are experiencing real time.

To see what we are heading for we do not need to look any further than our neighboring district of Delavan, which began facing an influx of English learners about 30 years ago.

It now has the highest proportion of resident kids in the State enrolling out, almost 40 percent. Forty percent of the parents in Delavan send their kids outside of Delavan. It has perennial problems passing referenda and low test scores that are actually worse than Whitewater's, but Whitewater is not far behind.

I am often asked what can be done to remedy the situation. At this point, I will ask anyone who will listen please just stop the bleeding. This is a problem not of our making and out of our control.

It is frustrating hearing politicians imply that the residents who care about their kids' instructional quality are somehow racist or xenophobes as their own children attend classes at public and private schools with few to no English learners. Some of our classrooms are half English learners.

Thank you, and I look forward to answering your questions.

[The prepared statement of Mr. Kinson follows:]

Testimony of Henri Kinson
The Biden-Harris Border Crisis: Wisconsin Perspectives
House Judiciary Committee
October 24, 2024

Good morning. My name is Henri Kinson. I grew up in Whitewater, went to the Whitewater school district and then to undergrad at UW-Whitewater. I served on the Whitewater School Board for seven years and I am also the parent of four boys who have attended Whitewater public schools, with one still a sophomore there.

I was asked to come here to testify as to the educational situation in my hometown of Whitewater due to the large recent influx of non-English speakers. Put simply, educational outcomes by every metric are falling like a rock in Whitewater.

When I attended Whitewater schools years ago, as a small university town, our outcomes were great; certainly in the top third of the state and always the best in the area. Today, we rank in the bottom fifth of all districts across the state, and are still falling.

The reasons for our falling test scores are no secret; all you have to do is go to Wisconsin's Department of Public Instruction (DPI) website to see that the three drivers of academic achievement across the state are 1. Special needs kids, 2. Economically disadvantaged (ED) kids, and 3. English learners (ESL). That's it. The more a school district has of any of these kids, the lower the academic results will be, and vice versa. Any district's test scores are basically a math problem.

So what inputs have been changing? Whitewater's proportion of special needs kids, while high at about 20% (state average 14%), has not been growing. Similarly, our proportion of economically disadvantaged kids is also high, but hovers around 50% (state average 45%).

Which leaves English learners. As recently as 2020-2021, the district had 236 English Learners. Last year it was 352, an increase of 50% in just 3 years, and growing. Migrant children are almost always both economically disadvantaged and ESL, and sometimes special needs as well. I just spoke with a friend who is a paraprofessional in the district whose job it is to care for special needs kids and she told me of a family that just moved here that has two out of their three kids being high special needs, like changing diapers. This requires the district to transfer those kids to a special facility in Elkhorn, which costs the state even more money.

At Lincoln elementary, more than a quarter of the kids are ESL. Such a large and growing proportion of kids who aren't native speakers invariably drives academic achievement down for everyone, and we are no exception. Last year, with 25% ESL kids, Lincoln sent 80% of its 5th graders into middle school below grade level in English. This data is public; it is from Wisconsin's own Department of Public Instruction.

To combat this, the Whitewater school district spends hundreds of thousands of dollars trying to get the migrant kids up to speed, but these expenditures necessarily come at the expense of other things such as lowering teacher to (non-ESL) student ratios, so overall test scores drop.

Another dynamic that many people don't think about is open enrollment. Here in Wisconsin, we have public school choice, so if you don't want your kid to go to your home district, you can enroll them in another one. As Whitewater's academics have declined, the number of parents placing their kids out of the district has increased, which further depresses test scores and decreases revenue, as the most involved parents are the ones most likely to move their kids somewhere else. Hundreds of Whitewater parents do this every day, with more than 200 kids going to schools outside the Whitewater district, more than 10% of the kids in our district. This includes our school board president, who sends her kids to neighboring Elkhorn to attend school, where they have less than 5% English Learners. And much higher test scores.

There is a boy who lives in the district who got a perfect score on his ACT test this Spring. But he doesn't go to Whitewater schools.

This movement of students outside the Whitewater district costs us almost \$2m in revenue annually and illustrates the negative feedback loop that can occur as a district faces a large influx of English Learners like the one we are experiencing in real time. To see what we are heading for, we don't need to look any further than our neighboring district of Delavan which began facing an influx of English learners about 30 years ago. It now has the highest proportion of resident kids in the state enrolling out, almost 40%. It has perennial problems passing referenda and low test scores (they are actually worse than Whitewater's). Whitewater is not far behind.

I am often asked what can be done to remedy the situation. At this point, I ask anyone who will listen, stop the bleeding. Please stop the huge influx of migrants coming to Whitewater. This is a problem not of our making and out of our control. It is frustrating hearing politicians imply that residents who care about their kids' instructional quality are somehow racists or xenophobes as the politicians' children attend classes at public and private schools with few to no English learners. Some of our classrooms are half English learners.

Thank you and I look forward to answering your questions.

Mr. TIFFANY. Thank you, Mr. Kinson.
Now, finally, District Attorney Toney, you have five minutes.

STATEMENT OF ERIC J. TONEY

Mr. TONEY. Thank you, Mr. Chair, and the Members of the Committee. I thank you for being here in Wisconsin today.

I want to just begin my comments by, Rick, thanking you for sharing your story and condolences to you and Erin for the loss of your son Logan, and the work that you are doing I think is undoubtedly saving lives.

I want to talk a little bit about Fond du Lac County. We are a county of about 100,000 people. We have numerous highways running through the community that makes us a corridor for drug trafficking.

We have seen the seizure of drugs, the quantities soaring like we have never seen before. As was previously noted, we are not seeing methamphetamine labs. We are seeing larger quantities of meth coming across the border and into our community with fentanyl being the most destructive of those deaths, and we heard the Logan story and the impact that is having.

Sadly, as a district attorney, I have sat across from too many parents that have buried their child and those conversations are never easy. When we are actually able to file a criminal case they have to come back to court day after day, month after month, sometimes year after year to relive that trauma, and these are all avoidable deaths if we just had control of the Southern border to prevent the flow of fentanyl coming into the United States.

It is not just the drug overdose deaths but I think the numbers are staggering. In Fond du Lac County in 2019 we had 19 overdose deaths. In 2020 it was 27; in 2021 it was 20; in 2022 it was 23; then last year in 2023 it was 32; and these are all families that do not get to say I love you to somebody that they hold dear, whether it be at Thanksgiving, birthdays, holidays, or family events, and this is all a direct consequence of the Southern border crisis with drugs pouring into our country.

The fentanyl crisis cannot be underscored enough. We need to make sure that we do not have more families that experience what Rick and Erin experienced and it is something that we can gain control of.

We have seen the graphs and some of the efforts that have been done during Senator Johnson's presentation, and it is not just the drug overdose deaths that we are seeing. It is the attempted homicide, sexual assaults, and human trafficking. With the testimony that I submitted, I included the criminal complaints from the cases that we filed and ethical obligations have to make sure we know that those individuals are presumed innocent and lesser until proven guilty.

We have four people charged in one drug overdose death in the city of Ripon where Vice President Harris recently visited, and a couple of them are juveniles that were charged in that homicide in relation to the delivery, and these are circumstances that a family can do everything right and they are not able to stop the scourge of fentanyl from taking a loved one.

We have seen stories from across the country, whether Laken Riley to Prairie du Chien with these issues, and it is creating a tremendous stress on our criminal justice system with the work that law enforcement is doing on the front end of trying to identify individuals that are in the country illegally committing crimes.

If they do not have a fingerprint identification system that can prevent challenges. In talking to Sheriff Schmidt earlier his agency recently purchased six of those which can help identify who those individuals are because they may not have identification and that can make a law enforcement job much more difficult.

Then when we have some of these very serious crimes that result in a hospital stay, we know that some of our hospitals struggle with bed space and that can create various issues as well.

There are issues that go beyond just the stories that we see in the news and it is happening day in and day out across Wisconsin and across the country. They are all avoidable.

One of the things we have had to do in Fond du Lac County we have had enough cases come in where we need an interpreter time slot so we can handle those cases and that had to be expanded to a second time slot because we have so many of those cases. They can take 20 minutes for one case with the translation which sucks up the prosecutor time, public defenders, courts, clerks, and adds to the cost the taxpayers are having to fund.

When we have more illegal immigrants that are being prosecuted for crime sometimes our jails operate at thin margins and counties are having to look at building new jails. Not solely because of that but that is part of the issue, and we are looking at that in Fond du Lac County and a county our size is looking at well over \$100 million to consider building a jail, and those are real costs to taxpayers in our community.

I want to just share a much more minor personal experience that I had that pale in comparison to the loss that Rick, Erin, and so many others have suffered from fentanyl.

I was driving in the city of Fond du Lac last April and I was rear ended while driving, and then pulled over and I was rear ended again, and the person that hit me fled the scene.

I appreciate that his license plate fell off his truck so that we were able to identify him, and it was a day where it was the first warm April day of the year and law enforcement was slammed. So, I was waiting over 4five minutes as our law enforcement was responding to more serious calls.

I had to take my passenger to the hospital to be evaluated for a concussion and, thankfully, she was doing well. Ultimately, the guy actually came back to the scene as well because he thought we were gone. During the investigation we found out that he was in the country illegally and he did not have insurance and it ended up totaling my vehicle.

As you might recall, trying to buy a vehicle around April 2013, was quite expensive with inflation and limited inventory, and those are consequences that people suffer day in and day out across the country, which are much more minor but can have a significant impact on those that do not have significant financial means with those type of violations.

So, we have individuals that are suffering from the consequences of crime committed by illegal immigrants, and I do want to just close by noting America is a Nation of immigrants that offers hope for a better life, a safer future, and we are that shining city on a hill and that is why people seek to come here.

My family experienced that. My great grandfather came to America from Lebanon. My grandfather fought in World War II. My dad was a police officer. I have the honor of being a district attorney and we know immigrants have built our Nation and we support it.

It has to be done legally to prevent the consequences and the crime that we are seeing and the fentanyl that is pouring across our borders, and we appreciate you taking the time to be here to listen and hear the concerns that we are experiencing.

Thank you.

[Prepared statement of Mr. Toney follows:]



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October 24, 2024

**DISTRICT ATTORNEY ERIC J. TONEY TESTIMONY TO THE HOUSE JUDICIARY
COMMITTEE**

Re: House Judiciary Committee field hearing on "The Biden-Harris Border Crisis: Wisconsin Perspectives"

Mr. Chairman and members of the committee:

I appreciate you holding this hearing in Milwaukee, Wisconsin to discuss critical immigration issues that are impacting public safety in Wisconsin as a consequence of the southern border crisis. My name is Eric Toney and I am in my 12th year as the Fond du Lac County District Attorney and I am the Past President of the Wisconsin District Attorneys' Association. My comments today are in my capacity as the Fond du Lac County District Attorney. Prior to being elected District Attorney, I spent a few years in private practice focused on juvenile, mental health, criminal, and bankruptcy law. I have seen the justice system from both sides and have had candid conversations with those charged and convicted of crimes, including some illegally in the United States.

Fond du Lac County has just over 100,000 residents and is approximately two hours north of Chicago, one hour north of Milwaukee, one hour south of Green Bay, and just over one hour east of Madison. We have Interstate 41, Highway 29, Highway 23, and Highway 26 running through the County, which makes Fond du Lac County a corridor for drug trafficking, but also a great community to raise a family based on our proximity to much of Wisconsin and Chicago. Drug overdose deaths, large quantities of fentanyl, methamphetamine, and cocaine are routinely seized off our streets and highways by the incredible law enforcement working in the community.

As a district attorney, I routinely meet with families that had a loved one stolen from them and have sat across from too many parents that have buried their child from a drug overdose death. Just last week Friday, we convicted another defendant of homicide from a fentanyl

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overdose death, a consequence of southern border crisis allowing drugs to stream into the United States and to Wisconsin.

We have seen significant increase in drug overdose deaths, with fentanyl being the leading cause of death, according to numbers provided by the Fond du Lac County Medical Examiner's Office.

YEAR	DEATHS
2019	9
2020	27
2021	20
2022	23
2023	32

We have also experienced significant crimes with illegal immigrants charged with attempted first degree intentional homicide, sexual assault, and human trafficking.

In 2024, Fond du Lac County has experienced two significant incidents leading to three illegal immigrants being charged with serious crimes. These defendants are presumed innocent unless or until proven guilty. In one circumstance, the charges allege an illegal immigrant attempted to murder his wife in a stabbing incident. Thankfully, she survived the assault and is recovering. In a separate alleged incident, a woman and her boyfriend, both illegally in the United States, were charged when allegations of child human trafficking and attempted sexual assault were uncovered involving a child being held against her will. Thankfully, the child was able to escape and is recovering from the trauma of those alleged crimes. I have submitted the criminal complaints for these cases along with my testimony for your review.

Sadly, we are hearing about tragic crimes and allegations like this all too often, from Prairie du Chien, to Laken Riely, Rachel Morin, Jocelyn Nungaray, and other victims. Families are having birthdays, holidays, weddings, and other special events where they no longer get to say, "I love you," to those they held most dear. These deaths are tragic, but they are also avoidable crimes. A secure border stops the flow of fentanyl, and other illegal drugs and prevents those defendants from being in America to commit crime.

Understandably, murder, violent crime, sexual assault, and drug deaths receive the greatest attention from crime stemming from the southern border crisis. We also experience other crimes that also have an impact on our communities and strain the resources of the justice system. Lower level crimes and traffic crimes committed by those illegally in the country tie up the resources of law enforcement, court clerks, prosecutors, public defenders, attorneys, and judges. This has a cost to tax payers and diverts those officials from other duties and more serious crimes.

Earlier this year judges in Fond du Lac County created an "interpreter" slot because of the amount of criminal and traffic cases needing an interpreter. That time slot was insufficient and

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a second slot had to be added to accommodate the volume of cases. These cases take more time because of the delay in translation from English to a second language and back to English. To some it may seem unwise to spend that time on these cases but the alternative is to take no action, which then treats someone differently than how we would treat United States citizens, simply because they are here illegally. It is unlikely that all these "interpreter" cases are all illegal immigrants, but we believe that has been the most significant factor in the need for this new scheduling.

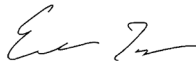
I have personally experienced a minor consequence of illegal immigration last year. In April of 2023, I was coming back from dinner when I was rear-ended while driving on a city street in Fond du Lac. When I pulled over after being struck, the vehicle rear ended us again. I turned and saw the truck flee from the scene. Thankfully the license plate fell off the truck and that assisted in identifying the driver.

My vehicle was drivable but later totaled by the insurance company requiring me to purchase a new vehicle. I also needed to take my date to the emergency department to be evaluated and thankfully she was okay. As it turned out, the driver of the truck was illegally in the United States, had no vehicle insurance, and failed to show up for court when the special prosecutor filed the charges against him. He now has an arrest warrant out for his arrest. Like all defendants, he is presumed innocent unless or until proven guilty.

This is a small example of the day to day consequences affecting Americans day in and day out as other families continue to bury their children from drug deaths.

America is a nation of immigrants that offers hope for a better life and a safer future, as that shining city on a hill, for those seeking to come here. My family has experienced that with my great grandfather coming to America from Lebanon. My grandfather fought in World War 2, my dad was a police officer, and I have the honor of serving as a district attorney. We must honor our past and recognize immigrants have helped build the greatest nation on Earth but we must also protect those here from the dangers of illegal immigration, namely drugs and violence, by ensuring we encourage immigration but only legal immigration.

Sincerely,



Eric J. Toney
District Attorney

FILED
03-27-2024
Clerk of Courts
Fond du Lac County WI
2024CF000262

STATE OF WISCONSIN	CIRCUIT COURT	FOND DU LAC COUNTY
STATE OF WISCONSIN	Plaintiff,	DA Case No.: 2024FL000954 Assigned DA/ADA: Eric J. Toney Agency Case No.: 24-2021 Court Case No.: ATN:
vs.		
FERMIN TEODORO LOPEZ- MENDOZA N5452 County Road K Fond Du Lac, WI 54937 DOB: 12/27/1973 Sex/Race: M/ Alias:		CRIMINAL COMPLAINT
	Defendant.	
		<i>For Official Use</i>

The undersigned law enforcement officer, of the Fond du Lac Sheriff's Office, being first duly sworn, states that:

Count 1: ATTEMPT FIRST DEGREE INTENTIONAL HOMICIDE, DOMESTIC ABUSE - INFLECTION OF PHYSICAL PAIN OR INJURY, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Friday, March 22, 2024, in the Town of Fond du Lac, Fond du Lac County, Wisconsin, attempted to cause the death of Victim 1, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a), 939.32, 968.075(1)(a)1, 939.63(1)(b) Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

And further, invoking the provisions of sec. 968.075(1)(a)1 Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

Count 2: MAYHEM, USE OF A DANGEROUS WEAPON, DOMESTIC ABUSE - INFLECTION OF PHYSICAL PAIN OR INJURY

The above-named defendant on or about Friday, March 22, 2024, in the Town of Fond du Lac, Fond du Lac County, Wisconsin, with the intent to disfigure or disable Victim 1, did cut or mutilate the limb or bodily part of Victim 1, contrary to sec. 940.21, 939.50(3)(c), 939.63(1)(b), 968.075(1)(a)1 Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

And further, invoking the provisions of sec. 968.075(1)(a)1 Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 3: FIRST DEGREE RECKLESS INJURY, USE OF A DANGEROUS WEAPON, DOMESTIC ABUSE - INFLECTION OF PHYSICAL PAIN OR INJURY

The above-named defendant on or about Friday, March 22, 2024, in the Town of Fond du Lac, Fond du Lac County, Wisconsin, did recklessly cause great bodily harm to Victim 1, under circumstances which show utter disregard for human life, contrary to sec. 940.23(1)(a), 939.50(3)(d), 939.63(1)(b), 968.075(1)(a)1 Wis. Stats., a

03/23/2024

Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

And further, invoking the provisions of sec. 968.075(1)(a)1 Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

Count 4: AGGRAVATED BATTERY, DOMESTIC ABUSE - INFLECTION OF PHYSICAL PAIN OR INJURY, USE OF A DANGEROUS WEAPON

The above-named defendant on or about Friday, March 22, 2024, in the Town of Fond du Lac, Fond du Lac County, Wisconsin, did cause great bodily harm to Victim 1, by an act done with intent to cause great bodily harm to that person, contrary to sec. 940.19(5), 939.50(3)(e), 968.075(1)(a)1, 939.63(1)(b) Wis. Stats., a Class E Felony, and upon conviction may be fined not more than Fifty Thousand Dollars (\$50,000), or imprisoned not more than fifteen (15) years, or both.

And further, invoking the provisions of sec. 968.075(1)(a)1 Wis. Stats., because this charge is an act of domestic abuse, costs upon conviction would include the domestic abuse assessment imposed under sec. 973.055(1) Wis. Stats.

And further, invoking the provisions of sec. 939.63(1)(b) Wis. Stats., because the defendant committed this offense while using a dangerous weapon, the maximum term of imprisonment for the felony may be increased by not more than 5 years.

PROBABLE CAUSE:

Complainant is a law enforcement officer with the Fond du Lac County Sheriff's Office and basis this complaint upon the report and investigation of Deputies Flood, Barrett, Birkholz, and Radtke as well as Detective David Olig of the same agency with whom your complainant has worked with and knows to be competent and reliable.

- 1) On March 22, 2024 at approximately 1632 hours Deputies were dispatched to a residence near Highway K, in the Town and County of Fond du Lac, Wisconsin for a report of a female that was stabbed in the stomach. Dispatch advised the female was barely conscious and the suspect had fled the scene. The call advised the suspect was the defendant, the husband of the victim, VICTIM 1, that had been stabbed.
- 2) Deputy Barret arrived to the scene at approximately 16:38 and ran to the house entering through the front door. Upon entering the residence Deputy Barret observed VICTIM 1 on her back on the living room floor. Deputy Barret was able to observe three lacerations to the abdomen and began providing first aid care. WITNESS 1 stated that VICTIM 1 had been stabbed by a steak knife by the defendant.
- 3) Deputy Barret continued providing medical care until EMS arrived and took over care for VICTIM 1, who was transported to a hospital for further care. Deputy Birkholz observed the stab wounds to be deep, bleeding a "good amount." Deputy Birkholz was able to see some of VICTIM 1's organs through one of the stab wounds. Deputy Birkholz also observed lacerations to VICTIM 1's hands, which through his training and experience he believed to be defense wounds.
- 4) Deputy Barret observed a broken drinking glass in the kitchen with glass shards on the floor. A butcher's block with multiple knives on the counter near it. Deputy Barret also observed droplets of blood on the floor leading to the living room and blood droplets on the couch in the living room.
- 5) Deputy Barret then followed the ambulance as it transported VICTIM to a hospital for care where he learned VICTIM 1 would be in surgery for hours to care for the stab wounds. VICTIM 1 was moved to the ICU after surgery. Deputy Barret was advised that one of the stab wounds had cut into VICTIM's liver.

- 6) Deputy Birkholz viewed VICTIM 1's injuries at the hospital and observed what appeared to be an inch long and an inch wide laceration on the right side of the abdomen with heavy bleeding and organs showing. The second laceration on the right side appeared to be a 1/2 inch long and a 1/4 inch wide with heavy bleeding and human tissue showing. The third laceration was towards the middle of the torso and appeared to be a 1/4 inch long and a 1/4 inch wide with heavy bleeding and human tissue showing.
- 7) On VICTIM 1's right hand Deputy Birkholz observed a small laceration on the top her wrist, which appeared to have been from the stabbing. Deputy Birkholz observed several lacerations consistent with defensive wounds attempting to fend off someone with a bladed weapon. Deputy Birkholz saw lacerations on both hands and some appeared consistent with VICTIM 1 attempting to grab the bladed weapon in self-defense based on their location and nature of the lacerations.
- 8) Deputy Birkholz attempted to speak with VICTIM 1 through an interpreter but was unable to do so because of the medical staff in the room providing care for VICTIM 1.
- 9) Deputy Birkholz spoke with nursing staff and learned VICTIM 1 would be in surgery for the next few hours and that the source of internal bleeding appeared to be from a VICTIM 1 having a punctured liver from the stab wound requiring a large amount of blood to be given to VICTIM 1.
- 10) Deputy Radtke arrived to the scene and spoke with WITNESS 1 about what occurred. WITNESS 1 stated he was in the basement when he heard VICTIM 1 and the defendant, Fermin Teodoro Lopez-Mendoza, arguing, which was not unusual. WITNESS 1 stated that he became concerned when he began hearing VICTIM 1 saying yelling similar to "help me!" WITNESS 1 went up to the first floor and observed the defendant leaving towards the garage door. WITNESS 1 observed the defendant with a knife in his right hand but was unable to see the blade because it was partially concealed by the defendant's sleeve but recognized the knife as being one that was kept in the butcher block at the residence.
- 11) WITNESS 1 stated he then walked in the garage and saw the defendant holding the knife and was now able to see a portion of the blade, which was covered in blood. WITNESS 1 picked up a construction hammer and followed the defendant through the service door of the garage towards the defendant's vehicle, a white 2023 Hyundai Santa Fe, that was parked by a detached garage to the west of the property. The defendant then entered the vehicle and WITNESS 1 stood behind the vehicle. WITNESS 1 heard the tires of the vehicle squeal and the vehicle began moving into reverse towards him.
- 12) WITNESS 1 then threw the hammer at the vehicle, which struck the back window causing it to shatter. Deputy Radtka observed broken glass in the area WITNESS 1 described.
- 13) WITNESS 1 stated the incident occurred with the defendant being upset about having to move out the residence by Saturday at 3:00 pm because the defendant was attempting to control everyone's lives. WITNESS 1 stated there were multiple instances of domestic violence over the past 20 years with the defendant. WITNESS 1 stated that the defendant and VICTIM 1 have four children together and resided together during the time of the incident resulting in VICTIM 1 being stabbed.
- 14) On Saturday March 23, 2024 Detective Flood spoke with VICTIM 1 at the hospital. VICTIM 1 stated there was an extensive history of domestic violence with the defendant. VICTIM 1 stated an argument led to the defendant stabbing VICTIM 1 because the family wanted the defendant to move out of the residence. VICTIM 1 stated the argument started in the attached garage and moved back inside the house. VICTIM 1 stated the defendant grabbed a serrated knife with a black handle and held it against VICTIM 1's throat. VICTIM 1 then moved away towards the living room and the defendant then stabbed VICTIM 1. The defendant previously made comments similar to saying if VICTIM 1 left he would "end her life."
- 15) On Saturday March 23, 2024 the Fond du Lac County Sheriff's Office in conjunction with the Ozaukee County Sheriff's Office took the defendant into custody during a traffic stop in Ozaukee County and the defendant was transported to the Fond du Lac County Jail.
- 16) Lieutenant Alex Volm learned the defendant was illegally in the United States after checking with a Homeland Security Special Agent. Homeland Security verified their database check for the defendant was noted as "entry without inspection" which means the defendant was illegally in the United States. Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 03/27/24
Electronically Signed By:
Eric J. Toney
District Attorney
State Bar #: 1079214

Electronically Signed By:
Ryan Flood
Complainant

FILED
05-29-2024
Clerk of Courts
Fond du Lac County WI
2024CF000464

STATE OF WISCONSIN	CIRCUIT COURT	FOND DU LAC COUNTY
STATE OF WISCONSIN	DA Case No.: 2024FL001735 Assigned DA/ADA: Eric J. Toney Agency Case No.: 24-3393 Court Case No.: ATN: 20002405200066	
Plaintiff,		
vs.		
JUAN CARLOS ROCHA MEJIA 199 Marquette St Fond Du Lac, WI 54935 DOB: 01/29/1993 Sex/Race: M/ Alias:	CRIMINAL COMPLAINT	
Defendant.		For Official Use

The undersigned law enforcement officer of the Fond du Lac Sheriff's Office, being first duly sworn, states that:

Count 1: 1ST DEGREE CHILD SEX ASSAULT-CONTACT W/ CHILD UNDER AGE 16-USE/THREAT OF FORCE/VIOLENCE(ACTOR IS 18)

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, did have sexual contact with a person who has not attained the age of sixteen, Victim 1, DOB March 2012, by use or threat of force or violence and where the defendant has attained the age of 18 years when the contact occurred, contrary to sec. 948.02(1)(d), 939.50(3)(b) Wis. Stats., a Class B Felony, and upon conviction may be sentenced to a term of imprisonment not to exceed sixty (60) years.

And furthermore, invoking the provisions of Wisconsin Statutes 939.616(2) and (3), the defendant being 18 years of age or older at the time of the offense, the court shall impose a bifurcated sentence under s. 973.01. The term of the confinement in prison portion of the bifurcated sentence shall be at least 5 years. Otherwise the penalties for the crime apply, subject to any applicable penalty enhancement.

Count 2: CHILD ENTICEMENT

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, with intent to have sexual contact with the child in violation of Section 948.02, Wis. Stats., did cause a child, Victim 1, DOB March 2012, who had not attained the age of 18 years to go into a secluded place, contrary to sec. 948.07(1), 939.50(3)(d) Wis. Stats., a Class D Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than twenty five (25) years, or both.

Count 3: FALSE IMPRISONMENT

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, did intentionally restrain Victim 1, without that person's consent, and with the knowledge that he had no lawful authority to do so, contrary to sec. 940.30, 939.50(3)(h) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

Count 4: STRANGULATION AND SUFFOCATION

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, did intentionally impede the normal breathing by blocking the nose or mouth of another person, contrary to sec. 940.235(1), 939.50(3)(h) Wis. Stats., a Class H Felony, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than six (6) years, or both.

05/29/2024

PROBABLE CAUSE:

- 1) Complainant reports that Deputy Kaufman reports on May 19, 2024, he was dispatched to a residence on Breakneck Rd., in the Town of Oakfield, Fond du Lac County, Wisconsin. At that location, Deputy Kaufman spoke to Victim 1, who was born in March 2012.
- 2) Investigators learned from Victim 1 that Elia Antonio and Juan Carlos Rocha Mejia were involved in an incident on May 18, 2024 leading to Juan having sexual contact over Victim 1's clothing. Investigators learned that Elia is Victim 1's mother and Juan is Elia's boyfriend. Investigators learned that ELIA and JUAN are both illegally in the United States and ICE has placed a detainer on them.
- 3) Victim 1 told Deputy Kaufman that while at home, which is located on Cardinal Ct., in the Village of North Fond du Lac, Fond du Lac County, Wisconsin, ELIA ANTONIO had told her to get into the van which she then did. Victim 1 told Deputy Kaufman that ELIA did not explain why she wanted her to get into the van or where they were going. However, during a forensic interview that was conducted with Victim 1 on May 28, 2024, Victim 1 stated that ELIA told her that ELIA was pregnant and needed to go to the hospital. VICTIM 1 stated ELIA then began driving. During this time, VICTIM 1 ended up falling asleep at some point and woke up when they arrived at JUAN'S place in which ELIA went inside of JUAN'S residence and JUAN took possession of the vehicle, which VICTIM 1 was still in. Victim 1 did not know JUAN's last name but knew he was ELIA's boyfriend. VICTIM 1 said JUAN began driving the vehicle and she again fell asleep in the back of the vehicle.
- 4) At the forensic interview that was conducted with Victim 1 on 5/28/24, Victim 1 provided some additional details regarding the incident. Victim 1 stated before the incident her ELIA had come home. Victim 1 believed ELIA had been at JUAN's residence. Victim 1 stated that when ELIA came home she told Victim 1 that Victim 1 needed to go to the hospital with ELIA because ELIA was pregnant. ELIA told Victim 1 to go take a shower and to wear something nice. Victim 1 ended up putting on a t-shirt and shorts. ELIA told Victim 1 to change into something nice and Victim 1 told her no. Victim 1 also stated that her little sister asked to go to the hospital with them and ELIA said no.
- 5) Victim 1 also stated that when they were in the car, she initially sat in the front and ELIA told her to sit all the way in the back and that there were sweatshirts and blankets back there. Victim 1 also stated that she had a phone and ELIA told her to hide the phone but she did not know where to so ELIA hid it. Victim 1 said she did not know why she had to hide the phone and was confused. Victim 1 stated before the phone was hidden she saw that ELIA had been texting someone and was messaging JUAN on What's App.
- 6) Victim 1 also stated that after JUAN had gotten in the vehicle and was driving it that JUAN had called ELIA and told her that the van barely had any gas. Investigators learned during their investigation that Juan is over 18 years of age.
- 7) VICTIM 1 stated when they got to the location, JUAN made his way to from the front of the van by crawling through the van from the driver's seat to the back seats where she was. JUAN then attempted to blindfold her. Victim 1 stated that he tried to blindfold her multiple times but she was able to put her hands in the way to prevent being blindfolded.
- 8) Victim 1 said that Juan taped her left hand to the seat of the van and also tried to tape her other hand. Victim 1 continued to fight Juan off so he wasn't able to tape her other hand. Victim 1 was unsure where the tape came from but figured Juan had brought it from his house because she didn't remember tape being inside of the van.
- 9) VICTIM 1 stated she continued pushing JUAN away and kicking and scratching at him. VICTIM 1 stated she was kicking him in the stomach area and below and was scratching at his arms. VICTIM 1 also stated she was screaming at JUAN telling him to stop touching her. VICTIM 1 referred to JUAN "touching her lower parts." VICTIM 1 confirmed that none of her clothing was removed during this and there was no penetration from JUAN. As VICTIM 1 continued attempting to fight off JUAN, he then grabbed her arms tightly causing her pain.

- 10) During the forensic interview of Victim 1 on May 28, 2024, Victim 1 confirmed that JUAN touched and was rubbing her vaginal area with his hands outside of her clothing.
- 11) VICTIM 1 also stated she was kicking at him and during this time, he then tried taping her other hand and as she continued to kick at him, he then attempted to tape her legs, but she was able to get her other hand free by pulling on the tape very hard. Once she got her hand free, VICTIM 1 stated she began fighting him some more.
- 12) VICTIM 1 stated she then fell onto the ground and JUAN tried to rape her and make her faint by using a shirt to cover her nose and her mouth. VICTIM 1 stated it made it more difficult for her to breathe, but she was still able to breath. At the forensic interview on 5/28/2024, Victim 1 stated she felt like she had little air so she started controlling her breathing like she was taught when she played sports.
- 13) While JUAN was holding the shirt by her nose and mouth, VICTIM 1 was able to open her mouth and she began to bite JUAN'S hand really hard in which she stated his hand then hurt. VICTIM 1 stated JUAN was then on her and she couldn't breathe. VICTIM 1 stated she managed to crawl towards the door and press the button which opens the door. VICTIM 1 stated she almost fell out of the van and JUAN then attempted to push her back in. VICTIM 1 was able to get away from JUAN at this time and began running away from the van.
- 14) VICTIM 1 then stated JUAN began telling her to get back to the van and he was going to drive her back home. VICTIM 1 stated she did not listen to JUAN and continued to run towards the house. VICTIM 1 stated JUAN then got back into the van and began driving and began getting close to her and she again began running fast towards the house. VICTIM 1 stated she was able to get to the house before JUAN could get to her and then she knocked on the door and homeowner came and opened the door. VICTIM 1 stated JUAN was still in the van at this time and then drove off.
- 15) At the forensic interview that was conducted with Victim 1 on 5/28/24 Victim 1 also stated that when she ran from the van that she had fallen and scraped her leg on a rock. Victim 1 stated that she was scared when she was running because she was scared that JUAN would get her.
- 16) Complainant further reports that Sergeant Handschke reports on May 19, 2024, he also spoke to Victim 1 regarding where the incident took place. Victim 1 pointed west of the residence on Breakneck Rd and stated it happened over there. She believed it was by the field near the barn. During the forensic interview, Victim 1 also talked about there being a pond near the location. It was determined that the incident happened near the residence that she ran to on Breakneck Rd.
- 17) Sergeant Handschke attempted to locate the exact location where the male suspect may have parked the van in to sexually assault Victim 1. Based off Victim 1's statements, it's believed that the vehicle pulled into a farm access road just to the west of W8353 Breakneck and right across the road from W8358 Breakneck Road, which is a quarry access road. Sergeant Handschke was able to observe tire marks leaving this farm access road that looked fresh and was caused from mud on the tires.
- 18) These tire tracks leaving the farm access road going to the west on Breakneck road and faded away. There were also tire marks from mud leaving the quarry access road at W8358 Breakneck Road. These tire marks go west on Breakneck, cross the center line and appears to pull over on the north shoulder just east of W8353 Breakneck. This would be consistent with a witness statement's for how he saw the van drive.
- 19) Complainant further reports that Det. Rehfeldt reports on 5/19/24, he spoke to ELIA ANTONIO. ELIA identified JUAN as JUAN CARLOS ROCHA-MEJIA. ELIA advised that JUAN has a lot of money. ELIA advised that he is one of the "main ones" in Fond du Lac. ELIA advised that JUAN has a drone that follows her everywhere. ELIA advised that her record was clean until she met JUAN. ELIA advised that JUAN has a lot of people that work for him. ELIA advised, "I got to do whatever he tells me to do, obey him, because he told me I don't have a life anymore".
- 20) ELIA advised that JUAN told her not to go to court in Juneau (Dodge County). ELIA advised JUAN told her, "He told me if you go to court, I know that you're going to open up your mouth and you better not go to court in Juneau because if you go there, I'll lock you up, because I am the law they work for me". ELIA

advised that JUAN told her she was going to end up in acid or you won't see your kids anymore. ELIA advised that JUAN told her she didn't have a choice. ELIA advised that she has to do whatever he says or she gets in trouble.

- 21) ELIA was asked what did JUAN tell you to do last night. ELIA advised, "He's been trying to buy my daughter from me, buy like money, probably rape her you know like sell her to different people you know and stuff like that". ELIA advised that last time JUAN told her, "I want to offer you a deal, your daughter, your daughter, just like Victim 1, Victim 1".
- 22) ELIA advised she told JUAN, "What's wrong with my daughter, I don't sell my daughter, I don't sell my daughter for that, I'm not that type of mother". ELIA said JUAN told her, "Whether you want to or not your going to do and stuff like that". ELIA advised that last time JUAN said that to her she talked to the North Fond du Lac Police Department. Investigators reviewed a North Fond du Lac Police report involving Elia and found no mention by Elia or anyone about Juan attempting to buy her daughter or anything related to that.
- 23) ELIA advised that JUAN knew that she talked to the police about that. ELIA advised that she didn't accept that JUAN told her that he wanted to buy her daughter to rape her. ELIA advised that JUAN tried to kidnap her but they couldn't. ELIA advised that JUAN locked her up for two weeks after that. ELIA advised that JUAN buys people with money. ELIA advised that JUAN has cops that work for him. ELIA advised that JUAN told her he knows if she talks to the police, because he has control of everything.
- 24) ELIA advised that yesterday 5/18/2024 JUAN told her, "I want your daughter, whether you want to or not and if you don't accept the money, your daughter will be kidnapped or she will not be here anymore you got to accept it, you want it or not". ELIA advised JUAN, "Well I'm not selling my daughter". ELIA advised JUAN told her to go home and talk to her daughter. ELIA advised JUAN told her she better listen if she wants to be alive. ELIA advised that JUAN told her, "You got to bring her here by 10:30pm and you better put her to sleep and stuff like that". JUAN told her that ELIA was going to stay here in my room and people will be watching you outside. ELIA advised that JUAN told her, "We will give you the money like we bought her". ELIA advised that, that is why she has money. ELIA advised, "I couldn't do it I took my time, I drive to the gas station and bought my daughter a juice, I didn't know what to do."
- 25) ELIA advised, "I have another phone, he doesn't know about my other phone, I've been hiding it, I've been hiding it". ELIA advised, that she told her daughter that, she will know the right time to open her mouth because you know what's going on. ELIA advised she told VICTIM 1, "You just got to act that you're asleep". ELIA advised that she hid a phone in the vehicle. ELIA advised that she made a call using the WhatsApp on the other phone. ELIA advised that she was hearing where JUAN was going. ELIA advised that she was taking captures on her phone to see where JUAN was going. ELIA advised that she could hear everything that was happening to her daughter. ELIA advised, "She was screaming and then I heard everything". ELIA advised that she went outside to take a walk because she couldn't deal with it.
- 26) ELIA advised that JUAN arrived back at the residence in the vehicle. ELIA advised JUAN told her, "Oh your daughter ran away". ELIA advised she asked JUAN, "What". ELIA advised that JUAN told her, "Your daughter ran away". ELIA advised that she told JUAN, "How could my daughter run away she was in the damn car, why you didn't bring her back to me how she was in the van". ELIA advised that she told JUAN, "Go get her, ask those people that was with you to go find my daughter, to go get my daughter and bring her".
- 27) ELIA was asked how much money did JUAN give you. ELIA advised, "It was like \$250, it's still in the car, I did not even touch it, it's still there". It should be noted that in the center console of the car \$272 dollars in United States currency was located.
- 28) ELIA advised that JUAN told her, "You're going to put your daughter asleep and stuff like that, he told me because last time it didn't work, because last time he gave her drugs and she like got out of control then he took her home". ELIA advised that JUAN told her, "This time it better work, whether or not or we'll tie her up, we'll tie her up, you got to put her to sleep if you don't want her to be tied up and stuff like that". ELIA advised that this conversation occurred in the morning.

- 29) It should be noted that Victim 1 has not disclosed a prior incident where she was drugged or had to fight him in the past.
- 30) ELIA advised that she told VICTIM 1 she was going to the hospital and VICTIM 1 was going to help her out. ELIA advised she told VICTIM 1, "You gonna lay on the back of the seat I told her right and you going to sleep". ELIA advised that she left the house at 11:37 pm. ELIA advised she kept making stops. ELIA advised that she went to Kwik Trip and VICTIM 1 stayed in the backseat. ELIA said when she left the house she was sitting in the front seat, but then she told her when she stopped by a pond in North Fond du Lac to get in the backseat. ELIA advised she told VICTIM 1, "Just lay there and pretend you're asleep. ELIA advised that she told VICTIM 1 she would put a phone in the car. ELIA described VICTIM 1 as, "It was like, she was kind of scared, she was like feeling and stuff like that". ELIA advised she told VICTIM 1, "We'll go to Kwik trip I'll get you a Kool-Aid, she loves Kool-Aid". ELIA advised that while at Kwik Trip, she gave VICTIM 1 a Kool-Aid. ELIA advised prior to this she had made a call with both of her phones. ELIA advised, "I know that something was going to happen, something bad and stuff like that".
- 31) ELIA was asked where she went after Kwik Trip. ELIA advised that she went to JUAN'S house. ELIA advised that when she got there, JUAN told her to stay at the house. ELIA advised that she had to stay there because JUAN'S people were there. ELIA advised that she had to stay there until JUAN got back. ELIA advised that JUAN left in the van. ELIA was asked if anyone went with JUAN. ELIA said he went by himself, but her daughter was in the back. ELIA advised that the van he took, was the van she was driving earlier. ELIA advised that she was listening when he was picking a person up. ELIA advised she heard music on the radio. ELIA advised that she was checking the map and was taking screenshots. ELIA advised that while she was at the residence, she tried to call JUAN 20 times with JUAN'S mother's phone. ELIA advised that she heard that her daughter was screaming. ELIA advised that she was trying to call JUAN and tell him, "You're not supposed to tie my daughter and stuff like that you know".
- 32) ELIA was asked if she could hear her daughter saying anything else besides hearing her screaming. ELIA put her hands over her face and starting crying. ELIA advised that she heard VICTIM 1 say, "Juan no, no stop". ELIA advised that VICTIM 1 was screaming so hard. ELIA mentioned they. ELIA was asked if she thought there was someone else in the vehicle besides JUAN and VICTIM 1. ELIA advised there were more people in there. ELIA advised that she could hear, "After JUAN was done, here you, here you". ELIA advised that she had a suspicion it was his brother.
- 33) It should be noted that Victim 1 has never stated any other person was in the car during this incident except JUAN.
- 34) ELIA was asked, when you heard your daughter screaming, what was going through her head. ELIA advised, "That they were like raping her, raping her or". ELIA was asked if she was concerned for VICTIM 1's safety. ELIA started to cry and advised, "I was scared and didn't know what to do".
- 35) ELIA was asked to help detectives know the thought process of not calling law enforcement when you heard your daughter screaming. ELIA advised, "Because he threatened me all the time, if I don't accept, what he said, I won't ever see my kids again". ELIA was asked when did the screaming stop. ELIA advised that the screaming stopped after they were done.
- 36) It should be noted at no point during the incident or when ELIA was trying to find Victim 1 did ELIA call 911.
- 37) ELIA was asked at that point did she try to call law enforcement. ELIA said no. ELIA was asked at that point, she knew VICTIM 1 was gone, why didn't she call law enforcement at that time. ELIA said, "Because I didn't want to end up in prison, or see my daughter dead, or my kids dead, or me dead".
- 38) Detectives asked ELIA how she thought her daughter felt. ELIA shrugged her shoulders and said, "Scared". Detectives said and she's 12. ELIA said, "I know". ELIA advised, "I thought the police were following the van, because I talked to this old lady before this was going to happen in Lakeside Park, I told this lady to go and talk to the police in North Fond du Lac". DET. REHFELDT explained to ELIA that she didn't say that before. ELIA said, "No I didn't". ELIA advised that when she went to the bathroom when she was at Lakeside Park, she thought that the old lady was an undercover police officer.

- 39) On 5/20/2024 DET. REHFELDT looked at the Fond du Lac County Inmate calling system and observed that ELIA made phone calls to the number she previously listed to JUAN. The Following is phone calls ELIA made from the Fond du Lac County Jail.

5/19/2024 at 2:22pm for 15 min.
 5/19/2024 at 2:52pm for 6 min.
 5/19/2024 at 5:45pm for 2 min.
 5/19/2024 at 9:20pm for 15 min.
 5/19/2024 at 10:00pm for 1 min.
 5/20/2024 at 9:24am for 15 min.

- 40) Deputy Kaufman asked VICTIM 1 if anything like this has happened in the past. VICTIM 1 was able to explain one other time in the past. VICTIM 1 stated an incident occurred at the residence on Cardinal Ct. in Fond du Lac County in December 2023. VICTIM 1 stated ELIA was away helping Victim 1's grandma due to some health issues and JUAN was babysitting at the time.
- 41) VICTIM 1 stated she had told JUAN about a field trip that was coming up and the field trip cost money. VICTIM 1 stated JUAN said he would pay for it, but then asked "what he would get in exchange." VICTIM 1 stated that JUAN then began touching her thigh and moving his hand up higher. VICTIM 1 stated this made her feel very uncomfortable and was able to leave the room at that time. VICTIM 1 stated she happened to be in her mother's bedroom on her mother's bed.
- 42) On 5/20/2024 DEPUTY SALMERON listened to ELIA'S jail phone conversations which were in Spanish. DEPUTY SALMERON translated the phone calls, and determined that ELIA was talking to a Hispanic male. DEPUTY SALMERON determined that ELIA was talking with the male about the incident and blaming someone else. DEPUTY SALMERON determined that she told the Hispanic male to contact her father and keep the children quiet even if questioned at school.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 05/29/24	Electronically Signed By:
Electronically Signed By:	Detective Derek Rehfeldt
Michael B. Tobin	Complainant
Assistant District Attorney	
State Bar #: 1134235	

FILED
05-29-2024
Clerk of Courts
Fond du Lac County WI
2024CF000463

STATE OF WISCONSIN	CIRCUIT COURT	FOND DU LAC COUNTY	
STATE OF WISCONSIN	Plaintiff,	DA Case No.: 2024FL001734 Assigned DA/ADA: Eric J. Toney Agency Case No.: 24-3393 Court Case No.: ATN: 20002405190036	
vs.			
ELIA ANTONIO 20 Robin Dr N Fond Du Lac, WI 54937 DOB: 07/24/1990 Sex/Race: F/H Alias:		CRIMINAL COMPLAINT	
	Defendant.		<i>For Official Use</i>

The undersigned law enforcement officer, of the Fond du Lac Sheriff's Office, being first duly sworn, states that:

Count 1: TRAFFICKING OF A CHILD

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, did knowingly attempt to provide or transport a child for the purpose of commercial sex act, contrary to sec. 948.051(1), 939.50(3)(c) Wis. Stats., a Class C Felony, and upon conviction may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

Count 2: FAILURE TO PROTECT A CHILD

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, as a person responsible for the welfare of a child under the age of sixteen, Victim 1, DOB March 2012, with knowledge that a person intended to have sexual contact with said child, did fail to take action to prevent the sexual contact and created an unreasonable risk of the sexual contact occurring, contrary to sec. 948.02(3), 939.50(3)(f) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

Count 3: MISDEMEANOR BAIL JUMPING

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, having been charged with a misdemeanor and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of her bond, contrary to sec. 946.49(1)(a), 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

Count 4: MISDEMEANOR BAIL JUMPING

The above-named defendant on or about Saturday, May 18, 2024, in the Town of Oakfield, Fond du Lac County, Wisconsin, having been charged with a misdemeanor and having been released from custody under Chapter 969 Wis. Stats., did intentionally fail to comply with the terms of her bond, contrary to sec. 946.49(1)(a), 939.51(3)(a) Wis. Stats., a Class A Misdemeanor, and upon conviction may be fined not more than Ten Thousand Dollars (\$10,000), or imprisoned not more than nine (9) months, or both.

PROBABLE CAUSE:

- 1) Complainant reports that Deputy Kaufman reports on May 19, 2024, he was dispatched to a residence on Breakneck Rd., in the Town of Oakfield, Fond du Lac County, Wisconsin. At that location, Deputy Kaufman spoke to Victim 1, who was born in March 2012.

05/29/2024

- 2) Investigators learned from Victim 1 that Elia Antonio and Juan Carlos Rocha Mejia were involved in an incident on May 18, 2024 leading to Juan having sexual contact over Victim 1's clothing. Investigators learned that Elia is Victim 1's mother and Juan is Elia's boyfriend. Investigators learned that ELIA and JUAN are both illegally in the United States and ICE has placed a detainer on them.
- 3) Victim 1 told Deputy Kaufman that while at home, which is located on Cardinal Ct., in the Village of North Fond du Lac, Fond du Lac County, Wisconsin, ELIA ANTONIO had told her to get into the van which she then did. Victim 1 told Deputy Kaufman that ELIA did not explain why she wanted her to get into the van or where they were going. However, during a forensic interview that was conducted with Victim 1 on May 28, 2024, Victim 1 stated that ELIA told her that ELIA was pregnant and needed to go to the hospital. VICTIM 1 stated ELIA then began driving. During this time, VICTIM 1 ended up falling asleep at some point and woke up when they arrived at JUAN'S place in which ELIA went inside of JUAN'S residence and JUAN took possession of the vehicle, which VICTIM 1 was still in. Victim 1 did not know JUAN's last name but knew he was ELIA's boyfriend. VICTIM 1 said JUAN began driving the vehicle and she again fell asleep in the back of the vehicle.
- 4) At the forensic interview that was conducted with Victim 1 on 5/28/24, Victim 1 provided some additional details regarding the incident. Victim 1 stated before the incident her ELIA had come home. Victim 1 believed ELIA had been at JUAN's residence. Victim 1 stated that when ELIA came home she told Victim 1 that Victim 1 needed to go to the hospital with ELIA because ELIA was pregnant. ELIA told Victim 1 to go take a shower and to wear something nice. Victim 1 ended up putting on a t-shirt and shorts. ELIA told Victim 1 to change into something nice and Victim 1 told her no. Victim 1 also stated that her little sister asked to go to the hospital with them and ELIA said no.
- 5) Victim 1 also stated that when they were in the car, she initially sat in the front and ELIA told her to sit all the way in the back and that there were sweatshirts and blankets back there. Victim 1 also stated that she had a phone and ELIA told her to hide the phone but she did not know where to so ELIA hid it. Victim 1 said she did not know why she had to hide the phone and was confused. Victim 1 stated before the phone was hidden she saw that ELIA had been texting someone and was messaging JUAN on What's App.
- 6) Victim 1 also stated that after JUAN had gotten in the vehicle and was driving it that JUAN had called ELIA and told her that the van barely had any gas. Investigators learned during their investigation that Juan is over 18 years of age.
- 7) VICTIM 1 stated when they got to the location, JUAN made his way to from the front of the van by crawling through the van from the driver's seat to the back seats where she was. JUAN then attempted to blindfold her. Victim 1 stated that he tried to blindfold her multiple times but she was able to put her hands in the way to prevent being blindfolded.
- 8) Victim 1 said that Juan taped her left hand to the seat of the van and also tried to tape her other hand. Victim 1 continued to fight Juan off so he wasn't able to tape her other hand. Victim 1 was unsure where the tape came from but figured Juan had brought it from his house because she didn't remember tape being inside of the van.
- 9) VICTIM 1 stated she continued pushing JUAN away and kicking and scratching at him. VICTIM 1 stated she was kicking him in the stomach area and below and was scratching at his arms. VICTIM 1 also stated she was screaming at JUAN telling him to stop touching her. VICTIM 1 referred to JUAN "touching her lower parts." VICTIM 1 confirmed that none of her clothing was removed during this and there was no penetration from JUAN. As VICTIM 1 continued attempting to fight off JUAN, he then grabbed her arms tightly causing her pain.
- 10) During the forensic interview of Victim 1 on May 28, 2024, Victim 1 confirmed that JUAN touched and was rubbing her vaginal area with his hands outside of her clothing.
- 11) VICTIM 1 also stated she was kicking at him and during this time, he then tried taping her other hand and as she continued to kick at him, he then attempted to tape her legs, but she was able to get her other

hand free by pulling on the tape very hard. Once she got her hand free, VICTIM 1 stated she began fighting him some more.

- 12) VICTIM 1 stated she then fell onto the ground and JUAN tried to rape her and make her faint by using a shirt to cover her nose and her mouth. VICTIM 1 stated it made it more difficult for her to breathe, but she was still able to breathe. At the forensic interview on 5/28/2024, Victim 1 stated she felt like she had little air so she started controlling her breathing like she was taught when she played sports.
- 13) While JUAN was holding the shirt by her nose and mouth, VICTIM 1 was able to open her mouth and she began to bite JUAN'S hand really hard in which she stated his hand then hurt. VICTIM 1 stated JUAN was then on her and she couldn't breathe. VICTIM 1 stated she managed to crawl towards the door and press the button which opens the door. VICTIM 1 stated she almost fell out of the van and JUAN then attempted to push her back in. VICTIM 1 was able to get away from JUAN at this time and began running away from the van.
- 14) VICTIM 1 then stated JUAN began telling her to get back to the van and he was going to drive her back home. VICTIM 1 stated she did not listen to JUAN and continued to run towards the house. VICTIM 1 stated JUAN then got back into the van and began driving and began getting close to her and she again began running fast towards the house. VICTIM 1 stated she was able to get to the house before JUAN could get to her and then she knocked on the door and homeowner came and opened the door. VICTIM 1 stated JUAN was still in the van at this time and then drove off.
- 15) At the forensic interview that was conducted with Victim 1 on 5/28/24 Victim 1 also stated that when she ran from the van that she had fallen and scraped her leg on a rock. Victim 1 stated that she was scared when she was running because she was scared that JUAN would get her.
- 16) Complainant further reports that Sergeant Handschke reports on May 19, 2024, he also spoke to Victim 1 regarding where the incident took place. Victim 1 pointed west of the residence on Breakneck Rd and stated it happened over there. She believed it was by the field near the barn. During the forensic interview, Victim 1 also talked about there being a pond near the location. It was determined that the incident happened near the residence that she ran to on Breakneck Rd.
- 17) Sergeant Handschke attempted to locate the exact location where the male suspect may have parked the van in to sexually assault Victim 1. Based off Victim 1's statements, it's believed that the vehicle pulled into a farm access road just to the west of W8353 Breakneck and right across the road from W8358 Breakneck Road, which is a quarry access road. Sergeant Handschke was able to observe tire marks leaving this farm access road that looked fresh and was caused from mud on the tires.
- 18) These tire tracks leaving the farm access road going to the west on Breakneck road and faded away. There were also tire marks from mud leaving the quarry access road at W8358 Breakneck Road. These tire marks go west on Breakneck, cross the center line and appears to pull over on the north shoulder just east of W8353 Breakneck. This would be consistent with a witness statement's for how he saw the van drive.
- 19) Complainant further reports that Det. Rehfeldt reports on 5/19/24, he spoke to ELIA ANTONIO. ELIA identified JUAN as JUAN CARLOS ROCHA-MEJIA. ELIA advised that JUAN has a lot of money. ELIA advised that he is one of the "main ones" in Fond du Lac. ELIA advised that JUAN has a drone that follows her everywhere. ELIA advised that her record was clean until she met JUAN. ELIA advised that JUAN has a lot of people that work for him. ELIA advised, "I got to do whatever he tells me to do, obey him, because he told me I don't have a life anymore".
- 20) ELIA advised that JUAN told her not to go to court in Juneau (Dodge County). ELIA advised JUAN told her, "He told me if you go to court, I know that you're going to open up your mouth and you better not go to court in Juneau because if you go there, I'll lock you up, because I am the law they work for me". ELIA advised that JUAN told her she was going to end up in acid or you won't see your kids anymore. ELIA advised that JUAN told her she didn't have a choice. ELIA advised that she has to do whatever he says or she gets in trouble.

- 21) ELIA was asked what did JUAN tell you to do last night. ELIA advised, "He's been trying to buy my daughter from me, buy like money, probably rape her you know like sell her to different people you know and stuff like that". ELIA advised that last time JUAN told her, "I want to offer you a deal, your daughter, your daughter, just like Victim 1, Victim 1".
- 22) ELIA advised she told JUAN, "What's wrong with my daughter, I don't sell my daughter, I don't sell my daughter for that, I'm not that type of mother". ELIA said JUAN told her, "Whether you want to or not your going to do and stuff like that". ELIA advised that last time JUAN said that to her she talked to the North Fond du Lac Police Department. Investigators reviewed a North Fond du Lac Police report involving Elia and found no mention by Elia or anyone about Juan attempting to buy her daughter or anything related to that.
- 23) ELIA advised that JUAN knew that she talked to the police about that. ELIA advised that she didn't accept that JUAN told her that he wanted to buy her daughter to rape her. ELIA advised that JUAN tried to kidnap her but they couldn't. ELIA advised that JUAN locked her up for two weeks after that. ELIA advised that JUAN buys people with money. ELIA advised that JUAN has cops that work for him. ELIA advised that JUAN told her he knows if she talks to the police, because he has control of everything.
- 24) ELIA advised that yesterday 5/18/2024 JUAN told her, "I want your daughter, whether you want to or not and if you don't accept the money, your daughter will be kidnapped or she will not be here anymore you got to accept it, you want it or not". ELIA advised JUAN, "Well I'm not selling my daughter". ELIA advised JUAN told her to go home and talk to her daughter. ELIA advised JUAN told her she better listen if she wants to be alive. ELIA advised that JUAN told her, "You got to bring her here by 10:30pm and you better put her to sleep and stuff like that". JUAN told her that ELIA was going to stay here in my room and people will be watching you outside. ELIA advised that JUAN told her, "We will give you the money like we bought her". ELIA advised that, that is why she has money. ELIA advised, "I couldn't do it I took my time, I drive to the gas station and bought my daughter a juice, I didn't know what to do."
- 25) ELIA advised, "I have another phone, he doesn't know about my other phone, I've been hiding it, I've been hiding it". ELIA advised, that she told her daughter that, she will know the right time to open her mouth because you know what's going on. ELIA advised she told VICTIM 1, "You just got to act that you're asleep". ELIA advised that she hid a phone in the vehicle. ELIA advised that she made a call using the WhatsApp on the other phone. ELIA advised that she was hearing where JUAN was going. ELIA advised that she was taking captures on her phone to see where JUAN was going. ELIA advised that she could hear everything that was happening to her daughter. ELIA advised, "She was screaming and then I heard everything". ELIA advised that she went outside to take a walk because she couldn't deal with it.
- 26) ELIA advised that JUAN arrived back at the residence in the vehicle. ELIA advised JUAN told her, "Oh your daughter ran away". ELIA advised she asked JUAN, "What". ELIA advised that JUAN told her, "Your daughter ran away". ELIA advised that she told JUAN, "How could my daughter run away she was in the damn car, why you didn't bring her back to me how she was in the van". ELIA advised that she told JUAN, "Go get her, ask those people that was with you to go find my daughter, to go get my daughter and bring her".
- 27) ELIA was asked how much money did JUAN give you. ELIA advised, "It was like \$250, it's still in the car, I did not even touch it, it's still there". It should be noted that in the center console of the car \$272 dollars in United States currency was located.
- 28) ELIA advised that JUAN told her, "You're going to put your daughter asleep and stuff like that, he told me because last time it didn't work, because last time he gave her drugs and she like got out of control then he took her home". ELIA advised that JUAN told her, "This time it better work, whether or not or we'll tie her up, we'll tie her up, you got to put her to sleep if you don't want her to be tied up and stuff like that". ELIA advised that this conversation occurred in the morning.
- 29) It should be noted that Victim 1 has not disclosed a prior incident where she was drugged or had to fight him in the past.
- 30) ELIA advised that she told VICTIM 1 she was going to the hospital and VICTIM 1 was going to help her out. ELIA advised she told VICTIM 1, "You gonna lay on the back of the seat I told her right and you going

to sleep". ELIA advised that she left the house at 11:37 pm. ELIA advised she kept making stops. ELIA advised that she went to Kwik Trip and VICTIM 1 stayed in the backseat. ELIA said when she left the house she was sitting in the front seat, but then she told her when she stopped by a pond in North Fond du Lac to get in the backseat. ELIA advised she told VICTIM 1, "Just lay there and pretend you're asleep. ELIA advised that she told VICTIM 1 she would put a phone in the car. ELIA described VICTIM 1 as, "It was like, she was kind of scared, she was like feeling and stuff like that". ELIA advised she told VICTIM 1, "We'll go to Kwik trip I'll get you a Kool-Aid, she loves Kool-Aid". ELIA advised that while at Kwik Trip, she gave VICTIM 1 a Kool-Aid. ELIA advised prior to this she had made a call with both of her phones. ELIA advised, "I know that something was going to happen, something bad and stuff like that".

- 31) ELIA was asked where she went after Kwik Trip. ELIA advised that she went to JUAN'S house. ELIA advised that when she got there, JUAN told her to stay at the house. ELIA advised that she had to stay there because JUAN'S people were there. ELIA advised that she had to stay there until JUAN got back. ELIA advised that JUAN left in the van. ELIA was asked if anyone went with JUAN. ELIA said he went by himself, but her daughter was in the back. ELIA advised that the van he took, was the van she was driving earlier. ELIA advised that she was listening when he was picking a person up. ELIA advised she heard music on the radio. ELIA advised that she was checking the map and was taking screenshots. ELIA advised that while she was at the residence, she tried to call JUAN 20 times with JUAN'S mother's phone. ELIA advised that she heard that her daughter was screaming. ELIA advised that she was trying to call JUAN and tell him, "You're not supposed to tie my daughter and stuff like that you know".
- 32) ELIA was asked if she could hear her daughter saying anything else besides hearing her screaming. ELIA put her hands over her face and starting crying. ELIA advised that she heard VICTIM 1 say, "Juan no, no stop". ELIA advised that VICTIM 1 was screaming so hard. ELIA mentioned they. ELIA was asked if she thought there was someone else in the vehicle besides JUAN and VICTIM 1. ELIA advised there were more people in there. ELIA advised that she could hear, "After JUAN was done, here you, here you". ELIA advised that she had a suspicion it was his brother.
- 33) It should be noted that Victim 1 has never stated any other person was in the car during this incident except JUAN.
- 34) ELIA was asked, when you heard your daughter screaming, what was going through her head. ELIA advised, "That they were like raping her, raping her or". ELIA was asked if she was concerned for VICTIM 1's safety. ELIA started to cry and advised, "I was scared and didn't know what to do".
- 35) ELIA was asked to help detectives know the thought process of not calling law enforcement when you heard your daughter screaming. ELIA advised, "Because he threatened me all the time, if I don't accept, what he said, I won't ever see my kids again". ELIA was asked when did the screaming stop. ELIA advised that the screaming stopped after they were done.
- 36) **It should be noted at no point during the incident or when ELIA was trying to find Victim 1 did ELIA call 911.**
- 37) ELIA was asked at that point did she try to call law enforcement. ELIA said no. ELIA was asked at that point, she knew VICTIM 1 was gone, why didn't she call law enforcement at that time. ELIA said, "Because I didn't want to end up in prison, or see my daughter dead, or my kids dead, or me dead".
- 38) Detectives asked ELIA how she thought her daughter felt. ELIA shrugged her shoulders and said, "Scared". Detectives said and she's 12. ELIA said, "I know". ELIA advised, "I thought the police were following the van, because I talked to this old lady before this was going to happen in Lakeside Park, I told this lady to go and talk to the police in North Fond du Lac". DET. REHFELDT explained to ELIA that she didn't say that before. ELIA said, "No I didn't". ELIA advised that when she went to the bathroom when she was at Lakeside Park, she thought that the old lady was an undercover police officer.
- 39) On 5/20/2024 DET. REHFELDT looked at the Fond du Lac County Inmate calling system and observed that ELIA made phone calls to the number she previously listed to JUAN. The Following is phone calls ELIA made from the Fond du Lac County Jail.

5/19/2024 at 2:22pm for 15 min.

5/19/2024 at 2:52pm for 6 min.
 5/19/2024 at 5:45pm for 2 min.
 5/19/2024 at 9:20pm for 15 min.
 5/19/2024 at 10:00pm for 1 min.
 5/20/2024 at 9:24am for 15 min.

- 40) Deputy Kaufman asked VICTIM 1 if anything like this has happened in the past. VICTIM 1 was able to explain one other time in the past. VICTIM 1 stated an incident occurred at the residence on Cardinal Ct. in Fond du Lac County in December 2023. VICTIM 1 stated ELIA was away helping Victim 1's grandma due to some health issues and JUAN was babysitting at the time.
- 41) VICTIM 1 stated she had told JUAN about a field trip that was coming up and the field trip cost money. VICTIM 1 stated JUAN said he would pay for it, but then asked "what he would get in exchange." VICTIM 1 stated that JUAN then began touching her thigh and moving his hand up higher. VICTIM 1 stated this made her feel very uncomfortable and was able to leave the room at that time. VICTIM 1 stated she happened to be in her mother's bedroom on her mother's bed.
- 42) On 5/20/2024 DEPUTY SALMERON listened to ELIA'S jail phone conversations which were in Spanish. DEPUTY SALMERON translated the phone calls, and determined that ELIA was talking to a Hispanic male. DEPUTY SALMERON determined that ELIA was talking with the male about the incident and blaming someone else. DEPUTY SALMERON determined that she told the Hispanic male to contact her father and keep the children quiet even if questioned at school.
- 43) Furthermore, at the time of this incident, ELIA was out on bail in the following two cases: (1) Dodge County Case number 2023CM000233, where she is charged with Possession of Cocaine and Possession of Drug Paraphernalia, and (2) Fond du Lac County Case number 2024CM000256, where she is charged with Possession of Cocaine, Possession of Drug Paraphernalia, and Misdemeanor Bail Jumping. As part of ELIA's conditions of release on bail in both cases, ELIA had conditions that included not to commit any new crimes.

Based on the foregoing, the complainant believes this complaint to be true and correct.

Subscribed and sworn to before me on 05/29/24

Electronically Signed By:

Michael B. Tobin

Assistant District Attorney

State Bar #: 1134235

Electronically Signed By:

Detective Derek Rehfeldt

Complainant

Mr. TIFFANY. Thank you all for your testimony. We are going to proceed under the five-minute rule. Sheriff Schmidt, I think you have a hard stop. Is that correct? At 11:30 a.m.?

Mr. SCHMIDT. I built in a little bit of extra time.

Mr. TIFFANY. So, I would like to pose a question before you leave here. Some States have made compliance with ICE mandatory but Wisconsin is not one of them. Is that correct?

Mr. SCHMIDT. That is correct.

Mr. TIFFANY. Would requiring counties to comply with ICE help prevent these repeat offenders? So you have, perhaps, heard the story up in Rusk County where you had a repeat offender drunk driver ran a truck driver off the road.

He is now dead. Three daughters no longer have a father. By requiring compliance with ICE could some of those situations be cause to not occur?

Mr. SCHMIDT. Absolutely. We struggle as sheriffs under the current law with even maintaining somebody just on an ICE detainer. Once their crimes have been resolved then we have no additional reason to hold them.

The detainer as it is written today does not allow sheriffs to hold somebody for ICE so they can continue that process.

In addition, there are many agencies that have told me they will not comply with ICE, period, and that tells me that individuals are breaking the law whether that be Federal or local law and they are getting away with it.

What does that tell? When you are not holding somebody accountable for their crimes that enables them to commit additional crimes, and having that mandate that you must comply with ICE certainly would help be that carrot, and stick to make sure that we are holding individuals accountable when they break the law.

Mr. TIFFANY. Thank you.

Mr. Rachwal, so in testimony that we received in Washington, DC, from Secretary of Homeland Security Mayorkas we also had Sheriff Mark Dannels from the border Cochise County, Arizona, there and they gave two diametrically opposed responses to the question in regard to fentanyl coming into the United States.

Secretary Mayorkas said it is not tied to the open border. Sheriff Dannels, who is in Cochise County on the border with Mexico, said it has had a direct impact since January 20, 2021, when we have had these open borders with the amount of fentanyl coming into this country.

Which one do you believe is correct?

Mr. RACHWAL. I believe that it has a direct effect. The fentanyl is flooding in. We talked about it earlier, the got-aways that is coming through. It is so small, it is so potent, that it is easy to conceal.

With the resources that it has taken to process all the immigrants coming into this country I do not know how they could do their job.

Mr. TIFFANY. As you have talked to law enforcement, perhaps other officials, since the day that you lost Logan have they alluded at all that the amount of fentanyl has increased exponentially over the last few years? Do any of them share that with you?

Mr. RACHWAL. We have not had much contact with law enforcement in regard to that area, but undoubtedly it is increasing exponentially.

Mr. TIFFANY. So, since you started your foundation I am assuming you have run into—that you have had much more contact with families that have suffered the same fate as your family. Is that correct?

Mr. RACHWAL. That is correct, yes. We come in contact with hundreds and then in networks, we have contact with thousands of people that are in the same situation that we are in.

Mr. TIFFANY. Do they have a consistent message of how this could have been prevented?

Mr. RACHWAL. Well, definitely it can be prevented by stopping the source. That is for sure. It is a multifaceted approach, but stopping the supply would definitely help.

Mr. TIFFANY. Thank you for coming here today. I just want to put a question to Mr. Curtis. So, if we have four more years of what has happened since January 20, 2021, is this situation going to get better or worse for the United States of America?

Mr. CURTIS. Sir, obviously our focus was on one small community, but I think that kind of answers the question that if you extrapolate this across the country, I think there has just been so much focus on large municipalities, whether it is Chicago, New York, Dallas, or Phoenix, and those are certainly concerning situations.

If you just look at proportionally what is happening in some of these cities, a thousand immigrants may not be much in a place like Chicago but—and the police chief made clear that was a very conservative number based on the number of students in the district.

Obviously, as we have talked about this morning, as Senator Johnson pointed out, there are a lot of individuals coming across the border that are single individuals with no children.

So, the point being that estimate by the police chief he has noted himself is conservative. So, you have a municipality that has seen their population increase by 10 percent so extrapolate that across the country.

This has devastating consequences. Certainly, we talked about the human toll, but one of the things we focused on our report is just really kind of the meat and potato of running a local government, right.

This is why the city of Whitewater is looking to a referendum in the Spring 2025, for not only city operations, *i.e.*, the police force, but also the school district. So, that is the taxpayers of Whitewater now facing two separate referenda in one spring election because they simply cannot meet the obligations.

Mr. TIFFANY. My time is up, but I want to ask one other really quick question. In your paper it alludes to discussions where the city of Whitewater wanted to have with the Governor's office and the Governor's office insisted on this being a private discussion. Why would that be?

Put it this way. Were you ever told why they insisted that this be a private discussion and not a public meeting for what is a very public problem?

Mr. CURTIS. So, first, to be clear, we actually interviewed nobody for this report. We intentionally focused on the 400 records that were provided by the city, because it was an objective review.

When I say records I am using that in the legal sense where one record maybe an email with numerous attachments. So, it is fair to say we reviewed thousands of pages of records in this situation. So, we just want to see what the situation was in the words of city officials, private communications that are obviously ultimately public records. So, obviously, I would be guessing as to the kind of the motivation behind the Governor's office.

It is fair to say I think there maybe was concern with respect to the eligibility that the city had for funding that was not available and, obviously, I think there was concern that despite all the issues happening, State funding and Federal funding, was simply unavailable to the city.

Mr. TIFFANY. Thank you very much.

For those that may be interested, this is a very well researched document put out by the Institute for Reforming Government. It is worth a read.

I now recognize the representative from Florida for his questioning.

Mr. GAETZ. Mr. Kinson, did I understand the end of your testimony to be that in Whitewater there are classes now in the school district where half the kids do not speak English?

Mr. KINSON. English learners. They are English learners.

Mr. GAETZ. Yes, they are English as a second language.

Mr. KINSON. Correct. Yes.

Mr. GAETZ. So, how do the teachers deal with that?

Mr. KINSON. Well, one of the ways is that we actually have a second teacher who translates.

Mr. GAETZ. So, who bears the cost of that?

Mr. KINSON. Well, the district.

Mr. GAETZ. Is that one of the reasons why the local governments are having to pursue referendums, just the cost structure, or how does that get absorbed by the district if you are doubling your labor costs in some of those classrooms?

Mr. KINSON. Well, the district's never going to tell you that, right? Instead, they will—money is fungible. So, they will say, well, we need it for the roofs, right? Well, they spent the money for the roofs somewhere else.

Aside from the money it affects the educational outcomes. Honestly, that is what concerns me more than the money is that the educational outcomes for the other kids it affects them all.

There is no cohort in Whitewater of kids—cohort is educational speak for any subgroup of kids—that is not testing below average. Boys, girls, native speakers, and ESL, they are all below average.

Mr. GAETZ. That was not the case before this influx of migrants, right?

Mr. KINSON. Right. It has been a steady decline.

Mr. GAETZ. So, what do you say to those who say this is your obligation? We are the richest country in the world. We have all the benefits of being Americans and really it is the duty that we have to open our doors and invite migrants to come here and utilize our services?

Mr. KINSON. Their kids do not go to Whitewater.

Mr. GAETZ. Why do you say that?

Mr. KINSON. Well, the people who are most likely to say that are sending their kids to a public school or, more likely, private school where they probably do not have one or two English learners in their classrooms.

Mr. GAETZ. Really, so it is the public schools with the working class people that you are testifying bear the brunt of this, not the people who—

Mr. KINSON. Absolutely.

Mr. GAETZ. —have the money and the—maybe just even the time to be able to drive your kid outside the district to another school.

Mr. KINSON. Well, take our representatives, for example. Tammy Baldwin does not have any kids in the Whitewater schools. She does not have kids, right?

Governor Evers does not have any kids in the Whitewater schools, but Governor Evers came by to say Lincoln was a success story.

Lincoln is not a success story. Eighty percent of the kids were testing below average—were not at grade level in fifth grade. That is not a success story.

That is in spite of the efforts—that these teachers are taking on a Herculean task, right. So, this is no reflection on the teachers at all. I have a lot of friends who are teachers. They are fighting an uphill battle.

Mr. GAETZ. Yes, and I wonder to what extent is this just the front end of the wave. Is every town going to be Whitewater soon? Here there was a unique circumstance where there was excess housing available. There was a need for work in agriculture. So, what substantial percentage, now, of the town are these migrants who have taken up there, right?

Mr. KINSON. Well, I think what happens is that there is a critical mass, right. If you have one or two kids in a classroom that are not English speakers it is not going to set back the instruction.

You get to a certain critical mass and then all of a sudden it affects everybody. What is that critical mass? I am sure there is some person smarter than me who could tell you that but we are at it.

Mr. GAETZ. Yes, I wonder because I actually know a little bit about that. When there is a student who is not speaking with proficiency or learning at proficiency it is very different than when you got a third, half the class, that cause the teacher to have to not even teach to the middle of the class, but to teach to the bottom of the class, really, and then you do not get that achievement.

I think that the people who want open borders are willing to accept that as, like, just an acceptable cost of open borders—that if students do not do as well, if our hospitals, if our schools are over-run and overburdened, that this OK so long as we are serving this broader goal that they have of open borders, and that just strikes me as cruel.

It is cruel that you would subject students to diminished learning for this social experiment. Do you have any other reasonable explanation for it?

Mr. KINSON. I do not and, in fact, you see that dynamic at Whitewater because it is a liberal town so a town that used to be really

focused on education now all of a sudden are totally disinterested in test results.

You just never see them talked about when I bring them up, I am the devil there—they totally do not want to talk about it and it is—well, like I said, our school board president sends her kids somewhere else.

Mr. GAETZ. Well, I appreciate you being here. My time has expired, but I would think that rising student achievement would be something that could unite people even of different political persuasions, and the things that diminish that achievement should be dealt with and not just accepted as a cost of doing business.

Thank you very much for your testimony. I yield back.

Mr. TIFFANY. Thank you. I now recognize the representative from California for five minutes.

Mr. MCCLINTOCK. Thank you. Sheriff Schmidt, a few weeks ago Tulare County Sheriff Mike Boudreaux testified before this Committee that the Sinaloa cartel has already sunk deep roots into his county in California.

Their activities include the murder of cartel opponents, rampant extortion of small businesses, and criminal activities that include drug and human trafficking.

He testified that the cartel was so well organized that they had actually divided the State into regions with their own regional units including assassination units. He is fighting the Sinaloa cartel in California and you are waging the same battle 1,500 miles away in Wisconsin.

Tell us about the Sinaloa cartel that this administration has deliberately allowed into our communities.

Mr. SCHMIDT. Well, I am hopeful that we do not get to the point of where California is. I think right now we have it to a point under control here in Wisconsin as far as there is only a few of them and they have not gotten to the point of what you are seeing in California.

Obviously, if we do not take action when we make the initial arrest and we just let them go into the wind and continue their operations that is going to enable the leaders of the cartel to say, look, they are not doing anything to us in Wisconsin—what can we do now because they let us get away?

Mr. MCCLINTOCK. If we continue down this road another four years what do you anticipate?

Mr. SCHMIDT. I anticipate we will have additional, just like we are seeing across the country with the Tren de Aragua. We are going to see this happen here as well with this cartel and—

Mr. MCCLINTOCK. What kind of crimes are they responsible for? These are not exactly Rotary Club recruits.

Mr. SCHMIDT. Right. No, these are individuals—in our areas we are seeing drug—fentanyl overdose, fentanyl distribution, methamphetamine distribution, and pushing drugs. That is what we are seeing right now.

Obviously, that grows as they become more prevalent in our communities. Right now, we are concerned because we do not want more families like you heard from here today and that is what we are going to see if that continues.

Mr. MCCLINTOCK. We are seeing some 300 a day, I am told, on average across the country. Sheriff Boudreaux estimated that fully half of the crime that he is now dealing with is due to illegal migrants.

A few weeks before that NYPD officials estimated that about 75 percent of the crime that they are now dealing with in Manhattan is due to illegal migrants.

What percentage of the crimes would you estimate that you are dealing with are now due to illegal migrants in your county?

Mr. SCHMIDT. I believe it is growing. It is a much lower rate. Yes, we still have hope here. I think we are probably in the 20 percent range—15–20 percent range—but it is growing.

Mr. MCCLINTOCK. How rapidly has this condition developed?

Mr. SCHMIDT. Over the last four years is when it really has started to rear its ugly head. Before that we had slow, incremental growth. There has been that growth. Over the last four years it has really exploded and we are seeing it especially in the drug area.

Mr. MCCLINTOCK. Sheriff Boudreaux testified that according to his discussions with his counterparts across the country the problems that he was describing in his own county and that you have described in yours are becoming typical of communities throughout America.

Have you discussed this with other sheriffs and what are they saying?

Mr. SCHMIDT. As I said earlier, yes, we have talked about it. I asked the other sheriffs for examples and there was no shortage of supply of examples across our State of these various types of crimes, and in my neighboring county of Columbia County he gave me—he could not break it down into individuals.

He just said there is a bunch of these, various types of sexual assaults. We are seeing a lot of sexual assault types crimes, things that you would never accept here. It is almost like part of their culture.

So, we are seeing the sexual assaults and the drug offenses, homicides, scams, across the variety of all the different crimes that we see. They are pushing it here.

Mr. MCCLINTOCK. Mr. Curtis, what we seem to be seeing is that illegal migrants concentrate in very large numbers in very short periods of time in small towns and then completely overwhelm those local communities. So, a lot of communities have not faced this yet, but for those that do the effects are devastating.

What would you say to those communities that have not yet seen this influx into their towns and neighborhoods?

Mr. CURTIS. Great question, sir.

Unfortunately, a lot of this does come down to resources. As we have heard from a school district standpoint, you need to be prepared if you are going to see this influx of ESL students.

Frankly, I would argue it even goes, unfortunately, beyond that, right. A lot of the school resource officers in Whitewater, according to emails that we reviewed, really spend a significant amount of their time simply doing home visits to identify why students are not attending.

The truancy rates have significantly increased in the district. So, these are really basic issues almost operational issues that school

districts have to be prepared for and, obviously, the sheriff and the district attorney have noted some of the law enforcement concerns.

Mr. MCCLINTOCK. So, if it has not come to your community it is going to if this continues, and if it is in your community it is going to grow if this continues. Is that essentially what the two of you are telling me?

Mr. CURTIS. Yes, sir.

Mr. KINSON. Yes, sir.

Mr. TIFFANY. The gentleman yields.

I will recognize the gentleman from Oregon for his questioning.

Mr. BENTZ. Thank you, Mr. Chair, and I thank the panel for being here.

Kamala Harris just a little over a month ago made a statement regarding violence against women and she was stating this on the anniversary of the Violence Against Women Act, and at the end of her statement she says,

As we reflect on the life-changing progress we have made over the past 30 years we recommit to the critical work ahead. Together, alongside survivors, advocates, allies, President Biden and I will continue to do everything in our power to ensure that every woman throughout America has freedom to live safe from violence and hate.

She said that and, yet, at the same time the Biden Administration has allowed one-third of the folks that came across the border are from Central America. Let me read this.

Gender-based violence in Latin America has the highest rate. Latin America has the highest rate of gender-based violence in the world, according to the Wilson Center. One-third of the folks that came in the six million—two million are from Central America.

So, we hear President Trump State that folks from South of the border are rapists he was speaking in, obviously, generalities. The specific point was made the other day in front of our Judiciary Committee by April Aguirre, who came in and talked—a crime victim advocate saying how the attitude toward women in Central America is horrible.

The question to you, Sheriff, is how in the world, when we have people that come in where women are second class citizens in many respects, and you can look it up—Google it—in these countries.

How in the world are we going to do something about it now that we have all these folks from those areas here, and this is real and this was brought home to us in graphic detail by Ms. Aguirre in front of our committee just two months ago, and she was disdainful of the assertion that somehow we could fix this.

She was pointing at the culture in Central America, and I hate to be saying that everybody from that country is that way. I am sure they are not. Definitely, there is that attitude and you can look it up. Gender inequality is rampant there.

I do not know why the Biden Administration is busy saying it is doing everything for women when it is allowing this kind of thing to happen. Well, here we are, and as I asked the Senator what are we going to do about it?

Sheriff, I do not expect you to have all the answers, and I went back and forth on whether to ask the school board member what to do about it, because it seems like a training thing but in your opinion what do you think?

Mr. SCHMIDT. I can say I do not have the resources. I do not have the resources to do what we need to do about it.

You take a look at the issues that we have. How about that 12-year-old girl that was almost sexually assaulted—in the process of being sexually assaulted just North of our county line that I talked about earlier?

You talk about the sexual assaults that we hear about all the time. You hear about the human trafficking. Whether it be sex trafficking or labor trafficking, these are very real issues.

I do not have the resources. I have seven detectives for my county of 900 square miles and I do not have the resources to do that. It is going to take a lot of money. It is going to take a lot of resources. It is going to take the community to come together to be able to do this. I do not have the answer.

Mr. BENTZ. You are speaking at how are we going to protect people now that we are in this situation. In that regard, we had a situation in Southern Oregon where a cartel member was raising huge quantities of marijuana.

Southern Oregon is a wonderful place to grow it and many, many people are there doing it illegally and the water master went down to try to shut off the water that they were stealing for their marijuana grow and the head of the cartel running that particular grow came up to him with an AK-47 and said, “you cannot do anything to me because I am invisible. I am invisible.”

So, my question to you is, was he right? Was that cartel member right? Because when they do a raid people scatter into the woods. There is no way to find them.

So, my question to you is, are you encountering that same thing, and is the response you need more help? What is the response?

Mr. SCHMIDT. I think you are dead on. They do become invisible. We do not know who they are. We cannot track them down. I think you are spot on—I think it is a very—becomes more and more difficult for us to—even if you have a picture of somebody I cannot put a name with them because we do not have a proper identification for them, and I think you are spot on and we need a lot more resources. We need to know who these people are and what they represent and what their background is.

Mr. BENTZ. Thank you. I am struck by what, again, the Senator was pointing out is this huge problem that we now have and how in the world do we deal with it, and it looks as if one of the ways is going to be to encourage and support law enforcement more.

With that, Mr. Chair, I yield back.

Mr. TIFFANY. The gentleman yields. I now recognize the gentleman from—one of the gentlemen from Wisconsin, Mr. Fitzgerald.

Mr. FITZGERALD. Thank you, Chair.

Mr. Rachwal—Rick and Erin—thank you for being here today. Because of the networks you described earlier that you have been able to develop and the conversations you have had with other parents that, unfortunately, have suffered what you have gone through, and you talked about the kind of the elected officials and maybe getting more involved or doing specific things. What are some of those things that you could relay to the Full Committee today that you see would be clearly things that need to be done and done as quickly as possible?

Mr. RACHWAL. Sure. Again, our main focus is the education awareness so one of the things would be making sure that these young children in our country are educated at an earlier age, or educated at all and not leaving it up to the families of the victims to do that work.

Having some mandated education on—I mean, this—as a foundation, we are not going to—Erin and I and our members are not going to stop the flow of fentanyl. We can only do as much as we can with education awareness. So, that is one of the big things that would help us.

Mr. FITZGERALD. Have a relationship—I am sure you do—with law enforcement and are there things that maybe happened on campus and that were repeated that you think could be avoided? Maybe more awareness or what are some of the strategies you think that could work?

Mr. RACHWAL. Sure, definitely, and one of the big things that I mentioned too is the stigma. So we get a lot of resistance when we talk to schools or talk to the university. When we first started talking to the university after Logan passed away we did not start—we did not realize that there was this big need for this awareness until nine months later when another young man, Cade, passed away from the same pill and we asked the university was anything done. They did not even—there was no awareness made to any of the kids.

So, there needs to be. They get alerts when there is a storm coming. These kids need to know that these dangers are out there and you hear about bad batches and stuff, but there is no bad batches anymore. Fentanyl is just bad altogether.

They just need this awareness and so one of the things that happened with us talking to the school is they are now more receptive. They have gotten Narcan installed, which I am not going to get into that, but through our efforts and other nonprofits we have gotten Narcan installed in primarily all the UW campuses in Wisconsin.

That is a great thing, just knowing the signs, getting that education. Now at UWM, they are having education in their orientation, so they are actually talking about it when the kids first come into school.

Those are the things we need. It is just that awareness. I know it is not going to 100 percent get rid of the issue but that would help.

Mr. FITZGERALD. Very good. Thank you. Yes.

Mr. RACHWAL. I do apologize, too. Congressman Tiffany asked me the question about talking to law enforcement earlier and the—my nerves just got to me.

I did want to—we do work with the DEA in Washington, and the question was brought to me about the flow of fentanyl, and I did want to bring this up because I felt bad because I kind of froze up.

If I am correct with my numbers, just in 2023 the DEA confiscated almost 80 million fentanyl pills and almost 30,000 pounds of fentanyl powder. That is almost 15 tons. If you equate that back to the two milligrams that is considered a lethal dose that is 6.5 billion—billion—doses that could kill. A million lethal doses. So, 6.5 billion doses.

Mr. FITZGERALD. OK. So, I am going to ask the DA kind of the more technical aspect of this. Right now we have had a bill the last two Congresses to actually label fentanyl as a Schedule I narcotic. That bill has not passed, which is just simply unbelievable to me at this point, and if you talk to people, the Members of Congress, they are amazed by this too why we cannot get this done.

From a DA's perspective how do you view crimes or certainly anything related to a Schedule I narcotic, and do you think it would make a difference when it comes to prosecuting some of these crimes related to fentanyl?

Mr. TONEY. I think it definitely has the opportunity to help. We know the danger that fentanyl is and just how potent it is and it is taken very seriously.

Once you start putting drugs into that Schedule I category that certainly gives us more tools and we will take any tools that you are able to give us that can help us prosecute these cases.

Mr. TIFFANY. The gentleman yields.

I now recognize Mr. Van Orden for his questioning.

Mr. VAN ORDEN. Thank you, Mr. Chair.

Hey, Sheriff, thanks for coming out. Thank you for your work. I appreciate it greatly. I think across the board we recognize the fact that this is an abject failure on the Federal Government's part like no other directly relating to Vice President Harris' border czardom. I think we can just agree with that. Again, I want to thank Mr. Pocan and Ms. Moore for coming to this incredibly vital hearing that has affected tens of thousands of Wisconsinites on a daily basis.

So, actually I just think that is pathetic that they could not bother to find time in their day to come here to talk about this issue that is killing our citizens.

Sheriff, have you been given any guidance from the Evers State House about how you should be dealing with this illegal alien issue that we are having here for reporting or money or anything at all?

Mr. SCHMIDT. The Evers Administration has not communicated with me much at all. I have attempted several times both as the sheriff and as the President of Badger Sheriffs to have open communications but my attempts have gone to interns and it has taken weeks and months before I even get a return call from anybody. There is zero communication between me and the Evers Administration.

Mr. VAN ORDEN. All right. So, put it into context for folks that are from Wisconsin. You are the head of the Badger Sheriffs Association. You are one of 72 sheriffs, the most senior constitutionally elected law enforcement official in your county, correct?

Mr. SCHMIDT. That is correct.

Mr. VAN ORDEN. The Governor of the State of Wisconsin has not contacted you about an issue that has been killing hundreds if not thousands of Wisconsinites for years now?

Mr. SCHMIDT. He has not contacted me and he has been very scarce to most sheriffs in the State.

Mr. VAN ORDEN. OK.

District Attorney Toney, have you been given any guidance by the mighty Josh Kaul about how you should be handling this issue

with Wisconsinites being brutally kidnapped, raped, murdered, and poisoned?

Mr. TONEY. We as district attorneys are independent from the Department of Justice as far as how we prosecute cases.

One of the challenges that we face in cases when we are trying to get evidence tested is limits on what we can now send to the crime labs run by the Department of Justice and slower turn-around times in some of those categories that—there was recently a study by the Legislative Audit Bureau where of the judges that responded, I think the number was North of 60 or 70 percent that were having to reschedule cases because they did not have test results. That was slowing down cases that we are having in court which bottles things up, delays justice, and makes it more difficult for prosecutors in the courtrooms.

Mr. VAN ORDEN. So, Mr. District Attorney, could you say that district attorney Josh Kaul has an understanding that there is a fentanyl issue in the State of Wisconsin?

Mr. TONEY. I would have to believe that he has an understanding of that. There may be some stark differences in how some of us would look to combat that compared to his approach.

Mr. VAN ORDEN. We can reasonably be assumed that the sitting attorney general for the State of Wisconsin is aware that there is a fentanyl crisis with the citizens in the State of Wisconsin.

We can also reasonably assume that he has some contact with law enforcement and if law enforcement on both sides, wearing the suit and wearing the badge, are saying exactly the same thing to you, but Governor Evers and Josh Kaul refuse to do anything about this fentanyl crisis what does that say about Governor Evers and Josh Kaul?

Mr. TONEY. Well, it is disappointing when we do not see some of those resources that we need. The types of cases that are coming through are getting more complicated, that are taking more and more time just to review it for charging to make sure that we are getting justice for families, because not every family is even going to have a case make it to the courtroom if they lost a loved one to offend all over again.

Mr. VAN ORDEN. Right. So, Sheriff, when someone calls into 911 is the first question that your 911 operator asks someone what their political party affiliation is?

Mr. SCHMIDT. It is a question that is never asked.

Mr. VAN ORDEN. It is never asked. So, Mr. District Attorney, when you are thinking about prosecuting a case do you ask people what their political party affiliation is?

Mr. TONEY. No.

Mr. VAN ORDEN. OK, you do not. If the cops are not asking what the political party affiliation is and the person that is going to prosecute somebody is not asking what the political party affiliation is, do you not think that Governor Evers and President Biden and Vice President Harris should stop asking those questions?

There is no way—it is statistically impossible that they magically removed the 91-plus Executive actions from President Trump just happenstance, oops, they all had to deal with the border, now we have this crisis.

We have had 200,000-plus Americans die of fentanyl poisoning, right? It is actually about 300 a day. Imagine a jumbo jet crashing every single day—every single day. That would be dealt with.

The Biden Administration under the Harris czardom and Governor Evers right down the road here and his buddy Josh Kaul have politicized this and our American citizens are dying because of it and it is pathetic.

With that, I yield back.

Mr. TIFFANY. The gentleman yields.

I now recognize Representative Steil for five minutes.

Mr. STEIL. Thank you very much, Mr. Chair.

The Biden–Harris Administration’s policies are having a real impact here in the State of Wisconsin. I think it is worth our time to reflect just on the case study of what has happened in Whitewater, Wisconsin, due to the policies of the Biden–Harris Administration.

I will start with you. You have done—Mr. Curtis, you have done great research into this. You have seen a significant influx of migrants into Whitewater as noted by the chief of police’s letter that says he is estimating, roughly, a thousand migrants. Do you think the thousand number is accurate?

Mr. CURTIS. Well, certainly in the records we reviewed it is accurate, but I think I noted earlier the sheriff, or excuse me, the police chief himself has noted that this is likely a conservative number.

There were some individuals that challenged that estimate and his response was, I think this is conservative—I am paraphrasing—because, again, that is based on the district population.

Mr. STEIL. I agree it is, roughly, and it is based on the school district numbers, right?

Mr. CURTIS. Correct.

Mr. STEIL. So, what are the school district numbers that give rise to the thousand estimates?

Mr. CURTIS. I think it is 200–300 in that range and, again, that fluctuates year to year.

Mr. STEIL. A rough, 200–300-person increase in a school district. I will go to you, Mr. Kinson. How many students are in the school district of Whitewater?

Mr. KINSON. Twelve hundred.

Mr. STEIL. So, 1,200 and you have seen an increase in, roughly, 200 students over the past 2–3 years?

Mr. KINSON. Two years, yes, it increased 50 percent.

Mr. STEIL. An increase of 50 percent of English second language students, but an increase in absolute—

Mr. KINSON. It was 200–300, yes, roughly. Two hundred—

Mr. STEIL. Two hundred to three hundred students in a school district of—

Mr. KINSON. Twelve hundred.

Mr. STEIL. Twelve hundred. That is a very significant percent increase in the school district. Then, in your testimony you walk us through the real-world impact that this has had in the school district and on children.

As you correctly noted, you noted that special needs students has held reasonably steady, about 20 percent State average of 14. Students who are economically disadvantaged has held reasonably

steady, about 50 percent—State average 45—but a significant increase in the needs of English as a second language in the school district and then at the same time you note the correlation of overall academic achievement. You have been a long-time resident in the city of Whitewater. You have students that are there.

Could you walk through how the school achievement has fallen in the community of Whitewater as a result of this influx?

Mr. KINSON. Well, the example I gave in my testimony was I think the perfect illustration of this is Lincoln, one of our—the elementary school with the highest proportion of ESL kids. So, fifth grade last year they had—25 percent of that class was ESL. Eighty percent of that class was not reading at grade level in English.

Mr. STEIL. I think this is really important. Let us just dive into Lincoln Elementary in the school district of Whitewater. Twenty-five percent of the students are English as a second language but 80 percent of the fifth graders are not reading at a fifth grade level.

Mr. KINSON. That is right.

Mr. STEIL. Does that mean that not only is there a challenge to those students who English is a second language, but really it is impacting all the students in the classroom. Is that your understanding?

Mr. KINSON. Yes. There is no mystery to this, right? If you go to the Wisconsin DPI website there are three drivers, like I said. It is special needs kids, economically disadvantaged, and ESL. That is it.

You can determine what a school's outcome is going to be based on that. As you raise one, right, the test scores are going to drop. It is invariable, and it is not just Wisconsin or Whitewater. It is across country.

Mr. STEIL. Every mom and dad who has a child in the Whitewater School District is being negatively impacted by the Biden-Harris Administration border policies, by the Biden-Harris Administration catch and release policies.

That is directly impacting every student in the Whitewater School District, and when we extrapolate that out and we look statewide and nationwide it is actually impacting almost everyone and it uniquely impacts hard-working families in school districts that are not uniquely affluent.

Moms and dads who have unlimited cash-flow find ways to take care of their children. They drive to another school district. You noted in your testimony some people drive to Elkhorn School District. Some people move to school districts or send their children to private schools with their own resources.

Mr. KINSON. Or better yet, they do not come to Whitewater, right. That is the other dynamic I did not talk about. If you are a parent and you care about your kids you are not moving to Whitewater.

That is the sorry truth of it. It is a university town. When I grew up all the professors' kids went to Whitewater. Now, they do not.

Mr. STEIL. I grew up 20 minutes away. I know the city well, and the impact that the Biden-Harris Administration policies are having in Whitewater is really just an example of the horrific policy impact that this is having across our State and across our country.

This is why securing the U.S.-Mexico border is absolutely essential not just for all the students in the community of Whitewater but for students across our State.

Cognizant of my time, I would go on and dive into some of the drug trafficking issues that we have seen in Whitewater as well but, Mr. Chair, I will yield back.

Mr. TIFFANY. The gentleman yields and I will recognize Representative Grothman for his questioning.

Mr. GROTHMAN. Thanks.

First, a little comment. I have been down on the border many times and one of the things you hear if you talk to Border Patrol or the people who have to analyze or interview the people coming across is all the sexual assaults going on at the Southern border.

That is one of the prices that people have to pay for this open border policy. I again and again hear—and I talked to the woman last time I was down there who did examine everybody and she told me, yes, it is something we see all the time. That is one of the prices that has to be paid by the women of this current situation.

You hear again and again they are putting even young girls on the pill because they expect they will be sexually assaulted, which is just almost beyond belief, there at the Southern border.

Now, we do not have any Democrats here today, but if they were here what they say is, well, sure that there have been crimes committed by some people here illegally, but it is no large amount or it is no more than the native-born population.

I have talked to many judges, other DAs, from my district prior to this hearing today and one of the things I hear is that nobody knows really—I do not know how anybody can make that statement because nobody knows how many crimes in this country are being committed by illegals.

If I go to one of the State prisons of my district they have no idea how many people in that prison are here illegally. If I talk to somebody, how many people in your jail—county people—are here illegally they have no idea. If I say last year in the United States there were 15,000 murders, how many were committed by illegals, nobody knows.

I would like to ask—I guess both Sheriff Schmidt and District Attorney Toney, does anybody keep track of how many crimes in this country are committed by illegals or is that just a number, despite the blizzard of paperwork that is required out of Washington, nobody knows?

Mr. SCHMIDT. I think you are right on par with what you are saying. We really do not know. Mr. McClintock asked me a percentage. I had to guess because I do not know how many people are committing crimes in our areas.

I am unique in my county because I have a holding facility for immigration so we have the ability to—once they are booked in we are able to identify if they are supposed to be here or not.

I am one of the very, very few across the country that have that ability and most of the time, when they get booked in until a couple of days later, even I do not know that. There is no way for us to even know that.

Mr. GROTHMAN. District Attorney Toney, if we talk about the number of murders, fatality by drunk driving, whatever—does any-

body in Fond du Lac County know? Tell us what percentage of serious crimes are committed by illegals?

Mr. TONEY. Most of the crimes that come in we do not know the immigration status of somebody. When we look at the border crisis we see crime that is related to people coming here illegally and crime related to the drugs that are being done by American citizens.

Mr. GROTHMAN. OK. Here, in Fond du Lac County, for sure, nationwide—

Mr. TONEY. There is a reason every judge reads an immigration warning in State court when there is a conviction. It does not matter if they are a citizen or not. The court is supposed to read that because we simply do not always know the immigration status.

Mr. GROTHMAN. OK. Do we have a special problem when it comes to people here—immigrants coming here—in that they are—the victims are reluctant to report crimes to law enforcement in part because there is kind of a solidarity in ethnic groups? Is that a problem?

Mr. TONEY. We see challenges with reporting crime. If somebody is afraid they could be deported or otherwise removed from the country where they may be not willing to—

Mr. GROTHMAN. Even if they are here legally there is some solidarity, right, Sheriff Schmidt?

Mr. SCHMIDT. Yes.

Mr. GROTHMAN. There is solidarity in saying, no, we are not going to turn Jimmy in for the sexual assault.

Mr. SCHMIDT. There are cultural issues as well, that sometimes they will not cooperate with law enforcement because of their culture or because of the potential crime that is being investigated.

Mr. GROTHMAN. OK. Do we have another problem, which people mentioned, particularly from the Latin American culture in which people are giving different last names at different times depending on whether they are arrested? This is a special problem we maybe do not have with American but people who grew up in that culture, all of a sudden one day it is Morales Rodriguez, the next day it is Rodriguez Morales. Is that a problem?

Mr. SCHMIDT. Different last names, different first names, different birth dates, different everything. Yes.

Mr. TONEY. We will run criminal histories and we will see a list of aliases at times where it becomes difficult to track and match some of those records.

Mr. GROTHMAN. Do we have another problem? District Attorney Toney, you mentioned this, that people, perhaps victims of human trafficking, may be threatened with we are going to turn you in and you might be deported, which is another challenge for law enforcement that you do not have with the native born. Is that true?

Mr. TONEY. We do have challenges with those that are in the country illegally. There is a U Visa system to try and help to make sure we can have those witnesses or victims here, but that gets slammed with people applying that should not even be applying, taking spaces away from those victims that we need here.

Mr. GROTHMAN. Is that true?

Mr. SCHMIDT. Yes, absolutely. I think it is true.

Mr. GROTHMAN. Do we have another problem? There is a cultural difference between people coming here and the native born. Is it accurate to say that maybe in other cultures drunk driving is not to be taken as seriously as it is in this country?

Mr. TONEY. I do not think I can speak to that.

Mr. SCHMIDT. I do not know what the particular culture is, but I am sure there is some aspect of that.

Mr. GROTHMAN. OK. Same thing following up with regard to sex with a minor. Maybe it is accurate to say that in this country maybe we would be alarmed if a 14- or 15-year-old-girl was involved in sexual activity. Perhaps in other countries it is not considered quite as big a deal?

Mr. TONEY. Well, I just had an exchange with a social worker where we were dealing with underage sex and the social worker described it as a cultural difference, and one of the challenges that we see when people are coming here illegally is they are not looking at what our laws are before coming here. That is something that we routinely see that happens.

Mr. GROTHMAN. OK. Same thing with regard to perhaps physical abuse in domestic relationships. Is there another maybe a little cultural difference there?

Mr. TONEY. Well, one of the cases that I referenced is a domestic violence case, a brutal stabbing that we have set for trial in November. I do not want to get into much of the details, but we do see those challenges.

Mr. GROTHMAN. OK.

Mr. SCHMIDT. As do we.

Mr. GROTHMAN. OK. That was a lot of good questions to get in there. I guess I will have to give the rest of time back to you, Mr. Chair.

Mr. TIFFANY. Thank you very much for those excellent questions. Appreciate it very much.

If everyone's questions have been asked and answered that will conclude today's hearing. We thank all our witnesses for appearing before the Committee.

Without objection, all Members will have five legislative days to submit additional written questions for the witnesses or additional materials for the record.

Without objection, the hearing is adjourned.

[Whereupon, at 12:19 p.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=117709>.