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For immediate release

Broken Neighbor, Broken Border



House Republican Conference Secretary John Carter and Cochise County Arizona Sheriff Larry Devers inspect joining of old Korean War surplus border fence with new border fence provided by 2006 Congressional action

A Field Investigation Report of the House Immigration Reform Caucus

**Immigration Reform Caucus Chairman Brian Bilbray
House Republican Conference Secretary John Carter**

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Staffdel member Brendan Belair and Zapata County Texas Sheriff Sigi Gonzalez examine Falcon Lake scene of piracy, drug smuggling, human trafficking, and cartel violence

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Preface

August 2-6, 2010

The Immigration Reform Caucus Staff Delegation Investigation of Texas Border Conditions



House Immigration Reform Caucus Chairman Brian Bilbray (R-CA) and Republican Conference Secretary John Carter (R-TX) authorized a staff delegation investigation of conditions on the Texas border for the information of Caucus Members and the House at large. Member offices representing both parties were invited to participate.

Participating field investigators included Brendan Belair, Deputy Chief of Staff for Congressman Carter; Robert Boland, Immigration Reform Caucus Executive Director for Congressman Bilbray; and John Stone, Communications Director for Congressman Carter.

Staff Investigators were in the field from Monday, August 2, starting in Laredo, and traveled northeast along the Texas-Mexico border through Friday, August 6.

September 17-18, 2010

Congressman John Carter meetings with Arizona Sheriffs



Congressman John Carter and Staffdel member John Stone conducted field interviews and inspections of Arizona counties with Maricopa County Sheriff Joe Arpaio and Cochise County Sheriff Larry Devers.

Carter and Stone were in the field on Friday, September 17 in Maricopa County and Saturday September 18 in Cochise County. Both key sheriffs were interviewed at their respective department headquarters. Maricopa County's "Tent City" jail was inspected, along with Cochise County's border with Mexico.

Executive Summary

Since passage into law of the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005 and the Secure Fence Act of 2006, illegal entries on the U.S. southern border are down by half.

The degree to which these reforms have contributed to this success balanced against the decreased activity of economic illegal aliens due to recession is subject to honest debate. However there is no doubt by any law enforcement agency on the southern border that both reform bills have worked to increase security and reduce illegal entries into the United States, especially at ports of entry.

However, the nature of illegal entries has become increasingly dangerous to the homeland security of our nation, based on the near collapse of civil authority in the northern states of Mexico.

The Rule of Law in Mexico has degenerated to a point of near anarchy along our shared border. Violent and heavily armed Mexican drug cartel members, human traffickers, and Middle East terrorists are crossing at will, with Al-Qaeda affiliated Somalis the target of Department of Homeland Security alerts in the Houston area.



National Guard on border during Operation Jumpstart, 2006 (file photo)

A long-term deployment of a minimum 25,000 armed troops with enforcement power is necessary on our southern border to preserve U.S. sovereignty and the lives of American citizens from organized armed forces hostile to the United States.

The southern border of the United States is still being successfully infiltrated by a half million illegal aliens annually, according to Department of Homeland Security statistics.

While down from a high mark of over a million in 2006 due to increased manpower and resources of the U.S. Border Patrol and the recession, the nature of illegal crossings has grown far more sinister and threatening.

The illegal entrants consist of not just “economic” violators, but also heavily armed drug cartel members and “OTMs” - other than Mexican illegal aliens - from diverse countries including Middle Eastern nations with terrorist factions currently at war with U.S. forces.

Mexican drug cartel members now operating inside the United States as a result of these breaches are directly linked to over 28,000 violent murders and executions on the other side of the Rio Grande.



Drug wars murder victim on street in Piedras Negras, across Rio Grande from Del Rio (El Bravo, August 2)

According to virtually all law enforcement on the border, Texas and the other border states are in imminent danger of this level of violence exploding across the border into the United States. Kidnappings and murders by the cartels inside the U.S. are already occurring.

Both U.S. Border Patrol officers and Texas law enforcement agencies are at present forced to back down from these heavily armed incursions, due to the overwhelming firepower and manpower of the drug cartels. U.S. private property owners on the border have been largely abandoned to defend themselves, and have begun to be murdered.

The U.S. Border Patrol is operating under conditions set by the Administration that guarantee hundreds of thousands of illegal aliens will succeed in their effort to infiltrate the United States

The official position of the Administration, which has been forced on the U.S. Border Patrol, is that even after admitting to these conditions, the border is more secure than it has ever been, that U.S. national security needs are being met as well as they can be, and that efforts by the states and local law enforcement to combat this explosive situation beyond the efforts of the Administration should be legally stymied.

Texas Sheriffs are now experiencing the first spillovers of the mass murders and executions that have effectively destroyed social order across the border.

To place in perspective the degree of anarchy and violence, Mexico has experienced 28,000 murders since the drug wars began in 2006; by comparison, the United States has lost around 6,000 soldiers in both Iraq and Afghanistan since 2001.

The U.S. justified going to war against Serbia in 1998 based on an estimated and highly debatable 10,000 civilian casualties in that civil war. Like that conflict, mass graves continue to be found in Mexico, including the most recent discovery of 72 murdered Central and South American immigrants just south of the Texas border.



San Fernando, Mexico mass grave discovered August 25 near Texas border (file photo)

Report to Congress

The Rural Texas Border Sheriffs

Zapata County

Zapata County Sheriff Sigifredo Gonzalez reports the motus operandi of the drug cartels is to kidnap its victims, and take them to remote locations in Mexico where they are frequently tortured before being killed, by having old tires filled with gas placed over them and ignited, and other equally gruesome means. Victims are often beheaded.

According to Sheriff Gonzalez, a native of Zapata, his department investigated seven suspected kidnappings of Mexican nationals in Zapata County in 2006, with suspicion that one of the victims were transported to Mexico and possibly executed. Gonzalez also says that his department has received unconfirmed reports from informants that in at least one instance victims have been kidnapped in Mexico for possible organ harvesting, and for adoption of infants by wealthy childless couples.

Zapata County shares 60 miles of border with Mexico that includes Falcon Lake on the Rio Grande, recently the scene of piracy against U.S. boaters. Falcon Lake has been a popular bass fishing tournament venue and a major source of tourist dollars for the local economy. Sheriff Gonzalez relates that one U.S. bass fisherman was robbed of cash, credit cards, and his hi-powered bass boat, and put ashore on the American side of the lake. These incidents have all but ended the county's tourism draw.

Since this field investigation was concluded, American jet skier David Hartley was reportedly shot in the head and killed on the lake in late September, and the lead Mexican law enforcement official investigating the case was subsequently beheaded. Hartley's body had not been recovered as of November 18.



Five suspected drug war related fires on Mexican banks of Falcon Lake

While inspecting the lakefront with Sheriff Gonzalez and deputies, a suspected violent conflict was occurring on the other shore in plain view with five major fires blazing simultaneously. The Sheriff explained that a standard tactic in the drug wars is to set an enemy's house on fire. The smoke from these fires can be seen daily across the border, along with the sounds of gunfire.

Sheriff Gonzalez with just 28 patrol officers available has ordered his deputies to stay off the lake, as they are seriously outgunned. Mexican cartel gunmen are known to use 50 caliber automatic weapons along with grenades, whereas deputies are generally limited to standard law enforcement firearms such as pistols, shotguns, and AR-15 assault rifles.

Deputies report U.S. Border Patrol officers also back away from direct confrontation with these armed elements.

The typical Zapata County deputy has a starting salary around \$28,000, compared to new Border Patrol officers at \$45,000 and up.

Sheriff Gonzalez estimates at least a third of his budget and resources are currently used in efforts combating crime stemming from illegal immigration, including crime investigation and inmate housing.

Joint enforcement efforts between the Zapata Sheriffs Department and Border Patrol seldom materialize due to supposed Border Patrol issues over training and policy differences with deputies. Sheriff Gonzalez' suggestion to use strategic manned towers to improve detection of illegal crossings was denied by the Border Patrol, as well as attempts to have Border Patrol officers and Sheriffs Deputies ride together on patrol, and to have deputies work the observation posts established by the National Guard during Operation Jump Start. The Sheriff says his department has worked with Border Patrol on several past operations, with insignificant differences in procedures.

Deputies are often incensed by the release of border violators, especially a recent incident in which 24 uniformed armed Mexican personnel were arrested by the Border Patrol only to be released, according to Sheriff Gonzalez. The state is also frequently forced to charge underage illegal alien drug traffickers because minors will not be federally prosecuted, encouraging drug gangs to use only underage traffickers and placing additional workloads and expenses on local and state government.

Interview with a Zeta

Sheriff Gonzalez allowed team investigators to interview a ZETA cartel prisoner awaiting trial in the Zapata County Jail to confirm with firsthand testimony the increase in violence and anarchy now spilling into the United States.



Zapata County Courthouse

The suspect, a 19-year old illegal alien Mexican national, was arrested by Zapata deputies January 29 after transporting 400 pounds of marijuana across Falcon Lake by boat, debarking at the county’s main public boat ramp, underlining the ongoing danger to innocent bystanders attempting to use the lake.

The suspect confessed to being recruited by the Zeta Cartel while he was 15, affirming the planned use of minors by the drug trade. He began his criminal career as a “pointman”, or lookout for drug dealers engaged in border crossings.

According to the suspect, pointmen cross into the U.S. illegally, and call in the location of deputies and Border Patrol officers to drug smugglers to avoid detection of drug loads.

The suspect was promoted by the Zetas from pointman to smuggling both drug loads and illegal immigrants as a coyote. He reported having successfully smuggled between 2-300 drug loads over a 2-year period, sometimes bringing in up to three loads a day. He was paid \$5000 per load, with which he then paid pointmen and “mules” – illegal aliens who carry backpacks of marijuana bales - leaving a profit of \$1-2000 per load. He also charged \$800-1200 per person as a coyote to smuggle illegal immigrants into the U.S., with a premium of \$1300 to transport them by boat across Falcon Lake.

During this 2-year criminal career, the suspect testified he was caught once by U.S. Border Patrol, who seized his drug load, processed him as an illegal alien, and deported him back to Mexico.

The suspect also confessed to participating in 18-19 executions of men and women of all ages. He stated that the two main enemies of the Zeta Cartel in the region are the Gulf Cartel and the Familia Cartel. However, the suspect said the murder victims included many Zeta-affiliated persons as well, for violating the complicated system of rules and even pseudo-taxes imposed by the Zetas, or for failure to pay debts to other individuals above and below their rank in the criminal organization. Killings were conducted for

victims having falsified their name to cartel bosses, stealing, owing money to other cartel members. The killings also included revenge murders of innocents who were related to cartel enemies.

The suspect said that a cattle trough on the other side of the river from Zapata was a common slaying site. The standard execution called for the victim being bound with a bag placed over their head, then having the bag removed just before being shot in the face, frequently by an acquaintance of the victim, to allow the victim to be terrorized in their final moment as a warning to enemy and friend alike.

“Los cheros” were then called to dispose of the bodies. Many were placed in a nearby mass grave and covered with lime and dirt. Other bodies are cut up and dissolved in acid barrels, leaving no trace of the victim.

The suspect offered to divulge the location of the mass grave containing up to fifty bodies to Sheriff Gonzalez in hope of a lighter sentence. The suspect also expressed his unrealistic belief that he would be granted immunity and amnesty by joining the U.S. Army, as he could then be legally rewarded for his skill in killing.

In addition to the killings, the suspect also participated in corporal punishment through torture, that included driving toothpicks under fingernails, the tightening of vice grips on fingers till the fingers burst, and paddling with 2x4’s for making simple mistakes in their duties to the cartel.



Sheriff Gonzalez and deputies show easy river entrance into U.S., with Mexico directly across from the boat ramp

According to the suspect, the border is absolutely not secure and is open for easy illegal entry for immigrants and drugs, thanks to the elaborate criminal organization support in both Mexico and now in place on the U.S. side of the border, coupled with the total corruption of Mexican law enforcement by the cartels, from the lowest recruit to the highest ranking officials.

The suspect says the U.S. presence of cartel members is being increased rapidly, as many of the pointmen being placed on the American side are also “sleepers,” ready for “future combat” against competing cartels in U.S. cities, and against the Border Patrol and border Sheriffs if necessary to protect the bigger drug loads in the event of a crackdown by U.S. authorities.

The suspect said the safest place for illegal entry in the region was across the narrow Rio Grande in Laredo behind the HEB store and the adjacent McDonalds restaurant. He said Delores Road and nearby gully were left unpatrolled by the Border Patrol, and once across the shallow river and up the hill illegals would instantly blend in with the large crowd of pedestrian shoppers.

Eagle Pass Joint Sheriffs Meeting

Sheriff Gonzalez’s input was largely mirrored and reinforced by the other Texas border sheriffs serving rural counties.

Team investigators met jointly in Eagle Pass with Maverick County Sheriff Thomas Herrera, Zavalo County Sheriff Eusevio Salinas, Dimmit County Sheriff Joel Gonzalez, and Kinney County Sheriff Buddy Burgess.



Sheriffs Herrera, Salinas, Gonzalez, and Burgess meet with IRC team in Eagle Pass

The sheriffs agreed that specific illegal immigration/border issues consume at minimum around 30% of their budgets and manpower.

All four sheriffs pointed to the frustration of releases of illegal immigrants and drug smugglers by the Border Patrol, while several felt that releases in their county were

somewhat diminished from 2006 levels since new Congressional reforms have been phased in following passage of border and immigration reform that year.

All confirmed that the federal courts are generally not prosecuting economic illegal aliens, just returning them to Mexico, eliminating a deterrent factor against recitivism.

According to Sheriff Herrera, 26,000 illegal immigrants were caught and released in Maverick County last year.

The sheriffs also expressed general satisfaction with state level improvements under Texas Operation Stonegarden.

The new funding is helpful and has worked to increase law enforcement field presence, but the current prohibition on the use if Stonegarden funds for weapons purchases should be lifted, to allow departments to upgrade to heavier weaponry in defense against cartel arms.

Maverick County Sheriff Herrera reported that 3 fixed-wing aircraft from Mexico violated U.S. airspace over Maverick County within the last year with no federal action, in spite of the U.S. Air Force look-down surveillance blimp in place supposedly to remedy the airspace violations by drug smuggling aircraft.

Potential Area Increase in Drug Trafficking

According to Sherriff Herrera, Mexico's infamous Sinaloa drug lords are now buying land along the northern border in his county. All sheriffs in the meeting confirmed new road-building in desolate areas on the other side of the border, from Presidio to El Paso, giving greater Mexican border access for illegal activity

The sheriffs were universal in their adamant call to end the Merida Initiative, (footnote) currently providing billions of U.S. foreign aid to Mexico to fight the drug war, with no accountability for use of the funds, which they believe is feeding the drug industry.

This point was especially egregious to the sheriffs, as the accountability requirements for all federal aid to their departments is stringent, and as mentioned earlier, these cash-strapped rural counties are required to spend the funds months in advance of receiving reimbursement through the federal grant program.

All rural sheriffs complained of current federal grant rules requiring the county to spend funds before being reimbursed. Based on the rural counties enormous geographical area and low population, all agencies represented said they were leaving badly needed grants unclaimed for lack of up-front money.

All four counties affirm Sheriff Gonzalez's earlier observation that drug runners are using 17 year old minors to transport drugs because they know DEA will not prosecute a minor.

Surplus road building equipment is needed for deputies to effectively patrol border areas. Sheriffs say the extreme bad condition of most dirt border reports destroys the suspension of their patrol cars in as little as six months, while regular grading would be cheaper than vehicle replacement and dramatically increase response time.

Sheriffs remarked that National Guard construction activities on these roads during Operation Jumpstart was a success while that deployment lasted, and was the one area in which the deployment benefited local law enforcement.

All sheriffs said that a full scale National Guard deployment to secure the border would virtually end their border problems, but only if the Guard were actually given full authority to do the job. This would have to include the ability to enter private land, be fully armed, and have the legal authority to detain illegal aliens for pick up by the Border Patrol.

One sheriff expressed fear that a deployment would lead to elevated border violence as Mexican drug gangs sought revenge for having their drug shipments effectively blocked for the first time.

Old Mines Road – A Different Kind of Road to Nowhere

All four sheriffs agreed that to effectively combat illegal immigration, drug smuggling, and human trafficking in their counties it is essential to pave the notorious Old Mines Road, Texas Farm-to-Market Road (FM) 1472, on the border between Laredo and Eagle Pass.

The IRC field team drove the entire length of Old Mines Road without Border Patrol or Sheriffs escort in order to independently investigate the claims made concerning the region

The team was accompanied by private property owners Frankie Limmer and Russell Schmidt.



Remoteness and ruggedness of terrain visible from rise in road, with wilderness stretching unbroken for miles to the border

Texas considered formally closing the road last year as a public safety measure in response to dangerous road conditions and high levels of armed illegal immigrant traffic, and in fact already installed closure gates. However, pressure from landowners who objected to losing access to their property led the state to relent and leave the road open.

This road parallels the Rio Grande border for nearly 100 miles through desolate and virtually unpopulated desert scrub brush, passing along private ranches between the road and the Rio Grande, which includes around 55 miles of very rugged unpaved packed sand and clay which becomes impassable during infrequent rains.

“We can’t patrol the border if we can’t drive on it,” was the universal complaint of the sheriffs.



Border Patrol maintained “drag road” alongside Old Mines Road. Road is swept frequently to detect footprints of illegal crossings

The road crosses numerous 30-foot ravines with only a few parallel boards to drive over to avoid a vehicle dropping into the gully. Mining and oil drilling service trucks that use the road in most cases have created alternate drive-arounds through the gulleys as the planks would likely not support a heavy vehicle.

Old Mines Road is the crossing point for all illegal aliens infiltrating this region. After crossing the Rio Grande, they walk straight across the scrub brush desert 30-40 miles to I-35. These groups include all varieties of illegals, from “economic” to drug smugglers and human traffickers.

We detected one border patrol agent during the first 15 miles on the road, and seven over the next forty miles, totaling around 1 border patrol truck for every 6 or 7 miles.

The sheriffs agreed that a deployment of 6-700 armed National Guard with detention authority on the river, or even on the road itself would virtually end illegal entries for this section of border.

While this remote roadway could be assailed as another road-to-nowhere, providing better access to the border for federal and local authorities should be considered as a homeland security need for the United States.

Val Verde County

Sheriff Joe Frank Martinez says the most immediate need is for more deputies, and repeated the other sheriffs’ irritation with grossly underfunded sheriffs’ deputies compared to Border Patrol officers. Sheriff Martinez pointed out that for the total \$70,000 cost to put a new Border Patrol officer in the field he could pay for 3 deputies.

The Val Verde Sheriffs Department has 16 patrol officers, giving the county 2-3 patrol cars on duty at a time. Sheriff Martinez says he needs 10 new deputies to provide adequate coverage for his county, as he expends around a third of this time and resources on illegal alien activity.

The Sheriff says departments need more grant flexibility that currently available under DHS grants, which force departments to continually increase overtime for existing deputies instead of hiring new personnel.

Sheriff Martinez says the FBI, BP, DEA all have intelligence units in the field in his area but there is little evidence of real communication between the entities, especially any sharing of intelligence with local sheriffs.

Operation Jump Start was ineffective in Val Verde County because there were not enough troops. Sheriff Martinez says 6,000 troops for the border was simply a public relations ploy, whereas a 25,000 man or more deployment would effectively end illegal crossings.



Border Patrol interior checkpoint. Checkpoints are located across the border area 25 miles inside the U.S.

Sheriff Martinez said while the Border Patrol was quite visible around Laredo and Del Rio, they had very little presence in his area.

While driving the 120 miles from Val Verde County to Sanderson, the IRC team counted three Border Patrol vehicles.

Terrell County



Stone, Sheriff Clint McDonald, Belair, Boland outside Sanderson meeting

Sheriff Clint McDonald's department has a total of 7 officers, with one on the road at a given time to patrol 54 miles of river border with 22 crossings. Terrell County's

population of only 1200 prohibits any expansion of law enforcement activities without state or federal assistance.

Sheriff McDonald says the majority of his activities are in response to illegal alien activity, with illegal aliens committing as high as 90% of burglaries in the county in what has become a pattern of cross border raids by Mexican burglars.

McDonald says that until the Mexican drug wars erupted along with the U.S. recession, the majority of illegal alien activity in the county was by economic migrants. The majority of activity now consists of criminal activity and drug smuggling.

Sheriff McDonald reports a good working relationship with the Border Patrol, and that the recent Operation Easter Demonstration Project in the Big Bend area was a total success.

The Sheriff reaffirmed that there is and can be no cross border communications or cooperation with Mexican law enforcement due to the total corruption from the drug wars.

Sheriff McDonald testifies that his river border is so rugged, with massive canyon walls over the river that the only places that illegals can realistically cross on his 54 mile border are at the 22 specific crossings mentioned earlier. Therefore National Guard teams posted at those crossings would virtually cease illegal entries into Terrell County, with an estimated 200 troops necessary for the job.

McDonald says there are potential issues with such a deployment that must be addressed to succeed, however. The troops must be armed and on the river, not a mile or miles back as is the current Border Patrol.

Property owners also have reluctance to allow the National Guard on their property under the terms offered by the Department of Homeland Security during Operation Jumpstart.

Unlike the Border Patrol which has legal authority to enter private property within 25 miles of the U.S. border, the National Guard has no such right, and entry must be voluntarily granted by the landowner. Many landowners were initially willing to verbally allow entry under condition their roads, fences, and livestock not be damaged, similar to the entry permission most grant to their Sheriff. However, DHS drew up detailed legal waivers for landowners to sign with liability clauses and acknowledgements of extensive military operations on their land that landowners rejected as overreaching and unnecessary.

Any future deployments in which National Guardsmen needed to access private land would be more successfully conducted by having the Guard co-ordinate with landowners exclusively through the local Sheriff rather than DHS or other federal authorities. Most other Texas Sheriffs interviewed during the field investigation agreed with Sheriff McDonalds' evaluation.

Alpine Joint Sheriffs Meeting



Sheriffs Rick McIvor, Danny Dominguez, Ronny Dodson with team members John Stone and Robert Boland

Jeff Davis County Sheriff Rick McIvor says he has a county population of 6000 population, with 4 patrol deputies, and desperately needs more officers with the additional load of immigration law enforcement his department faces.

The Texas state Stonegarden grants should be modified to allow up front funding rather than reimbursement, which small counties can't afford.

McIvor reports his deputies make no more than \$32,000 a year, which is not competitive with Border Patrol levels.

Sheriff McIvor says the Border Patrol presence from Sierra Blanca to Del Rio is minimal, and relies on ground sensors, which illegals aliens have learned how to beat.

Brewster County Sheriff Ronny Dodson has 8 deputies and a population of 10,000. Sheriff Dodson confirms that illegals know where all the Dodson complained that Border Patrol officers are now offering public school anti-drug programs with the additional federal funding granted in recent years, instead of using the funds to better secure the border. Dodson's comment confirms the same complaint by other sheriffs.

Sheriff Dodson testified that the Border Patrol typically does not share intelligence information with his department, and indicated there is a general level of mistrust between the Border Patrol and local sheriffs in light of the corruption rampant on the border.

Dodson reports arresting several Border Patrol officers for various offenses in his county, and one National Guardsmen for transporting marijuana during Operation Jumpstart.

Dodson says to be effective, the Border Patrol needs to place officers on the border, not miles withdrawn. Dodson also believes the Border Patrol is no longer concerned with stopping illegal economic aliens, but only drug smugglers.

Presidio County Danny Dominguez has five deputies to protect a population of 2250. His department is resentful of the bureaucratic accountability procedures on every grant, while \$1.3 billion goes to the corrupt Mexican government with questions asked.

Sheriff Dominguez says the Border Patrol is doing little to enforce the law against illegal economic aliens, and is giving prior notice to businesses on pending raids for illegal workers.

The Sheriff says the majority of drug smuggling operations are eluding the Border Patrol, with maybe one of eight operations being stopped.

Sheriff Dominguez says his department and the rest of the country need to step up interior enforcement efforts against illegal aliens, as the Mexican cartels are coming into the U.S. to shake down Mexican businesses that have legally opened new operations in the United States to avoid violence and extortion.

Joint Rio Grande Night Inspection



Culberson County Sheriff Oscar Carrillo (L) and Hudspeth County Sheriff Arvin West (R) feed deputies on a desert bluff above the Rio Grande before night patrol

The IRC team met with Hudspeth County Sheriff Arvin West and Culberson County Sheriff Oscar Carillo in Sierra Blanco to inspect the Rio Grande in Hudspeth County at night.

The Hudspeth County Sheriffs Department was involved in a major incident on the Rio Grande on January 23, 2006 in which deputies were forced back from the U.S. border by what appeared to be Mexican military attempting to rescue a major drug shipment that had been intercepted. Hudspeth deputies and Border Patrol officers were outgunned by the heavier weapons of the smugglers.



Armed men in military uniforms with Humvee clearly visible pull drug-running SUV from Rio Grande on Mexican side (2006 file photo)

Sheriff West reports that since that incident, the Border Patrol has effectively abandoned the border, and withdrawn its officers to a line about a mile back from the Rio Grande to avoid exposure to snipers and heavy weapons.

The Border Patrol withdrawal has left American property owners adjacent to the border abandoned, with only Hudspeth deputies for protection.

Hudspeth County actively patrols the Rio Grande, but with 98 miles of border now to patrol with 17 deputies and only 2-3 actually in the field at any given time, Sheriff West has advised all homeowners to arm themselves.

Sheriff West says 95% of his budget is now spent on illegal immigration duties.



Hudspeth County has converted confiscated tractor-trailer rigs as mobile command posts to feed and house deputies on border security missions



Texas Border Sheriffs Coalition Executive Director Don Reay with staff member inspecting kitchen rig

Culberson County Sheriff Oscar Carrillo has no border, but his county adjoins and coordinates with Hudspeth County. Culberson County has 6 total deputies, 1 in the field at a time, and 3800 sq miles to patrol.

Sheriff Carrillo says ranch etiquette has been a major problem between Border Patrol officers and local landowners, on issues such as leaving gates open, creating ruts in dirt roads, etc.



Culberson County Sheriff Oscar Carrillo points out traffic hazards of long lines of vehicle at Border Patrol checkpoint on I-10 in Hudspeth County.

Carrillo also says road safety at Border Patrol interior checkpoints is a serious ongoing problem, with numerous bad crashes when long lines of traffic are backed up awaiting inspection.

Sheriff Carrillo reiterated the request of many other sheriffs that small counties should be allowed to use grant money to hire new deputies rather than just pay additional overtime for existing lawmen, which is burning out many officers.

Both Sheriffs Carrillo and West have affidavits from property owners pre-authorizing the arrest of any trespassers under Texas state law, eliminating any legal conflict over state vs. federal enforcement issues such as has been the case with Arizona's new law. Every illegal entry into Texas with the exception of Big Bend National Park is in fact a violation of long-standing state trespassing laws.

The Rio Grande at Night



End of the U.S.-Mexico Border fence in Hudspeth County

The IRC travelled with Sheriffs West and Carrillo in armed caravan from the high bluff overlooking the Rio Grande down to the river itself after dark, in hopes of witnessing illegal crossings.

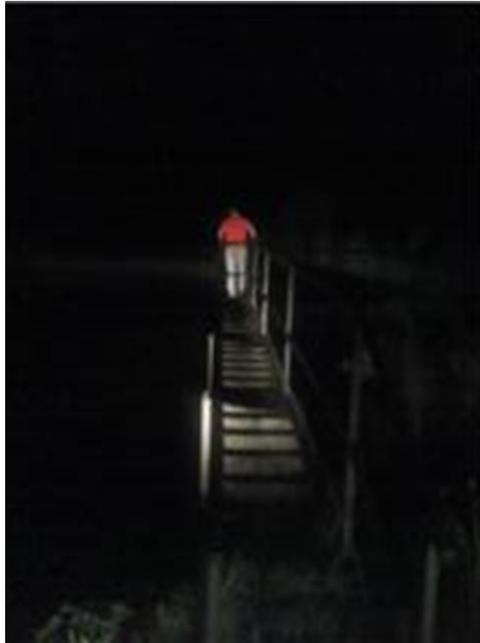
As both sheriffs testified, there were no Border Patrol vehicles to be seen once the caravan began the descent to the river bottom. Once adjacent to the river, no Border Patrol approached.



Sheriffs Carrillo, West, and staffdel member inspect chair lift device over Rio Grande

The team inspected an unusual chair lift device similar to a ski lift that provided transport from one side of the river to the other, placed by the International Waterways Commission for research purposes.

A few hundred yards from the chair lift stands the first of seven unguarded foot bridges across the river, running along the top of defunct flood gates. The gates have been removed so there is no apparent use for the bridges, but the International Waterways Commission has denied a Hudspeth County request to have the bridges removed to curtail illegal entry.



Staffdel member walks unguarded footbridge towards Mexican side of Rio Grande.

Illegals entering the U.S. using these foot bridges only have 6 miles of desert to cross to reach I-10, making these unguarded footbridges a very easy path for illegal activity, with no apparent justifiable reason for not removing it.

The Urban Texas Border Sheriffs

The border situations faced by urban area Texas Border Sheriffs is significantly different than those of their rural colleagues.

The major metropolitan areas visited, Laredo and El Paso, are home to large sheriffs departments with significant manpower and technology resources.

They are also headquartered within blocks of major Customs and Border Patrol stations, with whom they have developed strong partnership efforts, with logistics alone eliminating many of the rough edges evident in the relationship between the Border Patrol and rural sheriffs.

Both El Paso and Laredo has been the recipient of much of the expansion of the Border Patrol over the last four years.

Webb County Sheriffs Department

Sheriff Martin Cuellar’s department oversees 100 miles of border around Laredo with 30 patrol officers. The IRC team met only briefly with Sheriff Cuellar, and was primarily hosted by Assistant Chief Deputy Pete Arredondo.

Chief Arredondo says the nearly doubling of the Border Patrol presence in Laredo has made a positive difference. The Border Patrol now picks up illegal aliens taken into custody by Laredo deputies almost instantly, which was not the case five years ago.

The testimony of the Zeta prisoner in Zapata concerning the HEB/McDonald’s illegal crossing hotspot was confirmed by the Sheriff’s Department. Chief Arredondo with deputies drove the IRC team to inspect the location, and Border Patrol vehicles were seen actively attempting to intercept an illegal crossing attempt.



Old tires used to float drugs; Laredo deputy across narrow Rio Grande from Nuevo Laredo, Mexico, behind HEB/McDonald’s

Conditions on the river in Laredo are as described by the Zeta prisoner, with only a narrow band of waist deep river separating Nuevo Laredo from the United States. We observed numerous articles of paraphernalia on the river bank from the constant crossings. If illegals can make their way through the underbrush to the back of the shopping center then into the public parking lot without notice they have generally

succeeded. The Border Patrol vehicles present were scouring the parking lot for suspects as we observed.

Deputies report border landowners have serious safety issues, in spite of the best efforts of law enforcement. However, rumors of Mexican gang takeover of border ranches are exaggerated, and proved false after investigation by Laredo deputies.

High Tech Volunteer Surveillance

The Laredo Sheriffs Department is one of the most active users of the online video surveillance system - Blue Servo - initiated by the Texas Border Sheriff's Coalition.



Blue Servo remote border monitoring and dispatch system in operation at Webb County Sheriffs Department

A video dispatch room has been completed at Sheriff's headquarters that allows 24/7 views with night vision capabilities of key illegal immigration hotspots. Volunteer viewers online worldwide monitor these cameras and respond instantly via internet to illegal activity, alerting deputies.

The program needs expansion with 24 hour dispatch available, which could be easily provided by National Guard personnel. Other Border Sheriffs still need to implement the system to provide seamless video coverage of the border.

Deputies agreed that a full scale National Guard deployment to the border would end the epidemic of illegal crossings, and is the only solution that can do so immediately.

El Paso County Sheriffs Department

Sheriff Richard Wiles runs the largest sheriffs department on the Texas border with 90 Deputies, 20 in the field at a time, and 60 miles of border. Sheriff Wiles estimates illegal immigration duties from being on the border use around 20% of his budget and resources.



New El Paso Border fence adjacent to border freeway

Sheriff Wiles says the new border fence which virtually seals off El Paso from Juarez is 100% effective. Whereas he was experiencing dozens of pedestrian deaths from illegal aliens attempting to run across the freeway into Texas, the death rate has dropped to zero since the wall was completed.



Main pedestrian entry point footbridge between Juarez and El Paso

The Sheriff says the Mexican drug war is spilling over into El Paso, but not yet to a large extent. The drug cartels are committing murders in El Paso, only a few a year, but in highly visible ways, including a man being executed on the Mayor's street this year.

Sheriff Wiles confirmed that Mexican nationals are being kidnapped in El Paso and taken back to Mexico where they are tortured and killed, but there is no way to gather reliable numbers on these incidents. The Sheriff also confirmed it is impossible to work with Mexican authorities in any way due to total corruption, and related that an ICE informant was murdered six months ago after his identity was apparently divulged.

The Sheriff also related a gunfight between drug smugglers in the Horizon City area of the county that led to the kidnapping and murder of a victim whose body was found in Mexico.



New Mexico badlands outside El Paso – note old white stone border marker monolith to left of street light on hilltop – border patrol vehicle to right

While the Sheriff feels his department's situation has improved with completion of the border fence and the increase in Border Patrol manpower, there are still unresolved long-term problems, such as no true radio interoperability between deputies, border patrol, DEA, etc.

Ironically, El Paso crime rate improvements are actually costing the Sheriffs Department SCAAP (State Criminal Alien Assistance Program) dollars – an unintended negative selection of successful law enforcement agencies built into the formula-based system.

Sheriff Wiles holds the unique view that the threat of border closure is the biggest deterrent to a full spillover of Mexican drug wars violence. The Sheriff believes the drug cartels have calculated that in the event of a major escalation of violence, the United States would close the border, as it did after the kidnapping of DEA drug Enrique Camarena in 1985, and as it did briefly in response to 9-11. With such a closure, the drug cartels would lose hundreds of millions per day in sales, thereby tempering their violent activities inside the United States.

Big Bend National Park



Big Bend on the Rio Grande from bluff overlooking river – good visibility for border observation post

Big Bend National Park is the law enforcement exception to the Texas standard of a private property border with Mexico.

Chief Ranger Allen Etheridge reports the Park is policed by 23 Park Service Rangers, and a Border Patrol substation with 2 Border Patrol officers, to police 200 miles of border, including some of the most rugged and impassable terrain in the southwest. Ranger Allen says there is no danger to Park guests from illegal crossings, as illegal aliens attempt to avoid all contact.

The Park suffers frequent attempted drug smuggling by vehicle at fords on the Rio Grande, which Park Rangers and Border Patrol usually intercept due to the geographical logistics of Big Bend.

Trucks crossing the border have to drive up to an hour to get out of the Park on just a few possible roads, and as entry is usually detected by ground sensors officers are able to stop the vehicles before they can exit. Park Rangers and Border Patrol both confirm that occasional drug runners succeed.

There are two permanent check points leading out of Big Bend, I-118 and I-385, which are minimally staffed.



Mexican village of Boquerillas visible across Rio Grande from bluff

There are also daily non-dangerous illegal border crossings from the village of Boquerillas, with crossers carrying tourist trinkets across the river to sell to tourists in the park. Prior to 9-11, this was legal as the village was a Class B Port of Entry, allowing local crossings for canoeists to visit the village restaurants and buy souvenirs.



Tourist trinkets left illegally on U.S. side of Rio Grande by Mexican villagers. Note voluntary payment system.

A border fence is not necessary in much of Big Bend, as large portions of the river are guarded by natural cliffs. Further, as the major attraction of Big Bend is canoe trips down the Rio Grande through the scenic canyons, a fencing scheme like that successfully deployed in El Paso would destroy Park visitor access to the river, effectively ending the Park's major draw.



Shallow, easily wade-able depth of Rio Grande in Big Bend and elsewhere along much of its course clearly evidenced by sandbar mid-river

Chief Etheridge and Border Patrol both agreed that a relatively small deployment of armed National Guard at the key river crossings would effectively end drug smuggling through Big Bend.

Both National Park and Border Patrol officers say the major current law enforcement need in the park is a joint law enforcement center as headquarters for both agencies, and at least one more permanent Border Patrol officer on station.



Decrepit law-enforcement facility in Big Bend, next to helipad

Leaving the Park enroute to Sierra Blanca we observed a single Border Patrol vehicle on the 135 mile route, and aerostat surveillance blimp tethered outside an estimated 50 miles from Sierra Blanca.



U.S. Air Force aerostat provides “downlook” capability to detect low-flying aircraft illegally crossing the U.S. border. Blimp currently tethered near Rio Grande outside Hudspeth County.

U.S. Customs and Border Patrol on the Texas Border (CBP) Del Rio Sector Headquarters



New heavy duty border fence with patrol road in Del Rio – built as part of 2006 Border Fence bill

Border Patrol leadership in Del Rio reiterated the current Administration’s position to not focus as strongly on preventing economic illegals. They stated that it is not possible for the Border Patrol to sufficiently control the border to prevent large numbers of economic illegals from entering the country. Again reflecting the Administration’s line, Border Patrol leadership states they are concentrating on criminal activity such as drug smuggling and human trafficking.

Del Rio Sector reports the 2006 reforms have been very successful in improving border security.



CBP officer demonstrates new vehicle x-ray technology allowing scans of multiple vehicles at Del Rio Port of Entry in minutes

Operation Streamline, which created specific immigration courts to mass process illegals, has been especially effective in legally processing illegals. Prior to this improvement, CBP was frequently forced to catch-and-release illegal crossers because of their inability to bring them to trial in a timely manner. This catch-and-release policy greatly encouraged repeat offenders, and illegal crossers saw little negatives in being caught and returned to Mexico where they could try again until successful

Del Rio Sector reports Operation Jumpstart produced mixed results, with some elements of the deployment working well while others did not. National Guard mechanics, construction workers, and firearms range officers were extremely helpful to CBP efforts by keeping more vehicles in the field, allowing greater access to the border for Border Patrol trucks, and greater range time for BP officers to maintain their firearms qualification status.

Other Military Occupational Specialties (MOS) of use are intelligence analysts with section clearance, remote camera operators, and radio dispatchers.

The original National Guard policy of short-term deployments was not effective and in some cases counterproductive, while 6-month or longer stationing of individual soldier produced good results.



CBP is now inspecting vehicles leaving the U.S. for Mexico for illegal guns and other contraband. Note lack of inspection facility, with CBP officers working in the roadway itself.

Border Patrol reinforced a major complaint of area sheriffs by pointing to a critical need to build new highway checkpoints throughout the region to reduce congestion. A typical checkpoint can be built for under \$5 million.



All vehicles passing into U.S. now must pass new radiation-detection equipment before entry.

Officers expressed the need to raise the current cap on overtime to \$40-50 thousand a year, to allow officers more field time.

They also requested changes in the current pursuit policy, in which Border Patrol is prohibited from pursuing suspects in congested areas like Laredo.

Finally, Del Rio Sector asks for a revision in 8 USC 1325, which allows illegals in one sector to be prosecuted in another, in order to take full advantage of the new Streamline courts.

Amistad Lake



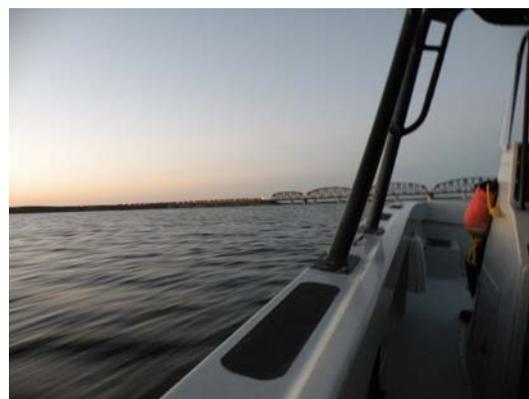
Border Patrol marine unit briefs staff on Amistad Lake operations

The IRC team also inspected the Amistad Lake Marine substation. The station patrols by water 850 miles of shoreline, conducting 8 major seizures on the water so far this year, consisting of 6 drug seizures and 2 illegal immigrant incidents.

CBP operates a 400HP center console patrol boat capable of 60 knots, and is frequently assisted by U.S. Coast Guard teams with a 25-foot safe boat.

However, drug runners on the lake are using bass boats capable of 70-80 knots, leaving CBP at a distinct disadvantage. CBP officials at the substation and in Del Rio both request a new custom enforcement boat be procured, with an 80-knot capacity, a protected cabin for CBP officers, and a hull designed to allow safe ramming of criminal vessels to force stops.

CBP also requests the Athena vehicle identification system be deployed, along with new mobile radar systems to allow detection of smuggler's boats at distance.



Left: Amistad Dam with currently closed border crossing visible in center. Right: Border Patrol boat approaches rail bridge across Amistad Lake from U.S. into Mexico

As at Big Bend National Park, a new Joint Law Enforcement Center is needed at Amistad to accommodate CBP, National Park Rangers, and USCG. Congress approved Border Patrol's share of funding for a center this year, but the Interior Department's matching share was cut, postponing the project and leaving BP operations in double-wide mobile home.

Border Patrol Union Members Meeting, Laredo

Border Patrol union members meeting with the IRC team off-duty provided extensive candid assessments of current Border Patrol conditions.

They complained that the Administration's current reduction of overtime pay for BP officers has resulted in officers being called out-of-the-field by supervisors while in visual contact or hot pursuit of illegal aliens.

The congressionally-mandated speed up of getting new agents in the field is leading to undertrained and incompetent young agents. According to union members, new officers are actually being placed on duty before being firearms qualified.

Members report they are seeing more OTMs than in the past, which union members referred to specifically as Brazilians, Indians, and Incas.

They requested that a GS12 slot is badly needed for officers, along with a liability shield for Border Patrol officers in light of the growing lawsuits filed against individual agents by illegal aliens.

Congress also needs to preserve the inland stations such as Dallas and San Antonio, in order to end what will essentially be safe havens if allowed to close or cut back significantly.

All members report that ending the former catch-and-release policy, especially with OTMs, has been an outstanding success in reducing illegal immigration.

Private Property Owners Old Mines Road



Ladder over property fence placed by property owners to encourage illegal aliens not to cut fencing enroute across Old Mines Road to I-35.

The IRC team travelled with property owners Frankie Limmer and Russell Schmidt down the entire length of Old Mines Road. Limmer maintains his property for hunting, although it has been used for cattle in the past.

Mr. Limmer reports since the Mexican Drug Wars erupted in 2006, his 1800 acre property has become unusable, as large number of drug mules with guards armed with AK47s and AR15s constantly cross his property, travelling from the Rio Grande to I-35.



Property owners and staffdel members stop in remote location to inspect road and terrain

Limmer says he will no longer visit his property without at least one other armed individual as an escort, and is particular about whether the other individual is committed and capable of using their weapon if needed.

Limmer's property is one of the smaller ranches on Old Mines, with many being much larger game preserves including exotic animals. The high game fences are constantly cut by illegal aliens, costing large amounts to mend and allowing game animals to escape. Many property owners have installed ladders on the fences in order to try to preserve them, but the Border Patrol frequently cuts the ladders.



Border Patrol drag road alongside Old Mines Road. BP officers keep road swept to detect footprints as illegals cross en route to I-35

Marfa

Hunting Guide Wayne Wiemers outside Marfa confirms Limmer and Schmidt's account of conditions for private property owners adjacent to or near the border. Heavily armed drug caravans are making hunts increasingly dangerous, as the scenario of armed drug smugglers unexpectedly confronting an armed hunter could be deadly.

Weimers also related that the current Border Patrol practice of hiring teenagers as officers then assigning them back to their hometown area to work is extremely dangerous and provides great potential for corruption similar to what has occurred on the Mexican side of the river.

Esperanza

Richard Stewart of Hudspeth County currently lives in the no-man's land between the Border Patrol and the Rio Grande. Stewart farms 280 acres of longtime family farmland along the Rio Grande off FM 192 near Esperanza.



Unguarded footbridge over the Rio Grande near Stewart property – one of seven in Hudspeth County

Stewart says since the Border Patrol withdrew from the area to stay out-of-range of high-powered rifles, the area has become totally lawless. Illegal aliens are constantly using the flood control foot bridges to cross the river at will, and Border Patrol takes no action until they reach their new defensive line a mile inland. Further, Stewart says the Border Patrol even abandons the new interior line when traffic appears at night on the middle of the three dirt river access roads.

Stewart reports the Border Patrol is using 3 officers on 2 shifts to patrol the area, which is geographically impossible to cover under the plan.

Stewart is heavily armed at all times for self-protection, and testifies to being stopped over 130 times by Border Patrol officers when entering and exiting his property through the defensive line. He will not apply for a concealed weapons permit because of the increased liability involved.

Stewart says a National Guard deployment in force would absolutely end the situation, but they must be deployed on the river itself, armed, and with detention authority.

Arizona Sheriffs



Carter, Maricopa County Sheriff Joe Arpaio meet in Phoenix

Maricopa County

Immigration Reform Caucus Member and House Republican Conference Secretary John Carter met with Maricopa County Sheriff Joe Arpaio for feedback on what law enforcement challenges are being faced by departments of major metro areas near the border, specifically in light of the ongoing battle of the Administration against immigration enforcement efforts in Arizona.

Sheriff Arpaio says reports that Phoenix is the second leading kidnapping city in the world are highly exaggerated. The Sheriff says most reported kidnappings involve illegal aliens being involuntarily held in “safe houses” by coyotes until their crossing fees are paid. While his department aggressively seeks to discover and deter these crimes, they do not constitute classic kidnapping for ransom cases.

According to the Sheriff, drug trafficking has increased while overall illegal immigration has declined in the face of increased enforcement by the Border Patrol and the effect of the recession.

The Sheriff believes that deploying the National Guard fully armed on the border with authority to detain illegal crossers for the Border Patrol is the only way to end the illegal crossings.

The Sheriff also believes that California’s proposed legalization of marijuana will greatly increase border violence and killings inside the United States by the drug cartels if the proposal becomes law.



Carter inspects air-conditioned indoor portion of Maricopa County “Tent City” jail facility

Conditions at Maricopa County’s highly publicized “Tent City” jail facility were not as spartan in nature as media descriptions. Prisoners had access to air conditioned dayrooms, recreation, work-release, and quality medical facilities.



Tent facility outside air-conditioned dayrooms

The facility included separate holding areas for illegal immigrants awaiting Border Patrol pickup, and was well supervised with guard towers and other surveillance.

Cochise County

Cochise County Sheriff Larry Devers reports the murder of well-known rancher Robert Krentz has drawn attention to the changing nature of illegal crossings in this area of Arizona.

While in 2005-2006 Cochise County was inundated with economic illegal crossings, the construction of the border fence and increased Border Patrol presence has decreased economic crossings, leaving law enforcement facing increased traffic by violent drug smugglers and human traffickers.



Carter, Sheriff Devers inspect border road and fence in Cochise County



Pre-2006 Korean War surplus material fence (L) joins new rural fencing (R) installed after 2006 Border Fence Act. Old concrete border marker and deteriorating barbed wire fence visible right of center.



Desert standoff – U.S. flag flown by private resident with border fence visible in backyard is matched by Mexican flag visible in lower center, mounted on newly-constructed two-story overlook into U.S.

Conclusion

The current Administration, like the Bush and Clinton Administration before it, has failed to secure the border, undermining the national security of the United States.

However, the Obama Administration is now actively opposing the efforts of state and local law enforcement to provide needed security against illegal alien criminal activity, and has ordered the release of illegal aliens inside the United States in defiance of current immigration law.

Congress must now act with the states to secure the Southern Border in the face of Administration opposition to “laws most necessary for the public good.”

Legislative Recommendations*

3.1. **Let the States Secure their Borders:** change “may” to “shall” in Title 32 for DOD funding for National Guard/State Guard deployments by the Governor within a state

3.2 **Community Impact Aid for Border Sheriff’s:** The annual budget of Border County Sheriffs Departments shall receive 30% matching federal funds annually in advance of the fiscal year for which it will be used to compensate for additional law enforcement costs for the presence of an inadequately secured Border in or adjacent to their county. (Precedent – CID for county school systems serving military installations)

3.3. **Amend 8 USC 1325** to correct change in 2007 bill, to allow illegals to be prosecuted in different sectors.

3.4. **Appropriate \$3 billion Annually** for U.S. military/National Guard/State forces operations to secure the southern border, and to re-establish a chain of military installations from California to Brownsville.

3.5 **Block dismissal of illegal immigration charges** by the Obama Administration

3.6 **E-Verify Mandatory Nationwide on W-2 forms** – Subject to fine equal 100% of gross amount of each payroll check in violation, compliance as a positive defense for employers against all illegal employment liability

3.7 **Prepaid Grants** - Allow small budget rural counties to claim federal law enforcement grants before spending the funds.

3.8 **Pave Old Mines Road (FM1472)** as a DOT or Homeland Security project

3.9 **Liability Shield for Border Patrol/USCG** officers/Private Property owners

3.10 **Remove foot bridges** from the Rio Grande

3.11 **Lower Federal Drug Prosecution Age** to match States

3.12 **Assure powers of detention** by National Guard/State Guard on border duty

*All new spending to be offset by targeted cuts in existing federal programs.

-end-

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