

Opening Statement of Senator Dick Durbin
“The MS-13 Problem: Investigating Gang Membership, its Nexus to Illegal Immigration,
and Federal Efforts to End the Threat”
Judiciary Committee Hearing
June 21, 2017

President Trump has now been in office for six months. In just his first week as President, Mr. Trump signed multiple immigration executive orders that have roiled our nation so he could keep his campaign promises of launching mass deportations and banning people of the Muslim faith from entering our country.

During the previous Administration, the Republican majority on this Committee conducted relentless oversight of the Executive Branch’s immigration policies. I hope that the Republicans on this Committee will be just as committed to vigorous oversight of the Trump Administration as they were when Barack Obama was President. But there has been no evidence of that.

Yesterday was World Refugee Day. We are in the midst of the worst refugee crisis on record, with more than 65 million people worldwide forcibly displaced from their homes, including child refugees from the Northern Triangle fleeing horrific violence. Yet rather than highlight our bipartisan tradition of strong protection for refugees, the title of this hearing builds on the toxic rhetoric of President Trump and Attorney General Sessions conflating brutal gang violence with immigrants.

In fact if President Trump’s travel ban executive order hadn’t been stayed by our federal courts it would have blocked the lawful entry of vulnerable women and children seeking safety from MS-13 and other vicious gangs in Central America.

And President Trump’s executive order to keep his campaign promise to build a wall across our border with Mexico would waste tens of billions of taxpayer dollars and would not help prevent the harm caused by MS-13 or any of the other 30,000-plus gangs in our country, including the terrible violence in Chicago in my home state of Illinois.

The President’s executive orders also make up to eight million immigrants priorities for deportation, seek to create a mass deportation force by tripling the number of immigration agents, and aim to deprive cities of billions of dollars in critical federal funding if they refuse to take part in this mass deportation scheme.

Immigrant communities around the country are terrified of mass deportations that will tear apart hardworking families. We are already seeing the harsh impact of the President’s policy directives. Last fiscal year, 92 percent of interior removals had criminal convictions. ICE’s testimony today states that only 55 percent of individuals removed so far this fiscal year had criminal convictions.

Let’s be clear: the vast majority of immigrants are not criminals and the vast majority of the 1.4 million gang members in our country are not immigrants. Conflating unauthorized immigration and gang violence leads to policies that exacerbate both problems. Massively increased immigration enforcement without regard to the impacts on families and communities deters immigrants from cooperating with law enforcement to bring gang members to justice. And the destabilizing effect of mass deportation on countries in the Northern Triangle can exacerbate gang violence as well as unauthorized migration.

A 2005 study by the conservative Heritage Foundation found that the large number of deportations of Central Americans with criminal records in the 1990s and 2000s, helped, “fuel the fire,” leading to a large increase in the membership of MS-13 and other gangs.

And listen to what Thomas Manger, President of the Major Cities Chiefs Association and Chief of Police in Montgomery County, Maryland, said in a recent Homeland Security Committee hearing:

Without the cooperation of immigrants who have not committed crimes, we would never be able to find and arrest MS-13 criminals. This is a key example of why Chiefs in major cities across the Nation do not engage in routine, civil immigration enforcement. The moment those victims and witnesses begin to fear that their local police will deport them, cooperation with their police then ceases.

We cannot effectively fight MS-13 and other gangs by indiscriminate mass deportation or by preventing victims fleeing deadly gang violence from entering our country. We have to tackle the root causes of poverty and violence in the Northern Triangle and in our communities as well. In 2015, when he headed the U.S. Southern Command, General John Kelly said that many of the problems in the region, such as the mass migration of children from Central America arriving on the U.S.-Mexico border are, “the direct result of our drug consumption” in the United States. Then-General Kelly said, “In many ways [parents] are trying to save their children” from the violence in their own countries.

In addition to dealing with the drug epidemic in our communities, we must build trust between law enforcement and immigrant communities. Law enforcement officers combating MS-13 and other gangs have made it clear that they cannot do their jobs without the help of the people in their communities, including undocumented immigrants.

Additionally, if we are to better protect unaccompanied children from being recruited by gangs, the Office of Refugee Resettlement (ORR) must be adequately funded. To enhance community safety and reduce the recruitment ability of gangs, experts who work with unaccompanied children have pointed to the need to strengthen post-release services for unaccompanied children and the importance of such support from ORR. Yet President Trump’s FY 2018 budget would slash funding for ORR.

I want to ensure the orderly, humane, thoughtful enforcement of our immigration laws to keep our country safe and prevent dangerous people from coming to this country. I believe the members of this Committee share this goal and I hope we can work together, as we have done before, on a bipartisan and constructive approach to our immigration and security challenges.