

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Hearing on “Oversight of the Administration’s Misdirected Enforcement Policies:
Examining the Impact and Honoring the Victims”
Tuesday, July 21, 2015**

This committee continues to honor its pledge to conduct oversight over the implementation of the laws Congress has passed as well as the policies and practices of the Executive Branch. Today, we will focus on how this administration’s immigration policies and practices are hurting American families. The Committee will hear powerful testimony from a number of relatives who have lost loved ones as a direct result of the administration’s failure to deport criminals or its tolerance of sanctuary policies.

Let me begin by extending a special welcome to our witnesses, especially family members of victims. I hope you will accept our deepest sympathies for the losses you have each suffered. Thank you very much for your willingness to share your stories, and for paying tribute to those who, though no longer with us in body, are surely with us in spirit in this room.

Today, we will honor Josh, Kate, Dennis, Danny, Grant, and many others whose lives were tragically cut short because of this administration’s lax immigration policies. We had many families and relatives who wanted to testify today, but unfortunately, we had to turn them away because we were limited on time and space. However, we welcome their testimony for the record and encourage them to commemorate their loved ones with stories and written letters to the committee.

We will examine the administration’s policies from the top down. We’ll look at how federal benefits are being granted to deportable criminals by U.S. Citizenship and Immigration Services, why criminals are being released by U.S. Immigration and Customs Enforcement, and how enforcement of the laws can be better achieved.

We’ll look at how we can improve cooperation between the government agencies here today. And, we’ll look into how we can improve cooperation between the federal government and states and local law enforcement agencies.

We’ll look at sanctuary jurisdictions and try to understand why policies protecting criminal aliens are in place.

In the past few weeks, we have learned that there are thousands of detainees placed each year by federal agents on undocumented immigrants with criminal records that are ignored.

According to government data, between January and September of 2014, there were 8,811 declined detainees in 276 counties in 43 states, including the District of Columbia.

Of the 8,811 declined detainees, 62 % were associated with over 5,000 individuals who were previously charged or convicted of a crime or presented some other public safety concern.

And nearly 1,900 of the released offenders were arrested for another crime after being released by a sanctuary jurisdiction.

This is disturbing – not only to me, but to most Americans. There is no good rationale for non-cooperation between the feds and state and local law enforcement. Public safety is needlessly and recklessly put at risk when state and local officials provide sanctuary to lawbreaking immigrants just to make a political point.

The Obama administration, in too many cases, has turned a blind eye to enforcement, even releasing thousands of criminals at its own discretion, many of whom have gone on to commit serious crimes, including murder.

The administration has also granted deferred action to criminal aliens who have committed heinous crimes after receiving this relief from deportation. I have written to Secretary Johnson about four specific cases in which such individuals have received President Obama's Deferred Action for Childhood Arrivals, or DACA.

One of those beneficiaries was a known gang member when he applied and received DACA, then went on to kill four people in North Carolina. Another DACA recipient used his work authorization to gain employment at a popular youth camp in California, where he was recently arrested for child molestation, and distribution of child pornography. I am still waiting for responses on some of these cases.

Further, the administration has completely failed to do anything about sanctuary cities, all while challenging states that took a more aggressive approach to enforcing the immigration laws.

I recently sent a letter to Attorney General Lynch and Homeland Security Secretary Johnson about sanctuary cities. I urged them to take control of the situation to ensure detainees are not ignored and undocumented individuals are safely transferred to federal custody and put into deportation proceedings. I implored them to take a more direct role in the matter. I have not received a response.

But, this isn't a new issue for the Obama Administration. I wrote to then-Secretary Napolitano and then Attorney General Holder in 2012, and asked them to intervene in Cook County, Illinois, another sanctuary jurisdiction. Nothing happened. In fact, since then, administration officials have publicly stated that they neither believe detainees have to be honored, nor that they even want them to be mandatory.

Enforcing the immigration laws of the United States is not a voluntary or trivial matter. Real lives are at stake. Things cannot continue this way.

That is why I'm introducing legislation today that will hold sanctuary jurisdictions accountable. It will require the Executive Branch to withhold certain federal funding if states or local law enforcement refuse to cooperate with the federal government in holding or transferring criminal aliens.

My bill will require that state and locals cooperate on criminal aliens or risk losing law enforcement related grants that are distributed by the Department of Homeland Security and the Department of Justice.

My bill will also require a mandatory minimum 5-year prison sentence in addition to a possible fine for individuals who enter the United States after having been deported. Current law does not require prison time and caps the possible prison sentence at 2 years. This section of my bill is aimed at individuals who ignore our laws time and again.

No more people should die at the hands of those who break our laws just by being here. No more families should have to go through what our witnesses have experienced.

Again, I'd like to thank our witnesses for taking the time to be with us today. Your strength and determination to change the unacceptable status quo won't go unnoticed.