

Good Morning/Afternoon, Mr. Chair, members of the Committee,

My name is Robert Quinn, I am the Commissioner of the New Hampshire Department of Safety which oversees the New Hampshire Divisions of State Police and Homeland Security. By way of background, I was a sworn law enforcement officer for 30 years with the New Hampshire State Police culminating with my appointment as the Colonel before eventually becoming the Commissioner of the Department.

I have been invited here today to testify about New Hampshire's recent efforts to augment and support the humanitarian crisis that appears to be building along the Canadian border in our neighboring states. New Hampshire shares an international border with Canada that is over fifty (50) miles long and lies within what is known as the U.S. Border Patrol's Swanton Sector. The Swanton Sector includes the border area containing New Hampshire, Vermont, and a small portion of New York.

Just this past Friday, I had the fortune of touring our northern border in New Hampshire and meeting some of the excellent State, local, and federal law enforcement officers who work along the border. New Hampshire is unique in that the vast majority of the border consists of State Forest land accessible through one main road and an intricate system of forest roads built for logging companies, and snowmobile and ATV enthusiasts. Many of these roads are not on GPS maps, touch the northern border, and can only be traversed by off-road vehicles. In the winter, the terrain is cold, snow bound, and difficult to travel using conventional vehicles. I learned on Friday that Pittsborough, NH, which is the town along the border, is the largest town by

area in New England with 281.3 square mile of vast mountainous terrain and overseen by a part time Chief and one part time officer. Just for perspective, I was told that it takes over an hour to reach the closest hospital to the border. As with most northern border states, travel times can greatly increase based on local weather conditions.

On January 25, 2023, the U.S. Border Patrol announced that the Swanton Sector witnessed a 743% increase in apprehensions and encounters in the first quarter of the federal fiscal year 2023 when compared to the same period a year ago. Apprehensions and encounters from October to December increased from 136 in 2021 to 1,146 in 2022 exceeding the 1,065 apprehensions and encounters for all of 2021. As of early March 2023, the total number of apprehensions in this area was 2,227. While this amount appears small in comparison to numbers experienced at the southern border, this is a large and unexpected increase for a very remote area of the country with few resources available to address. To be clear, although New Hampshire has seen an increase in crossings, we have not yet seen the large increase that Vermont is presently experiencing. However, as more resources focus on the Vermont border, I believe that it is only a matter of time for New Hampshire to experience the same or similar increases.

During my recent visit to the border, I met with the State Police Troop Commander who is responsible for patrolling the north country. He indicated that it is important to be aware that many non-citizen migrants are victims of human trafficking. During my conversations with the local police chief and the residents I learned many are generally nervous due to reports of increased activity and significant drug seizures in recent years. I spoke with an individual who was concerned and nervous when she returns home after work that increased border crossing will result in individuals trespassing on her property.

New Hampshire is not waiting for this crisis to cause further impact to our State. Without complete operational control at the New Hampshire border, we leave our residents at increased risk. Under the leadership of Governor Chris Sununu, our State started taking steps to address the crisis in January. As I understand from New Hampshire Attorney General's Office, the United States Supreme Court has placed constitutional limits on what types of border protection laws they can enact on their own. However, under existing federal law, US Department of Homeland Security has the ability to deputize state and local law enforcement officers with the authority to enforce several federal immigration laws by entering into an agreement under 8 U.S.C. §1357 (g). This is sometimes referred to as a Section 287(g) agreement or a "I.C.E. Delegation Agreement." From our perspective, it is critical that Homeland Security delegate its authority to our State Police to detain and apprehend those who are crossing the border illegally in our State.

We started the process to obtain such a delegation back in early February, culminating with a letter dated February 17, 2023, in which we formally requested that the federal government delegate its authority to enforce federal border security laws. On that same day, we received a response explaining that no agreement could be entered into due to a national freeze on all delegation agreements and that no one-off custom agreements were authorized either. Unfortunately, two (2) days later we received word that a migrant passed away while attempting to cross the border in the Swanton Sector. Although that occurred in Vermont, we certainly want to use every public safety resource available we can to prevent that from happening in New Hampshire.

Our troopers are accustomed to having a presence along the border and are among the most professional and dedicated law enforcement officials in the country and since they have experience along the border, I believe that it would be seamless for them to augment the border

security effort through a Delegation Agreement. After we received a denial from Homeland Security at the regional level, Governor Sununu spoke with Homeland Security Secretary Mayorkas about this and sent a letter directly to him, asking his department to enter into such an agreement. To date Homeland Security has not granted our state a delegation agreement and no one from his Department has reached out to any State officials to begin drafting such an agreement.

There is one other request that we have made of the Department of Homeland Security that has not yet been addressed. Since approximately 2011, State Police has assisted in patrolling the northern border through a grant funded by F.E.M.A., another agency within the Department of Homeland Security, by participating in what is known as Operation Stone Garden. Operation Stone Garden is a joint task force where state, county, and local law enforcement officers partner with the US Border Patrol to conduct joint patrols along New Hampshire's border with Canada. Last year, State and local participants requested collectively approximately \$337,000 for additional border patrol details and funds to purchase three (3) all-terrain vehicles for state and local law enforcement agencies. Homeland Security denied this request for additional resources, including the vehicles, and instead level funded (with the 2021 grant year) the Stone Garden Grant at \$180,000. In his letter to Secretary Mayorkas, Governor Sununu requested that his Department reconsider this decision to give our state, county, and local law enforcement officers the funds and tools needed to help protect the border in this Operation.

We believe it is imperative to quickly respond to today's crisis with enhanced border security and prevent any further loss of life and limit illicit activity along our border. New Hampshire cannot fully unlock its resources for this effort without the help of the leadership at Homeland Security. I cannot emphasize enough that the I.C.E. and Border Patrol Agents

working along the New Hampshire border are hard-working and doing the best they can. New Hampshire law enforcement stands by ready to assist them just as soon as Homeland Security authorizes a Delegation Agreement and provides the requested increase in funding for Operation Stone Garden.

In the meantime, our Governor, in his 2024/2025 budget has proposed dedicating approximately one million four hundred thousand dollars (\$1,400,000) toward the creation of a Northern Border Alliance Program. If enacted, this program will establish a task force of state, county, and local law enforcement officers to patrol the roads, highways, and state forest land along the border to detect and deter illegal activity and to prevent any further escalation of the humanitarian crisis facing our borders.

We believe all of the above efforts, done in conjunction with one another, will prevent the northern border crisis from escalating within New Hampshire's borders.

Thank you for your time and attention to this important matter. I am happy to take any questions.