

Written Statement for the Record

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Chairman D'Esposito, Ranking Member Carter, and distinguished members of the Subcommittee, thank you for holding this hearing on the critical issue of "Given the Green Light: Open Border Policies and Threats to Law Enforcement" and for the opportunity to testify.

I am Jonathan Thompson, Executive Director and CEO of the National Sheriffs' Association (NSA), a non-profit organization that represents more than 3,000 elected sheriffs and over 20,000 public safety professionals, including deputies, chiefs of police, and other law enforcement officials across the United States. The NSA is committed to elevating professionalism in law enforcement through education, training, and support. Our mission is to ensure that sheriffs and law enforcement officers at every level—local, state, and federal—are well-equipped to protect our communities.

Today, I am here to talk about a growing threat: the Venezuelan-based criminal organization Tren de Aragua (TDA). This gang has become a severe public safety threat to U.S. communities, and its rise is a direct consequence of failed border policies. The danger posed by TDA, coupled with the challenges of an open border, should prompt immediate action from both Congress and the Administration to protect our nation's law enforcement officers and the American people.

The Threat of Tren de Aragua

Tren de Aragua (TDA) originated in Venezuela's prison system and has since grown into a powerful transnational criminal organization with an estimated 5,000 members. Amid the Venezuelan refugee crisis, TDA expanded its operations throughout Latin America and, unfortunately, into the United States. This gang is known for its involvement in human smuggling, human trafficking, extortion, kidnapping, and narcotics trafficking.

In early September 2024, four members of the violent Tren de Aragua gang were arrested in Aurora, Colorado, in connection with a shooting and attempted murder on July 28 at the

Fitzsimons Place apartment complex, an incident that made national headlines. Earlier this summer, TDA was linked to a violent armed robbery in Denver, where a jewelry store owner was brutally attacked. This incident is a chilling reminder that TDA is not just a distant foreign threat—it is operating within our communities and targeting innocent civilians. The American Sheriff Alliance has expressed grave concerns about the growing influence of TDA and the real possibility that more such violent acts will occur if their presence is not curtailed. These violent acts underscore TDA’s presence within our communities and their willingness to engage in open violence on U.S. soil.

Sheriff Tyler Scott Brown of Arapahoe County, CO has said "The large influx of transnational individuals crossing our borders brings with it a heightened risk of organized crime activity. We are seeing significant participation in organized criminal enterprises like the Tren de Aragua. These groups are involved in drug trafficking, money laundering, and other serious offenses. Local law enforcement agencies are utilizing every available resource to address this threat, but we need Congress to act. Bipartisan legislation is crucial to provide the necessary funding and support for our local jurisdictions to effectively combat these criminal networks and protect our communities."

What has made TDA particularly alarming is the credible intelligence that surfaced in July of this year. In July, the Office of Intelligence and Analysis at the Department of Homeland Security issued a bulletin to state and local law enforcement partners regarding reported threats from Tren de Aragua (TDA) against law enforcement personnel. Homeland Security Investigations (HSI) reported that TDA had issued a “green light” directive to its members in Denver and New York to attack law enforcement officers.

These threats are considered credible, and they signify a new level of brazenness from this criminal organization. The bulletin reminded agents and officers to remain aware of their surroundings, maintain a heightened sense of vigilance, and always wear their body armor. Since March 2023, U.S. Customs and Border Protection (CBP) has apprehended at least 70 known TDA members in the United States. However, intelligence estimates suggest that more than 1,000 TDA members may be operating within our borders, posing a severe risk to law enforcement and public safety.

Border Security Failures and Criminal Exploitation

The rise of Tren de Aragua in the United States can be attributed in part to our nation’s failure to secure its borders adequately. Since fiscal year 2021, more than 10.5 million illegal immigrants have been encountered by CBP, with over 8.5 million encounters at the southwest border alone. Additionally, there are an estimated 2 million “got-a-ways” who have evaded border agents and are now in the United States. Among those crossing our borders illegally are not just vulnerable

migrants but also members of dangerous criminal organizations like TDA and terrorist organizations.

The current policies of apprehension and release—where individuals who cross the border illegally are released into the U.S. to await immigration court hearings—have created a loophole that allows criminals to exploit our system. Many of these hearings are delayed by up to 11 years due to the lack of immigration judges. This delay provides ample opportunity for criminal organizations to operate, recruit, and spread violence in our communities.

Tren de Aragua's presence highlights a larger pattern of criminal exploitation. They are just one of many transnational criminal organizations taking advantage of the porous southern border to infiltrate the United States, recruit new members, and carry out violent crimes. Without stronger border security measures, more dangerous individuals will continue to enter our country unchecked.

TDA's Connection to Drug Trafficking and Human Smuggling

The illegal activities of TDA extend beyond violence and gang-related crime; they are also involved in the trafficking of dangerous drugs, including fentanyl. The flood of illicit narcotics into the U.S., particularly fentanyl, has had devastating effects on communities across the country. Over the last three years, the U.S. has seen an average of 107,000 drug overdose deaths per year, most of which are related to fentanyl. TDA and other gangs have contributed to this epidemic by smuggling drugs across the U.S.-Mexico border, where cartels like Sinaloa and Jalisco New Generation are capitalizing on weak border controls.

Additionally, TDA is heavily involved in human smuggling and human trafficking operations, victimizing migrants in their pursuit of profit. Migrants often pay large sums to criminal organizations like TDA, only to be subjected to further exploitation. The U.S. government must recognize that this is not just a border issue but a humanitarian crisis, exacerbated by the involvement of violent gangs.

Recommendations for Addressing the Threat

In light of the clear and present danger posed by Tren de Aragua and the broader issue of border security, I urge Congress and the Administration to take the following steps:

1. **Strengthen Border Security:** Reinstating policies like the Migrant Protection Protocols (MPP), commonly known as the "Remain in Mexico" policy, which worked effectively in the past to deter illegal immigration. Completing the physical barriers along the southern border and increasing the personnel and resources available to CBP and Immigration and Customs Enforcement (ICE) is crucial.

2. **Support for Local Law Enforcement:** As TDA and other gangs expand their operations into American communities, sheriffs' offices and local law enforcement agencies are on the front lines of defense. Congress must provide additional funding and resources to help sheriffs hire more deputies, obtain advanced technology, and provide the necessary training to combat these transnational criminal organizations.
3. **Target Transnational Criminal Organizations (TCOs):** I commend the U.S. Treasury Department for designating Tren de Aragua as a Transnational Criminal Organization (TCO) and the State Department for offering rewards for information leading to the arrest of TDA leadership. However, more aggressive action is needed to dismantle these gangs. Congress should pass legislation that ensures federal agencies have the authority and resources to target and dismantle TCOs effectively.
4. **End Apprehension and Release Policies:** The current system of releasing individuals who cross the border illegally is unsustainable. Congress must address the backlog in immigration court cases by increasing the number of immigration judges and prioritizing the adjudication of cases involving known criminals or gang members.
5. **Support Bipartisan Bills to Help Law Enforcement Investigate Fentanyl:** H.R. 3148/S. 1507 Providing Officers with Electronic Resources (POWER) Act aims to establish a new grant program under the U.S. Department of Justice (DOJ). This program would support state and local law enforcement agencies in obtaining portable, high-tech screening devices that use laser technology to identify potentially dangerous substances.
6. **Enhance Access to Encrypted Communication for Law Enforcement:** Criminal organizations like Tren de Aragua rely on encrypted communication to carry out illicit activities. Law enforcement must have lawful access to these devices to effectively investigate and prevent crimes. Providing the necessary tools and legal authority to access encrypted communications is crucial for combating organized crime and protecting our communities.

Conclusion

The threat posed by Tren de Aragua is clear and urgent. Their presence within our borders, combined with the broader issue of failed border security policies, places law enforcement officers and American communities at grave risk. Now is the time for Congress and the Administration to take meaningful, bipartisan action to secure our borders, dismantle criminal organizations like TDA, and provide the resources our law enforcement agencies need to keep the American people safe.

Thank you again for the opportunity to testify, and I stand ready to work with this Committee to address these critical issues.