

HOUSE JUDICIARY COMMITTEE
SUBCOMMITTEE ON IMMIGRATION INTEGRITY,
SECURITY, AND ENFORCEMENT

THE CONSEQUENCES OF CRIMINAL ALIENS
ON U.S. COMMUNITIES

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WRITTEN TESTIMONY OF DONALD ROSENBERG
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FATHER, DREW ROSENBERG JANUARY 9, 1985 – NOVEMBER 16, 2010

Chairman McClintock and Ranking Member Jayapal:

Thank you for the opportunity to testify before the House Judiciary's Subcommittee on Immigration Integrity, Security, and Enforcement.

If only we had any immigration integrity, security, and enforcement, I wouldn't be here today, and my son and tens of thousands of others would be alive.

"No one is Above the law." How often have we heard that said, particularly over the past six years?

As president of Advocates for Victims of Illegal Alien Crime, we agree wholeheartedly. In fact, if the 12-15 million illegal aliens weren't above the law, our organization would have no reason to exist.

I know you get to ask me questions but let me ask you, why are illegal aliens not held to that standard? Or, for that matter, Homeland Security Secretary Alejandro Mayorkas or even President Biden?

Today's hearing is titled "The Consequences of Criminal Aliens on US Communities." Remember that every alien who enters the country illegally or makes a claim for asylum and refuses to leave when that claim is denied or makes an asylum claim but never even files the asylum papers is a criminal alien.

My son, Drew, was killed by a criminal illegal alien twelve years ago on his way home from law school. The illegal alien who ran him over drove back and forth over his body three times, attempting to flee. On the third time, he stopped when a man stood in front of his car. His rear tire was resting on my son's abdomen, and five men had to lift the car off his lifeless body. Surely that is a consequence of illegal immigration.

The Government Accountability Office has produced three reports on criminal alien crime. The last report was released in 2018, covering 2010-2015.

Unfortunately, there are no annual statistics available.

- Those incarcerated between 2010-2015 were responsible for over 33,000 murders, homicides, or manslaughters. How many were killed prior, and how many have been killed since?

- By 2015, twenty-one (21) percent of the federal immigration population were criminal aliens. (This data includes legal immigrants)
- In FY 2015, there were 169,300 illegal aliens in state prisons and local jails. (These numbers are based on those requesting SCAAP reimbursement. Not all states and localities request funds. Additionally, there are conviction and length of stay requirements to be reimbursed. The report mentioned three times that these are minimum numbers. And, of course, these numbers don't reflect that according to FBI statistics, less than 25% of crimes are ever solved, many criminals are given probation, and in the case of illegal aliens, many flee the country before they are arrested or after they are arrested and released.)
- The cost to the five states with the largest incarcerated population was \$1.6 billion. California represented over \$1 billion of that amount, with Los Angeles County's share at \$87 million.

More currently, let's look at a few charges and convictions for ERO arrests in 2018.

These numbers include all pending criminal charges and convictions by category for those aliens administratively arrested in FY2018 and list those categories with at least 1,000 combined charges and convictions in this population. These figures represent the criminal history entered in the ICE record system for individuals administratively arrested. Each administrative arrest may represent multiple criminal charges and convictions, as many of the aliens arrested by ERO are recidivist criminals. Listed is a small sample of the categories. The total number of crimes is over 535,000.

- Driving while intoxicated – 80,730.
- Dangerous Drugs – 76,585
- Assault – 50,753
- Kidnapping – 2,085
- Homicides – 2028

DHS Secretary Mayorkas claims he is creating a safe and humane process for asylum seekers. How about safe and humane communities for American citizens and legal permanent residents? He keeps referencing the mission but obviously has no clue as to what the mission is. He says he doesn't have the resources to

deport more illegal aliens. Could that be because he is spending most of his funds to process more of them into the United States?

Since Joe Biden became president, we have released over 2 million illegal aliens into the country with little or no vetting of who they are, where they came from, what they did before they got here, and what their intentions are now that they are here.

On top of that, at least 1.5 million got-aways are freely roaming the country, and we know nothing about them except they do everything possible to avoid detection.

Is the country safer now than it was two and a half years ago?

What are the consequences of this utter madness?

How did it happen that people who have been victims of illegal alien crime, be it burglary, rape, or the loss of a loved one, and speak out are now considered racist, bigots, white supremacists, and anti-immigrant (even though none of these people qualify as immigrants) and privileged. While those committing these crimes, including entering the country illegally, are now the victims?

Almost all the deaths caused by illegal aliens were preventable. In the past 12 years, I have reviewed hundreds, maybe over a thousand, cases that resulted in a fatality. I can't remember one where the killer didn't have prior convictions or, at the very least contact with law enforcement. Why were these people still here?

The 2018 GAO study analyzed California illegal alien criminals and found that the average recidivism rate was six convictions. What would you expect with sanctuary policy and now sanctuary law hiding these people from ICE? Sanctuary only benefits those illegal aliens who have committed additional crimes since entering the United States. What is the consequence to communities when criminals are released back onto the street?

California's sanctuary law has a few exceptions for some heinous crimes, yet that wasn't good enough for San Mateo County. In May, the County Council passed an ordinance that prohibits county departments from using any resources or personnel to assist or cooperate with requests from the United States Immigration

and Customs Enforcement or any other immigration authorities even in the case of child molestation, rape, and murder.

A familiar refrain is that illegal aliens commit less crimes than the native-born. Although thoroughly debunked by the Center for Immigration Studies, it's irrelevant. They shouldn't be committing any crimes. Do the millions of crimes they commit have positive consequences on our communities?

A question raised is why does the public know so little about illegal immigration?

One must only look at how most of the media covers illegal immigration.

Two weeks ago, Gerson Fuentes, 28, was sentenced to a life sentence for raping and impregnating an Ohio 9-year-old who traveled to Indiana for an abortion. The story's headline, written by the associated press and reported by ABC News, read "Man" gets life sentence. No mention that the "Man" was an illegal alien. While most papers didn't even cover the story of those that did, like the NY Times, Washington Post, and USA Today, neglected to mention that Fuentes was an illegal alien, that he was the boyfriend of the girl's mother and living in the same apartment. The three largest papers in California, the state with the most illegal aliens, didn't cover the story. Of course, had our immigration laws been enforced, this tragic event would have never happened.

When Mollie Tibbetts's killer was arrested, despite constant front-page coverage of her disappearance, most papers relegated the story to deep inside the newspaper. Most failed to mention that the killer was illegal, and the story quickly disappeared. When the killer was convicted, most stories' headlines were "Man" convicted in Tibbetts's murder. Again, his immigration status was missing or buried deep into the story.

But most crimes committed by illegal aliens are never covered at all.

A Harvard-Harris Survey conducted in December 2022 asked respondents, "How many border crossings by illegal immigrants do you think are occurring each year?" Over 75 percent of the respondents were off by over 100 percent. Thirty-seven percent responded less than 250,000; of that, sixteen percent said less than 100,000.

Also, in December, the Los Angeles Times and YouGov surveyed a national sample of adult American citizens on asylum. Of those identifying as Democrats, nearly half said: “most or all asylum seekers had valid claims.” According to government statistics, the actual number is less than fifteen percent.

Where are these people getting their information on illegal immigration? It sure isn't Fox.

Polling people on issues they have either been misinformed or flat-out lied to is not a valid way to form public policy.

Now we hear that these people aren't illegal aliens but asylum seekers fleeing certain death. However, they have already committed a crime by entering between ports of entry. According to a report covering thirteen years of data from the Executive Office of Immigration Review, over 47% never even pursue an asylum claim once released into the country. More than 85% will be denied asylum and receive a deportation order, yet less than five percent ever leave the country. Anyone requesting asylum must be detained or made to remain in Mexico until their hearing is adjudicated. These numbers prove they can't be trusted to be released.

Not all illegal aliens enter the country with the intent to harm anyone. Many come here to make their lives better. But some do commit crimes like the man who killed my son; many have already committed crimes before they came here and have no intention to stop.

AVIAC is not against immigration. We are not against refugees; we are not against asylum seekers. We are against illegal immigration.

Even when they don't commit a crime, there are negative consequences to our communities.

Illegal entry is not a victimless crime. According to a study released by F.A.I.R, Illegal aliens cost taxpayers over \$150 billion dollars a year while paying less than 10% of that in taxes. What was my son's life worth or the hundreds of thousands of other rape and murder victims' lives worth? That number is not part of the \$150 billion calculation.

The California Department of Education says there are approximately 1.4 million K-12 students (pre-covid) with at least one illegal alien parent. The state now provides over \$20,000 per year per student. Just to educate these students costs California Taxpayers over \$28 billion. California Governor Gavin Newsom boasts that illegal aliens pay \$2.5 billion yearly in taxes.

As outlined above, the consequences to U.S. Communities are catastrophic. It is not just the victims of crimes or the pure cost in dollars. Many of our cities have housing crises, both in available housing and the high rental costs, and are suffering from massive homelessness, all exacerbated by the millions of illegal aliens, most concentrated in urban areas.

The school systems are failing all the children, particularly immigrant and Black children. Some of this is due to overcrowding, but much is the unavailable resources needed to teach so many children that can't speak English, are unprepared for the grade level they are assigned, and frequently don't have parents who can help them because they can't speak English either and often are poorly educated themselves.

Hospital emergency rooms in these communities are overcrowded, understaffed, and often in financial distress serving patients that contribute little or nothing to the costs of the services provided.

Advocates for illegal aliens claim that "immigration reform" is needed, but what they propose is not much different than what was tried in the Immigration Reform and Control Act of 1986. Can anyone think of a piece of legislation that failed more miserably? Why would we even think of doing anything similar?

What communities are better today because of illegal immigration?

Granting amnesty to 12-15 million illegal aliens is the worst solution. Those working the jobs that supposedly Americans won't do and being paid below minimum wage, and working under terrible conditions won't want to do them either once they have a green card. Companies currently hiring illegal aliens because they can exploit them both by paying miserly wages and offering little to no benefits will not be able to increase their labor costs, often by over 100 percent. They will fire these employees and bring in the next batch of illegal aliens. And so, the cycle repeats.

Immigration law was established to protect American workers and protect American citizens. Those necessities still exist today, even more so.

If we need more immigrants, so be it, but we must begin to deport those who have broken our laws. Rewarding bad behavior only begets more bad behavior.

Thank you. I look forward to answering your questions and am available to meet with you at any time.