

Opening Statement
Ranking Member Elijah E. Cummings

Hearing on “Criminal Aliens Released by the Department of Homeland Security”
April 28, 2016

Let me start today by expressing how very sorry I am for the families of Casey Chadwick, Sarah Root, and Marilyn Pharis. The crimes that were committed against them were brutal and barbaric. And their lives were stolen away far too soon.

Mr. Root and Ms. Hartling, I thank you for being here today. I know how painful it must be to relive these nightmares, especially before a congressional committee. Only you can truly know what these losses mean to your families. I also lost a loved one, long before his time, and the pain it inflicts on our entire family is almost impossible to convey. I know you want answers, and you deserve those answers.

Thank you also to Mr. Burbank and Chief Martin for being here and for dedicating your careers to combating all types of horrible crimes in your communities.

Director Saldaña, thank you for your testimony, and for your work as a public servant. It is crucial that we hear what Immigration and Customs Enforcement (ICE) has learned from these cases and about your ongoing efforts to improve the agency’s procedures. Everyone on this Committee wants to help improve public safety and enhance the security of our communities.

Our Committee is not just oversight, it is reform. If we identify a problem, our goal is to address it. For example, in one of the cases we will discuss today, ICE repeatedly attempted to deport the perpetrator to Haiti before his release in 2012, but the Haitian government refused to accept him—not once, not twice, but three times. Even after Haitian officials agreed to allow him to board a plane bound for Haiti, they reversed themselves and refused to accept him.

I am sure these facts offer little solace to Ms. Chadwick’s family. So we need to ask what ICE could have done differently and what ICE can do in the future to improve their procedures. We also need to ask what more we as a government can do to force recalcitrant countries like Haiti in this case to honor their treaty agreements to accept their own citizens.

This process is already underway, thanks to Senator Richard Blumenthal, Senator Christopher Murphy, and Representative Joe Courtney of Connecticut. On November 24, 2015, they sent a letter to the Inspector General of the Department of Homeland Security requesting an

investigation to determine what more ICE could have done “to overcome the objections of the Haitian government to the removal of this individual.” I ask unanimous consent to enter their letter into our official hearing record for today.

The Inspector General has agreed to their request, and this investigation is now underway. I absolutely support these goals.

What I absolutely do not support, however, is the hateful rhetoric we have been hearing from some members of the Republican Party who disparage all immigrants with false condemnation.

Donald Trump has labeled Mexican immigrants as rapists. He has also called for a shutdown of Muslims entering the United States. These were not accidental lapses or off-the-cuff remarks. They are genuine statements from the leading Republican candidate for President of the United States in the year 2016.

If you think his rhetoric is just words and does not cause actual harm, consider the brutal assault of a 58-year-old, homeless, Latino man in Boston. Last August, two brothers—Scott and Steve Leader, who have extensive criminal records—hit him in the face, urinated on him, punched him, hit him with a metal pole, and then walked away laughing.

When questioned by police, one brother said, “Donald Trump was right, all these illegals need to be deported.” And when Donald Trump heard about this brutal attack, he said that it was a shame, but that his supporters are very passionate and “want this country to be great again.”

If we remain silent in the face of these actions, hate will become our new normal. What we are hearing is racism—pure and simple. I do not like to use that word because it can sometimes be difficult for people to hear anything else. It can become a distraction when we are trying to work towards real solutions, like tackling criminal justice reform, immigration reform, and gun violence.

Unfortunately, in this case, it is warranted. I have lived too long and fought too hard. I will not sit by silently as some try to plunge our nation into hateful division.

I hope our Committee ultimately will do more than hold a series of hearings on immigrants who commit crimes. I hope with all my heart that we will examine all of the legitimate questions we are facing as a nation, and that we will act to develop the bipartisan solutions needed to address them. We must come together to reject racist rhetoric, and work to make our communities safer in a comprehensive, constructive way.

Thank you, Mr. Chairman.

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