

**U. S. SENATE – COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON CRIME AND DRUGS
CAUCUS ON INTERNATIONAL NARCOTICS CONTROL**

**Statement of
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***"Law Enforcement Responses to Mexican Drug Cartels"*
March 17, 2009**

Chairman Durbin, Chairman Feinstein, members of the Subcommittee and the Caucus, my name is Tom Nee and I am a Patrolman with the Boston Police Department. I also serve as the president of the Boston Police Patrolmen's Association, as well as the National Association of Police Organizations (NAPO). I am submitting this statement today on behalf of NAPO, representing over 241,000 active and retired law enforcement officers throughout the United States. NAPO is a coalition of police unions and associations from across the nation, which was organized for the purpose of advancing the interests of America's law enforcement officers through legislative advocacy, political action and education.

The duty of every law enforcement officer in America is to serve and protect the people of our communities. The violent crime threatening to spill across the Mexican border as a result of the growing power of Mexican drug cartels is a major concern for state and local law enforcement. Drug trafficking from Mexico is a national security threat for the United States and it is threatening the safety of America's citizens along the Southwest border. Mexican drug cartels are only one aspect of this national security issue; illegal immigration and internal drug distribution centers also play significant roles. We believe any border security plan must be multifaceted and not only address the violent crime and drugs that are coming across our southwest border from Mexico, but also address the issue of illegal immigration.

Crime and terrorism are most effectively combated through a multi-level approach that encompasses federal, state and local resources, skills and expertise. As the first responders on the scene when there is an incident or an attack against the United States, state and local law enforcement officers and the agencies they serve play a critical role in protecting our homeland. Additionally, it is state and local law enforcement officers, who, during the course of daily patrols and duties, will encounter foreign-born criminals and immigration violators who pose a threat to national security or public safety. Local Law enforcement has more knowledge and intelligence about the criminals in their jurisdictions than their federal counterparts, making them an essential part of a national strategy to combat crime and drugs. For these reasons, it is vital that the federal government fully engage state and local law enforcement in a plan that addresses the current and emerging security issues along the southwest border.

On February 25, 2009, the Department of Justice announced that authorities had arrested more than 730 people across the country in a 21-month investigation targeting Mexico's Sinaloa drug cartel and its infiltration into U.S. Cities. Arrests were made in California, Minnesota, Maryland, and Washington, D.C., showing the extent to which this cartel has penetrated into the United

States. The Sinaloa is responsible for bringing tons of cocaine, methamphetamine and marijuana into the U.S. through a sophisticated distribution network. The U.S. National Drug Intelligence Center believes that Mexican cartels maintain drug distribution networks or supply drugs to distributors in as many as 195 U.S. cities.

Multijurisdictional crime and drug task forces are essential to shutting down the cartels' supply lines in the U.S. Task forces such as those funded by the Byrne Justice Assistance Grant (Byrne-JAG) program have been extremely effective in apprehending drug suspects and taking supply off the streets. The key is local control of the task forces and information sharing among and across federal, state and local jurisdictions. As the Byrne-JAG program is the only source of federal funding for task forces, it is vital that the federal government continue to give significant support to the program in order that state and local law enforcement can retain one of its most effective tools in fighting illegal drugs.

The Byrne-JAG program, and consequently drug task forces across the country, suffered major losses in fiscal 2008 due to a slash in federal funding. In fiscal 2008, the program only received \$170 million, which was a 67% cut from its fiscal 2007 funding level. These cuts resulted in the closing of many drug and gang task forces in California, Nevada, and Texas and throughout the Mid-West, at a time when these forces are making tremendous strides in the fight against methamphetamine coming in from Mexico. Thankfully, this year, due to the American Recovery and Reinvestment Act and the fiscal 2009 appropriations, Byrne-JAG has been allocated approximately \$2.5 billion, strengthening state and local law enforcement's ability to play a major role in our nation's drug control and border security strategy.

Another issue of significance for a robust border security plan is illegal immigration. Many of the cartels' low level operatives in the U.S. are illegal immigrants; another reason why it is imperative that this nation develop and establish a concrete, unified immigration enforcement plan. The federal government needs to boost its support for state and local immigration enforcement efforts through the hiring of additional Border Patrol Agents and Criminal Alien Program officers and the expansion of federal training programs for state and local law enforcement officers. One such program is the Immigration and Customs Enforcement (ICE) 287(g) program, which grants state and local officers the necessary resources and latitude to pursue investigations relating to violent crimes, human smuggling, and gang and drug activity. These investigations are essential to keeping our nation's communities safe by getting dangerous criminal aliens off of our streets. Funding provided through the 297(g) program allows state and local law enforcement to take a comprehensive approach in securing the lasting safety of our communities.

Additionally, there is a need for federal aid to assist state and local law enforcement agencies along the border hire, train and retain additional officers to take on immigration enforcement duties. These additional federal resources would help state and local law enforcement better cooperate and assist the Department of Homeland Security and ICE in keeping our nation's borders and communities secure.

Without additional federal manpower and resources, there is a high risk of state and local law enforcement along our Southwest border becoming overwhelmed with the amount of drug-

related crime that is coming across the border from Mexico. While collaborative efforts by federal, state and local law enforcement have led to the take down of major Mexican cartel operations in the U.S., like the Sinaloa case, there needs to be more support for law enforcement's daily fight against drug-related crime in our communities.

In 2008, Phoenix, Arizona had the highest incidences of kidnapping in the country with 359 kidnappings. The majority of these kidnappings involved cartels "stealing" the smugglers or drug mules, all of whom were illegal immigrants, of other cartels for ransom. The investigation of these kidnappings takes valuable law enforcement time and resources as detectives and officers work long hours on the cases. To the Phoenix Police Department, closing down and securing the border is the number one priority. Local law enforcement there believe that once the border is secure, crime and drug reduction will follow. Furthermore, since the city changed its immigration policy from sanctuary to enforcement of the law, over-all crime has decreased.

Law enforcement in cities and communities along the southwest border, such as Phoenix, do not have the resources or personnel to thwart the violence and crime coming across the border and continue community policing efforts. However, in towns such as El Paso, Texas, where there is a significant ICE and border patrol presence, local law enforcement has been able to maintain a balance between border protection and community policing. The El Paso police department has not seen a significant spike in drug-related crime due to this collaborative relationship. El Paso is a noteworthy example because it lies right across the border from Ciudad Juárez, Mexico, where drug cartel-related violence has killed thousands of people. Nevertheless, El Paso is unfortunately a unique case, which is why state and local law enforcement along the southwest border need more federal resources to protect our communities and the border.

State and local law enforcement are playing an increasingly important part in thwarting illegal immigration, drug trafficking and related criminal activity. As part of a national border security plan, agencies require the full support of the federal government. This support includes collaboration and cooperation between federal law enforcement agencies and state and local law enforcement in regards to immigration, crime and drug enforcement; funding for the Byrne-JAG program to help task forces fight drug trafficking; and funding for the 287(g) program and additional Border Patrol presence in cities and towns along the southwest border to aid state and local law enforcement in fighting illegal immigration and crime along the border. These issues are interrelated and cannot be separated, particularly when addressing the issue of securing our border from drugs and crime.

Thank you for your time and consideration of this important issue. NAPO looks forward to working with the Committee to ensure state and local law enforcement are given the resources they need to protect our nation's communities from drug-related crime and terrorism.

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