

**Testimony of The Honorable Larry A. Dever
to the Senate Judiciary Subcommittees on
Immigration, Border Security, and Citizenship
and
Terrorism, Technology and Homeland Security**

March 1, 2006

Mr. Chairman, members of the committee, thank you for inviting me to share with you today a local perspective of the current situation along the southern Arizona border. I come to you as a lifetime southern Arizona resident and a thirty-year law enforcement career working in that environment.

Some of the testimony you have received this day has suggested needs and methods of enhancing security along the border and the urgency which attends these voiced concerns. I quote a former Chief of the Tucson Sector of the Border Patrol. "Within the last year, we've been mandated by Congress to gain control of that border. And we're going to do that along the Southern border, whether it's narcotics, illegal aliens, terrorists, criminals or whatever." (Chief Jerald Jondall, as quoted in *The Arizona Sheriff* magazine, Autumn 1987.)

1987. That was the year we first organized the Border Alliance Group narcotics task force in Cochise County to jointly combat the burgeoning cocaine smuggling business that had developed in the area. At that time there were no DEA agents in Cochise County, no FBI, only four Customs Office of Enforcement agents and maybe a total of 100 border patrol agents. Today, they are all there, along with over a thousand Border Patrol agents. And yet, as you have also heard, in spite of the tremendous increase in the law enforcement presence, or as some suggest, because of it, violence associated with narcotics and people smuggling activities has markedly increased.

Twenty to twenty-five years ago, we would intercept smugglers right on the border fence. Most would simply abandon their cargo and flee on foot back south. It wasn't unusual to have some just give up. Today, the expected response to an attempted interdiction is a fight. Smugglers are armed with high capacity assault weapons and with orders to protect their cargo at all costs. They operate under the watchful eye of scouts equipped with sophisticated observation and communications equipment. Failure to make safe delivery is not acceptable and many who do fail are executed. The stakes are extremely high.

High speed chases on congested public highways and through populated residential areas are common. Most of the vehicles they are driving are stolen from the Phoenix and Tucson areas. Just recently two local residents were killed and several others seriously injured when a ruthless smuggler driving a stolen truck at reckless speeds crashed head on into a group of vehicles sitting at a stop light.

The people smuggling culture is one marked by little if any value of life or respect for persons or property. This is reflected in their response to authority and their treatment of their human cargo. One study estimates that over 80% of people being smuggled into this country become the victims of criminal activity before they ever cross the border. And in many cases the atrocities continue even after they successfully enter. Smuggling routes are often marked with “rape trees”—women’s under garments hung on tree limbs where a raped occurred, warning everyone of the failure to cooperate with the coyotes who prey on them.

Running gun battles with fleeing felons occur much too frequently placing law-enforcement officers and the public alike at great risk of serious consequences. Gang activity and its associated violence are on the rise as these groups become more competitive in the lucrative people smuggling trade. Just last week one of my deputies, the supervisor of the narcotics task force, was the victim of a drive-by shooting at his home. Thankfully, no one was injured.

The law-enforcement effort and the communities we serve desperately need your attention to our situation along the border. You should be aware that in our area, almost ten percent of the illegal aliens that are apprehended have criminal records in this country. When we are unsuccessful in catching them there, these predators find their way to communities all over the nation where they threaten the safety and welfare of local populations.

When planning strategies for improved enforcement efforts and providing adequate resources, it is important to remember that every federal initiative has a local consequence. It is critical that local authorities be involved in the early stages of the planning process to assure that these consequences are clearly understood and considered.

Again, I thank you for the opportunity to address you, and would gladly answer any of your questions.