

Steven C. McCraw

Director

Texas Department of Public Safety

May 11, 2011

“On the Border and in the Line of Fire: U.S. Law Enforcement,
Homeland Security and Drug Cartel Violence”

Chairman McCaul and Committee members, on behalf of the men and women of the Texas Department of Public Safety, I would like to thank you for the opportunity to appear before you today to discuss a vitally important public safety and national security issue, our unsecure border with Mexico.

Mexican Drug Trafficking Organizations have exploited weaknesses in our border defenses for many years in an effort to exert their dominance over the highly lucrative U.S. drug and human smuggling market and they have evolved into powerful and vicious organized crime cartels that now threaten the domestic security of Mexico. They battle each other and the Government of Mexico to maintain and/or increase their share of the multi-billions of dollars derived from the smuggling of drugs and humans into the U.S., and bulk cash, high value merchandise, stolen vehicles and weapons into Mexico.

They use military and terrorist tactics and weaponry killing over 36,000 people since 2006 and there is no limit to their depravity. They employ horrific tactics to intimidate their adversaries and the public such as decapitations, acid baths, skinning people alive, torture and Improvised Explosive Devices and they have expanded their criminal operations to profit from kidnappings, robberies, human trafficking, extortions and theft. During the past several months we have seen reports of mass graves and self-censorship of the Mexican press. The Mexican Cartels work closely with Texas based and transnational gangs to support their criminal operations on both sides of the border. We continually see multi-ton drug loads seized throughout Texas.

The Mexican Cartels use a mature decision-making process that incorporates reconnaissance networks, techniques and capabilities normally associated with military organizations such as communication intercepts, interrogations, trend analysis, secure communications, coordinated military-style tactical operations, GPS, thermal imagery and military armaments including fully automatic weapons, rocket propelled grenades and hand grenades. They are very adept at corrupting government officials and entire institutions to support their criminal operations undermining the ability of Mexico to address this threat. Recent reports reveal that Mexico has only a 2% criminal conviction rate.

The 2011 GAO Report confirmed what we already knew in Texas, there are insufficient federal resources to secure the Texas/Mexico border with as much as 70% to 90% of the 1,250 miles of border in Texas is only being monitored as opposed to managed or operationally controlled. It is important to note that the men and women of the Customs and Border Protection Service are dedicated professionals and do an exceptional job with the limited resources they possess. However, there has been a substantial underinvestment in border security for several decades to the benefit of the Mexican Cartels and the detriment of public safety and homeland security.

Texas is a law and order state and there is a high expectation by our citizens that Sheriffs, Chiefs of Police and the Texas Department of Public Safety will work closely together with our federal partners to proactively protect Texas from all criminal and terrorist threats regardless of their origin. When Texas landowners are overwhelmed by drug and human smugglers trespassing and vandalizing their property, they expect a timely law enforcement response and do not want to hear from Sheriffs and the State of Texas that it is not their job. The State of Texas has already invested over \$250 million to enhance border security efforts recognizing long ago its importance to the safety of all Texans.

The State adopted a unified command structure to centralize local, state and federal border related intelligence across 53 Texas border Counties and over a hundred local, state and federal agencies to support unified patrol operations on

the ground, in the air and on the water. Combining efforts is a force multiplier and provides a more accurate understanding of the current and future border-related threats.

It has also been necessary to increase the state's tactical capability on the border. The Cartels have become increasingly confrontational using blocking and chase cars, caltrops to disable patrol cars during high speed pursuits and Cartel boat teams that confront U.S. law enforcement on the U.S. side of the Rio Grande River while they retrieve the drugs from vehicles that have been driven into the Rio Grande River to avoid capture. In ONE instance, Cartel members threw a Molotov cocktail at Texas Rangers in an attempt to avoid capture and on at least two occasions, Border Patrol Agents were fired upon from Mexico while patrolling the Rio Grande River. The State of Texas established Texas Ranger Recon Teams augmented with DPS SWAT resources, Texas Military Forces personnel, DPS Aviation and Trooper Strike Teams who work closely with local law enforcement and the Border Patrol to confront the Cartels in high threat areas.

The Committee requested that I provide an assessment of the impact of Cartel-related crime in the Texas border region. To accurately assess the overall criminal impact of an unsecure border on Texas requires the syntheses of several different variables within and outside the border region. For example, if we were to use only Index Crimes as reported through the FBI's Uniform Crime Reporting (UCR) system, it would not include essential variables such as extortions, kidnappings, smuggling incidents, corruption, smuggling-related trespassing and vandalism, arrests of aliens from countries with strong terrorist networks, seizures of Cartel drugs, weapons and bulk cash on the 10 major smuggling corridors throughout Texas, Cartel command and control networks operating in Texas, increases in Cartel-related gang activity, death squad members living in Texas, Cartel-related killings of U.S. citizens in Mexico, Cartel-related violence along the border directed at U.S. law enforcement and the recruitment of Texas children in our border region to support Cartel operations on both sides of the border. These indicators reflect what the Texas Department of Public Safety refers to as "spill over crime" and are discussed below:

- Over the last 18 months, six of the seven Mexican Cartels have established command and control networks in Texas cities. This is a three-fold increase.
- Within the last year the number of Texas prison gangs who work directly with the Mexican Cartels have increased from four to twelve. This is significant because 62% of prison gang members are incarcerated for violent crimes in Texas and as much as 60% of the criminal activity in some Texas communities is carried out by gangs.
- Since January 2010, DPS has identified in Texas 22 murders, 24 assaults, 15 shootings and five kidnappings directly related to the Mexican Cartels.
- The Mexican Cartels are recruiting Texas school age children to support Cartel operations. The border region constitutes 9.4% of the state's population and now has over 18.9% of the juvenile felony drug and gang referrals.
- The Mexican Cartels are actively recruiting U.S. law enforcement officers to support their smuggling operations. Two South Texas Sheriffs were convicted for Cartel-related corruption and over 70 CBP Agents have been arrested for corruption along the southwest border.
- The Mexican Cartels and Texas gangs who support them smuggle and traffic in humans. There have been 480 human trafficking victims over the last four years, 77% were children. Approximately 10% of the calls to the National Human Trafficking Hotline come from Texas, more than any other state.
- The FBI in San Antonio reported that there have been 266 kidnappings since 2004, 14 reported in 2004, and 58 in 2009. Kidnappings include Americans kidnapped in Mexico, victims abducted in Texas and taken to Mexico and victims kidnapped in Texas by subjects from Mexico.

- Virtual kidnappings and extortions are increasing in Texas. There were 23 reports of attempted extortion in El Paso between August 2009 and September 2010.
- The amount of drug and human smuggling and trafficking that occurs in Texas is an essential indicator of the crime impact on the state. A senior DHS official has reported that only 6.5% of the drugs and humans smuggled into the U.S. from Mexico are interdicted. The Department of Public Safety is not in a position to confirm the percentage cited but it does track interdictions within the border region and seizures beyond the check points.
- The 2009 UCR data for the El Paso Police Department shows a reduction in murders; however, the 2011 data from the El Paso Police Department currently shows a 1,200% increase in murders from 2010 to 2011. The Department of Public Safety considers UCR data as only one indicator because of the delay in reporting and the limited incidents it captures.
- CBP Agents and Officers continue to arrest illegal aliens along the U.S./Mexico border from countries with a known terrorism presence and 74% of those arrests have occurred in Texas.
- A recent federal investigation in Texas underscores the seriousness of this homeland security threat. Between 2006-2008, Dhakane smuggled 300 Somali illegal aliens, moving them through Brazil-Guatemala-Mexico-Texas and California. Dhakane eventually admitted that not only had he worked for many years for the designated terrorist groups **AL-ITTIHAD-AL-ISLAMI** (AIAI, or Islamic Union Courts/closely affiliated with al-Shabaab) and the **AL-BARRAKAT**, he moved at least seven committed Jihadists, most of them over the U.S. southwestern border.
- Total amount of Operation Border Star seizures from 2006 to present have an estimated street value of \$7,939,824,739.23 (see Exhibit 1).

- The Texas Department of Public Safety has seen an increase in Cartel related seizures occurring beyond the check points and along the ten major corridors in Texas.

Cocaine	28% increase
Marijuana	124% increase
Heroin	2,493% increase
Methamphetamine	135% increase
Bulk Cash	168% increase
Weapons	155% increase

When the U.S./Mexico border is finally secured the Mexican Cartels will no longer have access to the billions of dollars they use to undermine the domestic security of Mexico and the safety and security of the citizens of Texas and the nation. Border security can be accomplished with the sufficient will and resources of the federal government working as a team with local and state law enforcement agencies.

EXHIBIT 1

Total OB from 2006 - Present			
Seizures		Street Value	
Marijuana (lbs)	5,957,250	Marijuana	\$5,242,380,403.39
Methamphetamine (lbs)	4,813	Methamphetamine	\$191,673,350.06
Cocaine (lbs)	66,858	Cocaine	\$2,238,596,134.72
Heroin (lbs)	1,485	Heroin	\$119,703,650.54
Cash (\$)	147,471,201	Cash (\$)	\$147,471,200.52
		Value of Seizures	\$7,939,824,739.23
		Value of Drugs Only, no cash	\$7,792,353,538.71