

**Assemblyman Colin J. Schmitt:
Border Security and Humanitarian Crisis Report**



**Colin J. Schmitt
Member of Assembly, 99th District
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Our nation is facing an ongoing multidimensional immigration and humanitarian crisis. New York's governing majorities have taken aggressive positions on policies that place our state at the forefront of the debate on action related to illegal immigration. Given the legislative and executive actions related to illegal immigration that have taken place during the first session of my term, and numerous proposals still awaiting action and the fact that my district is home to an ICE detention facility, I decided to personally fund a fact finding mission to the US/Mexican border to gain first hand knowledge on this continuing crisis. I believe nothing gives you more knowledge and background needed to effectively govern than first hand experiences.

Concerted misinformation campaigns on this issue have clouded the truth. Quick sound bites regarding our southern border and the immigration crisis are misleading.



With US Border Patrol and Hidalgo County Sheriff Deputies at Rio Grande River.

I spent several days in Texas. Once I landed in Austin I met with local and state officials to discuss a variety of topics with a focus on illegal immigration. Later in the day, I traveled to the border to Hidalgo County, Texas. Early the next day, Hidalgo County Sheriff J.E. Guerra and US Border Patrol provided an in depth briefing on the ongoing crisis followed by an inspection of the McAllen Border Patrol Station, the busiest in the nation, and then a tour of numerous border locations along the Rio Grande River which consists of

natural, dense brush, constructed border fence and bollard levee wall. During the tour Border Patrol Agents and Sheriffs Deputies tracked immigrants who recently crossed over the Rio Grande River via rafts illegally and had set out on foot. I also observed recently launched Mexican Military border security operations.

Traveling via car the next stop was Val Verde County, Texas. Escorted by Val Verde Sheriff's Department officials I toured 1.8 miles of border fence, visited legal ports of entry, examined illegal land and water border crossing locations, visited an immigration emergency shelter and addressed US Border Patrol Agents and US Army Soldiers.

I wish to thank Hidalgo County Sheriff J.E. Guerra and Val Verde County Sheriff Joe Frank Martinez and the great men and women of their departments as well as the United States Border Patrol for accommodating my visit and for their continued dedication to serving the public.

The truth is at the forefront of this crisis are the threats to national security we face at the border with the inability to fully secure against and deter illegal entry and drug trafficking. Then there is the humanitarian side where men, women and children are being exploited by cartels and transnational criminal entities.

New York's role

New York State is a major player in this ongoing crisis. According to US Border Patrol, New York along with California are the most sought after destinations for illegal immigrants, coupled with drugs trafficked across the border are traced directly to destinations in New York and the greater Northeastern United States.

A term that came up frequently while at the border was “pull factor.” This term was used by Border Patrol Agents to describe actions and rhetoric that cause surges in illegal immigration. Specifically legislative actions taken in New York during this most recent session directly

contributed to increases in the immigration pull factor therefore spiking illegal border crossing attempts. Pull factors are those that entice individuals to cross the border en masse and in turn overload law enforcement as described by US Border Patrol. The



US Border Patrol Briefing at McAllen Station, the busiest station on the US Southern Border.

inundation of immigration through illegal

border crossings overwhelms the holding station and negatively affects the entire documentation process. Examples of pull factors are official legislative actions such as providing drivers licenses to illegal aliens, free college tuition and strong rhetoric of promised benefits to people entering the United State of America illegally.

At least 52 pieces of legislation granting benefits to those in our country illegally have been introduced during the current state legislative term.

Our state legislative actions and proposals this year, along with other local government actions, directly impact this crisis. While proponents of these actions that turn into illegal immigration pull factors argue they are the just and right course, I have seen first hand the opposite is true.

Pull factors are relayed via social media, news media and word of mouth. These actions exacerbate the border security and humanitarian crisis as the cartels use them to help surge the numbers of illegal immigrants that are crossing. Human trafficking increases in addition to easier access for drug smuggling because while the US Border Patrol holding stations are overwhelmed with surges of illegal crossings the cartels take advantage of these situations and coordinate heavy drug smuggling over the border at these times.

While I was on the border Mayor Bill De Blasio announced illegal immigrants would be allowed to access the NYCHA affordable housing lotteries. This decision, a new pull factor, is exactly the type of action that will spur a surge in illegal crossings and requests to go to New York and directly embolden the cartels to be able to exploit even more people.

Border Patrol

Much media attention and political rhetoric has been focused on the United States Border Patrol treatment of detained immigrants and overall actions. I visited Border Patrol McAllen Station and Comstock Station. McAllen is the busiest station in the country, and has received the most media attention.

I examined the entire operation at McAllen including the holding cells, supply rooms, hygiene facilities and medical and dental areas. Nothing seemed out of the ordinary and very much resembled a military base setup and operation. Much of military base resemblance is due to the fact that the extreme number of people who entered illegally overwhelmed the pre-existing facility capacity requiring a rapidly developed higher capacity.



Addressing US Border Patrol Agents and US Army Soldiers at US Border Patrol Comstock Station.



US Border Patrol McAllen Station with Border Patrol and Hidalgo County Sheriff's Department.

Sheriff Deputies, volunteers at the local emergency shelters and recent illegal immigrants shared similar sentiments in regards to their interactions with US Border Patrol in that none of them had a single bad word to say. Border Patrol agents are rescuing people in distress. There were

many stories about Border Patrol agents giving up the lunch in their personal bag to feed rescued immigrants crossing illegally. The local shopping centers have been cleaned out of all diapers and baby supplies because Border Patrol agents went in and personally purchased the supplies they ran low on. Much of the clothing donated for use by those who crossed has come directly from Border Patrol agents and their families.

In speaking to illegal immigrants who had recently crossed into our country at an emergency shelter they described their interactions with US Border Patrol as humane and with no mention of mistreatment. The shelter volunteers echoed that statement, sharing with me their findings on the ground of considerate conduct by US Border Patrol or other federal law enforcement agencies. Upon leaving the emergency shelter the “good-byes” were accompanied by requests to relay these truths.



Speaking with recently crossed illegal immigrants at the emergency immigration shelter in Del Rio, TX

At every level I was asked to bring back to New York the truth about US Border Patrol in that the people who are crossing our border illegally are being treated humanely. In more cases than not, US Border Patrol and law enforcement are sought out for surrender by those entering illegally because they know immediate assistance will be provided.

I also had the ability to address US Border Patrol Agents and Army Soldiers assigned to US Border Patrol Comstock Station and McAllen Station. Despite months of inaccurate media coverage, disparagement and threats in the public these men and women go out every day to do their job of facing multitudes of danger in order to not only keep America safe, but also provide emergency aid and relief to illegal immigrants in need. I thanked these agents for their efforts and told them they are appreciated, words they have not heard very frequently of late. Our law enforcement at every level put their lives on the line each day to serve; we must respect and honor that commitment in all circumstances.

Children Exploitation Crisis

Much national attention has been focused on the treatment and policies towards children who have entered the country illegally. A top priority of mine was to discover the truth regarding this subject.

The facts are that we are facing a major child exploitation crisis. Cartels are exploiting children, many just babies, as a work around to our immigration laws.

Cartels are “renting” children to create false family units. If a single male or female crosses the border their detention by federal authorities can be lengthy. If the same individual crosses the border with a child they claim as a dependent, the most they can be held is twenty days.



Touring an emergency shelter for immigrant family units in Del Rio, TX

Crossing with a child is used as a fast track ticket to guaranteed release. A recent random sampling of 100 declared family units at McAllen Station found that a third had no DNA match. There have also been a disproportionate number of traceable sex offenders, rapists and known criminals traveling with children.

During my trip the federal government announced new policies related to the detention of family units with children, attempting to curtail the ability of cartels to exploit children with a guaranteed 20 day release. I will be monitoring what if any impacts these changes yield.

Border Patrol has had instances where they have released a male with his claimed “child” to later raid a cartel stash house and find the same male with his Board Patrol release papers being held. It is then discovered that the cartels have held that male due to the fact that he only rented the child for a certain period of time, did not return that child within that time frame, and now owes more money to the cartel and will only be released upon paying that debt.

Also, federal policy states that no child under 14 can be fingerprinted or biometrically scanned in any fashion. This makes it nearly impossible to track what children are being exploited over and over again.

It is horrendous that young children are being exploited for profit. As public outcry over detention of children persists please know the quicker children are released the more children will be exploited by cartels. Recycled over and over again through the illegal border crossing process.

We need to keep this sickening reality in mind and work to eradicate the exploitation of children using every available means necessary.

Border Fence and Wall



Touring bollard levee wall in Hidalgo, Texas.

I examined border fence and border wall. Various designs had varying levels of effectiveness. All of the border crossing structures that I personally inspected regardless of design were built during previous Presidential administrations. Due to access points and terrain features, physical structures have or will have varying levels of success. Local, state and federal agencies agreed that a combination of physical

structures where appropriate and technology to detect and deter illegal crossings is the best solution.

On the first stop in McAllen Sector I saw bollard levee wall that effectively eliminated drug trafficking, dropping the drug trafficking number to just 6% of peak before the physical barrier was constructed.

The success of the bollard levee wall in Hidalgo, and similar structures, needs to be replicated in order to curtail human and drug trafficking across all areas where terrain appropriate.

Drug and Human Trafficking

Cartels and transnational criminal entities are exploiting our existing laws and policies that have incentivized a spike in human trafficking, making it more profitable than drug smuggling in many cases. According to Border Patrol Agents, all illegals crossing the border have to interface with the cartels. Illegal immigrants from over 60 countries have been detained at McAllen station which included countless from areas of concern in Asia and the Middle East who ping on terrorist watch lists, Interpol warrants and other major criminal databases for some of the most atrocious crimes imaginable who pay cartels upwards of \$30,000 to smuggle them into our nation.



Val Verde County Sheriff's Department Briefing Schmitt

On the drug front, heroin, fentanyl, marijuana, cocaine and meth have been the most trafficked drugs recently. Law enforcement stated most of those drugs make their way primarily to New York and the Northeast and California. The cartels run sophisticated intelligence and monitoring operations to ensure their drugs are smuggled successfully.

The cartels are known to overwhelm federal and local law enforcement by sending hundreds of individuals over illegally to distract all resources to one spot in order to bring drugs over in another area. As many as 500 men, women and children have been sent over the border at one time to cause a crisis and distract from drug smuggling operations.

Border Patrol agents recounted harrowing stories of cartel tactics including dropping babies and children into the water when crossing with drugs or individuals who do not want to be captured in order to divert attention and efforts to rescue rather than interdiction.

Federal Actions

There have been some positive developments in curbing illegal crossings. Due to federal pressure the Mexican Military has begun heavily enforced patrols of the border. I observed Mexican Military operations while on the border which have helped prevent a larger number of crossings compared to



With US Border Patrol at the site of illegal water crossings on the Rio Grande River observing Mexican military operations.

previous months. This type of action is new and is helping to alleviate strains on US Border Patrol and federal resources along the border.

Next Steps

New York State has an obligation to act in a responsible manner that does not continue to escalate this crisis. As Assemblyman I plan to bring this reality to my colleagues during debate and discussion on legislation.

We must prudently consider all legislation introduced and ensure that we cease passing measures that have a larger negative impact, creating new pull factors that will exasperate the ongoing crisis and lead to the exploitation of more men, women and children by cartels.

When all New York leaders consider the full weight of this crisis and their ability to impact it we can curtail New Yorks negative impact on this multidimensional immigration and humanitarian crisis. Given the current governing realities of state government this will be a steep task but one that I will strongly advocate for.

About Assemblyman Colin J. Schmitt

Colin Schmitt is committed to public service. Colin is a member of the U.S. Army National Guard and Assemblyman for the 99th NYS Assembly District, which includes the Town of Stony Point in Rockland and The Towns of Wawayanda, Goshen, Hamptonburgh, Chester, Blooming Grove, New Windsor, Cornwall, Highlands and Woodbury in Orange County. Colin lives in the Town of New Windsor with his wife Nikki and their beloved adopted Catahoula puppy Quincy!

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