



CITY OF HOUSTON

Houston Police Department

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Art Acevedo
Chief of Police



STATEMENT OF ART ACEVEDO FOR THE RECORD

**CHIEF OF POLICE
CITY OF HOUSTON, TEXAS**

DECEMBER 11, 2018

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SENATE COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON BORDER SECURITY AND IMMIGRATION

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HEARING

NARCOS: TRANSNATIONAL CARTELS AND BORDER SECURITY

Chairman Cornyn, Ranking Member Durbin, and Members of the Subcommittee, let me start by saying that I appreciate this opportunity to provide you with written testimony. I regret I will not be able to testify in person on this critical issue of transnational cartels and border security, but due to schedule conflicts, I was unable to attend the hearing.

By way of introduction, I am Art Acevedo, Chief of Police for the Houston Police Department. I have spent over 32 years in law enforcement, working my way up through the ranks of the California Highway Patrol to Chief of the California Highway Patrol in 2005. I served nine years as Chief of the Austin, Texas Police Department before being selected to lead the Houston Police Department in 2016. Along the way, I have held various positions with the International Association of the Chiefs of Police and I am currently the president-elect for the Major Cities Chiefs Association, an organization that represents Chiefs and Sheriffs of the sixty-nine largest law enforcement agencies in the United States and the ten largest agencies in Canada.



All the law enforcement agencies that I have had the honor of working for are within states that border Mexico. I have spent the majority of my law enforcement career working in large, diverse metropolitan areas, the last two years with the City of Houston, which according to the Kinder Institute is the most diverse big city in the nation.

Houston's population has increased tremendously over the past 18 years, increasing from 1.95 million in 2000 to an estimated 2.3 million today. A large portion of Houston's new residents are immigrants and an estimated 1.1 million residents in the greater Houston Metropolitan region were born outside of the United States, which is roughly 21% of the population. Additionally, it is estimated that at least 145 languages are spoken in the city.

MAINTAINING TRUST BETWEEN LAW ENFORCEMENT AND IMMIGRANT COMMUNITIES

The diversity in race, religion, and ethnicity found in Houston is also found in many of the other large urban areas in the United States. Law enforcement agencies representing these diverse communities must work diligently to make their communities safe. One of the requirements for any successful law enforcement agency working in a diverse democratic environment is to gain the trust and support of the entire community. As noted above, our communities are comprised of many first generation immigrants, both documented and undocumented. If these communities fear the police, then they will not report crimes, come forward as witnesses, or provide valuable information about criminal activity.

The cartels that flood our streets with drugs and subjugate persons to human trafficking use our local street gangs to complete their deadly and destructive criminal activity. In order for law enforcement to disrupt and dismantle the gangs that terrorize our neighborhoods and the drug cartels that make their profits through human misery, we must have information that is known or witnessed by the people that live in our communities. Local enforcement uses the information we gain from our community outreach to intervene and suppress the criminal activity at the local level. In conjunction with our federal law enforcement partners, through federal task forces and other cooperative efforts, we then use that information to move up the ladder to dismantle the drug cartels that supply the drugs and human victims.

During my 32-year career in law enforcement, I have seen and been part of the progression as we learned and continue to evolve with respect to our role within the communities we serve. From my perspective, relational policing is the key to representing our residents and being tough on crime. I am a firm believer in transparency and trust. If we are to be tough on crime, we must not forget that it begins with the trust and cooperation of our communities.

I make the above points to emphasize that if we want to be effective and work to disrupt the drug cartels, we cannot afford to alienate broad spectrums of our community. Asking local law enforcement officers to become involved in immigration enforcement is counterproductive. It breeds fear and distrust in the immigrant community, thus making law enforcement less effective at attacking violent street crime and consequently less effective at going after the drug cartels. When a person is involved in illegal activity, we use all the resources available, including working with federal law enforcement agencies that have the authority and responsibility to enforcement immigration laws.

Rhetoric and threats about local law enforcement enforcing immigration laws are counterproductive. Likewise, vilifying the immigrant community, which represents millions of people throughout the United States, is bad policy. It makes the job of local law enforcement much more difficult. It takes a considerable amount of time and effort to rebuild the trust in the community that is easily shattered by poorly thought-out policies and statements.

As an example, the State of Texas passed legislation in 2017 that reduced the authority of police chiefs to direct the activity of their officers. Under this legislation, Texas Senate Bill 4 (“SB 4”), police chiefs are no longer able to prohibit officers from working on immigration investigations, which traditionally have been the responsibility of the federal government. After this legislation was enacted, my department spent countless hours and days explaining the nuances of the legislation to the immigrant communities in Houston. We conducted this outreach to explain that they could still report crimes and come forward as witnesses without fear that local law enforcement officers would inquire about their immigration status. Yet, the passage of this legislation undoubtedly has made the immigrant communities less willing to talk to us. Without the cooperation of all of our residents, we are less effective locally and internationally, allowing the cartels to continue to operate with impunity.

The Houston Police Department and most large police agencies work cooperatively with our federal law enforcement partners. We work diligently together to arrest those that commit violent crimes, regardless of their immigration status. When we work together to solve violent crime and drug trafficking, invariably some of those involved are undocumented persons. The federal and local agencies then seek to prosecute those involved to the full extent of the law.

In order to go after the cartels, every agency has its role. State, county, and local law enforcement must work with our communities to address violent crime. The successes we have at the local level leads to information and arrests, in conjunction and cooperation with federal law enforcement, to address the narco-criminals that threaten this country.

Being tough on crime starts with relational policing and passing comprehensive immigration reform would be an important step in furtherance of encouraging relational policing, bringing these communities out of the shadows while taking into consideration the reality that millions of undocumented immigrants have live most of their life in this country. We cannot alienate a large segment of this country and hope to be successful in dismantling the narco-criminals. The reality is that resources are limited and those resources must be prioritized to address major transnational criminal organizations and other violent criminals.

GUNS AND MONEY TRAVELLING SOUTH AND DEMAND FOR DRUGS IN U.S.

Protecting our borders must be done smartly and concentrating enforcement efforts at the ports of entry has proven to be effective. In 2014, the United States Customs and Border Patrol (CBP) found that adding a single CBP Field Operations Officer to a port of entry would result in an annual benefit of \$2 million increase in our country’s Gross Domestic Product, \$640,000 saved in opportunity costs, and 33 jobs added to the economy, because it would help speed the flow of commerce.ⁱ

The approach of adding additional CBP officers to ports of entry is tough on crime because 81% of hard drugs intercepted along the Southwest border between FY 2012 and FY 2016 were seized at ports of entry. These numbers indicate that this should be the emphasis. We cannot ignore other areas along the border, but limited resources must be used strategically.

In addition to addressing the drug abuse problems in this country, it is necessary to address the guns and money that are flowing south across the border. Just as important as stopping the drugs and human traffickers that are coming into this country, we need to stop the guns and money that are flowing south. If this nation is going to effectively deal with the narco-criminals, we need to take the profit out of the trade, whether it be from drugs or human trafficking. Intercepting the money that travels back to cartels and addressing the money laundering that takes place is an essential component of any strategy employed to dismantle the drug cartels.

Further, we cannot ignore the guns that are travelling south across the border. I am not in favor of gun control that violates constitutional rights. Law-abiding citizens have every right to a weapon, but we must have reasonable regulations. We need a universal background check throughout the country, one that is the same throughout the nation, one system with real teeth with significant consequences. We need to close the gun show loophole. A person should not be allowed to sell a firearm at a gun show to anyone with \$1,000 because they are a private seller without first putting them through a background check. This gun show loophole allows thousands of weapons, many of them assault rifles, to flow across our southern border, fueling the dangerous drug and human trafficking organizations. There are things that can be done that do not infringe on gun ownership rights, but ensure we have responsible gun ownership.

A January 2016 Government Accountability Office report found that according to the Department of Justice's Bureau of Alcohol, Tobacco, and Firearms (ATF) data, "73,684 firearms (about 70 percent) seized in Mexico and traced from 2009 to 2014 originated in the United States." According to the report, most of these guns "were purchased legally in gun shops and at gun shows in the United States, and then trafficked illegally to Mexico."ⁱⁱ The purchasing of weapons as a pass-through (straw purchase) is already illegal, but the lack of a comprehensive universal background check hinders the investigation of these illegal transactions.

CONCLUSION

In order to address transnational criminal organizations and the violent crime that it spawns in our communities, I believe the federal government should:

1. Pass comprehensive immigration reform legislation, taking into consideration that millions of undocumented immigrants reside in this country.
2. Prioritize limited federal resources to address those committing serious crimes in our communities, including those conducted by transnational drug trafficking organizations.
3. Acknowledge that local law enforcement should not be forced to enforce immigration laws. Immigration enforcement is the responsibility of the federal government. When local law enforcement agencies are viewed as immigration officers, it makes our cities

less safe for everyone. Relational policing is not just good community interaction; it is an effective approach to solving crime.

4. Provide support to local law enforcement agencies through joint task forces and grants that foster cooperation and collaboration between the state, county, and local law enforcement and federal law enforcement agencies.
5. Stem the demand for narcotics in this country.
6. Stop the flow of guns south to Mexico and other Central and South American countries by addressing straw purchases and passing legislation mandating universal background checks for firearm purchases. Close the gun show loophole.
7. Stop the flow of money. Money is the lifeblood of the transnational gangs; thus, in order to disrupt these criminal organizations, we must be able to stop the flow of money travelling back across the border through money seizures and work diligently to uncover and stop other money laundering activities.

Sincerely,



Art Acevedo
Chief of Police

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ⁱ "Resource Optimization at Ports of Entry", Fiscal Year 2014 Report to Congress, March 10, 2014

ⁱⁱ Highlights of GAO-16-223, January 2016