

**Congress of the United States**  
**Washington, DC 20515**

April 6, 2016

The Honorable Jeh Johnson  
Secretary  
Department of Homeland Security  
Washington D.C. 20528

Secretary Johnson:

We write to express our deep concerns with the failure of Immigration and Customs Enforcement to enforce our nation's immigration laws and keep violent criminal illegal aliens off America's streets. The failure appears to not only be a symptom of bureaucratic ineptitude but also a systematic disregard for the safety of American citizens instituted through enforcement policies that you put in place.

As you may know, on March 7, 2016 Pablo Serrano-Vitorino allegedly killed four individuals in Kansas City, Kansas. Serrano-Vitorino then fled to Montgomery County, Missouri where he allegedly killed another individual. He was eventually captured by local authorities in the early hours of March 9, 2016 after a lengthy manhunt. Serrano-Vitorino is in this country illegally and had previously been deported from the United States but subsequently re-entered the country at some point. His previous deportation occurred after he was convicted and incarcerated for a violent felony in California. The most disturbing aspect is that he had multiple encounters with law enforcement since he re-entered the country and yet ICE failed to deport him again.

It has been reported that ICE was notified at least twice that Serrano-Vitorino had been arrested by local law enforcement in the last 18 months, and yet was allowed to be released. On one recent occasion, after notification from local law enforcement, ICE sent a detainer request for Serrano-Vitorino to the wrong office, allowing him to once again be released. In each of these occasions ICE failed to effectively communicate with local law enforcement in order to ensure this dangerous criminal was removed from the United States. This is not the first time that a violent criminal illegal alien has evaded ICE's grasp. The release of illegal aliens due to bureaucratic incompetence cannot be tolerated and we urge you to make substantive reforms to the process to ensure that dangerous individuals are removed from our communities.

In addition, In November 2014 you released a memorandum titled "Policies for the Apprehension, Detention and Removal of Undocumented Immigrants." This memorandum outlines ICE's Priority Enforcement Program (PEP) which established certain priorities for the deportation of illegal immigrants. While PEP is set up to prioritize certain dangerous individuals for deportation it is evident that this program has created an environment where individuals can fall through the cracks.

In order to better understand the circumstances that led to this tragic situation, we request responses to the following inquiries.

1. Outline each instance in which Serrano-Vitorino was encountered by U.S. law enforcement both prior to, including, and after his deportation. Please include the date, jurisdiction where this occurred, and the nature of any charges, if applicable.
2. In each of these instances please describe the attempts by local law enforcement to notify ICE of the custody of Serrano-Vitorino, and ICE's subsequent actions on each encounter. Please include the dates that Serrano-Vitorino was released from law enforcement custody and the reason he was released.

3. Was Serrano-Vitorino ever classified under any priority level of the PEP? If so, please explain this classification. If not, please explain?
4. What specific actions did ICE take to capture Serrano-Vitorino if/when it was identified that he had re-entered the United States? Did ICE reach out to local law enforcement in an attempt to find him?
5. How many individuals who are classified as a priority under the PEP are known to be at large in the United States? Please classify these individuals by their priority. What is ICE doing to ensure these individuals are captured?
6. Give a report as to the amount of aliens that were apprehended by ICE officers and deported. (Note: This does not include individuals that ICE identified for removal, but were in custody of another law enforcement agency, and it does not include aliens that were caught at the border.)
7. Explain the process in which ICE reinstates a prior removal order for an alien.
8. It is clear that a disconnect exists between local law enforcement and ICE. Give recommendations that will help improve communication and cohesiveness between ICE and local law enforcement to ensure that any individual who is fit for removal is not released from police custody.

We look forward to your prompt and thorough response to these requests. Information regarding this information is vital for Congress to exercise its oversight responsibility for these programs and policies. If you have any questions please contact Lucas West at (202) 225-2956.

  
Blaine Luetkemeyer  
Member of Congress

  
Kevin Yoder  
Member of Congress

cc: The Honorable Sarah Saldana, Director, Immigration and Customs Enforcement