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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
KRISTINE J. LUCIUS, *Democratic Chief Counsel and Staff Director*

October 23, 2015

VIA ELECTRONIC TRANSMISSION

The Honorable Jeh Johnson
Secretary
Department of Homeland Security
Washington, DC 20528

Dear Secretary Johnson:

On September 4, 2015, 17-year-old Danny Centeno-Miranda from Loudoun County, Virginia, was murdered by his peers while walking near his school bus stop.¹ After a brief investigation, three suspects were arrested by the Loudoun County Sheriff's Office with help from the Northern Virginia Gang Task Force (NVGTF).² Henry Dominguez-Vasquez and Juan Aguirre-Zelaya, both from El Salvador with possible ties to the Mara Salvatrucha (MS-13) gang, were charged as accessories to the shooting, and with possession of a firearm while in the country illegally. The alleged shooter, a 17-year-old Mexican national, was charged with murder and using a firearm while committing a felony.³

Reports to the committee suggest that the three suspects entered through the Texas border as Unaccompanied Alien Children (UAC) in 2013, and had been served Notices to Appear (NTA) with a 2015 court date. Allegedly, all three suspects failed to appear at their August 2015 hearing, and were ordered removed in absentia. Had these suspects appeared for their mandatory court date, they would have likely not had the opportunity to murder a 17-year-old high school student from Loudoun County.

¹ Balingit, Moriah. [Loudoun County High Schooler's Slaying Probed for Gang-Related Ties](#). September 5, 2015.

² Id.

³ Noble, Andrea. [Illegals from Mexico, El Salvador Charged with Killing Virginia Teen](#). September 8, 2015.

Unfortunately, incidents such as this have become too common. It is now customary to hear stories of undocumented or gang-affiliated criminal aliens who are discretionarily released from custody, fail to honor their NTA, and receive protection in sanctuary jurisdictions. As a result, American citizens have been subject to preventable violent criminal acts. It is clear that the federal government has failed in its role to prevent great risk to the public safety.

For a more thorough understanding of the incidents surrounding the shooting, please provide the following information no later than October 28, 2015.

1. Did any of the suspects enter the United States as UACs in 2013 or 2014? Please explain.
 - a. How were their UAC statuses determined?
 - b. How long were they in the custody of a resettlement contractor before being released to the appropriate sponsors?
 - c. Who were each of the three UACs released to, and were those sponsors interviewed by immigration officials? Please explain.
 - d. Were the respective sponsors held accountable for the UAC's failure to appear in immigration court?
 - e. Have the sponsors sought any immigration benefits?
2. Were any of the suspects previously arrested or charged with crimes? Were they convicted? If so, please provide the relevant documentation.
3. Have any of the suspects been previously deported? If so, when?
4. Did U.S. Immigration and Customs Enforcement (ICE) ever place a detainer on any of the suspects or request that it be notified of the release from custody of either of the suspects? Please explain.
5. Did the suspects have gang-ties or affiliations? Please explain.
6. What percentage of detainers or requests for notification of release placed by ICE in each of the past five fiscal years has Loudoun County, Virginia honored?
7. Please provide the A-files for the three suspects involved.

Thank you for your attention to this important matter. Should you have any questions, please contact Katherine Nikas of my Committee staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
Chairman
Senate Committee on the Judiciary

cc:

The Honorable Patrick Leahy
Ranking Member
Senate Committee on the Judiciary