



House Bill 4081

Testimony Before the Texas House Committee on State Affairs

By Selene Rodriguez, Assistant Director of Federal Affairs

Chairman Hunter, Members of the Committee:

Thank you for the opportunity to address you today. My name is Selene Rodriguez, and I represent the Texas Public Policy Foundation.

Today I am speaking in support of House Bill 4081.

I was born and raised in Del Rio, Texas, my family is still there and still facing the brunt of this unprecedented border crisis. Surrounding Del Rio are many small, rural communities that do not have the resources or budgets to take on the increased high-speed chases and vehicle bailouts, fentanyl poisonings, need for emergency services, crime and increased arrests.

One of those communities is Kinney County, where my own family owns property.

My friends in Kinney have been faced with an unimaginable disaster. A disaster that, if not for emergency funding from Gov. Abbott and the Texas Legislature, would have turned over the county completely to criminal cartel organizations.

According to former Kinney County judge, Judge Shahan, in 2021 a typical month of court costs would run roughly around \$25,000. By October 2021 they had arrested 1,300 migrants on criminal trespass charges. Judge Shahan estimated that prosecuting 1,300 migrants over 2 years would have cost them nearly \$5 million.

A high volume of arrests due to criminal trespass and human smuggling, coupled with very limited resources called for the governor to involve the Office of Court Administration to assist in magistration and adjudication in smaller counties. The amount of \$950,000 was allocated to OCA for visiting judge salaries. According to OCA testimony before the Texas Senate Border Security Committee, counties who require these additional resources must ask for them, there is no mechanism in place for the state to know if a county requires additional assistance or to give additional assistance unless it is requested.

Other resources provided under Operation Lone Star (OLS) include paralegals from the Texas Military Department, legal assistants, and assistant prosecutors.

House Bill 4081 will begin laying the groundwork for smaller counties with less resources to get the job done.

These communities have been able to get significantly caught up on their OLS-related caseload, enabling them to also stay on track with cases not related to border crime. But we do not know what will happen moving forward. Possibilities such as lower OLS and border program funding and future border surges can lead to new backlogs and fewer resources.

Texas can ensure that its rural communities are always prepared and able to continue operating as they should. According to Kinney County Sheriff Brad Coe, the number of migrants seen on game cameras on private property are averaging 160-180 people per night, and Texas DPS are stopping human smuggling attempts almost daily. So long as the federal

government refuses to be accountable for policies that attract this high volume of criminal activity, the amount of criminal trespass cases will continue to rise. Visiting judges are a vital tool for some of these affected communities and have also been used by Jim Hogg and Maverick counties.

The commissioners court should be able to request reimbursement for visiting judges that are required to maintain ongoing operations in these communities. By using funds allocated for border security purposes, we can also maintain the integrity and transparency of how tax dollars are being spent.

House Bill 4081 can serve as another step to protecting Texas communities, therefore protecting Americans in every state.

Thank you, and I am happy to answer any questions you may have.

Selene Rodriguez is the assistant director of federal affairs at the Texas Public Policy Foundation. In this role, she conducts research on public policy issues; assists the Foundation in academic publication; educates lawmakers and members of the public on Foundation research; and provides formal testimony to local, state, and federal entities. Prior to this position, Rodriguez served in the Marine Corps as an intelligence specialist and completed an internship at the Texas Public Policy Foundation. Born and raised in Del Rio, Texas, Rodriguez graduated from Texas State University with a B.A. in political science and is currently a graduate student. She has a passion for spending time with her family and volunteering in local community programs and political organizations.

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