

# The Northwest Border

## *Canada's liberal immigration policies lead to substantial problems for the Border Patrol*

Testimony by Dale E. Brandland

*[Dale Brandland is Sheriff of Whatcom County in Washington State. This testimony was given before the Subcommittee on Immigration and Claims of the House Judiciary Committee on April 14, 1999.]*

**M**r. Chairman, I have been in law enforcement for 23 years and have been sheriff for the past 7 years. Whatcom County is located in the northwest corner of Washington State. We are just south of Vancouver, British Columbia. Our county has just over 2000 square miles and the population is approximately 160,000. Our northern border is shared with Canada and the population of greater Vancouver, just across our border is 1.5 million.

### Drugs at our border

Because of our proximity to the border, Whatcom County has several agencies that are in some way involved in controlling the transportation of drugs to and from Canada. It is a pleasure to report to you that we enjoy a high level of cooperation among the local and Federal agencies. We meet on a regular basis and information sharing is the norm. We also enjoy working relationships with our counterparts in British Columbia. We encounter the full spectrum of drugs seen throughout the country. But, in a very general sense, much of our attention is focused on high-grade marijuana being exported from Canada and cocaine that is being imported into Canada.

I cannot tell you the number of cases that are generated by our Federal agencies but I can tell you that almost all of their cases are handled at the local level. Most Federal cases that are taken to the U.S. Attorneys Office in Seattle are declined because they don't meet the minimum weight threshold for prosecution. This means that they will not prosecute the case. The case is then referred to our local agencies for prosecution. It is handled by our prosecutor, processed in our courts and

eventually those arrested are housed in the Whatcom County Jail or sent to the State Department of Corrections. If we did not handle these cases they would not be prosecuted.

We have watched the threshold for prosecution climb over the years. As things have gotten worse and the quantity of drugs seized increases, so does the threshold. The reality is that the Whatcom County criminal justice system is doing most of the Federal government's work, after the initial arrest is made.

Another unfortunate consequence of our proximity to the border is warrant arrests. It is not uncommon to

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have out-of-state fugitives apprehended at the border. They rarely agree to immediate extradition so we have to absorb the cost of prosecution, public defender, court infrastructure and, of course their time in jail.

### Liberal Immigration Policies in Canada

Our friends to the north, the Canadians, are good neighbors but I must tell you that I am troubled by their liberal immigration policies. Anyone that has a passport can enter Canada and there is very little to stop them from entering the United States once they get there. Mr. Abu Mezer is a prime example.

Local Border Patrol personnel in Whatcom County had apprehended Mezer on three separate occasions, after attempting to enter the country illegally. He was finally held, pending formal deportation, but was able to post bond and be released. Approximately 7 months later he was shot by the New York City Police Department

just prior to planting a bomb that would have blown up the subway system. There have been more recent incidents involving suspected terrorists entering the country at Blaine so I do not think that this is an isolated incident. The front line to stop this type of person from entering our country is the U.S. Border Patrol and as you well know, our front line is relatively nonexistent.

### The Role of the Border Patrol

As you may well imagine the Whatcom County

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Sheriff's Office and the U.S. Border Patrol have a close working relationship. Both of our agencies have a limited number of people to work in a very large area so we regularly depend on one another for back up. Our personnel monitor each other's radio frequencies and it is not uncommon for both of our agencies to be involved in the same event. In fact, in March of 1998, two border patrol personnel apprehended a homicide suspect within minutes of the incident because they were monitoring our frequency. Had they not done this it is very likely that we would not have been able to resolve the case. Unfortunately, our relationship at the local level does not extend to the regional level.

I would like to say that I take strong exception to the decision that minimizes the Border Patrol's presence here. The attitude at higher levels seems to be that all of their resources should go to our southern border. I certainly agree that the problem is greater there, but to ignore the problems facing us at the northern border is courting disaster.

The Blaine sector now has 49 people assigned to it. That brings them up to the level they were at four years ago. Those 49 people have to cover all of Alaska, Western Washington and all of Oregon. They do not have enough people to adequately cover the border 24 hours a day, 7 days a week and that does not address the fact that they do not have *any* personnel to cover the coast line of that area of water that separates us from Canada.

Several years ago, the Border Patrol implemented a policy that diverted manpower from the northern border to the southern border. This was said to be a temporary measure because of an increased threat at that time. At the start, 50 percent of the sector's manpower was sent south. This practice is still going on today. Of the 49 people assigned to the Blaine sector, 3 are regularly sent south to bolster southern manpower. I believe that a cost benefit analysis would show that there is far greater benefit to the Border Patrol by leaving them here. It would have a big impact locally and I doubt that anyone would notice their absence down south.

### Point Roberts

In Whatcom County we have a unique situation in that you have to enter Canada in order to get to one part of our county. I am referring to Point Roberts which is a small two-square-mile peninsula that is only accessible by driving into Canada. After you enter Canada at Blaine, you have to drive 26 miles to the north and west before you can reenter the U.S. at Point Roberts. The population is about 750 and I have two deputies that live there full time. If they arrest someone, we need to have the Coast Guard remove them by boat because we cannot drive them through Canada. Point Roberts has a port of entry but it is relatively easy to smuggle contraband or drugs in by boat and then walking into Canada. This is another area where we see very little of the Border Patrol.

### Conclusion

Mr. Chairman, I would like to conclude by saying that I am aware that our problems at the northern border do not compare with those in the south. But, I do feel that we have distinct needs and that those needs are not being properly addressed at this time. I don't expect the Border Patrol to shift its focus but I would appreciate it if they would acknowledge that there is a problem. **TSC**