



Testimony

House Bill 7

Testimony Before the Texas Senate Committee on Border Security

By Carine Martinez

Chairman Birdwell, Vice Chair Flores, Members of the Committee:

My name is Carine Martinez, and I am campaign director for Secure & Sovereign Texas at the Texas Public Policy Foundation, a nonprofit and nonpartisan research institution based in Austin, Texas. Thank you for the opportunity to testify in support of House Bill 7.

The humanitarian crisis going on at the border is on everyone's mind. It is heartbreaking to see literally millions of migrants being smuggled—and as we know often abused—across the Texas–Mexico border in the worst conditions possible. The Mexican drug cartels, which are responsible for the smuggling of both humans and illegal drugs into Texas, the former being used to help further the latter, are quickly developing sophisticated networks within Texas and the United States to increase their illegal operations.

The result is no less heartbreaking. Texas border communities are faced with a number of issues: landowners and ranchers have their properties regularly damaged or littered; people do not feel safe on their own land; an increasing number of car chases or bailouts in usually quiet little towns place residents at constant risk. And of course, this has an impact on the local economy and border communities' quality of life.

This is also not just a local issue anymore—this has become one of Texas sovereignty. Fentanyl is creeping into our schools; human trafficking is happening in our biggest cities; last March, alleged members of a Mexican cartel kidnapped a Texan resident in Texas and crossed the border to take him to Mexico. This is happening on Texan and American soil.

The federal government has proven unable or unwilling to protect our southern border. Texas has had to step in, and HB 7 continues to offer state solutions to alleviate the consequences of an unsecure southern border.

HB 7 would create several programs meant to handle the instances of lawlessness happening in the border region, such as illegal entry and damage to private property; to serve as a tool to incentivize career paths in homeland and border security-related fields; and to tackle other issues of public safety in the border region. The bill requires reporting mechanisms, consultation of local stakeholders, and effectiveness measures for these programs.

Importantly, HB 7 creates the Border Protection Unit, a special law enforcement unit under the Public Safety Commission that would have the ability to deter and repel illegal entrants and return them to Mexico. The creation of the Border Protection Unit is a crucial step in asserting Texas' right to defend itself against the crimes perpetrated by the Mexican drug cartels in Texas, including human trafficking, recruitment of American youth for human smuggling, lethal drug trafficking and poisoning, and trespassing on and damage to Texan properties on American soil.

For these reasons, we support HB 7.

However, HB 7 can be, and we strongly recommend that it be, strengthened by striking Section 411.553 – Limitation of Certain Powers that would submit the Border Protection Unit to a written authorization by the commissioners courts of the border region counties to fulfill the responsibilities the Texas Legislature would entrust the unit with should the bill pass. This is problematic in two main ways: (1) it may result in border region counties not being afforded the same degree of protection, potentially encouraging smugglers to target certain counties over others; but most importantly, (2) this section is in contradiction with the Texas Constitution and the structure of government in Texas. Under the Texas Constitution, Article 9, counties are created by the Legislature “for the convenience of the people.” This provision would turn Article 9 on its head by submitting the will of the Legislature to protect its citizens to county commissioners courts.

There is no more time to wait for the federal government to act. Texas must continue to step in—and it must do it in more innovative and assertive ways to protect its citizens. HB 7 continues on this path, bringing a new level of commitment to make it safe for Texans to own land and live on it on Texas soil.

Thank you for your time, and I’m happy to answer any questions you may have.

About Texas Public Policy Foundation

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