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Congress of the United States  
House of Representatives  
Washington, DC 20515-0602

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COMMITTEE ON ARMED SERVICES  
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FORESTS, AND PUBLIC LANDS

Ms. Julie L. Myers,  
Assistant Secretary  
for U.S. Immigration and Customs Enforcement  
Department of Homeland Security  
425 Eye Street NW  
Room 7100  
Washington, DC 20536

Mr. James T. Hayes, Jr. <http://markudall.house.gov/HoR/Co02/home>  
Acting Director,  
Office of Detention and Removal.  
U.S. Immigration and Customs Enforcement  
425 I Street NW  
Room 7309  
Washington, D.C. 20536

Dear Assistant Secretary Myers and Mr. Hayes:

I want to bring to your attention a tragedy that has shaken and outraged Coloradans. It involves Francis Hernandez, who I understand was born in Guatemala and entered the United States illegally in 1991.

I understand Mr. Hernandez has been arrested over a dozen times, including on felony charges, by multiple Colorado law-enforcement agencies, but he evidently was never deported from the United States, even though U.S. Immigration and Customs Enforcement (ICE) claims to place a priority on deporting illegal immigrants who have committed serious crimes.

Last week, Mr. Hernandez was involved in a serious traffic accident in Aurora, Colorado that resulted in three deaths – including that of a small child – and was taken into custody on charges of vehicular homicide and leaving the scene of a deadly accident.

Coloradans want to know why someone with such a record of criminal charges lodged after his illegal entry was permitted to remain in the United States, especially since local law-enforcement officials say they notified ICE after some of his earlier arrests.

Accordingly, I request that you vigorously investigate this case, to determine why Mr. Hernandez was not deported after his previous arrests and what can and should be done to assure that such a failure – and such an unnecessary human tragedy – will not occur in the future.

I would appreciate your urgent attention to this matter, and would ask that you please respond to my Colorado District Office

Sincerely,

Mark Udall