

United States Senate

WASHINGTON, DC 20510

December 9, 2016

The Honorable Jeh Johnson
Secretary
Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Johnson:

On September 30, a criminal complaint was filed against Tomas Martinez-Maldonado who was arrested and charged with the rape of a child on a coach bus in Kansas. According to the *Associated Press*, U.S. Immigration and Customs Enforcement (ICE) confirmed that Martinez-Maldonado was a citizen of Mexico unlawfully present in the United States and has been deported back to Mexico ten times since 2010. ICE also reportedly said the suspect has a prior federal felony conviction for illegal re-entry into the United States.

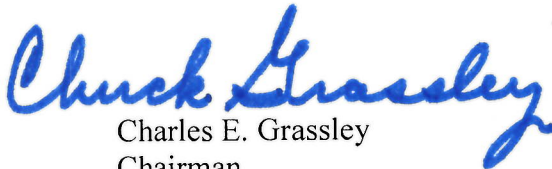
This is an extremely disturbing case. In order for Congress to better understand the circumstances that led to this alleged rape of a child, we request information about Martinez-Maldonado's criminal and immigration history, and why he was able to enter and remain in the country despite his unlawful status. As soon as possible, but no later than December 23, please provide us with the following information:

1. The alien registration number for Martinez-Maldonado, his complete alien file (A-file), including any temporary files, working files, or Service Center files, and all documents and items contained in them, all reports or notifications generated by DHS or in its possession about him, whether currently in written or electronic form, including, but not limited to, the Enforcement and Removal Operations (ERO) Executive Summary, criminal history or immigration summaries, detainers or requests for notification, I-213(s), and Notice(s) to Appear or other charging documents created to seek his removal from the United States.
2. Please identify each and every date on which Martinez-Maldonado was encountered by a law enforcement agency in the United States, to include criminal and civil arrests, the nature of the charge, the jurisdiction where the arrest occurred, the disposition of that charge, the date(s) on which he was released from the custody of that law enforcement agency, and the reason(s) for the release. Please provide the arrest and disposition documentation for each encounter.
3. How and when did Martinez-Maldonado enter the United States? Was he ever served with a Notice to Appear? Was it filed with an immigration court? Please explain.
4. Did Martinez-Maldonado ever apply for any immigration benefits, including deferred action? If so, was any application approved? Please provide copies of any application that may have been submitted, whether or not adjudicated.
5. Had Martinez-Maldonado ever been removed previously? If so, when and to where was he removed?

6. Has ICE issued a detainer or request for notification to any entity regarding Martinez-Maldonado? Have you communicated with the local law enforcement regarding this case? Please explain.
7. Was Martinez-Maldonado a member of, or associated with any criminal gang? Please explain.
8. Has the victim, or the victim's immediate family, been contacted by officials at ICE? Please provide details.

Your cooperation to provide details regarding this case as soon as possible is appreciated. We look forward to your response and urge you to contact Kathy Nuebel Kovarik at (202) 224-5225, Trent Sterneck at (202) 224-6521, or Emily Patt at (202) 224-3113 if you have any questions. Thank you for your cooperation.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary



Jerry Moran
U.S. Senator



Pat Roberts
U.S. Senator