

United States Senate

WASHINGTON, DC 20510

September 16, 2016

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

Dear Secretary Johnson:

On September 11, Johnson County (Kansas) Sheriff's Master Deputy Brandon Collins was killed by an alleged drunk driver in the country illegally. That driver, Adrian Espinosa-Flores, was charged in Johnson County District Court with involuntary manslaughter while driving under the influence and leaving the scene of a fatality accident. The *Kansas City Star* reports that Flores has an extensive criminal history. If true, he should not have been allowed to roam free in the community. Reports from *KSHB-41 Action News* cite records that show Flores had previously been convicted of driving under the influence in Los Angeles County, California, in 2001 under the name Arturo Espinoza Mercado and that in 2013, he was pulled over for speeding by Overland Park Police in Overland Park, Kansas, before being arrested and charged with driving without a license.

According to information obtained, U.S. Immigration and Customs Enforcement (ICE) records do not indicate that the agency previously encountered Flores, or that ICE was notified following previous encounters with local law enforcement. It appears that Flores was able to evade removal by taking advantage of at least one sanctuary jurisdiction. As a result, a law enforcement officer was killed, allegedly by Flores while again driving under the influence.

It seems Deputy Collins died at the hands of someone who broke our laws and should not have been allowed to remain in the United States following his multiple interactions with law enforcement.

In order to better understand the circumstances that led to this tragic death, we would like more information about Adrian Espinosa-Flores' criminal and immigration history, and why he was allowed to remain in the country despite his unlawful status. Please provide us as soon as possible, but no later than September 29, 2016, with the following information:

1. The alien registration number for Adrian Espinosa-Flores, 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 Adrian Espinosa-Flores 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 Adrian Espinosa-Flores enter the United States? Was he ever served with a Notice to Appear? Was it filed with an immigration court? Please explain.
4. Did Adrian Espinosa-Flores 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 Adrian Espinosa-Flores ever been removed previously? If so, when?
6. Has ICE issued a detainer or request for notification to any entity regarding Adrian Espinosa-Flores? Please explain.
7. Was Adrian Espinosa-Flores a member of, or associated with any criminal gang? Please explain.
8. If Adrian Espinosa-Flores had been encountered by DHS enforcement officials prior to his arrest, would he have met the requirements to be considered a priority for removal under the Administration's Priority Enforcement Program? If so, please provide the exact reason for such consideration. If not, why not?
9. Has the victim, or his immediate family members, been contacted by officials at ICE? Please provide details.

Your cooperation to provide details regarding this case as soon as possible is appreciated. It is unfortunate that this loss of life could have been avoided had there been more intergovernmental cooperation. We look forward to your response and urge you to contact Kathy Nuebel Kovarik or Trent Sterneck of our staff if you have any questions.

Sincerely,


Charles E. Grassley
Chairman


Jerry Moran
U.S. Senator