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**Texas Senate Committee on Border Security
Testimony on Operation Lone Star
Priscilla Olivarez, Policy Attorney and Strategist**

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November 15, 2022

Distinguished members of the Texas Senate Committee on Border Security, my name is Priscilla Olivarez, and I am a Policy Attorney and Strategist at the Immigrant Legal Resource Center (ILRC). The ILRC works alongside and educates immigrants, community organizations, and legal practitioners to promote a democratic society that values diversity and the rights of all people. In Texas, we focus on building capacity and passing and implementing policies that better protect all community members. Through the ILRC’s partnership with local and state coalitions and organizations, I have seen the significant and far-reaching harms of Operation Lone Star (OLS). I have seen how these harms, specifically targeted at Black and Brown communities, continue to go unchecked. I submit the following testimony to respectfully ask the Texas Senate to take action to swiftly and sufficiently address the harms of Operation Lone Star. I respectfully call on the Texas Senate to rightfully re-invest Operation Lone Star funds to support Texans’ legitimate and urgent needs.

Operation Lone Star is an unconstitutional scheme that harms all Texans

1. Operation Lone Star harms all Texans by misusing state funds and resources to illegally create a state-led immigration enforcement scheme

Under the U.S. Constitution, only the federal government can create and enforce immigration laws and policies. However, OLS violates the U.S. Constitution by using state funds and resources to develop a state-led immigration enforcement scheme. Operation Lone Star uses Texas law enforcement to illegally target migrants for arrest, jail, and deportation. These migrants, many of whom are seeking safety in the United States, are then funneled into a separate criminal legal system, where due process violations are rampant. These migrants spend weeks and even months in jail, charged with allegedly violating the State’s misdemeanor trespassing law. The staggering amount of funds and resources being diverted to implement the OLS scheme is even more shocking because these OLS cases frequently fail to pass legal muster.

Under OLS, Texas officials have misused over [\\$4 billion](#) in state funds. The tremendous cost continues to grow and drain our state resources. Each week, OLS costs taxpayers [\\$2.5 million](#). All while the legitimate needs of Texans remain unmet. The funds misused under OLS should be spent on addressing our electrical grid situation, supporting schools and teachers, and expanding access to medical care for our Texas communities. Texas has even diverted [\\$1 billion in federal COVID-19 relief aid](#) to fund the OLS scheme.



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Under Operation Lone Star, Governor Abbott has also transferred funds from the following [state agencies](#), many of which are already overwhelmed and under-resourced :

- \$210.7 million from the Health and Human Services Commission;
- \$159.2 million from the Department of Public Safety;
- \$53.6 million from the Texas Department of Criminal Justice;
- \$36 million from the Texas Department of State Health Services;
- \$31.2 million from the Texas Juvenile Justice Department; and
- \$4.3 million from the Texas Alcoholic Beverage Commission.

Many of the misdemeanor trespassing charges against the migrants apprehended under OLS have been [dismissed because they lacked probable cause](#). A Texas county district judge has also [ruled Operation Lone Star unconstitutional](#). Even a country prosecutor tasked with bringing charges against migrants apprehended under OLS has called the scheme “[a waste of time and money](#).”

As a result of the overwhelming evidence of the misuse of funds and constitutional violations, the [U.S. Department of the Treasury](#) and the [U.S. Department of Justice](#) are investigating the operation. The U.S. Department of Treasury has stated a finding of misuse of COVID-19 relief aid could result in a recoupment of money. Therefore, if the federal investigations formally find an improper use of federal funds, Texans could be at risk of losing critical federal aid. Understanding OLS's unconstitutional and racist intent, state and national [immigration and criminal justice advocates](#), [public defenders](#), and [legal scholars](#) have also urged the federal government to investigate OLS.

2. Operation Lone Star endangers all Texans by promoting racial profiling and anti-immigrant rhetoric

Operation Lone Star misuses taxpayer money to militarize our already over-policed border communities and racially profile Black and Brown Texans. Operation Lone Star also fuels anti-immigrant rhetoric that endangers the lives of all community members.

Since OLS began, our border communities have witnessed an increase in traffic stops and, in some cases, fatalities. For example, in Kinney County, the number of [traffic citations has quadrupled](#), from 1,400 in 2019-2020 to more than 6,800 in 2021-2022. Border communities have also seen an increase in vehicle pursuits, leading to at least [30 fatalities and 71 injuries](#).

Operation Lone Star also encourages racist and anti-immigrant language that incentivizes vigilante and militia groups to be violent against migrants and Black and Brown communities. Since OLS was implemented, many [anti-immigrant groups have come to Texas border communities](#), making these communities unsafe. The discriminatory OLS scheme is even aided by [officials](#) in the Texas courts who have a clear bias against migrants and people of color.



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For the reasons listed above, I call on the Texas Senate Committee on Border Security to place the taxpayer money currently being used to fund the illegal Operation Lone Star back into the hands of Texas communities. I call on the Texas Senate Committee on Border Security to do more to protect my fellow Texans. The people of Texas deserve to live in a state free from the fear of racial profiling, anti-immigrant rhetoric, and border militarization.

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