

RICHARD E. NEAL  
SECOND DISTRICT, MASSACHUSETTS

AT-LARGE WHIP



COMMITTEE ON WAYS AND MEANS

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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

October 19, 2011

Secretary Janet Napolitano  
Department of Homeland Security  
301 7<sup>th</sup> Street SW, Mail Stop 0150  
Washington, DC 20528-0150

**RE: Luis Acosta-Pinquin**

Dear Secretary Napolitano:

I am writing to you today on behalf of the family of Matthew Denice of Milford, Massachusetts. Mr. Denice was the victim of a vehicular homicide, where the perpetrator was intoxicated and within the United States illegally. What is of significant concern is Immigration and Customs Enforcement's inability to adequately share the most basic pieces of information with local law enforcement. The individual who is the subject of this letter was a material witness in this vehicular homicide. He was identified by Worcester County District Attorney Joseph P. Early, Jr. to ICE, who in turn placed a bracelet on his person.

Mr. Acosta-Pinquin is an Ecuadorian national without any legal status. He removed the monitoring bracelet on October 1 2011. Local law enforcement was never notified by ICE of this breach until it inquired with ICE on October 6, because Mr. Acosta-Pinquin failed to appear before the convened grand jury. It is important to note local law enforcement had interaction with Mr. Pinquin after the October 1 breach, but given the failure of ICE to notify, were unaware of his designs to flee. Mr. Acosta-Pinquin is now believed to have fled to his native Ecuador, a country with which the United States does not maintain an extradition treaty.

It is unacceptable for the response to this inquiry to be that the policy of ICE is not to share such information with local law enforcement, as it has been currently offered. In a time in history when we extol how we have built an extensive information sharing network to counter terrorist activities, it alarms me that this policy failure is allowed to exist within the Department. I ask for a full inquiry into this matter including a top down review of all policies presently in place that allowed Mr. Acosta-Pinquin to board a flight at JFK and travel undetected out of the United States. I also ask a review of the policy allowing private subcontractors to administer these monitoring devices and whether this contributed to the failure of ICE in this case.

I am mindful of the nature of the duties with which the Department of Homeland Security incurs. However, as I am sure you will appreciate the facts in the above matter highlight a significant breakdown of the most basic law enforcement tools. Without effective information sharing I do not believe any amount of technology will insulate us from those who seek to perpetrate criminality within our borders. I look forward to your prompt reply on my request.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard E. Neal".

Richard E. Neal  
Member of Congress

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