

Senate Hearing  
Biden's Border Betrayal: Criminal Aliens in America

July 22<sup>nd</sup>, 2025

Good morning to the members of the committee and thank you for allowing me to speak.

On July 27th, 2022, I received the worst news that a parent can ever get—that my newly 20-year-old daughter, Kayla Hamilton, was found dead with injuries consistent with homicide. There are no words that describe the heart wrenching, soul crushing pain of losing your child so horrifically. Kayla was a happy and loving person. She loved life and God. She loved going to church and learning about Jesus and the Bible stories. She showed the world that being yourself was ok and you didn't have to follow everyone else. She was extremely ambitious and, despite having autism, she was determined to make her way in this world. She loved animals, especially her cat Oreo, and cared about the homeless.

At first, we knew very few details of the murder until an arrest. At the end of March of 2022, Walter Javier Martinez was apprehended by Border Patrol crossing illegally into the U.S. at the southwest border in Rio Grande City, Texas. Martinez stated that he was 16 years old and feared gang activity in his home country of El Salvador. As an unaccompanied alien child, Martinez was granted access into the United States with no background checks or vetting. Health and Human Services and Homeland Security did not verify the sponsor and allowed Martinez to go live in Frederick, Maryland. Martinez had behavior issues when he was living with the sponsor, so he ended up staying with his half-brother who lived in the same neighborhood mobile home park as Kayla. His half-brother also had issues with Martinez's behavior, so the half-brother called the property manager/owners of the mobile home park, which I thought was a legit company. We learned that an illegal immigrant, who was a priest, owned some of the mobile homes in the park, and allowed his cousin to rent a home to this 16-year-old gang member in the same mobile home park as Kayla. Through the investigation of Kayla's murder, we found out that this priest and his cousin knew Walter Javier Martinez because they came from the same area of El Salvador. They also knew he was running from a homicide that he had committed in El Salvador. Kayla, her boyfriend and the young family did not know their rental rights and didn't know that they had a right to say no to Martinez living in the same community. They were all afraid to say no because they feared getting kicked out

on the streets, so they said nothing.

Martinez was living there less than 5 days before he violently and brutally murdered my daughter. Walter Javier Martinez broke into Kayla's room while she was sleeping that morning. Kayla left a voicemail on her boyfriend's phone. In the voicemail you can hear a struggle going on in the background and Kayla can be heard crying, groaning, and struggling to breathe. Martinez can be heard on the voicemail hushing her and near the end telling her "I'm sorry" in Spanish while strangling her with her phone cord. After Kayla was dead, Martinez tied her up and sexually assaulted her. This was confirmed by the anal swabs that matched Martinez's DNA. Kayla fought for her life that day. She had bruises up and down her arms, her fingers, the left side of her face, her back and down her leg and deep wounds to her neck from the cord.

Local police knew right from the beginning that Martinez was the main suspect just by their initial investigation. It took the Aberdeen police to confirm that Martinez was a known gang member of MS-13, and that Martinez had a criminal record in El Salvador in 2020. If Health and Human Services or Homeland Security had done a background check, then they would have known this, and Martinez wouldn't have been able to be on U.S. soil. With Martinez being 16 years old, Maryland Child Protective Services (CPS) took custody of him until the DNA results came back. The Aberdeen Police department was very transparent to CPS. The Aberdeen Police department demanded that Martinez be held in a secure location because he was a threat to society based on the murder of, and injuries to Kayla.

It was later learned after Kayla's murder Child Protective Services placed Martinez in a group home with other children where he was able to attend a public high school and then placed Martinez in a foster home which allowed him to enroll into another high school. While in jail a letter was intercepted that Martinez wrote confessing to 4 murders and 2 rapes and admitting he was a MS-13 gang member. Martinez ended up pleading guilty and taking the plea deal of 70 years. Since he was a juvenile at the time, even though he was tried as an adult, Martinez could not be sentenced to life without the possibility of parole. Not only was Kayla's life put at risk and taken, but so many other children and adults were at risk. The Biden-Harris Administration did not put the safety of American citizens first.

We need to ensure the safety of our citizens and protect the children from being with the wrong peers and/or placement in group homes with unsuspected gang members. Background checks and vetting should be required right from the start so the agencies can check for criminal records and gang affiliation in their home country. Sponsors also need to be screened and verified. Under the *Kayla Hamilton Act* introduced last week by Representative Fry, Health and Human Services would be required to gather background information on all potential sponsors and every adult in their household. If Homeland Security and Health and Human Services had checked Walter Javier Martinez's background, they would have known that he was a known MS-13 gang member, and my precious daughter, Kayla, would still be alive today. All these agencies had to do was make one phone call to El Salvador and they would have known that Martinez was a known MS-13 gang member and that he had a criminal record in El Salvador for illicit gang activity. To prevent such tragedies happening again, The *Kayla Hamilton Act* will mandate background checks on all unaccompanied alien children (UACs) and their sponsors so that no person will be at risk.