

ADDRESSING GANG VIOLENCE

CQ Congressional Testimony

June 10, 2008 Tuesday

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Section: CAPITOL HILL HEARING TESTIMONY

Length: 7390 words

Byline: HOUSE JUDICIARY

CRIME, TERRORISM, AND HOMELAND SECURITY

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Body

Statement of Kevin O'Connor Associate Attorney General Department of Justice

Committee on House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security

June 10, 2008

Chairman Scott, Ranking Member Gohmert, and Members of the Subcommittee. I am Kevin O'Connor, Associate Attorney General for the United State Department of Justice. It is an honor to appear before you today to discuss how the Department of Justice (the Department or DOJ) is partnering with federal, state, and local law enforcement agencies and members of communities small and large to address the problem of gangs and violent crime. This critical public safety challenge grips communities of all sizes and demands a strong and coordinated response. In this testimony, I will summarize the comprehensive approach the Department has taken to confront this problem.

The Problem

First, I think it is important to consider the scope of the gang problem and violent crime. The most recent data from the Federal Bureau of Investigation (FBI) indicates that the country experienced a 1.4 percent decrease in the number of violent crimes for 2007 compared to 2006. According to the 2007 Preliminary Uniform Crime Report, all four categories of violent crime offenses forcible rape, murder and non-negligent manslaughter, robbery, and aggravated assaults declined nationwide in 2007 compared with data from 2006. Much of the decline in violent crimes occurred in our cities, with metropolitan counties experiencing a 1.7 percent decrease in violent crime in 2007 compared to the year before. Cities with populations of 250,000 to 499,999 saw a 3.9 percent decline in violent crimes.

This recent data is certainly good news in light of the slight increases in the number of violent crimes reported in 2005 and 2006. The 2007 data is more in line with the 10 year decline from 1995-2005 during which the violent crime rate dropped by 17.6 percent. Much of the credit for this achievement belongs to our partners in state and local law enforcement, community leaders, educators, and members of the faith-based and community-based organizations, who work together with the men and women of the Department of Justice to make our streets safer. I applaud their efforts and pledge the Department's continued vigilance in fighting violent crime. The Department remains fully committed to implementing comprehensive strategies to combat violent crime, focusing not just on

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traditional law enforcement, but also on working with our community partners to provide opportunities for at-risk youth and returning offenders to learn the skills and attitudes they need to become productive members of society.

The Department's Response

The Department continues to do everything within its power to aggressively investigate and prosecute those who violate federal law by committing acts of violence, to educate the public about gangs and violence, and to deter gang membership. State and local authorities remain the primary prosecutors of violent crime, but the level of violence in some areas is a matter of compelling national concern. The federal government can supplement state efforts and supply a powerful deterrent against violent criminal acts. Because the federal government can prosecute only a fraction of violent crimes, we must target our federal resources in ways that will help our local partners work more effectively.

Project Safe Neighborhoods

Federal prosecutors continue to focus our resources on the most serious violent offenders, taking them off the streets and putting them behind bars where they cannot commit further crimes against the public. In 2001, the Administration created Project Safe Neighborhoods (PSN), a cooperative effort among federal, state, and local law enforcement agencies and prosecutors to reduce gun crime. Since the inception of the PSN program, the federal government has committed more than \$2 billion to support PSN efforts such as hiring more than 200 federal prosecutors to prosecute gun crime, making grants available to hire more than 550 new state and local gun crime prosecutors, and training more than 30,000 law enforcement officers, prosecutors and community members across the nation to develop effective prevention and deterrence efforts to reduce gun violence.

From FY 2001 through FY 2007, the Department filed 68,543 cases against 83,106 defendants - an over 100 percent increase in cases filed in the previous seven-year period. Accordingly, in the seven years since PSN began, the Department has more than doubled the number of federal firearms prosecutions, compared with the previous seven years. In Fiscal Year (FY) 2007, the Department prosecuted 12,087 defendants for federal gun crimes and increased case filings more than 60 percent since the year prior to the inception of PSN. Those prosecutions have been effective in keeping violent criminals off the streets and relieving some of the pressure on state prosecutors. Moreover, the conviction rate for federal firearms defendants in FY 2007 was 92 percent - the highest it has ever been. The percentage of those defendants sentenced to prison - nearly 94 percent - is also at a record high. More than 54 percent of the offenders received prison terms of more than five years, and nearly 75 percent received sentences of more than three years.

In February 2006, the Attorney General expanded PSN to include new and enhanced anti-gang efforts, in addition to traditional gun crime reduction strategies. For FY 2007, the Department made available over \$30 million in funding to support local PSN partners in their anti-gang enforcement and prevention efforts and to provide anti-gang training and technical assistance. That funding was in addition to the over \$20 million in grant funding made available in FY 2007 to support PSN efforts that focus on reducing gun crime. In FY 2008, the Department was appropriated \$20 million to combat violent crime, with special emphasis on areas plagued by violent gangs and drug trafficking crimes involving firearms.

Relying significantly on expert state and local anti-gang officers, the Department, through the Bureau of Justice Assistance (BJA), is developing or providing anti-gang courses such as: Basic Gang Enforcement for Line Officers, Advanced Gang Enforcement for Investigators; Gang Unit Commanders' Training; and Anti-Gang Training for Law Enforcement Executives. These courses provide instruction on relevant issues including anti- gang strategies, intelligence collection and sharing, task force approaches, management and policy issues and officer safety issues. The Department is also working closely with its federal partners and through its National Gang Center to provide communities and law enforcement with extensive training in anti- gang strategies.

We have also developed and are supporting the delivery of the "Gangs 101" course for communities, which brings together law enforcement with other community organizations to develop a common understanding and shared commitment to address the gang problem. This course is delivered through the National Gang Center as well as

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the Regional Centers for Public Safety Innovation and in collaboration with the Department's Community Oriented Policing Services Office.

In January of this year, PSN's Anti-Gang Training was launched. The first training was held in Chapel Hill, North Carolina, for more than 500 attendees. The goal of the regional training is to improve the level of knowledge, communication, and collaboration involved in addressing the criminal gang issue impacting communities throughout the nation.

The training delivers comprehensive anti-gang prevention, enforcement and prisoner reentry training for state and local law enforcement and related partner organizations. The training includes coordinated instruction from nearly every DOJ component addressing the gang problem, including the FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the United States Marshals Service (USMS), the National Gang Intelligence Center, the Bureau of Prisons (BOP), and others. It also includes an executive session where community leaders come together with the local U.S. Attorneys and jointly develop or review the strategic response to gang problems in their jurisdiction. This training will be held regionally in as many as ten U.S. locations in 2008 with the next few planned for Chicago, Illinois, Spokane, Washington, and Rochester, New York.

Violent Crime Reduction Partnership Initiative

In 2007, the Department launched a new grant program in support of PSN's anti-gang and violent crime efforts. The Violent Crime Reduction Partnership Initiative will assist state, local, and tribal governments in responding to violent crime, as well as chronic gang, drug, and gun violence, through support for state, local, and tribal multi-jurisdictional violent crime task forces. The President's FY 2009 budget request includes \$200 million for Violent Crime Reduction Partnership grants that will support these crime task forces and increase prosecution of gangs and violent criminals.

Built on the lessons from some of the nation's most effective crime task forces, the primary goals of this initiative are to: (1) address spikes or areas of increased violent crime in local communities; (2) disrupt criminal gang, gun, and drug activities, particularly those with multi-jurisdictional characteristics; and (3) prevent violent crime by improving criminal intelligence and information sharing. Through discretionary funding to law enforcement task forces, the initiative will allow communities to address specific violent crime problems with focused strategies, including task force-driven street enforcement and investigations and intelligence gathering. Key issues such as gang and gun violence and coordination of local and federal activities will be promoted through training and technical assistance, and then measured for their impact in reducing violent crime rates.

Funding for Local Law Enforcement

Last fall, the Department made 106 awards totaling nearly \$75 million to 103 state, local, and tribal law enforcement agencies to target specific violent crime challenges in their jurisdiction and region. The initiative is driven by the intelligence-led policing strategy which requires the use of data-driven law enforcement responses to prevent and control crime as opposed to simply responding when crime occurs. The 106 task forces funded under this initiative are required to work in a multi-jurisdictional fashion and to partner with at least one federal law enforcement entity such as the FBI, ATF, the Drug Enforcement Administration (DEA), USMS or a local U.S. Attorney's Office.

The task forces are located throughout the U.S. and address issues including gun violence, gang violence, and drug-related violence. A strong set of performance measures is in place to closely track the performance of the initiative in addressing the violent crime problems. Since the initiative's inception, the participating task forces have made 1788 violent felony arrests, made 1570 certified gang member arrests, made 692 violent misdemeanor arrests, submitted 35,588 pieces of intelligence, seized 1644 firearms, disrupted 195 gangs, dismantled 24 gangs, and received 93 match hits through the National Integrated Ballistic Information Network (NIBIN) Program.

NIBIN uses the Integrated Ballistics Identification System (IBIS) to compare images of ballistic evidence gathered from crime scenes and recovered firearms. Each projectile and cartridge casing is "imprinted" with certain marks known as "toolmarks." Each new entry into the system is compared to existing images in search of any possible matches. The existence of a match can in turn generate very helpful leads in criminal investigations.

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These are among a few of the results brought about through their operations. These task forces are showing success in their efforts to reduce violent crime. For example, in February 2008, the Palm Beach County, Florida Violent Crimes Task Force began "Operation Sugarland," with federal participation by the ATF, to target the shootings and gang-related violence plaguing its western communities. From January 2007 to January 2008, these communities experienced 87 shootings, including 10 homicides. The operation targeted the area based on intelligence information compiled by criminal analysts. To date, "Operation Sugarland" has brought about 55 arrests, 287 Field Interview Reports, 89 Gang Interview Reports, 214 citations, and the seizure of 13 guns.

The task force also recognizes a decrease in shooting incidents, with arrests being made in half of those shootings due to the cooperation they now receive from the citizens in those areas. Violent crime task forces are in operation throughout the United States including the City of Fresno, California; Los Angeles County, California; New Castle County, Delaware; City of Rochester, New York; Baltimore City, Maryland; Boston and Springfield, Massachusetts; City of Oklahoma City, Oklahoma; City of Houston, Texas; Madison, Wisconsin; City of Topeka, Kansas; and Cook County, Illinois.

Addressing Gang Violence

Now let me turn to the important steps the Department has taken specifically to address the prevalence of gang violence. First, the Department established an Anti-Gang Coordination Committee to organize the Department's wide-ranging efforts to combat gangs. Second, the Department also established a Comprehensive Anti-Gang Initiative, which focuses on reducing gang membership and gang violence through enforcement, prevention and reentry strategies. That initiative currently operates in ten jurisdictions across the country.

Also, at the district level, each United States Attorney has appointed an Anti-Gang Coordinator to provide leadership and focus to our anti-gang efforts locally. The Anti-Gang Coordinators, in consultation with their local law enforcement and community partners, have developed comprehensive, district- wide strategies to address the gang problems in their districts.

National Gang Targeting, Enforcement and Coordination Center

In addition, the Department has created a new national gang task force, called the National Gang Targeting, Enforcement and Coordination Center (GangTECC). GangTECC is composed of representatives from the ATF, BOP, DEA, FBI, USMS, and the Department of Homeland Security (DHS) Immigration and Customs Enforcement (ICE), among others.

GangTECC coordinates overlapping investigations, ensures that tactical and strategic intelligence is shared among law enforcement agencies, and serves as a central coordinating center for multi-jurisdictional gang investigations involving federal law enforcement agencies. The center works hand in hand with the National Gang Intelligence Center, which integrates the gang intelligence assets of all DOJ agencies, and has established partnerships with federal, state, and local agencies that possess gang-related information. The federal agents at GangTECC also work in close collaboration with the prosecutors of the Criminal Division's Gang Squad. The Gang Squad is a core team of experienced anti-gang prosecutors who serve as the prosecutorial arm of the Department's efforts to achieve maximum national impact against the most significant regional, national and international violent gangs.

National Gang Centers

The Department also supports the National Gang Center, which is overseen by BJA. The National Gang Center provides information via the web on anti-gang announcements, training opportunities, and related initiatives. The Office of Juvenile Justice and Delinquency Prevention's (OJJDP) National Youth Gang Center focuses on the involvement of juveniles in gangs. In addition to web- based dissemination, the Youth Gang Center provides communities with training and technical assistance on anti-gang strategies and links to research and evaluation information useful to communities searching for solutions.

Global Justice Information Sharing Initiative

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In addition, BJA, through the Global Justice Information Sharing Initiative, is developing guidance and recommendations for law enforcement anti-gang intelligence units and undertaking specific strategies to improve gang intelligence sharing. Specifically, recommendations on establishing a gang intelligence unit are under development, along with guidance on applying the criminal intelligence process to anti-gang efforts and an assessment of gang intelligence systems. A key goal of this working group is to recommend the development of a process to allow local law enforcement gang intelligence systems to communicate seamlessly and to support those systems automatically sharing information with the National Crime Information Center's (NCIC) Violent Gang and Terrorist Organization File (VGTOF), which the FBI manages. VGTOF, a file within NCIC, will provide officers with alerts when a known or violent gang member is stopped on the street.

Regional Information Sharing Systems

To further our information sharing initiatives, the Department is supporting the Regional Information Sharing Systems (RISS) network as a means to provide state, local, tribal, and federal law enforcement with resources for combating gangs. RISS is a network of six regional centers that provide secure information and intelligence-sharing resources, analytical support for investigations, training, and loans of sophisticated investigative equipment as well as confidential funds for law enforcement investigations.

Specifically, the RISS network provides a free solution for all law enforcement to share gang intelligence and related information through the RISSGang database. This web-accessible database currently contains information on over 200,000 known gang members throughout the U.S. and several foreign countries and is available free to all local law enforcement agencies that are members of the network. Linked with RISSGang is ATF's gang intelligence information as well as many other state and federal agencies and programs, including the High Intensity Drug Trafficking Areas (HIDTAs) task forces, for example. Plans are underway to establish connectivity and sharing with the California Gang Investigator's Association system, which will exponentially increase the number of gang members available for searching by law enforcement. Additionally, the RISS network is connected to the FBI's Law Enforcement Online (LEO) and discussions with DHS are underway regarding connectivity to the Homeland Security Information Network system.

DOJ Established Violent Crime Task Forces

The Department has also established and leads numerous joint violent crime-related task forces, including, among others, FBI- led Safe Streets Violent Crime Task Forces and Violent Gang Task Forces that focus on dismantling organized gangs; USMS-led Regional Fugitive Task Forces and district-based task forces across the country that focus on fugitive apprehension efforts; and Violent Crime Impact Teams (VCIT) led by ATF and composed of federal agents from numerous agencies and state and local law enforcement, that identify, target, and arrest violent criminals to reduce the occurrence of homicide and firearm-related violent crime. Those task forces play significant roles in attacking our violent crime problems.

The Department has recently taken steps to ensure that these task forces act in concert and complement each other's efforts. In addition to the national-level Anti-Gang Coordination Committee I noted earlier, the Department has directed United States Attorney's Offices and components' task force managers in each jurisdiction with multiple violent crime task forces to implement guidance for coordinating task force operations; required all agencies to certify that they have policies and procedures in effect that mandate coordination with other violent crime task forces; directed all proposed violent crime and anti-gang task forces to now be subject to review by the Anti-Gang Coordination Committee, with final approval by the Deputy Attorney General; and finally, directed DOJ law enforcement components to evaluate compliance with policies concerning task force coordination, information sharing and efforts to reduce conflicts in periodic internal management reviews.

An example of the Department's use of the task force model is the "RAGE" Task Force established by ATF and the Prince George's County Police Department, and later expanded to include agents from FBI, ICE, and representatives of police forces in the national capital region. With the support of the Maryland U.S. Attorney's Office and local prosecutors, the task force identified and infiltrated in Maryland several "cliques" of the extremely

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violent Mara Salvatrucha gang, and undertook to dismantle the cliques by treating the entire organization as a criminal enterprise under the Racketeer Influenced and Corrupt Organizations (RICO) Act.

The prosecutors and agents developed a highly effective strategy, including the use of confidential informants still within the gang, electronic surveillance, dozens of search warrants, extensive grand jury work, analytical work by ATF and FBI analysts, and the use of federal firearms and immigration offenses as well as applicable state crimes to disrupt and dismantle the gang. The Maryland U.S. Attorney's Office and prosecutors from the Department's Criminal Division's Gang Squad were co-counsel on these important cases.

International Efforts

Parallel with its efforts to combat gangs domestically, the Department has drastically expanded efforts to sever the links that connect gang members transnationally, especially in Mexico and Central America. The Department realizes that effectively combating violent gangs at home requires combating violent gangs abroad. A myriad of recent initiatives aims to reduce the danger posed by transnational gang networks, most notably the U.S. Strategy to Combat Criminal Gangs from Central America and Mexico. This strategy is an important component of our larger efforts to develop a new paradigm for regional security cooperation under the Merida Initiative. Under this comprehensive Initiative, the United States Government works with partner countries to combat transnational and other gangs that commit crimes in Central America, Mexico, and the United States through both prevention and enforcement.

The Strategy sets forth five areas in which the United States will work with our neighbors to combat criminal gangs: Diplomacy, Repatriation, Law Enforcement, Capacity Enhancement, and Prevention. The U.S. Gang Strategy enhances U.S. interagency and international cooperation, increases coordination, and systematically enhances links between foreign governments and U.S. Federal, State, and local law enforcement agencies. The President's proposal for the Merida Initiative will fund all five pillars of the U.S. Gang Strategy.

The Department continues to enhance international partnerships in the fight against transnational gangs. One example of the progress made by the Department is the comprehensive, four-part inter-agency agreement on combating transnational gangs between the U.S. and El Salvador. In partnership with the Government of El Salvador, the agreement is assisting efforts to identify and prosecute the most dangerous Salvadoran gang members through programs to enhance gang enforcement, international fugitive apprehension, coordination, information sharing, training and prevention. The agreement includes several initiatives:

The FBI and State Department personnel are working with El Salvador's Civilian Police (Policia Nacional Civil or PNC) to support the Transnational Anti-Gang Unit to better pursue and prosecute gang members.

The FBI, in cooperation with the State Department, is accelerating the implementation of the Central American Fingerprinting Exploitation (CAFE) initiative in order to better identify, track and apprehend gang members. CAFE has provided equipment and training to help law enforcement agencies in El Salvador and other Central American nations acquire digital fingerprints of violent gang members and other criminals who commit crimes under different identities in different countries. The President's proposal for the Merida Initiative will provide funding to expand the CAFE initiative to Guatemala during FY 2008 and to other Central American nations in the future.

The U.S. is increasing its anti-gang training in Central America, including efforts through the International Law Enforcement Academy (ILEA) in San Salvador. The Academy recently graduated its third class of police and prosecutors from El Salvador and nearby countries. The curriculum includes best practices in targeting and fighting gang activity and other crimes.

The enforcement programs listed above are critical to the fight against gangs and violent crime, but the Department recognizes that law enforcement alone cannot solve this problem. To the extent that we can, the Department is leading and encouraging local prevention and public awareness programs. The Administration's request for the Merida Initiative includes more than \$25 million for anti-gang activities in the Central American countries. These funds will greatly enhance our cooperation with our partners in the region, providing them with the tools to share information better with us and to offer community prevention programs.

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Gang Prevention Activities

In FY 2006, the Attorney General directed each United States Attorney to convene a **Gang** Prevention Summit in his or her district designed to explore additional opportunities in the area of **gang** prevention. The summits brought together **law** enforcement and community leaders to discuss best practices, identify gaps in services, and create a prevention plan to target at-risk youth within their individual communities. These summits have reached over 10,000 **law** enforcement officers, prosecutors, social service providers, prevention practitioners, and members of the faith-based community.

Public Service Announcements

In partnership with the Ad Council, the Department created four PSN public service announcements (PSAs) intended to educate youth about the perils of gun crime and the consequences of joining **gangs**. These ads are available in both English and Spanish. The most recent television and radio PSAs were launched at the Project Safe Neighborhoods National Conference on September 17, 2007 and began airing on that date. In total, more than \$140 million in donated time and space has been expended since the campaign's inception. In addition to the existing anti-**gang** training and technical assistance provided by Department components, the Department has hosted two **Gang** Prevention webcasts that are accessible to the public. These webcasts share best practices in **gang** prevention; identify resources; support and complement the Attorney General's Anti-**Gang** Initiative; emphasize a community-based approach to **gang** prevention and the importance of collaboration; and assist the United States Attorneys in implementing their district-wide anti-**gang** strategies. The webcasts are available through the Community Oriented Policing Services Response Center.

Gang Resistance Education and Training Program

The Department also has long supported other **gang** prevention activities such as the National Youth **Gang** Center, the Boys & Girls Clubs of America, the **Gang** Resistance Education and Training (G.R.E.A.T.) Program and the OJJDP's **Gang** Reduction Program. G.R.E.A.T. is a school-based, **law** enforcement officer- instructed elementary and middle school classroom curriculum that also includes a Families and Summer component. The program's primary objective is prevention and is intended as an immunization against delinquency, youth violence, and **gang** membership. G.R.E.A.T. lessons focus on providing life skills to students to help them avoid delinquent behavior and violence to solve problems.

In FY 2006, the Department, through BJA, awarded nearly \$15 million to 141 local **law** enforcement-led G.R.E.A.T. sites in 36 states. In FY 2007, the Department again awarded nearly \$15 million in funding for 167 local **law** enforcement G.R.E.A.T. programs. The G.R.E.A.T. Program has also been adopted by the USMS and continues to be supported by the ATF. Several hundred local **law** enforcement **agencies** around the country are using the program to reach thousands of youth with a positive and effective anti-**gang** and anti-violence curriculum.

Collaboration with Local Communities and Community Groups

On June 24-26, 2008, the OJJDP, in collaboration with the Boys & Girls Clubs of America and the National Youth **Gang** Center will hold the next National Youth **Gang** Symposium in Atlanta, Georgia. This conference will provide the 1200 participants with training in a wide range of areas including the following: **gang** awareness, **gang** prevention, **gang** intervention, **law** enforcement strategies, program management, **gangs** and schools, the justice system and **gangs**, and "how-to" practical skills for professionals working on **gang** issues.

OJJDP funded in 2007, and plans to fund again in 2008, the **Gang** Prevention Coordination Assistance Program. The purpose of this program is to support and enhance the coordination of existing community-based **gang** prevention and intervention programs and strategies that are closely aligned with local **law** enforcement efforts. Community-based **gang** prevention and intervention often involve multiple organizations and programs working in partnership to deliver complementary services to the same or similar target populations. Effective coordination can help identify existing programs and resources and maximize their impact through information sharing, mutual referrals, joint case management, and collective action.

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In 2007, the Community Oriented Policing Services Office (COPS) funded a project entitled "Addressing Gang Mobility: A Targeted Approach" at the University of Illinois at Chicago. The project's outcome will be a model process for creating multi-jurisdictional, multidisciplinary comprehensive partnership-based strategies to address gangs in suburban and rural jurisdictions impacted by the migration of gangs from urban areas. Additionally, COPS funded the Seattle Police Department to develop a creative gang prevention program designed to foster innovative law enforcement-community collaborations and targeted problem-solving responses to specific crime and disorder problems. Furthermore, in 2007, COPS awarded funding to the United Negro College Fund Special Program Corporation for the Campus-Community Policing Partnership. This partnership consists of teams of Historically Black Colleges and Universities, their local law enforcement agencies, and community stakeholders collaborating to identify violent crime and gang issues, and develop new strategies to address these specific community concerns. Finally, COPS through its COPS in Schools Program has awarded in excess of \$70 million to the National School Safety Center and the Pennsylvania Regional Community Policing Institute to train over 10,000 School Resource Officers and School Administrators on various topics including School Safety and the Law.

The Department has also developed a number of resources and community policing solutions to help law enforcement and communities address the problem of gangs. These resources include guides for police on topics such as graffiti, bullying in schools, gun violence among youthful offenders, and witness intimidation; comprehensive gang prevention model programs; parent quick reference cards in English, Spanish, Vietnamese, and Hmong; multi-site evaluations of gang programs; innovations documents on network analysis and jail information-gathering; and a Solutions to Address Gang Crime CD-ROM available free to the public containing DOJ anti-gang related resources and tools.

Additionally, through BJA, the Department is working collaboratively with the American Probation and Parole Association (APPA) to establish a model protocol for successfully reintegrating gang-affiliated offenders back into the community once they have completed their sentences. The model will include accountability as well as services and support to ensure reduced recidivism and gang affiliation among this population. The model protocol is expected to be completed and ready for pilot testing in 2008.

The Practical Impact of the Department's Coordinated Approach

It is important to consider what these programs actually mean to the communities they are intended to help. To further clarify how federal programs translate into reducing violent crime and gang violence in the cities and suburbs that you represent, let me give you some examples of cases from the District of Connecticut, where I served as United States Attorney before assuming my current position.

Diablos Motorcycle Gang

In late 2003, members of the Connecticut State Police's Statewide Cooperative Crime Control Task Force (SCCCTF) developed a cooperating source willing to provide information about the Connecticut Chapter of the Diablos Motorcycle gang. By March 2004, SCCCTF had teamed with DEA to launch a joint investigation into the Diablos. The investigation utilized various investigative techniques, including controlled purchases of narcotics, purchases of narcotics by undercover officers, consensual recordings of the gang's meetings, extensive physical surveillance, and both state and federal wiretaps on the cell phones of high ranking Diablos.

On the night of December 7, 2005, federal, state and local law enforcement officials executed numerous search warrants in Waterbury and Meriden, and arrested over a dozen "full-patch" members of the gang, including the group's president, treasurer and sergeant at arms, as well as many known Diablos associates. Officials seized seventeen firearms, three motorcycles and an all-terrain vehicle, all of which were ultimately forfeited.

In a commendable display of multi-agency coordination and cooperation, many of the Diablos were prosecuted quickly and effectively in the Connecticut Superior Court. For instance, one full-patch Diablo was sentenced to seven years imprisonment for marijuana trafficking within 45 days of his arrest. In all, 23 Diablos and Diablos associates have been convicted and sentenced on federal and state narcotics and gun charges. These prosecutions have disrupted if not dismantled the Connecticut Chapter of the Diablos Motorcycle gang. Perhaps

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more importantly, several "hard core" Diablos used their sentencing hearings as a platform to publically disavow the gang, its ways and their membership in the group.

Operation Crown Royal

In October 2005, the FBI and DEA began an investigation into a Drug Trafficking Organization (DTO) operating in Meriden, Connecticut. Through several controlled purchases of crack cocaine conducted by a cooperating witness, Milton Roman (a.k.a. "Justice") was identified as a primary source of supply for cocaine base in and around Meriden. In April 2006, a wiretap investigation began with respect to multiple cellular telephones utilized by Roman. As a result of the wiretap, it was determined that Roman distributed cocaine and cocaine base to a customer base of approximately 35 individuals in the greater Meriden area. Based on intercepted telephone calls, it is estimated that Roman distributed kilogram quantities of powder and crack cocaine on a monthly basis. During the investigation of Roman, the FBI and DEA identified co-defendant Eluid Rivera (a.k.a. "Smoke" and "Smokey") as a primary source of supply for Roman's DTO and received authorization from the district court to intercept communications occurring over a cellular telephone utilized by Rivera. Following a subsequent motor vehicle stop, Roman and an associate, Jesse Cividanes, were found to be in possession of approximately 350 grams of cocaine. A search warrant was subsequently obtained for a stash house in Meriden known to be used by Rivera and Cividanes. The search resulted in the seizure of approximately 125 grams of cocaine, drug packaging material, a shotgun, a Beretta handgun with a loaded clip, a .32 caliber handgun and \$5000 in cash. For his part, Rivera obtained kilogram quantities of cocaine from various individuals in Waterbury, including Luis A. Colon (a.k.a. "Anthony"), Christian Echevarria (a.k.a. "Piti"), and Sammy Medina. Simultaneously, ATF targeted a street gang in Waterbury known as the "Carolina Boys." This gang had operated in Waterbury for a number of years and was known to distribute crack cocaine, heroin and firearms and had a reputation for violence. The gang was associated with Luis Colon and was known to be supplied by him, among others. The gang had come to dominate the Walnut Street area of Waterbury in recent years. 21 During the course of the wiretap on Colon's phones, it was determined that Colon was the head of a drug trafficking ring that operated out of a building in Waterbury and that he supplied many members of the Carolina Boys. During the course of that wiretap, ATF, in conjunction with DEA and the Waterbury Police Department's Gang Task Force, utilized numerous cooperating witnesses and conducted approximately 60 controlled purchases of crack, heroin and, in some instances, firearms, from various members of the Carolina Boys, that were instrumental in not only corroborating the wiretaps of Colon's phones, but also resulted in the ultimate dismantling of the Carolina Boys gang.

During the investigation, FBI and DEA seized a package that had been shipped via United Parcel Service of America, Inc. to Colon from Puerto Rico that contained a kilogram of cocaine. Colon's primary source of supply was Arnulfo Andrade, a Mexican national who resided in Waterbury and received kilogram shipments of cocaine from sources located out-of-state with direct ties to Mexico. Based on information gathered during the investigation, Colon and Andrade distributed approximately 35 kilograms of cocaine in Waterbury during the summer of 2006.

On September 29, 2006, after six months of wiretaps, investigation was concluded and resulted in the federal indictment of 80 individuals for various federal narcotics and firearms violations. To date, on account of the thorough manner in which this case was prepared by FBI, DEA, ATF and supporting state and local agencies, 76 of these federal defendants have already pled guilty, including all of the main targets. In addition, another approximately 80 individuals were the subjects of state prosecution, all of whom have been convicted as of this time. During the course of the investigation, federal and state authorities seized approximately 3 kilograms of cocaine, approximately 1 1/2 kilograms of crack cocaine, numerous firearms, approximately \$300,000 in cash, several vehicles and a nightclub in Meriden, Connecticut, which had been used as a base for narcotics trafficking by several persons that were indicted federally in this case. This investigation has already led to spin-off investigations that are underway.

This investigation is a model for other Organized Crime Drug Enforcement Task Force (OCDETF) cases for multiple reasons. First, it marked a truly cooperative effort between ATF, DEA and FBI that led to the successful dismantling of a significant street gang operating in one of Connecticut's major cities and a DTO that distributed substantial quantities of cocaine, cocaine base and heroin in that same city. Second, the multi-agency approach and the resources that were brought to bear by such an approach also resulted in the building of a case that was difficult to

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defend against as evidenced by the fact that 76 of 80 federal defendants have pled guilty over a fourteen month period. Finally, this case illustrated that a commitment by state and local law enforcement to maintaining a long-term perspective and building a complex case in conjunction with federal authorities can have a significant impact on crime reduction within urban areas.

Netas Street Gang

In the spring of 2006, the DEA in Hartford, working closely with the New Britain Police Department, commenced an investigation of two separate drug trafficking operations in New Britain, one operated by Luis Cirino in and around his residence and the other operated by Alberto Hernandez out of his garage bay at a warehouse in New Britain. Cirino was a suspected member of the violent Netas street gang and was suspected of having been involved in several unsolved shootings that have occurred in New Britain over the past several years. Hernandez was a large-scale cocaine dealer who regularly purchased kilogram quantities of powder cocaine and distributed it in smaller quantities through various underlings who sold narcotics at the warehouse.

Over the course of several months, DEA was able to conduct controlled purchases of multi-ounce and one hundred gram quantities of powder and crack cocaine from Cirino, Hernandez and their associates. In addition, the New Britain Police contributed several cooperating witnesses to the investigation who provided vital information about these narcotics organizations, particularly Hernandez's operation. The operation was difficult to investigate because of the location of the warehouse, Hernandez's unwillingness to handle the narcotics, the loyalty of Hernandez's narcotics associates, and the eventual flight of our cooperating witness out of the country. One of the New Britain witnesses provided a Federal Express tracking number, which was used to identify a previously seized shipment of marijuana and almost two kilograms of cocaine, a shipment that had been intercepted, but had not been tied to any case.

In the end, seven people, including Cirino and Hernandez, were convicted of a variety of narcotics offenses, the most serious of which was engaging in a conspiracy to distribute five kilograms or more of powder cocaine. Cirino, who boldly referred to himself as the "sniper of New Britain," was sentenced to 135 months of incarceration and ordered to forfeit six firearms and over \$45,000 in cash. Hernandez awaits sentencing. Thanks to the dismantling of Cirino's and Hernandez's drug trafficking operations, New Britain has seen a marked drop in the violent crime and drug activity occurring in the areas of the city where these two individuals operated.

Conclusion

In order to reduce violent crime, the federal government must work cooperatively with our partners in state, local, and international law enforcement, and we must focus not just on dealing with today's criminals, but on preventing our children from turning into tomorrow's criminals. In some places in our country, social influences that lead children to obey the law - influences that many of us take for granted - simply do not exist. The best way to reduce violent crime is to employ an overarching strategy that includes all participants in the criminal justice system, along with educators, community organizers and leaders of faith-based institutions who can help spread the word and counsel people who otherwise might be tempted to commit crimes. We are working with state and local authorities to reach children in their homes, neighborhoods, schools and religious institutions, before they make the wrong choices that lead to lives of violence and despair, while also working with our state and local partners to provide opportunities to offenders reentering the community. We will continue to work with state and local authorities responsible for the law enforcement, juvenile justice and criminal justice systems that process the vast majority of violent criminals. We must ensure that those institutions, while dealing with the considerable challenge of prosecuting criminals for past crimes, also are able to focus on law enforcement's ultimate mission of preventing crime in the future.

Thank you for the opportunity to discuss the Department's efforts to fight gang violence in our communities. I am happy to answer any questions from Members of the Committee on this important issue.

Classification

ADDRESSING GANG VIOLENCE

Language: ENGLISH

Subject: CRIMINAL OFFENSES (94%); CRIME RATES (93%); **LAW** ENFORCEMENT (93%); JUSTICE DEPARTMENTS (92%); ATTORNEYS GENERAL (91%); US FEDERAL GOVERNMENT (90%); VIOLENT CRIME STATISTICS (90%); INVESTIGATIONS (90%); SPECIAL INVESTIGATIVE FORCES (90%); **GANGS** (89%); MURDER (89%); TERRORISM (89%); NATIONAL SECURITY (78%); MANSLAUGHTER (78%); CRIMINAL INVESTIGATIONS (78%); CRIMINAL ASSAULT & BATTERY (78%); PUBLIC PROSECUTORS (78%); CRIME STATISTICS (78%); ASSOCIATIONS & ORGANIZATIONS (78%); FEDERAL INVESTIGATIONS (78%); SEX OFFENSES (75%); SEXUAL ASSAULT (73%); INVOLUNTARY MANSLAUGHTER (73%); AT RISK YOUTH (70%); RELIGION (50%)

Load-Date: June 10, 2008

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