MS–13, AND COUNTING: GANG ACTIVITY IN NORTHERN VIRGINIA

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM

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MS–13, AND COUNTING: GANG ACTIVITY IN NORTHERN VIRGINIA

FRIDAY, JULY 14, 2006

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Fairfax, VA.

The committee met, pursuant to notice, at 10:07 a.m., in room 305, Fairfax City Hall, Fairfax, VA, Hon. Tom Davis (chairman of the committee) presiding.

Present: Representatives Tom Davis, Van Hollen, Ruppersberger, and Norton.

Also present: Representatives Wolf and Moran.

Staff present: David Marin, staff director; Jennifer Safavian, chief counsel for oversight and investigations; Brooke Bennett, counsel; Rob White, communications director; Andrea LeBlanc, deputy director of communications; Teresa Austin, chief clerk; Mindi Walker, professional staff member; Bill Womack, legislative director; Darcie Brickner, legislative assistant; and Howie Denis, counsel.

Chairman TOM DAVIS. The hearing will come to order.

I would ask unanimous consent that the distinguished gentlemen from Virginia, Mr. Wolf and Mr. Moran, be permitted to participate in the hearing today. Without objection, so ordered.

I want to thank everybody for coming out to Fairfax City to today's hearing. Mr. Van Hollen is in traffic, but he's going to get here—in traffic in the county, Jerry, but I'm not sure—we're going to be examining the activity of gangs in northern Virginia and the D.C. Region, including the notorious MS–13. We'll also be looking at the State, local, and Federal responses to the problem.

It's very easy for us to think of gangs as something affecting big cities like Los Angeles or New York, but more and more gangs are moving into smaller cities and suburban communities, terrorizing residents and stretching enforcement and prevention resources to their limits. For example, MS–13, one of the Nation's most violent and prevalent gangs, has a presence in 33 States, with membership that could exceed 20,000 people in the United States. And as we're all well aware, MS–13 has an especially active presence here in northern Virginia and suburban Maryland.

But it's not just MS–13. In Fairfax County, one of the Nation's most prosperous and well-educated communities, law enforcement officials say there is a gang presence in every high school. Gangs continue to threaten our suburban communities in Dale City, Manassas, Herndon, and even in the bucolic Shenandoah Valley. If

there's a strong presence of MS–13 in such a peaceful area, can we say for sure where it is not?

We in northern Virginia have been fortunate in that leaders at all levels are proactively addressing the gang problem. Foremost among these is my colleague and good friend, Congressman Frank Wolf. Representative Wolf has spearheaded the fight against gangs in northern Virginia from a policy standpoint and, more importantly, from an appropriations standpoint, securing nearly $12 million in Federal funding. When his area came under attack by gangs, Congressman Wolf recognized that a traditional law enforcement organization could not effectively address gang issues, rather, coordination between myriad Federal, State and local agencies would be vital. This was accomplished in the form of the Northern Virginia Regional Gang Task Force.

We'll hear today that the Task Force has been successful in fighting the gang problem in our neighborhoods. But let's be clear, without Congressman Wolf, the Task Force would not exist. The Task Force has made tremendous steps in gang suppression across northern Virginia. Congressman Wolf is to be commended for his dedication in fighting MS–13 and gangs in northern Virginia, and I just appreciate his being here today to lend his dedication and knowledge of this issue to this panel.

At the local level, Supervisor Sharon Bulova took the initiative by conducting a community dialog on gang activity and revitalization needs. Throughout the spring of 2004, over 300 concerned citizens and activists took part in a series of meetings to examine gang-related issues and come up with recommendations to stem the problem. One such recommendation was to revitalize Ossian Park, located adjacent to Annandale High School.

I am happy to announce that working with Supervisor Bulova, I was able to obtain $250,000 in the fiscal year 2007 Treasury, Transportation, Housing and Urban Development Appropriations bill that recently passed the House; it still needs to move through the Senate and conference. These funds will help reduce gang activity at the park and make it an anchor for community events.

We're well served by individuals such as these, but the gang issue is something that my colleagues and I, as Representatives from northern Virginia, suburban Maryland and Washington, DC, must all turn our attention to. Congressman Wolf and I last year went to El Salvador. Refugees from that country's civil war in the 1980's founded MS–13 and, more recently, Salvadoran immigrants continue to have a large presence in MS–13 and other gangs. In order to understand the problem here in this region, we need to understand the challenge at its source.

The good news is that we are making progress in the fight against gangs. The Task Force, with its unique multi-jurisdictional and multi-disciplinary approach, is able to cross county lines and fight gangs with efficiency and effectiveness.

The Task Force has also seen a reduction in gang violence in the region. This system is working, and the partnership with Federal agencies, including U.S. Immigration and Customs Enforcement, the FBI, ATF, Customs and Border Patrol, U.S. Marshals Service, Department of Justice, and the State Department, is working. Con-

gress' faith in the system is evident in the continued moneys dedicated to fighting gangs on a local, national and international level.

I represent northern Virginia, but I'm also a resident, a father, a neighbor and a community member. What happens in our local parks, in our schools, and on our streets impacts my constituents and me personally and my family.

The D.C. Region is a dynamic community, with people of all nationalities and ethnicities who are proud to call it their home. That's one of our great strengths, but it also presents many challenges, and the introduction of gang violence is one of those challenges we have to rise to meet. We cannot and will not surrender our streets to violence of turf and retribution, a cycle of violence that too often claims not only the lives of those engaged in this warfare, but the lives of innocent victims as well.

Like all of us, I'm tired of seeing headlines about Fairfax youths being attacked by machetes, or a 17-year-old Herndon youth being shot to death by MS–13 gunmen on bicycles, or a 22-year-old Reston man being beaten to death in a park by MS–13 members, or, as most recently, three Prince George's County young men murdered. Each life wasted to gang activity is one too many.

We as Members of Congress should continue to work to find solutions to the growing gang crisis in not only our own districts, but in districts across the Nation as well. And this is why we call important hearings like this one, to hear about the successes of our law enforcement and prevention communities and how we can continue to assist them best.

The enforcement and prevention communities must work hand in hand to successfully fight gangs, and today we're fortunate to be hearing from representatives from both not only northern Virginia, but Maryland as well.

I'm also pleased we'll be hearing from two local officials who have worked on this issue at both the State and local areas. Gerry Connolly, who is the chairman of Fairfax Board of Supervisors, will inform us of Fairfax County's efforts in combating this problem. Delegate Dave Albo, who is chairman of the Courts of Justice Committee in the Virginia House of Delegates, will discuss innovative tools that enable State prosecutors and law enforcement personnel to protect our communities.

I want to thank all of our witnesses for being here today. And finally, I want to thank the city of Fairfax for so generously making this facility available to us.

[The prepared statement of Chairman Tom Davis follows:]

Opening Statement of Chairman Tom Davis
Government Reform Committee Hearing
"MS-13 and Counting: Gang Activity in Northern Virginia"
July 14, 2006

Good morning, and thank you for coming out to Fairfax City for today's hearing. We will be examining the activity of gangs in Northern Virginia and the DC region including the notorious MS-13. We will also be looking at the state, local, and federal responses to the problem.

It's very easy for us to think of gangs as something affecting big cities like Los Angeles or New York. But, more and more, gangs are moving into smaller cities and suburban communities, terrorizing residents and stretching enforcement and prevention resources to their limits. For example, MS-13, one of the nation's most violent and prevalent gangs, has a presence in 33 states, with a membership that could exceed 20,000 in the United States.

And, as we are all well aware, MS-13 has an especially active presence here in Northern Virginia and suburban Maryland. But it's not just MS-13. In Fairfax County, one of the nation's most prosperous and well-educated communities, law enforcement officials say there is a gang presence in every high school.

Gangs continue to threaten our suburban communities in Dale City, Manassas, Herndon -- and even in the bucolic Shenandoah Valley. If there is a strong presence of MS-13 in such a peaceful area, can we say for sure where it is not?

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examine gang-related issues and come up with recommendations to stem the problem. One such recommendation was to revitalize Ossian Park, located adjacent to Annandale High School. I am happy to announce that working with Supervisor Bulova, I was able to obtain $250,000 in the FY07 Treasury, Transportation, Housing and Urban Development appropriations bill that recently passed the House. These funds will help reduce gang activity at the park and make it an anchor for community events.

We are well served by individuals such these, but the gang issue is something that my colleagues and I, as representatives from Northern Virginia, suburban Maryland, and Washington, D.C., must all turn our attention to. Congressman Wolf and I last year went to El Salvador. Refugees from that country's civil war in the 1980s founded MS-13, and more recent Salvadoran immigrants continue to have a large presence in MS-13 and other gangs. In order to understand the problem here in this region, we need to understand the challenges at its source.

The good news is that we are making progress in the fight against gangs. The Task Force, with its unique multi-jurisdictional and multi-disciplinary approach, is able to cross county lines and fight gangs with efficiency and effectiveness. The Task Force has also seen a reduction in gang violence in the region. This system is working, and the partnership with federal agencies including U.S. Immigration and Customs Enforcement, the FBI, ATF, Customs and Border Patrol, the U.S. Marshals Service, Department of Justice, and the State Department is working. Congress's faith in the system is evident with the continued monies dedicated to fighting gangs on a local, national, and international level.

I represent Northern Virginia, but I am also a resident, a father, a neighbor, and a community member. What happens in our local parks, in our schools, and on our streets impacts my constituents and me personally.
The D.C. region is a dynamic community, with people of all nationalities and ethnicities who are proud to call it their home. That is one of our strengths. But it also presents unique challenges, and the introduction of gang violence is one of those challenges we must rise up to meet.

We cannot and will not surrender our streets to the violence of turf and retribution – a cycle of violence that too often claims not only the lives of those engaged in this warfare, but the lives of innocent victims as well.

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law enforcement and prevention communities and how we can continue to assist them best.

The enforcement and prevention communities must work hand-in-hand to successfully fights gangs, and today we are fortunate to be hearing from representatives from both in not only Northern Virginia but Maryland as well.

I am also pleased that we will be hearing from two elected officials who have worked on this issue at both the state and local levels. Gerry Connolly, Chairman of the Fairfax County Board of Supervisors will inform us of Fairfax County's efforts combating this problem. Delegate Dave Albo, who is the Chairman of the Courts of Justice Committee in the Virginia House of Delegates, will discuss innovative tools that enable state prosecutors and law enforcement personnel to protect our communities.

I want to thank all of our witnesses for being here today, and, finally, I would like to thank the City of Fairfax for so generously making this facility available to us.

Chairman TOM DAVIS. Mr. Van Hollen.

Mr. VAN HOLLEN. Well, thank you, Mr. Chairman. Let me begin by thanking Congressman Tom Davis for convening this hearing on a very important issue, which obviously impacts the people of Fairfax County, northern Virginia, Washington, DC, and Montgomery County, Prince George's County and other parts of Maryland. It really is a regional issue, a national issue, and when you're talking about gangs like MS–13 and some others, it's gangs with international reach. And we need to approach these on a regional basis and with our support from our national partners as well.

And I just want to thank our partners on the Virginia side of the river for working in collaborative fashion with those of us in Maryland.

I'm here with my colleague, Mr. Ruppersberger, from the Baltimore area, and I think it's been a successful model but we need to keep at it. Mr. Davis just mentioned a number of the recent killings in Adelphi, MD. It's part of my congressional district. We need to make sure that we work with dispatch, that we take nothing for granted. Some progress has been made, but we need to work even harder.

And in that connection, I do want to thank Congressman Frank Wolf for his leadership on this issue. He was the mover and shaker in terms of the funds we were able to put together. Last year for suburban Maryland, the portion of Maryland outside of Washington, DC, Prince George's County, Montgomery County, we've put together—and I'm pleased to have—I want to thank you, Mr. Chairman, for inviting witnesses from Maryland, including Mr. Cardona who is here and others. We have put together a joint Montgomery County-Prince George's County Anti-gang Task Force that I think has been successful at trying to bring those two jurisdictions together to address this issue.

They have a three-part strategy, which is a strategy that I know is also being worked on over here. Obviously a law enforcement component, a strong law enforcement component, and suppression. A second intervention, trying to make sure that people who join the gang have an opportunity to get out of a gang. It's a lot easier to get in than to get out, and we want to make sure that we have the support systems in place to help those who want to get out.

And finally, and maybe most importantly, is the prevention piece, because every person we can prevent from joining a gang in the first place is a person that we don't have to address even larger problems and needs later on.

So I look forward to this hearing and learning from one another on both sides of the Potomac River, because I think, as I said earlier, there is obviously a common denominator running through the gang issue, which makes it a regional problem.

I also want to thank you, we have Captain Lynn from the Prince George's County Police Department representing the Chief. He's here and I think will be saying a few words a little later on.

So let me again thank you for bringing us together, and I look forward to continuing to do this on both sides of the river and monitoring this.

And again, I want to thank Congressman Moran as well. He serves on the Appropriations Committee. Without his support we wouldn't be able to put this together.

So I thank our partners from Virginia, and I look forward to working with you again this year so we can help provide the resources necessary to help our local law enforcement and our local social service agencies address this very important issue.

Chairman TOM DAVIS. Thank you, Mr. Van Hollen.

Mr. Wolf, thank you for your leadership on this, and thanks for being here today.

Mr. WOLF. Thank you very much, Tom.

I want to, at the outset, say that the effort from the Virginia side has been a total cooperative effort between Tom Davis, Jim Moran and myself. Everything that we have done on the funding and on all the different programs we have done together. And then with your colleagues, with Chris and Dutch it's been the same way, approaching this as a regional problem, not just in Arlington or just in the Shenandoah Valley. So I want to thank Tom and Jim for the cooperation, I mean, the three of us working together, and also across the river with our Maryland people.

I also want to thank the Federal, State and local people. This is a model for the Nation, because what it has done is not just suppression, but it's suppression, law enforcement, but also education. You're going to hear about the educational aspects and intervention whereby we go in and begin to pull people out of the gangs, but we also prevent people or do everything we can to keep people from coming in.

Also last, I want to thank the law enforcement people. At the Federal level, FBI, DEA, ATF, Marshals Service have done a tremendous job. The State police and the local police, our policemen and women deserve a debt of gratitude from Arlington, Alexandria, Fairfax, Loudoun, Prince William, city of Fairfax, Manassas, Manassas Park all the way out into the Shenandoah Valley. They have been quiet in their efforts but very, very effective.

I also want to thank the GRIT teams and the educational parts. We owe the law enforcement in this region a tremendous debt of gratitude.

Last, Tom, I appreciate your leadership. And I think working together, Republicans and Democrats really coming together, and the three in northern Virginia making a difference and also up in Maryland can really make a difference. No one in this region should live in fear from gangs. And we are committed to making sure there is the Federal resources, the Federal dollars to deal with this issue so everyone, whether you've been in this region for 50 years or 50 days or 50 minutes, no one should live in fear in this region, and we are committed to making sure that we eradicate, we eliminate, we eradicate not just get control, we eradicate the gang violence in this region. So Tom, thanks for your leadership and your effort.

Chairman TOM DAVIS. Well, thank you, Frank.

Mr. Ruppersberger, you came the furthest this morning and were the first to arrive, so traffic couldn't have been that bad.

Mr. RUPPERSBERGER. Thank you very much.

Well, thank you very much, Mr. Chairman, you pulling us all together. This is a great team here. Frank Wolf, Congressman Wolf, you've done a great job and I know your efforts have really made a difference. And Jim Moran, you three working as a team, and Chris Van Hollen, it's good to be here as a region, Virginia, Washington and Baltimore.

The Baltimore-Washington regions have a lot of things in common, but one thing we do differ is that you all root for the Redskins and the Nationals, we root for the Ravens and the Orioles. I just want to make that clear.

Now, in my district and throughout the State we are experiencing some of the same problems you are in Virginia. MS–13 is a sophisticated crime network that is not contained by State or international borders. Right now, some attribute the rise in the gang activity in Maryland to the success of the Regional Gang Task Force here in Virginia. And instead of reducing gang activity, we're just spreading it around. And if this is in fact the case, then we all need to work together across State lines to combat this serious problem. We can't just brush it under the rug in another jurisdiction, we need to work as a regional team across the lines to solve the problem.

Now the rise of MS–13 exposes several challenges we face as a region and as a Nation. The fluidity of borders, insufficient immigration, enforcement tools, a lack of social programs that promote youth development, the persistence of poverty and a limited regional approach to law enforcement create the perfect storm for violent gangs to survive, and MS–13 is clearly an example. Now we need to strengthen our regional approach to law enforcement by building effective programs already underway and making sure we give law enforcement the resources they need.

Now many years ago I was an investigative prosecutor in Baltimore County, MD and I dealt with some gang issues, but not what it is here today. The gang problem is getting more serious and deadly, and we must fight proliferation of gangs on a multiple of fronts.

It is a fact that a lot of gang members have a poor home life, and that these young people who are most susceptible to being recruited in the gangs are ones that do not have a strong family life. The gang becomes their family and support.

Now we need reasonable enforcement efforts and we need effective prevention and intervention programs. To address this problem, we need to ensure that prevention and intervention programs have the resources they need to reach the kids today, and I know that our two members here on appropriations have done a lot in that regard. After school programs, such as Police Athletic Leagues and others, seek to involve parents, schools and local community groups to get rid of in our neighborhoods of the underlying conditions where gang activity flourishes. By teaching youth to respect themselves and their community through smart decisions and getting involved in a positive way, we can help put them on a path to successful legal future.

Now we need to reach these young people starting in elementary school and continuing through junior high. Recent trends in my congressional district, in the Baltimore region, indicate that re-

cruitment is occurring in junior high and the high school level, and if prevention is to work we need to get to these kids now.

My district is also diverse when it comes to gang membership. I represent Baltimore City, Harford County, Baltimore County, and Anne Arundel County. We not only have MS–13 growing, but we also have "CRIPS" and "BLOODS," so this is becoming a serious issue.

We need to stay focused, and our jurisdictions across the Washington-Baltimore region must work together. Cooperation is key if we're going to save our young people, stop the violence and the crime associated with gangs. And I want to thank you again, Mr. Chairman, and I yield back.

Chairman TOM DAVIS. Thank you very much.

Mr. Moran.

Mr. MORAN. Thank you, Mr. Chairman. And thank you very much for holding this hearing. And although it's of a much lesser importance, nice job with getting the FCC to advance our telecast of Nationals' games—good victory there yesterday. Since Dutch brought it up, I thought I would——

Mr. RUPPERSBERGER. Well, we were working together on that one, too.

Mr. MORAN. Yes, we were. Tom took the lead.

And of course as all of my colleagues up here have said, Chris and Dutch—and I know Eleanor will reiterate it—Frank Wolf has been our leader on this issue. And you can tell from the passion that he brings to the issue how much he cares about it, and rightfully so.

We have been devoting resources over the years, millions of dollars, virtually all of it targeted for regional efforts to reduce gang violence, as well as deal with a lot of the drug activity in the region, which is integrally connected as well.

But those efforts, getting money and bringing the issue to the public's attention, is kind of a marginal role. And I know with all—even with all the leadership that Frank has brought, the real efforts that count are down and at the neighborhood level, as Frank says, with the police officers working within the community, the social workers, the people who work in our recreation centers, our education personnel particularly. Their day in and day out efforts are in fact making a real difference.

Now, I think our greatest impediment is the fact that too much of our efforts have really been imbalanced. Too many folks, at least at the legislative level, are the first ones that want to clamp down tough on gang members after they've committed crimes, after there have been victims, after there has been no alternative, really, but to put gang members into situations where they're going to become even more hardened, whether it's incarceration, deporting them back to a Central American country or wherever.

Many of us may have seen that television show that was terrific the other night on a gang and the violence that is integral to a gang's formation and membership. We've got to do much more in a smarter way, and we've got, as many of my colleagues have said, focus more on prevention so that those lives can be saved and we can reduce the number of victims of gang violence.

You know, almost every wave of immigrants have seen their children engage in gangs. We've seen that movie, the Gangs of New York, the Irish gangs, Italian gangs. West Side Story is one of the most popular movies, but that was all about the fact that the gangs were a dominant part of urban life, and that's part of human nature. But while those—we had little that we could do about those gangs a century ago, we have a lot we can do today. We know what intervention strategies work. We know that putting money into day care, into Head Start, into after school programs, into mentoring, into a number of the other efforts that northern Virginia and the Washington suburbs, Maryland and Montgomery County, Prince George's and Baltimore have engaged in. They're taking the lead, they're showing tremendous results, but it does take resources. And one of the—the only note of dissidence, if you will, on this issue that troubles me is that some of the folks who are the first ones who want to save money by cutting it out of day care and elementary education programs are the first ones who want to imprison and get tough with gang members after people have been victimized. We need to do both. It needs to be balanced, and it really needs to start in the early years. Every child is precious, every life can be redeemed, and we need to go about using the experience that we have to start saving some of these lives before it's too late.

Thank you very much, Mr. Chairman.

Chairman TOM DAVIS. Mr. Moran, thank you.

And Ms. Norton, welcome to Fairfax, thanks for being here.

Ms. NORTON. Thank you very much, Mr. Chairman. I need more than a road map when it comes to coming to the suburbs. It all seems like another country. But the fact is that this——

Mr. CONNOLLY. Welcome to our world, Mrs. Norton.

Ms. NORTON. I'm trying my best. But the fact is that if the emergence of MS–13 and gangs in large numbers bringing with them crime to the suburbs doesn't tell us that we are one region, I don't know what will. Therefore, Mr. Chairman, I am very pleased that you had this hearing and invited those of us from other regions, other jurisdictions, even though you call it a hearing on MS–13 and gang activity in northern Virginia. But crime is contagious, respects no borders, and it goes from northern Virginia to wherever it finds fertile ground. We have not had precisely the same problem you have had here in northern Virginia, but we have had enough so that we now have our own gang intervention partnership unit working both to deal with the violence and to try to partner with activities in the District that can deal with young people with these gang members.

We estimate that in the District we have 500 to 600 gang members, mostly around the Adams Morgan area. We have identified about 75 active MS–13 members. So we know already that they are everywhere.

I'm sure that people in your communities who have been unused to the kind of crime these MS–13 members commit have been shocked by what the outbreak of these gangs means. In a real sense, what I don't understand is how these gangs regionalize themselves, it's almost like drugs regionalizing itself; you find meth some places, crack and heroin other places, and all of it's equally harmful.

So I've come because I think that your experience in northern Virginia has much to teach us in the District of Columbia. We know about big time crime, street crime, but we have had less of the gang violence that you now have in very substantial amounts.

Indeed, I see Luis Cardona here, and see that Luis—who used to be on my staff, I mean, there is the word "Montgomery County" behind his name. Lord, Luis. This is a young man who was on my staff when I first came here. I see he's a Youth Violence Prevention Coordinator. He is an extraordinary young man because while he was on my staff doing all kinds of casework—he was out in the community doing I'm sure what they pay him to do now. See, I was paying him as a caseworker and to have contacts with my Hispanic community. And all of his volunteer time, when he got out of work, was spent doing exactly this kind of work.

So I'm pleased to see you, Luis, and we need you back in Washington. And I want to thank you, Mr. Chairman. And I want to thank my good friend, Frank Wolf, who started the entire region on the road to understanding this, put his money where his mouth was and now has the attention of all of us in the Congress, not only from this region. I also want to thank Frank because, as you may have read, he's working with me as well on the way in which there have been crime spikes in the District of Columbia recently.

Thank you again, Mr. Chairman.

Mr. VAN HOLLEN. If I could just thank you, my colleague, Ms. Norton, for doing such a good job with Mr. Cardona. And I just have to say he is doing a terrific job in Montgomery County and in cooperating with Prince George's County on this issue. And we hate to lose him again, he is doing just a terrific job, and I look forward to hearing from him.

Chairman TOM DAVIS. Thank you.

Members will have 7 days to submit opening statements for the record.

We're going to recognize our first panel. We have the Honorable Gerry Connolly, the chairman of the Fairfax County Board of Supervisors; then Davis Albo, the Delegate for the 42nd District in the House of Delegates and chairman of the State Courts of Justice Committee. Mr. Robert Bermingham, the coordinator of Fairfax County Gang Prevention Program. Mr. Luis Cardona, youth violence prevention coordinator, Department of Health and Human Services, Montgomery County. Mrs. Elizabeth Guzman, executive director of the Boys and Girls Club for the Prince William Region, and Mrs. Norma Juarbe Lopez, the executive director of the Hispanic Committee of Virginia.

It's our policy we swear all witnesses in before you testify, so if you would just rise, please, and raise your right hands.

[Witnesses sworn.]

Chairman TOM DAVIS. We're going to start with Chairman Connolly, go to Mr. Albo, Mr. Bermingham, and then we'll start, Mrs. Lopez, with you and move straight down. Try to keep it to 5 minutes. You have a light in front of you; it will turn orange after 4, red after 5.

Gerry, let me just say welcome to the city of Fairfax, but thank you, also. You head a task force, we had all these task forces, we

grouped them all together. And we appreciate your leadership as well and your taking the time to be with us today. Thank you.

STATEMENTS OF GERRY CONNOLLY, CHAIRMAN, FAIRFAX COUNTY BOARD OF SUPERVISORS; DAVID ALBO, DELEGATE FOR THE 42ND DISTRICT, STATE LEGISLATURE, COMMONWEALTH OF VIRGINIA; ROBERT A. BERMINGHAM, JR., COORDINATOR, FAIRFAX COUNTY GANG PREVENTION PROGRAM; LUIS CARDONA, YOUTH VIOLENCE PREVENTION COORDINATOR, DEPARTMENT OF HEALTH AND HUMAN SERVICES, MONTGOMERY COUNTY; ELIZABETH GUZMAN, ASSISTANT AREA EXECUTIVE DIRECTOR, BOYS & GIRLS CLUBS, PRINCE WILLIAM REGION; AND NORMA JUARBE LOPEZ, EXECUTIVE DIRECTOR, HISPANIC COMMITTEE OF VIRGINIA

STATEMENT OF GERRY CONNOLLY

Mr. CONNOLLY. Thank you, Mr. Chairman, and members of the committee, Mr. Moran, Mr. Wolf. Thank you, Mr. Chairman, for your leadership in holding today's important hearings.

I want to speak to you today about how Fairfax County is working to protect our most precious resource, our children, from the threat of gangs.

Our commitment is that every kid is worth fighting for. Our approach, a true working partnership between the county government, the business community, the nonprofit faith and civic communities, is truly unique and is a testament to a simple idea that all of us have a role in protecting our children's future and the safety of our citizens.

It was with that simple but powerful idea that the Board of Supervisors embarked on this project with the adoption of our Gang Initiative in January 26, 2004.

In my inaugural speech in late 2003 I laid out six priorities for our community that I thought were of particular importance, chief among these was the need to tackle the growing threat of gangs.

Education and public safety are the two priorities of any local government. Over the years, Fairfax County has made strategic investments in public safety, and I'm proud to be able to say that with more than 1 million residents, Fairfax County is the safest jurisdiction of its size in the United States, and those investments are paying off. Last year our crime rate declined by another 3.2 percent in Fairfax County, dropping to a 32-year low. One of the few clouds on that otherwise bright horizon, however, is the rise in gang activity. Gangs challenge the community's fundamental mission to keep every neighborhood and community safe and to create a quality of life that allows our children to thrive and reach their full potential. The threat of gangs has to be combated in a coordinated way.

There are an estimated 1,500 gang members in Fairfax County. During 2005, police statistics indicate that there were approximately 1,200 gang-related crimes within our county. Police estimate that over the last 5 years they've identified nearly 100 gangs in Fairfax County, most of them, however, small and short-lived. We estimate that the gang members in Fairfax County are responsible for less than 10 percent of violent crimes, such as homicide,

rape, robbery, aggravated assault, burglary, larceny and motorcycle theft, and virtually all of this violent gang activity is committed by one gang member upon another. Approximately 40 percent of gang-related crimes in the county were for the destruction of private property, such as graffiti. The most active gangs in the county include Mara Salvatrucha, MS–13, the county's largest group, "South Side Locos," "CRIPS," "BLOODS," "Folk Nation," "People Nation," and "18th Street." The gang problem in our county is real, but as a result of proactive actions taken by the Board, our police force and our community partners, the problem of gangs is not at an epidemic level in our county as it is in some other comparable jurisdictions.

That being said, gangs pose a significant threat to public safety, and we take the threat very seriously.

As I've said, the solution to the threat of gangs does not lie only with law enforcement, as Mr. Moran indicated. The coordinated prevention strategy we've undertaken in these last 2 years is a cross-agency, communitywide initiative to strengthen and improve collaboration between all county departments, the schools, the private sector, faith-based groups and the community at large. Together we've undertaken an anti-gang effort based on prevention, intervention and suppression strategies.

As you are aware, Mr. Chairman, Fairfax County has long been involved in gang prevention and related activities, including the establishment of a gang investigative unit of our police department when in fact you were chairman, Mr. Davis, in 1994. It has a well-deserved reputation for providing numerous youth recreational and educational opportunities that have deterred a vast majority of our young people from ever joining gangs, an investment that will pay dividends in public safety and quality of life into the future.

But there were missing elements in the county's efforts when I brought my gang initiative to the Board 2 years ago, including identification and coordination of what we're already doing. Some of the things we put in place were recognizable as anti-gang programs, such as our police unit. Those heading other programs, such as after school care and youth job training, librarians even and park authority staff didn't think of themselves as part of the anti-gang effort, but they are. In some places, critical services were falling short of the need, such as after school programs for middle school students, our highest risk population, during the highest risk hours of the day. Most notably, those in charge of these resources had no way of talking to each other or coordinating their efforts of leveraging the time and money they already were investing.

It was with that in mind on July 12, 2004 that we brought before the Board of Supervisors an Anti-Gang Initiative and asked that we launch the effort with a gang summit. The summit brought together all the stakeholders in the community to formulate a coordinated plan to combat the influence of gangs on our children and in our community. As a result, the Fairfax County Board directed the county executive to develop and present a proposal for a cross-agency effort to enhance the coordination of activities regarding gangs and to involve the Fairfax County Public School system as well as community-based organizations such as the Partnership for

Youth. The Board also directed the inclusion of a community coalition connected to high schools and their feeder schools, as well as representatives from regional shopping malls or centers.

We also established a Coordinating Council on Gang Prevention chaired by the county executive and led by a steering committee. And we hired our first gang prevention coordinator, Mr. Bermingham, from whom you will hear later.

The membership of the Coordinating Council is based on the premise that gang prevention, intervention and suppression must be a public, private and community-based effort. The Council is responsible for coordinating the county's preventative and community education efforts and reports directly to the Board. It seeks to educate and engage members of the community, including parents and other community leaders in the community. The Council is pursuing five strategies which are taken from the U.S. Department of Justice of Juvenile Justice and Delinquency Prevention Comprehensive Gang Model; community mobilization, opportunities provision, social intervention, suppression, and organizational change and development.

With respect to suppression, the police department in Fairfax County continues to take a proactive approach to gang suppression and prevention. The department has conducted seven coordinated gang operations in the past year. These operations bring together police resources from the involved district station, the Gang Investigative Unit, Operations Support Bureau, and outside agencies such as Juvenile Adult Probation and Parole, and the public schools and the Gang Prevention coordinator.

The police department's Youth Services Division in the summer of 2005 assisted in providing information to the Virginia State Legislature which made the brandishing of a machete a criminal offense. Over the past 4 years there's been 100 percent success rate in identifying the suspects in gang-related homicides in Fairfax County. While highly publicized, they are, thank God, few in number. The homicide rate remains very low, and one of the two most recent cases is being prosecuted utilizing Federal RICO statutes. We have seen a reduction across the board in the reported violent gang-related crime in the first quarter of 2006 compared with the first quarter in 2005.

We've done a lot of things in prevention, Mr. Chairman, as well. And the biggest single thing we did, when I became chairman, we discovered that in our 26 middle schools—which is the age group that is the most vulnerable—we had only three after school middle school programs, and none of them were 5 days a week. I am pleased to tell you that with the infusion of resources and with the help of our Federal partners—you, Mr. Moran, Mr. Wolf in particular—we're going to have after school programs 5 days a week in every middle school in Fairfax County, all 26, targeted particularly on gang prevention.

We've also partnered with Cox Communications in the $3 million effort that they're funding in collaboration with the county that will lead to the creation of six new Boys and Girls Clubs specifically focused on targeted, at-risk youth for gang prevention strategically located throughout the county.

I'll be glad to answer questions, but I just want to summarize, Mr. Chairman, by saying I really believe and I know our county is committed to the proposition that every kid is worth fighting for, and we're not going to rest until we achieve the goal Mr. Wolf has set for everybody, the full eradication of gang violence in our community.

Thank you so much for having me.

[The prepared statement of Mr. Connolly follows:]

Testimony of
Gerald E. Connolly, Chairman
Fairfax County Board of Supervisors

Before
The Committee on Government Reform

"Every Kid's Worth Fighting For: A Community Partnership"

July 14, 2006

Room 305
Fairfax City Hall
Fairfax, Virginia
10:00 A.M.

Testimony of
Gerald E. Connolly, Chairman
Fairfax County Board of Supervisors
Before The Committee on Government Reform
"Every Kid's Worth Fighting For: A Community Partnership"
July 14, 2006

Good morning Mr. Chairman and members of the Committee. My name is Gerald E. Connolly and I am the Chairman of the Fairfax County Board of Supervisors. On behalf of myself and the members of the Board of Supervisors, I want to thank you for the opportunity to appear before the committee this morning to speak with you about how Fairfax County is working successfully to protect our most precious resource, our children, from the threat of gangs. Our commitment is that every kid is worth fighting for. Our approach, a true working partnership between County Government, the business community and nonprofit, faith and civic groups, is truly unique and is a testament to a simple idea — that all of us have a role in protecting our children's future and the safety of our citizens. It was with that simple, but powerful, idea that the Board of Supervisors embarked on this project with the adoption of our Gang Initiative on January 26, 2004.

In my inaugural speech in 2003, I laid out six priorities that I felt were of particular importance for our local government to focus on. Chief among these was the need to tackle the growing threat of gangs.

Education and public safety are the top two priorities of any local government. Over the years Fairfax County has made strategic investments in public safety and I am proud to be able to say that, with more than 1 million residents, Fairfax County is the safest jurisdiction of its size in the country. Those investments are paying off. Last year our crime rate declined by 3.2 percent, dropping to a 32-year low. One of the few clouds on that otherwise bright horizon is the rise of gang activity in the region. Gangs challenge the County's fundamental mission to keep every neighborhood and community safe and to create a quality of life that allows our children to thrive and reach their full potential. The threat of gangs must be combated and our children prevented from undertaking this destructive and dangerous lifestyle.

There are an estimated 1,500 gang members in Fairfax County. During 2005, police statistics indicate that there were approximately 1,200 gang-related crimes reported within the County. Police estimate that over the last five years they have identified nearly100 gangs in Fairfax County, most small and short-lived. We estimate that gang members in Fairfax County are responsible for less then 10 percent of violent crimes, such as homicide, rape, robbery, aggravated assault, burglary, larceny and motor vehicle theft, and that virtually all of this violent gang activity is committed by one gang member on another gang member. Approximately 40 percent of gang-related crimes in Fairfax County were for destruction of private property as a result of graffiti. The most active gangs in the County include Mara Salvatrucha (MS-13) the county's largest group, South Side Locos (SSL), CRIPS, BLOODS, Folk Nation, People Nation and 18th Street. The gang problem in Fairfax County is real, but as a result of proactive actions taken by the

Board, our Police force and our community partners, the problem of gangs is not at an epidemic level in Fairfax County as it is in some other comparable jurisdictions throughout the country.

That being said, gangs pose a significant threat to public safety and we take that threat very seriously.

As I have said, the solution to the threat of gangs does not lie only with law enforcement. The coordinated prevention strategy that we undertook two years ago is a cross-agency, communitywide initiative to strengthen and improve collaboration between all County departments, schools, the private sector, faith-based groups and the community at large. Together, we have undertaken an anti-gang effort based on prevention, intervention and suppression strategies.

As Chairman Davis is aware, Fairfax County has long been involved in gang prevention and related activities, including the establishment of the Police Gang Investigative Unit in 1994, and has a well-deserved reputation for providing numerous youth recreation and education opportunities that have deterred the vast majority of our young people from ever joining gangs — an investment that will pay dividends in public safety and quality of life long into the future.

But there were missing elements in the County's efforts when I brought my Gang Initiative to the Board two years ago, including identification and coordination of what we were already doing. Some of the things we had put in place were recognizable as anti-gang programs, such as our Police unit. Those heading other programs, such as after-school care and youth job training, librarians and Park Authority staff did not think of themselves as part of the anti-gang effort. In some places, critical services were falling short of the need, such as after-school programs for middle school students, our highest risk population during the highest risk hours of the day. Most notably, those in charge of these resources had no way of talking to each other, of coordinating their efforts, of leveraging the time and money they were already investing.

It was with that in mind that, on July 12, 2004, I brought before the Board of Supervisors, an anti-gang initiative and asked that we launch the effort with a Gang Summit. The Summit convened on February 25, 2005, and brought together all sectors of the community to learn, brainstorm and, ultimately, to formulate a plan to combat the influence of gangs on our children and our community.

As a result, the Fairfax County Board of Supervisors directed the County Executive to develop and present a proposal for a cross-agency effort to enhance the coordination of activities regarding gangs and to involve the Fairfax County Public School system as well as community-based organizations, including the Fairfax Partnership for Youth. The Board of Supervisors also directed the inclusion of a community coalition connected to high schools and their feeder schools, as well as representatives from regional shopping malls or centers.

The Board of Supervisors also established the Fairfax County Coordinating Council on Gang Prevention, chaired by the County Executive and led by a steering committee. This measure also funded the creation of a Gang Prevention Coordinator position.

The membership of the Coordinating Council is based on the premise that gang prevention, intervention and suppression must be a public, private and community-based effort. The Council is responsible for coordinating the County's preventive and community education efforts and reports to the Board of Supervisors. The Council also seeks to educate and engage members of the community, including parents and other community leaders associated with youth, to work together to help prevent and eliminate gangs in the community. The Council is pursuing five strategies, which are taken from the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention Comprehensive Gang Model: Community Mobilization; Opportunities Provision; Social Intervention; Suppression; and Organizational Change and Development.

One of the presentations we heard at the Summit was from the Office of Juvenile Justice and Delinquency Prevention, whose gang prevention model is based on the concept that for gang prevention and gang violence reduction efforts to be successful, a three-pronged approach must be implemented. This three-pronged approach — one that Fairfax County has practiced for many years — includes suppression, prevention and intervention strategies. That is Fairfax County's model as well.

In the interest of time and out of respect for my fellow presenters, I would like to outline just a few of our successes in the areas of suppression, prevention and intervention.

Suppression:

The Fairfax County Police Department continues to take a proactive approach to gang suppression and prevention. The department has conducted seven coordinated gang operations in the past 12 months. These operations bring together police resources from the involved district station, the Gang Investigations Unit, Operations Support Bureau, and outside agencies such as Juvenile and Adult Probation and Parole, Fairfax County Public Schools and the County Gang Prevention Coordinator with the goal of targeted suppression of gang activity in a specified area. The Police Department's Youth Services Division, in the summer of 2005, assisted in providing information to the Virginia State Legislature which made the brandishing of a machete a criminal offense. Over the past four years there has been a 100 percent success rate in identifying the suspects in gang related-homicides in Fairfax County. The homicide rate remains very low and one of the two most recent cases is being prosecuted utilizing federal RICO statutes. We have seen a reduction across the board in reported violent gang-related crime in the first quarter of 2006 as compared to the first quarter of 2005. The Police Department, in cooperation with other County agencies, has expanded the summer ROAD DAWG (Don't Associate With Gangs) camp to three weeks and anticipates reaching 150 at-risk youth in three regionally run programs. The Police Department continues to train and update officers on gang activity and foster and improve internal communications to more effectively address gang activity.

Additionally the Fairfax County Police and the Fairfax County Gang Prevention Coordinator participate in the Northern Virginia Regional Gang Task Force. In 2003, funding from the United States Congress, through Congressman Frank Wolf, who has been a leading advocate and strong voice in the area of gang prevention, enabled the creation of the Northern Virginia Regional Gang Task Force. This unit bridges the efforts of our gang investigations unit with partners from the metro region including representatives from the Federal Bureau of Investigation (FBI), the Bureau of Alcohol Tobacco and Firearms (ATF), and United States Immigration and Customs Enforcement (US-ICE). The result is a coordinated law enforcement and public information effort to combat gang activity. In regard to the intervention and prevention component of the Task Force I will invite Bob Bermingham to speak further on that issue.

Prevention:

- Middle School After-School Programs — The Board of Supervisors earmarked $3.5 million to expand after-school programs in all 26 county middle schools. This investment builds on an ongoing effort in Fairfax County to provide high-quality after-school activities for middle school youth through the collaborative efforts of the School Board, the Board of Supervisors, Department of Community and Recreation Services, school community coalitions and the Fairfax Partnership for Youth.

- Healthy Choices — During the 2005-2006 academic year, the Fairfax County Police in collaboration with the Fairfax County Public Schools implemented Healthy Choices, a gang prevention curriculum, which was provided all Fairfax County Public School middle school students, as part of the health and physical education curriculum. As a result of the implementation of this program, 26,115 middle school students have been exposed to gang prevention information.

- Youth Workers — Last summer, the Department of Community and Recreation Services hired five high school students as Youth Workers. The positions were created by the Board of Supervisors and the Coordinating Council on Gang Prevention to get the youth perspective on county gang prevention-related programs and services. At the end of the summer, the Youth Workers made recommendations for community and recreation facilities, programs and services; developed a marketing plan to get youth involved in the centers; and created a gang prevention program. In 2006 the Youth Workers program has been expanded and now includes 10 Youth Workers.

- Boys and Girls Club of America Collaboration — Fairfax County staff has been working closely with the Boys and Girls Club of Greater Washington and Cox Communications to expand club locations in Fairfax County. In October a new Boys and Girls Club opened in Hutchinson Elementary School in Herndon and serves approximately 30 children. It joins the club that is located in the Culmore area near Baileys Crossroads. A third club opened this summer at the new Hoop

Magic Sports Academy owned by a Boys and Girls Club Board member and Chief Operating Officer for the Washington Mystics, Curtis Symonds. The Fairfax County Department of Community and Recreation Services in partnership with the Boys and Girls Clubs has a summer camp there. A site selection committee — made up of county service providers, community organizations, Cox Communications staff and representatives of Boys and Girls Clubs — has been actively working to identify potential sites along the Route 1 corridor, which includes the Lorton area. The shared goal is to have six Boys and Girls Club sites operating in Fairfax County by next year.

- PSAs With Cox Communications — In partnership with Cox Communications, $2 million-worth of gang prevention and gang awareness public service announcements are routinely aired on Cox Communications station affiliates.

Intervention:

- Education of Frontline Staff and Community Stakeholders — During the past 16 months, members of the Fairfax County Gang Prevention Resource Team have conducted more than 250 presentations or trainings on gangs and gang prevention strategies. The majority of the training has been targeted to the "first responders" to gangs and gang activity, such as police, school counselors, juvenile court staff, social services staff and concerned community organizations.

- A Multi-Disciplinary Team — Fairfax County currently has multi-disciplinary teams composed of human service representatives who meet regularly throughout the different regions of the county to collectively provide case planning assistance to community members who have issues needing social service assistance. The multi-disciplinary team approach provides an opportunity for service professionals to meet with gang members and their families for the purpose of linking youth who are involved with gangs and their families to appropriate services.

- Fairfax County Consolidated Community Funding Pool — The CCFP funds projects that provide for human services, affordable housing development administration and construction and acquisition and/or rehabilitation of affordable housing Fairfax County. On May 1, 2006, the Fairfax County Board of Supervisors approved $10,366,335 for fiscal Year 2007 Consolidated Community Funding Pool awards. The awards supported 115 human service projects operated by 71 nonprofit organizations. Eight of the approved projects were specific to gang prevention and intervention, while dozens of other projects addressed youth and family risk factors for gang involvement.

- CSB Resiliency and Leadership Program and Student Assistance Programs — The Leadership and Resiliency Program and the Student Assistance Program are nationally recognized year-round prevention and intervention programs offered in collaboration with the Fairfax County Public Schools and the Fairfax-Falls

Church Community Services Board. Youth who have participated in these programs have demonstrated improved grade-point averages, decreased absenteeism, decreased suspensions from school, decreased use of alcohol or drugs and reduced community problems such as criminal activity. The programs will be in 15 high schools in the 2006-2007 school year with the remainder of the high schools coming on board in the next school year.

- Fairfax County Skin Deep Tattoo Removal Program – Under the direction of the Fairfax County Health Department and in partnership with INOVA, youth in Fairfax County have the ability to have gang-related tattoos removed free of charge. In order to be eligible, the participant must complete community service hours, be enrolled in school or employed and have no ongoing involvement with criminal activity.

As you can see Mr. Chairman, we have made considerable progress in out efforts in Fairfax County, but there is more to be done and we can use your help. As you know, we have requested $1.5 million in the FY 2007 federal appropriations process to further strengthen our prevention efforts. This funding will be used for two programs designed to divert youth from gang activity. The first is the Street Outreach Program, which improves the capabilities of organizations that reach at-risk youth and their families by linking them to community and government resources, including the establishment of a gang prevention phone number that would guide kids and their families to available resources within the community. Second, the Evening Reporting Center would provide highly structured supervised activities in a positive and safe environment to minors currently on probation. The goal is to reduce recidivism while allowing youth to continue their education and engage in healthy activities in their communities.

Mr. Chairman and other distinguished committee members, I want to thank you for the invitation to appear before you this morning. I hope that the information I have presented has provided some insight on how Fairfax County is responding to gangs in our community. We have taken on the task of gang prevention head-on knowing that this is no simple task. We are committed to the continued implementation of the OJJDP Gang Prevention Model and its three-pronged approach. We will continue to expand our partnerships within local government and with our stakeholders in the community.

We understand that there are still many challenges ahead of us as we move forward with our gang prevention efforts and that there are no simple answers to the issues of gangs and gang violence. This is a battle we must fight on behalf of our children and their future. Every kid is worth fighting for. Through the implementation of a comprehensive gang prevention and intervention program, which includes a strong suppression component, and by strengthening existing partnerships within local, state and federal government and with the community, we will begin to erase gangs and the violence they bring to the community and keep Fairfax County the safest large jurisdiction in the United States. Thank you.

Chairman TOM DAVIS. Thank you very much, and your entire statement is in the record. We appreciate it.

Delegate Albo, thanks for being with us.

STATEMENT OF DAVID ALBO

Mr. ALBO. Thank you, Congressman.

For those of you who are not familiar with me, I'm chairman of the Judiciary Committee, we call it Courts of Justice Committee in Virginia.

I've practiced law for 18 years. I've done everything from serving as a public defender to a district court prosecutor, and so—in fact, I've been working a lot on the gang bills we passed in the Virginia legislature over the years.

Let me tell you basically, you will hear from the Attorney General's Office on what Virginia has done. We met for 2 years and looked at every single State's laws, called those States, asked them which laws of theirs are working, which ones are not, and we basically took the greatest hits. So if you want to have a place to start, later on our Attorney General's Office will give you a list. You may want to look at the Federal implementation of that legislation.

I want to talk a little bit about the nuts and bolts of prosecuting these criminals because that's really the hard part.

To convict a person of a criminal street gang offense you actually have to prove that the group is a gang. And I know that sounds like it might be easy because everybody knows MS–13 is a gang, but it's more difficult than you may think because you have to prove beyond a reasonable doubt every element of the offense.

The CRIPS and the BLOODS have like 100 subgroups. So if a person is in a gang, the prosecutor has to prove that they are actually in the same subgroup, and any changes in leadership, any changes in clothing, any slight deviations from signs will all ruin a prosecution.

So what we've done in Virginia is—I'm basically giving you an idea of how our law works—it's very difficult to even pass a law that makes it illegal to be in a gang because the first amendment says that everybody has a right to freedom of association. You can hang out as an American with whomever you want to hang out with under the U.S. Constitution. You can't, however, hang out with a group organized for a criminal enterprise, such as a terrorist cell or the mob. So what we do is we define gangs as groups of three or more people who are organized to accomplish certain crimes. We call these certain crimes predicate criminal acts, and then we make a list. Now of course we didn't want to make it a crime and thus have horrendous punishment for somebody who's hanging out with a bunch of people who are organized for the purposes of trespassing. So what we've done is we've taken those serious crimes and we list those. Then we go out to the street and talk to prosecutors and police officers and say what's missing? Have you seen any gangs that are doing certain crimes that aren't listed? For example, this year we found out that a bunch of groups are organized for the purposes of engaging in prostitution, so this year we added prostitution to our list.

So now you know how we have our law structured. A gang is a group of three or more people organized to commit a certain criminal act.

So now you're in court and you're a prosecutor. How are you going to prove that the group that this guy is a member of is organized for committing these certain acts? Well, a law enforcement unit like Fairfax—and I have to congratulate Gerry Connolly—and I hope he will pass on this compliment to his police force because they are second to none, they're very advanced, they've been in the business for a long time and they're very, very brave. But if you have a jurisdiction in Virginia that doesn't have the kind of resources, it's nearly impossible.

We started looking at ways for us to be able to prove that certain organizations are engaging in these criminal acts, and then in the Crime Commission someone had a great idea. You know, there actually is a list out there of people who admit they're in gangs and they tell you what crimes they commit. I couldn't believe at first when I first heard there is this list out there but there is. Do you know what that is? That's in the prisons, because when a guy gets busted and he goes to prison, the first thing he tells the warden is don't put me in that cell block because I'm a CRIP and they're BLOODS.

So what we started this year to do is create a list, and that list will be a list of self-admitted gang members who will tell, of course, I'm a member of the CRIPS, and then we're going to be able to see what crimes he commits. We create that list, and then we're going to try to use that list in court under the exception to hearsay rules such as business records exceptions or admissions against self-interest.

Now, what would be great, and another purpose of this is to kind of coordinate our efforts in the Federal, State and local levels, we'll keep an eye on this. If this thing is working, we might want to try doing it in the Federal level because we have a lot of gang members in prison in the Federal level. The bigger the list, the more resources we have, the easier it is for our people to prosecute.

In closing, what I want to tell you is that I probably passed about 10, 12 laws in Virginia already. The best ones come to us from street police and prosecutors. The best place to go for information is to talk to the people on the street. That's where you find out that we're having problems proving an organization is a crime. We find out what these organizations are doing. And that's how I think that Virginia's laws have developed into some of the most successful in the country.

[The prepared statement of Mr. Albo follows:]

TO: MEMBERS OF THE COMMITTEE ON GOVERNMENT REFORM
UNITED STATES CONGRESS

FROM: DAVID B. ALBO, MEMBER VIRGINIA HOUSE OF DELEGATES
CHAIRMAN, COURTS OF JUSTICE COMMITTEE

DATE: 7/14/06

Thank for your invitation to speak to you about this extremely serious problem of criminal street gangs in Virginia.

As you may be aware, I am currently serving my 14th year as a Member of the Virginia House of Delegates, where for four years I served as Chairman of the Criminal Law Sub-Committee and currently serve as the Chair of the Full Courts of Justice Committee (the "Judiciary Committee"). In my "real life" I am an attorney who has been practicing law for 18 years and who has served as both a court appointed defense attorney, private defense attorney, and a District Court Prosecutor. So criminal street gangs are a topic of which I am quite familiar.

Later today, you will hear from our Virginia Office of the Attorney General who will present a summary of all the new laws that have been enacted by Virginia over the past several years to address criminal street gangs. I commend the presentation to you because they are the result of arduous work by the Attorney General and the House and Senate members of the Courts of Justice Committees. We looked at every state in the country and the effectiveness of their laws. In short, our Virginia laws are a "Greatest Hits" of what was found to be effective in other states.

Let me take this opportunity to put my legal hat on and discuss with you the basic underpinnings of our laws.

To convict someone of a criminal street gang crime, you have to show that a criminal street gang exists and then you have to show that the Defendant is a member of that criminal street gang. The difficult portion of that, surprisingly, is not that the Defendant is a member. The difficulty was and is proving the organization is a criminal street gang. The reason is that these organizations have many different sub-groups with slightly varying styles of cloths, organizations, and even differing crimes that they commit.

What is a criminal street gang?

You may have noticed that I don't use the word "gang." This is because there is nothing illegal about "gangs." Under our Constitution and the US Constitution, the Courts have interpreted that under the First Amendment a person has the Constitutional Right to the "Freedom of Association." In simple terms, a kid can hang out with whomever he wants. Our first job in writing these laws a number of years ago was to define a class of individuals with whom one could not Constitutionally associate. We determined that just like the "mob" or a "terrorist cell", one does not have the Constitutional Right to associate with an organization organized for the purpose of committing crimes. Therefore, we passed our gang definition by stating that a "criminal street gang" is an organization of three or more people which as the objective of committing certain crimes and whose members commit these crimes. We did not want to create harsh punishment for groups of people who commit minor crimes such as trespassing, so we create a list of these crimes. We call them "predicate criminal acts."

> "Criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, (i) which has as one of its primary objectives or activities the commission of one or more criminal activities; (ii) which has an identifiable name or identifying sign or symbol; and (iii) whose members individually or collectively have engaged in the commission of, attempt to commit, conspiracy to commit, or solicitation of two or more predicate criminal acts, at least one of which is an act of violence, provided such acts were not part of a common act or transaction.
>
> "Predicate criminal act" means (i) an act of violence; (ii) any violation of § 18.2-42, 18.2-46.3, 18.2-51, 18.2-51.1, 18.2-52, 18.2-53, 18.2-55, 18.2-56.1, 18.2-57, 18.2-57.2, 18.2-59, 18.2-83, 18.2-121, 18.2-127, 18.2-128, 18.2-137, 18.2-138, 18.2-146, 18.2-147, subsection H, H 1 or H 2 of § 18.2-248, § 18.2-248.01, 18.2-255, 18.2-255.2, 18.2-282.1, 18.2-286.1, 18.2-287.4, 18.2-308.1, or 18.2-356; (iii) a second or subsequent felony violation of subsection C of § 18.2-248 or of § 18.2-248.1; (iv) any violation of a local ordinance adopted pursuant to § 15.2-1812.2; or (v) any substantially similar offense under the laws of another state or territory of the United States, the District of Columbia, or the United States.

I should note that every year, this "predicate criminal act" list has grown. We listen to law enforcement and they will tell us what these groups are up to. For example, this year we added prostitution. In other words, in addition to groups organized to sell drugs or maliciously wound people, police found that there are groups of people organized for the purpose of engaging in prostitution, and without a change in the law, that "gang" of people would not be considered a "criminal street gang."

How does a Prosecutor prove the gang is organized for the purpose of committing these crimes?

As we started implementing this new law, prosecutors started saying that it's tough to prove this. A very sophisticated police force could have records and proof of the members of gangs and the types of crimes they commit. And it would take a day or sometimes two days in every case to present all the evidence of stakeouts, past criminal convictions, undercover recordings, etc. to prove that Gang X was a criminal street gang. For jurisdictions with resources like Fairfax, this could be done, but for smaller jurisdictions, it was impossible.

We started looking for a way that would assist prosecutors in proving that MS-13 was a gang. More importantly, since MS-13 is unfortunately not our only criminal street gang, we needed to help prosecutors prove other organizations were gangs.

Believe it or not, we found a huge source of information where actual members of criminal street gangs tell government officials what gang they are in. When a criminal street gang member is put in prison, one of the first things they do is request not to be put in the cell area with a rival criminal street gang members. For example, a Blood would tell the prison officials, "I am a Blood, do not put me in the same cell area with the Cryps." *Voila!* We now have a self admitted source of information of members of criminal street gangs and the crimes they commit. This year, we have required the Department of Corrections to compile this information. Soon it will be tested in Court. We believe it will be admissible under the business records or statements against interest exceptions to the hearsay rule.

I could go on and on about this topic, but instead will offer myself as a resource to you at any time and offer you only one word of advice. Talk to the undercover police and prosecutors. Listen to them and devise laws and programs that help them do their job.

Kind Regards,

DAVID B. ALBO
Member, Virginia House of Delegates
42nd District

Chairman TOM DAVIS. Delegate Albo, thank you very much.

Mr. Bermingham, thank you for your work and thank you for being here.

STATEMENT OF ROBERT A. BERMINGHAM, JR.

Mr. BERMINGHAM. Thank you, sir. And good morning to you and the other committee members.

My name is Bob Bermingham and I'm the Gang Prevention Coordinator here in Fairfax County, and I want to thank you for giving me this opportunity today to talk briefly about how Fairfax County is responding to this issue; more specifically, what I'm doing a little bit day-to-day, and how we're working on a regional effort, given Congressman Wolf's direction, and how we are working in northern Virginia together to deal with this issue.

I also want to thank you for bringing this and keeping this on the public agenda table. It's easy sometimes for these things to slide away, and I'm glad to see that year in and year out that we're continuing to talk about this. Just this morning I was reading an article that was passed on to me from our Chief of Police where the Governor in Alaska is putting together a task force because of the amount of gang activity they're having in Anchorage. So it certainly is a national issue, not just a local issue.

Chairman Connolly has done an excellent job of outlining our response here in Fairfax County, so I'd like to take this opportunity to tell you a little bit about what I'm doing individually and how I'm working with the northern Virginia region on this issue.

Fairfax County Board of Supervisors established this position over a year ago, and I think they had tremendous insight when they placed this position in the County Executive's Office. I report directly to the county executive, which gives me a tremendous amount of leverage when I'm trying to bring services within the county level together. It also sends a very important message to county staff and to the community as to how serious our Board of Supervisors took this issue.

I truly believe if they had hot taken this step, if they had not as a board and as leaders within government said this is an issue for us, we would still be struggling to bring our services together and work together collectively on this issue. And the more that leadership such as is sitting in this room today talks about the issue and allocates resources to it, the more successful we're going to be.

As a result of putting a spotlight on gangs, gang prevention in Fairfax County, we are progressing in the coordination of our own internal programs. Our first steps were to take a look at what we are doing, the services we are providing and how we can bring those together to work specifically with the gang issue in Fairfax County. What we do is we have a lot of services. What we knew is we were doing a lot of good things, but we wanted to make sure that we're doing them for everybody, and doing them collectively and not individually.

In short, I am the point person in Fairfax County regarding gangs. I've been asked to develop and implement the county's strategic plan of how we're going to address this issue, and I'm doing that by working with our partners within local government and

outside, with our nonprofit organizations, our faith-based organizations and our community members who bring this together. The teams that we have set up in Fairfax County include all of those individuals and help us develop those plans.

We are working together and collaborating together on a regional basis as well. I hope that the day will come that we're able to collaborate with our partners across the river and in Maryland, and we'll put away the Red Skin/Raven issue and be able to work a little closer together as we can share and exchange information. And that's what we're able to do on a regional issue. We've taken an issue and we're working together to see what works in each one of our situations.

I've been asked to deal with this from the suppression, intervention and prevention side. I am not a law enforcement officer. I spent 18 years in the juvenile court, but I am not a police officer. But I am fortunate, as Delegate Albo said, to be working with the finest police department probably in the country, and one of the most sophisticated gang prevention or gang units we're working with. I can tell you, if you're a Fairfax County resident, you have a great police department serving you, and that the criminals, as we've heard from our partners in Maryland, may be leaving northern Virginia and going elsewhere. And that's because the gangs, and you hear it on the street, don't do it in northern Virginia, don't do it in Fairfax. That's the word on the street. I think that's encouraging for us, but I also agree with Mr. Van Hollen, that we need to work collaboratively on these issues as well.

My job day-to-day, I just want to give you a brief idea of what that may be in a week. I could work on a special project from the chairman's office, collaborate with an organization like Boys and Girls Club and the expansion of their programs, work with our own community recreation centers and what they're doing. Two days ago I spent about 4 hours in one of our residential programs talking to a young man who's getting ready to leave that residential program and is afraid, because he's afraid for his safety and he's afraid for his family and what he's going to do when he gets out and tries to stay away from these gangs.

This Sunday I'll be spending some time at Good Shepherd Church in Alexandria sharing and exchanging information with community members about what they can do to help their children and how they can be a part of this.

In closing, I want to thank you again for providing this opportunity for this very important discussion. Fairfax County is committed to gang prevention through a three-pronged approach we've discussed.

We're very fortunate to have leadership in Fairfax County that take this seriously. Chairman Connolly frequently asserts "seize the mission," that's something that he passes down through our government. I can tell you that in Fairfax County, county government and the community has seized the mission in gang prevention.

Thank you.

[The prepared statement of Mr. Bermingham follows:]

Testimony of
Robert A. Bermingham Jr.
Gang Prevention Coordinator
Fairfax County

Before
The Committee on Government Reform

"Every Kid's Worth Fighting For: A Community Partnership"

July 14, 2006

Room 305
Fairfax City Hall
Fairfax, Virginia
10:00 A.M.

Testimony of
Robert A. Bermingham Jr., Gang Prevention Coordinator
Fairfax County
Before The Committee on Government Reform
U.S. House of Representatives
July 14, 2006

Good Morning Chairman Davis and distinguished committee members. My name is Bob Bermingham and I currently serve as the Gang Prevention Coordinator for Fairfax County. I want to thank you for the opportunity to appear before this committee today and discuss how Fairfax County has responded to gangs and how Fairfax County has collaborated with the other jurisdictions within the region on gang prevention efforts. Chairman Connolly has done an excellent job outlining Fairfax County's response to gangs. I would like to tell you about my responsibilities as the Gang Prevention Coordinator and my participation on the Northern Virginia Regional Gang Task Force.

First I would like to say how fortunate I am to be working as the Gang Prevention Coordinator in Fairfax County. The Fairfax County Board of Supervisors placed such importance on this position that they directed that it report directly to the County Executive. The position also was designed so that I would have direct access to the Chief of Police and all agency heads in Fairfax County. While the leverage which is afforded by being part of the County Executive's Office is helpful, I truly believe that if the elected officials in Fairfax County had not put this issue on their list of priorities, we would be working individually and inefficiently in regard to gang prevention. As a result of the spotlight put on gangs and gang prevention by the Fairfax County Board of Supervisors we are progressing in our coordination of gang prevention services and are starting to enjoy some of the benefits of our labor.

My job, in short, is to be the point person in Fairfax County when it comes to gangs. I have been tasked with developing and implementing the County's response to the gangs through suppression, prevention and intervention methods. I am very fortunate to work with one of the finest police departments in the nation. When it comes to suppression of gangs in Fairfax County, we are in good hands. If you are a gang member in Fairfax County you are finding it harder and harder to conduct your business in this County without being detected by law enforcement.

While suppression is a very important part of our overall gang prevention strategy, it will not be successful without a strong and sustainable prevention and intervention system. Therefore the Board of Supervisors has tasked me with coordinating the County's agencywide response to gangs along with developing partnerships within community-based organizations, nonprofit organizations and faith-based organizations. Today, Fairfax County has begun to establish a unified service delivery system when it comes to gang prevention and develop partnerships in the community, which in time will allow for greater service delivery to those in need.

Fairfax County has proudly joined with our neighboring jurisdictions in Northern Virginia to form the Northern Virginia Regional Gang Task Force. The Task Force provides regionwide law enforcement services and now regionally based education, prevention and intervention programming. Along with Jim Dedes, the Director of Court Services for the Fairfax County Juvenile and Domestic Relations District Court, I represent Fairfax County on the Education, Intervention and Prevention side of the Task Force, which is developing regionwide gang prevention programming.

In closing, let me thank you for providing me the opportunity to present at today's hearing. I, like the Chairman, understand that there are still obstacles to conquer to effectively deal with gangs and gang violence, but given the level of commitment within Fairfax County to openly and collectively address the issue of gangs, we will surmount those obstacles and prevail. The Chairman frequently asserts, "Seize the mission!" I can tell you that Fairfax County Government has seized the mission and is moving forward in gang prevention.

Please let me know if you have any questions, I will be happy to answer them.

Chairman TOM DAVIS. Thank you. Thank you very much.

Ms. Lopez and Ms. Guzman and Mr Cardona, you'll be our clean-up hitters.

STATEMENT OF NORMA JUARBE LOPEZ

Ms. LOPEZ. Good morning, Mr. Chairman, and other distinguished members. My name is Norma Lopez. I'm the executive director of the Hispanic Committee of Virginia. It's an organization that was established in 1967 to help Latino immigrants in northern Virginia integrate into the American society. We've been in existence since 1967.

I'm here to discuss a little bit about the work that we're doing, and what I think would be some ideas about what can work.

Thanks to two members of this committee, Representative Wolf and Representative Moran, as well as Walter DeJalva from Arlington County, the Hispanic community of Virginia has been able to receive funding in order to begin a collaborative with two other organizations on gang intervention and prevention. The two other organizations are Greenbrier Learning Center and Barrios Unidos.

We're doing a few things as a collaborative. One of the things that we do is an after school mentoring program at Greenbrier Learning Center where we try to prevent kids from engaging in gangs and having a place to go after school, especially Latino children who are having problems in school and also speak a second language.

The other thing we do is through Barrios Unidos, we're going to have a peace summit at George Mason University this month, beginning on July 27th, and there we're going to invite all sectors of the community, including former gang members and law enforcement agency, government representatives to discuss what are the issues in the community and northern Virginia regarding gang violence. Because we believe that in order to have a plan, you need to assess what is the level of the problem in your community, and this is one of the purposes of the summit.

The other thing we do is mentoring after school for middle school children. And there we try to keep kids in a safe place until their parents get out from work. Let's face it, gang prevention really begins at home, and it begins with the parents, that is No. 1. And many of our Latino parents work in low sector skilled jobs, and they have erratic schedules, and their children need a place to go before their parents get in from work.

The other thing that we're doing is making presentations throughout schools, high schools, middle schools, elementary schools throughout northern Virginia in trying to get youth not to engage in gangs.

What works? We know the research is being done by the Department of Justice. There is a lot of issues with what works or what doesn't work. Again, I'll tell you one thing, compared to a city like Los Angeles, we can say we don't have a gang problem. But, you know, we said that 20 years ago, and in 20 years things have changed. The question is, what can we do to not let the city—this area of the country become as problematic as, you know, Los Angeles.

The other thing is, one of the other things that we're working on is we're working with the Fairfax law enforcement agencies and we're working with an office called Barrios Marino, and one of the things that we are discussing preliminarily is to try to change the negative image of the law enforcement on the part of the Latino community, especially the parents, so that there can be a change in the attitude about what really—in order to seek assistance from law enforcement agents.

There are many things that we hope to be working on in the future, especially with the law enforcement agencies and other government agencies. I think that having town meetings, and especially teaching parents parenting skills in the evenings, and as well as English as a second language. For this community that's very important because as the kids become more acculturated and assimilated into the American culture, they become more alienated from non-English speaking parents, and I think that is very important for our community.

Thank you.

Chairman TOM DAVIS. Thank you very much.

Ms. Guzman.

STATEMENT OF ELIZABETH GUZMAN

Ms. GUZMAN. Good afternoon, Mr. Chairman, and members of the Committee on Government Reform. I'm pleased to be here today, and I thank you for allowing me the opportunity to address the issue of gang delinquency in our communities.

My name is Elizabeth Guzman, and I am the assistant area executive director of the Boys and Girls Clubs of Greater Washington, the Prince William County and Manassas region. In my position, I oversee three Boys and Girls Club sites, one located in Dale City, another in Dumfries and our newest clubhouse located in Manassas.

The mission of the Boys and Girls Club of Greater Washington is to help boys and girls of all backgrounds with an emphasis on at-risk youth to build confidence, develop character and acquire the skills needed to become productive, civic minded and responsible adults.

My organization embraces five core areas: Sports, arts, education, health and life skills, and character and leadership development.

Our clubs in the Prince William County and Manassas region serve over 6,700 youth. Our demographics vary based on the communities where our clubs are located. Our clubs serve youth from all walks of life, including high income two-parent families to low-income single-parent families. Our members come from all over the Prince William County and Manassas region to mutually participate in positive, structured and life-altering programs available at all of our locations. Any child between the ages of 6 to 18 can attend our clubs and participate in any of our programs at a low rate of $20 a year. No child is ever turned away who cannot afford the annual dues. The Boys and Girls Club always find a way for any child to be a member of our clubs.

While we offer many programs in each of our five core areas, we will focus today on the programs that we currently offer to help

deal with the issue of gang prevention, intervention and suppression. What makes the Boys and Girls Club so successful and the No. 1 youth-serving agency in the world today is not just our low fees and our reputable programs but, more importantly, our continued ability to offer services that combat the most serious, the most alarming and the most destructive issues in the lives of our youth. Most recently, unfortunately, that issue has been involvement in delinquency.

We've always offered the following programs to help delay the onset of gang behavior or other acts of delinquency; programs like Goals for Graduation, Smart Moves, Job Ready, College 101, our Keystone and Church Leadership Clubs, and GED programs. And in that effort, we've also established the following partnerships. Our newest local board member is a juvenile justice judge in Prince William County and he has sponsored 100 club memberships to juveniles who appear in his courtroom. Twenty thousand free passes to the Boys and Girls Club have been sponsored by Prince William County Sheriff Glendell Hill and have been provided in each patrol unit to be distributed by officers as necessary.

The city of Manassas will soon be sponsoring 7,700 club memberships for each child in the Manassas Public School system. And most recently, Prince William County hired Richard Buckholtz, director of the GRIT program to work with agencies like the Boys and Girls Clubs to continue the Gang Prevention Initiative.

The programs are successful and these partnerships are crucial, but the issue of gang delinquency cannot be taken lightly. It is not a problem that evolved overnight, and therefore should be combated with strategic, positive educational programs with proven track records.

The Boys and Girls Clubs of America offers the groundwork for a targeted outreach program that has proven successful in many at-risk communities throughout the United States. Since 1990, with the implementation of the targeted outreach program, the Boys and Girls Club of America have steered close to 22,000 young people away from the dangers of gang delinquency. In two simple words, it works.

In my written statement of testimony I've outlined the program in great detail, but I'll give you some highlights of this program now. It's developed into four components. Component No. 1 is our delinquency prevention component, and it pretty much prevents youth ages 6 to 18 from engaging in risky behavior that can lead to gang delinquency. This is done primarily by involving youth in programs that are of interest to them and keeping them involved.

Component No. 2 is a gang prevention component, very similar to our delinquency prevention component, except that new youth are recruited to the club through referral services in the community that identify these youth as being at risk of gang membership.

Component No. 3, our gang intervention component that entails working one on one with gang involved youth using Boys and Girls Club programs to facilitate the change. This component focuses on youth who are identified gang members.

And finally, our fourth component, the targeted re-entry component is a unique collaboration that allows the Boys and Girls Clubs

to assist incarcerated youth in transitioning back to the community.

This is the targeted outreach program in a nutshell, and to simplify it further, in two simple words once again, it works. Some outcome measurements from the targeted outreach program include that 55 percent of youth have shown a decrease in aggressive behavior, 70 percent of youth now attend the club at least twice a week, and 38 percent of youth have improved their school performance by one or more letter grades.

I leave you with this final fact. The Virginia Department of Justice in 2005 released that to support one incarcerated youth the cost is $88,000. Our annual cost to serve any child at the Boys and Girls Club is $1,000. By keeping just 893 at-risk youth out of jail in 2005 through our targeted outreach program, the Boys and Girls Club helped save Virginia approximately $56.5 million. Imagine how much we can save in Prince William County and Manassas alone when this program is in full swing. It works.

[The prepared statement of Ms. Guzman follows:]

BOYS & GIRLS CLUBS
OF GREATER WASHINGTON

PRINCE WILLIAM & MANASSAS REGION

Statement of Testimony

"MS-13 and Counting: Gang Activity in Northern Virginia"

United States House of Representatives

Committee on Government Reform

July 14, 2006

Elizabeth Guzman
Assistant Area Executive Director
Boys and Girls Clubs of Greater Washington
Prince William County & Manassas Region

Good morning Mr. Chairman and members of the Committee on Government Reform. My name is Elizabeth Guzman and I am the Assistant Area Executive Director of the Boys & Girls Clubs of Greater Washington, Prince William region. Thank you for the opportunity to present my statement of testimony on behalf of the Boys & Girls Clubs of Greater Washington - Prince William County and Manassas region.

In response to the growing problem of gang involvement amongst young people in the Northern Virginia area, the Boys & Girls Clubs have realized the seriousness of this issue and therefore, have started implementation of a Targeted Outreach program as outlined in the attached paperwork. This program has proven to be effective in Boys & Girls Clubs throughout the country, but most importantly, throughout Virginia.

Please take a moment to read in further detail my statement of testimony as presented in the attached report.

BOYS & GIRLS CLUBS
OF GREATER WASHINGTON

PRINCE WILLIAM & MANASSAS REGION

Saving Lives

The Regional Gang Prevention Initiative of the Boys & Girls Clubs of Greater Washington – Prince William & Manassas Region

2006-2007

BOYS & GIRLS CLUBS
OF GREATER WASHINGTON

PRINCE WILLIAM & MANASSAS REGION

THE POSITIVE PLACE FOR KIDS

Boys & Girls Clubs' tradition of service to the Prince William County & Manassas youth began in 1968, when the first Boys & Girls Club was established in Woodbridge, Virginia. Since then, the Boys & Girls Clubs Movement in Prince William County and the City of Manassas has grown to serve more than 7,000 youth annually in 3 Clubs, with over 110,000 square feet of program space.

The Boys & Girls Clubs of Greater Washington are a part of the Boys & Girls Clubs of America and the Boys & Girls Clubs of Greater Washington is the largest affiliate of the Boys & Girls Clubs of America worldwide. The Boys & Girls Clubs of America support their affiliates worldwide with assistance in opening new sites and implementing new programs. Without their continued support, many Boys & Girls Club sites worldwide would not be operating today.

As the new millennium begins, Boys & Girls Clubs continue to maximize human and financial resources to reach more young people and communities in need. Many face serious obstacles to achieving productive futures, but all deserve the chance to achieve their full potential as productive, responsible and caring citizens and leaders. The Boys & Girls Clubs' commitment to outreach and quality is based on concern for deserving youth as well as the fact that soon these boys and girls will become the mainstay of our economy. By aiding their development, all of society benefits.

While the youth in Prince William County & Manassas face many difficult challenges, Boys & Girls Clubs continue the tradition of offering proven solutions that work. Clubs have provided thousands of boys and girls with daily, guidance-oriented character development programs, firmly establishing a reputation as "*The **Positive** Place for Kids*. Boys & Girls Clubs' mission is clear: Build upon this success to reach out and serve more youth. Our communities' futures depend on it.

TARGETED OUTREACH

The Clubs in Prince William County & Manassas will soon utilize the Boys & Girls Clubs of America's **TARGETED OUTREACH** program to combat the spread of gangs by preventing young people from ever getting involved. **TARGETED OUTREACH** is a proven comprehensive approach using effective techniques and strategies that direct "at-risk" young people to positive alternatives offered by Boys & Girls Clubs. Through a referral network linking local Clubs with courts, police, other

juvenile justice agencies, the schools, social service agencies, and community organizations, as well as through direct outreach efforts, young people identified as "at-risk" are recruited and mainstreamed into Club programs as a diversion from gang activity.

The approach acknowledges youth most "at-risk" of gang involvement are not seeking the constructive environment that Clubs have to offer, and the programs offered at Boys & Girls Clubs provide positive, developmental activities for "at-risk" youth. Upon recruitment, targeted youth are mainstreamed into regular Club program activities in a non-stigmatizing way, while case management services and tracking are provided for a full year of participation.

Program Overview

Boys & Girls Clubs in the Prince William County & Manassas region are starting implementation of the first two programs below – DPI and GPTTO (Delinquency Prevention Initiative and Gang Prevention Through Targeted Outreach). For descriptive purposes, all four components of the overall **TARGETED OUTREACH** program are provided. The Prince William County & Manassas region plans to incorporate the full program and each of its components as funding becomes available.

The **TARGETED OUTREACH** approach provides young people with an exciting, fun alternative to the destructiveness of gangs, and the opportunity to be a valuable asset to the community. In these difficult and troubled times, this is a dividend well worth the investment.

Case management is an integral part of the **TARGETED OUTREACH** approach. Proper record keeping and documentation ensure targeted youth receive appropriate services through the Club and referral sources. Monthly, staff documents progress on specific participant goals, such as Club involvement, school performance, referral status, and significant achievements or problems, such as involvement in the juvenile justice system. In addition, the case management information serves as the basis for evaluating the success of the overall program.

Program participants develop skills in getting along with others, teamwork, setting and achieving goals, and leadership. Young people on the right track do not become involved in costly and destructive behavior. They help others, take responsibility for their own actions, and act as role models to younger children.

Once in the Club, the youth is welcomed and mainstreamed into regular Club activities. Club professionals assess their programs and activities to ensure that programs and activities offered are based on needs and interests of targeted youth.

A Club professional takes special interest in each youth in order to orient the youth and help them feel welcome. This technique is used to encourage "bonding" between the staff person and the youth. Bonding is one of the most effective tools the Club has to influence the life of a young person, with the staff person having the potential to become a significant adult in the life of that youth.

Programs offered by the Club include educational activities focusing on personal development. These activities develop communication, problem solving, goal setting, and decision-making skills. They are designed to give young people the sense that they can do something well, and that they are competent and have individual worth.

Health and fitness is also an important part of the Club. Activities such as sports tournaments and health fairs encourage physical development and healthy lifestyles. Through recreational activities, members have fun, and acquire self-confidence and develop skills in interpersonal relationships.

DELINQUENCY PREVENTION INITIATIVE (DPI)

The goals of DELINQUENCY PREVENTION INITIATIVE is to prevent young people between the ages of 6 and 18 from becoming involved in negative, risky behaviors that can result in involvement with the juvenile justice system. The specific objectives include:

1. Mobilize key community leaders to address the gang issue and develop a community response;
2. Identify youth "at risk" of delinquent, criminal behavior;
3. Involve youth in programs that meet identified needs and interests of participants and maintain continued participation in Club programs;
4. Case manage participants' program involvement, academic performance, family status and juvenile justice involvement

GANG PREVENTION through TARGETED OUTREACH (GPTTO)

Similar to DPI, the goal of GANG PREVENTION THROUGH TARGETED OUTREACH is to prevent young people between the ages of 6 and 20 from becoming involved in gangs. The key difference is that new youth are being recruited to the Club through referral sources in the community. The specific objectives implemented at each site include:

1. Mobilize key community leaders to address the gang issue and develop a community response;
2. Identify and recruit (from referrals from community partners) youth "at-risk" of gang membership and provide them with constructive, positive alternatives;
3. Mainstream participants into Club programs based on interests and needs and maintain continued participation in B&GC programs;
4. Case manage participants' program involvement, academic performance, family status as well as juvenile justice involvement.

The approach uses two primary ways to aggressively reach out and recruit youth at risk of gang involvement:

- ***Direct Outreach*** - in which Boys & Girls Club youth development professionals use various techniques to get to know young people outside the Club and encourage them to join the Club;
- ***Referrals*** - in which community organization or agencies identify youth "at-risk" of gang membership to join the Club.

Once in the Club, the youth is welcomed and mainstreamed into regular Club activities. Club professionals assess their programs and activities to ensure that programs and activities offered are based on needs and interests of targeted youth.

GANG INTERVENTION through TARGETED OUTREACH (GITTO)

The goal of the GANG INTERVENTION through TARGETED OUTREACH approach is to change the behaviors and value systems of gang-involved youth using the local Boys & Girls Club and Club programs to facilitate that change. While the mode is similar to GANG PREVENTION through TARGETED OUTREACH, the GANG INTERVENTION through

TARGETED OUTREACH approach focuses on youth who are **identified** gang members. Selected Clubs focus on outreaching to youth that are actively involved in the gang lifestyle. These youth are referred to the Club. The Club staff then designs a program plan for the youth that meets their interests and needs while focusing on changing the value system of the targeted youth.

The four components of TARGETED OUTREACH (Community Mobilization, Recruitment, Programming and Case Management) are utilized with a heavy emphasis on needs-based treatment plans. Weekly case management of intervention youth program plans is an intricate part of the intervention approach. Two Clubs nationwide will be selected to outreach to thirty-five high-risk youth.

TARGETED RE-ENTRY

Built on the premise that personal development gains experienced by incarcerated youth must be maximized and then maintained in the community upon release for long-term positive change and normalization, the TARGETED RE-ENTRY approach is a unique collaborative that allows Clubs to support the transition of incarcerated youth back to the community.

A continuum of care is provided that starts in the institution and continues in the community. The goals of the program are:

1. To support the current treatment services provided by the institutions that detain youth by establishing the traditional community-based youth development services of the Boys & Girls Club.
2. To establish relationships between the wards in the correctional facilities and the staff of the local Boys & Girls Clubs in their community as part of a re-entry planning process, bridging institutional programming and community services; and
3. To engage local Boys & Girls Clubs as primary service providers in supporting aftercare supervision by providing personal and social development services and assisting in brokering other services for wards upon release to their home community.

BOYS & GIRLS CLUBS
OF GREATER WASHINGTON

PRINCE WILLIAM & MANASSAS REGION

Gang Prevention Update
2006 - 2007

The Targeted Outreach program acknowledges that youth who are most "at-risk" of gang involvement are often not seeking the constructive environment that Clubs have to offer. Participants are most troubled and "at-risk" of negative behaviors. Currently, a total of 893 Virginia youth have been served through the Targeted Outreach curriculum. Each community has customized a program that fits the neighborhood and the needs and interests of recruited youth. Children as young as 7 and youth as old as 20 are case-managed by Club staff. Detailed information about the child's life, needs and interests are recorded and services are offered to meet them. This program will soon be serving youth most at-risk of gang involvement in Prince William County & Manassas.

BASELINE DATA
Youth experienced a spectrum of risk factors that leave children susceptible to becoming gang-involved. Recruited youth exhibited aggressive behavior and a lack of respect for authority.

- Family problems included violence, physical and emotional abuse, lack of supervision and involvement, parental incarceration and/or involvement in illegal activities including gangs.
- Community surroundings offered no refuge from personal problems. Many youth "hung out" on the streets of their gang infested neighborhoods, coming into contact with negative influences and individuals.
- Peer pressure supported a value system of delinquency. Negative attitudes and behaviors resulted in problems at school, including suspensions and expulsions, and problems with the law.
- Overall, a lack of adult role models was a common denominator. On average, only 46% of targeted youth were involved in any activity that involved at least one supportive adult. Of those, 75% were involved in sports only.

RESULTS
Through involvement with the Boys & Girls Clubs' Delinquency and Gang Prevention programs, positive outcomes are being seen. Case management information concluded that:

- 55% of youth showed a decrease in aggressive behavior
- 70% of youth now attend the Club regularly (a min of 2 times per week)

In fact, youth average attendance 4 days per week; 69% have maintained attendance after 6 months in the program.
- 38% of youth improved school performance by one or more letter grades.

PROGRAM HIGHLIGHTS
Referrals from schools and direct outreach by staff into the targeted communities are the most prevalent forms of recruitment for participants. In addition, juvenile justice, relatives, churches and public housing are commonly used. Some Clubs also rely on probation and law enforcement to refer at-risk youth.

Boys & Girls Clubs' Targeted Outreach challenges Club staff to connect young people with activities and programs that meet the needs and interests of youth. This means creating and finding programs *beyond* the already full offering of daily Club programs. Clubs have responded to this challenge by creating new partnerships and outreach activities that engage young people. Overall, the success of the program is about the positive relationships and trust that have been built between the targeted youth and the staff. Some examples of adjunct programs through Targeted Outreach include (not offered at all Boys & Girls Club sites):

- Overnight trips for targeted youth, one weekend each month
- Youth are taken to the local shopping mall where a Gang Resource Center has been established. Supportive anti-gang programs are offered at this alternate location.
- Female participants ages 11-14 have been enrolled in a girls only weekly basketball league that teaches life skills.
- Motivational speakers, such as Team Azim and former gang members, were brought into the Club.
- Hands-on workshops with Drums No Guns
- Scared Straight program
- G.E.D classes offered at the Club
- Teen Development Trainings
- Mentoring Programs
- Club/ Community Service empowerment activities
- Boxing program
- Self defense programs
- Summer camps
- Winter ski outings

COMMUNITY MOBILIZATION
Community partnerships are essential to a well-rounded targeted outreach program, not only to seek referrals, but to connect youth with events and activities to fill their time and expand their experiences and cultural awareness.

Each Club organization is active in its community anti-gang coalition(s). In addition, essential relationships have grown, or been formed with, local juvenile

justice/probation offices, parks and recreation, mental health offices, police departments (gang units) and other youth serving organizations.

Building relationships with families of targeted youth has been an important component of the program. Resources that impact the entire family have been positive, such as those with health partners, churches and GED/ESL/tutoring programs.

SUPPORT FROM LAW ENFORCEMENT

The Targeted Outreach curriculum, developed by Boys & Girls Clubs of America, enjoys the support and approval of a variety of law enforcement agencies throughout the communities offering the program. In 2003, the Attorney General's Anti-Gang Task Force recommended that "communities throughout the Commonwealth, that have not already considered the options available through Boys & Girls Clubs of America, invite the Boys & Girls Clubs to make a presentation to the community's leadership about programs available for their area." In March of 2004, the Attorney General, in conjunction with the Boys & Girls Clubs, launched a statewide anti-gang initiative, consistent with the recommendation of the task force.

Police officers also make time to visit Clubs to talk with youth and/or deliver programs such as GREAT and Class Action, both state-approved prevention partnerships between community agencies and law enforcement. Officers and gang coalition investigators have also attended the gang prevention trainings offered by Boys & Girls Clubs.

CASE MANAGEMENT

Case management is the most unique characteristic of the Targeted Outreach approach because it requires staff to go beyond the typical relationship building model of Clubs. Staff members are allotted between 5 and 12 youth to manage.

Case managers develop a personal relationship with their youth and are required to complete monthly tracking forms and assist in mentoring these Club members. Data on youth is collected casually and documented weekly in the participant's file. Staff also make contact with schools and other agencies in the youth's continuum of care to receive updates.

Individual Case Studies - Prevention

Case #1: Lawan had disciplinary problems which carried over to the Club, as well. He constantly cursed and caused disruptions. He never participated in adult-led activities; he only wanted to shoot basketball whether it was time for his age group to be in the gym or not. He had negative feelings towards adults and other teens and tried to incite other Club members to act out.

Club staff began meeting regularly with Lawan, talking with him and discussing the rules of the Club. He was assured that working *with* staff would benefit him greatly. It was not easy. He continued his behaviors - he would not participate in any of the Club activities and learning sessions and was determined to do things "his way."

One day, a trip was planned to see a university basketball game. Lawan was not allowed to attend. He wanted to know why was informed that his actions had prevented him from participating with other Club members. He was told he could start at that very moment and make plans to attend the next planned activity.

Immediately, Lawan made a change. He began attending the Club and participating with other members in daily activities. He was made a committee member that helps plan trips. His mentor makes continual visits to his school to check on him and his behavior. Lawan began to notice that someone cared about his well being. He began completing homework assignments, doing community service and volunteering to help with other things that needed to be done in the Teen Center. Now, he does not miss a day of talking with staff about his day at school. After walking away from a confrontation at school, he was told how proud everyone was of him. Lawan recently volunteered with a community service event to help children twelve and under at a small carnival. He behavior was superb. Lawan is now leading other Club members in positive activities and when he sees someone out of line, he shows leadership to guide younger youth.

Case #2: DeShawn, age 11, is from a single-parent home. His mother and teachers had noticed a change in his behavior; he had become disrespectful and confrontational with others. He had begun to hang around a group of individuals who were associating themselves with a neighborhood gang. His teacher heard of the gang prevention program at the Club and referred DeShawn and his mother. After enrolling in the program, he showed improvement in just six weeks. DeShawn passed his SOLs with the eighty-third percentile. His teachers have commented on his change of attitude since joining the Club.

Case #3: One particiant was referred to the prevention program by his school. He came from a single-parent home where his mother worked two jobs. His neighborhood was in gang territory. He was causing trouble in school and had been suspended for fighting on several occasions. He was referred to our Day Report Center Program through which suspended students spend the day at the Club working on school assignments. The Club worked with him to finish his senior year of high school. He graduated and gained employment in the community. He plans to begin college in the fall of 2006. He explored career options while at the Boys & Girls Club and would like to pursue a career in Business Administration.

Individual Case Studies – Intervention

Gang Intervention Through Targeted Outreach (GITTO) is a component of the Targeted Outreach compendium that is not currently implemented in Virginia. However, it is a natural result that in working with youth most at-risk of gang involvement that staff will encounter youth already involved with illegal/gang activities. The following cases illustrate this progression.

Case #1: One member was referred to the Club after being sexed-in to a gang following being suspended from school. The Club encouraged her to continue her education and assisted her in enrolling in a night school GED program. She became volunteer junior staff and was given responsibilities to guide and help other teens remain on track. The Club arranged for transportation to and from

night school and counseled her regarding her outside-Club activities. This member had no parental supervision at home and did not like her home environment. She also wanted to leave the gang lifestyle. The Club helped her her move to West Virginia with her new guardian, found the nearest Boys & Girls Club and helped her enroll there. She is currently enrolled at a night school and moving forward with her life.

Case #2: A young man who was suspended from school and charged with gang involvement (beating-in students in the school bathroom) has been receiving "homebound" tutoring at the Club during the daytime non-Club hours (the tutor was uncomfortable working in the child's home and requested the Club alternative). The young man receives guidance from Club staff, participates in the Club's First Choice Fitness program and has participated in an Underground Railway Program provided by local college students at the Club. He has bonded with the Teen Center Director, is excelling in his school work, and has become a favorite of the college students who remark on his enthusiastic participation and positive attitude – volunteerism, ability to look adults in the eye, accept compliments, smile. His tutor (a former school principal) credits the Club for the improvement in attitude and academic performance (As and Bs).

Case #3: A 13 year old male was referred to the Club by his mom. She stated that he was coming in late and hanging around older boys. He was enrolled in the GPTTO program him and issued a case manager. For the first two weeks he was not receptive to the programs. Through weekly meetings, his case manager found out he was being threatened by his older friends. Two days later he was beaten. He then confessed to Club staff that he was a member of the Crips. He stated that the gang members said the only way out is to die. He wanted his life back. The Club brought the matter to the police and got his school changed. The youth is now attending both school and the Club regularly.

FUNDING

Every Club can use more case managers to increase the quality of the program and ease the responsibilities of current staff. Overwhelmingly, Clubs seek financial assistance to cover more case managers. With more staff, duties of case managers can expand services such as more home visits. Whether full or part-time, staff must find time go to the schools to follow-up with the particpants' teachers and collect data. Each staff member spends time meeting with program partners and documenting youth progess.

With transportation costs on the rise, the ability to bring youth on more out of town trips is limited. However, this is precisely the type of activity that is popular with youth and helps recruit them to the Clubs.

To date, a total of $50,000 federal pass-through funds has been directed to this initiative by the Attorney General's Office. These funds were a part of federal gang prevention funding obtained by U.S. Congressman Frank Wolf. All other funds used to operate gang prevention programs at Clubs have been raised locally or have been provided by Boys & Girls Clubs of America.

In 2005, the annual cost to DJJ to support one incarcerated youth was $88,271. The cost to serve a child through the Boys & Girls Clubs, just $1,000. By keeping 893 high risk youth out of the juvenile justice system, the Boys & Girls Clubs helped save Virginia $56,493,440.

An investment is needed now to continue and expand gang prevention operations throughout Prince William County and Manassas. This is the only next generation our community has. Furthermore, this is an investment that cannot afford to be overlooked. In the end, the payback will be ten fold.

Chairman TOM DAVIS. Thank you. Thank you very much.

Mr. Cardona. You are our clean-up speaker. Thank you for being here.

STATEMENT OF LUIS CARDONA

Mr. CARDONA. Actually, I think I'm the reliever. Good morning, Congressmen Tom Davis, Van Hollen, Ruppersberger, Wolf, Moran, and my former employer, Congresswoman Norton, and to the rest of the participants in this morning's briefing. And thank you for having me. It is an honor to serve my community as we seek to strengthen our efforts to guide our youth and future generations to make safer and healthier decisions in life.

As you may or may not know, I have been working with communities locally, nationally and internationally for the past 12 years, attempting to help bring peace and an end to senseless violence that tragically takes so many of our children and youth away from their loved ones and community. I sit here before you as the youth violence prevention coordinator in the Department of Health and Human Services in Montgomery County, MD. Thanks to the leadership of the county executive, Doug Duncan, director of health and human services, Carolyn Colvin, Police Chief Tom Manger and most importantly because the residents and stakeholders of Montgomery County have seen a redeeming value in my ability to help others leave gang life as well as help to end gang violence. For more than 12 years of my life I made poor choices which led to several arrests, several assaults and a near death experience in which I was shot five times; 22 of my friends and associates have been murdered, and 30 of my friends have been sent to the criminal justice system. I'm the only member of my family to graduate from high school, much less graduate from college, as well as the member of the neighborhood crew that I used to hang with. My very presence here alone symbolizes the possibility of success and hope for so many of our youth who are caught up in gang life.

Twelve years ago I met a wise and spiritual man who has been the father I never had. His name is Nane Alejandrez from the national organization, called Barrios Unidos, that helped me make the transition from gangster to peace warrior. This journey has been one of redemption, spiritual healing and of many difficult challenges in which my life was in danger from the same individuals that I hoped to help. Last month I took my mother to dinner, and for the first time in my life, she told me how proud she was of me, to the extent that I fought back the tears, because these were never words that in 39 years I had heard at home or from the same person that just said them. My crusade of nonviolence has taken on a new role as I am doing my part to create for my children what I never had as a child.

I want to take this opportunity to share Montgomery County's public health vision of helping to create a peaceful community where youth do not have to see gangs as the only option and where youth are valued to the extent that they will hopefully never consider joining gangs in order to feel valued. And I say public health because after all, gang violence is a public health issue, not solely public safety.

Thanks to Congressman Frank Wolf, the Maryland delegation of Senator Barbara Mikulski, Senator Paul Sarbanes, the entire committee sitting in front of us this morning, including Congressman Al Wynn and the Montgomery County Council as well as the many valuable members of the Montgomery County gang task force that helped sponsor and put together a strategy where we would utilize the three-prong approach of prevention, intervention and suppression to address the county's gang issue. For example, through the joint county efforts of Montgomery and Prince George's Counties, we just opened the Crossroads Youth Opportunity Center [CYOC], in the Takoma Park/Langley Park area, a safe place for youth involved in gangs who seek to get out as well as for youth that are at risk for joining gangs. Ironically, the term crossroads represents the possibility of hope and inspiration for young people at a crossroad in their lives. In 2 months of operation, we have served 100 youth and families, predominantly Latino and African-American, where we have provided mentoring, positive youth development, behavioral health services and mental health services, case management, retreats, recreational opportunities, family building programs, job training and placement, group support for incarcerated youth, re-entry case management, tattoo removal services, relocation and safety planning and legal support and representation. Two African-American young men recently came into the CYOC and told me that they came because a police officer referred them to the center and that they themselves were sick and tired of being sick and tired and no longer wished to gang bang.

We have had rival members of several different gangs come together under the banner not of their gangs but of the fruitful opportunities that the center offers because finally someone that looks like them and has been there has reached out to them and brought them to the table to help put an end to this madness. We have a partnership with our county corrections through the leadership of Director Art Wallenstein where those inmates who are returning to the community are provided with case management before they are released that assesses their needs and ensures that they are provided with preparation services that will enable them to successfully transition back into the community, thereby reducing the possibility of getting involved in the criminal justice system again.

Ladies and gentlemen, imagine a prison system that actually rehabilitates its inmates. We have a multidisciplinary team that meets on a monthly basis that consists of police, schools, local management board and other stakeholders that work to provide prevention and early intervention to youth who have not been incarcerated or high-level gang members and provide them and their families with wraparound services to ensure they do not end up in the criminal justice system. This was made possible because one of our biggest assets in the gang unit reached out and said we have to get to these kids before they are locked up. Through our recreation department, we have a sports academy, there are three different high schools in Montgomery County that allow youth who do not achieve the minimum 2.0 GPA but are at risk of gang involvement or members of gangs and provide them with the opportunity of positive life-affirming recreational activity and academic reinforcement in

order for them to achieve that 2.0 GPA and hopefully even higher. Through our victim services partnership with the police department, we identify resources that are needed to sometimes relocate youth or families that are in potential danger because that youth has left gang life. It is essential for us to support youth and families who take this courageous step.

In addition, we have further strengthened our coordination efforts by establishing a youth provider council that consists of all the youth service providers in Montgomery County, where we have begun a process—excuse me—a process where all youth-serving organizations use a commonly shared philosophical approach to working with gang-involved youth as well as those youth that are at risk of joining gangs and their families. This was aided by our sponsoring a joint county training in December in which 200 participants, where three gang coordinators from northern Virginia attended and were provided with the tools to effectively work with gang-involved youth and helped them to make the transition out of gang life. We have now begun to coordinate a solution-based community awareness and education effort where we provide the community with not just—these are the signs that your kids are in gangs, but what do you do next—sound strategies for addressing the gang issue. This effort has developed a strong cultural sensitivity that addresses the needs of our diverse community in Montgomery County. We have also established a youth leadership council that consists of former gang members that meet on a monthly basis to ensure that our efforts are headed in the right direction to better serve our youth. Members of that youth leadership council have gone to schools, community meetings and even met with our steering committee headed by our police chief and director of DHHS. Most importantly, those youth are now positive assets in our community, no longer bringing negativity to the community. Some of them recently participated in a congressional briefing for this subcommittee a couple months ago. You may think I am making a big deal of this, and I am. I say this because it is the responsibility of the society to create a community that nurtures the power of what youth can bring to our society in a positive manner, and it is only when we fail to do that youth make bad choices. We must get away from only acknowledging those things that are negative, but focus more on the positive things that our youth do every day. However, we must always, always keep educating our community, especially youngsters and families of the consequences of gang life. And in order to do that, we're going to need to expand the initiatives like the Crossroads Youth Opportunity Center throughout the county and throughout the region. One member of our youth leadership council is now working at an agency doing HIV outreach to the same communities where he was once seen gang banging. Another youth is working with a large construction company called Shapiro and Duncan as the safety compliance officer where he is now recruiting other youth caught in the crazy life to get sound and meaningful jobs where they can begin the process of healing. By the way, both of these individuals are in our tattoo removal program. Two members of the youth council that were once sworn enemies are working along other members of our gang prevention

task force where they decide on what programs should be funded to address the gang issue in the county.

I will never forget that call 2 weeks ago when these young men asked me why they had just received all these proposals and what they were supposed to do with them. They could not believe that the community valued their leadership so much that they wanted—they wanted all the people to help—the community wanted them to help choose what we fund for our summer and fall activities.

While we have been successful in Montgomery and Prince George's County in reducing MS-related gang crimes from 38 percent to 24 percent from 2005 to 2006, I want to caution policymakers to understand that gangs are not exclusive to only Latinos. Our African-American community is also impacted by gangs and gang violence. 2005 figures show that 8.5 percent of gang crime was attributed to African-American gangs, whereas in 2006, in the first quarter, 38 percent of it is attributed. We must ensure that all our efforts address the needs of the full efforts of our communities. In addition, in order to effectively address the gang issue, we should separate active criminal gang members from inactive gang members who are no longer involved in criminal activity. For the past couple of years, we have put a high profile to Latino gangs because of several high-profile crimes. However, we cannot lose sight of our other impacted communities.

I conclude by thanking all of you for your time and your attention to this very important matter and hope we can spread this effort out on a regional, national and international level because as we all know, gangs do not operate within borders and migrate. Hence, we have to provide our youth with what my mentor would call, "a better deal," where they will be loved, valued and recognized for doing the right things. After all, ladies and gentlemen, most often, that is the reason you've turned to gangs as an option. And I'd not realized this until this past year, but my mentor demonstrated how the values of a healthy family and of the gang are so similar but so different in the long run. Youth will take advantage of a better deal. We just need to offer it to them in order to do it successfully. It will require individuals that have been there and done that to make that appealing to youth. Remember, when gangs recruit children and youth, they are crafty, brainwashing. They are using crafty brainwashing strategies to sell the idea of gang membership like the next best thing to sliced bread. Ladies and gentlemen, we have to do a better job of selling what we bring to the table, which is what they really want. At the end, I have a picture of what I would call the healing process, which are two members of a rival gang who come together and acknowledge what has been done by Congressman Van Hollen, and had it not been for the Youth Opportunity Center, if they were out on the street, they would be trying to kill one another. Thank you very much.

[The prepared statement of Mr. Cardona follows:]

COMMITTEE ON GOVERNMENT REFORM

Friday, July 14, 2006

Luis Cardona
Youth Violence Prevention Coordinator
Department of Health and Human Services
Montgomery County

Testimony

Good morning Congressman Tom Davis and Congressman Chris Van Hollen, and to the rest of the participants in this morning's briefing and thank you for having me here. It is an honor to serve my community as we seek to strengthen our efforts to guide our youth and future generations to make safer and healthier decisions in life. As you may or may not know I have been working with communities locally, nationally, and internationally for the past 12 years attempting to help bring peace and an end to the senseless violence that tragically takes so many of our children and youth away from their loved ones and community.

I sit here before you as the youth violence prevention coordinator in the Department of Health and Human Services in Montgomery County, Maryland. Thanks to the leadership of the County Executive Doug Duncan, Director of Health and Human Services Carolyn Colvin, and Police Chief Tom Manger, and most importantly because the residents and stakeholders of Montgomery County, have seen a redeeming value in my ability to help others leave gang life as well as help end to gang violence. For more than 12 years of my life, I made poor choices which led to several arrests, several assaults, and a near death experience in which I was shot 5 times. Twenty two of my friends and associates have been murdered, and 30 of my friends have been sent to the criminal justice system. My very presence here alone symbolizes the possibility of success and hope for so many of our youth who are caught up in gang life.

Twelve years ago, I met a wise and spiritual man who has been the father I never had. His name is Nane Alejandrez from the National Organization Barrios Unidos that helped me make the transition from gangster to peace warrior. This journey has been one of redemption, spiritual healing, and of many difficult challenges in which my life was in danger from the same individuals that I hoped to help. Last month I took my mother to dinner and for the first time in my life she told me how proud she was of me, to the extent that I fought back the tears, because these were never words that I heard at home or from the same person that just said them. My crusade of non-violence has taken a new role as I am doing my part to create for my children, what I never had as a child.

I want to take this opportunity to share Montgomery County's vision of helping to create a peaceful community where youth do not have to see gangs as the only option, and where youth are valued to the extent that they will hopefully never consider joining gangs in order to feel valued. Thanks to Congressman Frank Wolfe, The Maryland delegation of Senator Barbara Mikulski, Senator Paul Sarbanes, Congressman Chris Van Hollen, Congressman Albert Wynn, and the Montgomery County Council, as well the many valuable members of the Montgomery County Gang Taskforce that helped sponsor and put together a strategy unlike any other jurisdiction where we would utilize the three prong approach of prevention, intervention, and suppression to address the county's gang issue.

For example, through the joint county efforts of Montgomery and Prince George's County, we just opened the Crossroads Youth Opportunity Center (CYOC) in the Takoma Park/Langley Park area. Ironically, the CYOC represents the possibility of hope and inspiration for young people at a crossroads in life. In two months of operation we have served 100 youth and families, predominantly Latino and African American, where we have provided mentoring, positive youth development, behavioral health and mental health services, case management, retreats, recreational opportunities, family building program, job training and placement, group support for incarcerated youth, re-entry case management, tattoo removal, relocation and safety planning, and legal support and representation. I have to quote a two African American youth who recently came into the CYOC, and told me that they came because a police officer referred them to the center and that they themselves where sick and tired of being sick and tired and no longer wished to gang bang.

We have had rival members of several different gangs come together under the banner not of their gangs, but of the fruitful opportunities that the center offers, because finally, someone has reached out to them and brought them to the table to help put an end to this madness. We have a partnership with our County Corrections through the leadership of Director Art Wallenstein, where those inmates who are returning to the community are provided with case management before they are released that assess their needs and ensure they are provided with preparation services that will enable them successfully transition back to the community, thereby reducing the possibility of getting involved in the criminal justice system.

We have a multi disciplinary team that meets on a monthly basis that consists of the police, schools, local management board, and other stakeholders that work to provide prevention and early intervention to youth who have not been incarcerated or high level gang members, and provide them and their families with wrap around services to ensure that they do not end up in the criminal justice system. This was made possible because one of our biggest assets in the police department reached out and said we have to get to these kids before they are locked up. Through our recreation department, we have the Sports Academy's that allow youth that do not achieve the minimum 2.0 gpa requirement, but are at risk of gang involvement or members of gangs and provide them with the opportunity of positive life affirming activity and academic reinforcement and enrichment in order for them to achieve that 2.0 gpa and hopefully even higher.

Through our victim services partnership with the Police Department we identify resources that are needed to sometime relocate youth or families that are in potential danger because that youth has left gang life. I could sit here and tell you about how successful we are in Montgomery County, but we still have a long way to go until we hopefully get to that point where youth stay out of gangs. In addition, we have further strengthened our coordination efforts by establishing a youth provider council that consists of all the youth service providers in Montgomery County, where we have begun a process where all youth serving organizations use a commonly shared philosophical approach to working with gang involved youth, as well as those youth that are at risk of gang membership, and their families. This was aided by our sponsoring a joint county training for 200 participants, where three gang coordinators from Northern Virginia attended and were provided with the tools to effectively work with gang involved youth and help them to make the transition out of gang life. We have now begun to coordinate a solution based community awareness and education effort where we provide the community with sound strategies for addressing the gang issue. This effort has developed a strong cultural sensitivity that addresses the needs of the diverse community in Montgomery County. We have also established a youth leadership council that consists of former gang members that meet on a monthly basis to ensure that our efforts are headed in the right direction to better serve our youth. Members of that youth leadership council have gone to schools, community meetings, and even met with our steering committee headed by our police chief and director of DHHS. Most importantly those youth are now positive assets in our community, no longer bringing negativity to the community. Some of them recently participated in a congressional briefing for this subcommittee several months ago.

You may think I am making a big deal of this and I am! I say this because it is the responsibility of a society to create a community that nurtures the power of what youth can bring to our society in a positive manner, and it is only when we fail to do that that youth make bad choices. We must get away from only acknowledging those things that are negative, but focus more on the positive things that our youth do everyday.

However, we must always keep educating our community, especially youth and families of the consequences of gang life. One member of our youth leadership council is now working at an agency doing HIV outreach to the same communities where he was once seen gang banging; another youth is working with a large construction company called Shapiro and Duncan as the safety compliance Officer, where he is recruiting other youth caught in the crazy life to get sound and meaningful jobs where they can begin the process of healing. Two members of the council that were once sworn enemies are working along other members of our taskforce where they decide on what programs should be funded to address the gang issue in the county. I will never forget that call two weeks ago when these young men asked me why they had just received all these proposals and what were they supposed to do with it? They could not believe that the community valued their leadership some much that they wanted them of all people to help chose what we fund for our summer and fall activities.

I want to also caution policy makers to understand that gangs are not exclusive to only Latinos. Our African American community is also impacted by gangs and gang violence, and we must ensure that all our efforts address the needs of the full diversity of our communities. For the past couple of years we have put a high profile to Latino gangs because of several high profile crimes; however, we can not lose sight of other impacted communities. We have done this successfully through our CYOC. I conclude by thanking all of you for your time and attention to this very important matter, and hope we can spread this effort out on a regional level, because as we all know, gangs do not operate within borders and migrate, hence, we have to provide our youth with what my mentor would call "A better deal" where they will be Loved, valued, and recognized for doing the right things, after all ladies and gentlemen, most often that is the reason youth turn to gangs as an option. I did not realize this until this past year, but my mentor demonstrated how the values of a healthy family and of a gang are so similar, but yet different in the long run. Youth will take advantage of a better deal, we just need to offer it to them and in order to do that successfully, it will require individuals that have been there and done that to make it appealing to youth. Remember, when gangs recruit children and youth they use crafty brainwashing strategies to sell the idea of gang membership like the next best thing to slice bread. Ladies and Gentlemen we have to do a better job of selling what we bring to the table, which is what they really want anyway.

Thank you,

Chairman TOM DAVIS. Thank you very much.

And I want to thank everybody for some very, very informative and moving testimony.

Mr. Moran.

Mr. MORAN. Thank you very much, Mr. Chairman, and I appreciate your indulgence. I've got to leave to pick up my kids. I am all anxious to do that now after this testimony. But I just got two questions, and perhaps the next panel might address it. There was a show this week on gang violence on television, and it focused particularly on children, really teenagers, that have been deported back to El Salvador. They had been deported without their parents, individually, and in fact, there was one heartbreaking scene where a young boy is on the telephone, begging his mother to bring him back because he's all by himself, and he wants to be with his mother. She refuses, and he goes into the hardened life of more gang activity, but I understand that's what we are doing to an increasing degree, deporting gang members. Perhaps after they've been incarcerated for a while, we send them back to their country of origin but without the family, and I'm not saying that's not an appropriate thing to be doing, particularly if they're here undocumented, but I wonder if it really makes sense to be separating them from their families, perhaps for good, and that's just the first question. The next panel might want to address that as well. Unless somebody has—do you want to say, very quickly, Mr. Cardona, because I don't want to take up the other panel's time?

Mr. CARDONA. Well, the LA Times did a very interesting article on how deportation policy was actually making this problem worse in comparison, unfortunately. And one of my concerns would be, what can we do except, respecting another country's sovereignty, to support them to develop the same type of social service infrastructure we have in this great Nation so that these young men don't just go to prison and become more and more hardened criminals or they don't become more violent.

Mr. MORAN. I understand that. The most important social service structure is the family, them being with their parents. We have a policy which deliberately takes them away sometimes forever from their parents or at least through their most formative years. It's just something that needs to be considered. I don't know what the alternative is unless you deport the entire family, and that obviously would be an even more controversial policy. I want to ask Chairman Connolly, and then I've got to leave, but, Gerry, has Fairfax County done any kind of correlation—we now have 20, 25 years of experience. Do any of your agencies track back the lives of these gang members? Once you incarcerate them, do you look back and find common factors so that perhaps we can identify them at an early age? I know all of you have read a number of articles that say that, you know, the kids that come into kindergarten and can't read or that graduate from eighth grade without any reading or have no supervisory day care in their first 5 years, whatever, and come from certain backgrounds is a very, very high correlation they are going to be gang members. And so if we have that knowledge, then that helps us target our intervention resources. Have there been studies in northern Virginia perhaps?

Mr. CONNOLLY. Mr. Moran, it's a good question. And I think there are some correlations. You know, a lot of the gang members are relatively recent arrivals in the country and in the community. As Luis said, you know, it isn't just Hispanics. It's also Asian gangs; it's other members of the community as well. Now, I think the biggest common denominator is fractured family structure and alienation, and, you know, peer pressure and peer acceptance are two of the most powerful forces on the planet if you're 15 or 16 years old. And to be able to join something where you're accepted, even if the price of admission is something that obviously is profoundly unacceptable by community standards, is a powerful force, and so trying to break those patterns of peer influence, create new ones, rival ones, create clubs like Boys and Girls Clubs, have opportunities for athletic involvement afterschool, have mentoring programs that can influence somebody like Luis' mentor did and change the course of a life. If you look at the gang problem on a spectrum, at the far end of the spectrum is law enforcement and suppression. We're pretty good at doing that, even in deportation, but we've failed by the time we've gotten to that end of the spectrum. The other end of the spectrum is prevention and intervention. If we can bump that up and be more successful at that, we can avoid a lot of the cost at the other end of the spectrum.

Mr. MORAN. Thank you, Gerry.

Mr. Chairman, thank you very much. Thanks for having this hearing, and thanks for your membership, Frank, and our colleagues from Maryland, and, Eleanor, they drove for a long time. Probably all of them got lost at some point on the way. But they got here. And Dutch came 3.5 hours. We're not in session today. There are a lot of things they could be doing, but it shows their commitment to this issue, and I thank all of them.

Chairman TOM DAVIS. Thank you. Just one follow on, when Mr. Wolf and I were down in El Salvador last year, we met with President Saca. We met with some former gang leaders. They have some tattoo removal programs down there. You go down there with tattoos, you are a leper; you are unemployable. But one of the concepts he tossed out is, if the United States would build a prison, they would be happy to manage it down there. One of the problems we've had here I think is that they are using prisons as a recruiting tool. Does anybody have any thoughts on that? Mr. Cardona.

Mr. CARDONA. Well, it was interesting because this past year they—international development, they did an assessment of gang prevention, intervention, suppression strategies throughout Central America and Mexico, and part of what they were saying was that in corrections in the prison systems, the problem is getting worse. However, of all places, the second poorest country in Latin America, Nicaragua, they didn't have the same problems, and what they discovered was that, in that institution or in that system, you actually had a process that rehabilitated its inmates. They use culturally sound programs, arts, music, things that install the same type of values that often gang members seek so that they can feel value. It's the same thing that I have seen in Montgomery County in terms of what Art Wallenstein is doing. And I encourage all of you to come up there and see what they're doing. It's amazing. Because those individuals know when they leave, there's something,

there's a community that's going to nurture them but at the same time hold them accountable if they step back in the same type of behavior. So again, if we can focus in on that component, not just solely building the prison, but ensuring that prison system has some type of support system to make sure that those individuals get the support they need because, if not, if you don't have that in place, it's just going to be like a breeding ground to make it worse and for the individuals to become more and more violent.

Chairman TOM DAVIS. Yes, Mr. Connolly.

Mr. CONNOLLY. Mr. Davis, I'm local government, but I did spend 10 years, as you know, on the Senate Foreign Relations Committee, and my job was authorizing the Foreign Assistance Program, and I want to echo something Luis just said. I think one of the unintended consequences of large deportations, trying to get the problem out of here and send them back home, is that we are unwittingly creating a very efficient and organized criminal class in those societies, and we ought to be looking, it seems to me, at some of our Foreign Assistance Programs to see if we can't provide much more assistance in trying to break those cycles and focus on that in the home countries, whether it be prison or other kinds of programs, I think there's a real opportunity for the Agency for International Development and other aid groups we fund as a government to help us there, and it would have a positive effect here. As Jim knows, in the program he's citing for example, they report some of those individuals who have been deported four and five times. So you know, just simply deportation alone isn't going to solve the problem.

Chairman TOM DAVIS. Thank you.

Mr. Wolf.

Mr. WOLF. Thank you, Tom. Just one two-part question, and it can be very short to anybody that wants to answer it. Is there enough coordination or cooperation in the region? I know, in northern Virginia, it's very effective. Federal, State and local law enforcement, enforcement schools, but is there enough with regard to the District of Columbia and Maryland? Is there enough coordination? Because I hear that sometimes you'll find—somebody taking place up in Maryland will have a Virginia license plate. Second, is there enough involvement in this whole effort, particularly in the rehabilitation education of the business community? Because the areas that I've seen great successes, the buy-in, I know Gerry mentioned Cox—is there enough of the business community participating in this effort?

Mr. BERMINGHAM. I will take a shot at answering both sections of those. I would say, on the law enforcement side, my understanding is that there is great communication and collaboration going on regionally with Maryland and D.C. and northern Virginia and that there are regular meetings and sharing and exchanging of information. I know that the FBI has met with our task force, and they talked about how they could improve their communication at the Federal level with data bases and names and those types of things. So I know that's underway. Could that be improved? I'm sure it could. But I think, on the law enforcement side, what I'm hearing from our task forces, there is a good communication. I think there is more that could be done in the intervention and prevention side

as far as collaboration. The coordinators—Congressman Wolf, it's your money that helped establish or just helped get up and running and getting their feet going and one of our next steps is to start coordinating more with P.G., Montgomery and D.C.

Just sitting here listening to Mr. Cardona—and that's why I love these things—I have learned two more things that I hadn't thought about in what I am doing every day in Fairfax County. So that collaboration can be improved and will be improved as we continue to mature as a group here in northern Virginia.

I think the business community is a tremendous asset to this issue, not just financially but the opportunity to provide employment opportunities for kids. And really what we're trying to do here in Fairfax is work with our work force investment board and establish essentially scholarships for kids to have summer jobs in businesses in northern Virginia. An individual or an employer could sponsor a child for a summer job, and what we'll do for the work force investment board and with the services in the country is job coach that child before he gets to that job. Prepare them, what you will wear, be on time, just the basic things, how you conduct yourself at work, and then followup with them afterwards to debrief them and work with them to make that next step. That's just one small example of what the business community can do. We were preparing and continue to work with your Hispanic Advisory Committee to bring those businesses together. We really want to make sure though that we can tell them what they can do. We need mentors. We need money. We need jobs. Don't want to bring them together and just say, this is the problem, but give them some tasks. I think mentoring, mentoring schools, tutoring, job opportunities, those types of things, and financial assistance to certain programs is something that the businesses could bring to the table and should.

Mr. ALBO. Mr. Chairman, can I just add to that real quick? In 2004, we passed a law in Virginia to allow multijurisdictional grand juries for gang crimes, and you can understand why a person, say, is caught for a gang crime in Winchester but say his actual gang crime is say in Fairfax. In order for that prosecution, you'd have to have some type of evidence that organization in Fairfax is a gang. So the Federal Government probably is going to need to step in to create some type of coordination for, if a gang member is busted in Fairfax County, what if his actual gang is in Maryland? And how does the Fairfax County Prosecutor's Office get information or investigational information in Maryland to be able to prove the elements necessary to prove that this guy is in a gang.

Mr. CARDONA. Excuse me, Congressman Wolf. On the first question, I would have to tell you that it has been, indeed, a pleasure to work with some of my counterparts in northern Virginia. As I mentioned earlier, we held a training in which Richard—Bob Welch in Arlington. And I'm trying to remember the brother's name in Alexandria. We had several gang coordinators there participating. We had begun preliminary conversations, and we always are bouncing ideas back and forth off one another. What I would like to—and I was hoping we could really work on, and I don't know if maybe this is maybe more Federal or more State-related stuff, is how can we get COG, the Council of Governments to take leadership in terms

of how we develop a regional philosophical approach to prevention and intervention? As the gentleman had just mentioned, we did a great job of information sharing and the work from the suppression. It's time for us to move forward and see how we can strengthen that from the prevention and intervention perspective as well.

To answer your second question, I mentioned in my testimony the construction company Shapiro and Duncan which has the philosophy of giving and providing individuals who made mistakes with opportunities to work, but they work with them, and they support them in that transition as well. And so it is going to be essential for us to identify other partners like Shapiro and Duncan who do that—who have that type of process and recognize the importance of being able to provide employment opportunities to this population. Thank you.

Chairman TOM DAVIS. Thank you very much.

Mr. Van Hollen.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

Let me thank all of you for your testimony, and thank my old friend Gerry Connolly for his leadership here in Fairfax County. We actually served together back in the day on the Senate Foreign Relations Committee. It's good to hear what you are doing here in Fairfax County. I do think that we can increase the amount of cooperation, collaboration. I think we have a good baseline. We're very pleased to have gotten your police chief, Police Chief Tom Manger and so he was familiar with some of what you've been doing on the Fairfax County——

Mr. CONNOLLY. Not quite the cooperation.

Mr. VAN HOLLEN. Exactly. And so Tom Manger has been very involved in this, as has Chief High on the Prince George's County side, and I do think there is a good amount of collaboration between law enforcement. We can always build on that, but I also think, as you said, Mr. Birmingham there are many things we can learn, expand on the law enforcement coordination, but also learn what we're doing on other pieces, the intervention piece, the prevention piece, and just to generally improve collaboration, and as you said, Mr. Albo, I think—we're interested in some of the things we can do at the Federal Government level to expand on the lessons that you've learned.

Just to my friend and colleague, Mr. Wolf, I just wonder, the Youth Opportunity Center, the Crossroads Youth Opportunity Center that Mr. Cardona talked about in his testimony and the lives it's already changing is as a result of the—our use of the prevention dollars that we received through your efforts. As you know, we had—just as you do, we have a three-part strategy, prevention, intervention and suppression, and a key component of that, of course, is prevention, and that Youth Opportunity Center would not be there if it wasn't for the funds, and you're already hearing the stories and the results, and we need to do more of that. And the Boys and Girls Club is a terrific resource in that regard, and I thank you for your work. We'd like to expand the number of Boys and Girls Clubs—we have a number in Montgomery County. We need more in Prince George's County and elsewhere in the region. We can work with you and other Members to do that.

Let me ask you, these young people spend most of their day—or a good part of their day in school. We heard about the middle school problem in particular. Those are the, you know, the faculty, the teachers, those are people who are with these youth all day long. To what degree is there cooperation between the school system and all of you who are trying to, you know, fight gang violence. There is sometimes a reluctance on the part of the school officials to share information that they've learned about a young person in school. On the other hand, they're the ones that are there and, if they are paying attention, can recognize the early warning signs. And in my experience, while there's sort of an ad hoc sharing of information, we've never sort of done it in any coordinated way. And I'm not talking about trying to get young people in trouble. I'm trying to find a way to identify young people who need help because Mr. Cardona talked about people that two of the youth that recently came to the Crossroads Opportunity Center were referred to them by the police. It seems to me the school system can also do a better job of helping refer young people that they recognize to be at risk to the other after school resources that we've got. And if you could just all comment to what extent you have a collaborative cooperative relationship with schools in a systematic way.

Mr. CONNOLLY. It's a great question, Mr. Van Hollen. And it also overlaps with Mr. Wolf's question about coordination. The problem with government at all levels is the stovepipe mentality. I've got this mission, and that's not my mission; that must be somebody else's. So to break down those stovepipes and to try to say actually we're looking at this in a holistic way, and we're trying to save kids' lives and channel them in productive ways, everybody's got a piece of this action, and the schools have the biggest because that's where most of these kids are for most of the day. You know, Congressman Davis talked about the initiative Sharon Bulova had in the Braddock district. We've now done that countywide, and I think one of the things you have to do is bring all the stakeholders together and talk about this problem and to try to break down those barriers. In Fairfax County, for example, we have a police officer known as an SRO, special resource officer, in every high school and in every middle school. And that isn't just a crime prevention. That's as a referee. That's as a mentor. That's as a source of information and referral for the schools, and they now see that person increasingly as integral to their mission in what they're doing. In the past, frankly, he or she was over there, and they did whatever they did, but they weren't integrated into the faculty and the discussions. So we've succeeded at that, and again, trying to have a seamless day where we can have after school programs for kids is also a critical part of the mission, and the schools have been very cooperative in that. And I think a lot of scales have fallen from a lot of eyes in terms of the roles of the schools in particular as a key component in the gang prevention and intervention strategy. So I think we're making a lot of headway.

Mr. BERMINGHAM. Let me just followup on the Fairfax side of that. And Chairman Connolly is correct. We've made great strides with the school system in working together on this issue and our SRO program's one of them. The afterschool program and coordination of who's going to run that and operate that. And you are look-

ing at issues of principals being in the building from 7 a.m., until 7 p.m., if they were going to have to run those programs. And what we were able to do was bring the collaborative within the county to bring other county organizations into those schools and to do some of the afterschool program, and now we're going to bring the community into the schools to help with those.

There's two programs that I'd highlight that would give you a good indication that the cooperation has improved. The board of supervisors just expanded the money for our student assistance program and our resiliency and leadership program. Which are programs right now just in some targeted schools where there are community service boards or social-worker-type people, outreach workers in schools identifying these kids; they're at risk, not just at risk for gangs, but at risk for substance abuse, other criminal activity, other anti-social behavior, and working with them on developing their leadership skills, working with them in the school setting and outside the school setting to bring them—bring them around and give them other alternatives. Our assistance programs are working with those same kids but also start working with them on a multidisciplinary team approach, meaning bringing service providers to the table, both county and in the private sector, sitting down with the youth and the family and saying, here are the problems, how can we address some of these risk issues that are in your life? Is it a family problem? Is it your lack of attachment to your school? Lack of your attachment to your community? And start trying to build some buffers around them to help them. So the school system has, in Fairfax, come along with us on this issue as well and is working pretty much hand in hand with us I'd say.

Mr. ALBO. Congressman, it's not kind of getting—you're at questions about cooperation for rehabilitation. We've done a bunch of stuff in Virginia that doesn't really have much to do with rehabilitation but keeping other kids safe in school. We now require that when a juvenile is convicted of a gang-related crime, that the principal in his school is notified. We also give principals the ability to kick kids out for wearing gang-related clothing. And then we also have enhanced punishments for gang crimes in and around schools, sort of like your drug-free school zone, only gang-free school zone. So it's not really rehabilitation oriented, but in order to make these effective, the principals, the resource officers that Mr. Connolly has put in every single school have to know who the gang guys are.

Mr. CARDONA. This is a reality when we're talking about the school system. I mean, after all, at the end of the day, you know, how comfortable are parents going to feel if they're made aware that there are gangs at their school? It doesn't mean we don't do anything about it. I would say, in the time that I've been in Montgomery County, I've been impressed in particular with the leadership of the superintendent and his deputy superintendent, Don Kress, who's on our steering committee, because he has definitely reached out to myself, to the police department and to other county stakeholders to look at ways of how we can address this issue in the schools. One of the things—we've been fortunate through our County Council to begin on a preliminary basis the establishment—and we can't take the credit. We have to give the credit to our neighbors in Prince George's County because they had this—

it's called a high school wellness center, and we're talking about providing in that process; it's not just primary health needs, but also youth development, social work, the type of things that Bob Bermingham was just talking about. And so right now, we're looking at how we can focus on that school that's most in need. Unfortunately, it's only going to be one school in the county. We hope to expand that in the future as resources become available, but you know, things like that are necessary to be able to support the young people in the schools because it doesn't make any sense for there to be conflicts at the start of the school and for the young people not to feel that they can trust us as adults enough to come to us and ask us the resources we have and then take things into their own hands by either bringing a weapon to school or by killing somebody or doing something else that makes things worse.

Mr. LOPEZ. From the prevention end, the Hispanic Committee of Virginia, collaborative efforts with Barrios Unidos and Greenbriar Training Center has been very successful and has a very good relationship with Arlington County, city of Fairfax and the city of Falls Church Schools. Our program at the school mentoring program, tutoring programs are designed as part of a collaborative effort with the teachers and so that we exchange information on the report cards and the test scores of our students and meet with teachers periodically to see how the progress has been changing of those students and their grades and in their behavior. So that's part of the evaluation efforts of the whole program, whether we really did make a difference, and we have performance measures that we have to sort of exchange with the teachers quarterly and at the end of every year of the program, and it's been working well.

Ms. GUZMAN. I just want to add something real quick. The Boys and Girls Clubs, we pride ourselves with picking up where the schools leave off. Studies show that the most critical hours in a child's day are the hours between 3 and 7 when most parents are still commuting, and that's where the Manassas public school system is looking to sponsor 7,700 club memberships for each child in their public school system so that the kids have somewhere positive to go after school, keeping them involved in positive programs offered at each of our facilities. We have an annual meeting every year with principals of each school in our districts, and we provide each principal with 100 club memberships for children that have behavioral problems or children that really need the supervision that's provided at the Boys and Girls Clubs and structured programs as well.

Mr. VAN HOLLEN. Thank you.

Chairman TOM DAVIS. Thank you very much.

Dutch, I want to ask just a couple quick questions. Fairfax has been one of those proactive communities, but in the summertime, when school's not open, at-risk kids, what's happening in Fairfax and in Prince William? And the Boys and Girls Clubs fill part of that void. But if I'm a potentially at-risk youth in Prince William or Fairfax in the middle of summer, where am I? What am I doing? And how am I being diverted at this point? At least in terms of what everybody's working on.

Mr. CONNOLLY. Thank you, Congressman Davis. We are—we're doing a lot. We—our Park Foundation started a special program for

kids, especially at-risk kids, and we're trying to get—and we're working with the business community—we're trying to get 1,000 kids into that summer program every year, especially at-risk youth. We, of course, have—I think we have 11 community and rec centers throughout the county, each of which has a specialized summer program, again, especially targeted to at-risk youth. In fact, we just opened a new community center in Reston, as you know, Tom, and again, it's targeted just the right population, and I think it's going to be a great asset in what we're trying to do. The police run a summer camp program, and I think they have 150 kids, at-risk kids that they're specializing in, in particular. In addition, we have actually hired at-risk kids who have been absolutely the subject of gang recruitment, shall we say, as consultants, and we hire a bevy of them to help us evaluate our summer programs and community and rec centers and see how we might make it better, and that's proved a wildly successful initiative. We just started it last year actually based on some testimony from Barrios Unidos. And we work with Barrios Unidos and hired these kids, and it's been terrific. And those kids who started last year are still showing up and stuff, helping us in programming and gang prevention and intervention. You know, peer counseling helps a lot. There's a lot going on, but to the question of Mr. Wolf's question about business partnerships, I think we can do a better job of trying to get the business community to provide some funding for some of these scholarships so we can expand those opportunities.

Chairman TOM DAVIS. Yes, Norma. If you want to say anything, Ms. Lopez and Ms. Guzman.

Ms. LOPEZ. We have—obviously, schools break for the summer, and so our afterschool program does not operate during the summer months. But we have a summer camp, Alianza Summer Camp, where we first train volunteers to serve as counselors, and it takes place throughout the entire month of July. And we invite kids not only from—from Virginia, northern Virginia, but also from the D.C. Metro area, and we do a variety of activities. We have been very successful in managing to run a summer camp program, and they don't stay overnight. It's a day program, 5 days out of the week, where we have limited funding, but we've been able to get a lot of things, in-kind assistance in order to operate a program. Right now, we would like to have for 3 months rather than for just 1 month, and we're working to do that. But it's been very successful, and the parents are very much involved, and right now, the kids are in summer camp. They're having a great time.

Chairman TOM DAVIS. OK. Ms. Guzman, I know Prince William has been very proactive with the Boys and Girls Clubs. Fairfax getting into it. I know Mr. Wolf made money available for Boys and Girls Clubs on a larger scale to try to address that problem in the summers where schools aren't operating and a lot of the other programs aren't up and running.

Ms. GUZMAN. The Boys and Girls Clubs during the summer, at least in my particular region, we stay open for 12 hours, from 6 a.m. to 6 p.m., so that we have a place that's open for kids.

Chairman TOM DAVIS. How many people do you have participating at your different Boys and Girls Clubs, do you think, in Prince William?

Ms. GUZMAN. Combined at all three of our sites, we have approximately 575 to 600 kids involved in the summer program.

Chairman TOM DAVIS. Most of them tend to be in the at-risk category?

Ms. GUZMAN. Yes. There's a mixture. There's at-risk youth that are combined with kids who really just need a place to go during the summer. So we do stay open during the summer for that and the evening as well. We focus primarily on our sports program during the evening. So from 6 a.m. to 6 p.m. is our summer program, but then from 6 p.m. to 9 p.m. is our sports programs so the kids can stay active in sports and recreation. We also have our Job Ready Program, which allows youth, primarily at-risk youth who are interested in working to be what we call junior camp councilors, and they work during the summer, and this is all done through our Job Ready Program. In addition to that, it's important to note that a high number of Boys and Girls Club staff, part time and full time, are club alumni. These are staff members who have grown up through the club and have acknowledged what the club has done for them and how the club has saved their lives in many instances, and so these end up becoming the professionals at the Boys and Girls Clubs.

Chairman TOM DAVIS. Thank you. Mr. Ruppersberger.

Mr. RUPPERSBERGER. I find this hearing very beneficial, and I want to thank the chairman for having this. It's important I think to learn from a program that does well. And from what I see here today, you are doing very well and the questions I'm going to ask basically are questions to find out how you are doing to ensure that our jurisdiction is doing the same thing, and hopefully, we come together as a team. The trend in our area, the Baltimore region, is that we have—you are doing such a good job here, but some of these gang members are moving around. Now, my first question to Ms. Lopez or Guzman, I think to address, and the next panel's going to be more law enforcement, but I'm very pleased to see that you're just not going to solve this problem by arresting people. You've got to get to the youth, and that's extremely important. In my former job, the same job that Chairman Davis had and that Gerry Connolly have right now, we developed a plan, PAL centers in every precinct in our area, which is Police Athletic League. Basically it's police officers dealing with the youth in a nonconfrontational way and recreation people and that type of thing. The question I have, we were having an issue that we had the people and the students and youth coming afterschool were the ones that usually were doing pretty well anyhow in school anyhow. The ones that we had a difficult time reaching were those youth, the youth that were on the bubble, that could go either way, that were in the street and tough. One of the programs that we use which was extremely effective is that we started introducing karate, teaching karate, and we were able to get in some of that more difficult youth. How are you recruiting your youths in your Boys and Girls Clubs, and what are you doing to make sure we are getting to the ones we need? All youth have issues, but the ones who are on the bubble and that could go either way——

Ms. GUZMAN. As I mentioned earlier, the Boys and Girls Clubs focuses on five core areas, the arts, sports, education, health and

life skills and character and leadership development. We do this because not every child that comes to the Boys and Girls Club can pick up a ball and make a basket, and not every child that comes to the Boys and Girls Club can be involved in an arts class and really be happy with what they draw. So we offer a variation of programs at the Boys and Girls Clubs, and we open our gymnasiums, and we also offer open computer labs to some of the after-school programs. On Friday nights, we stay open an extra 2 hours strictly for teens. Through Boys and Girls Clubs' studies, it shows the teens want to be separate from the little boys and girls. So now they have their own club, and we're open an extra 2 hours just for teens. And at each of our three sites, we have approximately anywhere between 100 to 120 teens that on Friday nights for 2 hours have a club and a place that's strictly for them. They have a game room area. They have a theater lounge, and they have a teen center, and these teen centers are decorated specifically by them. So it's their portion of the club that belongs to them only. So these are just some examples.

Mr. RUPPERSBERGER. You have to make it fun.

Ms. GUZMAN. Yes, exactly. We at the Boys and Girls Clubs, we—I don't want to sound egotistical, but we really don't have a problem recruiting kids.

Mr. RUPPERSBERGER. The tough kids.

Ms. GUZMAN. The tough kids are the easy kids. We really don't have a problem.

Mr. RUPPERSBERGER. I think I would like to maybe get together with you and put you together with some of the people running the programs in our areas.

Another question I have—and my daughter lives in Harrisonburg. She and her husband live in Harrisonburg, and I've had conversations with Frank Wolf and other people and my daughter about a lot of the MS–13 seem to be living in that area. Now we have—in my jurisdiction, we have Baltimore City, but 20 miles out, there's a place called Harford County, Edgewood, which is near Aberdeen Army Base, is kind of the scenario—I mean, I know Harrisonburg's a lot further, but more of a rural area. Do you see and maybe—or Gerry or David or whatever—do you see the trend of the urban going to the rural? And do you see that a lot of them—maybe the members might not even live here that are conducting some activities, but they are living in more rural areas and coming to the urban areas?

Mr. CARDONA. Definitely. Again, law enforcement knows this. A lot of these individuals migrate. They are very nomadic. And I don't want to, you know, branch off into another topic, but we have to recognize, too, that the lack of affordable housing in these communities where they traditionally live is having an impact, too, in terms of how we displace these families. So now you have these individuals living in communities where the environment is much different. You know, I'm familiar with your community, and I know it's much—the population living there now, 10 years ago, it wasn't there. So that's—you know, that's part of the reality. It is what it is. You now are finding these families going to these communities because it's the only place where they can find affordable housing. So, strategically, in terms of, from a policy perspective, we need to

keep that in mind when we're talking about affordable housing as well. But one of the—the other things that I wanted to respond to in terms of what you were talking about, I've been doing this work for 12 years, and prior to this, 12 years before, I had been heavily involved in gang activity. Through those experiences, I have developed key relationships and open communication with older active/inactive gang members. They know who I am. I know who they are. And so to some extent, there's an understanding that they know what I've been trying to work and accomplish, and they respect that, you know, and one of the things that's important is—and I think what everyone's saying here is, it's important that you bring those individuals to the table, and you have to create this process, but it's not easy. It's not an easy process.

Mr. RUPPERSBERGER. In that regard, when Congressman Wolf and Davis and I were in El Salvador, we went—we were in a program. It was a rehabilitation for gang members, very, very positive program. And one of the things—a couple things that they had in the program is No. 1, the head of that program had to go to the actual leadership of the gang and ask for permission to get this person off the gang or that person would probably be killed. There was a situation where there was a mother with two young children that was walking down the street, and she had a, I think, M–13 or MS–13 tattoo on her face, and when a member of another gang saw her with her children, they shot her right there on the spot. This person running the program was able to go to the father of those two children who was the leader in the gang in jail, by the way, and he was able to get permission. Why I raise that issue is that we also need to talk about the need of gang members who want to get out. And we haven't discussed that here today, but what kind of program, if any, and do the gang members in the United States have the same problem that you have in El Salvador, that if you don't get permission to get out of the gang, they're going to go and try to kill you?

Mr. CARDONA. There's always that hazard. There's that risk, and that's why it's real easy for us to tell kids, get out of gangs, but, again, we have to be very strategic in how are we going to compliment that? How are we going to offer them that better deal? What can we do to provide safety? That's why I talked about earlier, our victims services programs with HHS and the police department. It's essential to an extent because sometimes there are those dynamics. We've been fortunate in the Crossroads Youth Opportunity Center because prior to me coming here, I had a connection to an individual who was inactive but had over 20 years have been involved in MS and still knew who some of these guys were, and he said, look, I'll help you get these guys out. You know, but he said, go through me because if you go through them directly, they're not going to trust you. Even to my extent, even with my background, still, I'm establishment; I'm in the system. So there's still some type of lack of trust for what I'm trying to bring, but they understand that I'm trying to help them, but I make it real clear that they're going to be held accountable if they don't do the right thing, and they will be arrested and go to jail if they break the law. That's—I'm not——

Mr. BERMINGHAM. Congressman, if I could just add to that, I think the clear message that we've got to hammer home in Fairfax County is that you can get out. It may be a long process. It may be difficult. It may not be simple, but you can get out and you can get out alive. We have two gentlemen in this room today, one, Mr. Cardona who has done it and is alive and is now working as an activist, and Juan Pacheco, who's here, who's also an activist, who has done work in this area and has made it out. Law enforcement would tell you if that edict is true, that once you're in, you're in for life. And let me tell you, once you get in, that's what these young kids are pounded with: You're here for life, above ground and below ground. They believe that because they can see the violence the gangs bring to them and to the people that are in.

But we also want to let them know that they can get out. It may not mean that we ever have a kid who can walk up and turn his MS–13 card in to the leader. That's not going to happen. It is going to take time. He will have to distance himself from that gang, and our responsibility is to build in as many safeguards as we can to help him or her start backing out, be it employment, be it involvement in organizations like Boys and Girls Clubs, Barrios Unidos or other organizations that are out to support this effort, but it is doable. It can happen. Or I would suggest we would have much more violence in this region and would have many more statistics of death if in fact that was the case.

Ms. LOPEZ. I just want to say—I want to answer an earlier question that you had. I think that—I'm a public health professional, and many researchers, sociologists don't respect grassroots approaches to gang violence. Many of the approaches that Mr. Cardona has been talking to you about today, and I think that in—since I've been in the field for a while, you know, maybe we should change our evaluation instruments that could really evaluate such that they can evaluate what these grassroots efforts are doing. For example, we as a community are sometimes very informal, the Latino community. So a lot of things that work in a structuralized, institutionalized way does not work for our community. So, for example, we hold house meetings in the evenings with youth. And where do they go? They go to respected leaders of the community who were either former gang members or just respected leaders to discuss their fear about being approached to be initiated in gangs or wanting to get out of a gang. Now, there are no instruments that are evaluating the effectiveness of those programs that Mr. Cardona has been doing, and I think we need to do that because one of the things is we need to know what works, what that activity is, and those are very informal methods. Where can—where can a kid go at 10 p.m.? I mean, what door can they knock at? If it's not going to be a community leader like Mr. Cardona, where they can drop in and say, I'm having this problem, and they could stay there through midnight. I mean, do you see? And how do you evaluate that, but that's not within the 9 to 5 structure, and we need to look into those programs, fund those programs and develop evaluation instruments that determine whether they were effective or not. We keep on saying, as researchers, as professionals who went to grad school and studied all these methods, that it doesn't work. But nobody really knows.

Chairman TOM DAVIS. Thank you.

Ms. Norton.

Ms. NORTON. I say, amen to that. And frankly, I just don't believe government should fund things without studying whether it works. It's not so hard to do. I apologize that a number of things took me out of the room because I was fascinated by what I in fact have heard. So if this question has been answered, I will pass right on. It really has to do with whether or not gang members outgrow their gangs or graduate to adult criminal activity. This is—this is my interest. If you look at the pictures that were passed around with the markings and the fingers and all, you know, obviously, you are dealing with the kinds of things that juveniles do. Moreover, if you study immigrant life in America, you won't be very surprised about gangs. Even though, for example, Hispanic life has been stronger than American life overall, you've got a parent who clearly is not a part of the culture. You want to be a part of the culture here, may not speak the language. If it is a child, the child will learn the language. One of the things that gets some of us so upset about the American insulated notion of, I want all of y'all to learn English. I want everyone to go to El Salvador and start speaking Spanish just like that, the reason, for example, that the Voting Rights Act had passed has a bilingual ballot on it is that Hispanics do an extraordinary job, I could never do what they do, and this is adults that come here and they start speaking the language. Well, it's harder to write the language. Well, you are dealing with a parent who's learning. The child has learned more quickly, and you have a kind of updated version of what the Irish and the Italians and the Poles went through. They were—go back and read what life was like in the streets of New York and Chicago with those, you know; they weren't sitting home just studying. They were running the streets and often engaged in criminal activity. This seems to be some kind of updated version of this. And the strong family life that may be right there can't compete with the need to become a part of your society in the new country. So, all right, so that's what you did. And you didn't graduate maybe from high school or whatever, but now you are, I don't know, 24 years old. Are these gang members destined to become—you said it was one-on-one; they went at each other. Are these gang members destined to become criminals, or do they outgrow their gang phase and become adults of one kind or the other? And talk about something that needs to be studied, that ain't so hard to study, by the way.

Mr. CARDONA. In 12 years, ago, doing this work, they can outgrow it.

Ms. NORTON. Did you say they can outgrow it?

Mr. CARDONA. They can make that transition.

Part of our responsibility—and I think Bob touched upon this—is once we bring them into that process where they're making that transition, how we build their capacity and their skills to be able to navigate the system, reintegration into school, get a job——

Ms. NORTON. But, Luis, I'm really asking another question. Although I was interested in the testimony that you attract tough kids, I really wonder if you're attracting tough kids to get out of gangs. You know, tough kids may go and play basketball.

My question is really very pointed to whether or not we have any information or whether even anecdotally a kid—I'm assuming that a—first of all, we know that the rate of high school graduation is very low. We know that, with all of your extraordinary efforts, that there are going to be many who don't graduate from high school. They're just out there. They're going to become men.

I want to know what happens to them. I want to know if they then go off into drug activity, into mugging people on the Mall or whether there is a kind of maturation process so that they go off and work on something, doing whatever they can do. I do not know the link between this rather juvenile activity—although it's become in it's updated version very violent—and the crime that we experience in the ordinary course in society.

Mr. CARDONA. Again, Ms. Norton, the reality is if we don't engage them in something and don't help them make that transition, they're going to end up being that other number that contributes to the issue of DMC, that contributes to the issue of increased crime in your communities. We have to figure out ways of being able to ensure that the options are there.

Now, what I've seen happen—in particular, we look at what's been happening in Central America. These individuals have been warehoused just on the premise that they're identified as gang members, OK, just on that premise alone. So you combine that with individuals who are hardened criminals, and there is no separation, then we're going to have a serious problem, which is what we're seeing. And to the extent we're starting to see increased levels of violence or criminal behavior because we are getting those individuals in the PBS, they're coming back here more hardened than when they left here.

Mr. BERMINGHAM. Ma'am, I would like the correlation between this and typical work that's done in the criminal justice system, because while we tend to, in discussions, separate the two, really they're one in the same. I mean, we're looking at the gangs because of the criminal acts that they're doing.

I spent 18 years working in the juvenile justice; and we worked very, very hard with every child we got to try to get them to stop the behaviors they were doing, particularly before they got to adulthood. And some of those we were very successful, and some of those we had to work during their entire juvenile years to keep them alive until they got to 18, 19 years old and got tired of the behavior, got tired of being held accountable and moved on. And frankly, some of them we didn't save, despite our efforts.

Ms. NORTON. I'm trying to find out, this one-on-one stuff that's going on, they're going at each other, are they out in Fairfax and wherever going after the community as well? Are they plundering in the community as well?

Mr. BERMINGHAM. We have not seen that.

Ms. NORTON. It's very important, very important. Because if, in fact, what you've got is an insolent phenomenon where they're going at one another, these youngsters may outgrow that if they are not in fact using the skills—that's what they are—to plunder the community. But I understand your concern. You want to make sure that this graduation effect does not occur.

I have one more question, Mr. Chairman. Was I in the room when girls were discussed? Because I saw some pictures that we passed around of girls. And I, of course, have read about girls in gangs, these counterparts; and I don't understand the girls. So I want to know whether the girls also are violent, whether they're in the same gangs with boys and whether the treatment of girls is similar. I would appreciate more information on the girls. Do they become pregnant? I mean, do they graduate into what? I just don't know.

Chairman TOM DAVIS. Who wants to take it?

Mr. BERMINGHAM. I'll be happy to take a shot at it, and I'll look at it from a national perspective.

Girls make up less than about 8 percent of the total gang population known nationally. That being said, those numbers are growing and they are in an area of concern.

I was recently meeting with some——

Ms. NORTON. Are they violent as well?

Mr. BERMINGHAM. They're becoming more violent, yes, ma'am.

Ms. NORTON. What do they do in gangs?

Mr. BERMINGHAM. They can do anything else that a man can do. It's an equal opportunity association. You know, a weapon makes as you a tough as anybody next to you, and we're seeing——

Ms. NORTON. Are they auxiliaries to the male gangs or are they engaged——

Mr. BERMINGHAM. Initially, they were auxiliaries to the gangs, but now you're starting to see a formation of their own. And while we do not have an organized female gang that we know of in the county, we know of one that tried to start in the middle school, and fortunately they were smart or not smart enough to videotape it on their phone, the initiation process, which was physical, maybe not maybe as physical as you see in the male arena, but it was physical, and it was real. Now school officials were able to sweep in, get the phone, and address all 12 of those young ladies that were involved, and we haven't seen anything from it since.

The scary thing is determining whether girls are involved or not. I was talking with an investigator from New York, and they had a videotape of a young lady, and they were asking her whether she was a gang member, and she said, no, but my boyfriend is. Oh, well, do you hang out with him? Yes, all the time. Do you hang out with other people? No, just the people he hangs out with. Can you break up with him and date someone else from the other side of town? No, I can't. Have you ever carried drugs or guns or weapons for him? Yes, I have. And the investigator turned off the tape and looked at everybody and said, is she a gang member or not? She wasn't saying she was, but she was acting as she was, and that was a very important thing.

Treatment for female offenders has to be different than male offenders. Historically, we have not made a difference in the way we treat people in the justice system between male and female. Many of our female offenders, gang members or not, as you all probably know, have been victims of long-term violence, both physical and sexual, and have a lot of different needs than men do when they come into the justice system. So, yes, we need to be able to have pointed services just to deal with the female issues.

Mr. CONNOLLY. Mrs. Norton, we have a program—and our gang coordinator in the school system, who is a former police officer, does a great job; and he has a video of an initiation of female members in a gang—I don't remember the particular gang. It may have been MS–13. It was one of the most shocking and degrading things you can possibly imagine. It involves sexual degradation, it involves physical abuse, it involves buying into something that is very hard to imagine, and it just underscores how powerful—now, they may not be the initiation for every gang, they may all have different initiations, as Bob says, that quality may be coming to gangs. But especially in some of the immigrant gangs, the sexual hierarchy is there, and women are at the lower end of the ladder, not the higher end. And the fact that somebody would subject herself to that says a lot about the need for social approval, even in that context.

Mr. CARDONA. I can't speak on behalf of northern Virginia, but at least having worked in the District as a street outreach worker in the past and working in Montgomery County, it's been really amazing to discover that when you look at a lot of the conflicts that end up occurring between gangs and crews, 95 percent of the time it has to do with a young lady.

One of the interesting things——

Ms. NORTON. Fighting over a girl?

Mr. CARDONA. Over a young lady, yes. And part of what we've been doing through our Youth Provider Council, which again is the directive of all of our youth services organizations, is kind of challenge them to really look at how we can develop and work on having programs to target young women so they can understand that they don't need to be objectified in this manner.

The thing is, it's really interesting because, when you have the opportunity to talk to the young ladies that are involved in this conflict, to an extent they sort of thrive off the attention, you know, unfortunately. And again, it speaks to the fact that, unfortunately, maybe they're not getting a lot of attention at home or maybe—they're not really getting the type of images of the positive images of what it means to be a young Latina or just a young woman in general.

And it's amazing—I'll never forget this. About 10 years ago—I think I told you this story before—one of the young ladies that was involved in my work chastised me and told me, you're not doing anything for young women; you need to do something for young women. I said, fine. I said, you set it up. We'll have dinner with them. At the time, it was called Planet Hollywood. It's closed down now. It's in downtown. So we had a dinner, and there was like 12 girls from a gang in a neighborhood in Columbia Heights.

Before the meeting went any further, even before we got to introductions, the leader of the gang said to me, which one of us do you want to sleep with? So their whole premise was like, you know, our only role can be objectified in this manner; and I was coming in trying to say, hey, what can I do to be of help.

So, again, it really identifies a gap and a need in the region in terms of what we're going to do to work with these young women for them to understand that you don't need to be objectified. And also for our young men so they don't objectify our young women ei-

ther. Because it goes both ways. You can't just blame definitely the young women.

On a national level, I've worked with individuals that have done that type of work. There's a young lady named Susan Cruz out in Los Angeles who works with the juvenile justice system out there. She has a program called Girls and Gangs. That's the population she works with, and it's been really effective working with young women in the situation.

Chairman TOM DAVIS. Thank you.

OK, Ms. Lopez, we're ready to move to the next panel, I think, but go ahead.

Ms. LOPEZ. I just want to emphasize a point that was made. This is why mentoring programs are so important, particularly in the Latino community. I mentor a number of young ladies who really don't need mentoring. They graduated from graduate school in John Hopkins, and they're traveling all over the world. But the reason why they came to me is that there were no Latino role models, so they needed someone they can relate to.

I find in our volunteer program mentoring programs you have a lot of non-Latinos who are volunteering, but you see a lot less Latinos and Latinas volunteering for our programs, and that's part of educating our community. Because the Latino professionals are out there. The question is, can we bring them into these programs? It's just critical to have someone that you can relate to both in terms of gender, in terms of culture, in terms of everything.

Chairman TOM DAVIS. Thank you very much.

Let me just—the last question. We've spent a lot on prevention. Mr. Albo, you've been on the other side. You've been a prosecutor. What differentiates Virginia's law? And is there any suggestion you can give to other States in terms of penalty phase that makes us different?

Mr. ALBO. The Attorney General's Office will be here later, and they'll outline everything we've done.

Like I said before, when we created our Task Force, we looked at all the laws in all the States and especially in California. We looked at every law that California did, and we asked which ones work and which ones don't, and we took the ones that worked. And the AG's office on the next panel can really give you really good insight on which ones.

Chairman TOM DAVIS. Let me thank this panel. We'll take a 5-minute recess as we prepare for the next panel.

[Recess.]

Chairman TOM DAVIS. We're ready for our second panel, which I'm sure will be every bit as informative as our first panel.

We have Mr. James Spero, the Acting Assistant Special Agent in charge of U.S. Immigration and Customs Enforcement [ICE]; Mr. Diego Rodriguez, Assistant Special Agent in Charge, Criminal Division, Washington Field Office of the FBI; Marla Decker—she is accompanied by Mr. James Towey, who is the assistant attorney general and director of the Organized Crime Unit for the Commonwealth of Virginia. Marla Decker is the deputy attorney general for public safety in the Office of the Attorney General in Virginia; Chief Touissant Summers, the Chair of the Northern Virginia Regional Gang Task Force in the city of Herndon, who has been very

active on this issue; and Captain Milburne, Bill, Lynn, the Commander of the Violent Crimes Task Force Unit in the Prince George's County Police Force. I want to thank you all for coming.

It is our policy we swear witnesses in, so if you will just rise with me and raise your right hands.

[Witnesses sworn.]

Chairman TOM DAVIS. We will start—Mr. Spero, we'll start with you; and we'll move right on down the list. We have a light here. Your entire testimony is in the record, so if we can try to stay to 5 minutes. We've got our questions that we've gone over from your written testimony, and we can move right along. Thank you very much.

STATEMENTS OF JAMES SPERO, ACTING ASSISTANT SPECIAL AGENT IN CHARGE, SPECIAL AGENT IN CHARGE OFFICE, WASHINGTON, DC, U.S. IMMIGRATIONS AND CUSTOMS ENFORCEMENT; DIEGO G. RODRIGUEZ, ASSISTANT SPECIAL AGENT IN CHARGE, CRIMINAL DIVISION, WASHINGTON FIELD OFFICE, FEDERAL BUREAU OF INVESTIGATIONS; MARLA DECKER, DEPUTY ATTORNEY GENERAL FOR PUBLIC SAFETY, VIRGINIA OFFICE OF THE ATTORNEY GENERAL; CHIEF TOUISSANT SUMMERS, JR., CHAIR, NORTHERN VIRGINIA REGIONAL GANG TASK FORCE, CITY OF HERNDON POLICE DEPARTMENT; AND CAPTAIN MILBURNE (BILL) LYNN, COMMANDER, VIOLENT CRIMES TASK FORCE/GANG UNIT, PRINCE GEORGE'S COUNTY POLICE DEPARTMENT

STATEMENT OF JAMES SPERO

Mr. SPERO. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, thank you for providing me with the opportunity to speak with you today about U.S. Immigration and Customs Enforcement's [ICE], efforts to combat violent street gangs in the Washington, DC, metropolitan area and throughout the United States.

ICE is the largest investigative agency within the Department of Homeland Security. Using our vast enforcement authorities, ICE has built a robust enforcement program along the borders and within the Interior of the United States. Gang members and other criminals should understand that ICE stands ready to protect our Nation and its borders. Our presence extends throughout the interior of the United States and deters illegal immigration by making it clear to those willing to violate our borders and immigration laws that such disregard for our laws is not acceptable. These efforts underscore ICE's homeland security priorities and strengthen respect for our laws.

ICE continues to initiate enforcement programs to identify and arrest those who pose a threat to our communities. ICE's gang initiative, Operation Community Shield, is one such program. Through Operation Community Shield, ICE identifies violent transnational gang members that are subject to arrest, criminal prosecution and removal from the United States. Foreign-born gang members frequently ignore our immigration laws and travel to our Nation's interior with the intent of joining other gang members to participate in criminal activity.

In the last decade, the United States has experienced a dramatic increase in the number and size of transnational street gangs such as Mara Salvatrucha, commonly known as MS–13, one of the most violent gangs of its kind. These gangs have significant foreign-born membership and are frequently involved in human and contraband smuggling, immigration violations and other crimes with a nexus to the border. Like many street gangs, they also have a propensity toward violence. Their members commit such crimes as robbery, extortion, assault, rape and murder.

In 2003, ICE conducted a comprehensive threat assessment on street gang activity in the United States. The threat assessment identified MS–13 as a gang with a presence across the Nation, a significant foreign-born membership and a history of violence. Based on this threat assessment, ICE initiated Operation Community Shield on February 23, 2005, with the priority of targeting MS–13.

In May 2005, ICE expanded the program to include the investigation of all transnational street and prison gangs. ICE has partnered with State and local law enforcement and works closely with other Federal agencies in support of this operation.

Operation Community Shield has resulted in the arrest of over 3,200 gang members. Of those arrested, 70 have been identified as leaders of gangs. More than half of those arrested have violent criminal histories with arrests and convictions for crimes such as robbery, assault, rape and murder. Of the 3,200 gang members arrested 1,096 have been numbers of members of MS–13. In the Special Agent in Charge, Washington, DC, area of responsibility, which includes northern Virginia, ICE agents have arrested 233 violent street gang members, of which 190 have been identified as MS–13.

Even before the initiation of Operation Community Shield, ICE's Washington, DC, office was actively pursuing transnational street gangs, particularly MS–13. An ICE Special Agent has been working full time on the Northern Virginia Regional Gang Task Force since its formation in June 2003 and has contributed significantly to the Task Force's success. Of the 1,524 gang members arrested by the Task Force to date, more than 20 percent, or 303, have been arrested for criminal and administrative immigration violations.

Allow me to tell you about several significant arrests of gang members that were made by the Special Agents from our Washington, DC, office.

In February 2006, ICE Special Agents arrested Edwin Fuentes Alvirez, a native and citizen of El Salvador and a high ranking member of Mara-R in the District of Columbia for removal proceedings. Alvirez has a criminal history that includes conviction for second-degree child sexual abuse and arrests for assault with a deadly weapon, possession of narcotics with intent to distribute, and destruction of property. Based on his criminal history, if Alvirez returns to the United States illegally, he could be prosecuted for illegal entry after deportation and face up to 20 years in prison.

As this next example illustrates, gang members often get significant prison sentences for illegally returning to the United States after being deported. In February 2004, ICE Special Agents arrested Edwin Armando Ramirez, a native and citizen of El Salvador and MS–13 leader in northern Virginia. Ramirez was pre-

viously deported from the United States after being convicted of purchasing/possession for sale of a controlled substance and possession of a dangerous weapon. Ramirez subsequently returned to the United States and was arrested by ICE and was criminally prosecuted for illegal re-entry after deportation. On September 9, 2004, Ramirez was sentenced to 6 years and 5 months incarceration.

By using ICE's immigration authorities in fighting against violent gangs, we can take hundreds of gang members like these off the streets and significantly improve community safety.

With ICE's investigative efforts under Operation Community Shield, we are not limited to immigration violations. We have combined authorities for enforcing both customs and immigration laws, which makes our approach to fighting transnational gangs unique and more effective. By combining our immigration enforcement authorities with our expertise in financial, contraband smuggling and illegal export investigations, we have additional tools to hit these criminal gangs where it hurts by targeting their organized criminal activity and going after their money.

Also, ICE uses its Immigration and Customs Enforcement authorities to investigate and charge members with violations of Racketeer Influenced and Corrupt Organizations [RICO], and Violent Crime in Aid of Racketeering [VICAR], and similar statutes. ICE's ability to arrest virtually every member of a transnational gang for some violation of law, even if it is for administrative removal proceedings, is a powerful tool that immediately disrupts a gang and provides ICE the opportunity to gather intelligence and develop sources of information for further advanced investigation.

At ICE, we believe that sharing with other law enforcement the intelligence we gather on gang members is one of the most important ways to combat transnational gangs like MS–13. We create lookouts in the Treasury Enforcement Communication System [TECS], on every gang member we identify, encounter or arrest. To date, we have created approximately 6,000 of these lookouts on suspected or confirmed MS–13 gang members. These records are available to all Federal, State and local law enforcement agencies, including first responders, when they query subjects with the ICE Law Enforcement Support Center [LESC], through the National Law Enforcement Telecommunications System [NLETS].

The men and women of ICE, especially those with whom I work at Washington, DC, office, are grateful for the chance to serve the American people. On their behalf, I thank you and your colleagues for your continued support of our on-going operations.

I also want to thank the distinguished members of the committee for the opportunity to speak before you today. I look forward to answering any questions you may have.

Chairman TOM DAVIS. Well, thank you, and thank you for the job you are doing.

[The prepared statement of Mr. Spero follows:]

U.S. Department of Homeland Security

STATEMENT

OF

JAMES C. SPERO
ACTING ASSISTANT SPECIAL AGENT IN CHARGE
WASHINGTON, DC

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
U.S. DEPARTMENT OF HOMELAND SECURITY

REGARDING A HEARING ON

"MS-13 AND COUNTING:
GANG ACTIVITY IN NORTHERN VIRGINIA"

BEFORE THE

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON GOVERNMENT REFORM

Friday, July 14, 2006 @ 10:00am
Annandale, Virginia

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, thank you for providing me the opportunity to speak with you today about U.S. Immigration and Customs Enforcement's (ICE) efforts to combat violent street gangs in the Washington, DC metropolitan area and throughout the United States.

ICE is the largest investigative agency within the Department of Homeland Security. Our mission is to protect the American people by combating terrorism and other criminal activities that cross our borders and threaten us here at home. The men and women of ICE accomplish this by enforcing the nation's immigration and customs laws. Working overseas, along our borders and throughout the Nation's interior, ICE agents and officers are demonstrating that the newly merged immigration and customs authorities constitute an effective tool against those who attempt to, or succeed in, penetrating our borders.

Using our vast enforcement authorities, ICE has built a robust enforcement program along the borders and within the interior of the United States. Gang members and other criminals should understand that ICE stands ready to protect our nation and its borders. Our presence extends throughout the interior of the United States and deters illegal immigration by making it clear to those willing to violate our borders and immigration laws that such disregard for our laws is not acceptable. These efforts underscore ICE'S homeland security priorities and strengthen respect for our laws.

ICE continues to initiate enforcement programs to identify and arrest those who pose a threat to our communities. ICE's gang initiative, Operation Community Shield, is one

such program. Through Operation Community Shield, ICE identifies violent transnational gang members that are subject to arrest, criminal prosecution and removal from the United States. Foreign-born gang members frequently ignore our immigration laws and travel to our nation's interior with the intent of joining other gang members to participate in criminal activity.

In the last decade, the United States has experienced a dramatic increase in the number and size of transnational street gangs such as Mara Salvatrucha, commonly known as MS-13, one of the most violent gangs of its kind. These gangs have significant foreign-born membership and are frequently involved in human and contraband smuggling, immigration violations and other crimes with a nexus to the border. Like many street gangs, they also have a propensity toward violence. Their members commit such crimes as robbery, extortion, assault, rape and murder.

A recent example of this violence occurred a few miles from this hearing, just outside the borders of our nation's capital city. Just prior to midnight on July 1, 2006, four adult males were shot while standing in front of an apartment complex in Prince George's County, Maryland. Three of the victims died at the scene and a fourth victim is expected to survive his gunshot wounds. Witnesses reported that the gunmen, numbering five or six, yelled out their gang's name, Mara Salvatrucha, as they opened fire on the victims. As in this case, the victims of gang crime are not limited to rival gang members. Entire neighborhoods and sometimes whole communities are held hostage by and subjected to the violence of street gangs. Community members are targeted by gangs for extortion,

robberies, car-jacking and home invasions. In the conduct of drive-by shootings, the bullets fired by street gangs do not discriminate between a rival gang member and a sleeping infant in the same house.

In 2003 ICE conducted a comprehensive threat assessment on violent street gang activity in the United States. The threat assessment identified MS-13 as a gang with a presence across the nation, a significant foreign-born membership, and a history of violence. Based on this threat assessment, ICE initiated Operation Community Shield on February 23, 2005, with the priority of targeting MS-13. The objective of Community Shield is to gather intelligence, develop sources of information, and ultimately to disrupt, dismantle and prosecute violent street gangs by applying the full range of authorities and investigative tools available to ICE. As part of Community Shield we have designated priorities for apprehension based on whether a gang member is a threat to national security, in a position of leadership, or has a prior violent criminal history. In May 2005, ICE expanded the program to include the investigation of all transnational street and prison gangs. ICE has partnered with state and local law enforcement and works closely with other federal agencies such as the Bureau of Alcohol, Tobacco, Firearms and Explosives; U.S. Customs and Border Protection and the Federal Bureau of Investigation in support of this operation.

Operation Community Shield has resulted in the arrest of over 3,200 gang members. Of those arrested, 70 have been identified as leaders of gangs. More than half of those arrested have violent criminal histories with arrests and convictions for crimes such as

robbery, assault, rape and murder. Of the 3,200 gang members arrested, 1,096 have been identified as members of MS-13. In the Special Agent in Charge, Washington, D.C. area of responsibility, which includes Northern Virginia, ICE agents have arrested 233 violent street gang members, of which 190 have been identified as members of MS-13.

Even before the initiation of Operation Community Shield, ICE's Washington, DC office was actively pursuing transnational street gangs, particularly MS-13. An ICE Special Agent has been working full-time on the Northern Virginia Gang Task Force (NVGTF) since its formation in June 2003, and has contributed significantly to the task force's success. Of the 1,524 gang members arrested by the task force to date, nearly 20 percent, or 303, have been arrested for criminal and administrative immigration violations. Additionally, an ICE Special Agent has been assigned to the Fairfax County Gang Investigations Unit since August 2004. Both of the agents assigned to these specialized gang units are native Spanish speakers. Because of their language abilities and experience in interacting with gang members, they have successfully identified witnesses and elicited information that has been instrumental in solving state and federal crimes.

Allow me to tell you about several significant arrests of gang members that were made by Special Agents from our Washington, DC office.

In February 2006, ICE Special Agents arrested Jose Antonio Argeta CANALES, a native and citizen of El Salvador and a Mara-R leader in the District of Columbia. CANALES was previously deported from the United States after being convicted of Attempted

Distribution of Heroin and Possession of a Controlled Substance with the Intent to Distribute. CANALES subsequently returned to the United States, was arrested by ICE agents, and is being criminally prosecuted for Illegal Re-Entry after Deportation. Based on his criminal history, CANALES is facing up to 20 years in prison for illegally returning to the United States.

In February 2006, ICE Special Agents arrested Edwin Fuentes ALVAREZ, a native and citizen of El Salvador and a high-ranking member of Mara-R in the District of Columbia, for removal proceedings. ALVAREZ has a criminal history that includes a conviction for Second Degree Child Sexual Abuse and arrests for Assault with a Deadly Weapon, Possession of Narcotics with intent to distribute, and Destruction of Property. Based on his criminal history, if ALVAREZ returns to the United States illegally, he could be prosecuted for Illegal Reentry after Deportation and face up to 20 years in prison.

As this next example illustrates, gang members often get significant prison sentences for illegally returning to the United States after being deported. In February 2004, ICE Special Agents arrested Edwin Armando RAMIREZ, a native and citizen of El Salvador and an MS-13 leader in Northern Virginia. RAMIREZ was previously deported from the United States after being convicted of Purchasing/Possession for Sale of a Controlled Substance and Possession of a Dangerous Weapon. RAMIREZ subsequently returned to the United States, was arrested by ICE, and was criminally prosecuted for Illegal Re-Entry after Deportation. On September 9, 2004, RAMIREZ was sentenced to 6 years and 5 months incarceration.

By using ICE'S immigration authorities in the fight against violent street gangs, we can take hundreds of gang members like these off the streets and significantly improve community safety.

But ICE'S investigative efforts under Operation Community Shield are not limited to immigration violations. We have the combined authorities for enforcing both customs and immigration laws, which makes our approach to fighting transnational gangs unique, and more effective. By combining our immigration enforcement authorities with our expertise in financial, contraband smuggling, and illegal export investigations, we have additional tools to hit these criminal gangs where it hurts by targeting their organized criminal activity and going after their money.

ICE also uses its immigration and customs authorities to investigate and charge gang members with violations of Racketeer Influenced and Corrupt Organizations (RICO), Violent Crime in Aid of Racketeering (VICAR) and similar statutes. ICE's ability to arrest virtually every member of a transnational gang for some violation of law, even if it is for administrative removal proceedings, is a powerful tool that immediately disrupts a gang and provides ICE the opportunity to gather intelligence and develop sources of information to further advance investigations.

At ICE, we believe that sharing with other law enforcement the intelligence we gather on gang members is one of the most important ways to combat transnational gangs like MS-

13. Transnational street gangs differ from domestic gangs in that like the foreign-born populations from which they draw their membership, they are highly mobile and adaptable to new geographic areas, and they maintain connections in their native countries. Their transient nature necessitates that law enforcement share information about gang members across jurisdictions. At ICE we create lookouts in the Treasury Enforcement Communications System (TECS) on every gang member we identify, encounter or arrest. To date, we have created approximately 6,000 of these lookouts on suspected or confirmed MS-13 gang members. These records are available to all federal, state and local law enforcement agencies, including first responders, when they query subjects with the ICE Law Enforcement Support Center (LESC) through the National Law Enforcement Telecommunications System (NLETS).

While ICE is a new agency with newly integrated authorities, our agents and officers have a long history and extensive experience in gang enforcement. We are working diligently to leverage the best of our expertise, cultures and techniques while building a new federal law enforcement agency that is greater and more effective than the sum of its parts. In case after case, our agents and officers are putting into practice on behalf of the American people the powerful advantages that flow from our newly merged authorities. The result is a greater contribution to our nation's border security, a critical element of our national security.

The men and women of ICE, especially those with whom I work at the Washington, DC office, are grateful for the chance to serve the American people. On their behalf, I thank you and your colleagues for your continued support of our ongoing operations.

I also want to thank the distinguished members of this Committee for the opportunity to speak before you today. I look forward to answering any questions you may have.

Chairman TOM DAVIS. Mr. Rodriguez.

STATEMENT OF DIEGO G. RODRIGUEZ

Mr. RODRIGUEZ. Good afternoon, Chairman Davis, Chairman Wolf, Representatives Ruppersberger and Van Hollen and members of the committee.

I appreciate the opportunity to testify before you today about the FBI's efforts to combat gangs in the Washington, DC, metropolitan area, specifically the Latin America or Hispanic gangs such as MS–13.

Today, gangs are more violent, more organized and more widespread than ever before. They pose one of the greatest threats to the safety and security of all Americans. The Department of Justice estimates there are approximately 30,000 gangs with 800,000 members impacting 2,500 communities across the United States. The innocent people in these communities face daily exposure to violence from criminal gangs trafficking in drugs and weapons and gangs fighting amongst themselves to control or extend their turf and their various criminal enterprises.

MS–13 in particular has gained notoriety for its flexibility and willingness to participate in any type of criminal activity at any time. Although the level of sophistication in criminal activity varies, MS–13 factions in every location are traditionally violent. Based upon available intelligence obtained through our law enforcement partners, it appears that MS–13 in the United States is still a loosely structured street gang. However, its threat is based on its violence and its potential to grow not only geographically but in the organization and sophistication.

Law enforcement throughout the United States has reported MS–13 members are engaged in drug trafficking. MS–13 members are also involved in a variety of other types of criminal activity, including rape, murder, extortion, auto theft, alien smuggling, and robbery.

In recent years, MS–13 has not only grown in membership and presence in our region but also attracts great media attention by committing random and, many times, violent acts. Analysis of law enforcement and intelligence information has led to the following observations of MS–13 activity in our area: To date, MS–13 in our region has not developed a level of sophisticated criminal activity and organization equal to that in Los Angeles, CA and in Central America. Nevertheless, since 2000, a pattern of brutal attacks, including the killing of a suspected rival gang member by MS–13 members in northern Virginia, indicates that MS–13 has become our region's most violent gang.

Leadership from Los Angeles and El Salvador are believed to visit our area to organize cliques. It is currently unclear, however, whether their presence is to coordinate criminal activity or simply to associate with other MS–13 members in this area.

To date, law enforcement data indicates varying levels of organization among cliques in D.C. and northern Virginia. An exact number of MS–13 members and cliques for the region is difficult to determine, given the mobility of the members, the addition of new cliques, deportation and frequent re-entry of members and the merger of cliques.

Although members are aligned with individual cliques, like most other gangs, MS–13 members regularly interact, socialize and engage in criminal acts with members outside their clique. Therefore, law enforcement must continually assess whether the dismantlement of a particular clique in fact disrupts its members' ability to engage in criminal activity.

Local neighborhoods, prisons, the Internet and various schools have been targeted as recruitment hot spots for MS–13. The increasing use of local schools to recruit new members is of special concern and could increase violence in schools. Cooperation among law enforcement at all levels is the best weapon against this threat.

Since 2004, the FBI Washington Field Office has been a participating member of the Northern Virginia Regional Gang Task Force. The Regional Task Force is engaged in tactical operations and the use of State gang participation statutes in an effort to suppress criminal activities associated with gangs. The enterprise theory of investigation is also being used to identify criminal offenses that may serve as predicate acts to support Federal racketeering prosecutions.

For example, joint investigations with participating agencies have resulted in successful Federal prosecutions and life sentences of MS–13 gang members for the murder of a Federal witness and the murder of a rival gang member.

We are also working to address this problem at the national level. Given the extreme violence exhibited by MS–13 and its potential threat, the FBI established the MS–13 National Gang Task Force to disrupt and dismantle this gang now, before it has the opportunity to become more organized and sophisticated.

The goals of the MS–13 National Gang Task Force will include enabling local, State and Federal as well as international law enforcement agencies to easily exchange information on MS–13. Recent initiatives include the cooperative effort among the U.S. Attorney's Office for the Eastern District of Virginia, the Commonwealth Attorney for the State of Virginia, local law enforcement agencies and the FBI to coordinate a single data base platform to maintain and disseminate data regarding MS–13 members and their criminal activity.

Also, a northern Virginia HIDTA Gang Task Force is being proposed to coordinate regional and nationwide multijurisdictional law enforcement actions, including Federal prosecutions. The HIDTA Task Force is proposed to include the FBI, ATF, DEA, ICE, and the Arlington County, Fairfax County, Prince William County and city of Falls Church Police Departments.

Once again, I appreciate the opportunity to come before you today and share the work that the FBI is doing to address the problem posed by MS–13 and similar gangs.

Mr. Chairman and members of the committee, thank you for your time and for your continued support of the FBI's efforts to combat gangs.

Chairman Wolf, we are also thankful for the significant contributions the House Appropriations Committee has made to the efforts of State and Federal agencies to address the gang problem in our local communities.

I am happy to answer any of your questions.

Chairman TOM DAVIS. Thank you very much.

[The prepared statement of Mr. Rodriguez follows:]

Testimony of Diego G. Rodriguez
Assistant Special Agent in Charge, Criminal Division, Washington Field Office
Federal Bureau of Investigation
Before the House Government Reform Committee
July 14, 2006

Good morning, Chairman Davis, Ranking Member Waxman, and members of the Committee. I appreciate the opportunity to testify before you today about the FBI's efforts to combat Mara Salvatrucha or "MS-13" and other gangs in the Washington, DC metropolitan area (WDCMA). Gangs and other criminal enterprises, operating in the U.S. and throughout the world, pose increasing concerns for the international law enforcement and intelligence communities. Today, gangs are more violent, more organized and more widespread than ever before. They pose one of the greatest threats to the safety and security of all Americans. The Department of Justice estimates there are approximately 30,000 gangs, with 800,000 members, impacting 2,500 communities across the U.S. The innocent people in these communities face daily exposure to violence from criminal gangs trafficking in drugs and weapons, and gangs fighting amongst themselves to control or extend their turf and their various criminal enterprises.

Gangs from California, particularly in the Los Angeles area, have a major influence on Mexican-American and Central American gangs in this country and in Latin America. Hispanic gangs in California have separated into two rival factions, the Norteños, which are primarily

found in Northern California, and the Sureños, found to the south and predominantly in the urban areas surrounding Los Angeles. A rivalry exists between these factions, which had its genesis within the California Department of Corrections during the 1960's, when the Nuestra Familia (Norteños) prison gang formed to oppose the Mexican Mafia (Sureños) prison gang. Today, the Mexican Mafia, and other Hispanic prison gangs, such as the La EME in southern California, the Texas Syndicate (T/S, Syndicato Tejano), and the Mexikanemi (EMI, Texas Mexican Mafia), remain powerful both in prison and on the street, and most Hispanic gangs in California align themselves under the Norteños or the Sureños. Hispanic gangs aligned under the Norteños will generally add the number 14 after their gang name, while gangs aligned under the Sureños will generally add the number 13 (*e.g.*, MS-13).

MS-13 has gained notoriety for its flexibility and willingness to participate in any type of criminal activity at any time. Expansion of the gang across the United States and throughout other countries has permitted MS-13 to participate in varying levels of criminal activity depending on the jurisdiction and number of members in that area. Although the level of sophistication in criminal activity varies, MS-13 factions in every location are traditionally violent. An increase in the effort to eliminate MS-13, as well as further pressure by Los Angeles cliques to develop criminally, could create more backlash against law enforcement and increase violence from MS-13. Based upon available intelligence obtained through our law enforcement partners, it appears that the MS-13 in the United States is still a loosely structured street gang; however, its threat is based on its violence and its potential to grow, not only geographically, but in its organization and sophistication. There is no evidence to support the existence of a single leader or governing authority which is directing the daily activity of all MS-13 cliques in the United States. However, regional cliques coordinate their activities, and regional leaders from

Los Angeles and El Salvador exercise influence over activities in other regions, including in Northern Virginia. Each clique will have a local leader called the "shot caller" who coordinates the clique's activities and issues punishments and/or sanctions for infractions of the gang's code. Law enforcement throughout the U.S. has reported MS-13 members are engaged in retail drug trafficking, primarily trafficking in powdered cocaine, crack cocaine and marijuana, and, to a lesser extent, in methamphetamine and heroin. MS-13 members are also involved in a variety of other types of criminal activity, including rape, murder, extortion, auto theft, alien smuggling, and robbery.

The migration of MS-13 members and other Hispanic street gang members, such as the 18th Street gang, from Southern California, to other regions of this country, has led to a rapid proliferation of these gangs in many smaller, suburban and rural areas not accustomed to gang activity and related crimes, such as in the communities within Northern Virginia. The geographical area covered the FBI Washington Field Office's jurisdiction includes Washington, DC and areas referred to as Northern Virginia. Northern Virginia includes Arlington County, Fairfax County, Loudoun County, Prince William County, and Fauquier County, as well as the Quantico Marine Base and the cities and townships of Alexandria, Fairfax, Falls Church, Vienna and Herndon.

In recent years, MS-13 has not only grown in membership and presence in WDCMA communities, but attracts greater media attention by committing random and, many times, violent acts. Strategic analysis of case information, intelligence data, and law enforcement findings has led to the following observations of MS-13 activity in our area:

- MS-13 in the WDCMA has not developed a level of sophisticated criminal activity and organization equal to that in Los Angeles, California and Central America. Impeding

further expansion of MS-13 membership will require continued, proactive law enforcement efforts.

- Due to the violent history of MS-13, its coverage across the nation, and the gang's willingness to participate in a variety of criminal activity, law enforcement has increased efforts to combat the gang in the WDCMA. Since 2000, a pattern of brutal attacks, including the killing of suspected rival gang members by MS-13 members in Northern Virginia, indicates that MS-13 has become the region's most violent gang. Threats against law enforcement are more likely to occur as initiatives against the gang are exercised and MS-13 continues to gain attention from the media and the local community.
- Leadership from Los Angeles and El Salvador are believed to visit the WDCMA to organize cliques and coordinate a defined criminal network, which may initiate a gradual shift in priorities and types of criminal activity committed. It is currently unclear whether their presence is to coordinate criminal activity or simply to associate with other MS-13 members in this area.
- Ironically, media exposure could strengthen the gang's resolve and further establish this region as MS-13 territory. In an effort to increase their exposure, gang members may continue to engage in criminal activity as long as their involvement is heavily publicized in the local media, which could encourage other gangs to heighten criminal acts in an effort to compete for exposure and territory.

MS-13 is regarded as one of the most notorious and fastest growing street gangs in the region, although local cliques do not operate under a traditional hierarchy that mirrors most gangs. To date, law enforcement data indicates varying levels of organization and leadership

among cliques within the WDCMA. An exact number of MS-13 members and cliques for the WDCMA is difficult to achieve given the mobility of the members, the addition of new cliques, deportation and frequent re-entry of members, and the merger of cliques due to low membership numbers or law enforcement crackdown against a given clique. Although members are aligned with individual cliques, derived from individuals at the same school or in the same neighborhoods, gang members regularly interact, socialize, and engage in criminal acts with members outside their clique. Therefore, law enforcement must continually assess whether the dismantlement of a particular clique in fact disrupts its members' ability to engage in criminal activity.

Although law enforcement's continued use of suppression tactics have been effective in reducing the criminal threat of MS-13, recruitment efforts by gang members in the WDCMA have intensified in recent years. Local neighborhoods, prisons, the Internet, and area schools have been targeted as recruitment hot spots for MS-13. The increasing use of local schools to recruit new members is of concern and could increase violence in schools as youth are initiated into gangs and see rival gang members in their classes on a daily basis. Gang members exploit local middle and high schools for recruitment because they can often avoid arrest by allowing gang members under the age of eighteen to recruit around schools.

Since 2004, the FBI Washington Field Office has been a participating member of the Northern Virginia Regional Gang Task Force. This task force, consisting of over thirteen local, state, and federal law enforcement agencies having the most direct impact on violent gangs and other criminal enterprises, was established to forge alliances and "force multiply" task force investigations, and has already experienced great success. The task force is engaged in tactical operations and uses state gang participation statutes in an effort to suppress criminal activities

associated with gangs. The enterprise theory of investigation is used to identify criminal offenses which may serve as predicate acts to support federal Racketeer Influenced and Corrupt Organizations (RICO) and Violent Crimes in Aid of Racketeering (VICAR) prosecutions. To date, joint investigations with these participating agencies have resulted in successful federal prosecutions of MS-13 gang members for the murder of a federal witness and a rival gang member. In each case, the gang members responsible for these violent acts were successfully convicted of their crimes and sentenced to Life Without the Possibility of Release.

In addition to our participation in the Northern Virginia Regional Gang Task Force, the FBI has played a leading role in addressing the larger gang problem. To address the threat gangs pose on a local, regional, national and even international level, the FBI established a National Gang Strategy to identify the gangs posing the greatest danger to American communities, to combine and coordinate the efforts of local, state and federal law enforcement in Safe Streets Violent Gang Task Forces (SSVGTF) throughout the U.S., and to utilize the same statutes and intelligence and investigative techniques previously used against organized crime against violent gangs. MS-13 is one of the gangs being addressed by the FBI and its law enforcement partners under the National Gang Strategy.

Just as it is difficult to gauge the exact number of MS-13 members in the WDCMA, the standard reporting criteria for the identification of gang members, the frequent use of aliases by gang members, and the transient nature of gang members, makes it difficult to determine the actual number of MS-13 members in the United States. However, the National Drug Intelligence Center estimates there to be between 8,000 and 10,000 hardcore members in MS-13. In response to the growing threat from gangs, the FBI has raised the priority of gang intelligence and investigative efforts by increasing the number of SSVGTFs. Additionally, the FBI has

established a National Gang Intelligence Center (NGIC) and the MS-13 National Gang Task Force to coordinate and share intelligence regarding violent gangs.

The NGIC enables the FBI and its local, state, and federal partners to centralize and coordinate the national collection of intelligence on gangs in the U.S., and then analyze, share and disseminate this intelligence with law enforcement authorities throughout the country. The NGIC provides local, state and federal investigators and intelligence analysts the opportunity and mechanism to share their collective information and intelligence on gangs. This enables gang investigators and analysts to identify links between gangs and gang investigations, to further identify gangs and gang members, to learn the full scope of their criminal activities and enterprises, to determine which gangs pose the greatest threat to the U.S., to identify trends in gang activity and migration, and to guide them in coordinating their investigations and prosecutions to disrupt and dismantle gangs. The NGIC has become an essential part of our efforts to combat and dismantle gangs and will enhance the existing liaison and coordination efforts of federal, state, and local agencies.

Given the extreme violence exhibited by MS-13 and its potential threat, based on the historical precedent of other similar gangs and organized criminal organizations, the FBI established the MS-13 National Gang Task Force to disrupt and dismantle this gang, now, before it has the opportunity to become more organized and sophisticated and more difficult to attack. The goals of the MS-13 National Gang Task Force are to enable local, state, and federal, as well as international law

enforcement agencies to easily exchange information on MS-13; to enable local and state law enforcement agencies to identify the presence of MS-13 in their territories; to identify related investigations; and to coordinate regional and/or nationwide, multi-jurisdictional law

enforcement action, including federal RICO and VICAR prosecutions.

We also note the significant contributions of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Drug Enforcement Administration (DEA), the Bureau of Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) in the effort to combat violent gangs. Due to ATF's comprehensive efforts to identify and investigate illegal firearms traffickers, career criminals, armed narcotics traffickers and other violent offenders who use firearms to further their criminal endeavors, ATF has for years been at the forefront of the federal government's efforts to combat violent crime involving gangs. The DEA plays a vital role in identifying and targeting gang members involved in drug trafficking in our nation's communities. The intelligence derived and shared from DEA's investigations is critical to the collective Federal effort to combat the illicit gang activities and associated violence. ICE's proactive approach to the identification and removal of illegal gang members from the United States continues to have a strong impact towards disrupting their criminal organizations and leadership structure. Preventing gang members from entering the United States is also critical to addressing the gang violence issue. By stopping gang members from entering the United States between ports of entry, CBP makes an effective contribution to deterring gang violence. Our collective efforts, in collaboration with our state and local partners, are the key to fighting the gang problem.

Once again, I appreciate the opportunity to come before you today and share the work that the FBI is doing to address the problem posed by MS-13 and similar gangs. The FBI will continue its efforts, and we will keep this Committee informed of our progress in protecting this Nation's citizens against gangs and other criminal enterprises, particularly those with national and international implications. Mr. Chairman and Members of the Committee – thank you for

your time and for your continued support of the FBI's efforts to combat gangs. I am happy to answer any questions.

Chairman TOM DAVIS. Chief Summers, thanks for being with us.

STATEMENT OF CHIEF TOUISSANT SUMMERS, JR.

Chief SUMMERS. Thank you, Mr. Chairman. It certainly is a great opportunity for me to be here today.

I believe many of the speakers prior to me have basically laid out what the issues and the problem is in terms of gangs in northern Virginia. What I hope to share with you this afternoon is what I feel is a very successful union of services and providers that have addressed this issue, and that is the Northern Virginia Regional Gang Task Force.

In the year of 2002, Congressman Wolf convened area law enforcement officials and government officials to take a look at the gang problem, and from that meeting came the formation of the Northern Virginia Regional Gang Task Force. It was established in July 2003. Again, we could not have established this without the support of Congressman Wolf, who was able to obtain some funding to allow us to start this program.

The Gang Task Force was established as a multijurisdictional partnership comprised of local, State, and Federal law enforcement agencies to address gang activity in northern Virginia through dedicated officers and resources, thereby making the region inhospitable to gang activity. Our goal was disruption of gang activity, with the idea that gangs are not just a law enforcement problem, but gangs needs to be solved as a community effort.

The goals of the Gang Task Force were built upon three component strategies: enforcement, prevention and intervention. The component strategies to address gang activities necessitated a phased-in approach. In other words, we didn't try to deal with all this at once, but we phased it in.

The first year, we dealt with suppression or enforcement, and that developed and shared intelligence while using a coordinated approach in conducting a tactical response to gang activity. The multijurisdictional approach no longer restricts police response by boundaries, and involvement of multiple agencies provides a common level of law enforcement across the region.

The coordination of our activities included working with our Federal partners, FBI, ATF, ICE, U.S. Marshals, our Federal, State and local prosecutors, which I think is very important, and obviously our local police.

The Northern Virginia Gang Task Force is directed by 14 member chiefs, which in itself I think is an achievement, where we can get together in a room and decide on what are the major issues and how we should attack it. When you add to it our Federal law enforcement partners, our State police and our prosecutors, from time to time we get together and decide what is the best approach for the region. I think there is no secret as to—there is no wonder as to why you see now the gangs moving from our region and going to regions around us.

Our second area was prevention, and prevention involved education, not only educating our community but educating law enforcement, educating prosecutors, educating all the stakeholders to exactly what the gang activity is, what the gang problem is, what to look for and how we might best go about solving it. Such pro-

grams as grade programs, after school programs, Boys and Girls Club, getting the schools and getting private organizations, nonprofits, involved with the police in our efforts.

And our third and final program that we implemented last year, June of last year, is intervention. There is some overlapping with intervention and prevention, but intervention basically deals with getting—what has been said numerous times today—getting the young man or woman out of the gangs and providing them some alternatives. And to do that, we have established a Board of Court Services Directors who basically spearheads that. Under the Court Service Directors are what we call GRIT teams—of which Mr. Bob Bermingham is one, and he spoke to you earlier—to recognize or to identify all the resources in the community and hopefully, instead of working against each other but working together, to try to solve this problem.

I think the major achievement of the Northern Virginia Gang Task Force is just that, the fact that we can get all the participants, all the stakeholders together in one room and decide on the best course of action, not that we're running the gang problem from Fairfax to Alexandria or Arlington, but as a region we're addressing the problem to let the gangs know that you're not welcome here in northern Virginia.

I want to thank you for this opportunity, and I want to thank you because I firmly believe that hearings like this keep this problem before the public. It reminds everyone that this problem is a community problem, that we all need to work on it together. Thank you.

Chairman TOM DAVIS. Well, thank you very much.

[The prepared statement of Chief Summers follows:]

Chief Touissant Summers, Jr.
Background of the Northern Virginia Regional Gang Task Force
Established July 2003

The Gang Task Force was established as a multi-jurisdictional partnership comprised of local, state, and federal law enforcement agencies to address gang activity in Northern Virginia through dedicated officers and resources, thereby making the region inhospitable to gang activity.

Through the support of the Honorable Frank R. Wolf, Virginia's 10th Congressional District, the Congress of the United States has funded the Northern Virginia Gang Task Force as part of the Department of Justice Appropriations Bill. The project title for this grant is the Juvenile Justice and Delinquency Prevention Congressional Earmark Programs.

The goals of the Gang Task Force were built upon three component strategies: enforcement, education, and intervention. The component strategy to address gang activity necessitated a phased-in approach beginning with enforcement operations and adding an additional component each year.

Enforcement

- Develop and share intelligence while using a coordinated approach in conducting a tactical response to gang activity and crimes.
- The multi-jurisdictional approach no longer restricts police response by boundaries
- Involvement of multiple agencies provides a common level of enforcement across the region

Education

Education is a valuable tool in disrupting gang activity, but should not simply focus on law enforcement, but also criminal justice system members, government and community service providers, schools, children, and parents

Prevention/Intervention

Intervention/Prevention is the most complex approach, but also the one that holds the greatest promise of positive results. It requires the design and implementation of programs that will provide a positive and realistic alternative to gang affiliation.

First year funding was dedicated to law enforcement efforts, and the membership included:

- Fairfax County
- Town of Herndon
- Town of Leesburg
- Loudoun County
- Manassas City
- Manassas Park

- Prince William County

Current Task Force Membership includes 14 jurisdictions:

- Alexandria
- Arlington County
- Town of Dumfries
- City of Fairfax
- Fairfax County
- City of Falls Church
- Town of Herndon
- Town of Leesburg
- Loudoun County
- Manassas City
- Manassas Park
- Prince William County
- Town of Vienna
- Virginia State Police

Chairman TOM DAVIS. Captain Lynn, thanks for being with us.

STATEMENT OF CAPTAIN MILBURNE (BILL) LYNN

Mr. LYNN. Good afternoon, sir.

I want to thank you for the opportunity to be here. I also want to apologize for my probably fading voice at times, I've been working on a week of trying to lose it.

Chairman TOM DAVIS. Make sure we have the mic as close as we can.

Mr. LYNN. In respect of time and in reference to your suggestion, I know that my testimony is on record here. I'm going to jump a little bit.

The things that the panel prior to us brought forth are extremely important. Being a law enforcement officer for 25 years, I'm certainly about enforcing the law, putting people in jail when they need to be. But after doing this for 3 years now, I also understand that we're not going to put handcuffs on this problem and make it go away.

One of the things that we have to do, and the importance of this committee and everybody getting together in this room, is that we have to keep it in the forefront, as Chief Summers just said. We have to keep it out there. We need to have the prevention, intervention, education programs out there.

Certainly the funding and things that have been available—made available by the committee are certainly needed. The group that we have put together in Prince George's County, we took a look in 2003 at some problems that we saw coming up, got together, had some meetings. We convened a large group of individuals from highlighted law enforcement agencies in the area, and we asked the question in our conference room 1 day, who wants to get together and make it a concerted effort to take care of this problem that we're seeing in our region in Maryland?

We were very lucky. We had some people jump on board right away. ATF was one of the forerunners with us, are still in the program. Since then, we've had the Maryland State Police, we have ICE, Maryland Park Police, Howard County, Montgomery County. Everybody is joining forces.

We've been fortunate enough to secure some office space. Everybody reports to work at the same spot, which is important because we're able to share information on a daily basis. We see the same faces. We know what the problems are. We know where to direct our efforts.

The other thing that's very important is that we, as a region, whether it's on the Maryland side of the Potomac River or Washington, DC, or the Virginia side, is that we work at this as a group. Because what's going to happen is, as their efforts scale up in Fairfax or in northern Virginia, the potential problems or the problems are going to come into Washington, DC, or they're going to come into Maryland. So that information sharing effort has to be there. We have to know what is going to move around. Because these groups of individuals are very transient. They do move around.

One thing that we have to be careful of—I've been to a lot of seminars and meetings in committees in this region and on the west coast, and I've had the same thing said to me on both sides

of the country—is that the public comes to a lot of meetings, and they're very interested. They know what the problem is in their communities. They hear a lot of things, but then they step back to see what the product is going to be and when it is going to be delivered, and a lot of times they don't see it or it's very delayed, and they get very disheartened by that.

So I think we need to be careful of inaction or slow action. If we invite the public to our forums and we listen to their concerns and their problems and we take them to heart and put our programs together, we need to make sure that we deliver on the cuff. Again, I've had that same concern brought to my attention from both sides of this country.

Something—and it's a little off this topic, but it's still a gang topic—is we need to be careful with the fact of—certainly we're here for MS–13 today, Hispanic gangs, but we do see and we see in Prince George's County an influx of Bloods and Crips. It's becoming more popular among middle schoolers and junior high, high school, whether you want to call them wannabes, but they're getting into that lifestyle, they're starting to wear the colors. And a lot of people use the cliche that wannabes are gonnabes, and we need to be careful with that. Another thing that we can't—as the Task Forces progress, we can't ignore that other aspect of gang activity.

Again, if I can just stress, it's something that we do in Prince George's County. We have our Prince George's County Gang Unit, and we have the Regional Area Gang Enforcement group [RAGE]. We're all about doing the prosecution. We have a current RICO case going that's probably going to come to court in September of this year.

But one of the things that everybody who participates in this group does is they get into the households of these people that we begin to recognize as gang members. They get to know the families. They get to know the fathers, the mothers.

I'm really impressed about the officers that are involved in this and their dedication to this. They will give these people their private cell phone numbers to call them if there's dilemmas going on in their households. Because one of the places that we're going to attack gang activity in MS–13 is inside of the home. We can put programs out there and we can make them available, but parenting and what parents recognize is what's going to be I think our first step at getting a hold on this problem.

With that and, again, with respect of time—and I see I'm at the red light here—I want to thank everybody for the opportunity.

Chairman TOM DAVIS. Captain Lynn, thank you, and thank you for your efforts.

[The prepared statement of Mr. Lynn follows:]

PRINCE GEORGE'S COUNTY POLICE GANG UNIT REGIONAL AREA GANG ENFORCE (R.A.G.E)

Captain Bill Lynn
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Gang related violence is one of our area's primary concerns. Violence and illegal activity spurred by gang affiliation can deplete the cultural and economic resources of our communities and erode the basic quality of life for many of our citizens.

Gang activity adheres to no boundaries, therefore, law enforcement must be prepared to not only exchange information on these criminal enterprises, but also have an operational, proactive relationship between area law enforcement agencies and other governmental agencies to immediately respond to gang activity. Striking harmony between five lines of attack, Investigation, Enforcement, Prosecution, Education and Intervention is the only way we will begin to liberate our neighborhoods from gangs.

With this realization in mind, beginning in September of 2003, the Prince George's County Police Department began discussions concerning gang activity. As a result of those conversations it was decided that specific, focused measures were required to address the growing criminal activities engaged in by individuals with gang affiliations.

Shortly thereafter, we convened a conference consisting of principal law enforcement organizations in our region. The purpose: To educate allied agencies on gang issues we had discovered and to recruit assistance in the fight against gang violence.

Following a month of telephone contacts, written correspondence and personal meetings, over 60 representatives from Municipal, County, State and Federal law enforcement agencies met at our District I Station in October 2003. We opened the meeting by clearly highlighting the complexity of gang problems, territorial concerns, informants, community safety and violence surrounding gangs. We also stressed the need for a focused, coordinated and educated multi-agency enforcement methodology to attack the problem.

Sergeant George Norris, of our Gang Unit presented a power point introduction on gangs in our area, primarily MS-13, and at the conclusion of open discussion, we asked the all important question to the group," who is willing to participate in an anti-gang task force?" At that moment our alliance with the ATF was born, Resident Agent-in-Charge Joseph Anarumo was the first to step forward and join forces to combat gangs.

Following this meeting the founding members, PGPD and ATF began a series of additional meetings with Chief's of Police and representatives from numerous other police agencies. By the end of 2003, our fledgling task force was beginning to take fight. Through the vision of many the Regional Area Gang Enforcement (R.A.G.E) unit was born. 2004 began with a multi-agency task force in place, with members from the Maryland State Police, Maryland Park Police, Howard County Police, Hyattsville City Police, Prince George's County Police and ATF, mounting a formidable front against gang violence.

The members of the R.A.G.E. unit began the daunting task of developing intelligence and corresponding files on the growing number of gang members in this area. However, in order to have the information to build a database the group needed to begin field operations. This involved the group planning and executing operations on the street to seek out and contact gang members. The unit very quickly developed informants, which is normally a difficult and prolonged project when dealing with gangs.

Within the first six months of operation the R.A.G.E. unit had developed a basic data base and filled it with more than 800 field contacts, photo's and information concerning gangs. R.A.G.E. members and the management staff quickly realized there was more than enough work to keep every member busy. Therefore, our Federal partners, ATF, began to share the overtime funding responsibility with each participating agency. The members found themselves working long hours, sometimes reporting for day work and not leaving until late night or early morning hours.

Unfortunately, the importance and proficiency of the unit was tested and validated in the aftermath of violence. As the unit began to define and discover gang activity, the extent of gang involvement in violent crimes began to emerge. The participation of the R.A.G.E. unit in the investigations of several murders facilitated their fast, successful closure, sometimes within 24 hours.

Since its inception the group has expanded its alliances both with law enforcement agencies, governmental agencies and private endeavors. Research into to our own records has shown gang activity in our immediate area since approximately the early 90's. This phenomena, gang activity being present many years ago but not acted upon is something we have seen in numerous jurisdictions. The reason is two fold: 1, we as the law enforcement community were not educated about gangs, and 2, many jurisdiction did not want to acknowledge gang activity in their communities.

The Prince George's County Police Gang Unit and the Regional Area Gang Enforcement Task Force have experienced tremendous success in its two years. They have been responsible for solving numerous violent assaults, robberies and murders. The group and the United States Attorney's Office are responsible for the first if not the only use of the RICO statute against MS-13, causing the indictment of 19 MS-13 members

and gang leaders. The group is deeply involved in education, intervention and prevention, because as everyone should know, we can not just use handcuffs to control this problem.

Combating a trans-national criminal gang like MS-13, the fastest growing-prolific Hispanic gang, requires, in fact demands partnerships between not only law enforcement, but schools, governmental service providers, private organizations and the public. These partnerships must nurtured and must be kept active. Information sharing between agencies and the public is extremely important. The Hispanic families that have members involved in gangs or citizens with information may be reluctant to contact or work with law enforcement. We, law enforcement, have the responsibility to develop that trust necessary to combat the expansion of this and all gangs.

Chairman TOM DAVIS. Ms. Decker, thank you for being here; and we appreciate the Attorney General sending a couple of members up to answer questions and share testimony.

STATEMENT OF MARLA DECKER

Ms. DECKER. Thank you, Chairman Davis and members of the committee. It's my pleasure to be here today.

I'm Marla Decker, Deputy Attorney General for the Public Safety and Enforcement Division of the Office of Attorney General Bob McDonnell. He sends his greetings today and his encouragement for you to continue the efforts, your fine efforts.

Before I actually begin my testimony, I want to point out you've seen a common theme throughout the morning and now into the afternoon—and I'm the clean-up speaker, so I'm the last one saying it—but I think it must be said, because there is no finer Ambassador on the gang issue than Congressman Wolf. And you hear it anywhere you go in Virginia. Northern Virginia, of course, is very lucky, but he has helped with the Statewide initiatives, he's helped with the Federal initiatives and, just as Chairman Davis recognized earlier, without the assistance of the funding, a lot of these initiatives would be either non-existent or would be much more difficult to succeed.

I must say, Virginia has come a long way in over about 3 years time, certainly with the efforts of all of the public officials, but we can't blink, we cannot blink. This is one of those things that it's not going to go away in a short time. It's going to take a long time.

As Chief Summers mentioned, you know, suppression is one piece, and we have to remain vigilant on the suppression side. But as many things have taught us, the drug problem and other public safety problems, we have to look at a soup-to-nuts approach, a full approach which begins with prevention, intervention, suppression and re-entry back into the community.

In a lot of ways from a State perspective that re-entry back in to the community is one of the tougher pieces. Because once you put these gang members away in jails or prisons, if nothing happens while they're there to change what brought them there, they're going to go right back into the community. And if we don't work heavily on the prevention end, they're going to go right back to the same behavior. And it's going to be worse.

So from the State perspective, while the suppression aspect is very, very important, we also look at the OJJBP model, which tells you to look at all of those other features, all of those other components, and we're doing that. And my entire written testimony is a part of the record, so I'm not going to go through that piece by piece in the interest, again, of time and hitting some of what appears to be this committee's concern.

I want to mention a couple of suppression things, but I also want to mention one of the things the Attorney General's Office has been very active in is what we call community awareness. Northern Virginia in a lot of respects, in addition to being a leader on the gang issue, was also very atypical in that the public officials did not engage in denial. We can't have denial. Denial and apathy is a breeding ground for gang activity. The public officials must recognize

that there is a gang presence or problem, and the community as a whole must embrace that and deal with it.

So one of the things we're doing across the Commonwealth is we're telling communities this is not a one-size-fits-all issue, it's not a one-size-fits-all solution. Look at what you've got, stop, take a breath, analyze the situation, look at the situation, decide what needs to happen. It's not just a law enforcement problem. It's everybody's problem. Get the group around the table, come up with a plan and then execute the plan.

And that plan should look at resources, it should look at the needs, and the needs assessment should be done. There should obviously be an important emphasis on the schools and after school programs. We need to catch these children before the gangs do, because the gangs will. They recruit in schools. They recruit after schools when adult supervision is not around.

So you've got to look at—you've got to take a holistic approach, and you've got to look at what is going on in your community, in your jurisdiction, and then take it from there and develop your plan. That is one of the things that we're going across the State and we are attempting to achieve is to get localities—whether it's the locality or the region or—to look at what they've got. Our State laws are now the toughest in the Nation, we think, among the toughest in the Nation, and they compliment the Federal law as well, and we are aggressively proceeding forward to take the worst of the worst off the streets and to use our State laws and our Federal laws efficiently.

But the laws—now that Virginia has laws and we have model State laws that we think can be mirrored nationally by other States, and we would certainly encourage other States to look at what we've done, but laws are not the full answer. Laws are a major piece, suppression is a major piece, but, as has been mimicked throughout the day, we've got to look at the whole picture.

On that, I would thank the committee for your time. I've enjoyed being here today, and I'm happy to answer questions.

And, with the chairman's permission, Mr. James Towey is here from our Organized Crime Unit to answer some of the more technical questions you might have.

[The prepared statement of Ms. Decker follows:]

Testimony of

Marla Graff Decker
Deputy Attorney General
Office of the Attorney General of the Commonwealth of Virginia

Before the
House Government Reform Committee
July 14, 2006

on
"MS-13 and Counting: Gang Activity in Northern Virginia"
The Commonwealth of Virginia's Approach to Suppressing Gang Activity

Good morning Chairman Davis and Members of the Committee. Thank you for affording me the opportunity to testify before you today.

My name is Marla Decker, and I am the Deputy Attorney General of the Public Safety & Enforcement Division of the Office of Virginia Attorney General Robert F. McDonnell. I am accompanied this morning by James Towey, Assistant Attorney General and Director of the Office's Organized Crime Unit.

I understand that I have been asked to testify today about the Attorney General's statewide approach to suppressing gang activity in Virginia as well as our Office's coordination with regional task forces and federal law enforcement.

Background – Gangs in Virginia

- Gangs and gang-related crime have been on the rise in the Commonwealth. While Virginia has previously had, and continues to have, problems with "homegrown" gangs, authorities have identified the influx of larger, national gangs into Virginia.

- Although the Northern region of the Commonwealth is known for suffering from a high concentration of gangs, all regions of the Commonwealth are seeing some form of gang presence.

- Recent accounts of gang-related violence include brutal attacks on rival gang members, retaliatory shootings, threats against law enforcement, and the all too successful intimidation of witnesses. Many victims of gang violence are innocent bystanders, such as an eight-year-old Smithfield boy, killed by a stray bullet from a shoot-out between two local gangs as he lay asleep in his own bed, and a Richmond motorist killed as he drove past a shoot-out between two cars on a busy street. Other victims are those mistakenly identified as rivals.

- We have seen gangs target our children in the very places where they should feel most safe. For example, a twenty-two-year-old member of the Hoover Crips from St. Louis, Missouri, was sent to Northern Virginia to expand the gang's membership. To recruit new members, he frequented a local school and attended school football games. He was convicted of gang recruitment after he "sexed in" a fourteen-year-old girl.

- The violence associated with gangs is a danger that threatens the safety and welfare of all Virginians. As national gangs continue to form, recruit, and expand throughout Virginia, all communities – suburban, rural, as well as urban – are affected. Gangs and the violence they breed jeopardize the safety of our citizens, the welfare of our neighborhoods, the future of our children, the sanctity of our schools and parks, and the effectiveness of our criminal justice system. The growth of gangs is a trend that must be stopped.

- In May of 2003, in an effort to address Virginia's growing gang problem, former Attorney General Jerry W. Kilgore announced the formation of an Anti-Gang Task Force. Although task forces to combat gang activity are now common, the formation of the Attorney General's Task Force in 2003 was quite novel. The decision to form the Task Force was prompted by the disturbing realization that Virginia truly had an emerging gang problem and that we needed to do something about it before it was too late. Local, and state officials, as well as citizens and the media, have joined the Office of the Attorney General and its federal partners in acknowledging that gang-related crime exists and must be stopped. It is important to note that as we all became more educated about the problem, we realized that there would not be a "one size fits all" solution.

- The Task Force found that Virginia needed more prevention measures and educational initiatives to keep children out of gangs. The Task Force also found that certain communities, some critical law enforcement agencies, and some local governments were not fully educated about gangs, nor were they prepared to deal with the gang problem. Finally, Virginia's pre-2004 gang statutes made it difficult to prosecute gang members and left judges without the opportunity to impose penalties reflecting the gravity of the harm threatened by gang-related crime.

- As a result of the efforts of the Attorney General's Task Force, Virginia has seen: increased gang awareness; an increased role of groups such as Boys & Girls Clubs; specialized gang training; the addition of a specialized gang component into Virginia's Class Action Program; the education of local officials, members of the criminal justice system, parents, and teachers; and legislation aimed at providing more tools for the prosecution of gang offenders. Additionally, it is worthy to note that Virginia's Statewide efforts have been bipartisan. Three Attorneys General have worked side-by-side with two Governors.

Raising Community Awareness

- We quickly found that the first obstacle in dealing with Virginia's gang problem was denial and apathy.

- Often, the diverse nature, characteristics, and activities of gangs make it difficult for communities to define - or even recognize - their gang problems. Unfortunately, gangs thrive on denial and inattention. Thus, the first step towards fighting this problem is recognition that it exists.

- Prior to the implementation of the Anti-Gang Initiative, many jurisdictions across Virginia, with a few notable exceptions (including Northern Virginia), were unaware of gangs or denied the existence of gangs in their communities. Many localities treated the criminal activities of gang members as individual acts, ignoring the fact that such acts were part of a larger, gang-related problem.

- Recognizing that the effort against gangs cannot succeed without action at the local level, this Office has conducted, and continues to conduct, dozens of community awareness meetings across the Commonwealth. We have also conducted gang awareness and prevention training at the annual conferences of the Virginia Association of Counties (VACO) and the Virginia School Boards Association.

- In addition, it was recognized that all members of the criminal justice and education systems should have a working knowledge of gangs in order to adequately recognize, address, and deal with the specific problems associated with them. With the spread of gangs to more rural locales, training is critical for personnel who have no prior experience with gangs. The staff of the Office of the Attorney General has conducted, and continues to provide, training for law enforcement, prosecutors, judges, local officials, school personnel, parents, youth mentors, and citizens throughout the Commonwealth.

Prevention & Intervention

- Gang suppression alone, however, cannot and will not fully address our gang problem. Suppression must be joined with prevention, intervention, and re-entry from incarceration back into the community. While suppression can impact our current gang problem, prevention and intervention are needed to address the prospect of future gang problems. Current hard-core gang members can be left behind bars. Our children, however, are our future and we need to reach them before the gangs do.

- In March of 2004, the Office announced a partnership with the Boys & Girls Clubs to institute a strategic plan to acquaint areas throughout the Commonwealth with available programs to provide youth with healthy alternatives to gang activity. The Boys & Girls Clubs committed up to one million dollars of funds to match localities interested in establishing gang prevention or intervention programs at clubs in their area. These

programs are designed to reach a wide range of young people – from those who are high-risk for joining a gang to those who are already in a gang and possess the potential to leave the gang.

- The Attorney General incorporated gang awareness, gang recognition, and the legal ramifications of gang-related offenses into the "Class Action Program." The Class Action Program is a Virginia law-related education program designed to enhance the partnership among law enforcement, students, and communities across the Commonwealth. The focus of the program is to educate children about criminal laws that may affect them. Incorporating gang awareness education into this program helps give children a realistic view of the dangers associated with choosing to join a gang. The Office provides Class Action materials for the new gang components (K-12 and parents version) free of charge to any interested school district.

Suppression

- But while we look to the future, we must also address the present. For this reason, suppression efforts are indispensable. The General Assembly approved expansive "tough on gang" legislation during the 2004, 2005, and 2006 Sessions. The legislation:

    - Allows law enforcement officers and prosecutors to more effectively address gang offenses.
    - Extends the offense of gang recruitment to include all types of recruitment, not just recruitment of a juvenile by an adult.
    - Establishes gang-free school zones.
    - Permits forfeiture of property and money used in gang-related crimes.
    - Creates a presumption against bail for violations of the gang statutes.
    - Includes gang offenses in the category of those subject to the presumption of no bail.
    - Includes gang affiliation as a category listed in the pre-sentence report considered by the judge when sentencing.
    - Clarifies that gang members may be prohibited, as a condition of probation or suspended sentence, from association with other gang members.
    - Creates an enhanced penalty for a third or subsequent violation of the gang statutes.
    - Enables state and local law enforcement officers to temporarily detain certain illegal aliens under particular circumstances.
    - Creates offenses to address threats against witnesses of gang crimes.
    - Creates a state Racketeer Influenced and Corrupt Organization (RICO) Act.
    - Authorizes multi-jurisdiction grand juries to investigate violations of the gang statutes.
    - Ensures that sentencing guidelines take into account gang affiliation, recruitment, and gang-related violent offenses.
    - Allows for gang activity to be enjoined as a public nuisance.
    - Protects the disclosure of specific victim and witness information in gang cases.

- Creates a mandatory minimum fine for committing gang graffiti.

- In 2003 the Office of the Attorney General worked with Congressman Frank Wolf to help initially secure approximately $500,000 in federal funds, for Virginia to combat gang activity statewide, with a focus on Northern Virginia. The monies fund an Assistant Attorney General and a Crime Analyst dedicated to assisting the Commonwealth's Attorneys for the Counties of Fairfax, Loudon, Arlington, and Prince William, and the City of Alexandria. The funds also provide for responsive support to local police in the investigation of local gang activity and gang-related violence, as well as their disruption of gang-related profits and proceeds from gangs' illegal activity.

- Another federal grant administered by the Office of the Attorney General, in the amount of approximately $500,000, has enabled the Office to expand the efforts into the Shenandoah Valley. In addition to continuing the funding for the Northern Virginia prosecutor, this grant also funds an Assistant Attorney General dedicated to assisting the Commonwealth's Attorneys for the Counties of Augusta, Rockbridge, Rockingham, and Shenandoah, and the Cities of Harrisonburg, Lexington, Staunton, and Waynesboro.

- Further, this Office entered into a memorandum of understanding with the Virginia State Police on September 20, 2005, for the administration of a witness protection program for serious, violent, gang-related cases.

Conclusion

- In conclusion, I would like to read to you in the following quotation from a 2003 Washington Post article:

    - "About a decade ago, [MS-13] members seeking new territory began trickling into Northern Virginia, drawn by an established El Salvadoran population. Before long, MS-13's leadership saw the potential on the East Coast, and elder members traveled to Virginia to help recruit. They saw a place where they could rule the gang world, where loose-knit native groups would be pushovers ... Northern Virginia has since become the gang's East Coast hub." (Washington Post, Sept. 18, 2003).

- Virginia is determined to show gang members that if they really want to make our Commonwealth their East Coast "hub," then that "hub" will have to be located within the walls of Wallen's Ridge State Prison, not on the streets of our communities.

- It may not be possible to measure the success of Virginia's effort in the short term. We must maintain our patience and diligence.

- However, by raising community awareness and focusing on prevention, intervention, and suppression, Virginia has taken significant strides towards protecting her citizens from gang members while securing a better future for our children.

Chairman TOM DAVIS. Mr. Towey, thank you for being with us.

I'm going to start the questioning off with Mr. Wolf. And I would just once again add that, before anybody knew there was a gang problem in northern Virginia, Frank Wolf was up there with his charts and getting the investigations; and he has used his chairmanship of the committee, who funds this, to help northern Virginia but even nationally, identifying in advance some of the tools that were needed, knowing that we needed to change paradigm.

Mr. WOLF. Thanks, Tom. I thank all of you for your service. I appreciate it very much.

I have two questions. One, how often do the different jurisdictions—I know in Virginia it's very good, and I'm sure in Maryland, but how often does Maryland and Virginia and the District of Columbia, the police chiefs and the different anti-gang efforts actually meet together?

Chief SUMMERS. I would venture to say that the police chiefs probably meet less often than the line officers meet; and I have Lieutenant Haugsdahl, who could probably shed some information on that, with the permission of the Chair.

Mr. HAUGSDAHL. Officially monthly, sir; and pretty much weekly on the telephone.

Mr. WOLF. So there's pretty good cooperation, coordination in Maryland, Virginia and the District?

Mr. HAUGSDAHL. Yes, sir.

Chairman TOM DAVIS. How about the FBI and the Federal agencies, are they coordinating as well?

Mr. RODRIGUEZ. Yes. From a Federal perspective, we are coordinating with our counterparts in Maryland and in D.C. with the FBI office and as well as through the other task forces, especially at agent level.

Mr. WOLF. So several times a week do you talk to the different jurisdictions, FBI, ATF——

Mr. RODRIGUEZ. Yes.

Mr. WOLF. The other question is, how bad of a problem is this in the prisons and the jails? I keep hearing stories of recruitment problems in State prisons and in the county jails.

Mr. TOWEY. Mr. Congressman, I think I might be able to answer that.

One of the best resources that the Commonwealth of Virginia has for gang intelligence is the Department of Corrections; and the reason for that, of course, is because the Department of Corrections does have a very large problem.

Mr. WOLF. It does have a gang problem?

Mr. TOWEY. Absolutely. The Department of Corrections is used by gang members not only to continue their gang participation activities but also as a recruitment tool. Prisons are sometimes referred to as "gang college." That's where people that are gang members or people that aren't yet gang members go and they learn additional tools to help them survive in a criminal way back on the street. And in many occasions a certain prison gang, such as La Eme, the Mexican Mafia and Nuestra Familia, which are more prevalent on the West Coast but are starting to show themselves in the Virginia Department of Corrections, those gangs will recruit new members and give them what they refer to as marching or-

ders. They will instruct the new members when they leave to go out and maybe do a hit on the street or do some other criminal activity on the street.

So new members are actually created as a result of the Department of Corrections. And they try to minimize that to a degree by finding out what inmates are members of what gangs when they come in. They have a screening process to try to separate them.

However, on the flip side of it, the fact that the Department of Corrections does have a gang problem—and it certainly, I guess in theory, should have at least as much of a gang problem as exists on the streets because that's where the gang members are ending up—the flip side of it is that it's actually a great resource for intelligence. There are certain investigators with the Department of Corrections that are members of the Virginia Gang Investigators Association and that are working daily with gang investigators on the street to help them solve crimes and even in some cases working with prosecutors to give them the evidence that they need to prosecute gang members under our gang participation and gang recruitment statutes.

Mr. WOLF. What about county jails?

Mr. TOWEY. I don't know hard statistics on county jails, but I can only imagine that whatever exists on the street is going to exist in the jails, in the regional jails and in the prisons. Someone else might be——

Mr. WOLF. Is there a Maryland——

Mr. LYNN. Congressman, yes. Much like he says that, when we take them off the street, they're going into the jails. And they are not curtailing their activities in the jails. We have a good working relationship with our county jail, and that's when we provide them an inmate that we know has gang connections, we give them that information so they have the heads up when that person hits their doorstep. We most recently had a stabbing that occurred in the jail, and it was clearly gang related. It was one member on another member. Even with the efforts that the jail takes to control those gang members in there, and sometimes keep some of them separated, we also find, much like he just said, that information emanates from the jail. They continue to put their orders back out to the street. They have people come visit them in the jail. We're able to see those records of who comes and sees them daily at the jail. Their mail is inspected. So it is a good intelligence source, but the gang activity continues even after they're put on the——

Mr. WOLF. Is there any effort of rehabilitation with regard to the gang activity in prisons?

Mr. LYNN. Yes, there is. And it's a difficult thing because, you have to have somebody to want to take the bite of the pie. You can put it in front of them, but if they're not interested in that, then even though the efforts are there, and I don't want to say futile, but you get the point that I'm making. The efforts are there upon—or from the people that administrate the jails and the workers that are there, but if the participants that are there, the inmates don't want to take a bite of that pie, then it is futile at times. And a lot of times, these guys that are in those jails are hardened gang members.

Mr. WOLF. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much. Mr. Van Hollen.

Mr. VAN HOLLEN. Thank you, Mr. Chairman. Thank all of you for your testimony here this afternoon. I am just trying to get an idea of the extent of cooperation among different members of say MS–13 or another international-type gang among different regions because we hear a lot about how, for example, there's a network of MS–13 members all the way from El Salvador on the West Coast and here within this region. And my question is, to what extent is that gang structure centralized in any way nationally or internationally? Or is it much more I guess like independent regional franchises? And because it goes to some question about to what extent the intelligence gathering system works, in other words if you have sort of an international network then, you know, finding out what's going on in El Salvador on the West Coast may have a direct bearing on what's going on in the Washington region. If it's more sort of local efforts with very loose affiliations, something different. So do we have more of a sort of international network, central network or is this much more of a local franchise type operation?

Mr. LYNN. If I could comment very briefly on that, and I think the international aspect of it, Federal partners here are going to comment more appropriate than me. I can give you some examples we've run into in Prince George's County in Maryland. We see influences coming from the West Coast. One of the things that our guys on the task force have been very good at doing is recruiting informants. So we get that firsthand information right from guys that are attending their meetings, and they do have routine meetings that you are required to be at. If you're not there, then they deal out punishment that you are not there. They probably attend their meetings more regularly than some of us attend some of the meetings that we're supposed to be at.

Mr. WOLF. Caucus.

Mr. VAN HOLLEN. We have penalties too now.

Mr. LYNN. Out of the information coming back from the informants we find information is shipped here from the West Coast. We find people come here from the West Coast to come here to either set up cliques or to direct cliques that are here for lack of a better term, are not being successful. We've gotten information from informants that have been at meetings that people have come here from out of the country. Have come here from El Salvador and have come here to direct cliques of MS–13 that they are not being violent enough.

Mr. VAN HOLLEN. All right.

Mr. LYNN. So they get advisors that are sent here. That direction that transient movement of people. In Prince George's County, we get people sent here from across the country, from the West Coast from New York from New Jersey from down south, so with those few examples in there, I think it is quite prevalent, and as far as the international connection goes and that information's swapping back and forth, I think they can handle that.

Chief SUMMERS. In northern Virginia, we see about the same thing. Where I don't know that there's a central command, there certainly is an identity there, where if I come from California MS–

13, certain cliques in northern Virginia I can identify with. Same with folks coming from El Salvador.

Mr. RODRIGUEZ. I agree with Mr. Lynn on what he was just saying regarding how we have a lot of gang members, specifically from California, come over to northern Virginia, looking to try to structure this gang a little bit more the way it is in California, because they feel that it's not structured here. I think a lot of that is due to a lot of the members of MS do work during the day in some type of legit job and get together in the evenings to do the illegal-type stuff. Internationally, the FBI is working closely with El Salvador and also we try to exploit as much of the information that we gather when we work closely with the task forces and conduct search warrants and arrest warrants, pocket litter leads to a lot of intelligence for us. We try to exploit that as much as we can and I think have been pretty successful coordinating cases across the country.

Mr. SPERO. Congressman Van Hollen, I'd like to also reiterate what Captain Summers and Agent Rodriguez was saying. When we're out there on a day-to-day basis with the northern Virginia task force and the other gang task forces in the region, specifically the Fairfax County Gang Unit, we're interviewing these gang members on a daily basis as we take them into custody. And during our interviews, that's exactly what we're finding here in the northern Virginia area, is that they—maybe they're under a little bit of pressure because they are loosely affiliated under regionalized groups, and not necessarily so successful at doing some of the stuff that their counterparts on the West Coast have done. And we've heard from gang members here in northern Virginia that members from the California side or West Coast versions of the MS–13 factions would come over here to try to whip them into shape, try to get them to be more prosperous successful gangs.

Chairman TOM DAVIS. Dutch.

Mr. RUPPERSBERGER. Again, thank you all for being here. I think this hearing has done a lot, but what we always—we talk about issues at hearings, but hopefully, we can get to the next stage of implementation. When we talk about Maryland, I think it's important to know that you have the Washington suburbs and then you have the Baltimore suburbs and you know, I think—what I am going to ask you a question about is the area I represent the Baltimore suburbs. Maybe starting with you, Captain Lynn, or anyone.

Do you have relationships or meetings with the people in the Baltimore area, Baltimore City, Baltimore County, Anne Arundel, Harford, I would say that the area north, which is part of the district I represent called Edgewood, which is near Aberdeen, is north of Baltimore City maybe 15 or 20 miles and there's a lot of high—there's a lot of level right now of MS–13 involvement.

And in fact, the gentleman from Montgomery County just told me that the individual he talked about here today, it was a source for him, actually really lived and worked in that area, and one of the reasons he said that you have movement—not only because of what's happening here, but there's a lot of affordable housing. So my question, are you working with that region, are you sharing information, do we need to do it better?

Mr. LYNN. I would say that we can always do what we're doing probably a little bit better. Do we share information with that re-

gion? Yes. Do we work with them? Have we worked with them? Yes. Officers from Anne Arundel County, Baltimore County have been in my station. We've assisted them with some search warrants and some arrest warrants. We've had some of our individuals go up into that region and commit some crimes, a very serious assault probably about a month and a half ago, that information exchanges and we do work with that region, yes.

Chief SUMMERS. The Northern Virginia Gang Task Force has been to Baltimore City and the surrounding areas and provided training, and we are in contact with them pretty much weekly, daily on certain gang-related issues, yes.

Mr. RODRIGUEZ. At the Federal level, our FBI Baltimore office, we meet regularly with them, and next month, we're going to start to try to have a border-type meeting to include our State and local partners and discuss the border issues as far as going over and back to Virginia.

Mr. RUPPERSBERGER. Let me ask you this, I'm on the Intelligence Committee and I work very closely with the Joint Terrorism Task Force, and I think it's probably one of the best weapons that we have against terrorism right now in our homeland in the United States, Joint Terrorism Task Force is really coordinated by the FBI, but you have NSA, CIA, State and local and not only do you have the men and women in law enforcement on the street, you also have analysts and you have the technology to make sure that we have a data base of where terrorists are coming from, if there are cells that are here. My question—and I think—and really the jurisdiction of Congressman Wolf, I mean, if the terrorism task force are doing well and we need to go beyond our own jurisdictions, if we're really going to deal with this situation because one thing I think I've learned here today and information that I have before is if you do a good job in Fairfax, they're going to move someplace else. Not only because the heat's up, affordable housing issues like that. Do you think it would be wise to look at the program and the format of the Joint Terrorism Task Force and maybe start focussing on that as it relates to—and it's got to be done on the Federal level—as it relates to gang activity? And there's one component that's very important in any type of law enforcement where we're dealing with an issue like this, and that's intelligence. We can have a lot of aggressive people out in the street, but if we don't get intelligence from an international point of view because you have a lot coming from El Salvador, and if you don't have that intelligence analyzed, and then if you don't have the collectors or the police or whatever out in the street getting the information, developing informants, you're not going to be as effective because really, what happens here might solve or help a problem someplace else. Do you have an opinion on the Joint Terrorism Task Force program? And would that be a model we could use here?

Mr. RODRIGUEZ. Yes, sir. I do. In fact, prior to coming to the Washington field office, I worked in the director of intelligence, and understanding intelligence and believe that truly is the way to drive a lot of the investigations, especially in the terrorist area. We can apply that same process to criminal matters. Again, it's—a lot of it is knowing your domain, understanding where the crime problem is, doing strategic analysis.

Mr. RUPPERSBERGER. I see my light's going on. I just want to say this, I really would like to take this a little further maybe about the possibility I'm going to talk with Congressman Wolf about it, about that Joint Terrorism Task Force component, which would mean new resources as it relates to gang activity. It's kind of the same thing that happened in New York when the Mafia was really big, taken down.

Mr. RODRIGUEZ. Absolutely. We need to apply all the analytical resources. Again, through strategic assessments, we'll be able to connect the dots instead of reacting to them, I think, a lot better which is, I think, what the JTTFs are doing now in preventing and deterring the terrorist acts, State and national intelligence, and letting that drive the investigation.

Mr. WOLF. If the gentleman would yield, how broad are they? What is the broadest jurisdiction of the Joint Terrorism Task Force?

Mr. RUPPERSBERGER. It's really coordinated by the FBI.

Mr. WOLF. How far did they go? What's the broadest? Is it just the region, like Baltimore?

Mr. RUPPERSBERGER. You usually have one in every urban area, but it expands throughout. So even though you have one in Maryland, it focuses on both Baltimore and D.C., but what's unique about it, you also have a tie-in, you have someone from the CIA, NSA, they're actually in that task force that are getting international information that needs to be analyzed.

Mr. WOLF. So you are talking about a separate one that would just deal with the issue of all gangs.

Mr. RUPPERSBERGER. I would say—yeah, on the priority of gang activity because——

Mr. WOLF. Right. But are you including bringing it into the existing ones that we have? Or having a separate one dealing just with the gang issue?

Mr. RUPPERSBERGER. Well, it depends. You have a role model with the Joint Terrorism Task Force—that is a good example, the FBI. The Joint Terrorism Task Force is that combination of Federal, State and local. And as a former prosecutor, you get, as you know, you get a lot from the street. You give me a street cop or somebody who's out there all the time, you get information. OK, this is like a strike force situation, but with analysts and information, but you also have the FBI that's starting a new program that's dealing in intelligence, which is different from the profile. And they're kind of another group.

What I'm saying is that we have these joint terrorism task forces, in my opinion, and in the opinion of some other people that do a lot of work in this area, are probably the most effective tool in fighting terrorism in our area, cells and whatever. And why reinvent the wheel when we can probably do the same thing that they're doing since the FBI coordinates it. State and local, you can pull people from different areas, and you have this task force and it also gets you information from El Salvador, from there. You have CIA components maybe in El Salvador that will feed information. You just get a data base and then you react to it as it comes to your area. As the street people are focussing in getting informants

and people that can help in that regard. I think we need to talk about it.

Chairman TOM DAVIS. Thank you.

Mr. RUPPERSBERGER. Maybe we can use the Washington/Baltimore area based on this hearing today as a pilot program.

Chairman TOM DAVIS. Thank you again. Mr. Rodriguez.

Mr. RODRIGUEZ. Currently right now, the National Gang Task Force and National Gang Intelligence Center is doing similar things to what you were saying, sir, and trying to take that intelligence, incorporating it into one data base that can be shared across the country as well as with State and locals.

Chairman TOM DAVIS. Thank you. I have a couple quick questions. Mr. Spero, first of all, is there any al Qaeda connection here? Is al Qaeda or any of these groups working with any gangs or trying to infiltrate them?

Mr. SPERO. We have heard anecdotal evidence that al Qaeda could or MS–13 could be a potential link or have potential links to al Qaeda or be a potential weakness, certainly in the northern Virginia area, we have not had any information to prove that there's been any——

Chairman TOM DAVIS. But nationally it's a concern?

Mr. SPERO. Nationally, it is a concern, sir.

Chairman TOM DAVIS. You mentioned the 200—you mentioned the 233 violent street gang members who were arrested in the D.C. area, of which 19 were MS–13?

Mr. SPERO. Yes.

Chairman TOM DAVIS. What happened with these gang members? And did you work with the Northern Virginia Regional Task Force and other local law enforcements to make those arrests?

Mr. SPERO. Absolutely we did. Some of those arrests were made with this particular—the Northern Virginia Gang Task Force, in which we have a full-time member who is essentially—he works on a daily basis with them, goes out, he identifies targets, the highest priority is the violent members of the gangs with criminal histories and gang leadership. We also have an agent assigned to the northern Virginia gang unit. He is doing the same thing with that unit as well.

We have an agent assigned to the District of Columbia to work with the Washington, DC, Metropolitan P.D.

Chairman TOM DAVIS. If they got arrested, what happened to them? Did they all get convicted or is it still in the process or——

Mr. SPERO. When we encounter these—these gang members, what—we look at all different tools that are available to us from ICE's standpoint, whether it be a criminal arrest, and we get tremendous participation and support and cooperation from the U.S. Attorney's office and the District of Columbia as well as the eastern district of Virginia, in prosecuting these gang members. And we also take them into custody——

Chairman TOM DAVIS. So a lot of these you are—basically you are still prosecuting?

Mr. SPERO. Yes. Some prosecutions are ongoing. Some have been—if we don't have the ability to charge them criminally with a criminal prosecution, they would be taken into administrative custody, and in that case, they would be served with a notice of——

Chairman TOM DAVIS. I gather you have an ICE issue with some of the many anyway regardless of crime. Is that correct?

Mr. SPERO. Yes.

Chairman TOM DAVIS. Not with all. Some of them are citizens.

Mr. SPERO. Many of the foreign-born gangs, especially MS–13 in this area are in the United States illegally. They are subject to removal proceedings. They also may be subject to——

Chairman TOM DAVIS. If you can get an identified gang member, you will—at that point thoroughly enforce immigration laws. Is that correct?

Mr. SPERO. Yes, Mr. Chairman.

Chairman TOM DAVIS. OK. What percent were repeat offenders of this? Any idea of the 233?

Mr. SPERO. I don't have an exact percentage. We do see some repeat offenders when we are talking about re-entry after deportation and when we do locate those. The Northern Virginia Gang Task Force has a good gang data base, as does the northern Virginia—the Fairfax County Gang Task Force. And we update that data base as we take these people—the MS–13 gang members into custody, and when they—if they do come back, they're already in our gang data base, and we do arrest them and prosecute them for reentry after deportation.

Chairman TOM DAVIS. Let me just ask a minute about GangNet at this point. How utilized is that or are we looking for a way to streamline so you have a national reference? Can you describe how effective that—I don't know, Captain or Chief, if we've used that, if we've used that and coordinated with that, but that's kind of a nationwide Yellow Pages, isn't it, for people who are suspected?

Mr. SPERO. Yes. We're also looking at other gang data bases, including GangNet. We are—we share information. We share information with the State and locals and our other Federal partners. And what we—from ICE's perspective, have to add to that in addition to our intelligence on the gang members themselves is that their immigration status and the biometrical data.

Chairman TOM DAVIS. Go ahead.

Chief SUMMERS. Mr. Chairman, I still believe the information across the country is pretty much fragmented, where northern Virginia has their data base, and maybe Richmond has theirs, California has theirs.

Chairman TOM DAVIS. But there's not a lot of sharing back and forth. So gang members can move across jurisdictions, come in and set up shop, and it may take a while to know who they are and what they are doing.

Mr. RODRIGUEZ. We are looking at GangNet across the country through the FBI. We are also exploring other avenues with data base sharing currently.

Mr. SPERO. Mr. Chairman, I would just like to clarify that we're in the process of coming out with ICE gangs. And in this ICE gang system, when we do throw this out, it will be a situation where we will be able to more effectively share the information back and forth with the Federal partners, State and local law enforcement agencies.

Chairman TOM DAVIS. OK. Finally, let me just ask Chief Summers. If this program in northern Virginia could be replicated,

what would be the two or three things you would say to other jurisdictions across the country that's made this so successful?

Chief SUMMERS. I would say first and foremost to get your local law enforcement community together and get the buy-in from all of the chief executives as well as the Federal and State partners. And then I would say to do it as a phase-in approach and not a shotgun approach to try to put in all of the phases, the intervention and the prevention. You can't do it all at once but you need to phase it in. Kind of like a weed and seize, get the baddest off the streets first and let the gangs know you mean business and then you can proceed to educate and prevent and intervene.

Chairman TOM DAVIS. Well, thank you. I think we're happy to see the strong partnership with the Federal, State and local enforcement. We know territories can exist, and it's heartening to see such a strong partnership. Anyone else? Frank, any more questions? Let me just thank this panel. It's been a successful hearing. We appreciate it. Keep up the good work. Hearing's adjourned.

[Whereupon, at 1:35 p.m., the committee was adjourned.]

[The prepared statement of Hon. C.A. Dutch Ruppersberger follows:]

Congressman C.A. Dutch Ruppersberger
Committee on Government Reform
"MS-13 and Counting: Gang Activity in Northern Virginia"
July 14, 2006
10 a.m. – Fairfax City Hall, Room 305
STATEMENT

Thank you Mr. Chairman for calling this field hearing today. I am glad we have brought together these officials from various Virginia jurisdictions and federal agencies to discuss the very serious rise of gang activity in the area. I represent Maryland's 2nd Congressional District, which has seen an increase in organized gang activity as well.

The Baltimore and Washington regions have a lot in common – our only difference now is that we have our own sports teams!

In my district and throughout the state we are experiencing some of the same problems that you are here in Virginia.

MS-13 is a sophisticated crime network that is not contained by state or international borders.

Right now, some attribute the rise in gang activity in Maryland to the success of the Regional Gang Task Force here in Virginia. Instead of reducing gang activity, we are just spreading it around. If this is in fact the case, then we all need to work together across state lines to combat this serious problem. We can't just brush it under the rug into another jurisdiction – we need to work as a regional team across state lines to solve the problem.

The rise of MS-13 exposes several challenges we face as a region and as a nation: The fluidity of our borders, insufficient immigration enforcement tools, a lack of social programs that promote youth development, the persistence of poverty, and a limited regional approach to law enforcement create the perfect storm for violent gangs to thrive.

MS-13 is a classic example.

We need to strengthen our regional approach to law enforcement by building on effective programs already underway and making sure we get law enforcement the resources they need to do their job.

The FBI's MS-13 Gang Task Force, and the soon-to-be National Gang Intelligence Center; U.S. Immigration and Customs Enforcement's program Operation Community Shield; and Virginia's Regional Gang Task Force all have the potential to stop MS-13 from infiltrating our communities.

That is, if we work together.

Many years ago I was an investigative prosecutor in Baltimore County, Maryland and I dealt with gang issues back then. This issue is getting more serious and more deadly. We must fight the proliferation of gangs on multiple fronts.

Based on my investigation, a lot of gang members have a very poor home-life and it is these young people who are most

susceptible to being recruited into gangs. For them, the gangs are the family and support group that they lack at home.

We need regional law enforcement efforts AND we need effective prevention and intervention programs.

To address this problem we need to ensure that prevention and intervention programs have the resources they need to reach the kids early. After-school programs, programs such as the Police Athletic League (P.A.L.), and others, seek to involve parents, schools, and local community groups to rid our neighborhoods of the underlying conditions that lead to gang activity.

By teaching youths to respect themselves and their community through smart decisions and getting involved in a positive way, we can help put them on the path to a successful – and legal – future.

We need to reach these young people starting in elementary school and continue through junior high and high school.

Recent trends in my Congressional District indicate that recruitment is occurring at the junior high and high school level. If prevention is going to work we need to get to these kids first.

My District is also a diverse district when it comes to gang membership and gang activity.

I represent parts of Baltimore City and Harford County where there are large Blood populations and where MS-13 is growing.

Because the suburban areas of Baltimore do not have as active a gang population as suburban Washington, I believe that we still have an opportunity in the Baltimore region for prevention strategies to work and for limiting the increase in gangs and gang related violence.

We need to stay focused and our jurisdictions across the Washington and Baltimore region must work together. Cooperation is key if we are going to save our young people, stop the violence, and end the crime associated with gangs.

I want to thank you again Mr. Chairman for having this hearing and the witnesses for coming today. I look forward to working with you to strengthen our communities.

Thank you and I yield back.

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