



# Department of Justice

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STATEMENT  
OF

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**BEFORE THE**  
**COMMITTEE ON THE JUDICIARY**

**SUBCOMMITTEE ON CRIME, TERRORISM**  
**AND HOMELAND SECURITY**

**UNITED STATES HOUSE OF REPRESENTATIVES**

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**VIOLENT CRIME AND GANGS**

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**October 2, 2007**

Chairman Scott, Ranking Member Forbes, and Members of the Subcommittee. I am Richard Roper, the United States Attorney for the Northern District of Texas. It is an honor to appear before you today to discuss how the Department of Justice is partnering with federal, state, and local law enforcement agencies and members of communities small and large to address the problem of gangs and violent crime. This critical public safety challenge grips communities of all sizes and demands a strong and coordinated response. In this testimony, I will summarize the comprehensive approach the Department of Justice has taken to confront this problem.

First, I think it is important to consider the scope of the gang problem. Recent data from the FBI confirmed that there were slight increases in the number of violent crimes reported in 2005 and 2006. Any increase in crime is troubling, although we should be mindful that this small rise comes after more than 10 years of decline (1995-2005) during which the violent crime rate dropped by 17.6%. In general, the current data do not reveal any consistent nationwide trend. Violent crime continues to decrease in cities across the country, such as Cleveland, Ohio; Philadelphia, Pennsylvania; and Boston, Massachusetts. However, there are localized increases in certain communities.

There is no single explanation for the rise in violent crime. The rate of violent crime is influenced by countless factors, many of which are beyond the control of the Department of Justice. Because we recognize that many of the factors that lead to violent crime can be most effectively addressed by community leaders, educators and members of the faith-based institutions, the Department is committed to implementing comprehensive strategies to combat violent crime, focusing not just on traditional law enforcement, but also on working with our community partners to prevent people from becoming violent criminals.

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

Federal prosecutors continue to focus our resources on the most serious violent offenders, taking them off the streets and putting them behind bars where

they cannot re-offend. In 2001, the Administration created Project Safe Neighborhoods (PSN), a cooperative effort among federal, state, and local law enforcement agencies and prosecutors to reduce gun crime. Since the inception of the PSN program, the federal government has committed more than \$1.7 billion to support PSN efforts such as hiring more than 200 federal prosecutors to prosecute gun crime, making grants available to hire more than 500 new state and local gun crime prosecutors, and training more than 30,000 law enforcement officers, prosecutors and community members across the nation to develop effective prevention and deterrence efforts to reduce gun violence.

In the six years since PSN began, the Department has more than doubled the number of federal firearms prosecutions, compared with the previous six years. In FY 2006, the Department prosecuted 10,425 federal firearms cases against 12,479 defendants. Those prosecutions have been effective in keeping violent criminals off the streets and relieving some of the pressure on state prosecutors. Moreover, the conviction rate for federal firearms defendants in 2006 was 92% - the highest it has ever been. The percentage of those defendants sentenced to prison - nearly 94% - is also at a record high. Over 50% of the defendants sentenced to prison

received sentences of more than five years, and nearly 75% received sentences of more than three years.

In February 2006, the Attorney General expanded PSN to include new and enhanced anti-gang efforts, in addition to traditional gun crime reduction strategies. For FY 2007, the Department has administered nearly \$50 million in PSN state and local grant funding to prosecute criminal misuse of firearms and illegal gang activity.

Now let me turn to the important steps the Department has taken specifically to address the prevalence of gang violence. The Department established an Anti-Gang Coordination Committee to organize the Department's wide-ranging efforts to combat gangs. The Department also established a Comprehensive Anti-Gang Initiative, which focuses on reducing gang membership and gang violence through enforcement, prevention and reentry strategies. That initiative currently operates in ten jurisdictions across the country. One of those sites is in my district, and I've seen first-hand how important it is to combine enforcement with prevention and reentry efforts when dealing with gang violence.

At the district level, each United States Attorney has appointed an Anti-Gang Coordinator to provide leadership and focus to our anti-gang efforts locally.

The Anti-Gang Coordinators, in consultation with their local law enforcement and community partners, have developed comprehensive, district-wide strategies to address the gang problems in their districts.

In addition, the Department has created a new national gang task force, called the National Gang Targeting, Enforcement and Coordination Center (GangTECC). GangTECC is composed of representatives from the Bureau of Alcohol, Tobacco, Firearms and Explosives; Bureau of Prisons; Drug Enforcement Administration; Federal Bureau of Investigation; United States Marshals Service; and U.S. Immigration and Customs Enforcement, Department of Homeland Security, among others. The center coordinates overlapping investigations, ensures that tactical and strategic intelligence is shared among law enforcement agencies, and serves as a central coordinating center for multi-jurisdictional gang investigations involving federal law enforcement agencies. GangTECC works hand in hand with the National Gang Intelligence Center, which integrates the gang intelligence assets of all Department of Justice agencies, and has established partnerships with other federal agencies, including the National Drug Intelligence Center, and state and local agencies that possess gang-related information.

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

The Department has recently taken steps to ensure that these task forces act in concert and complement each other's efforts. In addition to the national-level Anti-Gang Coordination Committee I noted earlier, the Department has directed that the United States Attorney's Offices and components' task force managers in each jurisdiction with multiple violent crime task forces implement guidance for coordinating task force operations; required all agencies certify that they have policies and procedures in effect that mandate coordination other violent crime task forces, including, where effective and available, participation in information

sharing and deconfliction measures; directed that all proposed violent crime and anti-gang task forces now be subject to review by the Anti-Gang Coordination Committee, with final approval by the Deputy Attorney General; and finally, the Department directed DOJ law enforcement components to evaluate compliance with policies concerning task force coordination, information sharing and deconfliction efforts in periodic internal management reviews.

Parallel with its efforts to combat gangs domestically, the Department has drastically expanded efforts to sever the links that connect gang members transnationally, especially in Mexico and Central America. The Department realizes that effectively combating violent gangs at home requires combating violent gangs abroad. A myriad of recent initiatives aim to reduce the danger posed by transnational gang networks, most notably the U.S. Strategy to Combat Criminal Gangs from Central America and Mexico. This strategy is one component of a larger, developing regional security plan. Under this comprehensive strategy, the United States Government works with partner countries to combat transnational and other gangs that commit crimes in Central America, Mexico, and the United States through both prevention and enforcement. The Strategy sets forth five areas in which the United States will work with our neighbors to combat

criminal gangs: Diplomacy, Repatriation, Law Enforcement, Capacity Enhancement, and Prevention. The U.S. Gang Strategy enhances U.S. interagency and international cooperation, increases coordination, and systematically enhances linkages between foreign governments and U.S. Federal, State, and local law enforcement agencies.

The Department continues to enhance international partnerships in the fight against transnational gangs. One example of the progress made by the Department is the comprehensive, four-part agreement on combating transnational gangs between the U.S. and El Salvador. The agreement will assist efforts to identify and prosecute the most dangerous Salvadoran gang members through programs to enhance gang enforcement, fugitive apprehension, international coordination, information sharing and training and prevention. Several initiatives are included in the accord:

- The FBI and State Department personnel will assist El Salvador's Civilian Police (Policia Nacional Civil or PNC) in developing a new Transnational Anti-Gang Unit to better pursue and prosecute gang members.

The FBI, in cooperation with the State Department, will

accelerate the implementation of the Central American Fingerprinting Exploitation (CAFE) initiative in order to better identify, track and apprehend gang members. CAFE has provided equipment and training to help law enforcement agencies in El Salvador and other Central American nations acquire digital fingerprints of violent gang members and other criminals who commit crimes under different identities in different countries. FBI is working to expand the CAFE initiative to Guatemala during FY 2008 and expects to expand the initiative to other Central American nations in the future. The U.S. is increasing its anti-gang training in Central America, including efforts through the International Law Enforcement Academy (ILEA) in San Salvador. The Academy recently graduated its third class of police and prosecutors from El Salvador and nearby countries. The curriculum covers best practices in targeting and fighting gang activity and other crimes.

The enforcement programs listed above are critical to the fight against gangs and violent crime, but we recognize that law enforcement alone can not solve this problem. To the extent that we can, we are leading and encouraging local prevention and public awareness programs. Let me give you some examples.

Over the past year, the nation's United States Attorneys have convened Gang Prevention Summits, designed to explore additional opportunities in the area of gang prevention. The summits brought together law enforcement and community leaders to discuss best practices, identify gaps in services, and create a prevention plan to target at-risk youth within their individual communities. These summits have reached over 10,000 law enforcement officers, prosecutors, social service providers, prevention practitioners, and members of the faith-based community.

In partnership with the Ad Council, the Department created four PSN public service announcements (PSAs) intended to educate youth about the perils of gun crime and the consequences of joining gangs. The most recent television and radio PSAs were launched at the Project Safe Neighborhoods National Conference on September 17, 2007 and began airing on that date. These ads are available in both English and Spanish.

In addition to the existing anti-gang training and technical assistance provided by Department components, the Department has hosted two Gang Prevention webcasts that are accessible to the public. These webcasts share best practices in gang prevention; identify resources; support and complement the Attorney General's Anti-Gang Initiative; emphasize a community-based approach to gang prevention and the importance of collaboration; and assist the United States Attorneys in implementing their district-wide anti-gang strategies. The webcasts are available at [www.dojconnect.com](http://www.dojconnect.com).

The Department also has long supported other gang prevention activities such as the National Youth Gang Center, the Boys & Girls Clubs of America, and the Office of Juvenile Justice and Delinquency Prevention's Gang Reduction Program.

The Department has developed a number of resources and community policing solutions to help law enforcement and communities address the problem of gangs. These resources include guides for police on topics such as graffiti, bullying in schools, gun violence among youthful offenders, and witness intimidation; comprehensive gang prevention model programs; parent quick reference cards in English, Spanish, Vietnamese, and Hmong; multi-site

evaluations of gang programs; innovations documents on network analysis and jail information-gathering; and a *Solutions to Address Gang Crime CD-ROM* available free to the public containing DOJ anti-gang related resources and tools.

It is important to consider what these programs actually mean to the communities they are intended to help. To further clarify how federal programs translate into reducing violent crime and gang violence in the cities and suburbs that you represent, let me give you some examples of what we have done in the Northern District of Texas, which includes the Dallas-Fort Worth metropolitan area.

Working with our federal, state and local law enforcement and community partners, we have implemented a comprehensive three-prong approach to combat gangs, guns and violent crimes: (1) By employing enforcement initiatives in target areas to identify and prosecute those involved in firearm and gang violence; (2) By implementing prevention programs in target areas and certain schools to reduce gang and gun activity, truancy and violent crimes. and (3) By forming effective prisoner re-entry programs to keep former gang members and other violent criminals from returning to gang membership and criminal activity after t from prison or supervision.

## 1. The Enforcement Initiative

Like my colleagues across the country, my office has maintained a robust and effective PSN initiative to reduce firearm and violent crime. Our PSN partners include local police departments, state probation and parole authorities, the Bureau of Alcohol, Tobacco and Firearms (ATF), the North Texas High Intensity Drug-Trafficking Area (HIDTA), the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), the Immigration and Customs Enforcement (ICE), and the United States Marshals Service. We targeted areas in my district where firearm violence was high. Two examples illustrate the effectiveness of this initiative.

First, in the Cymbal Street investigation, ATF special agents and Dallas Police Department investigators, faced two street gangs who worked together to maintain control of a neighborhood in East Dallas for their drug trafficking activities. Gang members used firearms to protect their drug business and excluded other dealers from drug selling there. Understandably, the neighbors living there were afraid to come out of their houses and would not talk to the police in public view, for fear of reprisal from gang members.

Following the 2003 arrest and federal prosecution of 18 gang members for distributing crack cocaine, the crime rate (including Murder, Rape, Aggravated Robbery, Aggravated Assault, Burglary, Theft and Unauthorized Use of a Motor Vehicle) for the Dallas Police Department patrol beats surrounding this area dropped by 47%. This decrease illustrates the impact these gang members were having on the neighborhood, and region as a whole, with their criminal activities.

In another initiative in Fort Worth, Texas, "Operation Fish Bowl," FBI safe-street task force agents and Fort Worth Police Department officers took on a well-organized, hierarchical, crack and powder cocaine distribution network of various sets of the Crips Street Gang, who operated in a neighborhood of east Fort Worth. Gang members terrorized this neighborhood committing homicides, aggravated assaults, and drive-by shootings. In 2006, 41 Crips Street Gang members, including top players in the organization, and their associates were arrested and prosecuted in federal court for distributing crack and powder cocaine and illegally possessing firearms. 32 defendants received an average sentence of more than 15 years. One defendant received a 60-year sentence. Investigators seized 29 weapons, including assault rifles, shotguns and handguns, and a large cache of crack cocaine and black tar heroin. Following this operation, crime has decreased

nearly 10% in this area of Fort Worth in one year, which is area's lowest crime rate since 1991.

For any successful initiative, however, a sufficient structure must be in place to support the investigation and prosecution of gang members and violent criminals. Last year, as a part of the Department of Justice's anti-gang initiative, the Dallas-Fort Worth metropolitan area received a \$2,500,000 grant. A portion of this grant has been used to enhance certain needed anti-gang enforcement efforts. First, we found that with rising gang membership and related crime, gang activity is spreading from larger urban areas into surrounding suburbs. As a result, the need to share information and intelligence on gang activities is becoming critically important. Consequently, we are installing a comprehensive gang intelligence program, Gang-Net, to be utilized by all local, state and federal law enforcement agencies in the Dallas-Fort Worth metropolitan area and adaptable to other state and national gang resource systems. This shared database will assist in tracking gangs, gang members, their criminal activities, gang identifiers, migration trends, recruitment activities and other information valuable to law enforcement. Information available through this database, will aid law enforcement agencies in

preventing and solving crimes, not only in the specified target areas, but also across jurisdictional boundaries.

Second, we have assisted in the creation of a much-needed gang unit within the Dallas County District Attorney's Office. In addition, through the assistance of the Office of the Governor of Texas, Rick Perry, the Dallas County District Attorney's Office also received a grant to pay for an assistant district attorney to work exclusively as a special assistant United States attorney to prepare and prosecute gang and firearm related offenses in federal court. These additional prosecutors and investigators will ensure that anti-gang enforcement efforts are coordinated at both the state and federal levels.

Third, in Fort Worth, the police department has instituted a program to issue gang injunctions, already successfully used in San Antonio, to reduce gang activity in targeted locations. The practice of issuing gang injunctions is based on the theory that a gang is a public nuisance that impacts an entire community. Through a court order and an injunction, the nuisance can be abated. In order to begin an injunction process, a city must document that gang members are carrying out illegal activity in a specified area and that the activity is having a negative impact on the community. The City Attorney then seeks an injunction against one or more

of these gang members that prohibits them from conducting certain activities within the target area. Prohibited acts may include things such as associating with other gang members, possessing spray paint, approaching vehicles in a manner consistent with drug sales, loitering, or trespassing on particular property. Once the injunction is in place, gang members are subject to immediate arrest if they are caught violating any terms of the injunction. The arrested person may be charged with a misdemeanor punishable by up to a year confinement in the County Jail and an optional fine not to exceed \$4,000. These gang injunctions will give officers the opportunity to truly implement a zero tolerance to gang activity in Fort Worth.

Fourth, the United States Marshal Dallas/Fort Worth Fugitive Apprehension Strike Team (DFW FAST) from the Dallas and Fort Worth Police Department and the Dallas and Tarrant County Sheriff's Office coordinates with the Gang Units and Homicide units for the referral of fugitives. Following arrest of these fugitives, the FAST team members work with gang officers to ensure that arrested gang members are debriefed and gang intelligence is shared.

Fifth, we have conducted training in my district to provide law enforcement officers and community organizations the information and tools to combat gang and firearm violence. This year, we have conducted a training program for school

police officers and school resource officers to familiarize them with current gang trends and signs of gang membership among students. In 2006, we held our First Annual Gang and Youth Conference. We brought together law enforcement, social service agencies, probation and parole officers, and educators. The program featured an overview of gangs in our region and practical advice on development of comprehensive anti-gang strategies that include enforcement, prevention, intervention and suppression efforts.

## 2. The Prevention Initiative

The District's gang prevention program targets gang and violent crime in high crime areas by coordinating partnerships with various federal, state and local law enforcement agencies and with various crime prevention groups, faith-based organizations, school districts and Weed and Seed Communities. This program has been effective.

For instance, the PSN Dallas ISD gang-prevention project is implemented in 10 schools. This program involves two parts. First, in the Gang Membership Prevention component, training is provided to superintendents, principals, school personnel, parents and students. The goal of this component is to reduce recruitment of new gang members and increase parental awareness of gangs and

associated behaviors. Second, in the Gang Intervention Activities component, community teams conduct outreach to gang members and potential gang members. The teams develop individualized treatment plans and conducts case management for gang members in the secondary schools. Gang Intervention services were also provided to elementary schools when school personnel identified individual cases there. The Gang Crime Prevention component also includes intelligence gathering, and graffiti removal at schools. This endeavor also mobilized community members and business owners to be more educated and vigilant in reporting gang crime and activity.

Another notable program is the Career Launch Program offered by the Boys' and Girls' Club. The program involves three components targeting youth at risk of joining gangs. In the Occupational Skills Training Component, youth may receive certifications in Certified Nursing Aid (CNA), Office Technology, Medical Billing & Coding and the Automotive Technician Program. Youth enrolled in the Education Component of the program are working towards achieving their educational goals. Of the 69 youth enrolled in the program in the last sixth months, only one youth has quit the program due to moving out of the service area. Two youth received employment in their occupational field and 15 youth achieved their

educational goals. Two youth received their Certified Nursing Aid (CNA) certificate, and have found and maintained employment. In addition, one youth graduated from high school and is bound for college.

### 3. The Re-Entry Component

The re-entry component involves two separate initiatives. First, since October 2003, we have conducted a PSN Re-Entry Education Program. This one-hour power point presentation is presented each month to approximately 800 recently released probationers and parolees in Dallas and Fort Worth. The presentation has two purposes. First, the program informs recently released probationers and parolees about the coordinated effort between federal, state and local authorities to prosecute gun offenders to the fullest extent of the law. To demonstrate this coordinated effort, each local law enforcement government official speaks for 2-3 minutes on their agency's commitment to PSN. The presentation's second purpose is to inform them about the legal consequences of gun crime. Over 27,438 probationers and parolees have attended this session. Our Research Partner has been tracking the effectiveness of the program and has reported that since its implementation, gun crime committed by probationers and parolees has decreased by 48% in Dallas County, a rather dramatic result.

Second, through the Department of Justice anti-gang initiative grant, we are implementing a prisoner reentry initiative to address pre-release and post-release services and supervision for high-impact gang members returning to the community after a period of incarceration in state, local or other correctional facility. This holistic approach is to connect faith-based and community organizations (FBCOs) with criminal justice, law enforcement, treatment, and service agencies/providers with wrap around services tailored specifically for formerly incarcerated identified gang members. The goal is to provide job training, job placement and mentoring services, all designed to ensure that former gang members will not return to gangs and crime.

### **Conclusion**

In order to reduce violent crime, the federal government must work cooperatively with our partners in state, local, and international law enforcement, and we must focus not just on dealing with today's criminals, but on preventing our children from turning into tomorrow's criminals. In some places in our country, social influences that lead children to obey the law – influences that many of us take for granted – simply do not exist. The best way to reduce violent crime is to employ an overarching strategy that includes all participants in the criminal

justice system, along with educators, community organizers and leaders of faith-based institutions who can help spread the word and counsel people who otherwise might be tempted to commit crimes. We need to work with state and local authorities to reach children in their homes, neighborhoods, schools and religious institutions, before they make the wrong choices that lead to lives of violence and despair. And we need to work with state and local authorities responsible for the law enforcement, juvenile justice and criminal justice systems that process the vast majority of violent criminals. We must ensure that those institutions, while dealing with the considerable challenge of prosecuting criminals for past crimes, also are able to focus on law enforcement's ultimate mission of preventing crime in the future.