

**COMBATING GANG VIOLENCE ON LONG ISLAND:  
SHUTTING DOWN THE MS-13 PIPELINE**

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**FIELD HEARING**  
BEFORE THE  
**SUBCOMMITTEE ON  
COUNTERTERRORISM  
AND INTELLIGENCE**  
OF THE  
**COMMITTEE ON HOMELAND SECURITY**  
**HOUSE OF REPRESENTATIVES**  
**ONE HUNDRED FIFTEENTH CONGRESS**  
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## COMBATING GANG VIOLENCE ON LONG ISLAND: SHUTTING DOWN THE MS-13 PIPELINE

Tuesday, June 20, 2017

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON COUNTERTERRORISM AND INTELLIGENCE,  
*Central Islip, NY.*

The subcommittee met, pursuant to notice, at 9:30 a.m., at Alfonse M. D'Amato United States Courthouse, 100 Federal Plaza, Central Islip, New York, Hon. Peter T. King [Chairman of the Subcommittee] presiding.

Present: Representatives King [presiding], and Rice.

Mr. KING. Good morning. The Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, will come to order.

The subcommittee is meeting today in Central Islip, New York to hear testimony on the threat posed by MS-13 and the efforts to counter this violent gang. I would like to thank the Ranking Member, Ms. Kathleen Rice, for joining me and holding this important meeting. Now I will make an opening statement.

Before that, though, let me thank all of you for being here today, all the witnesses, all the law enforcement, family members, school superintendents, community advocates. It is really important, and also the fact that there is a turnout here from the community that shows how vital this issue is.

The bottom line is MS-13 is a morally depraved, transnational murderous gang which terrorizes innocent people. The acts of violence connected to transnational gangs, specifically MS-13, have drastically and dramatically increased in Suffolk and Nassau County over the past several years. Just in the last more than a year, there have been 17 murders in Suffolk County alone committed by MS-13, and this is something which cannot be allowed to continue. It is essential we have a full-scale National, State, and local effort to destroy and end the terrorism, the tyranny of MS-13. They in many ways have turned immigrant communities into a killing field, and it is primarily within the immigrant community that these vicious machete killings, brutal murders have been carried out, and these are good people who are often unheard and not listened to.

So it is important, I think, that we bring this to the public's attention to realize that maybe in Central Islip and Brentwood today the fact is these are innocent human beings being killed, it is hap-

pening on our watch, and we have to do all we can to stop it. I want to thank all those who are here today because they have made significant contributions in this war against MS-13. It is important that everybody stand together on this.

I have spoken to President Trump, who is absolutely committed to doing whatever is necessary to devastate MS-13. As you know, Attorney General Sessions was in here on April 28, actually in this courthouse, meeting with many of the people who are here today to express the full support of the Justice Department and all the resources of the Federal Government.

I know that here in Suffolk County, the FBI, Homeland Security's HSI, and Nassau County Police, Suffolk County Police, Sheriff DeMarco, everyone has been working together, and that is really important. It has been really very positive results over the last several months. We see the sweeps and raids where 20, 30, 40 have been arrested, and these are MS-13 members, people who are affiliated with MS-13. These are people who are terrorizing the community.

So it is essential that the word get out that it is important that there be cooperation with law enforcement because the bottom line is that the police and the FBI and Homeland Security can only do so much. The real information is going to come from people on the ground, and that is why it is vital that we establish that trust, that relationship, and that people in the community, leaders in the community encourage the people in the community to cooperate.

I remember being at a community meeting back in April with Commissioner Sini, and he said that he knew that the people in the room knew who the murderers were. So it is important that those people come forward, whether it is this case or other cases. Certainly, the murder of those four young boys back in April attracted National and international attention. Considering the fact that Suffolk County and Nassau County have such low crime rates, it is really terrible that we have become known for MS-13.

So I am going to talk about this from an ego point or a prestige point of view about we want Suffolk County to be known for the fact that they do have solid law enforcement and the crime rate is low. We do not want to be attracting other gang members, other gangs that come to Long Island. We want them to know that so long as they are here, they are going to be on the run, they are going to be hunted down, and they are going to be arrested or deported, whatever has to be done to stop them.

So again, I look forward to the hearing. I look forward to the witnesses, all of them experts.

[The statement of Chairman King follows:]

STATEMENT OF CHAIRMAN PETER T. KING

JUNE 20, 2017

MS-13 is a morally-depraved transnational murderous gang terrorizing innocent people. Acts of violence connected to transnational gangs, including specifically MS-13, have drastically increased in Suffolk and Nassau County in the last several years. A tragic sample is the September 13, 2016, murders of 15-year-old Nisa Mickens and 16-year-old Kayla Cuevas, in Brentwood, New York. Mickens and Cuevas were Brentwood High School students who were assaulted with baseball bats and a machete by four MS-13 gang members.

Additionally, on March 2, 2017, 13 MS-13 members were charged Federally with racketeering, 7 murders, narcotics violations, and other offenses. Included in these charges were the murders of Mickens, Cuevas, and Jose Pena. Pena was another Brentwood High School student who was killed on June 3, 2016, but whose remains were not found until October 17, 2016. These victims, along with 14 others dating back to January 2016, were murdered by MS-13 in Suffolk County alone. Seven of the 13 gang members charged on March 2, 2017, entered the United States through the Unaccompanied Alien Children's Services Program. Just in the past 6 weeks, there have been major sweeps in Nassau and Suffolk counties resulting in the arrest of more than 40 MS-13 members.

In fiscal year 2016 alone, 4,985 unaccompanied children were released to sponsors in the New York State through the Unaccompanied Alien Children Service's Program, with 1,219 being relocated in Nassau County and 1,472 going to sponsors in Suffolk County.

In response to this dire situation that threatens the very lives of our children and the safety of our community, it is vital that we examine the threat posed by MS-13 and the extent to which this violent gang is able to exploit U.S. immigration programs and circumvent border security measures to gain entry into the United States.

Today's hearing will feature testimony from the law enforcement and community stakeholders focused on the threat posed by MS-13 and efforts to combat the violent gang. The first panel will include representatives from the Suffolk Police Department, the Suffolk County Sheriff's Office, the Nassau Police Department, the FBI and Homeland Security Investigations. All of these agencies have participated in major investigations into MS-13 gang activity on Long Island.

Our second panel will feature the family members of two of the victims of MS-13 violence. Although their testimony today will speak to the impact this violence has on their families and their community, we will never be able to understand the depths of their loss. They are showing true courage and resilience in sharing their stories here today. We will also receive testimony from the superintendent of the Central Islip school district and an attorney who works with the immigrant community on Long Island.

Both of these panels reflect the broad cross-section of the community required to respond to the threat posed by MS-13 and other transnational gangs on Long Island and across the Nation.

This hearing marks an important step in our efforts to improve the homeland security of the United States. By examining the threats posed by MS-13 and other transnational gangs, and the ability of these violent organizations to penetrate our borders, we can begin to understand the measures we must take to ensure that border security screening programs are comprehensive, effective, and secure. These efforts must include bipartisan cooperation from Congress and support from the administration as a unified front against the threats facing our Nation.

I look forward to hearing from our witnesses and drawing upon their expertise, insights, and experiences to look for improvements that can be made to strengthen our programs and policies and work together as a community to combat and defeat MS-13 and other transnational gangs.

Mr. KING. With that, I yield to the Ranking Member, Ms. Rice.

Ms. RICE. Thank you, Mr. Chairman, for holding this hearing, and thank you to all of our witnesses for coming today. We are fortunate to have two diverse panels of witnesses with unique perspectives and insights on how we can both combat gang violence on Long Island on the one hand, and on the other empower young people with the knowledge, support, and resources they need to reject gangs in their communities.

We are here today to examine a very real and serious threat to public safety on Long Island. MS-13 and their rival gangs are criminal organizations who commit brutal acts of violence and have taken too many lives to name in the few minutes I have for this statement. They are organizations that revel in violence, crave fear, and terrorize the communities in which they live and operate and recruit their members.

Many of the members of MS-13 are, in fact, immigrants and children and descendants of immigrants, and over the past few months

it has seemed to me that President Trump and Attorney General Sessions have sought to use the threat of MS-13 to justify their push to build a wall on the Southern Border and round up and deport millions of immigrants, including those whose only crime is being in this country without paperwork.

This is not the time nor the place to debate those policies, but I bring it up only to say that what too often gets lost in this highly-charged and divisive debate is the fact that many, if not most, of MS-13's victims are also immigrants. The families who fear that their son might be targeted, targeted by, or pressured to join MS-13 are immigrant families. The communities that are terrorized by MS-13 are often immigrant communities. I think it is safe to say that immigrants want these gangs to be dismantled and brought to justice as much as anyone else, if not more.

As the former Nassau County district attorney, I have seen first-hand how vicious and unrepentant these gangs are. I have seen MS-13 members laugh at the judge as they were sentenced to life in prison or deportation. I believe all violent criminals should be punished to the full extent of the law. I believe that violent criminals who are in this country illegally should be deported and prevented from ever coming back.

I believe that dismantling violent criminal organizations like MS-13 must be a priority for law enforcement officials and law-makers at all levels. I also know for a fact that the vast majority of immigrants in this country are not criminals. They are, in fact, more likely to be the victims of crime than the perpetrators, and I know that you cannot take on a gang like MS-13 without the help of immigrant communities. You need members of the community to talk to you, provide information, report crimes, and for that they need to trust you. They need to know that stepping forward to help will not lead to them being detained and deported and ripped away from their families.

I have met with many immigrants in my district over the past 6 months, documented and undocumented, and there is a very real and palpable sense of fear right now in Long Island's immigrant communities. I am concerned that this sense of fear and alienation first of all may make immigrants, particularly young immigrants, more vulnerable to be targeted by MS-13 for protection and recruitment purposes; and second, could make immigrants less likely to cooperate with authorities, both of which would significantly undermine our efforts to eliminate gangs like MS-13 from our communities. I would appreciate any thoughts or insight our witnesses can provide about those concerns.

I would like to thank all of our law enforcement witnesses on the first panel and congratulate you for the successful operation last week that resulted in the arrest of 39 MS-13 members and affiliates, as well as 6 members of other street gangs.

Finally, I want to offer my condolences to Mrs. Rodriguez and Mr. Mickens, and thank you for having the courage to testify today.

I want to thank all the witnesses on our second panel for the critical work that you do, whether helping prevent young people from joining gangs like MS-13 or being a voice for our immigrant communities. I know your work as parents, activists, and educators

may seem to go unnoticed at times, but I assure you we are aware and truly grateful for your efforts.

I look forward to a frank and productive conversation today. Thank you, Mr. Chairman, and I yield back.

[The statement of Ranking Member Rice follows:]

STATEMENT OF RANKING MEMBER KATHLEEN M. RICE

JUNE 20, 2017

We are fortunate to have two diverse panels of witnesses with unique perspectives and insights on how we can both combat gang violence on Long Island, on the one hand, and on the other, empower young people with the knowledge, support, and resources they need to reject gangs in their communities.

We're here today to examine a very real and serious threat to public safety on Long Island. MS-13 and their rival gangs are criminal organizations who commit brutal acts of violence and have taken too many lives to name in the few minutes I have for this statement. They are organizations that revel in violence, crave fear, and terrorize the communities in which they live and operate and recruit their members.

Many of the members of MS-13 are, in fact, immigrants and children and descendants of immigrants. And over the past few months, it has seemed to me that President Trump and Attorney General Sessions have sought to use the threat of MS-13 to justify their push to build a wall on the Southern Border and round up and deport millions of immigrants—including those whose only crime is being in this country without paperwork.

This is not the time or the place to debate those policies. But I bring it up only to say that what too often gets lost in this highly-charged and divisive debate is the fact that many if not most of MS-13's victims are also immigrants. The families who fear that their son might be targeted by or pressured to join MS-13 are immigrant families. The communities that are terrorized by MS-13 are often immigrant communities. And I think it is safe to say that immigrants want these gangs to be dismantled and brought to justice as much as anyone else, if not more.

As the former Nassau County district attorney, I've seen first-hand how vicious and unrepentant these gangs are. I've seen MS-13 members laugh at the judge as they were sentenced to life in prison or deportation.

I believe all violent criminals should be punished to the full extent of the law. I believe that violent criminals who are in this country illegally should be deported and prevented from ever coming back. I believe that dismantling violent criminal organizations like MS-13 must be a priority for law enforcement officials and lawmakers at all levels.

I also know for a fact that the vast majority of immigrants in this country are not criminals—they are in fact more likely to be the victims of crime than the perpetrators. And I know that you cannot take on a gang like MS-13 without the help of immigrant communities. You need members of the community to talk to you, provide information, report crimes—and for that, they need to trust you. They need to know that stepping forward to help will not lead to them being detained and deported and ripped away from their families.

I have met with many immigrants in my district over the past 6 months—documented and undocumented—and there is a very real and palpable sense of fear right now in Long Island's immigrant communities. I'm concerned that this sense of fear and alienation, first of all, may make immigrants—particularly young immigrants—more vulnerable to be targeted by MS-13 for protection and recruitment purposes. And second, could make immigrants less likely to cooperate with authorities—both of which would significantly undermine our efforts to eliminate gangs like MS-13 from our communities. I would appreciate any thoughts or insight our witnesses can provide about those concerns.

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Mr. KING. Thank you, Ms. Rice.

We are pleased to have two panels of distinguished witnesses before us today on this important topic. All the witnesses are reminded that their written testimony will be submitted for the record. To the extent you can, we ask you to try to limit your opening statement to 5 minutes. I am not going to enforce it strictly, but to the extent you can, it will be appreciated. It will give us more of an opportunity to have a give-and-take in the question-and-answer session.

Our first witness is Mr. William F. Sweeney, Jr., the assistant director in charge of the New York Field Office of the FBI. He has been with the FBI since 1998. He has an extensive record on both criminal and National security investigations, and he came to New York as the special agent in charge and the assistant director in charge of the field office in October 2016, which I believe was the same week of the Chelsea bombing. So it was really a baptism by fire, but he does an outstanding job, extremely cooperative I know with my office and with the Congress generally.

So with that, Mr. Sweeney, I thank you for being here today, and you are recognized.

**STATEMENT OF WILLIAM SWEENEY, JR., ASSISTANT DIRECTOR IN CHARGE, NEW YORK FIELD OFFICE, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE**

Mr. SWEENEY. Thank you, sir. Good morning, Representative King, Ranking Member Rice. Thank you for the opportunity to discuss gang violence on Long Island and our efforts to combat the threat posed by MS-13.

The FBI assesses there has been a surge in MS-13 activity and recruitment in the United States over the past 2 years. While MS-13 is not the largest street gang in the United States, they are increasingly the most violent and well-organized.

In terms of organization, origin, and structure, and a comparison to other gangs, MS-13 is atypical in their approach to crime and structure. Clique leaders in the United States coordinate with one another, as well as the leadership in El Salvador. This is not something we normally see with other groups. Members capitalize on the ability to extort individuals living in the United States who still have family in Central America, threatening to harm them.

Using fear as a method of extortion, the gang often targets small business owners, individuals who do not want to join a gang, and gang members who no longer want to be a part of MS-13.

MS-13 gained notoriety for the brutal nature of their crimes, and their motivation is generally rooted in a desire to kill for the sake of killing. Going back to January 1992, the FBI announced the Safe Streets Violent Crime Initiative, designed to allow each field office in the FBI to address violent street gangs, drug-related violence through the establishment of FBI-sponsored, long-term, proactive task forces.

The Violent Gangs Safe Streets Task Force became the vehicle through which all Federal, State, and local law enforcement agencies joined together to address violent crime plaguing their communities. The FBI's Safe Streets Gang Unit administers 169 of these task forces Nation-wide, staffed by approximately 800 agents,

roughly 1,375 State and local law enforcement personnel, and 58 agents from Federal agencies.

The Safe Streets Task Force concept expands cooperation and communication among Federal, State, and local law enforcement agencies, increasing productivity and avoiding duplication of investigative effort.

Here in New York, your task force is called the Long Island Gang Task Force, and it is part of that Safe Streets network. Since 2003, this task force has been protecting the communities on Long Island from the threat of gang violence. The leadership of that task force, some of which sits at the table with me and some behind me, is currently composed of agents and officers from the FBI, the Suffolk County Police Department, the Nassau County Police Department, the Nassau County Sheriff's Department, the Suffolk County Sheriff's Department, Suffolk County Probation, Rockville Centre Police, New York State Police, Hempstead Police, and the Bureau of ATF.

This model allows us to bring all essential stakeholders together to address the most violent crimes in the community. Since 2010, your task force has arrested over 200 MS-13 members, resulting in the successful prosecution of members involved in more than 35 homicides. A majority of these members have been convicted on Federal racketeering charges for participating in murders, attempted murders, and assaults. We will continue to surge resources to work this threat. We have increased the participation on our task force by adding personnel from the New York State Police, and we have enhanced our intelligence capabilities by developing an intelligence fusion group, where all the analysts sit together from these agencies.

We have also enhanced our relationship with the Suffolk County Police Department to include our mutual agreement that all MS-13 homicide investigations in Suffolk County will be investigated jointly by the task force and the Suffolk Homicide Squad.

The FBI also works closely with our transnational anti-gang task force based in El Salvador, Guatemala, and Honduras. These groups, called TAGs, were set up by FBI agents who lead vetted teams of national police and prosecutors, coordinating with the legal attachés in those countries and coordinated back here at home. Through these TAGs we reap the benefits of local intelligence, which allows us to apply a national and international approach to the problem. We are currently focused on identifying MS-13 leadership in the United States. We are working to establish an international standard for understanding the elements of the gang structure, its members, and associates.

Using overseas resources to identify and target individuals and organizations that negatively affect our local field offices here and our local communities has proven successful. In fact, the partnership led to the capture of top-10 fugitives I believe back in 2013 and 2014.

MS-13 remains a top priority for the FBI as we assess that they will continue to expand and employ intimidation tactics while engaging in increasingly violent crimes. The relationships we have established with partners, both at home and abroad, will continue to prove essential in identifying, combating, and eliminating the threats posed by MS-13.

Chairman King and Ranking Member Rice, thank you again for the opportunity to discuss the MS-13 threat. Mr. Chairman, we are grateful for the leadership you and the community have provided to the FBI, and we thank you for your continued support, and I look forward to answering any questions you may have.

[The prepared statement of Mr. Sweeney follows:]

PREPARED STATEMENT OF WILLIAM F. SWEENEY, JR.

JUNE 20, 2017

Good morning Chairman King, Ranking Member Rice, and Members of the committee. Thank you for this opportunity to discuss gang violence on Long Island and the FBI's efforts to combat the threats posed by MS-13 and dismantle their network.

Street gangs continue to affect communities across the United States and show no signs of decreasing memberships or a decline in criminal activity. According to the FBI's 2015 National Gang Report, street gang membership increased in approximately 49 percent of jurisdictions from 2013-2015.

More specifically, the FBI assesses there has been a surge in MS-13 activity and recruitment in the United States over the past 2 years. We're here today to discuss this particular threat and our efforts to combat gang violence in MS-13 territories on Long Island.

While MS-13 is not the largest street gang in the United States, it is increasingly the most violent and well-organized. Their leadership is based in El Salvador and Honduras, but we believe there could be up to 10,000 members currently living in the United States, primarily immigrants from Central America.

In terms of origin and structure, and in comparison to other street gangs in the United States, MS-13 is atypical in their approach to crime and organizational structure. Clique leaders here in the United States coordinate with one another, as well as leadership in El Salvador. This isn't something we typically see with other street gangs in the United States, whose primary leadership is home-based. MS-13 gang members in El Salvador and the United States remain in contact with one another; they frequently discuss targets, members who have fallen out of favor, and ways to expand their operations.

Members also capitalize on the ability to extort individuals living in the United States who still have family in Central America, threatening to harm family abroad. Using fear as a method of extortion, the gang often targets small business owners and restaurateurs, individuals who don't want to join the gang, and gang members who no longer want to be active.

The brutal nature of MS-13 crimes has gained notoriety throughout the United States, and their motivation is generally rooted in a desire to kill for the sake of killing. The attacks on their victims are gruesome, typically up close and personal. They often involve mutilation and dismemberment and are sometimes recorded. Because of this, MS-13 crimes often receive a significant amount of media attention.

Law enforcement encounters unique challenges when addressing the MS-13 threat including the limitations of some traditional enforcement strategies; the group's propensity for gruesome violence; their established international network; and their transient nature. What also concerns us is the age of the average MS-13 member and associate. Typically much younger than those connected to other street gangs, MS-13 members and associates often lack direction, taking cues from the gang instead of relying on a productive family structure. In addition, those emigrating from El Salvador to the United States are known to be exposed and desensitized to extreme violence at an early age.

Another concern for law enforcement is the increase in the use of technology and social media by criminal groups such as MS-13. We've found that gangs are exploiting new technologies largely for the anonymity that messaging applications afford. Many resort to the use of these technologies with the hopes of thwarting law enforcement efforts.

In January 1992, the FBI announced the Safe Streets Violent Crime Initiative, designed to allow each field office to address violent street gangs and drug-related violence through the establishment of FBI sponsored, long-term, proactive task forces focusing on violent gangs, crime of violence, and the apprehension of violent fugitives. The Violent Gang Safe Streets Task Force became the vehicle through which all of the Federal, State, and local law enforcement agencies joined together to address the violent crime plaguing their communities. The FBI's Safe Streets and Gang Unit administers 169 Violent Gang Safe Streets Task Forces Nation-wide,

staffed by approximately 800 FBI agents, 1,375 State and local law enforcement personnel, and 58 other Federal law enforcement agents. The Safe Streets Task Force concept expands cooperation and communication among Federal, State, and local law enforcement agencies, increasing productivity and avoiding duplication of investigative efforts.

Here in New York, the FBI's Long Island Gang Task Force (LIGTF) is part of the Safe Streets Task Force network. Since 2003, the task force has been dedicated to protecting the communities on Long Island from the threat of gang violence, and considers MS-13 to be a top priority. The task force, currently composed of agents and officers from the FBI; Suffolk County Police Department; Nassau County Police Department; Nassau County Sheriff's Department; Suffolk County Sheriff's Department; Suffolk County Probation; Rockville Centre Police Department; New York State Police; Hempstead Police Department; and the Bureau of Alcohol, Tobacco, Firearms, and Explosives, is a model that allows us to bring all essential stakeholders under one roof to address the most violent crimes crippling our neighborhoods.

Since the establishment of the task force, the largest and oldest Federal gang task force on Long Island, hundreds of MS-13 members, including dozens of clique leaders, have been convicted on Federal felony charges in the Eastern District of New York. This has allowed us to dismantle some of the most violent cliques in the area.

Since 2010, the task force has arrested over 200 MS-13 members, resulting in the successful prosecution of members involved in over 35 homicides. A majority of those MS-13 members have been convicted on Federal racketeering charges for participating in murders, attempted murders, and assaults. Since 2016, MS-13 is believed to be responsible for more than 20 homicides in Suffolk and Nassau Counties.

Over the past few months, we've continued to surge resources to work the threat, both internally and with respect to our partner agencies on the task force. We've increased participation on our task force by adding officers from the New York State Police, and we've enhanced our intelligence capabilities by developing an intelligence fusion group, which is composed of intelligence personnel from the represented agencies. We've also strengthened our relationship with the Suffolk County Police Department, to include our mutual agreement that all MS-13 homicide investigations in Suffolk County will be investigated jointly by the LIGTF and the Suffolk County Police Department's homicide squad. Throughout the country, the FBI continues to uphold the task force model as we confront threats with the help of our various law enforcement partners, in particular, our colleagues from Homeland Security Investigations.

As the domestic representative for the Director of National Intelligence for FBI field offices in Newark, Philadelphia, New York, Albany, and Buffalo, I've gladly accepted the responsibility of serving as a delegate for senior field representatives throughout the intelligence community (IC) in leading the endeavor to create a coordinated and effective IC enterprise in defense of our homeland and homeland security efforts. This is an opportunity for us to engage in dialog with our colleagues while ensuring a higher level of cooperation as we continue to integrate our intelligence efforts.

Additionally, from an international perspective, the FBI's Transnational Anti-Gang Task Forces (TAGs) continue to work with our partners to eradicate gangs and gang violence Nation-wide. Established in El Salvador in 2007 through the FBI's National Gang Task Force, Legat San Salvador, and the United States Department of State, each TAG is a fully operational unit responsible for the investigation of MS-13 operating in the Northern Triangle countries of Central America—El Salvador, Guatemala, and Honduras—and threatening the United States. This program combines the expertise, resources, and jurisdiction of participating agencies involved in investigating and countering transnational criminal gang activity in the United States and Central America. These groups—headed by FBI agents who lead vetted teams of National police and prosecutors—coordinate with FBI legal attachés assigned to those regions and with the Bureau's International Operations Division.

Through the task force we reap the benefits of local intelligence, which allows us to apply a National and international approach to the problem. We're currently focused on identifying MS-13 membership in the United States, and we're working to establish an international standard for understanding elements of the gang's structure, its members, and its associates. Using overseas resources to identify and target individuals and organizations that negatively affect our local field offices has proven successful. In fact, this partnership contributed to the capture of two FBI Top Ten fugitives Edwin Ernesto Rivera-Gracias in 2013, and Juan Elias Garcia in 2014. Both men were wanted for murder. Specifically, Juan Elias Garcia was wanted for the execution-style murder of a 19-year-old New York woman and her 2-year-

old son. Based on the success of the TAG Task Force in El Salvador, additional TAG Task Forces have been established in Guatemala and Honduras.

In summary, the FBI has effectively used task forces in an effort to combat the MS-13 threat, both on Long Island and throughout the country, by combining the tools of our local, State, Federal, and international law enforcement partners. MS-13 will continue to be a top priority as we have determined they intend to continue to expand and employ intimidation tactics while engaging in increasingly violent crimes.

We further assess they will continue to capitalize on the use of encrypted communications between members and associates, both in the United States and abroad, which could impede enforcement efforts. For this reason, the relationships we've established with our partners, both at home and abroad, will continue to prove essential in identifying, combating, and eliminating the threats posed by MS-13.

Chairman King, Ranking Member Rice, and Members of the committee, thank you again for this opportunity to discuss gang violence on Long Island and our efforts to combat the MS-13 threat. Mr. Chairman, we are grateful for the leadership that you and this committee have provided to the FBI, and we thank you for your continuing support. I look forward to answering any questions you may have.

Mr. KING. Thank you, Mr. Sweeney. That was FBI efficiency, right on the button, 5 minutes. Thank you very much for your testimony.

Our next witness is Angel Melendez, who is special agent in charge of the New York Field Office for Immigration and Customs Enforcement, Homeland Security Investigations, HSI. Mr. Melendez began his career in 1996 as a special agent for the U.S. Customs Service in San Juan, Puerto Rico. He has served in a number of leadership positions, including special agent in charge of the San Juan, Puerto Rico HSI office. In July 2016, he was named as the special agent in charge of the New York HSI office.

Mr. Melendez, I want to again thank you for cooperating with my office, for the briefings you have given me. With that, you are recognized for 5 minutes.

**STATEMENT OF ANGEL M. MELENDEZ, SPECIAL AGENT IN CHARGE, HOMELAND SECURITY INVESTIGATIONS, IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. MELENDEZ. Thank you, and good morning, Chairman King, Ranking Member Rice, and Members of the Long Island community. As special agent in charge for U.S. ICE's Homeland Security Investigations in New York, I would like to thank you for the opportunity to appear before you today to discuss our efforts to investigate, disrupt, and dismantle violent gang activity across the United States. My oral testimony today will focus on HSI's efforts on combatting transnational gang violence by the Mara Salvatrucha, or MS-13, on Long Island.

Through violent crime, MS-13 terrorizes our communities. In the last year alone, Long Island has witnessed 11 murders attributed to MS-13. The gruesome quadruple homicide of four Long Island teenagers at the hands of MS-13 just this April shocked our Nation. HSI does not take this lightly now, nor have we in the past.

In 2005, to combat transnational gangs, we initiated Operation Community Shield. HSI has developed a multifaceted approach to attacking violent crime alongside our domestic and foreign law enforcement partners. To date, this program has led to the arrest of over 7,000 MS-13 affiliates across the Nation.

HSI's ever-evolving strategy to investigate and disrupt MS-13, particularly its pipeline, is informed by how the gang operates. Let me touch on three critical points.

First, MS-13 exploits illicit pathways in Central America to further its mission to rape, control, and kill. HSI, through its unique border authorities and international footprint, is targeting these illicit pathways. In New York, we established an extra-territorial criminal tribal strike force which, in partnership with DOJ, investigates foreign-based human smuggling networks.

Second, MS-13 is increasing its membership and recruitment. Within the last few years, more than 5,000 unaccompanied alien children from the Northern Triangle countries have resettled in Long Island. Once here, MS-13 can prey upon the vulnerability of these and other children who may lack family and community ties. In fact, schools have become ground zero for MS-13 recruitment. Children may face retribution from the gang for refusing to join and become part of its ranks. Rapidly, they transform into the lethal MS-13 gang members that they once feared.

Third, MS-13 cannot survive without money. Investigations have revealed that MS-13 maintains a sophisticated financial network that supports its nefarious activities. As we have learned, MS-13 generates illicit income through extortion, prostitution, the collection of membership dues, and illicit trafficking. HSI was instrumental in having MS-13 designated as a transnational criminal organization by the Department of the Treasury in 2012. This designation is an additional tool that allows us to effectively attack MS-13's financial infrastructure.

In addition to focusing on the MS-13 pipeline, HSI targets members for criminal prosecution and removal. Since October 2014 to the present, HSI, along with its partners, have made 842 criminal and 273 administrative arrests of MS-13 gang affiliates across the country. In the same time frame, HSI New York, along with its partners, have made 109 criminal and 55 administrative arrests of MS-13 gang affiliates in Long Island alone.

With the invaluable partnership of the police departments and sheriff departments of Suffolk and Nassau Counties, HSI has kept its proverbial finger on the pulse of MS-13 activity across Long Island. In response to the recent uptick in violence executed by MS-13 across Long Island, HSI New York, partnering with ICE's enforcement and removal operations, initiated Operation Matador. It brings together our DHS and law enforcement partners in a unified approach to combating MS-13's growth. It integrates our key Homeland Security capabilities—enforcement, interdiction, intelligence, border security, removal, and also public safety. In the last 5 weeks since launching Matador, this initiative yielded 45 arrests of known or suspected MS-13 affiliates.

Although we have made strides in attacking the MS-13 problem, we have limited resources and must continue to be proactive as we forge ahead with this critical mission. Committed to working alongside our law enforcement partners, HSI continues to disrupt MS-13 through enforcement of criminal and civil immigration statutes, as well as active gang investigations in Long Island, throughout the United States, and throughout the world.

Chairman King, Ranking Member Rice, I thank you again for the opportunity to appear before you today and for your continued support. I would be pleased to answer any questions you may have. Thank you.

[The prepared statement of Mr. Melendez follows:]

PREPARED STATEMENT OF ANGEL M. MELENDEZ

JUNE 20, 2017

Chairman King, Ranking Member Rice, and distinguished Members: As special agent in charge for U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) in New York, I would like to thank you for the opportunity to appear before you today to discuss our efforts to disrupt, dismantle, and investigate violent gang activity within the United States. The official statement I have submitted and my oral testimony today will focus specifically on HSI's focus on combatting transnational gang violence by the Mara Salvatrucha, or MS-13, on Long Island.

ICE has the most expansive investigative authority and largest force of criminal investigators in the Department of Homeland Security (DHS). ICE's National and global footprint enables us to leverage our broad statutory authority to uphold public safety and support border enforcement. And the key to our success against gangs like MS-13 is our multifaceted approach to attacking violent crime with our State, local, Tribal, and foreign law enforcement partners.

During his first 2 weeks in office, President Trump signed a series of Executive Orders (EOs) that laid the policy groundwork for the Department and ICE to carry out the critical work of securing our borders, enforcing our immigration laws, and ensuring that individuals who pose a threat to National security or public safety cannot enter or remain in the United States. These EOs establish the administration's policy of effective border security and immigration enforcement through the faithful execution of the laws passed by Congress.

The heightened enforcement of our Nation's immigration laws in the interior of the United States is critically important to the National security and public safety of the United States. Aliens who illegally enter the United States, or even those who overstay or otherwise violate the terms of their visas, have violated our Nation's laws and can pose a threat to National security and public safety. This is particularly true for aliens who engage in criminal conduct in the United States.

As directed by the President's Executive Order 13773, *Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking*, ICE will continue to give a high priority and devote sufficient resources to dismantling TCOs and subsidiary organizations. ICE will continue to focus on cooperative work and data sharing with other Federal agencies, as well as work with foreign counterparts by sharing intelligence and law enforcement information when appropriate and permitted by law.

MS-13 ACTIVITY IN NEW YORK

MS-13 are primarily immigrants or descendants of immigrants from the Northern Triangle—El Salvador, Honduras, and Guatemala. Through kidnappings, murders, and other violent crime, MS-13 terrorizes communities. Since the beginning of 2017, New York has seen an uptick in gang violence, with 11 murders attributed to MS-13 alone. The gruesome murders of four Long Island teenagers at the hands of MS-13 just this April shocked our Nation.

HSI does not take this lightly. To disrupt the MS-13 threat, HSI has uncovered and pieced together MS-13's sophisticated communication and financial network. As we have learned, MS-13's primary source of income is generated through extortion, prostitution, membership dues, and illicit trafficking. Targeting MS-13's assets, HSI was pivotal in having MS-13 designated as a transnational criminal organization by the Department of Treasury's Office of Foreign Assets Control (OFAC).

DISRUPTING THE MS-13 PIPELINE

HSI's ever-evolving strategy to investigate and disrupt MS-13 is informed by how the gang operates. Let me touch on three critical points:

*First, Illicit Pathways*

MS-13 exploits illicit pathways throughout Central and South America to further its mission to "rape, control, and kill."

HSI, through its unique border authorities and vast international footprint, is targeting these illicit pathways. HSI New York established an Extraterritorial Criminal Travel Strike Force, which, in partnership with Department of Justice (DOJ), investigates foreign-based Human Smuggling Networks that pose a threat to the United States. Just this May, ICE implemented a three-phase plan to target the human smuggling organizations that MS-13 exploits to bring unaccompanied alien children into the United States.

*Second, Recruitment*

Illicit pathways go hand-in-hand with MS-13 increasing its membership. Once these children are smuggled into the United States, they become prime targets for enlistment into the gang. Since the beginning of fiscal year 2015, more than 5,000 unaccompanied alien children have resettled in Long Island. MS-13 preys on their vulnerability; some of these children may lack familial relationships or community ties. In fact, reports suggest that MS-13 attempts to recruit in some schools and pressures children into joining with the threat of retribution.

With the invaluable partnership of local law enforcement, HSI has kept its proverbial finger on the pulse of MS-13 activity across Long Island.

*Third, Financing*

MS-13 cannot survive without money. Investigations have revealed that MS-13 maintains a sophisticated communication and financial network that supports its nefarious activities. As we have learned, MS-13 generates illicit income through extortion, prostitution, membership dues, and illicit trafficking.

OPERATION COMMUNITY SHIELD

In 2005, ICE initiated Operation Community Shield (OCS), a cross-border effort to combat transnational criminal organizations. HSI locates, investigates, and arrests gang members to get them off our streets. Whenever possible, ICE will pursue and effectuate removal orders to remove gang members from the United States.

OCS is the primary platform through which HSI executes its anti-gang initiatives, including Specialized Urban Response—Gang Enforcement (SURGE) operations. From March 26, 2017 to May 6, 2017, a Nation-wide SURGE operation led to 1,098 criminal arrests and 280 administrative immigration arrests. In the course of those operations, HSI seized 238 firearms, nearly \$500,000 in currency, and over 271 kilograms of illicit narcotics.

Since this operation started in 2005, HSI and its partner agencies have made over 57,000 gang-related criminal and administrative immigration arrests. 7,000 of these arrests were affiliated with MS-13.

From fiscal year 2016 to fiscal year 2017 (as of June 4, 2017), HSI has made over 8,000 gang-related criminal arrests, leading to over 2,600 convictions. During this same time period, HSI made 1,117 administrative immigration arrests of gang members.

Much of this enforcement activity targets MS-13. From fiscal year 2016 to fiscal year 2017 (as of June 4, 2017), HSI made 602 criminal arrests of MS-13 gang leaders, members, and associates that resulted so far in 153 convictions. And during this same time period, HSI made 170 administrative immigration arrests of MS-13 members. HSI has 87 domestic and international gang investigations targeting MS-13 in Long Island and throughout the country.

FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT PARTNERSHIPS

In response to the recent spate of extreme violence perpetrated by MS-13, HSI New York initiated Operation Matador (OPMAT). This interagency DHS endeavor is designed to combat the proliferation of MS-13 recruitment, membership, and criminal activity.

The framework underlying OPMAT integrates various missions—enforcement, interdiction, intelligence, border security, and ultimately, public safety.

OPMAT is able to disrupt MS-13 through five key attributes:

1. Intelligence gathering;
2. Actionable lead development;
3. Targeted enforcement;
4. Criminal and Racketeer Influenced and Corrupt Organization (RICO) investigation development; and
5. Community outreach to at-risk youth in the affected cities.

As a result of this on-going operation, to date, HSI has made 35 criminal and administrative arrests; 30 of them are known or suspected MS-13 members. It bears repeating that our law enforcement partners are crucial to OPMAT's success, includ-

ing the Nassau County Police Department, Suffolk County Police Department, and the New York Police Department (NYPD).

OPERATION MATADOR

In response to the recent uptick of extreme violence perpetrated by MS-13, HSI-NY's latest endeavor is Operation Matador. It brings together our DHS partners in a unified approach to combatting MS-13's growth by integrating key missions—enforcement, interdiction, intelligence, border security, and ultimately, public safety. As a result of this on-going operation, to date, HSI has made 35 criminal and administrative arrests; 30 of them are known or suspected MS-13 members.

CONCLUSION

Thank you again for the opportunity to appear before you today and for your continued support of ICE and its law enforcement mission. ICE is committed to investigating MS-13 gang violence and disrupting the MS-13 pipeline.

I would be pleased to answer any questions you may have.

Mr. KING. Thank you, Mr. Melendez. Thank you very much.

Our next witness is Suffolk County Police Commissioner Timothy Sini. Commissioner Sini was appointed by commissioner of the Suffolk County Police Department in January 2016. He serves as a representative on the White House's Office of Drug Control Policy for the New York-New Jersey region on the HIDTA team. He is also the executive director of the Suffolk County Criminal Justice Coordinating Council. He previously served as the assistant deputy county executive for public safety, and he began his career in the United States Attorney's Office in the Southern District of New York.

I have to say, I have worked very closely with Commissioner Sini on this over the last several months, this whole MS-13 issue, and he has provided me with some very invaluable intelligence information.

So with that, Commissioner Sini, you are recognized.

**STATEMENT OF TIMOTHY D. SINI, POLICE COMMISSIONER,  
SUFFOLK COUNTY, NEW YORK**

Mr. SINI. Thank you, Chairman. Thank you, Ranking Member Rice. I want to thank the committee for the opportunity to appear before it today. Chairman, I want to thank you for your attention to this issue and your general support of law enforcement. It is very much appreciated. Ranking Member Rice, it is very reassuring to have an effective prosecutor in Congress to be looking at this issue. So I thank you for the opportunity.

I am going to keep my opening remarks quite brief. I submitted detailed testimony. I also testified before the U.S. Senate Committee on Homeland Security and Governmental Operations.

I thought what I would do is detail the strategy that we are employing here in Suffolk County and the region, talk about some of the ways in which the Federal Government can further assist the local municipalities who are addressing this issue in the trenches, talk about some of the strategies that I talked about before the Senate, and give an update as to where we are since the Senate testimony.

But essentially the name of the game, and everyone at this table will tell you, is gathering intelligence and identifying known MS-13 gang members. It is important to be targeting these gang members relentlessly, and without the intelligence, we cannot do that.

So collecting intelligence is the first step, and then creating priorities and strategic subject lists and targeting known MS-13 gang members relentlessly.

In Suffolk County, we utilize our gang officers stationed in our precinct, as well as members of our Firearms Suppression Team and other police officers to do street enforcement targeting these particular MS-13 gang members, and that does a lot of different things at once. It suppresses crime, which is why you have seen such a dramatic reduction in crime in affected areas—Brentwood, Central Islip, and other areas. But it also collects intelligence and generates evidence that can be used later on in larger cases that can effectively dismantle this gang.

All the while we are doing that street enforcement—and I should take a step back and say that in connection with that street enforcement, the Suffolk County Police Department has made over 220 MS-13 arrests since September 2016. Since Nisa and Kayla were murdered, we have arrested over 220 MS-13—we have made over 220 MS-13 arrests of approximately 160 individual MS-13 gang members. So that targeting has been occurring at record clips.

All the while we are working with our Federal law enforcement partners, particularly the FBI through the Safe Streets Task Force, to work RICO cases, to build RICO cases. RICO is a very effective Federal statute that allows us to dismantle gangs such as MS-13. It carries stiff penalties, it acts as an umbrella where we can bring in a large number of MS-13 gang members to prosecute, and it is a great way to go after the leadership as well.

Of course, since September 2016, in conjunction with the FBI Safe Streets Task Force and the U.S. Attorney's Office for the Eastern District of New York, we have brought a 13-defendant indictment which included the murders of Nisa and Kayla, as well as Jose Pena Hernandez. So RICO is a very effective tool.

In addition, we are working with the Department of Homeland Security to make sure that we are targeting individuals, active MS-13 gang members for detention and removal, when appropriate. Oftentimes, we are in the position to arrest and criminally prosecute individuals, and that is the best-case scenario, to bring cases against these individuals, hold them accountable, take them off our streets. Sometimes law enforcement is not in the position to make a criminal arrest, for a variety of different reasons, and the Department of Homeland Security is in a position to use its immigration tools, its civil tools to take these active MS-13 gang members off the streets and take dangerous individuals off the streets and commence removal proceedings against them. So it is another tool that we are using here in Suffolk County.

We are, of course, enhancing our police presence in affected areas as well, and we are utilizing intelligence to increase our police presence in affected areas, and we partnered recently with the New York State Police to dramatically increase our presence, and I think that is being recognized by the communities and also contributing to the decrease in crime.

Law enforcement will continue those strategies and continue to fine-tune those strategies, and we will weed out the dangerous gang members from our streets. But it is important, too, that we work on the other side, we work on the gang prevention and inter-

vention side, because if we are weeding out dangerous gang members from our communities but MS-13 is increasingly recruiting, we are not going to solve this problem. So we have to fight it on both ends. We are moving forward with several different gang prevention programs in our communities, but more needs to be done on that front.

When I testified before the Senate, I asked very specifically—I discussed very specific proposals that I thought would help in our fight, and those are the following:

More AUSAs right here in this building. This office does not have sufficient AUSAs to prosecute the number of cases that we need to do. So I would again reiterate my request for additional Federal assets in the form of additional AUSAs for the Long Island Criminal Division.

Improved intelligence sharing. Since I last testified, I am pleased to say that both the FBI and the Department of Homeland Security are launching intelligence centers specifically relating to MS-13. In addition, I have been asked to join a team that is being organized by the Department of State to work with foreign nations, including El Salvador, to establish a fusion center outside the country. So I think we are making tremendous headway on that front.

Third, additional Federal funding to offset patrolling costs. The Suffolk County Police Department has a grant in the queue right now for half-a-million dollars that would help us offset patrolling costs that target affected areas, areas that are affected by MS-13. So I would reiterate that request.

Additional Federal funding for gang prevention programs, I would reiterate that request.

A hard look at the implications of the UAC program. These are some of the most vulnerable children in our communities, folks who are coming here unaccompanied, first time in the United States, being placed in our communities, and there is very little Federal oversight or resources connected to that program. Again, I am happy to see that the Congressman introduced HR-2459 to take a hard look at that program and figure out ways to decrease the vulnerability to those individuals to gang recruitment.

I do indeed look forward to answering any questions by the committee. Again, I want to thank the committee for its attention to this very important issue.

[The prepared statement of Mr. Sini follows:]

PREPARED STATEMENT OF TIMOTHY D. SINI

JUNE 16, 2017

EXECUTIVE SUMMARY

My name is Timothy D. Sini, commissioner of the Suffolk County Police Department. I appreciate the opportunity to provide testimony regarding MS-13 in Suffolk County, New York, and ways in which we can work together to effectively eradicate this gang from our communities. Although Suffolk County remains one of the safest counties in the Nation, we have recently experienced an increase in MS-13 gang violence. Specifically, since January 1, 2016, there have been 17 homicides in Suffolk believed to be linked to MS-13. In order to eradicate MS-13 from our communities, we must employ a multi-pronged strategy that includes:

- collaborative efforts to collect and share intelligence regarding the gang;
- relentless targeting of known MS-13 gang members for arrest, prosecution, and removal;

- Federal prosecutions of MS-13 gang members and its leadership under the RICO statute;
- enhanced and targeted police presence and patrols in affected areas; and
- significant investments in gang prevention and intervention strategies, with a particular focus on the Unaccompanied Alien Children (“UAC”) population.

#### INTRODUCTION

Suffolk is New York’s fourth-largest county situated some 20 miles east of New York City, covering 911 square miles and 1,000 miles of coastline on the eastern end of Long Island.

Suffolk has a diverse population of approximately 1.5 million residents. According to the latest Census data, the population is 84.9 percent white and 8.4 percent African American, with 18.6 percent of the population identifying as Latino or Hispanic ethnicity. The median income is \$88,663, and 7.8 percent of the county’s residents live in poverty.

The Suffolk County Police Department is one of the 15 largest police departments in the country, with approximately 2,500 sworn officers and 1,000 civilian employees. We are responsible for all police services in the five western towns of Suffolk County, and a wide variety of investigative and law enforcement support functions throughout the county.

Contrary to recent sentiments in the National media, Suffolk remains one of the safest counties in the United States. We are currently experiencing the lowest crime rate since we began collecting reliable crime statistics in 1975. Specifically, in 2016, Suffolk County had 34 murders/manslaughters, 84 sex crimes, 540 robberies, 893 aggravated assaults, 1,734 burglaries, 15,522 larcenies, and 1,070 motor vehicle thefts. In 2017, we are continuing to drive crime down to historic levels, with a year-to-date 12.9 percent reduction in violent crime, 10.8 percent reduction in property crime and 10.9 percent reduction in all index crimes.

Despite these historic reductions in crime, we have recently experienced an increase in gang violence connected to Mara Salvatrucha or the MS-13 gang—designated in 2012 by the U.S. Department of the Treasury as a “transnational criminal organization.” In 2016 and year to date in 2017, Suffolk experienced an increase in homicides compared to 2015, which is the only category of index crimes to rise. This increase is directly attributable to a rapid resurgence in MS-13 violence in identified areas of the county and is an inverse trend to all other crime categories.

Specifically, since January 1, 2016, of the 45 homicides that occurred in Suffolk, 17 of those are believed to be linked to MS-13. We currently have approximately 400 MS-13 gang members identified in the county, organized in approximately nine cells called “cliques.” Many of these cliques have connections to other jurisdictions, including, but not limited to, New Jersey, Maryland, Virginia, Nassau County (Long Island), and New York City.

#### MS-13 GANG MEMBERS IN SUFFOLK COUNTY

Identified MS-13 gang members are concentrated in several hamlets in Suffolk County with the largest number in a community named Brentwood, which is a community of more than 60,000 residents. According to the latest Census data, Brentwood’s population is 48.4 percent white and 16.4 percent African American, with 68.5 percent of the population identifying as Latino or Hispanic ethnicity. There are more than 20,000 students in the Brentwood school district. The second-largest concentration of MS-13 gang members is in Central Islip, which is a community of approximately 35,000 residents. According to the latest Census data, Central Islip’s population is 43.6 percent white and 25 percent African American, with 52.1 percent of the population identifying as Latino or Hispanic ethnicity.

In Suffolk County, active MS-13 gang members are predominantly males ranging in age from 16 to 29. The median age of recent MS-13 arrestees is 18, however we have become aware of associates as young as 10 years of age.

Most MS-13 gang members have connections to El Salvador, Guatemala, or Honduras. Of a sampling of 143 active gang members plus 11 MS-13 victims, 89 entered the United States illegally and currently do not have legal status (58.8 percent) (39 of whom are Unaccompanied Alien Children (“UACs”)), 48 are of unknown immigration status, and 17 have legal status (temporary or otherwise). I endeavor to provide updated data during my testimony.

#### CRIMES COMMITTED BY MS-13

In Suffolk County, MS-13 engages in a variety of criminal activity, including, but not limited to, assaults, murder, drug dealing, extortion, robberies, and burglaries. Intelligence indicates that many MS-13 gang members hold wage-paying jobs, and

are not focused primarily on income-generating crimes such as drug dealing, differentiating them from other street gangs in Suffolk County. Rather, MS-13 has engaged in violence for the sake of violence, to increase the notoriety of the gang and to cause the community to fear the gang and its members. However, that is not to understate the extent of other criminal activity committed by the MS-13 gang in the Northeast region.

In 2016, the most frequent reported crime connected to MS-13 was assault. The signature weapon used by MS-13 is the machete. For example, on July 17, 2016, members of MS-13 brutally attacked an individual in Brentwood with a machete, causing severe wounds to the individual's face making him unrecognizable. MS-13 gang members perpetrated this brutal assault because they believed that the victim was associating with a rival gang.

MS-13 members also commit murder, often targeting victims who they perceive as disrespecting the gang. Since 2013, 27 murders in Suffolk County have been attributed to MS-13, occurring in 7 different communities. This represents approximately 21 percent of all murders occurring since that time. Moreover, approximately 38 percent of murders occurring in Suffolk County in 2016 and 2017 combined are believed to be connected to MS-13. In many of the cases, multiple assailants are involved in the crime.

On September 13, 2016, members of MS-13 brutally beat two girls to death in Brentwood—Nisa Mickens and Kayla Cuevas. Both were Brentwood High School students, and were 15 and 16 years of age, respectively. Shortly before her murder, Kayla had argued with an MS-13 gang member in school. In collaboration with the FBI, the Suffolk County Police Department arrested the perpetrators of that crime, and they are currently being prosecuted by the United States Attorney's Office for the Eastern District of New York.

Those murders sparked a gang eradication strategy launched by the Suffolk County Police Department and our law enforcement partners, which to date has resulted in approximately 250 arrests of approximately 187 individual MS-13 gang members. The initiative also led to the discovery of the skeletal remains of three males in the Brentwood area, all of whom are believed to have been murdered by members of MS-13. One of those murders—the murder of a 19-year-old male named Jose Pena-Hernandez—was also charged by the United States Attorney's Office for the Eastern District of New York. MS-13 gang members murdered Pena-Hernandez because they believed he violated the gang's internal rules.

Most recently, in April of this year, MS-13 gang members committed a quadruple homicide in Central Islip, Suffolk County. This was one of the largest and most brutal mass murders committed in Suffolk County's history. The victims were all males—two were 18 years old, and the other two were 16 and 20 years old. Central Islip is a hamlet located adjacent to Brentwood, and, as noted, has the highest concentration of MS-13 gang members in the county outside Brentwood. The victims were found in the Clayton Avenue Park in Central Islip with significant trauma about their bodies. Their injuries were consistent with assault by machete. The investigation of the quadruple homicide remains active.

#### RECRUITMENT

MS-13 sustains itself by constantly attempting to recruit new members. MS-13 gang members recruit in our schools and communities. They prey on the vulnerable, frequently targeting young people who recently immigrated to this country. They often target individuals who lack the support of close relatives and healthy social networks, using threats and acts of violence to coerce those reluctant to join. Several factors lead individuals to become members of MS-13, including, but not limited to, social alienation, the need to be part of a group, a sense of cultural unity, the promise of protection, and economic gain.

MS-13 members also recruit children placed in communities in Suffolk County through the UAC program. From the beginning of 2014 through March 2017, 4,624 UACs have been placed in Suffolk County alone, making it one of the largest recipients of UACs in the country. The vast majority of these children come from El Salvador, Honduras, and Guatemala, where MS-13 has a significant presence. Many of these children are vulnerable to gang recruitment because they are young, unaccompanied, adjusting to a new country, culture, and language, and seeking a sense of belonging. This is compounded by the fact that the sponsors of these children in some cases prove not to be suitable guardians.

In sum, while the overwhelming majority of these children live law-abiding lives, UACs are undoubtedly a source of recruitment for MS-13. Of a sampling of 156 active gang members in Suffolk County, 39 are Unaccompanied Alien Children, and 7 of the 13 defendants recently charged in a RICO indictment in the Eastern Dis-

tract of New York are UACs. It is not entirely clear, however, the percentage of UACs who came into the United States as MS-13 gang members, were recruited while in Federal custody or were preyed upon once they reached Suffolk. In consultation with our Federal partners, we have recently launched a new intelligence-gathering protocol to assist in collecting that information.

#### GANG ERADICATION STRATEGY OF THE SCPD

As a result of this recent violence, the Suffolk County Police Department launched a multi-pronged gang eradication strategy. It involves law enforcement efforts, as well as school-based and community-based initiatives to reduce gang recruitment and enlistment.

The law enforcement strategy is centered on gathering as much intelligence as possible regarding MS-13 and its members, with the specific objective of identifying MS-13 gang members and locations where they congregate. We use a variety of tactics to collect intelligence, including, but not limited to, debriefing all of our arrestees. The Department prioritizes the targeting of known MS-13 gang members by creating strategic subject lists of known MS-13 gang members, and then assigns police officers with expertise in gang enforcement to particular gang members to perform targeted enforcement. That targeted enforcement includes, but is not limited to, effectuating street arrests of known MS-13 gang members. Since we launched this initiative in September 2016, we have made approximately 220 MS-13 gang arrests of approximately 157 individual MS-13 gang members. This targeted enforcement suppresses crime, results in the collection of intelligence, and generates valuable evidence for Federal prosecutions down the road.

As we engage in this targeted enforcement, we are working hand-in-hand with our law enforcement partners through the Long Island FBI Safes Street Task Force, which is run by the FBI and consists of law enforcement officials from numerous agencies. Working with the FBI Task Force, and the United States Attorney's Office for the Eastern District of New York, we strategically select MS-13 gang members for Federal prosecution under the RICO statute, which is a highly effective tool to dismantle gangs such as MS-13. The RICO statute carries stiff penalties, allows us to effectively convert street crimes into RICO offenses, and serves as a tool to cast a large net over the gang and negatively impact its leadership.

We also work with the Department of Homeland Security in a variety of ways. For example, we share intelligence with Homeland Security regarding known gang members in order to facilitate the commencement of removal proceedings against MS-13 gang members. Although it is often our objective to arrest and prosecute MS-13 gang members for Federal criminal offenses in order to prevent them from merely reentering after deportation, circumstances do arise when we are not able to effectuate a criminal arrest, and the Department of Homeland Security is able to utilize its immigration enforcement tools to remove these dangerous people from our streets. To date, as a result of this partnership, the Department of Homeland Security has detained approximately 36 MS-13 gang members in Suffolk County based on gang identification and civil violations of the immigration law. It is important to highlight that this component of our overall strategy is surgical in nature in that it targets only active MS-13 gang members. In addition, we automatically notify the Department of Homeland Security when we arrest an individual for a misdemeanor or felony who was not born in this country so that immigration authorities can take appropriate action, if any.

Although cooperation with the Department of Homeland Security is mission-critical to removing dangerous gang members from our streets, the Suffolk County Police Department must also ensure that undocumented individuals feel comfortable providing information to law enforcement. To this end, our officers do not inquire into the immigration status of those individuals who come to the police as a witness, victim, or someone merely seeking police assistance. The mission of the Police Department is to provide and maintain a safe environment for every person in Suffolk County regardless of that person's residency or immigration status. If individuals believe that they cannot freely cooperate with law enforcement because of their immigration status, the mission of the Police Department and the safety of all residents are compromised.

In addition to targeting known gang members, and working with our Federal law enforcement partners to remove MS-13 gang members from our streets, we have also enhanced our police presence, both uniformed and plainclothes, in affected areas. We recently partnered with the New York State Police to assist us in this effort.

We recognize, however, that targeted enforcement and patrols will not alone lead to the eradication of MS-13 from our communities. As law enforcement weeds gang

members from our communities, we need to invest in school-based and community-based programs to reduce gang recruitment and involvement. As noted, MS-13 preys on our vulnerable young people, and if we do not provide the structure that these young people need to prosper, MS-13 will.

To this end, we utilize an arsenal of community-based intervention strategies to prevent and deter gang violence, such as custom notifications, call-ins, and youth conflict insertions. We work closely with our schools to identify at-risk children to intervene in effective ways to prevent them from joining a gang or to assist them in getting out of a gang. Suffolk County is also investing in an early intervention gang prevention program in Brentwood and other communities in Suffolk County. Utilizing a not-for-profit organization that specializes in gang prevention, the program—called the CHANGE program—will target vulnerable children who are at risk of gang involvement and provide them with much-needed services, including, but not limited to, social work services, psychological counseling, educational and vocational assistance, and much more. The program also aims to involve the family of the child so that those who have the most influence over the child are empowered to assist him or her in avoiding gang involvement.

As discussed in more detail below, these efforts must also address the needs of the UAC population, as they are some of the most vulnerable to MS-13 recruitment. As it currently stands, it is extremely difficult for local government to address their needs because of the lack of notification by the Federal Government to local officials, the sheer number of children being placed in Suffolk County and in other communities throughout the country, and the inadequate funding of any such efforts.

#### HOW THE FEDERAL GOVERNMENT CAN FURTHER ASSIST

##### *Additional Resources*

###### *Additional AUSAs and Proposed Pilot Program*

In order to effectively address this complex issue, we must continue to arrest and prosecute MS-13 gang members under the RICO statute to remove dangerous individuals from our streets and dismantle the gang's leadership. In order to do so, however, local law enforcement agencies need the support of the Federal Government to prosecute these cases. A practical impediment to this task is the number of Assistant United States Attorneys on staff on Long Island.

The Long Island Criminal Division, which operates out of the United States Attorney's Office, Eastern District of New York branch office in Central Islip, is responsible for prosecuting all Federal crimes occurring in Nassau and Suffolk counties, including violent crimes, public corruption, terrorism, securities and corporate fraud, major narcotics trafficking, and child pornography crimes. Nassau and Suffolk counties are densely populated and the Long Island Criminal Division serves a population of approximately 2.85 million people, which is 35 percent of the Eastern District of New York, and is larger than many entire districts around the country. Many of the cases prosecuted by the Long Island Criminal Division, including the MS-13 prosecutions, are international and inter-State in reach.

Currently, the Long Island Criminal Division only has 11 line AUSAs and 4 supervisors, all of whom carry full caseloads in addition to their supervisory responsibilities, which is significantly below the normal staffing level. At the beginning of 2013, the Long Island Criminal Division had 18 AUSAs, including supervisors, but due to attrition, sequestration, and budget reductions, staffing dropped to 11 AUSAs at one point. Several additional AUSAs were hired, but they have been insufficient to return the Long Island Criminal Division to the 2013 staffing level.

Indeed, Long Island (Nassau and Suffolk counties combined) has a population of about 2.85 million and 14 AUSAs. By comparison, Kansas has a population of 2.9 million and 24 Criminal AUSAs plus 6 Special Assistant United States Attorneys; Eastern District of Tennessee has a population of 2.6 million and over 30 AUSAs; and though Nassau and Suffolk counties comprise 35 percent of the Eastern District's population, there are approximately 105 Criminal AUSAs in Brooklyn and only 14 on Long Island.

The limited number of prosecutors assigned to the Central Islip office forces these dedicated prosecutors to make decisions about how to most effectively allocate resources by deciding which cases should be, or should not be prosecuted Federally. In the event that more AUSAs are assigned to the Long Island Criminal Division, the Suffolk County Police Department, Federal agencies and the United States Attorney's Office could enter into a pilot program whereby all MS-13 arrests in the County are reviewed by an MS-13 intake AUSA to determine whether any Federal charges could be brought against the arrestee. This would increase the number of Federal prosecutions of MS-13 gang members, taking dangerous individuals off our streets, and likely generate significant intelligence due to the incentives in the Fed-

eral system for defendants to cooperate with law enforcement. Such a program called the Triggerlock Program was successfully launched in the Southern District of New York relating to firearm offenses.

In short, the additional AUSAs will enhance the United States Attorney's Office's ability to prosecute violent crimes committed by members of MS-13, with the objective of continuing and increasing our efforts to dismantle and incapacitate MS-13 within the Eastern District of New York and beyond.

*Grant Opportunities to Combat Gang Activity*

As noted, a critical part of our strategy to deter and prevent gang activity is to enhance police presence and patrols in affected areas, also known as "hot spot policing." The Suffolk County Police Department has recently applied through the Department of Justice for the Project Save Neighborhoods grant, which awards \$500,000 to a jurisdiction to offset the cost of such policing efforts. Awarding this grant to Suffolk County is consistent with the Federal Government's commitment to eradicating MS-13 from our communities. I respectfully request that the Department of Justice award this grant to Suffolk County, and urge the Federal Government to create additional grant opportunities to assist local police in this important mission.

*Gang Prevention Programs*

It is imperative that we dedicate resources to school-based and community-based gang prevention programs in order to reduce successful gang recruitment. These efforts should focus on vulnerable populations, including UACs. Indeed, such funding should be directly tied to the UACs placed in our communities, as they are some of the most vulnerable to MS-13 recruitment.

*Intelligence Sharing*

Information sharing among law enforcement agencies is a critical part of any effective strategy in order to ensure coordination of our efforts to remove dangerous gang members from our streets. To this end, it would be of significant assistance to our joint efforts to create a singular database with information relating to identified MS-13 gang members. The database could include the gang member's pedigree information, the clique he belongs to, his immigration status as confirmed by the Department of Homeland Security, whether he is a UAC, whether he is actively under investigation, which jurisdictions are involved in any such investigation, and any other intelligence that is sharable and relevant. The system could include automatic notifications to local agencies when information is added regarding an individual who is of interest to that agency. Such a database would encourage multi-jurisdictional efforts and allow local police departments to be more proactive in targeting known MS-13 gang members in our communities.

Since my law enforcement partners and I testified before the United State Senate Committee on Homeland Security and Governmental Operations, I have been recently informed that such efforts are currently under way. Those efforts include regionally and internationally based MS-13 fusion centers.

*The UAC Program*

It is imperative to our mission that the Federal Government place UACs in our communities after proper screening of sponsors followed by measures ensuring sponsor compliance. Otherwise, we are creating an ideal recruiting opportunity for MS-13. Such reforms might include increased screening and compliance monitoring of sponsors, local notification of placement to school districts and local governments, and increased funding for post-placement services.

CONCLUSION

I want to thank the U.S. House of Representatives, Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence for its commitment to this very important issue, and the opportunity to appear before it today. I look forward to working with the committee and all its Members and staff.

Mr. KING. Thank you very much, Commissioner. Thank you for your efforts.

Our next witness is Suffolk County Sheriff Vincent DeMarco. Sheriff DeMarco began his career as a Suffolk County Deputy Sheriff in 1994. He was elected in November 2005 to his current position, and he was reelected in 2009—

Mr. DEMARCO. And 2013.

Mr. KING [continuing]. And 2013. So that is 12 years as sheriff. He has done an outstanding job.

I know you are not running for reelection this year, but I want to congratulate you on the outstanding job you have done. I wish you well.

With that, you are recognized.

**STATEMENT OF VINCENT F. DEMARCO, SHERIFF, SUFFOLK COUNTY, NEW YORK**

Mr. DEMARCO. I want to thank Congressman King and Congresswoman Rice and all the committee Members for conducting this hearing on Long Island to bring attention to the threat that criminal street gangs pose to the safety and security of our communities and the Nation.

I would also like to thank President Trump for making the eradication of gangs a priority of his administration.

Since time is limited, I will focus my remarks specifically on what I think needs to be done now to prevent criminal gang networks like MS-13 from exploiting weaknesses in our Government programs. These are complex issues to tackle, but solutions that fail to address the multitude of ways that gangs have infiltrated society are destined to fail.

We must take a system-wide approach if we are to be successful in eradicating criminal gang networks, just as the United States has taken the lead in the world in the fight against terrorism.

Criminal gangs are very similar to terrorist organizations, and they capitalize on similar vulnerabilities in their recruitment of members: Poverty, poor socialization, lack of opportunities for gainful employment, and close ties to other gang members. Communities like Brentwood, New York are targets for gang recruitment because there is a high concentration of new immigrants, including many unaccompanied minors who tend to be more easily coerced into street gangs.

The Sheriff's Office Gang Intelligence Unit at the Suffolk County Correctional Facility has interviewed hundreds of youth from Brentwood and its surrounding communities. These interviews provide significant insight into the underlying causes of gang proliferation, such as dangerous gaps in our Nation's border security, loopholes in our immigration system, lack of communication with local stakeholders and the ways these gangs have exploited government programs, like the Unaccompanied Refugee Minors Program run by the Office of Refugee Resettlement.

One inmate, an MS-13 member, described his trek from Central America to the United States at age 9. His father, who is also affiliated with MS-13 in El Salvador, made the arrangements with el Cartel del Golfo, which is the Gulf Cartel, to transport him across the Texas border with Mexico. The cartel is well-known for trafficking drugs and weapons into the United States. With the help of the cartel, this adolescent bypassed Immigration authorities at the border and eventually made his way to Brentwood, New York with several other family members.

Another young male, age 17, is another MS-13 member from Honduras. He was 15 years old when he left his native country and traveled to Mexico by train. He reports that it took him about 3

months to get to Mexico because he made stops along the way to beg for food and water. Once in Mexico, he and other adolescents were rounded up by the Mexican Mafia at gunpoint. They were told that they would have to transport marijuana for the Mafia or they would be killed. He was fitted with 48 pounds of marijuana and then two guides escorted them from Sonora, Mexico to Phoenix, Arizona. After crossing the border, he was taken into custody by United States Immigration officials and placed in a facility for unaccompanied minors. He stated that he remained there for 4 months and then flew to New York to stay with his uncle. Both were subsequently charged with violent felonies.

I have included in my submission 10 notes from interviews like this just to give you a sense—these are their words—about how they were brought to this country, and about how the unaccompanied minor program works in reality.\*

Gang members like these youths are being arrested and prosecuted in record numbers, but it is clear that law enforcement cannot solve this problem alone. According to a report released by the Department of Health and Human Services, ORR placed 930 unaccompanied minors in Suffolk County over a 6-month period from October 2016 to April 2017. Since Federal authorities do not communicate with local human service agencies, law enforcement, nor do they notify school districts when youth are placed with sponsors in the county, there is no way to responsibly deal with the influx of minors coming into places like Brentwood. This must change.

Unaccompanied minors are particularly vulnerable to gang involvement, especially those who may have witnessed violence at a young age and experienced significant trauma. Without appropriate interventions, some of these children are destined to engage with criminal gangs such as MS-13.

Furthermore, Federal authorities must close loopholes in the ORR program which threaten National security and aid in the proliferation of criminal gangs in the United States. Anyone who sponsors a child to resettle in the United States should be held fully accountable for compliance with all immigration court hearings. It has been reported that sponsor families are not always thoroughly vetted and that youth are placed in the care of adults who do not meet legal residency requirements. Some youth are placed in families with siblings and relatives who are gang-involved, and they are concentrated in towns with high rates of gang activity. This accelerates the cycle of crime and incarceration in many lower-income communities and hurts law-abiding residents who are struggling in their own quest for security and personal prosperity.

Our Nation's porous Southern Border has become the gateway for MS-13 to thrive on Long Island and in neighborhoods across America. This is also the economic epicenter for drug and sex traffickers, as well as a common route for weapons to enter our country illegally. Mexican cartels and organized criminal gangs have formed a powerful economic alliance to smuggle heroin and other illicit drugs into the United States. Ninety percent of the heroin that enters the country comes through Mexico, so we must inten-

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\*The information has been retained in committee files.

sify security along the Southern Border. These are real and serious problems that have been ignored for far too long.

Finally, if we are truly serious about shutting down the MS-13 pipeline, we must improve human services and education in low-income communities. Federal lawmakers should strongly consider more funding for the Gang Resistance Education and Training Program, known as G.R.E.A.T., which the Sheriff's Office runs in schools throughout Suffolk County, including some in Brentwood and its surrounding communities. Young people also need more recreational and social outlets, as well as viable opportunities for employment, to help them better assimilate into mainstream society so that they can resist the lure of gang membership.

I want to thank you again for the opportunity to speak here today, and I look forward to any questions.

[The prepared statement of Mr. DeMarco follows:]

STATEMENT OF VINCENT F. DEMARCO

JUNE 20, 2017

My name is Vincent DeMarco and I am the sheriff of Suffolk County, New York, and the chairman of the County's Criminal Justice Coordinating Council. As Suffolk's chief law enforcement officer, I lead an organization with more than 1,300 uniformed and civilian employees responsible for protecting life and property, and I am responsible for oversight of the largest suburban correctional facility in New York State. It is my pleasure to be here today to provide testimony before the Committee on Homeland Security's Subcommittee on Counterterrorism and Intelligence.

I want to thank the Committee Chairman, Congressman Michael McCaul, and the Ranking Member, Congressman Bennie Thompson, along with Congressman Peter King, for conducting this hearing on Long Island to bring attention to the threat that criminal street gangs pose to the safety and security of our communities and the Nation. I would also like to thank President Donald Trump for making the eradication of gangs a priority of his administration. He and members of his administration are proactively seeking ways to work with local law enforcement and addressing loopholes in immigration procedures that have long contributed to the crisis of gang violence in communities like Brentwood, Long Island.

Since time is limited, I will focus my remarks specifically on what needs to be done right now to prevent criminal gang networks like the MS-13 from exploiting weaknesses in our governmental programs, which have allowed them to take hold in our neighborhoods, as well as what steps we need to take now, and in the future, to better immunize our children from the influences of gang recruitment. These are complex issues to tackle, but solutions that fail to address the multitude of ways that gangs have infiltrated society are destined to fail. We must take a systems-wide approach if we are to be successful in eradicating criminal gang networks. The United States has taken the lead in the world in the fight against terrorism, and I believe there must be a similar effort to protect our Nation and its people from the threats posed by criminal gangs and organized crime.

Criminal gangs are very similar to terrorist organizations. They have a defined leadership structure, a belief system, cultural ties, and a code of behavior that forges a cohesive bond among their membership. Gangs also capitalize on similar vulnerabilities in their recruitment of members: Poverty, poor socialization, lack of opportunities for gainful employment and close ties to other gang members. Communities like Brentwood are targets for gang recruitment because there is a high concentration of new immigrants, including many unaccompanied minors who tend to be more easily coerced into street gangs. It is also a lower-income community with many hard-working families. The Sheriff's Office Gang Intelligence Unit at the Suffolk County Correctional Facility has interviewed hundreds of youth from Brentwood and its surrounding communities. These interviews provide significant insight into the underlying causes of gang proliferation, such as dangerous gaps in our Nation's border security, loopholes in our immigration system, lack of communication with local stakeholders and the ways these gangs have exploited Government programs, like the Unaccompanied Refugee Minors Program run by the Office of Refugee Resettlement (ORR).

I thought I would read to you some of the notes taken by one of our Gang Unit investigators after interviewing young MS-13 gang members in custody at the Suffolk County jail. In the interest of time, additional notes have been submitted separately to the subcommittee.

One young inmate described his trek from Central America to the United States at the age of 9. His father, who is affiliated with MS-13, made arrangements with el Cartel del Golfo to transport him across the Texas border with Mexico. El Cartel Del Golfo is well-known for trafficking drugs and weapons into the United States. With the help of the cartel, this adolescent bypassed Immigration authorities at the border and eventually made his way to Brentwood, New York with several other family members.

Another young male, age 17, from Honduras reports that he was 15 years old when he left his native country and traveled to Mexico by train. He told our investigator that it took him about 3 months to get to Mexico because he made stops along the way to beg for food and water. Once in Mexico, he reports that he, along with 13 other adolescents, were rounded up by the Mexican Mafia by gun point. They were then told that they would have to transport marijuana for the Mafia, or they would be killed. He stated that he was fitted with 48 pounds of marijuana and that two guides, hired by the Mafia, escorted them from Sonora, Mexico to Phoenix, Arizona. After crossing the border, he was taken into custody by United States Immigration officials and placed in a facility for unaccompanied minors. He stated that he remained there for 4 months and then flew to New York to stay with his uncle.

Both adolescents have been charged with serious violent felonies.

Gang members are being arrested and prosecuted in record numbers, but it is clear that law enforcement cannot solve this problem alone. According to a report released by the Department of Health and Human Services, ORR placed 930 unaccompanied minors in Suffolk County over a 6-month period from October 2016–April 2017. Since Federal authorities do not communicate with local human service agencies, law enforcement, nor do they notify school districts when youth are placed with sponsors in the county, there is no way to responsibly deal with the influx of minors coming to places like Brentwood. This must change. Unaccompanied minors are particularly vulnerable to gang involvement, especially those who may have witnessed violence at a young age and experienced significant trauma. Without appropriate interventions, some of these children are destined to engage with criminal gangs such as MS-13.

Furthermore, Federal authorities must close loopholes in the ORR program which threaten National security and aid in the proliferation of criminal gangs in the United States. Anyone who sponsors a child to resettle in the United States should be held fully accountable for compliance with all immigration court hearings. It has been reported that sponsor families are not always thoroughly vetted and that youth are placed in the care of adults who do not meet legal residency requirements. Some youth are placed in families with siblings and relatives who are gang-involved, and they are concentrated in towns with high rates of gang activity. This accelerates the cycle of crime and incarceration in many lower-income communities and hurts law-abiding residents who are struggling in their own quest for security and personal prosperity.

Our Nation's porous Southern Border has become the gateway for MS-13 to thrive on Long Island and in neighborhoods across America. This is also the economic epicenter for drug and sex traffickers, as well as a common route for weapons to enter our country illegally. Mexican cartels and organized criminal gangs have formed a powerful economic alliance to smuggle heroin and other illicit drugs into the United States. Ninety percent of the heroin coming into the country enters through Mexico, so we must intensify security along the Southern Border. These are real and serious problems that have been ignored by prior administrations for far too long.

Finally, if we are truly serious about shutting down the MS-13 pipeline, we must do more to improve human services and funding for education in low-income communities. Federal lawmakers should strongly consider more funding for the Gang Resistance Education and Training Program (G.R.E.A.T.), which is run by the sheriff's office in schools throughout Suffolk County, including some in Brentwood and its surrounding communities. Young people also need more recreational and social outlets, as well as viable opportunities for employment, to help them better assimilate into mainstream society so that they can resist the lure of gang membership.

I want to thank you once again for the opportunity to present testimony at today's hearing and I look forward to answering your follow-up questions.

Mr. KING. Thank you, Sheriff.

Our next witnesses are from Nassau County, Commissioner Krumpster and Sergeant Mike Marino.

Commissioner Krumpster has been Commissioner in Nassau County since February 2014. He is going to be retiring in the next several weeks.

Tom, I thank you for your years of service and the outstanding job you have done.

Sergeant Mike Marino and I have been friends for many years. We have serious fights about baseball, but other than that we agree on every other issue, and it is great to see Mike here. He does an outstanding job heading up the Gang Unit in Nassau County.

So, Commissioner Krumpster, Sergeant Marino, you can divide up your time. Again, thank you for being here today.

**STATEMENT OF THOMAS C. KRUMPTER, ACTING COMMISSIONER, NASSAU COUNTY POLICE DEPARTMENT, NASSAU COUNTY, NEW YORK**

Mr. KRUMPTER. I am going to be brief in my comments. Sergeant Marino will dive into the details of the current status of MS-13.

Good morning, Chairman King, Ranking Member Rice. Thank you for conducting this hearing. This is clearly a significant issue with dire consequences.

Long Island is frequently cited as being among the safest large suburban communities in America, but unfortunately we have gangs that are terrorizing communities within Nassau and Suffolk County. Unfortunately of late, Long Island has been the focus of National stories about violent atrocities committed by MS-13 rather than the safe communities that are really a benchmark.

Of late, the most violent gang in Nassau County, and among the most violent gangs probably anywhere, is MS-13. MS-13 uses threats, intimidation, and violence in order to control and recruit members and carry out their criminal enterprise. Currently in Nassau County, we have identified 712 members of MS-13, of which 345 are currently active members.

After 2 years of investigation by the Nassau County Police Department, Nassau County District Attorney, New York State Park Police, and Homeland Security, 41 members of MS-13 were indicted last week on conspiracy counts, with a number of underlying charges consisting of attempted murder. Of particular note in this investigation, and perhaps most troubling, is 19 of the 41 subjects indicted were unaccompanied minors. I think it is important to remember that not all unaccompanied minors are gang members, but we are seeing a significant number of gang members are unaccompanied minors.

What is most important and the biggest challenge, and Congresswoman Rice touched on this, is the trust within the community. Because of the very way we police in Nassau County, this case in particular, without the support of the community as witnesses, we would not have been able to make the case. The community came out in force and basically made it very clear, they will not tolerate these terrorist acts by these MS-13 gang members. Nassau County Police will not tolerate violent street gangs. As has been stated

multiple times by law enforcement over the last several months, we are at war with these violent street gangs.

A few words about the Nassau County Police Department's strategy on dealing with gangs. We take a holistic approach. At the very core of that is the community outreach that we engage in each and every day. We look to build trust with the communities because we recognize that without the trust of the community, without partnering with the community, it will be all the more difficult to address these gangs.

We use a multi-tier approach for gang enforcement. We use suppression by plainclothes units. The gang investigation squad headed by Sergeant Marino focuses on all gang investigations for all crimes and focuses specifically upon gang impact cases. We have a significant youth outreach program in Nassau County, among the largest police athletic league in the country, with over 40,000 participants. This is important, because it gives other outlets and other activities for the kids rather than becoming involved with the gangs. Like surrogate families, we try to give them alternatives. Additionally, we run police youth academies on a regular basis which targets at-risk youth, and the Police Explorer Program.

As we move forward, I hope as a result of this hearing additional human resources will be dedicated specifically, as Commissioner Sini pointed out, additional prosecutors in the U.S. Attorney's Office in the Eastern District and Islip, as well as additional Federal agents. More people, more cases. That is the way it works.

While the focus of today's hearing is on MS-13, it is important to realize that the focus must be on violent street gangs. What we have learned in Nassau County is that when you eradicate a street gang in a community, a vacuum is created and a new gang will emerge. So it would be near-sighted to focus solely on MS-13 as we move forward.

As we move forward, there are a number of programs and laws that will greatly assist law enforcement. The most significant issue that law enforcement faces going forward is going dark. The most high-profile case in recent memory is the San Bernardino terrorist attack where Apple Computer outright refused a Federal court order to provide assistance in gaining access to a phone. This problem will become more and more problematic as we move forward, and it will make it more difficult to engage in those enterprise corruption investigations. MS-13 is an enterprise corruption case.

We have dedicated significant resources in the war on street gangs, and we will continue to do so. Probably the most problematic is the case of unaccompanied minors. Unaccompanied minors are an issue not because of anything they have done. What happens is there is no due diligence done as a result of the unaccompanied minors coming into this country. If a program is going to succeed with unaccompanied minors, it is going to have to involve due diligence and programs so they are set up to succeed, not left so they end up turning to gangs as a surrogate family.

Thank you.

Sergeant Marino.

Mr. KING. Sergeant Marino.

**STATEMENT OF MICHAEL MARINO, COMMANDING OFFICER,  
GANG INVESTIGATIONS SQUAD, NASSAU COUNTY POLICE  
DEPARTMENT, NASSAU COUNTY, NEW YORK**

Mr. MARINO. Good morning, Chairman King and Ranking Member Rice. I am honored and grateful to represent the Nassau County Police Department in providing testimony on the activities of MS-13 within the County of Nassau and sitting among the top law enforcement officials in the Nation.

While Nassau County is one of the safest places in the country and we are experiencing record low crime rates, we are not spared the violence of MS-13. There have been 12 MS-13 investigations so far this year, which is the lowest since our inception of the unit in 2005. The National media attention to the gruesome nature of their crimes has magnified the perception of their activities amongst the public. We cannot ignore the rival gangs in the county such as 18th Street, Vatos Locos, Salvadorans with Pride, Latin Pride, and the Bloods. When one gang is diminished, the others fill the void.

MS-13 assaults outnumber all other MS crime combined. MS-13 crimes in the county are predominantly gang versus gang, or gang within gang. Innocent victims can occur due to misidentification as adversaries due to style of dress, associations or social media posts, or disrespect. These events are often retaliatory from incidents that may have happened a day ago, a month ago, or several years ago. GIS utilizes many strategies, initiatives, and law enforcement techniques to solve gang incidents.

The men and women that make up the GIS are senior expert gang detectors. They have long relationships to the communities and go to great lengths to protect witnesses and victims. We investigate gang-motivated crime and gang membership-based crime in order to increase the accuracy of our statistics and lessen missed investigative opportunities. Our School Administrators Gang Awareness program, SAGA, partners the schools with the police department to foster information sharing and provide training. This relationship has resulted in many non-criminal interventions of gang members or potential gang members, as the first signs of gang affiliation often occur in schools. When you look at the education levels of gang members, it is staggeringly low.

We encourage the schools to out-recruit the gangs in what we deem gang replacement therapy, joining the track team, marching band, or any other after-school activity.

On the enforcement side, we focus on our Top Shooter initiative. We believe there are smaller subsets of those gang members that are willing to actually fire a gun at another and kill another human being. When we arrest the shooter, we also remove a target from the rival gang so it gives us a multiplier effect on reducing shooting incidents. We expand that concept to machetes for MS-13 as well.

We also—it is important that we assess retaliatory actions when these attacks occur. Our recent Operation 503, named for the country calling code of El Salvador, was a joint investigation by the Bureau of the Nassau County District Attorney's Office, the Hempstead PD's new gang unit, New York State Park Police, and HSI,

resulting in the conspiracy indictment of 41 MS-13 gang members, 19 of which were UACs and one U.S. citizen.

Social media now is being used by gangs to recruit, threaten, and intimidate. Law enforcement can use this material as powerful evidence. Back in 2013, when Representative Rice was district attorney, we were attempting to obtain a Title III wiretap with the FBI but could not reach our legal threshold until we discovered two YouTube videos, Puppies on Deck and In the Trap, which you probably still remember the lyrics to. That operation, Seize Down, started then and eradicated the Rollin 60's Crips from Roosevelt, and is now being prosecuted by the Eastern District U.S. Attorney, which can serve as a model for MS also.

Coincidentally, last Thursday the GIS conducted Operation 503 and simultaneously the Eastern District convicted and sentenced a high-ranking Rollin 60's Crip from Operation Seize Down to over 100 years in prison. I think almost all our law enforcement partners, both Federal and local, were involved between those two cases. That was a very bad day for gangs and a very good day for law enforcement and the residents of Nassau County.

I want to thank Commissioner Krumpter, Deputy Commissioner Ryder for allowing me to represent the Nassau County Police Department, and I want to thank the men and women of the Gang Enforcement Squad in Nassau County for their hard and dangerous work every day. I thank the committee Members and Congresswoman Rice and Congressman King for inviting me to appear today. Thank you.

[The statement of Mr. Marino follows:]

PREPARED STATEMENT OF MICHAEL MARINO

JUNE 20, 2017

SUMMARY

I am Detective Sergeant Michael Marino, commanding officer of the Gang Investigations Squad (GIS), Nassau County Police Department. I am honored and grateful to represent the Nassau County Police Department in providing testimony regarding the activities of the "transnational criminal organization" known as Mara Salvatrucha 13 (MS-13), as designated by the United States Government within the county. In addition, I will explain the duties, functions, and strategies of GIS to investigate and combat gang crime in general and in particular MS-13.

Although Nassau County is one of the safest places in the country and we are experiencing record low crime rates, we are not spared the violence of MS-13. There have been 12 MS-13 investigations for the first half of 2017, which is the lowest number since the formation of GIS in 2005. The National and local media attention, in addition to the gruesome nature of some crimes perpetrated by MS-13, has magnified the perception of their activities. A brief explanation of our experience with the Unaccompanied Alien Children (UAC) population, as it relates to their gang participation and recruitment, is necessary. We cannot ignore the historically rival gangs of MS-13 that exist within the county such as 18th Street, Vatos Locos (VL), Salvadorians with Pride (SWP), Latin Pride (LP), and the Bloods. A balanced and consistent approach is necessary as one gang tends to fill the void left by the diminished gang.

I will provide the committee with the framework of "Operation 503" and as much information as possible, since some components of the investigation are continuing.

Last, tutorials on the use of social media by MS-13 to intimidate, recruit, and threaten individuals or groups would be valuable.

Although, many of my law enforcement colleagues have correctly detailed the facets of MS-13, a distinct perspective of the detectives in the Gang Investigations Squad should give the committee a more comprehensive view of the issue.

## MS-13 IN NASSAU COUNTY

Currently we have identified 345 MS-13 gang members active within the last 5 years and 367 inactive MS-13 gang members who are predominantly male extending in age from 15 to 30. A small percentage of females and those outside that age range do exist. The majority of MS-13 gang members residing in Nassau County originate from Central American countries, are not United States citizens, and do not speak fluent English.

This is unlike their rival gang SWP who are frequently born in the United States and speak English. We believe SWP started in Hempstead as a defense to MS-13 violence and has not been identified outside Nassau County borders for many years. Historically, MS-13 has been concentrated in the communities of Westbury, Hempstead, Uniondale, Roosevelt, Glen Cove, and Freeport with lesser amounts distributed throughout the county. We have encountered MS-13 gang members that have several different types of immigration status.

Generally, MS-13 gang members are employed earning wages and do not engage in crimes designed for profit as dealing drugs or credit card fraud. This is a significant difference from other street gangs in Nassau County and necessitates a more nuanced approach during investigations.

## CRIMINAL ACTIVITIES OF MS-13

Exceedingly, crimes committed by MS-13 within Nassau County are gang versus rival gang or gang within gang. Innocent persons can become victims because MS-13 gang members misidentify individuals as adversaries due to style of dress, associates, or social media posts. Assaults outnumber all other crimes together. Over the years we also have crime reports involving MS-13 in murder, attempted murder, robberies, burglaries, menacing, drug possession, witness tampering, criminal possession of weapon, reckless endangerment, criminal mischief, making graffiti, and a variety of other lesser crimes.

MS-13 gang members have utilized knives, chains, machetes, and firearms as weapons during many of their assaults. It is not unusual for there to be multiple attackers during these aggressions. Often, these events are retaliatory in nature from other incidents that occurred a day ago, a month ago, or years ago.

On April 30, 2017, three members of MS-13 embarked on a machete attack against persons they perceived to be rival gang members in Westbury. The victim sustained severe and serious lacerations. Additionally, one member fired a hand gun five times at victims, and fortunately no one was struck by the bullets. The GIS detectives arrested the perpetrators and recovered the firearm within 3 days. All originally from El Salvador, two of the gang members were undocumented and one has UAC status. This case is currently being prosecuted by the Nassau County District Attorney's Office. Although currently rare in Nassau County, this is a good example of the typical MS-13 gang assaults throughout Long Island.

*UAC Program*

Our experience with UAC's placed within Nassau County is largely anecdotal. Only recently have we begun to track and understand all of the immigration statuses relating to MS-13. We believe that certainly pluralities of UAC's are law-abiding from information obtained during our investigations. At this time, it is difficult to determine the percentage of UAC's who were already gang members when they entered the country as the laws in El Salvador prohibit the exposure of criminal or gang records of minors.

It is clear that MS-13 and the rival gangs target these children for recruitment. They become a high-risk group because they are young, alone in a new country, have a language barrier, and an unconventional family structure. We have investigated cases where our UAC victims who were not gang members did, over periods of time, succumb to the pressure and become gang members. It is a strong recruitment tool to pitch protection for these victims by MS-13 and their rivals. Our most recent MS-13 investigation Operation 503 revealed 17 of 41 indicted gang members were UAC's. Nassau County Police Department's (NCPD) continued cooperation with our Federal partners should shed some further light on this issue.

## GANG INVESTIGATION SQUAD

In 2005, the Nassau County Police Department created the GIS to implement its gang reduction strategies. Currently under the Major Case Bureau, GIS is a robust unit of senior detectives and sergeants responsible for investigating and coordinating all information and intelligence involving street gang activity within Nassau County. Duties include the gathering and dissemination of street-gang intelligence; the debriefings of gang members and associates; coordination of investigations of

gang-related incidents with precinct detective squads, special squads, and other law enforcement agencies; and conducting investigations of selected gang-related incidents.

GIS is supported by many other units within the police department including the Intelligence Division, Detective Division, and Patrol Division. The Intel Center has civilian gang analysts which are critical to our intelligence-gathering efforts especially in the social media arena. We have partnered for many years with several Federal agencies including the FBI Long Island Safe Streets Task Force, Department of Homeland Security, and the United States Attorney's Office for the Eastern District of New York. On the local level, we coordinate with the village and city police departments especially Hempstead, Freeport, Glen Cove, and Long Beach. GIS works closely with the Special Operations Narcotics and Gang Bureau of the Nassau County District Attorney's Office. The New York State Police and New York State Parks Police have had joint investigations involving GIS.

Since our inception, GIS has collaborated with our school districts as host of the School Administrators Gang Awareness (SAGA) program. SAGA consists of 1 or 2 yearly meetings with participating school districts where we share information and provide gang awareness training. Our relationship with school districts has resulted in several successful joint non-criminal interventions of gang members or potential gang members. This association is important as we realize the earliest signs of gang affinity may manifest in school.

Recruitment on or near school grounds is common. GIS assisted one school district where the close proximity of the high school, middle school, library, and park were contributing to increased recruitment. We helped by assisting with an environmental design that included the use of fencing, lighting, cameras, and security personnel to create a safer route home for the students.

The NCPD prioritizes intelligence sharing and to meet those goals as it relates to gangs, GIS did develop the Daily Gang Intel Report that is electronically distributed to all relevant law enforcement personnel. Working closely with information from our Intel Division, GIS detectives everyday assemble any NCPD police gang contact for the previous 24 hours from a simple field stop through the most serious crime reports and arrests.

GIS utilizes many strategies, initiatives, and law enforcement techniques to investigate gang-related crimes. As gang-related is often under-reported, is it important to include gang-motivated-based crime and gang-membership-based crime. Many times, the motivation is unknown immediately and may remain undetermined. If either the victim, subject, or both are gang members, it should be categorized as a gang crime thus improving accuracy of statistics and lessen missed investigative opportunities.

Many of the detectives assigned to GIS have been involved in gang investigations for at least a dozen years. This stability garners support from the community as strong relationships build from interviewing victims and witnesses. These detectives go to great lengths to protect victims and witnesses which fosters trust within the community.

GIS believes that a small subset of violent gang members are willing to use firearms. We target this group with our Top Shooter Initiative. Concentrating on removing a shooter from the gang also eliminates a target for the rival gang. GIS has seen a multiplier effect reduction in the amount of shootings in a neighborhood when we arrest a shooter. This focus also increases the likelihood that we can recover the illegal weapon. We include dangerous weapons such as machetes in this category for MS-13.

GIS is mandated by the NCPD to assess retaliation by MS-13 and gangs in general when an incident occurs. As most assaults are the result of retaliatory violence, we must expeditiously attempt to arrest the offenders and determine the necessary support resources to deploy such as special patrols or plainclothes crime units.

As of this date, GIS has investigated 12 MS-13 gang cases for this year. During 2016 and 2015 we investigated 31 and 32 cases respectively. This reduction was possible due to the support of the entire NCPD and the joint efforts of our local and Federal partners.

#### OPERATION 503

"Operation 503" was a joint investigation by NCPD, Nassau County District Attorney's Office, Hempstead PD, New York State Parks Police, and the Department of Homeland Security. "503" is the country code for calling El Salvador by phone. The investigation looked at numerous violent cases going back to 2013 involving MS-13. After a month-long presentation to the Grand Jury, a Conspiracy indictment was returned against 41 MS-13 gang members for an attempt to commit the

crime of murder in the second degree, assault in the first degree, an attempt to commit the crime of assault in the first degree, and assault in the second degree.

#### USE OF SOCIAL MEDIA BY GANGS

Most people are aware of the use of social media by terrorist groups or internet predators, however, gangs use similar tactics. There are hundreds of thousands of gang-related photos and videos circulating on the web. A simple search of the major social media services such as Facebook, YouTube, Twitter, Google, Instagram, and a host of others, would reveal the magnitude of gang-related material. GIS has reviewed thousands of these postings as MS-13 and other gangs promote propaganda and glorification of gang lifestyle as a recruitment tool. The gangs also use these platforms to intimidate and threaten their rivals which can lead to violent retaliation.

Law enforcement can use these photos and videos as powerful evidence. GIS was attempting to obtain a Title III wiretap but could never quite reach the lawful threshold until we discovered two YouTube videos depicting the Rollin 60's Crip gang with firearms and drugs. That case dubbed "Operation Cs Down" started as a local investigation and is now being prosecuted by the U.S. Attorney's Office of the Eastern District.

We advise parents to monitor their children's computer to look for signs of gang involvement and protect them from recruitment. It is also prudent not to "like" a gang-related posting or post anything on a page depicting any gang activities.

#### CONCLUSION

The Nassau County Police Department thanks the U.S. House of Representatives Committee on Homeland Security for their attention to this critical issue, and the opportunity to appear before it today. The NCPD will continue to work with the committee Members and its staff.

Mr. KING. Thank you, Sergeant Marino. I know you have at least one member back there from your gang unit.

Commissioner Sini and Commissioner Krumpster, I know that, for instance, the 12 individuals who were indicted and charged back in March for the killings, conspiracies, narcotics trafficking, and 19 of the 41 who were arrested last week were unaccompanied minors. I also know that in the last year alone, there were 2,700 unaccompanied minors placed into Long Island. I think in Suffolk County in the last 3 years it has been almost 5,000.

Commissioner Sini, you and I have discussed and you said publicly to the extent MS-13 has been able to game the unaccompanied minors system in that often they are placed with families who can be supportive of MS-13, or maybe threaten to support MS-13, and those kids, in effect, are placed—and again, this is a small minority of the overall, so I am not trying to have a broad-brush attack on the unaccompanied minors.

The fact is it seems to be a lack of vetting in the program as to what family is sponsoring them, which children are going to those families, and what is the subsequent monitoring of those unaccompanied minors within those families and within the school districts.

So I would like to basically ask Mr. Sini and Mr. Krumpster, and again FBI agents, if you want to comment on that, as to what the situation is and what can be done to improve the vetting so we will not have that situation where such a large percentage of those who have been arrested are actually unaccompanied minors, which means that young people who have only come here within the last two or 3 years.

Mr. SINI. So in Suffolk County, since 2014, approximately between 4,500 and 5,000 UACs have been placed in Suffolk County. The vast majority of those UACs have been placed in Brentwood

and Central Islip, but certainly numerous communities have received UACs.

Congressman, as you mentioned, of that amount, a very, very small fraction have become involved with MS-13, to our knowledge. Nonetheless, it remains certainly a recruitment tool that MS-13 has used, and it is for obvious reasons. These children are young, they are unaccompanied, they are not here with their parents, they are new to the country, they are seeking a sense of cultural unity, they are scared, they are experiencing trauma both in terms of what they experience in their home country and their journey here to the United States and their placement, the process of being placed in a community, and that makes them prime time for gang recruitment.

So intelligence has indicated everything that you have mentioned, that there has not been proper screening of sponsors in certain instances, there certainly has been a lack of sponsor compliance post-placement, there is no notification, and I think Sheriff DeMarco mentioned this, there is no local notification, whether it is to a human services organization like the Department of Social Services, to the police department, to the school districts. There is no local notification of placement, and there is very little funding connected to the program. I have only been able to identify one service provider in Suffolk County that is receiving moneys directly connected to UACs through the Office of Refugee Resettlement, and that is Catholic Charities. Certainly, these children are being serviced in other capacities, but connected specifically to the program, I have only identified that one program.

So, what law enforcement is asking for is simply Congress to take a look at the program to make sure that it is being implemented in a responsible way. We understand that this is a humanitarian program and that these children need to be placed. This all grew from a settlement agreement back in the '80's or '90's. Then the whole program was codified in Title 8, and we have a legal and moral obligation to place these children in our communities, but we need to do so responsibly. We need to make sure that the children are vetted. We need to make sure that the sponsors are vetted. We have to make sure that there is sponsor compliance post-placement, essentially making sure the sponsors are doing the right thing by these children. And we need to make sure that there is funding connected to placement of children in our communities.

It is not fair to Suffolk County to take in 4,500 UACs, some of the most vulnerable individuals, very vulnerable individuals, without any Federal funding. So the message from law enforcement, I think, is if we do not provide that support to these children, MS-13 will, or another gang will, and we need to make sure that this program is implemented in a responsible way.

Mr. KING. Since Congresswoman Rice and I are the only two here today, I will just allow each of you to answer this question to the extent you want, and then Ms. Rice will have her questions. Do not worry about the time as far as answering this question.

I would just respond on that also that I know Congressman Israel and I, after I visited the Central Islip School District several years ago, realized that these children come into these schools and there is no money following them. Steve Israel and I introduced

legislation to have the Federal Government have money follow the unaccompanied minors. It went nowhere. This is looked upon as a regional issue, and the rest of the country, quite frankly, was not interested. The administration was not. I do not think this administration will be, to be honest with you. So we have to work on it, we really do.

Mr. SINI. Congressman, I am familiar with the bill, HR-2634, and I thank you and the Congressman for introducing that bill. What the country needs to realize is that this is a problem that is going to affect their community at one point.

Mr. KING. Hopefully a hearing like this will have that type of impact.

Commissioner Krumpter.

Mr. KRUMPTER. Yes, I believe it is at the very core of this. I think you can draw parallels to the foster program. When the foster program—when a child is taken into custody by the State, they do due diligence. Not only do they do due diligence on the home, but then they follow up with regular visits. As far as I understand, these unaccompanied minors are only being vetted on where they are coming from and why they ended up here, not looking at where they are going, not looking at the risk factors.

Commissioner Sini pointed it out: If you do not provide them the services they need for them to succeed, the gangs are going to become the surrogate families for these kids. That is, in essence, what we are seeing. There is only a small fraction of these kids that are ending up in gangs. They are a large percentage of gang arrests at this point, based on the population total.

But I think it is really a humanitarian program, and I think that is what we have to focus on. It has to be focused on resources. Resources cannot be very shallow in the amount of resources being provided. I think we really have to ensure that those kids are being taken care of and tracked after the fact. You are dropping them in homes, you are dropping them in communities that are unfamiliar. They can assimilate into mainstream society, or they can assimilate into an MS-13 or another gang.

Mr. KING. Mike, do you have anything?

Mr. MARINO. Yes, Congressman. We found from our investigations dealing with the UACs that the difficulty resides at the border when they come across. The constitution of El Salvador does not allow for the criminal record or exposure of gang activity of these particular persons. So the only way to be screened at the border is to look for particular tattoos or maybe an interview type of thing.

But what happens when they get to the school districts and get put in a very bad position, a couple of hundred could show up in any month of the year, and they have to go into an ESL school with all these people in one class, where normally the high school would rotate classes amongst the different teachers. Mostly you have an ESL teacher with the same students in the same class most of the day. So if there is an infiltration of a particular gang member, they have the whole day to pressure these students, and we have found that they originally are victims. They are not in the gang. They are victims of crime from MS-13 or other gangs, and then over time

these gang members have a very easy sell. They pitch protection and defense, and they succumb to the pressure over time.

Mr. KING. Sheriff DeMarco.

Mr. DEMARCO. I want to echo what Commissioner Krumpster said about the foster care program. My staff and I were discussing this the other day about the need—if you are going to have a program, a humanitarian program, which is a compassionate program like this, you need case workers. These kids have to be assigned case workers, or else the program is not going to succeed.

Mr. KING. Mr. Melendez.

Mr. MELENDEZ. Yes, I would like to add, as part of my testimony I indicated that 5,000 unaccompanied alien children from the Northern Triangle countries, which are specifically those countries that are strong in MS-13 presence, have been resettled on Long Island from 2014 to April 2017.

What I want to reiterate, like all of our panel members have indicated, not all of these unaccompanied alien children will eventually become gang members. But the fact of the matter is that as of today, of those individuals, MS-13 members that we have arrested, 30 percent of them—and it is a continual number that we see—are unaccompanied alien children. They arrive into the United States in the Unaccompanied Alien Children Program.

So we talk about what is going on in the resettlement process or how they are located in the communities throughout the United States. One of the other things that is very disturbing is the fact that although these unaccompanied alien children may be resettled in a certain location, and as an example may be resettled on Long Island, not necessarily are they on Long Island. So we have seen in some of these arrests where individuals were not resettled on Long Island but were on Long Island, and they came in through the Unaccompanied Alien Children Program.

The other thing that is very important is the fact that even if they self-admit at the border as MS-13 members, we still have to transfer them to the custody of HHS within 72 hours, and this is something I submit to both of you that the Immigration and Naturalization Act, the INA, does not specify gang affiliation as a grounds for removal, that is as a grounds for inadmissibility or to later remove from the United States.

So the fact that they are verified gang members, that alone is not sufficient for us to remove them from the United States. What is even more disturbing, they can come in and self-admit and say, yes, I am an MS-13 member from El Salvador, and I am coming into the United States, and we cannot turn them around.

So I submit that for your consideration, that the INA should actually include as a grounds for removal gang affiliation. It would make our work a lot more efficient in managing the flow of these unaccompanied alien children through our borders.

Mr. KING. Mr. Sweeney.

Mr. SWEENEY. Sir, I actually was not too familiar with this program, or familiar at all, before I arrived here. I was not familiar with this program prior to assuming this position. I agree with everything I have heard from everybody up here. To me, it is stunning that there is no notification to local authorities that you have a wave of incoming youth and you have no support network. It is,

to my mind, a recipe for disaster. If that part alone can get fixed first, I think that would give a huge advantage, especially to the school districts, who could at least try to plan in advance for what is coming their way. But I would agree with everything I have heard up here.

Mr. KING. Thank you.

Ms. Rice, take as much time as you want.

Ms. RICE. Thank you, Mr. Chairman.

I think that you are not going to get any disagreement from my colleague, Chairman King, and I that this situation is, to me, Exhibit A of the incredible failure of the Federal Government to do their part to help local communities where these children are coming, and I thank Commissioner Sini for being the first one to say the obvious, which is we have these kids here because a lot of them are fleeing similar violent situations where they came from, and they are thinking life is going to be better for them here, and the system fails them the second they touch American soil.

Sergeant Marino, I know that today the focus is MS-13, but can you just talk a little bit more about some of the other gangs that you mentioned and what level, if any, of cooperation is there between MS-13 and the other gangs that you investigate, or are they all rivals? Maybe just go into that a little bit.

Mr. MARINO. Yes. MS-13 is almost always rivals with everyone. There are some times when the Serenos 13 have been associated with them, but that is rare in Nassau County, but it does occur. 18th Street is their No. 1 rival both in Nassau County and across the country. We recovered a firearm used in a homicide that we thought would come back to the homicide in Nassau County, but it came back to a homicide in Houston, Texas, and the Houston P.D. was up here meeting with us, and when we laid out our photographs of our 18th Street gang members, there were about 12 that matched up to their photos of the ones they have. Houston P.D. told us that they focused on MS for so many years they lost track of 18th Street, and now 18th Street is rising in Houston.

So we have to be aware of 18th Street. They are the No. 1 rival. We have a gang called Salvadorans With Pride, which started solely in Hempstead to defend themselves against. They are all American-born U.S. citizens, speak fluent English, and we did a similar program with the conspiracy. The first test case for the conspiracy with the District Attorney's Office was back in December on the SWP gang. So we took out one of the main rivals, and that gang I do not think to this day has been really identified outside of the Nassau County area.

Besides that you have the Latin Pride, the LP's, the Novatos Locos, all that reside within, and the Bloods are historic enemies of MS-13. Basically, the MS-13 fights with every single gang, almost. 18th Street and SWP does show an alliance at times, and they switch back and forth between those particular gangs, and there are some members that have been in both or switched out of those particular gangs.

Ms. RICE. So is it MS-13 that is primarily populated by illegal—people who are here in an undocumented status, or the other gangs that you mentioned—

Mr. MARINO. Well, MS—just as an example, on the 41 indictment conspiracy, 19 were UACs. The rest were undocumented, and one was a U.S. citizen, a Dominican who came here when he was a child. Most of the MS is here in some sort of undocumented status. Some of the other gangs can be a mixture of that. 18th Street is also many times here with undocumented status.

Ms. RICE. Let me ask you, how many school districts in Nassau participate in the SAGA program? I put that question to you, Sergeant Marino, and to you, Commissioner Sini.

Mr. MARINO. Well, generally, the ones that have had the majority of the gang issues always participate. We get some that do not have that, participate, some that do not want to participate. They feel it is a negative aspect. But many of them participate in the SAGA, especially in the school zones where these particular gangs exist.

Ms. RICE. So, let me just stop you there. So there are some schools that do not want to participate because they are afraid it is going to make their school look bad?

Mr. MARINO. I do not think they think it will make their school look bad. They might get the perception that they have a gang problem there.

Ms. RICE. What if they do?

Mr. MARINO. It is a difficult position for us.

Ms. RICE. So we need to get the school system, obviously, buying into this—

Mr. MARINO. For the most part, they are.

Ms. RICE. I mean, if they think that people do not know there is a gang problem in their local school, then they have their head in the sand. Thank you.

Commissioner.

Mr. SINI. Sure. Prevention and intervention is one of the main focuses of the Suffolk County Police Department, as it is with the Sheriff's Office. In Suffolk County, we have several different gang prevention programs that work with our schools. We have the CHANGE Program, which is in North Bellport, Wyandanch, and is being introduced right now in Brentwood. That is an early intervention program. The organization is a not-for-profit called STRONG, which is a gang prevention program that you are probably familiar with. It started in Nassau County.

They identify children who are at risk and case manage those children. There is a big focus on family involvement, because obviously schools only have the children for a certain period of time. They are going home. We have to make sure that we are empowering the families to do right by these children.

We also have our school resource officers in each one of our districts. They push in gang prevention programs into the classroom. They also—and there has been a major focus on this of late. They identify at-risk children and we conduct what are called youth conflict insertions or basically interventions where we identify at-risk children and try to essentially case manage them, connect them to resources they may need and try to get them on the right path.

Communications with the schools is critical. Oftentimes we have information about their students that they do not know, and oftentimes they have information about students that we should be fo-

cused on that we do not know. It is a touchy subject. Working with schools is sensitive. There are privacy issues and there are other issues at play, but we understand that collaboration with the schools is critical.

Ms. RICE. I could not agree with you more. Commissioner, I have spent some time, obviously—we have immigrant communities in my district, and what I hear very often is desperation on the part of people living in immigrant communities, some documented, some not. They talk about how young girls are being kidnapped by gang members and they are afraid to come forward because they are afraid they are going to kind of be brought into the system and sent to a place that they do not call home anymore.

You know, young boys are joining the gangs, as we have all been talking about, because of whether it is a cultural affiliation or a sense of community, a sense of belonging.

How does your police department—and, by the way, I have to say you deserve credit for taking over an agency that was in serious turmoil, and from all accounts—I think Chairman King would agree—you are doing what needs to be done there, and I would like to go into how you are actually improving the morale in the police department, but also training, because there are some reputational issues about how the police department in Suffolk treats immigrant communities, understanding that they have a job to do, but what programs you have put in place to allow for a more comprehensive approach to these issues.

So how do you address—what do the police do when a young girl who is in an undocumented status comes and says that this is what just happened to me?

Mr. SINI. Right. So, our policies are very clear on this. Our officers are prohibited from inquiring into the immigration status of those individuals who contact the police department as witnesses or victims or someone really seeking police assistance.

Ms. RICE. Now, is that a new policy under your administration?

Mr. SINI. No, that policy existed prior to me becoming police commissioner. The policy also talks about why that is the case. We want to create an environment that encourages people to come forward.

By the way, I just spent a week down at the FBI. There is literally—I have not found a police commissioner or a police chief who disagrees with that policy. This is not a real debate. Law enforcement officials recognize that we need to create an environment in which people feel comfortable coming forward.

Simultaneously, we collaborate closely with the Department of Homeland Security when we arrest individuals who are not here legally. We notify the Department of Homeland Security of that arrest. It is important that we have the right policies, which we do. There is no question about that.

But the more difficult part, which I think is what you are touching upon, is messaging and communicating those policies to the people who need to hear them. We do a tremendous amount of work attempting to do that. We do direct community outreach to folks. We do it through churches, we do it through community organizations, we do it through schools, we do it through a host of different media, and we also use community ambassadors and try to

break those barriers, develop relationships with folks in the community who are respected, particularly those people who are respected by the undocumented community, and we have them convey our policies to their constituents because they are much more likely to believe it when it is coming from such a trusted community ambassador than law enforcement.

I say that—it is not a criticism of law enforcement. We have to understand the reality here. Many of these individuals are recently immigrating from countries where law enforcement is extremely corrupt and there is virtually no trust between law enforcement and the citizens. So oftentimes we are pushing back on a cultural mistrust that is extremely difficult. So we utilize community ambassadors to help us do that.

Ms. RICE. In your opinion, set up a structure that you think will work in terms of making the whole placement program for UACs better.

Mr. SINI. Right. So I think funding and notification and sponsor compliance are the key ingredients to making this program more responsible. So I agree with—I believe it was Sheriff DeMarco who initially stated that all these children need to be case managed. So right now the Office of Refugee Resettlement places these children in our communities and they do a post-placement check-up and endeavor to close out the case file within 30 days. Oftentimes that post-placement check is via the phone. That is woefully inadequate.

To the extent that they are funding post-placement services, the only contract that I have identified—and there could be others that I do not know about, but the only contract that I have identified is with Catholic Charities, and it is only good for 3 months post-placement, woefully inadequate.

So what I would like to see is notification to appropriate authorities within the local municipality, the county government, the local police department, school districts, and a case management system set up that is funded appropriately that involves an array of services, from psychological services to social work services to legal services. That way we provide a system of support for these children who oftentimes are very vulnerable to gang recruitment.

Ms. RICE. This is to whomever would like to answer this question. I think one of the things we have not even mentioned—well, I think Sergeant Marino talked about a gun that was recovered that they thought they were going to connect to something else. But clearly, one of the reasons why these gangs are so violent is because they have access to weapons. What initiatives on the local level, partnering with the Federal/State authorities, what are you doing to address the clear ease with which these gang members are able to get guns? Where are they coming from? How are they buying them?

Mr. SINI. I'll speak for Suffolk County. We have strong partnerships with the New York State Attorney General, with ATF, FBI, all of our Federal partners. Obviously, guns are not manufactured in Suffolk County. I do not think there are many guns manufactured in New York State at all, and many of our guns come from the iron pipeline, from the south.

There are some exceptions. We do have some hot spots in the Northeast, point of origin. But the key, of course, is tracking these

weapons, making sure we are doing ATF traces on all our weapons, sharing that intelligence with law enforcement agencies in the region, investing in technology in our lab to make sure we are able to do ballistic analysis in a timely fashion so that if there is a match, we know about it in almost real time. We are making improvements on that front.

So again, it is about intelligence, it is about making sure we are sharing that intelligence.

In terms of removing weapons from our streets, we have had a particular focus on search warrants. Since my administration came in, we have increased our search warrants in 2016 compared to 2015 by 118 percent, and in 2016 that helped us recover more illegal firearms than ever before in Suffolk County, 507 compared to 333 the year before. That corresponds to a decrease in violent crime. So it is not because there are more shootings. In fact, shootings dropped 4.4 percent. It is because we are doing more enforcement.

Ms. RICE. Let me just say, I should not say that this kind of gun violence is specific to MS-13. We see it every day in the paper all across this country, and it is a much larger issue that we do not need to get into now. But just in terms of how you are dealing with MS-13, if anyone else has any thoughts about the issue of guns—

Mr. MELENDEZ. I would also like to underscore the fact that MS-13 members' weapons of choice are readily available at a sports store. So when we look at the level of violence that they carry out, they carry out with baseball bats or other instruments that are found in a hardware store, like a machete, that actually makes it more challenging to be able to address the level of violence.

I agree with what Commissioner Sini indicated. However, it is important to underscore that when we are talking about specifically MS-13, the level of violence that they carry out, what is their trademark, is the utilization of instruments that are found readily available to any citizen at a hardware store or at a sporting goods store.

Ms. RICE. So are you saying they do not use guns?

Mr. MELENDEZ. No, they do utilize guns, ma'am.

Ms. RICE. Right, so there is very little you can do to prevent someone from going into a Dick's Sporting Goods and buying a baseball bat.

Mr. MELENDEZ. That is correct. But what I wanted to underscore is the fact that when you look at the level of violence that they carry out, their seal is the utilization of machetes, the utilization of baseball bats. They do—yes, ma'am—utilize firearms. However, it is important to underscore that because one of the things in my experience dealing with gang operations in other jurisdictions, not necessarily with MS-13, is the fact that gang members carry firearms or they have firearms readily available. Dealing with the MS-13 phenomenon is something that we could encounter, but not necessarily it is always the fact.

So it makes it more challenging to be able to bring—if you find an illegal alien with a firearm, that is a Federal charge that you can charge them with. The fact of the matter that you find them

with a bat, then, of course, it makes it more challenging for us, and it is very particular to the MS-13. I just wanted to underscore that.

Ms. RICE. No, I appreciate that.

Can I just go to Mr. Sweeney? Commissioner Sini pointed out that one of the things that might help this situation is hiring more AUSAs. Having been a former one, like the Commissioner, I wholeheartedly agree that you can always use more. Prosecutors tend to be very overworked, not just at the Federal level but at the local level as well. What are your thoughts about that?

Mr. SWEENEY. I would let this district speak for itself. I know more is always good. More is more. More gets more cases, more prosecutions, so I think I agree with the sentiment, although I will not be the one to argue that directly. But I think anybody in this building that works upstairs would agree.

Ms. RICE. What about agents?

Mr. SWEENEY. More is more. We are a big office. The New York office is the largest, as you know. We have the ability to surge resources when we need to, but more is more. The more we hire, the more cases we work, the more we get done.

Ms. RICE. I could not agree more.

Sergeant Marino, just in terms of the gun issue, are they still doing gun buy-backs in Nassau County?

Mr. MARINO. I will let the Commissioner answer.

Mr. KRUMPTER. Yes, we are still doing gun buy-backs with the Nassau County District Attorney program that was started a number of years ago.

Ms. RICE. By the way, I do not say that just because I started them in Nassau County. I say that because you have to use every tool in your toolbox to try to get guns off the street, and we had enormous success with that program, and they were not all just old, inoperable weapons.

Mr. KRUMPTER. No. As Congressman King and Congressman Rice are aware, they are real guns that are taken off the street that could be diverted—even if they are legally possessed, they could be diverted into the hands of criminals.

The one thing I will also add on is with MS-13, MS-13 is unique. We have had great success in Nassau County reducing the number of shots fired, especially in that corridor—Roosevelt, Uniondale, Hempstead. But with MS-13, the weapon of choice, as was pointed out in Nassau County, is machetes and other knives, chains, bats. After discussions with Sergeant Marino, in last place with MS-13 are those firearms.

When it comes to other gangs, we know that they have a propensity for gun violence. Because of the programs we have implemented, we have seen a reduction of those types of shootings in Nassau County. In Roosevelt/Uniondale in particular, from a peak in 2007 of 350 or so shootings, we have now somewhere in the neighborhood of about 40 that we have been able to stay for an 85 percent reduction in shots being fired in those two communities.

Ms. RICE. Commissioner Sini, what is the status of the fusion centers that you mentioned before?

Mr. SINI. I will let FBI speak regarding—I will let the two Federal agencies speak as to their fusion centers. We have one in Suffolk County that is not MS-13-specific. It is an intel center that is

obviously very focused on gangs. The one that is abroad, a trip is being scheduled currently for the month of August. There will be several local law enforcement officials, as well as Federal officials, invited to attend to engage in roundtable discussions regarding what that fusion center should look like so that it can be most effective.

Mr. SWEENEY. For the FBI, the fusion center or the fusion cell that I mentioned earlier is a group of analysts that sit inside our Long Island Gang Task Force. So those analysts are from almost all the agencies, as we continue to build it, that are already represented by operators on our task force. Those analysts are solely grabbing the intel that moves from those departments and sharing that amongst themselves.

The other network that we have that we are working to exploit even further is the domestic National intelligence framework. So there are 12 DNI reps around the country. In this region, we have tried to take some of our officers in the Northeast to focus not just on the National intelligence priorities—counterterrorism, counterintelligence—but what are we seeing in criminal areas that actually, in my opinion, affect some of our National security concerns.

So as an example, last week we had all the officers on the East Coast, in my region at least, from Philly through Albany, discuss MS-13 so we could try to bring some of the State and local partners in from those local jurisdictions so they can see what we have, we can see what they have, and then partner them up. I think Tim was down recently in PG County as Mike McGarity, who is my SAC for criminal, tried to work that network.

So it is a network, and each one of those field offices has analysts, has an intel branch or a field intelligence group that can then leverage that network up and down, all around the region.

Mr. MELENDEZ. For Homeland Security, specifically for HSI, here in Long Island, actually in this building, we have a command center in support of Operation Matador where we house all elements from the Department of Homeland Security—Customs and Border Protection, the U.S. CIS as well, the Fraud and Detection National Security officers are assigned, as well as HSI and ICE intelligence agents.

One of the other things that we utilize and that is specifically for Long Island operations is in our headquarters we have a database that we actually bounce financial information off of. So any type of financial information, we have a repository of information that allows us to create these linked charts and structures of the MS-13.

The other thing is at the National level, of course, we utilize the Special Operations Division system that is actually directed from the Drug Enforcement Administration. So any gang-related information regarding telephone numbers or targets, we are able to place it in that repository so it is accessible to all partner agencies as well.

Ms. RICE. Great. Thank you all very much.

Mr. KING. Commissioner Sini, in the last several months we have had the administration in Washington, we have had Governor Cuomo in Albany, we have had yourself, obviously the FBI and Homeland Security, in effect declaring war on MS-13. There have

been a number of high-profile arrests, large numbers of arrests surging.

Have you found an increase in cooperation from the community? What impact has that had? Are they coming forward with more intelligence? I remember being with you a few months ago in Central Islip, I guess it was. Have you, in effect, challenged them to come forward, asked them to come forward? Have you seen any increase in people volunteering information?

Mr. SINI. Yes. The community has been tremendous. I know oftentimes the media wants to portray this picture of a community that is not willing to come forward, but it simply does not jibe with reality. I understand that people are fearful. They are fearful of the gang, and those who are undocumented are also fearful of immigration consequences. But I think because of the brutal nature of MS-13, the support that the Suffolk County Police Department has provided to individuals and the work that many of the advocacy groups and community-based organizations have done in the community, we have received significant assistance from the community.

That is not to say we could not benefit from more. It is hard to know what we do not know in that sense. But we have a lot of different options for people to come forward. They can come forward through third-party advocates, and some of those individuals, hard-working individuals, are in this room behind me. They can call our anonymous tip line, 1-800-220-TIPS, and that accommodates over 200 foreign languages. They can essentially reach out to any asset that we have in the police department.

We believe that the community, as the police department, feels that it is important to stand strong, and we have been very pleased with the support that we have received from the community. Part of that, too, is the victims' families. I cannot say enough how tremendously supportive the victims' families have been, and think about the trauma and tragedy that they have recently experienced. Oftentimes people may react with anger and look to blame, and the family members have been tremendously supportive, even becoming activists in their own communities to empower the residents to fight against this gang. I cannot say enough about that. It is remarkable.

Mr. KING. Congresswoman Rice was asking Sergeant Marino about the number of schools that participate. I would also like to ask that about Suffolk County. This does not involve co-pay, but I know that some of the victims' families have said in other school districts that when they went to the school district and told of threats, told of actual threats made against their children, that the school district did not follow through in informing the police.

How does that work as far as when they should come to you, when they should not? How does privacy work? I know that some of these victims' families are very upset by that. How accurate it is, I am not vouching for it other than they seemed very believable to me when they told me.

Mr. SINI. Without commenting on any specific instance, I will say very clearly that whenever there is an allegation, even if it is not corroborated or confirmed, but whenever there is an allegation of some sort of threat that is associated with a gang, that information

should be immediately shared with the Suffolk County Police Department. It is that simple.

Mr. KING. On the question of the unaccompanied minors, I have spoken with Secretary Price's office, because HHS, basically, Health and Human Services, has the final word on that. Has there been any improvement in the relationship dealing with HSI on that?

Mr. MELENDEZ. As a matter of fact, yes, there are. So we are basically—when I talk about the 5,000 unaccompanied alien children that were resettled here in Long Island, it is based on the information that HHS has readily provided to us. So their willingness to cooperate with law enforcement and work with us, we have seen a dramatic change, and they are cooperating and providing information.

Mr. KING. Mr. Sini and Mr. Krumpster, have you seen any of that, more cooperation from HHS?

Mr. SINI. I think it is important that we have ready access to information that is in the possession of the Department of Homeland Security and the Office of Refugee Resettlement regarding immigration status and other facts that may help us use certain tools. The Department of Homeland Security, under the special-agent-in-charge's leadership, has recently provided a mechanism by which the police department can request information and receive it within a short period of time, certainly within 24 hours, and that, I think, is going to do a lot of good for information sharing and for the overall mission.

In terms of determining the UAC status of certain individuals, I still think there is room for improvement. I still have holes in my data, and I am in a very data-rich institution. Nassau County PD and Suffolk County PD have intelligence policing models. We are collecting data on a daily basis. We have a tremendous amount of intelligence. Yet I have holes in that data, and that needs to be addressed, in particular regarding the status of certain individuals as it relates to the UAC program.

Mr. KING. Mr. Krumpster and Sergeant Marino?

Mr. KRUMPTER. What we have seen is a significant improvement in communication with Homeland Security, who for us is acting as the gate with Health and Human Services. But as far as direct contact with Health and Human Services, we have not seen any improvements in that area. As you are aware, Congressman King, our entire organization is driven by the intelligence-led policing model. The intel center is very robust. But we do know that there are holes, as Commissioner Sini pointed out, when it comes to the unaccompanied minors, and I do not know that it is so important for us to be getting the information on the unaccompanied minors. I think it is more important that Social Services in Nassau County is getting that information so they can get them into the necessary programs. It is all about intervention, and it is all about prevention. So if they start committing crimes, we are going to arrest them. But it is getting them the resources on the front end that is the most important part of this.

Mr. DEMARCO. By the time I get them, they are usually in custody in the facility, and we have a very close relationship with the Department of Homeland Security. There are three agents sta-

tioned at the facility. They work very closely with our gang intelligence unit doing interviews and determining status and whether or not they are removable.

Mr. KING. When Attorney General Sessions was here, we did raise up the issue of the Assistant U.S. Attorneys. Has anybody heard anything on that?

Mr. SINI. In terms of—

Mr. KING. More U.S. Attorneys?

Mr. SINI. No, I have not. I am quite sure there has been no increase. Just to sort of piggyback on the Assistant Director's comments, I consulted with the U.S. Attorney's Office a couple of weeks ago regarding their staffing levels. If you look at their staffing levels as it correlates with the population in Suffolk and Nassau County, they have less staffing than other offices with more population. So I think there is a real argument to be made using data, using staffing levels, population, index crimes, that additional AUSAs are warranted.

Ms. RICE. Mr. Chairman, if I may just ask a question?

Mr. KING. Sure.

Ms. RICE. Does the hiring freeze apply to DOJ?

Mr. KING. I do not believe so, no. I know the Attorney General did say he was going to look into it. He seemed receptive. I am just wondering if anything has come through the pipeline, any word on that. OK, we can check on that with the U.S. Attorney.

Mr. SINI. So just to throw out some stats—

Mr. KING. Compared to Nebraska?

Mr. SINI. Kansas—same thing.

Mr. KING. You can say that. I do that and I get [inaudible].

Mr. SINI. Nassau and Suffolk combined has a population of about 2.85 million, with 14 AUSAs, three of whom I believe are supervisors. By comparison, Kansas has a population of 2.9 million and 24 criminal AUSAs, plus six special assistants.

The Eastern District of Tennessee has a population of 2.6 million and over 30 AUSAs, and I believe there are other examples that can be provided.

Mr. KING. Mr. Sweeney, it seems like you wanted to say something here.

Mr. SWEENEY. No. I am good, sir.

Mr. KING. I know you prosecutors always stick together. But I actually fully endorse that.

Mr. KRUMPTER. I think it is actually quite clear: More agents, more prosecutors, more cases. It is more focus on the gangs, it is more focus on the heroin epidemic that is ravaging Long Island. You are looking at literally close to one person a day dying as a result of a heroin overdose on Long Island, and every single police officer on Long Island is trained on Narcan. So there are literally hundreds more, two or three a day, that would have overdosed if not for the intervention of the police.

Mr. KING. Ms. Rice, do you have anything?

Ms. RICE. No, thank you.

Mr. KING. I want to thank all of you. Thank you all for your testimony. Really, more important than that, thank you for the job you are doing day in and day out. I want to really commend you for it.

This is a war. We are going to win it. It is going to be because of people like you. So, thank you very much; and to all the men and women who work for you, thank you.

[Recess.]

Mr. KING. The Committee will come to order.

Again, I want to thank our witnesses from the first panel. I think it was very, very informative.

Our second panel today consists of Mrs. Evelyn Rodriguez and Mr. Robert Mickens, who are the mother and father of victims Kayla Cuevas and Nisa Mickens. Also, we have Dr. Howard Koenig, who is the superintendent of the Central Islip School District, and Mr. Patrick Young. He and I have had engagements over the years, all professional. I recognized him both from meetings we have had and from protests against me. But in any event, it is great to have you here today.

Let me start on a very serious note, Mrs. Evelyn Rodriguez and Mr. Robert Mickens. Mrs. Rodriguez is the mother of Kayla Cuevas. Mr. Mickens is the father of Nisa Mickens. Their daughters were killed on September 13, 2016 by MS-13 gang members. In the face of unspeakable tragedy, they have both been advocates for justice for their daughters, improved security in schools and public safety. As Mr. Sini said, I think they have formed a viable work by coming forward the way they have, by really giving a public face to private anguish. Also I would say I have had several meetings with them. I know they met with Attorney General Sessions. They meet with Mr. Sini on a regular basis and with the FBI, HSI, everyone involved.

So I want to thank them for all they have done up until now in the face of unspeakable horror, and I want to thank them for agreeing to testify here today.

I now recognize Mrs. Rodriguez and Mr. Mickens. Take whatever time you want. You can speak in the order in which you wish. Thank you.

**STATEMENT OF ROBERT MICKENS, SUFFOLK COUNTY  
RESIDENT**

Mr. MICKENS. Ever since September 13, 2016, the loss of Nisa and Kayla has shocked us not only as a family, shocked our community and shocked the world. You know, two young ladies' lives have been cut short over something that could have been settled differently, could have been handled differently. It could have been acted upon in a different way.

We sit here and think about it every day, about what would have happened if these girls did not leave the house. Would it have made a difference? Yes, and possibly no, because the way these criminals think, we are all really not too sure how they actually think. They could have mental problems, or they could just be very ignorant about how they go about handling things in life.

But it is very difficult, but we have a lot of support from our community. We support each other, and we also just take the time every day to give our praises and say thank you for allowing us to have the strength to carry on to make sure this does not happen to another student or somebody else's child, or their father or brother or sister, aunt or uncle in our community.

We would like to say thank you to the Suffolk County Police, Homeland Security, the FBI, because they are providing security for our community and, of course, the rest of Long Island and the United States, and it shows the community that security is there, they are trying to make it better. It is actually working.

Now, us becoming advocates and activists in our community, we have to show that, yes, you have to work with your local police in order to get results done. It is very important for us community leaders, people who are just average citizens in the community, to step forward to say something. It is not about the whole term "snitching." You have to say something, and by us sitting here today, hopefully it will help bring more of a change to our community and to the rest of the United States.

[The prepared statement of Mr. Mickens follows:]

PREPARED STATEMENT OF ROBERT MICKENS

JUNE 20, 2017

My broad experience with MS-13 before Nisa's murder was like most people. I know we heard about them seldomly only in passing a little article from time to time or someone talking about them here and there. The old adage you never really know about anything until it affects you personally is very true. Unfortunately, it became all too real on September 13, 2016. MS-13's grip on the community has not been felt until it hit our family and made the news. Their shockingly cruel crime has brought forward a knowledge no community should deal with. Begs to ask, why didn't we know about them until now? Many MS-13 members come here as youngsters those who are initiate into the gang are a mix between citizens and unaccompanied minors who are then recruited or forced into MS-13. In turn we have these young kids committing crimes backed by fear promoted and abused by the gang.

The community has not only dealt with death but others acts of violence destruction of properties and it seeps into the school system nourished cultivated and brought forth. There's no one solution this process takes time and takes a community effort something easily said than done it also takes people working with law enforcement again something a lot find hard. We also have to change the mentality of the community CHANGE is the magic word it starts from the home and it ends in the streets schools need to be a safe haven for our children. The Federal Government, NYS, Suffolk County must update their laws to catch up to these individuals of MS-13. With the same energy they put forth to commit crimes we need to be equally if not more aggressive to eradicate them from our society.

Mr. KING. Mrs. Rodriguez.

**STATEMENT OF EVELYN RODRIGUEZ, SUFFOLK COUNTY  
RESIDENT**

Mrs. RODRIGUEZ. Thank you, Congressman King and Congresswoman Rice, for having me here today to testify on behalf of this critical mission to eradicate MS-13.

My daughter, Kayla, was bullied, targeted for 2 years in school from the MS-13. She was murdered September 13, found September 14. Twenty-four hours later, they found her.

These individuals have changed my life, my family's life dramatically. We were a family that used to go out on the weekends, take the kids to the park, go to church, be with other family, with friends, with their kids. You do not see that anymore. You see people staying home now, holding their kids tight.

Kids are going to school afraid because they are being targeted and bullied, as my daughter was. Parents are scared to send their kids back to school. The majority of the kids are being home-

schooled because they are either being targeted or bullied, or the parents are just scared to send them to school.

We need to have more stronger policies, laws in place for these individuals that do this heinous crime to these other kids. They are kids killing kids. That needs to be stopped.

We cannot let our kids be afraid to go to school, because in the beginning this is where it all originates, in school. They get them in school. They target them. They bully them. They have other people to look out to get them.

My daughter, for 2 years, her life was miserable in school. She had to wear a tougher skin every day to go to school. You could see the difference in her personality. The minute she walked on that school ground, her personality changed. She had to be a tough girl in order to survive that whole day in school.

When Mr. King was saying about law enforcement being contacted, some of these schools do not contact law enforcement when a child is being threatened, and I can testify to that 100 percent fact, that that does not happen. They like to keep it under cover. They like to keep it among themselves, and they want to say they are taking care of it, but they cannot.

This situation is growing every day. Every year the numbers increase in school with this gang violence, and it needs to be stopped.

I want to say thank you to everyone that has been affiliated, involved in trying to get these individuals, Commissioner Sini, law enforcement, the 3d Precinct, the FBI, the Gang Task Force, everybody that is involved. I want to say thank you for your hard work and your dedication, and please continue to be dedicated to ensure that these individuals are caught and justice will be done for them, they will be judged.

I am sorry.

We also need programs, interventions in schools. Funding needs to be supplied for the schools. Every time the funding gets cut, our kids are more in danger. Our kids are at risk to things to be happening in the district.

Our State officials, Federal officials, law enforcement have to come together and find a solution, something that can work out throughout our community to come together to make things right, a little better. I do see a difference in our community, in people coming together, coming a little bit more out, giving more information, but a lot of them are scared due to their status, as Commissioner Sini said. That has nothing to do with if they have information. Please provide it, because your status here, that is not in question.

I believe the American Dream for everybody. Everybody here works hard to have that dream. I just want these criminals that are coming into our country to be stopped, to be investigated further. They are coming in here, recruiting our kids, if not at the high rate of the risk of these unaccompanied kids coming into our country. It needs to be further investigated. It needs to be more policies in place in order to make our kids safe, our families safer, our communities safer.

I think that is it.

[The prepared statement of Mrs. Rodriguez follows:]

## PREPARED STATEMENT OF EVELYN RODRIGUEZ

JUNE 20, 2017

Any parent's nightmare is calling your child for hours and hours, and they do not answer their phone, then you realize that something is wrong. Your heart races and you think the unimaginable, then the reality hits when you are told that your child's body was found.

My world collapsed to know that my Kayla was brutally murdered by the same group of kids involved in the MS-13 gang that have been bullying her in school for the last 2 years. I was left emotionally helpless because I couldn't protect her from these savages that are cold killers. Kayla's death opened the doors to find the bodies of 4 more kids that were missing students from Brentwood High School. Now the MS-13 left their mark in communities to be known as the most vicious and brutal gang in history in and outside our schools.

Parents and community residents now live in fear and are afraid to let their kids play outside. The MS-13 gang is so unpredictable, you just don't know who is who with them. MS-13 is a new breed of murders, they are children, kids killing kids, and as they continue to grow so does their techniques of recruiting helpless kids into their wicked actions. We must change our laws to protect our children and community from these criminals. Bring long-term resources and strategic Federal pilot programs that will bring solution to this gang epidemic, however this can't just be done by the law enforcement, local Government, we need the community to come together and be part of this process and take our streets back. We need to eradicate MS-13 for good.

Mr. KING. Thank you very much for your testimony.

Dr. Koenig, Dr. Howard Koenig, is the superintendent of schools for the Central Islip School District. He has had a long career in the education field. I have had the privilege of visiting his school district a number of times, and I have to say it was actually in his school district—this is going back 2 years now—that I began to learn the full extent of MS-13 penetration into the schools and the program that they have adopted to try to combat that. So I want to thank you for agreeing to be here today. I know you had to cancel some other meetings to be here, so I thank you, Dr. Koenig, for again being so attentive to this issue and for your dedication.

You are recognized.

**STATEMENT OF HOWARD M. KOENIG, PH.D., SUPERINTENDENT OF SCHOOLS, CENTRAL ISLIP UNION FREE SCHOOL DISTRICT**

Dr. KOENIG. Thank you. Chairman King, Congresswoman Rice, I want to thank you for your invitation to appear and testify at this hearing. I am proud to serve as the superintendent of schools for the Central Islip Union Free School District, the school district we are all located in at this very minute.

The very violent activities of MS-13 have had a great and terrible impact on our schools, on our community and, most importantly, on our students. The ability of criminal members of this gang to gain entry to the United States is something that goes far beyond what any school district or local community can resolve.

However, since the gang's success is measured in its recruiting new and younger members from our schools, this is something that I believe we can have a positive impact on reducing and, God willing, preventing. It is that that I would like to speak to you about today.

The young school-aged candidates for gang recruitment are isolated, frightened, and feel very vulnerable. Their new country, their new community, their new schools can feel very, very unwelcoming.

They have come, in so many cases, as you have heard this morning already, they have come in so many cases from places of extreme violence and death. They have spent very little time, if any, in organized schooling. They do not speak the language of their new home. They are not familiar with the local customs or societal norms. They are missing and need so very much structure and support in their lives. They seek a feeling of belonging to their communities.

It is our job in the schools to provide for the education of all of our resident students. We want to do that in a safe and secure environment. Our newly-arrived students very often come with significant needs, and we provide services to those children based on those needs. We partner with local community agencies to help these students, agencies here in Islip such as Youth Enrichment Services, who we work very closely with in providing programs for these students.

With the help of programs from New York State and the U.S. Department of Education, we had been able to provide help to our newly-arrived students not only during the school day but in after-school programs and other things to help those students transition into their new communities. The President's executive budget proposal would reduce funding by approximately \$9.2 billion for the Education Department. The programs that we would lose and the help that we would not be able to provide to these students because of these cuts include—and this is not an inclusive list, but it includes after-school programming, extended-day academic support, special education help, teacher development help. The domino effect that the Federal cuts to the New York State budget would impact our ability to provide other programs that we were able previously to offer.

This is the second-largest requested decrease in education aid since, I believe, 1983. That request in 1983 was met with a Congressional increase in assistance to the Education Department and our schools, and I am confident that you guys will do that job again. I hope I am confident.

Now, why do I list these? It is because the loss of these programs will hamper our ability to bring newly-arrived students into the mainstream of school life and to provide to them a sense of belonging. It is the absence of this connection between these students and the mainstream of school life that makes them easy prey for gang recruitment. It can be postulated, I think, that the reductions in the assistance that we receive that enables us to work with these students becomes a tool. These reductions would become a tool which enhances successful gang recruitment activities.

I thank you for the opportunity to speak to you this morning, and thank you for the chance to be here.

[The prepared statement of Dr. Koenig follows:]

PREPARED STATEMENT OF HOWARD M. KOENIG

JUNE 20, 2017

Mr. Chairman and Members of the Counterterrorism and Intelligence Subcommittee, I wish to thank you for your invitation to appear and to testify at this hearing. My name is Dr. Howard M. Koenig and I am proud to serve as the superintendent of schools for the Central Islip Union Free School District.

The very violent activities of MS-13 have had a great and terrible impact on our schools and our community and most importantly on our students. The ability of criminal members of this gang to gain entry into the United States is something that goes far beyond any solution that the school districts and our local communities can resolve. However, since the gang's success is measured in its recruiting new and younger members from our schools this is something, I believe, we can have a positive impact on reducing and preventing. It is that I would like to speak to you about today.

The prime young school-aged candidates for gang recruitment are isolated, frightened, and feel very vulnerable. Their new country, new community, and new schools can feel very unwelcoming. They have come, in so many cases, from places of extreme violence and death. Many have spent very little time, if any, in organized schooling. They do not speak the language of their new home. They are not familiar with the local customs or societal norms. They are missing and need structure and support in their lives. They seek a feeling of belonging.

It is our job in our schools to provide for the education of all of our resident students. We want to do that in a safe and secure environment. Our newly-arrived students, very often, come with significant needs. We provide services based upon those needs. We partner with local community agencies to help these students. Agencies such as the Youth Enrichment Services program in the Town of Islip. With the help of programs from New York State and the U.S. Department of Education we had been able to provide help to our newly-arrived students, not only during the school day but in after-school programs to help the students transition into their new communities. The present executive budget proposal would reduce funding by approximately \$9.2 billion for Education Department spending. The programs that we would lose and the help we would not be able to provide to these students include after-school programing, extended-day academic support, special education help, and teacher development. The domino effect of the Federal cuts to the N.Y. State budget will impact our ability to provide programs that we were previously able to offer. Why do I list these? It is because the loss of these programs hamper our ability to bring the newly-arrived students into the mainstream of school life and provide to them a sense of belonging. It is the absence of this connection between the students and the mainstream of school life that makes them easy prey for the gang recruitment.

It can be postulated that these reductions become a tool which enhances successful gang recruitment activities.

Mr. KING. Thank you, Dr. Koenig. Thank you very much for your testimony.

Our final witness is Mr. Patrick Young. He is the program director at the Central American Refugee Center in Hempstead. He is an immigration attorney and immigration rights advocate. He is a special professor of immigration law at Hofstra University School of Law, and in 2012 he was named co-director of Hofstra's Immigration Law Clinic.

As I said, Mr. Young and I have known each other over the years. I have great respect for him. We do not always agree, but it has always been on a professional basis. So I want to thank you for being here today, thank you for your efforts. I look forward to your testimony.

You are recognized.

**STATEMENT OF PATRICK YOUNG, ESQ., PROGRAM DIRECTOR,  
CENTRAL AMERICAN REFUGEE CENTER**

Mr. YOUNG. I thank you, Chairman King and Ranking Member Rice, for allowing me to testify in front of this committee. It is very moving to listen to Mr. Mickens and Mrs. Rodriguez' testimony because certainly the harm they have suffered has been suffered by them and by a dozen other families in the area, and the fear that they talked about in the community is a fear that many people in the community feel.

Nassau and Suffolk Counties have 526,000 immigrants living in them out of a total of 2.8 million people. That means 1 in 6 Long Islanders is an immigrant. So we sometimes talk about immigrant communities, but immigrants are spread throughout Long Island, although certainly certain communities are concentrated in certain villages here.

We have the largest suburban immigrant population in the United States, and the population of immigrants here is roughly equivalent to that in San Francisco, Philadelphia, and Boston. So although immigration is often thought of as an urban or rural phenomenon, 50 percent of immigrants now move to suburban areas, and Long Island was one of the first suburbs to have a large number of immigrants.

In the mid-1990's, when Mara Salvatrucha first came to my attention, CARECEN approached the Nassau County Police Department to partner with the police in reaching out to immigrant communities to oppose the growth of MS-13. We arranged for meetings in our office for the police to get together with ordinary Central American immigrants to build relationships, because policing has to be based on relationships. I would say that prior to that time, the police had not really been focused on the immigrant community.

As the police began to devote more resources to countering Mara Salvatrucha, they adopted a strategy of working side-by-side with the primary victims of these gangs, the young immigrants. CARECEN was invited to help train several classes of police cadets at the Academy and provide training to the detective and hostage negotiation units of the Department. We even had two police officers intern with us in order to learn how to talk with the community and work with the community better.

Nassau police understood that many in the growing immigrant community came from countries where the motto of the police was not "serve and protect" but "oppress and brutalize." The Nassau County—

Mr. KING. Now, what years are we talking about?

Mr. YOUNG. This would be between—well, we first were working with Herb Faust back around 1998.

Mr. KING. Sorry to interrupt you. I just wanted to get that.

Mr. YOUNG. Sure. Then a lot of our work expanded when Lawrence Mulvey became the police commissioner. So this is not a partisan thing. It was two Republican administrations and one Democratic administration.

Nassau police listened to immigrant concerns and made sure the Department was accountable to the people that they served irrespective of immigration status and long before it became a mantra among police. As Commissioner Sini said, the Nassau police early on adopted a creed that they would not ask your immigration status if you were a victim or a witness, or even simply trying to seek the help of the police.

The Nassau County District Attorney's Office under both Kathleen Rice and Madeline Singas has worked hard to ensure that immigrants from countries without functioning judiciaries understand that Nassau was not like their homelands, that criminals could not

act with impunity, and that if they were harmed by criminals they could obtain justice.

In Suffolk, CARECEN also regularly hosts meetings between our clients and members of the Suffolk Police. The difference with the situation in Nassau, however, is that these extremely positive interactions are of very recent vintage.

As the Southern Poverty Law Center documented in 2009, the Suffolk County Police Department did not include immigrant cooperation in their policing strategies. The report found that violence against Suffolk immigrants was being fueled by elected officials and some law enforcement officials. Latinos believed that their reports of crime to the police went uninvestigated and ignored. This failure to partner with immigrants resulted in many tragedies in Suffolk, one of which was the rise of MS-13.

The elevation of Tim Sini to police commissioner seems to have brought real change to the way the Department does business. Spanish-speaking officers have been hired in record numbers, and the police meet regularly with community leaders. Unfortunately, these new initiatives are only a little over a year old.

Three years ago, a large number of unaccompanied children came to the United States, as was testified before, about 8,000 live here now, and we are often asked why so many. Well, this is where their families live. They are not being released to people on the streets. They are not street children. These are children who are being released to their family members.

Long Island has the fifth-largest Central American community in the United States, and in most years we have between the third- and fifth-largest of unaccompanied children coming here.

CARECEN works with more than 200 of these children. Many left because they or a family member was threatened or harmed by gangs trying to force them to join. These are the kids who said no to the gangs. You know, we always tell our children say no to gangs. They said no, and then they often became targets of rape, kidnapping, or death threats. In doing so, in saying no, they were placed in mortal danger.

When the children came to Long Island 4 years ago, they were met with hostility from some officials and the illegal exclusion from some schools. It took action by the State Attorney General to compel some districts to provide Constitutionally-mandated access to education. CARECEN, which worked closely with the Attorney General's Office, had dozens of children who were kept out of school September, October, November 2014. Few of the refugee children received special orientations or welcomes to the community in which they had arrived. Some told us that they were very aware that they were viewed as a problem rather than as children by local officials.

Federal, State, and county governments failed to make provisions for the reception of children. I know we have advocates who are dressed in white behind me, and many of them met with county leaders, with State leaders, and with Federal leaders to ask that more resources be given to the districts so that they could work more closely with these students. I know that you and Congressman Israel also worked on that. But it is something that largely was not forthcoming, as you mentioned before.

By contrast, almost as soon as a much smaller flow of children began in New York City, the city appropriated over a million dollars to assist in their resettlement here. Similar welcoming programs should be implemented on Long Island. The children need to learn that if they are being bullied by gang members or in their neighborhoods or schools, they can turn to school officials and the police for help.

One of the things that I think Commissioner Sini mentioned that I think is very important is that while there may be a small number of unaccompanied children who are gang members prior to arriving here, in most of the situations where people have been tempted to join the gangs, it has been because they have been in schools and have been harassed either by Mara Salvatrucha or by rival gangs and either sought to end the harassment by joining the gang or have sought the protection of an alternative gang.

The welcoming must also come from public officials. A small number of young immigrants do become involved in gangs, but stigmatizing all immigrant youth as potential gang members only convinces the young that they have no allies outside of their ethnic group.

The violence of Mara Salvatrucha should be kept in perspective as well. Long Island still has one of the lowest homicide and violent crime rates among the country's metropolitan areas. As the immigrant portion of Long Island's population has grown over the last 40 years, the homicide rate has gone down, not up.

To uncover the criminals behind the outrages committed by MS-13, we need the cooperation of the people they victimize, the immigrant community. Immigrants will not be the eyes and ears of the police if they see the police as auxiliaries of ICE and assistance in deportation of otherwise law-abiding immigrants.

Thank you.

[The prepared statement of Mr. Young follows:]

PREPARED STATEMENT OF PATRICK YOUNG, ESQ.

JUNE 20, 2017

Thank you for inviting me to testify before this committee. My name is Patrick Young and I am the program director at the Central American Refugee Center (CARECEN) with offices in both Brentwood and Hempstead on Long Island. I am an attorney and I have worked at CARECEN in different capacities for over 33 years.

Nassau and Suffolk, the two suburban counties of Long Island, have 526,000 immigrants out of a total population of 2.8 million people. One in six Long Islanders was born outside of the United States. We have the largest suburban immigrant population in the country and the immigrant community here is similar in size to those in Boston, Philadelphia, and San Francisco. The immigrant population on Long Island is extremely diverse, with four different continents having countries ranking in the Top 10 countries of birth for immigrant Long Islanders. The country of birth of the largest number of immigrants here is El Salvador.

In the mid-1990's Mara Salvatrucha first came to my attention. At CARECEN we assisted several members of the Salvadoran community whose children were being intimidated by the gang. In 1999 we approached the Nassau County Police Department's (NCPD) detective chief Herb Faust to partner with the police in reaching out to immigrant communities through churches, community groups, and service organizations to oppose the growth of MS-13. We arranged for meetings at our office for Herb Faust and members of the NCPD's anti-gang unit to get together with ordinary Central American immigrants to build relationships. As the police began to devote more resources to countering Mara Salvatrucha they adopted a strategy of working side-by-side with the primary victims of Mara Salvatrucha, young immi-

grants. CARECEN was invited to help train several classes of police cadets at the academy, as well as provide training to the detective and hostage negotiation units of the department. We even had two officers intern with us.

When Lawrence Mulvey became Nassau's Police Commissioner, outreach by the department expanded even further. Both Faust and Mulvey understood that good policing can only happen when the immigrant community partners with officers and detectives. They also knew that many in the growing immigrant community came from countries where the motto of the police was not to "Serve and Protect" but to "Oppress and Brutalize." These police executives made the extra effort to meet repeatedly with immigrant leaders and ordinary immigrants to develop trust and understanding. They listened to immigrant concerns and made sure their department was accountable to the people that they served irrespective of immigration status.

The Nassau County District Attorney's Office, under both Kathleen Rice and Madeline Singas, has worked hard to insure that immigrants from countries without functioning judiciaries understood that Nassau was not like their homelands, that criminals could not act with impunity, and that if they were harmed by criminals they could obtain justice.

In Suffolk County CARECEN also regularly hosts meeting between our clients and members of the Suffolk County Police Department. We attend quarterly meetings with Police Commissioner Tim Sini and other department leaders. The difference with the situation in Nassau, though, is that these extremely positive interactions are of very recent vintage.

As the Southern Poverty Law Center (SPLC) documented in the report "Climate of Fear: Latinos in Suffolk County," the Suffolk County Police Department (SCPD) did not include immigrant cooperation in their policing strategies for nearly a decade. In the 2009 study the SPLC found that violence and discrimination against Suffolk immigrants were being fueled by elected officials and some law enforcement officials. The study found that Latinos believed that their reports of crimes to the police went uninvestigated and ignored. According to the report, Latinos told the SPLC that "they are regularly subjected to racial profiling while driving and often to illegal searches and seizures. They said there's little point in going to the police, who are often not interested in their plight and instead demand to know their immigration status." This failure to partner with immigrants resulted in many tragedies in Suffolk, one of which was the growth of MS-13.

Five years ago we saw the police department take its first steps toward reform. Police/Community meetings became more regular and there were efforts at retraining officers. Unfortunately these efforts were undermined by notorious abuses. First, of course, was the arrest and conviction of Police Chief James Burke for beating a prisoner. The second was the arrest of Sgt. Scott Greene for his crimes against immigrants. Sgt. Greene had repeatedly targeted Latino drivers for traffic stops. During these stops he extorted money from his victims. Even though Latinos reported these crimes to the police they went uninvestigated for months. These and other incidents made it difficult for immigrants to take seriously the pledges of reform, however sincere, coming from the SCPD.

The elevation of Tim Sini to Police Commissioner seems to have brought real change to the way the department does business. Spanish-speaking officers have been hired in record numbers and officers who can't speak Spanish now have access to telephonic interpretation. The police meet regularly with community leaders and CARECEN never has a problem getting an officer to meet with our students and clients. Unfortunately, these new initiatives are only a little over a year old and they come as MS-13 violence has become more deadly.

CARECEN welcomes the new spirit of cooperation and we hope that it continues. Immigration continues to our region and policing needs to reflect that reality.

Three years ago, a large number of so-called Unaccompanied Minors began arriving on Long Island. More than 8,000 live here now. More have settled on Long Island than in the entire rest of the State combined. I am often asked why they are here. There are two parts to my answer. The first is that they are here because they have been forced out of the places where they live by gang violence. The second is that they come specifically to Long Island because this is where their families live. Contrary to the notion promoted in the media that they are children dumped on Long Island communities by the Federal Government, in fact they are typically only allowed to come to Long Island by the Department of Homeland Security and the Office of Refugee Resettlement if they have guardians here in Nassau and Suffolk counties. Long Island has the fifth-largest Central American community population in the United States and we have received the fifth-largest number of these children.

In the 3 years that I have worked with these child refugees I have heard their stories of escape from gangs in their homeland. Many left because they or a family

members was threatened or harmed by gangs trying to compel them into membership. In other words, these are kids who said “No” to the gangs. In doing so they were placed in mortal danger.

When the children came to Long Island, some of them were met with hostility by local officials and with illegal exclusion from school. It took an investigation by the State attorney general to compel some districts to provide Constitutionally-mandated access to education.

Even in the best of circumstances, few of the children received any special orientation or welcome to the communities in which they had arrived. Some told us they were aware that they were viewed as an “issue” rather than as children. Federal, State, and county government failed to make the provisions for the reception of the children, ignoring recommendations to do so by CARECEN, Catholic Charities, and other groups working with them.

By contrast, almost as soon as the much smaller flow of children began in New York City the government there appropriated over a million dollars for their integration. The city even became a regular presence in immigration court helping the children and their guardians understand the resources and services available to help them through their difficult first year in the United States.

Similar welcoming programs should be implemented in Nassau and Suffolk counties. New arrivals need to learn that if they are being bullied by gang members at school or in their neighborhood, they can turn to school officials and the police for help. They don’t arrive in the United States knowing that.

And the welcoming must also come from public officials. A small number of young immigrants do become involved in gangs, but stigmatizing all immigrant youth as potential gang members only convinces the young that they have no allies among the non-Latino officials they sometimes feel are arrayed against them.

The violence of Mara Salvatrucha is a serious problem for Long Island but it should be kept in perspective. Long Island still has one of the lowest homicide and violent crime rates among the country’s metropolitan areas. As the immigrant portion of Long Island’s population has grown over the last forty years, the homicide rate has gone down, not up.

To uncover the criminals behind the outrages committed by MS-13 we need the cooperation of the community that they most victimize, the immigrant community. To halt the growth of the gang we must gain the trust of those they try to intimidate into joining. If a young Salvadorans is the target of violence by the Bloods, we need him to go to the police, not MS-13, for protection. Immigrant youth will not be the eyes and ears of the police if they see the police as the auxiliary of ICE.

Since the Central Islip killings we have seen an increase in resources for gang prevention. This is welcome, even though it is coming late in the game. Hopefully further resources will be available to these communities, including those near here that Representatives Rice and King represent.

Archbishop Oscar Romero, the martyr of El Salvador, once said that progress can only be made when we realize that “we can all do something.” To counter MS-13 we need to foster the power of immigrant youth and parents to “do something” to end the violence.

Mr. KING. Thank you, Mr. Young.

Commissioner Sini has left, but in my conversations with him and in public statements he has made, he does not think that it is just by coincidence that some of these children have ended up with certain families. But he has said he thinks that MS-13 in Central America is coordinating some of these kids.

Now, let’s stipulate right at the start, the overall majority of these kids are honest, law-abiding, not going to get into trouble. But the other part of it is that the majority in some cases, and at least 30 percent in others, of those charged with serious crimes are unaccompanied minors.

It is felt that MS-13 in El Salvador actually knows which families some of these kids are going to be going to. They are told what to do when they cross the border, and then you find that they have either been threatened by MS-13 or have been paid by MS-13 or are actually supporters of MS-13. So even if that is a small number of the overall number, what can be done to have better screening so that sponsors who are affiliated with MS-13 do not have

these kids placed with them? Can more be done to scrutinize—I know they are young kids, but the records of these kids coming in? Are they coming from MS-13 families in El Salvador?

Again, I am stipulating up front that the great majority of them are innocent kids and we are a welcoming country. So I am not trying to stop the program, but what can we do to make the program more effective and more safe? Because even though we say that Suffolk County and Nassau County have low crime rates, if you are living in Central Islip or Brentwood, you have one of the highest murder rates in the world, probably, right now, or if not the world, in the country. I mean, you are talking about 17 murders in basically two communities over the last year. The community is not that large; it is a large number.

So, my community has no murders. But if I was living 20 minutes away, I would be living in a high-crime area, certainly for the last several years.

So what can we do to protect the innocent immigrants, documented or undocumented, from the MS-13 scourge coming in through the unaccompanied minors?

Mr. YOUNG. Sure, I appreciate the question. I think that there are really two parts to the answer. I think that the first part is, as you rightly point out, even if we assume that all of the unaccompanied children who have been charged with crimes associated with MS, that that still is 1 percent of all the children, so it is a very small number, and I believe Commissioner Sini also said that most of the MS folks that they have arrested appear to have joined MS after they came to the United States.

So I think in addressing that, I think we are looking, as both police commissioners and the head of the gang unit in Nassau County pointed out, I think you are looking at creative and aggressive anti-gang work in the schools and also in the communities, because the schools are an important place. But many of the kids, as has been pointed out, when they first arrived in the United States, which is when they are, frankly, the most vulnerable to recruitment, many of the children do not necessarily see the school as a place where they find refuge and safety.

So these programs should also be extended into churches. As you know, when you visited the community, many of the folks meet every week, essentially. The community comes together every week in church—

Mr. KING. Not to interrupt you, but I do know from talking to Commissioner Sini that there are a number of kids who are—

Mr. YOUNG. I was going to address that.

Mr. KING [continuing]. Placed by MS-13 operating out of El Salvador.

Mr. YOUNG. I think that is important to address, as well. My understanding is it is a very small portion of the children. It is a very small subset of the total.

I think that one of the things that the Federal Government should be doing is to have greater engagement by ORR, which is the Office of Refugee Resettlement. ORR typically spends only a month working on each particular case.

Mr. KING. I think in the last several months they are changing that.

Mr. YOUNG. They are changing it, and there are cases in which they maintain contact for more than 6 months. But I think that a more general involvement would not only identify those who might actually be affiliated with MS but would also serve a useful purpose for other new arrivals who could be helped to integrate into their communities, because I think as they integrate into their community, as they have a feeling of affiliation, for instance, with Central Islip schools, they are not going to be drawn into MS. It is the child who is alienated who is most likely to be drawn into it.

Mr. KING. Can I ask Mrs. Rodriguez, Mr. Mickens, if they would like to comment on this, whether or not you believe there are families who are supportive of MS who are sponsors for the children?

Mr. MICKENS. Yes. Actually, we believe that, because they come up here to work, to find a better way of life; how much of that money is being sent back to their country to bring them back up here? So I truly do believe, yes, there is some type of recruitment going on where they may send a child from El Salvador to Texas to be with this specific family for X amount of time, then you can also ship them to New York to be with another family that is already established within the organization. That is something that is very true. A lot of kids are also being led into it because as a young child—13, 14, maybe even 10 years old—who is new to America and new to our customs, for them it is, like I said, those starting a new job where, when we first start the job, we are not familiar with the policies and the procedures, we do not know this person, we do not know that person, until there is one particular person who comes up to you and starts showing you, oh, this is how you do this, this is how you do that, and the next thing you know they are being lured and manipulated into joining this organization.

So I truly do believe it is from both sides. Yes, they are being automatically, as I was saying, drafted into it, and they are also being lured into it.

Mr. KING. Mrs. Rodriguez.

Mrs. RODRIGUEZ. I feel the same, too. When these kids are coming into the United States, like I said, it has to be really thought out. I think there is a lot of glitches in the system that needs to be fixed, that needs to be looked at again, maybe structured a little bit better. Some of them are affiliated, and some of them are not. Some of them, they are leaving their country due to the circumstances there. They want to have a better life, which is understandable.

But like I said, my focus is trying to make these kids safer, policies stricter, laws changed, more harsh.

Mr. KING. Dr. Koenig, if you want to comment on that, then I will ask one question before I yield to Ms. Rice. Again, if you want to comment on that, and also in view of what Mrs. Rodriguez said before, when I am entering other school districts, if a parent came to you and said they felt that their son or daughter was being threatened, what action would you take? Would you contact the police?

Dr. KOENIG. We would first investigate what the parent said, and it has happened, obviously. If we felt that it was something

that we could not handle in terms of mitigating the contact between these students, if it was rising above that, we most certainly would involve the police.

We have a very, very strong relationship with the Third Precinct. Our school resource officer—and I said to the Commissioner I think she may walk on water—Officer Tracy Mathis, is very much in contact with our students, with our staff. The students in the schools know her and trust her. If they feel something is going on, they will talk to her.

In addition, it is so important to know that it is the isolated child who is so subject to this recruitment. So we try to make sure that not even only new arrivals but any child in the school who is isolated out of the mainstream, that we reach out, staff and other students who are in various clubs, reach out to these students, let them know that they are not alone.

Our social workers, our teachers that work in the high school with these students, have a very good relationship not only with the students but with the ability of that student to come, close the door, and talk about things that are going on. So we try to be proactive immediately when we hear this stuff, and we will certainly never, ever try to sweep it under the rug because we do not want it to look bad. What looks bad is if you do not take care of the child that is in trouble.

Mr. KING. Ms. Rice.

Ms. RICE. Thank you, Mr. Chairman.

First I want to extend my condolences to both you, Mr. Mickens, and you, Mrs. Rodriguez. I cannot even imagine the pain that you and your family have gone through. It must be intolerable.

But my question to you, Mrs. Rodriguez, is since your Kayla's experience at school in terms of being bullied, I got the sense that you felt the school was not being responsive to the situation that was occurring with Kayla. If you could just talk a little bit about your interactions with the school since Kayla was murdered, and do you think that the school has learned anything as a result of your activism in this space from what happened to your daughter?

Mrs. RODRIGUEZ. Kayla was a beautiful girl, into sports heavily, loved basketball. She used to tell me, mom, if I did not make it in playing ball, I wanted to be in law enforcement. Law enforcement was hers since she was very young. I could be at a red light, a police officer could be pulling up at a red light, and she would immediately pull down her window and start asking questions at 7–11. That is how much she was so interested.

Kayla was bullied for 2 years. I fought with the school for 2 years going back and forth. She is being targeted, names, they threatened her. I assumed as a concerned parent I could pick up the phone and call. They said we will take care of it, Mrs. Rodriguez, do not worry, we will have this under control.

For 2 years I was listening to the same story, we have it under control. My daughter was threatened on school grounds with a knife. She immediately came home and told me. I immediately called the school. They said the individual is no longer in the school. Coming that September, that individual was back in school. I go up there, have my meeting. They used to tell me the individual is not there anymore. Meanwhile, the individual was in another

school district getting home tutored in school with three school security guards. My daughter will text me, ma, the person is back in school again.

So how many times as a parent, as a concerned parent, active parent in school, have to go through this with one big meeting asking for the superintendent to attend these meetings? Their response was he is unable to attend the meeting, not getting the root of the problem, not being there to listen to the child, not just to label them right away saying this is a kid with a behavioral issue.

If you see a kid being good in school, sports, all of a sudden you start seeing some type of behavioral changes, parents go up, meet with the student with the teachers to see what the problem is, my daughter is telling me a lot of things, I am expressing my concerns to the school, and they did nothing, and they continued to do nothing for these other kids.

If a kid is coming up to a principal, to a dean, to an assistant principal and telling them I was threatened, why do you not take that serious? Why are you not listening to these kids when they are coming up to you? Because the end result, when the kids get tired of coming up with the same, coming up to say that I was being bullied and they see that there is no action being taken, what are they going to do? They are going to stop reporting it. They are probably going to have a tougher skin, always trying to look side-to-side to see who is looking at them or who is targeting them, or may not even show up for school. They will cut out for that day.

There is a lot of things going on in the school district that they are not acknowledging it. They want to take care of it themselves, and it is a bigger issue. For my daughter, it was a big issue. The school did nothing for my daughter, absolutely nothing. My daughter went to school the first day of school, got suspended because she was being bullied, and my daughter was being told that she could not defend herself. That is wrong, totally wrong, unacceptable.

If a child comes up to you with a concern, a complaint, take it serious. Do not put it to the side. Do not say we are going to take care of it, and especially when you have it on video that your child is being threatened. There is no time to do no investigation. That is for that phone call to be made to the law enforcement, and let them handle it, because if a kid comes up to me and says my life is being threatened, I am going to take that child to the precinct and report it immediately. Let them do the investigation. Whatever findings come out of that, well, at least I can say, you know what? I did my job. I went to the precinct, I made the report.

When my daughter was being threatened in the very beginning, before the changeover with the law enforcement, new people coming into the new chair, they did not take my report as a parent. They looked at me like, OK, just tell your daughter do not go there. That was their response.

Now, I am bringing my daughter to a precinct to let them show this is the way you do things, and for an officer to come out and tell me that very sarcastically like if I was a piece of garbage, I felt very offended. My daughter is, like, you see, ma? This is why we do not come up to them, because if they treat you like that, just imagine to us, and you are an adult.

That is not right. We are trying to teach our kids to do the right thing, to report things when they see things happening. But if we are being knocked out at the beginning, how are our kids supposed to know what to do?

Now, things have been changing, absolutely. Law enforcement has been more supportive to the community. They have been more out there trying to get the community, just to get to know the people in the community. When I first moved out here to Brentwood, the police officers had their zones. They knew families by their first names. They used to come out of the car, have a cup of coffee. I know that for sure because my mother used to make the Spanish coffee for them, and that is how the community should be, connected, united as one.

When this situation was happening in the early 2000's until just recently, the community was a mess. I am sorry to say that because I have been here in Brentwood since 1978, and for me growing up here, graduating, and now having my kids and graduating, two different worlds, two different worlds.

I know it is a whole new generation, I know that. But the consistency and the relationship should always be there. I see a big difference, a big difference with the law enforcement and coming out, like I said before, with the community and getting things open. When you are going up to the precinct, there is no more of that sarcasm or that attitude feeling. You are coming up there, you are being greeted: "Yes, how can I help you?" Not just sitting behind and saying, "Yes?" Or, "I am sorry, your daughter should not be playing around in that area."

This is the response before when people used to make reports was happening. Now you see the difference that I see, going to meetings, talking to the community, talking to families. They actually see the difference when they are going up to the precinct and making a report, or just asking for information because, like I said, there are a lot of families that are scared to come forward with information, or just to give information because of their status.

Me talking to them, I reassure them that that is not the case. If you have any type of information, there is a hot tip line you can call. You do not have to give your information, just give the information that they needed.

There is so much. There is so much that needs to be done, so much programs that needs to be placed in schools. We just really need to, like I said, come and sit down and really open the doors for these kids to have more of the programs, after-school programs, so we can keep them safe, not have these kids have in the high-risk category that they might be lured into these gangs. We just need more support, more funding for our kids, to make sure that they have places to go after school instead of being lured someplace else.

Thank you.

Ms. RICE. Thank you.

Mr. Young, taking off on what Mrs. Rodriguez said about how, as a 40-year, almost 40-year resident of Brentwood, how different it was when she was growing up to now when she is raising her children, and you specifically talked about how you felt that there was a better relationship with law enforcement back then when

you were growing up, what advice would you give law enforcement about how they can make it better and get back to a time like Mrs. Rodriguez talked about when she was growing up?

Mr. YOUNG. I think we have to remember that there was an active attempt to divide the community from the police in Brentwood, Central Islip, and elsewhere in Suffolk County when County Executive Levy discussed deputizing the police as immigration agents.

Ms. RICE. Yes.

Mr. YOUNG. Also, honestly, what she said does not strike me as something that I have not heard before, where people from these communities have reported crimes and been told that the crime was not even going to be reported as a police report.

You know, it is just as important—I live in Westbury. My aunt lived in Central Islip. I have to say, when I began looking at the Suffolk County Police Department 15 years ago, I was very surprised by how different it functioned in communities of color from the Nassau Police Department, that accurate recordkeeping did not seem to be an important goal.

I think some of the things that need to be done are being done. Right now, 1 in 5 new officers has to speak Spanish, and I think that is important, because prior to 4 years ago, the Department, when they would be investigating a crime, if somebody was an immigrant, would ask the immigrant to have their child translate for them, and this may be a situation in which a person was a victim of domestic violence or in which a person was a victim of rape.

The police department now uses both telephonic translation and keeps statistics on it, because we were finding that when they first started using telephonic translation, it was only being used a few times a day and they were encountering a few Spanish speakers per day. But now they are using telephonic translation, they are doing regular outreach to the community. We have had the police by three times, I think, in the last month-and-a-half at our organization just to get to know the community, which is exactly what Mrs. Rodriguez was saying is so important in her youth.

It is important that people get to know the police not simply when they are being arrested or not simply when they see somebody being arrested, but that they get to know the police on a regular basis, and also that the police get to know them. You know, many times the police in places like Brentwood and Central Islip come from other parts of Suffolk County and really have no familiarity with these communities outside of the situations in which the law has been broken.

The police have to be pillars of the community, but that means they also have to be part of that community. They can only be that if they can communicate with people there. If people feel comfortable, as Mrs. Rodriguez has been assuring them, that their immigration status is not going to be questioned when they report crimes.

In 2008, when Marcel Luzauro was murdered in Suffolk County, we found that the Suffolk Police did ask victims of crimes what countries they were from. That is the sort of thing that alienated these communities, and it is something that we hope does not recur. We know that since there has been an upswing in the number of ICE raids carried out Nation-wide, that there is increased

fear in immigrant communities. I think it has been a mark of Commissioner Sini's good grace that he has been able to get the cooperation of the community because the chief of police in Houston last month said that reports of rape from his city were down 40 percent over the last 4 months, and it was not because 40 percent fewer Latinas were being raped, it was because people were much more frightened now to work with the police.

As I said, we have more than half-a-million immigrants on Long Island, so that is more than the total population of native-born and immigrants in Buffalo, Syracuse, and Rochester combined. We cannot make inroads against Mara Salvatrucha if we do not work directly with the immigrant community.

Ms. RICE. What is your opinion on the placement program for UACs and how it could be better?

Mr. YOUNG. You know, I think there are checks in place at the border. People can be excluded from the United States if they pose a danger to the United States. We do know they are examined for gang markings, et cetera.

I think that the best thing that can be done, though, when somebody is released onto Long Island, is for increased engagement by ORR. I think that the office needs to, as several of the police officials said, needs to stay in touch with the children.

I know there has been discussion about revealing the names and locations of the children. ORR has been a little bit nervous about suggestions along those lines because they are afraid the children will be targeted. Not all people within law enforcement maybe are as professional as some of the folks we had here today.

I think it is important that ORR does work with local community service agencies, with school districts, et cetera, to set up programs for the children. New York City does not get the names of the children, and yet they have very good outreach to the kids because they actually have a person stationed in immigration court who can meet with the children and, if the child wants, take down their information and work with the child in integrating into the community.

But I think that should not fall only on local communities. I think the Federal Government, through the Office of Refugee Resettlement, should have case workers working with each of the children, and at least work with them for the first year that they are here in the United States. That will also give them a good chance to determine if the family is, in fact, the family that it was presented as.

Ms. RICE. Thank you.

Mr. KING. I thank all the witnesses for their testimony, and also I will just add something on. I should have said this during the first panel. I know Mr. Sweeney and HSI is still here, Mr. Melendez is still here. I want to just submit a question in writing as to the rationale and the working together of having two task forces. If you could just answer that for me in writing, why there are two task forces, how they work together, and what the rationale for that is.

I want to thank all of you, especially Mrs. Rodriguez and Mr. Mickens, for being here today. It has been invaluable to us, and I

hope it provides some measure of relief to you to know that there is focus on this.

Mr. Koenig, I want to thank you for your efforts over the years.

Mr. Young, I am sure we will be seeing each other in the future. Again, I want to thank you for your dedication.

Mr. YOUNG. Either inside or outside your office.

Mr. KING. Either way. We can wave to each other.

But seriously, I want to thank you especially and all the family members who have done so much to really bring this to the public eye, and hopefully it is not going to happen to other kids what happened to yours.

But, thank you all.

I have to say this officially. Pursuant to Committee Rule VII(D), the hearing record will be held open for 10 days.

Without objection, the subcommittee stands adjourned.

[Whereupon, at 12:10 p.m., the subcommittee was adjourned.]

## APPENDIX

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### QUESTIONS FROM CHAIRMAN PETER T. KING FOR WILLIAM SWEENEY, JR.

*Question 1a.* As you know, both the FBI and HSI have task force operations on Long Island focused on combatting transnational criminal organizations.

What is the rationale for having two separate task forces?

*Question 1b.* How do these two task forces work together?

*Question 1c.* Do you have any agents assigned to the HSI's Operation Community Shield or Operation Matador?

*Question 1d.* If not, has your agency ever been offered a spot on these task forces? Answer. Response was not received at the time of publication.

*Question 2.* In testimony before the Senate Judiciary Committee on June 21, 2017, Mr. Scott Lloyd, Director of the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services, testified that ORR "field specialists" are now attending local MS-13 task force meetings to strengthen the agency's partnerships with law enforcement. Has your agency had any interaction with ORR field specialists?

Answer. Response was not received at the time of publication.

### QUESTIONS FROM CHAIRMAN PETER T. KING FOR ANGEL M. MELENDEZ

*Question 1a.* As you know, both the FBI and HSI have task force operations on Long Island focused on combatting transnational criminal organizations.

What is the rationale for having two separate task forces?

Answer. Both U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) and the Federal Bureau of Investigation (FBI) task forces are long-standing initiatives, pursuant to each agency's authorities, mission focus, global reach, and successes. ICE HSI initiated Operation Community Shield (OCS) in 2005, to respond to the growing threat of transnational criminal "street" gangs. Through its OCS domestic and international task forces, ICE HSI leverages its world-wide presence and expansive statutory and civil enforcement authorities to mitigate the threats posed by these global networks, often through the criminal or civil arrest of gang members and the tracing and seizing of cash, weapons, and other illicit proceeds.

It is not uncommon for multiple task forces or initiatives led by separate Federal, State, or local law enforcement agencies to co-exist in a mission space and specific area. For example, HSI's Border Enforcement Task Force (BEST) and Department of Justice's (DOJ) Organized Crime and Drug Enforcement Task Forces (OCDETF) Program address narcotics violations but approach the threat from two different viewpoints. BEST's primary mission is to combat existing and emerging Transnational Criminal Organizations (TCOs) by employing the full range of Federal, State, local, Tribal, and international law enforcement resources in the fight to identify, investigate, disrupt, and dismantle these criminal organizations posing significant threats to border security.

BEST is a comprehensive response to the constant threat to border security, public safety, and National security from TCOs seeking to exploit the United States' international borders. The Department of Homeland Security (DHS) seeks to create task forces free of the challenges often associated with multi-agency efforts by empowering partners to work in a true joint environment without the restrictions and challenges normally encountered in a single agency endeavor. BEST eliminates the lines between Federal, State, local, and Tribal investigations, and facilitate international cooperation in diminishing vulnerabilities exploited by TCOs. The OCDETF Program's mission is to reduce the supply of illegal drugs in the United States and diminish the violence and other criminal activity associated with the drug trade, through intelligence-driven investigations and prosecutions that capitalize on the combined resources and expertise of its 7-member Federal investigative agencies, in

cooperation with each other, with OCDETF's cadre of experienced Federal prosecutors, and with State and local law enforcement agencies across the country. ICE HSI is an active OCDETF participant and frequently serves as the sponsoring/lead agency on OCDETF investigations in partnership with other Federal, State, and local law enforcement agencies, to include the Drug Enforcement Administration (DEA), FBI, and others.

In February 2017, President Trump signed Executive Order (EO) 13773 aimed at targeting transnational criminal organizations such as drug cartels and gangs. It orders Federal law enforcement agencies to focus enforcement on these groups and increase intelligence sharing and cooperation. Some of the specific portions of the order target international criminal gangs like MS-13. The Executive Order directs Federal law enforcement agencies to devote sufficient resources to execute the swift removal of foreign nationals in transnational criminal organizations, where appropriate and to the extent permitted by law; increase prosecutions of immigration and visa fraud; and review whether current immigration laws should be amended to further prevent foreign members of these organizations from entering the United States.

Paralleling the National perspective put forth by E.O. 13773, ICE HSI New York established Operation Matador to take a proactive approach utilizing all of its authorities, both criminal and civil, to remove known MS-13 members from our communities and to conduct long-term investigations of the gang and its leadership. ICE HSI New York has partnered with other DHS components including ICE Enforcement and Removal Operations, ICE Office of the Principal Legal Advisor, U.S. Citizenship and Immigration Services, and U.S. Customs and Border Protection Office of Field Operations. ICE HSI New York has also partnered with Suffolk and Nassau County Police Departments and the FBI to combat MS-13 in the greater New York City area, specifically on Long Island.

From May 9, 2017 to August 2, 2017, Operation Matador led to 114 arrests of known gang members, 90 of whom belong to MS-13.

*Question 1b.* How do these two task forces work together?

Answer. Paramount for a holistic Government approach is the utilization of de-confliction mechanisms to ensure the safety of law enforcement personnel and to have a transparent model to determine the agencies investigating a target. By following de-confliction protocols, the task forces can identify opportunities for joint investigations, enhance communication and information sharing, and address mutual targets of interest and determine the best investigative course.

An FBI analyst is embedded with ICE HSI's Operation Matador. The analyst is responsible for de-conflicting targets, conducting social media research on known gang members, and running known gang members through the FBI databases. All ICE HSI targets of investigations as well as gang members confirmed to be removable are placed in eJustice SafetyNet, a local de-confliction system, and entered into De-Confliction and Information Coordination Endeavor, a national de-confliction system managed by the DEA.

*Question 1c.* Do you have any agents assigned to the FBI's Safe Street Task Force?

*Question 1d.* If not, has your agency ever been offered a spot on this task force?

Answer. In New York, ICE HSI currently has one agent assigned to the FBI Long Island Safe Streets Task Force. ICE HSI also has one agent assigned to the Hudson Valley Safe Streets Task Force.

*Question 2.* In testimony before the Senate Judiciary Committee on June 21, 2017, Mr. Scott Lloyd, director of the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services, testified that ORR "field specialists" are now attending local MS-13 task force meetings to strengthen the agency's partnerships with law enforcement. Has your agency had any interaction with ORR field specialists?

Answer. The Health and Human Services (HHS) Office of Refugee Resettlement (ORR) field specialist covering the New York/New Jersey area of responsibility is participating virtually with Operation Matador (OPMAT). The assigned specialist has provided Request for Information responses in near real-time. HHS ORR personnel are also now in touch with the Northern Virginia Regional Gang Task Force. HHS ORR personnel are establishing or re-establishing connections with gang task forces in which DHS participates. HHS ORR has also coordinated space for ICE HSI training for HHS ORR related to gang awareness. This gang awareness training will serve to provide HHS ORR the necessary information to stay abreast of trends within the gang culture and to help them identify potential gang members and activities associated with transnational criminal organizations.

## QUESTIONS FROM CHAIRMAN PETER T. KING FOR TIMOTHY D. SINI

*Question 1a.* In testimony before the Senate Judiciary Committee on June 21, 2017, Mr. Scott Lloyd, director of the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services, testified that ORR “field specialists” are now attending local MS–13 task force meetings to strengthen the agency’s partnerships with law enforcement.

Are you aware of any ORR field specialists attending MS–13 task force meetings in your jurisdiction?

*Question 1b.* Are you aware of any interaction between these field specialists and any representatives from your agency?

Answer. Since the committee held its hearing, we have had several communications with ORR regarding the placement of Unaccompanied Alien Children (“UAC”) in Suffolk County, including ORR’s agreement to notify local government of the placement of UACs in the county. In addition, it is my understanding that ORR is now regularly communicating with the Department of Homeland Security, Homeland Security Investigations, Long Island. The Suffolk County Police Department has detectives assigned to HSI task forces. I appreciate the committee’s attention to this very important issue.

## QUESTIONS FROM CHAIRMAN PETER T. KING FOR VINCENT F. DEMARCO

*Question 1.* In regards to the detailed notes taken by your Gang Unit Investigators during their interviews with MS–13 gang members in custody at Suffolk County jail, is there a Federal database available to your department to share this type of intelligence with the broader Federal, State, and local law enforcement community?

Answer. Response was not received at the time of publication.

*Question 2a.* In testimony before the Senate Judiciary Committee on June 21, 2017, Mr. Scott Lloyd, director of the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services, testified that ORR “field specialists” are now attending local MS–13 task force meetings to strengthen the agency’s partnerships with law enforcement.

Are you aware of any ORR field specialists attending MS–13 task force meetings in your jurisdiction?

*Question 2b.* Are you aware of any interaction between these field specialists and any representatives from your agency?

Answer. Response was not received at the time of publication.

## QUESTIONS FROM CHAIRMAN PETER T. KING FOR THOMAS C. KRUMPTER

*Question 1a.* In testimony before the Senate Judiciary Committee on June 21, 2017, Mr. Scott Lloyd, director of the Office of Refugee Resettlement (ORR) at the Department of Health and Human Services, testified that ORR “field specialists” are now attending local MS–13 task force meetings to strengthen the agency’s partnerships with law enforcement.

*Question 1b.* Are you aware of any ORR field specialists attending MS–13 task force meetings in your jurisdiction?

*Question 1c.* Are you aware of any interaction between these field specialists and any representatives from your agency?

Answer. Response was not received at the time of publication.