

Company: FBI ACS ONLY ACCOUNT

Conference Title: Presidential Commission on Law Enforcement and the Administration of Justice

Conference ID: 4278911_3_k14Mbl

Moderator: Dennis Stoika

Date: April 9, 2020

Operator: Good day and welcome to the Presidential Commission on Law Enforcement and the Administration of Justice conference call. Today's conference is being recorded. At this time, I would like to turn the conference over to director Phil Keith. Please go ahead, sir.

Phil Keith: Thank you Dan. Good morning and thank you for joining us today on the call the President's Commission on Law Enforcement and the Administration of Justice to order. On behalf of Attorney General Barr, we thank you for joining us today for this important commission teleconference meeting.

This is our third and final call of the week and we'll go ahead and get started. At this time, I would ask our Executive Director, Dean Kueter to conduct a roll call of commissioners.

Dean Kueter: Great. Thank you Mr. Chairman and before I call the roll, I'd like to remind everybody on the call that event is open to the press today and for any members of the media on the call if you have questions or need clarification on anything please contact Kristina Mastropasqua in the Justice Department's Office of Public Affairs. And with that I will call the roll. Commissioner Bowdich?

Female 1: Commissioner Bowdich will be joining momentarily. Thank you.

Dean Kueter: Okay Commissioner Clemmons?

James Clemmons: Present.

Dean Kueter: Commissioner Evans?

Christopher Evans: Here.

Dean Kueter: Commissioner Frazier? Commissioner Gaultieri?

Robert Gaultieri: I'm here.

Dean Kueter: Commissioner Hawkins?

Gina Hawkins: Present.

Dean Kueter: Commissioner Lombardo?

Regina Lombardo: I'm here. Thank you.

Dean Kueter: Commissioner MacDonald?

Erica MacDonald: Present.

Dean Kueter: Commissioner Moody? Commissioner Parr? Commissioner Price?

Craig Price: Good morning. I'm here.

Dean Kueter: Commissioner Ramsay?

Gordon Ramsay: I'm here.

Dean Kueter: Commissioner Rausch?

David Rausch: Here.

Dean Kueter: Commissioner Samaniego?

John Samaniego: Here.

Dean Kueter: Commissioner Smallwood?

James Smallwood: Here.

Dean Kueter: Vice Chair Sullivan?

Katie Sullivan: Here.

Dean Kueter: And Commissioner Washington?

Donald Washington: Here.

Dean Kueter: Mr. Chairman that concludes the roll call.

Phil Keith: Thank you Dean. Any other announcements?

Dean Kueter: No sir. We're good to go.

Dean Kueter: Thank you. Our focus today continues to be on crime reduction and our panel will focus on the issues of violent criminal gangs today. All commissioners should have received agendas and bios for this distinguished panel.

We continue to appreciate the patience of the commissioners as we make adjustments and enhance our processes and communications. The transcripts and hearing summaries as well as testimony will be posted to the Commission Web page on the DOJ Web site and we'll make sure to provide commissioners with all those materials once we receive the final written testimonies. Again we appreciate all commissioners being on the call today.

As noted previously on commission calls, we encourage commissioners to take notes during the witnesses' presentations and we'll open questions at the end of the testimony. This morning our first witness has another engagement so we will take questions from the commissioners at the conclusion of her testimony.

With that, we'll move to our first witness today is from Suffolk County, New York. She is the New York, Suffolk County New York Police Commissioner Geraldine Hart. Commissioner Hart is the first female selected to lead the police department after a successful career with the FBI. Commissioner Hart, thank you for joining us today and you're now recognized.

Geraldine Hart: Good morning Chairman Keith. Vice Chair Sullivan and all of the distinguished members of the commission. Thank you for inviting me to testify today on this critical issue on behalf of the Suffolk County Police Department. As the commissioner said I am Suffolk Police Commissioner, Geraldine Hart.

Before becoming police Commissioner in April of 2018, I spent 22 years as a special agent and Supervisory Special Agent with the Federal Bureau of Investigation. During my time as an agent I focused on organized crime then later served as the senior law enforcement agent leading a multi-

agency task force focused on MS-13. It is an honor to speak with you today and present to the President's Commission on Law Enforcement and the Administration of Justice.

I'm here to talk about gang violence in particular MS-13, their impact on our communities on Suffolk County, the strategies that we implemented to address an increase in violent crime, the challenges that remain and recommendations to address those challenges. So let me begin with the impact that MS-13 has had on Suffolk County.

Suffolk County is located on the eastern portion of Long Island with the western border just 30 miles from New York City. With a population of 1.5 million and a department of approximately 2500 sworn members the 11th largest in the nation we are one of the safest counties in the country. MS-13 gang members have been concentrated in identified hamlets in Suffolk County since early 2000.

From January 2016 to April 2017 Suffolk County experienced a major spike in violent crime. During this period there were 17 brutal homicides committed at the hands of MS-13. This included the vicious murders of 15-year-old Nisa Mickens and 16-year-old Kayla Cuevas in September of 2016 and the ruthless murder of four young men in April 2017.

The threat posed by MS-13 was not just a local problem but an a national one as evidenced by the visits of then Attorney General Sessions and President Trump who came to Suffolk to meet with law enforcement and discuss the scope of MS-13's problems.

The news of these brutal killings shook our communities, reverberated around the nation and sparked a commitment among the Suffolk County Police Department to strengthen our MS-13 efforts and draft and implement a formal gang eradication strategy to protect the public.

Many of these strategies developed together with our law enforcement partners and my predecessor former police commissioner and now District Attorney Tim Sini were implemented as

follows. Enhanced and targeted police presence and patrols in affected areas; increase in collaborative efforts to gather, collect and share intelligence; relentless targeting and enforcement of known MS-13 gang members for arrest, prosecution and removal.

In addition to continuing to work with our local prosecution partners we have also increased federal prosecutions of MS-13 gang members and its leadership under the RICO statute. We have a strong emphasis on community relations and significant investments in gang prevention and intervention strategies with a particular focus on the Unaccompanied Alien Children, the UAC population.

The department's multifaceted approach has resulted in significant prolonged reduction in MS-13 gang violence. However we recognize that targeted enforcement alone will not lead to the eradication of MS-13 from our communities. Through a federal grant we have developed youth engagement programs targeted at our 14 to 18-year-old UAC population.

We are investing in school and community-based programs to reduce gang recruitment and involvement. We've partnered with local businesses, community organizations and clergy members to establish a steering committee with more than 30 members including impacted school districts, the International Rescue Committee, various Latino churches and trade unions.

Together this committee assessed the needs of our UAC population and developed three summer programs focused on career, exploration and training for high school students. Specific problems with the UAC program remain a challenge as we continue our work to dismantle this violent transnational gang. Suffolk County is the seventh largest recipient of UACs in the nation.

According to the United States Office of Refugee Resettlement ORR, Suffolk County has received more than 6900 children and teenagers who were re-settled as unaccompanied minors since 2014. In 2019 alone ORR reports that Suffolk County received 1479 UACs. The majority of these children come from Central America countries like El Salvador, Honduras and Guatemala.

And while the vast majority of these children live law-abiding lives many of them are susceptible to gang recruitment. They are young, alone adjusting to a new country culture and language and are 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.

However what's important to note is that more than half of these children are placed with sponsors in areas with a significant MS-13 presence throughout the county, thereby potentially making them targets for MS-13 recruitment. Since 2015 on Long Island 14 UACs have been arrested for their participation in gang related homicides.

Intelligence indicates that MS-13 leadership in El Salvador is likely exploiting the UAC program by sending juvenile MS-13 members to the United States and targeting other UAC minors for recruitment by exploiting a broken vetting system of sponsors.

To improve the UAC program and the safety of our communities I would respectfully submit the following recommendations. The current vetting and screening system of sponsors is in dire need of improvement. It's vital that the federal government placed UACs in our communities after proper screening of sponsors, notification to local authorities followed by measures ensuring proper guardian compliance. Your assistance in enhancing oversight would be crucial.

Recent investigation by the United States Senate Committee on Homeland Security and Governmental Affairs of the process for screening potential UAC sponsors found that the federal agency responsible for placement, "Failed to conduct sufficient background checks on potential sponsors and other adult members of their households, failed to conduct site visits of the sponsors homes and failed to recognize that a group of sponsors was accumulating multiple unrelated children."

In Suffolk County dozens of MS-13 gang members were arrested during the 17 murder investigations which occurred between 2016 and 2017. Most who were found to be foreign nationals many of whom were placed in the community through the UAC program, and some no longer living with their sponsors.

We found that some of them were living in outdoor man-made shelters, garages and sheds. It was discovered that sponsors were not properly vetted, and after being placed there was no mechanism to monitor the UAC's progress in our community. If local law enforcement was involved in the vetting process we could help determine if potential sponsors and residences were affiliated with any local gangs, information that federal placement agencies generally do not possess.

In 2017 discussions were underway between the Suffolk County Police Department and HHS ORR to work together to limit the vulnerability of these children by ensuring they are placed with sponsors who are not involved in illegal activity, are not residing with MS-13 members or associates, and are not the recipients of multiple UACs in the same residence.

After meeting several times and providing ORR with intelligence on MS-13 members and areas with significant gang activity ORR discontinued the discussion pending their council's review. I would urge HHS to engage in enhanced collaboration with local law enforcement partners in Suffolk and around the country.

I would also respectfully ask this commission to consider the benefit of advanced notification of placement of UACs to local governments. This would allow us to offer access to services and programs that are available in their community.

Community-based gang intervention strategies would benefit from the knowledge of who the UACs are so we would be able to tailor programs based on their age, interest and needs. There is no

doubt that proper placement, monitoring and community involvement would help contribute to the success of the UAC program and add to our community as a whole.

I appreciate this opportunity to speak with you. We are committed to continuing this dialogue further in order to protect and serve the residents of Suffolk County. Thank you for your consideration, your service to this important commission and your time here today. I'd be happy to answer any questions you may have.

Phil Keith: Thank you Commissioner Hart. And I know you have another engagement so can you take questions from the commissioners at this time?

Geraldine Hart: I can. But if it's more convenient I can wait till the end of all the testimony. Whatever's more convenient for you.

Phil Keith: Okay any commissioners with questions for Commissioner Hart? Questions from commissioners for Commissioner Hart?

James Clemmons: Mr. Chair, Commissioner Clemmons. I have a question.

Geraldine Hart: Yes sir?

Phil Keith: Yes Commissioner, you're recognized.

James Clemmons: Thank you. Ms. Hart can you repeat again and help me to understand who was responsible for vetting these UAC program in determining the culpability of the individuals that were supposedly housing them and taking care of them in the vetting process?

Geraldine Hart: Certainly. So just as an overview of the process US border patrol agent's preliminary determine if the juvenile is unaccompanied when they enter into the United States. The border patrol agent requests the name and address of the US sponsor and then customs and border patrol released the unaccompanied minor to immigration and customs enforcement to transport to the Department of Health and Human Services Office of Refugee Resettlement within 72 hours.

The unaccompanied minor remains in an approved facility until HHS or ORR transfers them to an approved sponsor. So the short answer is the Office of Refugee Settlement has that responsibility and they fall under the Health and Human Services.

James Clemmons: Where would you say that if at possible, where would you say in your opinion that that process has failed?

Geraldine Hart: I would say that the collaboration between the Office of Refugee Resettlement and local law enforcement agencies could be much stronger.

James Clemmons: Thank you. And my question is - understand your dealing with MS-13 but the culture and the history in the United States, MS-13 is not the only gang. And what I'm not hearing is what other gang activity are we hearing as far as combating that with Bloods and Crips and Folk Nation and all these other groups that have been established in the US for a longer period of time?

Geraldine Hart: Certainly. So the Gang Revocation Strategy that I mentioned was developed as a response to the violent activity of MS-13 which is by far the most violent gang that we have here in Suffolk County.

James Clemmons: Okay.

Geraldine Hart: But to your point it is an overlay of all the gang activity here in Suffolk which comprise – is comprised of Bloods and Crips, Latin Kings but primarily the most violent gang is MS-13 by far here.

James Clemmons: Thank you. And also my final comment to you is I thank you for your experience and for your work and what you've done in the realm of law enforcement not only for Suffolk County but for this nation in which we live. And I tip my hat to you for the hard work and your dedication over the years.

Geraldine Hart: Commissioner, thank you.

Phil Keith: Other commissions with questions?

Katie Sullivan: Yes. This is Katie. Can I ask a question?

Phil Keith: You're recognized.

Katie Sullivan: Thank you. I just want to follow-up on the last set of questions about what's happening with the separated children in the Office of Refugee Resettlement. You talked about having closer collaboration between your selves and DHS or there be - what exactly does that look like a concrete example of how that would help like...

(Crosstalk)

Geraldine Hart: Right...

Katie Sullivan: ...adolescents coming in if they have, you know, they're tatted head to toe and, you know, and they have a piece of paper that they're reading off of to kind of, you know, to say, "Oh, well I guess I have this aunt in New York."

I've met with that office and it seems to me that nobody ever goes and follows-up on that person or vets the person that they're saying is there aunt. And so at that point it seems like calling in the FBI or local law enforcement would be great to kind of have a second look. What would you like to see exactly happen?

Geraldine Hart: Absolutely and thank you for that question. To your point, that is exactly right. So when it's determined that there is a sponsor in our area of responsibility my request would be that before that child is placed that we have some sort of interaction with ORR whether that be, you know, ideally it would be in person where we could sit down together and that that particular sponsor and also that residence to make sure that there are no other individuals living there that may be a threat to the child.

So ideally it would be placement. After that I would ask that when a child is placed that we received notification of that placement and are able to again that that house and that person and return that information back to ORR.

To your point my understanding is the only follow-up that the Office of Refugee Resettlement does is a phone call within 30 days. And again if this is a situation -- and I know that there has been -- where the child is no longer living with the sponsor I would ask that we are notified of that as well because obviously that is a large danger to somebody in our community and we'd like to be, you know, informed of that information.

Katie Sullivan: Thank you.

Phil Keith: Other commissioners with questions? Okay thank you Commissioner Hart for your informed and compelling testimony. We also thank you for your service to the FBI...

Geraldine Hart: Thank you.

Phil Keith: ...and Suffolk County and our country. And if you could stay on the call, we will appreciate our commissioners may have other questions when we finish. We thank you for joining us today.

Geraldine Hart: Yes I will. Thank you.

Phil Keith: Our second panelist is also from Suffolk County New York, District Attorney, Timothy Sini. He also served as the 13th Police Commissioner for Suffolk County Police Department. District Attorney Sini is - had tremendous success after creating the gang unit that focused on the deadly MS-13. We look forward to hearing from him more. District Attorney Sini, thank you for joining us today and you're recognized.

Timothy Sini: Thank you very much sir. I want to thank the President's Commission on Law Enforcement and the Administration of Justice with this invitation to testify regarding my office's work combating MS-13 and the opportunity to make recommendations that would strengthen our collective mission to eradicate this ruthless violent criminal enterprise. It's a real honor to be recognized before this esteemed commission.

There are many important pieces to a successful strategy. And we just heard from Commissioner Hart and she highlighted a very important piece of this, but there are obviously many, many different facets to our strategy including collecting reliable intelligence, collaboration among law enforcement agencies at all levels, partnerships with the northern triangle countries and much more.

But I want to focus my remarks on the area of electronic investigation and surveillance and in particular the ever-increasing problem of the use of encrypted applications and other tools to impede law enforcement's lawful efforts to collect reliable real-time intelligence and evidence relating to criminal enterprises such as MS-13.

My recommendation is to continue our work perhaps through a working group or a task force in which my office would be willing to participate to develop strategies and propose laws to assist law enforcement agencies, particularly those at the local level to overcome these issues and enable us to continue to effectively conduct long term eavesdropping investigations which as we all know go a long way in eradicating criminal enterprises such as MS-13.

I will make four specific recommendations but first let me highlight to you why I believe this is so important. As a former federal prosecutor, police commissioner and now district attorney I know the value of electronic surveillance particularly court authorized eavesdropping otherwise known as wiretaps.

As a federal prosecutor I often utilize wiretaps to collect evidence against criminal organizations and violent criminals and now as a district attorney for Suffolk County my office is one of the nation's leaders in the numbers of wiretaps completed since my administration took office.

We've devoted an enormous amount of resources into our wiretapping infrastructure. We've recruited members of our team because of their particular experience in electronic surveillance and we've invested heavily in training relating to electronic surveillance and implemented a series of best practices governing how we conduct electronic surveillance.

These efforts positioned my office to conduct in collaboration with the Drug Enforcement Administration and other law enforcement partners including the Suffolk County Police Department and Commissioner Hart one of the largest if not the largest MS-13 takedown in US history involving

wiretaps on approximately 215 phone lines and communication applications over the course of about two years. The amount of intelligence generated off those approximately 215 phones was enormous and led to the arrest of more than 230 MS-13 gang members and close associates worldwide.

My office convened a special grand jury which indicted 96 of these defendants in Suffolk County for a variety of offenses including murder, conspiracy, gang violence, weapons possession, drug trafficking and more. This special grand jury indicted the leadership of nine MS-13 clicks operating on Long Island and notably the intelligence generated off the wire led to the foiling of more than ten murder plots on Long Island and the charging of 45 MS-13 gang members and 19 associates for murder conspiracy.

And what I mean by that is we would hear a murder plot unfolding in real-time on the wiretap and then take immediate action in the field to prevent that murder from happening and without burning the wire. The intelligence generated off the wire also led to the arrest of high-ranking MS-13 leaders and the solving of murders and other serious violent crimes throughout the world including in the Northern Triangle.

Remarkably the intelligence and strategic arrests from the wire that were conducted throughout the world terminated the New York program which was created by the leadership of MS-13 in El Salvador to develop a greater presence on Long Island and further its objective of violence and dominance.

I share the results of this wiretap investigation to highlight the importance of electronic surveillance. But our ability to effectively conduct this type of surveillance is currently hampered and I believe without action will be further hampered by the use of encryption and other tools to impede law enforcement's lawful efforts to obtain evidence of criminal wrongdoing.

To assist law enforcement in overcoming these obstacles I respectfully recommend that a task force or working group be created to focus on developing strategies and better laws to enable law enforcement to do the following four things. One, access real-time surveillance of communications regardless of encryption or provider.

Two, obtain historical content such as text messages from providers. Three, access locked phones that are seized during an investigation. And four effectively store and analyze packet data, which I will go into in a little bit more detail in a moment, and invest in interception technology that is not surpassed by the latest communications technology.

Now remember none of these recommendations would lead us to receiving any information that we are not otherwise entitled to pursuant to a court order. So first, communication providers -- and I refer here to traditional telecommunications service providers and non-traditional electronic communication service providers such as Apple, Google, Facebook, WhatsApp, Instagram and the various other application platforms that provide means to communicate via voice, text or video -- these companies must be required to create a backdoor into their service for law enforcement and provide the "key to law enforcement" to decrypt the communications.

Second, these companies must be required to store the content that is being transmitted at least for set periods of time much like the traditional telecommunication providers provide phone records for particular times. This will allow law enforcement to obtain that information with a search warrant after the fact if they cannot do so in real-time. And again, both real-time surveillance and after the fact reviewer content would of course still require the appropriate court order, i.e., an eavesdropping warrant or a search warrant based on probable cause.

Third, there should be a requirement that providers such as Apple and Google android phones and other phone companies create "keys" to unlock or bypass the lock screen feature of cellular

telephones. And lastly local law enforcement, such as my office, require additional funding to effectively conduct wiretap investigations in these high technology information rich times.

This is in part because most people including criminals now use smart phones which contain what is referred to as packet data. Packet data is photos, video, multimedia Internet access and surfing records, identification of application usage and other electronic information that occurs over a phone but not through the traditional voice or SMS messaging capabilities.

The amount of packet data that is received pursuant to an eavesdropping warrant is significant. This data requires both an enormous amount of physical space to store it and it also requires specially trained investigators to unpack and review the material. We often do not even know what is in the packet data until a much later point in time.

This is because it is technologically difficult to decode and survey it in real-time and because it requires special training to do so therefore additional funding is essential to assist offices like mine to conduct effective electronic surveillance in these days.

Additional funding would also assist law enforcement in investing in technology to essentially catch up to communications technology which now in many ways surpasses intercept capability.

And what I mean by that is as the communication capacity expands and the phone technology expands with it, it becomes harder and harder to effectively run an eavesdropping investigation. One phone line coming over 5G may have multiple lines that get sent to the eavesdropping equipment. Some of those lines can be partially encrypted, sometimes we get one side of the conversation and not others. Sometimes we get nothing.

Because the eavesdropping equipment is not equipped to intercept at that level in some instances, we're losing some, if not all, of the communications or at best it takes great effort to marry the

communications together into one cohesive communication. Again smart investments in technology for local law enforcement would help our officers keep up with the technology advancement of companies and allow us to continue running affective electronic surveillance.

As the case I highlighted earlier clearly demonstrates these issues are of utmost importance to eradicating criminal enterprises such as MS-13. My office is eager to work with the commission on accomplishing these goals and I want to thank you for the invitation to testify today. I'm not sure if it's my connection but I haven't...

(Crosstalk)

Operator: ... Mr. Keith.

Timothy Sini: yes.

Phil Keith: Sorry. Thank you for your valued and informative testimony District Attorney Sini and certainly your service as police executive and district attorney and to our country.

Timothy Sini: Thank you sir.

Phil Keith: Our next witness is Victor Gonzalez who is the Director of Program Services in the Houston Mayor's Anti-gang initiative. Mr. Gonzalez dedicate or is a dedicated public servant for nearly three decades and has great experience in helping troubled youth in the Houston area. Mr. Gonzalez thank you for joining us today and you are now recognized.

Victor Gonzalez: Thank you Chairman Keith. Good morning everybody, all you folks on the just the commission, such a distinguished group of speakers as well that have been on the line I've been

listening to. I'm very impressed. It's an honor for me to be here and I'm happy to hear that this was even a topic of discussion.

In my years of doing this in the Mayor's Anti Gang Office it's something that I started doing a long time ago in the early 90s. And even in the late 80s and mid-80s watching the gangs develop in our city it was one of those things that at the time that I was doing the work in the non-profits in the parks department it was those things that I started to realize that if we didn't start to do some things it wasn't going to be long before we started to see the national influences and it was about in the 90s we started to see this.

And in Houston there wasn't very many gang intervention or prevention programs. It wasn't until I got hired on at a non-profit in my neighborhood that I started to understand what we could do in the world of prevention and intervention because at that time we had churches and we had our parks but there wasn't anybody really directly targeting these specific folks.

It was there that I met the Mayor's Anti-Gang Office through some sub grants that they were providing over the years to certain agencies in the community that were doing gang prevention work. I was doing a lot of things in one of the highest gang impacted areas that were always one, two or three in gang crime over the years.

And what I – what they started to notice was some things that I was doing with the non-profit with the Association for Advancement of Mexican Americans in those days. And my target population or gang members and those that were abusing substances. The cocaine, the alcohol, the drugs. That was my focus. Go after those kids that are abusing drugs and we put the gang spin on it.

And thank god we did because at that time we were getting hit really hard with the drive by shootings and multitude of homicides. We started to see young kids get killed in the community where I grew up in and the neighboring community right on the other side of the tracks.

So it was real important to me that when I started doing this work in those years that I had to make sure that I was understanding the best way to do these things.

The Mayor's Anti-Gang have been in my ear. They were in existence since '94. And they have been in my ear for a little while by coming to work up there and replicating what I was doing at the non-profit and doing something citywide. But when they started talking about how it was going to go. I was very, you know, ((inaudible)) but I was pretty stuck on how are we going to do this with just a few people?

It wasn't until I got there in '98, '99, 2000 I started hearing about the comprehensive gang model through OJJDP. And then National Gang Center had come into Houston. We had been awarded a grant to – we were one of eight pilots' sites.

We were awarded a grant to implement the comprehensive gang model. And I will admit when I first heard it, I was like what are you folks going to come into my city, my neighborhood and tell me about what is going on with this academia?

And when I started to really listen to the approach and where they were trying to go with it and what they were trying to do and how they were going about doing it.

It really gave me a sense of a base, of a foundation because for many years I am doing this on my own with the staff that we have at the agencies that I was at prior to coming to the Mayor's Anti-Gang office. It was what we had in our office at that time.

But once I was able to understand the model it really helped us grow as a program. It helped us be able to articulate different structures and strategies that could come about with the utilization of all the different components of the model.

So what started to happen was over a period of time we developed what we have now in our office is a 10-member team called, the Gang Violence Reduction team. At the beginning I was the original 3 of this team and it was geared for reaching out to victims of gang related crime.

That meant that when I came into the office, I was going to have to do a criminal justice, you know, the courts and police and schools. And a lot of times those folks in those days were not very in tune with this work. And so I was the bad guy.

I am the guy helping these we want to arrest. We were the ones that we wanted to kick out of our schools. We are the ones that don't want to service these kids because they are not wanting to listen. They are wanting to do what they do.

So really years we have done what we could to be able to create strategies in the world of prevention and intervention. I am going to try to make a little sense of that today with you and the commission.

To have a better understanding because if it is one thing that I have learned. It wasn't until people understood there were ways to work with this population that they were not scared. There was not that fear of being able to, okay let's take a chance on this. Show us what you have. What is it that you can do? How can you assist?

Over a period of time because we had the models backing and it was a research-based model and it was evidence based. That was a huge selling point for us to continue when started to do training on what the model was about.

And when we started to get out into the community through our prevention efforts. A lot of the prevention efforts that this team does, the Gang Violence Reduction Team conducts are anything

from after school programs, educational workshops in schools, alternative activities. We do citywide gang presentations. We do summer programming.

We do a lot of work in the world of prevention. It was nice to hear the panelists say that in their counties they had law enforcement agencies at work looking at adding prevention components with the whole MS situation.

Here in Houston, Houston Police Department has done a great job of keeping great alive and also bringing back the Police Athletic League, the PAL program.

We have some other folks here, the teams and police services that does curriculum work in some of our schools were able to allow get a one-hour credit in our high schools. And there is a multitude of issues that they cover.

But we partnered with them to do the gang presentations for them. We would do big events like three on three basketball tournaments. We had, our referees were HPD officers from the area that we were conducting the three on three basketball tournament. We had cops and kids' softball game.

Little bitty different things in the world of prevention that allows us to get out and do some outreach to put what we are doing in the community.

When we get to the team intervention is the heart of this. The team to me is the heart of the work when it comes to intervention. We are doing case management. We are doing gang prevention intervention counseling. We are out on the streets in the projects, the parks, apartment complexes and the perimeters of schools in contact with this difficult population.

For the sake of trying to recruit them into the program or just have a contact. There are many times where we are working with these partnerships. We have a great one with Harris County Juvenile Probation in Texas Juvenile Justice Division, our juvenile probation and parole folks.

We are working with those kids that are coming back from detection. Those folks that are coming back into our communities. And if you are not on top of these things these folks come right back out.

And they are ready to get right back into the streets and they are ready to get right back out there and committing crimes or out there wanting to get right back with their gangs and create a lot of war on our streets and create a lot of crime.

And so it is important that we do everything we can to plug in with those kids and do what we can to mediate conflicts. To get these kids resources like jobs, vocational trade, GED components, re-enrolling them back into school. A lot of them fall on hard times with the drugs. So utilizing our partners with our drug treatment in-patient facilities and outpatient facilities are a huge asset.

We have housing needs. There is just a multitude of resources that we have had to deal with in our city. And my job to help my team is to make sure that as the administrator I am looking for those agencies that can help provide those services that our kids are needing.

We have a combination of youth and adult. But in our city recently we started to see that 13, 15-year-old depending on what side of the city we are talking about up to about 21 that is really, really getting after it in our city.

We have our gangs and then we have what we call our cliques and they are a little bit different. They are a little smaller maybe not as organized. But man, when they get after it, they get after it. Their goal is get the money and it get it however you have got to get it.

And if you are disrespected on social media, if you are disrespected in the neighborhood, you ride on the rival. You get out there and do what you have got to do to make them understand we are not going to be messed with in our communities.

And it is unfortunate because when you start to see those things come up with the situations that we deal with, with our clientele. You have to be in the middle of this gang violence if you are even going to make an impact.

I mean the model, the comprehensive gang model calls for you to deal with the most gang impacted areas with the gangs that are impacting that area and do what you can to deal with the members in those gangs.

And when you are able to do that there is so much information that comes out. There are so many different avenues of information that is shared through schools, criminal justice, our folks and the community. That sometimes that information if it is not coordinated effectively you can lose some things.

And in our city, and I can imagine in other parts of the country timing is everything. But I think the biggest thing that comes from this. Doing all the work that we have done all these years. I have to say that the only way that we are going to continuously try to make an impact on reducing gang violence is how we come together.

And that is a challenge. You know when you have got to look at processes and MOUs and changing peoples' views of this population. You know there is a lot of people that still think these gang members are not worth dealing with. They are not worth spending time on or money.

And anytime that I can find somebody in the city that will feed into what it is that we are trying to do and to our initiative and our goal. You are a partner. Because they are far and few and when we are all clicking together and we are all working together and we all trust each other. That is a huge, huge thing that I had to get over even myself moving into the anti-gang office.

People had to trust me. People knew me from the neighborhood and I was not always trusted. And so it took me a while to develop the trust with all the agencies that we interact with. And there had to be a lot of cross training.

This is what we do. This is what you do. This is how we do these. These are our challenges; these are our barriers. And it wasn't until you start talking and you start communicating do you understand why certain things don't get done.

Why doesn't a court put this kid away we all know he needs to be in jail? Why are you still, you know, trying to defend this kid who is gang involved who has done all these things? And it isn't until we understand each other that we really start to have a better understanding of how we can come together.

Collaborators are huge. I mean, I am going to recommend - my recommendations are to constantly, consistently look at funding for these programs throughout the country. I think it is crucial when we don't have those things in place because it is just part of a bigger pie that we need to have.

Because you have got to have suppression. You have got to have services for those coming back in. So the re-entry and the prevention/intervention component. When you can put all together in a community it really, really makes a difference.

Part of the funding also I like to look at some training that would happen. Through the National Gang Center, (IRR), OJJDP pushing that money down to different parts to the country. So that we can educate each other on what this work is really about.

And really get them to understand that there are different things that are going on and that not everybody is just trying to house – back home at Houston they call it the hug a thug. I still have some people that call it the hug a thug program.

And I am okay with that because somebody got to do something with them. And at the end of the day you are going to understand what it is we are doing. We are on the right side of the law. I am not trying to do anything but protect the community. Always think of public safety.

There is nothing more damaging than you get some information or kids are telling you something is about to happen on a campus at a park, you know, in a neighborhood and you don't report that and you don't share that. The damage that it does to a community is horrible.

And in Houston I am very, very particular about who I deal with. Who we deal with? How we deal with each other? Because at the end of the day it is about keeping these kids safe no matter whether they do wrong. There are a lot of them that do right and when they do wrong there are things in place to hold them accountable.

And the kids know that when we get with them in our program. If you are going to get in trouble don't come crying to me. You know what it is. You have got to do your time. We start over when you get out.

I am really hoping that will be a consideration. I hope that it continues to come for years to come. I just think it is too important being able to travel the country. It is one of those things that I watch. We don't talk enough. We don't share enough and we certainly don't trust.

I appreciate the time. I really want to thank you again for allowing me to speak on this topic. It is one that is very dear to me. It is something I have been doing for over 30 years. And to have this opportunity today you just got to imagine how huge this is for me and for folks across the country who are doing this work. Thank you.

Phil Keith: Thank you Mr. Gonzalez for your informative testimony and certainly your three decades of services to the youth of Houston.

Our final witness today is Robert Mateo who is Deputy Sheriff with the Polk County Florida Sheriff's office. And he also is the current President of Florida Gang Investigators Association as well as the President of the National Alliance of Gang Investigators Association.

Deputy Sheriff Mateo thank you for joining us today and you are now recognized.

Robert Mateo: Good morning and thank you commission for allowing me the opportunity to speak to you guys today on behalf of the National Alliance of Gang Investigators Association as well as the Florida Gang Investigations Association. It truly is an honor and a privilege for me to be here with you today.

I grew up in Chicago in the Logan Square area of Chicago surrounded by a variety of street gangs. And unfortunately grew familiar with some of their methods and operations as a kid.

I think it prepared me pretty well for what I do today. Since 1998 here at the Polk County sheriff's office I have been working gangs in some capacity and I have participated in the national associations as well as the state association for quite some time now.

I was just recently elected to NAGIA, which is a National Alliance, last November and it was an honor for me to have accomplished that.

As I go along today, when I use the word gang, I like for everyone to understand that gang in the context that I will be using it pertains to all categories of gangs. It includes prison gangs, also known as security threat groups, criminal street gangs as we would traditionally know them.

As well as outlaw motorcycle gangs, which we are seeing an uptick in currently across the nation, and their violent gang activity.

I am also assigned to the FBI's Safe Streets Violent Gang and Violent Crime Task Force as part of my daily duties. Currently there are more than 160 safe street groups around the country as well as a variety of other federal task forces that work collaboratively with local and state agencies.

One of the benefits to this cooperation is the increased collection of intelligence and furtherance of a variety of investigations. When you harness the expertise of local law enforcement officers that have worked in their communities for a good deal of time. That provides for an increase in identification of violent gang members and their associates in that community.

It also increases opportunities to identify and respond to particular threats that you might find in those communities. The Safe Streets and other task forces work collaboratively and independently to impact communities all over the country. Funding of the task forces and their associated counterparts like the National Gang Intelligence Center, the National Gang Center that is already been mentioned.

And RISS which is the Regional Information Sharing Systems are all vital, vital components to being successful in these investigative efforts, enforcement, prosecution, intervention and prevention of criminal gangs in our communities.

We all know that gangs engage in a variety of criminal activity and further into their mission. They don't any state boundaries. They don't know understand jurisdictions.

Neighborhood based gangs in the most recent National Gang Survey put out by the FBI's National Gang Intelligence Center identified 49% of responding agencies identified hybrid or neighborhood based gangs as their biggest problem.

The interesting part about hybrid or neighborhood based like the cliques that Victor mentioned. Is that there is less structure there which can tend to make them a little bit more dangerous. They are much more opportunistic and will grab whatever gang members are available to go out and commit.

For example, a home invasion robbery, where they will go and steal rivals' drug supplies so they can sell it for themselves.

NAGIA is working closely with NGIC and NGC in the current gang survey. While I have you, I would take the opportunity to let you know that the survey has been out since February and it was submitted to all chiefs and sheriffs. Basically the agency heads should have received the survey.

I would encourage you at this time since I have your ear to encourage your peers to complete the survey so that we can get an accurate assessment of what is going on around the nation with regard to criminal gangs.

This will help us get a full understanding of the current posture that we can take against the gang. While I understand completely our current posture against our current global crisis. That doesn't stop us from pushing forward with this effort. It is slowing us down for sure but it is only temporary. We will be back and we will complete that mission as well.

I am a realist. I understand that we are always going to have gangs and gang members. Free will is a very strong force within us. And people are going to continue to join gangs. It is a choice that they are making.

Victor had mentioned the great program I think that is a fantastic venue to grab our youth while they are still pretty young and try to teach them to keep from making that fateful decision of joining a gang and falling prey to the false narrative. That a gang would put forth in front of the potential member while they are recruiting.

With regard to legislation and gang databases. I think if we can provide some better training, some consistent training across the country this would alleviate a lot of the poor entries or bad data that is being entered into the systems.

And if we can have that training, we potentially could protect our systems that are very vital and crucial for officers' safety and they play a powerful role in keeping our communities safe from violent gang members.

Also at some point we are going to, our gang members are all over social media. It has already been mentioned a couple of times here which I appreciate greatly. Somewhere along the way I think we are going to have to make a distinction and identify where that fine line is between the first amendment and fighting words.

Again in that national – the last national report, 50% of agencies responding to the last report advised that they have integrated social media into their investigations. I can tell you wholeheartedly it is probably a little bit higher than that.

Again funding for training, the state associations are already well-positioned and have the mechanisms in place to provide that training. I know we do it now but we could probably do it a little bit better if we had a little help with some funding in that aspect.

Again it would help us provide consistent identification of gang and gang members within a particular geographic area. Training would also help us bolster relationships between our jail staff and our prison staff. And open up lines of communication among those two disciplines.

In summary, suggestions would be supplemental funding for the programs already in place that I have mentioned. The NGIC, NGC, RISK and ((inaudible)). Funding for additional training for the associations to conduct. We have our memberships in place and our mechanisms are in place to push those efforts forward.

Collaborate efforts for the various task forces around the country. They work. We put them into practice and we need to continue to support those. As well as encouraging participation in the National Gang Survey as we resume some form of normalcy along the way to help us get a much better picture of what we are dealing with across the country.

Again thank you for your time today. I really do believe this is an honor for me to be here speaking to you and I yield.

Phil Keith: Thank you for your informative testimony Deputy Mateo and your distinguished service through Polk County and to our country. And also I would like to add to the record that Commissioner Frazier joined our call several minutes ago.

Commissioners we are now open for questions as previously noted. Commissioners with a question please state your name prior to your question. And direct the question to a specific panelist you have a question for or if it is for a response from the entire panel please state so.

And just as a reminder to the commissioners. Your mics are on at all time. Thank you, commissioners, and can we take questions from commissioners.

David Bowdich: Hey Commissioner Keith, this is Dave Bowdich from the FBI. I would like to first of all complement our speakers and our presenters. I thought they did a nice job. Really nice job. In particular I did want to just jump onto the remarks and the presentation by District Attorney Sini.

And that is regarding the lawful acts issues that he described in great detail. This is something that District Attorney Sini you may or may not know. We do have a technology working group in the law enforcement commission that is under the Attorney General and ultimately the President.

And that is a separate group that we do have. We are making some progress on already but I would ask if you would be willing to talk to that group at some point as well?

But just to move past that. There is a strong recognition of the problem both at the federal level and at the state and local level. We have wire taps all over the country between the federal agencies, the local agencies. The FBI has a tremendous problem with this. The DEA also has a number of great examples and many of our federal partners, the ATF as well I believe.

So it is an issue that we recognize. It has been an incredibly challenging issue and you identified many of the points. But I did want to make sure that we have some hope here because the Attorney General and the FBI Director have really taken this on in a very strong way to try to pursue options to ensure that we do not have ungoverned space forever.

Meaning we recognize that there a number of detractors out there to our challenges and there are a number of arguments that we have to constantly overcome.

Number 1, that you guys can build tools to overcome these. That is not a sustainable and a tenable platform and we all know that. We spend a lot of money for one particular iOS platform.

Number 2, it presents reduced security for those devices and for those communication methods. We know that that is an argument that is commonly thrown at us. And there may be some merit to it. We have had extensive discussions with cryptologists. And the U.S. government has some amazing ones.

And the reality is there may be a slightly reduced security but there is also a risk calculus that has to take place there. Are we willing as a country to continue to have ungoverned space that we cannot access? Which is today's dark corners of the world.

The other one is the commerce related issues that come up regularly. And I will tell you from a foreign partner aspect we deal with our foreign partners on a daily basis and they are experiencing the same challenges.

Both the Australians and the U.K. have tried to progress the issue quite frankly faster than we have. The Aussies have actually created some legislation. They are tied up in litigation is my understanding.

But I don't know exactly where it is now. But we are talking to them and people are looking for us as a country to be the leader on this issue.

And I think the other one that we have to be mindful of is not to call it a back door and I know you didn't do that but that is a regular issue. We are not seeking a back door. We are seeking a key to the door or we are seeking an entrance using as you very well stated, lawful court process to get there.

But we are continuing to drive this agenda. But I cannot stress enough how important the state and local voices are in this discussion. Because I think we have got to get the public. Many of them do understand. Some don't. And if they see it as simply a federal problem you think intelligence terrorism that is kind of one of those dark corners type of things.

But when you start talking about child predators and devices you cannot get into or asked that you cannot monitor. It is a significant issue and that is something everyone can relate to.

So I very much appreciated your presentation and the way you are viewing it and we have experienced many of those same issues both nationally and internationally. And I did want to tell you though that the Attorney General has taken this on very – in a very strong way as has the FBI director.

And we are continuing to try to move that ball down field. And the FBI we take this so seriously. We established an assistant director position to run a shop that drives this issue. But again, we need to continue to partner and continue to speak out about this issue. Because we are facing some powerful foes on the issue quite frankly.

That is all I have to say but I just wanted to thank you for your presentation.

Timothy Sini: Thank you very much sir and I would be eager to speak to anyone in the Department of Justice and the FBI about our experience and thank you very much for your work.

And I want to thank the Attorney General as well as the administration and the FBI for their continued advocacy on all of our parts as you made very clear in your remarks. This is a critical issue. Not only for the federal government but for local law enforcement. So thank you very much sir.

Phil Keith: Other commissioners with questions?

David Rausch: This is David Rausch.

Phil Keith: Commissioner Rausch recognized.

David Rausch: I just want to follow up there on the lawful access and how I said it is a local issue and we just – we are in the middle of one right now. We had a horrible tragedy in the east part of our state. A crime that we are investigating where three females were stabbed to death and a fourth injured in the stabbing.

And suspect was attempted to attack law enforcement on arrival and was killed. We have a device we are trying to get in and are not having any luck with it. And so that is the reality of this. Is for our investigative purposes to be able to access information to do a proper and thorough investigation for something like this.

This is a crime that is heinous while the suspect is no longer with us. It doesn't stop the investigation. We still have to find out what was going on and determine if there is any other nexus that we need to be concerned with.

And so I think it highlights a challenge that we are facing with this issue. And so we are still working through it. Working with our federal partners. The FBI is working with us. It is to try to get through this.

But it is another highlight of this issue that has to be addressed for law enforcement. Because technology is very present in every criminal act now and we have to be able to – in order to do our job in law enforcement we have got to be able to access all devices and all these programs in order to thoroughly do our job to what the public expects of us. And that is to solve crime.

Phil Keith: Thanks Commissioner Rausch. Other commissioners?

Erica McDonald: This is Erica McDonald. May I make a comment please?

Phil Keith: Recognized Commissioner.

Erica McDonald: Thank you. Just for everyone's situational awareness. We are ((inaudible)) reduction of crime panels. We do have a panel that is technology – three technology focused panels. One of which is going to focus on the issue of lawful access.

We have two or three speakers so we will be hearing from them. So you know there will be further conversation and that came directly from the technology working group as suggestions of what we should look at with reduction of crime. Thank you.

Phil Keith: Thank you Commissioner. Other commissioners with questions or comments?

Other commissioners with questions or comments? Thank you let me close by thanking our panelists once again for your time and most valuable testimony and responses to questions from our commissioners.

On behalf of Attorney General Barr and his leadership staff, Rachel Bissex, Jeff Favitta and all the commissioners. Your contributions provided today are sincerely appreciate and will assist the commission in their deliberations and work.

Before we end the call today just a reminder to the commissioners and our listening audience. We have three more calls next week. Tuesday, April 14th at 2 pm. We will be focusing on domestic violence and sexual assault.

On Wednesday, April 15th at 4 pm we will be focusing on the issues and problems that technology presents to law enforcement in the crime reduction environment.

And Thursday, April 16th at 2 pm we will focus on strategies and practices for law enforcement and the use of technology in crime reduction.

Tomorrow we will be sending out a summary of this week's teleconference and the schedule for next week. And the commissioners should have already received an outlook calendar invite. And we will make sure you get the testimony out as soon as possible.

On behalf of the Vice Chair Sullivan, we want to thank our witnesses again. We also want to thank the working group members for their tireless efforts and commitment to the president's commission who joined this call today.

I want to also acknowledge the continued great work for our federal program staff members and certainly our partners at the FBI for their continued support. Other commission ((inaudible)) network.

Are there any closing questions or comments from the commissioners? Okay. If there's no further business the commission is adjourned. Thank you again, Commissioners, for your dedication and commitment. Please be safe.

Operator: This concludes today's call. Thank you for your participation. You may now disconnect.