

Testimony of

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President

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I would like to thank the committee for inviting my testimony on the prosecution of criminal street gangs. My name is Wesley D. McBride. I served over 35 years with the Los Angeles County Sheriff's Department obtaining the rank of sergeant, and retired on January 31, 2002. I joined the gang unit in 1972 and for the next 28 years of my service I continuously worked street gang investigations I served as an intelligence officer, investigator, and team leader. At the time of my retirement I was the intelligence sergeant for Safe Streets Bureau, Operations Safe Streets (OSS), the Sheriff's Department's gang detail.

By way of introduction and to establish my credentials as a gang investigator I would like to quickly give you a snapshot of my background.

I am currently the president of the California Gang Investigators Association and am the past president of the National Alliance of Gang Investigator' Association, which encompasses all major gang investigators associations, along with representatives of each of the federal law enforcement agencies. I am also the co-author of a textbook on street gangs entitled "Understanding Street Gangs".

In my various capacities in the gang unit I have lectured extensively around the nation at various universities and for law enforcement agencies including the Bureau of Investigation's (FBI) National Academy and in-service classes for active Federal agents. I have also testified as an expert gang witness in many criminal case both in California and outside of the state of California.

I began the development of the Gang Reporting, Evaluation And Tracking (GREAT) computer system, and aided in the development of its more advanced replacement system entitled Cal/Gangs. I was a founding member of the California/Federal Committee investigating the development of a multi-state automated gang file system.

In the nearly three decades that I served in the gang unit I made an extensive study of gangs and I must tell you that I have watched the gangs grow in number and sophistication over the these years. In Los Angeles county we have hundreds of persons slain every year by gang members. I have watched this number grow from less than two hundred a year to 807 during our record year of 1995. A phenomena that I have observed over this period is that while there have been occasional declines in statistics over the years, these respites are only temporary and soon begin to climb again. The declines never seem to establish a record low, however the climatic rise at the end of the decline almost always does set a record.

We have over 1,100 gangs in Los Angeles County with a membership of nearly 100,000. These gangs began migrating across this county in the mid-1980s and have established their presence in nearly every state of the union. They freely cross state lines transporting firearms and narcotics, but possibly what may be even more important is the that they bring their street gang mentality with them, a mentality that depends on inane gang violence to establish their rule. Los Angeles gangs that migrate into the Eastern U.S. or Midwest are joining forces with the Chicago based gangs with the possibility of uniting into a Super-gang in the future. At the present time the two gang styles are very different in structure and style, thus preventing such a union.

These gangsters will infect the communities that they settle in with the disease of gangs, a disease that always brings death and desperation with it. The malignancy of the gang presences kills communities just as surely as their bullets kill people. Gangs so intimidate the citizens of communities that they are too afraid to testify, or even complain about the gang's activities. The gangs physically threaten and intimidate witness as a matter of course. It is not uncommon for them to injure or kill prospective witnesses. It is not uncommon for gangs to attack police who come into conflict with them, and many officers have lost their lives in the war on gangs, however gangs have even been known to even kill police officers who serve as witnesses against them.

The most important weapon in the gangs arsenal is fear. Gangs are the master predators of the urban landscape. Their ability to instill fear into the people of a community knows no bounds. They will kill indiscriminately to make their point. This fear percolates through the community and so underlies all aspects of the gang's activity that it becomes a part of the atmosphere. After a time physical threats are not needed, the threat is unspoken but part of the community culture.

To counter this threat strong witness protection programs must be put in place by law enforcement and prosecution agencies. Programs that extend well past the present case that the witness is involved in. These programs need the funding to permanently relocate the witnesses and their families to new communities well away from the one affected by the gang case. Gangsters have a long and unforgiving memory.

Law enforcement responses to gangs have been effective to a degree in various cities around the country. The underlying problem with current law enforcement approaches is that they tend to be crisis driven and short lived in too many cases. There has never been a national coordinated effort to attack the gang problem. There have been effective and deserving programs, but they seem to be isolated in particular locales with little communication outside the effected area.

There has been very little coordination of gang enforcement between local and federal agencies beyond the establishment of a few task forces around the country. There is no effective nationwide database of gang members despite the fact that they travel across the country on a daily basis. There is no standard definition of gangs or gang crimes nationally. No federal agency collects or disseminates gang crime statistics or demographics in order to establish the true picture of gangs. What is done is done by the various Gang Investigators Associations. The National Alliance of Gang Investigators Associations and the National Youth Gang Center has just been awarded a grant to study and publish an assessment of the national threat that gangs present to our country.

The Los Angeles County Sheriff's Department in partnership with the Los Angeles Police Department has recently formed a multi-jurisdictional street gang-clearing house, known as L.A. Regional Gang Information Network (LARGIN). It will be staffed by officers and analysts from various police jurisdictions and provide daily intelligence data and statistical information enabling law enforcement agencies to tactically plan for anti-gang violence operations and aid investigators in their criminal investigations. A national model could easily be built from this kernel.

I will tell you that the threat of street gangs is a more realistic threat to the people of this country than any threat that external terrorism can make. While many may argue the term urban terrorism when speaking of street gangs, but gangs generate community fear and the disillusionment of the communities with local government due to the perceived power of the gangs. When I encounter community people in my travels and lectures they see and experience the threat of gangs.

Since the tragic events of 9/11 many gang units have been reassigned to investigate external terrorist threats active within our borders. These investigations are vital, however they should be in addition to, not instead of the continued investigation of street gangs. One of the disturbing issues that regularly comes to our association from various points across this nation is that the gang units are disappearing and that criteria used to qualify a person as a gang member or an incident as gang involved are being reworked into such narrow parameters that few qualify for gang file. Denial has become a tool of administrators and officials to

combat gangs. Apparently, hoping that they gangs will fade away without having to expend resources on them. Denial is the greatest ally the gangs have as it gives them room and time to formulate their take over of the communities.

There has been no federal leadership in the world of gang enforcement. Gang enforcement still tends to be done by pockets of investigators with little or no communication between these isolated islands.

Prosecution of street gangs based on current R.I.C.O. statutes are too time consuming and labor intensive for local gang prosecution. Establishment of R.I.C.O. requirements can take months to years. As an example, in Los Angeles as mentioned there are over 1,100 gangs, 100,000 gang members, hundreds of murders a year, and thousands of violent crimes. One study out of U.S.C. states that 10 - 15 people are shot and wounded for everyone that dies of gunshot wounds. There is an undeterminable amount of narcotic/gang related crime. A few years back a R.I.C.O. prosecution against just one of these gangs took nearly 4 years to complete and took less than 50 people to jail, and less than half were known gang members. Granted those convicted were incarcerated for a very long time, but there was hardly a ripple in the gang violence committed by that gang or for that matter in the gangs activity.

Insistence on using R.I.C.O. many times scares local participation off. Use of specific crimes for quicker prosecution results in more arrests and more public displays of law enforcement action against the gangs. The criminals convicted may not serve the extended incarceration afforded by R.I.C.O. but the time is still significant and public perception is greatly enhanced.

To effectively combat the rise in gangs there must be a multi-faceted approach to prosecution of the gang. I will list just a few of those facets

1. Effective witness protection programs that includes funding for local prosecution
2. Establishment of a National Gang Intelligence Center, similar to the National Drug Intelligence Center.
3. Funding of law enforcement training on street gangs.
4. Legislation that eases or streamlines the burden of proving R.I.C.O. cases.