

Statement of Patrick Young, Esq.
Representing the Central American Refugee Center (CARECEN-NY)
Before the Subcommittee on Counterterrorism and Intelligence
of the Committee on Homeland Security
Hearing on Combatting Gang Violence on Long Island: Shutting Down the MS-13 Pipeline
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Thank you 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-1990s 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 immigrants. 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 towards 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 three 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.