

Testimony of Marc Vanek, Midwest Gang Investigators Board Member
Before the House of Representatives Committee on the Judiciary
Subcommittee on Crime, Terrorism, Homeland Security, and Investigations

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Chairman Goodlatte, Ranking Member Conyers, and Members of the Subcommittee:

Thank you for inviting me to testify before you today. My name is Marc Vanek and I currently serve as the Secretary for the Midwest Gang Investigators Association Illinois Chapter. The Midwest Gang Investigators Association (MGIA), formed in 1987, is an organization with over 2,000 members representing 12 states throughout the Midwest; Nebraska, Minnesota, Iowa, Missouri, Wisconsin, Michigan, Indiana, Illinois, Ohio, North Dakota, South Dakota, and Kentucky. It provides a collaborative association whose mission is to develop and recommend strategies to prevent and control gang crime, administer professional training as well as assist criminal justice professionals, educators, probation/parole, and the public regarding gangs in their communities.

The plague of gangs is a clear and present danger to our internal national security. Gangs adversely impact the quality of life within our communities with violence, drugs, and associated criminal activities. To ensure and enhance public safety, the need exists for a coordinated response to a threat of this magnitude. The consolidation and distribution of information, the standardization of training, and the creation of a close partnership among federal, state, and local law enforcement are among the elements critical to the accomplishment of this objective. By working in collaboration with promoting a comprehensive gang strategy, MGIA assists agencies and communities with successfully combining these elements at all levels.

Working with NAGIA, the National Alliance of Gang Investigators' Associations, MGIA is a unique alliance of criminal justice professionals dedicated to the promotion and coordination of national, state, and local anti-gang strategies and initiatives.

For the last 17 years, I have been employed as a full time sworn law enforcement officer in the Midwest with extensive experience in street gangs. Starting as a Patrol Officer and being promoted to a Violent Crime Detective, Gang Detective and Supervisor within Criminal Gang Investigations, I have worked in both State and Federal gang investigations. I also have taught Basic Gang Investigation Classes for the State of Illinois (NEMRT-North East Multi-Regional Training) and lectured at many law enforcement training conferences across the United States.

As a Law Enforcement Officer and Board Member within the MGIA, I look forward to talking to you today about street gang operations, gang mentality, association with violence, narcotic operations and various ways to prevent gang violence.

Current Operations of Gangs and their Mentality

Street gangs today are different than the streets gangs of ten, twenty and even thirty years ago. Presently, street gangs are more violent, more technologically savvy, factionalized, and glorified. Streets gangs have increased their prominence over juveniles and drug addicts in their day to day operations.

Many street gangs will utilize drug addicts and juveniles to sell their illegal drugs, act as “look outs” for law enforcement, conduct burglaries and to conduct robberies and acts of violence such as shootings or murders. Many times, gang members will provide drugs to addicts as a payment for selling drugs for them. This offers less risk of being arrested by law enforcement and being a target to a rival gang while standing on the street. Gang members know the power of the drugs they sell and utilize this to manipulate addicts to benefit them.

Juveniles are a key part to today’s street gangs. They provide the fresh expendable manpower that these gangs thrive on. Gangs know that juveniles get slaps

on the wrist when being arrested for selling drugs, possession of drugs, possession of an illegal firearm or simply being a look out. Gangs utilize juveniles simply as pawns in their operations with absolutely no regard for them. It has been widely documented that both male and female juveniles raised in a single parent households are extremely susceptible to gang membership or violence. Social media, the internet/television, and the explosion of the gangster rap culture has glorified the gang lifestyle to juveniles.

Street gangs have been dominated by either African American gangs or Hispanic gangs. Twenty years ago, street gangs were mostly defined by the People Nation or Folk Nation alliances from the late 1970s. The People Nation and Folk Nation are alliances of street gangs that started in Chicago in the late 1970s and spread throughout the Midwest and currently across the United States. These so-called alliances no longer exist within the African American gangs on the street. The People Nation and Folk Nation alliances are however still important within the Hispanic gangs and within all levels of Department of Corrections.

In African American gangs, factionalization has become the norm in street gang life. The main gangs of ten to twenty years ago no longer have a strict hierarchy. Previously, major urban areas could have 25 to 75 clearly identified street gangs. Presently gangs can have factions that number into the hundreds. In Chicago for example, one gang has over 200 factions operating in the City of Chicago and dozens more in the metropolitan area. In many urban areas, every block has its own faction or what is called a hybrid gang. A hybrid gang or gang faction consist of the younger generation of gang members, gang members of different racial/ethnic groups, and gang members that were or are from different gangs. These hybrid gangs have unclear codes of conduct, no hierarchy, and symbolic association with more than one gang. They most often represent the geographical location they operate from or commemorate a fallen gang member and the names change over a period.

Loyalty has significantly diminished within the African American gangs. Years ago, if a member was arrested the gang would either post bond or provide a lawyer for the arrested member. This is not the case anymore. The African American gangs are now more individually about making money and having a strong "street image". This

has led to the complete and total breakdown of any code or respect street gangs once had for each other or members of the community. It is this type of street gang member that has glorified the gang world and makes it extremely violent.

African American street gang members had to participate in gang initiations ten to twenty years ago. Initiations are now very uncommon. Either a member is “born in” (the father of the child was a ranking member) or simply grew up on the block of the current gang faction and therefore becomes a member.

The younger generation of gang members are clashing with the once respected older generation of gang members. I have personally spoke with many older generation gang members who routinely say the younger generation does not respect the older generation or how they operated. Often the older generation will get into violent confrontations with the younger generation and will cooperate with law enforcement against the younger generation. The older generation disagrees with the younger generation selling drugs when school children are walking to and from school. The older generation also frowns upon younger gang members who target a rival’s family because they were unable to locate the rival gang member themselves. The older generation gang members are aggravated with the overall lack of respect younger gang members have for them. For example, I spoke with a former high ranking gang member who related to me he was at his mother’s house and young gang members were selling drugs in front of her house. He told them he respected that they needed to make money but can they move down the block from his mother’s house. To the surprise of the former high ranking gang member they refused and threatened him.

I have held conversations with younger generation of gang members regarding older gang members being released from prison after a decade or more and attempts to reclaim the control they had before being incarcerated. They related they would show a little respect but not much with the attitude that times have changed and this is their time and the older gang member had his time. If the older gang member did not understand or comply he would be met with either violent acts or be killed.

The ever-growing gangster rap culture is also playing a role in not only glorifying the lifestyle but the overall violence. Many of these gang factions that I have written about have their own rap group. There is a misperception that these so-called rap groups are music artists and not violent gang members, which could not be farther from the truth. Many of these local rap groups are controlled and funded by the violent gang members themselves. These songs are always very blatant with acts of violence against rival gangs, threatening a rival gang, glorifying the gangster lifestyle of violence and drug dealing. This is gang banging. With the explosion of social media and the internet, the younger tech savvy generation of gang members are using it to promote their gangster rap music. There have been abundant gang shootings and murders that have occurred due to one street gang rap group putting a song out on social media or YouTube that threatens a rival group or individual. One example came from Chicago as reported by the Chicago Tribune. A young rapper who is part of Chicago's "drill" rap movement, a sub-genre that uses heavy bass tracks and repetitive, often violent, lyrics is from one of the most dangerous neighborhoods in Chicago. This young rapper often records music videos of him smoking and driving expensive cars. The problem with this is that he is 13-years-old. Psychologists say that this young rapper is the product of his environment, writing lyrics with references to hollow points and .38 caliber hand guns. The young rapper was also under fire for threatening a third grader's life at his school for calling the police in a confrontation that occurred that week.

There has been also profuse amount of gang members who have received record contracts that continually commit acts of violence, gang bang, or end up being killed by a rival street gang. Many also utilize money from record contracts to purchase weapons and vehicles and to further expand their gang's image or territory. These type of gang members still live the violent gang member life style regardless of the fame or monetary achievements.

The Hispanic gangs have largely remained under control of a hierarchy. The Hispanic gangs are still committed to their colors, codes, territory and loyalty to their gang. The Hispanic gangs still abide by the People and Folks Nation alliances that I wrote about earlier. Within the Hispanic gangs there is still a strict hierarchy structure

that occurs with many younger members willing to step up and take control. Many Hispanic gangs still help pay for bonds when a member is arrested, pay for a lawyer, or send money to those that are incarcerated. Like African American gangs the younger generation of Hispanic gang members are tech savvy and enjoy having the image as a hard-core gang member or simply known as a killer.

Hispanic gang members sell drugs more discreetly than African American gangs but do utilize juveniles just like African American gangs. Individuals entering into a Hispanic gang still participate in the initiation phase.

The use of Social Media by Hispanic and African American gangs has exploded within the last 5 years. Social Media outlets such as Facebook, Instant Messenger, Twitter, Instagram, YouTube and Snapchat have provided a safe and effortless way for gang members to gang bang all in the confines of their home. In today's society, practically everyone has a cell phone which simply put is a handheld computer. Gang members are using these phones as instant access to social media outlets to post rap videos, videos of members disrespecting or threatening a rival gang member or individuals, to communicate with one another, sell or trade illegal firearms, and to sell narcotics. There have been many stories of murders being captured on Facebook Live or other acts of gang violence. At any point, one can go directly to YouTube and view a video of a gang disrespecting a rival gang by walking through a rival gang's territory. You can also view comments on this type of video which is laden with gang slogans and threats.

I have also observed and investigated both Hispanic and African American gang members utilizing social media to sell and trade weapons that have been used in various gang related acts of violence. Social media has become a powerful instrument for gang members to utilize.

Both Hispanic and African American gangs are also finding ways to make additional money without the risk of selling drugs or committing violent acts such as robberies or home invasions. Some are taking up financial crimes, identify theft, illegal cigarette sales and the selling of counterfeit merchandise or "bootleg" movies. The

penalties for these types of illegal activities are much lower than selling a gun or drugs. They view this as minimal risk with high rewards.

Gangs Distribution of Drugs

Both African American and Hispanic street gangs actively engage in selling illegal drugs. It is the single most lucrative method in which they make their money and obtain influence. Selling drugs is referred to as a non-violent offense. However, when dealing with violent street gangs I would have to say that is incorrect. Drugs mixed with gang members strangle the life out of communities. It is in these communities that gang members are selling poison to citizens within their own community without any regard for the damage that it causes. The profits made by gang members selling drugs are used to buy weapons and ammunition, post bonds for violent gang members, and pay lawyer fees for court proceedings. All these factors dramatically increase the violence associated with street gangs.

Gang members prey on individuals that cannot help themselves by getting them addicted to a certain drug and then routinely provide them with that drug. Gang members have become the staple for the supply of Fentanyl and Carfentanyl into the streets they call their territory.

Fentanyl is 50 to 100 times more potent than morphine and 30 to 50 times more potent than heroin. Just a quarter of a milligram of fentanyl can kill you almost instantly. In May 2017, an East Liverpool Ohio Police Officer was conducting a narcotic investigation in which the officer had unknowingly come into contact with fentanyl. The officer was informed he had some powder on his uniform and brushed it off. By brushing this powder (which turned out to be fentanyl residue) off his uniform with his hand, it allowed the drug to enter his system through the pores on his hand. The Officer almost immediately began to show signs of overdosing. The Officer was given a Narcan shot and thankfully survived.

Carfentanyl is 10,000 times stronger than morphine and 100 times more potent than fentanyl. Just a milligram of Carfentanyl has the potential to put down a 2,000-pound elephant.

Both Fentanyl and Carfentanyl are sold by themselves or mixed with heroin by gang members in urban cities across the United States. Many times, addicts will overdose only to be revived and go directly back to the same gang member who sold them the drugs but this time successfully overdosing. When a gang member sells Fentanyl or Carfentanyl it should be considered a violent act because it routinely leads to fatal overdoses.

Both Hispanic and African American street gangs sell drugs all over the United States. African American gangs generally sell their drugs on the street corners in their area of operation. Hispanic gangs depending on locations at times sell on the street and only to those they know in their own geographical territory. Most often Hispanic gangs are the suppliers to the African American gangs and sell larger quantities due to the connections to various drug cartels. Both African American and Hispanic gangs are all actively selling heroin, heroin laced with Fentanyl or Carfentanyl, powder cocaine, crack cocaine, cannabis, synthetic cannabis, pills such as Xanax, Meth, Codeine, MDMA powder, mushrooms, ecstasy pills and liquid codeine. All these types of drugs can be bought on street corners in gang ridden areas now because of street gangs.

African American gangs fight over territory due to drug sales and utilize violence to control, maintain and expand their territory to make more money. I have personally seen and investigated violent gang wars that have started over the sale of drugs on street corners which they do not even own. During these times, innocent citizens and sometimes times children are either wounded or killed. Simply stated gang members that sell drugs create violence and the offense should not be viewed as non-violent.

There is a difference between a gang member selling drugs and an addict being charged with simple possession of an illegal substance. Often gang members and addicts are arrested and charged with the same narcotics crimes when addicts are simply being forced to sell drugs for gang members because of their addiction. This is a dilemma that law enforcement officers and agencies face everyday. This is a question we must ask ourselves should an addict be placed in a category as gang members? The answer is no.

In the age of the internet the world has become smaller. Social media has made the world even smaller. Both Hispanic and African American gang utilize the internet and social media to sell their drugs and weapons. The younger generation of gang members are more tech savvy than ever before. They have all grown up with this technology right at their finger tips with cell phones. The internet and social media has made it enormously easier for gang members to reach a larger customer base than selling on a street corner in gang infested areas. At anytime I can go onto the internet or social media and within seconds interact with a gang member to purchase any type of drug I wish. I have personally investigated these types of crimes and it has become chilling to the extent of the amounts and variety of drugs at are available to be purchased. This has undoubtedly created more addicts. All a high school aged student has to do is go onto social media with a curiosity about trying a drug, engage in a brief conversation in different groups that are on social media and within minutes the drug transaction is set up. Often the gang member will meet halfway or go directly to the buyer if the order is worth the travel. A gang member can post an ad on the internet or social media to sell their drug of choice in the comfort of their home.

Gang Violence

The cause of gang violence stems from several factors such as fighting over territory for selling drugs, comments made on social media, rap songs lyrics that each gang creates about their rivals, over a gang's image and particularly in the Hispanic gangs fighting over colors and territory.

Gangs have become more violent than ever before due to the younger generation of gang members. Gang members have taken violence within their communities to a higher level than ever seen. In today's gang world, more juveniles and innocent bystander are being shot and killed more than ever before. Easy access to firearms, the glorification of gangs, the single parent households, social media and the overall total lack of morality all contribute to this epidemic. Gang members today view targeting a rival gang's family just as worthy as targeting the individual gang member itself. According to the National Gang Intelligence Center the state of Illinois has the highest gang member per capita: 8-11, per 1,000 people in the United States.

According to the Gun Violence Archive the three and half year average of a juvenile or tender age being shot or killed in the State of Illinois is 1.4 a day. The three and half year average of an adult being shot or killed in the State of Illinois is 11 people a day are either killed or shot buy gunfire. The next closest state within the MGIA (Midwest Gang Investigators Association) is Ohio with a three and half year average of a juvenile or tender age being shot or killed is .5 a day. With a three and half year average in the State of Ohio of an adult being shot or killed by gunfire is 5.26 a day.

These types of horrific actions have even left the older gang members sickened by this younger generation of gang members. It was unheard of if a rival gang member were to target and assassinate a rival's child while playing in a park. But unfortunately, this has been occurring more and more in gang infested urban areas. This younger generation of gang members have also a total disregard for innocent bystanders often saying they were collateral damage. They routinely conduct shootings in broad daylight and in crowded areas.

Gang Investigations

Conducting gang investigation cases such as gang related shootings, murders, drug or weapons possession, RICO or drug conspiracy have become increasingly more difficult, frustrating and resource draining for law enforcement. Areas that make these types of investigations difficult are getting witnesses to cooperate, having the resources in the prosecutor's office both federally and locally to have prosecutors focus solely on these type of individual crimes, victim cooperation, and Judges not holding gang members accountable that repeatedly possess illegal firearms.

In areas like the State of Illinois, County of Cook, when an individual is shot and either the victim or witnesses make a positive identification of the offender but the victim does not wish to prosecute, the offender is not charged with the offense. In fact, often the offender is not charged with any crime. This is a frustrating aspect of gang related shooting investigations. It often turns into a revolving door when violent offenders do not get charged. There are times when a victim does cooperate and the offender is charged. In those cases, however, when the victim is a rival gang member they often

are looking for a monetary payment to what is called “flip” at the time of trial in order to help the defense obtain a not guilty finding. I have had direct experience with these types of investigations and these same results.

Another hindrance for law enforcement is getting overworked and resource drained prosecutors to approve charges on gang cases based on the facts and merits of the case rather than what they believe a Judge or Jury will view or rule on a case. What also often frustrates law enforcement both locally and federally is how a case, if prosecuted in a different jurisdiction, can have different outcomes and different prosecution priorities. According to the Chicago Tribune and Chicago Sun-Times the Northern District of Illinois which is part of the City of Chicago only prosecuted 105 federal weapons cases last year. The Northern District of Illinois is either last or next to last in federal gun prosecutions in the United States according to the same story. The City of Chicago recovers more guns than Los Angeles and New York combined and has more gang related shootings and murders than Los Angeles and New York combined. St. Louis Missouri had triple the amount of federal gun prosecutions and Detroit Michigan had double the amount of federal gun prosecutions than the City of Chicago.

The biggest obstacle for local law enforcement is getting witnesses to cooperate in any kind of gang related investigation. Local law enforcement does not have the resources to immediately relocate or provide assistance to witnesses. Immediate threats must be identified and confirmed for limited resources to become available to witnesses or victims. I can completely understand why those who want to help their community but choose not to base on fear of retaliation. There is no incentive for the law-abiding citizens or gang members looking to get out to cooperate with law enforcement when if doing so will result in damage to property, death or death to family and friends. It is easy for those of us to judge those that live in the gang infested neighborhoods or gang members wanting to get out but can't when we do not live there ourselves with our families. Without any assistance or incentives how can we expect witnesses to come forward and place their lives and families in harms way.

Preventing Gang Violence

From a law enforcement perspective with perhaps limited resources, direct impacts on gang violence in the community can only be done by removing the “trigger men” from the streets. I have investigated many gangs and from my experience when a gang has lost its “muscle”, “trigger men” or “enforcers” that gang suddenly become very quiet and humble.

Stemming the flow of illegal guns into gang members hands is another direct impact law enforcement can have on preventing gang violence. However, law enforcement cannot do this without leads, investigative tools and laws to hold an individual responsible for a gang related shooting or murder when the weapon they purchased in the State of Mississippi and was used in a gang related shooting or murder in another State.

When a gang related shooting or murder occurs with expended shell casings recovered at the crime scene it can provide investigative leads for law enforcement. Shell casings when fired leave a unique tool mark that is left by the various parts of the weapon most importantly the firing pin in semi and fully automatic firearms. These markings can be compared and matched to known exemplars fired from the same weapon using the same parts with exact precision. The mark that the firing pin leaves on an expended shell casing would be considered equivalent to a persons fingerprint. When a firearm is recovered it is tested and at times the results are extortionary. If that weapon was used in any shooting or murder the unique tool mark left by the firing pin will be matched up with all expended shell casings and an investigator can see what other shootings or murders that weapon was involved in. An amazing technological investigative tool would be requirement that any semi-automatic or fully automatic weapon either imported or manufactured in the United States provide a fired shell casing sample to be entered into the ATF’s NIBIN (National Integrated Ballistic Information Network) program with the corresponding weapons serial number. Samples entered into the NIBIN system would provide law enforcement investigators new immediate leads. That would allow law enforcement to be able to track down the

original gun owner and stem the proliferation of straw gun purchasers to street gang members.

Getting witnesses or community members to cooperate with law enforcement is essential to gang violence prevention. Whether it is the single parent who is having problems finding a place to live, the addict the gang sells its drugs to, the older residents on the block to the high school teenager that is trying to avoid being pressured into gang membership can all provide great assistance to law enforcement. Government protection and assistance would encourage witnesses and community members to work together to prevent gang violence.

Preventing our younger generation from the gang life must start at an early age. By the time children are in high school they have already become members of a street gang and engaged in the gang lifestyle. Gang prevention must start at an early age to give this younger generation a fighting chance to not succumb to gang membership.

What should not be lost are those that are making the strong effort to resist gangs while in high school and those that want out of the gang lifestyle before it has become too late. Many of these students are student athletes and would love to continue sports into college but are not able to. Many of these student athletes do not get the exposure that a star athlete gets and are left behind. Providing the exposure to these athletes to Junior Colleges, Division III or Division II Colleges or Universities will give these students the ability to continue their education as a student athlete. I have talked with students and younger gang members that wanted to continue their education and playing sports but could not afford the added costs. There are scholarships available and financial aid but those types of funding do not cover the costs of book, school supplies, computer, items needed when moving away to a college dorm, or money to provide transportation to school and home at the end of the year or Christmas break. For example, if a student gets an offer to play baseball in Arizona but lives in Illinois there is major transportation needed to even arrive at the campus. Providing a college athletic recruiting website and on site athletic recruiting camps along with scholarships for those items I talked about is another opportunity for helping stem gang violence.

Conclusion

Chairman Goodlatte, Ranking Member Conyers, and Members of the Subcommittee, thank you for inviting me to testify today.

Law enforcement cannot be the sole answer to reducing gang violence. Law enforcement is only a part of the solution to reducing gang violence. Prosecutors and Judges must be held accountable just as law enforcement is with the rise in gang violence. Law enforcement, the Judicial System, Government, Social and Economic programs and Community involvement are essential to reducing gang violence. Not one entity can solve it alone or take credit it must be a coordinated effort on all parties.

I look forward to answering questions you might have about gangs and look forward to working with members of the Subcommittee and other to ensure success in reducing gang violence.

