

Testimony of Richard W. Stanek

Sheriff of Hennepin County, Minnesota

To the Subcommittee on Crime, Terrorism, and Homeland
Security

Committee on the Judiciary

U.S. House of Representatives

Beyond the Streets: America's Evolving Gang Threat

July 25, 2012

Chairman Sensenbrenner, Ranking Member Scott, and members of the Subcommittee, thank you for the opportunity to be here today. I am Rich Stanek, Sheriff of Hennepin County in Minnesota. I am here today on behalf of the National Sheriffs' Association where I serve on the Board of Directors and am the Chair of the Homeland Security Committee. This year, I also began a two-year term as President of the Major County Sheriffs' Association.

I have been asked to testify today about the specific emergence of Somali gang related issues we are having in my county. Minnesota's Somali population has been estimated in the range of 80,000 to 125,000 and a majority of them live in Hennepin County. Whereas the African population represented 4% in the

United States in 2008, in Minnesota, Africans represent 18% of our population because Minnesota is a designated U.S. Refugee Resettlement Area. I would like to state for the record that the Somali community as a whole is made up of law abiding citizens, who came to Minnesota as refugees and are now an important part of our community.

Why are Somali gangs unique?

Somali gangs are unique in that they are not necessarily based on the narcotics trade as are other traditional gangs. Most successful gang prosecutions require a narcotics nexus. Somali gang criminal activities are not based on a certain geographical area or turf. Gang members will often congregate in certain areas, but commit their criminal acts elsewhere. Criminal acts are often done in a wide geographic area that stretches outside of the Twin Cities seven county metro area. Their mobility has made them difficult to track.

Typical Crimes committed by Somali Gangs include the following:

First, Credit Card Fraud: Recently, Somali gangs have committed a high volume of credit card skimming and credit card fraud. Credit card skimming is a high reward, low risk crime. The skimming is done by acquiring a skimming device, computer, and necessary software. In Minnesota we are seeing trends where gangs will recruit individuals, often restaurant employees, to perform the skimming during work hours and then give the skimming device back to the gang member.

These cases are difficult for law enforcement, often requiring a large amount of time since the cards are often not used locally. In credit card fraud cases, an investigator must find a victim and the location of the initial skimming. There can be numerous victims from one skimming operation. Surveillance video is necessary and computer forensics are essential in order to identify suspects.

Sadly, because the sentences for credit card skimming are short, criminals are less concerned with the legal consequences. The resources needed to investigate credit card fraud and the sentencing guidelines make enforcing these laws very challenging.

Second, Witness intimidation: Somali gangs readily engage in witness tampering and intimidation. In Somali culture, if a crime is committed against a family, clan, or tribe, remittances are paid to family members. Somalis in Hennepin County have continued this remittance payment practice. We've learned that victims' families often prefer to negotiate financial remittances rather than follow through with judicial prosecution. Oftentimes the payments are made directly to relatives in Somalia. This remittance payment continues to interfere in the successful prosecution of gang members.

Witness intimidation by Somali gang members has become an ongoing threat to successful prosecutions. In a recent homicide trial in Hennepin County, a witness recanted his earlier testimony, and another witness refused to return from London in order to testify. We believe there were direct threats of violence made to witnesses and family members. The suspect in the case, a known Somali gang member, was tried, but acquitted by a jury. The homicide is believed to have been retaliation for previous testimony provided by opposing gang members in another homicide.

Third, Gun Store Burglaries: In July of 2008, a gun store in Minnetonka, Minnesota, was burglarized. The suspects took 57 handguns. Through the investigation it was determined that the guns were taken by members of the *Somali Outlawz*. Through tracking of recovered guns, it was determined that the majority of guns were either traded or sold to other known gang members. These same guns were then used in homicides, aggravated assaults, shootings, and robberies. Twenty seven of the stolen handguns have not yet been recovered.

Fourth, Terrorism Nexus to Somali Gang Activity: In 2007, the local Somali community started to report that some of the youth in the area had essentially disappeared without warning. It was later learned that 20 young men had left Minneapolis to travel to Somalia to receive training and fight as members of al-Shabaab. One individual had moved to Minneapolis as a teenager in 1993. Following a shoplifting arrest, he fell into the violent street gang called the “Somali Hot Boyz”. After a short period of time, he emerged as a recruiter for al-Shabaab which eventually led him to leave Minneapolis for the Horn of Africa in 2008. Later, it was learned this individual was killed in fighting between al-Shabaab and Somali government forces.

In conclusion: Somali gangs have emerged as a serious threat to community safety in Hennepin County and a unique challenge to law enforcement. These gangs are involved in multiple criminal activities that require sophisticated and resource-intensive law enforcement investigations, are growing in influence and violence, demonstrate the importance of multi-jurisdictional law enforcement information sharing, and practice certain cultural behaviors that render some traditional U.S. criminal justice tools less effective. We are clearly faced with a challenge that requires an innovative approach including new investigative tools and focused resources.

I look forward to working with Congress and our law enforcement partners to identify and implement smart and cost-effective solutions, and I am happy to answer any questions you might have.

Thank you,

END.