

Garland

Correspondence Routing and Action

COPY

1. From Criminal Division	2. Date 02/28/95	3. Suspense 03/03/95
	4. ODAG 029503413	5. EXEC Sec# 95022806068
Subject 2/27/95 MEMO INFORMING AG OF THE FEBRUARY 15, 1995 MEETING & PROGRESS IN DEVELOPING AND IMPLEMENTING LAW ENFORCEMENT STRATEGIES IN PUERTO RICO		
6. EXEC ASST Review Dave Margolis		7. Suspense
Instructions As appropriate. Copy sent to Merrick.		
8. From:	To:	Date
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11. To EXEC Asst to:		Date
12. Final Disposition:		Date

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DEPARTMENT OF JUSTICE  
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: HARRIS, JO ANN, AAG, CRM  
To: AG.

ODD: 03-03-95

Date Received: 02-27-95 Date Due: 03-03-95 Control #: X95022806068

Subject & Date

02-27-95 MEMO INFORMING THE AG OF THE FEBRUARY 15, 1995,  
MEETING AND PROGRESS IN DEVELOPING AND IMPLEMENTING LAW  
ENFORCEMENT STRATEGIES IN PUERTO RICO; THRU DAG.

	Referred To:	Date:		Referred To:	Date:	
(1)	DAG;GORELICK	02-28-95	(5)			SPEC:
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	INTERIM BY:			DATE:		OPR:
	Sig. For: DAG			Date Released:		DAN

Remarks

(1) FOR INITIALING ON THE "THRU" LINE. RETURN TO EXEC. SEC.  
FOR FORWARDING TO OAG.

Other Remarks:

FILE:

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OFFICE OF THE  
DEPUTY  
ATTORNEY GENERAL

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U.S. Department of Justice

Criminal Division

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Assistant Attorney General

Washington, D.C. 20530

EXECUTIVE SECRET

February 27, 1995

**MEMORANDUM FOR THE ATTORNEY GENERAL**

**THROUGH:** THE DEPUTY ATTORNEY GENERAL

**FROM:** Jo Ann Harris  
Assistant Attorney General

**SUBJECT:** Meeting of Feb. 15, 1995, to discuss Anti-Violent Crime Strategy in Puerto Rico

**PURPOSE:** To inform you of the Feb. 15, 1995, meeting and progress in developing and implementing law enforcement strategies in Puerto Rico

**TIMETABLE:** Immediate

**DISCUSSION:**

This memorandum provides an update of our continuing efforts to address law enforcement issues in Puerto Rico.

On February 15, 1995, Deputy Assistant Attorney General Kevin Di Gregory chaired a meeting in Washington with the United States Attorneys from Puerto Rico and the Virgin Islands, and representatives from most of the federal law enforcement agencies with a presence in Puerto Rico. Not only were the traditional agencies included at this meeting (FBI, DEA, ATF, and U.S. Customs), but also, at the request of the Deputy Attorney General, other law enforcement agencies such as the Naval Criminal Investigative Services and Postal Inspectors.<sup>1</sup>

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<sup>1</sup> The following week, on February 24, 1995, Kevin Di Gregory met with U.S. Coast Guard Division Chief Jay Carmichael. Captain Carmichael expressed a desire on the part of the Coast Guard to be an active participant in the Anti-Violent Crime efforts. Although the Coast Guard's resources had recently been diverted away from Puerto Rico to Haiti; these resources, including boats, planes, helicopters and manpower, are once again available in Puerto Rico. At Kevin Di Gregory's request, Coast Guard representatives in Puerto Rico will be asked to contact U.S. Attorney Gil to determine how to maximize the effectiveness of these resources.

Criminal Division section supervisors Theresa Van Vliet (NDDS) and Mary Incontro (TVC) also attended the meeting along with representatives from BJA and ONDCP.

The meeting focused on the Anti-Violent Crime initiatives which are currently in place or awaiting funding and included a discussion of the resources each agency could provide to assist these initiatives. U.S. Attorney Guillermo Gil also articulated the law enforcement problems which persist in Puerto Rico. <sup>2</sup>

#### **HIDTA**

The HIDTA proposals are scheduled to reach the Senate Treasury and Postal Subcommittee for Congressional approval shortly. According to HIDTA Director Rich Yamamoto, approval is likely and he is hopeful that it will occur within two weeks.

**HIDTA history.** On November 2, 1994, Puerto Rico and the U.S. Virgin Islands received formal designation as a High Intensity Drug Trafficking Area (HIDTA). This designation was in response to the region's growing role as a transshipment point for narcotics entering the U.S. mainland and the effect of this role on the region itself. The Puerto Rico/U.S. Virgin Islands HIDTA Executive Committee met and approved the proposed agency initiatives on December 21, 1994.

On December 29, 1994, the document containing the written proposals, entitled "Federal/Commonwealth/Territorial Proposals for Fiscal Year 1995," was presented to ONDCP by the U.S. Attorney. The proposed initiatives are as follows:

- PR/VI HIDTA Information and Coordination Center
- PR/VI HIDTA Drug Smuggling Interdiction Group
- PR/VI HIDTA Major Organizations Investigations
- PR/VI HIDTA Money Laundering Initiative
- PR/VI HIDTA Violent Crime Group Initiative
- PR/VI Ponce Satellite HIDTA Office
- PR/VI Fajardo Satellite HIDTA Office
- Narcotics and Violent Crime Interdiction-U.S. Virgin Islands
- PR/VI HIDTA Treatment and Prevention Network
- Puerto Rico Police Department FURA Air and Marine Programs
- Puerto Rico Ports Drug and Weapon Smuggling Investigations

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<sup>2</sup> Although Acting USA Ron Jennings from the Virgin Islands was present, the meeting focused on Puerto Rico. As you know, the problem in the Virgin Islands is also very serious and exacerbated by the staffing in the United States Attorney's office at this time. Hopefully, this situation will be cured very quickly with either the naming of a permanent USA, or the detail of a strong First Assistant, or both.



These proposals are the most comprehensive collection of initiatives designed to fight crime in Puerto Rico, ranging from interdiction to treatment. While they primarily target narcotics distribution, there was a consensus at the meeting that the increased levels of violence in Puerto Rico is related to the illicit drug trade.

### **ANTI-VIOLENT CRIME STRATEGIES**

The following five Anti-Violent Crime strategies are in various stages of implementation. Several are awaiting funding through HIDTA or other sources while others represent successful cooperative efforts between federal and local agencies.

#### **I. Violent Crimes Fugitive Task Force**

The stated purpose of this initiative is to arrest high-profile violent fugitives, many of whom are participants in the illicit drug trade. Those targeted by this initiative would include individuals who are fugitives from other jurisdictions as well as those who are evading federal and local prosecution in Puerto Rico. It was expected that the program would be operating by this time. However, the drafting of the necessary grant applications was delayed at the local level when the individual assigned to the task was pulled away by the governor. This individual, an employee in the Puerto Rico Police Department, finally completed the draft and was scheduled to deliver it to the local justice department for review on February 9, 1995. It is expected that BJA will be approving the grant request shortly after it is received. The law enforcement agencies (FBI, U.S. Marshals Service, Police of Puerto Rico, and Puerto Rico Department of Corrections) are fully supportive of this proposal. The task force will become operational once the funding is available.

#### **II. Violent Neighborhood Initiative**

This initiative is designed to identify and incapacitate violent gangs involved in narcotics trafficking in housing projects. It is a joint effort of the U.S. Attorney's Office, the FBI's Safe Streets Task Force, the Drug Enforcement Administration, the Special Investigations Bureau of the Puerto Rico Department of Justice, and the Puerto Rico Police Department. These investigations have resulted in four multiple defendant indictments:

- In U.S. v. Figuero-Morales, et al., nineteen individuals were charged in a nine-count indictment with having participated in a long term conspiracy to possess with intent to distribute heroin and cocaine to be transported from Puerto Rico to New York. All defendants have pled guilty.

- In U.S. v. Arroyo-Reyes, et al., twenty-four gang members were charged with engaging in a continuing criminal enterprise for the large-scale distribution of controlled substances. This gang sold cocaine, marihuana, and heroin in a residential neighborhood and they often brandished firearms, including semiautomatic and automatic weapons to protect the drug operation. Gang members also engaged in carjackings to facilitate the transportation of their drugs. Twenty-two of the twenty-four defendants have pled guilty; the other two are fugitives.
- In U.S. v. Rivera- Hernandez, et al., twenty-six members of a gang face CCE charges arising out of the distribution of cocaine and heroin near a playground. These cases are pending trial.
- In U.S. v. Arocho-Gonzalez, et al., thirteen defendants were charged in a nine-count indictment with conspiring to sell heroin and cocaine in a housing project located across the street from an elementary school. The trial is expected to begin in February and it is anticipated that many of the defendants will enter guilty pleas.

There are two additional cases involving violent drug dealing gangs which are being actively investigated. Both of these investigations are being conducted by the Special Investigations Bureau, a local law enforcement agency. They recently received BJA funding for badly needed equipment which should improve their ability to conduct surveillance. These cases will be prosecuted by the U.S. Attorney's Office because the bail provisions and penalties are considerably more favorable to the government in federal court.

### **III. Violent Illegal Aliens**

Funding for this initiative is being sought through HIDTA in a proposal entitled "Fajardo Satellite HIDTA Office." The initiative targets the illegal, undocumented aliens in the northeast part of Puerto Rico who are engaged in drug trafficking and violent crimes, including murders and carjackings. Maritime and air smuggling from South America and the Caribbean is rampant in this coastal area.

The U.S. Navy has a special interest in this project because the largest naval base located outside the fifty states is in Fajardo. Navy personnel and dependents are increasingly victimized by the violence; thus Naval Criminal Investigative Services is assigning seven agents and one intelligence analyst to assist other law enforcement agencies. The Navy also has provided the site building. HIDTA funding is needed for repairs and improvements of the structure. The satellite office will

initially be manned by agents of INS and Naval Intelligence. Other program participants would include U.S. Customs Service, U.S. Coast Guard, and the Puerto Rico Police Department.

#### **IV. Armed Criminals**

This is another HIDTA proposal ("Violent Crime Group Initiative") which will target drug-related armed career criminals, violent gangs, and gun traffickers. Participants in this task force include ATF, Puerto Rico Police Department, Puerto Rico Department of Justice Special Investigations Bureau, and the Puerto Rico Treasury Department. Project Triggerlock investigations have been seriously hampered by the absence of an effective criminal database in Puerto Rico. This task force is designed to enhance Triggerlock investigations. ATF will assign its entire Puerto Rico force of ten agents to this task force.

#### **V. COPS**

Puerto Rico received grants under the Community Oriented Policing Services which will add 100 police officers to the local force. The new officers are now being trained at the police academy.

### **IDENTIFYING THE PROBLEMS**

There already has been a positive impact from the existing initiatives. Communities which were once terrorized by violent gangs are experiencing a new level of tranquility as a result of the successful federal prosecutions. However, U.S. Attorney Gil cited a number of problems which need to be addressed in order to produce a long-lasting decline in the rate of violent crime. The central problem, in Gil's view, is the lack of resources, both in manpower and technology.

The FBI's Safe Streets Unit, for example, is overwhelmed by the staggering number of carjackings (3,600) which occurred on the island last year.<sup>3</sup> While the seriousness of this crime cannot be overstated, as many of the carjackings have resulted in death or serious injury, the FBI's emphasis on carjacking adversely affects the availability of resources to investigate other types of violent crime, including crimes committed by violent drug gangs. Gil has requested that both the FBI and DEA create squads which target these gangs, even if that means a reduction in the FBI's bank robbery squad. This additional manpower would result in a significantly larger number of federal

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<sup>3</sup> Puerto Rico, with a population of about 3.6 million people, also had more than 950 murders, a rate which surpassed the murder record toll from the previous year.

prosecutions. Gil is confident that the U.S. Attorney's Office could handle the additional demands that would be placed upon it.

U.S. Attorney Gil also discussed the pressing need for improved technology in several areas. A significant problem, which was also identified by FBI Director Louis Freeh during his mid-January visit to Puerto Rico, is the inaccessibility of essential criminal information. The number of outstanding criminal warrants at a given time in Puerto Rico ranges from 11,000 to 18,000. However, these warrants are not maintained at any centralized location nor are they effectively entered into any computer database. This creates an obvious hazard for law enforcement personnel who may confront fugitives without knowledge of their criminal status. It also hampers criminal investigations and intelligence gathering.

A related but distinct problem arises from the fact that the local Bureau of Prisons does not routinely fingerprint and photograph all of its incarcerated subjects. Escapes from these prisons are numerous and when they occur, efforts to capture the fugitives are hampered by the absence of recent photographs. Mr. Gil is addressing this issue with the local prison officials, along with the U.S. Marshals Service, and he is hopeful that a policy of photographing prisoners will be instituted. However, it may require federal funding.

A third area where the lack of technology has hampered law enforcement efforts is the absence of a local investigative database. When a task force begins a new investigation of a violent drug gang, there is no method in place for accessing the results of previous investigations of the same group by agents of local law enforcement agencies.

Ideally, written reports of the local agents would go to a central file which would be accessible to the task force. But between the cost of creating such a system and the pervasive mistrust among federal and local agents, a central database containing investigative reports is unlikely. An alternative which was proposed at the meeting was to create a pointer system with restricted access which would identify which investigator has pertinent information about a given target. Such a pointer system already exists in South Florida and is not particularly costly. The BJA and HIDTA representatives at the meeting offered to further discuss how to implement such a system with U.S. Attorney Gil.

#### ADDRESSING THE RESOURCE ISSUES

Other efforts are being made to address the issues relating to limited resources. The FBI SAC in San Juan, Richard Schwein, has been meeting with his counterparts from the other federal law



enforcement agencies with a presence in Puerto Rico in an effort to coordinate their resource requests to their respective agencies. The FBI has already increased its manpower allocations in Puerto Rico from a 1994 target staffing level (TSL) of 76 to a TSL of 88 for this year. This includes two additional agents assigned to violent crime/major offenders and eight additional agents assigned to organized crime. Schwein has also discussed with the U.S. Attorney the possibility of reassigning agents out of the bank robbery squad into pro-active gang investigations. Schwein was to submit a report to Director Freeh by February 17, 1995, identifying the most serious crime problems and proposing solutions to these problems.

At last week's meeting, U.S. Customs Senior Special Agent Frank Kapitan, currently the liaison with BJA, indicated that the Customs presence in Puerto Rico was hampered by a hiring freeze. On February 17, 1995, we learned that the freeze had been lifted and that Customs intends to transfer approximately eight additional pilots and two supervisors to the Puerto Rico Customs Air Branch. With current resources, Customs is only able to man one plane. Thus, the additional manpower represents a substantial increase in their current resources on the island.

Kapitan also discussed the possibility of getting an Air Force Surveillance Drug Interception Airplane moved to Puerto Rico. This plane is scheduled to be retired in several months if no interest is expressed in it. If acquired, it would be manned by the National Guard and housed at Puerto Rico's International Airport on the east side of the island. This side of the island does not get the same attention now from Customs, which is located on the west side. Because of the airport's proximity to the Virgin Islands, the plane could be used for interdiction affecting both islands. BJA and ONDCP are discussing an approach to DOD that would facilitate the availability of this plane for use in Puerto Rico.

Other agencies have also indicated a willingness to reallocate limited resources in order to more effectively fight the violence in Puerto Rico. DEA has agreed to station agents in the port city of Ponce, a major entry point for heroin and cocaine. In the past, the DEA presence in this city was limited and the traffickers were well aware of this fact.

#### CONCLUSION

Progress in addressing the violent crime problems in Puerto Rico has been slowed by funding delays for the various initiatives. Barring unforeseen events, the HIDTA funding and BJA approval should occur within the next month or two. Once these initiatives are fully in place, we should expect to see improvement. The HIDTA proposals are comprehensive and appear to

target the most pressing problems, most of which are related to drug trafficking. The flow of narcotics into Puerto Rico is similar to that experienced in South Florida in the 1980s. A concern expressed at the recent meeting in Washington was the deficiency of our drug enforcement efforts on the Virgin Islands, the next logical battleground if our drug suppression efforts in Puerto Rico are successful.

Meanwhile, Gil has forged close working relationships with the local law enforcement agencies and considers them equal partners in the various violent crime initiatives. The relationships are deemed essential to the continued effectiveness of the efforts to address violent crime.

Our successes also will depend on the manpower resources which are devoted by the federal law enforcement community. The representatives of these agencies who attended the meeting collectively expressed a commitment to the task in Puerto Rico, which may of necessity be tempered by budgetary constraints. Finally, it was also agreed that the various technological problems need to be addressed if the proposed anti-violent crime initiatives are to be effective.



U. S. Department of Justice

Criminal Division

Office of the Assistant Attorney General

Washington, D.C. 20530

December 7, 1994

**MEMORANDUM FOR THE ATTORNEY GENERAL**

THROUGH: THE DEPUTY ATTORNEY GENERAL

FROM: Jo Ann Harris *Jo Ann Harris*  
Assistant Attorney General *by AMT*

SUBJECT: Anti-Violent Crime Initiatives in Puerto Rico and  
the Virgin Islands

PURPOSE: To inform you of progress in the development of  
law enforcement strategies in Puerto Rico and the  
Virgin Islands

TIMETABLE: Immediate

DISCUSSION:

You have asked for this update of efforts by the Criminal Division, in coordination with other Department components, to develop law enforcement strategies in Puerto Rico and the Virgin Islands.

With the designation on November 1, 1994, of the Caribbean High Intensity Drug Trafficking Area that will encompass both Puerto Rico and the Virgin Islands, recent efforts have focused on coordinating each district's violent crime strategies with the HIDTA, as well as coordination by the districts of the overall HIDTA enforcement effort.

Recent developments include the following:

- On October 27, 1994, we conducted meetings in the Criminal Division attended by U.S. Attorneys Guillermo Gil and Ron Jennings, as well as representatives of the Bureau of Justice Assistance, the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco and Firearms, U.S. Customs, and the National Guard. The meetings were designed to facilitate coordination of the Caribbean HIDTA, to discuss its relationship to the districts' violent crime strategies, and to discuss the issue of law enforcement resources in the districts.

- As a follow-up, on November 17, 1994, U.S. Attorney Gil met in the Virgin Islands with U.S. Attorney Jennings and representatives of ATF, FBI, DEA, U.S. Marshals Service, Immigration and Naturalization Service, Customs, and local Virgin Islands police officials. The purpose of this meeting was to facilitate coordination of the Caribbean HIDTA.<sup>1</sup>

- On November 21-22, 1994, FBI Deputy Assistant Directors Doug Wankel and Jim Frier met in Puerto Rico with Gil and local representatives of the FBI, DEA, and Puerto Rican law enforcement officials to discuss issues related to violent crime, drugs, and HIDTA. The FBI has committed to redirecting its priorities to address the U.S. Attorney's violent crime strategies.

- With respect to resources, the FBI plans to add, within the first few months of 1995, 11 or 12 agents to its complement in Puerto Rico, with 7 or 8 to be assigned to narcotics, and two to violent crime. The FBI will place three of these agents and one supervisor in the Virgin Islands. ATF will have a complement of six agents in Puerto Rico and, by February 5, 1995, will have two agents in the Virgin Islands, which currently has no ATF agents.

- In the first phase of community policing grants under the COPS program (Community Oriented Policing Services), Puerto Rico received two grants that should enhance significantly its ability to address violent crime. Twenty-two officers were authorized for the San Juan police, and 78 additional officers for the Police of Puerto Rico.<sup>2</sup>

- BJA has approved and fully funded technical assistance requests related to two violent crime strategies in Puerto Rico: the Joint Task Force for Violent Fugitives and the Public and Neighborhood Violence initiative. Approximately \$1.4 million of Byrne Formula Funds was reallocated to provide equipment and

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<sup>1</sup> Territorial Attorney General Rosalie Ballentine was invited to the meeting, but did not attend. As a result of the recent election of a new Governor, Ms. Ballentine will be out of office by the end of this month.

<sup>2</sup> We are advised that the Virgin Islands did not receive any grants out of the first round, and that its application under COPS Ahead, the second round, is unlikely to be approved. Nevertheless, as with other states, the Virgin Islands will receive at least 0.5% of the total amount appropriated for each year of the program.



facilities in support of these operations, aimed at violent fugitives and neighborhood gangs.<sup>3</sup>

- On October 7, 1994, Myrna Pere of INS-Puerto Rico submitted to INS headquarters a proposal to fund Puerto Rico's third short-term violent crime initiative, directed at violent illegal aliens.<sup>4</sup> This initiative, which seeks approximately \$42,000, would involve detailing two INS agents to target violent illegal aliens on the east coast of Puerto Rico for a six-month period. The initiative has the strong support of the U.S. Attorney, the Secretary of Justice and the Superintendent of POPR. On December 7, 1994, we were advised that INS headquarters had forwarded the proposal to its Eastern Region in Burlington, Vermont. Officials in that office view the plan submitted by INS-Puerto Rico as too broad. They have authorized funding to send two agents to Puerto Rico for 30 days to develop a revised plan. The two agents will be in Puerto Rico by next week.

- We understand that BJA and law enforcement officials in Puerto Rico are coordinating further in an effort to provide more formula grant funding for violent crime enforcement strategies.

- BJA also is coordinating with Virgin Islands officials, primarily with respect to HIDTA. Realistically, any meaningful progress will be achieved only after the change of administration.

### Conclusion

Although we will continue to work with the USAs in connection with their law enforcement strategies and resource levels, we are confident that the groundwork has been laid and that Guillermo Gil is doing a superb job of coordinating the various components involved in this effort. His outstanding relationships with federal and local law enforcement officials significantly enhance his ability to address violent crime effectively.

Progress in the Virgin Islands has been stymied by the lack of coordination between the U.S. Attorney and the territorial

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<sup>3</sup> The law enforcement strategies were implemented prior to the approval of the grant requests, which will provide substantial technical assistance to the ongoing conduct of the operations. By early next week, we expect to receive a preliminary report from the U.S. Attorney on the results of investigations arising from the violent crime strategies.

<sup>4</sup> Ms. Pere prepared and forwarded the proposal at the request of INS headquarters, which viewed the material we provided to them on this initiative as insufficiently detailed.

Attorney General. Additionally, federal resources in the district are severely limited, which has affected the ability of the U.S. Attorney to develop either an effective violent crime strategy or a plan for meaningful participation in the Caribbean HIDTA.

These problems should be alleviated by the addition of new FBI and ATF resources and by the change in government. Ron Jennings enjoys a cooperative relationship with the newly elected Governor's transition team. In fact, an AUSA in his office is working on the transition team.

The incoming Governor will appoint the next territorial Attorney General. We hope that with a new local contingent our efforts will not be plagued by false pride and real corruption. After the new local administration is settled in, we will send a team to the Virgin Islands to assess the situation and decide if the Criminal Division needs to put any of its extraordinarily stretched resources into the Virgin Islands.

Correspondence Routing and Action

1.From Criminal Division	2.Date 08/08/94	3.Suspense 08/11/94
	4.ODAG 089400327	5.EXEC Sec# 94080821766
Subject  8/5/94 MEMO PROVIDING AG WITH AN UPDATE OF PROGRESS IN CRM'S EFFORTS TO DEVELOP NEAR-TERM AND LONG-TERM STRATEGIES ADDRESSING VIOLENT CRIME IN PUERTO RICO		
6.EXEC ASST Review	7.Suspense	
Instructions		
8.From: Helen Jones	To: Dave Margolis	Date 08/09/94
Per Dennis, handle as appropriate. DAG should initial -- on AG's hit parade. Copy sent to Merrick.		
9.From:	To:	Date
10.From:	To:	Date
11.To EXEC Asst to:	Date	
12.Final Disposition:	Date	

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DEPARTMENT OF JUSTICE  
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: HARRIS, JO ANN, AAG, CRM  
To: AG.

ODD: 08-11-94

Date Received: 08-08-94 Date Due: 08-11-94 Control #: X94080821766

Subject & Date

08-05-94 MEMO PROVIDING THE AG WITH AN UPDATE OF PROGRESS IN CRM'S EFFORTS TO DEVELOP NEAR-TERM AND LONG-TERM STRATEGIES ADDRESSING VIOLENT CRIME IN PUERTO RICO. CRM WILL CONTINUE TO WORK WITH THE U.S. ATTORNEY AND OTHER FEDERAL AGENCIES TO DEVELOP A PROPOSED LONG-TERM STRATEGY BY AUGUST 19, 1994.  
ATTACHMENTS; THRU DAG.

Referred To:	Date:	Referred To:	Date:	
(1) DAG;GORELICK	08-08-94	(5)		W/IN:
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Sig. For: DAG		Date Released:		EHZ

Remarks

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Other Remarks:

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U.S. Department of Justice

Criminal Division

Assistant Attorney General

Washington, D.C. 20530

Aug 5, 1994

MEMORANDUM FOR THE ATTORNEY GENERAL

THROUGH: THE DEPUTY ATTORNEY GENERAL

FROM: Jo Ann Harris *Jo Ann Harris*  
Assistant Attorney General

SUBJECT: Violent Crime Initiative in Puerto Rico

PURPOSE: To inform you of progress in the violent crime initiative launched in Puerto Rico

TIMETABLE: Immediate

DISCUSSION:

This memorandum provides an update of Criminal Division efforts to develop near-term and long-term strategies addressing violent crime in Puerto Rico. Following meetings in Washington and San Juan, attended by representatives of the Criminal Division and federal and Commonwealth law enforcement officials in Puerto Rico, we have determined that the immediate needs are short-term strategies consisting of coordinated federal and local efforts in three major areas:

- Violent fugitives
- Public and neighborhood housing violence
- Violent illegal aliens.

The U.S. Attorney fully supports each of these proposed efforts and is prepared to devote the necessary resources from his office to handle the cases that would be generated by the implementation of this strategy. However, we have not in every case secured the support of the federal agencies that would be involved, in part because their participation is dependent on securing additional resources and, in some cases, on redirecting or refocusing current law enforcement priorities. Given the needed resources, each of these task force efforts could be

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implemented within approximately 30 days.<sup>1</sup>

### 1. Criminal Division Response Team

In mid-July, the Terrorism and Violent Crime Section (TVCS) sent a response team to Puerto Rico to meet with local officials and ascertain the most pressing needs. On July 19, 1994, the attorneys met with Acting United States Attorney Guillermo Gil and, along with Mr. Gil, chaired a meeting for the purpose of designing high-impact short-term initiatives. The meeting included additional representatives of the United States Attorney's Office, along with local leadership of the FBI, DEA, Marshals Service (USMS), INS Border Patrol, Navy, Customs Service, Secret Service and the Coast Guard. In subsequent meetings, the United States Attorney and the TVCS attorneys met separately with the federal investigative agencies and with representatives of the Office of the Secretary of Justice of Puerto Rico and the local superintendent of police.

These agencies all reported that they are presently dedicating a significant portion of their resources to violent crime and that they are working very hard in this area. However, they work with significant resource limitations both with respect to this problem and in comparison with other districts in the United States. Listed below are initiatives which reflect the major concerns of the local agencies.<sup>2</sup>

### 2. Recommendations

a. Joint Task Force for Violent Fugitives: Each enforcement agency in Puerto Rico expressed the view that the greatest short-term impact on violent crime could be achieved by an initiative targeting violent fugitives. Many expressed the view that such an initiative would begin showing results almost immediately. We propose that a joint task force be established,

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<sup>1</sup> We have discovered various sources of funding to support these strategies and are seeking additional sources. Attached at Tab A is the memorandum of DAAG Mary Lee Warren, setting forth our efforts to ascertain sources of funding. As set forth in the memorandum, the Bureau of Justice Assistance (BJA) reports that large portions of the resources allocated to Puerto Rico are unused each year due, in large part, to inexperience in applying and qualifying for the funding. BJA has committed to working with Puerto Rican officials and contractors assist them in this process.

<sup>2</sup> Attached at Tab B is a list of requested resources for each initiative. The list is being forwarded to BJA for identification of funded programs which can assist in the procurement of equipment and supplies. We will need to address the issue of funding for overtime and agent per diem.

to last for approximately one year.

Both local and federal law enforcement believe that a substantial number of the violent crimes in Puerto Rico are committed by fugitives. This task force would use intelligence to target very violent offenders who are wanted for serious crimes, including murder, witness intimidation, carjacking, robbery, assault and narcotics trafficking. Fugitives arrested in possession of firearms or drugs would be considered for federal prosecution, and the Commonwealth prosecutor handling the local prosecution could be considered for cross-designation.

On the basis of our discussions with the local officials, we propose that the task force would have an oversight group consisting of the local component heads of the FBI and USMS and a local police chief. The USMS would contribute one supervisor and five deputies. The FBI would contribute three agents. The Police of Puerto Rico (POPR) would contribute ten officers from its fugitive unit. There would be liaison agents from DEA and ATF.

b. Public and Neighborhood Housing Violence: It is the view of the United States Attorney that a most important short-term initiative is a task force to start taking back public housing projects and other low-income neighborhoods from violent narcotics-trafficking gangs. These gangs assume control of these areas and use violence, including murder, as a means of enforcing control over turf. The gangs are also responsible for a large number of carjackings, a number of which are committed to facilitate the transportation of narcotics.

We propose that this initiative provide intensive surveillance of street level drug dealing, undercover buys, and infiltration of neighborhood groups. The operation would incorporate the assistance of POPR, which has already identified targets and trafficking patterns. The effort would also require coordination with HUD. It is hoped that over time this operation would lead to the eradication of the largest of the drug gangs and the establishment of a POPR sub-station in the neighborhood.

c. Violent Illegal Aliens: Both federal and commonwealth enforcement officers and prosecutors believe that a significant amount of violent crime and narcotics trafficking in Puerto Rico is committed by illegal aliens, particularly from the Dominican Republic. There are areas on the northeast coast of Puerto Rico that have been taken over by aliens that travel with little impediment from the Dominican Republic. While several Dominican criminal organizations operate in various parts of the island, the communities on the northeast coast are a safe haven.

This initiative proposes a six-month operation in this area using two INS agents to operate undercover. We believe that the

agents can use nearby office space provided by the Navy. The operation would involve surveillance and the use of informants. The goal would be a coordinated takedown (and deportation) of a large number of illegal aliens and a simultaneous seizure of illegal weapons and narcotics.

### 3. Conclusion

We plan to continue seeking resources to implement these strategies as quickly as possible. We will meet with high-ranking officials of the various federal agencies to secure their cooperation in short-term funding of these strategies.

During their visit to Puerto Rico, our response team also initiated discussions concerning long-term enforcement strategies. Those discussions were preliminary in nature. We will continue to work with the U.S. Attorney and other federal agencies to develop a proposed long-term strategy by August 19, 1994.

Attachments