

In Prosecution of Gang, a Chilling Adversary: The Code of the Streets

By DAVID KOCIENIEWSKI

TRENTON, Sept. 18 — In the days after Jeri Lynn Dotson, a member of the Latin Kings, was killed in front of her 2-year-old daughter, her death stood as a particularly heartless example of the dangers of being seen as a potential crime witness.

Ms. Dotson, 23, saw fellow gang members kidnap a man who was later choked and left for dead in a garbage bin on Aug. 30, 2004. The next day, she was shot twice in the head and left on the floor of her Trenton home with a cigarette lighter and pieces of candy on her body.

Her killing set off a new round of witness intimidation, and presented a stark challenge for the authorities: how to make a case against the gang members suspected of killing her. The police and prosecutors have lined up four Latin Kings members to testify, pledging to protect them against threats, offering them plea bargains and reduced sentences in return for their testimony and their promise not to back down.

But the case has not gone smoothly. One witness was attacked while in protective custody and scalded in the face with hot oil. And a Latin Kings leader charged in Ms. Dotson's killing said in a jailhouse interview this month that the gang members now cooperating with prosecutors were unlikely to make it to the witness stand, or to survive if they testified.

"Snitches wear stitches," the leader, Jose Negrete, 25, said with a smile.

In recent years, the authorities in New Jersey have struggled to successfully prosecute cases involving all sorts of homicides, as the state's murder rate has climbed and the problem of witness intimidation has spread. But for prosecutors, who do not get to pick their cases, it is hard to rival the hardships of making a case like the one intended to avenge Ms. Dotson.

Still, they are bound by duty. Even if Ms. Dotson, who was a "queen" in the gang, was not the most sympathetic victim, imprisoning her killers may spare more lives in the future. And so this week, prosecutors are in court here selecting jurors and keeping their fingers crossed, determined to prevent the threats to witnesses from derailing their case against the first of the men to be tried in Ms. Dotson's killing.

To appreciate the complexities of their task, consider the efforts to persuade Roberto Rodriguez, former head of Trenton's Latin Kings, to testify against the accused killers of Ms. Dotson — men who are members of a gang he has belonged to for more than a decade.

A native of Chicago, the birthplace of the Latin Kings, Mr. Rodriguez, 32, is known as Bam-Bam. He joined the gang as a teenager and his activities there earned him a criminal record for drug sales and a reputation as a low-key but loyal soldier. By early 2003, according to police records, he had moved to Trenton, and he later served briefly as the interim Inca, or leader, of the gang's eight members in the area.

Mr. Negrete was elected to replace Mr. Rodriguez as the gang's local leader on July 4, 2004. The gang's membership quickly grew, and a violent rivalry with another gang, the Ñetas, soon developed.

By the end of August, the feud had escalated, and Alex Ruiz, a member of the Ñetas, was kidnapped, strangled and left for dead. Mr. Ruiz lived. But a day after his kidnapping, Ms. Dotson was killed. Detective Frank Clayton, then the gang specialist for the Trenton police, suspected that she had been killed because other members of the Latin Kings doubted her loyalty — she had dated a Ñeta leader — and feared she might testify about what she had seen. Detective Clayton, Detective Sgt. Albert DiNatale and prosecutors eventually pieced together what they believed was the violent sequence of events: Mr. Negrete had ordered the kidnapping and attack on Mr. Ruiz, and it was Mr. Rodriguez who had carried out the attack. The investigators, turning gang members against one another, then concluded that Mr. Negrete had also ordered Ms. Dotson's killing.

Prosecutors wanted to strengthen their case against Mr. Negrete and others by persuading Mr. Rodriguez to turn on them. Mr. Rodriguez, who faced a lengthy prison sentence if convicted in Mr. Ruiz's kidnapping, agreed to testify against Mr. Negrete in exchange for a reduced sentence of 12 years.

In 2005, prosecutors placed Mr. Rodriguez in a special wing of the Mercer County Jail. A few weeks later, he was summoned to the door of his cell, where a small slot opens to allow food trays to slide in and out. As he put his face near the opening, Mr. Rodriguez was showered with a scalding mixture of water and baby oil that had been heated in a microwave. He suffered burns so severe that he was hospitalized.

The inmate who admitted to the attack, according to an incident report, spelled out his simple motive.

"I heard he was a snitch," the inmate told investigators.

Mr. Rodriguez has been returned to protective custody at the jail, and his family, including his child, has moved from the area. He is scheduled to appear in court this week in the prosecution of Angel Hernandez, 21, the man charged with being Mr. Negrete's triggerman in the killing of Ms. Dotson. It remains to be seen whether the threats and violence will sway Mr. Rodriguez's testimony.

Mr. Negrete, in an interview at the jail, did not stifle a smile when asked about the attack on Mr. Rodriguez. Mr. Negrete said he was not involved. He indicated that there would be no need to order retribution against a gang member who cooperates with the police, because it is such a severe violation of the street code that retaliation is almost inevitable.

Whatever Mr. Rodriguez does on the witness stand, prosecutors say they are confident that they have enough other evidence against Mr. Hernandez, including his own confession and the testimony of three other gang members who have accused him of shooting Ms. Dotson. James Sacks-Wilner, Mr. Hernandez's lawyer, insists that his client did not kill Ms. Dotson. He contends that Mr. Hernandez confessed to the crime only because Mr. Negrete had ordered him to, and said he would kill Mr. Hernandez's family if he did not.

Mr. Negrete, in the interview, said he believed Mr. Rodriguez and the three other Latin Kings who have agreed to cooperate would ultimately realize that the risks of testifying far outweigh any benefit.

"What's Bam-Bam going to do, take his plea deal, do his 12 years in protective custody?" he said. "Then what? What's he going to do when he gets out? Where's he going to go where no one will be able to find him?"

Directions: Answer the following questions on your own sheet of paper. Each answer should be in complete sentences.

1. Who witnessed Ms. Dotson's murder? Who ordered Ms. Dotson's assassination? What was their motivation?
2. What had the police offered their witnesses against the Latin Kings (a gang)?
3. What role did Ms. Dotson have within the Latin Kings?
4. What are the risks of testifying against a gang? What quality seems to be the most important one within a gang (for example: honesty, trustworthiness, responsibility, etc.)?