

# CRS Report for Congress

## Gangs in Central America

Updated January 11, 2008

Clare Ribando Seelke  
Analyst in Latin American Affairs  
Foreign Affairs, Defense, and Trade Division



Prepared for Members and  
Committees of Congress

# Gangs in Central America

## Summary

The 110<sup>th</sup> Congress maintains a keen interest in the effects of crime and gang violence in Central America, and its spillover effects on the United States. Since February 2005, more than 1,758 alleged members of the violent Mara Salvatrucha (MS-13) gang have been arrested in cities across the United States. These arrests are raising concerns about the transnational activities of Central American gangs. Governments throughout the region are struggling to find the right combination of suppressive and preventive policies to deal with the gangs. Some analysts assert that increasing U.S. deportations of individuals with criminal records to Central American countries may be contributing to the gang problem.

Most experts argue that the repressive anti-gangs laws adopted by El Salvador and Honduras have failed to reduce violence and homicides in those countries, and that law enforcement solutions alone will not solve the gang problem. Analysts also predict that illicit gang activities may accelerate illegal immigration and trafficking in drugs, persons, and weapons to the United States, although a recent United Nations report challenges those assertions. Others maintain that contact between gang members across the regions is increasing, and that this tendency may cause increased gang-related violent crime in the United States.

Several U.S. agencies have been actively engaged on both the law enforcement and preventive side of dealing with Central American gangs. The National Security Council (NSC) created an inter-agency task force to develop a comprehensive, three-year strategy to deal with international gang activity. The strategy, which is now being implemented, states that the U.S. government will pursue coordinated anti-gang activities through five broad areas: diplomacy, repatriation, law enforcement, capacity enhancement, and prevention.

During the first session of the 110<sup>th</sup> Congress, immigration legislation was introduced – H.R. 1645 (Gutierrez), S. 330 (Isakson), and S. 1348 (Reid) – that included provisions to increase cooperation among the United States, Mexico, and Central America in the tracking of gang activity and in the handling of deported gang members. On October 2, 2007, the House passed H.Res. 564 (Engel) supporting expanded cooperation between the United States and Central America to combat crime and violence. In the joint explanatory statement to the Consolidation Appropriations Act, FY2008 (H.R. 2764/P.L. 110-161), the conferees included the provision of \$8 million to the State Department to combat criminal youth gangs, \$3 million more than the Administration's request. During its second session, the 110<sup>th</sup> Congress may consider the Mérida Initiative, a new aid package for Mexico and Central America introduced by the Administration on October 22, 2007. The Mérida Initiative includes some \$50 million for Central American countries, some of which would be used to support country and regional anti-gang efforts. Congress may also consider funding for anti-gang efforts as part of the FY2009 budget process.

For information on the activities of Central American gangs in the United States, see CRS Report RL34233, *The MS-13 and 18<sup>th</sup> Street Gangs: Emerging Transnational Gang Threats*, by Celinda Franco. This report will be updated.

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# Gangs in Central America

## Introduction

In recent years, Administration officials and Members of Congress have expressed ongoing concerns about gangs and violence in Central America, and its spillover effects on the United States.<sup>1</sup> Policy-makers in countries throughout the region, including in the United States, are struggling to find the right mix of suppressive and preventive policies to confront the gang problem. Most agree that a comprehensive, regional approach to gangs is necessary to prevent further escalation of the problem.

During its second session, the 110<sup>th</sup> Congress will likely maintain an interest in crime and gang violence in Central America, and in the related activities of Central American gangs in the United States. Congress may consider the level of aid that is most appropriate to help Central American countries combat gang activity and what types of programs are most effective in that effort. In addition, as in the first session, some Members of Congress may take an interest in the effects of U.S. immigration policy, particularly increasing deportations of individuals with criminal records to Central America, on the gang problem. This report describes the gang problem in Central America, discusses country and regional approaches to deal with the gangs, and analyzes U.S. policy with respect to gangs in Central America. It concludes with a discussion of policy issues that Members of Congress may encounter in addressing aspects of U.S. international anti-gang efforts.

## Defining Gangs

Academics and other experts on gangs continue to debate the formal definition of the term “gang” and the types of individuals that should be included in definitions of the term.<sup>2</sup> Generally, there is agreement that gangs usually have a name and some sense of identity that can sometimes be indicated by symbols such as clothing, graffiti, and hand signs that are unique to the gang. Gangs are thought to be composed of members ranging in age from 12 to 24, but some gang members are adults well over the age of 24. Typically, gangs have some degree of permanence and organization and are generally involved in delinquent or criminal activity. Gangs may be involved in criminal activities ranging from graffiti, vandalism, petty theft, robbery, and assaults to more serious criminal activities, such as drug trafficking,

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<sup>1</sup> For information on Central American gangs active in the United States, see CRS Report RL34233, *The MS-13 and 18<sup>th</sup> Street Gangs: Emerging Transnational Gang Threats*, by Celinda Franco.

<sup>2</sup> This section was drawn from CRS Report RL33400, *Youth Gangs: Background, Legislation and Issues*, by Celinda Franco.

drug smuggling, money laundering, alien smuggling, extortion, home invasion, murder, and other violent felonies.

Gangs are generally considered to be distinct from organized criminal organizations because they typically lack the hierarchical leadership structure, capital, and manpower required to run a sophisticated criminal enterprise. Gangs are generally more horizontally organized, with lots of small subgroups and no central leadership setting strategy and enforcing discipline. Although some gangs are involved in the street-level distribution of drugs, few gangs or gang members are involved in higher-level criminal drug distribution enterprises run by drug cartels, syndicates, or other sophisticated criminal organizations.

## Violent Crime Rates in Central America

Latin America has among the highest homicide rates in the world, and in recent years murder rates have been increasing in several countries in Central America. Latin America's average rate of 27.5 homicides per 100,000 people is three times the world average of 8.8 homicides per 100,000 people.<sup>3</sup> Based on the most recent crime trend surveys (CTS) data available from the United Nations Office on Drugs and Crime (UNODC), Guatemala and El Salvador are among the most violent countries in the world for which standardized data has been collected.<sup>4</sup> Whereas homicide rates in Colombia, historically the most violent country in Latin America, have fallen in the past few years, homicides have increased in El Salvador, Guatemala, and Honduras. In 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras, and 38 in Guatemala. In Costa Rica and Nicaragua, the corresponding figures were 6.2 and 8 respectively.<sup>5</sup>

Since most Central American countries exhibit many of the risk factors that have been linked to high violent crime rates, the region's current crime problems and related consequences are likely to continue in the near future. Scholars have identified income inequality as the strongest predictor of violent crime rates. Central America, along with Southern Africa and South America, is one of the most unequal regions in the world.<sup>6</sup> UNODC contends that Central American countries are particularly vulnerable to violent crime fueled by drug trafficking and corruption

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<sup>3</sup> World Health Organization, *World Report on Violence and Health, 2002*, Available at [[http://www.who.int/violence\\_injury\\_prevention/violence/world\\_report/en/](http://www.who.int/violence_injury_prevention/violence/world_report/en/)].

<sup>4</sup> No standardized CTS data are available for Honduras, but police statistics indicate that it also has a serious murder problem. See United Nations Office on Drugs and Crime (UNODC), *Crime and Development in Central America: Caught in the Crossfire*, May 2007, available at [[http://www.unodc.org/pdf/research/central\\_america\\_study.pdf](http://www.unodc.org/pdf/research/central_america_study.pdf)].

<sup>5</sup> Although police statistics are not entirely reliable, they provide a starting point for comparing the relative severity of violent crime in different countries. See "Guatemala, El Salvador, and Honduras Register Highest Crime Rates in Central America," *Global Insight Daily Analysis*, April 27, 2007.

<sup>6</sup> Costa Rica is an exception to this regional trend. See D. Ledermann et al., "Determinants of Crime Rates in Latin America and the World," *World Bank*, October 1998.

because they are geographically located between the world's largest drug producing and drug consuming countries. Some 90% of the cocaine shipped from the Andes to the United States flows through Central America.<sup>7</sup> Other traits that make many Central American countries vulnerable to violent crime include highly urbanized populations, growing youth populations, high unemployment rates, a widespread proliferation of firearms, and an enduring legacy of prolonged civil conflicts. Low criminal justice capacity, corruption, and an absence of political will to fight crime in a holistic manner have also hindered countries' ability to respond to violent crime.<sup>8</sup>

## Scope of the Gang Problem in Central America

In recent years, Central American governments, the media, and many U.S. officials have attributed a large proportion of violent crime in the region to youth gangs or *maras*, many of which have ties to the United States. The major gangs operating in Central America with ties to the United States are the "18<sup>th</sup> Street" gang (also known as M-18), and their main rival, the *Mara Salvatrucha* (MS-13). The 18<sup>th</sup> Street gang was formed by Mexican youth in the Rampart section of Los Angeles in the 1960s who were not accepted into existing Hispanic gangs. It was the first Hispanic gang to accept members from all races and to recruit members from other states. MS-13 was created during the 1980s by Salvadorans in Los Angeles who had fled the country's civil conflict. Although FBI officials have described MS-13 as a loosely structured street gang, it is expanding geographically throughout the region and becoming more organized and sophisticated.<sup>9</sup>

Estimates of the number of gang members in Central America vary widely, but the U.S. Southern Command has placed that figure at around 70,000, a figure also cited by the United Nations. The gang problem is most severe in El Salvador, Honduras, and Guatemala. Estimates of Central American gang membership vary considerably, but UNODC cites country membership totals of some 10,500 in El Salvador, 36,000 in Honduras, and 14,000 in Guatemala. These figures are compared to 4,500 in Nicaragua, 1385 in Panama, and 2,660 in Costa Rica.<sup>10</sup>

Press reports and some current and former Central American officials have blamed MS-13 and other gangs for a large percentage of violent crimes committed in those countries, but some analysts assert that those claims may be overblown.<sup>11</sup> In recent congressional testimony, Geoff Thale, a gang expert from the non-governmental Washington Office on Latin America, argued that, although gangs may

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<sup>7</sup> UNODC, May 2007.

<sup>8</sup> Ibid.

<sup>9</sup> Arian Campo-Flores, "The Most Dangerous Gang in America," *Newsweek*, March 28, 2005; USAID, *Central America and Mexico Gang Assessment*, April 2006, available at [[http://www2.usaid.gov/locations/latin\\_america\\_caribbean/democracy/gangs.html](http://www2.usaid.gov/locations/latin_america_caribbean/democracy/gangs.html)].

<sup>10</sup> Testimony of General Bantz J. Craddock, Commander, U.S. Southern Command, before the Senate Armed Services Committee, March 15, 2005; UNODC, May 2007.

<sup>11</sup> For example, see Federico Brevé, former Minister of Defense of Honduras, "The Maras: A Menace to the Americas," *Military Review*, July-August 2007.

be more visible than other criminal groups, gang violence is only one part of a broad spectrum of violence in Central America.<sup>12</sup> In El Salvador, for example, officials have blamed gangs for 60% of all murders committed annually, but UNODC contends that evidence to support that conclusion is lacking. Similarly, a recent police study only attributes 14% of the 427 murders committed in Guatemala in January 2006 to gang activity.<sup>13</sup> In fact, the regions of Guatemala with the highest murder rates tend to be those without a significant gang presence, but where organized criminal groups and narco-traffickers are particularly active.<sup>14</sup> For example, despite (or perhaps because) of its isolated and rural location, Petén had the second highest murder rate in Guatemala in 2004, probably due to its role in regional drug trafficking operations.

Although the actual percentage of homicides that can be attributed to gangs in Central America remains controversial, the gangs have been involved in a broad array of other criminal activities. Those activities include kidnaping; human trafficking; drug, auto, and weapons smuggling. Gangs have also been involved in extortions of residents, bus drivers, and business-owners in major cities throughout the region. In San Salvador, for example, gangs regularly demand that citizens pay “war taxes.” Failure to pay often results in harassment or violence by gang members.

There are some reports of gang activity in Mexico and along the U.S.-Mexico border. Until Hurricane Stan hit in October 2005, MS-13 members were active in southern Mexico where they often charged migrant smugglers to let their groups pass and sometimes worked in collaboration with Mexican drug cartels. MS-13 members are reportedly being contracted on an ad-hoc basis by Mexico’s warring cartels to carry out revenge killings. Regional and U.S. authorities have confirmed gang involvement in regional drug trafficking.<sup>15</sup>

Notably, analysts find no link between Central American gangs and Al Qaeda or other terrorist groups.<sup>16</sup>

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<sup>12</sup> Thale asserted that the spectrum of violence in Central America includes intra-familial violence, street crime, politically-motivated crimes, drug-related violence, and “traditional” organized crime. See Testimony of Geoff Thale, Program Director of the Washington Office on Latin America before the House Committee on Foreign Affairs Subcommittee on the Western Hemisphere, June 26, 2007.

<sup>13</sup> J. Lara, “Hipótesis Sobre 427 Muertes,” *Prensa Libre*, February 2, 2006.

<sup>14</sup> Washington Office on Latin America and the Instituto Tecnológico Autónomo de México, *Transnational Youth Gangs in Central America, Mexico and the United States*, March 2007, available at [[http://www.wola.org/index.php?option=com\\_content&task=viewp&id=272](http://www.wola.org/index.php?option=com_content&task=viewp&id=272)].

<sup>15</sup> “Criminal Gangs in the Americas,” *Economist*, January 5, 2006; “Gangs Undermine Security, Democracy,” *Miami Herald*, March 30, 2006; “Marked Men,” *Dallas Morning News*, October 29, 2006.

<sup>16</sup> Testimony of Chris Swecker, Assistant Director, Criminal Investigation Division, Federal Bureau of Investigation, before the Subcommittee on the Western Hemisphere of the House Committee on International Relations, April 20, 2005.

## Factors Exacerbating the Gang Problem in Central America

### **Poverty and a Lack of Educational and Employment Opportunities.**

Several organizations working directly with gang members have asserted that the combination of poverty, social exclusion, and a lack of educational and job opportunities for at-risk youth are perpetuating the gang problem. In Honduras, for example, close to 30% of the population is youth ages 15-24. Those youth have very limited opportunities in a country where some 65% of the population lives on less than \$2 a day and the unemployment rate was 25% in 2005. A 2007 World Bank risk assessment for Honduras states that the country has large numbers of unemployed youth who are not in school and, unable to develop the skills required for attending a university or obtaining skilled employment, provide a ready pool of gang recruits.<sup>17</sup> In the absence of familial and community support, many marginalized youth have turned to gangs for social support, a source of livelihood, and protection.

**Societal Stigmas.** Societal stigmas against gangs and gang-deportees from the United States have made the process of leaving a gang extremely difficult. A recent State Department report on youth gangs in El Salvador identifies religious conversion, marriage, enlistment in the military, or enrollment in a substance abuse rehabilitation program as the few options available for those who seek to leave a gang. Many organizations that work with former gang members, particularly those with criminal records, say that offender reentry is a major problem in many countries. Ex-gang members report that employers are often unwilling to hire them. Tattooed former gang members, especially returning deportees from the United States who are often native English speakers, have had the most difficulty finding gainful employment. In El Salvador, some 200 gang members have gone through complete tattoo removal during the last three years, a long and expensive process, which many feel is necessary to better blend in to Salvadoran society.<sup>18</sup>

**Role of the Media.** Many recent studies have observed that sensationalist media coverage of the gang phenomenon in Central America has contributed to a sense of insecurity in the region and may have inadvertently enhanced the reputation of the gangs portrayed. For example, a 2006 USAID gangs assessment found that rival gangs in Honduras often compete to see who can portray the most brutal and/or delinquent activities in order to capture the most media attention. Exaggerated media reports may have also contributed to the popular perception, which has been backed by some politicians in Guatemala, Honduras and El Salvador, that youth gangs are responsible for the majority of violent crime in those countries. This sentiment, however erroneous, has led many Central American citizens to support tough law enforcement measures against gangs, hire private security firms, and, in isolated cases, take vigilante action against suspected youth gang members.<sup>19</sup>

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<sup>17</sup> Sara Michel, Elizabeth Utting, and Bob Moquin, "Honduras: a Risk Assessment," *World Bank*, February 2007.

<sup>18</sup> U.S. Department of State, Bureau of Democracy, Human Rights and Labor, "Issue Paper: Youth Gang Organizations in El Salvador," June 2007.

<sup>19</sup> Testimony of Lainie Reisman before the House Committee on Foreign Affairs (continued...)



**Anti-gang Law Enforcement Efforts.** One 2006 study by a human rights group further argues that the repressive policing techniques adopted by many Central American governments may have partly contributed to gangs “becoming more organized and more violent.”<sup>20</sup> Instead of focusing on law enforcement efforts on capturing top gang leaders, current anti-gang initiatives in many countries have rounded up any and all tattooed youth, many of whom were later released for lack of evidence against them. For example, Salvadoran police estimate that more than 10,000 of some 14,000 suspected gang members arrested in 2005 were later released for lack of evidence against them.<sup>21</sup> In response to these law enforcement strategies, gangs are now changing their behavior to avoid detection. Many gang members are now hiding or removing their tattoos, changing their dress, and avoiding the use of hand signals, making them harder to identify and to arrest.

## U.S. Deportations to Central America and the Gang Problem

Some analysts argue that U.S. immigration policy has exacerbated the gang problem in Central America. By the mid-1990s, the civil conflicts in Central America had ended and the United States began deporting undocumented immigrants, many with criminal convictions, back to the region, particularly after the passage of the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) of 1996. IIRIRA expanded the categories of aliens subject to deportation and made it more difficult for aliens to get relief from removal.<sup>22</sup>

U.S. deportations to Latin American and Caribbean countries constitute the overwhelming majority of U.S. deportations worldwide. In FY2006, Latin American and Caribbean countries accounted for 95% of the almost 197,000 aliens deported. The Central American countries of Honduras, Guatemala, and El Salvador are now the countries in the region with the highest number of U.S. deportations after Mexico. In FY2006, more than 26,000 Hondurans, 18,000 Guatemalans, and 10,000 Salvadorans were deported. These three countries were also the three top recipients of deportees on a per capita basis. For all Central American countries, with the

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<sup>19</sup> (...continued)

Subcommittee on the Western Hemisphere, June 26, 2007. For more on the politicization of the gang problem, see Lainie Reisman, “Breaking the Vicious Cycle: Respond to Central American Gang Violence,” *Sais Review*, Vol. 26, Summer 2006. The State Department Human Rights Reports covering Guatemala and Honduras for 2006 include references to NGO reports that vigilante killings of youths (including suspected gang members) have continued to occur. NGOs in both countries have asserted that these youth killings may have been perpetrated by groups that included members of the security forces.

<sup>20</sup> Ana Arana, “How the Street Gangs Took Central America,” *Foreign Affairs*, May/June 2005; Mary Helen Johnson, “National Policies and the Rise of Transnational Gangs,” *Migration Policy Institute*, April 1, 2006; USAID, April 2006; “Youth Gangs in Central America,” *Washington Office on Latin America*, November 2006.

<sup>21</sup> “El Salvador: Murder Rate Soars in 2005,” *Latinnews Daily*, January 4, 2006; “Most of 14,000 Gang Members Arrested in El Salvador Were Released,” *EFE News Service*, December 27, 2005.

<sup>22</sup> For more information, see CRS Report RL32480, *Immigration Consequences of Criminal Activity*, by Michael John Garcia.

exception of Panama, those deported on criminal grounds were a much smaller percentage than the regional average, which stood at 45% in 2006. For example, about 20% of Guatemalans and Hondurans were removed on criminal grounds in 2006. (See **Table 1** for FY2005-FY2007 deportations by country for Central America.)

In Central America, policymakers are concerned that increasing U.S. deportations of individuals with criminal records has exacerbated the gang problem.<sup>23</sup> Between 2000 and 2004, an estimated 20,000 criminals were sent back to Central America, many of whom had spent time in prisons in the United States for drug and/or gang-related offenses. Many contend that gang-deportees have “exported” a Los Angeles gang culture to Central America, and that they have recruited new members from among the local populations.<sup>24</sup> Although a recent United Nations study says there is little conclusive evidence to support their claims, the media and many Central American officials have attributed a large proportion of the rise in violent crime in the region on gangs, particularly gang-deportees from the United States.

Central American officials have called on the United States to provide better information on deportees with criminal records. In recent testimony before the House Subcommittee on the Western Hemisphere, the Honduran Ambassador asserted that while the United States now provides information on the criminal background of deportees, information is not provided on whether the repatriated nationals are gang members.

## Country and Regional Responses to the Gang Problem

Most gang activity in Central America has occurred in El Salvador, Honduras, and Guatemala. Honduras and El Salvador have enacted aggressive anti-gang laws, whereas Nicaragua and Panama — two countries in which the gang problem has yet to pose a major security threat — have adopted youth crime prevention strategies. The Guatemalan government, which has yet to enact comprehensive gang legislation, supports both strengthening law enforcement capacity to combat criminal gangs, and expanding gang prevention programs. An April 2006 USAID assessment found that country and regional efforts to address gangs have been “fragmented, disjointed and [that they] further underscore the need for coordinated action and leadership.”

### Honduras

In 2003, Honduras passed tough anti-gang legislation that established stiff prison sentences for gang membership. While the initial crackdown reduced crime

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<sup>23</sup> Robert L. Lopez, Rich Connell, and Chris Kraul, “Gang Uses Deportation to its Advantage to Flourish in the U.S.,” *Los Angeles Times*, November 1, 2005.

<sup>24</sup> Ana Arana, “How the Street Gangs Took Central America,” *Foreign Affairs*, May/June 2005.

significantly and was popular with the public, it was opposed by human rights groups concerned about abuses of gang suspects by vigilante groups and police forces, and its effects on civil liberties. The 2007 State Department human rights report covering Honduras includes NGO reports of killings of youth, including suspected gang members, by vigilante groups. One NGO reports that some 2,000 youth have died since the *mano dura* (“firm hand”) legislation was adopted.<sup>25</sup> There has also been ongoing concern about the law’s effects on already poor prison conditions.

Beginning in 2006, the new government of Manuel Zelaya announced measures to use dialogue to convince gang members to give up violence and re-integrate into society, but subsequently has focused more on traditional law enforcement action to crack down on the gangs. The Honduran government also continues to rely on private groups to run most rehabilitation and offender reentry programs. In September 2006, the government launched Operation Thunder to increase the number of police and military patrols in the streets and conduct joint raids. It led to 1,600 arrests. The Zelaya government has been criticized by human rights organizations for proposing the creation of a Special Forced Battalion in the national police; these groups fear that such a move could lead to the “militarization” of the police. Despite government efforts, crime and violence in Honduras have continued unabated.<sup>26</sup>

## El Salvador

In July 2004, El Salvador’s Congress unanimously approved President Tony Saca’s *Super Mano Dura* (“Super Firm Hand”) package of anti-gang reforms despite vocal criticisms by the United Nations and others that its tough provisions violate international human rights standards. Since that time, human rights groups have reported examples of targeted harassment and violence by police against suspected gang members and gang-deportees. However, a recent State Department paper on youth gangs in El Salvador states that there have been “no credible reports of police engaging in extrajudicial killings of gang members.”<sup>27</sup>

In addition to enacting tough anti-gang legislation, in 2005, El Salvador’s legislature tightened gun ownership laws, especially for youths, and President Saca initiated joint military and police patrols in high-crime areas. The Saca government also began to allocate 20% of anti-gang funds for prevention and rehabilitation programs. In 2006, the Salvadoran government created a new Ministry of Public Security and Justice, increased joint military and police patrols, and unveiled a draft

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<sup>25</sup> Thelma Mejía, “In Tecucigalpa, the Iron Fist Fails,” *NACLA*, Vol. 40, No. 4, July/August 2007.

<sup>26</sup> “Honduras’ Operation Thunder: The Effort to Stem Rising Crime,” *Stratfor*, October 30, 2006; “In Tegucigalpa, The Iron Fist Fails,” *NACLA Report on the Americas*, July 1, 2007.

<sup>27</sup> Several NGO reports are summarized in “No Place to Hide: Gang, State, and Clandestine Violence in El Salvador,” *The International Human Rights Clinic at Harvard Law School*, February 2007; U.S. Department of State, Bureau of Democracy, Human Rights and Labor, “Issue Paper: Youth Gang Organizations in El Salvador,” June 2007.

law against organized crime. Despite those efforts, El Salvador recorded 3,761 murders in 2006, a slight increase from 2005.<sup>28</sup>

## Guatemala

In Guatemala, youth gangs are just one part of a broader crime problem involving organized crime and drug cartels. In December 2005, President Oscar Berger announced that he would deploy joint military and police forces to contain violent crime. These joint forces were necessitated by rank depletion within the Guatemalan police that had occurred as some 4,000 officers were dismissed for irregular or criminal activities. The need to develop other measures to counter corruption by prison guards emerged after gang warfare in the prison system, facilitated by contraband and unauthorized visitations allowed by prison staff, resulted in 53 inmate deaths in August and September 2005. More recently, the February 2007 killing of three Salvadoran legislators and their driver and the subsequent killing of the four Guatemalan police officers accused of the legislators' murders drew international attention to the related problems of corruption, crime and impunity in Guatemala. In late May 2007, attacks by youth gangs demanding payoffs from bus drivers halted service between Guatemala City and Antigua, one of the country's top tourist destinations.<sup>29</sup>

The Guatemalan Congress has approved organized crime legislation criminalizing racketeering and enabling law enforcement to use modern investigative tools such as wiretaps and undercover operations. Other measures pending before the legislature would reform the penal code and regulate private security firms. While the Guatemalan interior minister has attributed many of the country's 5,629 murders in 2006 to inter-gang conflict, evidence suggests that drug cartels and organized criminal groups are actually responsible for a larger percentage of violent crime.<sup>30</sup> Law enforcement solutions have been the immediate focus of the Berger government, but some prevention and rehabilitation programs have also been created. On November 4, 2007, Guatemalans elected Alvaro Colom, a businessman from the center-left, as president in a second round of voting. Colom, who espoused a more holistic approach to addressing crime than his opponent, retired general Otto Pérez Molina, is expected to address crime and security issues early in his term.<sup>31</sup>

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<sup>28</sup> "El Salvador: Crime Busted?" *Economist Intelligence Unit*, December 18, 2006; "Salvadoran Murder Rate in 2006 Remains Unchanged," *Global Insight Daily Analysis*, January 3, 2007.

<sup>29</sup> "Government to Purge 1,500 Police Officers," *EFE*, December 7, 2005; "Guatemala: Mara Shootout Claims 14 Lives," *Latinnews Daily*, September 20, 2005; Manuel Roig-Francia, "Linked Killings Undercut Trust in Guatemala," *Washington Post*, March 23, 2007; "Gang Violence Halts Bus Service in Guatemala," *EFE*, May 30, 2007.

<sup>30</sup> "Ten Years On, Peace Remains Distant," *Latin News Weekly Report*, January 4, 2007; UNODC, May 2007.

<sup>31</sup> "Security, Crime Are Top Issues Facing New Guatemalan President," *State Department Press Releases*, November 14, 2007.

## Panama and Nicaragua

Although their efforts have received considerably less international attention than El Salvador and Honduras, other Central American countries have developed a variety of programs to deal with the gang problem. In September 2004, Panamanian President Martin Torrijos launched *Mano Amiga* (“Friendly Hand”), a crime prevention program that provides positive alternatives to gang membership for at-risk youths. Aimed at children aged 14-17, the government program, which was supported by a number of domestic and international non-governmental institutions, sought to provide access to theater and sports activities for some 10,000 Panamanian youth. Nicaragua has also adopted a national youth crime prevention strategy that, with the active involvement of the police, focuses on family, school, and community interventions.

## Regional Efforts

**Organization of American States (OAS).** On June 7, 2005, the OAS passed a resolution to hold conferences and workshops on the gang issue and to urge member states to support the creation of holistic solutions to the gang problem. The OAS unit focused on the problem of gangs in the Americas is located within the Organization’s Secretariat for Multidimensional Security. In the past two years, the OAS has hosted meetings and conferences on the gang problem in Latin America and conducted an 8-country study of gangs in the region that should be available later this year. The OAS is also developing a regional strategy for promoting inter-American cooperation in dealing with gangs.

On June 5, 2007 the OAS General Assembly passed a resolution to promote hemispheric cooperation in confronting criminal gangs that instructs the General Assembly to support country anti-gang efforts and the Permanent Council to create a contact group of member states concerned about the gang issue. The resolution also requests that the Permanent Council hold a special meeting with member states, other inter-American agencies (such as PAHO and the Inter-American Commission on Human Rights), other international organizations, and civil society representatives to analyze the gang problem from an integrated, cross-cutting perspective. Representatives from the OAS are also active members of the Inter-American Coalition for the Prevention of Violence.

**Inter-American Coalition for the Prevention of Violence.** The IACPV is a multilateral group formed in 2000 to promote prevention as a viable way of addressing crime and violence in Latin America. In addition to the OAS, IACPV member organizations include the World Bank, the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), USAID, the Centers for Disease Control and Prevention (CDC), and the United Nations Educational, Scientific, and Cultural Organization (UNESCO). The IACPV has helped municipalities in Central America develop violence prevention plans, developed a user-friendly violence indicators document, hosted a major conference on gang prevention, and provided technical and financial assistance to help form a

counterpart organization within the region, the Central American Coalition for the Prevention of Youth Violence.<sup>32</sup>

**Inter-American Development Bank (IDB).** Among IACPV member organizations, the IDB has taken the lead in funding major violence prevention programs in Central America. The IDB is executing significant violence reduction loans in El Salvador, Guatemala, and Honduras. On May 24, 2007, the IDB, in coordination with UNODC and the OAS, hosted a seminar in Washington D.C. on crime and violence in Central America.

**Regional Security Meetings.** In addition to these multilateral efforts, Central American leaders and officials have regularly met, often accompanied by their U.S. counterparts, to improve ways to coordinate security and information-sharing on gang members. Presidents Saca of El Salvador and Oscar Berger of Guatemala agreed to set up a joint security force to patrol gang activity along their common border. Berger and other leaders have also called for assistance from the United States to create a regional “rapid-reaction force” to tackle drug traffickers and gangs. Regional law enforcement efforts are already underway. In September 2005, 6,400 law enforcement officers from the United States, Mexico, and Central America carried out a coordinated gang raid that resulted in the arrest of 650 suspects.<sup>33</sup> In October 2006, the governments of the Central American Integration System or SICA (Guatemala, El Salvador, Honduras, and Nicaragua) and the Dominican Republic proposed legislation to make a local felony into a regional felony and pledged to improve intelligence-sharing within the region.

**Central American Integration System (SICA) Summit.** At a recent SICA summit in Guatemala, the United States government pledged some \$4 million to help Central American governments develop a regional anti-gang strategy. Thomas Shannon, Assistant Secretary of State for Western Hemisphere Affairs, pledged \$1 million to strengthen regional security coordination and \$3 million to be disbursed over three years by USAID for rehabilitation programs for gang members. Central American officials have said that they may need between \$600 and \$800 million to fund the increased law enforcement and equipment that would be necessary to implement a comprehensive regional security strategy.<sup>34</sup>

## U.S. Policy

Bush Administration officials and Members of Congress have expressed ongoing concerns about the effects of crime and gang violence in Central America, and its spillover effects on the United States. In June 2007, after attending a meeting with attorney generals from Central America, Colombia, and Mexico, then-U.S.

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<sup>32</sup> For more information on the IACPV, see [<http://www.iacpv.org/>].

<sup>33</sup> “Central America’s Crime Wave Spurs Plan for a Regional Force,” *Los Angeles Times*, August 16, 2005; “Gang Crackdown Nets 650 Suspects,” *Los Angeles Times*, September 9, 2005.

<sup>34</sup> “U.S. Offers Funds to Fight Central America Gangs,” *Washington Post*, July 18, 2007.

Attorney General Alberto Gonzales stated that “the United States stands with all of our neighbors in our joint fight against violent gangs.”<sup>35</sup> U.S. officials are striving to coordinate anti-gang initiatives on both the domestic and international fronts, taking into account their likely impacts on domestic security, on the one hand, and on foreign relations with the countries of Central America and Mexico, on the other.

## U.S. International Anti-Gang Efforts

Several U.S. agencies have been actively engaged on both the law enforcement and preventive side of dealing with Central American gangs. On the law enforcement side, recent and current efforts by agency include:

- **FBI:** has created a special task force focusing on MS-13 and opened a liaison office in San Salvador to coordinate regional information-sharing and anti-gang efforts.
- **Department of Homeland Security, Immigration and Customs Enforcement:** has created a national anti-gang initiative called “Operation Community Shield” that, in addition to arresting suspected gang members in the United States, works through its offices overseas to coordinate with foreign governments that are also experiencing gang problems. Since February 2005, ICE has arrested more than 1,758 suspected MS-13 members and 361 suspected 18<sup>th</sup> Street members in the United States.
- **State Department, Bureau of International Narcotics and Law Enforcement (INL):** has provided training and technical assistance to law enforcement officials throughout Central America, sponsored anti-gang workshops at the International Law Enforcement Academy (ILEA) in San Salvador, and designed a “model precinct” to improve policing and police-community relations in Villanueva, Guatemala.
- **FBI/INL:** are creating a Transnational Anti-Gang (TAG) Unit composed of FBI agents and Salvadoran police.
- **FBI/INL:** are implementing the Central American Fingerprinting Exploitation (CAFÉ) initiative to facilitate information-sharing about violent gang members and other criminals.
- **Department of Homeland Security (DHS):** is implementing an electronic travel document (eTD) system to provide biometric and biographic information on persons being deported from the United States to law enforcement officials in receiving countries. The eTD

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<sup>35</sup> “U.S. Vows to Help Latin America Fight Gangs,” *Reuters*, June 8, 2007.

system has been in place in Guatemala since January 2007, and will be extended to Honduras and El Salvador.<sup>36</sup>

On the preventive side, U.S. agency efforts include:

- **USAID/Department of Justice’s International Criminal Investigative Training Assistance Program (ICITAP):** created a community policing program in some 200 municipalities in El Salvador.
- **USAID/INL:** is implementing a similar community crime prevention program in Villa Nueva, Guatemala, as well as some rehabilitation and reinsertion programs for former gang members.
- **USAID:** published an assessment of the gang problem in Central America in April 2006 that included programming initiatives needed to confront its root causes throughout Central American and Mexico.<sup>37</sup>
- **USAID:** is funding a new regional program to support public-private partnerships in gang prevention.
- **State Department/INL:** has supported “culture of lawfulness” programs in schools throughout the region.

**The National Security Council’s Anti-Gang Strategy.** The National Security Council (NSC) has developed a comprehensive, inter-agency strategy to deal with the threat of criminal gangs from Central America and Mexico, which was announced by Assistant Secretary Shannon on July 18, 2007.<sup>38</sup> The strategy acknowledges that, based on previous U.S. and regional experiences, future anti-gang efforts should be holistic, comprehensive, and regional in scope. It calls for active engagement with governments in the region, the Organization of American States (OAS), and the Central American Integration System (SICA). The strategy states that the U.S. government will pursue coordinated anti-gang activities in five broad areas: diplomacy, repatriation, law enforcement, capacity enhancement, and prevention.

**Reprogrammed Andean Counterdrug Initiative (ACI) Funds for Anti-Gang Efforts.**<sup>39</sup> On September 28, 2007, the State Department notified Congress

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<sup>36</sup> Testimony of Charles Shapiro, Principal Deputy Assistant Secretary of State for Western Hemisphere Affairs, before the House Committee on Foreign Affairs Subcommittee on the Western Hemisphere, July 24, 2007.

<sup>37</sup> USAID, April 2006.

<sup>38</sup> U.S. Department of State, Office of the Spokesman, “Combating Criminal Gangs from Central America and Mexico,” July 18, 2007.

<sup>39</sup> U.S. Department of State, Determination Pursuant to Section 451 of the Foreign Assistance Act Relating to the Central America Interdiction, Gang, and Demand Reduction (continued...)



that some \$16 million in unspent ACI funds originally slated for Colombia, Peru, and Bolivia would be re-programmed to support INL's drug interdiction operations, anti-gang efforts, and demand reduction initiatives in Central America. Of the \$16 million, some \$4.55 million will be spent on gang prevention and drug demand reduction projects in Honduras, Guatemala, and El Salvador. Some of the initiatives to be supported include \$850,000 for assistance in preventing youth from joining gangs, \$600,000 for prison reform, \$175,000 for laser tattoo removal machines for ex-gang members, and \$1 million for an OAS program for at-risk youth.

## Congressional Interest

Over the past two years, Congress has expressed ongoing concern about the problem of transnational gangs and interest in the effectiveness of U.S. international anti-gang efforts. In an April 2005 House International Relations Committee hearing on gangs in Latin America, witnesses discussed the scope of the gang problem in Central America, and current and proposed efforts undertaken by various U.S. agencies to deal with the gang problem. The 109<sup>th</sup> Congress introduced legislation—S. 853 (Lugar) and H.R. 2672 (Harris), the North American Cooperative Security Act—that included provisions to increase cooperation among U.S., Mexican, and Central American officials in the tracking of gang activity and in the handling of deported gang members. Both House and Senate versions of broader immigration legislation, H.R. 4437 (Sensenbrenner) and S. 2611 (Specter) contained similar provisions, but neither were enacted.

In the 110<sup>th</sup> Congress, interest in the topic of gangs and violence in Central America has broadened to include concerns about the unintended consequences of *mano dura* policies, the relationship between gangs and drug cartels, and the effects of U.S. immigration policy on the gang problem. At a June 2007 hearing of the House Committee on Foreign Affairs, some witnesses asserted that the emphasis on law enforcement approaches was not effective in reducing gang activity. In subsequent questioning, several Members of Congress expressed their concerns that drug-trafficking through Central America might be at the root of violence in the region. Others wondered what types of U.S. assistance would be most effective in offering youths alternatives to joining gangs. A separate hearing held in July 2007 examined the effects of U.S. deportations on Central America. On October 2, 2007, the House passed H.Res. 564 (Engel) supporting expanded cooperation between the United States and Central America to combat crime and violence.

**Mérida Initiative.** On October 22, 2007, the United States and Mexico issued a joint statement announcing a multi-year plan for \$1.4 billion in U.S. assistance to Mexico and Central America to combat drug trafficking and other criminal organizations. The Administration requested \$500 million for Mexico and \$50 million for Central America in the FY2008 supplemental appropriations request. All of the proposed FY2008 funding for the Mérida Initiative is through the INCLE account, administered by the Department of State's Bureau of International Narcotics and Law Enforcement Affairs. The composition of proposed aid to Central America

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<sup>39</sup> (...continued)

Enhancement Project, September 28, 2007.

focuses on anti-gang and law enforcement programs over inspections and surveillance equipment.

Both congressional leaders and Central American officials have expressed concerns about the Mérida Initiative related to prior consultation and emergency spending, among other concerns. Some Central American leaders have spoken out about the Initiative's significant funding imbalance. They are concerned that Mexico would receive 10 times the total aid to be provided to the entire Central American region.<sup>40</sup> Assistant Secretary of State for Western Hemisphere Affairs Thomas Shannon recently indicated the State Department's intent that the \$50 million for Central America is slated to receive as part of the Mérida Initiative will be followed by a larger, multi-year aid package for that region. While the Mérida Initiative was not part of the Consolidated Appropriations Act, FY2008 (H.R. 2764/P.L. 110-161) nor included in supplemental funding passed by the 110<sup>th</sup> Congress at the end of its first session, it could be taken up during the second session.

**Table 1. Proposed Mérida Initiative Funding for Central America**  
(\$ in Millions)

Type of Funding	Amount
Counternarcotics, Counterterrorism & Border Security	16.6
Public Security and Law Enforcement	25.7
Institution Building and Rule of Law	7.7
Program Support	--
<b>Total</b>	<b>50.0</b>

Source: U.S. Department of State briefing paper provided to Congressional offices.

***Counternarcotics, Counterterrorism, and Border Security.***<sup>41</sup>

Proposed funding under this category, \$16.6 million, is spread among Central American governments, though it is not clear how the proposed funding will be distributed throughout the region. The Administration proposes spending \$7.5 million to improve information sharing and collection; crime and fingerprint databases; and to expand sensitive investigation police units dedicated to counternarcotics efforts. Another \$5.3 million would go to Costa Rica to improve that country's maritime interdiction capabilities and technical assistance on firearms tracing, interdiction, and destruction. The Administration also proposes giving \$3.8 million on port, airport, and border security, including equipment and training through the OAS Inter-American Committee Against Terrorism.

<sup>40</sup> "Central Americans See Peril in Bush's Anti-Drug Priorities," *Washington Post*, November 29, 2007.

<sup>41</sup> Information in this section is from a Department of State briefing paper distributed to Capitol Hill offices.

**Public Security and Law Enforcement.** The majority of proposed funding for Central America under the Mérida Initiative, \$25.7 million, is to improve policing and support anti-gang efforts. The Administration proposes \$12.6 million in spending to implement the region's anti-gang strategy, including support for diplomatic efforts, a system for electronic travel documents, anti-gang units, and community-based prevention programs. Another \$13.1 million in proposed funding would provide specialized police training and equipment.

**Institution Building and Rule of Law.** The Administration also proposed \$7.7 million in rule of law programs, including improvement of court management and prosecutorial capacity; improvement of prison management; and support of community policing programs.

**Legislation in the Second Session of the 110<sup>th</sup> Congress.** During its second session, the 110<sup>th</sup> Congress is likely to consider the level of aid and type of programs that would be most effective in addressing the regional gang problem. Congress may consider the Mérida Initiative, including whether or not to provide the Central American countries with \$50 million to support country and regional anti-gang efforts. Congress is also likely to deliberate on funding for anti-gang efforts as part of the FY2009 budget process. Finally, although Congress is unlikely to take up comprehensive immigration legislation in the second session, it may consider provisions to increase cooperation among U.S., Mexican, and Central American officials in the tracking of gang activity and in the handling of deported gang members. Similar provisions were included in several pieces of immigration legislation introduced in the first session of the 110<sup>th</sup> Congress – H.R. 1645 (Gutierrez), S. 330 (Isakson), and S. 1348 (Reid).

## Policy Approaches and Concerns

Most policy-makers agree with the March 15, 2005 testimony of General Bantz Craddock, Commander of the U.S. Southern Command, before the Senate Armed Services Committee, that finding regional solutions to the gang problem is “absolutely essential.” At the same time, many argue that in order to effectively reduce gang-related crime, a holistic approach to the problem must be developed that addresses its root social, political, and economic causes. There is disagreement, however, as to what mix of preventive and suppressive policies needs to be put in place in Central America to deal with the gangs, and what U.S. agency is best equipped to oversee those anti-gang efforts.

Proponents of law enforcement solutions maintain that Central American law enforcement officials lack the capacity and the resources to target gang leaders effectively, conduct thorough investigations that lead to successful prosecutions, and share data. While most U.S. observers argue that the State Department and the FBI should take the lead in assistance to improve law enforcement capacity, others see a possible role for the U.S. Southern Command in training regional security forces. Critics of U.S. military involvement in anti-gang efforts have noted that it is the State Department’s role to provide security assistance to foreign governments, subject to human rights and democracy concerns. Other proposals for increased U.S.

involvement in police training are likely to contain significant anti-gang components.

Proponents of prevention-based interventions argue that, based on the experiences of cities in the United States, localities that provide social services to at-risk youth have been more effective in preventing gang violence than those that have relied on law enforcement-only approaches.<sup>42</sup> These findings mirror the results of several studies previously cited in this report that focus on reducing gang violence in Central America.

Some argue that USAID and the Inter-American Foundation (IAF) could take the lead on increasing gang-prevention programs in Central America. Both agencies' efforts have been limited in recent years, however, by the declining funds made available for development programs in Latin America. Further, some assert that, regardless of U.S. efforts, gang prevention programs may not show immediate results, and will require a sustained high-level commitment by Central American leaders to attack the underlying factors of poverty and unemployment that have contributed to the rise in gang activity.

**Table 2. U.S. Deportations to Central America, FY2005-FY2007**

Country	FY2005			FY2006			FY2007 (through June 18, 2007)		
	Total	Criminal	Non-Criminal	Total	Criminal	Non-Criminal	Total	Criminal	Non-Criminal
Costa Rica	369	83	286	563	92	471	286	51	235
El Salvador	7,235	2,665	4,570	10,312	3,679	6,633	12,499	3,138	9,361
Guatemala	12,529	1,840	10,689	18,386	3,589	14,797	14,234	2,238	11,996
Honduras	14,556	2,467	12,089	26,526	5,559	20,967	18,419	3,560	14,859
Nicaragua	1,022	345	677	2,241	585	1,656	1,457	345	1,112
Panama	143	121	22	152	117	35	97	70	27
<b>Total: Central America</b>	<b>35,854</b>	<b>7,521</b>	<b>28,333</b>	<b>58,180</b>	<b>13,621</b>	<b>44,559</b>	<b>49,992</b>	<b>9,402</b>	<b>37,590</b>

a. The number of criminal and non-criminal deportees does not add to the sum total in FY2005 because no data distinguishing these categories are provided for Barbados and St. Kitts and Nevis in that year.

**Source:** Prepared by Nelson Olhero, Research Associate, CRS Foreign Affairs, Defense, and Trade Division, utilizing information provided by the Department of Homeland Security, Immigration and Customs Enforcement, Office of Detention and Removal.

<sup>42</sup> "Gang Wars," *Justice Policy Institute*, Washington, DC, July 2007.