



Gangs in Central America

Clare Ribando Seelke

Specialist in Latin American Affairs

January 3, 2011

Congressional Research Service

7-5700

www.crs.gov

RL34112

CRS Report for Congress

Prepared for Members and Committees of Congress

Summary

Congress has maintained an interest in the effects of gang violence in Central America, and on the expanding activities of transnational gangs with ties to that region operating in the United States. The violent Mara Salvatrucha (MS-13) and its main rival, the “18th Street” gang (also known as M-18) continue to threaten citizen security and challenge government authority in Central America. Gang-related violence has been particularly acute in Honduras, El Salvador, and Guatemala, which have among the highest homicide rates in the world. In recent years, governments in those countries appeared to move away, at least on a rhetorical level, from repressive anti-gang strategies. However, continuing gang-related violence prompted El Salvador to adopt tough new legislation on gangs in September 2010. Guatemala may follow suit.

U.S. officials have expressed concerns about the expanding presence of the MS-13 and M-18 in cities across the United States, as well as reports that these gangs may be evolving into more sophisticated transnational criminal enterprises. Between February 2005 and October 2010, U.S. officials arrested some 3,332 alleged MS-13 members in cities across the United States, many of whom were subsequently deported. Evidence suggests, however, that previously deported members of both the MS-13 and the M-18 often reenter the United States illegally.

Several U.S. agencies have been actively engaged on both the law enforcement and preventive side of dealing with Central American gangs. An inter-agency committee worked together to develop a U.S. Strategy to Combat Criminal Gangs from Central America and Mexico, first announced at a July 2007 U.S.-Central American Integration System (SICA) summit on security issues. 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. An April 2010 study by the Government Accountability Office (GAO) recommended that U.S. federal agencies consider strengthening the aforementioned anti-gang strategy by developing better oversight and measurement tools to guide its implementation.

In recent years, Congress has increased funding to support anti-gang efforts in Central America. Between FY2008 and FY2010, Congress appropriated roughly \$21 million in global International Narcotics Control and Law Enforcement (INCLE) funds for anti-gang efforts in Central America. Congress provided additional support in FY2008 and FY2009 for anti-gang efforts in the region through the Mérida Initiative, a counterdrug and anticrime program for Mexico and Central America. In the FY2010 Consolidated Appropriations Act (P.L. 111-117), Congress provided \$83 million for combating gangs and drug trafficking under a new Central America Regional Security Initiative (CARSI), splitting Central America from the Mérida Initiative. The Obama Administration asked for \$100 million for CARSI in its FY2011 budget request. In the absence of FY2011 appropriations legislation, Congress has passed a series of continuing resolutions (P.L. 111-242 as amended) to fund government programs, with the latest extension set to expire on March 4, 2011. The continuing resolution, as amended, continues funding most foreign aid programs at the FY2010-enacted level, with some exceptions.

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.

Contents

Introduction 1

Background on Violent Crime in Central America 2

Scope of the Gang Problem in Central America 3

 Defining Gangs 4

 Transnational Gangs in Central America 4

 Factors Exacerbating the Gang Problem in Central America 6

 Poverty and a Lack of Educational and Employment Opportunities 6

 Societal Stigmas 7

 Role of the Media 7

 Anti-gang Law Enforcement Efforts 7

 Prisons in Need of Reform 8

 U.S. Deportations to Central America and the Gang Problem 8

Country Anti-Gang Efforts 10

Mano Dura (Heavy-Handed) Anti-Gang Policies 10

 What Have Been the Effects of *Mano Dura* Policies? 11

 Alternative Approaches 11

 Prospects for Country Prevention and Rehabilitation Efforts 12

 Selected Regional and Multilateral Efforts 13

 Central American Integration System (SICA) 13

 Organization of American States (OAS) 13

 Inter-American Coalition for the Prevention of Violence (IACPV) 14

 Multilateral Banks and U.N. Assistance 14

U.S. Policy 14

 Congressional Interest and Appropriations for Anti-Gang Efforts 15

 Evolution of U.S. International Anti-Gang Efforts 16

 State Department 17

 Department of Justice 17

 U.S. Immigration and Customs Enforcement (ICE) 18

 U.S. Agency for International Development (USAID) 18

 Policy Approaches and Concerns 19

Tables

Table 1. Estimated Homicide Rates Per 100,000 Inhabitants 2

Table 2. U.S. Deportations to Top Receiving Countries: FY2008-FY2010 9

Contacts

Author Contact Information 20

Introduction

In recent years, analysts and U.S. officials have expressed ongoing concerns about the increasing rates of violent crimes committed by drug traffickers, organized criminal groups, and gangs in Central America.¹ U.S. concerns about gangs have accelerated as the Mara Salvatrucha (MS-13), a particularly violent group with ties to Central America, has increased its presence and illicit activities in the United States.² 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.

The 112th Congress is likely to maintain an interest in crime and gang violence in Central America, and in the related activities of Central American gangs in the United States. In recent years, Congress has considered what level of U.S. assistance is most appropriate to help Central American countries combat gang activity and what types of programs are most effective in that effort. Members of Congress have also taken an interest in the effects of U.S. deportations of individuals with criminal records to Central America on the gang problem, as well as the evolving relationship between Mexican drug trafficking organizations and the gangs.

Congress has funded anti-gang efforts in Central America through global funds appropriated to the State Department's Bureau of International Narcotics Control and Law Enforcement (INCLE), as well as through bilateral and regional programs (see "Congressional Interest and Appropriations for Anti-Gang Efforts"). In June 2008, Congress increased country and regional anti-gang assistance by approving initial funding for the Mérida Initiative, an anti-crime and counterdrug foreign aid package for Mexico and Central America.³ Congress appropriated additional Mérida funding in the FY2009 Omnibus Appropriations Act (P.L. 111-8). Many Mérida-related programs in Central America are just getting underway after a number of implementation delays.⁴ Beginning in the FY2010 Consolidated Appropriations Act (P.L. 111-117), Congress separated Central America from the Merida Initiative and began funding a new Central America Regional Security Initiative (CARSI). The Obama Administration asked for \$100 million for CARSI in its FY2011 budget request. In the absence of FY2011 appropriations legislation, Congress has passed a series of continuing resolutions (P.L. 111-242 as amended) to fund government programs, with the latest extension set to expire on March 4, 2011. The continuing resolution, as amended, continues funding most foreign aid programs at the FY2010-enacted level, with some exceptions.

¹ The Central American countries include Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. This report focuses on the "northern triangle" countries of Central America where the gang problem has been most acute, which include El Salvador, Guatemala, and Honduras. It refers to the other countries and governments in the region periodically for comparative purposes.

² U.S. Department of Justice, National Gang Intelligence Center, *National Gang Threat Assessment (NGTA) 2009*, January 2009.

³ For historical information on the Mérida Initiative, see CRS Report R40135, *Mérida Initiative for Mexico and Central America: Funding and Policy Issues*, by Clare Ribando Seelke.

⁴ U.S. Government Accountability Office (GAO), *Mérida Initiative: The United States has Provided Counternarcotics and Anticrime Support, but Needs Better Performance Measures*, 10-837, July 21, 2010, <http://www.gao.gov/new.items/d10837.pdf>.

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 consider as they exercise oversight over the implementation of the Mérida Initiative and CARSI, with a particular interest in how agencies are coordinating their various anti-gang efforts.

Background on Violent Crime in Central America

Latin America has among the highest homicide rates in the world, and in recent years homicide rates in several Central American countries have significantly exceeded the regional average (see **Table 1**). According to figures cited in a 2009 U.N. Development Program (UNDP) report, Latin America's average homicide rate in 2005 stood at roughly 25 homicides per 100,000 people, almost three times the world average of 9 homicides per 100,000 people.⁵ That same year, average homicide rates per 100,000 people in El Salvador, Guatemala, and Honduras reached approximately 62, 44, and 37, respectively. Whereas homicide rates in Colombia, historically the most violent country in Latin America, have fallen in the past few years, homicide rates have remained at elevated levels in El Salvador, Guatemala, and, to a lesser extent, Belize. Homicide rates have increased significantly in Honduras. By 2008, the estimated murder rate per 100,000 people stood at roughly 32 in Belize, 52 in El Salvador, 48 in Guatemala, and 58 in Honduras. In Costa Rica, Nicaragua, and Panama, the corresponding figures were 11, 13, and 11, respectively.⁶ Homicide rates in the region have generally continued to trend upwards since 2008.

Table 1. Estimated Homicide Rates Per 100,000 Inhabitants
(2000-2008)

Country	2000	2001	2002	2003	2004	2005	2006	2007	2008
Belize	19	25	30	24	27	28	31	30	32
Costa Rica	6	6	6	7	7	8	8	8	11
El Salvador	45	40	39	40	49	62	65	57	52
Guatemala	28	30	32	37	38	44	47	45	48
Honduras	n/a	n/a	69	65	35	37	46	50	58
Nicaragua	9	10	10	12	12	13	13	13	13
Panama	10	10	12	11	10	11	11	13	19

Source: U.N. Development Program, *Informe Sobre Desarrollo Humano Para América Central 2009-2010: Abrir Espacios a la Seguridad Ciudadana y el Desarrollo Humano*, October 2009.

Central America—particularly the “northern triangle” countries of Guatemala, El Salvador, and Honduras—exhibits many risk factors that have been linked to high violent crime rates. For example, studies have shown that high levels of income inequality are often strong predictors of

⁵ U.N. Development Program (UNDP), *Informe Sobre Desarrollo Humano Para América Central 2009-2010: Abrir Espacios a la Seguridad Ciudadana y el Desarrollo Humano*, October 2009. This report also contains sections on other types of violent crime in Central America, including rape, kidnapping, assault, and domestic violence.

⁶ *Ibid.*

high violent crime rates.⁷ Latin America has been among the most unequal regions in terms of income and levels of social exclusion. The linkage between inequality and high crime rates holds true in Central America except for the case of El Salvador, a country with relatively low inequality but high crime rates.⁸ With the exceptions of Belize and Costa Rica, Central American countries have also had a long history of armed conflicts and/or dictatorships, which has inhibited the development of democratic institutions and respect for the rule of law. Protracted armed conflicts also resulted in the widespread proliferation of illicit firearms in the region, as well as a cultural tendency to resort to violence as a means of settling disputes.⁹ Other traits that make some Central American countries at risk for violent crime include highly urbanized populations, growing youth populations, and high unemployment rates. Guatemala, Honduras, and El Salvador, which have large percentages of their populations living in the United States, have reportedly suffered more from the negative effects of emigration (such as family disintegration and deportations) than other countries.¹⁰

According to the U.N. Office on Drugs and Crime (UNODC), Central American countries are particularly susceptible to violent crime fueled by drug trafficking and corruption because they are geographically located between the world's largest drug producing and drug consuming countries.¹¹ Stepped up enforcement efforts in Mexico have reportedly led traffickers to use Central America, particularly Guatemala and Honduras, as a transshipment point for U.S.-bound Andean cocaine. According to 2008 estimates, 90% of all cocaine entering the United States flowed through Mexico or its territorial waters, with at least 42% of that cocaine having first stopped in Central America.¹² Low criminal justice capacity, corruption, and an absence of political will to fight crime in a holistic manner have hindered countries' abilities to respond to violent crime. These problems may be most pronounced in Guatemala, a country struggling, with U.N. assistance, to confront sophisticated organized criminal groups and drug traffickers that have been aligned with some of the country's most powerful political, military, and business actors.¹³

Scope of the Gang Problem in Central America

In recent years, Central American governments, the media, and some analysts have attributed, sometimes erroneously, a significant proportion of violent crime in the region to youth gangs or *maras*, many of which have ties to the United States.

⁷ Pablo Fajnzylber, Daniel Lederman, and Norman Loayza, "Inequality and Violent Crime," *Journal of Law and Economics*, August 2001.

⁸ UNDP, October 2009.

⁹ Facultad Latinoamericana de Ciencias Sociales (FLACSO), *Armas Pequeñas y Livianas: Amenaza a la Seguridad Hemisférica*, 2007.

¹⁰ UNDP, October 2009.

¹¹ United Nations Office on Drugs and Crime (UNODC), *Crime and Development in Central America: Caught in the Crossfire*, May 2007. See also: Stephen S. Dudley, *Drug Trafficking Organizations in Central America: Transportistas, Mexican Cartels, and Maras*, Woodrow Wilson International Center for Scholars, Working Paper Series on U.S.-Mexico Security Cooperation, May 2010.

¹² U.S. Department of State, *International Narcotics Control Strategy Report (INCSR)*, Vol. 1, March 2010.

¹³ Ivan Briscoe, *A Criminal Bargain: The State and Security in Guatemala*, Fundación Para las Relaciones Internacionales y El Diálogo Exterior, September 2009.

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.¹⁴ There is general agreement that most gangs 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, 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 or to penetrate state institutions at high levels. Gangs are generally more horizontally organized, with lots of small subgroups and no central leadership setting strategy and enforcing discipline. Although gangs are involved in the street-level distribution of drugs and in extortion rackets, few gangs or gang members are involved in higher-level criminal drug distribution enterprises run by drug trafficking organizations, syndicates, or other sophisticated criminal organizations.

When referring to gangs in Central America, some studies use the term *pandillas* and *maras* interchangeably, while others distinguish between the two.¹⁵ Studies that make a distinction between the two types of Central America gangs generally define *pandillas* as localized groups that have long been present in the region, and *maras* as a more recent phenomenon that has transnational roots. Some have more recently classified gangs into “first generation” (localized groups), “second generation” (national groups with some transnational links), and “third generation” gangs. Those analysts have argued that some gangs in the region may be evolving into “third generation” gangs that are “internationalized, networked, and complicated structures that sometimes evolve political aims.”¹⁶

Transnational Gangs in Central America

The major gangs operating in Central America with ties to the United States are the “18th Street” gang (also known as M-18), and their main rival, the *Mara Salvatrucha* (MS-13).¹⁷ The 18th 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. Both gangs later expanded their operations to Central America. This process accelerated after the United States

¹⁴ This section was drawn from CRS Report RL33400, *Youth Gangs: Background, Legislation, and Issues*.

¹⁵ See, for example, Demoscopia S.A., *Maras y Pandillas: Comunidad y Policía en Centroamérica*, October 2007, as opposed to Dennis Rodgers et al., “Gangs of Central America: Causes, Costs, and Interventions,” *Small Arms Survey Occasional Paper* 23, May 2009.

¹⁶ John P. Sullivan and Adam Eikus, “Global Cities, Global Gangs,” Open Society Net, December 2, 2009.

¹⁷ For the history and evolution of these gangs, see Tom Diaz, *No Boundaries: Transnational Latino Gangs and American Law Enforcement*, Ann Arbor, M.I.: University of Michigan Press, 2009.

began deporting illegal immigrants, many with criminal convictions, back to the region after the passage of the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) of 1996.¹⁸ Between 2000 and 2004, an estimated 20,000 criminals were sent back to Central America, many of whom had spent time in U.S. prisons 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.¹⁹

Estimates of the overall 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 by country also vary considerably, but UNODC has cited 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.²⁰ Nicaragua has a significant number of gang members, but does not have large numbers of MS-13 or M-18 members, perhaps due to the fact that Nicaragua has had a much lower deportation rate from the United States than the “northern triangle” countries.²¹

While MS-13 and M-18 began as loosely structured street gangs, there is evidence that both gangs, but particularly the MS-13, have expanded geographically and become more organized and sophisticated. By early 2008, for example, Salvadoran police had found evidence suggesting that some MS-13 leaders jailed in El Salvador were ordering retaliatory assassinations of individuals in Northern Virginia, as well as designing plans to unify their *clicas* (cliques) with those in the United States.²² Studies have shown that, as happened in the United States, gang leaders in Central America are using prisons to recruit new members and to increase the discipline and cohesion among their existing ranks.²³

Press reports and some 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 exaggerated. In El Salvador, for example, officials have blamed gangs for a majority of all murders committed annually, but UNODC has found scant evidence to support that conclusion.²⁴ Gang experts have argued that, although gangs may be more visible than other criminal groups, gang violence is only one part of a broad spectrum of violence in Central America.²⁵ In Guatemala and Honduras, for example, the regions that have the highest murder rates tend to be those without a significant gang presence, but where organized criminal groups and narco-traffickers are particularly active.²⁶

¹⁸ IIRIRA expanded the categories of illegal immigrants subject to deportation and made it more difficult for immigrants to get relief from removal.

¹⁹ Ana Arana, “How the Street Gangs Took Central America,” *Foreign Affairs*, May/June 2005.

²⁰ Testimony of General Bantz J. Craddock, Commander, U.S. Southern Command, before the Senate Armed Services Committee, March 15, 2005; UNODC, May 2007.

²¹ Rodgers et al., 2009.

²² U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, *Regional Gang Initiative: Assessments and Plan of Action*, July 1, 2008.

²³ Demoscopia S.A., 2007.

²⁴ UNODC, May 2007, op-cit.

²⁵ 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.

²⁶ Washington Office on Latin America and the Instituto Tecnológico Autónomo de México (ITAM), *Transnational* (continued...)

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 kidnapping; human trafficking; and drug, auto, and weapons smuggling. Gangs have increasingly been involved in extortions of residents, bus drivers, and business owners in major cities throughout the region. Failure to pay often results in harassment or violence by gang members. In 2009, gangs reportedly killed 146 Guatemalan bus drivers. In early September 2010, the MS-13 and 18th Street gangs in El Salvador jointly organized a three-day strike in response to new anti-gang legislation that paralyzed the country's transport system.²⁷

While some studies maintain that ties between Central American gangs and organized criminal groups have increased, others have downplayed the connection. In the mid-2000s, there had been some reports of gang activity in migrant smuggling in Mexico, but more recent reports have not found significant *maras* activity in Tapachula or Tijuana, two of the Mexican cities most affected by migration.²⁸ Regional and U.S. authorities have confirmed increasing gang involvement in drug trafficking, although mostly on a local level. MS-13 members are reportedly being contracted on an ad-hoc basis by Mexico's warring DTOs to carry out revenge killings. Some analysts maintain that the relationship between DTOs and gangs appears to be most developed in El Salvador and, to a lesser extent, in Honduras, with few DTO-gang connections in Guatemala, Nicaragua, Costa Rica, or Panama.²⁹

Notably, analysts have found no links between Central American gangs and Al Qaeda or other terrorist groups.³⁰

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. Unable to develop the skills required for attending a university or obtaining skilled employment, they provide a ready pool of gang recruits.³¹ In the

(...continued)

Youth Gangs in Central America, Mexico and the United States, March 2007; UNODC, *Crime and Instability: Case Studies of Transnational Threats*, February 2010.

²⁷ "Governments Unite Against Maras; Maras Against Governments," *Latin American Regional Report: Caribbean & Central America*, October 2010.

²⁸ José Miguel Cruz, Rafael Fernández de Castro, and Gema Santamaría Balmaceda, "Political Transitions, Social Violence, and Gangs: Cases in Central America and Mexico," in *Peace and Democratization in Latin America: A Comparative Perspective*, ed. Cynthia Arnson (Washington, D.C. 2011).

²⁹ Dudley, op-cit.

³⁰ Testimony of David Shirk, Professor and Director of the Trans-Border Institute, before the House Appropriations Subcommittee on Commerce, Justice and Science, and Related Appropriations, March 24, 2009.

³¹ Sara Michel, Elizabeth Utting, and Bob Moquin, *Honduras: a Risk Assessment*, World Bank, February 2007.

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.³² A 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, several hundred gang members have gone through complete tattoo removal, a long and expensive process, which many feel is necessary to better blend into Salvadoran society.³³

Role of the Media

Many 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.³⁴

Anti-gang Law Enforcement Efforts

While tough law enforcement reforms (discussed below in the section “*Mano Dura*”) initially proved to be a way for Central American leaders to show that they were cracking down on gangs, recent studies have cast serious doubts on their effectiveness. In response to law enforcement roundups of any and all tattooed youth, gangs are now changing their behavior to avoid detection. Many gang members are hiding or removing their tattoos, changing their dress, and avoiding the use of hand signals, making them harder to identify and arrest. Studies have also shown that,

³² Demoscopia S.A, 2007.

³³ U.S. Department of State, Bureau of Democracy, Human Rights and Labor, *Issue Paper: Youth Gang Organizations in El Salvador*, June 2007.

³⁴ Testimony of Lainie Reisman before the House Committee on Foreign Affairs Subcommittee on the Western Hemisphere, June 26, 2007. The State Department Human Rights Reports covering Guatemala and Honduras for 2009 include references to NGO reports that vigilante torture and even killings of youths have continued to occur. NGOs in both countries have asserted that these abuses may have been perpetrated by groups that included current and former members of the security forces.

largely in response to law enforcement tactics, gangs have developed into more sophisticated criminal entities, some of which are now running extortion rackets throughout the region.³⁵

Prisons in Need of Reform

The implementation of aggressive anti-gang roundups has overwhelmed prisons in Central America. Prison conditions in the region are generally harsh, with severe overcrowding, inadequate sanitation, and staffing shortages. Many facilities that were already teeming with inmates have been filled beyond their capacities with thousands of suspected gang members, many of whom have yet to be convicted of any crimes. In El Salvador, for example, as of December 2009, some 22,101 inmates were being held in prisons designed to hold a maximum of 8,227 people.³⁶

Due to a lack of security within the prisons, gangs are often able to carry out criminal activities from behind bars, sometimes with assistance from corrupt prison officials. As previously mentioned, there is evidence that gangs have become larger, better organized, and more cohesive within the confines of many of the region's prisons. Some observers have described prisons as "gangland finishing schools"³⁷ where, rather than being rehabilitated, first-time offenders often deepen their involvement in illicit gang activities.

Disputes between members of rival gangs, between gang and non-gang inmates, and between gangs and prison guards regularly occur. Between January and October 2008, the Honduran Ministry of Security reported 39 inmate deaths, a majority of which occurred as a result of inter-gang violence. Prisoner abuse and torture is also not uncommon. Some argue that gangs have responded to "extralegal violence" employed by police and prison guards by waging war on governments and those suspected of collaborating with them.³⁸

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

Policymakers in Central America have expressed ongoing concerns that increasing U.S. deportations of individuals with criminal records are worsening the gang and security problems in the region.³⁹ The Central American countries of Honduras, Guatemala, and El Salvador have received the highest numbers of U.S. deportations (after Mexico) for the last several fiscal years. Despite the large numbers of deportees repatriated to the region, the Central American countries have typically had a lower percentage of individuals deported on criminal grounds than other top receiving countries like Jamaica or the Dominican Republic (see **Table 2**). In FY2009 and FY2010, however, the percentage of Central Americans deported on criminal grounds increased

³⁵ Demoscopia, S.A., 2007; José Miguel Cruz, "Central American *Maras*: From Youth Street Gangs to Transnational Protection Rackets," *Global Crime*, November 2010.

³⁶ U.S. Department of State, *2009 Country Report on Human Rights Practices: El Salvador*, March 11, 2010.

³⁷ Arana, 2005.

³⁸ José Miguel Cruz, "Responses and the Dark Side of Suppression of Gangs in Central America," in *Government The Maras and Security Challenges in Central America and the U.S.*, ed. Tom Bruneau, Lucia Dammert, and Jeanne Giraldo (Austin, TX: University of Texas Press, 2011) (forthcoming).

³⁹ Kate Joynes et al., "Central America, Mexico and the United States Formulate Shared Strategy to Fight Gang Violence," *Global Insight Daily Analysis*, April 9, 2008.

significantly. This may be due to increasing efforts by U.S. Immigration and Customs Enforcement (ICE) to identify illegal immigrants subject to deportation.

Table 2. U.S. Deportations to Top Receiving Countries: FY2008-FY2010
(Including Annual Percentage of Individuals Deported on Criminal Grounds)

Country	FY2008	% Crim. ^a	FY2009	% Crim.	FY2010	% Crim.
Mexico	252,010	33.9%	275,217	37.9%	279,687	54.7%
Honduras	29,768	18.9%	27,679	25.1%	25,635	41.5%
Guatemala	28,899	18.6%	30,411	21.4%	31,347	31.3%
El Salvador	20,975	27.6%	21,157	30.0%	20,830	41.4%
Dom. Republic	3,783	55.5%	3,850	56.5%	3,853	61.1%
Brazil	3,648	10.8%	3,298	11.6%	3,321	16.3%
Colombia	2,830	39.8%	2,778	40.6%	2,617	49.6%
Ecuador	2,484	23.6%	2,526	25.5%	2,559	29.8%
Nicaragua	2,339	23.5%	2,190	28.1%	1,975	42.4%
Haiti	1,654	25.8%	710	65.9%	344 ^b	39.8%
Jamaica	1,603	78.8%	1,630	76.9%	1,548	79.1%

Source: Prepared by CRS with information provided by the Department of Homeland Security, Immigration and Customs Enforcement, Office of Detention and Removal. Figures include “removals” (deportations), but not voluntary departures (returns).

- a. Criminal deportees have been convicted of a crime in the United States that makes one removable (i.e. eligible for deportation) under the Immigration and Nationality Act. Not all individuals who have been deported on criminal grounds are gang members or violent criminals. Low level drug convictions and some non-violent offenses may result in a removal on criminal grounds. Non-criminal deportees have been removed because of a status violation (e.g. being in the country illegally or working without authorization).
- b. Deportations to Haiti were halted in the wake of the January 2010 earthquake in that country. For more information, see CRS Report RS21349, *U.S. Immigration Policy on Haitian Migrants*, by Ruth Ellen Wasem.

For the past several years, Central American officials have asked the U.S. government to consider providing a complete criminal history for each deportee who has been removed on criminal grounds, including whether or not he or she is a member of a gang. While ICE does not provide a complete criminal record for deportees, it may provide some information regarding an individual’s criminal history when specifying why the individual was removed from the United States. ICE does not indicate gang affiliation unless it is the primary reason why the individual is being deported. However, law enforcement officials in receiving countries are able to contact the Federal Bureau of Investigation (FBI) in order to request a criminal history check on particular criminal deportees after they have arrived in that country. With support from the Mérida Initiative, ICE and the FBI have developed a pilot program called the Criminal History Information Program (CHIP) to provide more information about deportees with criminal convictions to officials in El Salvador.

The types of support services provided to deportees returning from the United States and other countries vary widely across Latin America. While a few large and relatively wealthy countries (such as Colombia and Mexico) have recently established comprehensive deportee reintegration assistance programs, most countries provide few, if any, services to returning deportees. In Central America, for example, the few programs that do exist tend to be funded and administered

by either the Catholic Church, non-governmental organizations (NGOs), or the International Organization for Migration (IOM). The U.S. government does not currently support any deportee reintegration services programs for adults in Central America, although it has in the past.⁴⁰

Country Anti-Gang Efforts

Country efforts to deal with gangs and gang-related violence have varied significantly. In general, governments in the “northern triangle” countries have adopted more aggressive law enforcement approaches than the other Central American countries. These policies, which will subsequently be discussed, failed to stave off rising crime rates in the region and had several negative unintended consequences. As a result, recent studies maintain that governments appear to be moving away from “enforcement-first” policies towards “second-generation” anti-gang programs. Newer programs have emphasized, among other things, prevention programs for at-risk youth, interventions to encourage youth to leave gangs, and the creation of municipal alliances against crime and violence.⁴¹ Some observers predict that El Salvador’s newly enacted law outlawing gangs like the MS-13 and the 18th Street gang and the financing of their activities will result in a return to a more repressive approach to gangs in that country. Salvadoran government officials have discounted those predictions, maintaining that the law is focused on helping police build anti-gang investigations that will stand up in court.⁴²

Mano Dura (Heavy-Handed) Anti-Gang Policies

Mano Dura is a term used to describe the type of anti-gang policies initially put in place in El Salvador, Honduras, and, to a lesser extent, Guatemala in response to popular demands and media pressure for these governments to “do something” about an escalation in gang-related crime. *Mano dura* approaches have typically involved incarcerating large numbers of youth (often those with visible tattoos) for illicit association, and increasing sentences for gang membership and gang-related crimes. A *Mano Dura* law passed by El Salvador’s Congress in 2003 was subsequently declared unconstitutional, but was followed by a *Super Mano Dura* package of anti-gang reforms in July 2004. These reforms enhanced police power to search and arrest suspected gang members and stiffened penalties for convicted gang members, although they provided some protections for minors accused of gang-related crimes. Similarly, in July 2003, Honduras enacted a penal code amendment that made *maras* illegal and established sentences of up to 12 years in prison for gang membership. Changes in legislation were accompanied by the increasing use of joint military and police patrols to arrest gang suspects. Guatemala introduced similar legislation in 2003, but the legislation never passed. Instead, the Guatemalan government has launched periodic law enforcement operations to round up suspected gang members.

⁴⁰ Testimony of Maureen Achieng, Chief of Mission for the International Organization for Migration (IOM) in Haiti before the House Subcommittee on the Western Hemisphere, July 24, 2007. Although the U.S. government is not currently funding deportee reintegration programs for adults in Central America, it is providing small amounts of funding to IOM to assist unaccompanied minors who have been returned to El Salvador and Nicaragua. CRS phone interview with State Department official, December 2, 2010.

⁴¹ Rodgers et al., May 2009.

⁴² Alex Renderos, “El Salvador Moves Against Criminal Gangs,” *Los Angeles Times*, September 4, 2010. CRS interview with officials from El Salvador’s National Civilian Police, December 7, 2010.

What Have Been the Effects of *Mano Dura* Policies?

Mano Dura reforms initially proved to be a way for Central American leaders to show that they were getting tough on gangs and crime, despite objections from human rights groups about their potential infringements on civil liberties and human rights. Early public reactions to the tough anti-gang reforms enacted in El Salvador and Honduras were extremely positive, supported by media coverage demonizing the activities of tattooed youth gang members. Tony Saca was elected to the presidency of El Salvador largely on the basis of his promises to further crack down on gangs and crime. *Mano Dura* enabled police to arrest large numbers of suspected gang members, including some 14,000 youth in El Salvador between mid-2004 and late 2005. In addition, according to Salvadoran officials, even though many suspects were eventually released, gang detainees provided law enforcement officials with invaluable sources of intelligence information that those officials have since used to design better anti-gang strategies.⁴³

Despite the early apparent benefits of *Mano Dura* policies, effects on gangs and crime have been largely disappointing. Most youth arrested under *mano dura* provisions have been subsequently released for lack of evidence that they committed any crime. Salvadoran police estimated that more than 10,000 of 14,000 suspected gang members arrested in 2005 were later released.⁴⁴ Some youth who were wrongly arrested for gang involvement have been recruited into the gang life while in prison. Gang roundups exacerbated prison overcrowding, and inter-gang violence within the prisons has resulted in several inmate deaths. There have been credible reports that extrajudicial youth killings by vigilante groups have continued since *mano dura* went into effect, including alleged assassinations of gang suspects and gang deportees from the United States. Finally, in response to *mano dura*, gangs have changed their behavior to avoid detection.

Alternative Approaches

Although their efforts have received considerably less international attention than those of El Salvador, Honduras, and Guatemala, other Central American countries have developed a variety of programs to deal with the gang problem. In Panama, the Ministry of Social Development, in coordination with other government entities and several NGOs, administers gang prevention programs, as well as a program to provide job training and rehabilitation services to former gang members. In 2006, the Inter-American Development Bank (IDB) approved a \$22.7 million loan to Panama to fund that and other programs aimed at preventing youth violence in four of the country's largest municipalities. Nicaragua has adopted a national youth crime prevention strategy that, at least on an official level, includes the active involvement of the police in preventive and rehabilitative efforts and focuses on family, school, and community interventions.⁴⁵ With support from other countries and NGOs, the Nicaraguan National Police's Juvenile Affairs Division runs at least two anti-gang activities a month. The Ministry of the Interior is administering a five-year program, which is supported by funding from the IDB, to target at-risk youth in 11 different municipalities. While less is known about Costa Rica's gang

⁴³ U.S. Department of State, INL, *Regional Gang Initiative Assessments and Plan of Action*, July 1, 2008.

⁴⁴ "Most of 14,000 Gang Members Arrested in El Salvador Were Released," *EFE News Service*, December 27, 2005.

⁴⁵ Some studies have described a disconnect between the Nicaraguan government's official rhetoric in support of non-repressive approaches to youth violence and the excessive use of force that some low-ranking police officials have used against youth in Nicaragua. Those studies are summarized in: Peter Peetz, "Youth Violence in Central America: Discourses and Policies," *Youth Society*, October 11, 2010.

prevention efforts, the country has generally tended to favor a “preventive and rehabilitation-oriented approach.”⁴⁶

Prospects for Country Prevention and Rehabilitation Efforts

In the last few years, Central American leaders, including those from the northern triangle countries, appear to have moved, at least on a rhetorical level, towards more comprehensive anti-gang approaches. In mid-December 2007, then-Salvadoran President Tony Saca opened a summit of the Central America Integration System by stating that the gang problem had shown the importance of coordinated anti-crime efforts, with the most important element of those efforts being prevention.⁴⁷ All of the Central American countries have created institutional bodies to design and coordinate crime prevention strategies and have units within their national police forces engaged in prevention efforts. In general, however, government-sponsored gang prevention programs have tended, with some exceptions, to be small-scale, ad-hoc, and underfunded. Governments have been even less involved in sponsoring rehabilitation programs for individuals seeking to leave gangs, with most reintegration programs funded by church groups or NGOs.

Central American government officials have generally cited budgetary limitations and competing concerns, such as drug trafficking, as major factors limiting their ability to implement more extensive prevention and rehabilitation programs. Experts have asserted, however, that it is important for governments to offer educational and job opportunities to youth who are willing to leave gangs before they are tempted to join more sophisticated criminal organizations. It is also critical, they argue, for intervention efforts to focus on strengthening families of at-risk youth.⁴⁸ This may be changing, however, as the government of Mauricio Funes in El Salvador has increased funding for prevention programs to roughly 14% of the Ministry of Security’ budget (from a historic average of just over 1%).⁴⁹

Research has shown that successful anti-gang efforts involve governments working in close collaboration with civil society, the private sector, churches, mayors, and international donors in order to leverage limited public resources.⁵⁰ In fact, many successful anti-gang programs have developed as a result of community-driven efforts to respond to particular problems which are then supported by capacity-building programs for leaders from those communities. Although these types of programs may benefit from financial contributions from local and/or national governments, they may also need non-financial support, including “training, information sharing, leadership, or simply the provision of a dedicated space for programming or meetings.”⁵¹

Country and regional youth violence prevention programs have received significant support from a variety of international donors, but Central American governments have tended not to take an active role in ensuring that donor funds are well-coordinated and strategically invested. European

⁴⁶ Ibid.

⁴⁷ “Centroamérica Revisa Estrategias Para Luchar Contra Pandillas,” *Agence France Presse*, December 13, 2007.

⁴⁸ Kliksberg, 2007.

⁴⁹ CRS interview with officials from El Salvador’s National Civilian Police, December 7, 2010.

⁵⁰ USAID Gang Assessment, 2006; José Miguel Cruz, *Street Gangs in Central America*, San Salvador: UCA Editors, 2007.

⁵¹ See the section by Caterina Gowis Roman in *Daring to Care: Community-Based Responses to Youth Gang Violence in Central America and Central American Immigrant Communities in the United States*, WOLA, October 2008.

donors, particularly the European Commission, Spain, and Germany, have been the largest supporters of prevention programs in Central America. U.S. support for prevention programs has also increased in recent years, particularly since the creation of an Economic and Social Development Fund for Central America as part of the Mérida Initiative. However, with the recent global economic downturn, many of these traditional donors now have less funds to dedicate to overseas prevention projects. As a result, Central American governments may have to seek new support for these types of projects from other countries or private entities.

Selected Regional and Multilateral Efforts

Central American Integration System (SICA)

Some analysts maintain that the emergence of gangs as a regional security threat has led to unprecedented cooperation among the Central American countries. For the last several years, Central American leaders and officials have regularly met, often accompanied by their U.S. and Mexican counterparts, to discuss ways to coordinate security and information-sharing on gang members and other criminal groups. Most of these regional security meetings have been organized by the Security Commission of the Central American Integration System (SICA).⁵² The leaders of the SICA members states and the president-elect of Mexico began developing a regional security strategy in October 2006, which was subsequently adopted at a summit held in August 2007.⁵³ The strategy identifies eight threats to regional security, including organized crime, drug trafficking, deportees with criminal records, gangs, homicide, small arms trafficking, terrorism, and corruption. In the strategy, the leaders vow to designate transnational gang liaison offices in each country that will compile and share information, conduct joint investigations, and establish a regional database on gangs.

Up until recently, however, most regional anti-gang cooperation has occurred on a declarative, rather than an operational level. At least one youth violence prevention project is now being implemented by the Secretariat, based in El Salvador, in cooperation with the U.S. Agency for International Development (USAID).⁵⁴ SICA has estimated that the costs to implement its regional security plan could exceed \$953 million, including \$60 million for anti-gang efforts.⁵⁵ SICA is planning to convene a donor's conference in June 2011 in order to seek support for its Mexico-Central America security plan. Some observers think that more regional anti-gang cooperation is possible, but others predict that political differences among Central American governments and instability in particular countries is likely to inhibit future 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.

⁵² The Central American Integration System (SICA) is a regional organization with a Secretariat in El Salvador that is comprised by the governments of El Salvador, Guatemala, Nicaragua, Honduras, Belize, and Panama. The Security Commission was created in 1995 to develop and carry out regional security efforts.

⁵³ A copy of the strategy is available at <http://www.state.gov/p/wha/rls/93586.htm>.

⁵⁴ USAID, "Press Release: USAID-SICA Regional Youth Alliance Offices Inaugurated," April 9, 2008.

⁵⁵ SICA General Secretariat, Fifth Meeting of the Working Group for Drafting Proposals to Finance Central American Security, May 13-14, 2008.

In the past four years, the OAS has hosted meetings and conferences on the gang problem in Latin America and conducted a study on how to define and classify the types of gangs operating in the region. 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. On January 12, 2008, the OAS Permanent Council held a special session devoted to the problem of criminal gangs. The Permanent Council is currently in the process of developing a Regional Strategy to Promote Inter-American Cooperation in Dealing with Criminal Gangs.

Inter-American Coalition for the Prevention of Violence (IACPV)

The IACPV is a multilateral group formed in 2000 to promote prevention as a viable way of addressing crime and violence in Latin America. IACPV member organizations include the OAS, World Bank, Pan American Health Organization (PAHO), Inter-American Development Bank (IDB), USAID, Centers for Disease Control and Prevention (CDC), and the United Nations. 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. The IACPV has been relatively inactive for the past few years.

Multilateral Banks and U.N. Assistance

Several U.N. agencies, the IDB, and, to a lesser extent, the World Bank, have supported violence reduction programs in Central America. Among the U.N. agencies, UNDP, which maintains a team of citizen security experts at a regional office in Panama, has taken the lead. UNDP has supported small arms control; police reform; violence reduction; and disarmament, demobilization, and reintegration programs in Central America. UNDP has conducted research projects on the costs of violence in particular countries and published a comprehensive regional study on security challenges facing Central America that will be followed by more specific country reports. The IDB has executed significant violence reduction loans and grants in each of the Central American countries. IDB-funded projects have focused on institutional strengthening and violence prevention, with selected activities in the area of criminal justice and rehabilitation. The World Bank has introduced crime and violence prevention components into existing Bank-funded projects in urban areas and produced analytical studies, including a recently completed regional report on crime and violence.

U.S. Policy

In recent years, Administration officials and members of Congress have expressed ongoing concerns about gangs and violence in Central America and their spillover effects on the United States. In September 2009 congressional testimony, FBI Director Robert Mueller stated that “criminal gangs ... are of increasing concern for domestic and international law enforcement ... [and that] the MS-13 [in particular] continues to expand its influence in the United States.”⁵⁶ U.S.

⁵⁶ Testimony by Robert Mueller, Director, Federal Bureau of Investigation (FBI), U.S. Department of Justice, before (continued...)

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.

Congressional Interest and Appropriations for Anti-Gang Efforts

Congress has expressed increasing concern about the problem of transnational gangs and interest in the effectiveness of U.S. international anti-gang efforts. In the 110th Congress, interest in the topic of gangs and violence in Central America included concerns about the unintended consequences of *mano dura* policies, the relationship between gangs and drug cartels, and the effects of U.S. deportation policy on the gang problem. 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.

During its first session, the 110th Congress also enacted the FY2008 Consolidated Appropriations Act, P.L. 110-161, which included \$8 million in global INCLE funding for the State Department Bureau of International Narcotics and Law Enforcement Affairs (INL) anti-gang programs. In October 2007, the Bush Administration proposed the Mérida Initiative, a new anticrime and counterdrug program for Mexico and Central America. During its second session, the 110th Congress considered the proposal, eventually appropriating \$60 million for the Central America portion of the Mérida Initiative in the FY2008 Supplemental Appropriations Act (P.L. 110-252). Congress shifted the bulk of Mérida funding for anti-gang programs from law enforcement to institution building, rule of law, and development programs. It did so partially by earmarking \$25 million for the creation of an Economic and Social Development Fund (ESDF) for the region to be administered by the U.S. Agency for International Development (USAID).

In March 2009, the 111th Congress appropriated another \$5 million in global INCLE funding for INL anti-gang efforts in Central America, as well as \$100 million in Mérida funding for the region in the FY2009 Omnibus Appropriations Act (P.L. 111-8), including \$12 million for ESDF programs, subject to certain human rights conditions.

For FY2010, the Obama Administration requested \$7 million in global INCLE funds for INL anti-gang programs in Central America, as well as \$100 million for the Central American portion of the Mérida Initiative. On December 13, 2009, Congress passed the FY2010 Consolidated Appropriations Act (P.L. 111-117), which includes \$8 million in global INCLE funds for Central America and \$83 million for a new Central America Regional Security Initiative (CARSI), which splits Central America from the Mérida Initiative. CARSI funds are subject to the same human rights conditions as those provided in P.L. 111-8 for Mérida programs. CARSI builds upon existing programs, both on a bilateral and regional basis. Its five primary goals are to:

1. Create safe streets for the citizens in the region;
2. Disrupt the movement of criminals and contraband within and between the nations of Central America;
3. Support the development of strong, capable, and accountable Central American governments;

(...continued)

the Senate Judiciary Committee, September 16, 2009.

4. Re-establish effective state presence and security in communities at risk; and,
5. Foster enhanced levels of security and rule of law coordination and cooperation between the nations of the region.⁵⁷

The Obama Administration requested \$100 million for CARSI in its FY2011 budget request: \$70 million in Western Hemisphere Regional INCLE funds and \$30 million in Western Hemisphere Regional ESF funds. The Senate Appropriations Committee-reported version of the FY2011 foreign operations measure, S. 3676, would have provided \$90 million for security-related programs in Central America, including \$15 million for the ESDF.⁵⁸ In the absence of FY2011 appropriations legislation, Congress has passed a series of continuing resolutions (P.L. 111-242 as amended) to fund government programs, with the latest extension set to expire on March 4, 2011. The continuing resolution, as amended, continues funding most foreign aid programs at the FY2010-enacted level, with some exceptions.

Evolution of U.S. International Anti-Gang Efforts

For at least the last six years, several U.S. agencies have been actively engaged on both the law enforcement and preventive side of dealing with Central American gangs. In 2004, the FBI created an MS-13 Task Force to improve information-sharing and intelligence-gathering among U.S. and Central American law enforcement officials. In 2005, the Bureau of Immigrations and Customs Enforcement (ICE) within the Department of Homeland Security created a national anti-gang initiative called “Operation Community Shield.” In addition to arresting suspected gang members in the United States, ICE began working more closely with its offices overseas to coordinate with foreign governments also experiencing gang problems. Since February 2005, ICE has arrested more than 3,332 suspected MS-13 members in the United States. Also in 2005, USAID undertook a comprehensive assessment of the gang problem in Central America and Mexico. In that assessment, USAID found that while a few U.S. programs addressed some aspects of the gang phenomenon, several new initiatives would be needed in the areas of prevention, law enforcement, and rehabilitation/reintegration.

Throughout 2005 and 2006, an inter-agency committee worked together to develop a U.S. Strategy to Combat Criminal Gangs from Central America and Mexico, which was announced at a July 2007 U.S.-SICA summit on security issues.⁵⁹ The strategy acknowledged that, based on previous U.S. and regional experiences, future anti-gang efforts should be holistic, comprehensive, and regional in scope. It called for active engagement with governments in the region, the OAS, and the SICA. The strategy stated that the U.S. government will pursue coordinated anti-gang activities in five broad areas: diplomacy, repatriation, law enforcement, capacity enhancement, and prevention. Selected current initiatives by U.S. agencies to implement the international components of that strategy are discussed below.

⁵⁷ U.S. Department of State, “The Central American Regional Security Initiative: A Shared Partnership,” press release, August 5, 2010, <http://www.state.gov/r/pa/scp/fs/2010/145747.htm>.

⁵⁸ In S.Rept. 111-237, the Senate Appropriations Committee continued to refer to U.S. security assistance programs in Central America as “Mérida Initiative” programs rather than CARSI programs. The Committee included Haiti and the Dominican Republic among the countries to receive \$75 million in INCLE assistance.

⁵⁹ U.S. Department of State, Office of the Spokesman, “Combating Criminal Gangs from Central America and Mexico,” July 18, 2007.

In April 2010, the GAO published a report examining (1) the extent to which the federal government had developed an adequate strategy to combat Central American gangs, and (2) how well federal agencies had implemented the strategy, coordinated their actions, and assessed their results.⁶⁰ According to that report, the U.S. government has developed and implemented an interagency anti-gang strategy that outlines the threats posed by Central American gangs and the activities that each federal agency is doing to respond to those threats. However, the GAO recommended that the strategy be revised to include better coordination mechanisms between the various implementing agencies and performance measures to evaluate its progress.

State Department

Over the last several years, the State Department has provided training and technical assistance to law enforcement and corrections officials throughout Central America, sponsored anti-gang workshops at the International Law Enforcement Academy (ILEA)⁶¹ in San Salvador, promoted regional coordination through SICA, and established a model police precinct in Villanueva, Guatemala. Initial funds for the State Department's Bureau of International Narcotics and Law Enforcement Affairs' (INL) programs in the region came from \$16 million in unspent Andean Counterdrug Program funds that were reprogrammed in September 2007 to support drug interdiction operations, anti-gang efforts, and demand reduction initiatives in Central America. Since FY2008, INL programs have also been funded by a line item in the Foreign Operations budget designated for "Criminal Youth Gangs." Funding for this program totaled approximately \$8 million in FY2008, \$5 million in FY2009, and \$8 million in FY2010.

In January 2008, INL sent a Regional Gang Advisor to El Salvador to coordinate its Central American gang programs. In July 2008, that advisor produced a detailed assessment of the gang problem in Honduras, El Salvador, and Guatemala and a work plan focusing on six key areas: investigative capacity, legal capacity, intelligence capacity, community policing, prevention, and prisons. Since that time, the Regional Gang Advisor has initiated country and regional prevention activities, sponsored trainings and technical exchanges for police and prison officers from across the region, taught an ILEA anti-gang course, and supported community policing programs in Guatemala, El Salvador, and Honduras. INL is also supporting a Regional Corrections Advisor who is assisting with prison reform programs in the region.

Additionally, the State Department, which coordinates Mérida Initiative/CARSI programs in Central America, has identified gangs as a critical threat to the region, and allocated resources to the Department of Justice, ICE, and the U.S. Agency for International Development to enable those agencies to counter the impact of gangs in the region.

Department of Justice

Within the Department of Justice (DOJ), the FBI is implementing several programs to improve the capacity of law enforcement in Central America to carry out investigations and share

⁶⁰ U.S. Government Accountability Office (GAO), *Combating Gangs: Federal Agencies Have Implemented a Central American Gang Strategy, but Could Strengthen Oversight and Measurement of Efforts*, 10-395, April 23, 2010.

⁶¹ The International Law Enforcement Academy (ILEA) based in San Salvador, El Salvador is one of four regional law enforcement training academies funded by the State Department's INL Bureau. The ILEA in San Salvador offers training and technical assistance to law enforcement officials from throughout Latin America. In 2009, the ILEA conducted five anti-gang courses.

intelligence on gang suspects. The Office of Overseas Prosecutorial Development, Assistance, and Training (OPDAT) has also provided some training on prosecuting gang-related cases to judicial officials in the region. The deployment of a Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) Regional Advisor to San Salvador is enabling ATF to support transnational gang investigations involving U.S. origin firearms. FBI, OPDAT, and ATF programs are supported by the Mérida Initiative/CARSI or other State Department funding and are carried out in collaboration with INL. Recent programs include:

- **Central American Fingerprinting Exploitation (CAFÉ):** a criminal file/fingerprint retrieval initiative that has incorporated more than 72,000 finger prints from gang members from Mexico, El Salvador, Belize, Honduras, and Guatemala into the FBI's Integrated Automated Fingerprint Identification System since 2006. The data are accessible to Central American police officials.
- **Transnational Anti-Gang (TAG) Units:** a program that began in El Salvador in October 2007 involving the creation of vetted police units that work with FBI agents stationed in San Salvador on investigating gang-related cases. TAG activities are being expanded into Guatemala and Honduras.
- **Central American Law Enforcement Exchange (CALEE):** a joint FBI/INL program that brings law enforcement officials from Central America together with their counterparts from several large U.S. cities to share information and intelligence.
- **Repatriation-Criminal History Information Program (CHIP):** a joint FBI/ICE program to provide more complete criminal history information on U.S. deportees to Central American law enforcement officials in receiving countries. CHIP began in El Salvador in 2010.⁶²

U.S. Immigration and Customs Enforcement (ICE)

In addition to Operation Community Shield, which was previously discussed, ICE recently formed an anti-gang task force in Honduras to gather intelligence to support gang investigations in Honduras and in the United States. ICE special agents are also based at other U.S. embassies in the region, including in Guatemala and El Salvador. ICE has also developed an internet-based system to facilitate the transmission of travel documents for illegal aliens, including gang members, who are being deported to El Salvador, Guatemala, and Honduras.

U.S. Agency for International Development (USAID)

USAID has provided \$2.8 million for a regional anti-gang program cosponsored by SICA, known as the "Regional Youth Alliance USAID-SICA." The program, which began in April 2008, involves (1) the creation of public-private partnerships to support prevention and rehabilitation programs in Guatemala, Honduras, and El Salvador; (2) an assessment of the juvenile justice systems in each of those countries followed by efforts to reform those systems; and, (3) collaborating with SICA to evaluate each of these initiatives and to create and implement new policy responses. As part of its efforts to sponsor community-based programs, the Regional Youth

⁶² FBI Press Release, "United Against MS-13; Our Central American Partnerships," November 10, 2009; CRS phone interview with State Department official, December 8, 2010.

Alliance aims to provide 45 sub-grants to local NGOs in targeted communities, many of which are offering computer-based job training to at-risk youth. Those sub-grants aim to reach some 300 community leaders and 3,000 youth.

USAID is also implementing country and regional anti-gang programs with support from the Mérida Initiative Economic and Social Development Fund (ESDF) for Central America that was created by P.L. 110-252, the FY2008 Supplemental Appropriations Act. With ESDF funding, USAID is supporting Community Action Fund (CAF) activities that provide at-risk youth in high-crime communities with basic or secondary education and job training. CAF activities will be modeled after the Regional Youth Alliance program. USAID is also funding Community Crime and Gang Prevention Programs (CCGP) that focus on strengthening the role of local governments in developing citizen security and anti-gang programs. ESDF also supports community policing activities.

One problem currently being encountered in the region relates to the timely delivery of funds for anti-gang programs. For instance, many Mérida/CARSI-funded efforts are just getting underway, as FY2008 supplemental funding did not arrive to most of the USAID Missions in Central America until August 2009.⁶³ Most programs in Honduras did not commence until early 2010 because of the temporary suspension of U.S. assistance to that country in the wake of President Manuel Zelaya's ouster in late June 2009.

Policy Approaches and Concerns

Most policy-makers agree that finding regional solutions to the gang problem is essential. Many also concur 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, over the proper level and combination of preventive and suppressive policies that should be used in Central America to address the gang problem and over what U.S. agency is best equipped to oversee those efforts.

Debates regarding the relative merits of prevention and suppression methods reemerged when the 110th Congress considered the Bush Administration's FY2008 supplemental budget request for the Mérida Initiative. As previously mentioned, Congress increased funding for rule of law, prevention, and development programs and reduced funding for some police training and equipment programs as compared to the budget request. It did so by earmarking \$25 million in Economic Support Funds (ESF) for the creation of an Economic and Social Development Fund (ESDF) for Central America. Congress also increased the amount of funds appropriated to USAID vis-à-vis INL and other law enforcement agencies by stipulating that of the FY2008 ESF funds provided, \$20 million are to be administered by USAID. The 111th Congress included another \$12 million for the ESDF in the FY2009 Omnibus Appropriations Act (P.L. 111-8) and \$20.5 million in the Consolidated Appropriations Act (P.L. 111-117) to support USAID programs in violence-prone communities.

Proponents of law enforcement solutions maintain that Central American law enforcement officials lack the capacity and resources to target gang leaders effectively, share data, and conduct thorough investigations that lead to successful prosecutions. In addition to supporting specialized

⁶³ GAO, July 21, 2010, op-cit.

anti-gang units, the Mérida Initiative/CARSI seeks to address these issues by providing funding for police training to build investigative capacity and communications equipment for police forces. CARSI does not include funds to support large-scale police reform, even though corruption within law enforcement is a major obstacle to current anti-gang efforts. It does, however, aim to improve police-community relations, which have been very poor in many communities, through support for community policing programs modeled after the successful U.S.-funded program in Villanueva, Guatemala.

While most U.S. observers argue that the State Department and 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.⁶⁴ In recent years, the U.S. Southern Command has taken a leading role in discussing the problem of citizen security in Central America, both within the U.S. inter-agency community and with Central American officials. 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. They have expressed satisfaction that the Mérida Initiative (and now CARSI) emphasizes regional cooperation by civilian agencies on public security issues through the U.S.-SICA dialogue, with no explicit role established for the U.S. Southern Command or the region's militaries.⁶⁵

Based on the experiences of cities throughout the United States, proponents of more prevention-based interventions argue that localities that provide social services to at-risk youth have been more effective in preventing gang violence than those that have relied only on law enforcement approaches.⁶⁶ These findings mirror the results of several studies previously cited in this report that focus on reducing gang violence in Central America. As a result, human rights groups urged Congress to include more of an emphasis on prevention and rehabilitation in the Mérida Initiative than the Bush Administration had originally proposed.⁶⁷ As previously stated, Congress increased funding for prevention programs, as well as economic and social development programs, in P.L. 110-252, P.L. 111-8, and P.L. 111-117.

Author Contact Information

Clare Ribando Seelke
Specialist in Latin American Affairs
cseelke@crs.loc.gov, 7-5229

⁶⁴ The only military component in the Administration's proposal for Mérida was the \$21 million requested in FY2009 to support Enduring Friendship, a Department of Defense program to provide naval equipment to Central American countries so that they can work with the U.S. Coast Guard and Navy on maritime drug interdiction efforts.

⁶⁵ U.S. Department of State, Office of Language Services Translating Division, "Not All That is Gold Glitters and Not All That Glitters is Gold," by Joel Fyke and Maureen Myer, March 2008, originally published in *Foreign Affairs en Español*, Vol. 8, No. 1.

⁶⁶ "Gang Wars," *Justice Policy Institute*, Washington, DC, July 2007.

⁶⁷ "Memo: The Merida Initiative and Citizen Security in Mexico and Central America," *Washington Office on Latin America*, March 2008.